

# Minutes for May 11, 2020

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Commissioners Present: Porter, Cameron, Crooks  
Staff Present: Susan Reese

**RES 20-0415** Meeting was called to order at 10:26 a.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.  
Vote was Cameron, aye; Crooks, aye; Porter, absent at the time of voting. Motion carried.

Commissioner Cameron moved to approve the payment of bills, pending review.  
Seconded by Commissioner Crooks.  
Vote was Cameron, aye; Crooks, aye; Porter, absent at the time of voting. Motion carried.

Commissioner Cameron moved to approve payroll, pending review.  
Seconded by Commissioner Crooks.  
Vote was Cameron, aye; Crooks, aye; Porter, absent at the time of voting. Motion carried.

The Commissioners went outside on the esplanade to open bids for the Starlight Covered Walkway.

The following legislation was considered:

**RESOLUTION 20-0416** open bids for Starlight Programs, Board of DD, covered walkway project.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

The following bids were received:

Robertson Construction	\$74,900.00
Wolf Creek Contruction	\$92,888.00
Paul Construction	\$67,500.00

**RESOLUTION 20-0417** take bids under advisement for the covered walkway project for the Starlight Programs – Board of DD.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

This project will provide a covered walkway at the back of the building that will now be the parent pick-up area for the school.  
Cole Ryan, APG Architects, said he would review bids and send recommendation.  
Kellie reported that Starlight's Board meeting will be Thursday evening.  
Kellie was asked about the thermometers that she loaned through the Commissioners' office. She was asked if she wanted those returned to her or if she would prefer that new ones were returned. She said fine to returning the originals.  
There was brief discussion regarding the Zane Street property. Kellie would like to sell the property. All agreed to wait for a few months.

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The following legislation was now considered:

**RESOLUTION 20-0418** approve the Supplemental Appropriation of Funds within Fund Number 001, for the Muskingum County Commissioners, as requested by Beth Iden, Deputy Clerk.

**SUPPLEMENTAL APPROPRIATION OF FUNDS**

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Outside Agencies	001-902-507024	\$47,183.71

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 20-0419** payment of the county's mandated share of the Income Maintenance programs for the fiscal year of 2020 was requested to be paid for the period of April through June 2020, in the amount of \$43,432.25 has been submitted by the Muskingum County Department of Job and Family Services, Fiscal Supervisor, Tom Smith, as follows:

**FUND TO FUND TRANSFER**

<u>From Transfer Out</u>	<u>To Transfer In</u>	<u>Amount</u>
001-999-510004 County General	007-000-414002 PA Fund	\$43,432.25

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; , Crooks, aye; Porter, aye. Motion carried.

**RIGHT OF WAY PERMITS SIGNED:**

**Columbia Gas of Ohio – Construction Services, Columbus  
Washington Twp.; Boggs Road  
Abandon gas service line  
Start w/in 30 days; same day completion**

**Columbia Gas of Ohio, Columbus  
Springfield Twp; Coopermill Road/CR71  
Abandoning gas service line  
Start May 14; same day completion**

**Columbia Gas of Ohio-Construction Services, Columbus  
Springfield Twp; Ridge Road  
Abandon gas service line  
Start w/in 30 days; same day completion**

Commissioner Cameron reported that when she went to the FEMA Training last Thursday, she was given a letter that needs to be signed giving Jeff Jadwin, EMA Director, permission and authority to sign documentation relative to the Public Assistance Grant Program for FEMA-DR-4504-OH. All agreed and the Clerk will prepare the letter for signature.

Commissioner Porter said that George Hiotis from WHIZ, called him at 10:15 a.m. on Friday to ask about items on the agenda.

Commissioner Porter reported that he received a call from Tom Gill regarding the radio station's request to install an antenna on a tower by the Dog Pound. He wanted to know if there were any decisions. Commissioner Porter told him he brought it up in session. Mr. Gill indicated that he would be willing to pay for the cost of the electric and internet. Commissioner Porter did not

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know about the building on that site and is not sure how to get to it. He said that the Board did the same for a radio station in Guernsey County on an EMA tower and he doesn't have a problem with it. Commissioner Porter would suggest the antenna be installed by a professional. The radio station would incur the cost of the installation and materials and Commissioner Crooks suggests they be made aware of that ahead of time. Commissioner Cameron suggested using the Guernsey County contract as an example. And, also add that we are not responsible for his equipment in our building. Commissioner Porter will make contact with Mr. Gill.

