



Present: President Robert E. Wirkner, Vice President Jeffrey L. Ohler; **Absent:** Commissioner Lewis A. Mickley.
Also present to observe: None.

**IN THE MATTER OF
PLEDGE OF ALLEGIANCE**

 9:02 AM


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

**IN THE MATTER OF
ROLL CALL / BOARD MEETING ATTENDANCE**

 9:03 AM

Commissioner Mickley: Absent; Commissioner Ohler: Present; Commissioner Wirkner: Present


**IN THE MATTER OF
RECORDINGS OF PROCEEDINGS**

 9:03 AM

Ronald M. Nuzzolillo Jr, 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, October 19, 2020 and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: President Robert E. Wirkner and Vice President Jeffrey L. Ohler; NEY: None; ABSENT: Commissioner Lewis A. Mickley; ABSTAIN: None, **Moved by** Vice President Jeffrey L. Ohler, **Seconded by** President Robert E. Wirkner. Motion carried on unanimous vote.


 9:03 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>
CS50	Contracts-Services	0324-S000-S06.000	\$20,000.00

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


 9:04 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>	
A001	Equipment-Pros	0120-A001-E04.040	Supplies-Pros	0120-A001-E03.030	\$3,500.00

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


 9:04 AM

**IN THE MATTER OF
PERMIT FOR THE USE OF COUNTY HIGHWAY RIGHT OF WAY(S)**

Motion: to approve permits for the use of the following county highway right of way(s) as recommended by the County Engineer:

- Northwest Wind, LLC for an open cut on Citrus Road (CR 68) in Brown Township;


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

 9:06 AM

**IN THE MATTER OF
2020 RESURFACING PROJECT H-1-2020
CHANGE ORDER – NORTHSTAR ASPHALT, INC**

Motion: to approve a change order for Northstar Asphalt, Inc. for the 2020 Resurfacing Project H-1-2020. The original contract amount for this project was \$788,665.00 and the adjusted contract amount factoring the additions and non-performance items is \$805,483.30, due to quantity adjustments on the project, **Action:** Vote was recorded as follows: YEA: President Robert E. Wirkner and Vice President Jeffrey L. Ohler; NEY: None; ABSENT: Commissioner Lewis A. Mickley; ABSTAIN: None, **Moved by** Vice President Jeffrey L. Ohler, **Seconded by** President Robert E. Wirkner.


Motion carried on unanimous vote.

 9:07 AM

**IN THE MATTER OF
RESOLUTION NO. 2020-38
PETITION TO RETAIN OUTSIDE COUNSEL**

Motion: to approve Resolution No. 2020-38 authorizing the Board to petition the Carroll County Court of Common Pleas for an order of the Court to authorize the Board to retain Attorney Randolph Snow and Attorney James Wherley, Jr of Black McCuskey, Sours & Arbaugh as special counsel in the defense and pursuit of civil litigation in the matter of Wyatt, et. al. v. Straight, et. al. Carroll County Court of Common Pleas Case No. 2020 CVH 29654, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Robert E. Wirkner and Vice President Jeffrey L. Ohler; NEY: None; ABSENT: Commissioner Lewis A. Mickley; ABSTAIN: None, **Moved by** Vice President Jeffrey L. Ohler, **Seconded by** President Robert E. Wirkner.

Motion carried on unanimous vote.

 9:11 AM

**RESOLUTION #2020-38
A RESOLUTION AUTHORIZING THE RETENTION OF SPECIAL COUNSEL**

WHEREAS, on October 13, 2020 a complaint was filed in the Carroll County Court of Common Pleas naming Carroll County Environmental Services, the Carroll County Treasurer, and the Carroll County Health Department as defendants in William E. Wyatt, Jr. et. al. v. Beth E. Straight, et. al. Carroll County Court of Common Pleas Case No. 2020 CVH 29654; and

WHEREAS, Carroll County Environmental Services is under the authority of the Board of Commissioners of Carroll County; and

WHEREAS, the Prosecuting Attorney is obligated by statute to represent the Board of Commissioners of Carroll County, the Carroll County Treasurer, and the Carroll County Health Department; and

WHEREAS, a potential for adverse positions among two of the above-named parties implies a potential conflict of interest for the Prosecuting Attorney; and

WHEREAS, under Rule 1.7 of the Ohio Code of Professional Conduct, which governs attorneys, the Prosecuting Attorney is prohibited from representing current clients with a conflict of interests; and

WHEREAS, under Ohio Revised Code 305.14(A), a board of county commissioners may employ counsel to assist the board in matters coming before the board or in the prosecution or defense of an action in which the board has an interest; and

WHEREAS, under Ohio Revised Code 309.09(C), when the board of commissioners employs counsel other than the prosecutor, the board and the prosecutor must petition the court of common pleas; and

