

**Regular Meeting #24-2011
Fairfield County Commissioners' Office
May 24, 2011**

Viewing- Hamburg Road Culvert Replacement

Pursuant to Resolution 11-04.26.b *[Approval of the Establishing, Altering, and Widening of Hamburg Road in Hocking Township, Fairfield County, Ohio Declaration of Necessity and Setting a Commissioner Viewing Date of May 17, 2011 at 9:00 a.m. and a Final Hearing Date of May 24, 2011 at 11:00 a.m.]* a Viewing for the Hamburg Road Culvert Replacement Project was held by the Fairfield County Board of Commissioners on Tuesday, May 24, 2011 at 9:06 a.m. The following Commissioners were present: Judith Shupe, Steven Davis and Mike Kiger. Also present were Jeffrey Baird and Branden Meyer. There were no property owners present. The viewing ended at 9:16 a.m.

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, May 24, 2011 beginning at 10:03 a.m., with the following Commissioners present: Mike Kiger, Judith Shupe, and Steven Davis. Also present were Jennifer Boggs, Jason Dolin, and Branden Meyer.

Pledge of Allegiance

Commissioner Kiger asked everyone to rise and led the Pledge of Allegiance.

Announcements

Mr. Meyer stated that a Viewing took place earlier in the morning at 9:00 a.m. regarding a culvert replacement for Hamburg Road and the Hearing will be held at 11:00 a.m.

Public Comment

No comments made.

Approval of Minutes for Tuesday, May 10, 2011

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the minutes for Tuesday, May 10, 2011.

Roll call vote of the motion resulted as follows:

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

Approval of Minutes for Tuesday, May 17, 2011

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the minutes for Tuesday, May 17, 2011.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Steven Davis and Mike Kiger

Abstaining: Judith Shupe

Approval of Minutes from the Elected Official/Department Head Roundtable for Thursday, May 19, 2011

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the minutes for Thursday, May 19, 2011.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Steven Davis and Mike Kiger

Abstaining: Judith Shupe

Approval of the Appointment of the Acting Prosecutor of Fairfield County [Fairfield County Commissioners]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the appointment of the Acting Prosecutor of Fairfield County [Fairfield County Commissioners], see Resolution 11-05.24.a.

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

Approval of FY2012 Community Based Corrections Act Program 407 Subsidy Grant Agreement [Fairfield County Adult Probation]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of FY2012 Community Based Corrections Act Program 407 Subsidy Grant Agreement [Fairfield County Adult Probation], see Resolution 11-05.24.b.

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

Approval of Certification of Job Creation and/or Retention Requirements for Community Development Block Grant Revolving Loan Fund (CDBG-RLF) Program [Fairfield County Economic Development]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of certification of job creation and/or retention requirements for Community Development Block Grant Revolving Loan Fund (CDBG-RLF) Program [Fairfield County Economic Development], see Resolution 11-05.24.c.

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

Approval of Declaration of Necessity of the Taylor Road VIO-43 Bridge Replacement Project [Fairfield County Engineer]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of Declaration of Necessity of the Taylor Road VIO-43 Bridge Replacement Project [Fairfield County Engineer], see Resolution 11-05.24.d.

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

Approval of Engineer's Resolutions

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the following Engineer's Resolutions:

- 11-05.24.e Approval of Submission of Drainage Improvement Estimates [Fairfield County Engineer]
- 11-05.24.f Approval of Advertising for the BER-30, FAI-CR50-3.755 Sugar Grove Road Bridge Replacement Project [Fairfield County Engineer]
- 11-05.24.g Approval of an LPA Federal Project Agreement with ODOT for the Fracture Critical Bridge, Continuous Multi-Span Bridge, and Culvert Load Rating Project [Fairfield County Engineer]

11-05.24.h Approval and Authorization for AT&T to relocate utilities for the VIO-13 Basil-Western Road Bridge Replacement Project [Fairfield County Engineer]

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

Approval of the Purchase of Service Agreement by and Between Fairfield County Job & Family Services and Renita Tawney [Fairfield County Job & Family Services]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the purchase of service agreement by and between Fairfield County Job & Family Services and Renita Tawney [Fairfield County Job & Family Services], see Resolution 11-05.24.i.

