

## February 23, 2022

### Agenda

*Lord's Prayer*  
*Pledge of Allegiance*

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1:15 p.m. Sunday Creek Horizons & WODA Cooper Co. – Will Drabold and Andy Kostival

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Approve Minutes

Approver Inter-Fund Transfer

Approve Personnel Hire – JFS - Riker  
Approve Personnel Hire – JFS – Smith

Approve Out of State Travel – Juvenile Probate Court

Declare Obsolete Property – Clerk of Courts – Chairs  
Declare Obsolete Property – Prosecutor’s Office - Chairs

Approve Bond – Juvenile Court – Dunlap  
Approve Bond – Juvenile Court – Affolter

Authorize Building Demolition & Site Revitalization Funding  
Establish Fund – Brownfield Demolition & Site Revitalization

Award Bid – Project #2-2022 TUS-VAR-GR Phase #5

Enter Annexation onto Journal – Piedmont Gas Company

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION, WEDNESDAY, THE 23rd DAY OF FEBRUARY, 2022 WITH THE FOLLOWING MEMBERS PRESENT:

Chris Abbuhl  
Kerry Metzger  
Al Landis

Commissioner Chris Abbuhl Presiding.

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

#### **RESOLUTION (146-2022)                      APPROVE MINUTES**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to approve the minutes of the previous meeting as written.

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

#### **RESOLUTION (147-2022)      INTER-FUND TRANSFER/ADVANCE**

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

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

**RESOLUTION (148-2022) PERSONNEL ACTION – JFS (Riker)**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to approve the personnel action hiring of David Riker as a Social Services Worker 3 in the Protective Unit at Tuscarawas County Job & Family Services as recommended by David Haverfield, Director. David Riker would replace Kearsten Hershberger, effective February 28, 2022. Mr. Haverfield has concluded an independent assessment to determine that this applicant meets the minimum qualifications for this position.

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

**RESOLUTION (149-2022) PERSONNEL ACTION – JFS (Smith)**

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to approve the personnel action hiring of Paige Smith as a Social Services Worker 3 in the Protective Unit at Tuscarawas County Job & Family Services as recommended by David Haverfield, Director. Paige Smith would replace Cari Yoder, effective February 28, 2022. Mr. Haverfield has concluded an independent assessment to determine that this applicant meets the minimum qualifications for this position

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

**RESOLUTION (150-2022) OUT OF STATE TRAVEL – JUVENILE PROBATE COURT**

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to approve the following state mandated out of state travel request for Juvenile Probate Court as recommended by Judge Adam Wilgus:

**DATE:** March 13-16, 2022  
**LOCATION:** Pittsburgh, PA  
**ATTEND:** Judge Adam Wilgus  
Magistrate Anthony Flex  
**REASON:** 2022 National Conference on Juvenile Justice  
**EXPENSE:** Hotel for Magistrate Flex; 3 nights parking; Meals for 3 nights for Judge & Magistrate  
Anticipated Expense = \$800.00

Judge Wilgus can apply for registration, mileage & hotel reimbursement for himself though the Ohio Association of Juvenile Judges.

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

**RESOLUTION (151-2022) OBSOLETE PROPERTY – CLERK OF COURTS - CHAIRS**

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to declare, as obsolete for the use for which it was acquired in accordance to Ohio Revised Code 307.12 (B).

- 3 Chairs - Broken

The items will be disposed of in accordance to ORC.

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

**RESOLUTION (152-2022) OBSOLETE PROPERTY – CHAIRS – PROSECUTOR’S OFFICE**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to declare, as obsolete for the use for which it was acquired in accordance to Ohio Revised Code 307.12 (B).

- 2 Office Chairs - Damaged

The items will be disposed of in accordance to ORC.

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

**RESOLUTION (153-2024) APPROVE BOND – JUVENILE COURT – DUNLAP**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to approve the bond for Shawnee Dunlap for Tuscarawas County Juvenile Court effective February 9, 2022 as approved by the Prosecutor as follows;

Continuation  
Certificate

**Westfield Insurance Company**

Westfield Insurance®  
1 Park Circle, PO Box 5001  
Westfield Center, Ohio 44251-5001

In consideration of an agreed premium payable in advance, the Bond described below is hereby continued in force for the period indicated. Continuation is subject to the condition that the maximum aggregate liability under the Bond and any and all continuations thereof shall in no event exceed the amount of liability shown herein. This endorsement shall be valid only when executed by an attorney-in-fact of this Company.

BOND NO.	BOND AMOUNT	RENEWAL PREMIUM	CONTINUED	
			FROM	TO
BND 129280N	\$ 1,000.00	\$ 125.00	2/9/2022	2/9/2023
PRINCIPAL SHAWNEE DUNLAP				
OBLIGEE TUSCARAWAS COUNTY JUVENILE COURT				

Signed, sealed and dated this 8th day of February, 2022.

THE TUSCARAWAS AGENCY COMPANY  
Agency

160 N Broadway New Philadelphia, OH 44663-2628  
City & State

By: *William Weisgarber*  
William Weisgarber Attorney-in-Fact



POWER NO: 34-0579  
Power of Attorney

**Westfield Insurance Company**

**CERTIFIED COPY**

1 Park Circle, PO Box 5001, Westfield Center, Ohio 44251-5001

Know All Men by These Presents, That **Westfield Insurance Company**, a corporation, hereinafter referred to individually as a "Company" duly organized and existing under the laws of the State of Ohio, and having their principal offices in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint of **New Philadelphia** and State of **OH** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in their name, place and stead, to execute, acknowledge and deliver

Bond Number: **BND 129280N**  
Principal Name: **SHAWNEE DUNLAP**  
Obligee Name: **TUSCARAWAS COUNTY JUVENILE COURT**  
Bond Penalty: \$ **1,000.00**

and to bind the Company thereby as fully and to the same extent as if such bond was signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of the **Westfield Insurance Company**

"**BE IT RESOLVED**, that the President, any Senior Executive, any Secretary or any Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents cancelling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon The Company as if signed by the President and sealed and attested by the Corporate Secretary."

"**BE IT FURTHER RESOLVED**, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000.)

*In Witness Whereof*, **Westfield Insurance Company** has caused these presents to be signed by their **Senior Executive** and their corporate seal to be hereto affixed this **17th** day of **December 2019**.

By: **Gary W. Stumper, National Surety Leader and Senior Executive**

Affixed  
Corporate  
Seal



**CERTIFICATE**

I, **Frank Carrino**, Secretary of the **Westfield Insurance Company**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

*In Witness Whereof*, I have hereunto set my hand and affixed the seal of said Company at Westfield Center, Ohio, this **8th** day of **February**, A.D. **2022**.

By: **Frank Carrino, Secretary**

State of Ohio  
County of Medina ss:

On this **17th** day of **December**, A.D., **2019**, before me personally came **Gary W. Stumper**, to me known, who, being by me duly sworn, did depose and say, that he resides in **Hartford, CT**; that he is **National Surety Leader and Senior Executive** of **Westfield Insurance Company** the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.

Notarial  
Seal  
Affixed



State of Ohio  
County of Medina ss:

By:   
**David A. Kotnik, Attorney at Law, Notary Public**  
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

BPOAC4A (combined) (12-19)

**PROSECUTOR CERTIFICATION UNDER R.C. 309.11**

The content of the attached bond of Shawnee Dunlap, Tuscarawas County Juvenile Court Probation Officer, is approved as to legal form and sufficiency, as required by R.C. 309.11.

  
\_\_\_\_\_  
Ryan Styer, Tuscarawas County Prosecutor

Date: 2/10/22

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

**RESOLUTION (154-2022) APPROVE BOND – JUVENILE COURT – AFFOLTER**

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to approve the bond for Angela K. Affolter for Tuscarawas County Juvenile Court effective February 9, 2022 as approved by the Prosecutor as follows;

Continuation  
Certificate

**Westfield Insurance Company**

Westfield Insurance®  
1 Park Circle, PO Box 5001  
Westfield Center, Ohio 44251-5001


In consideration of an agreed premium payable in advance, the Bond described below is hereby continued in force for the period indicated. Continuation is subject to the condition that the maximum aggregate liability under the Bond and any and all continuations thereof shall in no event exceed the amount of liability shown herein. This endorsement shall be valid only when executed by an attorney-in-fact of this Company.

