

**Regular Meeting #10-37  
Fairfield County Commissioners' Office  
September 7, 2010**

**9:00 Meeting with Patty Bratton**

The Board of Commissioners met with Patty Bratton from Lancaster-Fairfield Community Action for an update on recycling activities. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Ms. Bratton stated she is working on new commercials for the Commissioners to shoot to promote recycling in the county and hopes to shoot a total of six this year. She is also working on obtaining materials for the annual State of the County event.

Commissioner Shupe asked if there would be funding available for the products, and Ms. Bratton stated she had planned for that in her budget and was looking for some alternate items this year, such as a desk clock or recycled glass bowls.

Commissioner Shupe suggested Ms. Bratton check with her staff for ideas, and Commissioner Myers noted the price of the items should be considered as well. Ms. Bratton noted she had also brought some items for the Commissioners Senior Citizens luncheons.

Ms. Bratton reported that she is working with the Sheriff's Office and the Soil & Water Conservation District on scheduling a prescription drug and electronics recycling day in Pickerington since the last event was such a success. The electronics would include all small electronics except televisions and computer monitors, which are more difficult and costly to recycle. The date is set for September 25<sup>th</sup> at the Violet Township Maintenance Facility.

Ms. Bratton stated that they are experiencing some problems with the drop-off trailers, especially with people dumping their trash in or adjacent to the trailers. Disposing of non-recyclable trash cost Community Action over \$6,000 last year. Commissioner Shupe asked if this was being done purposefully, and Ms. Bratton stated she believes that is the case.

Commissioner Myers asked how the trash is handled, and Ms. Bratton stated they have a compactor at the recycling center and Republic Waste Services comes and picks it up. The concern is that it is creating a problem with the solid waste district grant and charging the waste removal to the grant.

Commissioner Kiger asked if the recycling trailers are accessible on both sides where they are being parked at their pick up locations, and Ms. Bratton stated they try to ensure access to both sides. Commissioner Shupe stated that at times the trailer that is parked in Amanda can be hard to get to, because it is a small gravel parking lot. Ms. Bratton noted that Community Action provides up to \$500 per year to trailer location owners to help with access issues.

Ms. Bratton stated she and her assistant went to check on the trailer at Tiki Lane in response to a concern brought by a citizen to Commissioner Kiger. The issue is some of the recycled materials and/or trash being left at the trailer was blowing into a nearby ditch creating an unsightly situation. Ms. Bratton noted the Tiki location is very busy, with two recycling trailers and one cardboard dumpster.

Ms. Bratton reported that with the recent economic downturn, they have even had people stealing the aluminum out of the recycling trailers. Commissioner Myers asked if there was a lot of glass being recycled, and Ms. Bratton stated there is still a good volume, but glass is not a money-maker for them the way aluminum is. Much of the packaging, especially food packaging is switching over to plastic instead of glass.

Commissioner Shupe reported that she will not be able to attend the next CFLP meeting, as there is a Fairfield 33 Development Alliance meeting that same day, and Commissioner Myers stated he will be out of town that day as well.

Commissioner Kiger stated that Lonnie Wood from Perry County had called and indicated that Perry County would like to discuss options with Fairfield County. Mr. Dolin advised that unless such a meeting was public-noticed, it should be a one on one between Commissioner Kiger and Commissioner Wood, and not the full Boards of both counties. Commissioner Shupe stated the Boards need to convince Commissioner Bubb to back off and keep Kicking County from running the District.

Ms. Bratton asked is Deputy Hummel could help patrol some of the trailer locations to help reduce the theft and littering, and Commissioner Shupe stated the Board could ask the Sheriff to try to do that.

Ms. Bratton stated that Carol Phillips had contacted her about revising some of the benefit figures for the Solid Waste District grant. Ms. Bratton stated the questions revolve around unemployment compensation and workers' compensation premiums. In addition, Ms. Phillips is now insisting that Community Action have 3-year contract for all of the recycling trailer sites.

#### **9:30 a.m. Meeting with Sherry Eckman**

The Board of Commissioners met with Municipal Court Clerk Sherry Eckman to discuss budgetary concerns. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Staci Knisley, Jason Dolin and Scott Zody.

Ms. Eckman stated she has a need for some budget assistance for the remainder of 2010 and into 2011 in her statutory line items that the Commissioners provide 40% of the annual funding. The two line items are employee salaries and witness mileage – the law changed last year to increase witness mileage from \$.10 per mile to \$.505 cents per mile.

