

# Minutes for June 13, 2022

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

**RES 22-0562** Meeting was called to order at 10:00 a.m. on the motion of Commissioner Porter and the second of Commissioner Cameron.  
Vote was Crooks, absent at the time of voting; Porter, aye; Cameron, aye. Motion carried.

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

Commissioner Crooks joined session.

The Clerk reported that she heard on WYBZ Friday morning, that the Commissioners had awarded the Warning Siren bid to Commercial Electronics, which was not the case, as no award had been made. Commissioner Crooks said that was her fault, because Bill Arnett had called her and asked if all resolutions on the agenda had been approved and she said yes. She will correct that.

Commissioner Crooks reminded the Board that we had discussed meeting with Robert Moore about the last employee's exit interview. It may be helpful to review and discuss before meeting with Robert.

The following legislation was now considered:

**RESOLUTION 22-0563** approve to close fund 147, Eastpointe Water Main Extension, and transfer the remaining funds, \$107,154.88 to Fund 014 for the Muskingum County Water Department at the request of the Muskingum County Commissioners.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0564** authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Notice to Proceed for the Twin Hills Drive Water Main Extension.  
Motion made by Commissioner Porter, seconded by Commissioner Cameron.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0565** accept and sign Contract for Do-It-All-Construction LLC in the amount of \$49,925.00, as requested by Wendy Sowers, Clerk of Court.  
Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0566** appoint Jay Benson to the Muskingum County Center for Seniors Board of Trustees with a term to commence July 01, 2022 and end on June 30<sup>th</sup> 2025, requested by Kate Paul, Director of Center for Seniors.  
Motion made by Commissioner Porter, seconded by Commissioner Cameron.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

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**RESOLUTION 22-0567** approve the Supplemental Appropriation of Funds within Fund Number 088, 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>
ARPA Funding for Negative Economic Impact (Fairgrounds) Hazen Services, LLC	088-103-503022	\$50,223.0

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

Roll Call: Crooks, not voting; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0568** approve the Supplemental Appropriation of Funds within Fund Number 088, 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>
ARPA funding under the Negative Economic Impact Muskingum County Water Dept	088-103-503022	

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

Roll Call: Crooks, not voting; Porter, aye; Cameron, aye. Motion carried.

**RESOLUTION 22-0569** authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Notice of Commencement of a public improvement, Hillcrest Drive-Village of Norwich, requested by, Kyle Dunn, Director of Community Development.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

**RESOLUTION 22-0570** approve the posting of the position of Director of Business, Muskingum County Center for Seniors. This request was submitted by Pam Davis, Human Resources.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

**RESOLUTION 22-0571** approve a mileage allowance of sixty two and one half cents (62.5¢) per mile in for the remainder of 2022, effective for travel dated on or after July 01, 2022.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

**RESOLUTION 22-0572** accept and sign Parking Lot Utilization Agreement between the Board of County Commissioners & James Adornetto, effective June 13<sup>th</sup>, 2022 .

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

**RESOLUTION 22-0573** Approve to pay CDW-G for Microsoft 365 from line item 001-114-504001- Contract Services, requested by Beth Iden, Deputy Clerk.

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Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

Candy Emmert and Melissa Wood from Adult and Child Protective Services came to meet with the Commissioners to discuss Elder Abuse Prevention Awareness Month. The Commissioners presented a Proclamation in recognition of the month and also agree to light the Courthouse purple for the month of June.