BOND NO.	BOND AMOUNT	RENEWAL PREMIUM	CONTINUED	
			FROM	TO
BND 129281G	\$ 1,000.00	\$ 125.00	2/9/2022	2/9/2023
PRINCIPAL				
ANGELA K AFFOLTER				
OBLIGEE				
TUSCARAWAS COUNTY JUVENILE COURT				

Signed, sealed and dated this 8th day of February, 2022.

THE TUSCARAWAS AGENCY COMPANY  
Agency

160 N Broadway New Philadelphia, OH 44663-2628  
City & State

By:   
William Weisgarber Attorney-in-Fact



BD 5403 (10-2011)

POWER NO: 34-0579  
Power of Attorney

Westfield Insurance Company

1 Park Circle, PO Box 5001, Westfield Center, Ohio 44251-5001

CERTIFIED COPY

Know All Men by These Presents, That **Westfield Insurance Company**, a corporation, hereinafter referred to individually as a "Company" duly organized and existing under the laws of the State of Ohio, and having their principal offices in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint of **New Philadelphia** and State of **OH** **William Weisgarber** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in their name, place and stead, to execute, acknowledge and deliver

Bond Number: **BND 129281G**  
Principal Name: **ANGELA K AFFOLTER**  
Obligee Name: **TUSCARAWAS COUNTY JUVENILE COURT**  
Bond Penalty: \$ **1,000.00**

and to bind the Company thereby as fully and to the same extent as if such bond was signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of the **Westfield Insurance Company**

"**BE IT RESOLVED**, that the President, any Senior Executive, any Secretary or any Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents cancelling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon The Company as if signed by the President and sealed and attested by the Corporate Secretary."

"**BE IT FURTHER RESOLVED**, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000.)

In Witness Whereof, **Westfield Insurance Company** has caused these presents to be signed by their Senior Executive and their corporate seal to be hereto affixed this 17th day of December 2019.

By: **Gary W. Stumper**, National Surety Leader and Senior Executive

Affixed Corporate Seal



CERTIFICATE

I, **Frank Carrino**, Secretary of the **Westfield Insurance Company**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Company at Westfield Center, Ohio, this **8th** day of **February**, A.D. **2022**.

By: **Frank Carrino**, Secretary

State of Ohio  
County of Medina ss:

Notarial Seal Affixed




State of Ohio  
County of Medina ss:

By:   
**David A. Kotnik**, Attorney at Law, Notary Public  
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

**PROSECUTOR CERTIFICATION UNDER R.C. 309.11**

The content of the attached bond of Angela K. Affolter, Tuscarawas County Juvenile Court Probation Officer, is approved as to legal form and sufficiency, as required by R.C. 309.11.

  
\_\_\_\_\_  
Ryan Styer, Tuscarawas County Prosecutor

Date: 2/10/22

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

**RESOLUTION (155-2022) BUILDING DEMOLITION & SITE REVITALIZATION FUNDING**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to authorize the Tuscarawas County Office of Community & Economic Development (OCED) as Lead Entity to apply and administer the Building Demolition and Site Revitalization Program on behalf of the Tuscarawas County Commissioners.

Also, to authorize the Tuscarawas County Economic Development Corporation (TCEDC) to solicit, receive, and evaluate applications for the Brownfield Building Demolition and Site Revitalization Program to then be submitted to the Office of Community & Economic Development for further processing.

Included in Substitute House Bill 110, the state budget bill for State Fiscal Years 2022-2023, Ohio Revised Code (ORC) 122.6512 created the "building demolition and site revitalization program" to be overseen by the Ohio Department of Development (Development). The purpose of the provision is to award grants for the demolition of commercial and residential buildings and revitalization of surrounding properties on sites that are not brownfields.

The Board of Commissioners would like to thank the OCED for their leadership role as Lead Entity and to TCEDC for their program assistance. Their efforts are appreciated.

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



**RESOLUTION (156-2022) ESTABLISH FUND – BROWNFIELD DEMOLITION & SITE REVITALIZATION**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to request the County Auditor to establish the Brownfield Demolition & Site Revitalization Fund. This would be a non-general fund that will receive funds set aside for Tuscarawas County included in substitute House Bill 110, the state budget bill for State fiscal Years 2022-2023.

The funding designed to provide grants for the remediation of brownfield sites, to clean up the sites and prepare them for future economic development. These funds will be utilized in accordance to state rules and regulations.

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

**RESOLUTION (157-2022) AWARD BID – PROJECT 2-2022 TUS-VAR-GR Phase #5 - ENIGNEER**

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to Provisionally award the bid for Project #2-2022 TUS-VAR-GR Phase #5 to the following bidder as recommended by Joseph Bachman, County Engineer:

Lake Erie Construction Company of 25 Norwalk Rd, Norwalk, OH 44857 with a low total bid of \$417,875.00

The provisional award is necessary as there is state/federal funding in this project and the award is subject to their approval. This action will allow us to get the paperwork started while ODOT approval is pending. To facilitate the process, we will need a copy of the Commissioners Resolution to award at your earliest convenience.

In addition, **bonds of all unsuccessful bidders may be released.**



**Joseph S. Bachman, P.E., P.S. Tuscarawas County Engineer**

832 Front Avenue SW, New Philadelphia, OH 44663  
Phone: (330) 339-6648 Fax: (330) 339-6687 Email: engineer@co.tuscarawas.oh.us

February 17, 2022

Tuscarawas County Commissioners  
125 East High Avenue  
New Philadelphia, OH 44663

Re: Tuscarawas County  
Project # 2-2022  
TUS-VAR GR Phase 5  
Guardrail Project  
PID #111588  
Provisional Bid Award

Commissioners:

We have reviewed the bids submitted on February 16, 2022 for the above referenced project and recommend a provisional award, subject to the approval by the Ohio Department of Transportation, to Lake Erie Construction Company of 25 Norwalk Rd, Norwalk, OH 44857, with a low total bid of \$417,875.00

The provisional award is necessary as there is state/federal funding in this project and the award is subject to their approval. This action will allow us to get the paperwork started while ODOT approval is pending. To facilitate the process, we will need a copy of the Commissioners Resolution to award at your earliest convenience.

In addition, **bonds of all unsuccessful bidders may be released.**

Should you have any questions, please do not hesitate to let us know.

Sincerely,

Joseph S. Bachman, PE, PS  
Tuscarawas County Engineer

**VOTE:** Chris Abbuhl, yes;  
Kerry Metzger, yes;

**RESOLUTION (158-2022) ENTER ANNEXATION ONTO JOURNAL - PIEDMONT GAS COMPANY**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to enter the following annexation, as petitioned by Piedmont Gas Company, an Ohio Corporation For-Profit for a property consisting of approximately 1.276 acres (Parcel No. 12-00257-001) in Dover Township into the City of New Philadelphia, onto the Commissioners Journal in accordance with O.R.C. 709.021 and O.R.C. 709.023, and send it to the Prosecutor and Engineer for legalities. This action is taken upon the recommendation of Robert Stephenson, Assistant County Prosecutor.

