



**Present:** President Jeffrey L Ohler, Vice President Robert E Wirkner, Commissioner Lewis A Mickley.

**IN THE MATTER OF  
PLEDGE OF ALLEGIANCE**

 9:00 AM

Commissioner Ohler asked that everyone stand and recite the Pledge of Allegiance.


**IN THE MATTER OF  
RECORDINGS OF PROCEEDINGS**

 9:00 AM


Janice E. Leggett, Clerk Supervisor, certified that the entire recording of the proceedings at the prior meetings are captured completely and accurately in the electronic record and are available at the office.

**IN THE MATTER OF  
MINUTES**

**Motion:** to approve the summary of the minutes from the regular meeting of Thursday, July 13, 2017 and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner. Motion carried on unanimous vote.

 9:01 AM

**IN THE MATTER OF  
BOARD MEETING ATTENDANCE**

 9:01 AM


Commissioner Ohler questioned if everyone on the Board would be in attendance today. Everyone was present, but Commissioner Wirkner advised he needs to leave in time for the Solid Waste meeting at noon.

**IN THE MATTER OF  
EXPENSES**

**Motion:** to approve the following travel and membership expenses:

NAME, TITLE	DEPT.	EVENT	LOCATION	DATE	AMOUNT (not to exceed)
Lewis A Mickley, Commissioner	Commissioners	MCJAS Meeting	Canton, OH	7/18/17	\$30.00
Lewis A Mickley, Commissioner	Commissioners	HARCATUS FCPA Meeting	New Philadelphia, OH	7/20/17	\$30.00
Lewis A Mickley, Commissioner	Commissioners	MCJAS Luncheon	Canton, OH	7/25/17	\$30.00
Lewis A Mickley, Commissioner	Commissioner	HARCATUS	New Philadelphia, OH	7/26/17	\$30.00
Lynn Fairclough, Auditor Natalie Witts, Deputy Auditor Marilyn Miller, Deputy Auditor	Auditor	Office of Business & Comm Services	New Philadelphia, OH	8/8/17	\$600.00
Gary Willen, Judge	Municipal Court	Judges Fall Conference	Columbus, OH	8/30/17	\$900.00
Debra A Knight, Asst Director	DJFS	Area 16 Operations Meeting	Martins Ferry, OH	7/25/17	\$0.00

**Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley. Motion carried on unanimous vote.


 9:02 AM

**IN THE MATTER OF  
APPROPRIATION AMENDMENT(S)**


**Motion:** to approve the following appropriation amendment(s):

FUND	NAME	CODE	TO	NAME	CODE	AMOUNT
REA	Contract-Services	0103-J000-J03.000		Equipment	0103-J000-J04.040	\$20,000.00

**Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner. Motion carried on unanimous vote.

 9:05 AM

**IN THE MATTER OF  
REPORT OF COUNTY DOG WARDEN**

 9:05 AM


Josh Long, Dog Warden, filed his report for the week of July 9, 2017 through July 15, 2017 showing 8 dogs impounded, 1 adopted out, 3 redeemed, 0 euthanized, 0 citation(s) for no license, and 0 citation(s) for running at large.

**IN THE MATTER OF  
PERMIT FOR THE USE OF COUNTY HIGHWAY RIGHT OF WAY(S)  
AMERICAN ELECTRIC POWER COMPANY**

**Motion:** to approve permits for the use of the following county highway right of way(s) as recommended by the County Engineer:

1. American Electric Power Company, to construct a driveway in Brown Township, June Road for the June Road Station PAR 1;
2. American Electric Power Company, to construct a driveway in Brown Township, June Road for the June Road Station PAR 2;
3. American Electric Power Company, to construct a driveway in Rose Township, Ambush Road for the Sandy Valley Station PAR 1;


**Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley. Motion carried on unanimous vote

 9:05 AM

**IN THE MATTER OF  
CARROLL COUNTY 2016 RESURFACING PROJECT H-1-2016  
CHANGE ORDER – CENTRAL-ALLIED ENTERPRISES INC**

**Motion:** to approve a change order for Central-Allied Enterprise Inc for the 2016 Resurfacing Project H-1-2016 to increase the contract amount by \$14,474.29, which adjusts the price to \$423,950.29, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley.


Motion carried on unanimous vote.

 9:07 AM

**IN THE MATTER OF  
BID ACCEPTANCE  
PETROLEUM DIESEL FUEL**

**Motion:** to accept the bid of Agland Co-op/ 1<sup>st</sup> Choice Energy Services for petroleum diesel fuel to be pumped into a county vehicle at the supplier's facility per the recommendation of Brian J. Wise, County Engineer, **Action:** Vote was recorded as follows: YEA: Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: President Jeffrey L Ohler, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner.


Motion carried on majority vote.

