

September 8, 2014

Agenda

Pledge of Allegiance

1:15 Mike Morelli/Harry Eadon Local Arts Agency
 2:00 Road Vacation/Relocation Hearing – CR 103 Orchard

Approve Minutes

Before/after Expenditures

Interfund Transfer/Advance

Supplemental Appropriations

Transfer of Funds (3)

Travel – JFS

Updated Job Description – JFS Director

Treasurer’s Investments – August 2014

ECOBA Small Business Grant

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION, MONDAY, THE 8TH DAY OF SEPTEMBER, 2014, WITH THE FOLLOWING MEMBERS PRESENT:

Chris Abbuhl
 Belle Everett
 Kerry Metzger

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

RESOLUTION (831-2014) APPROVE MINUTES

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

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (832-2014) BEFORE/AFTER EXPENDITURES

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

Elite Excavating (W/S)	12,045.00
Staples (Public Defender)	248.98

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (833-2014) INTERFUND TRANSFER/ADVANCE

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve the following interfund transfer/advance as per State Auditor's recommendation:

Tusc. Co. Treasurer Co. General to Foster Care \$175,788.07

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (834-2014) SUPPLEMENTAL APPROPRIATIONS

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

DEPARTMENT	FROM	TO	AMOUNT	REASON
Water/Sewer	P020-P99	P020-P39	\$73,170.00	Vehicles

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (835-2014) TRANSFER OF FUNDS

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

DEPARTMENT	FROM	TO	AMOUNT	REASON
Water/Sewer	P000-P03	P200-P16	\$4,878.00	Other
" "	P000-P12	P000-P07	\$1,475.00	Contract Services
Common Pleas	A002-B04	A002-B03	\$1,000.00	Supplies
" "	A002-B07	A002-B03	\$1,300.00	Supplies
" "	A002-B07	A002-B19	\$900.00	Training/Meetings
Sheriff	A006-06	A006-05	\$2,000.00	Repairs
" "	S80-23	S80-12	\$1.75	Unemployment

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (836-2014) TRAVEL – JFS

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve the following state mandated travel request for Job & Family Services as recommended by Michelle Tope, Director:

DATE: 9/18/2014
TITLE: MAKING THE TRANSITION TO SUPERVISOR
LOCATION: AKRON, OHIO
ATTENDING: AMY DOTTS, DEB WHITNEY, AMY ADKINS, AND TRACY WIMER
ANTICIPATED EXPENSE: Mileage of approximately 102 miles equals \$46.92, or an agency van will be utilized, if available, and meals at \$15.00.

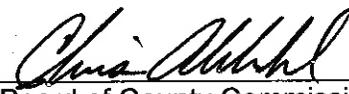
DATE: 9/18/2014 AND 9/19/2014
TITLE: 17TH ANNUAL DOMESTIC VIOLENCE TRAINING AND SEMINAR
LOCATION: MASSILLON, OHIO
ATTENDING: TOMMY CANNON
ANTICIPATED EXPENSE: Mileage of approximately 108 miles equals \$49.68, or an agency van will be utilized, if available, and meals at \$15.00.

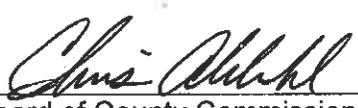
DATE: 9/19/2014
TITLE: CFIS LEDGER REPORTING
LOCATION: COLUMBUS, OHIO
ATTENDING: ADAM WILSON AND RACHEL CANNON
ANTICIPATED EXPENSE: Mileage of approximately 250 miles equals \$115.00, or an agency van will be utilized, if available, and meals at \$15.00

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (837-2014) POSITION DESCRIPTION – JFS DIRECTOR

It was moved by Commissioner Metzger, seconded by Commissioner Everett, to approve the following modified position description for Job & Family Services Director:

POSITION DESCRIPTION		OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES		AGENCY TUSCARAWAS COUNTY JOB & FAMILY SERVICES
		PERSONNEL DIVISION		DIVISION OR INSTITUTE
POSITION CONTROL NUMBER 10000.0	<input type="checkbox"/> State Agency <input checked="" type="checkbox"/> County Agency <input type="checkbox"/> New Position <input checked="" type="checkbox"/> Change		COUNTY OF EMPLOYMENT TUSCARAWAS	
	USUAL WORKING TITLE OF POSITION Director - Unclassified		POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR Tuscarawas County Commissioners	
	NORMAL WORKING HOURS (Explain unusual or rotating shift.) FROM: 8:00 a.m. TO: 4:30 p.m. unless approved to work an alternative schedule as outlined in the agency's personnel handbook			
	JOB DESCRIPTION AND WORKER CHARACTERISTICS			
CLASS TITLE County Job & Family Services Administrator	%	Job Duties in Order of Importance	Minimum Acceptable Characteristics	
	40%	Regular and predictable attendance as required to fulfill the duties of the position. 1) Oversees and maintains all agency functions, programs, and activities in a double-combined agency (Public Assistance/Child Welfare) as prescribed in Ohio Revised Code. Reviews compliance with Federal, State, and local regulations governing the administration of the agency, fiscal operations, and service delivery. Reviews agency compliance with the Ohio Department of Job and Family Services' and Ohio Department of Medicaid's policies, rules, and regulations. Reviews compliance with agency policies, rules, and regulations. Ensures corrective action measures are taken if deficiencies are identified. Develops, interprets, and implements new and existing policies, rules, and regulations. Responsible for the determination of budget needs and appropriate expenditures. Oversees fiscal duties for the entire agency. Enters into contracts on behalf of the County Commissioners as required for the delivery of services. Oversees, evaluates, and monitors potential loss and liability to the agency through proactive discussions with the management team. Reviews divisional operations and determines when revisions are needed. Works cooperatively with the County Commissioners, Auditor, Prosecutor and other officials to ensure proper service delivery and business operations. Maintains open line of communication with the Commissioners and provides high-level and/or high-profile information timely. Responsible for the proper care and maintenance of the physical facility and grounds to ensure the health, safety, and well-being of employees, customers, business associates, and visitors. Ensures accessibility to required telephony, technology, and other systems/tools/supplies to carry out business operations.	KNOWLEDGE: 11b Human Relations; 13b Agency Policies and Procedures relative to attendance and hours of operation. SKILLS: 30a & d Reasoning See attached KSA's for position.	
CLASS NUMBER 80112	List Position Numbers and Class Titles of Positions Supervised. If more than eight, list totals only:		 Board of County Commissioners Date 9/8/14 BO 05 (ADM 4107)	
	10001.0 Admin. Assistant	30000.0 SSS2		
	11000.0 Fiscal Officer	33000.0 SSS1		
	12000.0 MIS Supvr	34000.0 SSS1		
	13000.0 Attorney Supv	35000.0 SSS1		
	21000.0 Elig. Ref. Supv	36000.0 SSS1		
	22000.0 Elig. Ref. Supv			
	23000.0 Elig. Ref. Supv			
	24000.0 Elig. Ref. Supv			
	25000.0 Elig. Ref. Supv			