**ANNEXATION CHECKLIST (must be fully completed prior to filing annexation petition)**

PEIOMONT GAS COMPANY  
PARCEL 12-00257-001

<b>Annexation Petition Checklist</b>	YES	NO	N/A	Comments	Signature of Official
<b>GIS Approval</b>	YES	NO	N/A	Comments	Signature of Official
Certifying that all pre-approval items have been met (attach completed GIS form)	<input checked="" type="checkbox"/>				RT 2/10/22
<b>Regional Planning Approval</b>	YES	NO	N/A	Comments	Signature of Official
Petition, Map & Plat have met any requirements necessary in accordance with Regional Planning and Flood Plain (if not, please specify what actions are necessary)	<input checked="" type="checkbox"/>			WEST OF PARCEL IN Flood Zone A See attached.	John P. Lays
<b>County Engineer Approval</b>	YES	NO	N/A	Comments	Signature of Official
No street or highway will be divided or segmented by the boundary line between a township and the municipal corporation as to create a road maintenance problem, or, if a street or highway will be so divided or segmented, the municipal corporation has agreed, as a condition of the annexation, that it will assume the maintenance of that street or highway. For the purposes of this division, "street" or "highway" has the same meaning as in section 4511.01 of the Revised Code. ORC 709.033(6)	<input checked="" type="checkbox"/>			!	John Buchner
<b>Annexation Requirements</b>					
<b>Type of Annexation Petition:</b>					
Regular 709.03 709.31 709.032 709.033					
Expedited Type 1 ORC 709.022					
Annexation Agreement or CEDA Included?					
Expedited Type 2 ORC 709.023					
Expedited Type 3 ORC 709.024					
Annexations of Municipal, County or State-owned Land (submitted by Municipality) ORC 709.16					
Director of Dept. of Administrative Services has filed written consent if state-owned land (ORC 709.16(D))					
Petition includes Full & Accurate Legal Description of Perimeter (verified by GIS/Map Office) ORC 709.02(C)(2)	<input checked="" type="checkbox"/>				RT 2/10/22
Petition includes accurate plat and map (verified by GIS/Map Office) ORC 709.02(C)(2)	<input checked="" type="checkbox"/>				RT 2/10/22

Real estate is contiguous to municipality to which annexation is proposed (verified by GIS/Map Office) ORC 709.02 (a)	✓				WTR 2/10/22
Territory to be annexed is not unreasonably large (verified by GIS/Map Office) ORC 709.033(4)	✓				WTR 2/10/22
Does Territory have a common boundary of 5% perimeter? (verified by GIS/Map Office)	✓				WTR 2/10/22
No Island is created (verified by GIS/Map Office)	✓				WTR 2/10/22
If land is located in more than one county, majority of acreage in territory is within county of filing (verified by GIS/Map Office) ORC 709.11			✓		WTR 2/10/22
Petition includes Signatures of at least 51% of property owners in the area proposed to be annexed <b>Who verifies?</b> (ORC 709.02 (c)(1))					
All signatures are of "owners" as defined in ORC 709.02 (E). Owners must be authorized to sign the petition and have title to property on date petition was filed <b>Who verifies?</b> (ORC 709.02(E))					
Each Signature includes a date it was obtained, and no signature was obtained more than 180 days before petition was filed. <b>Who verifies?</b> (ORC 709.02 (C)(1))					
Petition includes name and address of agent for petitioners. <b>Who verifies?</b> (ORC 709.02(C)(3))					
List of parcels in area to be annexed and adjacent territory that includes name of owner, mailing address of owner, and permanent parcel number was submitted with petition. <b>Who verifies?</b> (ORC 709.02(D))					



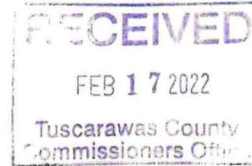
Steven A. Anderson  
 sanderson@fzrlaw.com

Michael A. Warkall  
 mwarkall@fzrlaw.com

Gregory D. Swope  
 gswope@fzrlaw.com

February 17, 2022

Tuscarawas County Commissioner  
 125 E. High Avenue  
 New Philadelphia, OH 44663



**Re: Dover Township – City of New Philadelphia Annexation**

Dear Commissioners:

Enclosed is an Annexation Petition regarding the annexation of a 1.276 acre parcel in Dover Township (PPN: 12-00257.001) to the City of New Philadelphia for your review and/or approval.

If you have any questions, please contact me at 330-364-1614. Thank you for your attention to this.

Sincerely,

**FITZPATRICK, ZIMMERMAN & ROSE CO., L.P.A.**

Courtney A. Hawk, Paralegal  
 Enclosure

*Retired*  
 D. Brad Zimmerman  
 Frank J. Rose, Jr.

*Deceased*  
 Francis G. Fitzpatrick  
 1924-2015  
 Donald W. Zimmerman  
 1925-2013

*New Philadelphia Office*  
 140 Fair Avenue N.W.  
 P.O. Box 1014  
 New Philadelphia, OH  
 44663  
 (330) 364-1614

*Sugarcreek Office*  
 202 W. Main Street  
 Sugarcreek, OH 44681  
 (330) 852-8855

Fax (330) 343-3077  
 www.fzrlaw.com

**PETITION FOR ANNEXATION OF TOWNSHIP PROPERTY TO MUNICIPAL CORPORATION EXPEDITED**

Now comes the undersigned ("Petitioner"), consisting of the owner of a certain area ("Territory") as hereinafter described, and according to the statutes of the State of Ohio, specifically O.R.C. §709.021 and §709.023, and hereby petitions for annexation of the Territory to the City of New Philadelphia, Tuscarawas County, Ohio ("City").

Said Territory is currently situated in the Township of Dover, County of Tuscarawas, State of Ohio ("Township") and consists of 1.276 acres, more or less. Said Territory is contiguous and adjacent to the City. An accurate description of said Territory is attached hereto and made a part hereof as **Exhibit A**.

A plat of the above described Territory is attached hereto and made a part hereof as **Exhibit B**.

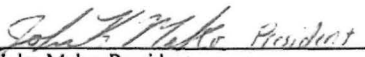
Gregory D. Swope, Attorney-at-Law, located at 140 Fair Avenue N.W., New Philadelphia, Ohio 44663, is hereby appointed agent for the undersigned Petitioner as required by Ohio Revised Code Section §709.02, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion of other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioner.

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.**

{SIGNATURE PAGE TO FOLLOW}

**PETITIONER:**

PIEDMONT GAS COMPANY  
*an Ohio Corporation For-Profit*

  
By: John Mako, President

*This instrument prepared by:*

*Gregory D. Swope, Esq.  
Fitzpatrick Zimmerman & Rose Co., L.P.A.  
140 Fair Avenue N.W., P.O. Box 1014  
New Philadelphia, Ohio 44663*

**AFFIDAVIT**

**STATE OF OHIO                    )**  
**TUSCARAWAS COUNTY            ) ss:**

Personally came and appeared before me, the undersigned Notary Public, the within named John Mako, President of Piedmont Gas Company, an Ohio Corporation For-Profit, on behalf of the Corporation, and makes this his statement and Affidavit upon oath and affirmation or belief and personal knowledge that the following matter set forth below is true and correct to the best of his knowledge:

1. The annexation proceeding herein includes Parcel No. 12-00257-001;
2. Adjacent property owners include:

RDHK Investments, LLC  
3596 State Route 39 N.W.  
Dover, OH 44622

Authentic Church  
201 Stonecreek Road N.W.  
New Philadelphia, OH 44663

SST Enterprises, Inc.  
2835 Stonecreek Road S.W.  
New Philadelphia, OH 44663

Piedmont Gas Company  
c/o John Mako  
159 Stonecreek Road N.W.  
New Philadelphia, OH 44663

Rick D. & Jo E. Mako  
159 Stonecreek Road N.W.  
New Philadelphia, OH 44663

Further Affiant Sayeth Naught.

PIEDMONT GAS COMPANY  
an Ohio Corporation For-Profit

John Mako, President  
By: John Mako, President

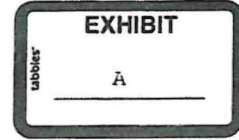
Sworn to or affirmed and subscribed before me by **John Mako, President of Piedmont Gas Company, an Ohio For-Profit Corporation, on behalf of the Corporation, this** 10<sup>th</sup> day of February, 2022.



