



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

**IN THE MATTER OF
PLEDGE OF ALLEGIANCE**

 9:00 AM

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

**IN THE MATTER OF
RECORDINGS OF PROCEEDINGS**


 9:00 AM

Christopher R Modranski, Assistant Clerk I, 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 Monday, March 26, 2018 and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler.

Motion carried on unanimous vote.

 9:00 AM

**IN THE MATTER OF
BOARD MEETING ATTENDANCE**

 9:00 AM

Commissioner Wirkner questioned if everyone on the Board would be in attendance today. Everyone was present.


**IN THE MATTER OF
EXPENSES**

Motion: to approve the following travel and membership expenses:

NAME, TITLE	DEPT.	EVENT	LOCATION	DATE	AMOUNT (not to exceed)
Robert E. Wirkner, Commissioner	Commissioners	MCJAS	Canton, OH	Retroactive to 03/27/18	\$30.00
Tait Carter, Director	Economic Development	OMEGA	Newcomerstown, OH	Retroactive to 03/27/18	\$50.00
Tait Carter, Director	Economic Development	Government's Day ODOT	New Philadelphia, OH	04/03/18	\$25.00
Tait Carter, Director	Economic Development	Multi-County Adv. Man. Corridor	New Philadelphia, OH	04/24/18	\$25.00
Tait Carter, Director	Economic Development	New Market Tax Credits	Akron, OH	04/24/18	\$52.00
Tait Carter, Director	Economic Development	EODA Annual Meeting	Walnut Creek, OH	04/27/18	\$50.00
Tom Konst, W&M Inspector	Auditor's Office	Weight & Measures Training	Ashland, OH	Retroactive to 03/27/18	\$0.00

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

Motion carried on unanimous vote.


 9:01 AM

**IN THE MATTER OF
CANCELLATION
BANK OF AMERICA / BUSINESS CARD**

Motion: to send a notice of cancellation to Bank of America / Business Card closing Carroll County's corporate account, cancelling all credit cards issued and giving Janice E. Leggett, Clerk Supervisor full authority to communicate with Bank of America / Business Card on behalf of the Board if necessary, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler.

Commissioner Ohler asked if there are other departments using Bank of America / Business Card and if this closure would affect them. Ms. Leggett advised this closure only affects the Commissioners' corporate account and all of its users are now with Huntington.


Motion carried on unanimous vote.


 9:05 AM

**IN THE MATTER OF
APPOINTMENT
AREA 16 YOUTH COUNCIL**

Motion: to appoint Patricia Brill to the Area 16 Youth Council for a remaining two-year term which began July 1, 2017 and ends June 30, 2019; the seat was vacated by Jennifer Simon, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler.

Motion carried on unanimous vote.

