

[9:02:40 AM](#)

Present: President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner. Absent: None.

**IN THE MATTER OF  
PLEDGE OF ALLEGIANCE**

[9:02:44 AM](#)

Commissioner Ohler asked that everyone stand and recite the Pledge of Allegiance.

**IN THE MATTER OF  
RECORDINGS OF PROCEEDINGS**

[9:03:11 AM](#)

Valerie S Mossor, 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**

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to approve the summary of the minutes from the meeting of Monday, February 23, 2015 and electronic recording of the proceedings.

[9:03:33 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
EXPENSES**

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to approve the following expenses:

1. Chris Kiehl, Deputy Administrator, Engineers, and Bob Grigsby, Inspector, Engineers, to attend Pavement Condition Rating/Transportation Asset Management on June 11, 2015 in Akron, Ohio with expenses not to exceed \$100.00;
2. Kate Offenberger, Director, DJFS, to attend OJFSDA Executive General Membership on March 12-13, 2015 at OJFSDA with expenses not to exceed \$150.00;
3. Kate Offenberger, Director, DJFS, to attend Gov. Workgroup to Reduce Reliance on Public Assistance on March 11, 2015 in Columbus, Ohio with no expenses;
4. Kate Offenberger, Director, DJFS, to attend the Canton District Director Meeting on March 10, 2015 in Cambridge with no expenses;
5. Lisa Smiley, Social Service Worker, DJFS, to attend home visit retroactive to February 23, 2015 in New Philadelphia with no expenses;
6. Rebecca Hanstine, SSWII, DJFS, to attend home visit on February 27, 2015 in East Liverpool with no expenses;
7. Rebecca Hanstine, SSWII, DJFS, to attend home visit retroactive to February 24, 2015 in Scio with no expenses;
8. Bill Offenberger, Administrative Assistant, DJFS, to attend OJ Training – Area 16 on March 11, 2105 in Jefferson County with no expenses;
9. Robert E Wirkner, Commissioner, to attend CCAO retroactive to February 20, 2015 in Columbus Ohio with expenses not to exceed \$35.00.

[9:03:54 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
BOARD MEETING ATTENDANCE**

[9:04:05 AM](#)

Commissioner Ohler questioned if everyone on the Board would be in attendance today. Everyone replied yes. Commissioner Wheaton advised that has to leave at 1:00 p.m.

**IN THE MATTER OF  
TRANSFER OF FUNDS**

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to transfer \$12,380.00 from County General Transfer Out (0280-A015-A16.200) to Economic Development (Transfer In 0545-S065-800) for the purpose of updating the Economic Development website.

[9:04:45 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
APPROPRIATIONS**

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to authorize the following appropriation(s):

<u>FUND</u>	<u>NAME</u>	<u>CODE</u>	<u>AMOUNT</u>
County General	Transfers Out	0280-A015-A16.200	\$12,380.00
Economic Development	Contracts-Services	0545-S065-S05.001	\$12,380.00

[9:04:59 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

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

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to authorize the following appropriation amendment(s):

FUND	FROM		TO		AMOUNT
	NAME	CODE	NAME	CODE	
County General	Equipment	0550-A006-F03.040	Travel	0550-A006-F07.050	\$380.25
County General	Equipment	0550-A006-F03.040	Contract Services	0550-A006-F05.000	\$748.83

[9:06:06 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
CDBG FY 13 - GRANT #B-F-13-1AJ-1  
FINAL PERFORMANCE REPORT**

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to approve the final performance reports for the CDBG FY 13 grant #B-F-13-1AJ-1 for the period covered September 1, 2013 to February 28, 2015.

[9:05:53 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
OHIO STATE UNIVERSITY EXTENSION  
NEW HIRE**

[9:06:14 AM](#)

Commissioner Ohler advised the Board that the OSU Extension Office is hiring an Educator, Family and Consumer Science Coordinator.

**IN THE MATTER OF  
TRANSIT  
CONTRACTS**

[9:06:39 AM](#)

Victoria Peoples, IT Support & Administrative Supervisor, Transit, appeared before the Board to advise the Board that the Ohio Department of Transportation has requested that they get their Board of Commissioners more involved with Transit. Sonja Leggett, Director of Transit, has included signature lines for the Board to make them aware of the contracts that are in place and who they are with to assure the State that our Board does know what is going on. Victoria Peoples also advised she has two contracts with Carroll County Council on Aging for which she is asking for approval.