Courtney A. Hawk  
Notary Public, State of Ohio  
My Commission Expires 12-19-2026

Courtney A Hawk  
Notary Public





**DESCRIPTION OF AN 1.276 ACRE PARCEL**

Situated in the Township of Dover, County of Tuscarawas and State of Ohio, being part of Lot No. 32 of the Horsefield Tract in the Second Quarter of Township 8, Range 2 of the United States Military District and being part of a parcel conveyed to Piedmont Gas Company (P.N. 12-00257.000) and recorded in O.R. Volume 1595, Page 2352 of the Tuscarawas County Official Records and more fully bounded and described as follows:

**Beginning** at a 5/8 inch iron pin found at the southeast corner of a parcel of land conveyed to Tim Levengood, LLC (P.N. 43-08479.002) as recorded in O.R. Volume 1586, Page 2072 of the Tuscarawas County Official Records; Thence S 13°07'23" W, along a westerly line of Interstate 77, a distance of 18.42 feet to an iron pin set; Thence S 16°39'39" W, along a westerly line of said Interstate 77, a distance of 146.16 feet to an iron pin set, said point being the **True Place of Beginning** for the parcel of land herein described:

Course No. 1; Thence S 16°39'39" W, continuing along said westerly line of Interstate 77, a distance of 61.94 feet to an iron pin set;

Course No. 2; Thence N 76°38'29" W, along a new line of division, a distance of 567.63 feet to a "Smith" iron pin found;

Course No. 3; Thence S 89°58'31" W, along a northerly line of a parcel of land conveyed to Rick D. and Jo E. Mako (P.N. 12-00123.000) as recorded in Deed Volume 721, Page 865 of the Tuscarawas County Deed Records, passing an iron pin set at 306.05 feet, a total distance of 339.28 feet to a point;

Course No. 4; Thence N 13°21'31" E, along the centerline of Stonecreek Road NW, a distance of 61.67 feet to a point;

Course No. 5; Thence N 89°58'31" E, along a southerly line of a parcel of land conveyed to Authentic Church (P.N. 43-08434.000) as recorded in O.R. Volume 1544, Page 319 of the Tuscarawas County Official Records, passing an iron pin set at 34.00 feet, a total distance of 340.00 feet to a bent 3/4-inch iron pin found;

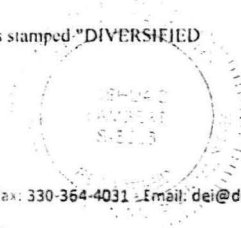
Course No. 6; Thence S 76°38'29" E, along a southerly line of said parcel of land conveyed to Authentic Church and along a southerly line of said parcel of land conveyed to S.S.T. Enterprises Inc. (P.N. 43-08479.000) as recorded in Deed Volume 644, Page 503 of the Tuscarawas County Deed Records, passing a 5/8 inch iron pin found at 109.17 feet and passing a "DEI" iron pin found at 199.25 feet, a total distance of 570.49 feet to the **True Place of Beginning** and containing 1.276 acres of land, more or less, as surveyed by Joshua C. Lambert, P.S., Ohio Registration No. S-8666, for Diversified Engineering Inc., in October 2020, but subject to all legal roads, highways, rights of way, easements and leases of record.

The Basis of Bearing is Ohio State Plane Coordinates, North Zone, NAD 1983.

"Contiguous parcel, not to be transferred separately from adjoining parcel without review of the Regional Planning Commission."

All iron pins set are 3/8 inch X 3/4 inch round steel bars with plastic caps stamped "DIVERSIFIED ENGINEERING".

*Joshua C. Lambert* 10-27-20  
Joshua C. Lambert, P.S. Professional Surveyor No. S-8666 Date



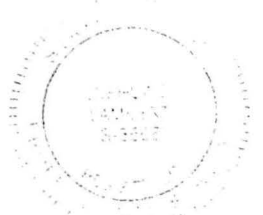
175 Ray Ave. N.E. New Philadelphia, OH 44663 - Phone: 330-364-1631 - Fax: 330-364-4031 - Email: dei@div-eng.com

Inverse With Area

Wed Oct 14 15:41:10 2020

PntNo	Bearing	Distance	Northing	Easting	Description
5002			300706.32	2252273.61	
	S 16°39'39" W	61.94			
5003			300646.98	2252255.85	
	N 76°38'29" W	567.63			
2003			300778.13	2251703.59	
	S 89°58'31" W	339.28			
2000			300777.98	2251364.31	
	N 13°21'31" E	61.67			
2001			300837.98	2251378.56	
	N 89°58'31" E	340.00			
2002			300838.13	2251718.56	
	S 76°38'29" E	570.49			
5002			300706.32	2252273.61	

Closure Error Distance > 0.0000  
 Total Distance Inversed > 1941.00  
 Area: 55566 Sq. Feet, 1.276 Acres

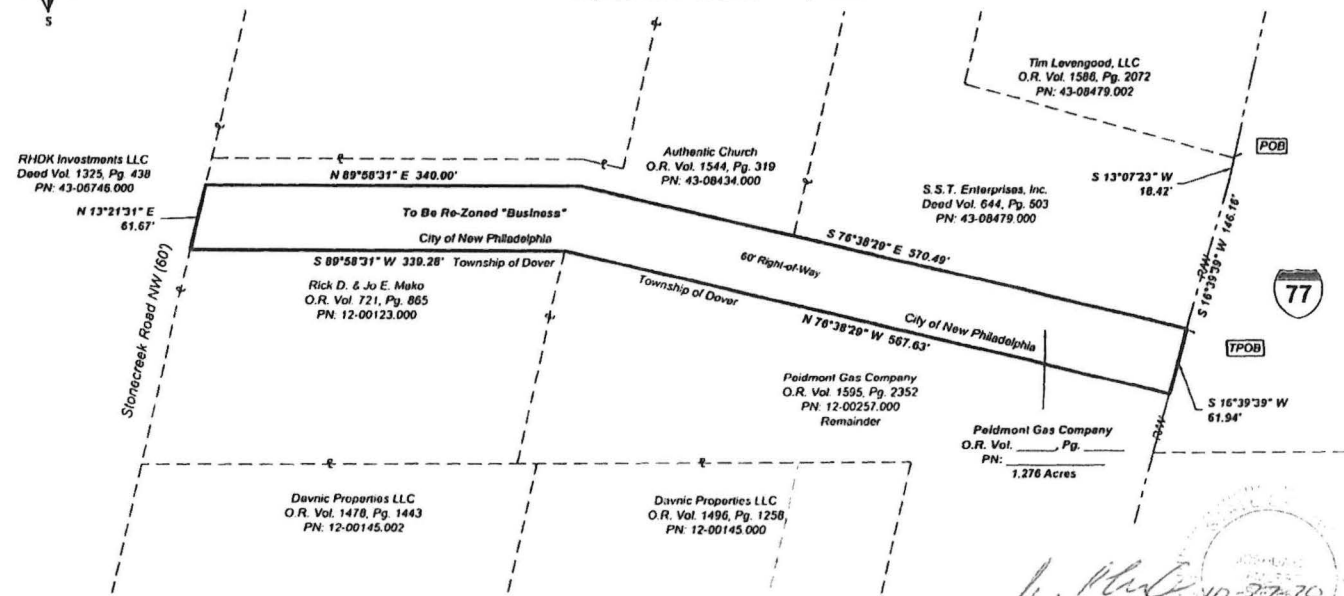


*[Handwritten Signature]*  
 10-27-20

**EXHIBIT**



Situated in the City of New Philadelphia, County of Tuscarawas and State of Ohio, being part of Lot No. 32 of the Horsefield Tract in the Second Quarter of Township 8, Range 2 of the United States Military District.



