

## Minutes for the February 23, 2026 Council Meeting

### **1 Roll Call**

Mr. McCort - Here      Mr. Lucas - Here      Mr. English - Here      Ms. Dowdle - Here      Mr. Carpenter - Here      Mrs. Misner - Here

Brad English Council President presented a Certificate of Recognition to the Shamrock Cheerleaders for their outstanding achievements. The Team earned National Championships in Varsity Non-Building Game Day and Varsity Non-Building Division II, capturing the OVAC 3A title for the fifth consecutive year. They were named OAC State Champions and Grand Champions in both Traditional and Game Day Competitions.

Mayor Hershberger gave a shout out to the Bowling Team for heading to the State Tournaments for the first time in history. Police escort will be on Thursday, February 26, 2026 at 2:00 pm from the High School.

### **2 Minutes**

Mr. Lucas moved, seconded by Mr. English to approve the minutes from Council Meeting on February 9, 2026.

McCort - Abstain      Carpenter - Aye      Lucas - Aye      English - Aye      Dowdle - Aye      Misner - Aye

Motion carried 5-0-1

### **3 Finance-Contract-Ordinance**

a. Mrs. Misner moved, seconded by Ms. Dowdle to approve the payment listing in the amount of \$171,856.08.

Carpenter - Aye      Lucas - Aye      English - Aye      Dowdle - Aye      Misner - Aye      McCort - Aye

Motion carried 6-0

b. Richard Myser Village Solicitor read and explained Ordinance #4040-An Ordinance Amending the Village Investment Policy. Added verbiage required by the Auditor.

2nd Reading Only

c. Mr. Myser read and explained Resolution #4041-Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor.

Mr. English made a motion, seconded by Ms. Dowdle to approve Resolution #4041-Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor, with suspension.

English - Aye      Dowdle - Aye      Misner - Aye      McCort - Aye      Carpenter - Aye      Lucas - No

Motion carried 5-1-0

Ms. Dowdle made a motion, seconded by Mr. English to approve Resolution #4041-Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor, motion for passage.

English - Aye      Dowdle - Aye      Misner - Aye      McCort - Aye      Carpenter - Aye      Lucas - Aye

Motion carried 6-0

d. Mr. Myser read and Mayor Hershberger explained Resolution #4042-Authorizing the Mayor to prepare and Execute an Application for Safe Routes to School Project.

Mayor Hershberger stated the deadline for submitting the application is March 6, 2026.

Mrs. Misner made a motion, seconded by Mr. McCort to approve Resolution #4042-Authorizing the application for SRTS Project, with suspension.

Dowdle - Aye      Misner - Aye      McCort - Aye      Carpenter - Aye      Lucas - Aye      English - Aye

Motion carried 6-0

Mrs. Misner made a motion, seconded by Mr. McCort to approve Resolution #4042-Authorizing the application for SRTS Project, motion for passage.

Dowdle - Aye      Misner - Aye      McCort - Aye      Carpenter - Aye      Lucas - Aye      English - Aye

Motion carried 6-0

### **4 Street-Alley-Sidewalk**

a. Roger Deal Village Administrator informed Council that he had spoken with Jimmy Gear Warren Township Trustee regarding sharing services, and would like to table the need for a new mowing tractor for now.

### **5 Safety**

a. Chief Froehlich informed Council that the Fire Department was awarded the Small County Volunteer Fire Department Grant from the Division of the State Fire Marshal for \$47,352.09 with no match from the Village for equipment, hose, and gear.

b. A Safety Committee Meeting was scheduled for Saturday, March 7th, 2026 at 8:00 am at the Fire Station.

### **6 Parks and Recreation**

a. Mr. Deal informed Council that the Village is currently accepting applications for seasonal positions for the Park. The positions include lifeguards, concession workers, and a maintenance laborer position.

b. Mr. Deal informed Council that due to too many scheduled shows, since this is the 250 Anniversary of America, our fireworks display will be on Sunday, July 5, 2026 with rain date being Saturday, July 11, 2026. Mr. Deal asked Council for permission to sign the contract to secure the date and the fireworks inventory. The display will remain at the Airport. Mayor Hershberger to seek sponsorships. Council expressed their approval.

c. Robyn Misner Council Member on behalf of the America 250 Committee discussed with Council celebration plans for the 250th Anniversary. A mural, flags throughout the downtown, and other activities are being planned.

Mrs. Misner asked Council for an approximate budget for the planned activities and Mayor Hershberger stated the possibility of asking for

donations and support from our local Businesses.

