

**Regular Meeting #10-40
Fairfield County Commissioners' Office
September 28, 2010**

9:00 Meeting with Jeanette Addington

The Board of Commissioners met with financial consultant Jeanette Addington to discuss 2011 budget issues. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Staci Knisley, Ed Laramee, Barbara Curtiss and Jason Dolin.

Ms. Addington asked if all was ready for the budget retreat and asked Mr. Zody to lay out the agenda. Mr. Zody stated the County Commissioners Association staff would lead off the program, followed by Ms. Addington, then the group exercise with Mr. Jenkins after lunch.

Commissioner Shupe asked how specific should the budget discussion get, and Commissioner Kiger stated the discussion should include allocations. Mr. Zody stated it is up to the Board as to how specific they wish to get on the budget or any individual agency budget. Commissioner Shupe asked how much more needed to be cut out of the budget to make Ms. Addington's expenditure goal, and Ms. Addington stated if all of the agencies had stayed within the parameters they would be fine.

Commissioner Myers asked how the sales tax fit into the picture, and Ms. Addington stated the sales tax will help maintain to a certain degree, but it is due to expire at the end of 2013 and will have an impact then.

Commissioner Myers suggested having the group set priorities for funding and then go back to the group and give them the numbers and apply the criteria to them. Commissioner Shupe stated they really wouldn't be cutting, just getting back to the parameters. Ms. Addington stated the main thing is to help prioritize spending and help the group understand some of the outside mandates the Board must deal with such as the Board of Elections.

Commissioner Kiger stated he believes the Board needs to address the allocations as well, and Commissioner Myers asked if Commissioner Kiger wanted to reduce the Job & Family Services allocation due to the levy, and Commissioner Kiger stated that is his goal. Commissioner Myers asked how much of the JFS allocation is mandated, and Commissioner Kiger stated approximately \$350,000, the remainder is for CPS/APS

Commissioner Myers stated the argument will be the levy was to be used for increased services and to handle caseloads, and if you take away the GRF allocation it would be viewed as taking away from those programs. Commissioner Shupe asked what is out there in lieu of JFS – the Sheriff? Commissioner Kiger stated the public mindset is to fund public safety first.

Mr. Zody stated this is all part of the afternoon exercise Mr. Jenkins intends to conduct to set funding priorities and also give the elected officials an appreciation for what the Commissioners have to go through. Commissioner Myers added the state will likely cut everything under their next budget. Commissioner Kiger stated they Board has already been telling people it is no longer business as usual.

Commissioner Myers stated the Board needs to finalize strategy to the meeting, and suggested having Mr. Jenkins determine the priorities and then apply those to the numbers. Ms. Addington asked if she needed to prepare cards with numbers on them, or include something in her power point presentations, and Commissioner Kiger asked if that would include the Board of Elections and Courts requests. If so, then dollars will need to be taken from elsewhere to balance the budget.

Commissioner Kiger asked about the Veterans' Services budget, and Mr. Zody stated he had had a good conversation with Mr. Mohler, but the Board is adamant about increasing their appropriation this year and reminded him that they are still well under the ½ mill that they are entitled to appropriate. Mr. Laramee stated they can appropriate that much but they still need to justify the numbers.

Ms. Addington asked if the Board of Elections, Domestic Relations Court and Municipal Clerk's requests were still deemed approved by the Commissioners, and Commissioner Kiger stated the Veterans' Service Commissioner should be included as well, since they can mandate their appropriation.

Ms. Addington asked about the Coroner's request, and Commissioner Shupe stated that request had been increased the previous year. Commissioner Kiger stated the increase the previous year had to do with autopsies. Ms. Addington asked if the Board still intended to meet with Mr. Slater, and Mr. Laramee asked if the Board really wanted to discuss specific at the retreat without talking to those who might be singled out. Commissioner Kiger stated any discussion on specifics would occur after the group sets priorities.

Mr. Laramee stated he has concerns about the discussions that occur prior to the retreat, such as what happened last year with the Sheriff and JFS, and Commissioner Shupe stated the Board of Elections was told last year they could come back and ask for additional funding if needed, but they don't want to do that this year.

Commissioner Myers stated it would be good to hear the various offices explain and justify their requests for increased funding, and noted he is meeting the Sheriff later that day to discuss his budget. Commissioner Shupe stated the Sheriff may have to lay off people in order to meet his bottom line.

