


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


**Also present to observe:** Nancy Schaar, Free Press Standard; Brittany Tangler, Chief Deputy Auditor II & Steven Barnett, Prosecutor.

**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**


 9:01 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 Thursday, February 27, 2020 and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: President Robert E. Wirkner, Vice President Jeffrey L. Ohler, and Commissioner Lewis A. Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A. Mickley, **Seconded by** Vice President Jeffrey L. Ohler.

Motion carried on unanimous vote.


 9:01 AM

**IN THE MATTER OF  
ROLL CALL / 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  
CARROLL COUNTY RESIDENT**

 9:02 AM

Judy Clark-Berkley, Carroll County resident appeared before the Board to discuss filming a movie in the courthouse. Ms. Berkley advised that she has been writing for over 30 years and in 2011 she published a book titled *Justice for Speedy*. Ms. Berkley advised that this is a personal story, somewhat of a whistle-blower story about the abuses in the Arabian horse show world. Ms. Berkley advised that she has been advocating for several years on social media to try and bring about change to how these horses are treated, but to no avail. Ms. Berkley advised that she has been encouraged to produce a film based on the book. Ms. Berkley showed the Board an advertisement for the movie, which is titled *My Horse for a Kingdom*. Ms. Berkley advised that the film is a legal story, a horse story and a faith-based Christian film. Ms. Berkley advised that there are many steps involved in this project and location is one of those steps. Ms. Berkley advised that because of the legal aspect, she is looking for law offices and an old-style courtroom to film scenes in. Ms. Berkley advised that she has toured the Columbiana County courthouse and it would work, but they do not have the resources for lodging and dining options for out of town people involved in the project. Ms. Berkley advised that she thinks they can film the two courtroom scenes in one day, and she feels that business could carry on as usual if the courtroom doors were closed. Commissioner Wirkner asked if Ms. Berkley has spoken to Common Pleas Court and Ms. Berkley advised that she was told that she needed to start with the Commissioners. Commissioner Wirkner advised that Judge Repella would have to be amenable to the project, the Courthouse Security committee would need to review the plan and then the Commissioners would need to approve the project. Commissioner Ohler advised that he agrees with the steps. Commissioner Wirkner advised that if Judge Repella and the Courthouse Security committee agree, he does not see why it would be an issue for the Commissioners. Ms. Berkley advised that she wants to keep the project in Carroll County, because this is her adopted home state and it is an Ohio story. Commissioner Wirkner advised that Melissa Schaar, Assistant Clerk I will contact Ms. Berkley with contact information for Judge Repella. Commissioner Ohler advised that possibly the courtroom could be made available on a Saturday. Commissioner Ohler asked when this project would be. Ms. Berkley advised that she is looking at the first two weeks in June, however there are many things that have to come together. Ms. Berkley asked if there would be an additional charge to have security on a Saturday. Commissioner Wirkner advised that they would need to speak to the Sheriff and the Security Committee about that.


**IN THE MATTER OF  
EXPENSES**

**Motion:** to approve the following travel and membership expenses:


NAME, TITLE	DEPT.	EVENT	LOCATION	DATE	AMOUNT (not to exceed)
Kate Offenberger, Director Lorrie Cline, Supervisor Sherri Lewis, Supervisor	DJFS	ECODDA	Newark, OH	3/3/2020	-0-
Kate Offenberger, Director	DJFS	ODJFS Child Care Review	Lisbon, OH	3/13/2020	-0-
Patricia Oyer, Recorder	Recorder	NE Ohio Recorders Association District Meeting	Middlefield, OH	Retroactive to 2/28/2020 (3/6/2020 snow date)	\$95.00

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

Motion carried on unanimous vote.


 9:13 AM

**IN THE MATTER OF  
VISITOR**

 9:14 AM


Commissioner Wirkner asked Brittany Tangler, Chief Deputy Auditor II if she is observing the meeting or presenting something to the Board. Ms. Tangler advised that she is observing and wanted to be on hand for the CEBCO fourth quarter report by Wendy Dillingham.

**IN THE MATTER OF  
AMSTERDAM SEWER PROJECT**

 9:15 AM


Christopher R. Modranski, Economic Development Director appeared before the Board and advised that he went to a pre-construction meeting on Thursday, February 27, 2020 for the Amsterdam sewer project. Mr. Modranski advised that Arcadis Design and Consultancy is the design company and they have split the project into three contracts. Contract one is mainly focused on building the sewer plant, contract two is focused on installation of pipes and grinders in Jefferson County and contract three is the Carroll County installation. The total contract price is \$13,047,815.51 which includes the contract price for Arcadis for the design for \$1,575,046.61. Mr. Modranski advised that contract one is with Workman Industrial for \$2,419,780.00; contract two is with Rudnick Excavating for \$7,190,203.90 and the company doing the Carroll County side is Alex E. Paris Contracting of Atlasburg, PA. Mr. Modranski advised that they plan to mobilize between March 16, 2021 and April 6, 2021 and demobilization is slated for March 16, 2021. The longest working contract is number one and they are scheduled for 545 days. There are multiple funding mechanisms for the project including grants and loans.

