

# October 3, 2016

## Agenda

*Pledge of Allegiance*

1:30 *Bid Opening Lawrence Twp. Flood & Drainage*

2:00 *Bid Opening Veterans Garage*

Approve Minutes

Supplemental Appropriations (2)

Interfund Transfer/Advance

Approve Estimate-Arise Tents & Events LLC

Disposal of Obsolete Items-Clerk of Courts

Out of County Travel-EMA (2)

Authorize Palmer Energy Company – CCAO Energy Program

Approve Updated Haz-Mat Plan

Approve Request-Separation Agreement and Release & Waiver of Claims

Authorize Consent for Right of Entry- Project Farr AMD Phase II

Pay Bills

*Other Business*

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION ON MONDAY THE 3<sup>rd</sup> DAY OF OCTOBER, 2016, WITH THE FOLLOWING MEMBERS PRESENT:

Chris Abbuhl  
Belle Everett

Commissioner Abbuhl presiding.  
Commissioner Metzger absent due to illness.

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

**RESOLUTION (881-2016) APPROVE MINUTES**

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

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

**RESOLUTION (882-2016) SUPPLEMENTAL APPROPRIATIONS**

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

DEPARTMENT	FROM	TO	AMOUNT	REASON
Commissioners	U40-U10	U40-U20	\$66,718.46	Maintenance Facilities
Sheriff	T07-T25	T07-T03	\$750.00	Supplies

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

**RESOLUTION (883-2016) INTERFUND TRANSFER/ADVANCE**

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

*Treasurer, Tusc. Co. Economic Development RLF Interest First Half 2016 \$0.45*

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

**RESOLUTION (884-2016) APPROVE ESTIMATE-ARISE TENTS & EVENTS LLC**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to approve the following estimate:

Arise Tents & Events LLC.

7461 Old Route 39 NW  
Sugarcreek, Ohio 44681  
Ph.#330-852-7000

**Estimate**

Date	Estimate #
9/29/2016	155

Name / Address
Tuscarawas County Commissioner 125 E High Avenue New Philadelphia, Ohio 44663

Description	Qty	Rate	Project	
			Total	
10' x 20' Tent Rental	1	135.00	135.00	
Extra Days of Rental	1	135.00	135.00	
Tap-con Rings to secure tent on concrete	2	5.00	10.00	
Tax Exempt		0.00%	0.00	
<b>Total</b>			\$280.00	

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

DISCUSSION: Commissioner Abbuhl explained the need for the tent rental. The tent will be placed in front of the Board of Elections for early voting at the Courthouse in the event of inclement weather. There is a limited space inside the Board of Elections, with only three voters allowed inside at one time. The tent will protect those standing in line. Commissioner Everett wanted to thank Joanne Limbach a New Philadelphia resident for asking the Commissioners to consider some form of protection from the elements. Also, she thanked the Board of Elections for their consideration and approval to pay for the rental.

**RESOLUTION (885-2016) DECLARE ITEMS OBSOLETE – CLERK OF COURTS**

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

**DISPOSAL OF OBSOLETE ITEMS**

DEPARTMENT	Clerk of Courts
PERSON REQUESTING	Jeanne Stephen
DATE	9/29/16

I/we are hereby requesting the Board of Commissioner to declare, as obsolete for the use for which it was acquired in accordance to Ohio Revised Code 307.12 (B) the following item(s) which will be disposed of in accordance to ORC:

Quantity	ID #	Description	Reason	Offered Inter-Office	Gov Deals	Proposed Disposal Method
1		HP Printer (Office Jet 10100)	Broken			Recycle

*For Commissioner's Office Use*

Date Received: 09.29.16	Date of Action: 10.03.16
Commissioner Abbuhl	Approved/ Denied
Commissioner Everett	Approved/ Denied
Commissioner Metzger	Approved/ Denied Absent

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

**RESOLUTION (886-2016) OUT OF COUNTY TRAVEL – EMA**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to approve the following travel request:

DATE: OCTOBER 25, 2016  
TITLE: CEM REVIEW BOARD FOR EMAO  
LOCATION: OHIO EMA-COLUMBUS, OHIO  
ATTENDING: PATTY LEVENGOOD  
ANTICIPATED EXPENSE: USE OF COUNTY VEHICLE

**DATE:** NOVEMBER 2-3, 2016  
**TITLE:** REQUIRED ICS-400 ADVANCED ICS  
**LOCATION:** SUMMIT COUNTY PUBLIC HEALTH-AKRON, OHIO  
**ATTENDING:** GAIL BALDWIN  
**ANTICIPATED EXPENSE:** 2 days of mileage 240 miles X .46 = \$110.40 meals=2 lunches X \$15.00 = \$30.00 total of mileage & lunches = \$140.40

