

March 8, 2023

Agenda

*Lord's Prayer
Pledge of Allegiance*

9:15 a.m. Kathy Werntz – Southern District Court – Sick Leave Donation Program

9:45 a.m. Bid Opening – Wilkshire Hills Water System Improvement – Contract 2 – Mike Jones, Sanitary Engineer - Postponement

Suspend Minutes 3-6-23

Approve Supplemental Appropriation (3)

Approve Transfer of Funds (1)

Approve Treasurer's Investments – February 2023

Approve Dog & Kennel Report – February 2023

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION MONDAY, THE 13th DAY OF MARCH, 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 (204-2023) SUSPEND THE READING OF THE MINUTES

It was moved by Commissioner Ress, seconded by Commissioner Zemis, to suspend the reading of the minutes of the March 6, 2023 meeting.

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

RESOLUTION (205-2023) SUPPLEMENTAL APPROPRIATIONS

It was moved by Commissioner Ress, seconded by Commissioner Zemis, to approve the following supplemental appropriations:

DEPARTMENT	FROM	TO	AMOUNT	REASON
Sheriff's Office	E-1960-U046-U20	E-1960-U046-U06	\$6,000.00	Pay for DNA testing in an unsolved murder case
Community Corrections	E-1755-T028-T99	E-1757-T028-T31	\$100,000.00	Cover various contract services costs
Community Corrections	E-1690-T013-T15	E1690-T013-T02	\$2,208.00	Cover costs of program supplies prior to end of fiscal year
Community Corrections	E-1690-T013-T15	E-1690-T013-T07	558.00	Cover costs of annual probation officers training
Community Corrections	E-1690-T013-T15	E-1690-T013-T09	\$8,500.00	Cover cost of 2 computers and the costs of officer safety equipment

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

RESOLUTION (206-2023) TRANSFER OF FUNDS

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to approve the following transfer of funds:

Table with 5 columns: DEPARTMENT, FROM, TO, AMOUNT, REASON. It lists two fund transfer entries from Community Corrections to Community Corrections.

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

RESOLUTION (207-2023) APPROVE TREASURER'S INVESTMENTS (February 2023)

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to approve the Treasurer's Investments for February, 2023.

Jeffery S. Mamarella
Tuscarawas County Treasurer
P.O. Box 250
New Philadelphia, OH 44663
Phone (330) 365-3254 • Fax (330) 365-3259

March 3, 2023

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

Commissioners:

As provided by Section 135.35(L)(5) of the Ohio Revised Code, please be advised of the investments made by the Tuscarawas County Treasurer's Office during the month of February, 2023.

February Depository and Investment income received is: \$227,991.58. This brings the cumulative interest total as of February 28th to \$512,941.33. The estimated investment income for 2023 is \$2,300,000.

Monthly Investment Total = \$134,481,356.44

Balance in Checking Acct. -- JPMorgan Chase \$8,992,707.61 Huntington \$1,155,367.24

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cc: Tuscarawas County Auditor, Prosecutor, Clerk of Courts, Recorder

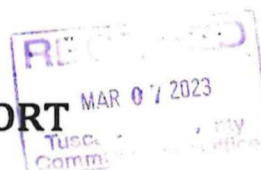
VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

RESOLUTION (208-2023) DOG & KENNEL REPORT – February 2023

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to approve the Dog & Kennel Report for February, 2023 as submitted by Elizabeth Lewis, Facility & Adoption Specialist:

DOG & KENNEL MONTHLY REPORT

February 2023



1)	Total dogs picked up by Wardens (a+b)		<u>30</u>
	a. Owner requested pick up		<u>1</u>
	b. Strays picked up by Wardens		<u>29</u>
2)	Strays brought in by public		<u>3</u>
3)	Dogs brought to pound by owners		<u>11</u>
4)	Total dogs to Pound (1+2+3)		<u>44</u>
5)	Dogs adopted		<u>12</u>
6)	Dogs redeemed by owners		<u>16</u>
7)	Number of dogs euthanized		<u>6 (PD= 3, OR= 3)</u>
8)	Released to rescues		<u>7</u>
	a. Pull fees		<u>\$ 80</u>
9)	Pound fees		<u>\$ 1963</u>
10)	Pick up fees		<u>\$ 600</u>
11)	License fees		<u>\$ 608</u>
12)	Licenses sold on the road by Wardens		<u>0</u>
13)	Licenses sold at the Pound		<u>25</u>
14)	Complaints handled		<u>63</u>
15)	Citations issued		<u>4</u>
16)	Animal claims		<u>0</u>
17)	Mileage on trucks	F150 2022	Truck #1 <u>2063.7</u>
		F150 2021	Truck #2 <u>1308.4</u>
		F150 2017	Truck #3 <u>0</u>
			Total <u>3372.1</u>

Submitted by: 

Euthanasia Key
 Q = Quarantine PD = Pound Dog
 OR = Owner Surrendered (either for health or aggression)

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

NOTE: The commissioners had some questions on two bills that were submitted for approval and would like to remove them from the *BILLS* resolution contingent upon further review and clarification.

