

Present: President Robert E Wirkner, Vice President Thomas R White, Commissioner Jeffrey L Ohler.

**IN THE MATTER OF
PLEDGE OF ALLEGIANCE**

 9:03 AM

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

**IN THE MATTER OF
RECORDINGS OF PROCEEDINGS**

 9:03 AM

Janice E. Leggett, Clerk Supervisor, 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, September 12, 2016, and electronic recording of the proceedings, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 9:03 AM

**IN THE MATTER OF
BOARD MEETING ATTENDANCE**

 9:03 AM

Commissioner Wirkner questioned if everyone on the Board would be in attendance today.

**IN THE MATTER OF
EXPENSES**

Motion: to approve the following travel and membership expenses, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White. Motion carried on unanimous vote.

NAME, TITLE	DEPT.	EVENT	LOCATION	DATE	AMOUNT (not to exceed)
Thomas R White, Commissioner	Commissioners	HARCATUS	New Philadelphia, OH	Retroactive 9/14/16	\$30.24
Dominick E Olivito, Jr., Judge	Common Pleas	28 th Annual Family Law Symposium	Dublin, OH	10/10/16	\$770.00
Tony Guidone, Recycling Coordinator	Solid Waste	Forklift Training	New Philadelphia, OH	Retroactive 9/14/16	\$0.00

 9:05 AM

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

Motion: to approve the following appropriation(s), **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

FUND	NAME	CODE	AMOUNT
Public Assistance	Public Assistance	0320-H000-H05.000	\$28,000.00
CCW License	Services	0200-B011-B05.000	\$3,000.00

 9:06 AM

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

Motion: to approve the following appropriation amendment(s), **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White. Motion carried on unanimous vote.

FROM			TO		AMOUNT
FUND	NAME	CODE	NAME	CODE	
Public Assistance	Salaries	0320-H000-H01.020	Public Assistance	0320-H000-H05.000	\$6,000.00
Public Assistance	Supplies	0320-H000-H02.030	Public Assistance	0320-H000-H05.000	\$6,000.00
Public Assistance	Contracts-Repairs	0320-H000-H04.000	Public Assistance	0320-H000-H05.000	\$5,000.00
Public Assistance	Facilities	0320-H000-H09.000	Public Assistance	0320-H000-H05.000	\$3,000.00
Public Assistance	PERS	0320-H000-H12.070	Public Assistance	0320-H000-H05.000	\$5,000.00
Public Assistance	M/M	0320-H000-H14.090	Public Assistance	0320-H000-H05.000	\$1,000.00
Public Assistance	Other Expenses	0320-H000-H15.000	Public Assistance	0320-H000-H05.000	\$4,000.00
Public Assistance	Insurance	0320-H000-H16.100	Public Assistance	0320-H000-H05.000	\$30,000.00
Public Assistance	Contract/Services	0320-H000-H28.000	Public Assistance	0320-H000-H05.000	\$2,000.00

 9:07 AM

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

 9:08 AM

Commissioner Wirkner advised the office of the Prosecuting Attorney filed the August 2016 report for the Carroll County Child Support Enforcement Agency. A copy of the report is on file in the Commissioners' office.

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

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

- 1. American Electric Power, for utility in Center Township, Section 32, Andora Road (CR 10);

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

 9:09 AM

**IN THE MATTER OF
2016 RESURFACING PROJECT H-1-2016
CENTRAL ALLIED ENTERPRISES INC.**

NOTICE OF COMMENCEMENT, NOTICE TO PROCEED, CONTRACT

Motion: to approve a contract with Central Allied Enterprises Inc. for the 2016 Resurfacing Project H-1-2016 in the amount of \$409,476.00 and to issue a Notice to Proceed with work beginning on or before September 16, 2016 and completion being December 31, 2016; a pre-construction conference will be conducted by the Engineer's office regarding payment of prevailing wages and posting of rates and posters which will be given to the contractor, **Action:** Vote was recorded as follows: YEA: President Jeffrey L Ohler, Vice President Robert E Wirkner and Commissioner Thomas R White; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White.

Motion carried on unanimous vote.

