

Regular Meeting #10-23
Fairfield County Commissioners' Office
May 25, 2010

9:00 a.m. Viewing – Airport Road Vacation

The Board of Commissioners met to view a proposed partial vacation of Airport Road in Greenfield Township. Commissioners present were Mike Kiger, Judith Shupe and Jon Myers. Also present were County Engineer Frank Anderson, Deputy Engineer Jeff Baird, John Nungesser and Scott Zody.

Mr. Anderson provided a brief overview of the proposed vacation, stating that Airport Road is a county road and a portion of the road currently makes a loop through the airport parking lot and is blocked by a fence and a gate, and the Engineer would like to vacate that portion of the road in the parking lot and leave a stub for a turnaround. The property is currently owned by the County Commissioners since it is part of the airport, and no other property owners would be impacted

Review – 9:30 a.m.

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 Jason Dolin and Scott Zody.

Commissioner Kiger stated he had met yesterday with some landowners and their attorney regarding a dispute over the ownership of a property parcel adjacent to Buckeye Lake on South Bank Road. Apparently, the parcel in question has been utilized by a homeowners association to access their docks at the end of the parcel, but an adjoining landowner built a house that has encroached over the property line and they are currently litigating the matter.

Mr. Dolin reported on several legal matters that he has been working on, stating that he recently sent the Board an email summarizing the need to take more formal actions with respect to reimbursement requests by individual commissioners. Commissioner Shupe stated she thought there was a process in place for that, and Commissioner Kiger stated a full process is not in place, as currently only one Commissioner signs off on reimbursement requests, and he has had some concerns since the recent newspaper article came out on the subject of public officials and employees travel reimbursements.

Commissioner Shupe asked if that would include mileage reimbursement requests, and Mr. Dolin stated it should, although he would recommend the Commissioners adopt a monthly process for approving those. Mr. Dolin stated that he recommends the Board approve reimbursements via a resolution adopted by the Board, and the Commissioner requesting the reimbursement should abstain from taking action. Commissioner Myers asked if this would also apply to other elected officials, and Commissioner Kiger stated the other elected officials are different than the Commissioners, since the Commissioners operate as a board.

Regarding the Steele's driveway, Mr. Dolin stated the Regional Planning Commission will be considering the issue at their next meeting, and he has provided the Commissioners with a draft motion for their consideration. Mr. Zody noted the Commissioners would need to adopt a resolution to approve the motion, and noted he had received another email message from Mrs. Steele just this morning.

Executive Session

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to enter into Executive Session at 9:45 a.m. to discuss pending litigation. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

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

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to adjourn from Executive Session at 9:55 a.m.

No official actions were taken.

Review, cont.

The Board directed Mr. Zody to draft a response letter to the Steele's explaining the issue has been forwarded to the Prosecutor's Office for consideration and reference Mr. Zody's email response to Mrs. Steele on May 17th.

The Board directed Mr. Zody to schedule a meeting with Sheriff Dave Phalen and Orman Hall to discuss the proposed Day Reporting Center.

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, May 25, 2010 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Carri Brown, Frank Anderson, Jeff Baird, Ritta Seitz, John Nungesser, David Steele, Carl Burnett, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be one possible add-on item for the Commissioners pending the outcome of their discussions in Review following this mornings meeting.

Public Comment

John Nungesser, 2266 Coonpath Road, stated that he has concerns with the proposed relocation of Election House Road. Mr. Nungesser stated he believes the road would be unsafe and in the winter the curves would cause problems for emergency vehicles. Mr. Nungesser stated there are 360 degrees of turns being installed if the Victor Road extension is included, and is also concerned about the development and resulting traffic flow on Victor Road, and asked if additional traffic lights would be needed on Victor Road. Mr. Nungesser stated he believes many vehicles would "cheat" and go down to the 33A/North Columbus/Election House Road intersection, which he referred to as a suicide intersection.