 9:06 AM

**IN THE MATTER OF
HUMAN RESOURCES** 9:07 AM


Commissioner Wirkner advised that Clayton Morris, People Resource Management, LLC, wants to address the Board about payroll and human resource services. Mr. Morris advised payroll is part of his business, but he wants to speak specifically about human resources (HR). Commissioner Wirkner advised Mr. Morris he is not sure this Board is where Mr. Morris should be. Commissioner Wirkner explained our Auditor is responsible for HR and payroll activities. Commissioner Mickley asked why are we handing this off to the Auditor. Commissioner Wirkner advised because she is responsible for HR and payroll. Commissioner Ohler advised he feels we are in a flux right now with HR and have had some office holders that felt there is a need for additional HR support which is why we had discussion at our last Leadership Committee meeting; it was determined that the Auditor's Office handles most of these functions for the County and that's how we left it but that doesn't mean that some things can't change. Commissioner Ohler explained he still is having some ongoing dialogue with a couple department heads so he doesn't feel the issue is completely resolved. Commissioner Ohler advised at this point he's not sure which way the Board will head. Commissioner Mickley advised he had a previous conversation with Mr. Morris and asked him to come address this Board because the Auditor expressed that they will handle the HR functions for the County; however, there are a lot of things that are pushed to 800 numbers or other helplines versus someone inhouse to handle the issues. Commissioner Mickley advised that across the state HR functions are very often handled by the Commissioners and he does not see handing off that authority lightly. Commissioner Wirkner advised right now the Auditor's Office is the central location for payroll and HR services and he does not see that as handing anything off. Commissioner Wirkner explained that's just the way it is. Commissioner Ohler advised that since Mr. Morris is here it's always good to get educated and he would like to hear what he has to say. Commissioner Mickley advised the conversation he had previously with Mr. Morris was more about the needs of the County in general and he wanted to present what he can offer. Commissioner Wirkner advised he has no problem with that as long as Mr. Morris understands the caveat of what our circumstances are. Mr. Morris understood. Commissioner Ohler advised it's always good to get educated especially when you don't know what you don't know. Mr. Morris advised he has been in business providing HR services for over 25 years and very recently he added a payroll service to help smaller businesses with their payroll; however, the real service he provides is HR. Mr. Morris is on the state level for Society for Human Resource Management (SHRM) as a district director and serves as the president of the Tuscora Chapter of SHRM which encompasses both Tuscarawas and Carroll Counties. Mr. Morris has HR experience at the municipality, county, and state level. He provided the Commissioners with an introduction letter and the services he can provide. A copy is on file in the Commissioners' Office. Mr. Morris advised he would suggest the County look at completing an HR audit. The audit will reveal compliance issues and stated if you are not in compliance it can become very expensive once audited by the Equal Employment Opportunity Commissioner (EEOC), Ohio Civil Rights Commission (OCRC), or the Department of Labor (DOL). Mr. Morris explained he had two police chiefs call him last week because they each had a police officer that was nursing and didn't know what to do. Mr. Morris advised there are laws associated with their need to nurse and giving time and a special location to do that. Mr. Morris said one of the documents he provided today is a listing of the 41 employment laws associated with hiring people and 19 of which apply if you have fewer than 14 employees. Mr. Morris advised he has not met the Auditor, doesn't know what they do, but his experience tells him that they probably are just filling out an employees I9, Employment Eligibility Verification form, when someone is hired, making sure everyone gets paid every two weeks and registered for their appropriate benefits. If your employee is involved in a hostile work situation, where do they go and who do they talk to? Can they talk up their chain of command when they might be part of the problem? Are you doing the compliance training, are you meeting with all your employees to inform them of their rights? Are you meeting with your supervisors and discussing the liabilities? Supervisors can be personally liable for actions that occur under their watch such as harassment or discrimination. Mr. Morris advised he is from the Akron area and moved to Carroll County two years ago and loves the community. He spent 3 years assisting the Summit County Engineer's Office and knows what kind of problems exist with employees that are part of a collective bargaining, have a Commercial Driving License and overall safety concerns from an engineer's standpoint. Mr. Morris advised he wanted to offer his services and provide an opportunity for an HR audit. Commissioner Wirkner asked Commissioner Mickley how he envisioned this moving forward. Commissioner Mickley advised we should involve the Auditor in this because she is handling HR functions and working together could give us all an idea of where we are and what is missing. Commissioner Mickley advised there is so much involved in HR that we can't be relying on a phone call to an 800 number and other department heads just trying to figure it out on their own. Mr. Morris asked if all elected officials are completely autonomous or do they all flow through the Commissioners' Office. Commissioner Wirkner answered Carroll County is a constitutional form of government making each elected official autonomous and there is no central authority with the Commissioners other than budgetary. Commissioner Wirkner advised he sees the biggest issue is we are not able to force our will over the other elected officials and the only leverage would be through the budget. Commissioner Ohler advised the Board has a policy and procedures manual that we provide for offices under our oversight and the offices not under us are more than welcome to duplicate that or create their own policy. Commissioner Ohler advised that has always bothered him because if we are compliant in what we do but other departments are not we have no enforcement over them to ensure they're compliant. Commissioner Ohler stated that as Mr. Morris said there are certain things that are required to comply on the HR side and if the department is not under our guidelines because they chose to have their own policies and there is an issue it falls back on the Commissioners. Commissioner Ohler advised we need to have discussion about conducting an HR audit and he believes that since the Board is the caretaker of the budget we have a fiduciary responsibility to make sure we aren't just waiting for an incident to happen. Commissioner Ohler advised he isn't sure if there are any state agencies that come in to monitor compliance from an HR standpoint. Mr. Morris advised if they come in a fine will be levied against the county; they don't give warnings or audits. Commissioner Wirkner advised he doesn't disagree that an audit is needed but believes that since the Auditor is responsible for the HR duties she should be involved in the conversation. Commissioner Ohler agrees that the Auditor should be involved but as far as the audit comes it shouldn't matter who is performing the HR duties; we still have a fiduciary responsibility to find out what we are missing since we are responsible for compliance. Commissioner Ohler does not feel there is any other way to complete this other than with an audit. Commissioner Wirkner advised he wants to make sure we move forward without creating other troubles. Commissioner Ohler advised we have a great working relationship with the Auditor's Office and this conversation has nothing to do with whether we have confidence in the Auditor's Office but at the same time we have a fiduciary responsibility to make sure we follow the standards. Commissioner Mickley advised because of that fiduciary responsibility he has been reluctant to let this issue go away regardless of what elected official makes the HR decisions and if there is an HR issue it comes out of our budget. Mr. Morris asked who keeps the records of disciplinary actions, medical records, FMLA, etc. Commissioner Wirkner advised each department keeps their records in house. Mr. Morris advised that if that is the case it sounds like your Auditor's Office is just doing your payroll, new hire documentation and insurance registration. Commissioner Ohler advised that employee performance, evaluations, warnings, discipline, etc. must be compliant with all the steps and other than our office I don't know how everyone does that or if they do it at all.