*Joshua C. Lamberti*  
 Joshua C. Lamberti Date 10-27-20  
 Registered Professional Surveyor No. S-8686  
 State of Ohio

- R/W - Right-of-Way
- P - Property Line
- C - Centerline
- POB - Place/Point of Beginning
- TPOB - True Place/Point of Beginning

Reference used:  
 County Auditor's Tax Maps  
 Deeds as noted hereon  
 Surveys on File at the County Map Office

ISSUE DATE 10/20/20 SCALE 1" = 100'  
 SURVEYED BY JGG DATE 02/14/20  
 DRAWN BY FDD DATE 10/13/20  
 CHECKED BY JCL DATE 10/20/20  
 FILE ID: DEI-7119 SPLIT - ZONING 10-13-2020



ZONING EXHIBIT	
Piedmont Gas Company	
Stonycreek Road NW, New Philadelphia, Ohio 44663	

SHEET NO.  
**1/1**

2/23/22

COMMISSIONER'S JOURNAL 84

\*Annexation of Parcel No. 12-00257.001 to City in process\*\*



City of New Philadelphia  
150 East High Avenue  
New Philadelphia, OH 44663

Building Permit Application  
New Residential  
and  
Residential Upgrade

Permit No. 116389  
Date: 12/20/21  
Fee: \$4600

ALL FEES ARE NON-REFUNDABLE-Make checks payable to the City of New Philadelphia.  
See fee schedule and Information & Instructions attached at the end of this application!

**INFORMATION:**

PROPERTY ADDRESS: Stonecreek Road N.W., Rear / 351 16th Street S.W.  
PARCEL NO: 12-00257.001 (all - annexation in process) Flood Zone: Y N (circle)  
LOT NUMBER: & 43-08479.000 (part) If Yes, you may need a Flood Application or Study done before  
Building Permit Appl is approved! Ask for more information!

PROPERTY ZONE: (check mark below)  
 Residential,  Office,  Business,  or Bus B,  Central Business,  Industrial,  Light Industrial

OWNER'S NAME: Piedmont Gas Company  
OWNER'S ADDRESS: c/o John Mako, 159 Stonecreek Road N.W.  
CITY, STATE, ZIP: New Philadelphia, OH 44663  
PHONE NO: 330-339-5454 x 110 CELL NO: 330-340-1664  
EMAIL ADDRESS: jmako@piedgas.com

LEASEE'S NAME: \_\_\_\_\_  
LEASEE'S ADDRESS: \_\_\_\_\_  
LEASEE'S PHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_

**CONTRACTOR INFORMATION:**

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ FAX NO: \_\_\_\_\_

**WATER/SEWER CONTRACTOR:**

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ FAX NO: \_\_\_\_\_

City's Plumbing Lic #: \_\_\_\_\_

Please ask for information if you do not have license!

(9)



**IMPROVEMENT INFORMATION:** New Residential and Residential Upgrade Appl. Continued

**MUST SUBMIT DETAIL DRAWINGS!** See Information & Instructions at the end of this application!

Residential property projects must be started within 6 months and finished within 1 year after approval!

**NEW RESIDENTIAL:**

Single Family Dwelling:	_____	SQ FT:	_____
Two Family Dwelling:	_____	SQ FT:	_____
Condo	_____	SQ FT:	_____

Mark any additional structures to your New Home, Duplex or Condo below:

**RESIDENTIAL UPGRADE:**

Deck	_____	Size:	_____
Shed:	_____	Size:	_____
Addition	_____	Size:	_____
Garage:	_____	Size:	_____ <input type="checkbox"/> Attach or <input type="checkbox"/> Detached
Fence:	_____	Type:	_____ Height: _____
Siding	_____		
Excavation	_____		
Curb Cut:	_____		
Concrete Work:	_____	(Circle) Driveway or Sidewalk	
Lot Split	_____	Parcel No.'s:	_____
		Parcel No.'s:	_____
Combine Lot	<u>  X  </u>	Parcel No.'s:	<u>12-00257.001 (all - in process to be annexed)</u>
		Parcel No.'s:	<u>43-08479.000 (part - 1.842)</u>

Swimming Pool: \_\_\_\_\_ Size: \_\_\_\_\_  Above or  In-Ground  
 Pools must have a 4ft fence surrounding pool w/ locking gate. Gates must open from inside. Above ground pool wall can be part of the 4ft fence. Permit required for pool 200 sq ft or greater. (16 diameter or greater)

**TOTAL COST OF ALL PROJECTS:** \_\_\_\_\_

Any Additional Information you would like to provide to the city:

I hereby declare, under the penalties provided by the zoning ordinance for violations thereof, that the statements made relative to the above project described in the application for a Building Permit is to the best of my knowledge and belief, true and correct.

Signature of Applicant *[Handwritten Signature]*

Date 12-2-21



REJECTED by Service Director or Asst. Service Director - Reason: \_\_\_\_\_

\_\_\_\_\_  
Signature of Public Service

\_\_\_\_\_  
Date

**VARIANCE REQUEST**

There is a charge of \$35.00 if you decide to go to the Board of Zoning Appeals!

Fee Paid      Yes                      No

Variance granted by the Board of Zoning Appeals:      YES

NO

\_\_\_\_\_  
Signature of Chairman BOZA or Acting Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
APPROVED BY Water Superintendent  
(signature required for new water service/s!)

\_\_\_\_\_  
Date

\_\_\_\_\_  
APPROVED BY Wastewater Superintendent  
(signature required for new sewer service/s!)

\_\_\_\_\_  
Date

Ron McAdams  
APPROVED BY Service Director/ Public Service/Assist Public Service

12-21-2021  
Date



City of New Philadelphia  
150 East High Avenue  
New Philadelphia, OH 44663

Building Permit Application  
New Residential  
and  
Residential Upgrade

Permit No. 14387  
Date: 12/20/21  
Fee: 4000

ALL FEES ARE NON-REFUNDABLE-Make checks payable to the City of New Philadelphia.  
See fee schedule and Information & Instructions attached at the end of this application!

**INFORMATION:**

PROPERTY ADDRESSES: 351 16th Street S.W., New Philadelphia, OH 44663  
PARCEL NO: 43-08479.000 Flood Zone: Y N (circle)  
LOT NUMBER: \_\_\_\_\_ If Yes, you may need a Flood Application or Study done before  
Building Permit Appl is approved! Ask for more information!

PROPERTY ZONE: (check mark below)  
 Residential,  Office,  Business,  or Bus B,  Central Business,  Industrial,  Light Industrial

OWNER'S NAME: S. S. T. Enterprises, Inc.  
OWNER'S ADDRESS: c/o Peggy Brumit, 2835 Stonecreek Road S.W.  
CITY, STATE, ZIP: New Philadelphia, OH 44663  
PHONE NO: \_\_\_\_\_ CELL NO: 330-340-4696  
EMAIL ADDRESS: \_\_\_\_\_

LEASEE'S NAME: \_\_\_\_\_  
LEASEE'S ADDRESS: \_\_\_\_\_  
LEASEE'S PHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_

CONTRACTOR INFORMATION:  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ FAX NO: \_\_\_\_\_

WATER/SEWER CONTRACTOR:  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ FAX NO: \_\_\_\_\_

City's Plumbing Lic #: \_\_\_\_\_  
Please ask for information if you do not have license!

