

May 25, 2022

Agenda

Lord's Prayer
Pledge of Allegiance

1:15 p.m. Belden Brick Company – Public Hearing – Brine Permit Renewal
1:30 p.m. Bid Opening – Reprofiling/Resurfacing Tuscarawas County Roads
1:45 p.m. Regional Planning – 2023 Proposed Budget Information
2:00 p.m. Kenny Quillen – Organizing River Clean-Up

Approve Minutes

Approve Before/After Expenditures

Approve Supplemental Appropriation (1)

Approve Transfer of Funds (2)

Approve Inter-Fund Transfer/Advance

New Hire – JFS – Thralls

Approve Out of County Travel -EMA (2)

Declare Obsolete – John Deere Tractor – Park Department

Authorize Change – Scope for Project ED #PW-21-01- Port Washington Sewer System

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION,
WEDNESDAY, THE 25TH DAY OF MAY, 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 (459-2022) APPROVE READING OF THE MINUTES MINTES

It was moved by Commissioner Landis, seconded by Commissioner Abbuhl, to approve the minutes from the May 23, 2022 meeting as written.

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

RESOLUTION (460-2022) BEFORE/AFTER EXPENDITURES

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

VENDOR	OFFICE	AMOUNT
Parkway Ford	Community Corrections	\$947.54
Pro-Tech Security Sales	Multi Co Drug Task Force	\$8,125.00
B.A. Widder Architects	Capital Projects Trust Fund	\$764.31

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

RESOLUTION (461-2022) SUPPLEMENTAL APPROPRIATIONS

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

DEPARTMENT	FROM	TO	AMOUNT	REASON
Hazardous Materials Equipment	B050-B10	B050-B04	\$8,000.00	Additional work on HazMat truck; add generator, additional slide-out compartments and back-up camera

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

RESOLUTION (462-2022) TRANSFER OF FUNDS

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to approve the following transfer of funds:

DEPARTMENT	FROM	TO	AMOUNT	REASON
Job and Family Services	H000-H03	H000-H09	\$100.00	To pay for agency utilities
Emergency Management Agency	A006-F01	A006-F03	\$400.00	Additional funds needed to purchase two new laptops

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

RESOLUTION (463-2022) 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:

Tusc. Co. Treasurer From: Co. General to Budget Stabilization Fund \$64,746.00

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

Discussion: *David Haverfield, Director of Job & Family Services, requested approval for a new employee.*

RESOLUTION (464-2022) PERSONNEL ACTION – JFS (Thralls)

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to approve the personnel action hiring of Anna Thralls as a Social Services Worker 3 in the Protective Unit at Tuscarawas County Job & Family Services as recommended by David Haverfield, Director. Anna Thralls would replace Kaylee Shalosky, who took another position within the agency, effective May 31, 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 (465-2022) OUT OF COUNTY TRAVEL – EMA

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to approve the following travel request as submitted by Noah Porter, EMA Deputy Director:

DATE: June 2 – 3, 2022

LOCATION: Pickerington, OH

ATTENDEES: Noah Porter and Jennifer James

USING COUNTY VEHICLE: Yes (220 miles round trip)

EXPENSE: Noah \$150 hotel Jennifer \$150 hotel
\$75 meals \$75 meals

REASON: Attending Emergency Management Association of Ohio EM Fundamentals Course.

NOTE: We are attempting to add Jennifer as a late applicant for this course. In the event she is not approved in time, only Noah will attend.

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

RESOLUTION (466-2022) OUT OF COUNTY TRAVEL – EMA

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to approve the following travel request as submitted by Noah Porter, EMA Deputy Director:

DATE: June 3, 2022

LOCATION: Pickerington, OH

ATTENDEES: Alex McCarthy

USING COUNTY VEHICLE: No (60 miles round trip)

EXPENSE: \$36 mileage (60 miles x \$0.60)
\$35 meal

REASON: Attending Emergency Management Association of Ohio Executive committee Meeting and instructing the EMA Planning Session for the EMAO Fundamentals Workshop.

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

RESOLUTION (467-2022) OBSOLETE PROPERTY – JOHN DEERE TRACTOR – PARK DEPARTMENT

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).

John Deere X575 Tractor – Not working

The items will be disposed of in accordance to ORC.