\*\*\*\*\*

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to approve the contract between the Carroll County Transit and the Village of Carrollton for a flat rate of \$90.00 per day.

[9:09:23 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

\*\*\*\*\*

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to approve the contract between Carroll County Transit and the senior citizen clients that have medical appointments that are out of town at a rate of \$1.20 per mile, and if the driver has to wait longer than an hour and a half, an hourly fee of \$10.00 per hour will be charged after that.

[9:09:45 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
TRANSIT  
NEW HIRE**

Victoria Peoples, IT Support & Administrative Supervisor, Transit, also advised that she would like to post for a full-time Scheduler/Administrative Assistant. The previous scheduler was promoted to Operations Manager. This position will give the Operations Manager more time to complete required employee trainings, yearly employee evaluations that were not completed previously, as well as trainings needed for the Operations Manager position, maintaining the fleet and the maintaining the transit building and submitting reports as needed.

\*\*\*\*\*

A motion was made by Vice President Thomas A Wheaton, seconded by Robert E Wirkner, to approve the positing of a full-time Scheduler/Administrative Assistant at Carroll County Transit.

[9:12:52 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
CHIP FY15  
PUBLIC HEARING & HAC HEARING**

[9:13:22 AM](#)

Commissioner Ohler advised that a public hearing and Housing Advisory Committee (HAC) meeting for CHIP FY15 will be held on Friday, March 27, 2015 at 10:00 a.m. in the Commissioners' meeting room.

**IN THE MATTER OF  
APPOINTMENT – ATTORNEY STEPHEN J. KANDEL  
CARROLL COUNTY PUBLIC DEFENDER COMMISSION**

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to appoint Attorney Stephen J. Kandel to the Carroll County Public Defender Commission for a term of 4 years retroactive to February 1, 2015 through January 31, 2019.

[9:13:49 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
APPOINTMENT – ATTORNEY JENNIFER L. THOMAS  
CARROLL COUNTY PUBLIC DEFENDER COMMISSION**

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to appoint Attorney Jennifer L. Thomas to the Carroll County Public Defender Commission for a term of 4 years retroactive to February 1, 2015 through January 31, 2019.

[9:14:10 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
APPOINTMENT – JEFF YEAGER  
CARROLL COUNTY PUBLIC DEFENDER COMMISSION**

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to appoint Jeff Yeager to the Carroll County Public Defender Commission retroactive to for a term of 4 years February 1, 2015 through January 31, 2019.

[9:14:26 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
RESOLUTION #2015-12**

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to approve Resolution 2015-12 authorizing the Board of County Commissioners to accept the report and recommendations of the fact finder in the negotiations between the Carroll County Sheriff’s Office and the Fraternal Order of Police.

[9:14:57 AM](#)

Upon the call of the roll, the vote was recorded as follows: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**RESOLUTION NO 2015-12**

**VOTE OF BOARD OF COUNTY COMMISSIONERS TO ACCEPT  
THE REPORT AND RECOMMENDATIONS OF THE FACT FINDER  
IN THE NEGOTIATIONS BETWEEN THE CARROLL COUNTY  
SHERIFF’S OFFICE AND THE FRATERNAL ORDER OF POLICE**

WHEREAS, the County Sheriff and the Union representing the employees of the Sheriff’s Office have been engaged in negotiations for a successor collective bargaining agreement under the provisions of the Ohio Collective Bargaining Act, SERB case numbers 2014-MED-08-0986, -0987, -0897; and

WHEREAS, the County Sheriff and the Union engaged in mediation utilizing the assistance of a mediator Ken Hickey from the State Employment Relations Board; and

WHEREAS, after negotiations and mediation with the SERB mediator the parties were unable to reach an agreement; and

WHEREAS, the law provides the union the opportunity to request a fact-finding hearing with a neutral arbitrator if an agreement is not reached; and

WHEREAS, the union representing the employees of the Sheriff’s Office requested that the State Employment Relations Board appoint a Fact Finder; and

WHEREAS, the State Employment Relations Board, at the request of the Union, appointed a Fact Finder, Arbitrator Rob Stein, to conduct a hearing on the unresolved issues in the negotiations between the union and the Sheriff’s Office; and

WHEREAS, on February 16, 2015, Fact Finder Rob Stein conducted mediation with the parties and when mediation was not successful conducted a fact finding hearing with the parties; and

WHEREAS, the Fact Finder issued his report and recommendation on Friday, February 20, 2015, containing findings and recommending resolution on the outstanding issues of wages and compensatory time; and

WHEREAS, on Monday, February 23, 2015, the union voted to reject the recommendations of the neutral arbitrator, Fact Finder; and

WHEREAS, the Board of County Commissioners has the authority and responsibility under the Collective Bargaining Act to either accept or reject the report and recommendations of the neutral arbitrator, Fact Finder; and

WHEREAS, the Board of County Commissioners has considered, in consultation with the Sheriff and the County Labor Counsel, the report and recommendations of the neutral Fact Finder.

