

**Regular Meeting #07-36
Fairfield County Commissioners' Office
August 21, 2007**

9:00 a.m. Meeting with Community Action re: CFLP grant

The Board of Commissioners met with Patty Bratton and Janet Schmeltzer for an update on their 2008 grant application with the following members present: Mike Kiger, Jon Myers and Judith Shupe. Present also was Staci Knisley. Mrs. Schmeltzer reported that the Recycling Residential & Commercial grant application was for a 3% increase. Gasoline expenses have increased and Community Action brought their wage scale up to an average of \$1.00 increase. Mrs. Bratton reported that the increase in wages is due to the high turnover in employees. Mrs. Bratton reported that the range is \$8.24 - \$10.00 per hour on CDL drivers and before becoming a driver the employee would start as a processor. Mrs. Bratton reported the Recycling Residential & Commercial grant was \$ 239,000 for 2007 and the application for the grant for 2008 is \$ 247,612.08. Commissioner Shupe asked if Berne Township is still a part of the curbside program. Mrs. Bratton responded that Berne Township is on a schedule of twice a week, Madison Township is twice a month and the Village of Sugar Grove has a direct contract with the Recycling Center. Mrs. Bratton reported that in a year, the recycling center went from 60 to 77 customers due to the purchase of the new compact truck. Mrs. Bratton reported that next year there could be up to 100 customers. Mrs. Bratton reported that there is 18 drop off sites and the Village of Amanda brings their trailer to the recycling center. Mrs. Bratton reported that the center would like to purchase a new trailer to locate at the Richland Township/Rushcreek Fire Department, Bloom Township has an old recycling trailer and does not need, Ohio University Lancaster has a trailer with compartments that the agency might take out to the Fire Department. Mrs. Bratton reported that there are a total of 20 trailers and there may be a need to purchase one in 2008. Mrs. Bratton reported that it costs \$500 per year for the maintenance and used the first 6 months of expenses to project budget for 2008. Mrs. Bratton reported that the Recycling & Litter Prevention Program grant was \$161,000 in 2007 and is applying for \$176,000 for 2008 with a 3% increase in salaries, insurance has increased due to replacing an employee. Mrs. Bratton reported that the request from county departments for recycling items would be approximately \$ 18,000. Commissioner Kiger asked for an update on copper collection. Mrs. Bratton responded that the City of Lancaster passed an ordinance that in order for Community Action to purchase copper, the seller must be 18 years of age, finger printed, show a driver's license, the agency must be able to give a physical description of the person and the content. Mrs. Schmeltzer reported that Community Action is working with the city and has video cameras installed for security. Commissioner Kiger asked if a special permit is required. Mrs. Bratton responded yes, there is a \$50.00 fee that is waived by the city and has to have a license. Mrs. Bratton reported that Community Action did not get the State Tire grant, and was one of many that applied.

10:00 a.m. Public Hearing – Issuance of Revenue Bonds

Commissioner Kiger opened the public hearing regarding the issuance of bonds United Church Homes at 10:00 a.m. Present at the hearing were: Mike Kiger, Jon Myers, Judith Shupe, Mayor Bob Kalish, Julia Hilty, Bill Arnett and Staci Knisley. There was no opposition from the public. Commissioner Kiger closed the hearing at 10:01 a.m.

10:15 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, August 21, beginning at 10:15 a.m., with the following Commissioners present: Mike Kiger, Jon Myers and Judith Shupe. Also present was: Mayor Bob Kalish, Bill Arnett, Julia Hilty and Staci Knisley.

Announcements

Staci Knisley reported that there are two additional resolutions added to the agenda, resolution 07-08.21.ee & 07-08.21.ff, approval of grant applications for Community Action.

Public Comment

There were no public comments.

Approval of minutes of Tuesday, August 14, 2007

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, August 14, 2007.

