

[9:05:02 AM](#)

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

**IN THE MATTER OF
PLEDGE OF ALLEGIANCE**

[9:05:19 AM](#)

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

**IN THE MATTER OF
RECORDINGS OF PROCEEDINGS**

[9:05:39 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 Robert E Wirkner, seconded by President Jeffrey L Ohler, to approve the summary of the minutes from the meeting of Monday, March 16, 2015 and electronic recording of the proceedings.

[9:05:58 AM](#)

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

**IN THE MATTER OF
BOARD MEETING ATTENDANCE**

[9:06:08 AM](#)

Commissioner Ohler questioned if everyone on the Board would be in attendance today. Everyone replied yes.

**IN THE MATTER OF
EXPENSES**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to approve the following expenses:

1. Aaron R. Dodds, Economic Development Director, and Tait Carter, Assistant Economic Development Director, to attend Ace Economic Development Insite Program on March 19, 2015 in Wooster, Ohio with expenses not to exceed \$80.00;
2. Aaron R. Dodds, Economic Development Director, and Tait Carter, Assistant Economic Development Director, to attend OMEGA meeting retroactive to March 18, 2015 in Coshocton, Ohio with expenses not to exceed \$65.00;
3. Barb Walton, Interim Director, and Theresa Marteney, Administrative Assistant, CCH Environmental, to travel to the Rubbermaid Store to purchase recycling containers on March 27, 2015 in Wooster, Ohio with no expenses;
4. Dale Tinlin, Highway Worker IV, and Chris Hawk, Highway Worker IV, Engineer's office, to attend Pesticide Safety Training on April 22, 2015 in Reynoldsburg, Ohio with expenses not to exceed \$130.00;
5. Bambi Merrick, Fiscal Officer, DJFS, to attend Quarterly Fiscal Meeting on March 26, 2015 in Wooster, Ohio with no expenses;
6. Shawn Glasure, County Veterans Service Office, to attend Ohio State Association of County Veterans Services Officers – Spring School on May 6, 7, and 8, 2015 in Independence, Ohio with expenses not to exceed \$1,200.00.

[9:06:28 AM](#)

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

**IN THE MATTER OF
COMMISSIONER THOMAS R WHITE**

[9:06:09 AM](#)

Commissioner Ohler advised Commissioner Thomas R. White is still currently awaiting his official paperwork from the State, so he cannot vote today but he will be observing.

**IN THE MATTER OF
TRANSFER OF FUNDS**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to transfer \$4,709.40 from Landfill Monitoring Grant (0625-T007-T11.200 Transfer Out) to County General (Transfer In 0100-A060-800) for the purpose of a correction.

[9:07:44 AM](#)

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

**IN THE MATTER OF
TRANSIT
FACILITY MAINTENANCE PLAN**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to approve the Carroll County Transit Facility Maintenance Plan.

[9:08:11 AM](#)

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

**IN THE MATTER OF
PROSECUTOR OPINION
FRONTIER CONTRACTS**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to send the Frontier contracts to the Prosecutor for his approval for form and function.

[9:09:16 AM](#)

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

**IN THE MATTER OF
COMMISSIONER'S OFFICE
OFFICE FURNITURE**

[9:09:53 AM](#)

Christopher R Modranksi, Assistant Clerk I, Commissioner's Office, appeared before the Board to discuss the quotes he received for office furniture for Commissioner White's office.

1. Office Max \$589.70;
2. Total Office Solutions \$1,250.00;
3. National Business Furniture \$1,395.00; and
4. National Business Furniture \$1,295.00.

Commissioner White would like the furniture from National Business Furniture (#4) which, with shipping, will total \$1,481.00.

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler to approve the purchase of furniture from National Business Furniture for a total of \$1,481.00.

