

COMMISSIONERS MEETING

The Board of Hocking County Commissioners met in regular session this 15th day of September 2022 with the following members present: Jeff Dickerson and Gary Waugh. Sandra Ogle was excused.

MEETING

The meeting was called to order by President Jeff Dickerson.

MINUTES

Motion by Jeff Dickerson and seconded by Gary Waugh to table the minutes.

Vote: Dickerson, yea, Waugh, yea.

AGENDA

Motion by Jeff Dickerson and seconded by Gary Waugh to approve.

Vote: Dickerson, yea, Waugh, yea.

BILLS

The following bills were presented before examination and approval:

Name	No.	Purpose	Amount
HUNTER, JEFFERY S.	3171	W & M SCHOOL MILEAGE & MEALS	100.00
GRUBB'S AUTOMOTIVE	3172	!! OIL CHANGE FOR JEEP	100.00
VISION GOVERNMENT SOLUTIONS,I	3173	SOFTWARE SUPPORT	1,010.00
OFFICE CITY EXPRESS	3174	SUPPLIES	212.47
OFFICE CITY EXPRESS	3175	SUPPLIES	29.38
OFFICE MART	3176	OFFICE SUPPLIES	44.68
OFFICE MART	3177	OFFICE SUPPLIES	76.92
GLACIER MTN BOTTLED WATER	3178	WATER SERVICE FOR COURT	61.00
AT&T	3179	CELL PHONE SERVICE/ PROBATION	310.98
SAVING HARDWARE	3180	OFFICE MAINTENANCE & SUPPLIES	37.46
XEROX FINANCIAL SERVICES	3181	12 MO CONTRACT COPY MACHINE	187.98
HEINLEIN-BROWN FUNERAL HOME I	3182	TRANSPORT OF DECEDENTS	700.00
OFFICE MART	3183	SUPPLIES	733.43
AMAZON CAPITAL SERVICES	3184	SUPPLIES	158.23
ROYAL DOCUMENT DESTRUCTION	3185	SHREDDING SERVICE	140.35
ED GREEN ELECTRIC, INC.	3186	MISC ELECTRICAL WORK REPAIRS'22	125.00
ARAB PEST CONTROL	3187	!! SERVICE TO ALL CO BUILDINGS	311.00
ATHENS-HOCKING RECYCLING CENT	3188	RECYCLING PICK-UP	27.50
TRI-COUNTY TERMITE & PEST	3189	PEST CONTROL	45.00
VERIZON WIRELESS	3190	CELL PHONE BILL	267.83
ADT SECURITY SERVICES	3191	SECURITY SERVICE	176.48
DTB DIRECT TO BUSINESS	3192	CLEANING SUPPLIES REMAINDER '22	864.45
CITY OF LOGAN	3193	SERVICE	1,226.79
SAVING HARDWARE	3194	OFFICE & GARAGE SUPPLIES	49.33
NAPA AUTO PARTS	3195	CRUISERS & GARAGE SUPPLIES	9.94
OFFICE CITY EXPRESS	3196	OFFICE SUPPLIES	22.51
WEX INC.	3197	FUEL FOR VEHICLES	12,687.84

COMMISSIONERS MEETING

GALLS, LLC	3198	UNIFORM & EQUIPMENT	444.40
GALLS, LLC	3199	UNIFORM & EQUIPMENT	101.20
TANSKY MOTORS, INC	3200	CRUISER REPAIR	47.99
TANSKY MOTORS, INC	3201	CRUISER REPAIR	1,960.89
COMPETITION MOTORS	3202	!! CRUISER REPAIRS & PARTS	253.37
TREASURER OF STATE (FUND 83F)	3203	LEADS SERVICE FOR 2022	600.00
FASHION & VANITY CLEANERS, INC	3204	DRY CLEANING	225.91
DAUBENMIRE AUTO PARTS	3205	WRECKER SERVICE	130.00
CORRECTIONS COMMISSION OF SEO	3206	SEORJ JAIL BILL-HOUSING	83,493.86
OFFICE CITY EXPRESS	3207	SUPPLIES	289.75
LOGAN SCREEN PRINTING	3208	!! LETTERHEAD, ENVELOPES, ETC	1,000.00
OFFICE CITY EXPRESS	3209	2022 SUPPLIES	58.18
AMAZON CAPITAL SERVICES	3210	LAPTOP, RADIO	1,274.68
EMBASSY SUITES HOTEL	3211	RESERVATION-FALL SCHOOL JEFF K.	133.00
APG MEDIA OF OHIO	3212	COMMUNITY RELATIONS PAGE	33.00
APG MEDIA OF OHIO	3213	COMMUNITY RELATIONS PAGE	33.00
LOGAN SCREEN PRINTING	3214	!! SHIRTS	400.00
TRADEMARK SOLUTIONS LLC	3215	PATRIOTIC IMPRINTS	79.00
APG MEDIA OF OHIO	3216	ADVERTISEMENT	72.00
CITY OF LOGAN	3217	WATER USEAGE FOR 2022	63.37
FRONTIER	3218	2022 FAX LINE	52.93
BAUM LAW OFFICE	3219	!! PUBLIC DEFENDER	1,117.94
DESPETORICH, JASON M	3220	!! PUBLIC DEFENDER	1,458.00
CRYSTA PENNINGTON ATTORNEY AT	3221	!! PUBLIC DEFENDER	629.00
SMITH, ERICK C.	3222	!! PUBLIC DEFENDER	174.00
WEAVER, CAMERON M.	3223	!! PUBLIC DEFENDER	504.00
DESPETORICH, JASON M	3224	!! PUBLIC DEFENDER	612.00
JACKSON, STEVEN F.	3225	!! PUBLIC DEFENDER	216.00
MEADOWS, JORDEN M	3226	!! PUBLIC DEFENDER	318.00
KLINE, DONALD L	3227	!! PUBLIC DEFENDER	966.00
KLINE, DONALD L	3228	!! PUBLIC DEFENDER	990.00
WEAVER, CAMERON M.	3229	!! PUBLIC DEFENDER	432.00
WEAVER, CAMERON M.	3230	!! PUBLIC DEFENDER	3,072.00
DESPETORICH, JASON M	3231	!! PUBLIC DEFENDER	414.00
GLEESON, TIMOTHY P.	3232	!! PUBLIC DEFENDER	378.00
AMAZON CAPITAL SERVICES	3233	!! RECOVERY SUPPORT SERVICES	815.90
SANIGA, PAT	3234	!! RECOVERY SUPPORT SERVICES	217.35
CORPORATE PAYMENT SYSTEMS	3235	!! RECOVERY SUPPORT SERVICES	257.95
SUMNER, JANINE	3236	!! RECOVERY SUPPORT SERVICES	25.00