RESOLUTION (209-2023) MOTION – REMOVE FROM BILLS LIST – JFS

It was moved by Commissioner Zemis, seconded by Commissioner Ress to remove vouchers from bills list pending further information.

<i>Society for Equal Access</i>	<i>Transportation</i>	<i>\$52,950.64</i>
<i>Horizons of Tusc/Carroll Counties</i>	<i>Transportation</i>	<i>\$19,308.98</i>

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

RESOLUTION (210-2023)

PAY BILLS

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

Meeting Date - March 8, 2023

911

Agile Networks	Service	\$1,240.00	
Language Line Services	Services	\$76.58	
Marc's/Dept of Admin. Services	MARCS	\$38,600.00	
			\$39,916.58

Child Support

Action NOW Pest Control	Services	\$45.00	
ComDoc Inc	Supplies	\$166.95	
Dominion Energy Ohio	Gas Utility	\$821.62	
Frontier	Service	\$54.88	
Go Shred Secure Doc Destruction	Services	\$50.53	
Language Line Services	Services	\$100.00	
Tusc Co Commissioners	Cost Allocation	\$48,250.62	
USPS-POC	Postage	\$5,000.00	
			\$54,489.60

Clerk of Courts

Biometric Information Mgmt	Support	\$1,500.00	
Staples	Supplies	\$101.84	
Staples	Supplies	\$25.67	
Twin City Chambers	Lease	\$175.00	
			\$1,802.51

Commissioners

MNJ Technologies	Equipment	\$402.00	
MNJ Technologies	Equipment	\$18,318.00	
MNJ Technologies	Software License	\$1,803.75	
Frontier	Service	\$69.70	
Koorsen	Backflow Testing	\$441.00	
ODP Business Solutions LLC	Supplies	\$31.67	
ODP Business Solutions LLC	Supplies	\$13.89	
ComDoc Inc	Contract & Overage	\$62.07	
Zashin & Rich Co LPA	Services	\$3,375.80	
Charter Communications	Service	\$69.98	
			\$24,587.86

Community & Economic Development

City of New Philadelphia	Bldg Demo Reimbursement	\$28,386.00	
Tusc Co OCED	Admin Time/Alloc Grant	\$2,102.66	
Tusc Co OCED	Admin Time/Fair Housing	\$1,734.86	
Tusc Co OCED	Admin Time/CHIP Grant	\$4,015.90	
Village of Dennison	Bldg Demo Reimbursement	\$9,124.00	
			\$45,363.42

Engineer

AEP	Electric Utility	\$2,039.55	Sent back for si
Asphalt Materials Inc	Materials	\$12,625.36	
Cargill Inc	Material	\$4,326.22	
Cargill Inc	Material	\$23,994.54	
Company Wrench	Repairs/Parts	\$398.10	
Frontier Communications	Services	\$247.88	
Gemstone Gas & Welding Supplies	Supplies	\$85.95	
Holmes Wayne Elect Coop	Electric Utility	\$23.50	
Kimble Recycling & Disposal	Services	\$90.75	

