

**Regular Meeting #09-24
Fairfield County Commissioners' Office
June 9, 2009**

9:00 a.m. Meeting with Jon Kochis, Jerry Perrigo

The Board of Commissioners met with Emergency Management Director Jon Kochis and Chief Deputy Jerry Perrigo to discuss radio frequency usage. Commissioners present were Mike Kiger and Jon Myers. Absent was Judith Shupe. Also present were Jason Dolin and Scott Zody.

Commissioner Kiger stated that County Dog Warden Mike Miller had planned to attend the meeting as well, but is ill today.

Mr. Kochis stated the purpose of the meeting was to discuss the usage of the county emergency radio frequency. The Dog Warden currently utilizes the frequency for day to day activities, with the understanding that in the event of an emergency, he would have to clear the frequency for EMA, the Sheriff, and other first responders. Mr. Kochis stated the problem is that a few years ago, permission was granted to Head Start for them to also use the frequency for their bus drivers, and they are having conflicts with the Dog Warden. In addition, the Red Cross has asked permission to have access to the frequency during emergencies as well.

Mr. Kochis stated that the channel is registered as a public safety channel and there are too many users. EMA has not had to use the channel over the past two years, but did utilize it in 2004 during the ice storm.

Commissioner Kiger stated that he recalls that Head Start had asked permission to utilize the channel for their buses but could not recall who granted the permission.

Mr. Kochis stated head Start is the biggest problem, as their drivers talk and "walk" over the Dog Warden's communication. Since the channel is reserved for public safety, Head Start should not be on it.

Commissioner Kiger asked if the Board needs to remove Head Start from the channel, and Mr. Kochis stated that is what he would request. The problem is Head Start has been using the channel at no cost, and would have to pay for a new frequency.

Commissioner Kiger asked if a legal opinion would be needed to answer the question of who should be permitted access to the channel, and Chief Perrigo stated that the Federal Communications Commission has rules on emergency channel use. The Dog Warden, EMA and Red Cross are clearly disaster relief/public safety agencies and can be permitted access, but the license only allow for 20 units on the channel, and it will not accommodate that many users.

Commissioner Kiger stated that he would like Mr. Dolin to review the rules and regulations for a legal opinion. Mr. Kochis stated that the issue is not necessarily who is allowed on the channel but how many users can be accommodated.

Commissioner Myers asked if the Sheriff actually uses the channel, and Chief Perrigo stated that the Sheriff would use the channel only during emergencies, because they have a main channel and a back-up channel in place for normal operations. Mr. Kochis stated that the channel is intended for emergency use and is in place to allow for command and coordination in the event of a disaster so EMA can coordinate activities with various local police, fire and emergency responders.

Commissioner Kiger stated that he would still like to have Mr. Dolin review the material and provide feedback prior to making a final decision. Mr. Dolin asked if the legal question is who should be permitted access, and Mr. Kochis stated that is correct. Mr.

Zody stated that the operational question relative to the number of users needs to be addressed by EMA and the Sheriff's Office.

Mr. Kochis stated that ideally, everyone should have their own channel, they are just not there yet. Mr. Dolin asked if that is a legal question or a technology question, and Mr. Kochis stated it is both, and limited by users.

Commissioner Kiger asked who would determine the users, and Mr. Kochis stated that is up to the owner of the frequency, which in this case is the Board of Commissioners. Mr. Kochis stated that he is supportive of the Dog Warden continuing to use the channel for their day-to-day operations.

Mr. Dolin asked who holds the license for the channel through FCC, and Mr. Kochis stated it is in the name of the Commissioners.

Commissioner Myers asked how long Head Start has been on the channel, and Commissioner Kiger stated that he believes 2-3 years, and thought Mel Meloy in the Sheriff's Office would know. Mr. Kochis stated that he asked Mr. Meloy about it, and he was not sure how long Head Start had been using the frequency.

