

Minutes for Thursday, June 17, 2021

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

RES 21-0578 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, aye; Porter, aye; Cameron, aye. Motion carried.

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

Commissioner Porter noted that he had told the Board that he would be off, for an appointment, Monday, July 12, but there are things scheduled for that day.
The Clerk apologized for not having that on her calendar and offered to reschedule.
Commissioner Porter said he is already in the process of changing his appointment.

The following legislation was now considered:

RESOLUTION 21-0579 WHEREAS, a petition has been submitted by the Washington Township Trustees with the object and prayer being to vacate an undeveloped portion of Garrett Avenue in Riverview Subdivision (Plat Book 5, Page 42), Washington Township, Muskingum County, State of Ohio. The description is as follows:
The proposed vacation of an undeveloped portion of Garrett Avenue in Riverview Subdivision (Plat Book 5, page 42) in Washington Township. Being the undeveloped portion of Garrett Avenue east of Dixon Blvd. and west of the abandoned railroad.

BE IT RESOLVED, that Monday, July 12, 2021 at 1:30 o'clock p.m. be fixed as the time when the Muskingum County Commissioners will meet at the above points to view the location and to go over the proposed vacation, and be it further

RESOLVED, that Monday, July 19, 2021 at 1:30 o'clock p.m. be fixed as the date and time when the Muskingum County Commissioners will meet in their office, 401 Main Street, Zanesville, Ohio for the final hearing on the matter of vacation, and be it further

RESOLVED, that the Clerk of this Board be and she is hereby directed to give notice of the time and place for both such viewing and hearing on the matter of vacation to be given by publication once a week for two consecutive weeks in the Times Recorder, to be published in issues dated June 21, 2021 and June 28, 2021, and be it further

RESOLVED, that the Clerk of this Board be and she is hereby directed to give written notice of the dates of the viewing and hearing to the following individuals: Clerk of the Washington Township Trustees, Muskingum County Engineer; Director of Natural Resources and the following property owners: Ronald L. Luburgh and Ruth E. Luburgh, Husband and Wife.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

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RESOLUTION 21-0580 approve the award of bid to The Ohio Bridge Corporation, DBA U.S. Bridge, 201 Wheeling Avenue, P.O. Box 757, Cambridge, OH 43725 in the amount of \$738,838.00 for the Okey Road Bridge Replacement Project (PID 104046 – MUS-TR209-2.74) for the Muskingum County Engineer.

Commissioner Porter asked, since we don't have to take lowest bid anymore, why not give to BUDS, Inc.

- Local company
- Local employees
- He would assume Mark picked Ohio Bridge because lowest bid
 - We can ask Mark when he comes in for the 2:30 meeting
- Commissioner Cameron answered Commissioner Porter's question
 - Because Mark Eicher, the Engineer, picked them
 - And the difference is \$200,000
 - In regards to the warning siren bids and Commercial Electronics, Jeff was saying best and lowest

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 21-0581 approve the Supplemental Appropriation of Funds within Fund Number 019, 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>
Contract Improvements	019-694-504009	\$200,000.00

Supplemental request, in large part, due to the malfunction of Cooling Tower at Administrative Building, which will need replaced.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Sharon Ball, Librarian at the Law Library, sent a request to line item transfer to purchase security cameras and update computers and software.

- Is this her request, or has the Law Library Board made this request
- What's the reasoning behind the security cameras

The Commissioners took a call from Sheriff Lutz

- Drainage system is not working at new Adoption Center building
- The old building had a trough drain that ran the length of the pens
 - When they hosed it the water would run out of the pens and run to the drains and outside the building; draining 200x better than what they have now
- The floor is not angled towards the drains
- It takes two, all day, to clean
 - One to hose and one to squeegee
 - Four out of seven days a week, there's only one Kennel Master

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- Spending so much time cleaning, having a hard time organizing new facility
- Sheriff reported that Macey is quitting as of Friday (tomorrow)
 - Seems to think it can't be run as designed and get anything done
- Sheriff called Scott, Facilities Supervisor, last night to see if, with the reorganization of the cleaning crews if they might have someone that would have 2-3 hours to help
- Scott had stopped in this morning and said he had talked to the Sheriff
 - Commissioner Cameron said Board would discuss in session
- Commissioner Cameron reported that they said when they clean one side then move the dogs to the other, then the dog urine literally runs under the wall; we're not the ones that need to be called...Liam at Flecto and Pat Kelly, Architect.
- Commissioner Porter said water should run to the drains, it wasn't installed right, they need to redo it, or pay the consequences
- Commissioner Cameron asked if he thought Macey would stay if the problems were corrected

Call was dropped...