 9:10 AM

**IN THE MATTER OF
AGREEMENT/CONTRACT
SHERIFF'S OFFICE/ JAIL PHYSICIAN**

Rescinded motion on October 6, 2016;
Journal 46, Page 79



Motion: to approve an amended contract with Dr. Carl Fry of Carrollton, Ohio, to serve as the jail physician for the term of October 1, 2016 to September 30, 2017; a copy is on file in the Commissioners' office, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** Commissioner Jeffrey L Ohler.

Motion carried on unanimous vote.

 9:13 AM

**IN THE MATTER OF
ROVER PIPELINE
PUBLIC MEETING FOR COMMENTS**

 9:14 AM

Commissioner Wirkner advised the Board received notice of a public meeting on the proposed Rover Pipeline which will run through several counties in Ohio, including Carroll. The meeting will be held Thursday, September 22, 2016 at 6:00 p.m. at the OARDC's Fisher Auditorium, 1680 Madison Avenue, Wooster, Ohio. A copy of the notice is on file in the Commissioners' office.

**IN THE MATTER OF
ACCEPT BID-BARBICAS CONSTRUCTION COMPANY INC.
CDBG FY15 PAVEMENT IMPROVEMENT PROJECT**

Motion: to accept the bid from Barbicas Construction Company, Inc. in the amount of \$71,838.20 for the CDBG FY15 Pavement Improvement Project for the resurfacing of the existing pavement on Porter Street in the Village of Malvern, Ohio, as recommended by Brian J Wise, Engineer, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White.

Motion carried on unanimous vote.

 9:17 AM

**IN THE MATTER OF
TRANSIT
NEW HIRE**

 9:17 AM

Sonja Leggett, Transit Director, appeared before the Board to request permission to hire four more part-time drivers. She has found that the extended hours are making it difficult to keep the drivers at the 29 hour threshold.

Motion: to approve the hiring of four part-time drivers at Transit, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** Commissioner Jeffrey L Ohler.

Motion carried on unanimous vote.

 9:17 AM

**IN THE MATTER OF
TRANSIT**

 9:17 AM

Sonja Leggett, Transit Director, appeared before the Board to advise that although the Department of Developmental Disabilities has Transit listed as accepting new patients, she must wait for Medicaid's approval letter. Commissioner Wirkner questioned if a Medicaid rider wanted to use Transit services, can the rider do so. Ms. Leggett advised yes, but they would have to pay the public rate at this time.

**IN THE MATTER OF
PROSECUTOR OPINION
LANDFILL – CINDRILL CONTRACT**

Motion: to send the Agreement with Cindrill for Monitoring Well Installation to the Prosecutor for his review for form and function, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White. Motion carried on unanimous vote.

 9:22 AM

**IN THE MATTER OF
PROSECUTOR OPINION
DOG LICENSE FEES**

Motion: to request the Prosecutor’s opinion regarding an increase in dog license fees, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** President Robert E. Wirkner. Motion carried on unanimous vote.

 9:23 AM

**IN THE MATTER OF
ANNEXATION - VILLAGE OF CARROLLTON
RESOLUTION NO. 2016-38**

Motion: to approve Resolution No. 2016-38 entering upon the journal the filing of a petition for annexation seeking to annex 180.099 acres in Center & Union Townships to the Village of Carrollton, establishing a hearing date for said petition and referring the legal description of the perimeter and the map or plat of the territory proposed to be annexed to the County Engineer, **Action:** Upon the call of the roll, vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** Commissioner Jeffrey L Ohler. Motion carried on unanimous vote.

 9:33 AM

**RESOLUTION NO. 2016-38
CARROLLTON VILLAGE SCHOOLS ANNEXATION**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CARROLL COUNTY, OHIO ENTERING UPON ITS JOURNAL
THE FILING OF A PETITION FOR ANNEXATION SEEKING TO ANNEX 180.099 ACRES IN CENTER & UNION
TOWNSHIPS TO THE VILLAGE OF CARROLLTON; ESTABLISHING A HEARING DATE FOR SAID PETITION; AND
REFERRING THE LEGAL DESCRIPTION OF THE PERIMETER AND THE MAP OR PLAT OF THE TERRITORY
PROPOSED TO BE ANNEXED TO THE COUNTY ENGINEER.**