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

 9:18 AM

Josh Long, Dog Warden, filed his report for the week of February 23, 2020 to February 29, 2020 showing 1 dog impounded, 4 adopted out, 1 redeemed, 0 euthanized, 2 citation(s) for no license, and 1 citation(s) for running at large.


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

 9:19 AM


Commissioner Wirkner asked Melissa N. Schaar, Assistant Clerk I if Warden Josh Long was scheduled for the meeting on Thursday to present his monthly report. Ms. Schaar advised that Warden Long is scheduled to appear.

**IN THE MATTER OF  
BID NOTICE  
CARROLL COUNTY 2020 RESURFACING PROJECT, H-1-2020**

**Motion:** to accept bids up to and opened at 9:30 a.m. on March 30, 2020 in the office of the Carroll County Commissioners for the Carroll County 2020 Resurfacing Project #H-1-2020; specifications can be picked up at the Carroll County Engineer's 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.

 9:19 AM

**IN THE MATTER OF  
EMERGENCY SERVICE RECOGNITION**


 9:20 AM

Commissioner Wirkner advised that today would typically be the Emergency Services Recognition. Commissioner Wirkner advised that the committee met last week, and they need time to get the certificates and ribbons. Once those items are in place, a date and time will be announced.

**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 Jeffrey L. Ohler, and Commissioner Lewis A. Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A. Mickley, **Seconded by** Vice President Jeffrey L. Ohler.

Motion carried on unanimous vote.

 9:22 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:** Verizon, \$801.47; Thomson West, \$489.47; Ohio Chief Probation Officers Assoc., \$275.00; Crowne Plaza North, \$212.00 & EOCC, \$1,875.00.


**DJFS:** None

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

Motion carried on unanimous vote.


 9:23 AM

**IN THE MATTER OF  
MULTI-COUNTY JUVENILE ATTENTION SYSTEM**

 9:24 AM


Commissioner Ohler asked if someone attended that Multi-County Juvenile Attention System (MCJAS) meeting in his absence last week. Commissioner Wirkner advised that he did not attend the meeting. Ron Nuzzolillo, Jr., Assistant Clerk I advised that he called MCJAS and was told that it was an Executive meeting and Commissioner Wirkner was welcome to come to the meeting, however he was not a voting member.

**IN THE MATTER OF  
ROVER PIPELINE**

 9:24 AM


Commissioner Wirkner advised that Rover Pipeline is asking for a reassessment of their tax burden. Rover Pipeline has tendered a payment based on what they would pay if the reassessment goes in their favor, rather than the full amount. Commissioner Ohler asked if the Auditor's office has reported how it will affect the budget. Commissioner Wirkner advised that the Auditor's office is working on that and he has a meeting set up with the Auditor to discuss the findings.

**IN THE MATTER OF  
INTERNET SERVICE**

 9:26 AM

Commissioner Wirkner advised that a utilization report of internet services shows that in some areas, we are hitting the ceiling every day in the amount of service being used. Commissioner Wirkner advised that it is fortunate that several offices have been utilizing nighttime hours for updates. As of now, it appears that we will need to double the amount of broadband in order to have adequate service. Commissioner Wirkner advised that a bottleneck was identified as well. Commissioner Wirkner advised that there is a 10 mbps circuit that joins the Courthouse to the Prosecutor's office and that circuit was peaking out every day creating the bottleneck, so the service on that circuit will have to be increased as well. One of the alternate plans in the proposal is to eliminate the bridge and go to fiber. Commissioner Wirkner advised that he is still working on this as well as the IP addresses. Commissioner Wirkner advised that Frontier has made an offer to increase IP addresses by five, but those IP addresses wouldn't belong to us and if Frontier doesn't get the contract, then those IP addresses would have to be refigured. Commissioner Wirkner advised that he is looking at the video arraignment because they only use the IP address during the actual arraignment, and possibly the courts could stagger their times of use.

**IN THE MATTER OF  
PROSECUTOR**


 9:36 AM

Ronald M. Nuzzolillo, Jr., Assistant Clerk I advised that Prosecutor Barnett would not be able to come to the meeting until 10:30 AM.

**IN THE MATTER OF  
TEMPORARY RECESS**


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

Motion carried on unanimous vote.

 9:36 AM


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Board members reconvened at  10:05 AM.

**IN THE MATTER OF  
BOARD MEETING ATTENDANCE**

 10:05 AM


Commissioner Wirkner advised that Commissioner Wirkner and Commissioner Mickley were present.