Mr. Nungesser suggested taking the relocated road directly South adjacent to the River Valley Highlands development, which would low for three additional connectors for the subdivision and come out on Columbus Road between 84 Lumber and the swimming pool business. In addition, Mr. Nungesser suggested relocating Rainbow Drive to tie into the relocated Election House Road and close the intersection at Coonpath. Mr. Nungesser noted in the winter there are many vehicles off the road in the ditches on Election House in it's current, straight alignment.

Mr. Nungesser stated very little time is involved with airplanes taking off and landing each day at the airport, and stated it would be simpler to install traffic gates to stop traffic when planes are landing or taking off, or lower Election House Road to be the same elevation as the runway.

Commissioner Kiger thanked Mr. Nungesser, stating he had raised several issues, and Mr. Anderson might wish to meet with him to discuss, and offered the use of his office if they wished to meet.

David Steele, 11920 Lancaster Circleville Road, Amanda, stated he remains concerned over the driveway issue on Cedar Hill Road and a lack of response to his numerous requests from the Engineer and Commissioners. Mr. Steele stated if someone would tell them why their driveway is unsafe they would move it immediately, but he believes this is a power issue with Mr. Anderson.

Commissioner Myers asked if Mr. Steele's attorney had drafted the deed restriction language that they had agreed to, and Mr. Steele stated he had, but they believe they were forced to accept the deed restriction in order to get the lot split and believe they were lied to regarding the reasons for the restriction. Mr. Steele noted that he has witnessed school buses using the drive as a turnaround, and county vehicles, including Engineer's vehicles, using the drive for their breaks. Mr. Steele stated that he would like all involved parties to come out and view the situation and stated he would be willing to cover any associated costs of doing so.

Commissioner Kiger noted the Commissioners did send a response via their clerk/manager on May 17th and the Regional Planning Commission will be discussing this issue at their next meeting on June 1st. Mr. Steele stated it sounds as though the Commissioners are more concerned about being sued than looking into the issue, and asked if he would be afforded an opportunity to address the Regional Planning Commission, and Commissioners Myers stated the Regional Planning Commission follows a very similar public comment process, and their meeting will be the following Tuesday at 7:30 p.m.

Approval of Minutes of Tuesday, May 18, 2010

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday, May 18, 2010.

Roll call vote of the motion resulted as follows:

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

Approval of Declaration of Necessity of the LIB-46 Poplar Creek Road over a Tributary of Poplar Creek Bridge Replacement Project - Engineer

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted approve a Declaration of Necessity of the LIB-46 Poplar Creek Road over a Tributary of Poplar Creek Bridge Replacement Project – Engineer, see resolution 10-05.25.a

Roll call vote of the motion resulted as follows:

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

Approval of authorization for payment of debt service – special check run/wire dated June 1, 2010 – Fairfield County Commissioners and Utilities

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the authorization for payment of debt service – special check run/wire dated June 1, 2010 – Fairfield County Commissioners and Utilities, see resolution 10-05.25.b

Roll call vote of the motion resulted as follows:

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

Approval of Amended Certificate and request for appropriations for additional unanticipated receipts of Memo Expenditure – Fund 4483 Bond Retirement Job & Family Services relocation - Auditor

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve an Amended Certificate and request for appropriations for additional unanticipated receipts of Memo Expenditure – Fund 4483 Bond Retirement Job & Family Services relocation – Auditor, see resolution 10-05.25.j

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

Approval of Regional Planning resolutions

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve resolutions for the Regional Planning Commission as follows:

10-05.25.k Approval of Violet Meadows Section 4, Phase 1 – Final Acceptance - RPC

10-05.25.l Approval of Woodstream Section 4, Phase 2 – Final Acceptance – RPC

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

Approval of request for payment and status of fund report resolutions

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve request for payment and status of fund report resolutions as follows:

10-05.25.m Approval of request for payment and status of funds report – FY2008 CDBG Formula Program – Drawdown #215

