

November 1, 2023

Agenda

*Lord's Prayer
Pledge of Allegiance*

9:15 a.m. Kent State Small Business Development Center Donation
9:30 a.m. Public Hearing – Salem Township Road 259 Vacation
9:45 a.m. Mike Jones, Sanitary Engineer, Proposed Rate Adjustments

Approve Minutes

Approve Before/After Expenditures

Approve Inter-fund Transfer/Advance

Approve Memorandum of Understanding – The Village of Baltic – W & S

Approve Prisoner Agreement – Village of Baltic

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION
WEDNESDAY, THE 1st DAY OF NOVEMBER, 2023 WITH THE FOLLOWING MEMBERS
PRESENT:

Chris Abbuhl
Kristin Zemis
Greg Ress

Commissioner Chris Abbuhl presiding.

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

RESOLUTION (943-2023) APPROVE MINUTES

It was moved by Commissioner Ress, seconded by Commissioner Zemis to approve the minutes from the October 30, 2023 meeting as written.

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

RESOLUTION (944-2023) BEFORE/AFTER EXPENDITURES

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

VENDOR	OFFICE	AMOUNT
Horizons of Tuscarawas & Carroll Counties	JFS	\$13,871.30

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

RESOLUTION (945-2023) INTER-FUND TRANSFER/ADVANCE

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

From: Co. General to Public Assistance (November Mandated Share) \$18,429.75

VOTE: Chris Abbuhl, yes;
 Kristin Zemis, yes;
 Greg Ress, yes;

RESOLUTION (946-2023) – APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE VILLAGE OF BALTIC AND AUTHORIZING THE EXECUTION OF SAID MOU

It was moved by Commissioner Zemis, and seconded by Commissioner Ress to approve the foregoing resolution:

WHEREAS, in order to proceed with the establishment of the Baltic Regional District and transfer water and sewer operations from the Village to the newly created district, it is necessary for the Board of Commissioners, Tuscarawas County, Ohio ("County") and the Village of Baltic, Ohio ("Village") to execute a Memorandum of Understanding (MOU), such MOU being attached hereto.

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

Section 1 – The Board hereby approves the above referenced MOU and authorizes the President and/or Vice President of the Board of Commissioners, Tuscarawas County, Ohio to execute said MOU on behalf of the County.

Section 2 – It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board and that all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

This Resolution and any referenced attachments have been reviewed and found in proper order by Sean McCarter, Special Counsel.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into and effective as of the date last executed by a Party hereto by and between Tuscarawas County (the "County"), and the Village of Baltic, Ohio (the "Village"), individually a "Party" and collectively the "Parties".

I. Summary and Objective

The Village desires to discontinue providing water and sewer services to its customers and transfer that authority to a water and sewer district ("District") established under Chapter 6119 of the Ohio Revised Code. The Village lies within three counties: Tuscarawas County, Coshocton County, and Holmes County. Since the Village is in three counties, the best way for it to service its customers located in all three counties is to form a regional district. Such districts are especially authorized and empowered under Ohio law to serve customers located within multiple jurisdictions. The territory of the District will include the properties serviced currently by the Village, the Village territory and those properties upon which current Village water and sewer assets are located.

The Village will convey to the District, to the extent feasible, an exclusive franchise for providing water and sewer services within the Village. It will also convey all of its water and sewer facilities, including, but not limited to, transmission and collection lines, lift stations, force mains, wells, water storage towers, treatment plants, equipment and spare parts, and all necessary appurtenances thereto. The Village will convey these facilities and items at no cost to the District. In conjunction with the transfer of facilities and customers, the District will contract with Tuscarawas County to operate, maintain, and be responsible for these facilities, and to provide water and sewer services to residents of the Village located both within and outside of Tuscarawas County..

II. District Formation

The Village and Tuscarawas County have held discussions and propose the creation of the District in the following manner:

- a. Tuscarawas County will lead the formation process.
- b. The procedure to form the District will be initiated by a petition filed in the court of common pleas of Tuscarawas County. The petition will be signed by the Village and Tuscarawas County as the petitioners. The Baltic Village Council and Board of County Commissioners of Tuscarawas

County will approve the signing and filing of the petition. Because the Village is in all three Counties, judges from Coshocton County and Holmes County would also be part of the tribunal at the court of common pleas of Tuscarawas County to conduct a hearing upon the petition.

