



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

**IN THE MATTER OF
PLEDGE OF ALLEGIANCE**

 9:01 AM

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

**IN THE MATTER OF
RECORDINGS OF PROCEEDINGS**


 9:02 AM

Christopher 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 Thursday, December 27, 2018 and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner and Vice President Lewis A Mickley; NEY: None; ABSENT: Commissioner Jeffrey L Ohler; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** President Robert E Wirkner.

Motion carried on unanimous vote.

 9:02 AM

**IN THE MATTER OF
BOARD MEETING ATTENDANCE**

 9:02 AM

Commissioner Wirkner questioned if everyone on the Board would be in attendance today. Commissioner Ohler was absent.


**IN THE MATTER OF
TRANSFER OF FUNDS**

Motion: to approve the following transfer of fund(s):

<u>FUND</u>	<u>CODE (FROM)</u>	<u>CODE (TO)</u>	<u>AMOUNT</u>
County General	0280-A015-A16.200	0999-Y085-800	\$1.64
County General	0280-A015-A16.200	0999-Y073-800	\$1.63
County General	0280-A015-A16.200	0999-Y076-800	\$14.52
Colonial Insurance Funds	0999-Y089-Y02.200	0100-A060-800	\$0.58
FOP Union Dues	0999-Y083-Y02.200	0100-A060-800	\$3.66

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

Motion carried on unanimous vote.

 9:02 AM


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

Motion: to approve the following appropriation(s):

<u>FUND</u>	<u>NAME</u>	<u>CODE</u>	<u>AMOUNT</u>
County Home	Personnel Payroll	0330-H070-H02.020	\$5,024.68
County Home	Medicare	0330-H070-H14.090	\$59.23
County Home	Medical Insurance	0330-H070-H13.100	\$2,415.00
Title Admin	Insurance	0161-B025-B10.100	\$44.32
Medicaid Local	Transfer Out	0001-B001-B01.200	(\$0.43)
Sheriff Foreclosure	Workers Comp	0200-B012-B03.080	(\$2.15)
CCBDD	PERS	0400-S010-S43.070	\$3,436.12

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

Motion carried on unanimous vote.

 9:03 AM

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

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


<u>FUND</u>	<u>FROM</u>		<u>TO</u>		<u>AMOUNT</u>
	<u>NAME</u>	<u>CODE</u>	<u>NAME</u>	<u>CODE</u>	
A002	Workers Comp	0170-A002-G10.080	PERS	0170-A002-G09.070	\$1,206.87
CDBG PY18	Fair Housing Travel	0600-T118-T06.050	Fair Housing Payroll	0600-T118-T20.020	\$58.70
M & G	Workers Comp	0350-R000-R09.080	PERS	0355-K000-K21.070	\$1,137.24
School Resource Officer	Payroll	0200-S073-S01.020	PERS	0200-S073-S10.070	\$1,711.88
Concealed Handgun	Workers Comp	0200-B011-B08.080	PERS	0200-B011-B07.070	\$126.00
Concealed Handgun	Contract Services	0200-B011-B05.000	PERS	0200-B011-B07.070	\$26.63
Public Assistance	Salaries	0320-H000-H01.020	PERS	0320-H000-H12.070	\$980.20
Public Assistance	Salaries	0320-H000-H01.020	PERS	0320-H000-H31.070	\$400.44
County General	Workers Comp	0180-A003-A10.080	PERS	0180-A003-A09.070	\$1,969.40

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FUND	FROM		TO		AMOUNT
	NAME	CODE	NAME	CODE	
County General	Workers Comp	0101-A001-B10.080	PERS	0101-A001-B09.070	\$42.80
County General	Workers Comp	0250-A006-B10.080	PERS	0250-A006-B09.070	\$0.04


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

 9:04 AM


IN THE MATTER OF PROSECUTOR OPINION

Motion: to send the Termination Agreement between the Commissioners and Carroll County Volunteer Fire Department, Inc. to the Prosecutor for his review for form and function, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner and Vice President Lewis A Mickley; NEY: None; ABSENT: Commissioner Jeffrey L Ohler; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** President Robert E Wirkner.

Motion carried on unanimous vote.


