November 17, 2021

Agenda

Lord's Prayer
Pledge of Allegiance

Suspend Minutes – 11-15-21

Approve Supplemental Appropriation (6)

Approve – NO HEARING – Liquor Permit – Speedway, LLC

Approve Change Order #1 – Project #5-2021 – CR 37 Landslide Repair

Approve Rural Jobs and Enterprise Zone Agreement – Village of Sugarcreek

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION, WEDNESDAY, THE 17TH DAY OF NOVEMBER, 2021 WITH THE FOLLOWING MEMBERS PRESENT:

Al Landis
Chris Abbuhl
Kerry Metzger

Commissioner Al Landis Presiding.

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

RESOLUTION (989-2021) SUSPEND THE MINUTES

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to suspend the reading of the minutes of the previous meeting of November 15, 2021.

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

RESOLUTION (990-2021) SUPPLEMENTAL APPROPRIATIONS

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to approve the following supplemental appropriations:

DEPARTMENT	FROM	TO	AMOUNT	REASON
Employee Dress Down Day Fund	U065-U05	U065-U01	$1,500.00	To allow for donations to be paid out to the correct agencies
Auditor's Office	Q099-Q20	Q099-Q01	$472,200.00	Record budgetary activity for OPWC Project #CN21Y (CR29, 39, 139 & Barnhill road Reprofiling) to shelly & Sands, Inc in amount of $472,200.00 paid 10/14/21 & 10/22/21
Auditor's Office	Q099-Q20	Q099-Q01	$424,038.72	Record budgetary activity for OPWC Project #DNYo7 (CR71, 72, 72 & 76 Reprofiling) to

				Shelly Company in amount of $424,038.72 paid 10/22/2021
Sheriff's Office	X032-X20	X432-X02	$10,000.00	Needed to cover wages for the rest of the year
Sheriff's Office	X032-X20	X432-X17	$2,000.00	Needed to cover PERS for the rest of year
Sheriff's Office	X032-X20	X432-X18	$150.00	Needed to cover Medicare for the rest of the year
Vital Statistics	A018-A00	A008-C01	$1,741.00	To bring the line item back in balance. Fees for 2019 & 2020 were paid in 2021. The total amount paid was more then what was budgeted
Prosecutor's Office	A018-A00	A201-E02	$240.00	Miscalculated for 2021 (U45 amount and additional 5-year employee)
Prosecutor's Office	A018-A00	A001-E02	$638.00	Miscalculated Doug Jackson's starting salary for 2021 as well as the amount paid from U45 budget
Prosecutor's Office	A018-A00	A001-E12	$90.00	Same as above
Prosecutor's Office	A018-A00	A001-E13	$10.00	Same as above
Prosecutor's Office	A018-A00	A001-E14	$7.00	Same as above

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

RESOLUTION (991-2021) REQUEST NO HEARING – LIQUOR PERMIT – SPEEDWAY LLC #3557

It was moved by Commissioner Abbuhl, seconded by Commissioner Metzger, to request NO HEARING in regards to a liquor permit for Speedway, LLC #3557. No correspondence has been received regarding this request.

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

RESOLUTION (992-2021) CHANGE ORDER #1 – PROJECT #5-2021 – CR 37 LANSLIDE REPAIR

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to approve the following change order #1 for the Project #5-2021 – CR 37 Landslide Repair, in the total amount of $36,277.45, changing the original contract amount of $312,600.00 to $348,877.45, as requested by Joe Bachman, Engineer

Tuscarawas County
Project #5-2021 - CR 37
Landslide Repair CHANGE
ORDER NO. 1 (Final)
November 15, 2021

1. Adjust contract to reflect as-built quantities versus estimated plan quantities.

Ref. No.	Item No.	Plan Quantity	As Built Quantity	Description	Unit Price	Total Add Or (Deduct)
5	507	4700 ft	5400 ft	Addition 700 ft furnished for welding to non-refused piles	$43.00	$30,100.00
Additional			37 Piles	Welding of additional footage	$200.00	$7,400.00
Additional			34.93 ton	304 Limestone= hauled	$35.00	(1,222.50)