COMMISSIONERS MEETING

ABM FACILITY SUPPORT SERVICES	3237	!! ARPA-BUY & INSTALL NEW HVAC	529,284.00
GIVENS, JOSH	3238	TRAVEL	58.74
GIVENS, JOSH	3239	TRAVEL	64.37
HOCKING CO RECORDER	3240	RELEASE TAX LIENS TAXEASE 2022	76.00
AVENU INSIGHTS HOLDINGS LLC	3241	!! INDEXING FOR AUGUST	1,700.40
HOCKING COLLEGE	3242	FIRE ARMS TRAINING	901.00
PINELAND TRADING COMPANY	3243	!! SUPPLIES & EQUIPMENT	4,187.88
PINELAND TRADING COMPANY	3244	EQUIPMENT	83.00
MEADOWS, JORDEN M	3245	!! CASA GAL SERVICES	255.00
KIMES-BROWN, TRECIA	3246	!! CASA GAL SERVICES	558.75
KIMES-BROWN, TRECIA	3247	!! CASA GAL SERVICES	307.50
DRAKE, SONYA C/O	3248	!! SUPER GAL FEES	681.65
MEADOWS, JORDEN M	3249	!! SUPER GAL	75.00
KIMES-BROWN, TRECIA	3250	!! SUPER GAL	217.50
TREASURER STATE OF OHIO	3251	RETIRED APPOINTED JUDGE	11,392.88
GFC LEASING	3252	CANON COPIER LEASE	145.09
GORDON FLESCH COMPANY	3253	CANON COPIER LEASE	1.51
FRONTIER	3254	SERVICE	932.82
CHARTER COMMUNICATIONS	3255	SPECTRUM BUSINESS INTERNET SER	97.98
OFFICE CITY EXPRESS	3256	COPY PAPER	350.00
VISION GOVERNMENT SOLUTIONS,I	3257	SOFTWARE SUPPORT	2,465.00
APPRAISAL RESEARCH CORPORATIO	3258	2022 NEW CONSTRUCTION	2,740.50
WILSON, KENNETH R.	3259	TRAVEL & MISC. EXPENSE	257.50
O'NAIL, CHRISTY	3260	MILEAGE & LUNCH REIMB-BOR WKSHP	225.73
O'NAIL, CHRISTY	3261	1 NIGHT STAY-HB126 WORKSHOP	123.09
VINTON COUNTY NATIONAL BANK	3262	OFFICE SUPPLIES	180.77
FRONTIER	3263	TELEPHONE BILL	66.30
VALTECH COMMUNICATIONS	3264	LONG DISTANCE TELEPHONE	22.26
TREASURER STATE OF OHIO	3265	UAN QUARTERLY USER FEE	399.10
VINTON COUNTY NATIONAL BANK	3266	TECH. DEV. PROGRAM-REGIS.D.GILL	60.00
TREASURER STATE OF OHIO	3267	TECH. DEV. PROGRAM REGIS-D.GILL	70.00
APG MEDIA OF OHIO	3268	PUBLICATION FEE PERMANENT	318.60
AMAZON CAPITAL SERVICES	3269	WINDOW A/C FOR PROBATION	399.96
MASI, INC	3270	TESTING MACHINE	229.15
CITY OF LOGAN	3271	CHIEFTAIN,UF,ENTERPRISE PROJECT	2,099.62
PROCARE SEPTIC SYSTEM	3272	!! CLEANING LIFT STATIONS	875.00
VERIZON WIRELESS	3273	TIM & CRAIG CELL PHONES 2022	85.74
ENVIRONMENTAL MANAGEMENT &	3274	SUPPLIES	3,449.10
NAPA AUTO PARTS	3275	MISC VEHICLE PARTS	7.69
CITY OF LOGAN	3276	RICKETTS SEWER RENTAL	187.00

COMMISSIONERS MEETING

OPERATOR TRAINING COMMITTEE	3277	C. HARTMAN-BASIC WASTEWATER TRE	660.00
CITY OF LOGAN	3278	SLUDGE REMOVAL	250.00
AMAZON CAPITAL SERVICES	3279	SUPPLIES-VICTIM SERV. PROGRAM	36.18
AMAZON CAPITAL SERVICES	3280	SUPPLIES-VICTIM SERV. PROGRAM	140.88
BRICKER & ECKLER LLP	3281	LEGAL BILL RELATED MURRAY CITY	450.00
INTEGRATED MGMT SOLUTIONS INC	3282	DRUG CRT CASE/DATA MANAGEMENT	400.00
LABORATORY CORP OF AMERICA	3283	RECOVERY SUPPORT COSTS ATP	669.00
HOPEWELL HEALTH CENTERS, INC.	3284	RECOVERY SUPPORT COSTS ATP	35.00
HOPEWELL HEALTH CENTERS	3285	COUNSELING/TREATMENT SERVICES	751.52
TASC OF SOUTHEAST OHIO	3286	COUNSELING/TREATMENT SERVICES	4,451.61
B & C COMMUNICATIONS, INC.	3287	PLANTRONIC BASE & REMOTE	830.00
EDWARDS HEATING & COOLING, IN	3288	mitsubishi muz-wrizna heat pump	4,386.50
AMAZON CAPITAL SERVICES	3289	4-HDMI, 1-NVIDIA, ETC.	380.74
CHARTER COMMUNICATIONS	3290	SERVICE-INTERNET	119.99
HOCKING VALLEY COMM HOSPITAL	3291	CPR CARDS	5.00
CORPORATE PAYMENT SYSTEMS	3292	SUPPLIES	426.47
CORPORATE PAYMENT SYSTEMS	3293	MISC SUPPLIES & ACTIVITIES	432.42
OFFICE CITY EXPRESS	3294	SUPPLIES	302.16
SAVING HARDWARE	3295	SUPPLIES	760.62
CITY OF LOGAN	3296	WATER/SEWER 187 S SPRING ST.	104.15
HOCKING VALLEY COMM HOSPITAL	3297	MISC SERVICE	33.15
CITY OF LOGAN	3298	WATER SERVICE SHEWC 580 RADIO	103.87
COLUMBIA GAS OF OHIO, INC.	3299	MONTHLY GAS 187 S SPRING ST.	13.97
RUFF'S LAWN & TREE SERVICE, I	3300	GRASS MOWING/SNOW REMOVAL	400.00
SPECTRUM BUSINESS	3301	PHONE/INTERNET SHEWC 580 RADIO	124.98
VACCARI, TERESA M.	3302	!! TAI CHI CLASS INSTRUCTION	80.00
CORPORATE PAYMENT SYSTEMS	3303	SUPPLIES	678.01
CORPORATE PAYMENT SYSTEMS	3304	EQUIPMENT	517.34
CORPORATE PAYMENT SYSTEMS	3305	MISC SUPPLIES & ACTIVITIES	108.02
SMITH, DEBRA	3306	!! EXERCISE CLASS INSTRUCTOR	100.00
LAURELVILLE WATER & SEWER DIS	3307	LAURELVILLE WATER SERVICE	45.73
AMERICAN ELECTRIC POWER	3308	MURRAY CITY ELECTRIC SERVICE	241.02
CORPORATE PAYMENT SYSTEMS	3309	SUPPLIES	325.81
CORPORATE PAYMENT SYSTEMS	3310	EQUIPMENT	445.58
CORPORATE PAYMENT SYSTEMS	3311	MISC SUPPLIES & ACTIVITIES	202.63
GORDON, LYNNE	3312	TRAVEL-MILEAGE EXPENSE-PSI	30.44
CORPORATE PAYMENT SYSTEMS	3313	OIL & SUPPLIES FOR GENERATORS	47.17
HOCKING COUNTY HEALTH DEPT.	3314	ADM. FEES-2022	132.90
HOCKING COUNTY HEALTH DEPT.	3315	ADM. FEES-2022	295.50
HOCKING COUNTY HEALTH DEPT.	3316	ADM. FEES-2022	246.00