 9:06 AM

IN THE MATTER OF PROSECUTOR OPINION


 9:06 AM

Commissioner Wirkner advised further clarification is needed regarding the Board of Elections. Commissioner Wirkner stated the Commissioners had a discussion about official versus employee and if it had been an employee then health benefits for a spouse could have been added without an issue; however, because they are officials there is concern about a mid-term change in wages. Commissioner Wirkner advised elected officials cannot have a change in wages in the middle of their term. Because the Board of Elections are officials, the same standard may apply to them which means they would not have been able to vote for a change in wages or circumstances which would increase their benefits in the middle of their term. Commissioner Wirkner explained the reason the Commissioners decided to terminate insurance benefits at the end of the Board of Elections terms was so there wouldn't be any mid-term issues and there was a perceived fairness and expectation issue. Commissioner Wirkner advised now the Prosecutor needs to give an opinion on whether the motion passed on Thursday (December 27, 2018) is permissible as it allowed adding a spouse while in term; that may violate the mid-term ability to change the wage because that would be allowing them to bulk the wages up. Commissioner Wirkner doesn't believe they can add someone on during their term because that in effect would be giving that individual a raise because it is incurring a cost that the County would have to cover. Commissioner Wirkner advised this will almost be a moot point in the end but it needs clarification. The Board of Elections passed a resolution indicating they granted themselves spousal insurance and passed that on to the Auditor's Office. Commissioner Wirkner advised even though the Board of Elections was given a chance to rescind that resolution, they sent another letter stating they still wanted the spousal insurance. Commissioner Wirkner explained there needs to be closure on this issue for the Auditor and we need to make sure there is clarity from the Prosecutor that this was never going to fly now or in the future based on the fact there would be an in-term change in compensation. Commissioner Wirkner advised there will be a letter drafted to the Prosecutor seeking his opinion that because the Board of Elections are officials and not employees that the in-term limits as far as a change in compensation applies to them. Commissioner Mickley made the motion and asked if it will include asking if this circumstance equates to a change in compensation. Commissioner Mickley advised there is the issue of does the change of compensation apply to them or not and then there is the question if adding a spouse is a change of compensation. Commissioner Wirkner answered it would be a change because the County will incur additional cost of about \$8,000 per year. Commissioner Mickley stated if one of the officials had a child, he/she would be allowed to add that child to the plan. Commissioner Wirkner advised there was never any indication that spousal insurance was offered to the Board of Elections. Commissioner Mickley said it would be nice to clear up both parts of the question. Lynn Fairclough, Auditor, advised that a life event is a time that you can change insurance such as birth, getting married, or getting divorced. Commissioner Mickley pointed out one of the life events is when your spouse loses insurance. Commissioner Wirkner said there was never any indication that spousal coverage was offered to the Board of Elections. Commissioner Mickley said determining whether they can take a change in compensation doesn't answer that question. Commissioner Wirkner advised the Commissioners are the ones that granted the exception to the Board of Elections to allow each official to have insurance. He stated again there is no indication that the benefit was extended to or intended for spouses. Commissioner Wirkner indicated that issue can be taken to the prosecutor along with the Board of Elections resolution which changes the circumstances to offer coverage to the spouses. Commissioner Wirkner believes the resolution was an attempt to extend benefits to all spouses. Nancy Schaar, Free Press Standard, asked when insurance was offered to the Board of Elections. Commissioner Mickley said 1982, and Commissioner Wirkner agreed it was in the 1980s. Commissioner Wirkner advised the Board of Elections resolution was ill-advised and has created nothing but trouble; it was a huge mistake and an attempt to extend benefits, plain and simple. Commissioner Wirkner said that's exactly what the resolution says – that they are offering more benefits to their board members in the form of spousal insurance. Commissioner Wirkner advised the Prosecutor will be sent everything on this which includes the minutes from all these meetings and the resolutions where they said they are extending their benefits so the Prosecutor can look at this in its totality and determine if this is in fact an attempt to increase wages and compensation mid-term.

Motion: to request a prosecutor's opinion to determine if the Board of Elections officials are subject to the mid-term limits that prohibit them from having a change in wages or compensation during the time of their term, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner and Vice President Lewis A Mickley; NEY: None; ABSENT: Commissioner Jeffrey L Ohler; ABSTAIN: None, **Moved by** Vice President Lewis A Mickley, **Seconded by** President Robert E Wirkner. Motion carried on unanimous vote.

 9:18 AM

**IN THE MATTER OF
BUDGETARY CLOSED
AUDITOR'S OFFICE**


 9:19 AM

Auditor Lynn Fairclough advised the budgetary department of the Auditor's Office will be closed to the public on Wednesday, January 2, 2019 to finalize end-of-year business. Commissioner Wirkner asked when the Board can anticipate certification. Ms. Fairclough advised she is hoping for Wednesday but, if not, by session on Thursday. Ms. Fairclough advised her department is going to run a trial budget today.

**IN THE MATTER OF
ADJOURN**

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

Motion carried on unanimous vote.

 9:21 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/ Absent
Jeffrey L Ohler, Commissioner