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

Approval of a Contract Amendment by and between Fairfield County Job & Family Services (FCJFS) and Winton Transportation, LLC d.b.a. Universal Transportation Systems [Fairfield County Job & Family Services]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of a contract amendment by and between Fairfield County Job & Family Services (FCJFS) and Winton Transportation, LLC d.b.a. Universal Transportation Systems [Fairfield County Job & Family Services], see Resolution 11-05.24.j.

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

Approval of an Account to Account Transfer, Fund 13268900 Adult Community Based Correction Fund [Fairfield County Adult Probation]

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of an account to account transfer, Fund 13268900 Adult Community Based Correction Fund [Fairfield County Adult Probation], see Resolution 11-05.24.k.

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

Approval of Fiscal Resolutions

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the following Fiscal Resolutions:

11-05.24.l Approval to Appropriate from Unappropriated Money Fund 13236500 Probation Services Fund [Fairfield County Adult Probation]

11-05.24.m Approval of the Account to Account Transfer (10202200 Real Estate) [Fairfield County Auditor]

11-05.24.n Approval of an Account to Account Transfer 2060- FCBDD [Fairfield County Board of Developmental Disabilities]

11-05.24.o Approval to Appropriate from Unappropriated Money Clerk of Courts- Computer Fund (2318) [Fairfield County Clerk of Courts]

- 11-05.24.p Approval of an Account to Account Transfer- Clerk of Courts Title Department (2326 Title Fund) [Fairfield County Clerk of Courts]
- 11-05.24.q Approval of an Account to Account Transfer- Fairfield County Commissioners/Maintenance [Fairfield County Commissioners]
- 11-05.24.r Approval of the Quarterly Report for the Fiscal Year 2008 Neighborhood Stabilization Program (NSP) completed May 2011 [Fairfield County Community Action]
- 11-05.24.s Approval of the Repayment of an Advance to the General Fund- Lateral A Ditch Maintenance Fund #2055 [Fairfield County Commissioners]
- 11-05.24.t Approval to Appropriate from Unappropriated #2735 FY09 State Homeland Security Program [Fairfield County EMA]
- 11-05.24.u Approval to Appropriate from Unappropriated Funds, Motor Vehicle Fund 2024, the County Engineer [Fairfield County Engineer]
- 11-05.24.v Approval of the Account to Account Transfer- #7521- Fairfield County Family, Adult & Children First Council [Fairfield County Family, Adult & Children First Council]
- 11-05.24.w Approval of the Account to Account Transfer- General Fund [Fairfield County Major Crimes Unit]
- 11-05.24.x Approval of the Account to Account Transfer- General Fund #23100101 [Fairfield County Sheriff]
- 11-05.24.y Approval of the Account to Account Transfer- Sheriff's Office Weights (Road & Bridge) Fund [Fairfield County Sheriff]
- 11-05.24.z Approval of the Amended Certificate, Update Receipt Lines & Appropriate from Unappropriated FY10 JAG Grant (2709) [Fairfield County Sheriff]
- 11-05.24.aa Approval of the Repayment of an Advance to the General Fund- CFLP Litter Prevention- Fund #2394- Fairfield County Sheriff [Fairfield County Sheriff]
- 11-05.24.bb Approval of the Extension of Repayment of Advance From the General Fund to the Bullet Proof Vest Grant Fund #2766- Fairfield County Sheriff [Fairfield County Sheriff]
- 11-05.24.cc Approval of Authorization for Payment of Debt Service, Paid by Wire, Dated June 1, 2011 [Fairfield County Commissioners]

Roll call vote of the motion resulted as follows:

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

Approval of Authorization for Payment of Bills for May 24, 2011

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of authorization for payment of bills for May 24, 2011 [Fairfield County Commissioners], see Resolution 11-05.24.dd

Roll call vote of the motion resulted as follows:

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

The Regular Meeting ended at 10:11 a.m.