Total Add	$ 37,500.00
Total Deduct	$ (1,222.50)
Net Total Add	$ 36,277.45

2. Contract Recapitulation

a. Original Contract Amount	$ 312,600.00
b. Change Order #1 - Add	$ 36,277.45
c. Revised Contract Amount	$ 348,877.45

3. Change Order Request/Approval

Change Order Requested by:

Recommended by:

Approved by: Tuscarawas County Commissioners

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Date

Brad Jutte - PRESIDENT
Brad Jutte, President
Precise Piling Driving Inc.

Joseph S. Bachman, PE, PS
Tuscarawas County Engineer

11/15/21
Date

Al Landis, Chairman Date

Chris Abbuhl Date

Kerry Metzger Date

Discussion: *Commissioner Abbuhl stated the reason for the changed amount is due to the need for additional materials. There was additional welding products and a reduction in the limestone hauled in to account for the change in the monetary amount.*

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

RESOLUTION NUMBER 993-2021 (November 17, 2021)

TUSCARAWAS COUNTY BOARD OF COMMISSIONERS... RESOLUTION TO APPROVE THE RURAL JOBS AND ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE VILLAGE OF SUGARCREEK, EAGLE MACHINERY & SUPPLY, INC. AND GNOMON PROPERTIES, LLC. FOR THE ABATEMENT OF TAXES ON REAL PROPERTY IMPROVEMENT'S AT EAGLE MACHINERY/GNOMON'S FACILITY WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE RURAL JOBS AND ENTERPRISE ZONE IN THE VILLAGE OF SUGARCREEK, TUSCARAWAS COUNTY, OHIO .....RATIFIED.....

Moved by Commissioner Abbuhl, seconded by Commissioner Metzger,

That the TUSCARAWAS COUNTY BOARD OF COMMISSIONERS, (hereinafter referred to as "County") upon the recommendation of Scott S. Reynolds, Enterprise Zone Manager, and at the request of the Mayor and Village Council of Sugarcreek, resolved to approve the Rural Jobs and Enterprise Zone Agreement by and between the VILLAGE OF SUGARCREEK, (hereinafter referred to as "Village"), EAGLE MACHINERY & SUPPLY, INC., an Ohio Corporation with its main offices located at 422 Dutch Valley Drive N. E., Sugarcreek, Ohio 44681, (hereinafter referred to as "Eagle Machinery") and GNOMON PROPERTIES, LLC, an Ohio Limited Liability Corporation with its main office located at P. O. Box 472, Zoar, Ohio 44697 (hereinafter referred to as "Gnomon"), jointly referred to as "Eagle/Gnomon", ratified by Sugarcreek Village Council on Nov. 15, 2021, for the abatement of taxes on real property improvements in conjunction with "Eagle/Gnomon's" expansion of their facility at the Sugarcreek location. The total cost of "Eagle/Gnomon's" real property improvements investment in the PROJECT is to be between approximately Nine Hundred Thousand Dollars ($900,000.00) and One Million Two Hundred Five Thousand Dollars ($1,200,000.00).

The terms and period of the agreement shall be a tax exemption for new real property improvements constructed in conjunction with the "PROJECT" and described as follows: Seventy-five Percent (75%) for ten (10) years on all new real property and new real property improvements constructed as a part of the "PROJECT" pursuant to Section 5709.63 of the Ohio Revised Code. Said exemption shall commence in the first year in which, but for that exemption, the real property or real property improvements identified as the "PROJECT" would become taxable. No exemption shall begin after December 31, 2023, nor shall the exemption period extend beyond December 31, 2033. Each real property or real property improvement constructed as a part of this project shall receive a maximum abatement term of ten (10) years.

"Eagle Machinery" and/or "Gnomon" must file the appropriate tax form with the Tuscarawas County Auditor's Office to verify the exemptions covered in this agreement. The appropriate form in this instance is Form #DTE24 and it must be filed when the project is complete.

