



Present: Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; **Absent:** President Robert E Wirkner
Also present to observe: Nancy Schaar, Free Press Standard; Lynn Fairclough, Auditor; Jennifer Burns, Job & Family Services Program Administrator

**IN THE MATTER OF
 PLEDGE OF ALLEGIANCE**

 9:01 AM

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

**IN THE MATTER OF
 RECORDINGS OF PROCEEDINGS**


 9:02 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, January 10, 2019 and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: President Robert E Wirkner; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley.

Motion carried on unanimous vote.


 9:02 AM

**IN THE MATTER OF
 BOARD MEETING ATTENDANCE**

 9:02 AM


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

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

 9:02 AM

Josh Long, Dog Warden, filed his report for the week of January 6, 2019 to January 12, 2019 showing 1 dog impounded, 1 adopted out, 1 redeemed, 0 euthanized, 2 citation(s) for no license, and 2 citation(s) for running at large.

**IN THE MATTER OF
 COURTHOUSE CLOSED
 MARTIN LUTHER KING DAY**


 9:03 AM

Commissioner Mickley advised the Courthouse will be closed and there will be no meeting on Monday, January 21, 2019 due to the observance of Martin Luther King Day.


**IN THE MATTER OF
 DEPARTMENT OF JOB & FAMILY SERVICES
 ADJUSTMENTS – CHILDREN SERVICES FUND (CS50)**

Motion: to approve the adjustment of \$162,500.00 of the \$325,000.00 appropriated to the A009-B06 account be placed in the Children Services Fund CS50 (S000) to comply with reporting procedures set up for all Public Children Services agencies by the Amended Substitute House Bill 215, **Action:** Vote was recorded as follows: YEA: Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: President Robert E Wirkner; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley.

Motion carried on unanimous vote.

 9:04 AM

**IN THE MATTER OF
 AMERICAN ELECTRIC POWER
 CARROLLTON-SUNNYSIDE TRANSMISSION LINE REBUILD UPDATE**


 9:04 AM

Commissioner Mickley advised the Board received a Letter of Notification from American Electric Power regarding the Carrollton-Sunnyside Transmission Line Rebuild Project. The letter outlined minor adjustments to the approved route. A copy of the letter is on file in the Commissioners' Office.


**IN THE MATTER OF
 PROSECUTOR OPINION**

Motion: to request the Prosecutor's opinion on an easement issue for a septic to be installed in the 2018 Water Pollution Control Loan Fund, **Action:** Vote was recorded as follows: YEA: Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: President Robert E Wirkner; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley.

Motion carried on unanimous vote.


 9:06 AM

**IN THE MATTER OF
CCH ENVIRONMENTAL
CHRISTMAS TREE RECYCLING**

 9:06 AM

Tom Butch, Community Outreach Specialist at CCH Environmental Group, appeared before the Board to announce the live Christmas tree recycling program available through the end of January. The locations available for drop off include the fairgrounds in Carrollton, Ohio Street in Dellroy, the Maintenance Garage Parking Lot at Lake Mohawk, Village Park in Malvern, and the Village Building in Leesville.


**IN THE MATTER OF
2019 WATER POLLUTION CONTROL LOAN FUND AGREEMENT
RESOLUTION #2019-07**

 9:07 AM

Janice E. Leggett, Commissioners' Clerk Supervisor, appeared before the Board to discuss the 2019 Water Pollution Control Loan Fund. She advised Carroll County received \$150,000 in funding for 2019. Up to 50% of those funds are permitted to be used for connecting to a centralized sewer system like the one being installed in Amsterdam. The program runs through November 30, 2020 which means all work must be completed by that time. Ms. Leggett explained applications are not yet available as there are still some steps to be finalized, including the resolution before the Board today.

Motion: to adopt Resolution 2019-07 authorizing Vice President Lewis A. Mickley to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement on behalf of Carroll County for the repair and replacement of home sewage treatment systems, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: President Robert E Wirkner; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley.

Motion carried on unanimous vote.