- Agreed that we can't ask Housekeeping to go out there

Sheriff called back

- Commissioner Porter thought this design was different than the old pound
 - Scoop up the solids
 - All the water was to run to the drains; not to the walls – Flecto's responsibility
 - They either fix it, or we sue them
 - Pat Kelly needs to be involved, as well
- Sheriff Lutz said only two drains in the middle aisle

Scott was called in to the conversation

- He was at the Adoption Center yesterday and observed the problems
- Sheriff Lutz reported that there was another water leak last night, and the water line had to be shut off
 - Flecto was called to investigate
- Commissioner Cameron's opinion that it's not the Sheriff or the Commissioners that should keep calling Liam at Flecto, but should be Pat Kelly
 - He's been paid \$27,000 to be the architect
 - She called and left a message for Pat Kelly, explaining there are multiple issues at the Adoption Center and asked him to call during session
 - He called back before session
 - Recorded conversation
 - Said he wasn't sure if he could make it today, but might send Michael and call Flecto

Call was dropped...

- Commissioner Porter asked if anyone has signed off on this as a completed project
 - We need to stop future payments to Flecto
 - \$94,371.87 still owed to Flecto

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- Scott said that a squeegee will not work on that epoxy floor effectively because floor is textured
 - Also an issue when cleaning one side and the water is running to the other side and under that kennel;...walls were not sealed to the floor
- Commissioner Porter suggested that probably should be a drain in every kennel
- Commissioner Cameron suggested Liam needs to be there when they are trying to clean to see the issues

It's Commissioner Cameron's understanding that there are no volunteers working with the dogs

- If it's really about the dogs...why no volunteers
- Commissioner Porter would suggest, because there are rules now and they are not happy about that
- Commissioner Crooks asked if they are open to volunteers

Kasey, Office Clerk, volunteered to go out to help them organize their office

- Commissioner Porter suggested coordinating with Adoption Center staff
- All agreed

The Commissioners then considered the rest of the legislation:

RESOLUTION 21-0582 approve the posting of the dual position of Assistant Project Director and Water Treatment Plant Operator. This request was submitted by Pam Davis, Human Resources.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 21-0583 accept and approve the job description for Assistant Project Director for the Muskingum County Projects Department as requested 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 21-0584 authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Occupancy Permit and the Rail Crossing Permit from Genessee and Wyoming Railroad for the Twin Hills Drive Water Main Extension.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

RESOLUTION 21-0585 approve the public budget hearing for 2022 Tax Budget to be held in the office of the Board of Muskingum County Commissioners, Monday, July 12, 2021; 11:00 a.m.. The advertisement is as follows and will be published in the Times Recorder Newspaper on June 27, 2021:

PUBLIC HEARING

THE MUSKINGUM COUNTY COMMISSIONERS WILL HOLD A PUBLIC HEARING ON THE 2022 TAX BUDGET IN THEIR OFFICE, COURTHOUSE, 401 MAIN STREET, ZANESVILLE, OHIO, AT 11:00 A.M. ON MONDAY, JULY 12, 2021.

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Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

RESOLUTION 21-0586 approve the 2022 Tax Budget to present at a public hearing to be held Monday, July 12, 2021; 11:00 a.m. in the Commissioners Session Room.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

RESOLUTION 21-0587 WHEREAS, the contract between the Board of Muskingum County Commissioners and The Community Bank for depositor, expires on the 2nd day of September 2021, and

WHEREAS, the Board does accept the estimated aggregate maximum amount of public funds subject to the control of said Board of Commissioners, to be awarded and be on deposit as active deposits is \$30,000,000.00, now therefore

BE IT RESOLVED, that this Board of County Commissioners of Muskingum County, Ohio does hereby approve and authorize the Clerk of the Board to notify eligible institutions for the passage of this resolution and to request their applications to become a depository; that applications will be received until July 23, 2021 at 2:00 p.m.; be it further

That on August 5, 2021, designation of depository shall be made for a period of four (4) years, commencing on the 3rd day of September, 2021 until September 2, 2025;

The Board of County Commissioners reserves the right to reject any and all applications and order the Treasurer to invest otherwise, pursuant to law, during said four (4) year period. Applications should be sealed and endorsed, "Proposal for Depository Services".