NOW, THEREFORE, the Carroll County Board of Commissioners, having considered the findings and recommendation of the neutral arbitrator, votes to accept the report and recommendations of the Fact Finder.

Mr. Wheaton 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. Wheaton, Yea; Mr. Ohler, Yea; Mr. Wirkner, Yea.

Motion carried. Resolution adopted this 26<sup>th</sup> day of February, 2015.

ATTEST:  
/s/ Valerie S Mossor  
Valerie S Mossor, Assistant Clerk II

BOARD OF COMMISSIONERS  
OF CARROLL COUNTY  
/s/ Jeffrey L Ohler  
Jeffrey L. Ohler, President  
/s/ Thomas A. Wheaton  
Thomas A. Wheaton, Vice President  
/s/ Robert E. Wirkner  
Robert E. Wirkner, Commissioner

**IN THE MATTER OF  
INCLEMENT WEATHER POLICY**

[9:16:09 AM](#)

Commissioner Ohler advised that the office has received several calls on whether the Courthouse was going to be open on the very cold days. Commissioner Wheaton advised he is not sure a policy can be set by the Board because the Sheriff normally sets that. Commissioner Wirkner advised multiple departments wondered whether the Commissioners were going to close the Courthouse and believes that should be up to each department head, unless it is such an event that it obviously compels the Board. Commissioner Wheaton advised he is getting negative feedback on the Senior Center closing when the school is closed. Last Friday the schools were closed, so the Meals on Wheels did not deliver meals on Friday and people didn't have food for Friday, Saturday or Sunday. He thought maybe we should talk to them about this. It is possible they could work this out with local fire departments that have 4 wheel drive. Commissioner Wirkner advised there is an example of setting a policy that doesn't look at the totality of the circumstances. Commissioner Ohler recommended discussing a contingency plan for the Senior Center when the schools are closed. Commissioner Wheaton advised they can close the Senior Center when there is no school, but they still have to deliver the meals. Commissioner Ohler asked if EMA could support this. Commissioner Wheaton advised he is not sure because he doesn't know how many drivers Meals on Wheels has. It could be that Meals on Wheels delivers to the township building and then the township delivers the meals. Commissioner Wirkner advised we need to speak to Sue Henderson. Commissioner Wheaton advised there is a policy in place under Ohio Revised Code through the Sheriff. Commissioner Wirkner advised the Sheriff can declare certain levels of emergencies based on the conditions. In the absence of such a declaration, Commissioner Wirkner advised the Board needs to leave our options open instead of boxing themselves into a policy. Commissioner Ohler advised that unless the Sheriff declares some level of emergency preventing people from being on the roadway, then our policy should be the Courthouse will remain open, but it is up to the elected official of that office if they close. Commissioner Ohler advised Janice Leggett did send an email out stating the courthouse would be open and it would be up to the elected official if that office is closed. Commissioner Wirkner advised that if the Sheriff declares an emergency, then the Courthouse will be closed. Commissioner Ohler advised the Board should have the Sheriff in so he is aware he needs to notify the Board of which level of emergency it is. Also, the Board should contact Sue Henderson at the Senior Center to discuss a contingency plan for Meals on Wheels.

**IN THE MATTER OF  
AGILITY**

[9:26:45 AM](#)

Commissioner Ohler advised that Agility is the company that came in and talked to the Board about emergency response. Commissioner Wheaton advised that Tom Cottis, Director, EMA, brought up that we already have a plan in place. Commissioner Wirkner advised that the only thing the State EMA could not provide us that Agility could was a back up location. Commissioner Ohler advised that at this point we are not going to move on Agility and that the emergency services will be provided by EMA at the State level.

**IN THE MATTER OF  
PAYMENT OF BILLS**

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to approve bills submitted for payment and to authorize the county Auditor to issue his warrant on the county Treasury for payment of same.

