

**Regular Meeting #10-2011  
Fairfield County Commissioners' Office  
March 2, 2011**

**10:00 a.m. Commissioners' Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Wednesday, March 2, 2011 beginning at 10:00 a.m., with the following Commissioners present: Steven Davis, Mike Kiger and Judith Shupe. Also present were Jeff Barron, David Landefeld, Ed Laramée, Linda Kauffman, Brian Kuhn, Branden Meyer, David Miller and Staci Knisley.

**Announcements**

No announcements made.

**Public Comment**

Commissioners Kiger and Shupe recognized the new Clerk/Manager, Branden Meyer.

**Approval of Minutes for Tuesday, February 22, 2011**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the minutes for Tuesday, February 22, 2011.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Judith Shupe, Steve Davis and Mike Kiger

**Approval to ratify the Proclamation of Recognition for Lieutenant Gary Kennedy**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to ratify the Proclamation of Recognition for Lieutenant Gary Kennedy, see resolution 11-03.02.a.

Commissioner Kiger stated that the Proclamation was presented to Lt. Kennedy on Friday, February 25. Lt. Kennedy served for 28 years.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Judith Shupe, Steve Davis and Mike Kiger

**Approval of the appointment of Marian Reitano to the Fairfield County Alcohol, Drug Addiction & Mental Health Board (ADAMH)**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the appointment of Marian Reitano to the Fairfield County Alcohol, Drug Addiction & Mental Health Board (ADAMH), see resolution 11-03.02.b.

Commissioner Kiger stated that the recommendation of Ms. Reitano came from the ADAMH Board.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Judith Shupe, Steve Davis and Mike Kiger

**Approval of the Annual County Highway System Mileage Certification for 2010 (Fairfield County Engineer)**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the Approval of the Annual County Highway System Mileage Certification for 2010 (Fairfield County Engineer), see resolution 11-03.02.c

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

**Approval of County Engineer actions**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the following County Engineer actions:

- 11-03.02.d Approval of the Construction Drawings for the FAI-CR6-7.674 Cedar Hill Road Culvert Replacement Project (Fairfield County Engineer)
- 11-03.02.e Approval of the Contract with Shaw & Holter, Inc. for the HOC-44, FAI-33A-07.34 Bridge Repair Project (Fairfield County Engineer)
- 11-03.02.f Approval of the Notice of Commencement for the Contract with Shaw & Holter, Inc. for the HOC-44, FAI-33A-07.34 Bridge Repair Project (Fairfield County Engineer)

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

**Approval of Job and Family Services actions**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the following Job and Family Services actions:

- 11-03.02.g Approval of a Purchase of Service Contract by and between Fairfield County Job and Family Services and Dublin Express Transport Solutions, LTD, DBA WheelsToGo
- 11-03.02.h Approval of a Purchase of Service Contract by and between Fairfield County Job and Family Services and East Central Ohio Transportation

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

**Approval of 2011 OCJS JAG Fund Grant Award for the Major Crimes Unit [Fairfield County Major Crimes Unit]**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the 2011 OCJS JAG Fund Grant Award for the Major Crimes Unit [Fairfield County Major Crimes Unit], see resolution 11-03.02.i

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

**Approval of the Final Acceptance of the Arbaugh Subdivision [Fairfield County Regional Planning]**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the Final Acceptance of the Arbaugh Subdivision [Fairfield County Regional Planning], see resolution 11-03.02.j

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

**Approval of the purchase of a gun and disposal of asset [Fairfield County Sheriff]**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners

voted to approve the purchase of a gun and disposal of asset [Fairfield County Sheriff], see resolution 11-03.02.k

Roll call vote of the motion resulted as follows:

Voting aye thereon: Judith Shupe, Steve Davis and Mike Kiger

### **Approval of financial resolutions**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the following financial resolutions:

- 11-03.02.l Approval of request for payment and status of funds report- FY 2008 NSP1 Funds- Drawdown #253 [Fairfield County Commissioners]
- 11-03.02.m Approval of request for payment and status of funds report- FY 2010 CDGB Funds- Drawdown #254 [Fairfield County Commissioners]
- 11-03.02.n Approval of request for payment and status of funds report- FY 2008 NSP1 Funds- Drawdown #255 [Fairfield County Commissioners]
- 11-03.02.o Approval of request for payment and status of funds report- FY 2010 CDGB Funds- Drawdown #256 [Fairfield County Commissioners]
- 11-03.02.p Approval of request for payment and status of funds report- FY 2008 NSP1 Funds- Drawdown #257 [Fairfield County Commissioners]
- 11-03.02.q Approval of the advance from the General Fund to the CDGB Fund #2730- Fairfield County Commissioners- FY 2010 [Fairfield County Commissioners]
- 11-03.02.r Approval of the repayment of an advance to the General Fund- Airport- FAA- Fund #3011
- 11-03.02.s Approval of account to account transfer [Fairfield County Commissioner/Maintenance]
- 11-03.02.t Approval to appropriate from unappropriated for Fund #2735 [Fairfield County EMA]
- 11-03.02.u Approval to appropriate from unappropriated for Fund #7619 [Fairfield County Major Crimes Unit]
- 11-03.02.v Approval to appropriate from unappropriated for Fund #7619 and Fund to Fund Transfer [Fairfield County Major Crimes Unit]
- 11-03.02.w Approval to appropriate from unappropriated for Fund #7594 [Fairfield County Major Crimes Unit]
- 11-03.02.x Approval of Revised Revenue for FY 2011 [Fairfield County Major Crimes Unit]
- 11-03.02.y Approval of the Fund Transfer from Fund #7619 MCU Federal Seizure into Fund #2765 FY 2011 MCU- DLEF Grant [Fairfield County Major Crimes Unit]
- 11-03.02.z Approval of Revised Revenue and Appropriation Budget for FY 2011 [Fairfield County Major Crimes Unit]
- 11-03.02.aa Approval of the payment of a voucher without an appropriate carry-over purchase order for the Fairfield County Commissioners
- 11-03.02.bb Approval of the payment of a voucher without an appropriate carry-over purchase order for the Fairfield County Board of MRDD

- 11-03.02.cc Approval of the payment of a voucher without an appropriate carry-over purchase order for the Adult Probation Department
- 11-03.02.dd Approval of the payment of a voucher without an appropriate carry-over purchase order for the Fairfield County Board of Elections
- 11-03.02.ee Approval of the payment of a voucher without an appropriate carry-over purchase order for the Fairfield County ADAMH Board

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

**Approval of authorization for payment of bills for March 2, 2011**

On motion of Judith Shupe and second of Steve Davis, the Board of Commissioners voted to approve the authorization for payment of bills for March 2, 2011], see resolution 11-03.02.ff

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

**10:15 a.m. Review Session**

The Board of Commissioners met to review legal issues, pending and future action items and correspondence. Commissioners present were Steve Davis, Mike Kiger and Judith Shupe. Also present were Jeff Barron, Aunie Cordle, Joe Edwards, Staci Knisley, Brian Kuhn, David Landefeld, Ed Laramée, Branden Meyer, David Miller, Dave Phalen, and Tony Vogel.

**I. PENDING ITEMS**

**Legal questions under review**

**Prosecutor's Pending Items**

**- Clerk of Courts Funds - Research ORC for permissive expenditures.**

David Landefeld asked whether Jason Dolin has provided a memo to the Commissioners. The Judges will make this determination, they are the decision making authority.

Commissioner Kiger stated that Jon Slater will discuss this issue with the Judges. Commissioner Kiger also stated that this is "in the Auditor's Court."

Mr. Landefeld stated that Mr. Slater and Mr. Dolin have spoken regarding this issue. The Judges will make the decision on how the funds will be spent.

**- Village of Thurston, waterline project- Do the Commissioners have authority? ASA ? Aaron Reedy called 3/1 for updates; they are moving forward with project but would still like the Board's blessing.**

Commissioner Kiger stated that Jason Dolin spoke with OH Dept of Agriculture (ODA). Location is S.R. 37 between Millersport and S.R. 256.

David Landefeld stated that no decision has been made on how this project will change; the project is on hold for now.

Commissioner Kiger stated that the Commissioners need an opinion from the Prosecutor's Office.