Commissioner Myers asked if the Board could charge users for the frequency, and Mr. Kochis stated that he was not sure, and Mr. Dolin stated that he could research that question.

Mr. Kochis stated that Brad Shull with the local firefighters association had mentioned to him that the Board had approved funding to relocate some radio buildings from the Southeast Correctional facility to the county radio towers on Waterworks Hill. Mr. Zody stated that he recalls some funding being provided by the Board several months ago, but nothing recently. Mr. Kochis stated that the current buildings on Waterworks Hill need replaced, and Mr. Shull is under the opinion that this has been taken care of by the Commissioners. Mr. Zody stated that did not recall that, but would try to look into the matter. Chief Perrigo stated that Mr. Meloy obtained an estimate of \$4,000 to move the buildings, and Mr. Zody stated that he does not recall setting aside any specific funding for the buildings, but does recall that some funding was provided to repair some of the radio towers.

Regarding the recent failure of the emergency warning sirens, Commissioner Myers directed Mr. Kochis to obtain letters of explanation from the siren vendor and contractor as to why a needed piece of hardware was not delivered or installed, which resulted in the sirens failure to automatically sound.

Mr. Kochis stated the problem is between the contractor and the vendor, and he would try to obtain something in writing from both for an explanation.

9:00 a.m. Meeting with Karen Rotkis

The Board of Commissioners met with Karen Rotkis of Main Street Lancaster for an update on activities. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Ron Hanna, Jason Dolin and Scott Zody.

Ms. Rotkis introduced Ron Hanna, who is a new Board member for Main Street Lancaster, and is involved in the Farmer's Market and chair of the Gus Macker 3-on-3 Tournament that is being organized for Lancaster.

Ms. Rotkis stated that the Board has been split into two portions – the Special Improvement District (SID) and Main Street Lancaster. This change provides more opportunities for downtown businesses to become involved, and allows Main Street to focus more on the historical aspects of the downtown.

Ms. Rotkis informed the Board that the White Cottage restaurant is relocating to Somerset, and Billy Crickets is still working on developing an outdoor venue downtown.

Ms. Rotkis stated that the Farmers Market is doing very well at the new location near the gazebo, and thanked the Board for the recent donation of 6 new recycled content trash receptacles. In addition, new hanging flower baskets should be appearing soon, as they are working on some marketing efforts for the historical aspects of downtown.

The 2 street kiosks at Shaw's and Four Reasons are up and operating, and Main Street is working on a walking map of the downtown area for visitors.

Mr. Hanna provided an overview of the Gus Macker tournament, stating that this will be the first time the event has been held in Lancaster. Mr. Hanna has been working with officials in Zanesville and Chillicothe who have hosted tournaments for several years to learn how it is done. The Lancaster tournament will be held on August 8th and 9th, and they hope to have a successful tournament and try to obtain a June date in subsequent years – the dates are dictated by Gus Macker, not the city.

Commissioner Myers asked where the tournament would be held, and Mr. Hanna explained the events are held on the streets using portable hoops with lines taped on the asphalt. They will close portions of Main, Broad and Columbus Streets, and expect a crowd of between 8-10,000 for the event.

Commissioner Shupe asked if there were any conflicts with other tournaments, and Mr. Hanna stated that tournament dates are set by the Gus Macker organization so as no to conflict with other nearby events. Mr. Hanna stated that there may be some conflict with football practice schedules that may keep some kids from being able to play, but he still expects a good turnout.

Commissioner Kiger asked if arrangements had been made to provide emergency medical assistance in the event of injuries, and Mr. Hanna stated that he has been working with the city on those issues.

Mr. Hanna asked if it would be possible to utilize the Job & Family Services parking lot, the parking lot adjacent to the Minimum Security jail, and the Chestnut Street parking lot for the event, and the Board stated that it should not be a problem, but directed Mr. Dolin to research whether or not a written agreement would be required.