WHEREAS, under Ohio Revised Code 309.09(C), other counsel is paid out of the general fund and the compensation must be entered upon the board’s journal and any compensation cannot exceed the prosecutor’s salary;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners, Carroll County, Ohio that: The Board of Commissioners of Carroll County and the Prosecuting Attorney petition the Carroll County Court of Common Pleas for an order of the Court to authorize the Board to retain Attorney Randolph Snow and Attorney James Wherley, Jr. of Black, McCuskey, Sours & Arbaugh as special counsel in defense and pursuit of civil litigation in the matter of Wyatt, et. al. v. Straight, et. al., Carroll County Court of Common Pleas, Case No. 2020 CVH 29654. Compensation for the special counsel shall not exceed the salary of the Prosecuting Attorney and shall be recorded in the Board’s journal.

BE IT 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. Wirkner seconded the motion.

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

Mr. Ohler, Yes; Mr. Mickley, Absent; Mr. Wirkner, Yes.

Motion carried on unanimous vote. Resolution adopted this 22nd day of October 2020.

BOARD OF COMMISSIONERS
OF CARROLL COUNTY

ATTEST:


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

/s/ Ronald M. Nuzzolillo, Jr.
Ronald M. Nuzzolillo, Jr, Assistant Clerk I

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

Absent
Lewis A. Mickley, Commissioner


**IN THE MATTER OF
HEALTH DEPARTMENT – COVID-19 UPDATE**

 9:12 AM

Kelly Engelhart, Director of Nursing appeared before the Board to provide an update on the COVID-19 health crisis. Ms. Engelhart advised that there are currently 198 confirmed and probable cases in the county which is an increase of 20 cases since last week. Ms. Engelhart advised that the Health Department is investigating clusters of outbreaks throughout the county. Ms. Engelhart advised that the Carrollton School District is doing well with no outbreaks since they took the week off. Ms. Engelhart advised that there is a cluster in a preschool. Ms. Engelhart advised that the Health Department is working with the state on the distribution of vaccines. Ms. Engelhart advised that the state is projecting to have a vaccine ready by the end of this year. Ms. Engelhart advised that the vaccine will be distributed in stages with the first stage of vaccines going to health care personnel. Ms. Engelhart advised that the Health Department is addressing an issue with shelf life of the vaccine only being 10 days once it is received. Ms. Engelhart advised that the Health Department is still having weekly meetings with stake holders in the county.

**IN THE MATTER OF
RESOLUTION NO. 2020-39
SUPPORT OF AN ORDERLY AND PEACEFUL ELECTIONS PROCESS**

Motion: to approve Resolution No. 2020-39 Expressing support of an orderly and peaceful elections process, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Robert E. Wirkner and Vice President Jeffrey L. Ohler; NEY: None; ABSENT: Commissioner Lewis A. Mickley; ABSTAIN: None, **Moved by** Vice President Jeffrey L. Ohler, **Seconded by** President Robert E. Wirkner. Motion carried on unanimous vote.

 9:18 AM

**RESOLUTION #2020-39
A RESOLUTION EXPRESSING SUPPORT OF AN ORDERLY AND PEACEFUL ELECTIONS PROCESS**

WHEREAS, the United States Senate, by unanimous consent on September 24, 2020, approved Senate Resolution 718, reaffirming the Senate's commitment to the orderly and peaceful transfer of power called for in the Constitution of the United States; and

WHEREAS, our domestic tranquility, security, general welfare, and civil liberties depend on respect for the rule of law and respect for the orderly processing of ballots on election night and on the days following an election; and

WHEREAS, any disruptions of or undue interference in the casting of ballots and the lawful and proper administration of ballot counting on or after November 3, 2020, could be detrimental to community safety and well-being; and

WHEREAS, for many decades Ohio's secretaries of state and the Carroll County board of elections have distinguished themselves in trustworthy elections administration, and in conducting honest and true counts of Carroll County's residents' ballots cast by each method and manner allowed and protected under Ohio law, and have earned the trust of Carroll County residents; and

WHEREAS, the Ohio Secretary of State has affirmed that the state's November 3, 2020, election results will be honest and legitimate, and should be accepted by all candidates and their voters; and

WHEREAS, every Ohioan has a major stake in ensuring and supporting elections integrity, orderly elections administration, and peace and tranquility surrounding free and fair elections;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners, Carroll County, Ohio that: That this Board of Commissioners does hereby commit to support order, peace, and respect for the rule of law in all aspects surrounding the election of November 3, 2020 and calls on all candidates and residents of Carroll County and the State of Ohio to respect the voting decisions of the Ohio electorate.

BE IT 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. Wirkner seconded the motion.

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

Mr. Ohler, Yes; Mr. Mickley, Absent; Mr. Wirkner, Yes.

Motion carried on unanimous vote. Resolution adopted this 22nd day of October 2020.