Commissioner Myers asked if there was any intent on the part of the Auditor to increase receipt estimates, and Commissioner Shupe asked how much the Auditor's budget was over, and Ms. Krisley stated they are over approximately \$18,000. Ms. Addington cautioned that increasing the receipts just encourages increased spending and would affect the year end cash carry over numbers. She encouraged the Board to stay within spending parameters.

Commissioner Shupe asked if the budget is merely a status quo budget relative to spending, and Ms. Krisley stated it is with the exception of health insurance. Ms. Addington asked Mr. Laramee if he had any questions relative to her revenue projections and if he thought there would be more or less revenue, and Mr. Laramee stated it was a little of both, but he still had some questions.

Mr. Zody stated the sales tax and conveyance fees are up slightly, but he is concerned about what the state may do in cutting or eliminating the Local Government Fund. Mr. Laramee concurred, stating the county needs to maintain a healthy cushion to plan ahead. Once the new valuations are in from the triennial appraisal that may affect the property tax numbers, as he usually does some adjusting at the end of the year.

Ms. Addington asked about the organization of the retreat and if she was to present to overall numbers, then Mr. Jenkins would conduct the exercise with the elected officials, and Mr. Zody stated he did not believe a discussion of the specific numbers would be a healthy exercise.

Commissioner Shupe stated without the details would the Sheriff be funded based upon the criteria, and asked about pay raises. Commissioner Myers asked if the courts were OK, and Mr. Zody stated the Common Pleas Court is the only issue. Commissioner Shupe noted the Common Pleas Court took more than a 9% cut for 2010, and Ms. Addington stated they want to avoid any mandating of budgets by the courts.

Commissioner Myers asked what the total approved overages amounted to, and Commissioner Kiger stated it appears to be about \$175,000, and Mr. Zody added they needed to include Veterans' Service in that figure, which is an additional \$135,000.

Ms. Addington stated she believes the total additional requests amount to \$1.062 million, of which \$900,000 is for the Sheriff, and asked what would be affected if that amount were reduced. Mr. Zody stated the Sheriff said he would cut the Detective Bureau and Major Crimes Unit, and Commissioner Kiger stated the Sheriff is reluctant to cut road patrols and the jail. Mr. Zody asked if the Sheriff would be taken back to parameters, what would be the result, and Ms. Addington stated the budget would still be approximately \$1 million over her spending goal.

Commissioner Kiger asked what about the allocations, and Ms. Addington stated the total is approximately \$4 million, but wasn't sure how much of that was mandated. Ms. Knisley stated the Motor Vehicle administrative cost share is mandated, and Mr. Zody stated he is not sure how much of the Soil & Water allocation is mandated. Commissioner Shupe asked if any funds had been allocated for Health Department housing, and Ms. Knisley stated she did not allocate anything because the true costs are unknown.

Commissioner Shupe asked Mr. Laramie if Lancaster had contributed to the DAC similar to the Commissioners committing \$25,000, and Mr. Laramie stated that once the city discovered they would not reap and savings, they have not committed to contributing any additional funding.

Commissioner Myers asked about the GIS allocation, and Ms. Knisley stated that has always been an allocation. Ms. Curtiss added that has always been funded through the General Fund, and Mr. Laramie agreed but that it has also always been considered an allocation. Ms. Knisley noted most of the allocations go into special funds similar to the MCJDC. Commissioner Kiger asked Ms. Knisley to redo the list and separate the mandated costs from the non-mandated costs.

10:00 a.m. Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, September 28, 2010 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Ritta Seitz, Carl Burnett, Frank Anderson, Jeff Camechis, Michael Orlando, Bob Wolfinger, Larry Neely, Brad Berry, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be one add-on item and possibly one additional add-on item pending the outcome of the Commissioner's Review Session.

Public Comment

There were no public comments.

Approval of Minutes of Tuesday, September 21, 2010

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, September 21, 2010.

