

# Minutes for May 18, 2020

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

**RES 20-0437** Meeting was called to order at 10:55 a.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.  
Vote was Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

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

Stan Lucas, Sewer Department Manager, came to talk with the Commissioners about a request to waive sewer tap fee. A resident of Sonora is moving a mobile home on to their property to house their ill mother-in-law. The resident has asked for the tap fee to the mobile home be waived. Commissioner Porter said he received a call from Mrs. Schumaker, landowner, who explained that she had talked with the Utilities Department. They were not agreeable to waiving the tap fee and that's when Mrs. Schumaker called Commissioner Porter. Commissioner Porter told her it would probably be a Board decision and then called Don Madden, Projects Manager, who then called Stan. Stan said he originally told Mrs. Schumaker, no to waiving the tap fee because he said that is his hard and fast rule...no waiving of tap fees. He stressed consistency. Commissioner Cameron asked what the original tap fee was for the existing house. Commissioner Porter noted that stimulus money was used to put in the sewer in Sonora. Stan was asked to talk with Mark Zanghi about a possible agreement with Mrs. Schumaker and to talk to Don Madden to find out the price of the original tap. There was discussion regarding Bass Environmental's visit on Thursday. It was suggested to hold the meeting at the Port Authority because of the larger area. Stan will also check with the City to see if they would like to be involved.

Commissioner Cameron reported that she and Commissioner Crooks will be attending the COVID Business Strike Team meeting at 12 Noon today. They will be back to resume session by 1:30 p.m.

The following legislation was now considered:

**RESOLUTION 20-0438** rescind RES 20-0423 to accept Cameron Legacy, LLC Brine Permit Application, per their request.  
Motion made by Commissioner Crooks, seconded by Commissioner Porter.  
Roll Call: Cameron, abstain; Crooks, aye; Porter, aye. Motion carried.

Regarding the above resolution, Cameron's sent a letter withdrawing their application. Commissioner Cameron said she probably shouldn't have seconded it on Thursday, but knowing we had prior resolutions where Commissioners Porter and Crooks both made a motion and accepted it, she didn't know what the change was this time.

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**RESOLUTION 20-0439** authorize the signing of the title page of the plans for the EastPointe Drive Water Main Extension, this waterline will serve AMG Vanadium.  
Motion made by Commissioner Porter, seconded by Commissioner Crooks.  
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

**RESOLUTION 20-0440** approve the line item transfer of monies within Fund Number 001 as requested by Mark C. Fleegle, Administrative Judge, Muskingum County Common Pleas Court, as follows:

**LINE ITEM TRANSFER OF MONIES**

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
001-240-504002 Contract Labor	001-240-506001 Equipment	\$5,500.00

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

**RESOLUTION 20-0441** approve the payment of invoices incurred in 2019 with 2020 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by Sheriff Matthew Lutz.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Genesis Healthcare	Inmate services	\$115.61
Genesis Healthcare	Inmate services	\$ 29.81

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

**RESOLUTION 20-0442** approve the line item transfer of monies within Fund Number 021 as requested by Candy Emmert, Executive Director, Muskingum County Adult and Child Protective Services, as follows:

**LINE ITEM TRANSFER OF MONIES**

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
021-695-504378 Protect Ohio/Non-Custody	021-695-504311 Chaffee Program	\$25,000.00

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

**RESOLUTION 20-0443** accept the specification, plans and authorize the advertisement of Ferncliff Road culvert replacement for the Muskingum County Engineer. The Muskingum Watershed Conservancy District has agreed to provide funding for the project.

Advertisement will be in the Zanesville Times Recorder. Bid Opening will be held Monday, June 8; 10:30 a.m.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

The Clerk was asked to call Matt Russell about how this funding will work in terms of receiving the money and paying the contractors.

**RESOLUTION 20-0444** adopt proposed changes to the COVID-19 Safe Work Practice Guidance Policy. Submitted by Pam Davis, Human Resources.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

## **RIGHT OF WAY PERMITS SIGNED:**

(3) Frontier Communications, New Philadelphia, OH  
Highland and Union Twps; Bloomfield Rd; Sunflower Rd; Pleasant Hill/Rix Mills  
Place overhead fiber  
Begin June 2020 – possibly through December 31

Century Link, Lorain, OH  
Adams Twp; Edgemoore Rd  
Road bore  
Begin upon receiving permit – 90 day completion

There was brief discussion regarding Pat Kelly's email and Sheriff's Lutz' reply regarding the Dog Warden facility and staffing. Commissioner Porter would suggest they not rely on the Times Recorder for their information.

Sheriff Lutz sent an email asking the Commissioners' approval to move forward with the 9-1-1 grant.

Jason Baughman, Chief Building Official, came to talk with the Commissioners about the new tent guidelines for the restaurants re-opening. He said he and Doug Hobson, Assistant Fire Chief, ZFD visited businesses at Chief Bell's suggestion. They started on North Linden Avenue Friday night. He felt like most were very cooperative and there were no problems. Jason said they go in with the intention of education, begin as forgiving and kind and compassionate as they could and still educate them on what the law says. If they follow their guidelines they don't have to pull a permit, but if they needed to, told them how to go about it. Commissioner Cameron said there is a whole different side to the story than what Jason just told. She told Jason she believes him 100%, but there is a whole other side from the Mayor and the owners of the restaurants.

