

**MORGAN COUNTY COMMISSIONERS  
RIECKER BUILDING**

The Board of Morgan County Commissioners met in their office Monday, October 14, 2025. The meeting was called to order at 8:30am with the pledge of allegiance to the flag.

Cecil Mayle, President  
Heidi Maxwell, Vice-President  
Steve Best, Member

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The commissioners did the following over the past week:

Commissioner Best attended an FCFC meeting. He also attended a Soil and Water Conservation meeting on Saturday.

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**25-503-** Motion by Mr. Best and seconded by Mrs. Maxwell to approve the minutes of October 7, 2025.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

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***Alan Eltringham, Riecker Maintenance***

Carpet replacement in the Development Office almost finished still waiting for the rest of the base board trim 10-6-25

Ables Heating Cooling has ordered a new drip pan for the first floor West side air handler at the Courthouse. 8-12-25 Still awaiting Parts. 9-19-25

Chevrolet Truck has a broken brake line for the rear brakes, it will need to be taken somewhere to be replaced. 9-8-25

Made contact with Vincent Ferragonio of ABM and scheduled a date for a walk thru of the County Buildings for 10-7-25

Called Kone Elevator Company to get the elevator serviced. Scheduled for 10-8-25

Apperson's Plumbing installed drain line for the washing machine for JFS 10-7-25

All LED lights have been installed in the EMA Building. 10-7-25

Called Apperson Plumbing to look at the kitchen drain for the dishwasher. 10-8-25

Called Duane King about the Grease trap and it was cleaned on 9-11-25 Community Action is going to pay to have the entire plumbing system in the kitchen Jetted and cleaned by Zemba and will be inspected by Duane King when it's finished. 10-10-25

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***Cheryl Brink, Treasurer***

- **Banking accounts and deposits**
    - A new People's Bank account will be used because they provided the highest bid; deposits and accounts will go through this new setup. Treasurer Brink emphasized satisfaction with People's Bank and noted they are pleased with the arrangement.
    - Existing Star of Ohio accounts will maintain higher balances, and the majority of funds remain in Star of Ohio. Treasurer Brink indicated balances would be lower in some areas even though Star of Ohio holds the majority.
  - **Deposits and grants from the state are to be kept down on the designated account, Warrants and payments processing**
    - There is mention of changing warrants and how People's Bank handles them, with a suggestion that the process is positive.
    - Treasurer Brink suggested a temporary hold on payments. Instructions include putting notices on the door and possibly in the Herald, and sending communications out to recipients.
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***Jeff Babcock, IT Administrator***

The IT Director attended a webinar from CyberOhio to discuss the use of CIS standards in the creation of a cybersecurity policy.

CrowdStrike provided their quotes for Falcon EDR and Falcon Complete MDR software. The EDR software will cost \$11K for one year. The MDR software will cost \$30K per year. The IT Director will discuss these quotes with CyberOhio to see if State contract pricing is available.

The IT Director placed two excess vehicles from the Commissioners office and five vehicles from the Sheriff's office on GovDeals for sale to the public.

The IT Director started running periodic network scans per CIS requirements, which is part of the cybersecurity policy that will come from ORC 9.64. The scans can most likely be automated; so the IT Director will only have to spend time reviewing the results.

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***John Telesz, Engineer, Patrick Kidd, Deputy Engineer***

An OPWC meeting was held. See attachment A for minutes and sign in sheet.

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***Steve Redrup, EMA***

Facility maintenance, including installing new restroom fan

Attended Chesterhill FD meeting to discuss trailer storage and maintenance

Reviewed files, spoke with area fire departments reference NIMS certifications

Discussing with surrounding counties the hazmat capabilities of their EMAs

Writing SOP/SOG for UAV search and rescue team

Spoke with two companies about POC radios, both companies are donating radios for evaluation and testing. We are going to test them for communication quality and durability.

