

# Minutes for October 20, 2022

Commissioners Present: Crooks, Porter, Cameron  
Staff Present: Beth Iden

**RES 22-1034** Meeting was called to order at 8:00 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.

The Commissioners met to discuss the jail grant application with the following:

- Sheriff Lutz, Judge Cottrill, Assistant Prosecutor Mark Zanghi, Bob Smith-Juvenile Director, Andy Roberts-Land Bank, Wendy Roush, Domestic, Jason Haser, Common Pleas, Matt Gibson, County Court

Mark Zanghi reported to the Commissioners that there will be a Resolution today to file an assessment against Garland Hotel LLC for the collection of the Lodging Excise Tax.

Discussion on property being transferred to the Miracle League.

Commissioner Cameron reported she will have to leave at 11:45 a.m., but will be back at 1:30 p.m.

Commissioner Cameron said that Matt Hoffman said starting at the beginning of the year, that any state agency employees still working from home will not get any money from the State if they are not back to work in the office. Way too many people are working from home and they passed it in the Senate.

The following legislation was now considered:

**RESOLUTION 22-1035** authorize signing an Amendment to the Professional Services Contract with Northstar Engineering and Surveying, LLC for the Licking View Sanitary Sewer Project. This amendment will allow for the development of a required Storm Water Permit and finalizing bid documents. (see attached)

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

**RESOLUTION 22-1036** authorize a water rate change to \$3.80 per thousand gallons of water sold to the village of Roseville beginning with the November 2022 water billing. The November 2022 water billing represents the beginning of the third year of the contract between Muskingum County and the village of Roseville and as specified in the contract the cost of water during the third year of the agreement shall be \$3.80 per thousand gallons. (see attached)

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

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**RESOLUTION 22-1037** authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Certificate of Substantial Completion for the Big B Road, Mutton Ridge Road, and Sheck Road Water Main Extension. (see attached)  
 Motion made by Commissioner Porter, seconded by Commissioner Cameron.  
 Roll call: Crooks, aye, Porter, aye, Cameron, aye; Motion carried.

**RESOLUTION 22-1038** approve the line item transfer & Fund to Fund transfer of monies within Fund Number 001 as requested by Ron Welch, Prosecuting Attorney, as follows:

**LINE ITEM TRANSFER OF MONIES**

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
001-105-501002-Employee Salaries	001-999-510002-Transfer Out	\$29,219.29
001-105-502001-Medicare	001-999-510002-Transfer Out	\$ 1,133.53
001-105-502003-PERS	001-999-510002-Transfer Out	\$12,015.20
001-105-502004-Insurance	001-999-510002-Transfer Out	\$28,645.50

**FUND TRANSFER OF MONIES**

<u>From Fund</u>	<u>To Fund</u>	<u>Amount</u>
001-999-510002-General Fund	157-000-414002-Victim Criminal Act	\$71,013.52

Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
 Roll call: Crooks, aye; Porter, aye; Cameron, aye Motion carried.

**RESOLUTION 22-1039** approve the Supplemental Appropriation of Funds within Fund Number 173, for the Muskingum County Sewer Department, as requested by Peggy Taylor, Office Manager.

**SUPPLEMENTAL APPROPRIATION OF FUNDS**

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Engineering	173-372-504013	\$26,500.00

Motion made by Commissioner Porter, seconded by Commissioner Cameron.  
 Roll call: Crooks, aye; Porter, aye; Cameron, aye Motion carried.

**RESOLUTION 22-1040** approve the Supplemental Appropriation of Funds within Fund Number 099, 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>
Assessment/Counseling	099-444-504308	\$28,400.79

Motion made by Commissioner Cameron, seconded by Commissioner Porter.  
 Roll call: Crooks, aye; Porter, aye; Cameron, aye Motion carried.

**RESOLUTION 22-1041** approve the establishment of new fund, number 083, which does *not* require approval of the State Auditor's Office, and line items as requested by Stephanie Neuhart, Business Manager for the Muskingum County Board of Developmental Disabilities

**ESTABLISH NEW FUND**

<b><u>Purpose of New Fund</u></b>	The purpose of this fund is to account for Federal Funds received for IDEA-B Special Education
<b><u>Fund Number</u></b>	083
<b><u>Fund Name</u></b>	2021 IDEA-B Special Education Grant
<b><u>Department</u></b>	694-Starlight
<b><u>Award Amount</u></b>	\$31,834.87
<b><u>CFDA #</u></b>	84.027
<b><u>Grant Period</u></b>	July 01, 2022-June 30, 2023
<b><u>Grant Administrator</u></b>	Muskingum County Board of Developmental Disabilities
<b><u>Matching</u></b>	N/A