Roll call vote of the motion resulted as follows:

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

Approval of a petition to annex 3.37 acres, more or less, in Walnut Township to the Village of Millersport, pursuant to ORC Section 709.16, annexation of land by petition submitted by landowner

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve authorizing a petition to annex 3.37 acres, more or less, in Walnut Township to the Village of Millersport, pursuant to ORC Section 709.16, annexation of land by petition submitted by landowner, see resolution 10-09.28.a

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

Approval of a Purchase of Service Contract by and between Fairfield County Job & Family Services and Functional Training Services, Inc.

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a Purchase of Service Contract by and between Fairfield County Job & Family Services and Functional Training Services, Inc., see resolution 10-09.28.b

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

Approval to ratify previously approved financial resolutions for the Fairfield County Airport/Commissioners

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve to ratify previously approved financial resolutions for the Fairfield County Airport/Commissioners, see resolution 10-09.28.c

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

Approval of Engineer's resolutions

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

- 10-09.28.d Approval of Change Order for the FAI-CR41-2.786 Marcy Road NW Improvement Project - Engineer
- 10-09.28.e Approval of Change Order for the FAI-CR9/13/23/TR221/223 ARRA Resurfacing Project - Engineer
- 10-09.28.f Approval to Amend Certificate, & request for appropriations for additional unanticipated receipts of memo expenditure – 3434 OPWC Payments - Engineer
- 10-09.28.g Approval to Amend Certificate conversion of prior year encumbrances (2009) to current year appropriation, reduce current year appropriations – Engineer #2024 Motor Vehicle Fund

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

Approval of advance from the General Fund to the Victim/Witness Assistance Division of the Fairfield County Prosecutor's Office – VOCA Grant 2009-2010 – Fund #2742

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an advance from the General Fund to the Victim/Witness Assistance Division of the Fairfield County Prosecutor's Office – VOCA Grant 2009-2010 – Fund #2742, see resolution 10-09.28.h

Roll call vote of the motion resulted as follows:

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

Approval of advance from the General Fund into the #2764 FY2010 MCU/OCJS-JAG Grant Fund

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve an advance from the General Fund into the #2764 FY2010 MCU/OCJS-JAG Grant Fund, see resolution 10-09.28.i

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:

- 10-09.28.j Approval of payment of a voucher without an appropriate carry over purchase order – Adult Probation
- 10-09.28.k Approval of Fund to Fund Transfer – Insurance/General
- 10-09.28.l Approval of Account to Account Transfer – Prosecutor Victim/Witness
- 10-09.28.m Approval of Account to Account Transfer – FACFC
- 10-09.28.n Approval of Account to Account Transfer – Auditor
- 10-09.28.o Approval of Account to Account Transfer – Treasurer - DRETAC
- 10-09.28.p Approval of Account to Account Transfer – Treasurer - General
- 10-09.28.q Approval of Account to Account Transfer – Common Pleas
- 10-09.28.r Approval of Account to Account Transfer – Domestic Relations
- 10-09.28.s Approval of Account to Account Transfer – Adult Probation
- 10-09.28.t Approval of Account to Account Transfer – Common Pleas
- 10-09.28.u Approval of Account to Account Transfer – Juvenile/Probate
- 10-09.28.v Approval of Account to Account Transfer – JFS
- 10-09.28.w Approval of Account to Account Transfer – ADAMH
- 10-09.28.x Approval of Account to Account Transfer – Clerk of Courts - Title
- 10-09.28.y Approval of Account to Account Transfer – Sheriff
- 10-09.28.z Approval of Account to Account Transfer – Sheriff
- 10-09.28.aa Approval to appropriate from unappropriated – WIA Fund, JFS
- 10-09.28.bb Approval to appropriate from unappropriated – Engineer – Motor Vehicle Fund
- 10-09.28.cc Approval to appropriate from unappropriated – Engineer – Motor Vehicle Fund
- 10-09.28.dd Approval to appropriate from unappropriated – Common Pleas General

10-09.28. ee

Approval to appropriate from unappropriated – Juvenile Court

Roll call vote of the motion resulted as follows:

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

Approval of Authorization for Payment of Bills, September 28, 2010, check date October 1, 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, September 28, 2010, check date October 1, 2010, see resolution 10-09.28.ff

Roll call vote of the motion resulted as follows:

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

Approval of Account to Account Transfer – Older Adult Services Levy

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioner voted to approve an Account to Account Transfer for the Older Adult Services Levy, see resolution 10-09.28.gg

Roll call vote of the motion resulted as follows:

Voting 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, Jeanette Addington, Staci Knisley, Frank Anderson, Jeff Carnechis, Larry Neely, Brad Berry, Marianne Berry, Bob Wolfinger, Jon Slater, Ed Laramee, Barbara Curiss, Jason Dolin and Scott Zody.