Had discussion with the state reference grants being held up due to the government shutdown, also about changes to funding for 2026.

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***Kevin Cramer, Concerned Citizen***

A resident raised concerns about a recent water line installation that has blocked a floodplain drain, creating a significant risk of future flooding. The discussion focused on identifying which entity—the village, the county, or the contractor—is responsible for rectifying the issue. The county engineer agreed to inspect the site and follow up with the contractor responsible for the work.

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***Becky Thompson, Dog Warden***

-Submitted report

-Full report can be found online at:

[https://www.morgancounty-oh.gov/dog\\_warden\\_reports.html](https://www.morgancounty-oh.gov/dog_warden_reports.html)

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***Shannon Wells, Development Office***

Interviews are scheduled for the recycling driver position on October 15th and 16th. Mike Reiter will be participating in the interview process.

**25-500-** Motion by Mrs. Maxwell and seconded by Mr. Best to approve entering into a contract with Newberry Excavating for \$12,225.00 for the Home Sewage Treatment System Program Contract 24-11C for the replacement of one septic system. This resolution will be contingent upon funding.

The following address will be provided services:

2195 W. St. Rt. 555 Chesterhill, OH 43728 (Demster) (Replacement)

**2195 W. St. Rt. 555**

<b>Septic Installation</b>	<b>Chesterhill, OH 43728</b>		<b>Total</b>
<b>Champion Services</b>	-	-	\$0.00
<b>D &amp; L Drilling</b>	-	-	\$0.00
<b>Beagle Hill Services LLC</b>	-	-	\$0.00
<b>Fouss Septic Systems</b>	-	-	\$0.00
<b>Johns Excavating</b>	-	-	\$0.00
<b>Kings Future Builders</b>	-	-	\$0.00
<b>LM Excavating</b>	-	-	\$0.00
<b>Fleming's Excavating &amp; Utilities</b>	-	-	\$0.00
<b>Muskingum Site Services</b>	-	-	\$0.00
<b>Newberry Excavating</b>	12,225.00	-	\$12,225.00
<b>Zemba</b>	-	-	\$0.00
<b>Masterson Complete</b>	-	-	\$0.00
<b>Shriver Septic &amp; Excavation</b>	-	-	\$0.00
<b>Singree Construction</b>	15,420.00	-	\$15,420.00
<b>Wilkins Excavating</b>	-	-	\$0.00

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

Bobby White, Mobility Manager has updated the Coordinated Transportation Plan for Morgan County and has asked the board of commissioners to review and sign. Each commissioner will be emailed a copy.

As of October 14, 2025, the prosecutor is reviewing the transit parking lot improvement bids. McVoyt Construction has submitted a request to withdraw from the contract for the Stockport demo. This letter has been sent to the prosecutor and is waiting for further action.

**25-501-** Motion by Mr. Best and seconded by Mrs. Maxwell to approve the grievance policy and add it to the county policy. See Attachment B

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

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***John Hasley, Survivor Outreach Program***

This document summarizes discussion held on 2025-10-14 about a collaborative initiative in Athens County and surrounding areas to support survivors of domestic abuse through housing, employment, and training programs. Key topics include SAOP's expanded mission, 3D-printed affordable housing in Chancey, workforce development partnerships (including pre-apprenticeships), linkages with AceNet for food industry training, funding and grants (including a \$2 million application and ARC Power Grant efforts), project location details, and web communications. Open issues center on funding timelines, organizational coordination, cost comparisons, materials sourcing, and website updates. The commissioners were also asked to write a support letter.

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***Sunny Clay, Pound Keeper***

-Submitted report

-Full report can be found online at:

[https://www.morgancounty-oh.gov/dog\\_warden\\_reports.html](https://www.morgancounty-oh.gov/dog_warden_reports.html)

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The commissioners conducted three interviews for the assistant pound keeper position. No action has been taken yet.

