

APRIL 28, 2021

Agenda

Lord's Prayer
Pledge of Allegiance

1:15 p.m. Jill Lengler – Flood Plain Permit – Malallo LLC (Michelle Ford)

Approve Minutes – April 26, 2021

Approve Before/After Expenditures

Approve Inter-fund Transfer/Advance

Approve Supplemental Appropriations (4)

Approve Hire – OCED Administrative Coordinator (Yates)

Out of County Travel – EMA (McKenzie Learn)

Establish Fund – Probate Court Conduct of Business Fund

Approve Public Notice of Retirant Seeking Reemployment with Public Employer & Notice of Public Hearing

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION, WEDNESDAY, THE 28TH DAY OF APRIL, 2021, WITH THE FOLLOWING MEMBERS PRESENT:

Al Landis
Chris Abbuhl

*The Lord's Prayer was said.
The Pledge of Allegiance was said.*

Commissioner Landis presiding.

Commissioner Landis recognized a special guest, Commissioner Designee, former Commissioner Metzger. He looks forward to Commissioner Metzger sitting at the table in the commissioner role (he was recently appointed by the Republican Party to fill the current commissioner vacancy).

RESOLUTION (339-2021) APPROVE MINUTES

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to approve the minutes of the previous meeting held April 26, 2021 as written.

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

RESOLUTION (340-2021) BEFORE/AFTER EXPENDITURES

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to approve the following before/after expenditures:

Miller's Clothing (Dog Pound)	\$606.70
OMCTC (Engineer)	\$88.00
National Lime & Stone (Engineer)	\$4,117.87

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

RESOLUTION (341-2021) INTER-FUND TRANSFER/ADVANCE

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to approve the following inter-fund transfer/advance as per State Auditor’s recommendation:

Treasurer, Tusc. Co. From County General to Capital Projects \$230,000.00
Treasurer, Tusc. Co. From Public Assistance to Children Services \$1,200.00

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

RESOLUTION (342-2021) SUPPLEMENTAL APPROPRIATIONS

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to accept the following supplemental appropriations:

DEPARTMENT	FROM	TO	AMOUNT	REASON
Capital Projects	U40-U10	U40-U02	\$25,000.00	Services – Various Capital Projects
Auditor	E-4060-Y018-Y05	E-4060-Y018-O00	\$95,300.00	To provide for distribution of unclaimed funds involving a case
Road & Bridge	E1200-K000-K40	E1200-K000-K30	\$100,000.00	Bridge contract services
Road & Bridge	E1200-K000-K40	E1190-K000-K14	\$50,000.00	Equipment Repairs & Parts

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

RESOLUTION (343-2021) APPROVE HIRE – OCED ADMINISTRATIVE COORDINATOR

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to approve the following:

WHEREAS, Brooke Yates has been determined by the Director of Community and Economic Development and the Board of Commissioners to meet the minimum qualifications established for the classification of OCED Administrative Coordinator.

WHEREAS, the classification of OCED Administrative Coordinator is considered to be in the classified service, pursuant to Ohio Revised Code 124.11.

THEREFORE, be it resolved that Brooke Yates shall begin her employment as a full time OCED Administrative Coordinator effective May 3, 2021, in the classified service at a rate of \$15.50 per hour.

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

Discussion: Commissioner Abbuhl stated that Ms. Yates interviewed twice and has come to the top of applicants with an impressive background. She will fit in very well and he wished her well. Commissioner Landis agreed and congratulated Ms. Yates on her new position and also gave a shout out to our HR Manager, Kris Lowdermilk and OCED Director, Scott Reynolds for conducting a number of interviews and finding a good candidate.

RESOLUTION (344-2021) OUT OF COUNTY TRAVEL – EMA

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to accept the following travel request as submitted by McKenzie Learn (Villatoro), Deputy Director:

DATE: June 3rd 2021 -- June 4th 2021
LOCATION: Fairfield County EMA
ATTEND: McKenzie Learn (Villatoro)
EXPENSE: \$131.39 Hotel/\$30 Dinner & Lunch/Use of County Car 218 miles
REASON: She was invited to attend the 2021 EMAO Emergency Management Fundamentals Course.

Discussion: Commissioner Abbuhl reiterated that the regional approach that we have with other counties to work together and learn efficiencies in operations is important. This partnering is vital in the event that we other counties to come to our county to assist with emergencies, training, etc. Commissioner Landis added it is good to see the restrictions (from the pandemic) loosening up to allow more travel and for these training events to move forward. Tuscarawas County is always well represented with Alex McCarthy (Director) and McKenzie Learn (Deputy Director).