COMMISSIONERS MEETING

HOCKING COUNTY HEALTH DEPT.

3317

PERMIT FEES-2022

125.00

Motion by Jeff Dickerson and seconded by Gary Waugh to approve.

Vote: Dickerson, yea, Waugh, yea.

APPOINTMENTS

Wexford Lodging

John Rosen, President of Wexford Lodging, is seeking a letter of support for a funding opportunity. This funding will help establish a large scale luxury camping, Autocamp.

Commissioner Dickerson asked John Rosen what the camp would entail. John Rosen replied with the current plans for the auto camp. Commissioner Waugh read the Letter of Support into the record.

Motion by Jeff Dickerson and seconded by Gary Waugh to approve.

Vote: Dickerson, yea, Waugh, yea.

Rosen continued with a proposal for a bed tax rebate, presenting paperwork that the Commissioners may review with the Prosecutor. Further discussion to follow, depending on feedback from the rebate proposal.

EMA

Ema Director Mark Edger presented the Commissioner with a request of approval for the Local Emergency Planning Committee. Mr. Edgar also requested a signature on a Record of Appointment for Director of Emergency Management, required state document.

Motion by Jeff Dickerson and seconded by Gary Waugh.

Vote: Dickerson, yea, Waugh, yea.

Diane Sargent, Member of the Public

Diane Sargent discussed with the Commissioners a concern that came to her attention regarding political campaign signs at the fairgrounds. Sargent expressed that there has always been a designated area for candidates to put up booths and conduct campaigning, but you had to stay within that area. The complaint involves a political sign on a golf cart that is being driven around with the sign on it. In the past the fairboard has asked that it be removed, if it was not in the designated area. Sargent spoke to Vice President Hank Topf. Topf notified Sargent he would need to speak with president Eddie before a decision could be made. Sargent approached Eddie Ogle and Hank Topf when she saw them shortly after, asking them of their decision. Eddie Ogle and Hank Topf stated that they requested Prosecuting Attorney Ryan Black to come down for his legal opinion. Hank took Diane's phone number so that he could contact her when the Prosecutor arrived.

Sargent was called to the fair board office, present was Mr. Black and 4 board members - Eddie Ogle, Hank Topf, Jessica Dicken, and Mike Roach. Diane recalls that the first thing said to her was that it was discussed, and it is not in Hocking County Policy how political signs can be done. Diane is unsure when this policy was removed, because it was in previous books. Prosecutor Ryan Black provided Diane with a verbal legal opinion based on his conversation with Secretary of state Frank LaRose. Diane stated that Black reassured her that everything being done was legal, because it was not in the policy otherwise, and was paid to be there. Sargent asked for that opinion in writing, and did not receive that request until 8:03 a.m. this morning. Prosecutor Ryan Black responded that he did not want to fire out any official out until he was able to look at every relevant agency. He stated that he apologizes for the batteries, so to speak, but he did get that opinion out to her as early as he possibly could. Diane Sargent responded that as of that night the legal opinion did only include that of Secretary of State, Frank LaRose. Black confirmed. Diane continued that at the time she was content with the policy, and was okay with the legal verbal opinion. When Sargent requested the appointment time for the agenda yesterday, she still had not received the written opinion at that time. Diane has since received that opinion and it does not include anything about that it can be in the County Policy. Prosecutor Black responded that it was a separate issue he was addressing, and that was his interpretation exactly what Diane was requesting. Black continues that what he provided was for the client which would be the County and the Fair Board, for the permissibility of her actions. He states to Diane that if she would like to talk about the remedies, because that is obviously why he is here - to clarify the letter in capacity. Diane asked to excuse and jump into that conversation. Diane discusses a recap that at that time - at that point the legal opinion was because it was on the fairgrounds and directly discussed with the Prosecutor during that discussion at the fair, that it was not in the policy and it could be remedied. Prosecutor Black interrupts adding that there are various possibilities for remedies to that. Diane replies back that Black had 4 fair board members at that time, and reminds Black that she has the floor. Prosecutor Black replied yes ma'am, I am aware. Diane continued, she had no witnesses with her but stated that Black told her the only way this could be stopped and rectified is if the county commissioners voted to put into their county policy on how the politicians can campaign in the county property at the fairgrounds. That was what the two things discussed were, according to Diane Sargent. Prosecutor Black enters the discussion again, asking to clarify, stating to Diane Sargent that she is misrepresenting a lie in capacity and to clarify briefly. Prosecutor Black continues, stating that one of the few ways in which the situation could be remedied is absolutely by commending the county policy. However, the county policy as far as the fairgrounds go, it's a contract that leases the county grounds to the fair board for their use. Continuing that conversation, Prosecutor Black adds that you can't retroactively