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***Rick Welch, Prosecutor; Janna Woodburn, Assistant Prosecutor; Department Heads***

Key Topics

Legal framework for public records on personal devices

Two 2019 cases were cited: a Court of Claims ruling and the Sinclair case, confirming that communications (emails, texts) created or received under the jurisdiction of a state or county agency that document the organization, functions, policies, decisions, procedures, operations, or other activities of the office are public records, regardless of storage location.

In June, an Ohio Supreme Court case from Montgomery County introduced ambiguity: two emails (prosecutor to board members; board member forwarding to personal account) were public records, but a subsequent email sent from a personal account to another personal account was not under the board's jurisdiction. Attorney-client privileged attachments were not subject to production.

The takeaway is that content and jurisdiction govern public record status, not the device used; however, personal-to-personal communications may fall outside agency jurisdiction, creating gray areas.

Participants emphasized that the content shared determines whether something is a public record, regardless of the device used. Staff using personal phones for work must ensure records are stored in an official repository for production and retention.

Deleting work-related content from a personal device without first transferring it to county storage risks deleting a public record. The guidance was: "Don't delete it until you have it stored in another place."

If a public records request is received, legal support will help review and produce only relevant data without necessarily surrendering personal devices. This is noted as common in civil litigation.

Have a place to store work-related content off personal devices, ensure it is searchable for public record requests, and remember where specific content is stored.

Preservation, retention, and litigation considerations

Public-record information is subject to production and retention schedules; failure to preserve can lead to court orders to surrender devices for independent forensic review.

Best practice recommended: treat communications documenting official activities as public records, download relevant texts and data, and store on an external or designated office-managed medium that meets retention requirements.

Litigation commonly seeks electronically stored information, including device accounts and social media; lack of trust may prompt subpoenas for personal devices. Counsel should be engaged to quash subpoenas and, if necessary, submit devices for in camera review.

Using personal devices can raise perceptions of non-transparency (e.g., group texts that mirror public meetings), increasing public records scrutiny.

Offices should include “transient documents and recordings” in their RC2 schedules, retained “until no longer of administrative value or transcribed,” and ensure each office has its own RC2 in addition to any umbrella policy.

Ohio History Connection provides recommended retention guidance. Participants affirmed having retention policies reviewed and aligned with state recommendations.

A participant asked about meeting recordings stored on their phone. The guidance was: once recordings are transferred to a county database where they are preserved, they may be deleted from the phone.

Practical guidance on emails, texts, and intermingled personal content

Work email accessed on personal phones is typically cloud-stored under office jurisdiction; this is acceptable if all content is preserved elsewhere. Screenshots may be restricted by policy, but emails remain subject to production.

Text messages pose the greatest challenge due to frequency and informality; downloading and preserving SMS/MMS logs (e.g., via Android SMS backup) is advised to avoid device turnover.

Intermingled personal and work texts complicate redaction and may invite deeper review.

Personal vacation photos or non-work content are not public records, but mixed threads with work-related messages require careful separation and preservation of the work-related portions.

Calling is seen as lower risk for public records complications. Texts, social media (Messenger), and other platforms produce records that must be retained and may be subject to requests.

Staff expressed inconvenience of carrying two phones; however, the compliance benefits of separating work from personal communications were acknowledged.

#### Device policies, budgets, and network options

Adoption of county phones is not mandatory, but recommended where feasible. Offices should assess based on workload and function; deputies often use phones (in addition to body cams) for photos and documentation.

Photos taken for investigations, projects, or documentation (law enforcement, children's services, engineer's office) can be public records and may render the device a piece of evidence needing authentication.

Forwarding photos to email does not eliminate evidentiary concerns; authenticity may require access to the original device or forensic verification to ensure no deletion or alteration.

#### Social media administration and Meta Business changes

Existing pages (e.g., dog pound, Heritage Day) were often created under personal accounts, complicating administration and removal of personal ties.

New Meta Business Center roles now grant granular permissions rather than the old "administrator" model; transferring complete admin control may be required to remove a person from page management.