Mr. Landefeld stated that his office is waiting on the ODA.

**- Resignation of Fairfield County Prosecutor of David Landefeld.**

Mr. Landefeld stated that he has 59 days left.

Commissioner Davis has discussed this issue with Executive Committee Chairman Kyle Farmer. He also stated that Mr. Farmer and Tim Mehan, Central Committee Chairman have discussed this issue. Commissioner Davis stated that the appointment will most likely take place around the second week of May. He also stated that the Commissioners will need to appoint an Acting Prosecutor prior to the Central Committee making their appointment.

Mr. Landefeld suggested that the Commissioners appoint an Acting Prosecutor. The indictments need to be signed by in the name of the Prosecutor. Someone should be in place by May 6. This may disrupt the case flow if this is not done. Payroll should be signed by the Prosecutor, but may be delegated. Probably should not choose either of the interested persons seeking the appointment as the Acting Prosecutor. Mr. Landefeld suggested appointing a neutral person and has suggestions if the Commissioners are interested.

\*Additional Items Added During Review Session

▪ *Sharing Maintenance Duties for Sheriff's Department\**

Tony Vogel stated that with Joe Edwards retiring, the maintenance duties are going to fall on the Sheriff's Department.

Commissioner Shupe asked what duties Mr. Vogel does to set up for events.

Sheriff Phalen stated that he sets the tents up for events. With the budget reduction, the Sheriff further stated that he is not replacing personnel who are retiring. The Sheriff stated that he will not have to lay people off and this will help make up for lost

Commissioner Shupe suggested that the County Maintenance staff assist the Sheriff's Department with maintenance duties, but not event duties.

Sheriff Phalen stated that he cannot replace a maintenance person but not replace his deputies.

Mr. Vogel stated that they are looking into finding a part time person to assist with maintenance duties, possibly contract out for maintenance services.

Sheriff Phalen stated that the custodial services can be contracted out.

Commissioner Kiger asked whether WEP workers could be used.

Aunie Cordle stated that they work off their hours to get their benefits. She further stated that this is short term.

Commissioner Shupe asked how much time a part time person would be used.

Joe Edwards stated that he is busy from the time he starts work until the time he leaves. He does maintenance duties as well as makes deliveries and pickups.

Commissioner Kiger asked Sheriff Phalen and Mr. Vogel for a timetable, schedule of duties for the maintenance person.

Sheriff Phalen stated that there is a \$400K short in his budget. He stated that in order to eliminate this \$400K, which is one reason that he is looking at not replacing personnel who retire.

Commissioner Davis asked Sheriff Phalen and Mr. Vogel to come back with a proposed solution to the problem that they are faced with.

▪ *Discussion with Verizon regarding cellular service\**

Mr. Vogel stated that he will be meeting with Verizon on 3/03 to discuss the parcel of land in the old engineer's building at the Fairgrounds.

▪ *Meeting with Humane Society\**

Commissioner Shupe stated that Corey from the Humane Society would like to schedule a meeting with the Commissioners.

▪ *Retirement Letter from Judge Kathy Mowry\**

At 10:52 a.m., the Commissioners received a letter of resignation from Judge Kathy Mowry, Fairfield County Domestic Relations Court. She will retire effective June 30, 2011.

**Other Pending Items**

▪ **City of Lancaster- prisoner housing contract. The city is under no obligation to proceed with negotiating contract.**

Commissioner Kiger stated that there is no update. He will meet with Mayor Smith prior to next week's meeting.

▪ **Commissioner Committee positions- Comm Shupe recommends Tony Vogel to fill the Public Safety position. Comm Kiger recommends Brian Kuhn. Comm Davis is reviewing file to make his decision on the Chairman.**

Commissioner Davis stated that he would like Branden Meyer to serve as the Chairman of the Safety Board. He stated that this suggestion is based on the fact that the previous Clerk/Manager served in this role and would like Mr. Meyer to do so as well. Commissioners Shupe and Kiger agree with Commissioner's recommendation.

▪ **State of the County planning- Tuesday, March 22 at the Liberty Center. Invitations sent via email and US Mail on 2/28, discuss tablecloths?**

Commissioner Shupe asked whether we want tablecloths for the event. Commissioners Davis and Kiger agree that this would be preferable. Staci Knisley will arrange this.

