

Minutes for December 29, 2022

Commissioners Present: Crooks, Cameron
Commissioner Porter was absent
Staff Present: Susan Reese

RES 22-1276 Meeting was called to order at 10:00 a.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.
Vote was Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

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

The Sheriff stopped in, after sales, to visit with the Commissioners.

Kyle Dunn, Community Development Director, came to update the Commissioners on the HSTS program.

- Deadline for completion is 12.31.2022 for 2021 funds
 - Kyle has completed the 2021 program fund distribution

Don Madden, Project Manager, came to discuss purchasing a used generator with the Commissioners

- It is a 75kw, diesel motor
 - \$18,000
- All agreed to allow him to purchase

The following legislation was now considered:

RESOLUTION 22-1277 WHEREAS, the Ohio legislature has enacted natural gas deregulation legislation which authorizes the legislative authorities of counties to aggregate the retail natural gas loads located within the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

WHEREAS, governmental aggregations provide an opportunity for residential and small business consumers to participate collectively in the potential benefits of natural gas deregulation through lower natural gas rates which would not otherwise be available to those natural gas customers individually, and

WHEREAS, the County of Muskingum seek to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26 of the Ohio Revised Code for the residents, businesses and other natural gas consumers in the unincorporated areas of Muskingum County.

NOW, THEREFORE, BE IT RESOLVED but the Commissioners of Muskingum County, State of Ohio:

Section 1. BEST INTERESTS OF THE COUNTY

The Commissioners of Muskingum County have concluded that it is in the best interest of the County, its residents and businesses located within the unincorporated areas of the Muskingum County to establish this aggregation program.

Section 2. APPROVAL BY THE ELECTORATE

The aggregation program must be approved by the electors of the County pursuant to Section 3 of this Resolution. Upon approval by the electorate the County is hereby authorized to automatically aggregate, in accord with Section 4929.26 of the Ohio Revised Code, the retail natural gas loads (customers) located within the County, and enter into service agreements to facilitate for those loads the purchase and sale of natural gas. The County may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio.

Section 3. BALLOT LANGUAGE

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The Board of Elections of Muskingum County is hereby directed to submit the following question to the electors of at the primary election on May 2nd, 2023.

Shall the Commissioners of the Muskingum County have the authority to aggregate the retail natural gas customers located in the unincorporated areas of Muskingum County (except Falls Township), and for that purpose, enter into services agreements to facilitate for those customers the sale and purchase of natural gas, conversion to the aggregation program will occur automatically unless the customers choose to opt out of the program.

The Fiscal Officer of Muskingum County is instructed to immediately file a certified copy of this resolution and the proposed form of the ballot question with the Muskingum County Board of Elections not less than seventy-five days prior to the general election. The aggregation program shall not take effect unless approved by a majority of the electors voting upon this resolution and the aggregation program provided for herein at the election held pursuant to this Section 2 of this resolution and Section 4929.26 of the Ohio Revised Code.

Section 4. PROCEDURE AFTER AN AFFIRMATIVE VOTE; HEARINGS AND NOTICE OF HEARINGS; OPT-OUT RIGHTS.

Upon approval of a majority of the electors voting at the primary election provided for in Section 3 of this Resolution, the Commissioners of Muskingum County, individually or jointly with any other political subdivision, may develop a plan of operation for the aggregation program. Before adopting this plan, the Commissioners of Muskingum County shall hold at least two public hearings on the plan.

Notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the County prior to the first hearing. The notice will summarize the plan and state the date, time and place of each hearing. No plan adopted by this County Commission shall aggregate the natural gas load of any natural gas load center within the County unless it, in advance, clearly discloses to the person owning, occupying, controlling or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects, by a stated procedure, not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt-out of the program at least once every two years without paying a switching fee. Any person that opts out of the Aggregation Program pursuant to the state procedure shall default to the standard service offer provided under division (a) of Section 4929.26 of the Ohio Revised Code until the person choose an alternative supplier.

Section 5.

It is hereby found and determined that all formal actions of the County Commissioners of Muskingum County concerning and relating to the passage of this resolution were adopted in an open meeting of this Council of Commissioners and that the deliberations of this Commissioners' Council of Muskingum County and any of its committees that resulted in such formal actions were in meetings open to the public in compliance with the law.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

RESOLUTION 22-1278

WHEREAS, the Ohio legislature has enacted electric deregulation legislation which authorizes the legislative authorities of townships and counties to aggregate the retail electrical loads located within the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business consumers to participate collectively in the potential benefits of electricity deregulation through lower electricity rates which would not otherwise be available to those electricity customers individually, and

WHEREAS, the Board of Commissioners of MUSKINGUM County seek to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20 of the Ohio Revised Code for the residents, businesses and other electric consumers in the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of MUSKINGUM County, State of Ohio:

Section 1. BEST INTERESTS OF THE COUNTY

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The Board of Commissioners of MUSKINGUM County has concluded that it is in the best interest of the County, its residents and businesses located within the unincorporated limits of the county to establish this aggregation program in the county.

Section 2. APPROVAL BY THE ELECTORATE

The aggregation program must be approved by the electors of the County pursuant to Section 3 of this Resolution. Upon approval by the electorate the County is hereby authorized to automatically aggregate, in accord with Section 4928.20 of the Ohio Revised Code, the retail electric loads (customers) located within the County, and enter into service agreements to facilitate for those loads the purchase and sale of electricity. The County may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio.

