



Present: President Christopher R. Modranski, Vice President Robert E. Wirkner, and Commissioner Donald E. Leggett II.
Also present to observe: None.

**IN THE MATTER OF
 PLEDGE OF ALLEGIANCE**

 9:01 AM


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

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

 9:01 AM

Commissioner Leggett: Present; Commissioner Wirkner: Present; Commissioner Modranski: Present


**IN THE MATTER OF
 RESOLUTION NO. 2023-18
 DECLARING AN EMERGENCY AND AUTHORIZE PURCHASE OF CHILLER UNIT**

 9:01 AM

Commissioner Modranski advised that this special meeting was called to discuss the HVAC unit on the fourth floor of the courthouse. Commissioner Modranski turned the meeting over to Ed Eick, Superintendent of Buildings and Grounds. Mr. Eick advised that after gathering further information, options are limited, and Mr. Eick is asking the Board to declare this situation an emergency repair. Mr. Eick advised that the unit is currently running on one compressor and does not shut down. Mr. Eick advised that it cannot keep up if the temperature is over 75 degrees. Mr. Eick advised that it is pointless to run the unit at this time. Mr. Eick advised that the panel boxes are maxed out in the attic and unable to support the use of several fans on the fourth floor. Mr. Eick advised that he is also concerned about public safety since there are several individuals who utilize the title office on the fourth floor. Mr. Eick advised that a lot of the equipment on the fourth floor is owned by the state and needs to be protected from thermal breakdown from extreme heat. Bill Wohlwend, Clerk of Courts advised that the equipment in the title office is owned by the state. Mr. Eick advised that the title office gets the sun throughout the entire day which increases the temperature in the office. Mr. Eick advised that he reached out to three commercial contractors, Best Commercial Energy, Standard Plumbing and Heating, and Whisler. Mr. Eick advised that Standard Plumbing and Heating never returned his e-mails or sent a quote. Mr. Eick provided quotes from Best Commercial Energy for both a repair to the current system and a brand-new unit. Mr. Eick advised that the compressor replacement is almost half the cost of a new unit. Commissioner Modranski asked if there was more than one unit for the fourth floor. Mr. Eick advised that there is one unit which contains two compressors, and both would need to be replaced. Mr. Eick is of the opinion that the Board would be throwing money away to replace compressors on a unit that is 22 years old. Commissioner Wirkner asked what kind of refrigerant the current system uses. Mr. Eick advised that it uses R 22, which is pretty much obsolete in the HVAC world. Mr. Eick advised that the unit served its purpose and is now outdated. Mr. Eick advised that the lead time for a new Trane unit from Best Commercial Energy is 40 or more weeks. Mr. Eick advised that a Carrier unit from Best Commercial Energy has a lead time of 15-17 weeks, and the cost is \$54,500.00. Mr. Eick advised that Whisler Plumbing and Heating supplied a quote for a Trane unit that has a 26-week lead time. Mr. Eick advised that Whisler Plumbing and Heating sent a message stating that they have a Carrier unit that is coming off the line on June 30th and is available for purchase. Mr. Eick advised that unit is \$55,825.00 and is a direct replacement. Mr. Eick advised that if we do not lock in the purchase, there will be a 15–16-week lead time of getting a unit. Commissioner Modranski asked how long the lead time is on this unit and Mr. Eick stated it can be directly shipped on June 30th. Commissioner Leggett asked how long it is going to take Whisler Plumbing and Heating to install after the unit is shipped. Mr. Eick advised that Whisler Plumbing and Heating told him they would get the installation done immediately after the unit arrives. Mr. Eick advised that included in the quote is the cost of a crane to remove the old unit and get the new one on the roof. Commissioner Wirkner asked the opinion of those being affected. Mr. Wohlwend advised that he is concerned about his computer system since the fan is running continuously on them right now to keep the system cool. Mr. Wohlwend advised that if the system goes down, it is going to cost a lot of money to replace. Mr. Wohlwend advised that his employees can use desk fans for now, but the equipment is an issue. Mr. Wohlwend advised that he and Mr. Eick had discussed opening the doors to the bell tower and running the fan in the hallway. Mr. Wohlwend advised that the fan is very loud and will be an inconvenience to others. Mr. Wohlwend doesn't see how the fan will benefit his office because it will pull the cool air up and out of the top of the courthouse. Mr. Wohlwend advised that it was over 80 degrees in his office this morning and the fans were running on all the computers and printers. Mr. Wohlwend advised that if his printers and equipment break down in the title office, it will probably take a minimum of 10-14 days to replace. Mr. Wohlwend advised that will take a lot of revenue away. Commissioner Wirkner asked if the courts have computer systems that they depend on too. Mr. Wohlwend advised yes. Byron Fairclough, Chief Adult Probation Officer advised that Judge Repella and Peggie Connor, Court Administrator both seem to have working air conditioning in their office. Commissioner Wirkner asked Mr. Fairclough about the temperature in his office. Mr. Fairclough advised that it hasn't been too bad, but the temperature has not been that hot yet. Mr. Fairclough advised that he has been opening his windows to pull in some cold air. Mr. Eick advised that the air conditioning is not working in Judge Repella and Ms. Connor's office and the reason it is cooler is because the side of the building where their offices are located is well shaded and doesn't receive direct sunlight. Commissioner Modranski advised that in the state of Ohio, any repair or replacement over \$50,000.00 must be competitively bid. Commissioner Modranski advised that the commissioners can unanimously declare an emergency and spend up to \$100,000.00 based on quotes. Commissioner Modranski advised that the Board has prepared a resolution declaring this situation an emergency. Commissioner Modranski advised that he has spoken to Judge Repella who is concerned about holding a large jury trial that is scheduled for July. Judge Repella feels that jurors will not be able to concentrate due to high temperatures in the courtroom. Commissioner Modranski advised that Judge Repella told him this morning that there is a 7th Court of Appeals District Court scheduled in July that will need to be cancelled if there is no working air conditioner. Commissioner Modranski advised that he personally declares this an emergency and has the resolution ready to sign if the other Board members agree. Commissioner Modranski asked for a motion to sign Resolution No. 2023-18. Commissioner Wirkner advised that in addition to a human factor, there is an equipment factor. Commissioner Wirkner asked Mr. Wohlwend if he