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**LINE ITEMS TO BE CREATED**

Revenue:	Description	Fund	Dept.	Account Code
	Federal Grant #	083	400	455555
	Advance In	083	400	414001

Expenditures:	Description	Fund	Dept.	Account Code
	Supplies	083	694	504001

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

**RESOLUTION 22-1042** approve the establishment of new fund, number 086, which does *not* require approval of the State Auditor’s Office, and line items as requested by Stephanie Neuhart, Business Manager for the Muskingum County Board of Developmental Disabilities

**ESTABLISH NEW FUND**

**Purpose of New Fund** The Purpose of this fund is to account for Federal Funds received for IDEA Early Childhood Special Education

<b><u>Fund Number</u></b>	086
<b><u>Fund Name</u></b>	2023 IDEA Early Childhood Special Education Grant
<b><u>Department</u></b>	694-Starlight
<b><u>Award Amount</u></b>	\$4,532.13
<b><u>CFDA #</u></b>	84.173
<b><u>Grant Period</u></b>	July 01, 2022- June 30, 2023
<b><u>Grant Administrator</u></b>	Muskingum County Board of Developmental Disabilities
<b><u>Matching</u></b>	NA

**LINE ITEMS TO BE CREATED**

Revenue:	Description	Fund	Dept.	Account Code
	Federal Grant #	086	400	455555
	Advance In	086	400	414001

Expenditures:	Description	Fund	Dept.	Account Code
	Supplies	086	694	504001

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

**RESOLUTION 22-1043** 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>
Supplies	018-694-503001	\$ 15,000.00
Gov. Emergency Ed. Relief	018-694-503021	\$ 4,320.76
Bus Transportation	018-694-504310	\$180,000.00
Settlement Deduction	018-694-504393	\$ 9,699.09

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

**RESOLUTION 22-1044** authorize the ADVANCE of Funds from County General Fund 001 to Fund 083 & 086 for the Muskingum County Board of Developmental Disabilities as requested by Stephanie Neuhart, Business Manager, as follows:

**ADVANCE OF MONIES**

<u>From Fund</u>	<u>To Fund</u>	<u>Amount</u>
018-694-510001-Advance Out	083-000-414001-Advance In	\$33,933.87
018-694-510001-Advance Out	086-000-414001-Advance In	\$ 4,551.43

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Motion made by Commissioner Cameron, seconded by Commissioner Porter.

Roll call: Crooks, aye; Porter, aye; Cameron, aye

Motion carried.

**RESOLUTION 22-1045** approve the Supplemental Appropriation of Funds within Fund Number 083 & 086, 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>
Supplies <i>(Special Education FY22 ODE Grant Fund(083))</i>	083-694-503001	\$33,933.87
Supplies <i>(Special Education FY21 ODE Grant Fund(086))</i>	086-694-503001	\$4,551.43

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

Roll call: Crooks, aye; Porter, aye; Cameron, aye

Motion carried.

**RESOLUTION 22-1046** approve the line item transfer of monies within Fund Number 041 as requested by Stephanie Neuhart, Business Manager, as follows:

**LINE ITEM TRANSFER OF MONIES**

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
041-694-501002-Employee Salaries	041-694-502012-STRS	\$3,950.00

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

Roll call: Crooks, aye; Porter, aye; Cameron, aye

Motion carried.

**RESOLUTION 22-1047** approve the line item transfer of monies within Fund Number 001 as requested by Beth Iden, Deputy Clerk, as follows:

**LINE ITEM TRANSFER OF MONIES**

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
001-115-506040-Capital Projects	001-115-506010-Vehicles	\$100,000.00

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

Roll call: Crooks, aye; Porter, aye; Cameron, aye

Motion carried.

**RESOLUTION 22-1048** approve and authorize the establishment of the following Non-Rewards credit card with a limit of \$10,000 for the Muskingum County Sewer Department.

ALSO, BE IT RESOLVED, to approve and sign the application for such credit card and  
AND ALSO, BE IT RESOLVED, to sign the County Credit Card Cardholder

Acknowledgement.

<u>Name of Vendor</u>	<u>Number of Cards</u>	<u>Authorized Signors</u>
The Community Bank	3	Stan Lucas Jacob Batteiger Jereme Bowden

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

Roll call: Crooks, aye; Porter, absent; Cameron, aye.

Motion carried.