- c. Prior to filing the petition, a public hearing will be held by Tuscarawas County and the Village, at which time a preliminary study of the reasons for the proposed establishment of the District will be presented.
- d. The territory of the proposed District will be the territory which is served by the Village currently, and any water or sewer facilities located outside of the Village.
- e. The Manager of the Tuscarawas County Metropolitan Sewer District office will prepare, with assistance from legal counsel, the plan of operations for the District. Legal counsel will prepare all necessary pleadings, witnesses and documentary evidence to present at the final hearing to establish the District. The plan of operations will provide for the transfer of all facilities and customers to the District, which will have jurisdiction over the provision of such services, including ownership, operation, billing and rate setting for customers of the District.
- f. The tribunal will conduct the final hearing and determine whether the Petitioners have submitted evidence to prove that the District should be established.

III. District Operations

- a. After formation of the District a three-member board of trustees ("Board of Trustees") for the District would be appointed by the Village and Tuscarawas County. One member shall be selected by the Village and two members selected by Tuscarawas County
- b. Upon appointment of the Board of Trustees, the Board will enter into a Transfer Agreement with the Village, which will transfer the facilities to the District at no cost. As part of the Transfer Agreement, the Village will transfer all customers who are served by the facilities to the District, and will transfer employees to the District in accordance with Ohio law and collective bargaining agreements, if any. Also as part of transferring facilities, the Village will assign any and all contracts and agreements to the District that are necessary and incidental to the ownership, operation, maintenance, repair, or replacement of the systems.

- c. Upon completion of the Transfer Agreement, the District will, pursuant to R.C. 6119.09, enter into a Joint Cooperative Agreement with Tuscarawas County to operate the facilities.
- d. It is envisioned that the District may need, in the future, to construct new facilities. Providing the financial resources for these new facilities will be the responsibility of the District and not the responsibility of the Village or Tuscarawas County. If the District needs assistance in order to obtain financing for projects, Tuscarawas County and the Village may assist with the District in obtaining loans or grants, but will not be obligated to do so.

IV. Binding Effect

This MOU is a non-binding letter of agreement that is meant to express the intent of the Parties. As such, the obligations and/or commitments set forth herein are not binding until such time as final documents are agreed upon and executed, and related legislative actions are taken by the Parties. The Parties agree to use their best efforts to pursue the formation of the 6119 District.

This MOU shall be in full effect as of the date last signed by the Parties.

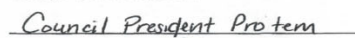
Tuscarawas County Board of County Commissioners



Name: Chris Abbuhl

Date: 11/1/2023

Village of Baltic, Ohio



Name: Zach Fournier

Date: 10-17-2023

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

RESOLUTION (947-2023) PRISONER AGREEMENTS – VILLAGE OF BALTIC

It was moved by Commissioner Ress, seconded by Commissioner Zemis, to approve the prisoner agreement with the following entities for prisoner care at Eighty Dollars (\$80.00) per day as recommended by Sheriff Campbell:

- Village of Baltic

VOTE: Chris Abbuhl, yes;
 Kristin Zemis, yes;
 Greg Ress, yes;

RESOLUTION (948-2023) PAY BILLS

It was moved by Commissioner Zemis, seconded by Commissioner Ress to approve payment for the following bills:

Meeting Date - November 1, 2023

911

Ohio State Highway Patrol	LEADS	\$600.00	
			\$600.00

Auditor

Bloom's Printing	Supplies	\$185.00	
Bloom's Printing	Supplies	\$1,130.00	
			\$1,315.00

Commissioners

Beaver Creek Landscaping Inc	Services	\$180.00	
Dominion	Gas Utility	\$373.85	
Frontier	Service	\$227.44	
Frontier	Service	\$62.11	
Frontier	Service	\$1,264.74	
G&L Supply	Supplies	\$279.27	
Independent Elevator LLC	Mthly Prev Elevator Maint	\$567.00	
Independent Elevator LLC	4th Qtr Elevator Maint	\$307.00	
John Neininger	Humane Agent Salary-Oct	\$500.00	
Liberty Distributors	Supplies	\$483.00	
Tuscora Electric Supply	Supplies	\$95.00	
			\$4,339.41