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

**RESOLUTION (887-2016) AUTHORIZE PALMER ENERGY CO-CCAO ENERGY PROGRAM**

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

**TUSCARAWAS COUNTY  
COMMISSIONERS**

Jane Clay  
Executive Assistant  
  
Crystal DiGenova  
Administrative Assistant

Chris Abbuhl — Belle Everett — Kerry Metzger

Maria Lautenschleger  
Clerk  
  
Kris Lowdermilk  
Human Resources Manager

October 3, 2016

To Whom It May Concern:

Be advised that I hereby authorize Palmer Energy Company, Inc. located at 5577 Airport Highway, Toledo Ohio (Palmer) as a part of the County Commissioners Association of Ohio program as my exclusive agent and consultant to secure electric pricing information on my behalf. This authority to Palmer includes but is not limited to the following:

Obtaining information about my historical energy usage and billing information and consent to the release of the same.

- Securing load provide, maximum annual or monthly demands and other consumption information.
- Securing any customer numbers, account numbers, rate codes or other information necessary to fill out the LOA.
- Signing on my Company's behalf any letters of authorization (LOA) or other forms that are necessary so Palmer can obtain pricing from Certified Retail Electric Suppliers (CRES).
- Securing pricing from various supplier(s) to inform and evaluate the pricing opportunity(s) for electric supplies.
- Show the results of these efforts to me for making a decision on contracting.

This letter of authorization does not permit Palmer Energy to sign any electric supply agreements on my behalf.

Sincerely,

*Kerry Metzger*  
Kerry Metzger

President of the Board

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

**RESOLUTION (888-2016) APPROVE UPDATED HAZ-MAT PLAN**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to approve the following updated Hazardous Materials Plan as recommended by Patty Levengood, HS/EMA Director:

*Tuscarawas County  
Emergency Operations Plan  
Annex O  
Hazardous Materials/Radiological*

Tab A to Annex O

**TUSCARAWAS COUNTY  
PROMULGATION DOCUMENT**

The preservation of life and property is the fundamental responsibility of government at all levels. As chemicals are an essential part of everyday life in Tuscarawas County, the potential for an incident to occur involving the transport, use, storage, or manufacture of Hazardous Materials is ever present. Therefore it is a basic function of local government to prevent or lessen the impact of such an incident through emergency planning and preparation. We have attempted to do this by writing Annex O (Hazardous Materials Plan) into the Tuscarawas County Emergency Operations Plan.

This annex, Annex O, the Tuscarawas County's Hazardous Materials Plan, establishes the roles, procedures, and inter-organizational relationships under which county officials, department heads and private organizations shall operate in the event of any Hazardous Materials Incident. It is supported by individual agency standard operating guidelines that address specific hazardous materials operational concepts.

Thus, the Local Emergency Planning Committee, designated by the County Commissioners and appointed by the State Emergency Response Commission, is charged with the responsibility of preparing, and annually exercising and reviewing the Tuscarawas County Hazardous Materials Plan. The plan shall be executed by the Tuscarawas County Commissioners, the Tuscarawas County Homeland Security and Emergency Management Agency, the Tuscarawas County Local Emergency Planning Committee and those agencies as designated and described within this plan.

This Annex is an appendix to the Tuscarawas County Emergency Operations Plan, supports the State of Ohio Hazardous Materials Emergency Management Plan, and is coordinated with neighboring LEPD plans.

This plan is developed in accordance with Chapter 3750 of the Ohio Revised Code and the rules adopted under it, the Superfund Amendments and Reauthorization Act: Title III Emergency Planning and Right-To-Know Act of 1996 and other applicable local, state and federal laws.

This annex is acknowledged and signed this date, October 3, 2016 by:

Kerry Metzger, absent Tuscarawas County Commissioner, President of Board

Chris Abbuhl Tuscarawas County Commissioner

Belle Everett Tuscarawas County Commissioner

Scott W. Iria Tuscarawas County LEPC Chairman

Patty Levengood Tuscarawas County Homeland Security and EMA Director

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

DISCUSSION: Patty Levensgood, HS/EMA Director explained the updated Haz-Mat plan. Ms. Levensgood explained every year the Local Emergency Planning Committee (LEPC) is required to update a county hazardous material plan. Tuscarawas County’s plan is an annex to the County Emergency Operations Plan. The LEPC is required to update the Haz-Mat plan and required to follow O.R.C. Chapter 3750 to develop the plan in accordance with those rules along with Title III Emergency Planning and Community Right to Know Act of 1996. Ms. Levensgood said it was approved by the LEPC at their meeting on September 23, 2016. Commissioner Abbuhl asked Ms. Levensgood if he was correct that it has to be updated annually. Ms. Levensgood good said yes and companies are required to let the LEPC know if there are changes mid-year as well as send an update every year. It is basically for citizens and first responder’s safety so the LEPC knows exactly what chemicals are stored, transported or manufactured if there is a release, accident or spill.