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

Discussion: Mike Jones, Sanitary Engineer was present and stated the Port Washington Sewer System was approved for \$100,000 in ARPA funds for a generator, but since this resolution was approved, there have been some changes. The generator project needs to remain on the Capital Improvements list, but a more pressing issue has arisen. This pump station pumps into a 3.6-mile force main that extends to the Village of Newcomerstown. Along the route of this force main, there are 14 air release valves. Earlier this year it was noticed that there is a significant reduction in the pumping capacity at this pump station, to the point of having to rent a large pump station/by-pass pump to keep from flooding the town. Even with the rented unit, the pumping capacity is still not anywhere near where it needs to be.

After researching what the cause of the issue is, it has been determined there is a large amount of accumulative air in the forced main. The 14 air release valves were installed in the 1980's, the useful life of the valves is about 20 years. Each of the valves have been located, and they are in varying stages of decay. A large number of the valves are not functional at this time. The pump should be pumping 250 gallons a minute, but is only pumping about 90-100 gallons per minute. The large pocket of air can not

be released without the air release valves. The crews have tried to bleed the air out of the lines, but could not get all of it. Mr. Jones is requesting to shift priorities on what the ARPA funds are being used for. It will be the same site, but different project.

Commissioner Landis asked if there were parts around the valves that may be damaged as well since they are so old? Mr. Jones said there is a good possibility of this. The right contractor will need to be hired because when you are dealing with a live force main with almost 4 miles of sewage in it, if something goes wrong, there is 4 miles of sewage that has to be dealt with immediately. This project needs to be done very carefully with contingency plans in place. The estimate for this project is roughly \$112,000 and getting the parts could take up to 7 weeks.

Commissioner Metzger asked if the generator project is being deprioritized and the forced main project is the priority, or could both projects be done at the same time? Mr. Jones stated this could not be done because the generator project would need an electrical contractor and the forced main valves would need a pipeline contractor.

RESOLUTION (468-2022) – AUTHORIZE CHANGE - SCOPE FOR PROJECT ID #PW-21-01 – PORT WASHINGTON SEWER SYSTEM

It was moved by Commissioner Metzger, and seconded by Commissioner Landis, to approve the foregoing resolution:

WHEREAS, the Board of Commissioners, Tuscarawas County, Ohio (“Board”) have approved \$100,000 in American Recovery Plan Act (“ARPA”) funds for Project ID #PW-21-01 Port Main Pump Station – Emergency Generator/ATS, and

WHEREAS, the Sanitary Engineer, Michael Jones, has recommended that the replacement of force main air valves is essential and critical to the operation of the Port Washington Sewer System, and

WHEREAS, the Sanitary Engineer, Michael Jones, has requested that the scope of Project ID #PW-21-01 be modified for the replacement of the force main air valves in lieu of the installation of a standby generator.

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

Section 1 – That the request for a change in scope for Project ID #PW-21-01 is hereby approved with \$100,000 in ARPA funds being allocated for direct costs associated with the project.

Section 2 – That pursuant to ORC 6117.06(E), 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

Section 3 – 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 4 – 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.

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

RESOLUTION (469-2022) MOTION – PUBLIC HEARING – BELDEN BRICK COMPANY BRINE PERMIT

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to go into Public Hearing at 1:19 p.m. for the Belden Brick Company Brine Permit.

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

Commissioner Abbuhl opened the Belden Brick Company Brine Permit public hearing at 1:19 p.m. with the following individuals present:

Chris Abbuhl – Commissioner
 Kerry Metzger – Commissioner
 Al Landis – Commissioner
 Jane E. Clay – Executive Assistant
 Rhonda Jordan – Clerk

There were no other individuals present.

There were no comments for or against the Belden Brick Company Brine Permit request.

Commissioner Abbuhl closed the public hearing for the Belden Brick Company Brine Permit at 1:20 p.m.

RESOLUTION (470-2022) BRINE PERMIT – BELDEN BRICK COMPANY

It was moved by Commissioner Landis, seconded by Commissioner Metzger, to accept the brine permit for Belden Brick Company:

The Tuscarawas County Commissioners wish to permit the surface application of brine by Belden Brick Company. The source of the brine water will be from the Belden Brick Company's gas and oil wells located in Tuscarawas and Holmes County. The brine will be transported and applied with certified brine haulers, primarily with the Belden Brick Company's truck.

