

Minutes for July 22, 2021

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

RES 21-0691 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 reported that he asked Jeff Jadwin, EMA Director, to come in at 10:30 this morning regarding a phone call he received from A1 Towing.

Commissioner Cameron brought to attention the email from Mark Zanghi, Assistant Prosecutor, regarding Executive Sessions.

- Mark said that anything discussed in Executive Session can be discussed with the Prosecutor's Office because they are our legal counsel
- "A discussion in executive session regarding the compensation of a public employee(s) is not a matter that is confidential in nature; therefore the board is permitted to comment or further discuss the matter in open sessions. The compensation of public employees is always subject to disclosure in a public records request."

Sheriff Lutz came to see the Commissioners after Sheriff's sales.

- He expressed his appreciation for the change orders for the Adoption Center
- He has a new Kennel Master at the Adoption Center

Commissioner Porter said he got another call from Tom Roberts of County Line Road regarding water.

- Commissioner Cameron asked if he's filled out his application
 - Commissioner Porter didn't ask
 - Commissioner Cameron said that Don Madden said that is the first step
 - Commissioner Cameron had called Peggy at the Water Department and asked her to send the application to Mr. Roberts
 - That's been about two weeks ago
- Commissioner Porter called Tom Roberts to ask if he had received the application
 - He hasn't but his brother Jeff might have

Commissioner Porter asked if Cecil LeFever, Arch Hill Road, ever got a new application turned in

- Commissioner Cameron thought Don said, last time he was in, that he already had something started for that project

Jeff Jadwin, EMA Director, came at Commissioner Porter's request.

- Commissioner Porter reported that Jerry Sode, A1 Towing had called him around Noon on Tuesday

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- Jerry is upset saying that EMA cost them \$20,000 over the I70 incident Monday night involving a tractor trailer loaded with batteries that caught fire
 - Commissioner Porter doesn't understand how Jerry got pictures, unless it came from another towing company
 - Jeff thinks it was Tim Mahon from ODOT
 - He (Mahon) feels every other towing company inferior to A1
 - Jeff confronted the other two towing companies there and told them that someone from one of your companies is feeding A1 information - denied
 - A1 Towing is no longer on the City's rotation of tow companies
 - Jeff said at no point did he call Zemba's
- Commissioner Porter asked who was in charge at the scene, that seems to be the big issue
 - Ohio EPA is who made the call to Zemba
 - Mike Lynn, PUCO is who put a stop to off-loading the truck when they found batteries with acid leaking – now it's definitely hazmat and everyone needs suited up
 - Commissioner Porter showed Jeff a picture from the scene and asked if a raincoat and boots were proper hazmat suits
 - Jeff said it was an acid suit approved by EPA and PUCO
 - Commissioner Porter pointed out that there was one person in a picture that did not have any protective gear on
 - Commissioner Porter said according to Jerry he was called out and then someone from another towing company called to cancel after they were on their way
 - Jeff thought it might have been Todd Brennen with B&H Towing
 - The last two times B&H has had a call for clean-up, they have called A1 to bring their vac truck
 - Commissioner Porter indicated that this would all be “hashed out” during a meeting with everyone
 - Jeff doesn't think it needs “hashed out”, because, plain and simple, he doesn't call the clean up company; he doesn't call the wrecker
 - The rules dictate that the only ones to call the wrecker are State Highway Patrol, the Sheriff, the Fire Department can request a wrecker if they need it for rescue
 - Otherwise, the dispatcher will tell them the Deputy or State Patrolman will request the wrecker when they get there
 - They use the rotation so everyone gets a fair shot
 - Jeff called PUCO because hazmat chemical spill
 - The State Patrol called for motor carrier enforcement