RESOLUTION (889-2016) APPROVE REQUEST – SEPARATION AGREEMENT AND RELEASE AND WAIVER OF CLAIMS

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

The Board accepts the request for Voluntary Retirement submitted by Karen Slough, Tuscarawas County Dog Warden to the Tuscarawas County Commissioners in a Separation Agreement and Release and Waiver of Claims dated September 30, 2016.

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

DISCUSSION: Commissioner Everett explained that Karen has been with Tuscarawas County 24 years and has decided to retire. Karen’s last day of work was Friday September 30, 2016. This agreement allows her to exhaust all of her vacation time and receive a small amount of leave with pay until the end of the year. Commissioner Everett said she can’t say enough about the good things Karen has done. She also wanted to thank her for her years of service and appreciates her dedication. Commissioner Abbuhl wished Karen the best and hopes she has a wonderful retirement and thanked her for the work she has done.

RESOLUTION (890-2016) AUTHORIZE- SIGNATURE CO. ENGINEER J. BACHMAN-ODNR

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to approve Joe Bachman, Tuscarawas County Engineer to sign the consent for right of entry for ODNR to build acid mine drainage treatment systems on County owned land adjacent to Sandy Township Road 45 (Huff Run Road). This consent has been approved by Bob Stephenson, legal counsel.

DISCUSSION: Commissioner Everett explained the right of entry will allow ODNR the ingress and egress for the FARR Project in Huff Run. Commissioner Abbuhl asked if this project is the same area as the project that will relocate the streams. Commissioner Everett said no, but it is very close to that project. The Farr Project is up on a hill and that affects the ODOT Mitigation Project which will relocate the streams.

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

RESOLUTION (891-2016) PAYMENT OF BILLS

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

911

American Electric Power Tower Electric 215.73

Auditor

Assetworks 2016 Software Update 1,400.00

Child Support

Total First Aid Supplies 61.15

Pitts Fire Extinguisher Fire Extinguisher Maintenance 60.00



Sean Miller	Travel	185.79
Jeffrey Mamarella, Treasurer	IV-D Contract/Juvenile Court Magistrate	6,684.81
First Communications	Long Distance	144.58
Dominion East Ohio Gas	Service	223.90
Quill Corp	2017 Daily Planners	41.98
Go Shred	Document Shredding	45.00
Graphic Enterprises	Copier Maintenance	86.87
OCDA Canton/Cleveland District	Registration	20.00
<b>Clerk of Courts</b>		
Twin City Chamber of Commerce	Lease	175.00
<b>Commissioners</b>		
Samuel J Hitchcock	Humane Agent Salary	500.00
Dominion East Ohio Gas	Service/JFS	125.99
US Bank Equipment Finance	Copier Lease	89.00
Holland & Muirden	Humane Society Legal Fees	116.00
Tuscarawas Title Co	Purchase of Pietro Building	66,718.46
Murphy Vocational Services	Transitional Work Program Development	7,000.00
<b>Common Pleas</b>		
Staples Credit Plan	Supplies	336.74
Staples Credit Plan	External DVD Burner & Drive	21.69
RJ Beck Protective Systems	Elevator Cable Test	234.00
Judge Elizabeth Lehigh Thomakos	Travel	45.76
Judge Elizabeth Lehigh Thomakos	Travel	123.27
RMR Development	Programming Changes to IIS Web Server	250.00
Quickprint Center	Trial Juror Handbooks	2,850.00
<b>Community &amp; Economic Development</b>		
Tusc Co OCED	General Admin/B-C-14-1CT-1	789.75
Scott Reynolds	Travel	46.59
Maple & Sons Construction	CHIP Home Repair	9,763.00
Ohio Regional Development Corp	Soft Costs/B-C-14-1CT-2	5,213.00
<b>Dog Pound</b>		
Hillyard Ohio	Supplies	87.32
Sifferlin Animal Clinic	Medical Care	68.02
Town & Country Vet Clinic	Medical Care	42.30
Verizon Wireless	Service	101.25
Town & Country Vet Clinic	Medical Care	263.44
Scott's Lawn Care	Mowing Services	125.01
<b>Job &amp; Family Services</b>		
Robert's Medical Uniforms	PRC	99.95
<b>Law Library</b>		
Independence Business Supply	Supplies	16.99
<b>Prosecutor</b>		
Comdoc Leasing	Copier Lease	428.88
<b>Public Defender</b>		
Maxwell Investigations	Investigative Services	42.50
Copeco	Copier Contract	419.75
Maxwell Investigations	Investigative Services	150.00
<b>Recorder</b>		
Media Plus	Supplies	105.00
Xerox Business Services	Contract Services	4,819.98
<b>Sheriff</b>		
Miller & Co	Port A John Service/IWP	80.00
Lowe's	Supplies	270.49
Johnson Printing	Supplies	76.00
Dominion East Ohio Gas	Service	2,512.91
<b>Southern Court</b>		

