

April 27, 2015

1:15
1:45

Mike Miller
Harry Eadon & Mike Morelli

EDFA Bonds-Ashland University
Tusc Arts Feasibility Study

Agenda

Pledge of Allegiance

Approve Minutes

Before/after Expenditures

Supplemental Appropriation (1)

Travel-JFS

Treasurer's Investments March 2015

Authorize Bid Advertisement Project #2-2015 Bridge Beams Project #3-2015 Reprofilng/Resurfacing

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION, MONDAY THE 27TH DAY OF APRIL, 2015, WITH THE FOLLOWING MEMBERS PRESENT:

Belle Everett
Kerry Metzger
Chris Abbuhl

Commissioner Everett presiding.

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

RESOLUTION (394-2015) APPROVE MINUTES

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

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

RESOLUTION (395-2015) BEFORE/AFTER EXPENDITURES

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

John(Jack) Hupp (Commissioners)	342.47
Gate House Media (Commissioners)	199.12

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

RESOLUTION (396-2015) SUPPLEMENTAL APPROPRIATIONS

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

DEPARTMENT	FROM	TO	AMOUNT	REASON
Engineer	K00-K40	K00-K30	\$150,000.00	Bridge & Culvert Contract Services

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

RESOLUTION (397-2015) TRAVEL –JFS

It was moved by Commissioner Abbuhl, seconded by Commissioner Metzger, to approve the following travel request as submitted by David Haverfield, Director:

DATE: 5/6/2015
TITLE: EVERYDAY ETHICS FOR SOCIAL WORKERS
LOCATION: CAMBRIDGE
ATTENDING: MANDY PROSSER
ANTICIPATED EXPENSE: Mileage of approximately 84 miles equals \$38.64, or an agency van will be utilized, if available, and meals at \$15.00.

DATE: 5/6/2015
TITLE: CYBER ETHICS
LOCATION: CAMBRIDGE
ATTENDING: TIM HASWELL, BEV GERBER
ANTICIPATED EXPENSE: Mileage of approximately 84 miles equals \$38.64, or an agency van will be utilized, if available, and meals at \$15.00.

DATE: 5/29/2015
TITLE: PCSA ATTORNEY SEMINAR
LOCATION: COLUMBUS
ATTENDING: JEFF KIGGANS AND KAREN QUINLAN
ANTICIPATED EXPENSE: Mileage of approximately 234 miles equals \$107.64, or an agency van will be utilized, if available, and meals at \$15.00.

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

RESOLUTION (398-2015) TREASURER’S INVESTMENT MARCH 2015

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to approve the following Treasurer’s Investment for March 2015:

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

April 8, 2015

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 **March, 2015**.

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

End of month interest amount to credit to April, 2015 report is \$772.31.

Monthly Investment Total \$48,675,547.18

Balance in Checking Acct. Chase \$2,118,242.36 Huntington \$1,142,439.91

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Total cumulative interest through March, 2015 is: Co. Gen. \$97,485.40

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

**RESOLUTION (399-2015) AUTHORIZE BID ADVERTISEMENT PROJECT #2-2015
BRIDGE BEAMS & PROJECT #3-2015 REPROFILING/RESURFACING**

It was moved by Commissioner Abbuhl, seconded by Commissioner Metzger, to authorize the following bid advertisement:

ADVERTISEMENT FOR BIDS

Sealed bids will be received at the office of the Clerk of the Board of Tuscarawas County Commissioners, 125 East High Avenue, New Philadelphia, Ohio 44663, until **9:30 am May 21, 2015** for the following projects. Plans, specifications and contract documents are on file in the office of the Tuscarawas County Engineer, 832 Front Ave. SW, New Philadelphia, Ohio 44663. Copies may be obtained upon payment of a non-refundable fee of \$30.00 for each set of documents. Checks shall be made payable to "Tuscarawas County Engineer". Shipping and handling charges of \$15.00 will apply to all requests for shipping plans and specifications. The specifications and plans may also be obtained free of charge via e-mail by contacting the County Engineer's Office at engineer@co.tuscarawas.oh.us.

Work will consist of furnishing all services, labor, materials and equipment necessary to perform work as per plans and specifications set forth by the Tuscarawas County Engineer. Specifically, the projects will consist of the following:

Project #2-2015 – Bridge Beams: Supply and Set – NP-8th.Dr.-520 & GOS-187A-255
This project consists of furnishing precast, prestressed concrete bridge beams, bridge guardrail posts and mounting hardware traverse tie rods, bridge bearing pads, anchor rods and all appurtenances necessary and setting and assembling beams on abutments prepared by County forces.

Project #3-2015 – Reprofiling/Resurfacing
This project consists of Reprofiling/Resurfacing approximately 13.37 miles of Tuscarawas County Roads, Township Roads and Village Streets.