**RESOLUTION 22-1049** WHEREAS, a Board of County Commissioners, pursuant to Section 307.10(B) of the Revised Code of the State of Ohio, may by resolution, transfer title to real property belonging to the County and not needed for public use, to a county land reutilization corporation; and

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WHEREAS, this Board of County Commissioners has determined that certain real property located on Riverview Drive, Zanesville, Ohio consisting of approximately 2.30 acres, and as further described in the attached survey and legal description (part of Tax Parcel No. 17-48-04-10-000), is not needed for public use.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners, Muskingum County, Ohio, does hereby authorize the transfer in fee simple the real property as described in the attached survey and legal description to the Muskingum County Land Reutilization Corporation.

BE IT FURTHER RESOLVED that the Muskingum County Prosecuting Attorney shall prepare the deed of conveyance and other documents as might be necessary for the transfer of title for the real property, and that Mollie S. Crooks, in her capacity as president of this Board shall be authorized to execute said documents on behalf of the Board.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

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

Motion Carried

## RESOLUTION 22-1050

WHEREAS, the Board of County Commissioners, Muskingum County, Ohio [Commissioners] adopted Lodging Tax Regulations [Regulations] for the imposition and collection of a Lodging Tax as authorized by former Ohio Revised Code §5739.024 (renumbered as Ohio Revised Code §5739.09); and

WHEREAS, pursuant to the Regulations, all hotels operating within Muskingum County are required to collect a 3% (three percent) lodging tax on all transient guests; and

WHEREAS, pursuant to the Regulations, all hotels operating within Muskingum County are required to file with the Commissioners a Monthly Lodging Excise Tax Return by the 20<sup>th</sup> (twentieth) day of the month for the preceding month and remit the 3% lodging tax to the Commissioners; and

WHEREAS, Garland Hotel LLC operates a hotel located at 150 Garland Way, New Concord, Union Township, Muskingum County, Ohio; and

WHEREAS, Garland Hotel LLC has failed to file a Monthly Lodging Excise Tax Return with the Commissioners for the months of May 2021 up to and including March 2022 and for the months of May 2022 up to and including September 2022; and

WHEREAS, the Commissioners, pursuant to the Regulations, imposed the assessment of the Lodging Excise Tax for the months of May 2021 up to and including March 2022 against Garland Hotel LLC on or about February 17, 2022 and on or about May 9, 2022 (see attached Notices of Assessment of Lodging Excise Tax); and

WHEREAS, Garland Hotel LLC has failed to object to an assessment of the lodging excise tax within 30 (thirty) days of the imposition of the assessment, as required by the Regulations, by the filing of a petition with the Commissioners objecting to the Assessment of Lodging Excise Tax.

NOW, THEREFORE, the Board of County Commissioners, Muskingum County, Ohio hereby authorizes the Muskingum County Prosecuting Attorney to commence all legal proceedings authorized by Ohio law against Garland Hotel LLC for the collection of the Lodging Excise Tax.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

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

Motion Passed.

## RESOLUTION 22-1051

accept and sign The Memorandum of Lease for Richard & Ashley Marshall for the following property at 2425 Three Towers Road, Chandlersville. Former Dwight Taylor property. Requested by Mark Zanghi, Assistant Prosecutor.

Motion made by Commissioner Porter, seconded by Commissioner Cameron.

Roll call: Crooks, aye; Porter, aye; Cameron, aye

Motion carried.

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**RESOLUTION 22-1052** approve the employment of Victoria Burke for the part time/on-call position for Rambo Memorial Health, contingent upon passage of the pre-employment assessments. Requested by Pam Davis.

Motion made by Commissioner Cameron, seconded by Commissioner Porter.

Roll call: Crooks, aye; Porter, aye; Cameron, aye

Motion carried.

Commissioner Cameron asked about having the employee Christmas potluck this year. Commissioner Crooks mentioned maybe having it catered. She would check in to it. Commissioner Cameron commented how would we know how many would be attending and we have always done a potluck.

Commissioner Porter said he received a call from Ron Shirer yesterday morning. Ron was at the fairgrounds and Jerry Miller and assuming other there also, presented prices for water line from Clean Face around to the Midway. Commissioner Porter thought he said \$9,289 or \$8,200.

Commissioner Cameron said he must have called her after that, and he said \$8,100.