Review Session

The Board of Commissioners met at 10:16 a.m. to review legal issues, pending and future action items and correspondence. Commissioners present were Steven Davis and Mike Kiger. Also present were Jennifer Boggs, Carl Burnett, Jason Dolin, , Ed Laramée, Gregg Marx, Branden Meyer, and Jon Slater.

I. PENDING ITEMS

Legal Questions Under Review and Prosecutor's Pending Items

- **Agreement between the Sheriff's Office and Camp Reams- ODAS was due to receive the lease from ODRC last week.**

Mr. Dolin stated that the holdup is ODAS.

Mr. Meyer stated that he would follow up with Bob Blair, Director of ODAS.

Mr. Dolin stated that he would like to have an Executive Session at next week's meeting to discuss the ERAC permit litigation.

- **Dog Adopters Liability Release**

Mr. Dolin stated that he sent the information to CORSA and they are satisfied with the release.

- **Big Cat Reserve on Hamburg Road- Commissioner Kiger received a phone call from a resident regarding this**

Commissioner Kiger stated that he will follow up with Sheriff Phalen regarding this.

Other Pending Items

- **Pitney Bowes Meeting/Postage Savings/ Elected Official and Department Head Mail Procedures**

Mr. Meyer stated that Flo Brimstein and Theresa Haynes and Randy Carter met with the Clerk of Courts office and Job & Family Services to discuss mail procedure. Ms. Haynes reported that both offices were. She also stated that the Clerk of Courts office bills \$10.00 for each certified mail that they mail out.

II. ITEMS THAT NEED NEW ACTION/ATTENTION

Requests/Review

- **Memo received from Fairfield County Airport Board, re: Change of Operation and Funds Request**

Commissioner Kiger stated that the airport is requesting assistance purchasing fuel. If they purchase 8,000 gallons, they can save 50 cents per gallon.

Commissioner Shupe questioned whether the county could have a few cents on their fuel sales to help offset costs. She asked what their intent is.

Commissioner Kiger asked to have this issue placed on review for next week's meeting and he will ask Mr. Scheffler to come to next week's meeting.

Mr. Slater stated that Mr. Scheffler will be out of town for the next few weeks.

Commissioner Kiger stated that he will contact Mr. Scheffler prior to him leaving.

Commissioner Davis asked about the board recommendations.

Commissioner Kiger stated that Mr. Scheffler recommended Curt Lape.

Commissioner Shupe was of the opinion that if more than one person is interested in serving on the board that the Commissioners announce the vacancy and collect resumes.

Commissioner Kiger stated that Oran Hoover resigned on December 31.

Commissioner Shupe asked whether the Commissioners were made aware of this.

Commissioner Kiger stated that the Commissioners did not receive a letter of resignation.

Commissioner Shupe stated that she felt that maybe Mr. Burnett could write an article and mention the board vacancy in the article.

Mr. Burnett asked who the Manager of the airport is.

Commissioner Kiger stated he could not remember his name.

Commissioner Davis agreed that the vacant board position could be announced.

Mr. Slater stated that he had been contacted by Mr. Scheffler and Brian Kuhn regarding a merchant service agreement. They need to work out the details regarding how the pay ins will be handled. He also stated that there was a card swipe agreement with the Fixed Based Operator (FBO), not the airport.

▪ **Notice received from Ohio Department of Job and Family Services, re: ODJFS Audit Report by the Executive Audit Committee**

Mr. Meyer stated that he had spoken to Carri Brown regarding this and JFS has taken care of the request from ODJFS. Ms. Brown had provided a copy of the response to Mr. Meyer last week.

▪ **Request for letter of support, re: Prosecutor's Office Victim/Witness Division Grant Request**

Commissioner Kiger asked Ms. Boggs what the increase is from last year.