WHEREAS the "County" is committed to the retention and expansion of the "County's" economic base as well as the establishment of conditions conducive to attracting new businesses.

NOW THEREFORE, BE IT RESOLVED, that this Board hereby approves of the "Village's" ENTERPRISE ZONE AGREEMENT with "Eagle/Gnomon" and orders Scott S. Reynolds, Tuscarawas County Enterprise Zone Manager, to forward this resolution to the appropriate State agencies pursuant to

the terms and conditions set forth therein and in compliance with Sections 5709.61 through 5709.69 inclusive of the Ohio Revised Code. EZ Agreement to be made part of the Commissioners' Journal Number 83.

Discussion: *Scott Reynolds, Enterprise Zone Manager, was present to discuss the Enterprise Zone Agreement. He stated the county first became involved with Eagle Machinery & Supply, Inc. in 2007-2008 when they outgrew their facility in Farmerstown,, the Tuscarawas County obtained a waiver and was able to relocate them to their new facility in Sugarcreek on Dutch Valley Dr. They did an expansion at the current facility in 2013. There were 27 employees relocated and no one lost their employment. There are currently 64 employees working for them. They will add 4 more over the next 24 months. This agreement will allow Eagle to build on a demonstration showroom and bring in customers to see the construction systems for examining the wood, slicing the wood, preparing the wood for use in a woodshop and so forth. Eagle has a "wood eye" that is similar to an MRI. It can detect flaws in the interior of wood, knotholes and cavities. The business is run by Kirk & Laurie Spillman. The Spillman's have been a good corporate partner for The Village of Sugarcreek and Garaway School District. Eagle had additionally asked for 15 years, but The Village was more inclined to offer 75% for up to 10 years in all new taxes.*

Commissioner Abbuhl wanted to know what Gnomon Properties, LLC owns. Mr. Reynolds stated that Gnomon is the reality property holder and a separate entity from Eagle. Commissioner Landis stated the Eagle Company has met all expectations in the past, retained employees, added employees and plan on adding 4 more after the showroom is completed.

Commissioner Metzger wanted to throw a penalty flag because Mr. Reynolds stated this is very comprehensive and detailed resolution, but Mr. Metzger brought to his attention the number of current employees and the employees to be added were not in the resolution. Commissioner Landis stated the missing employees would not have been caught had Mr. Reynolds not mentioned it himself. Mr. Landis also mentioned the new employees are not the only addition. Profits will also increase when the new showroom is completed. This is a good business for the county. This company invests in their employees and their community.

Upon Roll Call on the foregoing motion, the vote was as follows:

Mr. Al Landis, yes;

Mr. Chris Abbuhl, yes;

Mr. Kerry Metzger, yes;

RESOLUTION (994-2021) PAY BILLS

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

Meeting Date 11/17/2021

Child Support			
City of New Philadelphia	Water/Sewer/Garbage	$82.30	
Go Shred	Shredding Services	$45.00	
American Electric Power	Service	$1,150.78	
OH CSEA Director's Association	CLEAR Fee	$129.64	
Verizon Wireless	Broadband Wireless	$80.22	
OH CSEA Director's Association	Registration	$75.00	
			$1,562.94
Clerk of Courts			
Xerox	Service	$59.28	
			$59.28
Commissioners			
Miller's Clothing	Uniforms	$134.96	
Copeco	Supplies	$524.85	
Wood Electric	Repairs	$400.77	
American Electric Power	Service	$25.75	
American Electric Power	Service	$1,805.96	
American Electric Power	Service	$4,158.38	
Mancan	Temp Worker (COVID)	$720.00	
Iron Mountain	Storage Fees	$35.45	
DanCo Lettering	Cruiser Lettering	$2,127.84	
First Communications	Long Distance	$106.85	
First Communications	Long Distance	$21.71	
			$10,062.52
Coroner			
Union Hospital Association	Testing & X-Rays	$150.08	
Axis Forensic Toxicology	Toxicology Testing	$2,237.00	
Cuyahoga County Medical Examiner	Autopsies	$2,950.00	
Smith Livery Service	Body Removals	$1,526.00	
Verizon Wireless	Cell Phone Service	$99.38	
Axis Forensic Toxicology	Tox Screen	$353.00	
			$7,315.46
Dog Pound			
Parkway Auto	Service	$42.63	
Sugarcreek Vet Clinic	Medical Care	$170.00	
			$212.63
Engineer			
First Communications	Long Distance	$20.90	
Independence Business Supply	Supplies	$21.99	
Hot Mix Technical Services	Asphalt Testing	$1,320.00	
Staples Credit Plan	Supplies	$30.98	