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

RESOLUTION 21-0588 approve the Supplemental Appropriation of Funds within Fund Number 075, for the Muskingum County Community Development, as requested by Sheila Samson, Director.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Home Repair	075-375-409214	\$34,000.00

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

RIGHT OF WAY PERMITS SIGNED:

Columbia Gas of Ohio; Columbus

Washington Township; Adamsville Road

Install new plastic 1" @ 2305 Adamsville Road

Begin w/in 10 days of approval; Same day completion

Andy Roberts, LandBank Chair, came to talk with the Commissioners regarding the ARP monies.

- Low-moderate income housing is a qualifying expense
 - "Services to address homelessness, such as, supportive housing, to provide access to stable and affordable housing among unhoused individuals; housing developments to increase the supply of affordable and high quality living units"
 - Munson School is in a qualifying census track

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- Commissioner Crooks' plan was to accept and solicit ideas of potential projects
 - No yes or no at this time
 - Look at all requests and how it fits with Comprehensive Plan
- Estimate of \$700,000 - \$1.1-2 million
 - \$20, - 75,000 for the roof
 - \$5,-12,000 to remove asbestos
- Three sections of the Comprehensive Plan did address affordable housing
 - Agricultural
 - Commercial and Industrial
 - Residential
- Andy has reached out to Zanesville Metropolitan Housing to see if they would be interested in running this housing facility
 - Very interested, depends on financing
 - No real estate taxes would be paid if ZMHA took over
- Commissioner Crooks reported that Melissa Best from Habitat had email her wanting to meet about the ARP money.
 - She told her no decisions have been made
 - Suggested she come in to meet with the Board to present her ideas

There was brief discussion regarding the TR article about Licking View Sewer.

Travis Roach, EMA Deputy Director, will be coming in Monday to discuss an overpopulation of ground hogs at EMA and Recycling.

- Commissioner Porter reported that he thinks they will have plenty of places to hide now
 - Overtime at Recycling has stopped
 - At quitting time, he (Mark) shutting it off and going home
 - He's (Mark) not filling out an overtime form
 - Not picking up cardboard anymore – can't do it...not in time allotted and no overtime
 - Cardboard is where we make our money
 - Mark and Rob Reiter got together last night and came up with a plan
- Commissioner Cameron asked why he doesn't just say he needs overtime for the cardboard

Treasurer Todd Hixson and Jody Spencer with Park National came to meet with the Investment Committee.

Don Madden, Projects Manager, came to talk with the Commissioners.

- Kevin Spurbeck, EPA
 - If we bid pipe, will WSRLA allow and reimburse
 - Yes, should be fine; no guarantees
 - Commissioner Porter said just keep in mind, we may have to pay back
 - Commissioner Cameron said, we still need the pipe
- All agreed okay to move forward

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Don asked about Imlay-Wilsonwood

- Only four taps sold to date
 - Deadline is July 1
 - Some landowners say they haven't received a letter
- Don has contacted Mark Zanghi with the question: How do we correspond or make sure Mr. Cherevas has received notice, because to date he has not bought a tap
- Do we continue and assume we'll get more taps?
- Southern and Sundale project already has 50+ taps bought and not nearly as close to bidding this project
- Commissioner Cameron asked if it would be helpful to place a notice in the Times Recorder
- Commissioner Porter noted that in the past, we have contracted with someone to contact residents
 - All residents should be treated the same
 - Not interested in continuing with only four people
- Prep a notice for homeowners saying project in jeopardy; commitments not as anticipated; if interested, please respond

Commissioner Crooks asked for clarification on water projects.

- What is the timeline to complete the first five, prioritized, projects done
 - At least another year
 - Southern and Sundale is at least a year itself

Don shared with the Commissioners a few ideas that he would like to present for the Licking View sewer meeting.

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

Anthony Adornetto and Captain Suciu met with the Commissioners to discuss the jail grant application.

- Single County application
- Project Manager; CMAR
- Engineer?...Mark Eicher
- How many beds?
 - Captain Suciu would suggest as large as we can with the same staff as currently employed
- Build for the future

Commissioner Cameron asked if we are prepared to spend \$70,000,000

- Commissioner Porter said he is not
 - Also, we shouldn't count on the other counties' income
 - Captain Suciu said they are contacted almost daily from other counties looking for space

The Clerk was asked to provide annual utility costs for the jail; electric, water, etc.

The Commissioners and Anthony will meet again, Thursday, June 24; 11:00 a.m.

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The following met with the Commissioners to discuss the Licking View sewer and ground water issues.