[9:12:18 AM](#)

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

**IN THE MATTER OF
APPOINTMENT – FAYE PEARSON
AIRPORT ZONING BOARD OF APPEALS**

[9:12:43 AM](#)

Commissioner Ohler advised a letter was sent to Faye Pearson, Airport Zoning Board of Appeals member, to see if she was interested in being reappointed. The letter was returned as undeliverable. Commissioner Ohler advised the Board will look into what exactly this Board of Appeals does and then they will make a decision. Commissioner Ohler asked if Commissioner White would be able to take care of this since he has been on the Airport Authority Board in the past. Commissioner White advised that he would do that.

**IN THE MATTER OF
RESOLUTION #2015-16
RESTORING THE INDIGENT DEFENSE REIMBURSEMENT RATE TO 50%**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to approve Resolution 2015-16 to restore the indigent defense reimbursement rate to 50%.

[9:15:02 AM](#)

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

RESOLUTION NO. 2015-16

RESTORING THE INDIGENT DEFENSE REIMBURSEMENT RATE TO 50%

WHEREAS, states have a constitutional mandate to provide legal representation to indigent persons; and
 WHEREAS, Ohio has chosen to transfer this responsibility to its counties, initially reimbursing the counties for 50% of the costs they incurred in meeting this constitutional obligation of the state; and
 WHEREAS, the state has chosen not to maintain this 50% commitment, which has resulted in the counties carrying more than their 50% share of the burden for more than the last two decades; and,
 WHEREAS, the reimbursement rate has averaged 34.6% for the decade prior to the FY14/15 biennium and hit its record low of 26.1% in FY09; and,
 WHEREAS, increasing the appropriation in HB 64, the proposed state biennial budget for fiscal years 2016 and 2017, by an additional \$12 million in GRF funding in each year of the biennium would provide for a return to a 50% reimbursement rate; and
 WHEREAS, Ohio's counties ask that the original partnership be restored and counties receive reimbursement for 50% of their costs incurred in meeting the State's constitutional mandate to provide legal representation to indigent defendants.
 THEREFORE be it resolved, that this Board asks our legislators representing Carroll County to:
 Restore county reimbursement for indigent defense to 50% in HB 64, the FY 2016/2017 state biennial budget bill, and
 Vote to increase the current appropriation, GRF line item 019501-County Reimbursement, by \$12 million in each year of the biennium to establish the annual appropriation at \$21,620,268.

Mr. Wirkner 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. Ohler, Yes; Mr. Wirkner, Yes; Mr. White, Abstain

Motion carried. Resolution adopted this 19th day of March, 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/ Robert E. Wirkner
 Robert E. Wirkner, Vice President
Abstain
 Thomas R. White, Commissioner

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**IN THE MATTER OF
ENTERPRISE ZONE AGREEMENT
CONSENT TO ASSIGNMENT**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to approve the Consent to Assignment of the Enterprise Zone Agreement by and between Carroll County, Ohio, Washington Township, and Carroll County Energy, LLC.

[9:16:38 AM](#)

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

**IN THE MATTER OF
REPAIR/MAINTENANCE PROJECTS**

[9:17:53 AM](#)

Ed Eick, Maintenance Supervisor, appeared before the Board to discuss the parking lot damage at the Prosecutor's office, CSEA and DJFS. Commissioner Ohler advised the Board's opinion is that part of the parking lot looks okay, then there is part of the parking lot that needs addressed. Commissioner Ohler advised the Board would like to stay away from doing the whole parking lot and address the most important issues first. The sink hole in the alley is critical, two sections of concrete on top of the hill need replaced, the trough and a couple sections around the trough. Commissioner Ohler asked if we had to have an architect involved. Mr. Eick advised yes. Mr. Eick also advised the trough area is not just going to be a repair; it is going to be a replacement. If doing that much of an area, we want to make sure that it is specked out so that we know that everything is properly installed. Commissioner Ohler advised the roof on the Prosecutor's building over the parking lot should be torn down and the pillars taken out, but he thought he should check with the Prosecutor as a courtesy. Mr. Eick advised he spoke with Roger Westfall this morning about the parking lots. Mr. Eick advised we need to know that the concrete is being undermined when they bring equipment in to work off the parking lot, there is no way to know of the possibility of something else busting. Commissioner Ohler advised Mr. Eick to continue moving forward and Commissioner Ohler will reach out to Prosecutor Burns to let him know the plans for the roof. Mr. Eick advised Mr. Westfall is coming over Friday or Saturday to look over the parking lot, to take pictures and give some suggestions on what he feels needs to be taken care of. Commissioner Ohler advised the DJFS wall is going to have to be repaired and the parking lot. Mr. Eick advised there are sink holes by the wall that have been repaired but keep coming back. Commissioner Ohler advised we need to keep the correct patch for those sink holes for this year and address it next year.