Practices differ over time; some had previously transferred admin successfully, but recent changes make it harder to remove personal accounts without assigning a full admin replacement.

#### Two-factor authentication and system logs

2FA by text may be downloadable and could be relevant if access disputes arise; however, app-based solutions like Duo store authentication logs on their servers, documenting time, address, and IDs.

County-wide adoption of Duo was discussed; logs can be obtained from Duo servers rather than personal phones, reducing the need for county phones solely for 2FA.

Access to certain federal or state sites (e.g., login.gov, OHID) may require personal credentials rather than work credentials; this may necessitate further research on how these systems handle data and records.

#### AI usage for policies and grants

Some counties (e.g., reference to “Lincoln County” for DD) reportedly have “no AI” policies, while others advocate using AI for grants and cybersecurity policies.

Participants noted serious risks: courts have sanctioned or disbarred attorneys who submitted AI-generated briefs with fabricated citations. If using AI, outputs must be carefully reviewed and verified.

Some have successfully drafted policies with AI and then manually edited them. There was an interest in determining whether to establish a local “no AI” policy or guidelines for responsible use.

#### Open Issues & Risks

Unresolved: The precise boundary of agency jurisdiction over personal-to-personal emails and texts remains unclear after the Ohio Supreme Court decision.

Unclear subject matter and Risks: Department-level standards for separating personal and public content in mixed text threads and photo workflows are not fully defined. Failure to preserve texts, photos, and other device-based records may result in court-ordered forensic reviews of personal devices and potential attorney’s fees. Perceptions of non-transparency from conducting business via personal devices can increase public records requests and litigation exposure.

Devices used to capture photos for official purposes may become evidence, requiring authentication and possible forensic examination, which can compromise personal privacy if personal devices are used.

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**Transfers, Then & Now, Supplemental Appropriations & Utility Applications**  
25-504-Motion by Mr. Best and seconded by Mrs. Maxwell to approve payment of bills. \*See attached\*

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-505-** Motion by Mr. Best and seconded by Mrs. Maxwell to supplemental appropriation in the (090) CESA account of \$78,000.00. I am requesting \$70,000.00 to 090-0090-5102.00 Bureau of Support CSEA Salaries line item and \$8,000.00 to 090-0090-5367.00 Bureau of Support CSEA PERS.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-506-** Motion by Mrs. Maxwell and seconded by Mr. Best to approve a request for a new line item 110-2024-4000-00 Demolition and Site Revitalization.

I would like to also request a new expense line item 110-2024-5300-00 Demolition and Site Revitalization.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-507-** Motion by Mr. Best and seconded by Mrs. Maxwell to request transfers between expense line items in the #050 account. I hereby request the following transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
050-0050-5303.00 (misc. expenses PO#00041	050-0050-5301.00 (SCPA—Foster Care)	\$300,000.00
	050-0050-5301.00 (SCPA—Foster Care)	\$300,000.00

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-508-** Motion by Mrs. Maxwell and seconded by Mr. Best to request a supplemental appropriation for the fund line 063-0063-5365.00 E12A INSURANCE, in the amount of \$35,000.00. This adjustment is necessary to cover additional insurance expenses for the remainder of 2025.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-509-** Motion by Mr. Best and seconded by Mrs. Maxwell to request a supplemental appropriation of \$15,000.00 to be allocated to fund line 084-2024-5102 (Salaries). This adjustment is needed to cover payroll expenses for the remainder of 2025.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-510-** Motion by Mrs. Maxwell and seconded by Mr. Best to request the following supplemental appropriations for fund 085 Revolving Loan Fund:

Other Expense:           085-0085-5371-00           \$15,000.00

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-511-** Motion by Mr. Best and seconded by Mrs. Maxwell to approve the following supplemental appropriation, Add \$1,375.00 to 026-0026-5306.00