- Stan Lucas, Sewer Department Manager
- Gary Williams, MC Engineer's Office
- Shawn Johnson, MC Engineer's Office
- Steve Dillon, Falls Township Trustee
- John Huey, Falls Township Trustee
- Church Archer, Falls Township Trustee
- Don Madden, MC Projects Director
- Mark Eicher, MC Engineer
- Mark Zanghi, MC Assistant Prosecutor
- Erin Couch, Zanesville Times Recorder

Mark Zanghi's understanding is that this subdivision was platted in 1912

- It's not clear when the drainage system was installed, no record
 - Some or maybe all of the lots had a drainage system
 - Question would be, was it installed as drainage for ground water or was it a sanitary sewer
 - We don't believe it's a sanitary sewer line, nobody knows where it goes
- Township Trustees are responsible for the maintenance of the roads
 - That includes taking care of storm water in order to maintain those roads
 - i.e. ditches on either side of the roads
- Mark cited an AG's Opinion from 2010 that addresses the responsibility of townships and roads and storm water and sanitary sewer systems
 - It is our belief that townships do not have the responsibility of installing sanitary sewer systems
 - It is the township's responsibility to take care of ground water coming off of roads and distributing so it's not flooding people's property
 - The gist of the Opinion is that a township is not required to maintain or repair underground storm water drainage facilities installed by the developer
 - Unless, the maintenance or repair of the facilities is needed to remove surface water from township roads
 - His interpretation would be that if there is drainage tile between the end of the lot and the road that is taking away the water from the road, the Township may be on the hook to repair those
 - It's Mark's understanding that at some time the Township installed a collector
 - If it's in the road, the Township has the responsibility of the maintenance
 - Has it ever been defined and can anyone tell where this water is going?
 - That has to be addressed
 - Steve Dillon believes there is a pipe that goes in to the river
 - Mark has heard that there is a pipe that goes in to the river...are these lines connected to that pipe?

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- When the river comes up the pipe backs up and the problems start in Licking View
 - Commissioner Porter suggested a back-flow preventer in the pipe
- Stan said that they can't find where it ties together
 - Commissioner Porter said will have to use camera to identify where it goes
- Steve said he would guess that the pipe going to the river is 15"-18"

John Huey asked if the Township is responsible for storm water coming off private property

- Mark Zanghi says no
- John asked if a landowner would want to drain 100 acres of swamp and the Township does not have the capacity, can they refuse
 - Mark says yes, there are restrictions
- Mark Eicher said that you have to accept the water that's naturally running to the roads; you can't block the road water from coming on to your road
 - John suggested you would want to stop it if it contains sewage
 - That would be the Health Department's call
 - Some of the people are pumping from their basements
 - Commissioner Cameron asked, once again, how is that allowable
- John reports that there are 116 homes and 43 septic systems in Licking View
 - More that surface water is going in to the collection system
- Gary would suggest that of those 43 some are probably no longer functional
- Stan reported that he and Denis Swierz from the Engineer's office found 70 actual tanks/lids

Gary said it is reasonable to believe that the developer had an idea of how to address the surface water.

- Knowing closer to river water table would be higher, and to sell sites to the community, they needed to install drain tile
 - 8" drain tile was installed
- Somewhere along the way, individuals that didn't want to install sewer systems, tied into the drain tile
 - So now the line goes from being a system to address subsurface water, but added effluent from sanitary
- In 2013 Zemba dealt with the connection issue in Brown alley.....no idea where it ends; no plans
 - Impossible to predict what's there
 - Perhaps the railroad acts as a buffer
 - No man holes
 - At a loss as to what to do
- The sanitary sewer system that is being designed will be deep enough in some of the roadways that it will disturb the existing drainage tile
 - How to replace that drainage tile system
 - It's there for a reason, something has to be put back in
 - Need more information

Stan said they can camera the area, but knows there are factory taps coming off the original line

- Commissioner Porter asked if cameraed and identify where it goes, whose responsibility is it after that

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- Stan said we can design a sewer system to fix the sewer problem
 - What we don't fix is the standing ground water that will not go away without fixing this system that's in place
 - That shouldn't be a Sewer Department responsibility
- Commissioner Porter says we have the capability of flushing and cameraing and coming up with a pretty accurate map of where the line is at
 - Stan said the mains, yes, but the factory taps that come in
 - Laterals will be guessing game

Mark Eicher said that whatever is disturbed by construction of the sewer line, will be repaired by the contractor.