Dog & Kennel

Blasenbauer Plumbing	Repairs	\$395.00	
Frontier	Service	\$107.79	
Oak Pointe Vet Care	Supplies	\$189.59	
Verizon Wireless	Service	\$35.10	
			\$727.48

Dress Down

Aaron & Lisa Davis	Oct '23 Special DDD	\$426.00	
			\$426.00

EMA

US Bank Equipment	Copier Contract	\$197.17	
Verizon Wireless	Service	\$139.14	
			\$336.31

Engineer

Asphalt Materials	Pug Mill & Mobilization	\$4,292.00	
Asphalt Materials	Material	\$171,520.98	
Flynns Tire	Parts	\$133.81	
Gemstone Gas & Welding Supplies	Supplies	\$213.15	
Liniform	Supplies	\$256.65	
MNJ Technologies Direct Inc	Equipment	\$272.00	

Uebels Welding LLC	Services	\$630.63	
Verizon Wireless	Service	\$40.11	
Walton Auto Parts	Parts	\$69.95	
			\$177,429.28
JFS			
Advance Auto Parts	Parts/Impala	\$28.20	
G & L Supply Co	Supplies	\$269.88	
Go Shred	Services	\$138.75	
Henry Heating & Cooling & Plumb	Service Dt 10/11/23	\$196.00	
Jaycee Villa Housing Inc	APS/Rent & Deposit	\$542.00	
John Steckman dba Stevenson Mem	Fraud Incentive/Bench	\$3,500.00	
Kimble Company	APS	\$444.00	
	Individul		
Madison Garlinger	Living/Homecoming	\$350.19	
Melissa Kelley	Travel Reimbursmnt - Meals	\$23.45	
Menard's	Supplies	\$22.98	
Michael & April McKelvey	FP Transportation	\$22.80	
Monique Bailey-Et/Al	AA & SAMS Nov 2023	\$18,471.96	
ODP Business Solutions LLC	Paper	\$409.11	
Procore Power Equipment	Contract Services-Parts	\$60.36	
Superfleet Mastercard Program	Fuel	\$187.84	
Superfleet Mastercard Program	PRC	\$33.22	
Tusc Co Water & Sewer Dept	Sub Station Pump	\$150.00	
	Annual Campaign/Turky		
Tuscarawas County YMCA	Trot	\$2,000.00	
Twin City Water Dept	APS-Wtr/Swr Reconnect	\$153.00	
Verizon Wireless	One Talk	\$16.89	
Wells Fargo Financial Leasing Inc	Contract Services	\$611.98	
WEX Bank	Fuel	\$1,287.92	
			\$28,920.53
Juvenile/Probate			
Ohio Network for Innovation	Guardianship Serv Contract	\$19,750.00	
			\$19,750.00
Park			
AEP Ohio	Electric Utility	\$181.68	
Menards - New Philadelphia	Supplies	\$38.39	
Menards - New Philadelphia	Supplies	\$16.22	
Menards - New Philadelphia	Supplies	\$60.97	
Robert's	Supplies	\$180.80	
Robert's	Supplies	\$1,000.00	
Sweetwater Farm	Supplies	\$360.00	
Unkefer Sales LLC	Repairs	\$535.96	
Unkefer Sales LLC	Repairs	\$1,400.00	
VanMeters Auto Repair	Repairs	\$490.86	
VanMeters Auto Repair	Repairs	\$76.69	
VanMeters Auto Repair	Repairs	\$197.20	
Yoder's Small Engines LLC	Supplies	\$24.21	
Yoder's Small Engines LLC	Equipment	\$195.50	
			\$4,758.48
Sheriff			
Dominion Energy Ohio	Gas Utiltiy	\$3,096.82	
Dumonts	Ads-Jerzees	\$2,512.00	
G&L Supply	Supplies	\$169.72	
Miller's Clothing & Shoes	Uniforms	\$1,308.35	
Rosenberry Towing Service	Services	\$437.00	
Staples	Supplies	\$354.82	
			\$7,878.71