COMMISSIONERS MEETING

change a policy in the middle of an active contract after it's been signed. Prosecutor Black stated the remedy would be for 2023, they would want to make sure to include language that the community agreed would place more implorable restrictions on signage and other activities. Prosecutor Black states that if he indicated or implied in any capacity that it was going to be an immediate remedy, that was not his intent and apologized again for the delay. The response was given as quickly as he could get it out today. The reason the Commissioners received it first was because that was the governing body he was representing in this matter, and then it was provided to you (Diane Sargent) as a personal request as a Citizen. Diane Sargent replied at that time, you did not tell me that it could not be remedied immediately. Prosecutor replied, you did not ask. Diane replied no I did not ask, you told me how it could be remedied and I did not know at that time it could not be an immediate fix. Diane adds that when she wrote the letter to the Commissioners, she did not understand that there is a total lease agreement with the County. Diane then asks if the fair board pays the county for the leasing of the fair grounds, Dickerson replies that he would have to plead ignorant. Prosecutor Black starts to talk again, and Diane states that these are things being brought up. Prosecutor agrees and says absolutely, and continues saying that Diane has a very valid concern. Adding that this is an issue that kind of surprised everybody and obviously some people felt aggrieved by it and wanted it addressed. Black recaps that he was called in Monday evening and did his best to give an immediate answer the best he could give his legal opinion with the materials he had in front of him. Black continues to say that in the span of an hour, he did not memorize every single aspect of the fair board law and regulations but did and was very fortunate to get a hold of Frank LaRose. The next day he was able to get a hold of Jeffrey Hopday, Board of Elections contract for the Secretary of State's campaign of Southeast Ohio. After a few phone calls to the Ohio Ethics Commissioner, they returned Black's phone call yesterday afternoon. Then wrote up his legal opinion, and made sure all parties had a copy by this morning. The time frame for the remedy wasn't something he thought to point out, it didn't occur to him. Black adds that moving forward to address Diane's concerns, a couple of things you would want to ensure is one - fair board have certain parameters in which they can operate their fair and allow political activity, but it is the county's property and as the Commissioners are the stewards of the policy of how the county's property is used they have a certain amount of influence and demand that they want to allow things. Black continues that a negotiation between the fair board and the commissioners to be sat down, in his opinion in a sort of contractual executive session where they can hash out an agreement. Black adds that to be frank, he doesn't think people are going to throw a huge fit moving forward, because he thinks everyone just wants to make sure that everything is done fairly. His opinion, to be summarized, is without a specified prohibition agreed upon prior, obviously the new fair board has the discretion to make their constitutionally rules - so without expressing prohibition from the county the only way to stop activities like that is the law, and the law in this case permits these activities. The reason we can't just jump in and change it ex post facto law, they were engaged in it, and legally allowed to when it started, we can't just go in and change our minds. Diane starts to ask if this is because it's a lease contract with the fair board, and Black replies ex post facto law is a constitution, and Diane replies back finishing her question as to if this is because of the contract with the fair board and Commissioners pertaining to this lease, at this time. Black replies it is the county's property but it's their operation and if they want to they can say we're not going to allow any political business, they don't have to. Black continues saying that in trade you're just looking at a strong First Amendment political speech issue. So if it said okay, well, we want to have this, this, and this - you have to make sure that's tailored well that there is no any discriminatory and we discussd that. There has to be an equitable offer. Ryan states that I can't just walk up and say hey you know what the democrats are allowed to get golf carts but the republicans are only allowed to have bicycles - there are two like 2 bicycles and 15 golf carts. That is obviously disectorialy or unfair, or I give a discount to particular members because I like them or I agree with them politically - as long as it is offered fairly, paid for fairly, and done with balance of the law and in the policies that are active. Moving forward the fair board, agreed citizens, and individuals involved in this management to come up with a policy that everybody can agree upon, memorializing it, and making it actually a legal policy through legislation.

Commissioner Dickerson introduced Hank Topf, vice president of the fair board, and noted that he had his hand up earlier and would like to give him an opportunity to speak. Hank Topf recapped his side of Monday night's events. He stated that Diane Sargent approached him regarding the sign and stated that either he takes it down or she is. Topf replied to Diane that night encouraging her to talk about this first, because that probably saved her from getting arrested. Diane Sargent agreed to what she did say. Topf stated that he is unsure if it a "pissing" match between the republican and democrat party. He went through fair books that he has at home, dating back to 2015, and the only thing he has ever known being in the book was if you were running/campaigning for fair board you are not allowed to post signs, campaign, wear paraphernalia - it is only if you are running for fair board. Ryan both Diane and Topf showed me that aspects of the fair board policies, Diane discussed her experiences and prohibitions and from what Ryan gathered, speculation on his part, that it was part of a verbal etiquette and politeness that had been honored, but was a matter of ethics not a matter of law at that point. Diane Sargent replied - but at one point it was written in the fair book. Ryan replies, no doubt but as Mr. Topf had said going back to 2015 it was more of a handshake issue. Hank Topf adds to the conversation stating that put a lot of pressure on Jess, that he has witnessed a lot in prior meetings and watching Commissioners Meeting, when she's in here (Commissioners) speakinging you actually point at her and aggressively say state your name (directing towards Commissioner Dickerson). Topf said that he personally does not think that is a proper way to conduct yourself. To point her out and bully her in the fact of, state your name (with his finger pointed). Topf adds that he's not sure if that has something to do with this realm because it seems like everybody is attacking us when we're just trying to make the fair better. Prosecutor Ryan Black interjects and states that we should probably stick to the legal issues at hand. Topf agrees, and said he thought that may have had something to do with it. Prosecutor replies that he appreciates the concern about that. Topf then talks about how

COMMISSIONERS MEETING

the only thing in there is that you can't campaign if you're running for fair board. He adds that perhaps past fair boards have taken matters into their own hands about campaigning.

