



**Present:** President Christopher R. Modranski, Vice President Robert E. Wirkner, and Commissioner Donald E. Leggett II.  
**Also present to observe:** Thomas Clapper, Carroll County Messenger & Georgette Huff, Free Press Standard.

**IN THE MATTER OF  
PLEDGE OF ALLEGIANCE**

 9:00 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  
RECORDINGS OF PROCEEDINGS**


 9:01 AM

April D. Mayle, Assistant Clerk II 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, October 19, 2023, and electronic recording of the proceedings, **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.

 9:01 AM


**IN THE MATTER OF  
EXPENSES**

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

| NAME, TITLE            | DEPT.     | EVENT   | LOCATION   | DATE        | AMOUNT<br>(not to exceed) |
|------------------------|-----------|---|------------|-------------|---------------------------|
| Jeff Yeager, Treasurer | Treasurer | County Treasurer’s Association of Ohio Conference | Dublin, OH | 11/14-16/23 | \$613.06                  |

**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** Vice President Robert E. Wirkner, **Seconded by** Commissioner Donald E. Leggett II.

Motion carried on unanimous vote.

 9:02 AM


**IN THE MATTER OF  
APPROPRIATION AMENDMENT(S)**

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

| FUND  | FROM                        |                   | TO                              |                   | AMOUNT   |
|-------|-----------------------------|-------------------|---------------------------------|-------------------|----------|
|       | NAME                        | CODE              | NAME                            | CODE              |          |
| 20410 | Vehicle Maintenance         | 20410-11103-53433 | Minor Equipment                 | 20410-11103-54440 | \$447.50 |
| 10000 | Attorney Fees-Commissioners | 10000-11001-52000 | Fees-Attorney – Court of Appeal | 10000-12006-52001 | \$505.00 |


**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.


 9:02 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 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.

 9:02 AM

**IN THE MATTER OF  
AMENDED MONTHLY REPORT – SEPTEMBER  
CHILD SUPPORT ENFORCEMENT AGENCY**


 9:03 AM

Commissioner Modranski advised the office of the Prosecuting Attorney filed an amended report for September 2023 for the Carroll County Child Support Enforcement Agency. There was a total of 1,072 open, active cases. A copy is on file in the Commissioners’ Office.

**IN THE MATTER OF  
CHIP LEAD ABATEMENT  
LETTER OF ACCEPTANCE**

**Motion:** to approve acceptance letter for the Community Housing Impact Preservation (CHIP) lead abatement program, **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.

 9:03 AM

**IN THE MATTER OF  
AGREEMENT/CONTRACT  
HEALTHY AGING GRANT**

**Motion:** to approve the Healthy Aging Grant Agreement between the Ohio Department of Aging and Carroll County Board of Commissioners, **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** Vice President Robert E. Wirkner, **Seconded by** Commissioner Donald E. Leggett II.

Motion carried on unanimous vote.

 9:03 AM


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

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


- 1. EOG Resources, Inc. for a driveway on Arbor Road, NE (CR 14) Augusta Township, for the Brown Pipeline, PAR #7,

**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.

 9:04 AM

**IN THE MATTER OF  
THE BUILDING & DEMOLITION GRANT**

 9:05 AM

Susan Moore, Community Development Specialist with Ohio Regional Development Corporation (ORDC) appeared before the Board to address issues with some of the projects that were done through the Building and Demolition Grant. Ms. Moore advised that four separate packages were put out for bid. Ms. Moore advised that all projects in package A were completed with no issues. Ms. Moore advised that package D, which consisted of one large project at Imperial Aluminum, had an issue with water lines but was resolved and the project is completed. Ms. Moore advised that the two other packages contain projects that there have been issues with the finishing. Ms. Moore advised that package B contained three properties. Ms. Moore advised that to date these properties have not shown the proper coverage of grass or satisfied the owner’s expectations. Ms. Moore advised that the contractor had several opportunities to fix these issues that were presented to them. Ms. Moore shared pictures of the projects with the commissioners. Ms. Moore said that on the Second Street property, there were water issues, and the contractor did fix that, but she is still trying to get in touch with the homeowners to see if they are satisfied. Commissioner Modranski advised that the last time that he talked to the homeowners they did not feel that the job was done appropriately. Commissioner Wirkner asked Ms. Moore what caused the settling issues in the pictures. Ms. Moore advised that she believes that the main issue with the settling and the grass growth is due to the contractor not following the proper finishing and the scope of work in the contract. Ms. Moore advised that there was not appropriate topsoil put down and when the problem was brought up to the contractor, they went back and tried to patch the areas that were missing grass instead of doing it properly. Ms. Moore advised that the spot patching that the contractor did is not acceptable. Commissioner Leggett asked if the contract stated if the ground is supposed to be compacted. Ms. Moore advised that the contract does not specify to what degree, but it is supposed to be compacted and have topsoil with no aggregate. Ms. Moore advised that the church property has not been properly graded and covered by topsoil. Ms. Moore advised that it is the same issue at the restaurant in Carrollton as well and it doesn’t even look like there is topsoil there. Ms. Moore advised that the demolitions all went well, but the problem is the finishings. Ms. Moore advised that package C contained three projects and only one of the homeowners is happy with the project. Ms. Moore advised that the project in Leesville is below grade, and she doesn’t feel like there was enough fill added. Ms. Moore advised that the property in Salineville has been spot patched with topsoil instead of being covered with it. Ms. Moore said that there was a driveway that was slightly damaged, and the contractor was going to put some