- It will also tell where the drainage tile runs and documented in plans

Mark Eicher suggested soil bores, this will help with design

- Part of sewerage process, needs done quickly
- Stan has time and will do that

John Huey asked if the County maintains any storm water systems

- In certain locations and circumstances, but typically no

Mark Eicher would recommend doing both systems at once, while road and intersections are already torn up installing sanitary sewer

Don Madden wanted to mention some things he's been researching.

- JEDD boundary goes directly up Licking Road
 - Upstream, right side would be outside the boundary
 - West/southwest side within the JEDD
- His opinion would be that trying to "patch" the system would not be the right answer to the problem
- Who's going to pay for this storm water project
 - Township
 - County
 - Sewer Department
 - Home Owners' Association
 - Collect fees to pay for project
 - Can be full of headaches and delay project
- Tax Assessment
 - Commissioners have authority to set sewer rates
 - Area needs mapped first
 - Engineer's office map out sewer line and drainage line
 - Determine debt of drainage line
 - Include money for maintenance
 - Who maintains at that point
 - Commissioner Porter noted that with an excessive assessment you could run half of the residents out
 - John said that some residents have told them that they can't afford to "have them flushing on us"

Mark Eicher said that soil boring will help determine a lot of details

Jetting and camera will also help tell the story

Steve said they never have any calls, during heavy rains, only when someone's sewer backs up

Gary noted that some easements will be required, but most ROWs are in alleys.

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All agreed that they next step will be to run camera and do soil borings.

- Stan will start Monday

Don asked the Township Trustees if they have issue with Stan working in their Township ROW.

- John said that he has always understood that the County actually owns the road
 - Township is required to maintain
 - Mark says that if the road is designated County, the County maintains; if designated Township, the Township maintains
 - John is just saying that he doesn't think the County has to ask to work in Township ROW
 - Mark Eicher said just being fair in asking, it's Township jurisdiction

Steve asked if this project would qualify for low income funding

- Don said not enough responses back at this time, but would expect it to
- CDBG applications will help homeowner

Commissioner Cameron said that there have been lots identified that literally have raw sewage right next to a couple of trailers in Licking View.

- Stan got names and addresses of the properties for the Health Department
 - Should the letter come from the Trustees, Prosecutor, Health Department,...?
 - Stan has already shown the Health Department the issues
- How's this fair to the people that are hooked up correctly
- How do you just ignore that situation
- Mark Zanghi said he will light a fire with the Health Department

Falls Township did give the County permission to bore on their roads

John Huey said they are willing to help and work with the County.

Commissioner Cameron pointed out that Stan has helped, but it's not his responsibility

Commissioner Crooks thinks it fair to say, it's none of our responsibility, it was a developer from the 1920's

- It's going to be costly
- We're getting blamed because we're not doing anything, but according to TR article, Licking View was offered a County sewer system in 2014 and they said they couldn't afford it
 - Can't have it both ways
- Mark Eicher would suggest that the landowners need to take some responsibility, also
- Commissioner Porter said the Health Department needs to do their job, too

Commissioner Cameron also mentioned another issue in Falls Township, along the river by Burnham

- The Sheriff delivered a letter by Certified Mail to the property owner
- Mark Zanghi said the next step is for the Township to make a decision
 - Can tell them coming in with front end loader and dumpster
- Can the campers be removed
 - Not hooked up to sewer
- The property owner is not the one who lives on the premises
 - The renters have a restraining order against owner
 - But owner can have renters evicted

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- Burnham offered them \$3,000 to leave
- Mark Zanghi said Prosecutor's Office will write letter to the property owner and have Sheriff hand deliver
- Burnham said they would help
 - Part of the infringement is on Burnham and Lavy

Stan asked if we would get a bunch of rain and his phone starts ringing from Licking View, what is he to do.

- Commissioner Porter said there is no sewer system there
- Commissioner Cameron said, as Mark Eicher just said, the property owner has to take some responsibility

We are diligently working on getting a sewer system in Licking View.

Stan stayed after the meeting and asked the Commissioners what to do with the remainder of his Fund 140, Weber Lift Station.

The following resolution was then considered:

RESOLUTION 21-0597 approve to close Fund 140, Weber Lift Station, and transfer the remaining funds, \$198,831.61 to Fund 055 for the Muskingum County Sewer Department, at the request of the Muskingum County Commissioners.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

With no further business being before the Board, the meeting was adjourned at approximately 3:47 p.m. on the motion of Commissioner Porter and the second of Commissioner Cameron.



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.