POSITION DESCRIPTION	OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES		AGENCY TUSCARAWAS COUNTY JOB & FAMILY SERVICES
	PERSONNEL DIVISION		DIVISION OR INSTITUTE UNIT OR OFFICE
POSITION CONTROL NUMBER 10000.0	<input type="checkbox"/> State Agency <input checked="" type="checkbox"/> County Agency <input type="checkbox"/> New Position <input checked="" type="checkbox"/> Change		COUNTY OF EMPLOYMENT TUSCARAWAS
	USUAL WORKING TITLE OF POSITION Director - Unclassified		POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR Tuscarawas County Commissioners
	NORMAL WORKING HOURS (Explain unusual or rotating shift.) FROM: 8:00 a.m. TO: 4:30 p.m. unless approved to work an alternative schedule as outlined in the agency's personnel handbook		
	JOB DESCRIPTION AND WORKER CHARACTERISTICS		
CLASS TITLE County Job & Family Services Administrator	%	Job Duties in Order of Importance	Minimum Acceptable Characteristics
	40%	2) Assigns/directs the work of the administrative assistant, supervisors, and department manager and provides indirect supervision to all agency employees. Conducts and/or ensures all human resources operations are in accordance with State and Federal laws. Consults with the county-designated human resources advisor as needed. Determines staffing level needs and informs County Commissioners of the same. Interviews applicants for employment and makes recommendations to the County Commissioners for the hiring of new employees. Disciplines subordinates and makes recommendations to the County Commissioners for the suspension or termination of employees when necessary in accordance with Ohio Revised Code, county/agency handbooks, and union contract. Completes performance evaluations of those directly supervised. Negotiates bargaining unit agreements with the assigned union and makes recommendations to the County Commissioners.	
	10%	3) Performs public relations duties to represent the services provided and the agency's role within the community. Participates in agency-wide public relations programs. Maintains ongoing working relationships with other social services agencies (local and statewide), mental/medical health systems, schools, law enforcement, and county departments and officials. Gives speeches and presentations on issues relevant to the work of the agency.	
	10%	4) Participates in children services' case staffings involving permanency decisions or unique and/or costly service provision scenarios. Serves as a required board member of Tuscarawas County Family and Children First Council and the Tuscarawas County Child Advocacy Center. Serves as a standing member of TuscoBus; OhioMeansJobs; and the agency's Labor-Management and Performance Quality Improvement Committees. Participates in other business-related meetings as needed. Conducts regular management and agency-wide staff meetings. Attends and/or conducts business meetings as needed. Attends training as needed. Other duties as required of the Director.	
CLASS NUMBER 80112	List Position Numbers and Class Titles of Positions Supervised. If more than eight, list totals only:		
	10001.0 Admin. Assistant 30000.0 SSS2 11000.0 Fiscal Officer 33000.0 SSS1 12000.0 MIS Suprvsr 34000.0 SSS1 13000.0 Attorney Supvsr 35000.0 SSS1 21000.0 Elig. Ref. Supvsr. 36000.0 SSS1 22000.0 Elig. Ref. Supvsr 23000.0 Elig. Ref. Supvsr. 24000.0 Elig. Ref. Supvsr 25000.0 Elig. Ref. Supvsr	 9/8/14 Board of County Commissioners Date BO 05 (ADM 4107)	

VOTE:

Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (838-2014) TREASURER’S INVESTMENTS – August 2014

It was moved by Commissioner Metzger, seconded by Commissioner Everett, to approve the following Treasurer’s Investments for August 2014:

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

September 3, 2014

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

Commissioners:

As provided by Section 132.21 of the Ohio Revised Code, please be advised of the investments made by the Tuscarawas County Treasurer’s Office during the month of **August, 2014**:

See attached Monthly Portfolio Report for individual purchases, sales/maturities.