Mr. Carpenter made a motion, seconded by Mr. English to cap it at \$5,000 for the celebration, with reconsideration given if needed.

Misner - Aye

McCort - Aye

Carpenter - Aye

Lucas - Aye

English - Aye

Dowdle - Aye

Motion carried 6-0

## **7 Cemetery**

a. Mr. Deal informed Council that the Village is currently accepting applications for general laborers in the Cemetery Department.

b. Mr. Deal informed Council that it is time for our annual Cemetery clean up. Residents are asked to remove grave decorations from all Village operated Cemeteries by March 15, 2026. Decorations not removed by this date will be disposed of by the Cemetery Staff.

## **8 Water and Sewer**

a. Mayor Hershberger brought up the Long Run Lake, the property that the Village signed a purchase agreement with last year, is now ready to close. Mayor Hershberger wanted to bring it up in public for questions and comments. Mr. Myser stated that the agreement was signed at the end of August, 2025 with a \$25,000 non-refundable deposit that gave the Village one year to decide if they wanted to purchase the property. After the agreement was signed, the title examination was completed and Capstone had the property resurveyed, both with no issues. Mr. Myser clarified a typographical error in the agreement.

A lengthy discussion took place with the Mayor, Council, Village Solicitor, former Councilmen, and concerned Residents.

Councilman Mr. Lucas asked if the Village had anything in writing on how much water sales they have sold out of it. Mayor Hershberger stated that Danny Taylor, an owner of the property, quoted \$450,000 in raw water sales for 2025.

A debate on whether the water was treatable or not was discussed.

Bryan May from May Engineering was present and discussed the evaluation of the dam that He done three years ago for Capstone and stated the main drain valve was broken with an estimated cost of \$200,000 at that time. His evaluation compiled with ODNR 2022 Dam Safety Inspection Report.

TJ Jefferis offered his testimonial on why the Village should buy the property. He stated that the watershed that is there is tremendous and all the opportunities that come with the property. He stated there are positives and negatives on it, its how you look at it.

Tony Johnson commented that the main reason they signed to purchase this property wasn't for raw water sales, it was to have enough drinking water to sell to residents, having the capacity to have it if we needed it. He stated that it was a 50 year project with long-term goals.

Councilman Mr. English asked what the long term plan is for it, what would the process be to link it up to what we have now, and are we buying it to say we have it.

Steven Hill revisited former Council Meeting decisions on the property. He also expressed his concerns of liability and insurance costs with the purchase of the property.

Mayor Hershberger commented that after Council said "No" he wanted to find out more about the property and he has done his homework.

Brian Yarnall asked about negotiating contracts prior to the purchase with the intent to sell raw water.

Mr. English asked about letters of intent for raw water sales from oil and gas companies.

Council Member Lindsay Dowdle suggested having a Townhall meeting and have the Public, Water Department, May Engineering, and Capstone present to answer some of the questions to better help the Public and us understand it and shed some light on the subject.

Councilman Mr. McCort stated it is a good investment, it is the right thing to do based on the past with Slope Creek we have proven we can sell water, now we have an opportunity to make back the money on this property through water sales.

Mr. Myser stated the Legislation is done to approve the purchase. The previous Resolution that was passed authorized the Mayor to proceed and enter into a contract and sign whatever documents needed to close on the property. This Council consists of four new Members so before we go forward, the Mayor and I thought it was prudent that we pass a motion to proceed with the purchase, with the majority of Council.

Ms. Dowdle asked about Executive Session for further discussion and the need for more time to digest everything.

Mr. McCort stated we have already approved this purchase. And in my opinion, let's go ahead and move forward with this.

Mr. McCort made a motion that we move forward with the purchase of the Long Run Road Reservoir, seconded by Mrs. Misner.

McCort -Aye

Carpenter -Aye

Lucas - No

English - Abstain

Dowdle - Abstain

Misner - Aye

Motion failed 3-1-2

Mr. Myser and Council discussed if it is the majority present or the majority votes needed to pass a motion. And how the "Abstain" votes are to be considered.

After a brief recess from Mr. Myser Village Solicitor, he approached Council with further legal research to clarify the motion on the purchase of the Long Run Road Reservoir. He reiterated that all the Legislation has been passed to complete the contract to purchase this property.

He thought a motion to proceed to closing was necessary with the four new Council Members that we now have. The results were 3-Ayes, 1-No, and 2-Abstains. By statue of the ORC, in order to pass Legislation we have to have four affirmative votes, this was a simple motion.