WHEREAS, Ohio Revised Code (R.C.) 709.03(A) provides: *Once a petition described in section 709.02 of the Revised Code is filed, the clerk of the board of county commissioners shall cause the petition to be entered upon the journal of the board at its next regular session. This entry shall be the first official act of the board on the petition...*; and

WHEREAS, Ohio Revised Code (R.C.) 709.03(A) further provides: *... Within five days after the filing of the petition, the board shall set the date, time, and place for the hearing on the petition and shall notify the agent for the petitioners. The date for the hearing shall be not less than sixty or more than ninety days after the petition is filed with the clerk of the board.*

WHEREAS, Ohio Revised Code (R.C.) 709.031(A) provides: *Within five days after the petition for annexation is filed with the board of county commissioners, the clerk of the board shall refer the legal description of the perimeter and the map or plat of the territory proposed to be annexed to the county engineer for a report upon the accuracy of the legal description of the perimeter, map, or plat. Upon receiving these items, the county engineer shall file, at least twenty-five days before the hearing, a written report with the board based on the engineer's findings, which shall not be conclusive upon the board. Failure of the engineer to make the report shall not affect the jurisdiction or duty of the board to proceed.*

AND WHEREAS, a Petition for Annexation has been filed with the Clerk of this Board as described in the title hereof, and this is the first regular session of the Board since that Petition was filed;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Carroll County as follows:

- Section 1: On September 14, 2016 at 1:24 p.m., a Petition for Annexation, as described in R.C. Chapter 709, was filed with the clerk of this board. Said Petition seeks to annex territory as described in the title of this Resolution. Said Petition names Eric J. Williams as agent for the petitioners.
- Section 2: In accordance with R.C. 709.02, said Petition for Annexation is hereby entered upon the journal of this board.
- Section 3: In accordance with R.C. Chapter 709, as the same applies to the type of Petition filed, and in accordance with the standing instructions of this Board adopted in Resolution Nos. 2003-8 and 2003-9 on scheduling hearings upon Petitions for Annexation, if a hearing is required by R.C. Chapter 709, the hearing of this Petition for Annexation shall occur on **Monday, November 21, 2016 at 9:30 a.m.** The hearing will be held in the Carroll County Commissioners’ conference room located in the Courthouse at 119 S. Lisbon Street, Suite 201, Carrollton, OH 44615.
- Section 4: In accordance with R.C. 709.031, the clerk of the board shall refer the legal description of the perimeter and the map or plat of the territory proposed to be annexed to the county engineer for a report upon the accuracy of the legal description of the perimeter, map, or plat. The Board requests the county engineer file a written report with the Board based on the engineer's findings at least twenty-five days before the hearing.
- Section 5: In accordance with R.C. Chapter 709, the petition is referred to the County Engineer and the Commissioners’ staff for a determination of the accuracy of the representations of the petition as to ownership, and for a determination as to which annexation procedures in R.C. Chapter 709 the petition qualifies.

Mr. White 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. White, YES; Mr. Wirkner, YES.

Motion carried on unanimous vote. Resolution adopted this 15th day of September, 2016.

ATTEST:

/s/ Janice E. Leggett
[] Christopher R. Modranski, Assistant Clerk I
[] Valerie S. Mossor, Assistant Clerk II
[X] Janice E. Leggett, Clerk Supervisor

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

**IN THE MATTER OF
PROSECUTOR OPINION
ANNEXATION – VILLAGE OF CARROLLTON**

Motion: to send the Village of Carrollton’s annexation petition to the Prosecutor for his review and opinion, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White. Motion carried on unanimous vote.

 9:35 AM

**IN THE MATTER OF
ANNEXATION - VILLAGE OF CARROLLTON
PUBLIC HEARING**

 9:35 AM

Commissioner Wirkner advised the public hearing for the Carrollton Village Schools Annexation is scheduled for Monday, November 21, 2016 at 9:30 a.m. The hearing will be held in the Carroll County Commissioners’ conference room located in the Courthouse at 119 S. Lisbon Street, Suite 201, Carrollton, OH 44615. The public is invited and welcome to attend.