End of month interest amount to credit to September report is \$2,132.63

Monthly Investment Total \$40,167,216.89 Balance in Checking Acct. Chase \$8,263,991.81
(leaving large balance to offset bank charges) Huntington \$569,115.75 (Month End)



Total cumulative interest through August, 2014 is: Co. Gen. \$84,144.02

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

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

Discussion: Nicholas Montan (Chief Building Officer/Plans Examiner, East Central Ohio Building Authority) received a proposal from Commissioner Kerry Metzger to possibly establish a grant process to provide help for small businesses and not-for-profits with the cost of plan approval and inspection fees for improvements and new construction. H reviewed the past approval requests and feels this program would assist 50-70 projects with an average of \$350-\$500 in assistance per year. There is a \$25,000 cap per year with a proposed three year term. The \$25,000 will come from the County's Economic Growth Fund (U60). There will be no funds from ECOBA. ECOBA will do their inspections and planning and will only invoice the entire amount but the county will pay a portion of the fee as per the resolution. This is set up as a reimbursement system that will spur economic growth. The next step will be to look at a program to assist with the architectural fees. There could potentially be a contractual agreement with a retired architect that the county would pay for a part of those services but wanted to get this program up and running first. It would be a conflict of interest to have someone "on staff" at ECOBA to provide the architectural services. There are roughly 60 building departments across the state and this is the only one Nicholas knows of doing this type of funding process. He commended the Commissioners on their efforts. If it works, other communities may look into implementing a similar grant process. The work and cooperation for Nicholas and Harry Eadon (EDFA) is appreciated.

RESOLUTION NO. 839-2014

**BOARD OF TUSCARAWAS COUNTY COMMISSIONERS
ESTABLISHING THE TUSCARAWAS COUNTY SMALL BUSINESS
PLAN APPROVAL FEE GRANT PROCESS**

On Sept. 8, 2014, the Board of Tuscarawas County Commissioners met, with the following members present: Chris Abbuhl, Kerry Metzger and Belle Everett.

Commissioner Metzger moved for the approval of the following resolution:

WHEREAS, the Board of Commissioners has determined that small businesses are in need of assistance with regard to securing funds to assist in the process of securing plan approval and inspection fees for new construction and/or improvements within the scope of the Ohio Building Code, to include fees to the East Central Ohio Building Authority;

WHEREAS, the proposed Grant process is outlined in the attached overview of the Plan Approval Fee Grant Process, to include a Plan Approval Fee Assistance Grant application;

WHEREAS, the Grants according to the process will be provided on an on-going approval basis with the effective dates of the Grant period being 9/15/2014 through 9/14/2017, with an annual appropriation of Twenty-five Thousand Dollars (\$25,000.00) per annum;

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

- (1) The Tuscarawas County Plan Approval Fee Grant Process is approved, as outlined in the attached overview and Plan Approval Fee Assistance Grant Application attached.
- (2) The Board of Commissioners adopts and implements the procedures set forth in such documents in order to facilitate assistance to small businesses as defined in the attached documents with regard to defraying plan approval and inspection fees for new construction and/or improvements within the scope of the Ohio Building Code.
- (3) The sum of \$25,000.00 is appropriated from the Growth Fund(U60) for such purposes.

(4) The Clerk of the Board shall promptly deliver certified copies of this Resolution to the County Auditor, County Treasurer and the East Central Ohio Building Authority.

Commissioner Everett seconded the adoption of the foregoing Resolution and upon roll call the vote result as follows:

- Commissioner Chris Abbuhl - yes;
- Commissioner Belle Everett - yes;
- Commissioner Kerry Metzger - yes;

Adopted September 8, 2014.

ATTEST:

I certify that this Resolution is a true and correct copy of the proceedings of the Board as noted above.



Jane Clay, Clerk of the Board
of Tuscarawas County Commissioners

Dated: Sept. 8 2014

Discussion: Mike Morelli (Kent State Tuscarawas Performing Arts Center) and Harry Eadon (Economic Development & Financial Alliance) presented a list of committee member for the Tuscarawas County Local Arts Agency Feasibility Study. The list is divided up by facilitators and members. Commissioner Everett is glad these individuals have accepted and she likes the diversity in the age and sexes in the group. It is well blended. Commissioner Metzger wanted clarification on the timeline. Mike stated they will break in December and resume in January with a deadline to submit their final report a year from when the resolution was approved or before if it is completed. Commissioner Abbuhl added that it is exciting as there is a lot of talent in the county that does not get to showcase their talent. The first meeting will be Thursday, September 11, 2014 at 4:30 p.m.

RESOLUTION (840-2014) APPOINT LOCAL ART AGENCY FEASIBILITY STUDY COMMITTEE MEMBERS

It was moved by Commissioner Metzger, seconded by Commissioner Everett, to approve the following recommended list of committee members and facilitators for the purpose of the local arts agency feasibility:

FACILITATORS

- Chairman Mike Morelli, Kent State Tuscarawas Performing Arts Center
- Facilitators;
- Harry Eadon, EDFA of Tusc. Co.
- Diane Lautenschleger, Tusc. Co. Convention & Visitors Bureau
- Sarah Dugger, Mr. McGillicutty Art Studios
- Jeannine Kennedy, Tusc. Co. Center for the Arts
- Jim Dawson, Synergy Sign & Graphics
- Denny Trimmer, Solid Rock Photos
- Joan Wenzel, Tuscarawas Philharmonic
- John & Wanda Croft Sugarcreek Community Arts Council
- Margaret Bonamico, Trumpet in the Land
- Pat Potter, The Little Theatre of Tusc. Co.
- Robyn Martins, Barbour Publishing
- Roxie Long, The Little Theatre of Tusc. Co.
- Rich Geib, Linn Hert Geib Funeral Homes & Crematory
- Joe Bonamico, Trumpet in the Land

COMMITTEE MEMBERS

Financial	Gregg Andrews, Kent State Tuscarawas
Financial	Doug Bambeck, Investment Partners
Government	Jim Gill, Dover Public Library
Government	Kelli Baker, EDFA of Tusc. Co.
CVB	Diane Lautenschleger, Tusc. Co. Convention & Visitors Bureau
Business	Jon Elsasser, Canal Tavern of Zoar
Business	John Maxwell, Krugliak Wilkins Griffiths & Dougherty LPA
Business	Steve & Gretchen Stokey, Allied Machine & Engineering
Various Arts	Kathleen Riley
Various Arts	Bethann Hinig
Various Arts	Derek Studt, NewPointe Community Church
Various Arts	Kyle Valentini, Graphic Publications
Various Arts	Mark Murphy, Tuscarawas Valley Local Schools
Various Arts	Shelly Beitzel
Various Arts	George Laurence, Museum Acrylics