 9:07 AM

**IN THE MATTER OF  
BID ACCEPTANCE  
2017 BOX CULVERT REPLACEMENT PROJECT**

**Motion:** to accept the bid from Wenger Excavating Inc. in the amount of \$285,578.60 for the 2017 Box Culvert Replacement project per the recommendation of Brian J. Wise, County Engineer, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley.


Motion carried on unanimous vote.

 9:08 AM

**IN THE MATTER OF  
BID NOTICE  
CARROLL COUNTY 2017 PAVEMENT MARKING PROJECT T-1-2017**

**Motion:** to accept bids up to and opened at 9:30 a.m. on August 7, 2017 in the Commissioners' meeting room for the 2017 Pavement Marking Project, T-1-2017; specifications can be picked up at the Carroll County Engineer's office at 200 Kensington Road NE, Carrollton, Ohio, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner.


Motion carried on unanimous vote.

 9:08 AM

**IN THE MATTER OF  
AGREEMENT/CONTRACT – ONSITE DESIGN SOLUTIONS LLC  
WATER POLLUTION LOAN CONTROL FUND**

**Motion:** to approve a contract with Onsite Design Solutions, LLC in the amount of \$450.00 per site for system design services for the Water Pollution Control Loan Fund at residences located on Hilltop and Legend Roads, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley.


Motion carried on unanimous vote.

 9:09 AM

**IN THE MATTER OF  
AGREEMENT/CONTRACT – ACCURATE ONSITE LLC  
WATER POLLUTION LOAN CONTROL FUND**

**Motion:** to approve a contract with Accurate Onsite LLC in the amount of \$850.00 per site for system design services for the Water Pollution Control Loan Fund at residences located on Steubenville, Roswell, and Gallo Roads, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner.


Motion carried on unanimous vote.

 9:10 AM


**IN THE MATTER OF  
PROSECUTOR OPINION**

**Motion:** to send the Water Pollution Control Loan Fund-Household Sewer Treatment System Agreements with Onsite Design Solutions LLC and Accurate Onsite LLC to the Prosecutor for his approval, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley.

Motion carried on unanimous vote.

 9:11 AM


**IN THE MATTER OF  
MONTHLY REPORT – JUNE  
CHILD SUPPORT ENFORCEMENT AGENCY**

 9:11 AM

Commissioner Ohler advised the office of the Prosecuting Attorney filed the June 2017 report for the Carroll County Child Support Enforcement Agency. A copy of the report is on file in the Commissioners' Office.

**IN THE MATTER OF  
PROSECUTOR OPINION**


**Motion:** to send the petroleum diesel fuel contract with Agland/1<sup>st</sup> Energy to the Prosecutor for his approval, **Action:** Vote was recorded as follows: YEA: Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: President Jeffrey L Ohler, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner. Motion carried on majority vote.

 9:12 AM

**IN THE MATTER OF  
PAYMENT OF BILLS**

**Motion:** to approve bills submitted for payment and to authorize the County Auditor to issue her warrant on the County Treasury for payment of same, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner.

Motion carried on unanimous vote.

 9:13 AM

**IN THE MATTER OF  
PAYMENT OF BILLS WITHOUT PRIOR CERTIFICATION:  
REVISED CODE 5705.41**


**Motion:** to approve payment of the following for materials or services purchased without a proper purchase order and certification and the County Auditor is authorized to issue her warrant for payment of same:

**COUNTY:** Cintas \$371.85; AEP \$153.00; Dairymen's \$149.83; Treasurer, State of Ohio \$807.00; Rocky's \$655.36; Guess Motors \$2,453.74; Huebner's \$4,041.19; Alliance DV Shelter \$1,288.87; Personal & Family Counseling Services \$1,288.87; Hilton Columbus at Easton \$362.00; Borden Office Equipment \$630.00.

**DJFS:** None.

**Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E Wirkner, **Seconded by** Commissioner Lewis A Mickley.

Motion carried on unanimous vote.


 9:13 AM


**IN THE MATTER OF  
EXECUTIVE SESSION**

**Motion:** to enter into Executive Session per ORC 121.22(G)(1) to consider employment or discipline of a public employee or official,

**Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner.

Motion carried on unanimous vote.


 9:14 AM

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The Board reconvened with no action taken at  10:22 AM.

**IN THE MATTER OF  
TEMPORARY RECESS**


**Motion:** to temporarily recess, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** Vice President Robert E Wirkner.

Motion carried on unanimous vote.

 10:23 AM

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Board members reconvened at  11:01 AM.