The brine water will be applied for dust and ice control on Belden Brick Company private property.

Therefore the Tuscarawas County Commissioners hereby adopt the following resolution which grants Belden Brick Company, the right to apply said brine to the road surfaces of above-mentioned roads.

Prior to the acceptance of this resolution permitting surface application of brine, a public hearing was held at the Tuscarawas County Commissioner's Office, New Philadelphia, Ohio. A notice of the time, place, and content of hearing was published by the Tuscarawas County Commissioners in "The Times Reporter", a newspaper of general circulation in Tuscarawas County, Ohio, at least five days prior to the date of the public hearing, and the fifty dollars (\$50.00) permit fee having been paid as required in H.B. 501-1590226H.

The surface application of brine in Tuscarawas County shall be regulated as per O.R.C. 1509.226 as follows:

- (1) Brine shall not be applied:
 - a. To a water saturated surface;
 - b. Directly to vegetation near or adjacent to surface to be treated;
 - c. Within twelve (12) feet of structures crossing drainage ditches;
 - d. Between sundown and sunrise except for ice control;
- (2) The discharge of brine through the spreader bar shall stop when the application stops.
- (3) The applicator vehicle shall be moving at least five (5) miles per hour while the brine is being applied.
- (4) The maximum spreader bar nozzle opening shall be three quarters (3/4") of an inch in diameter.
- (5) The maximum uniform application rate of brine shall be three thousand (3,000) gallons per mile on a twelve-foot (12') wide road, or three (3) gallons per sixty (60') feet on unpaved lots.
- (6) The applicator vehicle discharge valve shall be closed between the brine collection point and the specific surfaces that have been approved for brine applications.
- (7) Any valve that provide for tank draining other than through the spreader bar shall not be greater than sixty (60) degrees from the perpendicular to the unpaved surface.
- (8) Only the last twenty-five (25%) percent of an applicator vehicle's content shall be allowed to have a pressure greater than atmospheric pressure; therefore, the first seventy-five (75%) percent of the applicator vehicles contents shall be discharged under atmospheric pressure.

Furthermore, be it known that a copy of this resolution permitting the application of brine to Belden Brick Company private property, shall within thirty (30) days after the adoption of the Resolution be submitted to the Chief of the Division of Oil and Gas of the State of Ohio.

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

RESOLUTION (471-2022) PAY BILLS

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

Meeting Date 05/25/2022

Auditor			
Bloom's Printing & Design	Warrants/Checks	\$1,287.00	
			\$1,287.00
Clerk of Courts			
Jeanne Stephen	Travel	\$126.73	
Jodi Fouts	Travel	\$142.33	
			\$269.06
Commissioners			
JP Morgan Chase Bank	County Building Improvements Bond	\$57,296.95	
JP Morgan Chase Bank	County Building Improvements Bond	\$13,321.22	
NP Postmaster	Business Reply Mail	\$1,000.00	
			\$71,618.17
Common Pleas			
Buehler's Fresh Foods	Jury Supplies	\$70.59	
Jill Aul	Reimb/Supplies	\$36.90	
			\$107.49
Community & Economic Development			
Buckeye Career Center	Tusc Co Manufacturing Camp	\$250.00	
			\$250.00
Information Technology			
OARnet	Internet Connection	\$145.00	
ZOHO Corp	Subscription	\$575.00	
			\$720.00
Job & Family Services			
Tusc Co Water & Sewer	Pump Station Maintenance	\$150.00	
Kiser Auto Repair	Snow Removal & Salt	\$2,725.00	
Horizons of Tusc & Carroll Counties	Non-Emergency Transportation	\$11,478.48	
Ashley & Robert Bunton Jr	Non-Emergency Transportation	\$136.80	
Enterprise FM Trust	Car Leases	\$3,634.86	
Tusc Co Sheriff	Gas	\$639.64	
Menards	Supplies	\$20.87	
Sherwin Williams	Supplies	\$38.11	
Tuscora Electric	Supplies	\$159.05	
UPS	Shipping Costs	\$47.66	
Blasenhauer Plumbing	HVAC Service	\$328.00	
			\$19,358.47
Juvenile/Probate			
Staples	Supplies	\$90.71	
Staples	Supplies	\$164.49	
Leadership Tuscarawas	Tuition	\$710.09	
Leadership Tuscarawas	Tuition	\$1,039.91	
Daniel Loibl	Supplies	\$42.49	
			\$2,047.69