Commissioner Myers asked if both items were part of the required payments by the Board under the Revised Code, and Ms. Eckman stated they were. Ms. Eckman clarified that the salary line is short for her entry level part time employees.

Commissioner Myers asked if the Commissioners were required to pay the Clerk's salary as well as the employees, and Ms. Eckman stated by law the Commissioner's pay her salary, but with the recent cuts to both the city and county budgets, she has no other place to ask for additional funds. In addition, the workload of the Municipal Courts has increased, and she has asked the city to provide funding for one additional full time employee, but has not been successful with that to date.

Commissioner Myers asked what city employees have received in the form of pay raises over the last two years, and Ms. Eckman stated they received 2% for 2010, and 3% for 2009., but noted that elected officials have not received a pay increase since 2008. Commissioner Shupe asked if the county employees received a raise, and Ms. Eckman stated she did not raise the pay of the part time workers.

Ms. Knisley asked what Ms. Eckman would need for 2010, and Ms. Eckman stated she needs \$9,000 – \$8,000 for personnel and \$1,000 for witness mileage. Commissioner Myers asked if the witnesses receive payment beyond mileage, and Ms Eckman stated they are paid \$6 for a ½ day of court, and \$12 for a full day, which has not changed in 25 years.

Commissioner Myers noted all levels of government are facing tough times, and they must say no at some point. Commissioner Shupe noted that may be a point to focus on

at the Budget Retreat – that things are going to have to change and the way we do things will have to change.

The Board approved Ms. Eckmans request and directed Ms. Knisley to prepare the necessary paperwork for the transfer of funds. Ms. Knisley asked Ms. Eckman about her 2011 budget, and Ms. Eckman acknowledged she still need to submit numbers.

#### **10:00 a.m. Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, September 7, 2010 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Carri Brown, Ritta Seitz, Joe Giesler, Jason Dolin and Scott Zody.

#### **Announcements**

Mr. Zody announced there would be one add-on item to appropriate from unappropriated to place an order for copy paper. Since the Commissioners and JFS are now partnering to purchase paper in bulk, with JFS reimbursing the General Fund, insufficient appropriation authority was in the line item and it needs to be increased.

#### **Public Comment**

There were no public comments.

#### **Approval of Minutes of Tuesday, August 31, 2010**

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday, August 31, 2010.

Roll call vote of the motion resulted as follows:

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

#### **Approval of Recognizing National RC&D Week – September 19-25, 2010**

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve recognizing National RC&D Week – September 19-25, 2010, see resolution 10-09.07.a

Roll call vote of the motion resulted as follows:

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

#### **Approval of Fairfield Farms – Sections 1 and 2 – Final Acceptance**

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve Fairfield Farms – Section 1 and 2 – Final Acceptance, see resolution 10-09.07.b

Roll call vote of the motion resulted as follows:

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

#### **Approval of a signature needed by the Fairfield County Commissioner, Mike Kiger on the CFLP Solid Waste District Recycling Services Contract – 3<sup>rd</sup> Quarter Revisions**

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a signature needed by the Fairfield County Commissioner, Mike Kiger on the CFLP Solid Waste District Recycling Services Contract – 3<sup>rd</sup> Quarter Revisions, see resolution 10-09.07.c



- 10-09.07.i Approval of amended certificate, request for appropriations for additional unanticipated receipts – Juvenile Court
- 10-09.07.j Approval of Approval of amended certificate – EMA Hazard Mitigation Program
- 10-09.07.k Approval of Repayment of an Advance To the General Fund – EMA Fund #2722 – Citizens Corps Grant
- 10-09.07.l Approval of Advance from the General Fund to EMA – Hazard Mitigation Grant Program
- 10-09.07.m Approval to Extend Due Date for Advance Repayment for Fund #2723 – State Homeland Security FY2008 grant - EMA
- 10-09.07.n Approval to Extend Due Date for Advance Repayment for Fund #2722 – Citizens Corps FY2008 grant
- 10-09.07.o Approval of Payment of a voucher without an appropriate carry over purchase order - Commissioners
- 10-09.07.p Approval of Payment of a voucher without an appropriate carry over purchase order - JFS
- 10-09.07.q Approval to Account to Account Transfer - General
- 10-09.07.r Approval to Account to Account Transfer - General
- 10-09.07.s Approval to Appropriate from unappropriated – Engineer
- 10-09.07.t Approval to Appropriate from unappropriated – Engineer
- 10-09.07.u Approval to Appropriate from unappropriated – Domestic Relations Court

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 Bills, September 7, 2010, check date September 10, 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 7, 2010, check date September 10, 2010, see resolution 10-09.07.v

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

**Approval to Appropriate from Unappropriated – Commissioners/General Fund**

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve to appropriate from unappropriated – Commissioners/General Fund, see resolution 10-09.07.w

Roll call vote of the motion resulted as follows:  
 Voting aye thereon: Jon Myers, Judith Shupe 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 Ed Laramee, Jon Slater, Joe Giesler, Jason Dolin and Scott Zody.