said it was 80 degrees in his offices. Mr. Wohlwend advised that it was 79 degrees before he came down to the meeting. Commissioner Wirkner advised that the fans on all the equipment are already running, and we haven't experienced extremely high temperatures yet. Commissioner Leggett asked Mr. Wohlwend if he was going to get more fans for his department. Mr. Wohlwend advised that his employees were bringing fans. Mr. Wohlwend advised that he would like to set the fans to blow the air out instead of in, but it won't work because the wind is blowing towards the windows. Mr. Wohlwend advised that he can't put fans in the doorway because it will block the only entrance/exit the office has. Mr. Fairclough asked Mr. Eick if the electrical system is going to support the use of several fans. Mr. Eick advised that the use of several fans is going to cause an issue, especially on the warmest days of summer when the electricity is overloaded. Mr. Eick advised that it won't be so bad if we have a shorter timespan to wait on the new unit. Mr. Wohlwend advised that the title office could get away with one fan, placing it between his office and the title office, which will allow air to blow towards all the equipment that is in use. He advised that one fan won't work on the legal side because every employee has their own cubicle, and the air would not flow appropriately. Mr. Wohlwend advised that each employee will need a small desk fan. Mr. Wohlwend advised that he has the blinds pulled down with the windows open and he will try to keep the offices cool for customers. Mr. Fairclough asked Mr. Eick his opinion on the use of the attic fan. Mr. Eick advised that it is very noisy. Commissioner Modranski advised that they can try it and if it doesn't work, they can just turn it back off. Mr. Eick advised that he is not sure that the attic fan is going to do anything because the only way it will pull anything from the offices is if the windows are open. Mr. Eick advised that it would pull warm air in, and any cool air that is being pulled up to the fourth floor is going to only make it to the hallway before it is sucked out through the belltower. Commissioner Modranski asked Mr. Wohlwend what would happen if his printers went down. Mr. Wohlwend advised that they would have to get their titles from another county. Commissioner Modranski advised that is a huge inconvenience. Mr. Wohlwend advised that the title office would lose \$12.50 per title. Mr. Wohlwend advised that currently the title office has made \$6,000.00 less than last year. Commissioner Wirkner advised that if the attic fan was run in the evening with the fourth-floor windows open, it would be able to exhaust the heat out and some of the cool air in. Mr. Eick advised that to do that, the doors would have to be left open, unlocked, and unsecure. Commissioner Modranski advised that it would be a good idea to turn off all the computers off at night. Mr. Wohlwend advised that they do turn their computers off at night but they have to keep the equipment in the legal department on 24 hours a day due to people accessing it online.