Ms. Boggs stated that the increase is about \$5,000 more. She stated that they need to purchase some computer equipment, so she is being more proactive with this request.

Commissioner Kiger asked whether the other Commissioners had any questions. Commissioners Shupe and Davis did not have any questions.

Mr. Meyer will write a letter of support for the grant request.

Ms. Boggs stated that the deadline is June 24.

Invitations

▪ **Meet and Greet, Special Olympics Ohio Bicycle Ambassador- Wednesday, June 15 (6:00 p.m.). Location: County Courthouse steps.**

This event will be placed on the Commissioners calendar in the event that they are able to attend.

▪ **RentAWreck Ribbon Cutting Ceremony- Tuesday, June 14 (11:30 a.m.). Location: 509 S. Broad Street, Lancaster.**

This event will be placed on the Commissioners calendar in the event that they are able to attend.

▪ **Military Veterans of Olivedale Fish Fry- Thursday, June 23 (5:30 p.m.- 7:30 p.m.). Location: VFW 1380, 1311 Sugar Grove Road, Lancaster. Meal is \$8.00 per person.**

This event will be placed on the Commissioners calendar in the event that they are able to attend.

▪ **First Friday Walk-a-bout, Friday, June 3 (5:00 p.m.- 8:00 p.m.). Location: Decorative Arts Center, Ohio Glass Museum, Sherman House, Georgian Museum, and Art and Clay on Main. Admission is free.**

This event will be placed on the Commissioners calendar in the event that they are able to attend.

Informational

▪ **Memo received from The Lighthouse, Inc. re: Release of Marriage License and Divorce Fees**

Commissioner Kiger stated that Ms. Knisley will take care of this when the funds are released.

▪ **Memo received from Brian Kuhn, re: Fairfield County Treasurer Monthly Inventory and Portfolio Report for April**

**Additional Items Added During Review Session*

▪ *Miracle Field**

Commissioner Kiger stated that he attended a meeting with Lancaster City Parks Department, Tony Vogel and Perry Orndorff regarding the Miracle Field. He stated that a parcel of land off of Ety Road was offered as a potential site.

Commissioner Davis asked whether Miracle Field is for children with disabilities.

Commissioner Kiger stated that it is for both children and adults with disabilities.

▪ *Solid Waste District Board Meeting**

Commissioner Shupe stated that the location for the Solid Waste Board Meeting scheduled for Friday, May 27 has changed to be held at The Barn at Backwoods in Thornville.

▪ *Correspondence Received Regarding Utility Fees**

Commissioner Shupe received correspondence regarding a utility fee that was imposed for backflow devices.

Mr. Meyer stated that Mr. Vogel stated that the fee was imposed only on properties with backflow devices, not all properties.

Mr. Laramie stated that this was a requirement when some neighborhoods connected to county water. He asked whether the Commissioners have taken action to adopt these fees and whether a notice was sent out.

Commissioner Davis made reference to a cost analysis and asked whether the cost is married in 3 years and whether the fee drops off in the 4th year.

Mr. Vogel stated later that the fee is there as long as the backflow device is needed.

The Review Session ended at 10:45 a.m.

Hearing- Hamburg Road Culvert Replacement

Pursuant to Resolution 11-04.26.b [*Approval of the Establishing, Altering, and Widening of Hamburg Road in Hocking Township, Fairfield County, Ohio Declaration of Necessity and Setting a Commissioner Viewing Date of May 24, 2011 at 9:00 a.m. and a Final Hearing Date of May 24, 2011 at 11:00 a.m.*] a viewing for the Hamburg Road Culvert Replacement was held by the Fairfield County Board of Commissioners on Tuesday, May 24, 2011 at 9:00 a.m. Commissioner Kiger called the hearing to order at 11:03 a.m., with the following Commissioners present: Judith Shupe, Steven Davis and Mike Kiger. Also present were Jeffery Baird and Branden Meyer. There were no property owners present.

Mr. Baird stated that this culvert must be replaced prior to repaving the road. The culvert is going to be relocated to head into the existing stream. This may require a right of way, but hope that it does not.