Commissioner Cameron mentioned that the Supreme Court ruling that came down yesterday says that the Courts do have to provide masks. There was discussion regarding who would be addressing that with our Judges and the enforcement of the State orders.

Commissioner Porter said there is not a good relationship between the Health Department and the Muskingum County Livestock Barn. They've been told if the restaurant opens and the food is not consumed in the parking lot, they will close them down. So the Sale Barn made the decision to shut the restaurant down.

Commissioner Cameron mentioned the email sent to the Commissioners from Bryan Catlin, Dog Warden, acknowledging that adoptions are starting today. Commissioner Cameron asked if the dogs are still at the fairgrounds...yes. Are they keeping them there?...Commissioner Porter said he wouldn't know.

There was discussion regarding the Recycling employees. Because Mark has been hurt and will be off work tomorrow and John had a scheduled day off, there will be no County employee at Recycling tomorrow. Commissioner Porter said it will be okay, just treat it like a holiday and catch up later. Commissioner Crooks suggested letting Jeff know to be available. A call was placed to the EMA office and talked with Travis. He was made aware that Mark and John would be off work on Tuesday. Travis expected he and Jeff both to be around tomorrow.

Commissioner Porter reported that he received a call from Steve Bradley, Meigs Township Trustee. Mr. Bradley suggested using their check for tax from the new high pressure gas line for the compressor station and combine with the County's and put towards water to Museville. Commissioner Crooks said she would like to be consistent throughout the County. Commissioner Porter said Museville is currently a project on our list.

Commissioner Cameron reported that Scott Lee, Facilities Supervisor, talked with Adult Probation about the parking spots under the garage in regards to the upcoming renovations to the Law Administration building. He proposes moving the Escape down two spaces and moving the Commissioners' Envoy outside. This will help Judge Martin back his truck in to a space. Melanie in Adult probation says that decision is above her and Scott's paygrade and it's ain't happening because Judge Fleagle doesn't know anything about it. Commissioner Porter said the Maintenance Supervisor has made those decisions in the past.

A call was place to Rob Reiter to talk with him about Recycling staff. Commissioner Porter said he would talk with Mike at Recycling about handling while Mark is off. He will report back to Rob.

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Don Madden, Projects Manager, was called in to meet with the Board. Commissioner Porter told Don of his conversation with Steve Bradley about Museville water. Don said that Steve had called him about a month ago and asked how much the County received for this funding. Don had asked Debbie Nye. Don has not received that figure yet. He considers it grant money to help a project get in the black. Are we setting a precedent? JEDD revenue pays for some infrastructure. There was also discussion of past conversation about setting a water station. The cost for that could be over \$40,000. Don will follow up with Debbie Nye to find out the amount of the checks and find out an estimated price and how many houses.

A call was placed to Jeff Jadwin, EMA Director. Mike at Recycling will adjust his schedule to Jeff's because Mike does not have a key.

Commissioner Porter asked Jeff if he has been in the building by the tower on Newark Road. He said it has been a while. His equipment is on the outside.

There was discussion regarding the email from Dr. Butterfield addressing COVID-19 testing through the Coroner. There are several questions for Dr. Butterfield. The Board will call him after lunch.

The Commissioners adjourned for lunch at 11:55 a.m. Commissioners Cameron and Crooks attended the COVID-19 Business Strike Team meeting at 12:00 noon.

The Clerk informed the Board that she had made contact with Brian Diamond, County Website Administrator about posting the minutes on the website. He has uploaded January 02 – February 06, 2020. He has made it possible for the Clerk to upload minutes as they are approved.

Commissioner Cameron explained to the Board that Mike Babcock came down to ask the Board to consider revising RES 20-0382 to a longterm advance rather than a loan to the Engineer in the purchase of trucks. The following was then considered:

Commissioner Cameron said she told Scott that the Commissioners agreed that he could move the vehicles in the parking garage as he sees fit, it's his department.

**RESOLUTION 20-0420** REVISE RES 20-0382 dated April 27, 2020 as recommended by Michael Babcock, Chief Administrator.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye.