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (841-2014)

PAY BILLS

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

911

American Electric Power	Tower Electricity	249.76
Staley Technologies	Maintenance on Paging System	660.00

Child Support Enforcement Agency

L. Victoria Buss	Interpreter Services	45.00
Sean Miller	CS Allocations Meeting	113.16

Clerk of Courts

Xerox	Service	79.77
Staples	Supplies	159.96
Staples	Supplies	33.97
Staples	Printer	119.99
Staples	Supplies	28.02
Staples	Supplies	45.99
Staples	Supplies	112.80

Common Pleas

Quickprint Center	Office Supplies	340.00
Quickprint Center	Office Supplies	149.00
Pengad	Supplies	49.40
Judge Edward Emmett O'Farrell	Travel Expenses	79.74
Union Hospital	Employee Wellness	131.85
Elizabeth Stephenson	Incentive Items – Wellness Program	83.04
RJ Beck	Controller for Security Camera System	777.13

Community & Economic Development

WE Quicksall & Associates	Engineering Services/2013 CDBG	8,344.70
Tusc Co Health Dept	Water/Sewer Testing/FY 2012 CHIP	240.00

Community Corrections

Tusc. Co. Sheriff Reserves	Security	630.00
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Dog Pound

Fairfield Computer Services	Monthly Dog License Software	200.00
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Engineer

Dominion East Ohio Gas	Gas Svs – NP	34.97
Truck Sales & Services	Repairs & Parts	2,078.93
Larry Hoagland	Repairs/Parts	860.00
Joe Bachman	Travel & Misc. Expenses	618.44
SEI	Office Cleaning	530.00
Fishel Haas Kim Albrecht	Legal Consultant	175.00

Triple R Trailer Sales	Repairs/Parts	21.00
Stony Point Supply	Bridge/Culvert Supplies	887.00
Lowes Business Account	Bridge/Culvert Supplies	64.98
Ziegler Bolt & Nut House	Bridge/Culvert Supplies	68.95
Cross Truck Equipment	Repairs/Parts	41.90
Snyder Brothers Sales & Service	Repairs – Parts	102.52
Kimble Recycling & Disposal	Trash Dumpsters Port & NP	56.05
Russell Standard/JASA	Material per bid	77,918.81
Ohio Valley Hydroseeding	Hydroseed Various Projects	2,900.00
Newton Asphalt	Materials	2,303.34
Hydraulic Specialists	Repairs/Parts	782.08
Ziegler Tire	Repairs/Parts	495.95
Rick Watson Trucking	Material Hauling per bid	3,446.75
Pleasant Valley Ready Mix	Concrete	526.63
Centre Supply Co	Parts	327.11
Terminal Supply Co	Repairs/Parts	281.79
Ohio Light Truck Parts Co	Parts/Repairs	43.00
RJ Wright & Sons	Repairs/Parts	428.40
Liniform	Uniform Rental	139.13
Twin City Automotive	Parts	550.94
Morton International	Salt – Summer Bid	3,902.55
RJ Wright & Sons	Gas & Fuel Oil	27,239.54
Softworks Inc.	Software Maint. Contract	1,195.00
Beaver Excavating	Load Fill Material	3,176.00
Southeastern Equipment Co	Attachments for new Kobelco	17,439.18
Southeastern Equipment Co	2014 Kobelco SK210LC9	155,404.80
WE Quicksall & Assoc	Tus-CR 62.00.79 Bridge Rehab	2,499.50
Truck Sales & Service	Repairs/Parts	458.99
Pipelines Inc	Pipe Stock BUC-49-73 Br Repl	14,840.00
Information Technology		
ProVantage	Printer Supplies	217.76
Staples	Printer Supplies	24.29
Job & Family Services		
Mark & Raynah Abbuhl	AA & SAMS	25,869.88
Verizon Wireless	Cell Phone Bill	610.29
First Communications	Phone Bill	297.83
Discount Drug Mart Inc	Supplies	39.96
Zeigler Tire	Car Maintenance	112.70
Workforce Initiative Assoc	One Stop Ohio Means Jobs	8,675.00
Michelle Tope	Travel & Training 2014	206.80
Mandy Prosser	Travel & Training 2014	53.82
Seth & Kathy Morrison	Transportation	22.08
Department of Licensing	Driving Record	13.00
Ohio Treasurer of State	Driving Records	20.00
Tommy Cannon	Travel 2014	509.40
Law Library		
Tusc. Co. Clerk of Courts	Notary Fees	105.00
Prosecutor		
US SafetyGear	Freight Charges	70.0
Public Defender		
Health Port	Medical Records	16.82
Sheriff		
Staley Technologies	Repairs of Radios	228.18
G&L Supply	Maintenance/Cleaning Supplies	1,165.10
ID Networks Inc.	Printer	1,615.00
Avalon	Food, etc. for Inmates	8,150.57
Staley Technologies	Repairs to Radios	66.23
Dutch Creek Foods	Inmate Food	2,037.87
Dominion East Ohio Gas	Natural Gas	5,577.01
Staley's Technologies	Service Contract for Portables	326.00
Zashin & Rich LPS	Legal Counsel	131.10
Bernard Food Industries	Inmate Food	1,056.00

Lowes	Supplies	299.23
Meat Packers Outlet	Meat for Inmates	1,152.62
Nicole Aubiel	Training Reimb	19.00
Bob Lewis	Mulch	200.00
Staley Technologies	Repairs	373.50
Bonifay Home Supply	Supplies	3.38