Prosecutor		
Interpreters XP	Interpreter	\$150.00
Krista Nutter	Travel	\$185.70
Kelli Carroll	Travel	\$45.96
Anna Pearch	Travel	\$55.05
Staples Credit Plan	Supplies	\$202.01
Verizon Wireless	Service	\$80.82
		\$719.54
Southern Court		
Twin City Water & Sewer	Service	\$73.00
American Electric Power	Service	\$505.81
Best Copier	Service Contract	\$50.15
Croniser's	Equipment	\$444.29
		\$1,073.25
Treasurer		
Harris Computer Systems	Software Support	\$580.28
		\$580.28
Water & Sewer		
American Electric Power	Service	\$1,223.49
First Communications	Service	\$201.18
Verizon Wireless	Service	\$431.21
Tusc Co Commissioners	Postage Meter Due	\$466.30
Solenis LLC	Materials	\$11,816.40
Fastenal	Equipment	\$485.87
National Road Utility Supply	Materials	\$991.75
American Electric Power	Utilities	\$137.69
Frontier	Service	\$49.98
Liberty Ford	Repairs	\$1,316.36
Hawkins Water Treatment Group	Materials	\$1,920.00
		\$19,040.23
	GRAND TOTAL	\$117,071.18

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

OTHER BUSINESS: *Commissioner Abbuhl wanted to take a moment to remember the 21 students and educators that were senselessly gunned down at the Robb Elementary School in Uvalde, Texas. Our prayers and thoughts go out to the families. The flags are at half-staff in honor of those lost. Commissioner Landis suggested a moment of silence be observed.*

RESOLUTION (472-2022) RECESS

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to recess at 1:21 p.m., until 1:30 p.m. for the purpose of Project #3-2022 – Reprofilng/Resurfacing bid opening.

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

Commissioner Abbuhl called the meeting out of recess at 1:30 p.m. and back into Regular Session, for the purpose of the Project #3-2022 – Reprofilng/Resurfacing bid opening.

RESOLUTION (473-2022) ADVISEMENT – BIDS – PROJECT #3-2022 - REPROFILING/RESURFACING

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to take under advisement the bids for Project #3-2022 Reprofilng/Resurfacing approximately 34.72 miles of Tuscarawas County Roads, Township Roads, City and Village Streets as electronically opened and publicly read by Genaro DeMonte, Assistant Engineer:

Bid Tabulation
Tuscarawas County
Project #3-2022 – Reprofiling/Resurfacing
May 25, 2022 – 1:30 pm
Engineer's Estimate: \$4,500,000

Bidder	Shelly & Sands	Barbicas	Superior Paving	Newton Asphalt	Northstar Asphalt
Bond	X	X	X	X	X
Part 1 - CR 10 & 14	888,841.50	1,311,047.30	No bid	1,001,761.00	No bid
Part 2 - CR 24 & 24	495,550.50	728,178.90	No bid	543,732.00	No bid
Part 3 - CR 65 & 66	583,044.00	804,795.90	No bid	669,117.00	No bid
Part 4 – CR 71 & TR 350 Intersection	No bid	156,290.10	No bid	125,297.00	No bid
Part 5 – CR 93 & 111	No bid	437,646.90	457,756.00	364,342.00	443,522.00
Part 6 - Lawrence Township	No bid	223,592.50	250,231.50	202,811.00	241,329.50
Part 7 - Warwick Township	111,636.00	148,983.00	No bid	110,880.00	No bid
Part 8 – Village of Baltic	No bid	116,612.00	No bid	120,977.00	No bid
Part 9 – Village of Bolivar	No bid	65,300.50	No bid	70,515.00	85,612.50
Part 10 – Village of Newcomerstown	86,288.00	114,038.00	No bid	118,946.00	No bid
Part 11 – Village of Strasburg	No bid	216,283.90	No bid	170,935.00	224,531.50
Part 12 - Village of Sugarcreek	No bid	322,473.42	No bid	310,029.00	No bid
Part 13 – City of Uhrichsville	No bid	318,033.20	No bid	311,365.50	No bid
Part 14 – Village of Zoar	No bid	70,356.00	No bid	82,768.00	80,850.00

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

Discussion: John Fondriest, Chair Person and Jill Lengler, Director, both of Regional Planning were in attendance to present a draft of the 2023 budget for Regional Planning. Mr. Fondriest stated Mrs. Lengler is planning to retire at the end of June 2022, but has agreed to hire back on part-time until the end of 2022. Mr. Fondriest is proposing Mrs. Lengler be paid her current pay, but on an hourly rate based on a two-day workweek give or take 18 hours a week, and dropping her health insurance which will help the budget.

