

Minutes for June 09, 2022

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

RES 22-0547 Meeting was called to order at 10:00 a.m. on the motion of Commissioner Cameron and the second of Commissioner Porter.
Vote was Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

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

Pam Davis, Human Resources, came to meet with the Commissioners and presented the following for consideration:

RESOLUTION 22-0558 approve the employment of Domnic Roberts as Maintenance Tech for the Muskingum County Maintenance Department, contingent upon passage of the pre-employment assessments. Starting wage will be \$15 per hour with the opportunity for an increase of \$.50 per hour upon successful completion of a 180 day probationary period.
Motion made by Commissioner Porter, seconded by Commissioner Cameron.
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

Pam also reported that she received a call from Frank Dosch of the Forker Company reminding her of the broker expiration date of May 31, 2022. Pam would propose to extend the contract at \$4,000 per month. If not extended, she will bid RFP. It's her belief "if it's not broke, don't fix it", but she said she also understands the discussion that was had in 2020 over the renewal. Mark Zanghi says it doesn't have to be bid.

Commissioner Cameron said that she supports that if they provide excellent service and provide what we need. Pam noted that they shopped out our Life Insurance and saved us a considerable amount on the premium. The following was then considered:

RESOLUTION 22-0559 approve and authorize the renewal of the broker/consulting service for the Muskingum County medical, dental, vision, group and voluntary life insurance benefits to be renewed with The Forker Company for the three year period beginning June 1, 2022 through May 31, 2025. Compensation will renewed at the same rate for the broker/consulting services at \$48,000 annually to be paid at \$4,000 per month effective June 1, 2022.
Motion made by Commissioner Crooks, seconded by Commissioner Cameron.
Roll Call: Crooks, aye; Porter, present; Cameron, aye. Motion carried.

Commissioner Porter said he doesn't see anything wrong with at least bidding it out, sometimes you can save a little money that way. But he thinks different than a lot of people here. It helped them a few times, earlier. He has no problem with Forker, whatsoever.

Pam gave an update on hail claims.

- She received approval yesterday on moving forward on all of the HVAC units
- Still waiting on quotes for roofs which Scott thinks he will have today

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She also reported on cleaning company interviews.

- Only one has submitted a quote, to date

The following legislation was now considered:

RESOLUTION 22-0548 accept and sign a contract for Shelly Company for road resurfacing –Motorpave, International Rd & Zion Ridge Rd. Requested by Mark Eicher, Muskingum County Engineer.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0549 approve the Supplemental Appropriation of Funds within Fund Number 018, for the Muskingum County Board of Developmental Disabilities, as requested by Stephanie Neuhart, Business Manager.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Residential	018-694-504388	\$350,000.00
Governor’s Relief Fds (GEER)	018-694-503021	\$ 32,842.60

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0550 approve the payment of invoices incurred in 2021 with 2022 Funds payable to the following vendors for invoice(s) dated prior to encumbrances as requested by.

<u>Name of Vendor</u>	<u>Description</u>	<u>Amount</u>
Municipal Court	Reimburse Attorneys Aug-Dec 2021	\$60,222.00

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0552 approve the employment of Megan Frank, Clerical Specialist 3, Child Support Division, Muskingum County Job & Family Services, contingent upon passage of the pre-employment assessments.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

RESOLUTION 22-0553 WHEREAS, on May 19, 2022, this Board adopted a resolution determining to submit to the electors of Muskingum County, Ohio, the question of levying a tax in excess of the ten-mill limitation, as described below, a copy of which resolution was certified to the County Auditor of Muskingum County; and

WHEREAS, the County Auditor has certified to this Board that the total current tax valuation of Muskingum County is \$2,371,700,540.00 and the dollar amount of revenue that will be produced annually by the millage stated below would be \$1,585,955.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Muskingum County, Ohio, that:

Section 1. This Board desires and determines to proceed with the submission to the electors of the question of levying a tax in excess of the ten-mill limitation for the benefit of Muskingum County, for the purpose of the operation of mental health and recovery programs and the acquisition, construction, renovation, financing, maintenance and operation of mental health and

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recovery facilities at a rate not exceeding one (1) mill for each one dollar of valuation, which amounts to ten cents (10¢) for each one hundred dollars of valuation, for ten (10) years, and which levy is a renewal of an existing levy of one mill.

Section 2. The question of approving the levy shall be submitted to the electors of Muskingum County at the election to be held on November 8, 2022, and that said levy be placed on the tax lists commencing in 2023, first due in calendar year 2024, in compliance with the provisions of Section 5705.34, if a majority of the electors voting thereon vote in favor thereof.