**IN THE MATTER OF
PROSECUTOR OPINION
AIRPORT AUTHORITY BOARD - OFFICE SPACE**

[9:27:37 AM](#)

Commissioner Ohler advised he does recall having a conversation with Mr. Fitzsimmons about the office space. Commissioner Ohler advised there is no space available in the Courthouse. Some departments are already renting space for filing cabinets. Commissioner Wirkner advised the space they have been in for years has been adequate so why is it not adequate now. Commissioner Ohler advised that he believes the Airport Authority Board thinks that the Commissioners owe them office space and a phone. Commissioner Ohler advised there is no separate agreement with the Airport Authority Board; the Commissioners appoint the members and they act as their own entity with their own Board. Commissioner Ohler advised it is probably in our best interest to send a letter to the prosecutor to get his opinion. Commissioner Wirkner expressed again they have a place they have used for years; Commissioner Ohler advised Mr. Fitzsimmons told him it no longer fits their needs. Commissioner White advised he believes there is one hangar still available. Commissioner White advised there was enough room in the restaurant for meetings when he was president, and there was really no need for a phone.

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to send a letter to the Prosecutor to get his opinion on whether the Commissioners have any financial responsibility for the Airport Authority Board office space and telephone.

[9:32:25 AM](#)

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

**IN THE MATTER OF
AIRPORT AUTHORITY BOARD
INSURANCE**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to advise the Airport Authority Board that the County will be terminating its insurance policy for the Airport with a sixty (60) day notice to get their own policy in place.

[9:34:18 AM](#)

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

Nancy Schaar, FPS reporter, advised the Airport Authority Board is expecting the Commissioners to provide a refund for all the months there was double coverage. Commissioner White advised the Airport may owe the County a refund. Commissioner Ohler agreed that the Airport was not owed anything.

**IN THE MATTER OF
SHEILA BORNTRAGER**

[9:35:32 AM](#)

Sheila Borntrager appeared before the Board to discuss the sewage at 6255 Anderson in Malvern. Commissioner Ohler advised Mr. Castellucci was unable to attend today. Commissioner Ohler advised the Board may not be able to answer all of Ms. Borntrager's questions but they would get the answers for her. Ms. Borntrager advised a week ago her residence was flooded. Commissioner Ohler advised several places were flooded due to runoff, snow melting and rain, plus Ms. Borntrager does live in a flood zone. The flood waters went over the sewage this weekend. Ms. Borntrager received a notice from Carroll County Environmental Services stating that the residences are at fault for the sewage being plugged up. Ms. Borntrager advised the flood waters did the same thing. Her property got that sewage system in 1984 and inside those tubes, they are all rusted out. Ms. Borntrager feels something else is going on. Commissioner Wirkner advised the notice was when they clean out the grinder pump and find things that do not belong there, they send out a notice to everyone that shares the grinder pump; Ms. Borntrager was not the only one that received the notice asking that items not be put in the system. Ms. Borntrager advised she asked Mr. Castellucci how many grinders have been replaced in this pump and how many times they have damaged a grinder, but she hasn't heard back on either question. Commissioner Ohler advised he will get those answers for her. Obviously, Mr. Castellucci had to go service this particular pump and is now notifying everyone that these items should not be in there. Ms. Borntrager advised when the flood waters came, the sewage backed up again. Commissioner Ohler asked does the sewage back up when it floods. Ms. Borntrager advised maybe we should send a notice to Mr. Castellucci. Ms. Borntrager advised her husband has lived at their residence since 2002 and has never received a notice like this before. Ms. Borntrager asked that the entire notice be read out loud. Ms. Borntrager advised if she understands the Director correctly, that from 1999 the sewage system in Malvern is under the Commissioners. Ms. Borntrager advised she believes the Commissioners should give the sewage system back to Malvern. Commissioner Ohler read the notice/letter out loud and everyone got a copy. Commissioner Ohler