This is to continue paying the contract with Thomson for the Law Library.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-512-** Motion by Mrs. Maxwell and seconded by Mr. Best to recess the commissioners meeting on October 14, 2025 at 4:00pm for a CIC meeting.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-513-** Motion by Mr. Best and seconded by Mrs. Maxwell to recess the commissioners meeting on October 14, 2025 at 5:00pm for a CIC meeting.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-514-** Motion by Mrs. Maxwell and seconded by Mr. Best to reconvene the commissioners meeting on Thursday, October 16, 2025 for a budget meeting at 9:00am.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

**25-515-** Motion by Mr. Best and seconded by Mrs. Maxwell to adjourn the commissioners meeting on Thursday, October 16, 2025 at :100pm.

**Mr. Mayle yea, Mrs. Maxwell yea, Mr. Best yea Motion Carried**

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**Cecil Mayle, President**

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**Heidi Maxwell, Vice-President**

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**Steven Best, Member**

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**Sheila Welch, Clerk**

Attachment A:

**Morgan County Sub-Committee Meeting  
Reicher Building – Commissioner’s Office Rm. 216  
155 East Main Street – McConnellsville, Ohio 43756  
Minutes for October 14, 2025– 9:00 a.m.**

The meeting was called to order by John Telesz, executive committee member. Those County Sub-Committee members present are:

**Sub-Committee Members:** Terry McGrath -Malta Village (Mayoral representative), Cecil Mayle (County Commissioners’ representative), John Telesz (County Engineer representative) and Bo Powell (Township Trustee representative), John McCort (At Large representative).

**Other Attendees:** Steve Best, Heidi Maxwell, Sheila Finley (Clerk). Patrick Kidd. (See Sign-in Sheet)

**The 1st order of business** was to assign the County’s priority points to the three (3) submitted projects. John Telesz explained that the purpose of the meeting is to assign County priority points to each of the projects (maximum of 4) submitted by the Morgan County applicants. He then presented the county’s “**3 Projects**” and discussed how the points might be distributed.

The projects are to be assigned priority points as follows: 1<sup>st</sup> – 100 points, 2<sup>nd</sup> – 65 points, 3<sup>rd</sup> – 55 points, 4<sup>th</sup> – 45 points.

**Project Representatives:**

John Telesz then presented the county’s “**Township and County Co-operative Road Paving Projects**” and then discussed how the County Sub-Committee points might be distributed.

- Morgan County Combo Project (Village & Township Resurfacing) Co-Op - (Includes Village of McConnellsville, Seventh Street and First Street resurfacing; Meigsville Twp-Hart Road resurfacing; Bloom Twp. Rokeby Circle resurfacing; Penn Twp-Lightner Ridge Rd; Homer Twp. Tunnel Rd).
- Morgan County Paving Project #2 – Includes a portion of Morgan County. Rd. 11 (Unionville Rd.-from Unionville to SR 60); County Rd. 4 (Mountville Rd. from C. Beard Ln. to SR 78) and County Rd. #52 (Goshen Run Rd.-from SR 377 to Bridge # 5834481).
- Village of Malta Front Street Reconstruction Project – Includes from Old Iron Bridge south to Village Limits

The sub-committee then discussed the applications and did the following point assignments:

Bo Powell made a motion to award the priority point as follows:

- 100 pts – Morgan County Combo Project
- 65 pts – Morgan County Paving Project #2
- 55 pts – Village of Malta Front Street Reconstruction Project

Terry McGrath seconded the motion: With all members voting yeas. Motion passed.

John Telesz explained that there may be some minor discrepancies in the scoring of the projects at other locations. These discrepancies will be discussed at the executive committee meeting on Wednesday December 17, 2025, at the Buckeye Hills Office at 1400 Pike Street, Marietta, Ohio at 10:00am. After this meeting, scores could change a little, which in turn may affect the way the county sub-committee awards its points.