**IN THE MATTER OF
CCC-EAPA MEETING
COMMISSIONERS’ OFFICE**

 9:37 AM

Commissioner Wirkner advised the Commissioners’ office will be closed on Friday, September 23, 2016 to allow clerks to attend the County Commissioners Clerks and Engineers Administrative Professionals Association (CCC-EAPA) Regional Training meeting in Tuscarawas County.

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

 9:38 AM

Commissioner Wirkner advised the letter circulating about the Route 43 projects indicates major expenses to the property owners for the water and sewer project. Commissioner Wirkner asked if there are any assessment fees as he understands that the County is obtaining funding so there will not be a necessity to assess fees. Commissioner Ohler cautioned it is premature to make that statement as the Board has not made a determination yet and the funding has not all come through. Commissioner Wirkner clarified there will be no requirement to hook up to the water. He advised there is no anticipation of assessments, and there are ways to assist homeowners with hook-up fees including programs through USDA, CHIP, and CDBG. At this time, the only individuals concerned with a hook-up fee are those individuals within 200 feet of the sewer line.

**IN THE MATTER OF
CCAO SMALL COUNTIES MEETING**

 9:43 AM

Commissioner Ohler advised during his meeting at CCAO, it was mentioned that there is a potential change to Ohio Revised Code allowing counties that own towers to change the lease terms from 5 years to 30 years. They also discussed the sales tax on Medicaid services. Carroll County will lose about \$200,000 but one county expects to lose about \$700,000.

**IN THE MATTER OF
DOG POUND**

 9:45 AM

Commissioner White advised that Josh Long, Interim Dog Warden, and Laura Gibson, Assistant Dog Warden, are doing a good job. Mr. Long plans to partner with the Engineer and Carroll Hills School to trench out the ditch and install a catch basin. The School will pay for materials. This way, the area can be mowed and if the School needs to evacuate to the north, they can. Mr. Long is also in the process of starting a volunteer program. Commissioner White advised that some of the School’s clients are required to take care of animals so they will be volunteering. Mr. Long also has plans for a dog walk on the 5 acres owned by the County.

**IN THE MATTER OF
TEMPORARY RECESS**

Motion: to temporarily recess, **Action:** Vote was recorded as follows: YEA: President Robert E Wirkner, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Commissioner Jeffrey L Ohler, **Seconded by** Vice President Thomas R White.

Motion carried on unanimous vote.

 9:49 AM

Board members reconvened at  2:46 PM

**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, Vice President Thomas R White and Commissioner Jeffrey L Ohler; NEY: None; ABSENT: None; ABSTAIN: None, **Moved by** Vice President Thomas R White, **Seconded by** Commissioner Jeffrey L Ohler.

Motion carried on unanimous vote.

 2:49 PM

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

COUNTY: Civil Design Assoc \$1,850.00; Shingleton Contractors \$672.00; Village of Carrollton \$1,570.35; Kimble Co. \$156.87; EMT \$1,350.25; Terri Fox \$140.84; Free Press Standard \$200.00; Ohio Pump \$907.00; Agland \$324.75; Gragg Electrical \$240.00; Northern Safety \$186.11; Carroll Co Treasurer \$163,018.50; Graphic Enterprises \$192.46; Stark Co Law Library \$151.66; Jefferson Co Law Library \$256.20; Tusc Co Law Library \$147.51.

DJFS: Latasha Bain \$525.00; Stephanie Williams \$1,050.00; Green Acres Mobile Homes \$495.00; Dana Bennett \$270.86; Borden Office Equipment \$221.00; Aaron Higginbotham \$172.80; Ashley Luyster \$172.80; Bria Neumann \$162.43; Jason Powell \$259.20; Kaitlyn Ward \$335.34.

 2:50 PM

**IN THE MATTER OF
ADJOURN**

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

Motion carried on unanimous vote.

 2:50 PM

Carroll County Commissioners

/s/Janice E. Leggett
Janice E Leggett, Clerk Supervisor
(PREPARED BY)

/s/ Robert E Wirkner PRESIDENT
Robert E Wirkner
/s/ Thomas R White
Thomas R White
/s/ Jeffrey L Ohler
Jeffrey L Ohler
/s/ Robert E Wirkner PRESIDENT
Robert E Wirkner

We hereby certify the foregoing to be true and correct.

/s/ Janice E. Leggett
Janice E. Leggett, Clerk Supervisor