

COMMISSIONERS MEETING

The Board of Hocking County Commissioners met in regular session this 20 day of October 2022 with the following members present: Sandra Ogle, Jeff Dickerson , Gary Waugh was excused

MEETING

The meeting was called to order by President Jeff Dickerson.

MINUTES

Table until next meeting

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve.

BILLS

The following bills were presented before examination and approval:

Name	No.	Purpose	Amount
SUNRUSH WATER	3613	WATER	22.85
AUF DRUG TESTING SERVICES	3614	EMPLOYEE DRUG TESTING-PRE HIRE	124.00
CDW GOVERNMENT, INC	3615	ACROBAT STANDARD-COMMISSIONERS	318.50
OFFICE CITY EXPRESS	3616	SUPPLIES	173.88
COMDOC INC	3617	MO MAINTENANCE ON XEROX 5550	81.39
SMART BILL	3618	SERVICE FEES & SUPPLIES 2021	6,300.00
CORPORATE PAYMENT SYSTEMS	3619	FORTRESS SECURITY SMOKE ALARM	138.95
AMAZON CAPITAL SERVICES	3620	SANDISK SSD & BRINKS DEADBOLT	152.99
CORPORATE PAYMENT SYSTEMS	3621	FORTRESS DOOR SENSORS &SHIPPING	34.99
AMAZON CAPITAL SERVICES	3622	SCHLAGE DEADBOLT, VPS, BATTERY	2,323.03
OFFICE CITY EXPRESS	3623	SUPPLIES	291.08
AT&T	3624	CELL PHONE SERVICE/ PROBATION	310.98
MONTGOMERY CO. CORONERS OFFIC	3625	AUTOPSIES LAB&MORGUE OTHER EXPE	7,000.00
ROYAL DOCUMENT DESTRUCTION	3626	DOCUMENT SHREDDING	140.35
OFFICE CITY EXPRESS	3627	SUPPLIES	276.55
NORTH END PRESS, INC	3628	OHIO VOTER ID ACKNOWLEDGEMENT	500.00
APG MEDIA OF OHIO	3629	LEGAL NOTICE NOV 8,2022 ELECTIO	116.00
TRI-COUNTY TERMITE & PEST	3630	PEST CONTROL	45.00
AMERICAN ELECTRIC POWER	3631	SERVICE	15,342.69
NAPA AUTO PARTS	3632	CRUISERS & GARAGE SUPPLIES	23.34
GALLS, LLC	3633	UNIFORM & EQUIPMENT	1,881.47
RED DIAMOND UNIFORM & POLICE	3634	UNIFORMS	337.81
TREASURER STATE OF OHIO-CSK51	3635	WEB CHECK FOR EMPLOYMENT	998.00
HILTON COLUMBUS AT POLARIS	3636	WINTER CONFERENCE RESERVATION	345.00
TWIG VI	3637	YOUTH CENTER CLEANING DEPOSIT	100.00
TAULBEE, JACINTA	3638	YOUTH CENTER CLEANING DEPOSIT	100.00
OFFICE CITY EXPRESS	3639	2022 SUPPLIES	22.04
CASHSTAR, INC.	3640	THANKSGIVING OUTREACH GIFT CARD	25,000.00
TANSKY MOTORS, INC	3641	OIL CHANGE & NEW BRAKES VSC VAN	800.00
CDW GOVERNMENT, INC	3642	MS OFFICE FOR LAPTOP	340.00

COMMISSIONERS MEETING

WEAVER, CAMERON M.	3643	!! PUBLIC DEFENDER	246.00
WEAVER, CAMERON M.	3644	!! PUBLIC DEFENDER	378.00
BAUM LAW OFFICE	3645	!! PUBLIC DEFENDER	192.58
GIVENS, JOSH	3646	TRAVEL	81.24
TRIAD GOVERNMENTAL SYSTEMS, I	3647	NOV 8,2022 GENERAL ELECTION	1,048.00
WESBANCO BANK INC	3648	JUVENILE DET CENTER (INTEREST)	1,632.52
WESBANCO BANK INC	3649	JUVENILE DET CENTER (PRINCIPAL)	19,075.09
RAY ALLEN MANUFACTURING CO. I	3650	K9 EQUIPMENT REINSTALL KIT	500.00
JLP SECURITY	3651	SECURITY MONITORING	90.00
JONES, CASEY	3652	REIMBURSEMENT WATER GRAND JURY	11.58
AMAZON CAPITAL SERVICES	3653	AIR PURIFIER-MAGISTRATE'S OFFIC	679.71
AVENU INSIGHTS HOLDINGS LLC	3654	!! INDEXING MONTH OF SEPT.	1,600.00
AMAZON CAPITAL SERVICES	3655	UPS BATTERY BACK UP	196.83
WYSKIVER, BRIAN	3656	!!PROBATION COINS FOR GRADUATIO	24.00
ON GUARD DEFENSE, LLC	3657	REQUALIFICATION	550.00
ZUBIE INC.	3658	PROBATION VEHICLE TRACKERS	864.00
RISPRESS, CHARLES	3659	REIMBURSEMENT MILAGE	19.07
JONES, CASEY	3660	REIMBURSEMENT FOR MILEAGE	15.32
AMAZON CAPITAL SERVICES	3661	BATTERY BACKUP FOR SERVICES	814.72

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve.