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- They even considered bringing scales out because it was not properly loaded
 - The driver of the tractor trailer didn't speak English
 - They had to call the owner of the truck to talk to the driver to communicate with the SHP, EPA and PUCO
 - PUCO said they had to stop unloading and then turned it over to EPA to decide who would do clean up
 - OEPA called Zemba
 - PUCO said that if we have to put people in hazmat suits, we don't want people driving by looking at the suits and having another wreck; close both lanes
 - Everyone was standing there when that decision was made
 - So they closed the road until it was determined how to proceed
 - No one really wanted to do anything until the insurance adjuster for the trucking company said they were going to pay
 - Commissioner Porter asked if Zemba pulled up and said, we're not touching that until we get \$15,000
 - Jeff doesn't know what they said to EPA, Zemba didn't say it to him
 - Jeff had already said that most of the companies want \$10,000 retainer up front before they'll touch it to cover their initial cost
 - Jeff said during the seven year ODOT upgrade of I70, the City said they will not be calling A1 for any wrecks
 - Jerry Sode told Commissioner Porter that he (A1 Towing) is the only one under contract for the TRIP (Towing Recovering Incentive Program)
 - He's the only that bid on getting it cleaned up quickly
 - Jeff explained that if it is a hazmat spill, TRIP is void
 - Jeff said he is willing to meet with Jerry
 - Commissioner Porter said Jerry doesn't want to just meet with Jeff, but also ODOT and EPA
 - He (Commissioner Porter) is getting two different stories and he wasn't there; Jeff was; Jerry wasn't; EPA was
 - He doesn't know who to believe
 - Jeff said he can request reports from EPA and PUCO
 - Commissioner Cameron asked how Jerry figures he lost \$20,000
 - Jeff said because Jerry thought he was going to do the environmental cleanup
 - Potential income
 - Commissioner Porter pointed out that A1 has the "roll-off" for hazardous materials
 - They sat there at the scene waiting hours for one
 - Polk turned them down
 - Muskingum Iron and Metal turned them down the first time until the Sheriff called and told them it was an emergency
 - Jeff was told that no one answered the phone at Muskingum Iron and Metal and no one answered at Polks
 - If Todd (B&H) wanted to use A1, that would have been Todd's choice

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- Jeff called dispatch and asked if they had an emergency number for Muskingum Iron and Metal or Polks
 - She called him back and he let her talk to Todd with B&H
 - Jerry was sending Jeff pictures and asking who his boss is
 - Jeff told him he was too busy right then to talk; he had no reason to argue with him
 - Jeff is happy to meet with Jerry
 - Commissioner Porter said Jerry also wants ZPD, Sheriff, State Highway Patrol, EPA and ODOT because of the potential with the I70 project
 - Jeff said that TRIP and Quick Clear are out the door if hazmat is involved
 - Jeff doesn't care who does it, just so it's cleaned up quickly and done right
 - Commissioner Cameron asked if Jerry knows that Jeff doesn't make that decision
 - Jeff thinks that someone did tell Jerry that he is the one making those decisions
 - Some trucking companies have a contract with a towing and/or hazmat company
- Jeff will set up a meeting with all parties for August 3, 2021; 10am at the EMA office.

Commissioner Crooks distributed a spreadsheet of recent Board of Revision meetings.

The Clerk indicated that she has not heard back from Theresa Hildebrand regarding the Commissioners' donation for the cat situation, so she's not sure who to make the check to or where to send it

- Commissioner Crooks will follow up with Carolyn Hughes

The Clerk asked about payments to the Center for Seniors for their Interim Director, David Boyer. The following was then considered:

RESOLUTION 21-0697 approve the Supplemental Appropriation of Funds within Fund Number 001, for the Muskingum County Commissioners.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Professional Services	01-102-504022	\$17,900.00

These funds will be used to fulfill the MOU between the Board of Commissioners and the Center for Seniors for employment of David Boyer as Interim Director for the Center for Seniors.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Commissioner Porter referred to an email from Bear at Pae Ohana.

- Commissioner Crooks had emailed him and said the Board of Commissioners would be making the decision about the Lorena transporting their clients up the river, so she would prefer an in person meeting
 - Commissioners
 - Captain Page
 - Pae Ohana
 - Kelly Ashby

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- o Mark Zanghi

The following legislation was considered:

RESOLUTION 21-0692 approve and authorize the repayment of an ADVANCE of monies to Muskingum County Water Fund 014 from Fund 147 as requested by the Projects Department. The repayment of the ADVANCE will include for the repayment of money advanced to fund 147.