Mr. Fondriest stated the Regional Planning budget was set at \$60,000 in 2004. There have been no rate increases since 2008 when the membership fee was raised by 5 cents per capita over 5 years. In 2012, the Regional Planning budget was increased by \$1,000, it has been 10 years with no increases. In order to keep Regional Planning solvent, our proposal for 2023 is a 20% increase, a 10% increase in 2024 and 2025. This proposal also includes a 20% increase for the villages, cities and townships as well. The permit fees can be raised immediately.

The expenses are at about \$80,000 and this includes a \$6,000 pay out for Mrs. Lengler's sick leave conversion. The plan is to promote Rhonda Hoffmeyer and hire an assistant for a total expense of \$68,000. The health insurance portion varies and may need to be adjusted.

RESOLUTION (474-2022) ADVISEMENT – PROPOSED BUDGET – REGIONAL PLANNING

It was moved by Commissioner Metzger, seconded by Commissioner Landis, to take under advisement the Proposed 2023 Budget for Regional Planning.

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

Discussion: *Kenny Quillen stated the Tuscarawas River clean-up was an idea he had a couple of years ago and the pandemic hit and everything got put on hold. Mr. Quillen made a Facebook post about the cleanup and turning it into an event with prizes and a lunch afterwards. The response Mr. Quillen received from Facebook users was overwhelming from volunteers to vendors. Ron Rosenthal, owner of Hog Heaven Restaurant, offered to host the after party with bands and prizes. Mr. Quillen has about 12 people who would like to start a committee to put the event together.*

Mr. Quillen wanted to meet with the Commissioners to see if they had any questions, concerns or advice on how to proceed with the project. Mr. Quillen looked on some river clean up websites and noticed one of the first things coming up was a Waiver of Liability. Mr. Quillen would like to clean-up the entire county from Bolivar to Newcomerstown and divide it into sectors.

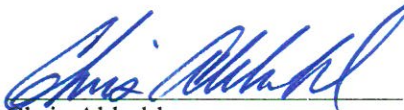
Commissioner Metzger advised the Ohio Department of Natural Resources is in control of the riverways and that might be a good place to start the process. Jane Clay, Executive Assistant, suggested also contacting the Muskingum Watershed Conservancy District who has the river designation there and they could be helpful in the process. It is also going to depend on what land your organization is going to be utilizing for access to the river. Commissioner Abbuhl added the river does run through a portion of the Tuscarawas County trail system. Mr. Quillen stated he wants to talk to the businesses along the river to get them on board. Mr. Quillen also wants to talk to Kimble Company about getting dumpsters set up along the route. Commissioner Metzger stated the only way the commissioners would be involved is if access to the river was needed from the county's park properties. Mrs. Clay recommended Mr. Quillen get in touch with Camp Tuscazoar because they just did a river clean up a couple of weeks ago, and also recommended Mr. Quillen talk with Jesse Rothacher, Park Manager, about a special usage permit, access permits and liability insurance coverage. It will depend on whose land is being used as to what the process is and what forms may be needed.

RESOLUTION (475-2022) ADJOURN

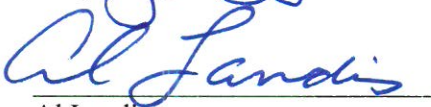
It was moved by Commissioner Metzger, seconded by Commissioner Landis, to adjourn at 2:16 p.m. to meet in Regular session Wednesday, the 1st day of June, 2022

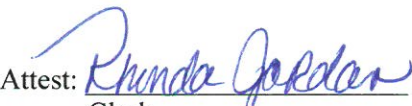
VOTE: Chris Abbuhl, yes;
Kerry Metzger, yes;
Al Landis, yes;

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