Vote: Ogle, yea, Dickerson, yea.

AGENDA

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve.

Vote: Ogle, yea, Dickerson, yea.

APPOINTMENTS

DLZ

Gary Silcott provided us with updates for Murray City ,Enterprise/664, Hocking Valley Scenic Trails, West Street, Rockbridge and Haydenville Phase1, and County rules and regulations.

Motion by Sandra Ogle and seconded by Jeff Dickerson for Rockbridge Phase 1 sewer update for DLZ to start applying for loan .

Motion by Sandra Ogle and seconded by Gary Waugh with rules and regulation of grinder pumps with the updated plans. Rules and regulation drawings added updates for the pressure system.

Tracy Shoults presented the Commissioners with the monthly drawdown requests.

Enterprise

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve the DLZ September Invoice \$1, 650.50, and the October invoice for \$469.00, for a total of \$4,069.50. .

Motion by Sandra Ogle and seconded by Jeff Dickerson

Vote: Ogle, yea, Dickerson, yea.

Rockbridge

\$49,300.00 - DLZ invoice for design

Commissioner Ogle at first wanted more time to discuss where that payment would come from.

Tracy mentioned perhaps ARPA funding or applying for an OWDA loan.

Motion by Sandra Ogle and seconded by Jeff Dickerson, to prepare a loan application and have DLZ submit on behalf of the Board of Commissioners.

Vote: Ogle, yea, Dickerson, yea.

COMMISSIONERS MEETING

Rules and Regulations

Tracy reviewed the updates.

Motion by Jeff Dickerson and seconded by Sandra Ogle.

Vote: Ogle, yea, Dickerson, yea.

GENERAL BUSINESS

Motion by Jeff Dickerson and seconded by Sandra Ogle to go into general business until Mr. Hammond arrives.

Vote: Ogle, yea, Dickerson, yea.

Common Pleas

Motion by Jeff Dickerson and seconded by Sandra Ogle to approve the letter read, pursuant to ORC for probation service fund.

Vote: Ogle, yea, Dickerson, yea.

EMA

Motion by Jeff Dickerson and seconded by Sandra Ogle to approve training for EMA Director Mark Edgar, to endorse an upcoming training.

Vote: Ogle, yea, Dickerson, yea.

Fund Transfer

Commissioners - \$20,707.61 from fund 01 general fund A15A15 into fund 204 General Obligation debt.

Motion by Jeff Dickerson and seconded by Sandra Ogle to approve.

Vote: Ogle, yea, Dickerson, yea.

Appropriation Transfers

Commissioners/Regional - \$5,00.00 from A01101 Salary into A01104 Contract Services;
\$1,000.00 from TT73-04 into TT73-05

Sheriff - \$30,000.00 from A06A02 Salaries into A06A03 Supplies

Motion by Jeff Dickerson and seconded by Sandra Ogle to approve.

Vote: Ogle, yea, Dickerson, yea.

Decrease of Appropriation

Sheriff - 027 - LE Other Expense B27-01 \$300; 050 - School Resource Officer SS50-06 \$1,500.00;
056- Sheriff Law Enforcement Trust D36-01\$ 6387.81; 22-VAWA Fringes R22-07A \$7,536.61

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve.

Vote: Ogle, yea, Dickerson, yea.

Commissioner Dickerson asked for clarification on the motion and passing of a transfer.

Certification of Additional Revenue Additional Appropriation

Board of DD - Permanent Improvement N42-03 \$159,360.00; M42-03 \$140,000.00; ODDD
\$159,360.00; Hoags 15663 State Route 595 Property \$140,000.00

Engineer - Auto Gas 002003 K02-13 \$192,000.12

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve.

Vote: Ogle, yea, Dickerson, yea.

Appropriation Transfer

Commissioners - P38-03 Equipment \$5,000.00 into P38-05 Supplies

Veterans - A09C04D \$4,000.00 A09C04

EMA - W91-01 Salaries \$5,00.000 W91-13 Unemployment

BOE - TT77-09 Fringes \$60.00 TT77-02 Other Expense

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve.

Vote: Ogle, yea, Dickerson, yea.