Leppo	Repairs/Parts	\$2,191.45	
Liniform	Services	\$154.39	
Lowes Business Account	Supplies	\$66.24	
NP Water Dept	Services	\$623.65	
Snyder Brothers Sales & Service	Repairs/Parts	\$458.54	
Starlight Enterprises	Services	\$424.00	
Stocker Sand & Gravel	Materials	\$2,261.26	
Summers Rubber Co	Repairs/Parts	\$410.34	
Summers Rubber Co	Repairs/Parts	\$311.79	
Terminal Supply	Repairs/Parts	\$589.98	
Triple R Trailer Sales	Repairs/Parts	\$21.18	
Twin City Automotive	Repairs/Parts	\$624.63	
World Fuel Services	Gasoline & Fuel Oil	\$16,776.26	
Ziegler Bolt & Nut House	Supplies	\$770.00	
			\$69,515.56
Information Technology			
MNJ Technologies	Supplies	\$1,200.00	
			\$1,200.00
JFS			
Amazon Capital Services	Blue/White/Air Filter Media	\$24.95	
Amazon Capital Services	Carpet Cleaning	\$56.50	
Amazon Capital Services	IPhone Cases for PCSA	\$25.98	
Amazon Capital Services	KLIP	\$1,154.00	
Ashley & Robert Bunton Jr	FC Transportation	\$40.80	
Benjamin & Emily Lippert	FC Training	\$60.00	
Big Lots Stores Inc	PRC	\$169.99	
Capital One	PRC	\$149.78	
Carroll Electric Coop	FACES	\$377.32	
CBTS	Phones	\$1,687.63	
Charter Communication	Service	\$109.99	
David Haverfield	Travel Reimbursement	\$136.25	
Derek & Savannah McCune	FC Transportation	\$72.00	
Frontier	Service	\$126.76	
Frontier	FACES	\$294.27	
Go Shred	Services	\$138.75	
Graphic Enterprises Office Solutions	Copies	\$579.75	
Kalib & Emalee Winters	FC Training	\$660.00	
Katlynn Cross	FACES	\$1,020.00	
Kimble Recycling & Disposal	FACES	\$65.33	
Lexis Nexis Risk Solutions	Contract Services	\$226.00	
Malissa Cantarero	FC Meal	\$19.95	
Melvin & Verna Yoder	RC Reimbursement	\$63.48	
Monique Bailey	FC Reimbursement	\$67.02	
Procore Power Equipment	Parts	\$59.06	
Propio Language Services LLC	Services	\$215.54	
Quez Therapeutic Solutions	EVAL	\$130.00	
Quez Therapeutic Solutions	EVAL	\$130.00	
Ramada Limited	Hotel Costs	\$591.92	
Robb Rectanus	FC Meal & ID	\$16.39	
Ronald & Denise Tedrick	FC Reimbursement	\$161.91	
Shoups Cleaning	Kinnect	\$2,209.73	
Superfleet Mastercard Program	Transportation	\$232.25	
Treasurer, State of Ohio	Fingerprints	\$837.25	
Tusc Co Commissioners	Rent/Utilities	\$3,825.15	
Tusc Co Commissioners	Rent/Utilities	\$2,400.28	
Tusc Co Health Dept	Birth Certificate	\$25.00	
Tusc Co Senior Cent			

Tusc Co Treasurer	Audit Fee	\$2,560.95	
Tusc Co Water & Sewer Dept	Services	\$150.00	
Verizon Wireless	Service	\$435.41	
Wex Bank	Transportation	\$982.74	
YMCA of Western Stark County	FC Daycare	\$1,465.13	
			\$25,255.21

Juvenile/Probate

Independence Business Supply	Supplies	\$44.70	
Independence Business Supply	Supplies	\$38.82	
Independence Business Supply	Supplies	\$63.00	
MNJ Technologies Direct Inc	Software	\$402.00	
Nat'l College of Probate Judges	Spring Conf Fees	\$500.00	
OH Assoc of Magistrates	OAM Spring Conf Fee	\$325.00	
Tara Wright-Timberlake	Fees for Services	\$270.00	
Tara Wright-Timberlake	Fees for Services	\$75.00	
TRACO Business Systems	Supplies	\$126.05	
			\$1,844.57

Sheriff

Bureau of Criminal Investigation	Services	\$2,174.00	
Dominion Energy Ohio	Gas Utility	\$3,643.26	
Dutch Creek Foods	Supplies	\$7,216.53	
John's Sweeper Service	Repairs	\$14.97	
Jones Family Dentistry	Services	\$450.00	
Model Uniforms	Services	\$100.00	
New Phila Water Dept	Services	\$3,020.10	
Nickles Bakery	Supplies	\$937.86	
OH Peace Officer Training Academy	Training	\$200.00	
Poly-Tech Associates Inc	Services	\$365.00	
Sysco Food Services Cleveland	Supplies	\$5,337.98	
US Bank Equipment Finance	Copier Leases	\$557.93	
World Fuel Services Inc	Gasoline	\$13,923.62	
			\$37,941.25

Treasurer

Copley OH Newspapers Inc	Notice of Publication	\$397.09	
Copley OH Newspapers Inc	Notice of Sale	\$419.53	
Treasurer, State of Ohio	2023 Certification Fee-CPIM	\$100.00	
			\$916.62

**GRAND
TOTAL \$302,833.18**

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

OTHER BUSINESS: *A Supplemental Appropriation was inadvertently missed from the Engineer's Office.*

RESOLUTION (211-2023) SUPPLEMENTAL APPROPRIATIONS

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to approve the following supplemental appropriations:

DEPARTMENT	FROM	TO	AMOUNT	REASON
Road & Bridge	E-1200-K000-K40	E-1200-K000-K26	\$100,000.00	Bridge & culvert supplies

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

Discussion: Commissioner Zemis inquired as to whether this is a normal process for documents to be brought up at the last minute like this? Commissioner Abbuhl answered this is only done when for some reason it was turned in late or the funds are needed immediately. This is not a normal process. The clerk clarified this document was missed in the Auditor's office when the supplementals were being done. It should have been in last week's meeting.