Southern District

Quill	Supplies	\$422.19	
Quill	Supplies	\$180.06	
			\$602.25

Treasurer

Independence Business Supply	Supplies	\$66.61	
			\$66.61

Water & Sewer

Charter Communications (Spectrum)	Service	\$99.99	
Mike Jones	Travel Reimbursement	\$495.00	
NE Ohio Natural Gas Corp	Gas Utility	\$137.15	
Stanley Miller Construction Co	Construction Contract 2	\$182,439.84	
The Thrasher Group Inc	Engineering/Construction	\$20,317.50	
Tusc Co Treasurer	Engineering/Construction	\$20,317.50	
Tusc Co Treasurer	Construction Contract 2	\$182,439.84	
			\$406,246.82

**GRAND
TOTAL \$653,396.88**

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

DISCUSSION: SMALL BUSINESS DEVELOPMENT CENTER PROGRAM - Steve Schillig, Bradley Bielski and William Beisel, from Kent State University, were present to talk about the Small Business Development Center and request a donation from the Commissioners for \$10,000. Brad opened the discussion by putting it on the record that Steve Schillig will be retiring in February 2024 and wanted to make it public record that Kent State is very appreciative of his service to the campus and the community for a very long time and wish him well in his retirement. Commissioner Abbuhl congratulated Steve and stated that someone going out with the experience and success that he has had, makes it even more difficult to fill that position. Steve stated this has been the best 15 years of his career working with great people and a great support system.

Steve opened the discussion about the Small Business Development Center, and stated this is a Business Assistance Resource for the County and hosted by Kent State University, Tuscarawas and they have been an outstanding host. We work with both existing business and pre-ventures. We provide confidential, no-cost assistance from HR, Accounting, Marketing and General Business Planning. Steve thanked the Commissioners for the opportunity to allow him to present before them and to request a continued donation for 2024. The past donations have been \$5,000, this time, we are asking for \$5,000 - \$10,000. This \$10,000 cash match from the Commissioners results in \$35,000 in Federal support. Over a four-year period, this program has added 90 jobs, 50 retained jobs, 20 business start-ups and \$5 million in access to loans and/or investments.

Bill stated Kent States puts their money behind the program as well. Last year the Campus provided \$23,000 in cash to the program and provided an office suite. The Liverpool Campus also provided \$5,000 last year as well. Commissioner Abbuhl stated that people contribute because they see the value in what you do and there have been some great successes over the last fifteen years. Commissioner Ress stated it is alarming how many young people are not opening more businesses now days compared to twenty or thirty years ago. The numbers are way down.

RESOLUTION (949-2023) ADVISEMENT – SMALL BUSINESS DEVELOPMENT CENTER DONATION – KENT STATE

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to take the Small Business Development Center donation request under advisement.

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

RESOLUTION (950-2023) RECESS

It was moved by Commissioner Ress, seconded by Commissioner Zemis, to recess at 9:22 a.m., for the purpose of the Public Hearing for Salem Township Road 259 Road Vacation.

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

Commissioner Abbuhl called the meeting out of recess at 9:30 a.m. and back into Regular Session for the purpose of the Public Hearing for Salem Township Road 259 Road Vacation.

PUBLIC HEARING:

Commissioner Abbuhl opened the hearing for the Salem Township Road 259 Road Vacation at 9:30 a.m. with the following individuals present:

Chris Abbuhl – Commissioner
Kristin Zemis – Commissioner
Greg Ress – Commissioner
Rhonda Jordan – Clerk
Patricia A. Arth – Salem Twp. Fiscal Officer
Steve Brooks – Maps Office
Doug Bachman – Engineer
Rob Lint – Engineer's Office
Genaro DeMonte – Engineer's Office

Commissioner Abbuhl stated the Commissioners received a request from Salem township Trustees to vacate Township Road 259 on September 21, 2023. The Commissioners viewed the township Road on October 26, 2023. Commissioner Abbuhl turned the hearing over to Rob Lint from the Engineer's Office to give an explanation of the vacation.

Rob stated the original road was vacated back in 1929 by Jefferson Township. This road had not been used since the late 1800's. When it was vacated, it was assumed that Jefferson Township owned the whole road. It has been discovered that Salem Township owns the entrance to the road. This road meets the twenty-one-year criteria for not maintaining a road. The property owners have maintained the road over the years. It makes sense to vacate this portion of the road.

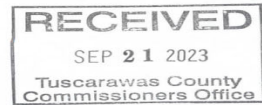
Commissioner Abbuhl stated this vacation was advertised in the Times Reporter on October 20 & 24, 2023 stating the date and time of the viewing and hearing. It is not unusual for these types of vacations to take place. It was thought that the whole road had been vacated at one point, only to find out a small portion of the road was not due to being in two different townships.