Mr. Zody provided the Board with a draft letter to Lynette Barnhart, an employee of the Prosecutor's Office who has been under an agreement to provide after-hours cleaning services for the Prosecutor's Office when they were housed in the Wilson Building. Mr. Zody stated that he had prepared the letter following last week's discussion by the Board to terminate the agreement and have the housekeeping done through the County Maintenance staff. Mr. Zody stated the Board should send notice, per the advice of Mr. Dolin. Ms. Krisley stated the agreement has a 30-day notice provision. Commissioner Myers asked how the cleaning would be handled, and Mr. Zody stated that Mr. Holland and/or the night housekeeping crew would address it, and Mr. Vogel would oversee in the event some adjustments need to be made.

Mr. Dolin reviewed legal issues he is working on, stating that he is researching the Elevator Road request for alteration, including the Attorney General's opinion submitted by Larry Neeley. Commissioner Shupe stated she would just like to know who is right and what the correct width of the right-of-way would be. Commissioner Myers noted that two of the three township trustees are opposed to the request. Mr. Dolin stated there is some discussion relative to these issues in the AG opinion, but not much. Mr. Dolin stated he may try to go view the situation for himself. Commissioner Myers asked how that would help, and Mr. Dolin stated it may help provide him some insight in better understanding the situation and what is being requested. Commissioner Shupe stated the old railroad depot referenced in Mr. Berry's survey is still there, just up the road from the intersection.

Mr. Dolin stated he has completed new rules of operation for the Board of Revision and the Board approved those rules earlier in the morning. The rule changes came about as a result of a recent Supreme Court case, and Mr. Dolin expects it may result in an increased volume of appeals to the BOR.

Commissioner Myers asked how discussions were going with the Health Department, and Mr. Dolin stated that he, Mr. Zody and Mr. Vogel met with representatives from the Department, City of Lancaster and District Advisory Council (DAC) and the discussions seemed to be going well. Commissioner Shupe asked if the group was getting a handle on the needs of the Department, and Mr. Dolin stated that it appears that the feeling from the city is that they do not wish to disassociate themselves from the District and that the door was not shut to the city staying merged with the district. Mr. Oliver did make a new offer to the city on behalf of the DAC relative to the contract between the city and the Health Board. The main concern discussed was the disposition of the property, and there may need to be some revisions to the merger agreement with the current Combined District to try to resolve those issues.

At this point, the Combined District will disappear after December 31<sup>st</sup>, but there is potential for Pickerington to return and for Canal Winchester to come on board in 2012.

Regardless, effective January 1, the Commissioners will be responsible for housing the General Health District. Mr. Dolin noted that the group also discussed housing options if the Commissioners were to lease space, especially if down the road the city decides to form its own health district and no longer contract for services. Mr. Laramee stated he doesn't quite follow the math if the estimate is that half of the employees would serve the city of Lancaster compared with the amount of cost share they would provide.

Mr. Zody asked the Board if they would like to accept the property back from the Combined District, and Commissioner Shupe asked if the district would sell the property, would the proceeds have to be used for district purposes, and Mr. Dolin stated he believes that is the case, but it would also depend upon what the building would be used for.

Mr. Zody asked if the Commissioners would be restricted in their use of the building if they took the title back, and Mr. Dolin stated he was not sure about that. Commissioner Myers stated that as far as he is concerned, the door is open to the Board taking the property back but he is not ready to commit to that.

Mr. Laramee asked if the next DAC meeting is set, and Mr. Zody stated that is scheduled for Monday, September 13<sup>th</sup>, and the goal is to have the DAC approve a contract with the city and Health District. Commissioner Myers asked who would cover the DAC meeting from the Prosecutor's Office, and Mr. Dolin stated he is not sure. Mr. Laramee stated the issue is a need for clear guidance. Mr. Dolin stated that unfortunately, the Revised Code does not provide clear guidance in these areas. Mr. Laramee stated the big issue is the contract, and Commissioner Shupe asked if the DAC would approve the contract as presented.