Bill Henderson commented that when he was campaigning back in 1988 for Judge, he was asked to come into the meeting today and discuss his experiences. Bill stated that he was working the gate and wore his shirt, Henderson for Judge down there. He continued saying that one of the four fairboard members asked him to change his campaign shirt, or leave. You're working for the County and we're not going to let you campaign. He left. He states it was always that way, and was told many times running the Democratic booth down there to keep your politician within two to three feet from the tent. Henderson said that he doesn't know rather if it is written in the fair board or county policy, but he thought it was a good policy and we obeyed by it, until this year. Henderson asked what happened now that we allow that, adding that is going to be nothing but trouble to allow political signs. Adding that what bothers him the most is that it is County property. She is driving that gold cart around with her sign on it, which is county bought. Prosecutor Ryan Black objects and states that was brought to her attention the first day and has been explicitly prohibited from touching a golf cart with her name on it. He adds that from his understanding she has followed that since she was told that was not appropriate, stating that is a typical campaign law you do not self promote in that capacity and has obviously been made aware of that. Henderson replies back to Black, asking that he takes it that the golf cart is county property, right? Black replies they are rented out. Hank Topf adds to the conversation, restating they are ours, we rented them. Henderson continues stating well take that as an example - the Engineer has many cars or trucks, maybe County property. He doesn't put Engineer signs or campaign signs on those, it's just inappropriate. Continuing that the County doesn't allow political signs out in their lots here, you wouldn't put a sign out here in front of the courthouse, you wouldn't allow that. He then asks, is that in writing anywhere, no. You just don't do that. Now, evidently it got changed this year. What bothers me more is Only the republicans knew it, you don't see any democrat signs down there. Jessica got her signs down there, she changed the policy or just changed the policy. Adding that is not right and it has to stop. Prosecutor Ryan Black replies that it is from his understanding that no democrat has taken advantage of some capacity. Henderson quickly adds, we didn't know about it. Black says he was getting there, this is something Henderson interjects stating the fair board is prejudiced. Hank Topf stands up and starts talking, repeatedly saying no and adding the old fair board. Prosecutor Ryan Black interrupted and states let me speak on your behalf Mr. Topf, and shouts do not talk please. Topf then says sorry and sits back down. Prosecutor then states, listen to the attorney. Black adds that obviously, if there's an allegation of any parity, or bias, and the application of what's available, legally there has to be some type of review process to see what type of notification was given, and at that point this conversation would have to move into executive session due to potential litigation. Black continues that he does not disagree, if that is a valid accusation that they want to make, then that should be reviewed by an independent investigative agency of some appropriate capacity. I don't think it would be appropriate to have a local one do it. I would like to talk to the ethics commission about a potential campaign violation of that regard. However, If the fair board is able to produce some sort of evidence showing that they offered all, wrote it in my opinion, if everything offered fairly to every party individual, and unpolitical to their party, everyone was given the same fair treatment - then it's legal. The second it is not given out fairly, it has nothing to do with Jessican Dicken, offices running, or golf carts. It has to do with being biased and offering something. Against the law. Which would once again then move us into an executive session under possible litigation purposes. We would then have to find and reach the parties, obviously Bill is unharmed by this process, he couldn't file a lawsuit but somebody potentially could if they want to. Then that is something we would have to address, find the appropriate remedy, and things have that nature. Prosecutor Black continues stating if I might make a suggestion, I would like to allow the fair board an opportunity to provide my office with some demonstration of a brochure or advertisement that showed what they were offering this year. If there is a discrepancy, we will cross that bridge when we get to it. I can assure you it will be giving the same amount of attention as everything else, the most imparcel fashion as I can. I think everyone has realized by now I'm a huge fan of independent investigations from outside agencies for that very reason. Second one - I would like to propose a meeting with concerned citizens, the fair board and commissioners in which after the fair is done we can sit down and discuss the willingness or desire for everyone to come together for the agreement that everyone feels is fair for the demonstration of signs and other things next year, so we can avoid any partisan contentions in issue like this. If that sounds good, people will find me inevitably available. Diane Sargent requests to speak again, bringing up to the matter what Ryan just spoke about that we all meet together, whatever concerned citizens the fair board and the commissioners that we can come up with some type of reasoning, im asking, should this or does this need to be put into county policy because the county does own the fair grounds rather it is leased to the fairboard or they lease out a room for a yard sale or anything like that, however they lease or rent out the fairground area that they own. Does that info need to be put into the county policy so that the county is always protected, or anybody that is in the campaign area is protected to ask can this be removed because it is not in designated areas or what. Because as a concerned citizen, and as I ran for elections and several others have ran for elections, we have abided by these rules. It is, you know, it was during my run that the other party was asked to take signs down out of the arthall, and they did. Just by the fair board. And everybody has always complied, until this year. And I just want to make sure that this fairgrounds and this fair is going to be kept as a place for the people of Hocking County can come to support the agricultural society, the kids FFA and the 4H programs and not that it becomes a political distraction. And that is why as a political distraction with all the signs going around everywhere that is not supporting the children of this county. This and this other citizen of the county is supporting this political person. So I do not want to see it come to well if the fair board wants to make more money and this year they rented golf carts, are they going to rent out space on the fences to apply big banners that support campaigns. Because there are banners that support different entities or companies that they have sold