10-05.25.n Approval of request for payment and status of funds report – FY2008 CDBG Funds – Drawdown #216

10-05.25.o Approval of request for payment and status of funds report – FY2008 NSP1 Funds – Drawdown #217

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

Approval of Financial Resolutions

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

10-05.25.p Approval of Amended Certificate & appropriate from unappropriated for Fund #2669 – Adult Probation

10-05.25.q Approval of Memo Expenditure - JFS

10-05.25.r Approval of Memo Expenditure - JFS

10-05.25.s Approval of Memo Expenditure - JFS

10-05.25.t Approval of Repayment of an Advance to the General Fund – NSP1 Grant Fund #2748

10-05.25.u Approval of an Advance from the General Fund to the CSBG Fund #2730

- 10-05.25.v Approval of an Advance from the General Fund to CBDG Formula FY2008 Fund #2721 – Commissioners
- 10-05.25.w Approval of an Advance from the General Fund to Family, Adult & Children First Council
- 10-05.25.x Approval of Account to Account Transfer – Older Adult Services Levy Fund #2617
- 10-05.25.y Approval of Account to Account Transfer – PA Fund – Job & Family Services
- 10-05.25.z Approval of Account to Account Transfer –Protective Services Fund – Job & Family Services
- 10-05.25.aa Approval of Account to Account Transfer – Sheriff
- 10-05.25.bb Approval of Account to Account Transfer – ADAMH
- 10-05.25.cc Approval of Account to Account Transfer – Veterans' Service Commission
- 10-05.25.dd Approval of Account to Account Transfer – Probate Court
- 10-05.25.ee Approval of Account to Account Transfer – Commissioners
- 10-05.25. ff Approval of Account to Account Transfer – Soil & Water Conservation
- 10-05.25.gg Approval to Appropriate from Unappropriated - Engineer

Roll call vote of the motion resulted as follows:

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

Approval of Authorization for Payment of Bills, May 25, 2010, check date May 28, 2010

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the Authorization for Payment of bills, May 25, 2010, check date May 28, 2010, see resolution 10-05.25.hh

Roll call vote of the motion resulted as follows:

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

Review Session

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

Mr. Zody provided the Board with a summary of the Emergency Management Agency's expenses for the first floor renovation of the Jobs & Family Services building and reported that Mr. Kochis has approximately \$12,000 left that he would like to utilize to purchase some additional equipment. Commissioner Myers asked if the Commissioners would be asked to provide any additional funding for this request, and Mr. Zody stated no – this was part of the original \$300,000 that was provided for the project, which includes \$150,000 in county funds and \$150,000 from a state EMA grant.

Mr. Zody provided a report from County Dog Warden Mike Miller regarding his concern for dog owners that voluntarily bring their animals to the shelter for a 10-day quarantine after biting a family member. In these cases, the Dog Warden has not seized the animal, but by law the owner is required to confine the dog to ensure there are no disease concerns. Mr. Miller wants to ensure the owners pay for the boarding costs and

any associated veterinary fees. Mr. Dolin stated he had spoken with Mr. Miller as well, and believes the Revised Code is clear that the owner must pay those costs, and he suggested that Mr. Miller require upfront payment before agreeing to board the animal. Mr. Zody asked if that could also include veterinary care costs, and Mr. Dolin stated he believes so, and feels Mr. Miller could require a down payment or deposit if he believes the animal might be in need of veterinary services.

The Board directed Mr. Zody to schedule a meeting with Mr. Miller to discuss and finalize direction.

Regarding the continued dialogue between the Board and the Coshocton-Fairfield-Licking-Perry (CFLP) Solid Waste District, Commissioner Shupe stated she attended a Finance Committee meeting last week and the picture has not improved. Initially, the district believed there would be approximately \$600,000 available for optional program in 2011, but now they want to change that to only fund the Health Department sanitarian on a reimbursement basis for landfill inspections and fund the Sheriff's Litter Prevention Officer on a reimbursement basis for convictions. This would only provide approximately \$50,000 for the sanitarian program to be shared by those counties with landfills, and \$80,000 for law enforcement, also to be shared by all four counties.