Commissioner Myers asked Ms. Addington if she had a power point relative to the budget requests, and Commissioner Shupe stated the Board also needs to clarify the bottom line. Commissioner Kiger stated he would handle the introductions and Mr. Jenkins would handle the exercise for priorities.

Mr. Dolin provided an update on legal issues, stating he had provided an opinion on graduate school reimbursement for the Auditor's office, stating the reimbursement was optional.

Mr. Dolin reported he had gone out to view Elevator Road, and essentially believes that this is a fact-based decision by the Board. Commissioner Myers asked if there are more facts and Mr. Dolin stated the Engineer has an old map showing the right of way as 60 feet. Mr. Berry has a railroad survey that shows a 30 foot right of way, but he is not sure about the accuracy of the document.

Commissioner Myers stated at one time the landowner might be willing to give a variance if the road is needed, and asked if that is something the Engineer would accept. Mr. Carnechis stated that the Engineer had agreed to a right of way reduction several years ago for Horn's Mill Road, and it caused problems when the Engineer had to do an improvement project, so they have been opposed to any right of way reduction requests.

Commissioner Myers stated that two of the three township trustees have expressed opposition, and Commissioner Shupe asked if the right of way is 30 feet or 60 feet, and Mr. Dolin stated the records the county has show 60 feet. Mr. Carnechis stated that if the Engineer's Office had any other information on the road right of way they would share it, but several roads in the county do not have complete or detailed records, and

one of the Commissioner's Journal books that contains many of the original road records has been missing from the Courthouse for several years.

Commissioner Shupe asked if the property owner to relinquish their rights to the land, and Mr. Anderson stated that Elevator Road is an easement, not a fee simple ownership, but he does not believe it is a good idea to give up any of the right of way.

Mr. Camechis stated that is why the Engineer supported annexing a portion of Millersport Road to the Village of Millersport – to let them deal with several obstructions that had been allowed to be established over the years. Mr. Camechis stated there could still be liability issues for the county if a fence would be installed. Mr. Anderson agreed, stating ASHTO guidelines reference an increase in fatal accidents involving fences recently.

Mr. Berry stated he has not seen the Engineer's record, and Mr. Camechis stated that is the large map hanging in the Engineer's Office that he showed Mr. Berry. Mr. Berry stated that map "deemed" the road to be 60 feet. Mr. Camechis disagreed, stating that was another map.

Mrs. Berry stated the railroad survey references 30 feet, but pointed out that Canal Road is also shown as 30 feet, which is supposedly accurate – why would Elevator Road be wrong? Mrs. Berry stated the Board should also consider the location of the buildings such as the train depot, which are aligned as if the road is a 30 foot right of way. In addition, the Attorney General Opinion issued by Betty Montgomery states that the Engineer can't deem a township road right of way, only county roads. Walnut Township has admitted that some of their roads only have 40 foot right of ways.

Larry Neely stated that he is dismayed that the Assistant Prosecutor would ignore an Attorney General Opinion that states that counties cannot declare rights of way on township roads. Mr. Dolin stated that he did not ignore the opinion and believes that Mr. Neely is misinterpreting the opinion. Commissioner Kiger stated the Board will consider the evidence and make a decision on the matter, probably the following Tuesday.

Regarding the issue of the county purchasing Automatic External Defibrillators, Commissioner Kiger stated he believes the county would not be liable under the Good Samaritan law, and Mr. Dolin stated he is inclined to agree, and recalled that he had researched the issue some time back. Mr. Zody stated the main issue at this point is whether the Board wishes to purchase any units or allow county agencies to purchase any units with their own funds, such as Soil & Water Conservation.

The Board discussed a grant request from the Prosecutor's Victim/Witness Division. Commissioner Kiger expressed concern that the grant amount was increasing by \$13,000, and Ms. Knisley stated there is also a few thousand more dollars being asked for the allocation match. The problem is the Prosecutor needs the letter of application approved this week.