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

RESOLUTION (345-2021) ESTABLISH FUND – PROBATE COURT CONDUCT OF BUSINESS

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to establish a fund for Probate Court Conduct of Business for the purpose of monies that shall be used solely for the conduct of the business of the Probate Court. Revenue will be \$1.00 collected from every marriage license files and \$26.00 collected from every estate filed.

These funds will be utilized to pay expenditures for training, travel, technology, equipment, contracts, supplies, other expenses, etc. This request is in accordance with ORC 2101.19 as requested by Adam W. Wilgus. Tuscarawas County Common Pleas, Juvenile and Probate Judge.

Discussion: Commissioner Landis thanked Judge Wilgus for providing the supporting document for this request along with the resolution.

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

**RESOLUTION 346-2021
TUSCARAWAS COUNTY BOARD OF COMMISSIONERS
APPROVING PUBLIC NOTICE OF RETIRANT SEEKING
REEMPLOYMENT WITH PUBLIC EMPLOYER & NOTICE OF PUBLIC HEARING**

The Board of Tuscarawas County Commissioners met in regular session on April 28, 2021, in the William E. Winters board room with the following members present: Al Landis and Chris Abbuhl.

Commissioner Landis moved the adoption of the following resolution:

RESOLUTION

Whereas, the Board of Commissioners have been informed of the retirement of Kris Lowdermilk, the current H.R. Manager, effective June 30, 2021; and

Whereas, the H.R. Manager, Kris Lowdermilk, subject to the approval of the Board of Commissioners; and

Whereas, under 145.381, H.R. Manager, Kris Lowdermilk is requesting approval by the Board of Commissioners to rehire him to his current position, effective July 1, 2021; and

Whereas, 145.38(A) applies in the case of a person who is or most recently has been employed by a public employer in a position that is customarily filled by a vote of members of a board or commission or by the legislative authority of a county, municipal corporation, or township (B) a board Commission, or legislative authority that proposes to continue the employment as a reemployed retirant or rehire as a reemployed retirant to the same position an individual described in division (A) of this section shall do both of the following in accordance with the rules adopted under division (C) of this section:

1. Not less than sixty (60) days before the employment as a reemployed retirant is to begin, give public notice that the person is or will be retired and is seeking employment with the public employer.

2. Between fifteen and thirty days before the employment as a reemployed retirant is to begin and after complying with division (B)(1) of this section, hold a public meeting on the issue of the person being employed by the public employer. Notice regarding division (B)(1) of this section shall include the time, date and location at which the public meeting is to take place.
3. The Public Employees Retirement Board has adopted rules as necessary to implement this action.

Therefore, be it resolved, the Board of Commissioners under R.C. 145.38(B)(1), authorized the public notice of Kris Lowdermilk seeking reemployment with notice of the meeting to be held on June 7, 2021 at 9:30 a.m., in the William E. Winters Board Room of the County Board of Commissioners; and

Be It Further Resolved, publication of the notice shall be in *The Times-Reporter* on May 1, 2021.

Be It Further Resolved, that the Board finds and determines that all formal actions relating to the passage of this Resolution were taken in an open meeting of this Board and that all deliberations of the Board and its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements including R.C. 121.22.

Section 3. This Resolution shall take effect from and after its passage.

Mr. Abbuhl seconded the Resolution and the vote resulted as follows:

Al Landis - yes
Chris A. Abbuhl - yes

PUBLIC NOTICE:

Public Notice

The Tuscarawas County Commissioners will conduct a public meeting on June 7, 2021 at 9:30 a.m., in the William E. Winters Board Room, 125 E. High Avenue, New Philadelphia OH 44663 to consider the issue of Kris Lowdermilk, H.R. Manager, who is retiring from the position on June 30, 2021, will be drawing a pension from the Ohio Public Employers Retirement System, and requesting to be rehired to the same position on July 1, 2021.

Interested persons are encouraged to attend.

By order of the Board of County Commissioners, Tuscarawas County, Ohio.

Jane E. Clay, Acting Clerk

Please publish in *The Times Reporter* on May 1, 2021.

Please provide proof of publication as soon as possible.

DISCUSSION: Commissioner Abbuhl noted the above resolution for Human Resource Manager rehire basically sets the process in place for the 60 day notification of the public meeting. Once a public hearing is set and public comment is received then the matter will be put up for consideration by the board. The date has been set as June 7, 2021.

