

**Regular Meeting #31-2011  
Fairfield County Commissioners' Office  
July 12, 2011**

**Commissioners' Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, July 12, 2011 beginning at 10:01 a.m., with the following Commissioners present: Judith Shupe, Steven Davis, and Mike Kiger. Also present were Jeff Barron, Aunie Cordle, Jason Dolin, Mary Beth Lane, and Branden Meyer.

**Pledge of Allegiance**

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

**Announcements**

Mr. Meyer stated that two petitions to vacate alleys along South Bank Road were filed on June 30, 2011 by Andrew Wolfe, agent for the petitioners.

**Public Comment**

No public comments made.

**Approval of Minutes for Tuesday, June 28, 2011**

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the minutes for Tuesday, June 28, 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, July 5, 2011**

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the minutes for Tuesday, July 5, 2011.

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

**Approval of Adoption of Tax Budget for Fiscal Year 2012 [Fairfield County Commissioners]**

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the Approval of Adoption of Tax Budget for Fiscal Year 2012 [Fairfield County Commissioners], see Resolution 11-07.12.a.

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

**Approval of Mileage Reimbursement Rate [Fairfield County Commissioners]**

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the approval of the of mileage reimbursement rate [Fairfield County Commissioners], see Resolution 11-07.12.b.

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

### **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:

- 11-07-12.c                      Approval of Contract Bid Award for the BER-30, FAI-CR50-3.755 Sugar Grove Bridge Replacement Project [Fairfield County Engineer]
- 11-07.12.d                      Approval of the Renaming of a Section of Crooks Road (CR28) to Meister Road (CR28) [Fairfield County Engineer]

Roll call vote of the motion resulted as follows:

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

### **Approval of a Participation Agreement with County Commissioners Association of Ohio Service Corporation (CCAOSC) and Fairfield County Job & Family Services Child Support Enforcement Agency (CSEA), during State Fiscal Year 2012 (July 1, 2011 through June 30, 2012) [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 participation agreement with County Commissioners Association of Ohio Service Corporation (CCAOSC) and Fairfield County Job & Family Services Child Support Enforcement Agency (CSEA), during State Fiscal Year 2012 (July 1, 2011 through June 30, 2012) [Fairfield County Job & Family Services], see Resolution 11-07.05.e.

Roll call vote of the motion resulted as follows:

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

### **Approval of Development Agreement for the Nutter Subdivision- Phase 1 (Bremen Dollar General) [Fairfield County Regional Planning Commission]**

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted to table the approval of development agreement for the Nutter Subdivision- Phase 1 (Bremen Dollar General) [Fairfield County Regional Planning Commission], see Resolution 11-07.12.f.

Roll call vote of the motion resulted as follows:

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

### **On the Removal from the Table, the Approval of the Agreement with OEPA for funds to Repair or Replace Failed Household Sewage Treatment System (HSTS) [Fairfield County Utilities]**

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the removal from the table, the approval of advance from the General Fund to the FAA- FY2010 Fund #3011- Subfund #8000- Fairfield County Airport/Commissioners [Fairfield County Airport], see Resolution 11-07.05.i.

Roll call vote of the motion resulted as follows:

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

### **On the Approval of the Agreement with OEPA for funds to Repair or Replace Failed Household Sewage Treatment System (HSTS) [Fairfield County Utilities]**

On motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted on the the approval of advance from the General Fund to the FAA- FY2010 Fund #3011- Subfund #8000- Fairfield County Airport/Commissioners [Fairfield County Airport], see Resolution 11-07.12.g.