- Commissioner Porter asked where was this contractor when we bid out the big water line project, if he can do it that cheap?
- Commissioner Porter told Ron that he has no intentions of going back to the Cattlemen and asking for money and Ron said he told them the same thing. Ron told them he will call the Commissioners to see if they will offer. Commissioner Porter told him no and to come back in 3 months
- Commissioner Cameron said Eric was in when Ron called, and she told Ron he was on speaker phone. She said how Eric is involved with the waterline, ARPA money and the bathroom came up. Commissioner Cameron said she understood the bathroom was on hold until after the first of the year and she didn't know why. Ron said that wasn't his understanding, Jerry Miller was there and then Rodney Crooks came in and said after the show on November 9<sup>th</sup> that they were going to hire an architect and they are going to move forward with the bathroom.
- Commissioner Porter said this was for 200 ft, 2 inch line from Clean Face clear around to the Midway. Hazen was \$13,000 just to go from the valve to the wash rack
- Commissioner Cameron said she probably should have asked more questions
- Commissioner Porter said from the text he got, they don't trust him so he doesn't trust them, so they can deal with it after he's gone
- Commissioner Cameron asked Commissioner Porter if he was ok with them still starting on the bathroom. Commissioner Porter said the Resolution gave them \$192,000 for it

At 10:05 a.m. Commissioner Cameron and Commissioner Crooks went outside for the Issue 1 bus rally and resumed session at 10:48 a.m.

John Furek came into observe session.

Pam Davis, Human Resources and Kenzie Hill, Benefit Specialist came into session.

- The 2023 Insurance Premiums for Medical, Dental and Vision were discussed
- Commissioner Cameron had no comment and Commissioner Porter was not in favor of increasing the dental premium
- Would like to start open enrollment no later than Nov. 09, 2022

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- Pam and Kenzie will set up a meeting for Department Heads and Elected officials for Oct. 31, 2022 to distribute open enrollment packets
- Commissioner Crooks will not be available in the afternoon on Nov. 3rd and she will not be in session on Nov. 7<sup>th</sup>

Eric Reed, ARPA Compliance Officer came in to give updates.

HUD

- Eric reported he has a HUD meeting with Lauren Thomas at 1:00 p.m. today and he will give updates of that meeting during the session on Monday

Eric said the Governor's office sent out information of the Appalachian Community Grant details

- This is the Ohio Build's money which is the allotment of their American Rescue Plan Act state dollars
  - Money for infrastructure for downtown redevelopment, workforce, healthcare, Community based services
  - Applications for technical assistance and development grants will be opened in November
  - Projects must be complete by Oct. 31, 2026

Project report is due for the 3<sup>rd</sup> quarter by October 31, 2022

Eric has an email to Mark Zanghi, Assistant Prosecutor regarding the bidding process for the grandstand seating and work completed for the Agricultural Society. The County contributed money to this project and Eric had a few questions before completing the 3rd Quarter Project Report.

Commissioner Cameron left session at 11:45 a.m.

Pam Davis and Kenzie Hill came in with the calculated increase figures for non-compliance employees for medical coverage

- Commissioner Porter would like to wait until Commissioner Cameron is present before voting

Commissioner Porter told John Furek that the lot beside the jail is owned by four individuals.

Mr. Furek said, so the Mason's don't own the lot? Commissioner Porter mentioned the Commissioners inquired about purchasing the lot earlier in the year. The lot is owned by Real Ridge, LLC.

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

Mark Eicher, County Engineer, came into session to see the Commissioners.

- He presented the Sonora Sanitary Sewer connection plans that the Commissioners signed
- Discussed the manhole covers on Sonora Rd and putting on risers to level them

Mark reported that he is ready to start bridge inspections.

- Mark would like to add one row of lights on the Gaysport Bridge to show each pier.
- He will have 7 bridges to bid out for next year

Commissioner Crooks said that Matt Abbott said at one point Mark was working on getting the OMEGA transportation long term improvement plan.

- Mark has submitted two applications
  - One application for St. Rt. 146/40 and one for St. Rt. 40/93

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Mark talked with Jeannette from OMEGA after an OMEGA meeting at the library for projects in the region.

- She liked the projects that he had proposed for St. Rt. 146
- Mark gave credit to ODOT – they are more collaborative than they have ever been in the past

The Commissioners participated in a virtual update with ODOT regarding the IR70 restructuring project.

Commissioner Porter told Commissioner Cameron about the figures for non-compliance rates.

- Commissioner Cameron was ok with the changes
- Commissioner Crooks called Kenzie and told her the Commissioners agreed on the increase

Commissioner Cameron moved to approve the minutes of the October 17, 2022 session with changes, seconded by Commissioner Crooks.

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


Motion carried

Commissioner Porter had a comment about the 10.17.2022 Minutes regarding the email messages and Commissioner Crooks comment about the Sunshine Law.

- Commissioner Porter said you may get your day in court, sometime to prove that

With no further business being before the Board, the meeting was adjourned at approximately 2:30 p.m. on the motion of Commissioner Cameron and the second of Commissioner Porter.

  
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.*