**IN THE MATTER OF  
EMPLOYEE BENEFITS  
FLEXIBLE SPENDING ACCOUNT**

 11:01 AM

Jessica Askins, Northwest Group Services (NWGS), appeared before the Board to discuss the County's flexible spending account (FSA). Commissioner Ohler advised the Board is having trouble with how the FSA works. The Board initially put 1/12 of the total fee into the FSA to be used as a buffer in the event employees used more than was available in the account, and put another buffer payment in at the end of the year. This buffer is currently coming from the General Fund. Commissioner Ohler wants the FSA to be self-sufficient and funded solely by employee contributions. Commissioner Ohler thinks employees are using funds at the first of the year rather than the latter part which causes the NSF. Commissioner Mickley agreed. Commissioner Wirkner advised he was not aware the General Fund was going to be responsible to subsidize the FSA on an ongoing basis. Commissioner Mickley reviewed his own FSA which became effective March 1, 2017. He elected to put \$100.00 per month in his FSA which totals \$2,000 by year end.

He received a card which limits him to \$2,000, and to date has spent \$1,976 with contributions of only \$900. That means the FSA checking account is overdrawn by the difference. Commissioner Mickley feels the card should be treated as a credit card instead of a checking. Commissioner Wirkner advised he does not understand why the County had to pay the 1/12 fee for two years. Ms. Askins answered by paying that fee, there should have been a balance at the end of the year. Ms. Askins explained a lot of small FSA clients pre-fund the account so there would be no NSF fees so at the end, there would be a balance rolling over. Commissioner Mickley advised overdraft fees ate up that pre-funding. Commissioner Ohler asked if the account could be set up so the employee could not utilize the funds for one full year after they pay. Commissioner Mickley thinks that would be a violation of federal law. He suggested the only solution may be to fully pre-fund the FSA at the beginning of the year. Ms. Askins advised there were three months of pre-funding payments collected but then no employee contributions were sent in after that. That is what caused the overdrafts. Ms. Askins advised there are 30 employees in the FSA currently. Commissioner Wirkner advised his understanding was there would be an initial pre-funding payment and the fund would be self-sustaining after that. Commissioner Mickley advised the whole point of an FSA is to be able to pay the medical bills up front, and the program should not be backed by a checking account but more of a credit line. Ms. Askins explained with more participation, there are employees who need the funds at the beginning of the year but there are some that only use small amounts throughout the year which usually balances out. Ms. Askins said there is also the paper claims option which means the employee pays out of pocket for the expense then fills out a form to be reimbursed. Commissioner Mickley believes the FSA is a great benefit for employees as it is a pre-tax deduction. He asked Ms. Askins how to fix the problem since June's statement already has overdraft fees of \$185.00. Ms. Askins answered the only way is to pre-fund the account. Commissioner Ohler discussed whether the County could handle this on its own. Janice Leggett, Clerk Supervisor, advised there are tax consequences to consider. Ms. Leggett believes the only way to avoid the NSF fees is to pre-fund the entire employee contribution at the beginning of the year because you just don't know if a few months of pre-funding will be enough. Ms. Askins advised Michelle at NWGS could do a review to see what amount she recommends for pre-funding. Ms. Askins' understanding is the Auditor's office did not send a couple months of employee contributions which caused NSF fees. Commissioners Ohler and Mickley asked for a report showing all deposits received by NWGS so those figures can be matched with the Auditor's office. Ms. Askins will request this from Michelle at NWGS and forward it. Commissioner Mickley asked how NWGS makes their money for this. Commissioner Ohler asked if an employee quits mid year and has \$400 in his account, what happens to that money? Ms. Askins advised it goes to the County. Ms. Askins advised if the employee quits but has spent more than what he has contributed, the County has to "eat" that. Commissioner Mickley asked if he contributes \$2,000, spends \$1,500, then only \$500 rolls over and the remaining \$1,000 is kept by the County? Ms. Askins answered yes. Ms. Leggett advised the Auditor's office has one other question which wasn't covered and that is if we discontinue the FSA, how would employees be refunded if they have not used all of their money? Ms. Askins will find out the answer to that question. Commissioner Ohler advised he was not aware the County would take on responsibility for the overdrafts and NWGS would be funding the excess. Commissioner Mickley advised there should be no risk of overdraft fees to the County.

**IN THE MATTER OF  
ROBERT E. WIRKNER**


 11:25 AM

Commissioner Wirkner left the meeting.

**IN THE MATTER OF  
ADJOURN**

**Motion:** to adjourn, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner, and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A Mickley, **Seconded by** President Jeffrey L Ohler.

Motion carried on unanimous vote.

 11:52 AM

/s/ Janice E. Leggett  
Janice E. Leggett, Clerk Supervisor  
(PREPARED BY)

We hereby certify the foregoing to be true and correct.

/s/ Janice E. Leggett  
Janice E. Leggett, Clerk Supervisor

Carroll County Commissioners

/s/ Jeffrey L Ohler PRESIDENT

Jeffrey L Ohler

/s/ Robert E Wirkner

Robert E Wirkner

/s/ Lewis A Mickley

Lewis A Mickley

/s/ Jeffrey L Ohler PRESIDENT

Jeffrey L Ohler