Motion carried.

Commissioner Porter said he stopped at Recycling at lunch time. Mike was asked to come in an hour later and had no problem with that. It was decided to check his qualifications through the temp agency to see if he can run the equipment. John didn't think it necessary to bring on an extra person to help in Mark's absence.

The Commissioners took a call from Sheriff Lutz. He advised the Board that he was notified today that they received the grant for the computer equipment. It is a 60% eligible match grant. Sheriff will review and advise how to continue.

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Commissioner Porter wanted to correct the time he said George Hiotis called him from WHIZ on Friday. It was closer to 3:00 in the afternoon.

Pam Davis, Human Resources, came in to discuss the staffing situation at Recycling. They explained to Pam the situation and asked about Mike running the skid loader. Pam told the Board that Mike is Rob Reiter's temp, not the County's. Commissioner Porter will include that in his text to Rob, asking if Mike can run equipment, as long as he's been trained.

Pam clarified information on Lorena insurance premiums. If the crew is responsible for checking on the vessel while laid up, we will have to keep the coverage in place. If other employees, owner, etc. will be checking on the vessel, then the premium can be decreased. There are requirements of documentation that the vessel is being checked daily, used to reduce the premium...daily while it is "being laid up". Current coverage runs until June 1. It was decided to have the Captain, who is a County employee, do the daily checks. Pam will proceed with insurance on a month by month basis, until it is determined if and when the vessel will be open for voyage.

**RESOLUTION 20-0421** declare an Executive Session at 2:12 p.m. for the purpose of discussing Pending Litigation of the Muskingum County Water Department. This session ended about 2:21 p.m.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Pam reported that she left a message with Josh Jones at Genesis regarding the COVID-19 tracking. All agreed for Pam to proceed.

There was discussion regarding the thermometers at Northside. Pam will find out if they are touchless.

The Commissioners placed a call to Dr. Butterfield, in regards to the testing of deceased who may be thought to have had COVID-19. Is the Health Department paying for the actual kit and test and the County paying for the test to be done and read?...There are about 300 test kits and they were free. The only cost is the testing itself and they are being sent to Riverside and will be paid for by the Coroner. He doesn't expect there to be a lot of testings on deceased. Does this involve the funeral homes?...no, the only person to make these decisions are the Coroner or the Investigator. If the funeral home requests, the cost is on them.

There was also a question about Courts/County being required to provide masks for visitors to wear. Did everyone get the same memo about the requirements, because that is not happening at our Common Pleas Court. Yes, they all got the memo from The Ohio Supreme Court. Dr. Butterfield believes that would be a violation of the directive. Dr. Butterfield said he thinks EMA has an adequate supply of masks at this time.

Commissioner Porter reported that Mark Schneider said that Mike cannot operate the skid loader, but does know how to operate the compactor and bailer. Stipulations from the temp agency? Rob said he is willing to send an experienced operator to help. John says he is comfortable with things the way they are. Commissioner Porter will text Rob and tell him to wait.

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Commissioner Cameron asked how they wanted to handle the Dog Wardens and volunteers in letting them know they've had discussion about the Sheriff being the Dog Warden. It was decided that the Clerk will call Bryan Wednesday and ask if they can come in Thursday at 10:15 a.m. to discuss procedures. Commissioner Crooks will check with Mark Zanghi, Assistant Prosecutor, to see if this qualifies as Executive Session.

Commissioner Crooks moved to approve the minutes of the May 07, 2020 session.  
Commissioner Porter seconded.

Vote was Cameron, aye; Crooks, aye; Porter, aye.

Motion carried.

It was agreed that Commissioner Porter would return Carlton Rambo's phone call.

PORTER: Over the weekend I got several calls about my attendance in here.

You can bring this up with Dr. Aboza; Dublin Methodist Hospital; Dr. Clinton at the James; Dr. Hong at the Genesis Cancer Center; Dr. Gibson from Genesis and Dr. Shade. Two of those I've had multiple surgeries with and it takes some time to recover. I'm not under Dr. Aboza's care anymore, but the others I am. This requires me to visit them occasionally and requires me to do some testing occasionally before I visit them. In the past I've tried to schedule them out of session, but that's almost impossible. So, that explains my attendance record here that everybody's concerned about.

