

**Regular Meeting #45-2012
Fairfield County Commissioners' Office
September 25, 2012**

Review Session

The Commissioners met to review legal issues, pending and future action items and correspondence. Commissioner Davis called the meeting to order at 9:03 a.m. with the following Commissioners present: Steven Davis, Mike Kiger, and Judith Shupe. Also present were Reed Bailey, Jeff Barron, Carri Brown, Aunie Cordle, Jason Dolin, David Gallimore, Staci Knisley, Dave Levacy, and Branden Meyer.

Miscellaneous Discussion

▪ **Local Government Innovation Fund (LGIF) Grant**

Commissioner Davis stated that he had spoken to Ken Culver regarding the collaboration. He stated that he was unaware of this.

Ms. Brown stated that Mayor Smith and/or Mike Courtney from the city had been invited to all of the LGIF meetings. She stated that she will touch base with him. She stated that the two items are being resolved. CORSA has been added as an additional insured, second was the indemnity clause. She stated that the State is working to remove this from the agreement. She hopes to have the grant agreement on for approval by the Commissioners very soon. She stated that the loan application will be the next step, which will be a 2014 budget item. She stated that the amount will be about \$50,000 a year for a period of 10 years.

Commissioner Davis asked whether a contract that has an indemnity clause is unenforceable or illegal.

Mr. Dolin stated that it is unenforceable. Regarding it being illegal, he was unsure. He stated that he cannot approve the entire contract because of the indemnity clause being included.

Legal Questions Under Review and Prosecutor's Pending Items

▪ **Windy Hills Subdivision**

Mr. Dolin stated that all conditions have been met regarding the Windy Hills settlement agreement and that he needs to be authorized to file a notice of dismissal.

Approval to authorize the Fairfield County Prosecutor's Office to file a notice of dismissal in the matter of Case no. 12 CV 593 Fairfield County Board of Commissioners v. Roger R. Ruble, Trustee, et al.

On the motion of Steven Davis and second of Judith Shupe, the Board of Commissioners voted on the approval to authorize the Fairfield County Prosecutor's Office to file a notice of dismissal in the matter of Case no. 12 CV 593 Fairfield County Board of Commissioners v. Roger R. Ruble, Trustee, et al.

Roll call vote of the motion resulted as follows:

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

▪ **Review/Update the Public Records Policy**

No update.

▪ **Revolving Loan Fund Agreement for TammiJo's**

Commissioner Davis inquired what this involves.

Commissioner Shupe stated that this needs to be reviewed to see whether the county can go after TammiJo's since they are planning to open another business.

Mr. Dolin stated that this has not been a priority for him.

Pending Items

▪ **Board Vacancies: ADAMH Board, Fairfield Metropolitan Housing Authority Board, Airport Board**

Mr. Meyer stated that the Revolving Loan Fund (RLF) Committee also has a vacancy. He stated that the Economic Development office had submitted a recommendation for consideration by the Commissioners, approving Melody Borchers to the RLF Board.

Commissioner Shupe stated that the Board had four applications to review and that Ms. Borchers was the top choice. She stated that the RLF is considering increasing their size and the second ranked applicant would most likely be recommended to fill that seat.

▪ **Budget Retreat**

Commissioner Davis stated that there has been an evolution related to the budget retreat and the process. He stated that the focus is now a forward looking conference and the hearing is nuts and bolts. He suggested changing the name.

Commissioner Shupe stated that the conference used to be focused on the budget during the years when there was extra money to give out.

Commissioner Kiger agreed that leadership encompasses what we are doing now.

Commissioner Davis stated the name be changed possibly to leadership conference. He stated that an expression of willingness to hear potential policy changes could be discussed.

Ms. Knisley inquired about the projections from Jeanette Addington. She asked whether the sales tax should be left in.

Commissioner Davis suggested that it be left in.

Commissioner Kiger asked whether 30 minutes or 15 minutes would be preferred.

Commissioner Davis stated that 15 minutes would probably be sufficient, with the facts only being presented. He suggested that projections be given including the page showing the 5 year projection.

Commissioner Shupe stated that a grant writing portion would be of benefit.

Mr. Meyer stated that Ms. Brown mentioned wanting to plan a future grant workshop and wanted to use this time to ask for comments and suggestions related to a future workshop.