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:

- 11-07.12.h Approval of Account to Account Transfer- Fairfield County Commissioner/Maintenance [Fairfield County Commissioners]
- 11-07.12.i Approval of Advance from the General Fund to the CDBG/Homelessness Prevention FY2010 Fund #2730- Fairfield County Commissioners [Fairfield County Commissioners]
- 11-07.12.j Approval to Amend the Certificate, Update Receipts and Appropriate from Unappropriated- NSP1 Fund #2748- Fairfield County Commissioner [Fairfield County Commissioners]
- 11-07.12.k Approval of Request for Payment and Status of Funds Report- FY2010 CDBG Funds- Drawdown #265 [Fairfield County Commissioners]
- 11-07.12.l Approval to Appropriate from Unappropriated Money Fund 13268900 Adult Community Based Correction Fund [Fairfield County Adult Probation]
- 11-07.12.m Approval of Account to Account Transfer- Clerk of Courts Title Department (2326 Title Fund) [Fairfield County Clerk of Courts]
- 11-07.12.n Approval of Account to Account Transfer- Clerk of Courts Title Department (2326 Title Fund) [Fairfield County Clerk of Courts]
- 11-07.12.o Approval of Account to Account Transfer- EMA 2707 Emergency Management Performance Grant [Fairfield County EMA]
- 11-07.12.p Approval of Account to Account Transfer- EMA 2735 State Homeland Security Grant 2774 Hazard Mitigation Grant [Fairfield County EMA]
- 11-07.12.q Approval of Amended Certificate, Update Receipt, Increase Appropriation, Account to Account Transfer and Fund to Fund Transfer of Levy 2362 to OPWC Fund 3434 (Local), the County Engineer [Fairfield County Engineer]
- 11-07.12.r Approval to Appropriate from Unappropriated Bridge & Road Levy Fund (2362), the County Engineer [Fairfield County Engineer]
- 11-07.12.s Approval to Appropriate from Unappropriated Funds, Motor Vehicle Fund 2024, the County Engineer [Fairfield County Engineer]
- 11-07.12.t Approval to Appropriate from Unappropriated Funds, SA Ditch Maintenance, the County Engineer [Fairfield County Engineer]
- 11-07.12.u Approval of Account to Account Transfer- #7521- Fairfield County Family, Adult & Children First Council [Fairfield County Family, Adult & Children First Council]
- 11-07.12.v Approval to Appropriate from Unappropriated Money (#7521- FAF Council) [Fairfield County Family, Adult & Children First Council]
- 11-07.12.w Approval of Account to Account Transfer of Appropriations- Public Assistance Fund- Fairfield County Job & Family Services [Fairfield County Job & Family Services]

- 11-07.12.x Approval of Account to Account Transfer of Appropriations- Public Assistance Fund- Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.y Approval to Appropriate from Unappropriated Funds- Fund #2015, Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.z Approval to Appropriate from Unappropriated Funds and Account to Account Transfer of Appropriations- Fund #2018, Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.aa Approval to Appropriate from Unappropriated Funds- Fund #2072, Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.bb Approval of Memo of Expenditure- Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.cc Approval of Memo of Expenditure- Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.dd Approval of Memo of Expenditure- Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.ee Approval of Memo of Expenditure- Fairfield County Job & Family Services [Fairfield County Job & Family Services]
- 11-07.12.ff Approval of Amended Certificate & Request for Appropriations for Additional Unanticipated Receipts (2628- Family Drug Court) [Fairfield County Juvenile Court]
- 11-07.12.gg Approval of Account to Account Transfer- Sheriff's Office Edward Byrne Memorial Justice 09 JAG Grant Fund [Fairfield County Sheriff]
- 11-07.12.hh Approval of Account to Account Transfer- 9-1-1 Wireless Fund 12268300 [Fairfield County Sheriff]
- 11-07.12.ii Approval of Repayment of an Advance to the General Fund- Bullet Proof Vest Grant- Fund #2766- Fairfield County Sheriff [Fairfield County Sheriff]

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 July 12, 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, July 12, 2011 [Fairfield County Commissioners], see Resolution 11-07.12.jj.

Roll call vote of the motion resulted as follows:

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

The Regular Meeting ended at 10:12 a.m.

**Review Session**

The Board of Commissioners met at 10:18 a.m. to review legal issues, pending and future action items and correspondence. Commissioners present were Judith Shupe, Steven Davis, and Mike Kiger. Also present were Jeff Barron, Aunie Cordle, Jason Dolin, Mary Beth Lane, and Branden Meyer.