Section 3. BALLOT LANGUAGE

The Board of Elections of MUSKINGUM County is hereby directed to submit the following question to the electors of unincorporated MUSKINGUM County at the primary election on May 2nd, 2023:

Shall the Board of Commissioners of MUSKINGUM County have the authority to aggregate the retail electric customers located in the unincorporated areas of the County (excluding Falls Township and Perry Township), and for that purpose, enter into services agreements to facilitate for those customers the sale and purchase of electricity, conversion to the aggregation program will occur automatically unless the customers choose to opt out of the program.

The Fiscal Officer of MUSKINGUM County is instructed to immediately file a certified copy of this resolution and the proposed form of the ballot question with the MUSKINGUM County Board of Elections not less than 90 days prior to the primary election. The aggregation program shall not take effect unless approved by a majority of the electors voting upon this resolution and the aggregation program provided for herein at the election held pursuant to this Section 3 and Section 4928.20 of the Ohio Revised Code.

Section 4. PROCEDURE AFTER AN AFFIRMATIVE VOTE; HEARINGS AND NOTICE OF HEARINGS; OPT-OUT RIGHTS.

Upon approval of a majority of the electors voting at the primary election provided for in Section 3 of this Resolution, the Board of Commissioners of MUSKINGUM County, individually or jointly with any other political subdivision, may develop a plan of operation for the aggregation program. Before adopting this plan, the Board of Commissioners of MUSKINGUM County shall hold a least two public hearings on the plan.

Notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the County prior to the first hearing. The notice will summarize the plan and state the date, time and place of each hearing. No plan adopted by this Board of Commissioners shall aggregate the electric load of any electric load center within the County unless it, in advance, clearly discloses to the person owning, occupying, controlling or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects, by a stated procedure, not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt-out of the program at least once every three years without paying a switching fee. Any person that opts out of the Aggregation Program pursuant to the state procedure shall default to the standard service offer provided under division (a) of Section 4928.35 of the Ohio Revised Code until the person chooses an alternative supplier.

Section 5.

It is hereby found and determined that all formal actions of this Board of Commissioners of MUSKINGUM County concerning and relating to the passage of this resolution were adopted in an open meeting of this Board of Commissioners of MUSKINGUM County and that the deliberations of this Board of Commissioners of MUSKINGUM County and any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including section 121.22 of the Ohio Revised Code. Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

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RESOLUTION 22-1279 approve the line item transfer of monies within Fund Number 001 as requested by Stephanie Spencer, Chief Administrator, as follows:

We are requesting an appropriation transfer from medicare to PERS to cover the final payroll for Municipal Court

LINE ITEM TRANSFER OF MONIES

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
001-243-502001-Medicare	001-243-502003-PERS	\$61.71

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

RESOLUTION 22-1280 authorize the Board of Commissioners to sign and approve a dedication of Prosperity Parkway, Perry Township, part of Quarter Township 3, Township 1 North, Range 6 West, as requested by Mark Eicher, County Engineer. Prosperity Parkway is the road serving the National Road Business Park. The road was built in the first half of 2022. It is the Engineer's recommendation to proceed with approving the acceptance of this road as a Perry Township road, as platted in the attached road dedication.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

RESOLUTION 22-1281 authorize the Board of Commissioners to sign and approve a dedication of ECO Parkway, Cass Township, part of Section 6, Township 3 North, Range 8 West, Jackson Township, part of the east half of Lot 2, Township 3 North, Range 9 West, as requested by Mark Eicher, County Engineer. ECO Parkway is the road serving the East Central Ohio Business Park. The road served the Longaberger Homestead site. The road required many improvements, but now meets the County standards in order for the Engineer's Office to take over the maintenance of the road. It is the Engineer's recommendation to proceed with approving the acceptance of this road as a County road, as platted in the attached road dedication.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

RESOLUTION 22-1282 approve the line item transfer of monies within Fund Number 001 as requested by Jason Baughman, Chief Building Official, as follows:

LINE ITEM TRANSFER OF MONIES

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount</u>
001-456-501002-Employee Salaries	001-456-504396-Treasurer State of Ohio/BBS	\$2,700.00

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

Pam Davis, Human Resources, presented the Commissioners with a revised "Firearms Policy" for the County. The following was then considered:

RESOLUTION 22-1283 approve and accept revised Firearms Policy as presented by Pam Davis, Human Resources.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

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

Motion carried.

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

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- Avondale
 - Follow up with HUD
 - Eric asked for credentials
 - NSP Grant
 - EDI Grant
 - They have since emailed him the credentials

Commissioner Cameron moved to approve the minutes of the 12.22.2022 session.
Commissioner Crooks seconded.

Vote was: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

The Commissioners worked on the 2023 General Fund Budget.


The following was then considered:

RESOLUTION 22-1284 approves the permanent appropriations for County General Fund 001, submitted December 29, 2022 for Muskingum County for the calendar year 2023. Motion made by Commissioner Crooks, seconded by Commissioner Cameron.
Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 22-1285 grants a 3% wage rate increase for non-bargaining unit employees under the jurisdiction of the Board of Muskingum County Commissioners to be effective January 01, 2023;
WITH THE EXCEPTION of those employees who have already experienced an increase in salary during the 2023 calendar year, or those New-Hire employees who are in their 180 day probationary period;
RESOLVED, that this Board of County Commissioners of Muskingum County, Ohio hereby approves for other General Fund departments, if the elected officials so choose, to grant the increase to their employees if reflected in their 2023 budgets.
Motion made by Commissioner Cameron, seconded by Commissioner Crooks.
Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

With no further business being before the Board, the meeting was adjourned at approximately 4:47 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.


Mollie S. Crooks

ABSENT
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.