①



**IMPROVEMENT INFORMATION:** New Residential and Residential Upgrade Appl. Continued

**MUST SUBMIT DETAIL DRAWINGS!** See Information & Instructions at the end of this application!

Residential property projects must be started within 6 months and finished within 1 year after approval

**NEW RESIDENCES:**

Single Family Dwelling:	_____	SQ FT:	_____
Two Family Dwelling:	_____	SQ FT:	_____
Condo	_____	SQ FT:	_____

Mark any additional structures to your New Home, Duplex or Condo below:

**RESIDENTIAL UPGRADE:**

Deck	_____	Size:	_____
Shed	_____	Size:	_____
Addition	_____	Size:	_____
Garage:	_____	Size:	_____ <input type="checkbox"/> Attach or <input type="checkbox"/> Detached
Fence:	_____	Type:	_____ Height: _____
Siding	_____		
Excavation	_____		
Curb Cut:	_____		
Concrete Work:	_____	(Circle) Driveway or Sidewalk	
Lot Split	<u>  X  </u>	Parcel No.'s:	<u>  43-08479.000 (1.842 acres from 3.66 acres)  </u>
		Parcel No.'s:	_____
Combine Lot	_____	Parcel No.'s:	_____
		Parcel No.'s:	_____

Swimming Pool: \_\_\_\_\_ Size: \_\_\_\_\_  Above or  In-Ground  
 Pools must have a 4ft fence surrounding pool w/ locking gate. Gates must open from inside. Above ground pool wall can be part of the 4ft fence. Permit required for pool 200 sq ft or greater. (16 diameter or greater)

**TOTAL COST OF ALL PROJECTS:** \_\_\_\_\_

Any Additional Information you would like to provide to the city:

I hereby declare, under the penalties provided by the zoning ordinance for violations thereof, that the statements made relative to the above project described in the application for a Building Permit is to the best of my knowledge and belief, true and correct.

  Peggy Brunel    
Signature of Applicant

  10-29-21    
Date





New Residential and Residential Upgrade Continued

REJECTED by Service Director or Asst. Service Director - Reason: \_\_\_\_\_

\_\_\_\_\_  
Signature of Public Service

\_\_\_\_\_  
Date

**VARIANCE REQUEST**

There is a charge of \$35.00 if you decide to go to the Board of Zoning Appeals!

Fee Paid      Yes                      No

Variance granted by the Board of Zoning Appeals:      YES                      NO

\_\_\_\_\_  
Signature of Chairman BOZA or Acting Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
APPROVED BY Water Superintendent  
(signature required for new water service/s!)

\_\_\_\_\_  
Date

\_\_\_\_\_  
APPROVED BY Wastewater Superintendent  
(signature required for new sewer service/s!)

\_\_\_\_\_  
Date

Ron McGill  
APPROVED BY Service Director/ Public Service/Asst Public Service

12-21-2022  
Date

RESOLUTION NO. 37-2021

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AUTHORIZING THE ANNEXATION OF REAL PROPERTY LOCATED IN DOVER TOWNSHIP, PARCEL NUMBER 12-00257.001, AND DECLARING AN EMERGENCY.

WHEREAS, the following real estate parcel(s) is owned by Piedmont Gas Company in Dover Township, Parcel Number 12-00257.001; and

WHEREAS, the property owner has agreed to the annexation of said real estate parcels by the City of New Philadelphia.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO:

SECTION 1. The City has hereby authorize and consent to the annexation of the real property, owned by Piedmont Gas Company, located in Dover Township, Parcel Number 12-00257.001, and zones this property Business.

SECTION 2. This Resolution is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 3. This Resolution shall take effect and be in force immediately upon its passage and approval.

PASSED: November 8, 2021

ATTEST:

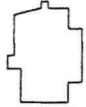
Julie Courtright  
JULIE COURTRIGHT  
CLERK OF COUNCIL

Donald C. Kemp  
DONALD C. KEMP  
PRESIDENT OF COUNCIL

APPROVED:

Joel B. Day  
MAYOR JOEL B. DAY

SPONSORED BY: ZONING AND ANNEXATION COMMITTEE



**Joseph S. Bachman, P.E., P.S. Tuscarawas County Engineer**

832 Front Avenue SW, New Philadelphia, OH 44663

Phone:(330) 339-6648 Fax: (330) 339-6687 Email: [engineer@co.tuscarawas.oh.us](mailto:engineer@co.tuscarawas.oh.us)

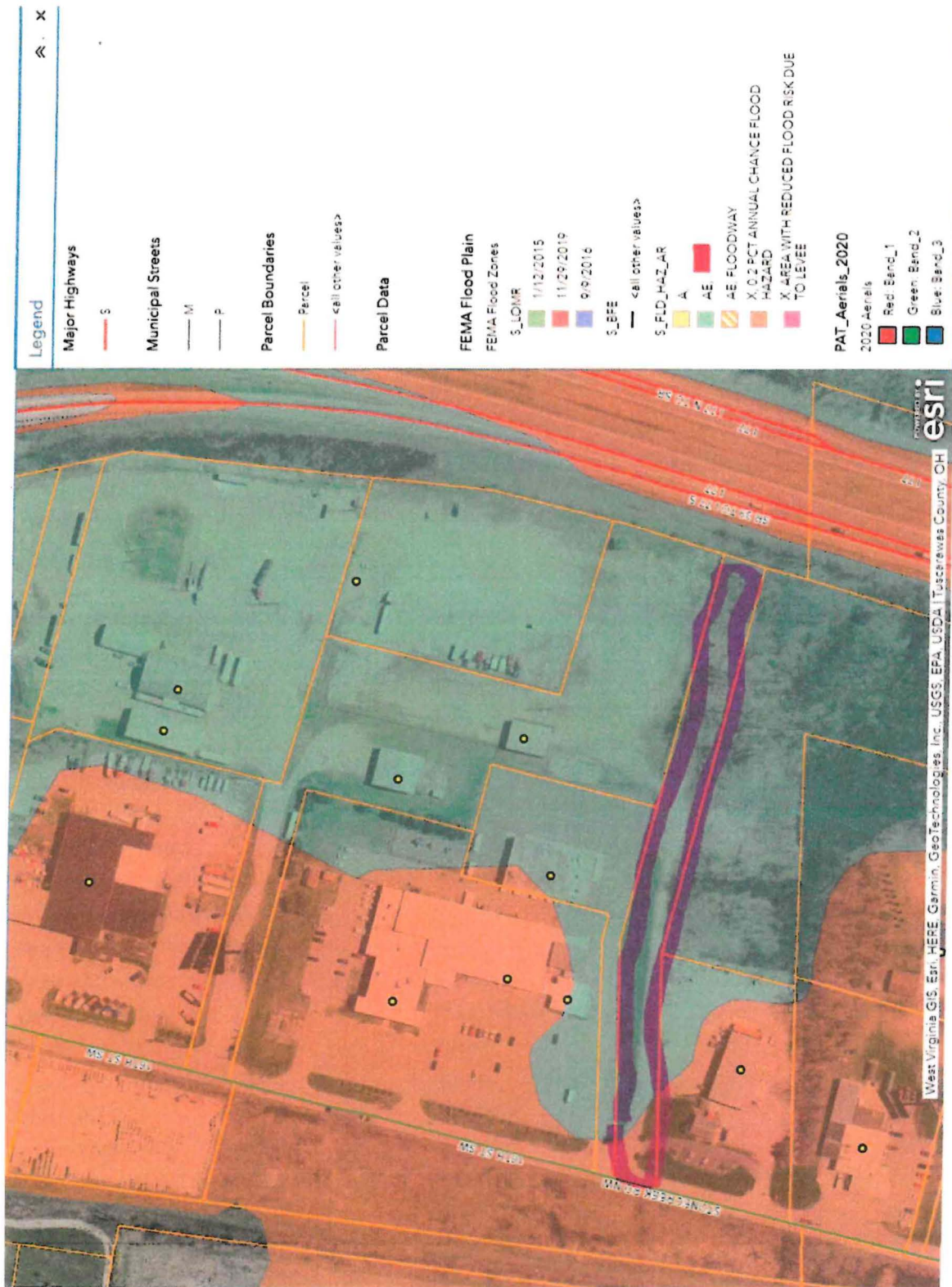
February 02,2022

Please see attached signed approval for the annexation requested.

Tuscarawas County Engineer is requesting a copy of the plat after it has been signed to submit to ODOT for Road Inventory purposes.

Any questions or concerns please let us know. Thank you.