advised this is just a letter explaining what the problem has been and the simple way to correct it is not to put these things in the sewer. Ms. Borntreger advised the flooding does the same exact thing to the pump. Commissioner Wirkner advised he did speak to Mr. Castellucci on this and when the entire area is flooded with water, the pump can't keep up. Commissioner Wirkner advised she received the letter before the flooding. Commissioner Ohler advised he will get Ms. Borntreger the information she is asking and he will send her a letter. Ms. Borntreger advised she would also like a drop box outside of Carroll County Environmental. Commissioner Ohler advised this would not be happening as there are three ways to make your payments: mail, office and electronically. Ms. Borntreger advised she also wants to know if the rust is causing the problem to the pump.

**IN THE MATTER OF
PAYMENT OF BILLS**

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to approve bills submitted for payment and to authorize the county Auditor to issue her warrant on the county Treasury for payment of same.

[9:51:45 AM](#)

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

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

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, 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 her warrant for payment of same:

COUNTY: Best Commercial Energy \$5,890.00, OCELCO \$2,225.28

DJFS: Ferraro's Family Restaurant \$460.90, Big Rig Driving School \$4,568.00

[9:51:55 AM](#)

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

**IN THE MATTER OF
LANDFILL
CIVIL & ENVIRONMENTAL CONSULTANTS**

[9:52:32 AM](#)

Commissioner Ohler advised a request was sent to the Prosecutor for an opinion on the CEC contract for gas monitoring and surface water testing at the landfill. There were a couple of things the Prosecutor identified on that contract. Commissioner Ohler will send a copy of the changes to CEC and he believes they shouldn't be a big issue. There were also some issues that CORSA had with the liability in that contract that the Prosecutor also had.

**IN THE MATTER OF
ROBERT E WIRKNER**

[9:54:02 AM](#)

Commissioner Wirkner advised he is still trying to work the kinks out of the phone system and the internet services, including the Recorder's new system and the amount of extra infrastructure they are going to need to support that system. Negotiations with the company that installed the Recorder's system are ongoing to get a figure to reimburse the County for the additional infrastructure. There is a meeting for the 911 Planning Committee tentatively scheduled on March 30 at 3:00 p.m. in the Commissioner's office. Commissioner Wirkner advised he and Commissioner White went to an OMEGA meeting yesterday. There has been a request to simplify how taxes are calculated on gas and oil leases by the Auditors. The Auditor would like the producer to take taxes out before paying the land owners. The Board discussed this issue for approximately 15 minutes. Commissioner White advised he has a project in mind that we may be able to get some grant money for.

A motion was made by Vice President Robert E Wirkner, seconded by President Jeffrey L Ohler, to adjourn at [10:18:03 AM](#)

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

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

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

Carroll County Commissioners

/s/ Jeffrey L Ohler PRESIDENT

Jeffrey L Ohler

/s/ Robert E Wirkner

Robert E Wirkner

Abstain

Thomas R White

/s/ Jeffrey L Ohler PRESIDENT

Jeffrey L Ohler