CAMERON: I am not concerned about it and I will not be following up with your doctors. In the minutes, I've never said...just me, I wasn't concerned with his appointments. I think I've been more than understanding about his appointments.

PORTER: And I appreciate that.

CROOKS: Jim – you told WHIZ you wanted to move on.

I agree – let's move on...but before doing so...I have some things to get off my chest. I would like the same courtesy as we gave you last week -- to speak my mind uninterrupted.

I believe what you did on FaceBook post was totally despicable.

Even more cowardly is you were a really brave keyboard warrior but when it came time to face people you declined the WHIZ interview, then provided a statement that said you didn't get an answer from us as to why the increase was given.

The minutes will reflect why you didn't get an explanation...you didn't ask the question.

When I miss a session, I watch the videotape of the meeting.

Perhaps you could have watched the videotape -- all the documented facts that we considered in making that decision are on tape – transparency. Unlike you, we consider data, market research, industry standards.

On FaceBook you refer to me as a Colleague...Let me talk about how you treat your "colleague".

I have years of experience as a community leader and businesswoman.

I was voted into this position -- receiving 60% of the vote – defeating Jerry Lavy who had served 8 years.

Since taking office, I have never received the first ounce of respect from you, including now when you're on your phone, texting and not listening.

PORTER: I'm not....

CROOKS: In fact, twice you have screamed at me that "I don't exist in your world".

You've said that, right? Twice...May 10, 2018 being the first time.

You have called me evil and a scumbag.

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Last year, you asked for a truce – you shook my hand and stated that we aren't always going to agree...but we can agree to disagree.

I told you that (on paper) we three Commissioners are a very dynamic team.

We have diverse backgrounds, expertise and perspectives...and I respected you for your knowledge...but we must have mutual respect for one another.

Needless to say, the truce didn't last.

Last year, the Commissioners acquired a property on Shinnick Street through drug forfeiture.

After consulting with and receiving approval from the Prosecutor's office, my husband and I purchased the property.

You approved the sale...as did Commissioner Cameron.

I abstained from the vote.

Then you refused to sign the deed to transfer to us...after you had approved the sale...and we had paid \$20,000 to the County.

When I asked why...you said you didn't think it was ethical.

I did my homework – I had talked to the Prosecutor's office

I asked them not only was it legal for me to bid?...but was it ethical for me to bid?

The Prosecutor's office gave us approval to bid.

For the record...the reason we bought Shinnick...was for our Little Brother from the Big Brothers Big Sisters program, who was homeless, sleeping in his car.

He had no credit, no money, no job, a crappy car, nowhere to live...and a 2-year old daughter.

He'd made some poor choices but was getting his life back together and he needed a break. And we gave him a break.

I wanted to be a Commissioner to make a difference and do what was right for this County. I am committed to making tough decisions with the best information I have available.

You didn't just question our decision regarding the insurance broker contract with Forker...you questioned our conduct...which, by the way, was both legal and ethical.

Allow me to face my accuser here – and tell you just a few of your actions that I question: Regarding your statement to not bid out contracts under \$50,000, you said *"Which they can legally do, but we normally bid it out."*

How misleading...you and Cindy decided, on February 24, 2020, not to bid out the contract. I was on vacation and I was not even at that meeting.

But, how about the local HVAC company that gets almost all County jobs – I've repeatedly asked that other estimates/quotes be sought (for comparison purposes) – you've never thought that was necessary.

Before, I was Commissioner, how about the courthouse lights which did require bidding but you and Jerry didn't bid it out which was then noted on our State Audit.

My point is...if it's your friend, or if it's your idea...it's a different story.

You said...*"Why give an increase when it was not requested"*.

Because the contract was not being bid out, there was no formal bid document or request required. However, the entire time I've been here, we have discussed, since 2017, compensation for the Forker Company.

But, there have been other examples -- last year you gave an increase to a whole group of employees without a request from their Department Head. You didn't even talk to him about it.

You provided no market data, no rationale for the request.

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So if it's your idea...it's ok? If you have friends who will benefit, it's ok.

Let me talk about the Land Bank that was nearly destroyed by the inappropriate actions of you and Tim Smith.