Bids shall be in conformity with the Ohio Revised Code, and shall be upon the forms furnished in the Contract Documents. Bids must be submitted in a sealed envelope, bearing on the outside, the name and address of bidder and the name of the project, "PROJECT #2-2015 TUSCARAWAS COUNTY" or "PROJECT #3-2015 TUSCARAWAS COUNTY" as appropriate.

These projects are funded in part with Ohio Public Works Commission Funds and are subject to funding agency requirements.

Attention is called to the prevailing wage rates to be paid where applicable for labor and public improvements in and for Tuscarawas County, as ascertained by the Department of Industrial Relations of the State of Ohio.

Each bid shall be accompanied by a bid guaranty in the form of (1) a certified check, cashier's check or irrevocable letter of credit pursuant to ORC 1305 equal to 10% for the bid; or (2) a bid guaranty and contract bond for the full amount of the bid; both forms of guaranty as provided in Chapter 153 of the Ohio Revised Code and in the project specifications. All bid guarantees shall be conditioned that if the bid is accepted within sixty (60) days of the bid opening, a proper contract shall be executed, and that upon failure or refusal to enter in to said contract within ten (10) days after the receipt of notification of award, the bidder and the surety on any bond shall be liable to the County in an amount not to exceed ten (10) percent of the bid.

B-1

The bonds or checks of all unsuccessful bidders will be returned within 48 hours after award of the contract or the rejection of all bids.

Each bid and all certificates shall be upon the forms furnished with the specifications, and shall be delivered to the Clerk of the Board of Tuscarawas County Commissioners on or prior to the date and hour specified for receiving bids.

Bidders shall comply with the Affirmative Action-Equal Employment Opportunity requirements set forth in the Contract Documents. A bidder/contractor will be deemed committed to the goal of such bid conditions by submitting a properly signed bid. Each bidder must insure that all employees and applicants for employment are not discriminated against because of race, color, religion, sex, handicap, or national origin.

The Tuscarawas County Commissioners reserve the right to reject any or all bids, and to waive any informalities or irregularities in the bids received.

BY ORDER OF THE TUSCARAWAS COUNTY COMMISSIONERS

BELLE EVERETT
KERRY METZGER
CHRIS ABBUHL

Attest: Jane E. Clay, Clerk

Publish: The Times Reporter on **May 5, 2015**
<http://www.co.tuscarawas.oh.us/Engineer/Projects.htm>

Bid Tabulations will be posted on the above website upon award of bids.

B-2

VOTE:

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

RESOLUTION (400-2015) PAYMENT OF BILLS

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

Commissioners

Tusc Co Chamber of Commerce	Safety Council	17.00
Office Max	Supplies	555.40
American Electric Power	Electric/JFS Light	81.11
Frontier	Service/364.6784	200.02

Community & Economic Development

Scott Reynolds	Travel	30.00
Maple & Sons Construction	CHIP Home Repair	3,400.00
Ohio Regional Development Corp	Soft Costs/CHIP Home Repair	748.00

Emergency Management

Patty Levengood	Travel	45.42
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Sheriff

Miller & Co	Unit Service	64.00
Pro-Tech Security Sales	Bulletproof Vests	860.00
Staples	Supplies	84.62

911

Staley Technologies	Repairs	2,549.68
Tri-Tech Software Systems	GeoComm Software Support	6,512.44
Tri-Tech Software Systems	CAD 24/7 Software Support	23,907.33

Recorder

Lori Smith	Travel	98.90
PC Assoc-Media Plus	Supplies	101.00

Juvenile/Probate

Staples	Supplies	347.46
Staples	Supplies	209.11
Staples	Supplies	67.98

Treasurer

Staples	Supplies	19.34
Staples	Supplies	110.08

Information Technology

Provantage	Supplies	694.73
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Clerk of Courts

First Data	Service	257.99
Frontier	Service	48.88

Law Library

Thomson Reuters West	Westlaw Patron Access	852.50
Thomson Reuters West	Books-Subscription	616.00
Independence Business Supply	Paper	34.50
Thomson Reuters West	Westlaw Government Select	3,010.56

Common Pleas

Hilscher Clarke Electric	Service	60.00
Sound Communications	Digital Recording System/Maintenance	4,092.71
Matthew Bender & Co	Legal Publications	3,075.69
Elizabeth Stephenson	Reimb Supplies	74.62

Community Corrections

Wood Electric	Electrical Outlets	1,457.00
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Water & Sewer