Commissioner Abbuhl asked if there was anyone present to talk for or against the Salem Township Road 259 Road Vacation? No one spoke up for either side.

Commissioner Abbuhl closed the hearing at 9:33 a.m.

RESOLUTION (951-2023) APPROVE VACATION OF SALEM TOWNSHIP ROAD 259

It was moved by Commissioner Ress, seconded by Commissioner Zemis, to approve the vacation of Salem Township Road 259.



SALEM TOWNSHIP TRUSTEES
 REGULAR MEETING
 AUGUST 3, 2023

The Trustees of Salem Township meeting in regular session on Thursday, August 3, 2023 with Trustees D. J. Meek, Ray M. Stocker and John J. Bourne present adopted the following resolution:

RESOLUTION 23 - 7

Ray M. Stocker moved the adoption of the following resolution:




That Salem Township Road 259 be officially vacated.

John J. Bourne seconded the resolution and roll call was as follows:

D. J. Meek yes Ray M. Stocker yes John J. Bourne yes

The resolution will be submitted to the Chairman of the Tuscarawas County Commissioners.

Signed:

	Donald J. Meek, Chairman
	Ray M. Stocker, Trustee
	John J. Bourne, Trustee

Samuel C. Ward, P.S. #7356
Randall A. Emler, P.S. #7760

WARD & EMLER SURVEYING, INC.
Professional Land Surveyors
113 Third Street SE
New Philadelphia OH 44663-2512
(330) 364-5866 (voice)
(330) 364-1107 (fax)
E-mail: wesurvey@frontier.com
Web site: www.surveyorsohio.com

James R. Fouts, P.S.#8528
R. Aaron Wells, P.S. #8401

August 29, 2023

**Centerline Description for the Vacation of T.R.#259
for
Salem Township Trustees**

Situated in the Township of Salem, County of Tuscarawas and State of Ohio.

Being located in the west half of the northeast quarter of Section 2, T-6, R-3, being part of a 4.427 acre tract (A.P.#50-00886.001) as conveyed to Colton Michael Herrington & Alecia Marie Herrington in O.R.1610 at Page 4946, part of a 12.17 acre tract as conveyed to Richard Arth (A.P.#50-00004.000) in O.R.1269, Page 1696 and part of a 91.227 acre tract (A.P.#50-00595.000) as conveyed to Paul W. Schwab & Paula F. Schwab, Co-Trustees in O.R.1638 at Page 2084 of the Tuscarawas County Deed Records, being more fully described as follows:

Commencing at a 5/8" iron pin (found) at the northeast corner of the west half of the northeast quarter of Section 2 and on the Salem - Jefferson Township Line;

Thence with the north line of said northeast quarter and said township line, North 89 deg. 10 min. 15 sec. West, 538.86 feet to a 5/8" iron pin (found) capped "Emler 7760" at the northwest corner of said 4.427 acre tract, the northeast corner of said 12.17 acre tract and at the **TRUE PLACE OF BEGINNING** of the centerline herein to be described;

Thence from said beginning, with the west line of said 4.427 acre tract, the east line of said 12.17 acre tract and the centerline of said road the following 2 courses and distances;

- 1) South 11 deg. 23 min. 33 sec. West, 314.96 feet to a 1/2" iron pin (found);
- 2) South 17 deg. 56 min. 00 sec. West, 275.23 feet to a 1/2" iron pin (found);

Thence through the lands of said 4.427 acre tract, said 12.17 acre tract and said 91.227 acre tract the following 5 courses and distances;

- 1) South 10 deg. 29 min. 08 sec. West, 164.42 feet to a point;
- 2) South 14 deg. 11 min. 49 sec. West, 104.62 feet to a point;
- 3) South 70 deg. 21 min. 09 sec. East, 34.71 feet to a point;
- 4) South 4 deg. 41 min. 08 sec. East, 100.01 feet to a point;
- 5) South 26 deg. 39 min. 25 sec. East, 95.83 feet to a point on the west right of way line of "OLDTOWN VALLEY ROAD (C.R.#24) and there **TERMINATE**.