Ms. Brown suggested that the Auditor's office speak about the budgeting process, threshold that has changes and vendor form changes.

Commissioner Davis asked if there were any legal prohibition of having a county employee be the grant coordinator for the townships.

Mr. Dolin asked if this person would be a county employee. He stated that the resources could be shared.

Commissioner Davis stated that some departments in the county have a level of sophistication and the townships may have a different level of sophistication regarding grants.

Commissioner Kiger stated that it would be good to touch on the future need of a public safety facility.

Commissioner Davis agreed.

Ms. Brown suggested that some new emerging topics could also be discussed and then receive input from the group.

Commissioner Shupe asked about records storage.

Ms. Brown stated that the feasibility study will help look into this.

▪ **Budget Hearings**

Mr. Meyer stated that the three of the judges are unavailable to meet on Tuesdays and Thursdays. He asked whether a Wednesday could be offered to the judges.

Commissioner Davis asked that the new director at OSU Extension be contacted and asked that he find out what their carryover is from OSU.

Ms. Knisley stated that she will get in contact with Mike Hogan. She stated that their request is more than what was allocated by the Commissioners.

Review Session ended at 9:42 a.m.

Executive Session

On the motion of Judith Shupe and second of Steven Davis, the Board of Commissioners voted to enter into Executive Session at 9:43 a.m. for the purpose of discussing building security. Commissioners present were Steven Davis, Judith Shupe, and Mike Kiger. Also present were Carri Brown, Jason Dolin and Branden Meyer.

Roll call vote of the motion resulted as follows:

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

*This meeting was not public pursuant to R.C. 121.22(G)(6).

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to adjourn from Executive Session at 9:56 a.m.

Roll call vote of the motion resulted as follows:

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

No formal actions were taken.

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, September 25, 2012 beginning at 10:01 a.m., with the following Commissioners present: Steven Davis, Mike Kiger and Judith Shupe. Also present were Reed Bailey, Jeff Barron, Aunie Cordle, Jason Dolin, David Gallimore, Mary Beth Lane, Ed Laramée, Dave Levacy, Bill Miller, and Tony Vogel.

Pledge of Allegiance

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

Announcements

Commissioner Davis stated that he looked forward to attending the Bremen Chamber of Commerce Luncheon later in the afternoon.

Public Comment

No public comment.

Approval of Minutes from the Regular Meeting for Tuesday, September 11, 2012 and the Special Meeting/Emergency Meeting for Thursday, September 20, 2012

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted on the approval of minutes from the Regular Meeting for Tuesday, September 11, 2012 and the Special Meeting/Emergency Meeting for Thursday, September 20, 2012.

Roll call vote of the motion resulted as follows:

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

Approval of renewal of agreement of establishing Franklin County Cooperative Health Benefit Program [Fairfield County Commissioners]

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted on the approval of renewal of agreement of establishing Franklin County

Cooperative Health Benefit Program [Fairfield County Commissioners], see Resolution 2012-09.25.a.

Ms. Cordle stated that this was a renewal of participation in the cooperative with Franklin County to be on the same time schedule as them.

Roll call vote of the motion resulted as follows:

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

Approval of ratification of previous authorization of the Board of Commissioners- Approval of the cooperative agreement between the Fairfield County Board of Commissioners and the Department of Justice, Office on Violence Against Women [Fairfield County Commissioners]

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted on the approval of ratification of previous authorization of the Board of Commissioners- Approval of the cooperative agreement between the Fairfield County Board of Commissioners and the Department of Justice, Office on Violence Against Women [Fairfield County Commissioners], see Resolution 2012-09.25.b.

Roll call vote of the motion resulted as follows:

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

Approval of revised prima facie speed limit for Smith Road (Twp. Rd. 188) Bloom Township [Fairfield County Engineer]

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted on the approval of revised prima facie speed limit for Smith Road (Twp. Rd. 188) Bloom Township [Fairfield County Engineer], see Resolution 2012-09.18.c.

Commissioner Davis stated that this would change the speed limit on Lithopolis Road from 50 miles per hour to 40 miles per hour.

Roll call vote of the motion resulted as follows:

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

Approval of contract award of the county parking lot resurfacing [Fairfield County Maintenance]

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted on the approval of contract award of the county parking lot resurfacing [Fairfield County Maintenance], see Resolution 2012-09.25.d.