Additional Appropriation

DD - N42-03 \$100,000.00 ; N42-05 \$7,500.00

Commissioners - A7A01C \$700.00; A04B14 \$450.00

COMMISSIONERS MEETING

DD - N42-03 \$100,000.00; N42-05 \$7,500.00

Motion by Jeff Dickerson and seconded by Sandra Ogle to approve.
Vote: Ogle, yea, Dickerson, yea.

Motion by Jeff Dickerson to go back into appointments, for Matt Hammond from Empowerment Alliances.
Clarification was made, Matt Hammond was not present yet.

Email

Commissioner Ogle read an email about a mortgage on a property owned by Hocking County in Murray City, requesting for the mortgage release.
Motion by Jeff Dickerson to table until a decision can be determined after a review.
Vote: Ogle, yea, Dickerson, yea.

Discussion

Commissioner Ogle discussed the road dedication, and she spoke with the Township Trustees. Would like for dedication to happen around Veteran's Day. For the Record: the 3 Commissioners will pay for the sign personally. Commissioner Ogle discussed the potential Auto Camp project with the Township Trustees, and it was determined that the township did not provide a letter of support, as previously implied by Wexford.
Motion by Jeff Dickerson and seconded by Sandra Ogle to withdraw their letter of support, rescinding the motion to approve.
Roll Call Vote: Ogle, yea, Dickerson, yea.

Commissioner Dickerson stated that a notification of status change be sent to all parties involved.

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve the health insurance rates for 2023 to remain the same rates as 2022.
Vote: Ogle, yea, Dickerson, yea.

Motion by Sandra Ogle and seconded by Jeff Dickerson to approve the dental and vision rates to be the same as the previous year.
Vote: Ogle, yea, Dickerson, yea.

PUBLIC COMMENT

None

RECESS: President Dickerson declared a recess until 10:15 am.

RECONVENE: at

Motion by Sandra Ogle and seconded by Jeff Dickerson to go back into appointments.

Empowerment Alliances

Matt Hammond presents to the Commissioners a discussion revolving around looking out for consumers and affordable energy - green gas. Commissioners and Hammond agree to look into the green gas Resolution before making a decision, that will be done at a future meeting.

Prosecutor

Prosecutor Ryan Black requested an executive session, under contracts and potential litigation - inviting Mr. Jones to the executive session after Mr. Black has spoken with the board.

Commissioner Ogle states that she would prefer not to go into executive session, and Black replies that he will be speaking about any legal matter that would be considered attorney client privileges outside of an executive session. The purpose of the executive session is for potential litigation and contracts, both which fall under my communications - stated by Black and repeating he is not speaking on the matter outside an executive session. Commissioner Dickerson states that in his opinion, it should be transparent. Prosecutor Ryan Black replies he is not giving legal advice, it is protected information and he is not under any obligation to do so publicly, it is protected information - attorney product, and he is not speaking. Black continues stating you can go ahead without counsel if you would like, directing the statement to the board.

Commissioner Ogle stated that what we would like to do is get Mr. Jones paid, and Black replied that is exactly what he would like to see as well, parameters that would be considered confidential and it would be much more comfortable in an executive session, inviting Mr. Jones. Black stated he would be more than happy to accommodate that, with the concept of potential litigation and the perimeters of a contract - in which could be aired publicly and voted on after, but private discussion first.

Commissioner Ogle asks one more question, asking Mr. Black if he has talked to the fairboard about this situation. Black replies that he has spoken with every county entity involved, in addition to the State Auditors, State Auditor's Special Investigation Unit, and the Ethics Commission. Commissioner Ogle replied to Mr. Black's response, stating that she believes it is a conflict of interest for the Prosecutor to represent the fair board and the commissioners both.