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, June 9, 2009 beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Mike Kiger and Judith Shupe. Also present were Ritta Seitz, Michelle George, Aundrea Cordle, Michael Orlando, Tony Vogel, Linda Kaufmann, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced that there would be one add-on resolution relative to the road usage permits for the Rockies Express (REX) pipeline.

Public Comment

There were no public comments.

Approval of minutes of Tuesday June 2, 2009

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, June 2, 2009.

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval of terminating an Enterprise Zone Agreement between Princeton Delivery Systems, Inc., Fairfield County and the Village of Canal Winchester

On motion of Jon Myers and second of Mike Kiger the Board of Commissioners voted to approve terminating an Enterprise Zone Agreement between Princeton Delivery Systems, Inc., Fairfield County and the Village of Canal Winchester, see resolution 09-06.09.a

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Approval of ratification of previously approved authorization of the Board of Commissioners – Approval of permit to move oversized/overweight vehicles on county roads

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the ratification of previously approved authorization of the Board of Commissioners – Approval of permit to move oversized/overweight vehicles on county roads, see resolution 09-06.09.b

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval of a Purchase of Service Contract by & between Fairfield County Job & Family Services, Child Protective Services, and Kaitlin Waugh

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Purchase of Service Contract by & between Fairfield County Job & Family Services, Child Protective Services, and Kaitlin Waugh, see resolution 09-06.09.c

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Approval of Request for payment and status of funds report – FY 2008 – HOME Funds – Drawdown #185

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Request for payment and status of funds report – FY 2008 – HOME Funds – Drawdown #185, see resolution 09-06.09.d

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval to Amend agreement for administration and implementation for the Fairfield County Fiscal Year 2008 Community Housing Improvement Program (CHIP) as approved by the Ohio Department of Development, Office of Housing and Community Partnerships

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to Amend agreement for administration and implementation for the Fairfield County Fiscal Year 2008 Community Housing Improvement Program (CHIP) as approved by the Ohio Department of Development, Office of Housing and Community Partnerships, see resolution 09-06.09.e

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Approval of Engineers resolutions

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve resolutions for the County Engineer as follows:

- 09-06.09.f Approval of a Contract with Kokosing Construction Co. Inc. for the 2009 Resurfacing Project – Engineer
- 09-06.09.g Approval of Notice of Commencement – 2009 Resurfacing Project - Engineer

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval of the Fairfield County Programmatic Agreement with the Ohio Historic Preservation Office in reference to the Neighborhood Stabilization Program

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the Fairfield County Programmatic Agreement with the Ohio Historic Preservation Office in reference to the Neighborhood Stabilization Program, see resolution 09-06.09.h

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Approval of CHIP Subordination of Mortgages

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve to CHIP Subordination of mortgages as follows:

- 09-06.09.i Approval of Subordination of Mortgage for the FY2008 CHIP Program
- 09-06.09.j Approval of Subordination of Mortgage for the FY2008 CHIP Program
- 09-06.09.k Approval of Subordination of Mortgage for the FY2008 CHIP Program
- 09-06.09.l Approval of Subordination of Mortgage for the FY2008 CHIP Program

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval of Advance resolutions

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve resolutions relative to advances to and from the General Fund as follows:

- 09-06.09.m Approval of Repayment of an Advance from the General Fund – CSBG Funds – FY2008 Fund #2730 - Commissioners
- 09-06.09.n Approval of Repayment of an Advance from the General Fund – OHTF Funds – FY2008 Fund #2732 - Commissioners
- 09-06.09.o Approval of Repayment of an Advance from the General Fund – EMA Fund #2708 – State Homeland Security Grant

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Approval to Extend Due Date for Advance repayment for Fund 2092 – Citizens Corps Fund

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve to Extend the Due Date for Advance repayment for Fun 2092 – Citizens Corps Fund, see resolution 09-06.09.p

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval of Financial Resolutions

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve financial resolutions as follows:

- 09-06.09.q Approval of Account to Account Transfer – Family, Adult & Children First Council
- 09-06.09.r Approval to Appropriate from Unappropriated – Job & Family Services, CPS Fund
- 09-06.09.s Approval to Appropriate from Unappropriated – Engineer
- 09-06.09.t Approval to Appropriate from Unappropriated – 2036 RECLAIM
- 09-06.09.u Approval to Appropriate from Unappropriated – Engineer – Ditch Fund
- 09-06.09.v Approval to Appropriate from Unappropriated – Liberty Township Special Assessment

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Approval of Payment of Bills

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve the authorization for payment of bills June 9, 2009, check date June 12, 2009, see resolution 09-06.09.w

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers and Judith Shupe

Approval to permit oversized/overweight vehicles on county roadways – Engineer

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve to permit oversized/overweight vehicles on county roadways – Engineer, see resolution 09-06.09.x

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Review Session, cont.

The Board of Commissioners met to review legal issues, correspondence, and pending and future action items. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Aundrea Cordle, Jason Dolin and Scott Zody.

Mr. Dolin reported that he and Mr. Vogel have received a draft agreement from CSX Railroad relative to the Carroll sewer line and they are reviewing, and have discovered a few problems. Commissioner Myers asked if the problems were big or small, and Mr. Dolin stated there are some of both, it depends upon how difficult CSX wants to be, but he believed they will be resolved.

Mr. Zody informed the Board that he has received several responses to the Board's request for input on the County Economic Development Director position which he has been forwarding to the Board. Commissioner Shupe stated that she has been receiving several comments from people in the business community that want the position filled as it is a key position. Commissioner Kiger stated that he is not sure it should be filled immediately, given the county financial situation.

Commissioner Myers asked if the Board had given any thought to the suggestion of temporarily combining the position under the Sanitary Engineer, and Mr. Zody stated that he had received some very specific feedback from three business representatives expressing concern over that idea.

Regarding a letter received from the Bloom Township Trustees requesting a temporary traffic light during an upcoming road construction project, Commissioner Shupe stated that she had spoken with one of the trustees and their concern is the detour route that will divert a large amount of traffic, and ODOT is not willing to consider a temporary signal unless the County Engineer conducts a traffic study. The Board directed Mr. Zody to request a study from the Engineer.

Commissioner Kiger reported that the former Coroner's van has been transferred to the Maintenance Department, and Mr. Spybey is utilizing it. Commissioner Kiger stated that the license plates need switched, and he would like to have decals placed on the van identifying it as a County Maintenance vehicle.

Mr. Zody provided the Board with a response prepared by Mr. Spybey to alleged workplace safety violations in the Maintenance Shop. The Board asked Mr. Dolin to look over the response and documentation prior to sending back to the Bureau of Workers' Compensation.

Mr. Zody informed the board that he is attempting to schedule a meeting with Judge Martin and the Board to discuss the Law Library and the new Board that will govern the library.

Mr. Dolin stated that there have been three changes to the law over the past three years, so the history is a bit convoluted. Mr. Dolin stated that the bottom line is that the Board of Commissioners is responsible for funding the facility for the remainder of 2009, then the new Law Library Resources Board takes over responsibility and the Board may provide funding, but is not required to provide funding.

Mr. Zody informed the Board that County Treasurer Jon Slater intends to utilize the former JFS drive-through payment center to accept property tax payments in June and July, and the Commissioners would need to start covering the utility costs of the building now that JFS has vacated it – the costs average between \$150-200 month.

Adjournment

With no further business to come before the Board, on the motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to adjourn at 11:00 a.m.

Roll call vote on the motion resulted as follows:

Voting aye thereon: Jon Myers, Mike Kiger and Judith Shupe

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Scott Zody, Clerk/Manager

**THE NEXT REGULAR MEETING OF THE COMMISSIONERS' IS SCHEDULED FOR
TUESDAY, JUNE 16, 2009 AT 10:00 A.M.**