 9:09 AM

**RESOLUTION #2019-07
AUTHORIZING COMMISSIONERS TO APPLY FOR, ACCEPT, AND ENTER INTO
A WATER POLLUTION CONTROL LOAN FUND AGREEMENT
ON BEHALF OF THE CARROLL COUNTY GENERAL HEALTH DISTRICT
FOR THE REPAIR AND REPLACEMENT OF HOME SEWAGE TREATMENT SYSTEMS**

WHEREAS, the Board of Commissioners of Carroll County and Carroll County General Health District seek to repair and/or replace failing home sewage treatment systems; and

WHEREAS, the Board of Commissioners of Carroll County and Carroll County General Health District intends to apply to the Water Pollution Control Loan Fund (WPCLF) for the repair and/or replacement of failing home sewage treatment systems; and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of a WPCLF assistance agreement;

NOW THEREFORE BE IT RESOLVED by Board of Commissioners of Carroll County, Ohio:

SECTION 1: That Vice President Lewis A. Mickley of the Board of Commissioners of Carroll County be and hereby is authorized to apply for a WPCLF assistance agreement, sign all documents for and enter into a Water Pollution Control Loan Fund with the Ohio Environmental Protection Agency for the repair and/or replacement of failing home sewage treatment systems on behalf of the Board of Commissioners of Carroll County and Carroll County General Health District.

SECTION 2: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

RESOLVED FURTHER that this Board of Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board which resulted in this formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including ORC 121.22.

Mr. Ohler moved for the adoption of the preceding Resolution;
Mr. Mickley seconded the motion.

Upon call of the roll the vote was recorded as follows:
Mr. Ohler, YES; Mr. Mickley, YES; Mr. Wirkner, ABSENT.

Motion carried on unanimous vote. Resolution adopted this 14th day of January, 2019.

BOARD OF COMMISSIONERS
OF CARROLL COUNTY

ATTEST:

ABSENT
Robert E. Wirkner, President


Janice E. Leggett, Clerk Supervisor


Lewis A. Mickley, Vice President

Jeffrey L. Ohler, Commissioner


**IN THE MATTER OF
TEMPORARY RECESS**

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


 9:10 AM

Board members reconvened at  9:31 AM.

**IN THE MATTER OF
ROAD VACATION – BREEZEWOOD DRIVE, LOUDON TWP.
PUBLIC HEARING**


 9:31 AM

Commissioner Mickley advised that it is now time to conduct the public hearing to vacate Breezewood Drive as petitioned by Heidi Joynson Bendle and others in Loudon Township. Those present were: Lewis Mickley, Jeffrey Ohler, Janice Leggett, Spencer Bendle, Heidi Joynson Bendle, Derik Herrington, Allan Furbee, Paul Simmons, Stan Bright, Nancy Schaar, Lynn Fairclough, and Rod Yoder. A legal notice was placed in the Free Press Standard on December 20 and December 27, 2018 advising of the viewing and hearing. The viewing took place at the site on January 7, 2019 at 2:00 p.m. Commissioner Mickley asked if there was anyone present who wished to speak against vacating Breezewood Drive. No one replied. Commissioner Mickley questioned if there was anyone present who wished to speak in favor of vacating Breezewood Drive. Spencer Bendle advised he was the driving force behind the petition on behalf of his wife, Heidi Joynson Bendle. He explained the road was originally put on the plat in the late 40s or early 50s and it was never a road. He said it’s time to vacate it before someone drives through the yards of the homes there. Alan Furbee, Loudon Township Trustee, advised the cost to bring the road back up to standard would be astronomical and take away from all the other residents in the Township. Paul Simmons, Loudon Township Trustee, agreed with Mr. Furbee and stated there has never been a road there and sees no reason for a road to be there now. Brian Wise, Engineer, provided a report which was read by Commissioner Mickley, “Per Section 5553.06 of the Ohio Revised Code, we have viewed the Breezewood Drive plat under consideration for vacation. There were several discrepancies noted on the plat. The surveyor was notified of those discrepancies and is in the process of making the necessary corrections. Only after we issue an approval on the corrected plat would we be able to determine that Breezewood Drive is not necessary for the public convenience or welfare and therefore recommend the vacation thereof. I would recommend that should the Board wish to proceed with the hearing for the Breezewood Drive vacation, that such vacation be contingent upon the Engineer’s approval of the corrected vacation plat.” The Loudon Township Trustees also passed a resolution on January 8, 2019 strongly supporting the vacating of Breezewood Drive.

Public hearing closed at  9:35 AM.

**IN THE MATTER OF
ROAD VACATION – BREEZEWOOD DRIVE, LOUDON TWP.
RESOLUTION NO. 2019-06**

Motion: to approve Resolution No. 2019-06 vacating Breezewood Drive in Loudon Township as petitioned by Heidi Joynson Bendle and others contingent upon the Engineer’s approval of the corrected plat, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: President Robert E Wirkner; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley. Motion carried on unanimous vote.