COMMISSIONERS MEETING

advertisements for, there are banners, last night I saw them back by where they sell and show the marketing. So on that fence line there are banners. This is just the beginning and are small political signs on golf carts driven around by fair board members only and it is like the fair board is showing their appreciation and support for these candidates, even though the candidates have paid for them. I have been told they paid for that advertisement. To me, it looks like this fair is advertising for them. Being as they drive them all around the fairgrounds. If the banner shows up on the fences, that does not show a fair board member displaying them and showing them throughout the fair as their support; they are just one there. Myself, as a citizen, I do not want to see this fair come down to a political distraction for everyone. This is not what the fair is for. It has always been that the political parties have the right to be there and campaign within their designated areas. If this matter can not be voted on today as of today's meeting, I would like to either be voted on that this will be address for the future of next years 2023 policy, i feel like it should put in the county policy and address the to fair board to have it put in the book that this should be a policy then that should be addressed with the fairboard in their lease agreement. The political, if it's going to be policital down there, that it should be in certain designated areas and only those areas. And as Mr. Balck the Prosecutor has said that we can not do it this year, then I am fully aware of that and okay with that now that things have been explained further. But I do think it needs to be voted on and addressed that it will be taken care of for the year of 2023 and this will not happen again. So that there will not be anything showing any other support or anything showing that such fair board members like Hank Topf would be driving around Jessica Dickens sign or you know anyone else, because to me he is a fair board member is showing by doing that he is supporting that candidate. And that is not really not appropriate to be driving, it's a conflict I feel like for a fair board member to do that. And it was in agreement on Monday night when I spoke to Ryan Black, Him and I discussed with Jessica Dicken that she was not to be riding in that golf cart with her name on it, it was decided. At that time I did not know there were other political golf carts down there. It was brought to my attention after I saw this. So there are, to my knowledge, two other ones that are down here, I believe possibly Despatorich, Judge Despatorich and I think it's Brandworth. Am I correct with that? Hank Topf just to summarize, we're more than happy, Mr. Black is helping, and we're trying to be a transparent fair board. If we see an issue come up, we can solve it with mr. Black on any issues, and we will be more than willing in any capacity to help make sure both sides are supported moving forward. Diane Sargent, as of that night, yea I was very demanding very upset with it I did tell all four fair board members sitting there as of this i'm okay in agreement with Mr. Black's opinion as of that night. I did say that to all four fair board members, and you will agree with that. At that point, I had not had it in writing. But then when I received this in writing today it did not have everything that he and I have discussed. Topf then says just to reiterate the only thing that has been in the fair book is if you're running for fair board. Diane Sargent said that is only to your knowledge. Ryan Black stated that it is legal and irrelevant for now. Black states that he appreciated Dian's action and concerns. Obviously, my role in this is whether I personally agree or disagree rather this is a county policy rather than to allow it, quite frankly it's irrelevant, and my personal opinion on that would be inappropriate. My opinion is litigated and limited to the legality principality of it. But I would voice my absolute support for the concept of two things. One, meeting and discussing this. Most individuals sitting here are elected, myself included. There is always going to be a capacity through that in which we represent the community's opinions on how things should be done. That is how the fair board should be run, how the Commissioners should take care of County property, and that's how I should address criminal behavior, etc. Or how Ms. Sargent should be able to do her treasury business. As a result the meeting should occur in which the people in this county's constitutions are taken into account, and being a lawyer I would have to advise that it would be a perfect world to rely on each other's agreement, clearly that never works. I would recommend that we memorialize some sort of statue, and be respectful of what agreement there is. IF the county decides after getting what everyone decides,like hey you know what, we disagree with Diane. Golf carts are not a problem. Everybody should have golf carts, parties, and beer is fine. Or we could have the opposite and say you know what no more golf carts. That's enough, that's not fair, this is a political fiasco. That is fine I will sit down with whatever side wins so to speak, draft the appropriate measures I wish they could be

Richard Wallard, former Judge, commented that he got dinged for walking 3 feet from his boot and rightfully so, who wants to go down the midway or go to fair and be glad-handed by some politician. If you want to go to their booth, fine, but that shouldn't be forced to point. I think the thing to the fair board, what fair is fair, when I play ukre I play by the rules and if you change the rules on me, then I get angry. Put your rules in writing. Let us know, if that's what the standard is, you can use public property because you leased it, does not make it private property. You can use my public dollars to put on political campaigns, I'm going to vote you out of office. Because that's not right, you know it's nor right. So, and I'm not saying you did that intentionally to hurt anyone buddy, but if that's what the policy is then we need to be fair about it. And as Diane said it kind of feels like we are all playing ukre by the same rules and then all at once someone changed the rules and so. Whatever the rules are, the fair board needs to do that. Public vote as to what their policy is and then we're all on the same page. Hank Topf replies that is what my point is, we, the current fair board, never changed the rules. It's in the fair book. As far as what I've researched and seen, that's all it's ever been. We never changed any rules. Prosecutor Black adds that is what happens when you don't write anything down. Henderson adds what do you mean it changed from last year, what do you mean you didn't change anything. Topf replied I went back to 2015 when Nancy was in there. Henderson adds again, I understand you didn't change anything. Topf repeats, we the current fair board did not change anything, adding now don't yell at me I didn't change it. It's in the rule book. THE current fair board never changed anything, read the rule book. It goes back to when Nancy goes back. Prosecutor Black jumps in saying we have two correct answers, one that is technically right, one