Occupational Medicine Center	Drug Testing & Physicals	$369.00	
Galicks	Bridge & Culvert Supplies	$44.80	
Piedmont Gas	Heating PW	$11.45	
			$1,819.12
Human Resources			
Krugliak Wilkins Griffiths & Dougherty	Legal Fees	$133.00	
			$133.00
Job & Family Services			
Pathway Caring for Children	Boarding Home Payroll	$20,686.69	
Mayle Homes	Boarding Home Payroll	$12,400.00	
			$33,086.69
Park Department			
Occupational Medicine Center	Drug Screen	$38.00	
			$38.00
Sheriff			
4Imprint	Supplies	$1,500.00	
Consolidated Plastics	Office Mats	$423.65	
DanCo Lettering	Repairs	$105.00	
4Imprint	Advertising Supplies	$162.13	
Dumont's Sporting Goods	Drug Free Program Advertising	$2,170.40	
Ohio Guidestone	Quick Response Team	$1,065.92	
New Phila Fire Dept	Quick Response Team	$9,330.49	
Community Mental Healthcare	Quick Response Team	$2,398.32	
			$17,155.91
Treasurer			
Tusc Co Recorder	Tax Lien Release Fees	$408.00	
Copley Ohio Newspaper	Notice of Sale	$430.75	
			$838.75
Water & Sewer			
US Bank Equipment Finance	Copier Interest	$34.28	
US Bank Equipment Finance	Copier Principal	$76.36	
US Bank Equipment Finance	Copier Maintenance	$56.00	
USA Bluebook	Materials	$332.33	
Frontier	Service	$44.00	
Hajoca Corp	Materials	$15.48	
Staples	Supplies	$57.47	
Northeast OH Natural Gas	Utilities	$147.61	
American Electric Power	Service	$77.76	
Frontier	Service	$292.96	
Elizabeth Huff	Reimb Credit Account	$280.11	
			$1,414.36
	GRAND TOTAL		$73,698.66

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

OTHER BUSINESS: *Commissioner Abbuhl wanted to talk about expanding tourism within the county. Commissioner Abbuhl attended the Grand Opening of the Depot Pullman Bed & Breakfast in Dennison, Ohio. Mr. Abbuhl thanked the depot, the board, all of the volunteers, Gorcon, numerous sub-contractors, ODOT, and, private investors. The first ones to be staying in the Depot Pullman B & B will be the Chris Williams Family,*

Commissioner Landis stated there may be some activity on the courthouse square with flags being placed around due to preparations for the return of an American Hero, U.S. Army, Private Emmet Schwartz. He was 24 years old and from New Philadelphia. Private Schwartz was killed in Action while serving in the city of Brandenburg, Germany on December 27, 1944. Private Schwartz is returning to New Philadelphia to be laid to rest in his hometown. He was unidentified until 1951. Please keep the family in your prayers. The funeral will be Sunday, November 28, 2021 at 1: p.m.

RESOLUTION (995-2021) ADJOURN

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to adjourn at 1:28 p.m. to meet in Regular session Monday, the 22nd day of November, 2021.

VOTE: Al Landis, yes;
Chris Abbuhl, yes;
Kerry Metzger, 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.

Al Landis

Chris Abbuhl

Kerry Metzger

Attest: Rhonda Jordan
Clerk