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Commissioner Wirkner advised he is not sure how an audit of elected officials can be completed without their buy in. Commissioner Mickley asked what kind of results would come from an HR Audit. Mr. Morris advised the audit would result in an action plan which would reveal steps that must be completed and followed by recommended changes and then strategic alignment. Commissioner Mickley advised it seems like the Board feels that this is critical for our department and the departments under our oversight so perhaps we start with them and notify the others and include anyone willing to participate in the preliminary audit. Commissioner Ohler advised that once an audit is complete chances are the results for a portion of the county offices will be an accurate representation for all county offices. Commissioner Ohler advised his goal would be to have an audit on every department to limit the risks. Commissioner Ohler advised he doesn't know what the Auditor's concerns are but she is very protective of personnel records and rightfully so but some of that is a matter of public record. Mr. Morris advised someone could ask to see an employees personnel file and under public record law they can come in and see the file. What's in that file? If you have attached any medical documentation regarding sick leave to payroll for that week that is not public record and should not be released. Mr. Morris advised there are certain things kept in a personnel file, certain things kept separately in a medical file and there are certain things not medical or public records that should be kept in a third file.


Motion: to authorize Commissioner Mickley to engage in dialogue with the Auditor and department heads under the Commissioners' oversight about an HR audit and report back to the Board what their concerns and feedback are, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley. Motion carried on unanimous vote.

 9:59 AM
**IN THE MATTER OF
RIGHT OF ENTRY**

Motion: to approve a right of entry by the County Engineer to enter the property of Tom Mitchell, 1135 Bacon Road in Harrison Township, to clean the drainage channel beginning at roadway cross pipe and extending to downstream property line, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 10:05 AM
**IN THE MATTER OF
EMERGENCY MANAGEMENT AGENCY - PHONE SERVICE**
 10:05 AM

Janice Leggett, Commissioners' Clerk Supervisor advised the phones at the Emergency Management Agency are not working.



**IN THE MATTER OF
BUREAU OF WORKERS COMPENSATION - OTHER STATES COVERAGE**
 10:07 AM

Janice Leggett, Commissioners' Clerk Supervisor, appeared before the Board to discuss "Other States Coverage" through the Bureau of Workers Compensation. This coverage applies when an employee is working or traveling to another state for training and is injured. There is the risk that the employee's claim could get filed in that state. If filed in another state and that state does not have reciprocal coverage, the County could be fined and then charged for the claim. BWC explains:

"Whenever an Ohio employer has employees leaving Ohio to perform temporary duties out of the state the employer is responsible for knowing the workers' compensation requirements of those jurisdictions. Each state has its own coverage requirements. Some states provide an exemption period during which they recognize Ohio coverage as exclusive for Ohio employees working temporarily there. On the other hand, some states require Ohio employers to obtain workers' compensation coverage under their laws for any work performed there, regardless of how brief. Generally, if a state does not specifically recognize BWC's State-Fund Insurance that state will take jurisdiction for an injury occurring in that state even if the worker is only travelling through a state when the injury occurs. If a jurisdiction does not recognize Ohio's extraterritorial coverage, an employer must comply with that jurisdiction's requirements to avoid fines, stop-work orders and other penalties, including the actual cost of the claim brought under the laws of another state..."