Commissioner Kiger asked which lots would be done.

Mr. Vogel stated that the alley across the Main Street, the driveway at the Ag Center and the Liberty Center parking lot.

Roll call vote of the motion resulted as follows:

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

Approval of Commissioners' Resolutions

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted on the approval of the following Commissioners' Resolutions:

2012-09.25.e Approval of request for payment and status of funds report- FY2010 OHTF Funds- Drawdown for \$7,144 [Fairfield County Commissioners]

2012-09.25.f Approval of payment of an invoice without an appropriate carryover purchase order for the Commissioners' Office [Fairfield County Commissioners]

Roll call vote of the motion resulted as follows:

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

Approval of Financial Resolutions

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted on the approval of the following Financial Resolutions:

- 2012-09.25.g Approval of account to account transfer in a major expenditure category & fund to fund transfer to the General Fund- Fairfield County Airport [Fairfield County Commissioners/Airport]
- 2012-09.25.h Approval of repayment of an advance to the General Fund- Airport FY2011 ODOT Fund #3034 (Cash# 8002) [Fairfield County Commissioners/Airport]
- 2012-09.25.i Approval of payment of invoices without an appropriate carryover purchase order for the ADAMH Board [Fairfield County ADAMH Board]
- 2012-09.25.j Approval of account to account transfer- Auditor [Fairfield County Auditor]
- 2012-09.25.k Approval of account to account transfer of appropriations- major object expenditure category (2060- Board of DD) [Fairfield County Board of Developmental Disabilities]
- 2012-09.25.l Approval to appropriate from unappropriated for Department 1230- 2090 EMA General Fund [Fairfield County EMA]
- 2012-09.25.m Approval of advance from the General Fund to the EMA Citizen Corps Fund- Fund 2722 and appropriate [Fairfield County EMA]
- 2012-09.25.n Approval to appropriate from unappropriated fund, Motor Vehicle Fund 2024, the County Engineer [Fairfield County Engineer]
- 2012-09.25.o Approval amended certificate & request for appropriations for additional unanticipated receipts of memo expenditure- 3445 ODOT Payments [Fairfield County Engineer]
- 2012-09.25.p Approval of amended certificate & request for appropriations for additional unanticipated receipts of memo expenditure 3445 ODOT Payments [Fairfield County Engineer]
- 2012-09.25.q Approval of appropriations from unappropriated money (#7521- FAF Council, Dept. 6000) [Fairfield County Family, Adult & Children First Council]
- 2012-09.25.r Approval to appropriate from unappropriated funds (Fund 2481 Juvenile Recovery- Juvenile Court) [Fairfield County Juvenile Court]
- 2012-09.25.s Approval of advance from the General Fund to Fund 2784 Victim/Witness Assistance Division of the Fairfield County Prosecuting Attorney, Victims of Crime Act (VOCA) Grant Year 2011-2012 [Fairfield County Prosecutor]
- 2012-09.25.t Approval of amending the certificate, update the receipt line and appropriate from unappropriated money- Commissary #2442 [Fairfield County Sheriff]
- 2012-09.25.u Approval of account to account transfer of appropriations- Major Object Expenditure Category (2065- DRETAC Treasurer) [Fairfield County Treasurer]
- 2012-09.25.v Approval of an advance from the General Fund to the Home Sewage Systems Fund (2777) Sub Fund 8029 [Fairfield County Utilities]

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

Approval of Authorization for Payment of Bills, September 11, 2012 [Fairfield County Commissioners]

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted on the approval of Authorization for Payment of Bills, September 11, 2012 [Fairfield County Commissioners], see Resolution 2012-09.18.w.

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

Approval of appointment of a board member to the Fairfield County Board of Revolving Loan Review Committee- Ms. Melody Borchers [Fairfield County Commissioners]

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted on the approval of appointment of a board member to the Fairfield County Board of Revolving Loan Review Committee- Ms. Melody Borchers [Fairfield County Commissioners], see Resolution 2012-09.25.x.

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

The Regular Meeting ended at 10:09 a.m.

Review Session (continued)

The Commissioners met to review legal issues, pending and future action items and correspondence. Commissioner Davis called the meeting to order at 10:13a.m. with the following Commissioners present: Steven Davis, Mike Kiger, and Judith Shupe. Also present were Jeff Barron, Aunie Cordle, Jason Dolin, David Gallimore, Staci Knisley, Ed Laramie, Dave Levacy, Branden Meyer, and Jon Slater.