Motion: to adopt Resolution No. 2023-18, declaring a real and present emergency exists and authorize the purchase of a Carrier chiller unit for no more than \$100,000.00, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Christopher R. Modranski, Vice President Robert E. Wirkner and Commissioner Donald E. Leggett II; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Robert E. Wirkner, **Seconded by** Commissioner Donald E. Leggett II. Motion carried on unanimous vote.

 9:21 AM

<p>RESOLUTION #2023-18 DECLARING AN EMERGENCY AND AUTHORIZING THE PURCHASE OF A CARRIER CHILLER UNIT</p>

WHEREAS, the fourth floor of the courthouse is cooled by a chiller unit purchased in 2001; and

WHEREAS, the chiller unit has repeatedly failed and does not function when the temperature goes over 80 degrees; and

WHEREAS, the fourth floor is the location of the Court of Common Pleas, General and Trial Division, Jury Room, Adult Probation, Clerk of Courts, and Title Department; and

WHEREAS, high levels of heat can pose a threat to electronic equipment critical to county government functions including processing titles and the administration of justice; and

WHEREAS, high levels of heat can pose a threat to a juror's ability to focus on key evidence in a trial, and may interfere with the pursuance of justice; and

WHEREAS, the purchase of a new Carrier chilling unit may be more than \$50,000.00 but shall be less than \$100,000.00; and

WHEREAS, based on the foregoing, this Board has determined that a real and present emergency exists as set forth in ORC 307.86 (A)(1), and the purchase of a chiller unit is exempt from competitive bidding requirements.

NOW THEREFORE BE IT RESOLVED by The Board of Commissioners of Carroll County, Ohio that a real and present emergency exists and authorizes the purchase of Carrier Chiller unit for no more than \$100,000.00.

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. Wirkner moved for the adoption of the preceding Resolution;
Mr. Leggett seconded the motion.

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

Mr. Leggett, yes ; Mr. Wirkner, yes ; Mr. Modranski yes .

Motion carried on unanimous vote. Resolution adopted this 30th day of May, 2023.

BOARD OF COMMISSIONERS
OF CARROLL COUNTY, OHIO

ATTEST:

/s/ April D. Mayle
April D. Mayle, Assistant Clerk II


/s/ Christopher R. Modranski
Christopher R. Modranski, President

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

/s/ Donald E. Leggett II
Donald E. Leggett II, Commissioner

**IN THE MATTER OF
ADJOURN**

Motion: to adjourn, **Action:** Vote was recorded as follows: YEA: President Christopher R. Modranski, Vice President Robert E. Wirkner, and Commissioner Donald E. Leggett II; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Donald E. Leggett II, **Seconded by** Vice President Robert E. Wirkner.
Motion carried on unanimous vote.

 9:23 AM

PREPARED BY:
/s/ April D. Mayle
April D. Mayle, Assistant Clerk II

We hereby certify the foregoing to be true and correct.
/s/ Melissa N. Schaar
Melissa N. Schaar, Clerk
/s/ Christopher R. Modranski
Christopher R. Modranski, President

BOARD OF COMMISSIONERS OF CARROLL COUNTY
/s/ Christopher R. Modranski
Christopher R. Modranski, President
/s/ Robert E. Wirkner
Robert E. Wirkner, Vice President
/s/ Donald E. Leggett II
Donald E. Leggett II, Commissioner