COMMISSIONERS MEETING

person - the change was the behavior has changed but there is no change because it wasn't written. So once again both gentlemen are absolutely right, just discrete by a technicality. This is why I pointed out as much as I would love to shake hands, Hank Topf states I would love to get this leveled out. Black replies and says that is what we are working on, this will work itself out always, or we hold hands but it has to be written down. If it's written down then you can't argue over it. Sharon Edwards stated that she remembers when Darcy was running one of the girls in the title office had her poster in her car, parked out here in the lot, she was told by one of the Commissioners, you either take the posters down or you remove the vehicle because you are on county property. Now it had to have been in writing for that to happen. When did it change? Henderson and Black both reply back - Henderson saying its common sense and Black stating it should have been in writing to begin with. Black continues if you want to enforce a rule with legality behind it, and an actual consequence. Sharon adds, it has to be in writing for someone to take authority and do that. Diane is called on, and Diane states are you finished back there, I got the floor now. Mr. President has given me the floor again. Black replies he is sorry and didn't mean to interrupt. Diane continues as of now, the policy, for hocking the hocking county policy most recent version, 2013 when revised. I do not have an older policy that was revised since then. I don't know if the commissioners have an older version. I know it was revised with marjie davis working as one of the clerks for the commissioners at that time, and that is when the process was going to be revised and it was started in 2013. I can not say if it was in that formal policy I have been told by Mr. Black it is not in this current county policy, but - Mr. Black chimes in if i can make a quick amendment, adding to the conversation that when we meet last year when we all meet, department heads with Mrs. Ogle met regarding a policy handbook that was being produced by an independent law firm. One of the things recommended or stated was that - this may or may not, I want to look into this legally in the application of a county policy - the gentlemen have broad discretion for what policy we have in our office so a county policy becomes more of a Pirates of the Caribbean thing and it becomes more like guidelines and so we want to make sure moving forward with this, that whatever County policy is acted is something that will be broadly applicable to every independent department head and not something where I can say you know what I don't like that policy and ignore it. So we would want to curtail that and make sure to measure against aht so that it could not be abused. Diane Sargent asks Commissioner Dickerson if she can continue with what she is going to say. She knows that the policy is being currently revised by a committee, and she was not on that committee when it started back in 2019. I was out on sick leave, so I have never been on that committee. I have mentioned to the commissioners that I could be admitted into the new policy, but I am not on that committee. I do not know where it stands at this time. So I am just asking that if it is not voted on today, I would like it to be voted on today so that we will address the matter in the next county policy that is being written at this time, so it would be directly required that it details to all county properties. I think that should be at least voted on today. This matter should be considered and put into the next county police as written to be addmented, into the current policy today that it would start in the year 2023 or immediately after the fair. The county commissioners have throughout the years amended the county policy. And it has been amended by the commissioners, including a new holiday on Juneteenth, I know they have amended county policy. I also know that county elected officials can add to that county policy for their own office. And when our office is audited we are to produce if we have policies for just our office, that is above county policy. Could be two subjects there, I feel as soon as possible. Continue to current policy. Dickerson said what is county policy because to my acknowledgement there is nothing in writing. Black answers there are no specifics. And recommends a small modification for Diane on just his opinion. I recommend putting a vote to a discussion on what to amend or not and an independent decision based upon, you are essentially going to hear from legal counsel. Dickerson replied that is what I was going to suggest. Daine said which is maybe I had worded it wrong. Black states if she wants, if i get it correct, is a promise that the remedy we proposed or discussed rather we should change the policy and put it into writing, one way or another is agreed. Black added that he does not disagree with that and supports that motion. Diane adds that the commissioners should have legal descriptions written by someone that does include every fact to distinctly specify if you are going to allow political signs on any county property and how it is displayed. I would just like to have something that you are going to address, like Black said, that you are going to have a meeting and the commissioners can come up with the proposed amendment or I'm not sure what wording he used, he used another term. I would be satisfied with that as an active citizen, I am only here as an active citizen not as my role as an elected official. Thank you Mr. Topf. Did you have, and Topf replied no, we are more than willing to work with Diane and Mr. Black to resolve this and the COmmissioners. Hopefully we can move forward, we were just trying to. Diane Sargetn adds she appreciated Mr. Hank Topf showing up and he addressed me well at the fair. We settled things down, and now this to progress forward so this fiasco does not happen again, and topf says absolutely. We want to make it clear. As Mr. Topf said he has done his research, we have done our, and the prosecutor has done his. Commissioners will get this address, so we do not have this discussion again. Dickerson arranged the meeting so that our Prosecuting Attorney could attend and participate or Mr. Catri, we want to make sure we dont step on someone's rights. That is the most important thing here is not to violate someone's rights. You want to talk about something that could just really be lawsuits, that is what you have to think about. Diane said this why we are here today, this is why I brought to the attention of the COmmissioners as a citizen.

Motion by Jeff Dickerson to schedule an executive session to discuss the matter further soon, and a meeting with the public to get public input before or at the first of the year. Between the Hocking County agricultural society, also known as the fair board, board of commissioners, and mr. Ryan black or a representative from his office.

Diane Sargent asks about concerned citizens. Ryan Black directs his statement to Diane, stating his concerns would be if it's going to be in the form of litigation or contract it would have to be in executive session. Diane Sargent states that the first discussion though could be with citizens in there, and Ryan said yes I will throw you out later. Diane

COMMISSIONERS MEETING

continues then the Commissioners could then go into executive session along with the legal counsel, which would be their legal council at that time. That they could come up with their decision by not voting on it in executive session, Black continues that he does not have any voice outside of legality other than what's legal. Dickerson states I don't mean to speak for you but its an odd situation to have two county entities, and a county prosecutor attorney. You know what I am saying, It is difficult to represent both of us. Ryan Black replies it is, but the nice thing about his is its a simple all you guys are going is representing your offices, getting public opinion coming up with legislation to enact and then asking me rather it is legal and permissible, at this point its actually significantly easier for me at this capacity because everybody is working towards that same legislative same goal. I will not participate in which one is right or preferable, simply rather is legal and permissible. Sargent and I do want to bring up, when I was in the meeting and Mr. Black gave me his opinion he was representing the fair board that night. Because I was not there as an elected official, so that did not throw a conflict. Black replies there was no conflict whatsoever Ms. Sargent was there as a private citizen voicing her concerns as a citizen, I was there representing the County. Diane states I do want to bring that to light, I was there as a private citizen when he gave the fair boards opinion to them, and then relayed that onto me. Commissioner Dickerson asked, those who gathered here this morning, do you feel like you understand Prosecutor Blacks opinion on the situation? I do have to say he did submit a two page opinion. Black directed discussion to Diane that it was as quickly as he could get it out, stating obviously that's why he said to please direct the clarification questions to the office and after they will elaborate. This was an emergency situation and something that we can deal with three weeks down the road. The fair is this week, I wanted to make sure the answer was given as soon as possible. I contacted every possible department that I could to get their opinion to support and to memorialize what they agreed with. Diane stated, as I had said, the opinion that was given to me verbally that I was expecting a written opinion on has changed from what it was verbally given to me that day because he has done further research. So it is not written here about the county policy or fair board policy. So I just needed to bring that to light. Otherwise I would have to agree with his opinion that he has given for this year, but as I've asked the Commissioners thank you for your attention and giving everyone a chance to speak on this subject today. And I hope we can sit down and get a good and just you know situation solved so that this community can go on with their fair and it can be good for every citizen in this county. So, I do thank you for all the attention and letting everyone speak.

Commissioner Ogle asks the clerk if a motion was started. Clerk answered yes.

Commissioner Dickerson clarifies the meeting in the motion, and the timeline of those attending.

Motion seconded by Gary Waugh.

Vote: Waugh, yea, Dickerson, yea.

Diane Sargent asked for discussion, clarifying that she asked if possible before the first of the year that this meeting could take place, if possible.

It was clarified and motion passed. Commissioner Dickerson thanks everyone for their time.

Sheriff

Chief Caleb Moritz presented the Commissioners with a public notice to advertise the Sheriff Auction; being held October 8th at 10:00 am. Located on Sutton Road, impound lot.

Need one Commissioner there at the auction to sign titles.

Motion by Gary Waugh and seconded by Jeff Dickerson.

Vote: Waugh, yea, Dickerson, yea.

Engineer

Maggi Berry, Engineer Administrative Assistant, presented the Commissioners with Resolution # 2208525 to apply for a grant to resurface Goose Creek Rd in Benton Twp.