▪ **Disband the Friends Committee- MOW/OAA- Becky Edwards gathering information for the Board of Commissioners.**

Commissioner Davis asked that this item be removed from Pending Items until Ms. Edwards meets with him.

▪ **Lease agreement for ODRC- Hall of Justice space, lease expires 6/30/11, POC: Debbie Kuen, 614-466-6746. Comm Kiger gave Tony Vogel info to proceed. Tony would like to increase \$10 square footage- this would cover costs that they are benefiting from.**

Tony Vogel stated that there has been no change on this issue. He stated that he needs to get the correct number from Shane Farnsworth.

▪ **MCU property located in Muskingum County. Commissioners asked Ed Laramee to have R/E to value the property- Public Auction? Or public bid? Ed Laramee and Real Estate office getting value.**

Ed Laramee stated that he will follow up on this issue.

▪ **Stebelton, Aranda & Snider are invoicing- Staci K. emailed attorney Todd Pechar and he agreed to have accounting itemize future invoices. He cannot change the past billing and asked if there were specific questions. Staci K. emailed Jeff C. 2/16 to see if they had specific questions. Invoice is still pending Engineer's approval. Comm Kiger to check with Jeff C. for additional questions.**

Commissioner Kiger asked that this item be removed from Pending Items because this has been resolved.

▪ **Sheriff - Community Service Program**

Commissioner Davis stated that he is looking on seeing a more fully developed proposal.

Sheriff Phalen said he would gather details on the day to day operations.

Commissioner Davis said that there is potential for administrative overhead.

▪ **Pending Invitation- OCCO seminar & luncheon Wednesday, March 16, 12:00 noon-1:00 p.m. Comm Kiger-yes, 2/8.**

Commissioner Kiger will attend. Commissioner Shupe will check as to her availability. Commissioner Davis will not be able to attend. He is having lunch with Howard from the OSU Extension Office.

▪ **Pending Invitation- Canal Winchester Annual Dinner Business Expo- Friday, March 11, 7:00 p.m. at Cheers Lakeside Chalet. RSVP by Friday, March 4 (expo starts at 5:30), Comm Kiger reserved on 2/15, Comm Shupe reserved on 2/22.**

Commissioner Davis will be attending- RSVP'd on 3/03. All Commissioners are attending and have RSVP'd.

▪ **MCJDC Appointment**

Commissioner Kiger stated that he is the President of the Board of Directors.

Commissioner Shupe stated that Bruce Simmons checked with legal and determined that the County does not have to legally advertise for a replacement. Licking and Fairfield Counties support positing the open superintendent's position. Perry and Hocking Counties are not in favor of posting this.

Commissioner Kiger stated that he will follow up on this issue next week.

Mr. Landefeld agreed that the announcement should be posted.

## II. ITEMS THAT NEED NEW ACTION/ATTENTION

### Invitations

▪ **Ohio Christian University Ribbon Cutting (Business After Hours/Open House)- Thursday, March 10.**

Commissioner Davis will be attending. Commissioners Shupe and Kiger will check their availability.

▪ **Fairfield County Assoc. of Trustees and Fiscal Officers Meeting- Saturday, March 12, 6:00 p.m.**  
Commissioner Davis stated that he will be unavailable. Commissioners Kiger and Shupe will both be attending.

▪ **Pickerington Chamber Luncheon- March 17, 11:30 a.m.-1:00 p.m. RSVP by March 16.**  
Commissioner Davis will be attending. Commissioner Shupe will check her availability. Commissioner Kiger will not be attending.

▪ **Ohio Government & Social Media Conference- Monday, March 28, 8:00 a.m.-4:00 p.m.**  
The Commissioners will not be attending this conference.

▪ **EMA Exercise- Thursday, March 24, 8:00 a.m.-1:00 p.m.**  
Commissioner Shupe discussed that given the Commissioners' role, it is not mandatory that they attend the entire exercise. The Commissioners will attend portions of this exercise.