Commissioner Zemis and Commissioner Ress asked if it is normal to have this many supplementals during regular meetings. Commissioner Abbuhl answered this is normal. The departments are just re-adjusting, for the beginning of the year. If it is coming from their own unappropriated balance for various reasons, they need to supplement a specific line item. This would not be unusual.

Commissioner Ress brought up getting together with departments quarterly or mid-year to discuss their budgets and see where they are within those budgets. Is this something we would want to start scheduling as discussed in a past meeting?

Commissioner Abbuhl stated a meeting can be done if someone would like to coordinate it. We usually do a mid-year review to see where we are half way through the year, but we don't typically call the department heads in, we review it ourselves and make sure that everything is in line. We can do quarterly, or we can do mid-year. The other safe-guard we have is the Auditor's Office who continually monitors this as well and will notify us if any department is in the red.

SOUTHERN COURT: Kathy Werntz from Southern District Court was present to talk about the Sick Leave Donation Program Southern Court would like to implement. Kathy stated she has been with the County for twenty-eight years have never been faced with this situation before. The lady in question came to work in Southern Court in January, 2022. She was at the Health Department for 15 years before going to Southern Court. While employed there, she had accrued 330 hours of sick leave which would have transferred to Southern Court when she came over. During COVID and being in the Health Department atmosphere, this person was required to quarantine several times for exposure to COVID. During the course of these quarantines, the bulk of her built up sick time was used.

She went to the hospital with acute pancreatitis and gall bladder issues. At this time, she had approximately 40 – 50 hours of sick time left. She had surgery, and has returned to work. At this point, she is -10 hours of sick time. There are five people in the office who have well over 240 hours accrued each and are willing to donate if they are granted this program.

Commissioner Abbuhl asked if she had 330 hours when COVID hit and her time is diminished from COVID isolations? Ms. Werntz stated yes, because of always being exposed to COVID, they had to isolate more than others and were required to use their sick time to do so. At the beginning of COVID, quarantine time was 14 days, and then 10 days, and now 5 days. She has been at work since coming to Southern Court.

Commissioner Zemis stated she is glad Ms. Werntz came in because this is definitely a unique situation and not at all what she was thinking.

Commissioner Ress stated he was glad Ms. Werntz came in because he was just in Columbus for County Commissioners training and this subject came up, and from the CCAO Board, this kind of program is frowned upon for a number of reasons. This becomes more personal since we all know each other. Ms. Werntz stated it is also an extenuating circumstance.

Commissioner Zemis wanted to know what kind of safe-guards are in place so the program is not abused or favoritism showed, etc. Ms. Werntz stated the judge has to review all requests. It is for employee, spouse, child or adopted child. The people who donate will also be kept confidential. No one will know who donated to who or how much.

RESOLUTION (212-2023) REMOVE FROM TABLE – SICK LEAVE DONATION PROGRAM – SOUTHERN DISTRICT COURT

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to remove from the table the resolution for Sick Leave Donation Program – Southern District Court now that additional information was given and changes made to policy.

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

RESOLUTION (213-2023) SICK LEAVE DONATION PROGRAM - TUSCARAWAS COUNTY SOUTHERN COURT

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to approve the following Sick Leave Donation Program as permitted by R.C. 124-391 contingent upon further review, clarification and changes made to policy as discussed in meeting on record:

SICK LEAVE DONATION PROGRAM

A. Policy: As permitted by R.C. 124.391, the Tuscarawas County Court will allow eligible employees to donate accrued but unused sick leave on a limited basis to another eligible employee who has a serious health condition, or who has an immediate family member who has a serious health condition, as defined below.

Eligibility for Family and Medical Leave (FMLA) is a separate matter and a FMLA certified claim does not guarantee that an individual will be eligible to receive donated leave.

The Judge reserves the right to approve or disapprove applications to donate sick leave or applications to receive donated sick leave and may request a second opinion at the expense of the Judge.

B. Purpose: The intent of the leave donation policy is to allow the County Court employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extended illness or injury of the employee or a member of the employee's immediate family.

C. Definitions: For the purpose of this policy the following shall apply:

Immediate family member: the employee's spouse or employee's biological or adopted child.