## I. PENDING ITEMS

### Legal Questions Under Review and Prosecutor's Pending Items

- **Agreement between the Sheriff's Office and Camp Reams- Mr. Dolin is waiting on the management agreement to be sent back from ODRC.**

Mr. Dolin stated that the lease has been completed and the county is waiting on the management agreement from ODRC.

### Other Pending Items

- **DACO Wall Repair- Estimate received from Schooley Caldwell Associates**

Commissioner Davis stated that Mr. Vogel stated that this number is encouraging. This contractor is the contractor that the DACO Center wanted because they would fix the wall in a historically accurate way.

Commissioner Kiger stated that the Commissioners will wait to discuss this with Mr. Vogel after he returns from vacation.

- **Key Card Access to Courthouse- Estimate received from Acree Daily**

Commissioner Kiger stated that the estimate is \$15,000, which is higher than originally thought due to the type of mechanism that heavy first floor doors would require.

Commissioner Davis stated that Mr. Vogel stated he is trying to get a lower quote.

- **Vending Machines in County Buildings**

Mr. Dolin stated that he made changes to Mr. Vogel's draft version.

- **Fire Alarms in Courthouse.**

Mr. Meyer stated that the City Fire Inspector's Final Inspection was completed on July 11, 2011.

- **MCU Property**

Mr. Meyer stated that the Muskingum County Commissioners discussed this at their meeting on July 11, 2011.

Commissioner Davis asked whether we would have to publish an additional notice removing the minimum bid requirement or whether we could sell the property outright.

Mr. Dolin stated that we may have to send out another notice.

Commissioner Shupe stated that the county should wait to see whether Muskingum County has any interest before offering it to the individual who expressed an interest.

## II. ITEMS THAT NEED NEW ACTION/ATTENTION

### Requests/Review

- **Memo received from State Auditor, re: Suggested Change to County Personnel Policy Manual regarding expense reimbursement**

Ms. Cordle asked whether there was a problem.

Mr. Meyer stated that the memo came from the State Auditor's office and stated there was an office that had submitted receipts that could not be reimbursed.

Commissioner Shupe asked which office it was.

Mr. Meyer stated that it was the Clerk of Courts' office.

Ms. Cordle stated that her concern is if the policy is made too strict then someone could have legitimate meal reimbursements and you would be "boxed in" because the policy would not allow for reimbursement.

- **Group Purchasing through Amerinet**

Mr. Meyer stated that he, Commissioner Kiger met with Mina Ubbing and a representative from Amerinet last week. The meeting was to discuss joining the group purchasing through Amerinet; there is no fee to join and no minimum that you must purchase. He stated that Ms. Ubbing stated that she prefers Amerinet because of their professionalism and integrity. She had stated that they have thousands of vendors that they have agreements with and allow the hospital to purchase from local vendors.

Commissioner Davis asked Mr. Dolin to look at the confidentially agreement.

Ms. Cordle asked whether this would be done county wide.

Commissioner Kiger stated that if the Commissioners decide to join Amerinet that it would be encouraged, but any county office could use them or not use them if they choose.

**▪ Building Security Alarm Notification**

Mr. Meyer stated that all of the county building's alarms ring differently, i.e. if an alarm goes off at the jail, it rings the security company, which rings Lancaster Police Department and then notifies the Sheriff's Office. He stated that Mr. Vogel stated that there could be cost savings if the alarms could go directly to the law enforcement office.

Commissioner Shupe stated that protocol dictates that the Lancaster Police Department is notified.

Commissioner Kiger recommended talking to Mr. Vogel after he returns from vacation.

**Invitations**

**▪ Lancaster Festival Welcome Picnic- Tuesday, July 19 at 5:30 p.m. at OU-L**

Commissioner Shupe and Kiger stated that they will be attending. Commissioner Davis will be unavailable to attend.

**Informational**

**▪ Memo received from Carri Brown, re: Letter received from ODJFS- Initial County Share of Public Assistance Expenditures Mandated Share State Fiscal Year 2012.**

*\*Additional Items Added During Review Session*

**▪ Miscellaneous Discussion Items\***

Commissioner Kiger stated that he has an upcoming meeting with Col. Tom Moe to discuss getting a Veterans Advisor for OU-L.