Tri State Tree Service	Tree Removal	225.00
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AT & T	Service	53.18
Larkin Contractors	Concrete Work	5,575.00
MCTV	Remote Access/Dundee WTP	102.12
MCTV	Remote Access/Dundee WTP	67.83
RJ Wright & Sons	Fuel	2,878.57
Flynn's Tire	Tires	499.92
Stony Point	Materials	154.90
Charles Rewinding	Repairs	779.00
Zashin & Rich	Consulting Services	129.50
Twin City Water & Sewer	Midvale/Barnhill Sewer Charges	5,092.40
Dover Utilities	Utilities	250.11
Dover Utilities	Utilities	455.99
First Communications	Long Distance	330.42
Twin City Water & Sewer	Reimb/Rural Dev.-Midvale/Barnhill Project	24,642.50
Stony Point	Gloves	185.20
Bridges Excavating	Asphalt Repair	756.00
Bridges Excavating	Asphalt Repair	1,848.00
Cintas	Uniform Rental	327.18
Job & Family Services		
Mandy Leddy	Diversion	473.00
US Postal Service	Postage by Phone	2,500.00
Amazon	Labels	11.94
Office Max	Supplies	46.39
Graphic Enterprises	Copier Contract Services	59.90
Simpson Heating & Cooling	Maintenance	99.98
Pitney Bowes Global Financial	Postage Meter Rental	489.00
Frontier	Service	569.21
AT & T	Advertising	4.44
Speedway Superamerica	Gas	449.07
Chrysalis Counseling Service	Therapy	107.00
First United Church of Christ	FP Appreciation Dinner	575.00
Ridgewood High School	FC School Dues & Agenda	35.00
Amazon	Adoption Incentive	249.99
Dixon Real Estate Holdings	Rent & Deposit	1,150.00
William Famal	KPIP	1,575.00
Tusc Co Senior Center	ODOT Coordination Grant	1,000.00
Veterans		
Miller Clothing	Coat/Transportation Coordinator	47.00
Consolidated Stitching	Shirts/Transportation Coordinator	65.00
Tusc Co JFS	Background Check/Trans. Coordinator	46.00

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

RESOLUTION (401-2015) EDFA BONDS-ASHLAND UNIVERSITY

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

DISCUSSION: Commissioner Metzger had a question for Mr. Eadon, President and Executive Director of The Economic Development & Finance Alliance of Tuscarawas County to make sure that there was no fiduciary responsibility and that the county is basically a pass through approval. Commissioner Metzger wanted the record to state that if there is a problem of repayment of the bonds with the EDFA or Ashland University or there is a fall through The Tuscarawas County Commissioners have no responsibility. Mr. Eadon stated there is nothing that can come back on EDFA or The Tuscarawas County Commissioners. Mike Melliore, Esq. of IceMiller, serving as bond counsel for Ashland University said it is clear in the bond documents as well as the prospectus there is nothing that can come back on either entity.

ROLL CALL: Belle Everett, yes;
Kerry Metzger, yes;
Chris Abbuhl, yes;

A RESOLUTION APPROVING, SOLELY FOR THE PURPOSE OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AND FINANCE ALLIANCE OF TUSCARAWAS COUNTY OF NOT TO EXCEED \$70,000,000 ECONOMIC DEVELOPMENT AND FINANCE ALLIANCE OF TUSCARAWAS COUNTY HIGHER EDUCATIONAL FACILITIES REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2015 (ASHLAND UNIVERSITY)

Commissioner Abbuhl moved the adoption of the following resolution and Commissioner Metzger seconded the motion.

WHEREAS, the County of Tuscarawas, Ohio, an Ohio county and political subdivision (the "County") has heretofore, by resolution of its Board of County Commissioners (the "Board"), created the Economic Development and Finance Alliance of Tuscarawas County, a port authority and body corporate and politic (the "Port Authority");

WHEREAS, the Port Authority proposes to issue its Higher Educational Facilities Refunding and Improvement Revenue Bonds, Series 2015 (Ashland University) pursuant to Chapter 4582, Ohio Revised Code, and Section 13 of Article VIII, Ohio Constitution, in an aggregate principal amount not to exceed \$70,000,000 (the "Bonds") to assist Ashland University, an Ohio nonprofit corporation (the "Borrower"), at its request, in financing and refinancing the costs of acquiring, constructing, equipping, furnishing and otherwise improving port authority facilities (the "Project") within the geographical jurisdiction of the Cities of Ashland and Mansfield, Ohio;

WHEREAS, the Bonds will be special obligations of the Port Authority and will not constitute a debt or pledge of the faith and credit or the taxing power of the Port Authority or the County, and the Board of Directors of the Port Authority adopted on April 24, 2015 a resolution approving the issuance of the Bonds (the "Port Authority Resolution");

WHEREAS, the Board of Directors of the Port Authority has represented to this Board that the Port Authority held a public hearing concerning the issuance of the Bonds on April 24, 2015, evidence of publication of which has been submitted to this Board, all in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and that no comments were received by the Port Authority from the public at or prior to such public hearing opposed to the Project or the Bonds;