Serious health condition: an illness, injury, impairment, or physical/mental condition that requires hospitalization and/or involves a period of incapacity or treatment that requires absence from employment for more than ten work days, with at least five of those workdays being without pay, for each specific case of serious illness. Additionally, in the case of an employee's immediate family member, the condition must require the care and attendance of the employee.

Transferee: the employee in need and approved to receive donated sick leave.

Transferor: the employee volunteering to donate their sick leave.

D. Hours Transferred: Any hours transferred shall be transferred at the rate of pay equal to that pay of the transferee.

E. Receiving Leave: An employee may receive donated leave equivalent up to the number of hours the employee is normally scheduled to work each pay period or the equivalent of the employee's normal biweekly earnings, whichever is less, and up to twelve (12) weeks for a fifty-two (52) week period, if the employee to receive donated

leave or a member of the employee's immediate family has a serious health condition, the request is approved by the Judge, and the employee:

1. has no accrued paid leave; and
2. has applied for any paid leave or benefits program for which the employee is eligible; and
3. has applied for Family and Medical Leave (if eligible); and
4. leave taken under this program will be included and is subject to the 12 week limits of the Family and Medical Leave Act (if applicable); and
5. has no documented abuse or patterned use of sick leave; and
6. has provided acceptable written verification that the extended illness exists; and
7. is not receiving workers' comp or OPERS disability compensation; and
8. agrees to accept the leave under the terms of this policy and completes an "Application to Receive Donated Leave" form.

F. Donating Leave: Employees may donate leave if the request is approved by the Judge and the donating employee:

1. is not a member of the receiving employee's immediate family as defined above;
2. voluntarily elects to donate sick leave and does so with the understanding that donated leave will not be returned;
3. donates a minimum of hours equivalent to one of the donor's regularly scheduled workdays in one donor day increments;
4. retains a sick leave balance of at least 240 hours;
5. completes an "Application to Donate Leave" form.

C. Administration: The leave donation program shall be administered on a pay period to pay period basis. The Judge as the Appointing Authority shall review the Application to Receive Donated Leave and the Application to Donate Leave to assure compliance with this policy. Donations of sick leave will be recorded in the order of their submission, and will not be considered actually donated nor be deducted from the transferor's balance or credited to the transferee's balance until the pay period such leave is actually used.

Unused donation applications shall be returned to the transferor. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Vacation and sick leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received. Donated leave shall never be converted into a cash benefit. The Appointing Authority leave shall maintain such records as are necessary for the administration of this program.

H. Certification: Employees who wish to donate sick leave shall certify:

- 1. The name of the employee for whom the donated leave is intended;
- 2. The number of hours to be donated;
- 3. That the employee will have a minimum sick leave balance after donation of at least 240 hours;
- 4. That the leave is donated voluntarily and the employee understands that the donated leave will not be returned, unless per G above.

I. Confidentiality: The Judge as the Appointing Authority shall ensure that no employees are forced to donate leave. Appointing Authority shall respect an employee's right to privacy, however Appointing Authority may, with the permission of the employee who is in need of leave or a member of the employee's immediate family, inform employees of their co-worker's critical need for leave donations from employees. The donation of leave shall occur on a strictly confidential and voluntary basis.

J. Applications: Employees wishing to donate or receive donated leave may pick up applications from Kathy Werntz of the County Court.

Approved on 3-13-23 :

Edward F. O'Farrell L.A. (telephone approval)
Judge

Approved by the Board of County Commissioners by action taken a regular meeting on March 8, 2023

**TUSCARAWAS COUNTY COURT
APPLICATION TO RECEIVE DONATED SICK LEAVE**

Employee Name: _____

Please describe the serious health condition, who is affected, and how the employee is affected:

Indicate the amount of time that will be missed because of the serious health condition/injury:

Number of days: _____ Beginning: _____ Ending: _____

Has the employee exhausted all paid leave, completed two (2) years of full-time county service, applied for Worker's Compensation and/or disability retirement (if eligible), applied for FMLA?
_____ Yes _____ No _____

Has the employee been disciplined at any level for abuse or a patterned use of sick leave?
Yes _____ No _____

Verification by Attending Medical Doctor

I certify that the above named individual has experienced a serious health condition and the projected time missed is an accurate forecast of the time that is needed for the condition.

Doctor's Name: _____

Doctor's Signature _____ Date _____

I verify that the above information is a true and accurate report of my conditions as I know today. I authorize and approve distribution of this information to other Tuscarawas County Court Employees to inform them of my condition and to permit other county employees to donate vacation and/or sick leave to me. I understand and agree that my appointing authority, will make notice of my need for leave and that I should take no other action to solicit or request donation of leave from other staff. I have read, understand, and agree with the limitations of this program as outlined in the Sick Leave Donation Policy. I understand and agree that any leave taken under this program will be included and is subject to the 12-week limits of the Family and Medical Leave Act. I understand and agree that any employee donating leave to me will have his or her identity kept confidential from me.