Items that Need New Action/Attention- Requests and Review

• Job Posting for Economic Development Director

Commissioner Davis stated that he thought that Mr. Gallimore would like to be helpful in the selection process. He

Mr. Gallimore stated that he had a very constructive meeting yesterday with Commissioner Kiger during their visit to Pleasant Township Fire Department.

Commissioner Kiger stated that he would like input from Mr. Gallimore regarding the job posting.

Commissioner Shupe agreed.

Ms. Cordle stated that she started with the previous job posting and has made changes to it. She has asked for input from other counties. She stated that Delaware, Warren and Preble counties.

Commissioner Davis stated that the posting says 2 years of experience.

Ms. Cordle agreed that she would like to see the years of experience change; most have 5 years of experience.

Commissioner Davis stated that the section looking at education and experience broadens this.

Ms. Cordle stated that this would give more flexibility in the candidate pool.

Commissioner Davis agreed that this would give the Commissioners flexibility. He asked whether this process could be handled within 3 months.

Ms. Cordle agreed. She stated that the posting period should be at least three weeks.

Commissioner Shupe stated that she did not have a problem listing 5 years' experience as a requirement.

Commissioner Davis agreed. He stated that the way the sentence is written states this when including the education. He asked about the salary range, whether the Commissioners are capped at the amount that is listed.

Ms. Cordle stated that the Commissioners wanted the salary set at this amount before. She stated that the Commissioners may set the salary at what amount they see fit.

Ms. Cordle stated the salary at Delaware County was higher.

Commissioner Kiger stated that he would like the posting to say commensurate with experience.

Ms. Cordle stated that it helps target the experienced person.

Commissioner Davis stated that is concerned that the applicants will be. He stated that he would not like the Commissioners to have their hands tied.

Commissioner Shupe asked whether the posting was three years old.

Ms. Cordle stated the posting was from 2009.

Commissioner Shupe suggested looking at the salaries of the other department heads to compare to.

Mr. Gallimore stated that the years' experience needs to be changed, at least 5 years and stated that the salary range needs to be changed as well.

Commissioner Kiger stated would like the second bullet from Warren County's description listed, which stated: "Five years of successful, progressive managerial experience in at least one of those areas."

Commissioner Davis suggested a range of \$65,000-\$85,000 or language stating commensurate with experience. He asked whether Ms. Cordle asked whether she needed anything else to post the position.

Ms. Cordle stated that she needs nothing additional to get the position posted, but the description needs to be worked on.

Commissioner Davis suggested that the position be discussed at the October 2 meeting. He asked whether the other Commissioners would agree to allow Ms. Cordle and Mr. Gallimore to finalize the job posting.

Commissioner Kiger and Commissioner Shupe agreed.

Commissioner Kiger suggested reaching out to the other economic development professionals in the county for input on the job description.

Commissioner Davis stated that it will be important to have a person who understands the history of the county in this position.

Mr. Gallimore stated that he had already planned to reach out to Mike Petit to assist with this.

The Commissioners agreed.

Commissioner Davis stated that all of this information is public and that Mr. Gallimore may discuss this information with anyone.

Mr. Meyer stated that Linda Kauffman stated that she has several forums that the position can be sent to.

Ms. Cordle stated that she will submit the posting in several publications. She stated that the interviews for this new position will most likely take place in November.

▪ **Board Vacancies: Area 20 Workforce Investment Board, Revolving Loan Fund Board**

This was discussed in the first part of Review earlier in the morning.

Invitations

▪ **Bremen's Historical Figures- Thursday, October 11, 6:00 p.m.-8:00 p.m. RSVP by October 5.**

Commissioner Kiger stated that Bremen has been unveiling a figure at each of their monthly meetings.

Commissioner Davis stated that he will inquire about this event at today's Bremen Chamber of Commerce Luncheon.

▪ **2012 City/County Luncheon- Friday, October 19, Time: TBD.**

Ms. Cordle stated that this is an annual event held for all city and county employees.

Commissioner Shupe stated that she usually participates as a sponsor.

Commissioner Davis stated that he would be interested in sponsoring this event as well.