Motion to approve by Gary Waugh seconded Jeff Dickerson.

Vote: Dickerson, yea, Waugh, yea.

Engineer plan required two signatures.

Both Dickerson and Waugh signed.

Motion by Gary Waugh and seconded by Jeff Dickerson to approve.

Vote: Waugh, yea, Dickerson, yea.

EXECUTIVE: Motion by Jeff Dickerson and seconded by Gary Waugh with Prosecutor Ryan Black under contracts at 10:46 am.

Roll Call Vote: Waugh, yea, Dickerson, yea.

EXIT: at 1:04 pm with no action taken.

GENERAL BUSINESS

Kaula Funk, Commissioner's Clerk, read the general business folder

Additional Appropriation

Auditor - Unclaimed Money 095 Unclaimed Money BGG95-03 \$24.48

COMMISSIONERS MEETING

Hocking County Municipal Courts - Addiction TX Project Other Expenses R27-03
\$15,204.00 ; Municipal Docket Monitoring 320 Other Expenses S32-03 \$1,809.20

Prosecutor's Office - Innovative Prosecution Solutions Salaries G645-01 \$295.68 Pers
G645-02; Salary PO Victim ADV. H06-01B \$1,200.00 Transfers H06-08; Fringes PO Vitim ADV H06-02B \$185.40

Juvenile and Probate Courts - A02C30A Juveniles Pers \$3,026.98 A02B12A Pers;
A02D13A Probate Pers \$2,698.15

EMS - Equipment S20-04 \$10,000.00 Contracts Repairs S20-05; Equipment S20-04
\$10,000.00 Contracts Services S20-06

Common Pleas - Other Expense A02B12D \$5,625.00 Salaries Employees A02B02; Other
Expense A02B12D \$2,925.52 Magistrate Salaries A02B02A

Motion by Gary Waugh and seconded by Jeff Dickerson to approve.

Vote: Dickerson, yea, Waugh, yea.

Fund Transfer

Prosecutor - \$1385.40 from ICJR 006 to H06-08 to fund VOCA 062

\$1,385.40 From ICJR006 to H06-08 to fund VOCA 062

Motion by Gary Waugh and seconded by Jeff Dickerson to approve.

Vote: Dickerson, yea, Waugh, yea.

Certification Of Additional Revenue Additional Appropriations

Prosecutor - VOCA Grant 062 Salaries-VOCA Grant TT62-01 \$1,200.00; VOCA Grant
062 PERS TT62-02A \$168.00

Motion by Gary Waugh and seconded by Jeff Dickerson to approve.

Vote: Dickerson, yea, Waugh, yea.

Easement

Motion by Gary Waugh and seconded by Jeff Dickerson to approve Asa Sc to move forward with an Easement for
his property on Zanesville Ave.

Vote: Dickerson, yea, Waugh, yea.

Prosecutor

Motion by Gary Waugh and seconded by Jeff Dickerson to approve electronic signatures for Sandra Ogle to grant
pre award conditions and Commissioner Dickerson's signature on the certification form EOP requirement.

Vote: Dickerson, yea, Waugh, yea.

811

Motion by Gary Waugh and seconded by Jeff Dickerson to approve the registration for Ohio Public Committee.

Vote: Waugh, yea, Dickerson, yea.

Liquor

Motion by Jeff Dickerson and seconded by Gary Waugh to deny a hearing for an appeal to Hocking Hills Lodge and
Conference Center Liquor license.

Vote: Waugh, yea, Dickerson, yea.

HAPCAP

Motion by Jeff Dickerson and seconded by Gary Waugh to approve the professional service agreement for the West
Street Sewer Improvement.

Vote: Waugh, yea, Dickerson, yea.

Motion by Jeff Dickerson and seconded by Gary Waugh to approve parking facility improvement Professional Service
Agreement for SHSC Wellness Center.

Vote: Waugh, yea Dickerson yea

Lodging Facility in Murray City(Forest for the Trees)

COMMISSIONERS MEETING

Motion by Jeff Dickerson and seconded by Gary Waugh to approve the letter of Support to Governor DeWine for the Lodging Facility in Murray City.

Vote: Waugh, yea Dickerson, yea.

Doc U sign

Motion to approve by Gary Waugh and seconded by Jeff Dickerson to sign the AMCS agreement for insurance.

Vote: Waugh, yea, Dickerson, yea.

Scenic Hill Senior Center

Motion to approve by Jeff Dickerson seconded by Gary Waugh to approve the 2023 fiscal year SHSC program budget, submitted by Director Marjorie Moore.

Vote: Waugh, yea, Dickerson, yea.

Travel Request

Motion by Jeff Dickerson and seconded by Gary Waugh to approve the Auditor's September travel request

Vote: Waugh, yea, Dickerson, yea.

EMA

Motion by Gary Waugh and seconded by Jeff Dickerson to approve continued education for Mark Edgar.

Vote: Dickerson, yea, Waugh, yea.

DISCUSSION

Commissioner's Clerk Kaula Funk requested permission to be granted to the additional Clerk Felicia Schweitzer to sign for bills, payroll, and checks when needed.

Motion by Jeff Dickerson and seconded by Gary Waugh to approve.

Vote: Dickerson, yea, Waugh, yea.

Due to an incident in the parking lot, damage was done to a vehicle. The deductible is higher than the cost of damage. Commissioner Dickerson asked if this was a County employee or citizen. Clerk answered it was a County employee.

Motion by Jeff Dickerson seconded by Gary Waugh to approve.

Vote: Dickerson, yea, Waugh, yea.

President Jeff Dickerson expressed concern about recent events that occurred regarding the safety of the clerks. Dickerson addressed the citizen's concerns regarding Zoning.

PUBLIC COMMENT

No public comment.

Commissioner Dickerson directed a question to Sue Morgan, asking if she had any comment.

COMMISSIONERS MEETING

ADJOURNMENT

Motion by Gary Waugh and seconded by Jeff Dickerson to adjourn.

Vote: Waugh, yea, Dickerson, yea.

.....
Felicia Schweitzer, Clerk

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Board of Hocking County Commissioners

This is to certify that the above is the true action taken by this Board of Hocking County Commissioners at a regular meeting of the Board held on September-15-2022

.....
Felicia Schweitzer, Clerk

.....
Jeff Dickerson, President