Section 3. The Clerk of this Board of County Commissioners is hereby directed to certify a copy of this Resolution to the Board of Elections, Muskingum County, Ohio, not less than ninety days before the election, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0554 accept and approve, in accordance with the Ohio Revised Code Section 5553.31, the dedication of Washington Street, Avondale, Plat Book 4, Page 72, Newton Township, part of Section 15, Township 15 North, Range 14 West as requested by Muskingum County Engineer, Mark Eicher.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 22-0555 accept in accordance with the Ohio Revised Code Section 5591.42 the weight limit changes for South Rehl Road in Muskingum County, Cass Township (SFN 6040322) as determined by Muskingum County Engineer Mark Eicher.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

RESOLUTION 22-0556 WHEREAS, a request for payment to the County's flexible spending account for the period of

April 01 through June 30, 2022, in the amount of \$150,000.00 has been submitted by the Muskingum County Department of Job and Family Services, Fiscal Supervisor, Tom Smith, and

WHEREAS, the transfer of funds in said amount, \$150,000.00 is now requested as follows:

FUND TO FUND TRANSFER

<u>From Transfer Out</u>	<u>To Transfer In</u>	<u>Amount</u>
001-999-510013 JFS Flex Support	069-000-414002 CSE Transfer-In	\$150,000.00

NOW THEREFORE BE IT, RESOLVED, that this Board of County Commissioners does hereby approve the transfer of funds into Fund 069 in the amount of \$150,000.00 for Muskingum County Department of Job and Family Services as listed above.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

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RESOLUTION 22-0557 a request for payment of the county's mandated share of the Income Maintenance programs for the fiscal year of 2022 was requested to be paid for the period of April 1 – June 30, 2022, in the amount of \$ 54,459.50 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	007-000-414002	\$54,459.50

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

RESOLUTION 22- approve the award of bid to Commercial Electronics in the amount of \$9,722.80 for the provide maintenance for the County Disaster/Tornado Sirens for the Emergency Management Agency upon the recommendation of Jeff Jadwin, EMA Director. Commissioner Crooks moved, but there was no second.

Commissioner Porter said you had might as well sign it without Board approval. He doesn't know why we bid this stuff when we...

Commissioner Crooks said that Jeff explained that the reason it is bid is because of the matching dollars he can get.

Commissioner Porter's point is that we are not taking the lowest bid.

Commissioner Crooks said the bid document states we can take the lowest and best.

Commissioner Porter is not willing to do that. He needs some more time to think about it. Both companies have worked for us, that's what he doesn't understand. He likes the bidding process, they sharpen their pencils if they want it.

Commissioner Crooks said there was a difference of \$500 in the two bids.

Commissioner Porter asked if she would leave \$500 on the sidewalk and step over it?

Commissioner Crooks would looks at the past service by a company that has been great to work with and usually we rely on the recommendations of our department heads. Except when you don't want to.

Commissioner Porter asked to hold so he could think about it.

There was no action taken on this proposed resolution.

RIGHT OF WAYS

**American Electric Power-Zanesville
Licking Township; Canal Road
Replacing an existing electric pole on Canal Rd
Start date, 07.01.2022; Same day completion**

Don Madden, Projects Director, came to meet with the Commissioners.

He was just a part of a ZOOM meeting in regards to grants. His original purpose in asking to meet with the Commissioners was to ask about bidding pipe for future projects. However, he would like to gather more information back from the funding agency to see whether or not the purchase could be used as the required match for the project.

Commissioner Porter reported that one of the Solid Waste Director candidates has backed out.

The Commissioners worked on the 2023 Budget.

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Commissioner Porter moved to approve the minutes of the May 23, 2022 session, with attachment. Commissioner Cameron seconded.

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

Motion carried.

Commissioner Cameron moved to approve the minutes of the June 02, 2022 session with changes. Commissioner Crooks seconded.

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

Motion carried.

Commissioner Crooks reported that she would not be in session Monday, July 18. She will be attending a Board of Revision workshop.

Commissioner Porter reported he will not be in session Thursday, July 14 due to a medical appointment.

The Commissioners adjourned for lunch to resume session at 1:30 p.m.

Commissioner Crooks did not return for afternoon session. She was attending a Muskingum Watershed Conservancy Strategic Planning meeting.

Eric Reed, ARPA Compliance Officer, came to update the Commissioners.