Commissioner Shupe stated the Finance Committee is recommending the remaining funding (approximately \$400,000) be split 4 ways among the counties. The other option discussed would provide the counties with landfills 5% off the top and then the rest would be split 4 ways.

Commissioner Shupe stated the district also wants to do away with the administrative funding that Community Action currently receives if the 5% option is adopted. Commissioner Myers asked why the other counties did not take advantage of the administrative funding, and Commissioner Shupe stated she was not sure, especially in the case of Perry County, which uses PERCO to administer their recycling programs and they are very much like Community Action in Fairfield County.

Commissioner Shupe stated they will need to inform the Sheriff and the Health department that their funding will be coming to an end in 2011. The district has stated the Sheriff and Health Department would be permitted to retain any vehicles they currently have that were purchased with district funds, but instead of having the grants phased out over 3-4 years, they will end next year.

Commissioner Kiger stated he is questioning how it remains a benefit to Fairfield County to continue to remain a member of the district, and Commissioner Myers stated when the times were good and Franklin County was sending much of its waste to the district landfills, there were no problems. Commissioner Shupe stated there is one county in the district that is driving all the changes.

Mr. Zody provided the Board with two options for a grant application to the solid waste district for funding to purchase recycled picnic tables, benches and trash cans. The Board stated they would prefer to ask for more than less and Mr. Zody provided the Board with a resolution to adopt reflecting the grant preference.

Approval of 2010 CFLP Buy Recycled Program grant application

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a 2010 CFLP Buy Recycled Program grant application, see resolution 10-05.25.ii

Roll call vote of the motion resulted as follows:

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

11:00 a.m. Hearing – Airport Road Vacation

The Board of Commissioners met to hold a public hearing on the vacation of a portion of public road, Airport Road (CR87). Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were County Engineer Frank Anderson, Jeff Camechis, Aundrea Cordle, Jay Shepherd, Carl Burnett, Jason Dolin and Scott Zody.

Mr. Anderson provided an overview of the proposed vacation, stating that Airport Road has a loop that runs through the county airport parking lot, and in two places the road has a fence running through it. The Engineer would like to vacate most of the loop and retain a stub for turnaround purposes, and will continue to plow snow on the road itself, but the airport has maintained the parking lot and will continue to do so.

Commissioner Shupe stated the proposal appears to be very straightforward, and Commissioner Myers asked if the County owned the land under the road/parking lot. Mr. Anderson stated the county owns all of the land under all of the portions of the road proposed for vacation. Mr. Camechis stated the main reason to vacate this portion of the road is to remove the county from liability concerns relative to the fences.

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to close the hearing.

Roll call vote of the motion resulted as follows:

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

11:15 a.m. – Meeting with Frank Anderson, Aundrea Cordle

The Board of Commissioners met with County Engineer Frank Anderson and County Human Resources Director Aundrea Cordle to discuss new workers' compensation premium payment methodology. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jeff Camechis, Jay Shepherd, Jon Slater, Carl Burnett, Jason Dolin and Scott Zody.

Ms. Cordle stated the meeting was a follow up to discussions that occurred at a recent Quarterly Roundtable meeting relative to how the county workers' compensation premiums would be paid now that the county has joined the Group Retrospective rating program.

Commissioner Myers asked if this was in conjunction of being forced out of the regular Group rating program, and Ms. Cordle stated it was not, but under the Group Retro program, BWC wants employers to be very proactive when it comes to safety, and changing the way premiums are charged back will help do that.

Ms. Cordle explained that in the past, premiums were based solely on payroll and divided accordingly across all the county agencies. Claims experience of individual agencies and departments was not factored in. Under the new methodology, claim experience will be the driving factor in determining individual agency premiums, and as a result, costs will shift based on the history and severity of claims. In other words, the safer your agency is, the less you pay and vice versa.