Commissioner Shupe stated that some numbers are showing an increase, and Ms. Knisley stated she is not sure what the numbers mean. Commissioner Myers stated the increased request is to expand the hours of the office staff to respond to caseloads from the appearance of the letter.

Commissioner Kiger stated he spoke with Maria in that office last week and she said she was swamped but did not mention anything relative to the grant. Commissioner Shupe asked if the Board should include the expansion as part of the budget retreat, and Ms. Knisley stated it depends on how the Board looks at it. Mr. Zody stated the state provides \$3 for every \$1 the county puts in, which is a good return.

Commissioner Shupe stated there are no dollars to increase hours at this point, and Commissioner Kiger suggested the Board try to get Prosecutor Landefeld on the phone

to discuss. Commissioner Myer stated he would like to know what happens next year if the grants are cut or discontinued.

The Board contacted Mr. Landefeld via the telephone, and Commissioner Kiger stated the Board was calling relative to the VOCA grant request and wanted to know what would happen if the increased funding would not be available the following year, and Mr. Landefeld stated that division of his office is entirely grant funded and believes the funds will be there and there is a demand for the services. In the event the funding would not be available, he would reduce the hours of the staff.

Commissioner Kiger asked who would pay the benefits if the employees go to full time status or get enough hours to qualify for benefits, and Mr. Landefeld stated one employee does not need insurance so it would only affect one other employee, and he could cover those costs out of the Furtherance of Justice Fund if needed.

Ms. Knisley asked what if the base grant would be approved but the expansion would not be approved, and Commissioner Shupe stated the dilemma is having to cut \$2 million from the budget and the Prosecutor is asking for additional \$13,000 and \$25,000 for personnel. Mr. Landefeld stated he was not sure which numbers are for what, but believes the numbers are necessary.

Commissioner Kiger suggested it might be helpful if Jennifer Boggs came up to speak with her. Commissioner Myers asked what the \$25,000 extra is for, and Mr. Landefeld explained that the Commissioners have traditionally provided some extra funds to make up for the shortfall between the match and grant for personnel. The grant typically come out in the late summer but for some reason this year they were delayed and only came out just this past week.

Commissioner Shupe noted the two requests total approximately \$64,000, and Ms. Knisley noted the stated kicks in 75%. Commissioner Shupe stated the question is whether to increase hours for staff, and Commissioner Myers noted the county would receive a lot of benefit for a \$13,000 investment.

Mr. Laramee asked if the numbers are there for the matching grants, and Ms. Knisley stated the \$13,000 would be part of the 2010 budget, not the 2011 budget. Commissioner Myers stated that there seems to be a lot of service for \$13,000, and Commissioner Shupe asked if the Commissioners cut the \$25,000 extra but still give the \$13,000 for the expansion to see how many additional hours would be generated?

The Board contacted Jennifer Boggs via the telephone and Commissioner Shupe stated the Board wants to take advantage of the grant opportunity but wanted to know what the additional \$25,000 was used for, and what would happen if the \$25,000 would be reduced. Ms. Boggs stated the non-match revenue being reduced would affect other items. \$12,000 is for the expansion and the \$36,000 is the 75% VOCA funds – the remainder is required for personnel expenses.

Mr. Zody asked what exactly the \$25,000 non-match is used for, and Ms. Boggs stated that amount is the difference between the grant and the match personnel costs (shortfall). Commissioner Shupe stated the Board could provide the match for the expansion but cut back on the \$25,000 non-match, and Mr. Zody stated he is not sure how that might impact the overall program. Commissioner Myers suggested Ms. Knisley and Mr. Zody meet with Ms. Boggs and discuss.

Mr. Wolfinger thanked the Commissioners and noted he is present as part of his effort to secure the appointment of Treasurer, noting he has been working to learn the position, studying the CAFIR and meeting with trustees and villages looking at opportunities.

Mr. Slater reported that he has confirmed that David Jones is willing to serve as the acting Treasurer until the party central committee can appoint a permanent replacement.

Adjournment

With no further business to come before the Board, on the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to adjourn at 11:30 a.m.

Roll call vote on the motion resulted as follows:
Voting aye thereon: Jon Myers, Judith Shupe 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, SEPTEMBER 28, 2010 AT 10:00 A.M.**