Witness Signature

Date

Employee signature

Date

**TUSCARAWAS COUNTY COURT
APPLICATION TO DONATE SICK LEAVE**

Donator's (transferor) Name: _____

Receiver's (transferee) Name: _____

Hours of sick leave to be donated – must be in one (1) donor day increments up to a maximum of ten (10) days (80 hours) equivalence:

Balance of sick leave after donation: _____

I certify that this request is made voluntarily. I was not coerced, intimidated or financially induced into donating leave. By signing, I relinquish all rights to the leave shown above and the benefits accrued to or attached to the same. I understand and agree that the donation of the leave is irrevocable and that no leave actually donated will be refunded to me. I certify that I will have at least 240 hours of sick leave after making this donation.

Witness signature _____ Date _____

Transferor's (donator) signature _____ Date _____

Certification

Sick leave balance above is certified as correct _____
Sick leave balance above is certified as incorrect _____
Balance of sick leave _____

Signature of Tuscarawas County Auditor Or Designee _____ Date _____

Sick Leave Donation: Approved
 Denied

Judge _____ Date _____

Sick Leave Donation: Approved
 Denied

Judge _____ Date _____

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

BID OPENING POSTPONEMENT: *Commissioner Abbuhl stated the Commissioners asked Michael Jones, Sanitary Engineer, to attend this meeting because of a scheduled bid opening at 9:45 a.m. and we wanted to make sure Mike or legal counsel was present because this is something that is unusual. We will have something in writing and something on record so everyone has a clear understanding of the situation.*

We were to have a bid opening at 9:45 a.m. for the Wilkshire Hills Water System Improvement and there was some information that was not transferred or miscommunicated with the Thrasher Group. Mr. Abbuhl asked Mr. Jones to explain what happened. We also have a resolution considering postponing the bid due to circumstances.

Michael Jones started out by stating the primary source of funding for this project is combination Revenue Bond and Grant through USDA Rural Development. Friday, March 10, 2023, Mr. Jones received a call from the USDA State Engineer stating the he had reviewed our most recent specifications submittal from Thrasher Engineering. There were certain USDA required documents that were not included in the bidding documents that are essential for awarding the project.

We needed to decide if we were going to go ahead and open bids and reject them and re-bid, which would delay the project even further or just simply postpone the bid. There was a conference call between myself, Rhonda Jordan, Clerk of Board, Ryan Styer, Prosecutor and Steve Anderson, Special Counsel. Both attorneys were in consensus that the Board did have the ability to postpone the bid. Yesterday afternoon, Thrasher Engineering issued an addendum to all plan holders that included an electronic notification and also reached out to every plan holder by phone to personally notify them that the bid date had changed.

NOTE: *There were no bids received in the office and no contractors came to the meeting.*

RESOLUTION (214-2023) POSTPONEMENT OF WILKSHIRE HILLS WATER SYSTEM IMPROVEMENT PROJECT – CONTRACT 2 BID OPENING

It was moved by Commissioner Zemis, seconded by Commissioner Res to postpone the bid opening for Wilkshire Hills Water System Improvement Project until March 15, 2023 at 9:45 a.m. due to required USDA Rural Development documents that are needed for submission of the bid in accordance with federal funding requirements. An addendum will be issued prior to the amended bid opening date, with such addendum including the required documents needed for submission of the bid per the recommendation of Steven A. Anderson, Special Counsel for Tuscarawas County Metropolitan Sewer District and Ryan Styer, County Prosecutor.



COMPLEX PROJECTS
REQUIRE RESOLVE
THRASHER'S GOT IT

TUSCARAWAS COUNTY COMMISSIONERS
TUSCARAWAS COUNTY, OHIO

CONTRACT 2 – WILKSHIRE HILLS WATER SYSTEM IMPROVEMENTS

ADDENDUM #4

March 7, 2023

THRASHER PROJECT #101-010-01120

TO WHOM IT MAY CONCERN:

The following are clarifications and responses to questions posed by contractors for the above-referenced project.

- GENERAL**
THE BID OPENING DATE IS BEING POSTPONED UNTIL WEDNESDAY, MARCH 15 AT 9:45 AM.

REPLACE THE PAGE 1 OF THE AFB WITH THE ATTACHED.