Commissioner Kiger asked how long the road will be closed.

Mr. Baird stated that there will be a 1-2 week construction period.

Commissioner Kiger asked about the start date.

Mr. Baird stated that this project has not been surveyed yet, but will be completed during this construction season, which is April until November. They will then be able to pave the road the following year.

Commissioner Kiger asked whether the other two Commissioners had any other questions.

Commissioners Shupe and Davis did not have any comments.

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted to adjourn from the Hearing at 11:05 a.m.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Steven Davis and Mike Kiger.

Meeting with Ed Laramee and Dennis Schwalle

At 11:19 a.m., the Commissioners met with Ed Laramee, Chief Deputy Auditor and Dennis Schwalle, Bond Counsel for Fairfield County. The Commissioners present were Judith Shupe, Steve Davis, and Mike Kiger. Also present were Jason Dolin, Branden Meyer, and Jon Slater.

Mr. Schwalle stated that he has served as the Bond Counsel for 30 years. He said that Ohio is a fiscally conservative state and cannot run deficits. He stated that the county can borrow for any permanent improvement, which is decided upon by the Auditor.

Commissioner Shupe asked as an example if the wall in front of the Decorative Arts Center could be considered an improvement for this purpose.

Mr. Schwalle stated that the Auditor would decide this.

Commissioner Davis stated that Mr. Meyer is going to restart the Public Safety Committee and the cost estimates for a new jail run from \$35 million, \$25 million or \$10 million. He stated that it is important to understand the possibilities of that the county can do.

Mr. Schwalle stated that the General Assembly places the limits on the counties. Jails are exempt from this. He stated that indirect debt limits are specified in a Constitutional provision and there is a \$10 million limitation.

Commissioner Davis asked who assumes the debt.

Mr. Schwalle stated that cities, villages, schools and solid waste districts all assume debt. He stated that the county can build a fairly large jail with no problem financially.

Commissioner Davis asked about the borrowing capacity.

Mr. Laramee stated that if the county is fully extending itself, that you should get nervous when it gets to 8 mills.

Mr. Schwalle stated that Fairfield Union had to refinance.

Commissioner Davis stated that when SCI is up and running, the county will have three separate jail facilities at \$5.3 million in operating costs. He stated that the jails are very old. He also asked if the county builds a new facility with 400 beds, then the manpower is not the same, so operationally the county can open the new prison at \$3 million.

Mr. Laramee stated that the county would want to use the county's debt service instead of the city's debt service for the municipal court.

Commissioner Davis asked what was included in the plan for the \$35 million new facility.

Mr. Laramee stated that the Sheriff's office, 911 and the jail would all be housed in the new facility.

Commissioner Davis asked whether the courts will be located in the facility as well.

Mr. Laramee stated that the courts were not included in the plans.

Commissioner Davis asked if the county has had discussion with Fairfield Union regarding

Commissioner Shupe stated yes and that it was recommended that they revert to an income tax.

Commissioner Davis asked whether any part of the debt can be “backed.”

Mr. Laramée stated that two issues.

Mr. Schwalle stated that he can structure for the county. “Back loading” as long as any year is not three times more than any other year. He stated that counties can borrow, backed by sales tax that would be outside the \$10 million limit.

Commissioner Davis stated that he is willing to take on debt to lower operational costs to operate one jail instead of three separate facilities.

Mr. Laramée stated that with the pod system jail can be manned with the same number of staff because of the new jail setup.

Commissioner Shupe stated that the operational costs need to be in place first.

Commissioner Davis stated that the facility that will house 50% more prisoners.

Mr. Laramée stated that the debt service is the cheapest thing overtime.

Mr. Dolin stated that he took a tour of jail in Mansfield and he was told that the jail was full of prisoners the day it opened.

Mr. Laramée stated that the county can sell space in a new jail to other counties and watch more prisoners with the same number of staff as in the current old jails.