Veterans

Time Warner Cable	Internet & Cable	208.27
Xerox Corp	Xerox Lease Maintenance	217.71
Tusc. County Engineer	Gas for County Van	35.71
Holly Lane	Mileage for County Officer	14.72
Holly Lane	Expenses for Training	21.31

Water/Sewer

Fenton Bros Electric	Repair Pump (Quaker)	1,364.75
City of Dover	County share of OM&R (sewer)	5,874.51
City of Dover	County share of OM&R (sewer)	1,077.28
Zashin & Rich Co LPA	Consultant Services	92.50
Stoney Point Supply	Supplies	210.10
Clearwater Systems	Materials	216.40
Enger Auto	Materials	118.14
Enger Auto	Supplies	10.44
Fenton Brothers	Materials	52.87

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

RESOLUTION (842-20104) RECESS

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to recess at 1:25 p.m. until 2:00 p.m. for the purpose of the Road Vacation/Relocation Hearing for CR 103 Orchard St.

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

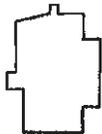
Commissioner Abbuhl called the meeting out of recess at 2:00 p.m. and back into Regular Session.

ROAD VACATION/RELOCATION HEARING – SIGN IN SHEET

**ROAD VACATION/RELOCATION HEARING
 September 8, 2014
 2:00 p.m.**

NAME (please print)	ADDRESS	FOR OR AGAINST
Shyanne Camou	WSEX	no comment
Joe Bachman		For
Kerry Metzger	Commissioner	
Chris Abbuhl	Commissioner	
Belle Everett	Commissioner	
Jane & Clary	Clerk to the Board	

Petition/Request for Road Vacation/Relocation – Tuscarawas County Road 103 (North Orchard)



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

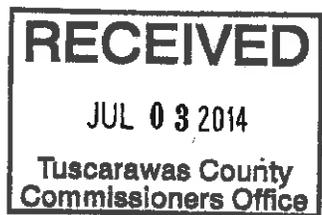
832 Front Avenue SW, New Philadelphia, OH 44663

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

July 2, 2014

Tuscarawas County Commissioners
Jane Clay, Clerk

Re: Road vacation request
Tuscarawas County Rd. 103 (North Orchard Rd.)



Commissioners:

The Tuscarawas County Engineer is requesting that a portion of the above referenced County Rd. 103 be vacated and relocated as part of a safety upgrade. The road is being relocated horizontally and vertically to improve sight distance and drainage.

Please find attached vacation and dedication plats and descriptions for the relocation. Also attached are copies of the signed easements from the affected property owners to Tuscarawas County. The easements will be recorded after the roadway plats are recorded. Names and addresses of parties affected by the road vacations and relocations are also included.

Please advise us when the public viewing and hearing dates are set.

If you have questions or require additional information, please call.

Respectfully,

Joe Bachman, P.E., P.S.
Tuscarawas County Engineer

Proof of Publication – Notice of Hearing

**PUBLISHER'S AFFIDAVIT
LEGAL NOTICE**

Virginia Davis

Being first duly sworn, says that the Affiant is a duly authorized Clerk of The Times Reporter, a Daily and Sunday newspaper published and of general circulation in said

**CITY OF New Philadelphia
STATE OF OHIO
COUNTY OF Tuscarawas**

} SS

and that the legal advertisement, of which the annexed is a copy was published in said newspaper on:

PUBLICATION DATES:

07/31/14, 08/07/14

LEGAL NOTICE

Under R.C. 5553.04, Joseph S. Bachman, Tuscarawas County Engineer, on behalf of Tuscarawas County is requesting that a 60 foot roadway right-of-way located on County Road 103 (North Orchard Road) in part of Lot 10 of the Morris Tract, Lawrence Township, be partially relocated and partially vacated. The vacation/relocation is part of a safety upgrade. The road would be relocated horizontally and vertically to improve sight distance and drainage. The Board of Tuscarawas County Commissioners will view the premises on August 12, 2014 at 10:00 a.m., with a public hearing for the vacation/relocation request to be held on September 8, 2014 at 2:00 p.m. in the William G. Winters Conference Room, Tuscarawas County Office Building, 125 E. High Ave., New Philadelphia, Ohio. By order of the Board of Tuscarawas County Commissioners:

Chris Abbuhl
Kerry Metzger
Belle Everett
By: Jane Clay, Clerk
Published in The Times Reporter on July 31 and August 7, 2014.

Sworn to and subscribed before me, this 8th day of August, 2014.

Virginia Davis

Representative Signature

Michelle L Ward

Notary Public



MICHELLE L. WARD
Notary Public, State of Ohio
My Commission Expires
July 16, 2016
Recorded in Stark County

Total number of measured inches published: 9.31
Publisher's Fee: 145.70

Customer Account Number: 113871
Case No:
ORDER NO: 00674433

HEARING – ROAD VACATION/RELOCATION – CR 103 ORCHARD:

Commissioner Abbuhl opened the hearing at 2:00 p.m. He asked everyone present to sign in.

Commissioner Abbuhl stated the Commissioners received a petition from the Tuscarawas County Engineer. The hearing was advertised in the Times Reporter on July 31, 2014 and on August 7, 2014 stating the date and time of the hearing. Notification was sent to all adjacent land owners, township trustees, ODNR, Prosecutor, Engineer and Auditor.

Commissioner Abbuhl then read the letter from Tuscarawas County Engineer Joe Bachman requesting the road vacation/relocation of County Road 103 (Orchard Rd).

Commissioner Everett and Commissioner Abbuhl attended the viewing. Commissioner Metzger was not able to attend the road vacation viewing but he did go out and personally look at the area prior to today. He is aware of the area and changes made.