- Fairgrounds Water Line
 - Hazen Pay Application
 - Pipe for project 104%
 - Pavement repair 76%
 - A difference in cost of +\$343
 - Commissioner Porter asked Eric for a copy of the approved plans for the water line...the ones that were taken to the Fair Board and they approved.
 - Was the line to the washrack in the plan?
 - Eric said there is no line from the valve between the scales and the llama barn, there is no drawing for it to go to the washrack from that valve
 - Commissioner Porter reported that a few Fair Board members are questioning a valve that wasn't replaced. He asked Eric to make sure that wasn't in the plan that the Fair Board approved.
 - Eric reported that he sent the outline of additional work that Hazen did, to the Fair Board Secretary. He has not given Casey Hazen instruction on who to send the additional bill to.
 - Commissioner Porter called Jim Bunting last Friday and Mr. Bunting knew nothing about the additional charges. He asked Mr. Bunting who approved the additional work. Mr. Bunting didn't know. He said he would ask Jerry Miller. Mr. Miller said he didn't know anything about it and told him to call Bob Wilson, Inspector from the Engineer's office. Commissioner Porter then called Mr. Wilson who said that he did not approve the work, he was just the inspector. He said Fred Wilson was around there most of the time and another fella named Crooks that showed up every once in a while. Fred Wilson said to go ahead and do it and supposedly was bragging that Hazen was going to do it for nothing. Bottom line, Mr. Bunting said, "if we have to pay it, we'll pay it". It's

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Commissioner Porter's theory that they believed they had an open checkbook. The additional work made sense, but they should have asked.

RESOLUTION 22-0560 sign Pay Request Number one for Hazen Services, LLC for work at the Muskingum County Fairgrounds . Pay Request Number One (1) in the amount of (\$50,223.00) to Hazen Services, LLC. ARPA funding for Negative Economic Impact. Motion made by Commissioner Cameron, seconded by Commissioner Porter. Roll Call: Crooks, absent; Porter, aye; Cameron, aye. Motion carried.

Eric asked where he should instruct Casey Hazen to send additional invoice. Commissioner Cameron asked if sending the Fair Board the invoice would make them short on funds to get Clean Face functional for the fair this year.

- Eric explained the amended prices for pipe and fittings for the project and the following was considered:

RESOLUTION 22-0561 approve to amend prices on the Fairgrounds Waterline Project from RES 22-0379 dated 04.11.2022. The original figure was \$13,501.16. Because of supply and demand the price increased by \$6,035.79 to \$19,536.95; ARPA funding under the Negative Economic Impact category.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

- Clean Face Project
 - There was continued discussion regarding the RFP's
 - It was decided that using a CMAR for the project is not feasible
 - Eric will tell Jeremy and ask Jeremy to send his invoice, Commissioner Cameron said we don't expect anyone to work for free
 - Commissioner Porter would suggest going back to the original plan; new water and sewer line may work fine
 - Commissioner Cameron suggested getting through this year's fair and see how it functions with the new water and sewer lines
 - It was agreed to get Clean Face functional and add hot water for this year's fair with plans for additional renovations after the fair

Mark Neal, Superintendent; Scott Ford, Board President; Ryan Smith, Treasurer and Jamie Campbell, Assistant Superintendent, all of Tri-Valley Local Schools came to meet with the Commissioners regarding the Board of Revisions decision on AMG property. Jason Schaumleffel, Y-City News and Erin Couch, The Times Recorder were also present.

Commissioner Cameron let everyone know that Commissioner Crooks is the President and Commissioner Porter is the Vice-President. Commissioner Crooks will not be here, but will read the minutes and all of our sessions are recorded.

Commissioner Porter said he invited them here so that we could hear why that decision was made, but obviously we are not going to. He thinks it pretty pitiful when three people can make that decision about tax abatements and they won't come down here and explain why they did it...that's bullshit. Mr. Neal said he couldn't agree more.

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Commissioner Porter said he has always been pro-industry and has his name on most tax abatements.

Mr. Neal said that they have cooperated with every corporation that has utilized...and they are huge fans of the business park.

It was noted that Jason was recording the meeting.

Mr. Neal said that, statewide, 60% of real estate taxes collected go back to the schools and it's not right for them to not be able to participate in the process. The long-term effect of it is, that when decisions like this are made, schools still have to operate. Like everyone else, their costs continue to go up. If corporations don't pay taxes, that only leaves one group of people to pay them.

Commissioner Porter does not understand why these elected officials making these decisions, refuse to even talk to us about it.

Mr. Neal distributed a copy of HB126 which he says will only make things worse.