 9:37 AM

**RESOLUTION #2019-06
VACATING BREEZEWOOD DRIVE, LOUDON TWP.**

The Carroll County Board of Commissioners met on the 14th day of January, 2019, in regular session at the office of the Board (119 S. Lisbon Street, Suite 201, Carrollton, Ohio), with the following members present: Lewis A. Mickley and Jeffrey L. Ohler. Robert E. Wirkner was absent.

WHEREAS, a request was filed by Heidi Joynson Bendle to vacate Breezewood Drive in Loudon Twp., more fully described as follows:

Situated in the Township of Loudon, County of Carroll and the State of Ohio;
Known as being part of Section 19, Township 12 of Range 4, also being Breezewood Drive in Allenworth Estates No. 2 as recorded in Plat Book 2, page 260, said tract being more particularly described as follows:
Beginning at a 1/2" iron pipe, found at the Southeast corner of Lot 86 in said Estates and THE TRUE PLACE OF BEGINNING, Thence South 25°-58'-37" West 49.58' feet to an axle, found at the Northeast corner of Lot 100,
Thence with Lot 100 and the North lines of Lot 101 and 102, South 79°-45'-07" West 629.52' feet to a 1/2" iron pin, w/cap, set at the Northeast corner of Lot 103,
Thence with Lot 103 and a curve to the left 97.94' feet to a 1/2" iron pin, w/cap, set on the Southerly line of County Road 28, Bear Road, said curve having a delta angle of 38°-39'-40", a radius of 145.15' feet and a chord bearing of South 60°-25'-17" West- 96.09' feet,
Thence with Bear Road, North 41°-05'-27" East 195.70' feet to a 1/2" iron pipe, found at the Northwesterly corner of Lot 99,
Thence with Lot 99 and a curve to the left 69.88' feet to a 1/2" iron pipe, found, said curve having a delta angle of 141°-20'-20", a radius of 28.33' feet and a chord bearing of South 29°-34'-43" East- 53.46' feet,
Thence with Lot 99 and the South lines of Lot 98, 97, 96, 95, 94, 93, 92 and 86, North 79°-45'-07" East 578.98' feet to an iron pipe and THE TRUE PLACE OF BEGINNING, the herein described tract containing 0.652 acres more or less, subject to all legal highways, easements or restrictions of record,
Bearing are based on Ohio State Plane Coordinates North Zone, NAD83 (2011),
Description of said tract on survey by William Bonar Registered Surveyor #7134, November 29, 2018.

CONTINUED FROM PREVIOUS PAGE

WHEREAS, it is the recommendation of the County Engineer that the above-described road be vacated contingent upon plat approval; and

WHEREAS, legal advertising and personal notice was given in accordance with Ohio Revised Code §5553.05; and

WHEREAS, this Board viewed Breezewood Drive on the 7th day of January, 2019; and

WHEREAS, a public hearing was held the 14th day of January, 2019, to consider vacating said road; and

WHEREAS, this Board has determined that vacating Breezewood Drive as described in the above legal description is appropriate; and

THEREFORE, BE IT RESOLVED by this Board, that Breezewood Drive located in Loudon Township, as described above, be and the same is hereby declared vacated; and

BE IT FURTHER RESOLVED that the entire portion of roadway so vacated shall become part of the holdings of the abutting property owners in proportionate shares as provided by law; and

BE IT FURTHER RESOLVED, that the land within the limits of said road shall remain subject to the rights of utilities now maintaining structures, fixtures and appurtenances in, under, over or upon said lands, to continue to maintain such structures, fixtures, and appurtenances, and to enter upon said lands wherever reasonably necessary to do so for the purpose of inspecting, altering, replacing, repairing, patrolling and maintaining such structures, fixtures and appurtenances; and

RESOLVED FURTHER that this Board of Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board which resulted in this formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including ORC 121.22.

Mr. Ohler moved for the adoption of the preceding Resolution; Mr. Mickley seconded the motion.

Upon call of the roll the vote was recorded as follows:

Mr. Ohler, YES; Mr. Mickley, YES; Mr. Wirkner, ABSENT.

Motion carried on unanimous vote. Resolution adopted this 14th day of January, 2019.