Ms. Lane asked what happened to Commissioner Davis' foot.

Commissioner Davis stated that he broke it and jokingly stated that Commissioner Kiger ran over it.

Commissioner Shupe jokingly stated that she was a witness.

Ms. Cordle stated that she has a WIA agreement for the Commissioners to sign.

The Review Session ended at 10:44 a.m.

**Meeting with Sheriff Phalen**

At 11:07 a.m., the Commissioners met with Sheriff Dave Phalen. The Commissioners present were Judith Shupe, Steve Davis, and Mike Kiger. Also present were Jeff Barron, Marc Churchill, Jason Dolin, Elisa Dowdy, Phil Johnson, Mary Beth Lane and Alex Lape, Branden Meyer Jerry Perrigo, and Tim Voris.

Sheriff Phalen thanked the Commissioners for the opportunity to share his budgetary information with the Commissioners. He stated that these are dire times for the Sheriff's Office. The Sheriff stated that each department head will speak about their department.

**-Sgt. Marc Churchill, Communications Supervisor/911 Coordinator-**

Sgt. Churchill discussed the 911 calls. He stated that the calls keep increasing. In 2009, there were 2063.16 calls per month, in 2010 there were 2238.41 calls per month. He stated 2 years ago that they received a high rating for their dispatchers. He discussed the staffing- for Day Shift (7:00 a.m.-3:00 p.m.), there are 5 dispatchers; for Second Shift (3:00 p.m.-11:00 p.m.) there are 5 dispatchers; and for Third Shift (11:00 p.m.-7:00 a.m.) there are 3 dispatchers.

Commissioner Kiger asked whether sick time and vacation are counted into this staffing.

Sgt. Churchill stated that this is counted. He stated that if this staffing goes below these numbers then they have to use overtime staff to fill these positions.

Commissioner Davis asked about running 24 person hours.

Sgt. Churchill stated that they account for one person off every day. He stated that he can email the work schedule to the Commissioners. He stated that there are 13 staff total. He stated that medical dispatchers is expected, but cannot because of low staffing. The dispatchers should be able to give basic first aid/medical support on the phone while they are waiting for the ambulance to arrive. He stated that Perry County's dispatchers do this currently. The minimum staffing is 4 for First Shift, 3 for Second Shift and 3 for Third Shift.

*-Sgt. Alex Lape, Supervisor, Detective Bureau-*

Sgt. Lape stated discussed the staffing numbers for the Detective Bureau. He stated that in 2005, there were 10 Detectives, with 2 Supervisors, there are now 4 and 1. Pickaway County with a third of our population has 4 Detectives and 2 Supervisors. He stated that in 2010, 676 cases were assigned in 2004, there were 1101 cases assigned; there are now 400 less cases getting a follow up. He stated that TYD there have been 270 cases assigned for 2011. He stated that the 10 homicides that Fairfield County has had have all been solved.

*-Lt. Tim Voris, Road Commander-*

Lt. Voris discussed the Patrol Unit. He stated that the he becoming harder to do their jobs because of manpower. They need more personnel. He stated that they used to have 3 K-9 units and now have only one. The DARE unit was also eliminated. He stated that the court security has been cut down to one position- Jeff Marvin. He stated that since 2000, the county has grown 16% and the Sheriff's Office has decreased. He stated that the budget is half the size of other counties our size, i.e. Licking and Delaware. He asked for help increasing the Sheriff's Office personnel.

Commissioner Davis asked him to explain the flow of cases to the Detective Bureau.

Sgt. Lape stated that usually a citizen calls in; the Patrol unit goes out to take the complaint. The reports are reviewed and then assigned to the Detective Bureau.

Commissioner Davis asked whether there is any other method by which cases go to the Detective Bureau.

Sgt. Lape stated that they receive referrals from Job and Family Services, usually domestic cases.

Commissioner Davis asked whether Patrol does "leg work" for the Detective Bureau.