Commissioner Davis stated that it may take \$5.2 million to operate jails, then take \$30 million debt, he is not seeing a savings.

Mr. Schwalle has never worked on taking three jails and combining them into one before.

Mr. Laramée stated that the county should not go into this without an expectation of savings and the county is in a good financial situation. He is not sure what the savings are.

Commissioner Shupe stated that there will be some savings to the county.

Mr. Laramée stated that the county may not be savings, but will keep the dollars in county.

Commissioner Davis stated that maintaining the current General Fund options, the county has the capacity to borrow. He stated that Fairfield Union may need to be squeezed.

Mr. Laramée stated that there are two issues, the method of funding and how the market looks at it and then the operation, how to structure the facility.

Commissioner Davis stated that if there is a path that everyone agrees with would be best. Also, unless the county does something with the General Fund, there will not be enough money to pay for the jail and operate it.

Mr. Laramée stated that the county cannot sell another bond issue.

Commissioner Davis stated that in the General Fund if the difference is \$2 million, then it will cost \$2 million more a year to operate one jail instead of three jails.

Mr. Laramée stated that it will save the difference that you are spending outside the county. He also stated that SCI cannot be closed until it is replaced with the new facility. For all practical purposes, the county cannot take a step backwards. Mr. Laramée stated that with sales tax increases, they must go in quarter points, which can

be sent where it is needed. The quarter percent need to be preserved to protect the county from the state cuts.

Commissioner Davis stated that the county is managing, but from a policy standpoint the county will have to raise revenues.

Mr. Laramée stated that if we have new facilities, the county will not be able to spend some of the money that the county is planning on spending now.

Commissioner Davis stated that operating three jails is a problem.

Commissioner Shupe stated that she agrees and felt that the problem is coming to a consensus of a decision on where the jail should be built.

Mr. Laramée stated that the county can cover the debt service and have money to put towards operation.

Commissioner Davis asked what the most critical thing to think about is.

Mr. Schwalle stated that Ohio law provides a lot of guidance on what you are permitted to do. He said that the county needs to decide where they are paying the amount back from and he is glad that the discussion is happening now. He also stated that finance is more art than science, and the county will have to find its comfort zone. He stated that it is a legal issue; Fairfield County has very little debt for a county its size. He heard that operating a jail will be the largest part of the cost.

Mr. Laramée stated that sales tax is tied to revenue.

Commissioner Davis asked whether there would be more of a comfort level if the sales tax increase was made permanent.

Mr. Laramée stated yes, and the issue could go to the voters to decide.

Commissioner Shupe stated that the Sheriff would most likely

Mr. Laramée stated that the state is "pushing back," like the recent Supreme Court decision stating that the counties have to "provide humane conditions" in the jails.

Mr. Schwalle stated that the federal tax laws allow the counties to designate money, which is a non-voted, direct limit. The county has a lot of capacity to borrow money. The water and sewer debt is exempt, because it is sales tax supported debt.

Mr. Dolin asked what the county's assessed valuation is.

Mr. Laramée stated that the amount is around \$3.4 billion.

The meeting ended at 12:18 p.m

Meeting with Julie Parke and James Aranda

At 1:11 p.m., the Commissioners met with Julie Parke, Executive Director of the Decorative Arts Center of Ohio (DACO) and James Aranda, DACO Board President. The Commissioners present were Judith Shupe, Steve Davis, and Mike Kiger. Also present were Jason Dolin, Branden Meyer, and Tony Vogel.

Mr. Aranda stated that the issue of the wall in front of the DACO is of significant concern to everyone. He stated that he is the current President of the Board, this year and has served on the Board since April 2009. The DACO would like the wall repaired from the lower end to the steps. They received an estimate from Shaw & Holter, Inc. for \$129,394. The cost for the lower portion of the wall is \$45,025 and the cost of having the steps repaired is \$31,900. Mr. Aranda spoke with Mr. Shaw and he stated that his company could be ready to begin construction in August 2011.

Commissioner Davis asked whether the cost in the estimate will be the same.