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

- Fairgrounds Waterline Project
  - Casey Hazen said okay to mail check
  - Jim Bunting called; heavy rain caused some fresh dirt to washed out
    - Eric told Casey, he will take care of it
  - Eric sent invoice for additional work to the Fairboard
  - Commissioner Cameron asked if the Fairboard paying the additional \$7-8,000 will put them in a position not to be able to pay to get Clean Face usable for this year's fair
    - Eric has not talked to Jim Bunting about their financial status
    - Commissioner Porter would rather do the opposite of paying the invoice for the additional work. He would rather give them the money to get the inside of Clean Face usable for the fair.
  - Commissioner Porter would propose giving them up to \$200,000 as long as they can tell us what they are doing with it
    - Let them bid it and work it out
  - Commissioner Porter suggested Eric meet with the Fairboard to clarify
    - He has no problem giving them the money to get it functional for this fair
  - Commissioner Cameron said that it would be helpful to have the hot water tanks installed; Jeremy said that was doable and could be used in the renovation
- Habitat for Humanity
  - Ken responded to the question Eric sent
    - Critical repairs are repairs that are necessary for long-term sustainability
    - City of Zanesville has not committed any funds to date. He believes they are in discussion
    - Hail damage deductibles – have allowed non-Habitat homeowners to take advantage of Micro-financing program
    - Mid-East – they have partnered in five homes to date
      - Are committed to one next school year
    - Memorial Day weekend they received a request every thirty minutes
  - Their ask is \$450,000; \$300,000 for six new homes and \$150,000 for Critical Home Repairs
  - Commissioner Crooks would be willing to give them \$200,000 or half of their ask, and give them time to demonstrate if they can do all the

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things...get the contractors, do the projects...Her other hope would be that the City would pony-up in the meantime, also.

- Mid-East
  - Commissioner Cameron said she was impressed with the meeting with Mid-East and what they can do with the money putting people to work. There are other things addressed in the Comprehensive plan in addition to housing. Mid-East has put in \$1.2 million of their own money to purchase this CDL testing facility and they have a proven track record. \$450,000 is a large ask.
  - Commissioner Crooks feels that both projects, Habitat and Mid-East are viable
  - Commissioner Porter would prefer using ARPA monies for Mid-East CDL project
  - Commissioner Cameron asked if it qualifies for General Fund
  - Commissioner Crooks noted that they are also looking for a road to the facility; is there a possibility of the County helping with the road?
  - Commissioner Porter supports this CDL training program
  - Mid-East also helps students with tuition
- Eric reported that he and Don Madden are going to the Engineer's office today to meet with Mark and Heidi about Licking View.
- MARCS Radios for Sheriff
  - Could come out of General Fund or could be added to his budget

Bob Smith, Judge Martin and Allen Bennett from Juvenile Court came to talk with the Commissioners. They presented the following proposal and the following legislation was considered:

**RESOLUTION 22-0574** accept and sign Bed Rental Agreement between the County of Muskingum, Ohio and the County of Tuscarawas, Ohio for the detention of Juvenile Offenders. The effective date of this contract is January 1, 2023 through December 31, 2032. Motion made by Commissioner Porter, seconded by Commissioner Cameron.  
Roll Call: Crooks, aye; Porter, aye; Cameron, aye. Motion carried.

The Commissioners adjourned for lunch to resume session at 1:00 p.m.

The Commissioners participated in a Webinar entitled: Ohio Ethics Law: Watching our Step

Robert Moore, IS Director, came to talk with the Commissioners about a Disaster Recovery Program for the County. Robert asked Mark Zanghi about bidding this project, but Mark said bidding is not required when purchased through State Term Contract.

Software package - \$106,741.00

Hardware package - \$ 66,669.40

The following legislation was then considered:

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## **RESOLUTION 22-0575**

WHEREAS, Robert Moore, Director of Muskingum County Information Services, has recommended the county purchase certain computer hardware & software components to be used for a Disaster Recovery Program; and

WHEREAS, R.C. 9.482 allows a board of county commissioners to enter into an agreement without the need for competitive bidding if the goods & services are available from a vendor authorized by the Ohio Department of Administrative Services to provide such goods & services; and

WHEREAS, the county information services department has recommended that Muskingum County enter into an agreement with CDW-Government for the computer hardware & software (State Term Schedule 534605) as described in their price quotations dated April 29, 2022 and June 10, 2022, copies of which are attached to this resolution;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Muskingum County, Ohio, authorizes the purchase of computer hardware & software for the Muskingum County Information Services Department for a disaster recovery program with CDW-Government.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

Pam Davis, Human Resources, came in to ask the Commissioners about an Ethics Training that Kate Paul of the Center for Seniors, will be holding Tuesday, August 2 at the EMA office. She asked if it would be okay to invite all Elected Officials and Department Heads. All agreed.