[9:28:08 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
PAYMENT OF BILLS WITHOUT PRIOR CERTIFICATION:  
REVISED CODE 5705.41**

A motion was made by Commissioner Robert E Wirkner, seconded by Vice President Thomas A Wheaton, to approve payment of the following for materials or services purchased without a proper purchase order and certification and the Auditor is authorized to issue his warrant for payment of same:

**COUNTY:** Transit \$282.15, Elizabeth Bair \$105.68, Huebner's \$1,900.09, Bricker & Eckler \$1,942.83, Business Card \$150.05.

**DJFS:** Robert Allen \$144.00, Bair Foundation \$7,004.76, Pathway \$4,409.75, Safely Home Inc. \$6,739.20, Ohio Guidestone \$7,130.00.

[9:28:19 AM](#)

The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

**IN THE MATTER OF  
HUFF RUN**

[9:28:35 AM](#)

Dr. Daniel Van Epps, Executive Director of Conotton-Sandy-Tuscarawas Valley Community Improvement Corporation appeared before the Board to discuss involvement in a Huff Run Trail on State Route 542 and extend west into just south of Mineral City and go to Zoarville and connect with the Fink Truss Bridge that is connected to the Ohio Erie Canal Way. Mr. Van Epps has talked with Huff Run Conservancy in Mineral City, Tuscarawas County, Muskingum Watershed and Township Trustees, the Tuscarawas County Engineer is aware of this project. Mr. Van Epps provided the Board with maps of where this trail would be. Commissioner Wheaton asked if he is involved with the committee to put a trail around Atwood Lake. Dr. Van Epps advised that he is not. Dr. Van Epps advised he wanted to expose this project to the Commissioners and see the Map Office. Commissioner Wirkner advised that then would Route 542 be a trail head. Dr. Van Epps advised they would develop a trail head access, if the property is available. Dr. Van Epps advised he was told there is a horse farm on 542 who was interested in taking the horses on the trails. Commissioner Wirkner advised he recalls there was a tunnel on the Tuscarawas/Carroll County line. Dr. Van Epps advised the tunnel is on the other County line. Commissioner Ohler advised this trail would be on the abandoned CSX trail line. Dr. Van Epps will go the Map Office before he contacts the CSX railroad.

**IN THE MATTER OF  
FRONTIER  
PHONE SYSTEM FOR COUNTY**

[9:44:11 AM](#)

Robert Green, Account Executive, Clancy Malone, CPE Equipment Account Executive, Ed Pruzinsky, Sales Engineer, and Jim Hale, Regional Sales Manager, all of Frontier, appeared before the Board and presented a proposal for a new telephone system for the County Departments. The Frontier representatives and the Board discussed the project in detail for approximately 2½ hours. There were two options presented. The first was Frontier Shield with Maintenance \$8,475.00, which includes parts, labor, cabling at the courthouse, taxes, analog lines, LD, analog taxes, WAN head end and WAN remotes. The second option was the Dollar Buy Out of \$8,566.00, and you buy the equipment for \$1.00 at the end of the contract. This agreement would be for five years. Mr. Green explained there are a few departments that will not be included in this, because it just isn't cost worthy. Mr. Green went over the four agreements that the Board would need to sign:

1. Equipment Purchase, Installation, Maintenance Schedule;
2. Business Local & LD Services Schedule;
3. Frontier Services Agreement; and
4. Ethernet Local Area Network (E-LAN) Schedule.

The total cost for this project would be approximately \$185,341.96. Commissioner Wheaton advised we need to send a copy of all four agreements to the Prosecutor to get his opinion.

A motion was made by Vice President Thomas A Wheaton, seconded by Commissioner Robert E Wirkner, to adjourn at [12:28:00 PM](#). The motion carried on the following vote: **YEA:** President Jeffrey L Ohler, Vice President Thomas A Wheaton and Commissioner Robert E Wirkner **NEY:** None **ABSENT:** None. **ABSTAIN:** None.

Carroll County Commissioners

/s/Valerie S Mossor  
Valerie S. Mossor, Assistant Clerk II  
(PREPARED BY)

/s/ Jeffrey L Ohler PRESIDENT  
Jeffrey L Ohler  
/s/ Thomas A Wheaton  
Thomas A Wheaton  
/s/ Robert E Wirkner  
Robert E Wirkner  
/s/ Jeffrey L Ohler PRESIDENT  
Jeffrey L Ohler

We hereby certify the foregoing to be true and correct.  
/s/ Janice E. Leggett  
Janice E. Leggett, Clerk Supervisor