▪ **33 Corridor 2011 Annual Meeting- Thursday, March 24, 12:00 noon-1:00 p.m. RSVP by March 10.**  
Commissioners Shupe and Davis will be attending. Commissioner Kiger will check his availability.

▪ **AHA! Dinner- Saturday, April 2, 6:30 p.m. RSVP by Monday, March 28.**  
Commissioner Shupe will not be attending. Commissioners Davis and Kiger will check their availability.

▪ **Columbus Chamber of Commerce 2011 Government Day and Lunch- April 8, 8:30 a.m.-1:00 p.m.**  
Commissioner Davis will not be attending. Commissioners Kiger and Shupe will check their availability.

### **Requests/Review**

▪ **Rushcreek Township Road Maintenance Agreement.**  
Commissioner Kiger asked that this information be forwarded to the County Engineer for his review.

▪ **Fairfield County Health Department- Phone system upgrade, POC: Tony Vogel.**  
Mr. Vogel stated that fiber optic cable is needed. The cost will be \$6,000 to run these cables from the Dog Shelter to the Health Department.

Commissioner Kiger asked how much longer the Health Department can remain in the Miller Building.

Mr. Vogel stated that they are trying to address all concerns. The State Budget is unknown, which does not allow them to search for an alternate site. Any new site will cost approximately \$200K in renovations.

Commissioner Shupe asked what the cost will be if the location is moved in the future.

Mr. Vogel stated that the only cost will be the \$6K fiber optic charge. He asked whether the Commissioners want him to move forward.

The Commissioners agreed that Mr. Vogel can move forward.

Staci will pay this out of Capital Improvement funds.

▪ **OARDC and Extension Support- Contact Governor's office prior to March 13.**  
The Commissioners agreed that they will not support this.

▪ **Letter of Support for Fairfield County College Bound, POC: Shane Farnsworth.**  
The Commissioners agreed that they will send a letter of support.

### **III. INFORMATIONAL ITEMS**

▪ **Ohio Department of Health- Audit Report for Family, Adult Children First Council 2009.**  
Commissioner Kiger presented the report. No comments were made.

▪ **Fairfield County Treasurer- January portfolio reports for the Fairfield County Treasurer's Office.**  
Brian Kuhn stated that he collected \$80 million during the first half that was billed. Commissioner Kiger suggested that the Treasurer's Office coordinate any security needs with the Sheriff's Office. Commissioners Shupe and Davis were in agreement.

#### *\*Additional Item Added During Review Session*

Commissioner Davis stated that account resolutions that are small may not need a resolution. He suggested that there be two thresholds, one being based on the dollar amount and the other capping the number of times in a fiscal year

Ed Laramée stated that he and Jon Slater will discuss this. He stated that this issue has been discussed before and there does not seem to be a prohibition regarding this.

Commissioner Davis asked Mr. Laramée to provide a simple proposal for the Commissioners to look at. Commissioners Shupe and Kiger agreed.

Commissioner Davis stated that this will eliminate the Commissioners having to approve resolutions for lower dollar amounts that could be approved without having to do a resolution.

### **Executive Session**

On motion of Steve Davis and second of Judith Shupe, the Board of Commissioners voted to go into Executive Session at 11:28 a.m.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Steve Davis, Judith Shupe and Mike Kiger

Also present were Aunie Cordle, David Landefeld and Branden Meyer.

On motion of Steve Davis and second of Judith Shupe, the Board of Commissioners voted to go out of Executive Session at 11:42 a.m.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Steve Davis, Judith Shupe and Mike Kiger

No action was taken.

### **Adjournment**

With no further business to come before the Board, on the motion of Judith Shupe and the second of Steve Davis, the Board of Commissioners voted to adjourn at 11:43 a.m.

Roll call vote on the motion resulted as follows:

Voting aye thereon: Judith Shupe, Steve Davis and Mike Kiger

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Mike Kiger  
Commissioner

Steven A. Davis  
Commissioner

Judith K. Shupe  
Commissioner

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Branden C. Meyer, Clerk

**THE NEXT REGULAR MEETING OF THE BOARD OF COMMISSIONERS' IS SCHEDULED FOR TUESDAY, MARCH 8, 2011 AT 10:00 A.M.**