Mr. Neal noted that after the last Board of Revision meeting he told them, "if you do this, everyone in that business park is going to ask for the same treatment", and that is exactly what has happened. HB126 will go into effect, he believes, July 21. They had a BOR hearing scheduled for Avon/Exeter and they got continued and moved back, which leaves only about a week until the law goes into effect. If they (BOR) do the same thing as they did with AMG, the school district will lose the ability to appeal the decision. They are currently in the process of appealing the AMG ruling, but will no longer have that ability after this law takes effect.

Considerable expense involved in appealing the ruling; an appraisal done on the property that cost a little over \$5,000 and Counsel Representation. Commissioner Porter noted that the school boards have to agree to the abatements or they don't happen. In both cases, when the abatements expire, they immediately go for tax reduction.

Commissioner Cameron asked if Tri-Valley had the chance to speak at the hearing...yes, they did.

The value of the property is included in the agreement with the Port Authority. Mr. Neal's question; why was it worth that much before the agreement and all of a sudden not worth anything after the agreement.

Commissioner Porter asked if the Board of Revision gave an explanation why during the meeting. No, they don't have to give an explanation, they just make a decision. The only explanation that they did get, was that it was a former brownfield and they had to do significant reinforcement to the property. AMG did take soil samples before the purchase and sits on the same soil as Bilco, Halliburton...

Mr. Neal noted that after AGM got their property for \$1, they turned around and sold 2+ acres to AEP for \$22,500 an acre, the appraised value. That is exactly what Tri-Valley contends that is its value and exactly what the Auditor's website reported as its value.

Mr. Neal offers that there are no commercial sites available with water, sewer and rail spur for less than \$30,000 an acre.

Mr. Neal said they, and their counsel, have attempted to meet with them (BOR) and they declined.

Commissioner Porter asked if there is anything the Commissioners can do to help with the State appeal. Mr. Neal said that he has never had to do this before because the local people always do the right thing.

Commissioner Cameron recognized that it was a little different with Halliburton, because they compromised, they helped with bleachers, the new building...

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Mr. Neal noted that Halliburton has been a great partner,a win for everybody.

Commissioner Porter said that the County has invested \$17 million in that business park and the City of Zanesville - \$0, just a signature.

Commissioner Cameron said, if Avon and Halliburton have now filed for it...

Commissioner Porter said if they did it for one...

Mr. Neal asked if this is going to be a real test of their loyalties...they've set the precedent that the land is worthless, you shouldn't tax anybody on it. But at the same time, if the land is worthless, why did we do what we did.

Commissioner Cameron said that she had asked when the hearings were and if anyone was allowed to attend. But, it wasn't until you (Mr. Neal) brought it to our attention that we knew it had been done....I apologize.

Mr. Neal pointed out that the Board of Revision states that it was "an arm's length transaction".

Mr. Neal said that the Auditor's website says valid transaction, ...it was through the Port Authority. Mr. Neal said we all know that "arm's length transaction" was not the case and indicates on the website it was not the case.

Commissioner Porter asked Commissioner Cameron if she has heard anything about the beams the Engineer had to buy from the ODOT bridges. The original deal was that we were to automatically get them, but he had to buy them. They took them out to the Engineer's yard and he paid people to work at night and then decided he didn't want them. So now he is eating all the trucking bills, he is cutting them into pieces to take to Polk, to Commissioner Porter that makes no sense whatsoever.

There was further discussion regarding the Hazen invoice for additional work.

Commissioner Cameron said that if the Fair Board says because of the additional invoice, they won't have enough to fix the bathroom for this year's fair, then she'd be willing to pay the invoice and take it off of what we would give them to renovate Clean Face.

Kyle Dunn, Community Development, came in to explain his resolution request today and the following was considered:


RESOLUTION 22-0551 authorize Cindy S. Cameron to sign on behalf of the Board of Muskingum County Commissioners the Community Development Audit letter, requested by, Kyle Dunn, Director of Community Development.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

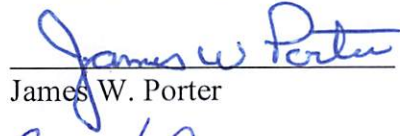
Roll Call: Crooks, absent at the time of voting; Porter, aye; Cameron, aye. Motion carried.

With no further business being before the Board, the meeting was adjourned at approximately 2:50 p.m. on the motion of Commissioner Cameron and the second of Commissioner Porter to meet with Matt Sheridan and visit the new Mid-East CLD testing property on Church Hill Road.

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Mollie S. Crooks



James W. Porter



Cindy S. Cameron

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