Bearings are oriented to the Ohio State Plane Coordinate System (North Zone) and iron pins indicated (set) are 5/8" x 30" iron rebars with an orange plastic cap stamped "Emler 7760".

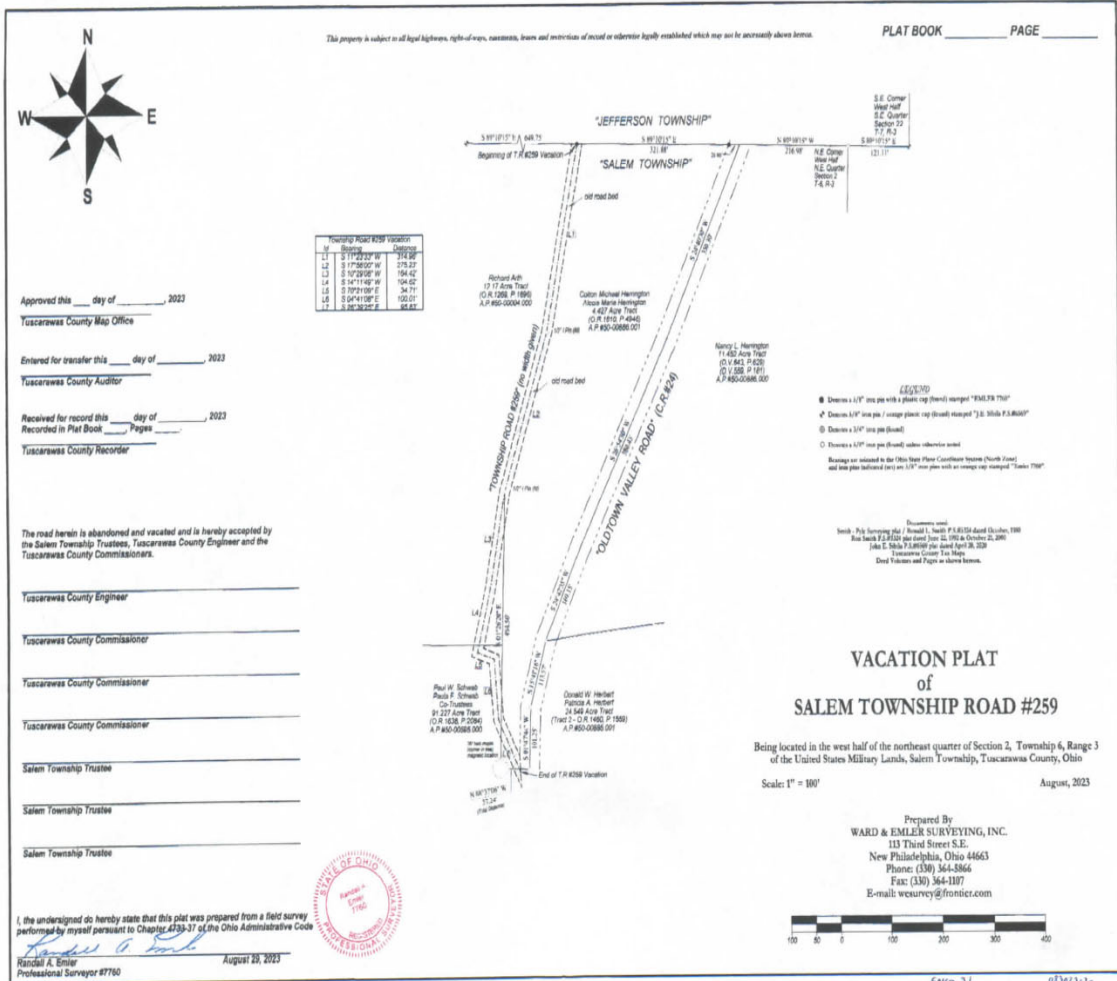
Survey and description by Randall A. Emler, Professional Surveyor #7760 in August 29, 2023.