Fire Code is enforced by the Mayor and the Fire Chief. Commissioner Porter asked Jason what authority he has, as far as the Building Department. It was Jason's understanding that Jeff Jadwin said we have to enforce the code, we cannot pick and choose. They are not the police, but they are there to educate. If they don't follow the rules, then Jason has to get involved. Jason has to be invited on to the property to inspect things he cannot see from the road. He can, however, walk onto the property if the establishment is open. If they are closed, he can leave a notice on the door.

Commissioner Cameron asked if Doug Hobson said he was not leaving Rakes until they cooperated. Was he rude or obnoxious? Jason didn't see it that way. The Mayor called Commissioner Cameron and asked what was going on. She told him that the Board would follow up Monday with Jason. Commissioner Cameron said there are different ways to deliver the same message. Jason said he did not hear Hobson get belligerent. Commissioner Cameron said she would prefer that when Jason and Doug go out together to inspect, that it be made known that they are from two different entities. At Jason's suggestion the following was considered:

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**RESOLUTION 20-0445** authorize the Muskingum County Building Department/aka Mid-East Ohio Building Department to temporarily waive tent fees as a result of COVID-19. Temporary order to run through December 31, 2020  
Motion made by Commissioner Crooks, seconded by Commissioner Cameron.  
Roll Call: Cameron, aye; Crooks, aye; Porter, aye. Motion carried.

Mark Zanghi, Assistant Prosecutor entered the conversation. He had talked with Stan about the waiving of the tap fee and has concerns with that situation. He feels that is more of a slippery slope than the waiving of tent permit fees.

The Commissioners adjourned for lunch with Commissioners Cameron and Crooks attending the COVID Business Strike Team.

The Commissioners resumed session at 1:30 p.m.

Stan Lucas came back in to update the Commissioners. He talked with Don Madden about the cost of the original tap fee for the existing house...\$4,682.48. They are making bi-monthly payments with the sewer bill for a 20 year period.

Mark Zanghi said he would research some more and call the Commissioners this afternoon to discuss.

Stan gave an update on the County current capacity with the City...4 million gallons a day with the County sending 1.2 million gallons per day. Bass Environmental would take the County to 1.8 million gallons per day and still leaves a 2.2 million gallon capacity. Commissioner Crooks asked if he knew any background on the owners of Bass. Stan believes there are two or three investors who have businesses in other areas. He does not know who they are or their background, just knows they're businessmen. Stan said that Matt Abbott said it would be okay to hold the meeting at the Port Authority Thursday at 10:30 a.m. He also talked to Kevin from the City of Zanesville who said he would be there, but wasn't sure about the Mayor. Stan asked about visiting other sites, but found out that those other structures are not exactly the same and this proposed site and they are not allowing visitors at this time. Stan suggested the possibility of asking Mrs. Schumaker to pay an additional one BU and the equivalent of the tap fee payment that they are currently paying...basically doubling their current bi-monthly billing. All agreed to wait to hear Mark Zanghi's opinion.

A call was placed to Sheriff Lutz...a message was left.

The Clerk reported that the new thermometer has arrived. She was asked to notify Courthouse security.

Jeff Jadwin, EMA Director, has asked the Clerk to send an email to Elected Officials and Department Heads regarding the availability of cloth masks. The Commissioners approved.

The Commissioners received a message from a resident of Payne Road. The Commissioners placed a return call. His concern is with large potholes on the road and some being filled with dirt. Also, there is an abandoned property where folks are dumping trash, including uniforms. He has talked to the Trustees who told him not much they could do about trash. There are

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approximately 6-7 houses on this road. He asked that the Commissioners if they would contact the Newton Township Trustees.

Andy Roberts, GIS, came to talk with the Commissioners about Jason Thomas' request to purchase a parcel of land in Stonehenge that housed the old package plant. Andy suggested, if the Commissioners are interested in selling, to add it at the end of a Sheriff's sale. Andy will check on legal description. The Commissioners will discuss with Mark Zanghi regarding an amount, advertising and a date. The following was then considered:

**RESOLUTION 20-0446** authorize the sale of Parcel 44-19-04-30-000 owned by the Muskingum County Commissioners at a Public Auction.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

Motion carried.

A call was placed to Bob Stephenson, Newton Township Trustee, regarding the Commissioners' earlier phone call on Payne Road. Bob agreed that the trash dumping is one of the worst sights he's seen. They are currently working with EPA and the Health Department. He also understands the concerns about the road. The Township's plan is to zip it, chip seal it and fix the ditches, a long process. A call was placed to the resident to explain the Trustee's report.

Chris Hamill, County Treasurer, stopped down and discussed an email asking about delaying payment of second half property taxes. She responded to the email saying Muskingum County would be staying on their timeline for real estate tax payments.

It was reported that the LandBank would be meeting at the Welcome Center for their next meeting on May 26.