Jack S. Bierbower  
Engineering Technician  
Tuscarawas County Engineer  
Phone : 330-339-6648  
Email: [Engineer@co.tuscarawas.oh.us](mailto:Engineer@co.tuscarawas.oh.us)



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

**RESOLUTION (159-2022) PAY BILLS**

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

**Meeting Date 02/23/2022**

**911**

Staples	Supplies	\$599.48
APCO International	Training/Recertifications	\$30.00
Finney Refrigeration	HVAC Maintenance	\$1,600.00
Cummins Sales & Service	Generator Maintenance	\$1,011.28

			\$3,240.76
<b>Child Support</b>			
Verizon Wireless	Broadband Wireless	\$80.22	
Triad Deaf Services	Deaf Services	\$112.00	
			\$192.22
<b>Clerk of Courts</b>			
Xerox	Service	\$59.28	
			\$59.28
<b>Commissioners</b>			
MNJ Technologies	Computer Equipment/Auditor	\$68.00	
Go Shred	Shredding Services	\$150.00	
MNJ Technologies	Computer Equipment/Auditor	\$660.00	
American Electric Power	Service	\$2,174.69	
American Electric Power	Service	\$24.47	
First Communications	Long Distance	\$21.74	
First Communications	Long Distance	\$117.17	
Gallagher Bassett Services	PERC Reimb/Larrick Lawsuit	\$20,692.50	
Office Depot	Supplies	\$16.30	
Hillyard OH	Supplies	\$75.12	
Lehigh Endsley Insurance	Bond	\$50.00	
Lehigh Endsley Insurance	Bond	\$50.00	
Tusc Co Soil & Water	3 <sup>rd</sup> Quarter 2022	\$44,950.00	
American Electric Power	Service	\$1,606.76	
American Electric Power	Service	\$73.41	
American Electric Power	Service	\$3,414.06	
US Bank Equipment Finance	Copier Lease	\$120.86	
Middaugh Printers	Letterhead	\$110.00	
			\$74,375.08
<b>Common Pleas</b>			
Copeco	Contract & Overage Charges	\$333.54	
Thomson Reuters West	Library Plan Charges	\$156.32	
Forensic Diagnostic Center	Evaluator's Travel	\$125.00	
Elizabeth Stephenson	Reimb/Supplies	\$101.32	
Bloom's Printing	Envelopes	\$178.00	
			\$894.18
<b>Community Corrections</b>			
Tusc Co Sheriff's Office	Gasoline	\$159.66	
Averhealth	GPS & Drug Test Services	\$16,780.10	
			\$16,939.76
<b>Coroner</b>			
Fedex	Shipping Charges	\$58.09	
Smith Ambulance	Body Removal	\$604.75	
Axis Forensic Toxicology	Tox Screen	\$628.00	
Smith Livery Service	Body Removal	\$574.00	
Axis Forensic Toxicology	Tox Screen	\$670.00	
			\$2,534.84
<b>Dog Pound</b>			
Oak Pointe Vet Care	Supplies	\$245.85	
The OH State University/Vet Med	Canine Research Fund Fees	\$1,615.80	
Akron Uniforms	Uniform Vest	\$114.99	
			\$1,976.64
<b>Emergency Management</b>			
Hope Bonos	Travel	\$84.88	
			\$84.88
<b>Engineer</b>			
Piedmont Gas	Service	\$545.29	

Galicks	Bridge & Culvert Supplies	\$504.00	
Ohio LTAP Center	Workshop	\$360.00	
Buckeye Career Center	Welding Class Fee	\$700.00	
Stocker Trucking	Snow & Ice Control	\$815.00	
S & ME Inc	CR 37 Legal Assistance	\$1,093.75	
S & ME Inc	CR 37 Relocation Soil Borings	\$6,080.80	
Tusc Co Water & Sewer Dept	Water & Sewer/PW	\$42.51	
Cargill Inc	Salt per bid	\$44,495.42	
First Communications	Long Distance	\$21.94	
Cross Truck Equipment	Repairs/Parts	\$93.58	
Pfeiffer Equipment Co	Repairs/Parts	\$3,222.56	
Young Truck Sales	Repairs/Parts	\$23.39	
Ziegler Bolt & Nut House	Bridge & Culvert Supplies	\$85.22	
Dover Brake	Repairs/Parts	\$1,389.03	
Trackside Overhead Doors	Garage Door Parts	\$760.00	
Flynn's Tire	Tires & Repairs	\$4,685.88	
Centre Supply	Repairs/Parts	\$107.88	
			\$65,079.33
<b>Human Resources</b>			
Middaugh Printers	Business Cards	\$70.00	
Society for Human Resource Mgnt	Professional Membership	\$229.00	
Krugliak Wilkins Griffiths & Dougherty	Legal Fees	\$133.00	
			\$432.00
<b>Information Technology</b>			
MNJ Technologies	KnowBe4	\$4,060.00	
			\$4,060.00
<b>Job &amp; Family Services</b>			
Derek & Savannah McCune	Transportation	\$44.00	
Business Card	Kinship/Lodging	\$200.70	
Goodwill Industries of Greater CLE	FACES/Parenting	\$3,110.00	
Insight Vision Care	PASSS	\$1,013.25	
Luke & Megan Kneuss	IV-E Daycare	\$579.09	
The Fox's Den Childcare	IV-E Daycare	\$200.00	
Clear Communications	Interpreter	\$276.00	
Triad Deaf Services	Interpreter	\$386.00	
Ashley & Robert Bunton Jr	FC Clothing Reimb	\$114.55	
Kurtis & Samantha Ponting	FC Clothing Reimb	\$79.83	
Leon & Clarie Miller	FC Clothing & Incidental Reimb	\$286.46	
Luke & Megan Kneuss	FC Clothing Reimb	\$48.14	
Jacob & Marilyn Miller	FC Clothing Reimb	\$90.88	
Tyler & Holly Mummert	FC Incidentals	\$67.02	
Sean & Alisha Ketchum	FC Clothing Reimb	\$50.15	
Multi County Juvenile Attn System et al	Boarding Home Payroll	\$10,781.79	
Capital One	FACES/Booster Seat	\$496.67	
Benjamin & Emily Lippert	FC Clothing Reimb	\$48.99	
			\$17,873.52
<b>Juvenile/Probate</b>			
Nat'l Council/Juv & Fam Court Judges	Registration	\$745.00	
Triad Deaf Services	Interpreter	\$115.50	
Judge Adam Wilgus	Travel	\$300.09	
Theresa Wolf	Guardianship Investigation Mileage	\$12.77	
Theresa Wolf	Guardianship Investigation Fee	\$125.00	
Copley Ohio Newspapers	Legal Ad	\$369.69	
Summit County Probate	Conduct Mental Hearing	\$192.00	
			\$1,860.05
<b>Sheriff</b>			
Fisher Auto Parts	Cruiser Supplies	\$170.99	