Bids for the construction of the Project will be received at the Office of the Clerk of Board of Tuscarawas County Commissioners located at 125 E High Ave, New Philadelphia, OH 44663, until 9:45 am on Wednesday, March 15, 2023, at 9:45 am local time. At that time, the Bids received will be publicly opened and read.

If you have any questions or comments, please feel free to contact me at your earliest convenience at shamit@thethrashergroup.com. As a reminder, bids will be received until 9:45 a.m. on Wednesday, March 15, 2023, at the Office of the Clerk of the Board of the Tuscarawas County Commissioners located at 125 E High Ave, New Philadelphia, OH 44663. Good luck to everyone, and thank you for your interest in the project.

Sincerely,
THE THRASHER GROUP, INC.



Steve Hamit, PE
Project Manager

REPLACE PAGE 1 OF THE AFB - ADDENDUM #4
March 7, 2023
Page 1 of 1

**ADVERTISEMENT FOR BIDS
CONTRACT 2 - WILKSHIRE HILLS WATER SYSTEM IMPROVEMENTS
FOR THE
TUSCARAWAS COUNTY COMMISSIONERS
TUSCARAWAS COUNTY, OHIO
THRASHER PROJECT #101-010-01120**

General Notice
Tuscarawas County Commissioners (Owner) are requesting Bids for the construction of the following Project:
**Contract 2 – Wilkshire Hills Water System Improvements
101-010-01120**

Bids for the construction of the Project will be received at the Office of the Clerk of Board of Tuscarawas County Commissioners located at 125 E High Ave, New Philadelphia, OH 44663, until 9:45 am on Wednesday, March 15, 2023, at 9:45 am local time. At that time, the Bids received will be publicly opened and read.

The Project includes the following Work:
Work of the Project includes the construction of a new addition to the existing water treatment plant to house the new vertical pressure filter system, including all ancillary work. A new water storage tank shall be constructed to supply water for backwash cycles and a settling tank for treatment of the backwash water. In addition, two master meters in the distribution system shall be constructed.

Bids are requested for the following Contract: **Contract 2 – Wilkshire Hills Water System Improvements**

The Work will be substantially completed within 330 calendar days after the date when the Contract Times commence to run and completed and ready for final payment within 360 days after the date when the Contract Times commence to run. Liquidated damages shall be \$1,000.00 per day.

Obtaining the Bidding Documents

Information and Bidding Documents for the Project can be found at the following designated website:

QuestCDN: <https://tinurl.com/zu5z8553> or

The Thrasher Group Inc.: <https://thethrashergroup.com/bids/out-to-bid/>

Bidding Documents may be downloaded from the designated website. Prospective Bidders are urged to register with the website as a plan holder even if the Bidding Documents are obtained

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Page 1 of 4

**COMMISSIONER'S JOURNAL 86
FEBRUARY 1, 2023**

**RESOLUTION (112-2023) - AUTHORIZING NOTICE OF COMPETITIVE BIDDING -
CONTRACT 2: WILKSHIRE HILLS WATER SYSTEM IMPROVEMENTS (PROJECT ID
#WH-19-05)**

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

WHEREAS, upon the recommendation of the Sanitary Engineer, Michael Jones, the Board of Commissioners, Tuscarawas County, Ohio (“Board”) desires to make certain improvements to the Wilkshire Hills Water System; and

WHEREAS, pursuant to ORC 6103.05(A), the Board finds that the improvement is necessary for the preservation and promotion of the public health and welfare, and has determined that no special assessments are to be levied to pay any part of the cost of the improvement; and

NOW THEREFORE, BE IT RESOLVED by the Board:

Section 1: The Board hereby authorizes the Tuscarawas County Sanitary Engineer, Michael Jones, to provide notice of competitive bidding in the form and manner specified in ORC 307.87 and the Tuscarawas County Procurement Policy, with a copy of such notice being attached hereto.

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 Steven A. Anderson, Special Counsel.

**ADVERTISEMENT FOR BIDS
CONTRACT 2 - WILKSHIRE HILLS WATER SYSTEM IMPROVEMENTS
FOR THE
TUSCARAWAS COUNTY COMMISSIONERS
TUSCARAWAS COUNTY, OHIO
THRASHER PROJECT #101-010-01120**

General Notice

Tuscarawas County Commissioners (Owner) are requesting Bids for the construction of the following Project:

**Contract 2 – Wilkshire Hills Water System Improvements
101-010-01120**

Bids for the construction of the Project will be received at the **Office of the Clerk of Board of Tuscarawas County Commissioners** located at 125 E High Ave, New Philadelphia, OH 44663, until 9:45 am on Wednesday, March 8, 2023, at 9:45 am local time. At that time, the Bids received will be publicly opened and read.