RESOLUTION (347-2021) PAY BILLS

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to approve for payment the following bills:

Meeting Date 04/28/2021
Auditor

Harris Computer Systems	Support Services	\$2,508.83	
Child Support			\$2,508.83
Treasurer Tusc Co	IV-D Contract/Juvenile Court Magistrate	\$15,213.37	
Tusc Co Clerk of Courts	IV-D Contract	\$397.05	
Tusc Co Clerk of Courts	IV-D Contract	\$125.33	
Tusc Co Clerk of Courts	IV-D Contract	\$285.57	
Treasurer Tusc Co	IV-D Contract	\$17,786.89	
Clerk of Courts			\$33,808.21
AT & T	Service	\$79.13	
Graphic Enterprises	Service	\$654.17	
Frontier	Service	\$27.06	
Frontier	Service	\$27.91	
Commissioners			\$788.27
Hahn's Motors Body Shop	Ins Claim/Cruiser Repairs	\$1,725.84	
BA Widder Architectural Services	Generator Project	\$1,207.65	
Frontier	Service	\$486.69	
Frontier	Service	\$266.38	
G & L Supply	Supplies	\$341.26	
Menards	Supplies	\$11.68	
Blasenhauer Plumbing	(3) A/C Unit Replacements @ CH	\$15,000.00	
Blasenhauer Plumbing	(3) A/C Unit Replacements @ CH	\$2,860.00	
BA Widder Architectural Services	Architect Services/CSEA Roof	\$2,729.85	
BA Widder Architectural Services	Architect Services/Ramp-ADA	\$1,556.45	
Community & Economic Development			\$26,185.80
Kent State University	Advanced Manufacturing Corridor Proj	\$25,000.00	
Community Corrections			\$25,000.00
Averhealth	Electronic Monitoring & Drug Testing	\$2,213.35	
First Communications	Long Distance	\$17.71	
Tusc Co Sheriff's Office	Gas	\$249.70	
Tusc Co Sheriff's Reserves	Security	\$333.00	
Verizon Wireless	Cell Phone Service	\$327.05	
Dog Pound			\$3,140.81
Graphic Enterprises	Copies	\$86.25	
Hayden Keffer	Travel	\$38.42	
Hayden Keffer	Travel	\$300.00	
American Electric Power	Service	\$389.51	
Emergency Management			\$814.18
Martin's Mobile Glass	Service	\$53.38	
US Bank Equipment Finance	Contract Services	\$22.04	
Engineer			\$75.42
Dominion Energy	Service	\$5.51	
John Deere	Repairs/Parts	\$369.75	
Sidwell Materials	Mat'l per bid	\$789.58	
Ziegler Bolt & Nut House	Bridge & Culvert Supplies	\$59.20	
John W Cookson Co	Repairs/Parts	\$61.61	
Triple R Trailer	Repairs/Parts	\$334.59	
Fastenal	Bridge & Culvert Supplies	\$63.05	
Snyder Brothers	Repairs/Parts	\$265.46	
Staley Technologies	Repairs/Parts	\$262.50	
Jim's Towing	Services	\$625.00	

Truck Sales & Service	Repairs/Parts	\$107.92	
Southeastern Equipment	Repairs/Parts	\$3,888.30	
Helbling Supply	Supplies	\$38.34	
Rosenberry Towing	Services	\$500.00	
			\$7,370.81
Information Technology			
Staples	Supplies	\$21.73	
Staples	Supplies	\$637.66	
			\$659.39
Job & Family Services			
Robb Rectanus	Travel	\$25.82	
Horizons of Tuscarawas & Carroll	Transportation	\$6,514.66	
Superfleet Mastercard Program	Gas	\$98.03	
Family & Children First Council	Financial Contribution	\$5,000.00	
Robb Rectanus	FC Birth Certificate & Meals	\$34.95	
Fleming Wise Scherer	FC Orthodontic Fee	\$2,480.00	
Bridgeway Group Home	Independent Living/FC Drivers Ed	\$409.00	
Michael & April McKelvey	Transportation	\$110.00	
			\$14,672.46
Juvenile/Probate			
Staples	Supplies	\$132.57	
Staples	Supplies	\$282.11	
			\$414.68
Law Library			
Independence Business Supply	Supplies	\$16.00	
			\$16.00
Sheriff			
Sirchie	Supplies	\$502.84	
Arney Automotive	Cruiser Repairs	\$2,373.24	
Graphic Enterprises	Copy Charges & Supplies	\$683.38	
Allied 100	AED Supplies	\$446.35	
Uhrichsville Carbide Inc	Supply	\$60.00	
American Electric Power	Service	\$8,915.91	
Union Hospital	Inmate Medical Treatment	\$317.12	
Protegis Fire & Security	Maintenance	\$232.00	
Tank Integrity Services	Maintenance	\$688.00	
Silco Fire & Security	Maintenance	\$1,374.50	
			\$15,593.34
Southern Court			
Cronisers	Supplies	\$20.00	
Thomson Reuters West	Legal Books	\$940.00	
Clear Water Systems	Water Softener Salt & Supplies	\$64.11	
American Electric Power	Service	\$421.90	
Twin City Water	Service	\$65.00	
			\$1,511.01
Treasurer			
Harris Computer Systems	Software Support	\$550.03	
			\$550.03
Water & Sewer			
Peterman Plumbing	Materials	\$97.56	
Centre Supply	Materials	\$48.00	
American Electric Power	Service	\$776.27	
American Electric Power	Service	\$157.47	
Standard Plumbing	Materials	\$209.00	
Hajoca Corp	Materials	\$73.33	
Verizon Wireless	Service	\$391.12	
American Electric Power	Service	\$151.23	
			\$1,903.98
	GRAND TOTAL		\$135,013.22