Capital Tire	Cruiser Repairs	\$3,081.18	
Capital Tire	Cruiser Repairs	\$3,276.88	
Union Hospital	Employee Lab Screening	\$35.75	
Zashin & Rich	Legal Counsel	\$4,900.00	
Ammunition Store	Ammunition	\$855.00	
Capital One Trade Credit	Supplies	\$94.56	
G & L Supply	Supplies	\$2,643.72	
Union Hospital	Inmate Medical Treatment	\$196.51	
Wadsworth Service	HVAC Maintenance	\$3,560.00	
Cummins Sales & Service	Generator Maintenance	\$1,321.61	
Will Love	Reimb/K9 Food	\$72.58	
OH Task Force Commanders Assoc	Membership	\$550.00	
Arney Automotive	Cruiser Repairs	\$1,070.92	
Rosenberry Towing	Tow Services	\$148.00	
Ben Seikel	Reimb/Tolls	\$12.75	
Silco Fire & Security	Annual Testing	\$1,686.75	
			\$23,677.20
<b>Southern Court</b>			
Twin City Water & Sewer	Service	\$67.35	
Dominion Energy	Service	\$131.00	
Pitney Bowes Reserve Account	Postage	\$11,000.00	
Alcohol Monitoring Systems	GPS/Alcohol Bracelets & Monitoring	\$102.05	
Alcohol Monitoring Systems	GPS/Alcohol Bracelets & Monitoring	\$388.09	
			\$11,688.49
<b>Treasurer</b>			
Graphic Enterprises	Annual Base Rate	\$1,167.76	
Tusc Co Recorder	Tax Lien Release Fees	\$228.00	
			\$1,395.76
<b>Veterans</b>			
Xerox	Lease Payment	\$148.99	
Amsterdam	Carabiner Deluxe	\$1,725.00	
Advance Auto Parts	Supplies	\$6.49	
			\$1,880.48
<b>Water &amp; Sewer</b>			
US Post Office/Zoar	Stamps	\$165.00	
Frontier	Service	\$43.65	
Core & Main	Materials	\$2,662.30	
Core & Main	Materials	\$135.32	
Henry Heating & Cooling	Repairs	\$245.49	
Canton Sterilized Wiping Cloth	Materials	\$46.50	
Frontier	Service	\$288.50	
RJ Wright & Sons	Fuel	\$3,836.29	
Core & Main	Materials	\$2,186.80	
Core & Main	Materials	\$1,834.50	
Core & Main	Materials	\$999.78	
Core & Main	Materials	\$666.52	
Canton Sterilized Wiping Cloth Co	Materials	\$46.50	
Stony Point Supply	Equipment	\$54.40	
Cardinal Group	Maint/Repairs	\$1,750.00	
Cardinal Group	Maint/Repairs	\$1,750.00	
Staley Technologies	Equipment	\$89.50	
American Electric Power	Service	\$530.98	
East Central OH Building Authority	Building Permit	\$1,346.50	
Frontier	Service	\$43.65	
American Electric Power	Service	\$3,894.49	
Grainger	Materials	\$82.92	

Fitzpatrick Zimmerman & Rose	Legal Fees	\$116.87
Fitzpatrick Zimmerman & Rose	Legal Fees	\$31.88
Fitzpatrick Zimmerman & Rose	Legal Fees	\$42.50
Engineering Associates	Engineering Services	\$3,200.00
American Electric Power	Service	\$19,830.91
Water Environmental Federation	Membership	\$95.00
Staples	Supplies	\$314.91
OH Utility Protection	Assessment	\$398.66
Fitzpatrick Zimmerman & Rose	Legal Fees	\$42.50
Fitzpatrick Zimmerman & Rose	Legal Fees	\$42.50
Fitzpatrick Zimmerman & Rose	Legal Fees	\$21.25
American Electric Power	Service	\$945.54
US Bank Equipment Finance	Copier Lease	\$166.64
		\$48,347.41
	GRAND TOTAL	\$276,591.88

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

**OTHER BUSINESS:** *Commissioner Metzger announced the unveiling of the new name for the former Tuscarawas Anti-Drug Coalition (ADC). It is now known as EMPOWER TUSC. The name changed because the organization is expanding by partnering with the Suicide Coalition under the umbrella of Empower Tusc. Empower Tusc. will still be a youth-oriented program, but will focus on more than just drug use and misuse by using strategies developed around prevention, awareness and education.*

**Discussion:** *Zach Space, President of Sunday Creek Horizons was present along with the following staff joining him in attendance, Will Drabold, Vice President of Development, Andy Kostival, Project Manager, Reid Courtney, Associate, and Tom Simons, Senior Vice President at Woda Cooper Companies. Sunday Creek Horizons is a mission driven advocacy and strategic communication firm working across the Appalachian Region along with the Woda Cooper Companies which does workforce housing development around the country.*

*Mr. Space started Sunday Creek Horizons about 3 years ago and works across the Appalachian Region, many of the clients are non-profit organizations like the Appalachian Children Coalition, Appalachian Partnership, Coalition for Appalachian Schools, local sub-divisions, City of Zanesville, Washington County and Pike County just to name a few. Much of the work is dedicated to identifying some of the challenges in the region and figuring out ways to optimize the potential. One of the pressing challenges many communities face is around housing or workforce housing. Workforce housing represents a viable need in order to realize the full potential associated with expanding the manufacturing base with new industry and new business. There has to be affordable and available housing in the communities.*

*The workforce housing communities can be put together using a process called Low Income Housing Tax Credit (LIHTC) which is a federal tax incentive program and administered or allocated by the State of Ohio through the Ohio Housing Finance Agency. As with all housing projects, it does take monetary funds. There are some tools communities have to help fill the void such as the Federally Designated Home Funds, Abatements can be issued in municipalities, and last but not least, ARPA Funds. Counties have the discretion to use these funds and there is also ARPA Funds administered by The Department of Development in Columbus, Ohio. There was \$93 million dollars allocated to the Ohio Department of Development (ODOD) for housing and/or homelessness issues. ODOD is in the process of deciding how to administer the funds. Sunday Creek Horizons is making a case with the Department of Development to use these funds to provide the gap financing necessary to make the communities a reality in rural communities. These Woda Cooper Companies communities have added value to the neighborhoods over the last 20 years.*

*Mr. Space stated he is here today to do three things;*

- 1. Ask the commissioners to reach out to ODOD to encourage them to utilize the ARPA funds designated for low income and/or homelessness in rural communities*
- 2. Allow Sunday Creek Horizons and Woda Cooper Companies to look around Tuscarawas County to see if locations can be identified for new communities and housing*
- 3. Have a follow-up conversation if some potential developments in this county can be identified*

*The developments usually house 45-65 families, the housing is usually filled by the service sector, working people, families, and senior citizens.*

*Commissioner Metzger inquired as to the zoning of these developments. Mr. Space stated the developments are zoned residential, but often times in small towns the facility may have a store front on the first floor and housing on the upper floors.*



*Will Drabold, Vice President of Development, Sunday Creek Horizons stated a community in eastern Ohio who owned a building that had been abandoned for decades approached Woda Cooper Companies and asked them if they would re-develop the building, the building was given to Woda Cooper Companies, the first floor is retail space and the second and third floors are affordable housing. This abandoned building was downtown revitalization, shopping and affordable housing.*

*Commissioner Abbuhl wanted to know if Woda Cooper Companies had to own the building they re-developed, or is there a partnership between the owner and Woda Cooper Companies. Mr. Space replied there is often a partnership, but Woda Cooper Companies will need site control. Mr. Space also stated when you bring population into the downtown area, it creates a demand for services, and helps bring life into the downtown area and brings business there as well. Commissioner Landis wanted to know if there was a flow chart showing how this process worked and how to navigate through it. Mr. Space did not have anything like this with him, but did state he would be happy to provide all of the information needed to understand how these types of deals get put together.*

**RESOLUTION (160-2022) ADVISEMENT – SUNDAY CREEK HORIZONS & WODA COOPER CO**

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to take under advisement the request of Sunday Creek Horizons & WODA Copper Co. in regards to considering Workforce Housing opportunities and possible funding.

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

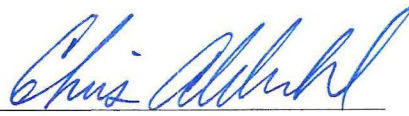
**OTHER BUSINESS:** *Commissioner Landis would like everyone to keep the American Troops in our thoughts and prayers with the crisis in the Ukraine.*

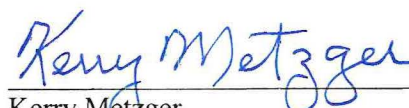
**RESOLUTION (161-2022) ADJOURN**


It was moved by Commissioner Metzger, seconded by Commissioner Landis, to adjourn at 1:44 p.m. to meet in Regular session Monday, the 28th day of February, 2022

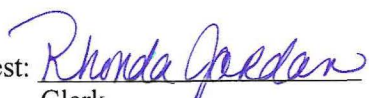
**VOTE:** Chris Abbuhl, yes;  
Kerry Metzger, yes;  
Al Landis, yes;

*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

  
Kerry Metzger

  
Al Landis

Attest:   
Clerk