WHEREAS, Section 147(f) of the Code requires, as a prerequisite to the issuance of the Bonds, that this Board approve the issuance of the Bonds as the "applicable elected representative" for the Port Authority under, and solely for the purpose of satisfying, the requirements of Section 147(f) of the Code; and

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

Section 1. Public Approval. This Board, as the “applicable elected representative” with respect to the Port Authority for purposes of Section 147(f) of the Code, and in reliance on the findings and determinations of the Port Authority and representations of the Borrower contained in the Port Authority Resolution, hereby approves the issuance of the Bonds in an aggregate principal amount not to exceed \$70,000,000, for purposes of assisting the Borrower in financing and refinancing costs of the Project, as more particularly described in the Port Authority’s notice of its public hearing, a copy of which is attached as Exhibit A. The foregoing approval is given in accordance with and solely to satisfy the requirements of Section 147(f) of the Code and does not obligate the County in any way with respect to the Bonds or the Project.

Section 2. This resolution does not constitute a finding of this Board as to the compliance or noncompliance by the Port Authority or the Borrower with respect to any legal requirements imposed upon them in connection with the issuance of the Bonds.

Section 3. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. Effective Date. This Resolution will take effect and be in force immediately upon its adoption.

Upon roll call the vote resulted as follows:

Abbuhl -- yes Metzger -- yes Everett -- yes

The foregoing is a true and correct excerpt from the minutes of the meeting of the Board of County Commissioners of Tuscarawas County, Ohio held on April 27, 2015, showing the adoption of the Resolution set forth above.

April 27, 2015.

Maria A. Lautenschlager
 Clerk, Board of County Commissioners
 County of Tuscarawas, Ohio

DISCUSSION: TUSC ARTS FEASIBILITY STUDY

Tuscarawas County Arts feasibility study was presented by Mike Morelli, General Manager of the KSU Performing Arts Center, Diane Lautenschleger, Partnership Development with the Tuscarawas County Convention and Visitors Bureau and Sarah Dugger, local artist and owner of Mr. McGillicutty Art Studio in Dover, Ohio. Also in attendance were many citizens who have an interest in or are involved in the Arts (painters, fire dancer, musician, sculptors, authors, graphic designers, photographers, former teachers). These individuals spoke of their support of a Local Arts Agency and how it could impact Tuscarawas County economically and culturally.

Mike discussed the research results of the study which was done with a committee of local interested parties in a Tuscarawas County Local Arts Agency. The study was conducted to see if our community needs and could sustain an Arts Agency. If there is a need, then you would go out and find what the structure will look like, how it would be funded and who would benefit from it. The Committee approached the task with three objectives. First, they went out and looked for successful models all over the nation, secondly, they took an Artist inventory of the people in Tuscarawas County, and lastly, they created a totally independent focus group to talk to about the Arts.

Diane explained how she along with other committee members researched what other Local Arts Agencies look like in the U.S. They each took three states and chose one agency from those states that best compare to Tuscarawas County's population and per capita income. She then defined the needs of the agency, a permanent location and staffing which would not be volunteers. A Community Director and an Office Administrator would be staffed. The next issue is a funding model which comes from various sources-levies, governmental assistance on the local, state and federal levels, foundation funding, corporate sponsorship, membership and fundraisers. The comprehensive and complex funding model will not rely solely on one source of income she stated. The structure of the organization will contain a clearly defined mission and vision statement (how well the organization works as a function and what its focus might be). Having a local agency will enrich the quality of life for artists, creates a place of interest for school children, increase attractiveness of our county. Sustainability is the ultimate importance in creating this agency. Partnering with other organizations would be vital.

Sarah, along with her group conducted a survey on what type of artists we have in Tuscarawas County. They found 50% consider themselves professional, 24% merging artists and 26% amateur artists. By creating a LAA the local artists would benefit from networking, marketing, and community interest.

The committee's proposal to the Tuscarawas County Commissioners is:

1. The county form a Local Arts Agency
2. The agency will be staffed by professionals
3. Receives ongoing & repeatable funding
4. Provides capacity building as well as a fund for artists and their endeavors

The Commissioners thanked them for their time taken with the study and also thanked the citizens for attending. They asked for additional information and the power point presentation and research power point will be provided to them.

NO OTHER BUSINESS COMING BEFORE THE BOARD.

RESOLUTION (402-2015) ADJOURN

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to adjourn at 2:16 p.m. to meet in Regular Session, Thursday, the 30th day of April, 2015.

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

Belle Everett

Kerry Metzger

Edna Abbott

Attest: Maria A. Lautenschlager

Clerk of the Board