Ms. Cordle stated that CompManagement has been looking at the county's claims and run some preliminary numbers, but we will not know for certain what our premiums will be for 2011 until July. However, a few agencies will increase, and the Engineer's Office will increase significantly.

Commissioner Shupe asked if the increase would be effective January 1, 2011, and Ms. Cordle stated that is correct.

Ms. Cordle stated the nature of the Engineer's work results in more numerous and sometimes significant injuries. Other departments will see decreases in their premiums

due to the nature of their business. Commissioner Shupe stated the Sheriff's Office will also see a rise in their premium.

Mr. Carnechis stated the only question he would have is whether this was a legal use of the Motor Vehicle Fund, as the Revised Code approves using the fund for insurance but he is not sure about this. Commissioner Shupe asked Mr. Dolin if he could look into that issue, and Mr. Dolin stated he would.

Mr. Carnechis stated he has heard from other county engineer offices asking about this issue, and Ms. Cordle stated it is her understanding that some counties have been charging back these costs to the Motor Vehicle Fund already.

Ms. Cordle provided Mr. Anderson with an estimated premium cost for his agency, stating the increase could be as much as \$150,000, but it could also be less.

Ms. Cordle noted that the Engineer's Office is doing a very good job with safety and prevention but unfortunately the nature of the work makes for injuries. Mr. Carnechis stated all they can do at this point is budget for it. Ms. Cordle stated she hopes to have more firm numbers in June and would keep the Engineer updated as information becomes available.

Mr. Carnechis stated that their office appreciates all of the help they receive, and Mr. Shepherd noted that the most recent safety walk through showed improvements being made. Mr. Anderson stated his only concern is to obtain a solid legal answer on the Motor Vehicle Fund.

11:30 a.m. Meeting with Jon Kochis

The Board of Commissioners met with Emergency Management Director Jon Kochis to discuss the county Reverse 9-1-1 system. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Staci Knisley, Bill Gillum, Aundrea Cordle, Jay Shepherd, Jason Dolin and Scott Zody.

Mr. Kochis stated the system is very close to implementation, but he needs to obtain personal cell phone numbers and email addresses from employees so they can be plugged into the system for contacts in the event of an emergency or building closure. There are 1005 employees he needs information on. The MUNIS payroll system can collect that information and import it to the Reverse 9-1-1 database. Mr. Zody stated the issue might be sensitive, asking employees to submit personal information for a public database. Commissioner Shupe stated if the employees understand it is to help them it should not be a problem.

Commissioner Myers stated it is all about getting timely information out to employees, and Commissioner Shupe suggested sending a letter to the elected officials and department heads. Ms. Cordle noted there is a concern about employee's ability to enter the correct information into MUNIS, as some agencies only have one person trained to use the system. Ms. Knisley stated that when MUNIS was first implemented this was supposed to be a piece of that. And Ms. Cordle stated there may be a need to educate department heads and elected officials on the "why".

Mr. Slater stated that as the HR module is used more those files will be filled in. Ms. Cordle stated it is one of many things they are looking to decentralize. Commissioner Kiger stated that to summarize, Ms. Cordle would draft a letter with Mr. Kochis and send to the Commissioners for review.

Commissioner Myers asked Mr. Kochis if he had sufficient available funding to complete the equipment purchase request he had in conjunction with the JFS building renovations, and Mr. Kochis stated he does and is looking at a wireless system for the building that would also tie-in to the county database.

Adjournment

With no further business to come before the Board, on the motion of Judith Shupe and the second of Jon Myers, the Board of Commissioners voted to adjourn at 12:00 p.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Scott Zody, Clerk/Manager

**THE NEXT REGULAR MEETING OF THE BOARD OF COMMISSIONERS' IS
SCHEDULED FOR TUESDAY, JUNE 1, 2010 AT 10:00 A.M.**