Mr. Laramee stated that within the budget submitted to the Budget Commission there are several provisions with respect to housing. The other question becomes the Board of Health and who is on it, as some of the present members may or may not have a conflict. Mr. Zody noted that as of December 31<sup>st</sup>, there will be no Combined Health Board, and the General Health District Board will have to reconstitute itself.

Commissioner Shupe asked what the Health District would do with the building over the next three months – give it to OUL? Mr. Dolin stated the city and DAC need to reach an agreement first, and Mr. Laramee stated it also depends upon who is advising who.

The Board discussed options for installing an emergency generator for the Courthouse and possibly the Hall of Justice. Mr. Zody provided an overview of the options presented the previous week by Mr. Vogel, stating the costs range from a minimal fix of about \$40,000 which would only provide power for the computer server, telephone server elevator and a few light, to \$200,000 to fully power both the Hall of Justice and the Courthouse.

Commissioner Shupe asked why do everything, when the Auditor only needs the payroll office to operate and they could be relocated to another building. Mr. Zody pointed out that in the most recent power outages, the Auditor's Office has been the first to close and send everyone home.

Commissioner Kiger asked if the generator unit would be diesel or gas, and Mr. Zody stated he was not sure – the generator the EMA purchased for the Government Service Center is diesel. Commissioner Shupe asked if the other elected offices would still send employees home, and Mr. Zody pointed out that if the full back up unit is installed, there would be now outage, except for during the transition to the generator, which should not take more than a few second or minutes, so no one should have a need to close.

Commissioner Myers asked if the project would be bid out, and Ms. Knisley stated the project would have to be competitively bid, so the costs should be less than the estimate.

The Board approved a request from the City of Lancaster Parks & Recreation for a recycled content bench to be placed at Cenci Lake Park.

The Board discussed a request from the local Christian Women's Group to reserve the Liberty Center for a monthly meeting. Commissioner Kiger stated he would have some concerns with promising any group monthly meeting space, and noted the Board of Elections ties up the room for two complete months every year already. Commissioner Myers stated he would also have some reservations with that. Mr. Zody noted that in addition, he feels he would have to charge them rent or at least the set up fee, as he is starting to do for school booster groups that request the room. Schools are starting to charge them rent for using school facilities, so he believes the county should not be allowing use of county space rent free, otherwise he will be overwhelmed with request.

Commissioner Myers noted that it seems as if they are deviating from the original purpose of the facility. The Board advised Mr. Zody to deny the request.

**11:00 a.m. Meeting with Jeanette Addington**

The Board of Commissioner met with financial consultant Jeanette Addington for an update on the 2011 budget. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Ed Laramee, Jon Slater, Staci Knisley, Joe Giesler, Mary Beth Lane, Jason Dolin and Scott Zody.

Ms. Addington provided an overview of the 2011 budget requests, stating that requests have exceeded parameters by more than \$2 million, and if the Commissioners goal is to appropriate no more than \$33.5 million for 2011, then an additional \$900,000 must be cut.

Ms. Addington explained that her current estimate for the 2010 year end cash balance is \$6.5 million, and that amount will slowly decrease in each of the next 4 years until there would be no cash carryover in 2016 if the sales tax increase is allowed to expire. If the sales tax were to be extended, the cash carry over would be steady to slightly growing over the next several years.

Ms. Addington stated the Sheriff's budget is the biggest impact, as his request exceeded parameters by \$1.5 million. Commissioner Shupe stated that at least \$1 million needed to be reduced, and Commissioner Kiger stated that would be a good starting point. Ms. Addington suggested meeting with the Sheriff and other offices with requests that exceed parameters to discuss.

Commissioner Shupe asked if the Board would meet and discuss those request ahead of the Retreat, and Ms. Addington suggested that would be best, and Mr. Laramee agreed.

Ms. Addington stated the Veterans' Service Commission also came in above parameters, as did the Board of Elections. Mr. Zody stated the VSC typically over appropriates, but he could contact Mr. Mohler to see if they could reduce their request. Commissioner Shupe stated the Board of Elections is probably budgeting for three elections, which is what they normally do.

Commissioner Shupe asked if the Prosecutor had exceeded parameters, and Ms. Knisley stated he had, mostly in salaries. Ms. Knisley added that the Common Pleas Court has also requested additional funds for 2011, as they had some expenses they were covering out of a rotary fund that is now been depleted.