Commissioner Everett publicly thanked the property owners who donated their property. This basically cost the County Engineer nothing for the property. Everyone will benefit from the improvement. Raising the road 4 feet makes a big difference in controlling the water. Commissioner Abbuhl agreed and stated the one property owner Mr. Mourse seemed very satisfied. The roadway seems to flow a little better and it is draining properly.

Joe Bachman pointed out the location of the old centerline and new centerline on the map. Basically, at most the road moved about 14'. This makes the road straight. They had to replace a 4' culvert anyway so they did both. It was just a matter of moving the culvert and moving the road a little bit.

Commissioner Abbuhl asked if anyone present wanted to speak for or against the vacation/relocation? No further comments were made.

Therefore, the hearing was closed at 2:04 p.m.

TUSCARAWAS COUNTY COMMISSIONER'S**RESOLUTION 843-2014**

**IN THE MATTER OF APPROVING A REQUEST FOR
VACATION AND RELOCATION OF A RIGHT-OF-WAY
ON COUNTY ROAD 103 (North Orchard Road) FILED BY
JOSEPH S. BACHMAN, TUSCARAWAS COUNTY ENGINEER**

The Board of Tuscarawas County Commissioners, Tuscarawas County, Ohio met in regular session on Thursday, September 11, 2014, with the following members present: Chris Abbuhl, Belle Everett and Kerry Metzger.

Commissioner Metzger, moved the adoption of the following resolution:

WHEREAS, R.C. 5553.04 provides that when the Board of County Commissioners is of the opinion that it will be for the public convenience or welfare to locate, establish, alter, widen, straighten, vacate, or change the direction of a public road, it shall so declare by resolution, which resolution shall set forth the general route and termini of the road, or part of the road, to be located, established, or vacated, or the general manner in which the road is to be altered, widened, or straightened, or the direction of the road is to be changed.

WHEREAS, a request was filed with the Clerk of the Board of County Commissioners on 7/3/2014, by Joseph S. Bachman, Tuscarawas County Engineer, regarding the vacation and relocation of a right-of-way for County Road 103 (North Orchard Road) in Lawrence Township; the request and reasons underlying the request are set forth in Exhibit "A" attached, a 7/2/2014 letter from Joseph S. Bachman, Tuscarawas County Engineer; Exhibit "B" attached contains a description of the right-of-way limits of the dedicated portion of relocated Tuscarawas County Road 103 (North Orchard Road) and Exhibit "C" is a description of the existing center line of the vacated portion of County Road 103 (North Orchard Road);

WHEREAS, by Resolution 700-2014, dated July 24, 2014, the Board of Tuscarawas County Commissioners agreed to consider if it would be for the public convenience and welfare to vacate and relocate portions of County Road 103 (North Orchard Road) located in Lawrence Township; and

WHEREAS, the Tuscarawas County Commissioners conducted a view at the site of the vacation/relocation on August 12, 2014 at 10:00 a.m. and held a public hearing on September 8, 2014 at 2:00 p.m. to hear a comment on the proposed vacation/relocation; and

WHEREAS, the Clerk of the Board gave notice of the time and place for both the view and hearing by publishing an appropriate notice in *The Times-Reporter* once a week for two consecutive weeks which included a brief statement of the character of the requested improvement; and

WHEREAS, after hearing public comment and in consideration of the Tuscarawas County Engineer's request, the Board of Tuscarawas County Commissioners accepts the Engineer's request and recommendation and agrees to approve the vacation/relocation of County Road 103 (North Orchard Road) as reflected in Exhibits "A", "B" and "C" attached and as denoted on the Vacation and Dedication Plat prepared by the Tuscarawas County Engineer's Office, a copy of which is attached as Exhibit "D"; and

WHEREAS, the Board of Tuscarawas County Commissioners finds that such improvements will serve the public convenience and welfare and, accordingly, approves the requested vacation/relocation under the authority of R.C. 5553.04 through 5553.11; and

RESOLVED, that a certified copy of this Resolution shall be filed with the Tuscarawas County Engineer, Water Resources, County Recorder, County Auditor, Lawrence Township Trustees and the Vacation and Dedication Plat Mylar Plat shall be signed by the Tuscarawas County Engineer, the Tuscarawas County G.I.S. Department and each member of the Board of Commissioners and subsequently recorded with the Tuscarawas County Recorder's Office; and

BE IT FURTHER RESOLVED, the Board of Tuscarawas County Commissioners finds and determines that all formal actions of this Board concerning or relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board resulted in those formal actions were in meetings open to the public in compliance with law, including R.C. 121.22.

Commissioner Everett seconded the Resolution, and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Commissioner Chris Abbuhl	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Commissioner Belle Everett	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Commissioner Kerry Metzger	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

This Resolution was duly passed on September 8, 2014.

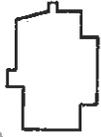
ATTEST:

/s/ Jane E. Clay
Jane Clay, Clerk
Board of Tuscarawas County Commissioners

Dated: September 8, 2014

cc: Lawrence Township Trustees
Tuscarawas County Engineer
Tuscarawas County Auditor
Tuscarawas County Prosecuting Attorney
Director of Ohio Department of Natural Resources

This Resolution was prepared and approved as to form by the office of the Tuscarawas County Prosecutor, by Robert R. Stephenson II, Assistant Prosecuting Attorney.



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

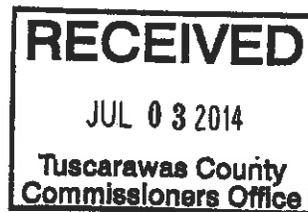
832 Front Avenue SW, New Philadelphia, OH 44663

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

July 2, 2014

Tuscarawas County Commissioners
Jane Clay, Clerk

Re: Road vacation request
Tuscarawas County Rd. 103 (North Orchard Rd.)