**IN THE MATTER OF  
BINGO FUNDRAISER**

 10:06 AM

Attorney Sean R. H. Smith appeared before the Board regarding the Carroll County Vets Club Bingo Fundraiser. Mr. Smith advised that the Vets Club has an application for a charitable bingo license, and they need to contract with charities or governmental organizations. One of the organizations that the Vets Club contacted was the Carroll County Sheriff's Department. Mr. Smith advised that he contacted Prosecutor Barnett and was told that the Board of Commissioners is the only board authorized to accept donations on behalf of the county. Mr. Smith presented the Instant Bingo Fundraising contract that needs signed by the President of the board, so that a portion of the Bingo proceeds can be paid to the county for the benefit for the Sheriff's Department. Commissioner Wirkner advised that there is no Prosecutor approval on the contract. Mr. Smith advised that Prosecutor Barnett has seen the contract and had sent a letter dated February 14, 2020 to the Auditor, Sheriff and Board of Carroll County Commissioners regarding the Bingo fundraiser. Commissioner Wirkner advised that he is not sure that the letter would serve as the Prosecutor's approval of the contract so to keep things clean, the contract needs sent to Prosecutor Barnett for his approval and stamp. Mr. Smith asked the Board to let his office know when the contract was ready, and he would stop in and pick it up.


**IN THE MATTER OF  
OHLER, JEFFREY**

 10:06 AM

Commissioner Ohler joined the meeting.


**IN THE MATTER OF  
EMPLOYEE BENEFITS/INSURANCE**

**CEBCO**

 10:09 AM

Wendy Dillingham, County Employee Benefits Consortium of Ohio (CEBCO) Senior Benefit Specialist, appeared before the Board to review the fourth quarter reports. A copy of the reports is on file in the Commissioners' office. Ms. Dillingham advised that the CEBCO annual membership meeting will be held Friday, April 3, 2020 at the Embassy Suites at the airport. Ms. Dillingham advised that it is CEBCO's 16<sup>th</sup> anniversary and they would love to have all three Commissioners attend the meeting as well as anyone else they would like to bring.


**IN THE MATTER OF  
PROSECUTOR OPINION**

 10:30 AM

Commissioner Wirkner advised Prosecutor Barnett that Attorney Sean R. H. Smith appeared before the Board with the Instant Bingo Fundraising contract. Commissioner Wirkner advised Prosecutor Barnett that he did not feel that the letter from Prosecutor Barnett dated February 14, 2020 constituted approval of the contract, so the Board will be sending the contract to Prosecutor Barnett for his review. Prosecutor Barnett advised that was fine and took the contract with him.

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**Motion:** to send the Vets Club Instant Bingo Fundraising contract to the Prosecutor for his review for form and function, **Action:** Vote was recorded as follows: YEA: President Robert E. Wirkner, Vice President Jeffrey L. Ohler, and Commissioner Lewis A. Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A. Mickley, **Seconded by** Vice President Jeffrey L. Ohler. Motion carried on unanimous vote.


 10:31 AM

**IN THE MATTER OF  
EXECUTIVE SESSION**

**Motion:** to enter into Executive Session per ORC 121.22(G)(3) to discuss pending or imminent court action, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Robert E. Wirkner, Vice President Jeffrey L. Ohler, and Commissioner Lewis A. Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A. Mickley, **Seconded by** Vice President Jeffrey L. Ohler.


Motion carried on unanimous vote.

 10:31 AM

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The Board reconvened with no action taken at  10:48 AM.

**IN THE MATTER OF  
ONE OHIO MEMORANDUM OF UNDERSTANDING  
RESOLUTION #2020-10**

**Motion:** to adopt a resolution to accept the One Ohio Memorandum of Understanding, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Robert E. Wirkner, Vice President Jeffrey L. Ohler, and Commissioner Lewis A. Mickley; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Lewis A. Mickley, **Seconded by** Vice President Jeffrey L. Ohler. Motion carried on unanimous vote.

 10:48 AM

**RESOLUTION #2020-10  
TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING**

A RESOLUTION AUTHORIZING the Carroll County Board of Commissioners to accept the One Ohio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds.

WHEREAS, Carroll County, Ohio is formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted a One Ohio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, nothing in the MOU binds any party to a specific outcome; and

WHEREAS, any resolution under the MOU will require acceptance by the State of Ohio and the Local Governments; and

WHEREAS, the Carroll County Board of Commissioners understands that the purpose of the MOU is to permit collaboration between the State of Ohio and Local Governments to explore and potentially effectuating earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, the Carroll County Board of Commissioners understands that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio; and

WHEREAS, the Board wishes to agree to the non-binding Memorandum of Understanding,

This resolution also authorizes the president and/or vice president of the board of commissioners to sign any and all documentation related to the execution of said contract/agreement.

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. 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. Mickley, yes; Mr. Ohler, yes; Mr. Wirkner, yes.

Motion carried on unanimous vote. Resolution adopted this 2<sup>ND</sup> day of March, 2020.

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/ Jeffrey L. Ohler  
Jeffrey L. Ohler, Vice President

/s/ Lewis A. Mickley  
Lewis A. Mickley, Commissioner

**IN THE MATTER OF  
ADJOURN**

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

Motion carried on unanimous vote.

 10:50 AM

**PREPARED BY:**

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

**BOARD OF COMMISSIONERS OF CARROLL COUNTY**

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

/s/ Jeffrey L. Ohler  
Jeffrey L. Ohler, Vice President

/s/ Lewis A. Mickley  
Lewis A. Mickley, Commissioner

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

/s/ Christopher R. Modranski  
Christopher R. Modranski, Clerk Supervisor

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