BOARD OF COMMISSIONERS
OF CARROLL COUNTY

ATTEST:


/s/ Ronald M. Nuzzolillo, Jr.
Ronald M. Nuzzolillo, Jr, Assistant Clerk I

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

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


Absent
Lewis A. Mickley, Commissioner

**IN THE MATTER OF
ECONOMIC DEVELOPMENT**

 9:18 AM


Christopher Modranski, Economic Development Director advised that he is working with American Axle & Manufacturing (AAM) also known as Colfor to get as much assistance as they can in their efforts to recover from the recent fire. Mr. Modranski advised that he is working with Ohio SE and Jobs Ohio. Mr. Modranski advised that he is working on a grant application through Ohio Mid-Eastern Governments Association (OMEGA) for a road improvement project on Mirth and Meter roads in Augusta Township. Mr. Modranski advised that this will help with transportation for a local business that operates at that location. Commissioner Wirkner asked Mr. Modranski when he last spoke with AAM. Mr. Modranski advised that he spoke with them on Tuesday, October 20, 2020

**IN THE MATTER OF
CARES ACT SMALL BUSINESS GRANT**

 9:20 AM


Christopher Modranski, Economic Development advised that he is working with small businesses on the Carroll County CARES Act Small Business Assistance Grant. Mr. Modranski advised that the grant agreements have been sent to all businesses that have been awarded the grant. A few completed grant agreements have already been returned.

**IN THE MATTER OF
CLERK'S REPORT
BOARD OF ELECTION**

 9:20 AM

Christopher Modranski, Clerk provided an update on the Board of Elections' hours and early voting procedures. Mr. Modranski advised that the Board of Elections will be open until 6:00 p.m. today and tomorrow. They will also be open from 8:00 a.m. to 4:00 p.m. on Saturday and from 1:00 p.m. until 5:00 p.m. on Sunday. Mr. Modranski advised that residents can vote in-person at the Board of Elections Office, which is located on the first floor of the courthouse. Residents can also submit their absentee ballots in the drop box that is located outside the entry door to the courthouse. Mr. Modranski advised the Board of Elections Office will be open next week from 8:00 a.m. to 7:00 p.m. Monday through Friday.

**IN THE MATTER OF
CLERK'S REPORT
COVID-19**


 9:21 AM

Christopher Modranski, Clerk advised that the Clorox 360 spraying machines have been distributed and a couple of departments are keeping track of the time it takes to go through one jug of cleaner. Mr. Modranski advised that a few more departments have shown interest in purchasing the Clorox 360 spraying machines. Mr. Modranski advised that the committee will see if there are enough funds to do so.

**IN THE MATTER OF
PROSECUTOR**


Motion: to retain Attorney Randolph Snow and Attorney James Wherley, Jr. of Black, McCuskey, Sours & Arbaugh as special counsel in defense and pursuit of civil litigation in the matter of Wyatt, et. al. v. Straight, et. al., Carroll County Court of Common Pleas, Case No. 2020 CVH 29654 at the rate of \$275.00 per hour, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Robert E. Wirkner and Vice President Jeffrey L. Ohler; NEY: None; ABSENT: Commissioner Lewis A. Mickley; ABSTAIN: None, **Moved by** Vice President Jeffrey L. Ohler, **Seconded by** President Robert E. Wirkner.

Motion carried on unanimous vote.

 9:24 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 and Vice President Jeffrey L. Ohler; NEY: None; ABSENT: Commissioner Lewis A. Mickley; ABSTAIN: None, **Moved by** Vice President Jeffrey L. Ohler, **Seconded by** President Robert E. Wirkner. Motion carried on unanimous vote.

 9:25 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: None.

DJFS: Lisa Smiley, \$125.35; St. Johns Villa, \$160.00; Carroll Co Juv Ct, \$103.85; Michael Minor, \$600.00; Long's Lockup, \$390.00; Eastern Gateway CC, \$31,970.26; Eastern Gateway CC, \$11,414.54; & Heritage Cooperative, \$400.35.

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

 9:26AM

**IN THE MATTER OF
2021 BUDGET**


 9:26 AM

Commissioner Ohler advised that he has a meeting with Auditor at 11:00 a.m. to go over the 2021 budget. Commissioner Ohler advised that he has a meeting at 1:00 p.m. with Sheriff Dale Williams, Ed Eick, Maintenance Supervisor and Ralph Cramer of Cramer Engineering Services to discuss available funds for the jail project and the timing of moving inmates.

**IN THE MATTER OF
ADJOURN**

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

Motion carried on unanimous vote.

 9:27 AM

PREPARED BY:

/s/ Ronald M. Nuzzolillo, Jr.
Ronald M. Nuzzolillo Jr, Assistant Clerk I

We hereby certify the foregoing to be true and correct.

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

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

BOARD OF COMMISSIONERS OF CARROLL COUNTY

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

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

Absent
Lewis A. Mickley, Commissioner