REPAYMENT OF ADVANCE OF FUNDS

<u>From Fund</u>	<u>To Fund</u>	<u>Amount</u>
147-373-510001	014-000-414001	\$137,000.00

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

RESOLUTION 21-0693 approve the Supplemental Appropriation of Funds within Fund Numbers 002; 093; 098 and 106, for the Muskingum County Sheriff, as requested by Matthew Lutz.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Dog and Kennel – Supplies	002-502-503001	\$ 10,000.00
911 – Contract Services	093-458-504001	\$ 12,000.00
Concealed Weapon – Supplies	098-458-503001	\$ 5,000.00
Jail Commissary – Supplies	106-458-503001	\$ 30,000.00
Jail Commissary – Contract Services	106-458-504347	\$150,000.00
Jail Commissary – Equipment	106-458-506001	\$160,000.00

Appropriating monies that are already in the respective funds.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

RESOLUTION 21-0694 approve the Supplemental Appropriation of Funds within Fund Number 033, for the Muskingum County Juvenile Court, as requested by Vicki Vallee, Finance Manager.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Transfer Out	033-244-510002	\$61,688.77

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion carried.

RESOLUTION 21-0695 approve signing the Neighborhood Grant Program FY-21 Application as requested by Lisa Crock, Administrator, Muskingum County Soil and Water Conservation District.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion carried.

RESOLUTION 21-0696 approve the Supplemental Appropriation of Funds within Fund Number 001, for the Muskingum County Court of Common Pleas, as requested by Mark C. Fleegle, Administrative Judge.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Employee Salaries/Common Pleas	001-240-501002	\$13,203.30
Employee Salaries/Adult Probation	001-241-501002	\$27,087.50

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PERS/Common Pleas	001-240-502003	\$ 1,848.46
PERS/Adult Probation	001-241-502003	\$ 3,792.25
Medicare/Common Pleas	001-240-502001	\$ 191.45
Medicare/Adult Probation	001-241-502001	\$ 392.77
Workers Comp/Common Pleas	001-240-502009	\$ 198.05
Workers Comp/Adult Probation	001-241-502009	\$ 406.31
		<u>\$47,120.09</u>

This requested additional expense is for 12 employees to increase their hours from 35-40 weekly for the remainder of 2021.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

There was discussion regarding the above request. Commissioner Cameron said she did confirm the amount of \$47,120.09 with Human Resources, for the increase of five hours per week, per each of 12 employees, to finish out the year, not for raises.

Commissioner Cameron amended her motion to include *This requested additional expense is for 12 employees to increase their hours from 35-40 weekly for the remainder of 2021.*

Commissioner Porter said if he had known the hourly wages of some of the employees, he would not have mentioned the additional hours.

Commissioner Cameron said putting hourly wages aside, as we've discussed in session, if we did this for everyone, it would cost the County \$1.8 million.

Commissioner Porter's opinion is that this is not fair to other County employees.

Commissioner Cameron said that other departments have been given the option to increase hours from 35 to 40 hours per week. There are only so many hours in a day, regardless of what you pay someone. The other option would have been to have given additional monies for additional employees.

Commissioner Porter asked, does this revision imply that the increase is only for the remainder of 2021? Commissioner Cameron would think that would call for more discussion after we see what works out for the remainder of 2021.

Commissioner Cameron said she realizes that the Board can be ordered to do this.

Commissioner Crooks said it is her understanding that this was offered to him because he needed to hire additional employees, but he doesn't have the space for additional employees and this is a way for him to get additional hours in.

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

Motion carried.

RIGHT OF WAY PERMITS SIGNED:

CenturyLink; Lorain, OH

Salem Twp; 7995 Norfield Rd

Road Bore, Cable

Start date: Upon approval; 90 day completion

There was discussion regarding the July 15, 2021 minutes.

- Commissioner Crooks thought we should reference the topic of conversation on page 8, with Genesis regarding autopsies
- Commissioner Porter said if you want to re-write the minutes, do it in today's minutes

Commissioner Porter left for an outside appointment.

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Commissioner Cameron moved to approve the minutes of the July 15, 2021 session.

Commissioner Crooks seconded.

Vote was Crooks, aye; Porter, absent at the time of voting; Cameron, aye. Motion carried.

Commissioner Cameron moved to approve the minutes of the July 19, 2021 session.

Commissioner Crooks, seconded.

Vote was Crooks, aye; Porter, absent at the time of voting; Cameron, aye. Motion carried.

Commissioner Crooks asked if Commissioner Cameron wanted to come back to work on the Job Description for the ARPA Administrator.

- Commissioner Cameron didn't think we should approve a description without Commissioner Porter being here.

With no further business being before the Board, the meeting was adjourned at approximately 11:59 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.