Mark Eicher, County Engineer, came in to talk with the Commissioners about the Air Park Drive sinkhole/slip. It is now 20' wide. He would like to hire Turn-Key Tunneling, Inc. from Columbus to come in and fix the problem by boring casing underneath. The road can remain open during construction. The following was now considered:

## **RESOLUTION 22-0576**

WHEREAS, the Muskingum County Engineer has determined that a sinkhole located adjacent to Air Park Drive (CR797) in Perry Township poses a real and present emergency; and

WHEREAS, because of such emergency conditions, the County Engineer, pursuant to the authority granted in Ohio Revised Code Section 5543.01 will be required to make the repairs necessary to the roadbed and right-of-way for Air Park Drive (CR797):

NOW THEREFORE, this Board of Commissioners, Muskingum County, Ohio hereby declares a state of emergency exists on Air Park Drive (CR797) in Perry Township and authorizes the County Engineer to undertake steps to make the necessary emergency repairs to the roadbed and right-of-way.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

Commissioner Crooks mentioned to Mark about the Mid-East CDL program and new building on Church Hill Road. They would like to have a road built with access to Jim Granger Drive. She is curious about how that can be accomplished. Mark said they would have to get permission from the Port Authority to use that road. It would be up to Mid-East to construct it since it is private property. Mark said it would give Mid-East students a chance to learn how to do this type of work.

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Mark reported that he just left a meeting with Don Madden and Eric Reed regarding Licking View. They have come to a consensus that what they are going to try to do is utilize the existing storm sewer system, repair anything that they damage, The Township is unwilling to participate to the extent that they should be participating. The Engineer is adjusting some of their sewer lines to accommodate some of the existing line that is already there. There is a possibility of going from Grief Road to the river going under the interstate.

They will still have storm water issues, but not sewer issues after the County project.

Commissioner Cameron asked if we should send a letter to the Township Trustees to clarify their involvement and explaining what the Commissioners are willing to put in and confirming what the Township is going to contribute. And also, then there will be a record of the County doing their due diligence and what the Township is unwilling to do.

Commissioner Porter suggested having them come in to meet with the Board. Mark agreed.

Commissioner Cameron said that Mark, Don, Eric, everyone has put a lot of time in to this project...the engineering alone would have been very costly. And, this has been an issue for a very long time.

The Clerk is to set up a meeting with the Trustees, Mark, Don, Stan and Eric.

Mark reported that Jeff Jadwin, EMA Director has been a big help on the Air Park Drive sinkhole. It has been a team effort and Mark appreciates Jeff's help.

The Commissioners passed on a complaint that they received regarding the traffic on Old River Road and concerns with the semi's. Nothing the Engineer can do...that is the detour. Jeff reported that the contractor has been offered an incentive to complete the project early.

There was discussion regarding the Warning Siren contract.

- Jeff had mentioned in an earlier meeting the JD Johnson does not have a lift/boom truck and would have to rent one for servicing the sirens...would that be an extra charge?
- Jeff is willing to send this back out for bids, if the Board so chooses
- Commissioner Crooks would just like to award the contract as to EMA's recommendation
- There was also a question about JD being banned from one of the fire departments
- Commissioner Cameron's understanding is that we can't sign a contract without Board approval
  - Commissioner Porter said it's been done in the past
- Commissioner Crooks said she contacted Mark Zanghi to ask what our options are
  - Mark indicated that we can't do anything with the contract that the Board doesn't approve. If the Board cannot agree to approve, his suggestion would be that we reject all bids
  - Commissioner Porter said when he ran for this job, it was to be conservative and spend tax dollars wisely
  - Commissioner Crooks said that we just spent \$40,000 more on a fire alarm system because the recommendation was that was the best system and now we are arguing over \$500
- Again, Jeff offered to accept throwing out the bids and re-bidding

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- Commissioner Cameron would ask if that is fair, now that both parties know each other's bid
- Jeff was asked to contact JD and ask about the lift/bucket truck and if he is banned from one of the fire departments
- Commissioner Crooks said according to the Prosecutor's office, Jeff does not have the authority to sign the contract
  - Commissioner Porter said it has been done before
    - Commissioner Crooks asked for an example
    - Commissioner Porter said the deed to 720 Shinnick Avenue was signed without Board approval, by Commissioner Cameron
      - Commissioner Crooks said that has nothing to do with a siren contract
      - Commissioner Cameron said she wouldn't have signed it, if she hadn't asked the Assistant Prosecutor first
        - Commissioner Porter said it was because Brian Hill had signed one many years ago
        - Commissioner Cameron said no, it was because there had already been a resolution approving the purchase

Jeff moved on to discuss the MARCS radios for the fire departments.