A-1 Towing – you approved to sell a property to A-1 that the Land Bank did not yet own. You accepted a bid of \$5,000 and turned down a bid of \$80,000—I'm still not clear why. You instructed the owner to go ahead and make improvements on a property he didn't yet have deed to.

Lear -- You misled the public (and perhaps even Zembas) by telling people that I blocked the sale to Zembas. It was the same scenario as A-1 Towing. Land Bank did not have possession/title/authority to the Lear property when Zembas made their proposal. Additionally, the Board of Directors of the Land Bank voted to suspend operations for one year until proper and transparent policies and procedures were put into place, an executive director hired, and new board members added.

You've made a big deal about the property my husband and I purchased prior to becoming a Commissioner. We paid \$2,566 for two small parcels only one of which adjoined a property we planned to purchase for our business. But, imagine my surprise when I learned after coming onto the Land Bank board that we could have paid much less for the parcel...the minimum bid listed on the land bank paperwork wasn't consistently enforced – depending on who was making the offer.

In 2016, you approved \$75,000 annually for an Executive Director of the Park District. And, after Jerry Lavy was defeated as Commissioner, you attempted to have him hired for the position, even though he didn't meet even the minimum criteria for the position...and he had moved out of State. Now, I should note...because we blocked your plan, we hired a highly competent and effective Park Director who has done an amazing job.

We have moved at a snail's pace toward two badly needed new construction projects – a new jail and a new dog pound -- because why?

For the jail -- Because the site you selected is not feasible...as determined by two of our County's most credentialed engineers.

For the dog pound – because you don't want to give in to the neighbors.

Ironically, our engineer and architect have told us we could build on a site already owned by the County...but that's the site you still insist that we can build a jail on.

I believe my job as a County Commissioner is to do what is right for the citizens and County as a whole. It's about collaboration, cooperation, communication and relationship building. It isn't about winning or losing. That is definitely where you and I differ.

How many times have I heard you make statements about “dirty politics”? What you did was the dirtiest. We did ourselves no justice to take our fight to FaceBook. But, I am not going to be bullied or intimidated or have my actions misrepresented. I don't exist in your world...it's no big deal...I exist in God's world...that's the only one that matters to me.

You want to blame me for this dysfunctional relationship because I had the audacity to run against you...then I defeated your best friend.

But, if you look at the history of this office...Steve Strauss, Todd Sands, Mollie Crooks, Cindy Cameron...you haven't been able to get along with any of us.

You are the common denominator.

WHIZ asked how the relationship among us will be now...my reply, which didn't get on there; I'm a professional. I know my job and will do it to the best of my abilities.



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So now Jim...let's move on.

PORTER: So, I'll wait for the minutes and unfortunately by putting them out to public like we decided to do last week, you (to Clerk) had better get used to this 500 page minute per meeting, and I'll give you my rebuttals. Some, you're not going to like. Because, I, too, contacted Ohio Ethics Commission. I'll wait. I'm good.

CAMERON: I would just like to say for the minutes, that WHIZ, there must have been a miscommunication; WHIZ never contacted me for an interview. They never called me, which is fine. But, they asked why I didn't have anything to say or why I didn't...they never contacted me. They must have only contacted you and Mollie. So, which is fine, but I just...

PORTER: Well, it's pretty bad when you send stuff in writing and they still screw it up. I'm good.

CAMERON: I just...I feel badly that Susan and this whole staff have to go through this. I don't know what to do to fix this, correct it or to make it better, but for a County that has what we have going for them...we're not broke, we're not making cuts, we could do, you know, we have the Port Authority down there that we work with, we have business coming in here. And I just feel badly that Pam and Susan are stuck in the middle of this.

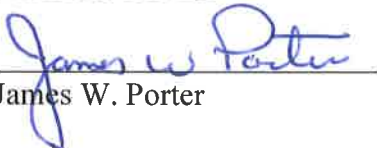
With no further business being before the Board, the meeting was adjourned at approximately 3:27 p.m. on the motion of Commissioner Cameron and the second of Commissioner Porter.



Cindy S. Cameron



Mollie S. Crooks



James W. Porter

*This is a condensed version of today's session. For a more detailed account, feel free to request a DVD recording.*