Randall A. Emler
Professional Surveyor #7760



Salem 31

08302302



Parcel Number: 3000246002
 Property Address: OLDTOWN VALLEY RD
 Owner: KINSEY DAVID
 Acres: 33.04
 Tax District: 30-JEFFERSON TWP-NEW PHILADELPHIA SD
 Sale Price: 0
 Sale Date: 4/22/2021
 Deed Volume: 1617
 Deed Page: 2432

Parcel Number: 5000004000
 Property Address: SW BUNKER HILL RD
 Owner: ARTH RICHARD E
 Acres: 12.17
 Tax District: 50-SALEM TWP-INDIAN VALLEY SD
 Sale Price: 0
 Sale Date: 7/1/2014
 Deed Volume: 1452
 Deed Page: 2195

Parcel Number: 5000595000
 Property Address: SW FRY'S VALLEY RD
 Owner: SCHWAB PAUL W & PAULA F SCHWAB ETAL
 Acres: 91.23
 Tax District: 50-SALEM TWP-INDIAN VALLEY SD
 Sale Price: 0
 Sale Date: 9/16/2022
 Deed Volume: 1638
 Deed Page: 2084

Parcel Number: 5000885001
 Property Address: SE OLDTOWN VALLEY RD
 Owner: HERBERT DONALD W & PATRICIA A
 Acres: 24.55
 Tax District: 50-SALEM TWP-INDIAN VALLEY SD
 Sale Price: 0
 Sale Date: 10/15/2014
 Deed Volume: 1460
 Deed Page: 1559

Parcel Number: 5000886001
 Property Address: 8000 SW OLDTOWN VALLEY RD
 Owner: HERRINGTON COLTON MICHAEL & ALECIA MARIE
 Acres: 4.43
 Tax District: 50-SALEM TWP-INDIAN VALLEY SD
 Sale Price: 0
 Sale Date: 11/19/2020
 Deed Volume: 1610
 Deed Page: 4946

**TUSCARAWAS COUNTY
 COMMISSIONERS**
 Chris Abbuhl – Greg Ress – Kristin Zemis

**COMMISSIONER'S JOURNAL 87
 OCTOBER 18, 2023**

**RESOLUTION (903-2023)
 TUSCARAWAS COUNTY BOARD OF COMMISSIONERS**

**IN THE MATTER OF THE VACATION OF SALEM TOWNSHIP ROAD 259,
 TUSCARAWAS COUNTY, OHIO
 FIXING TIME AND PLACE OF VIEW AND FINAL HEARING
 AND NOTICE ON PUBLIC ROAD VACATION**

The Board of Tuscarawas County Commissioners met in regular session on the 18th day of October, 2023, with the following members present: Chris Abbuhl, Kristin Zemis, and Greg Ress.

Commissioner Ress moved the adoption of the following:

Resolution

Whereas, a petition signed by the Salem Township Board of Trustees passed on August 3, 2023 (Township Resolution 23-7) has been presented to the Board of Commissioners requesting the Board to request the vacation of Salem Township Road 259.

Be It Resolved, that October 26, 2023, at 9:00 a.m., shall be the fixed as the date and time for the Board of Commissioners to view the proposed vacation, on which date the Board will meet at the site to review the requested vacation;


Be It Further Resolved, that November 1, 2023, at 9:30 a.m., shall be fixed as the date of the final hearing at the offices of the Tuscarawas County Commissioners.

Be It Further Resolved, that the Clerk of this Board is directed to give notice of the time and place for both the viewing and the hearing, by publication, once a week for two consecutive weeks in *The Times Report*, a newspaper published and having a general circulation in Tuscarawas County, and to the Salem Township Board of Trustees, 8276 Stonecreek Rd SE, Newcomerstown, OH 43832 by certified mail return receipt requested.

Commissioner Zemis seconded the Resolution and the roll call being called upon its adoption, the vote resulted as follows:

Chris Abbuhl – yes
 Kristin Zemis – yes
 Greg Ress – yes


 Rhonda Jordan, Clerk of the Board

Approved as to form:

 Kristine Beard
 Assistant Prosecuting Attorney
 Tuscarawas County, Ohio

125 East High Avenue, Room 205, New Philadelphia, Ohio 44663
 (330) 365-3240 commissioners@co.tuscarawas.oh.us

**Notice of Time and Place of Viewing and Final Hearing for
Public Roadway Vacation**
(R.C. 5553.042 et seq.)

Notice is given that the Salem Township Trustees, Tuscarawas County, Ohio, have filed a petition for a public roadway vacation for TOWNSHIP ROAD 259.

The Board of County Commissioners has set October 26, 2023 at 9:00 a.m., as the date and time when the Board will review the proposed vacation and has also set November 1, 2023 @ 9:30 a.m., as the date, time and place for the final hearing on the proposed vacation.