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

DISCUSSION: Jill Lengler, Flood Plain Coordinator, presented a request for a flood plain permit by Malallo LLC, Michelle Ford for land in Goshen Township, 238 18th Street in New Philadelphia. Ms. Ford would like to put storage buildings on the land but would need to add fill to elevate the property. Once the fill is in place, Ms. Ford would not need any other permit. Ms. Lengler is recommending approval of the permit. Commissioner Abbuhl wanted to make sure this request is within the regulations of the flood plain in which Ms. Lengler confirmed it is within the regulations.

RESOLUTION (348-2021) APPROVE FLOOD PLAIN PERMIT – MALALLO LLC (Goshen)

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to approve the following flood plain permit for Malallo LLC (Michelle Ford) as recommended by Jill Lengler, Flood Plain Coordinator:

NFIP
FLOODPLAIN DEVELOPMENT PERMIT
Tuscarawas County, Ohio

Date: April 22, 2021 # 4-1-21

\$25 FEE per RESOLUTION #502-2010 In addition, administrative fees of twenty-five dollars (\$25) per. hour shall accrue for each hour accumulated toward the issuance of an NFIP Development Permit. Payable to Tuscarawas County Floodplain Office.

Permission is hereby granted to Malallo LLC (Michelle Ford) Name
for Filling Purpose in Goshen Twp.
located at 238 18th St NE New Philadelphia (Mailing Address)

The Development Permit application submitted by R.A Watson Excavating is in accordance with the NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS adopted by the Tuscarawas County Commissioners, Resolution #502-2010.

Estimated Cost \$ 8,250 Elevation of Property 878.18 Ft. (msl)

The information contained in Permit Application Number 4-1-21 Plans for development, are hereby also embodied as part of this permit.

Said work is to be constructed in compliance with the provisions of the National Flood Insurance program and the Tuscarawas County Flood Damage Prevention Regulations per Resolution #736-2007.

This permit void if the development activity has not begun within 180 days of the issuance date. This permit will remain valid for one (1) year from date of issuance.

Reviewed by: Jill P. Lengler (signature) April 22, 2021
Floodplain Coordinator Date
Approved by: Al Landis (signature) 4/28/21
Commissioner Date
Chris Abbuhl (signature) 4/28/2021
Commissioner Date
Vacant Date
Commissioner Date

NOTICE: Tuscarawas County is not responsible for any flood damages, within or outside the designated Floodplain Hazard Areas, that result from reliance on the Flood Damage Prevention Resolution #502-2010 or any administrative decisions lawfully made thereunder.

The property Owner/Developer is required to procure, and make available to the public, an inspection document that certifies the Floodplain development project mentioned above is installed according to the approved development plan.

F:\My Documents\Flood applications and permits\Michelle Ford Flood Development Permit.doc

VOTE: Al Landis, yes;
Chris Abbuhl, yes;

OTHER BUSINESS:

HR: Kris Lowdermilk, Human Resource Manager, stated the process is set for his request to retire/rehire. Bob Stephenson, Assistant Prosecuting Attorney, has reviewed the statute and created the resolutions in accordance with the code. He enjoys his work and desires to continue his employment with the county. This is a practical way to work in his retirement as he has prior service in stark county.

METZGER: Commissioner Abbuhl recognized Kerry Metzger in the audience and thanked him for his willingness to be appointed as commissioner to keep moving the county forward in a positive way. He welcomed him and looks forward to working with him. Commissioner Landis added his appreciation for Mr. Metzger to step forward and being willing to take on the responsibilities of commissioner. His institutional knowledge and public service will certainly be a benefit.

NO FURTHER BUSINESS COMING BEFORE THE BOARD.

RESOLUTION (349-2021) ADJOURN

It was moved by Commissioner Abbuhl, seconded by Commissioner Landis, to adjourn at 1:20 p.m. to meet in Regular Session, Monday, the 3rd day of May, 2021.

We hereby certify the above and foregoing to be a true and correct account of the proceedings as had by and before us on the day and year first written above.



Al Landis



Chris Abbuhl

Attest:



Acting Clerk