Quill	Supplies	284.33
<b>Treasurer</b>		
Tusc Co Clerk of Courts	Court Costs/Gombos	785.82
<b>Veterans</b>		
Walmart Community	Supplies	14.88
<b>Water &amp; Sewer</b>		
Frontier	Service	40.03
Frontier	Service	55.32
Frontier	Service	49.75
Frontier	Service	62.69
RJ Wright & Sons	Fuel	1,853.49
Crossroads	Materials	49.17
Tusc Co Commissioners	Building Payment	3,076.25
WE Quicksall & Associates	Sandyville WWTP Renovations	14,155.33

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

**RESOLUTION (892-2016) RECESS**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to recess at 1:19 p.m. until 1:30 p.m., the next scheduled appointment.

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

*Commissioner Abbuhl called the meeting out of recess and back into Regular Session at 1:30p.m. for purpose of opening bids.*

**RESOLUTION (893-2016) ADVISEMENT BIDS-LAWRENCE TWP. FLOOD & DRAINAGE**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to take the bids under advisement. **ENGINEER'S ESTIMATE - \$26,670.00**  
**Tuscarawas County – PY-15 Activity #2 – Lawrence Township – Flood and Drainage**  
 Bid Opening Date: Monday, October 3, 2016 at 1:30 PM

	CONTRACTOR	AMOUNT OF BID	AMOUNT OF BID BOND
1	Wenger Excavating, Inc. 26 N. Cochran Street P.O. Box 499 Dalton, Ohio 44618	38,550.00	100%
2	Ohio Erie Excavating 9072 Towpath Rd. Bolivar, Ohio 44612	-	-
3	Bridges Excavating, LLC 583 Creek Street Uhrichsville, Ohio 44683	-	-
4	Palmer and Sons Excavating, Ltd. 4688 N. Honeytown Road Smithville, Ohio 44677	-	-
5	Martin L. Dreher, Inc. 432 Oak Avenue S.W. Strasburg, Ohio 44680	-	-
6	Superior Paving & Materials, Inc. 5945 Whipple Ave. NW North Canton, Ohio 44720-7613	-	-

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

**RESOLUTION (894-2016) RECESS**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to recess at 1:31 p.m. until 2:00 p.m., the next scheduled appointment.

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

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

**RESOLUTION (895-2016) ADVISEMENT BIDS-VETERANS SERVICE GARAGE**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to take the bids under advisement.

BID TABULATION FORM - B. A. Widder Architectural Services Project: Tuscarawas County Veterans Service New Garage Date: Monday, October 3, 2016 at 2:00 p.m. / Commissioners Office <span style="float: right;">Budget 125,000.00</span>		
NAME	BASE BID	
<b>GENERAL CONTRACTORS</b>		
Benchmark Construction	\$ 217,471.00	120 Days Bid Bond ✓
Bedway Development Corp.		
Smith Design & Construction	\$ 183,202.00	90 Days - no bid bond attached
Gor-Con Construction		
CCI Commercial Construction		
Classical Construction LLC		
Robertson Construction		
GB Hawk Construction LLC		
W.M. Brode Company		
Straitline Structures, Inc.	\$ 145,429.00	120 Days - Bid Bond ✓
E. Mullins Construction Bloomington, Ohio	\$ 122,950.00	70 Days - Bid Guarantee ✓

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

**NO OTHER BUSINESS COMING BEFORE THE BOARD.**

**RESOLUTION (896-2016) ADJOURN**

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to adjourn at 2:04 p.m. to meet in Regular Session, Thursday, the 6<sup>th</sup> day of October, 2016.

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

Kerry Metzger, absent

Chris Abbuhl

Belle Everett

Attest: Maria Santenschneider  
Clerk of the Board