The Commissioners placed a call to Lew Stiers regarding his East Pike property he currently has for sale. He thought the Commissioners might be interested in his building. He said the property has been listed on the Port Authority's website for some time.

The Clerk reported that she talked with Matt Russell at the Engineer's office about the payment of the Ferncliff project. The Engineer will pay for the project up front and then Muskingum Watershed will reimburse the Engineer.

There was discussion regarding a Public Records request from Chad Stemm, Campaign Manager for Joshua Weaver for Muskingum County Sheriff 2020. The Clerk will consult with the Prosecutor's Office.

The Commissioners took a call from Sheriff Lutz regarding the 9-1-1 Grant money. There was a bit of a difference in the initial cost. He just wanted to make sure everyone is on board. The match will be \$84,860. The Sheriff stated that this amount would not have been in his normal budget. All he needs at the moment is the okay to proceed. All agreed. Sheriff will keep the Board updated.

Commissioner Porter commented on the article in the Zanesville Times Recorder to the Sheriff...he wouldn't rely on the Times Recorder to get the facts about anything.

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There was also discussion regarding the Public Records request. The Sheriff received a copy of it, as well. He believes this came about as a result of a FaceBook discussion about public funds and the Sheriff requesting \$15,000 and not telling anyone what it was for. Sheriff Lutz didn't want to tell the public about their investigative tools.

Pam Davis, Human Resources, came in to discuss the Lorena Insurance policy. The following was then considered:

**RESOLUTION 20-0447** accept the Insurance Renewal quote of \$5,910 and to sign to reject Terrorism Insurance coverage for the Lorena Sternwheeler with London & Norfolk, Ltd. through Rankin and Rankin Insurance Company.

Motion made by Commissioner Crooks, seconded by Commissioner Porter.

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

Pam made a spreadsheet for Captain Page to use in checking the Lorena daily beginning June 1.

There was continued discussion regarding out-of-state vacations for County employees. It was decided to allow access to Emergency Sick Leave only if they have one of the six qualifying reasons. And, if someone needs to self-quarantine due to vacation, they must use vacation, comp or personal time, unless it is doctor recommended. She will suggest that Department Heads discuss with their employees.

Commissioner Porter reported that he checked on John at Recycling and John doesn't seem to think they need help while Mark is off. Pam will talk with Mark when he comes in today.

Commissioner Porter said that he sent Tom Gill the Tower Agreement for their requested radio antenna. Mr. Gill said that they have engineers to do the work. Commissioner Porter has not heard back from him.

Bob Snavely, Palmer Energy, called the Commissioners to update them on his conversations with Townships. He will be speaking with Falls Township at the June 8 meeting, with Wayne Township at their June 2 meeting and Muskingum Township will be getting back with him.

It was noted that the Public Records request letter from Chad Stemm was dated April 09, 2020, but was received in our office May 18 and postmarked May 15.

A call was placed to Pat Kelly regarding the Dog Warden's office. What are the next steps? Pat will be meeting with AEP Wednesday at the East Pike property. He will be rearranging plans and will try to shave off some square footage. He will have the new plan next week.

There was discussion about the location. It was decided to wait and see what Pat has to say. Commissioner Porter said there is still the issue of traffic at the East Pike property and where will the Sheriff be going if/when a new jail is built.

Commissioner Cameron reported that she heard there is a contract on 16 acres on Whites Road property.

Commissioner Cameron said that Jason Baughman and Doug Hobson were at the 12:00 noon meeting today. They both reiterated what Jason had said this morning...they didn't feel as

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though they did anything rude. Jason said when he was here that he was just doing his job. Commissioner Porter said he talked with Hobson after that meeting and said to him that he was going to be a busy person and Doug said he was told to leave them alone. Doug told Commissioner Cameron that Jeff Bell would be doing it instead of him. They wondered if it set people off when they pulled up in the ZFD vehicle. Matt Abbott thought that tensions were riding high that day. Commissioner Porter's point is to be fair across the board, don't single a few out and expect them to go by the rules and let others not abide by the rules. Jason and Doug never said they weren't going to see about the tents, they said they weren't going to harass people and the masks, they were going to wait until Monday to see if there were complaints.

Commissioner Crooks moved to approve the minutes of the May 14, 2020 session.

Commissioner Porter seconded.

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


Motion carried.

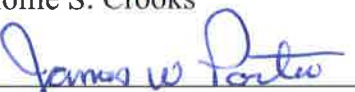
There was continued discussion regarding the sewer tap request for Sonora Road. The Commissioners had phone conversation with Mark Zanghi regarding this issue. The Board explained to Mark the proposal of charging the one BU fee plus the tap fee payment for the mobile home and when the mobile home's gone the payment goes away. Mark will put together some language as an agreement. Commissioner Cameron suggested just mocking the current agreement with landowner. Same parcel just adding a mobile home. They can extend their water, but not sewer. Commissioner Porter will call the landowner to make the offer.

Pam Davis came back in and reported her conversation with Mark Schneider. He said John is doing a great job and doing fine.

With no further business being before the Board, the meeting was adjourned at approximately 3:57 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.*