Informational

▪ **Letter received from Rhonda Myers, re: Request to appoint Cheri Russo to the ADAMH Board**

Commissioner Davis stated that he would like to meet with Ms. Myers next week to discuss the board vacancies.

Mr. Meyer stated that he would contact Ms. Myers to set up a meeting.

▪ **Letter received from Carl Tatman, re: ADAMH Board**

▪ **Letter received from Jonathan Van Linge, re: ADAMH Board**

▪ **Resume received from Philip Settecase, re: ADAMH Board**

Miscellaneous Discussion

▪ **Board of Developmental Disabilities (BDD) Lease**

Mr. Slater thought that the information was completed.

Mr. Meyer stated that Mr. Dolin has reviewed the agreement and had a few items that needed to be addressed.

Mr. Laramee stated that the BDD property includes two parcels, one with the facility and the other is vacant land. He stated that the other parcel will need to be maintained.

Commissioner Davis asked about the size of the property.

Mr. Laramee stated that the property is 5 acres of road frontage along State Route 256.

Mr. Laramee stated that the lending of the money went beyond the purchase price and the lease speaks to the dollar amount.

Mr. Vogel stated that BDD maintains their land at their location on Coonpath Road.

Mr. Slater stated that this should probably be addressed in the lease.

Commissioner Davis stated that \$1 million dollars was loaned, \$750,000 for the property and \$250,000 for renovations to the property. This was purchased under a lease back to BDD. He asked that discussions continue and this be concluded next week.

▪ **Number of Resolutions**

Mr. Slater stated that the number of resolutions that do not have to be done was at about 360-370 resolutions and would be up to about 500 by the end of the year.

Commissioner Davis stated that paper waste was the only thing that was lost as a result of changing the legal level of control.

Ms. Knisley stated that this change has made things much more efficient for the departments.

Review Session ended at 11:11 a.m.

Executive Session #2

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to enter into Executive Session at 11:12 a.m. for the purpose of discussing personnel. Commissioners present were Steven Davis, Judith Shupe, and Mike Kiger. Also present were Aunie Cordle, Jason Dolin, Staci Knisley, and Branden Meyer.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Steven Davis, Mike Kiger, Judith Shupe, Tony Vogel

*This meeting was not public pursuant to R.C. 121.22(G)(1).

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to adjourn from Executive Session at 11:36 a.m.

Roll call vote of the motion resulted as follows:

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

No formal actions were taken. The Commissioners went into Recess at 11:36 a.m. to attend the Bremen Chamber of Commerce Luncheon.

Review Session (continued)

The Commissioners met to review legal issues, pending and future action items and correspondence. Commissioner Davis called the meeting to order at 1:33 p.m. with the following Commissioners present: Steven Davis and Mike Kiger. Also present were Christina Foster, Staci Knisley, and Branden Meyer.

Miscellaneous Discussion (continued)

• Dog Shelter

Commissioner Kiger stated that he has a meeting set up with some members of the public to discuss some items regarding the Dog Shelter.

Commissioner Davis stated that the Commissioners are gathering information from many sources and time will be needed to look through the information, but will hopefully be hearing back from the Prosecutor's office with some of the information.

Commissioner Kiger stated that due to the budget time coming up, additional time will be needed to make some of these decisions.

• Building Maintenance and Cleaning

Mr. Meyer stated that he and the other Commissioners' staff spend much time dealing with complaints related to maintenance and cleaning issues. He stated that there is a problem when the issues start affecting the regular work of the staff.

Ms. Knisley discussed the Commissioners' office budget and mentioned that the maintenance budget has been running tight.

Review Session ended at 2:06 p.m.

Adjournment

With no more business to discuss, on the motion of Mike Kiger and a second of Steven Davis, the Board of Commissioners voted to adjourn at 2:06 p.m.

Roll call vote on the motion resulted as follows:

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

The next regular meeting of the Board of Commissioners is scheduled for Tuesday, October 2, 2012 at 10:00 a.m.

Motion by: Mike Kiger

Seconded by: Judith Shupe

that the minutes were approved by the following vote:

YEAS: Steven Davis, Mike Kiger, and Judith Shupe

NAYS: None

ABSTENTIONS: None

*Approved on October 2, 2012.

Steven A. Davis
Commissioner

Mike Kiger
Commissioner

Judith K. Shupe
Commissioner

Branden C. Meyer, Clerk