


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


**Also present to observe:** Nancy Schaar, Free Press Standard; Leigh Ann Rutledge, Carroll County Messenger; Martha Ross, Perspectus Historic Architecture; Lynn Fairclough, Auditor; Edward Eick, Maintenance Supervisor; Christopher R. Modranski, Interim Clerk Supervisor; Anthony Garcia, Coon Restoration & Sealants; Tony Recka, NR Lee Restoration & Doug Hooper, Midstate Contractors Inc.

**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

Melissa N. Schaar, 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, June 3, 2019 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.

 9:02 AM

**IN THE MATTER OF  
BOARD MEETING ATTENDANCE**

 9:02 AM

Commissioner Wirkner questioned if everyone on the Board would be in attendance today. 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)
Jeffrey L. Ohler	Commissioner	MCJAS Board of Trustees Meeting	Canton, OH	6/7/19	\$35.00
Lewis Mickley	Commissioner	COG Meeting	Cadiz, OH	6/7/19	\$32.00
Lewis Mickley	Commissioner	Opioid Legal Update	Columbus, OH	6/12/19	\$80.00
Christopher R. Modranski	Economic Development	JobsOhio Board Meeting	Cadiz, OH	6/17/19	\$35.00

**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  
APPROPRIATION(S)**

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


FUND	NAME	CODE	AMOUNT
County General	Professional Services	0001-A001-A10.000	\$14,500.00

**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.


 9:04 AM

**IN THE MATTER OF  
MONTHLY REPORT – MAY  
SHERIFF’S OFFICE**

 9:04 AM


Commissioner Wirkner advised Sheriff Dale R. Williams filed his report for the month of May 2019 showing 2,391 meals served and 260 washes completed. A copy is on file in the Commissioners’ office.

**IN THE MATTER OF  
2018 ANNUAL REPORT - JUVENILE COURT**

 9:05 AM

Commissioner Wirkner advised that Rachel Rinkes, Court Administrator, filed the 2018 Annual Report for the Carroll County Juvenile Court. A copy is on file in the Commissioners’ office.


**IN THE MATTER OF  
PROSECUTOR OPINION**

 9:05 AM

Commissioner Mickely advised that these are lease agreements for Enterprise Fleet Management. Commissioner Mickley and Josh Long, Dog Warden, have been researching leasing 2 trucks for the Dog Wardens department. Commissioner Mickley presented a lease agreement with Enterprise Fleet Management and advised that no decisions have been made, however in the event the Board decides to move forward, they would like to have the Prosecutor review the documents. Commissioner Wirkner advised that we need to make sure there is no indemnification clause is in the agreement. Commissioner Mickley stated that the Amendment addresses this issue. Commissioner Ohler questioned if the lease has a dollar buyout at the end of the term. Commissioner Mickley advised that payments are over 5 years and at the end of the term we own the vehicle. Commissioner Mickley will verify that there is a dollar buyout at the end of the lease term.

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**Motion:** to send the Enterprise Fleet Management Master Equity Lease Agreement, the Amendment to Master Equity Lease Agreement and the Maintenance 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.

 9:08 AM

**IN THE MATTER OF  
BID ACCEPTANCE – 2019 RESURFACING PROJECT H-1-2019**

**Motion:** to accept the bid from Superior Paving & Materials, Inc. in the amount of \$438,149.96 for the 2019 Resurfacing Project H-1-2109 as recommended by Brian J. Wise, Carroll 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.

 9:09 AM


**IN THE MATTER OF  
PERMIT FOR THE USE OF COUNTY HIGHWAY RIGHT OF WAY(S)  
P.A.C. DRILLING O&G LLC**

**Motion:** to approve permit for the use of the following county highway right of way as recommended by the County Engineer:

1. P.A.C. Drilling O&G LLC, to install a driveway at 4002 Avalon Rd (CR20) in Harrison Township,
2. Blue Racer Midstream, LLC, bore under Azalea Rd. (CR22) for a natural gas pipeline installation, Lewis to Leesville Pipeline HOP #1, Orange Township,
3. Blue Racer Midstream, LLC to install a driveway, Lewis to Leesville Pipeline TAR #23, Orange Township, Azalea Rd. (CR22),
4. Blue Racer Midstream, LLC to install a driveway, Lewis to Leesville Pipeline TAR #22, Orange Township, Azalea Rd. (CR22),
5. Blue Racer Midstream, LLC to install a driveway, Lewis to Leesville Pipeline TAR #21, Orange Township, Azalea Rd. (CR22),
6. Blue Racer Midstream, LLC to install a driveway, Lewis to Leesville Pipeline TAR #20, Orange Township, Azalea Rd. (CR22),

**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.

 9:10 AM

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

**Motion:** to accept bids up to and opened at 9:45 a.m. on July 8, 2019 in the Commissioners' meeting room for furnishing premium grade diesel fuel to be pumped into a county vehicle at the supplier's facility; specifications can be picked up at the Commissioners' office, **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.

 9:12 AM

**IN THE MATTER OF  
TEMPORARY LIQUOR LICENSE  
FRATERNAL ORDER OF EAGLES LADIES AUXILIARY #2185**


**Motion:** to approve and authorize the Board President to sign the Temporary Liquor License for the Fraternal Order of Eagles Ladies Auxiliary #2185 for the fireworks to be held at the Carroll County Fairgrounds on July 6, 2019, **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.


 9:13 AM

**IN THE MATTER OF  
COMMUNITY DEVELOPMENT BLOCK GRANT  
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT**

**Motion:** to approve and authorize the Board to sign the Analysis of Impediments to Fair Housing Choice report, as recommended by Julie Kiser, Ohio Regional Development Corporation, **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.


 9:14 AM

**IN THE MATTER OF  
INDIGENT DEFENSE REIMBURSEMENT  
APPROVAL OF RESOLUTION**

 9:15 AM

Commissioner Wirkner advised the CCAO Committee for Justice and Safety supports this measure. Commissioner Wirkner advised that it is the State’s responsibility to provide indigent defense. The State passed that law and it became the responsibility of the county Commissioners. The State then agreed to reimburse the counties at a rate of 50%, which was never realized. They only provided around 35% reimbursement and some years that has dipped down into the 20<sup>th</sup> percentile. The taxpayers of each individual county are making up the difference. Commissioner Ohler asked about the \$60 million from the Governor and Commissioner Wirkner advised that the \$60 million is specifically earmarked for indigent defense and they are supposed to be fully funded with that by SFY21.  
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**Motion:** to adopt Resolution #2019-18 for the purpose of thanking the Governor and the Ohio House of Representatives for their support of state indigent defense reimbursement and calling on the Ohio Senate to continue this support in the state budget bill, **Action:** Upon the call of the roll, 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.

 9:20 AM

**RESOLUTION #2019-18  
FOR THE PURPOSE OF THANKING THE GOVERNOR AND THE OHIO HOUSE OF  
REPRESENTATIVES FOR THEIR SUPPORT OF STATE INDIGENT DEFENSE REIMBURSEMENT AND  
CALLING ON THE OHIO SENATE TO CONTINUE THIS SUPPORT IN THE STATE BUDGET BILL**

**WHEREAS**, Ohio counties have experienced a collective \$351 million annual revenue loss due to reductions in the Local Government Fund, Medicaid Managed Care sales tax elimination, and tangible personal property tax; and

**WHEREAS**, Ohio counties are anticipating a \$50 million collective sales tax revenue loss by State Fiscal Year 2021 due to the implementation of the prescription eyewear sales tax exemption and the expiration of Ohio’s grandfather clause to the federal Internet Tax Freedom Act of 1998; and

**WHEREAS**, county budgets have been strained for decades by the state passing down to counties its constitutionally-mandated requirement under the U.S. Supreme Court decision Gideon v. Wainright (1963) that the state provide legal counsel to indigent defendants; and

**WHEREAS**, the state reimbursement rate to counties for indigent defense costs has only averaged 35 percent from SFY 07 to SFY 16, leaving counties to collectively spend tens of millions in county general revenue funds to fulfill this state mandate; and

**WHEREAS**, Governor Mike DeWine provided counties an additional \$60 million each fiscal year of his introduced state budget to provide counties with much needed budgetary relief of this state mandate; and