- To upgrade all 387 radios at a cost of \$228.75 each, would be a cost of \$88,526.25
- Perry County chose to contribute \$150 per radio with the individual fire departments being responsible for the remainder
- The following was then considered:

**RESOLUTION 22-0577** authorize reimbursement to Fire Departments in Townships and Villages to upgrade their MARCS radios. Reimbursement will be available at \$150 per radio as submitted to Jeff Jadwin, EMA Director. Reimbursement up to \$56,700 from ARPA funding as Government Service under the "Revenue Loss" category.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

**RESOLUTION 22-0578** authorize funding for EMA MARCS Radios:

New: 4 Portable  
2 Mobile  
Upgrade: 2 Portable  
1 Mobile

The cost is to be paid for by the Commissioners from the General Fund.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

It was decided to pay EMA MARCS Radios from General fund because Don Madden has asked for more money from ARPA for projects.

Jeff also asked about the ABC Wilson Fund Smoke House.

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- It is currently in the Commissioners' name
- They would like to sell through GovDeals.com because they now have an inflatable smoke house
- They would put the proceeds back in to the ABC Wilson Fund
- The following was then considered:

**RESOLUTION 22-0579** authorize to advertise and sell ABC Wilson Smoke House currently kept at the Muskingum County EMA facility. It will be advertised on GovDeals.com. Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Commissioner Porter explained that the County is permitted to sell through the GovDeals.com because it is a legitimate selling site for government entities.

Jeff again, addressed the availability of a generator from Value Care.

- \$7,300 and that includes the transfer switch
- It is used and was purchased from the AEP surplus site
- The following is now considered:

**RESOLUTION 22-0580** authorize purchase of used 60kw used generator from Value Care for \$7,300 which includes the transfer switch, for Muskingum County EMA. To be paid from Economic Development, Capital Projects; 001-114-506040.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Commissioner Cameron asked Jeff if it would be uncomfortable for him to ask JD Johnson those questions from the Commissioners. Jeff said it will be uncomfortable no matter who asks the questions.

Jeff explained to the Board that he has an employee who is uncomfortable with JD in the office.

A call was placed to JD. Commissioner Cameron left the room.

There was no answer and Commissioner Porter left a message.

JD called right back and was asked the following:

- If you would have to get up to a siren, would that cost the County more money; would you have to rent a boom truck?
  - No, he owns a 55' bucket truck
- Are you banned from any fire stations in the County?
- Not that he's aware of; he does radio work for probably half of them

Commissioner Porter would caution, that if the right person got ahold of the information that an employee is "uncomfortable", they could sue for discrimination....that's hearsay. You can't just go around accusing somebody....but he doesn't know the circumstances. Just because the employee is uncomfortable, is that a reason for not contracting with a person?

Commissioner Crooks said it would certainly make a difference for her, if her staff was uncomfortable.

Commissioner Cameron returned to the room.



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Commissioner Porter moved to go with the lowest bid.

**RESOLUTION 22-0581** approve the award of bid to JD Johnson for the Warning Siren Contract for the EMA Department for one year beginning July 1, 2022 and continuing through June 30, 2023. The amount of the bid is \$9,175.00.

Motion made by Commissioner Porter, seconded by Commissioner Crooks.

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

Commissioner Crooks said she doesn't like it, doesn't like it at all.

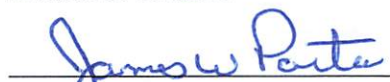
Commissioner Porter said she should have voted no, then.

Commissioner Crooks told Commissioner Porter he could have voted yes on Commercial Electronics and asked what that would accomplish, we both could be stubborn all we want, but the point remains, Jeff needs a contract.

Commissioner Crooks noted that Jeff said he could work with him, and she is counting on Jeff to make sure everything is done the way it is supposed to be done.

With no further business being before the Board, the meeting was adjourned at approximately 4:25 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.

  
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.*