By Order of the County Commissioners, Tuscarawas County, Ohio.

Rhonda Jordan, Clerk of the Board

Published in the Times Reporter on:
October 20, 2023
October 24, 2023

**SIGN -IN SHEET
SALEM TWP ROAD 259
PUBLIC VIEWING**

Thursday, October 26, 2023 @ 9:00 a.m.

NAME:	COMMUNITY OR ORGANIZATION REPRESENTING:
Colton Herrington	
Greg Ress	Commissioner
Chris Abbuhl	Commissioner
D.S. Meek	Trustee
PAUL SCHWARZ	owner
RICHARD ARTH	OWNER
Jack S. Bieber	Twp. Engineer
Rob Lint	Twp. Engineer
Rhonda Jordan	Clerk

SIGN-IN SHEET
SALEM TWP ROAD 259
PUBLIC HEARING

Thursday, November 1, 2023 @ 9:30 a.m.

NAME:	COMMUNITY OR ORGANIZATION REPRESENTING:
Patricia A. Guth	Salem Twp - F.O
Steve Brooks	MAP OFFICE
Doug Bachmann	Engineer's Office
Rob Lint	Engineer's Office
Genaro D. Monte	Engineer's Office

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

DISCUSSION: PROPOSED WATER & SEWER RATE ADJUSTMENTS FOR 2024 – Mike Jones, Sanitary Engineer, was present to discuss proposed rate adjustments for Water & Sewer. Mike stated every year as part of the budget evaluation Water & Sewer prepares a rate analysis to determine what adjustments may be needed to our user charges. This includes the monthly charges for water & sewer as well as any penalty, delinquencies, permit fees and tap in fees. Water & Sewer is looking at a 3% increase for sewer and 2% increase for water which is needed to meet minimum requirements for 2024.

There will be no changes to tap in fees or any ancillary charges. Part of the annual rate study, is the Bi-annual rate survey that is put out by the Ohio Environmental Protection Agency (EPA). During the last twenty years, the average sewer rating increase was 4.19% and average water was 4.32%, we are below the state average. **Commissioner Zemis** liked how Mike compared Tuscarawas County to the Ohio average.

Mike stated these proposed rates will go into effect on 1/1/24.

RESOLUTION (952-2023) ADVISEMENT – RATE ADJUSTMENTS 2024 - WATER & SEWER

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to take the Proposed Water & Sewer Rate Adjustments for 2024 under advisement.

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

DISCUSSION: TWIN CITY WATER & SEWER DISTRICT LETTER OF UNDERSTANDING - Mike Jones, Sanitary Engineer, stated we have an existing sanitary sewer system that services Midvale and Barnhill, and have an agreement with Twin City since the mid 1980's that their flow goes to Twin City and they pump into their treatment plant and then charge us a fee based upon the number of users in our system.

There is a lot of wet weather flow due to weather and there are no provisions in the contract that account for the increased flow that they get during rainy weather. Twin City is not wanting to add any more connections in our system until such time as we do something to address the wet weather flow. Meanwhile, Brickyard Estates in Midvale who would like to build a 57-unit senior living development, and Midvale Estates Mobile Home Park wants to add an additional 55 new homes sites.

Mike has spoke with Donnie Fawcett, Twin City's Superintendent about developing a letter of understanding to kick-off the negotiations for a new agreement. Mike presented a draft Letter of

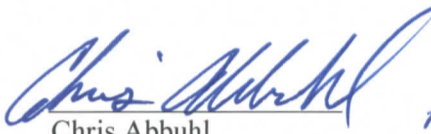
Understanding. The parties agree to renegotiate the Sewer Service Agreement in good faith. The County Sewer District agrees to explore alternatives for the implementation of billing based on metered flow including installation of a flow meter. The Regional Sewer District agrees to allow new and expanded developments in the County Sewer District's system provided these systems provide flow equalization to mitigate the downstream effects during wet weather.

RESOLUTION (953-2023) ADJOURN

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to adjourn at 9:52 a.m. to meet in Regular session Monday, the 6th day of November, 2023.

VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

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.


Chris Abbuhl


Kristin Zemis


Greg Ress


Attest: Rhonda Jordan, Clerk