Ms. Leggett advised the question before the Board is whether to apply for this coverage since employees often travel out of state.


Motion: to submit an application to the Ohio Bureau of Workers Compensation for Other States Coverage, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 10:12 AM
**IN THE MATTER OF
CORSА ANNUAL RENEWAL**
 10:12 AM

Janice Leggett, Commissioners' Clerk Supervisor, appeared before the Board to give a summary of the County Risk Sharing Authority (CORSА) renewal meeting she attended. Some topics reviewed were drone coverage, underground storage tanks, and property appraisals. The Loss Control Incentive Program for 2018-19 was also announced. John Brownlee was introduced as CORSА's new Managing Director, replacing Dave Brooks who is retiring on July 1, 2018. Ms. Leggett advised there was a bit of good news in that CORSА will distribute dividend checks to counties in the summer of 2018. There is a total of \$1 million to be distributed but there was no discussion on how that would break down for each county.


**IN THE MATTER OF
ACCEPT BIDS
PETROLEUM PRODUCTS**

Motion: to accept the bid of Lykins Energy Solutions for Petroleum Products per the request by Brian J. Wise, County Engineer, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 10:15 AM


**IN THE MATTER OF
PROSECUTOR OPINION**

Motion: to send the Lykins Energy Solutions, Petroleum Products Contract/Agreement to the Prosecutor for his review for form and function, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 10:16 AM

**IN THE MATTER OF
PROSECUTOR OPINION**


Motion: to send the County Commissioners Association of Ohio Workers' Compensation Group Rating Plan Agreement to the Prosecutor requesting his review for form and function, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 10:16 AM


**IN THE MATTER OF
LETTER OF SUPPORT**

APPALACHIAN REGIONAL COMMISSION (ARC) GRANT

Motion: to provide a letter of support from the Board for the Appalachian Regional Commission (ARC) grant, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley. Motion carried on unanimous vote.

 10:17 AM


**IN THE MATTER OF
GRANT**

 10:17 AM

Commissioner Ohler advised he heard back from Ohio Representative Andy Thompson after he had a conversation with Mike Jacoby of Appalachian Partnership for Economic Growth (APEG)/Jobs Ohio and previously we received word that we were not going to receive that grant. Now it looks like it is going to be approved. Commissioner Ohler advised the grant is in the amount of \$250,000.

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

 10:19 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: Quill, \$105.57; Independence Business Supply, \$538.93; & Stark County Ohio, \$1,000.00.

DJFS: OJFSDA, \$530.16; JWJ Ward Family Holdings, LLC, \$800.00.

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


 10:19 AM

**IN THE MATTER OF
COMMUNITY IMPROVEMENT CORPORATION**

 10:20 AM

Commissioner Ohler reminded the Board that a Community Improvement Corporation meeting is scheduled for 3:00 p.m. today.

**IN THE MATTER OF
OIL & GAS ROYALTIES
CHESAPEAKE ENERGY**


 10:20 AM

Commissioner Ohler advised he is continuing to work with Chesapeake Energy to provide evidence to Orange Township that they are receiving their portion of the shared oil and gas royalties.

**IN THE MATTER OF
ADJOURN**

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

Motion carried on unanimous vote.

 10:23 AM

PREPARED BY:

/s/ Christopher R. Modranski

Christopher R. Modranski, Assistant Clerk I

We hereby certify the foregoing to be true and correct.

/s/ Janice E. Leggett

Janice E. Leggett, Clerk Supervisor

/s/ Robert E. Wirkner

Robert E. Wirkner, President

BOARD OF COMMISSIONERS OF CARROLL COUNTY

/s/ Robert E. Wirkner

Robert E. Wirkner, President

/s/ Lewis A. Mickley

Lewis A. Mickley, Vice President

/s/ Jeffrey L. Ohler

Jeffrey L. Ohler, Commissioner