Mr. Laramee noted there may also be an issue with some counties paying for both the mailing and return postage of absentee ballots. Mr. Zody noted that issue is currently in litigation because other counties don't wish to be saddled with those expenses. Mr. Laramee stated it draws the question of equity for all voters into the forefront, and if the courts rule that all counties must pay for these services, it could cost Fairfield County an additional \$250,000.

Commissioner Shupe stated the parameters need to be set for the budget, and Ms. Addington stated after those are set, the Commissioners could meet with the affected agencies. Commissioner Myers asked what the \$250,000 increase for Child Protective Services was for, and Ms. Addington stated that line item was reduced in 2010 to "pay back" the General Fund for an advance that was provided to CPS in 2009 in anticipation of levy funding coming on line. Ms. Knisley stated the total appropriation listed for JFS is based upon their historic base appropriation and does not count any extra funding they have received in certain years.

Ms. Knisley further suggested that the Commissioner schedule meetings with each agency that made a significant request over the budget parameters so they can

determine what level of appropriation they will be able to achieve going into the Budget Retreat. Mr. Slater stated he is concerned relative to the GIS appropriation, and they need to get their number back up somewhat, since Ms. Curriess took the bulk of her 9% GRF cut out of that specific line item. Commissioner Myers asked how many employees were in the GIS section, and Mr. Laramee stated he believes that only a few are paid out of GRF. Mr. Slater stated they also need to consider how the GIS department is currently positioned in the event of future regionalization of services or governmental units.

Commissioner Myers stated the parameters called for no increase, and Ms. Knisley stated yes and the only consideration given was the assumption of an increase for health insurance. Commissioner Shupe asked what percentage increase was budgeted, and Ms. Knisley stated she was instructed to assume a 16% increase, but recently there has been discussion that the number might be less.

Commissioner Myers stated the Board also needed to discuss the carry over and if they are comfortable with that level. Ms. Addington stated the carry over estimate is her personal estimate, and she would prefer to see better numbers but in order to increase the carry over, some services would likely have to be reduced. In addition, if nothing happens, the sales tax expires at the end of 2013, which will have significant impacts on carry over after 2014.

Mr. Slater stated the question becomes one of being able to "pay the bills" and operate, even though Fairfield County is in a fairly strong position economically compared to other counties. Commissioner Shupe stated Fairfield County is definitely in better shape than many other counties. Mr. Slater added the other question is the casino income, when that would start to flow, and what impact that would have on the Local Government Fund.

Mr. Laramee noted that Moody's looks at the year end numbers and they are comfortable with how we look. In fact, Mr. Laramee stated he expects the year end cash position to be better than Ms. Addington's estimate.

Commissioner Kiger stated the Board also has several funding requests pending to discuss, such as the Lancaster Public Transit and Health Department housing costs. Commissioner Shupe asked if the city agreed to provide additional funding in their contract with the Health Board, and Mr. Zody stated not at this point.

Ms. Addington asked if the funding requests would be approved, and Commissioner Kiger stated not for certain but the Health Department and a recent request from the Common Pleas Court will likely incur some costs to the GRF.

**Review, cont.**

The Board discussed the parking issue at the Government Service Center and a proposed parking guidance document drafted by Mr. Zody and Mr. Vogel. Commissioner Myers stated the only concern he had would be how the employees would react to the perceived threat of having their vehicle towed if they parked in a Visitor's space. Mr. Zody stated that with the new video surveillance equipment that was installed as part of the EOC renovation, Mr. Vogel would only warn and address repeat offenders and this was not something that anyone really wanted to do, but there needed to be some deterrent. The Board approved moving forward with the guidance.

The Board discussed a proposed refunding of certain county outstanding bonded debt, and Mr. Zody stated if the Board and Auditor are comfortable, he would like to inform Baird to prepare the necessary documents to move forward.

Mr. Laramee stated the actual numbers on the refunder are a little confusing, but the savings are well within the margins. Ms. Knisley asked which bonds are being refunded, and Mr. Zody explained they are a combination of Utilities bonds and bonds

for the Multi-county Juvenile Detention Center, Liberty Center and Engineer's property. The Board directed Mr. Zody to notify Baird to move forward with the refunding.

**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 12:15 p.m.

Roll call vote on the motion resulted as follows:

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

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Mike Kiger  
Commissioner

Jon D. Myers  
Commissioner

Judith K. Shupe  
Commissioner

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Scott Zody, Clerk/Manager

**THE NEXT REGULAR MEETING OF THE BOARD OF COMMISSIONERS' IS SCHEDULED FOR TUESDAY, SEPTEMBER 14, 2010 AT 10:00 A.M.**