Sgt. Lape stated that there is coordination between the two departments. If the Detective Bureau has a case with missing information, they go back to Patrol for additional information.

Lt. Voris stated that both departments work very well together. He stated that ther Sheriff's Office will be down 3 more people by the end of the year. The current response time is 13 minutes. They are averaging 70% of time is spent handling calls, with little time left to patrol.

*-Phil Johnson, Jail Administrator-*

Mr. Johnson stated that it is "hard to put into words the problems that the jail staff has." They have bad jail facilities with little staff. They do not have the proper number of staff to supervise the number of prisoners that the county has. He stated that the average daily population in 2001 was 105 and in 2010 it was 231. They are sending many prisoners out of county due to there being no room in the two jails. The Courts call on short notice to request prisoners come to court, which puts stress on the staff to transport and watch the prisoners in the jail. He also stated that the number of prisoners booked into jail is also increasing: in 2004 there were 4170 and in 2010 there were 4669 bookings. The average daily population is also increasing, many prisoners have health problems. He stated that they must have the proper facilities and staff to control and supervise the inmates.

*-Jerry Perrigo, Chief Deputy Sheriff-*

Chief Perrigo discussed the civilian staff members who work for the Sheriff's Office. He stated that they have eliminated many positions and several others are being combined. He stated that they have one nurse and one part-time to handle over 200 prisoners; they need at least two more. He stated that the Detective's secretary retired and they have not replaced that position. He stated that they are missing a secretary, 911 Coordinator, the maintenance position, Fiscal Officer, IT person and special duty officers are all vacant.

Sheriff Phalen stated that in 2004, they had budget problems and eliminated about 26 positions. He stated that he would like to get deputies from the jail back onto the road. When the supervisors are retiring they have not been replacing their positions. In 2009, he received a notice about budgetary issues and was requested to give back 5%. Since 2009, he stated that he has not hired any replacements. In 2010, he was told that the budget was flat. He has contractual raises due to the FOP and increases to worker's compensation around \$400,000. He stated that about 6-8 people will be lost over the next year. He stated that he must make sure the staff can handle the volume of 911 calls, guard the prison and patrol the roads. He stated that the Detective Bureau and Major Crimes Unit will both suffer. He stated that the Commissioners have discretionary dollars that is sent to the agencies. He stated that he needs the 13 vacant positions back. He stated that the tremendous opiate/heroin problem there have been a lot of arrests and need to have the necessary resources to continue this.

Commissioner Kiger thanked the Sheriff for his presentation and stated that if cuts are necessary that the first place he would look would be the unmandated departments.

Commissioner Davis stated that he is learning to understand the all of the agencies' financial situations. He stated that he will support giving money based on a prioritization of needs, because some departments are more important than others.

Commissioner Shupe asked how many corrections officers verses deputies that Sheriff's Office has.

Sheriff Phalen stated that they have one. He stated that they make less per hour and thought it was the "way to go" but not; they usually do not stay long. Sheriff Phalen asked Mr. Johnson how many the Sheriff's Office used to have.

Mr. Johnson stated that they used to have about 6 or 8 corrections officers.

Sheriff Phalen stated that corrections officers cannot do transports and cannot patrol on the roads; they usually don't come as prepared.

Mr. Johnson stated that peace officers are usually better quality verses the corrections officers.

The meeting ended at 11:51 a.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 11:58 a.m.

Roll call vote on the motion resulted as follows:  
Voting aye thereon: Judith Shupe and Mike Kiger

The next regular meeting of the Board of Commissioners is scheduled for Tuesday, July 19, 2011 at 10:00 a.m.

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Motion by: Judith Shupe

Seconded by: Steven Davis

that the minutes were approved by the following vote:

YEAS: Judith Shupe, Steven Davis, and Mike Kiger

NAYS: None

ABSTENTIONS: None

\*Approved on July 26, 2011

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Mike Kiger  
Commissioner

Judith K. Shupe  
Commissioner

Steven A. Davis  
Commissioner

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Branden C. Meyer, Clerk