Commissioners:

The Tuscarawas County Engineer is requesting that a portion of the above referenced County Rd. 103 be vacated and relocated as part of a safety upgrade. The road is being relocated horizontally and vertically to improve sight distance and drainage.

Please find attached vacation and dedication plats and descriptions for the relocation. Also attached are copies of the signed easements from the affected property owners to Tuscarawas County. The easements will be recorded after the roadway plats are recorded. Names and addresses of parties affected by the road vacations and relocations are also included.

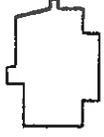
Please advise us when the public viewing and hearing dates are set.

If you have questions or require additional information, please call.

Respectfully,

Joe Bachman, P.E., P.S.
Tuscarawas County Engineer

Exhibit "A"



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

**DESCRIPTION OF THE RIGHT OF WAY LIMITS OF THE DEDICATED PORTION OF
RELOCATED TUSCARAWAS COUNTY ROAD 103 (NORTH ORCHARD RD.)**

Metes and bounds description of the sixty foot (60') wide right of way limits of relocated Tuscarawas County Road 103 as found in the **Vacation and Dedication Plat-Portion of Tuscarawas Co. Rd. 103 (North Orchard Rd.)** on file at the Tuscarawas County Engineer's Office, 832 Front Avenue SW, New Philadelphia, Ohio 44663 and also recorded in the County Road Records on file at the Tuscarawas County Courthouse.

Situated in the Township of Lawrence, County of Tuscarawas and State of Ohio and being part of Lot 10 of the Morris Tract and being in the First Quarter of Township 10, Range 2 of the United States Military Lands and bounded and described as follows:

Beginning at a "PK" nail set at the southeast corner of a 4.3369 acre tract as conveyed to Dayne A. and Angela K. Thomas in Volume 1153, Page 1472 of the Deed Records of Tuscarawas County and falling in the travelled roadway of the relocated portion of County Road 103 (North Orchard Road); said point being located the following two (2) courses from an axle found at the northwest corner of the southwest quarter of Section 5, Range 1 West of the United States Military Lands and also being in the center of Welton Road on the boundary line of Lawrence and Sandy Townships and being on the east line of Range 2 West and the west line of Range 1 West of the United States Military Lands:

1. South $2^{\circ}57'10''$ West, 1316.33 feet in the center of said Welton Road with said Range and Township line to a $5/8''$ iron pin found in the travelled roadway of County Road 103 (North Orchard Road) having a 60' right of way and passing over a railroad spike found at 279.97 feet;
2. North $82^{\circ}41'45''$ West, 2278.92 feet in the travelled roadway of said County Road 103 to said beginning;

Thence South $7^{\circ}18'15''$ West, 24.76 feet to an iron pin set on the existing south right of way line of County Road 103;

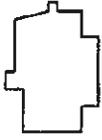
Thence with the south right of way line of relocated County Road 103 North $82^{\circ}30'54''$ West, 467.38 feet to an iron pin set;

Thence continuing with said south right of way line with a curve to the right having a radius of 530.00 feet, an arc distance of 106.64 feet, a delta angle of $11^{\circ}31'42''$ and a chord bearing North $76^{\circ}45'03''$ West, 106.46 feet to an iron pin set;

Thence continuing with said south right of way line North $70^{\circ}59'13''$ West, 61.17 feet to an iron pin set;

Thence leaving said south right of way line North $19^{\circ}00'47''$ East, 60.00 feet to an iron pin set on the north right of way line of said County Road 103;

Exhibit "B"



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

EXISTING CENTERLINE DESCRIPTION OF THE VACATED PORTION OF TUSCARAWAS COUNTY ROAD 103 (NORTH ORCHARD RD.)

Metes and bounds centerline description of that portion of Tuscarawas County Road 103 to be vacated. Existing right of way is sixty feet (60') and the road shall be vacated thirty feet (30') each side of the herein described centerline and as found in the **Vacation and Dedication Plat-Portion of Tuscarawas Co. Rd. 103 (North Orchard Rd.)** on file at the Tuscarawas County Engineer's Office, 832 Front Avenue SW, New Philadelphia, Ohio 44663 and also recorded in the County Road Records on file at the Tuscarawas County Courthouse.

Situated in the Township of Lawrence, County of Tuscarawas and State of Ohio and being part of Lot 10 of the Morris Tract and being in the First Quarter of Township 10, Range 2 of the United States Military Lands and bounded and described as follows:

Beginning at a point on the existing centerline of Tuscarawas County Road 103 (North Orchard Road) having a right of way width of sixty feet (60'); said point being located the following three (3) courses from an axle found at the northwest corner of the southwest quarter of Section 5, Range 1 West of the United States Military Lands and also being in the center of Welton Road on the boundary line of Lawrence and Sandy Townships and being on the east line of Range 2 West and the west line of Range 1 West of the United States Military Lands:

1. South 2° 57' 10" West, 1316.33 feet in the center of said Welton Road with said Range and Township line to a 5/8" iron pin found in the travelled roadway of County Road 103 (North Orchard Road) having a 60' right of way and passing over a railroad spike found at 279.97 feet;
2. North 82° 41' 45" West, 2802.40 feet in the travelled roadway of said County Road 103 to a "PK" nail set on the south line of a 18.92 acre tract as conveyed to Krizman Enterprises-A Partnership in Volume 559, Page 670 of the Deed Records of Tuscarawas County
3. With the south line of said 18.92 acre tract North 56° 11' 05" West, 111.12 feet to an iron pin set
4. Leaving the south line of said 18.92 acre tract South 19° 00' 47" West, 20.50 feet to said **beginning**;

Thence from said beginning with the existing centerline of said County Road 103 South 70° 59' 12" East, 19.87 feet to a point;

Thence South 64° 29' 33" East, 90.49 feet to a point;

Thence with a curve to the left having a radius of 440.00 feet, an arc distance of 186.62 feet, a delta angle of 24° 18' 03" and a chord bearing South 76° 38' 35" East, 185.22 feet to a point;

Thence South 88° 47' 37" East, 172.26 feet to a point;

Thence South 87° 04' 38" East, 76.68 feet to a point;

Thence South 85° 50' 45" East, 23.01 feet to a point;

Thence South 84° 30' 50" East, 66.80 feet to the **termini** of the centerline of that portion of County Road 103 to be vacated.