**WHEREAS**, the Ohio House of Representatives provided an additional \$35 million in SFY 21 to the state budget bill to reimburse counties for indigent defense costs and alleviate counties of this growing state mandate;

**NOW, THEREFORE, BE IT RESOLVED** by the Carroll County Board of Commissioners;

**THAT**, this Board applauds and sincerely thanks Governor DeWine for listening to county budgetary concerns and addressing indigent defense costs with his historic and impactful investment included in his introduced budget; and

**THAT**, this Board deeply appreciates and sincerely thanks the Ohio House of Representatives for further increasing the indigent defense appropriation by \$35 million in SFY21 which should fully reimburse counties for their indigent defense costs, assuming current conditions; and

**THAT**, this Board calls upon the Ohio Senate to maintain the House of Representatives’ appropriation for indigent defense reimbursement in the state budget bill to ensure that this state mandate remains funded; 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.

meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

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

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

Motion carried on unanimous vote. Resolution adopted this 6th day of June, 2019.

BOARD OF COMMISSIONERS  
OF CARROLL COUNTY

ATTEST:

/s/ Robert E. Wirkner  
Robert E. Wirkner, President

/s/ Melissa N. Schaar  
Melissa N. Schaar, Assistant Clerk I


/s/ Lewis A. Mickley  
Lewis A. Mickley, Vice President

/s/ Jeffrey L. Ohler  
Jeffrey L. Ohler, Commissioner

**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.

 9:24 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:** TLC Technologies, \$6,063.00; Judge Linton Lewis, \$296.96 & Borden Office Equipment, \$1,650.00.


**DJFS:** Bill's Auto Repair, \$1,200.00.

**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.


 9:25 AM

**IN THE MATTER OF  
LANDFILL RFP UPDATE**

 9:26 AM

Commissioner Ohler advised that Melissa N. Schaar, Assistant Clerk I, is drawing up a contract to be signed with Bruce Hilliard, regarding the baling of hay at the Carroll County Landfill. It will be a year to year contract. The contract will be brought to the June 10, 2019 meeting for approval to be sent to the Prosecutor for form and function.

**IN THE MATTER OF  
BID OPENING – BELL TOWER PROJECT**

 9:30 AM

Commissioner Wirkner advised the time has arrived to open bids for the Bell Tower Project and the following bids were received and opened by Christopher R. Modranski, Interim Clerk Supervisor. Martha Ross, from Perspectus Historic Architecture, advised that the alternate bid is for additional interior work, which is not part of the original project. Mr. Modranski advised that the bonds will be reviewed before the meeting on June 13, 2019. Ms. Ross advised that she typically sends a letter of recommendation to the Board and once the contractor is selected, she will begin the contract process.

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	<b>Company</b>	<b>Location</b>	<b>Base Bid</b>	<b>Alternate Bid</b>
1.	NR Lee Restoration	Delphos, OH	\$634,000.00	\$22,000.00
2.	Midstate Contractors Inc	Marion, OH	\$775,345.00	\$11,933.00
3.	Coon Restoration & Sealants, Inc.	Louisville, OH	\$1,183,000.00	\$42,000.00


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**Motion:** to table bids for the tower rehabilitation project until June 13, 2019 as recommended by Mr. Modranski, **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.

 9:35 AM

**IN THE MATTER OF  
RFP OPENING – AIRPORT ZONING CONSULTANT**


 9:45 AM

Commissioner Wirkner advised the time has arrived to open the Request for Proposals for the Airport Zoning Consultant. Commissioner Mickley advised that no proposals were received. Commissioner Mickley advised that he has a list of consultants that are certified by the state and he is planning to reach out to some of them and see why they did not submit a proposal, especially the person who consults with the local airport board. Commissioner Ohler asked if the Airport Zoning Consultant falls into the group of professionals that can be chosen, rather than having to bid for the job. Commissioner Ohler recommended reaching out to Harrison County Commissioner and see if they have had to opportunity to use a consultant. If so, they may have some recommendations.

**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.

 9:48 AM

**PREPARED BY:**

/s/ Melissa N. Schaar  
Melissa N. Schaar, Assistant Clerk I

**We hereby certify the foregoing to be true and correct.**

/s/ Christopher R. Modranski  
Christopher R. Modranski, Interim 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