BOARD OF COMMISSIONERS
OF CARROLL COUNTY

ATTEST:


Janice E. Leggett, Clerk Supervisor

ABSENT
Robert E. Wirkner, President

Lewis A. Mickley, Vice President

Jeffrey L. Ohler, Commissioner


**IN THE MATTER OF
ROAD VACATION – BREEZEWOOD DRIVE, LOUDON TWP.
PUBLIC HEARING**

 9:37 AM

Donald Brown, resident, appeared before the Board to express his opinion against the vacation of Breezewood Drive. Commissioner Mickley advised the hearing had concluded and the Board voted to vacate Breezewood Drive. Mr. Brown asked if he could hire an attorney because he will be landlocked for any construction as a result of the road vacation. Commissioner Ohler explained the matter was concluded, but Mr. Brown could reach out to an attorney if he chooses to do so.

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


 9:40 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: Rocky's \$168.26; Guess Motors \$117.80; Ron Ruegg \$4,460.80; Partec Systems \$1,069.20; Verizon \$719.43; Gordon Food \$1,020.82; BSSA \$2,895.00; Stephen Campbell \$2,400.00; Carsons \$230.59; The New Co \$118.28; Columbia Gas \$348.60; Heritage Coop \$376.36; Horizon \$282.58; Primetime \$234.10; Apollo Corp \$128.34; Tina Huggins \$100.50; Serversim \$2,400.00; Adams & Sons Pump Service \$278.00; OPTA \$720.00; Columbia Gas \$121.97; Frontier \$124.23; Kimble \$100.75; Advanced Auto Glass \$547.37; Huntington Bank \$219.49; Schindler \$678.89; CCAO \$6,611.00; Serversim \$2,520.00; Serversim \$258.00; McFadden \$812.00; OMEGA \$4,325.00; Huntington \$106.74; Damon Industries \$271.81; Ace Hardware \$119.85; Carroll Co Treasurer \$8,077.00; Ace Hardware \$106.94; Fairfield \$100.00; Gordon's \$156.75; Prism \$1,524.00; Damon Industries \$4,982.81; Damon Industries \$1,660.94; Treasurer State of Ohio \$200.00; Treasurer State of Ohio \$2,600.00; Form & Function \$177.59; Fairfield \$100.00; Poole's Quality Construction \$351.98; Columbia Gas \$174.85; **DJFS:** Carroll Co Transit \$546.00; Alco Services \$270.00; Postmaster \$690.00; Haines & Company Inc \$463.50; Tammy VonWyl \$311.27; Redemption Inc. \$115.00; OJFSDA \$6,236.65; FCFC \$5,000.00.


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

 9:40 AM


**IN THE MATTER OF
TEMPORARY RECESS**

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

 9:41 AM

Board members reconvened at  9:58 AM.


**IN THE MATTER OF
JOB & FAMILY SERVICES
SNAP FOOD ASSISTANCE**


 9:58 AM

Kate Offenberger, Director, and Jennifer Burns, Program Administrator, both of Job & Family Services appeared before the Board to provide a press release regarding the federal shutdown impact on food assistance. Ms. Offenberger explained her office determines eligibility for the Supplemental Nutrition Assistance Program (SNAP). The February benefits will be distributed early probably between now and the end of next week. Her office will work overtime to get anyone applying or re-certifying processed. After that, there is no plan for March benefits. Ms. Offenberger will be in touch with the local food pantries to let them know what to expect.

**IN THE MATTER OF
EXECUTIVE SESSION**


Motion: to enter into Executive Session per ORC 121.22(G)(1) to consider the discipline of a public employee per the request from Kate Offenberger, Job & Family Services Director, **Action:** Upon the call of the roll, vote was recorded as follows: **YEA:** Vice President Lewis A Mickley and Commissioner Jeffrey L Ohler; **NEY:** None; **ABSENT:** President Robert E Wirkner; **ABSTAIN:** None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Lewis A Mickley. Motion carried on unanimous vote.

 10:02 AM

The Board reconvened with no action taken at  10:58 AM

**IN THE MATTER OF
ADJOURN**

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

 10:58 AM

PREPARED BY:

BOARD OF COMMISSIONERS OF CARROLL COUNTY

Janice E. Leggett, Clerk Supervisor

Robert E. Wirkner, President

We hereby certify the foregoing to be true and correct.

Lewis A. Mickley, Vice President

Janice E. Leggett, Clerk Supervisor

Jeffrey L. Ohler, Commissioner

Robert E. Wirkner, President