John McCort made a motion to adjourn. Bo Powell seconded the motion. All members voted yea, and the meeting was adjourned.

Minutes were taken by John Telesz, Morgan County Engineer and Executive Board Member.

John Telesz  
Executive Committee Member



Sign In

John McCoy  
Terry Woodhead  
Kevin Cronan

## Attachment B:

### Section 504 Grievance Policy and Procedure

This policy establishes a grievance procedure to address concerns of discrimination on the basis of disability in programs and activities that receive Federal financial assistance, in accordance with Section 504 of the Rehabilitation Act of 1973.

#### I. Policy Statement

The Morgan County Commissioners is committed to providing equal opportunities and access to its programs and services for individuals with disabilities. Discrimination against individuals with disabilities is prohibited. This grievance procedure outlines the steps for filing and resolving complaints of alleged disability-based discrimination in a prompt and equitable manner.

#### II. Scope

This policy applies to individuals who believe they have been subjected to discrimination on the basis of disability by the Morgan County Commissioners, its employees, or third parties within the context of its programs or activities.

#### III. Section 504 Coordinator

The Morgan County Commissioners designates a Section 504 Coordinator to oversee compliance with Section 504 regulations and to manage the grievance process. The coordinator's contact information is:

Safety Committee Chair  
155 East Main Street  
Room 216  
740-962-1337  
[commissioners@morgancountyohio.gov](mailto:commissioners@morgancountyohio.gov)

## IV. Grievance Procedure

### A. Filing a Grievance

1. **Who can file:** Any person who believes they have been subjected to disability-based discrimination. An advocate or a parent/guardian (for a child under 18) may assist in or file a complaint.
2. **Timing:** Grievances should be filed promptly after becoming aware of the issue, generally within 30 days.
3. **Format:** Written grievances should be submitted to the Section 504 Coordinator, with assistance available for verbal complaints. The complaint should include the grievant's information, details of the incident, any witnesses, requested resolution, and supporting documentation.

### B. Investigation

1. **Conducting the investigation:** A prompt and fair investigation will be conducted by the Section 504 Coordinator or a trained investigator. The investigation will be thorough and allow all relevant parties to present evidence.
2. **Gathering evidence:** This may involve interviews and reviewing documents. All parties will have the opportunity to provide information and will be treated with respect.
3. **Timelines:** Investigations are typically completed within 60 business days of the written complaint. The grievant will be informed of any delays.

### C. Determination and Resolution

1. **Written Determination:** A written decision will be issued by the Section 504 Coordinator or designee and provided to the relevant parties within 15 business days of the conclusion of the investigation.
2. **Resolution:** The determination will outline the resolution, if any, and the justification for any accommodations.

## D. Appeal

1. **Right to Appeal:** Parties may appeal the determination within a specified timeframe within 5 business days of receiving the decision.
2. **Filing an Appeal:** Appeals must be submitted in writing to the Morgan County Commissioners stating the reasons for the appeal and the desired outcome.
3. **Appeal Review:** An impartial party will review the appeal and issue a final written decision within a designated timeframe 30 business days.

## V. Due Process Rights

In matters regarding identification, evaluation, or educational placement under Section 504, parents/guardians have the right to request an impartial due process hearing if they disagree with the Morgan County Commissioners actions. These rights include receiving notice, participating in the hearing, presenting evidence, and seeking review of the decision.

## VI. External Remedies

This procedure does not limit an individual's right to pursue other remedies, such as filing a complaint with the Office for Civil Rights (OCR).

## VII. Confidentiality

Privacy will be maintained to the extent possible, consistent with the need to investigate and resolve complaints.

## VIII. Non-Retaliation

Retaliation for filing a grievance, participating in an investigation, or opposing discrimination is strictly prohibited.

## IX. Conflict with Federal or State Law

If any portion of this policy conflicts with any Federal or State law governing the rights of individuals under this policy, then that portion of this policy is deemed null and void and the Federal and State law is the controlling authority.