The Project includes the following Work:

Work of the Project includes the construction of a new addition to the existing water treatment plant to house the new vertical pressure filter system, including all ancillary work. A new water storage tank shall be constructed to supply water for backwash cycles and a settling tank for treatment of the backwash water. In addition, two master meters in the distribution system shall be constructed.

Bids are requested for the following Contract: **Contract 2 – Wilkshire Hills Water System Improvements**

The Work will be substantially completed within 330 calendar days after the date when the Contract Times commence to run and completed and ready for final payment within 360 days after the date when the Contract Times commence to run. Liquidated damages shall be \$1,000.00 per day.

Obtaining the Bidding Documents

Information and Bidding Documents for the Project can be found at the following designated website:

QuestCDN: <https://tinyurl.com/zu5z8553> or

The Thrasher Group Inc.: <https://thethrashergroup.com/bids/out-to-bid/>

Bidding Documents may be downloaded from the designated website. Prospective Bidders are urged to register with the website as a plan holder even if the Bidding Documents are obtained

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Page 1 of 4

from a plan room or source other than the designated website in either electronic or paper format. The designated website will be updated periodically with addenda, lists or registered plan holders, reports, and other information relevant to submitting a Bid for the Project. All official notifications, addenda, and other Bidding Documents will be offered only through the designated website. Neither Owner nor Engineer will be responsible for Bidding Documents, including Addenda, if any, obtained from sources other than the designated website.

The Issuing Office for the Bidding Documents is:

**The Thrasher Group, Inc.
400 3rd Street SE, Suite 309
Canton, OH 44702**

To bid on this project and be considered a plan holder you MUST download the digital project bidding documents from QuestCDN and pay the download delivery fee. Complete digital project bidding documents are available at www.questcdn.com. You may register for a free membership with QuestCDN and download the digital plan documents for \$30 by inputting Quest project #8374266 or Soliciting Agent's project number #010-01120 on the website's Project Search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information.

Amounts paid are not subject to refund.

Bidding Documents may be examined Monday – Friday from 8:00 AM to 4:00 PM at:
The Thrasher Group, Inc.
400 3rd Street SE, Suite 309
Canton, OH 44702

A one-envelope system will be used.

The envelope must have the following information presented on the front:

Name and address of Bidder
Bid on Contract 2 – Wilkshire Hills Water System Improvements
Received by the Tuscarawas County Commissioners

The envelope will be opened, and the Bid Opening Requirement items will be checked for compliance as outlined in the Bid Opening Checklist on page BOR-1 of these contract documents and will be publicly read aloud.

Bids will be publicly read aloud, and an apparent low bidder will be announced. After the completion of the bid opening, the Bid Opening Requirement items will be checked for compliance as outlined on the Bid Opening Checklist on page BOR - 1 of these contract documents.

A Bidder may not withdraw his Bid for a period of thirty (90) days after the date set for the opening of Bids.

In accordance with Ohio Revised Code §153.54, the contractor shall file with the bid a bid guaranty in the form of either: 1) a bond for the full amount of the bid, or 2) a certified check, cashier's check, or letter of credit equal to 10% of the bid.

Contractor is required to comply with the Davis-Bacon Act for prevailing wage rates.

Contractor is required to provide the Drug Free Workplace Certification in accordance with Ohio Bureau of Workers' Compensation.

Bids received after the scheduled closing time for the reception of Bids will be returned unopened to the Bidders.

The Tuscarawas County Commissioners reserve the right to reject any and/or all bids.

Instructions to Bidders

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

American Iron and Steel

Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic preference applies an American Iron and Steel requirement to this project. All iron and steel products used in this project must be produced in the United States. The term "iron and steel products" meant the following project made primarily of iron or steel: lined or unlined pipe and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and Construction Materials.

The following waivers apply to this Contract:

- De Minimis,*
- Minor Components,
- Pig iron and direct reduced iron.

This Advertisement is issued by:

Owner: Tuscarawas County Commissioners

By: Michael Jones, PE

Title: Director/Sanitary Engineer

Dates of Publication: February 9, 2023, in the Times Reporter and www.tcmsd.org/projects-out-for-bid

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Page 3 of 4

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

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

Rhonda Jordan, Clerk

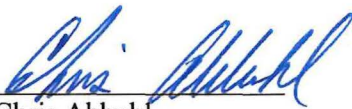
VOTE: Chris Abbuhl, yes;
Kristin Zemis, yes;
Greg Ress, yes;

RESOLUTION (215-2023) ADJOURN

It was moved by Commissioner Zemis, seconded by Commissioner Ress, to adjourn at 9:50 a.m. to meet in Regular session Monday, the 13th day of March, 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