



**Present:** President Robert E Wirkner, Vice President Lewis A Mickley, and Commissioner Jeffrey L Ohler  
**Also present to observe:** Nancy Schaar, Free Press Standard reporter; Lynn Fairclough, Auditor; Brittany Tangler, Deputy Auditor

**IN THE MATTER OF  
PLEDGE OF ALLEGIANCE**

 9:00 AM

Commissioner Wirkner asked that everyone join in the reciting of the Pledge of Allegiance.


**IN THE MATTER OF  
RECORDINGS OF PROCEEDINGS**

 9:00 AM


Tyra Warrington, Assistant Clerk II, 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, August 16, 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.

 9:01 AM

**IN THE MATTER OF  
BOARD MEETING ATTENDANCE**

 9:01 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	OMEGA Summer Legislative Mixer / Executive Board Meeting	St. Clairsville, OH	08/21/2018	\$55.00

**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  
APPROPRIATION(S)**

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

FUND	NAME	CODE	AMOUNT
County General	Acting Judge	0170-A002-G02.021	\$2,703.89

**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.


 9:02 AM

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


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

FROM			TO		AMOUNT
FUND	NAME	CODE	NAME	CODE	
Public Assistance	Insurance	0320-H000-H16.100	Contracts-Services	0320-H000-H06.000	\$20,000.00
County General	Equipment	0170-A002-G04.040	Acting Judge	0170-A002-G02.021	\$500.00

**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.

 9:03 AM


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

 9:03 AM

Josh Long, Dog Warden, filed his report for the week of August 12, 2018 to August 18, 2018 showing 8 dogs impounded, 3 adopted out, 6 redeemed, 0 euthanized, 0 citation(s) for no license, and 0 citation(s) for running at large.


**IN THE MATTER OF  
LIMITED ENGLISH PROFICIENCY PLAN**

**Motion:** to approve the Limited English Proficiency Plan necessary for various grants, loans and funding, **Action:** Vote was recorded as follows: YEA: Vice President Robert E Wirkner and Commissioner Lewis A Mickley; NEY: None; ABSENT: None; ABSTAIN: President Robert Wirkner, **Moved by** Vice President Lewis A Mickley, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on majority vote.

 9:04 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 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.

 9:05 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: ServerSIM, \$699.00.

DJFS: None.

**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  
RESIGNATION  
BUILDING MAINTENANCE**

 9:06 AM


Commissioner Wirkner advised the Board received a letter of resignation from Donald "Ray" Myers, Custodial Technician I. Commissioner Ohler advised there still needs to be discussion about hiring a replacement and including time and duties at the Sheriff's office and whether the budget will support that. Commissioner Wirkner advised some of what he saw on the recent tour of the Sheriff's Office could be corrected with planned maintenance.

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**Motion:** to accept resignation of Donald Ray Myers, Custodial Technician I, effective September 7, 2018 **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.

 9:08 AM


**IN THE MATTER OF  
SECTION 125 PLAN  
RETIRE/REHIRE BENEFITS POLICY**

 9:09 AM


Commissioner Mickley gave an update on the issue that was discussed earlier about the Flexible Spending Account (FSA) and retire/rehire situation. Commissioner Mickley discussed the situation with Steven Barnett, Prosecuting Attorney, Wendy Dillingham, CEBCO Senior Benefit Specialist and Al Minor, the author of our current Section 125 plan. Commissioner Mickley stated the current interpretation is correct and a 30-day waiting period for insurance benefits to be reinstated would be required when an employee would retire and then be rehired. Commissioner Mickley advised that upon consulting with the prosecutor he learned that it was at the Board's discretion whether to amend the Section 125 Plan to allow rehires to receive their benefits if they return within 30 days of retirement.

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**Motion:** to amend the language in the Section 125 Plan to waive the 30-day waiting period for insurance benefits for retire/rehire candidates, **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.

 9:17 AM

**IN THE MATTER OF  
SECTION 125 PLAN**

 9:18 AM

Brittany Tangler, Deputy Auditor, appeared before the Board to discuss the Section 125 Plan regarding part-time employees and benefits. She stated an employee contacted her via email wishing to know why part-time employees are not offered benefits. She referred to the Section 125 Plan that states employees must have 30 or more hours a pay week to be eligible for benefits taken out of their paycheck. Ms. Tangler also pointed out that some of the part-time employees do not work every pay period and they are unable

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to collect deductions for benefits if they are not making enough to cover them. Ms. Tangler stated that because there are so many variables in their earned time it would be difficult to offer benefits to all part-time employees. Ms. Tangler reported that some employees are not even making enough to cover the deductions which could leave the Commissioners responsible to cover these unpaid expenses. Commissioner Ohler advised that it would be very difficult to collect these funds should the employee leave. Additionally, Commissioner Mickley pointed out that because we don't offer health benefits to part-time employees we cannot offer a Flexible Spending Account because from a tax standpoint there is a possibility that the Affordable Care Act and other regulations could cause the county to be faced with tax penalties and fines. Commissioner Wirkner agreed that it could quite possibly lead to becoming upside-down in the plan for both the employee and the County and the risk of the negative tax implications is not worth taking. Commissioner Wirkner asked Ms. Tangler to refer to this discussion to answer any inquiries as to why benefits are not offered to part-time employees.

**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.

 9:25 AM

**PREPARED BY:**

/s/ Tyra J. Warrington  
Tyra J. Warrington, Assistant Clerk II

**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