Bearings are oriented to the Lawrence and Sandy Township boundary line also being the east line of Range 2 West and the west line of Range 1 West of the United States Military lands, (South 2° 57' 10" West).

Description and survey for this parcel by Robert A. Lint, Jr. of the Tuscarawas County Engineers Office, Registered Surveyor No. 7153.

Vacation and Dedication Plat-Portion of Tuscarawas Co. Rd. 103 Recorded in

Plat Book _____, Page _____ of the Tuscarawas County Road Records.

Robert A. Lint, Jr.
Ohio Registered Surveyor No. 7153
Tuscarawas County Engineers Office

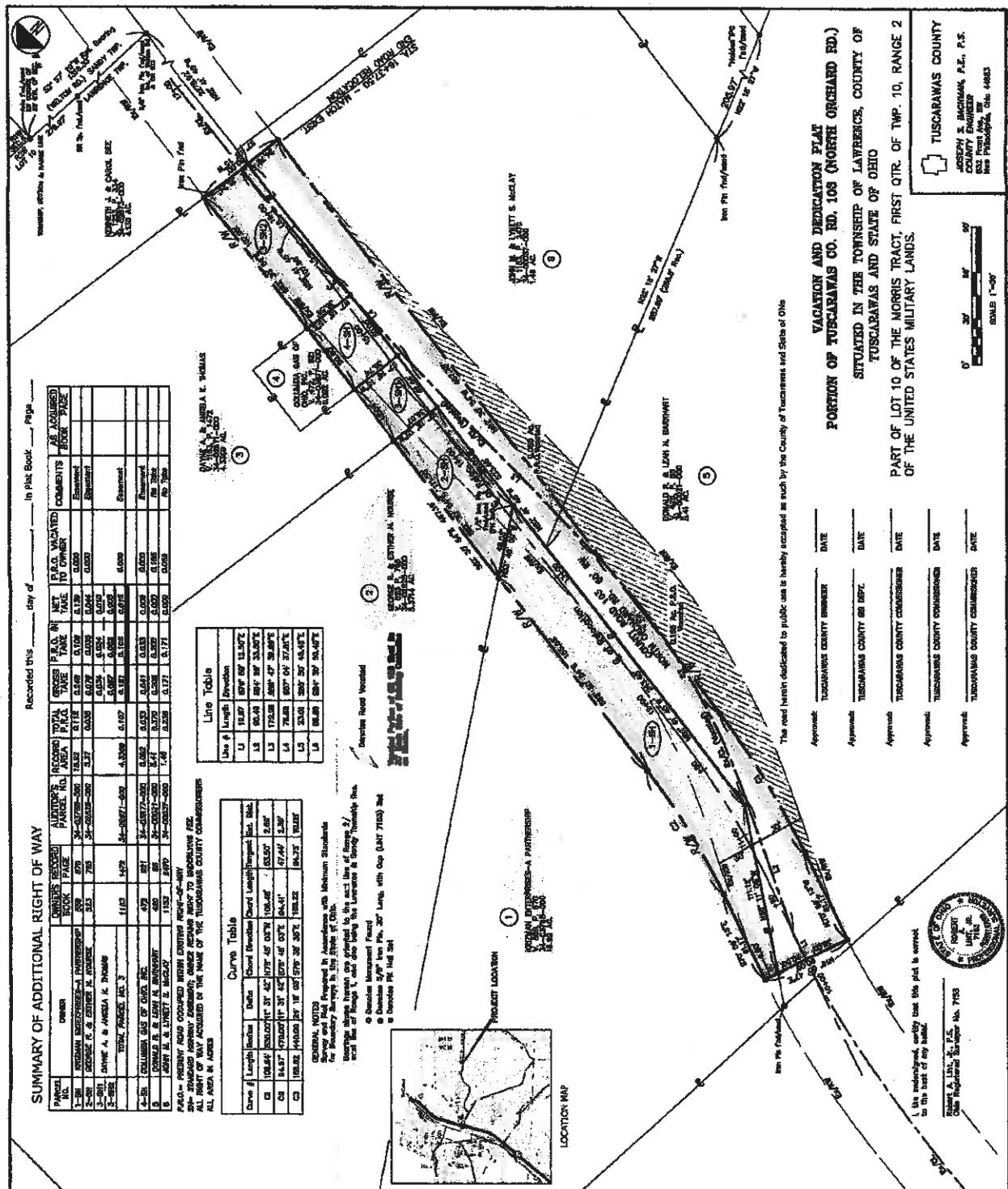


Exhibit "D"

NO OTHER BUSINESS COMING BEFORE THE BOARD.

RESOLUTION (844-2014) ADJOURN

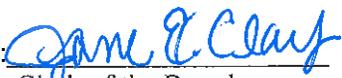
It was moved by Commissioner Metzger, seconded by Commissioner Everett, to adjourn at 2:07 p.m. to meet in Regular Session, Thursday, the 11th day of September, 2014.

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

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





Attest: 
Clerk of the Board