COMMISSIONERS MEETING

Black replies with at this point, that is why if this gets any further - it becomes one against the other, which is why I am requesting an executive session and a recusal from my office for your problem. Black adds with the recommendation to obtain independent counsel pending any future lawsuit that may stem from this matter. Commissioner Dickerson states that Black can not, statutorily, represent the fair board and asks Black why he met with them (fairboard). Black replies for the same reason I am meeting with you, he is allowed to at any given time. Commissioner Dickerson goes to reply, beginning with we are, and Black interrupts - stating let me explain something to you Mr. Dickerson, I can give any impartial counsel and advice to any question asked to any county entity until it gets to the point where it becomes adverse to the other in my advice, and in this structure in my legal opinion that has not occurred yet. Black continues that if it goes any further that it certainly will. My last communication with the fairboard was a recusal of the matter and an order to not contact me about this any further. Commissioner Dickerson replies, but we can ask you about this, and Black replies not if they can't. Dickerson continues we're one of your primary and Blacks interrupts stating you don't get preference over anybody, and Dickerson finishes stating we are one of your primary duties. Black states if you would like to point to the ORC where you get priority over another County entity, I would like to see it. Dickerson replies, you can't serve them. Black states I can serve any county entity, and Dickerson repeats you can't represent them. Black replies I'm not representing anyone. Dickerson states that he thinks it's a conflict of interest, and Black replies that was exactly part of the point he was trying to make. Dickerson overspeaks Black and states that he is denying his request. Black replies that he will give his current legal opinion with no modifications to the State Auditor then - with no further input from the Commissioners. Dickerson states that they prefer to be transparent, and that is how it's going to be. Black replies I've noticed how transparent you've been leading up to this point. Dickerson asks for clarification, and Black repeats his last statement. Dickerson repeats his last statement as well, that the request for executive session has been denied. Black stats, good luck. Dickerson states that we are going to seek outside legal advice and is asking Black to step from being the one who decides who our legal advice is. Black stated that he would not refer anyone to the board, that would be their decision. Black ends with that is exactly what I was going to recommend after today's meeting - at this point forward his office is no longer involved with anything for the fair board, Mr. Jones, and the Commissioners, if the Commissioners would like he can provide that in writing before the end of the day. Dickerson states he would appreciate it, and thanks the Prosecutor.

Dickerson asked for the record to show the interaction that just took place, and that the board has notified the Prosecutor that they see his interactions with the fair board as not in good business. Adding, the Commissioners and Black represent the county - obviously not in the same way. But there is an obligation to the voters, and will not be pushed around. Taxpayers will get what they pay us to do.

Brad Jones

Brad Jones from BJ Electric presents the Commissioners with an update on the work that was done and to be done still, what is still under code and what is on its way to being up to code. He presents drawings and explains the current status of work. Dickerson thanks Brad for coming in. A contract is needed, and the question has arised if the contract would be between the fair board and BJ or the Commissioners and BJ Electric, as well as how the invoices should be addressed.

Jessican Dickern clarifies that Brad was hired as the new fair electrician, in agreement that he would finish the phase that was started with the \$50,000.00 that was received during Covid that was from the Governor's office - a match that was waived. That is what started the electrical updates - replacing light bulbs and things. Once he was hired as the new fair electrician that is when he opened up their eyes as to the amount of issues that was occurring with the electric down there. That is when Hank Topf, fairboard vice president, and Brad came to the Commissioners and presented the issues.. From the fair board standpoint when ARPA came into play, Commissioners gave the fair board loss revenue out of whatever fund, and that helped fund phase 1 of the electrical project - once those funds were exhausted from the fair board standpoint that is when it became a county project because of the ARPA funding. That is where, within the last couple of weeks, there has been some confusion, that is why the fair board reached out to the ODA lawyer that handles ODA stuff, and they advised us to reach out to the Prosecutor because he does represent on a county level, both you and the fairboard. There were no bad intentions there, the fair board wanted to make sure the fair board wasn't going to get stuck with a bill that the fair board could never pay. That is why the fair board came to the commissioners back in 2021, because Mr. Jones wanted lots and lots of money. That is where we need to figure out whose project it actually is, obviously the county owns the grounds, the state recognizes us as just a tenant of the grounds, so maybe that is something for more discussion with whatever you guys decide. A conclusion can be made with contract, paperwork - whose project it belongs to.

Commissioner Dickerson asks for clarification on some pictures that were provided by Brad. Brad helps the board with the photos, explaining them in more detail.

Deb Tobin asks how much more work has to be done down there. Brad invites Deb to the table so that she can see the drawings and pictures that were presented to the Commissioners.

Sheriff

Chief Caleb Moritz presented the Commissioners with a request from the Sheriff on Sunday, October 30th from 5-8 pm the Sheriff's office will staff the front x-ray machine to provide the same service as previous years, to inspect candy from trick or treat.

Motion by Sandra Ogle and seconded by Jeff Dickerson.

COMMISSIONERS MEETING

Vote: Ogle, yea. Dickerson, yea.

Deb Tobin asked the Chief if there has ever been any findings when inspecting the candy, and the Chief replied that they have not. It really is more for the peace of mind, and it is no cost to them other than staffing the machine, to provide that community service the Sheriff is happy to do so.

Sue Morgan discussed the individual and topic from the Empowerment Alliance. She voiced her concerns, and thought it was a premature conversation to hold - and personally she is not in favor.

ADJOURNMENT

Motion by Sandra Ogle and seconded by Jeff Dickerson to adjourn.

Vote: Ogle, yea, Dickerson, yea.

.....
Kaula Funk, Clerk

.....
.....
.....
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 October 20, 2022.

.....
Kaula Funk, Clerk

.....
Jeff Dickerson, President