If we have a question about legislation, we do not look under the ORC, we use Robert's Rules of Order for Public Meetings. Mr. Myser clarified the majority needed to pass a simple motion under the Robert's Rule of Order. The motion to proceed to closing on the property did not have the majority to pass, so the Mayor and Mr. Myser do not have the authority to proceed with the closing. However, it was not a Resolution to terminate the contract with Capstone. A Resolution to terminate the contract may be needed, and Mr. Myser will prepare one for the next Council Meeting if requested.

Mayor Hershberger asked Council if they want Mr. Myser to prepare the Resolution to terminate the contract or learn more about it.

Mr. English stated that he felt it is not a lot to ask for more time before he made a decision. He also would like to see proof of sales.

Ms. Dowdle asked if there is any way to get a letter of intent for the water sales.

Mayor Hershberger stated the past sales don't define future ones and there is no guarantee with the letter of intent, but he will attempt to provide these.

b. Councilman Mark Lucas asked Mr. Deal if he had any feedback on the couple people interested in the position of Crew Leader in the Water Department. Mr. Deal stated that the applicants are going a different direction.

## **9 Land & Buildings**

a. Village of Barnesville - Fair Street- Jr. Women's Club Shelter House - Demo and Rebuild  
Both donated by Adam Ackerman.

Mr. Lucas moved, seconded by Ms. Dowdle to approve the building permits.

Dowdle - Aye

Misner - Aye

McCort - Aye

Lucas - Aye

English - Aye

Mr. Carpenter - Aye

Motion carried 6-0

b. Mayor Hershberger and Bruce Yarnall revisited the Depot Roof Project. Mr. Yarnall presented Council with a informational handout from the State Historic Preservation Office. Mr. Yarnall recapped the previous two bids, lift and relay versus an entire new roof, warranty, and cost. Mr. Yarnall expressed the need to bid it out again for lift and relay tiled roof. He stated the State funding of \$75,000 deadline is September 2026, the Depot Committee has \$20,000 to pay toward the new roof, and a donation of \$5,000 from the Belmont Tourism Council adds up to a total of \$100,000 toward the Project. Mayor Hershberger asked that Mr. Deal and Mr. Yarnall work together on the bid packet.

Mr. English made a motion, seconded by Ms. Dowdle to advertise for bid the Depot Roof Project.

Carpenter - Aye

Lucas - Aye

English - Aye

Dowdle - Aye

Misner - Aye

McCort - Aye

Motion carried 6-0

**10 Old Business**

a. Mayor Hershberger asked Mr. Myser what the next step was on the storm drain where the house was built on it. Mr. Myser suggested meeting with the Mayor and Roger to go over a practical resolution versus a legal resolution. Mr. Deal suggested having Adam Ackerman attend the meeting also. Brian Yarnall asked if it would be cheaper to just buy the house.

b. Mr. Lucas asked about a motion that was made at the last meeting, and it wasn't for what He thought it was. He made a motion to approve the four separate dates of the "Fun in the Villes" and not for the other event. He didn't realize the other events were part of the motion. Mr. Myser stated you can change the legislation simply by amending the motion. Mr. Lucas stated He did not want to do that this evening, maybe at the next Council Meeting.

**11 New Business**

a. A Work Session was scheduled for Monday, March 9, 2026 at 6:00 pm at the Fire Station prior to the Council Meeting. Regular Council Meeting to be held in Council Chambers at 7:00 pm.

b. Greg Wehr approached Council on behalf of LifeWise. The program has been in Barnesville now for three years. Kids attend for one hour a week for Biblical instruction. Over 300 kids are enrolled from grades 1-8. They have an annual program at the Park and Mr. Wehr asked Council to waive the entry fee to the pool on Friday June 26, 2026 for this event.

Mr. English made a motion, seconded by Mr. Carpenter to waive the entry fee to the pool for the LifeWise annual program.

Lucas - Aye

English - Aye

Dowdle - Aye

Misner - Aye

McCort - Aye

Carpenter - Aye

Motion carried 6-0

c. Mr. Deal presented Council with the Spring Edition Newsletter. Council "Thanked" Derek Deal for doing a great job.

**12 Executive Session**

**13 Adjournment**

a. Mrs. Misner made a motion to Adjourn the meeting, seconded by Mr. Carpenter at 8:50 pm.

McCort -Aye

Lucas - Aye

English - Aye

Dowdle -Aye

Carpenter -Aye

Misner - Aye

Motion carried 6-0

  
Jeannie Hannahs, Fiscal Officer

  
Jake Hershberger, Mayor