Mr. Aranda stated that he was told the estimate is the same cost, or close to it.

Commissioner Davis asked why prevailing wage is an issue.

Mr. Vogel stated that the project must be bid out.

Commissioner Davis asked whether the county could make a donation to the DACO, then they can use the money for what purpose they would like to. He asked if the project is bid out how long it will take.

Mr. Vogel stated that the approximate time would be 6 weeks.

Commissioner Davis stated that the estimate states that the stones cannot be reused.

Ms. Parke stated that come cannot be reused.

Commissioner Davis asked how soon Mr. Dolin could let the Commissioners know whether a donation could be made to the DACO to do with it what they want.

Mr. Dolin stated he would have the answer at the next week's Commissioners' meeting.

Ms. Parke stated that she spent a lot of time in Kentucky at a government owned property. She stated that preservation projects have more flexibility than other construction projects.

Mr. Aranda suggested instead of a donation, that the county and the DACO should enter into an agreement for the county to give money to the DACO to make their repairs. He felt that the agreement should be styled to state that the county's responsibility was fulfilled or possibly add it to the lease agreement.

Mr. Dolin stated that the repair is the obligation of the county.

Commissioner Davis asked what is the most efficient, economical way to solve the problem of the wall repairs.

Ms. Parke stated that in Kentucky, the county made contributions to projects that were not bid out.

Commissioner Davis stated that if this must be bid out, then there needs to be a plan in place.

Mr. Dolin asked whether there have been other estimates.

Ms. Parke stated that they received an estimate from Durable Slate Inc., then Shaw & Holter, Inc. Shaw Holter, Inc. repaired the wall at the American Legion. Hardlines Design also sent a bid for \$250,000, but DACO cannot locate a copy of the old estimate and the company cannot find a copy either.

Mr. Vogel stated that to eliminate the safety hazard as an "easy fix" the wall could be tied back, but it would not be aesthetically done, it would just hold the wall back. He felt that even if the wall is taken down and rebuilt that it should be tied back regardless.

Commissioner Davis stated that the county owns the property, so it is the county's responsibility. If there is a cost of \$50,000 to just tie it back and then \$75,000 to both make it look better and tie it back, then should make the full repair. He said that this is about the county's property and the county's wall and does not want it falling down. He stated that he would like to have the specs and bids sent.

Mr. Vogel stated that there are two issues, the first being total restoration and the other is tying the wall back.

Ms. Parke stated that Brad Fragrell, Lancaster City Engineer could provide some figures related to the cost.

Mr. Vogel stated that he will have a timeline for the Commissioners at Tuesday's meeting.

The meeting ended at 1:37 p.m.

Swearing in Ceremony for Gregg Marx

At 1:38 p.m., the Commissioners attended the Swearing in Ceremony for Gregg Marx, who was sworn in as Acting Prosecutor until he received his Commission from the Governor's Office. Commissioners present were Judith Shupe, Steve Davis, and Mike Kiger. Also present were many individuals from the Prosecutor's Office and other county staff.

Domestic Relations Court Judge Kathy Mowry administered the Oath of Office to Mr. Marx.

Mr. Marx expressed his thanks and stated that it will be an honor to serve as County Prosecutor.

The ceremony ended at 2:14 p.m.

Adjournment

With no more business to discuss, on the motion of Steven Davis and a second of Judith Shupe, the Board of Commissioners voted to adjourn at 2:15 p.m.

Roll call vote on the motion resulted as follows:

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

The next regular meeting of the Board of Commissioners is scheduled for Tuesday, May 31, 2011 at 10:00 a.m.

Motion by: Judith Shupe Seconded by: Steven Davis

that the minutes were approved by the following vote:

YEAS: Judith Shupe, Steven Davis, Mike Kiger NAYS: None

ABSTENTIONS: None

*Approved on May 31, 2011

Mike Kiger
Commissioner

Judith K. Shupe
Commissioner

Steven A. Davis
Commissioner

Branden C. Meyer, Clerk