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gravel in. Ms. Moore advised that to her knowledge that has not been done. Commissioner Wirkner asked Ms. Moore about the 10% retainage. Ms. Moore advised that they are still holding a 10% retainage on all the properties, except the one property that the owner's were happy with. Commissioner Wirkner asked if the contractors have been well advised that if these problems are not corrected, that they will not receive these funds. Ms. Moore advised that they have consistently asked for those funds, and she has consistently told them that these properties have not passed inspection and they will not receive the funds until they do. Ms. Moore advised that they finished the projects in package B by June 26<sup>th</sup>, and time was given for grass to grow back, and now it is well past that date. Ms. Moore feels that the contractor should be given a time frame and told that if the projects are not finished properly, they forfeit the 10% retainage. Ms. Moore advised that the 10% retainage is held to ensure that the projects are done and if not, that money is used to hire another contractor to finish the project. Commissioner Modranski asked if all the properties with issues were done by the same contractor and Ms. Moore said yes. Commissioner Modranski suggested sending a certified letter to the contractor advising them that they have 30 days to properly complete the projects, or they forfeit the 10% retainage. Commissioner Modranski asked Ms. Moore if 10% retainage was going to be enough to cover the cost to complete the projects. Ms. Moore advised that without having estimates, it would be hard to say, but the retainage is typically enough. Commissioner Modranski asked if the retainage wasn't enough to cover the finishing, could we utilize our next round of grant funds to cover the expense. Ms. Moore said she would have to ask. Commissioner Modranski said he assumed that all the grant funds are used up. Ms. Moore said, technically not, because the water valve issue at Imperial has not been resolved yet. Commissioner Modranski asked if that money was being held. Ms. Moore advised that if it falls on the property to pay for that, they can use the funds for that. Commissioner Wirkner suggested that the commissioners put the contractor on notice with a list of requirements that need to be fulfilled. Commissioner Modranski advised that he would send a letter by regular mail and certified mail. Commissioner Leggett advised that he thinks the contractor needs to be told that he may not be able to bid on any more projects through the grant. Commissioner Modranski asked how we guarantee there will be grass grown given the time of year. Ms. Moore advised that does make it difficult, but usually if the correct amount of topsoil and grass seed is on, there is some grass growth due to the warm-up we've been getting the last few years. Ms. Moore said if we don't see growth and we see frost, we can continue to hold that retainer until the spring. Commissioner Modranski advised that he wants the property owners to get relief in the end. Ms. Moore advised that some of the property owners have offered to fix the problem themselves and Ms. Moore told them no, she does not want them spending money to fix the problem. Ms. Moore advised that they deserve to have it done correctly. Commissioner Modranski asked if there is a way that we can deny this contractor the ability to bid on projects in the future. Ms. Moore advised that we would need the prosecutor's opinion on that. Commissioner Wirkner suggested that the Board wait to see if this contractor bids on any projects in the future and address it at that time. Ms. Moore advised that she will prepare a letter and send it to the commissioners for their approval.


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**Motion:** to provide a notice to Aster Oilfield Services with a list of deficiencies with their projects and addresses of said projects, allowing them 30 days to complete the work or they forfeit the 10% retainer, **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** Vice President Robert E. Wirkner, **Seconded by** Commissioner Donald E. Leggett II.

Motion carried on unanimous vote.


 9:15 AM

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

 9:17 AM


Ronald M. Nuzzolillo Jr, Assistant Clerk I advised that Carroll County Caring Hands will be hosting a bake sale on Friday, October 27, 2023, from 8:00 a.m. to 11:30 a.m. on the second floor of the courthouse. All proceeds will help families in the county with medical related expenses.

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

 9:18 AM


Ronald M. Nuzzolillo Jr, Assistant Clerk I advised that the Carroll Hills School and the Carroll County Special Olympics Program are having a raffle fundraiser for meat lovers. The prizes for the Raffle are 1<sup>st</sup> prize, ¼ beef processed and packaged as you wish (\$800 value); 2<sup>nd</sup> prize, gas grill donated by Tractor Supply (\$300 value); and 3<sup>rd</sup> prize, \$250 gift card to Polen Meats. Mr. Nuzzolillo advised that tickets are \$5.00 are available now through November 11, 2023. Tickets will be available at the Carroll Hills School at 330-627-7651 or Carroll County Board of DD Board Office at 330-627-6555. Raffle ticket winners will be announced at the Carroll County Board of DD Annual Craft Show held at Carroll Hills School on November 11, 2023 at 1:00 p.m.

**IN THE MATTER OF  
JAIL KITCHEN**

 9:18 AM


Commissioner Leggett advised that he is meeting with the Health Department next week regarding the jail kitchen to see what permits are needed. Commissioner Leggett advised that he would report back to the Board.

**IN THE MATTER OF  
REGIONAL TRANSPORTATION IMPROVEMENT PROJECT (RTIP)**

 9:19 AM

Commissioner Wirkner advised that he has an RTIP meeting this Friday. Commissioner Wirkner advised that one of the things that passed through legislation was House Bill 33, which allows RTIP to enter Memorandums of Understanding (MOU) with private partnerships. Commissioner Wirkner advised that there have been some inquiries regarding that, and he will keep the Board posted.

**IN THE MATTER OF  
CCAO ENERGY COMMITTEE MEETING**


 9:19 AM

Commissioner Wirkner advised that he and Assistant Clerk, Ronald Nuzzolillo Jr. will be attending the County Commissioners Association of Ohio (CCAO) Annual Energy Committee Meeting on Wednesday.

**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.

 9:20 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