Roll call vote of the motion resulted as follows:

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

Approval of authorizing to execute and deliver contracting political subdivisions agreement and giving applicable elected representative approval in connection with the issuance of revenue bonds of the County of Marion, Ohio and authorizing other documents in connection with the issuance of such bonds – United Church Homes

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the authorization to execute and deliver contracting political subdivisions agreement and giving applicable elected representative approval in connection with the issuance of revenue bonds of the County of Marion, Ohio and authorizing other documents in connection with the issuance of such bonds – United Church Homes; see resolution 07-08.21.a

Roll call vote of the motion resulted as follows:

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

Approval to bore under Old Rushville Road – Fairfield County Engineer

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the Fairfield County Engineer to bore under Old Rushville Road; see resolution 07-08.21.b

Roll call vote of the motion resulted as follows:

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

Approval of Notice of Commencement for Manhole Rehabilitation Project No. 2 – Fairfield County Utilities

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the Notice of Commencement for the Manhole Rehabilitation Project No. 2 – Fairfield County Utilities; see resolution 07-08.21.c

Roll call vote of the motion resulted as follows:

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

Approval of Incorporating Supervisory Personnel in the Utilities Department into the FLSA overtime requirements, revoking Resolution 99-08.19.b

On motion of Jon Myers and second of Judith Shupe, the Board voted to approve the Resolution incorporating Supervisory Personnel in the Utilities Department into the FLSA overtime requirements revoking Resolution 99-08.19.b; see resolution 07-08.21.d

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

Approval of Enterprise Zone Agreements

On Motion of Judith Shupe and second of Jon Myers, the Board voted to approve the the following Enterprise Zone Agreement Resolutions, see below:

- 07-08.21.e Approval of amending an Enterprise Zone Agreement between Anchor Hocking, Fairfield County and the City of Lancaster
- 07-08.21.f Approval of amending an Enterprise Zone Agreement between Anchor Hocking, Fairfield County and the City of Lancaster
- 07-08.21.g Approval of amending an Enterprise Zone Agreement between Anchor Hocking, Fairfield County and the City of Lancaster

Bill Arnett reported that the amendments were based on new ownership and the City of Lancaster previously passed amendments also.

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

Approval of agreement with the Fairfield County Mental Retardation & Disabilities – Financing Approval

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the agreement for the financing approval with the Fairfield County Mental Retardation & Disabilities; see resolution 07-08.21.h

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

Approval of certification of the Fairfield Metropolitan Housing Authority 2008 Annual Plan with the Fairfield County’s Community Housing Improvement Strategy (CHIS)

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the certification of the Fairfield Metropolitan Housing Authority 2008 Annual Plan with the Fairfield County’s Community Housing Improvement Strategy; see resolution 07-08.21.i

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

Approval of contract for security services for the Pickerington Local Schools – Fairfield County Sheriff

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the contract for security services with the Pickerington Local Schools and the Fairfield County Sheriff; see resolution 07-08.21.j

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

Approval of agreement for Social Security Administration – Fairfield County Sheriff

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the Social Security Administration agreement for the Fairfield County Sheriff; see resolution 07-08.21.k

Julia Hilty reported that the agreement is that any individual confined in jail more than 30 days is denied their social security benefits and deposits will be electronically made to the Sheriff. She added that this was already happening, and just finalizing the agreement.

Roll call vote of the motion resulted as follows:

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

Approval of contract for the county facilities roofing project, the Garland Company

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the contract with the Garland Company for the roofing project for Fairfield County facilities; see resolution 07-08.21.l

Roll call vote of the motion resulted as follows:

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

Approval of the extension of the CHIP FY2005 grant

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the request of the extension of the CHIP FY2005 grant; see resolution 07-08.21.m

Roll call vote of the motion resulted as follows:

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

Approval of CDBG Formula Resolutions

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the following CDBG formula resolutions, see below:

07-08.21.n Approval of request for payment and status of funds report –FY2005 CDBG Formula Program – Drawdown # 157

07-08.21.o Approval of participation agreement between Village of Pleasantville and Fairfield County – FY2006 CDBG Formula

Roll call vote of the motion resulted as follows:

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

Approval to remove assets from County Inventory Records

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the removal of county inventory records; see resolution 07-08.21.p

Roll call vote of the motion resulted as follows:

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

Approval of financial resolutions

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the following financial resolutions, see below:

07-08.21.q Approval of account to account transfer – Fairfield County Commissioners/Autopsy Costs

07-08.21.r Approval to amend the certificate, update receipts and appropriate from unappropriated – Permanent/Capital Improvement Funds # 3435

- 07-08.21.s Approval to amend the certificate, update receipts, appropriate from unappropriated and fund to fund transfer - West Campus Fund # 3522 & Liberty Center/Engineer's Debt Fund # 4523
- 07-08.21.t Approval of account to account transfers – Fairfield County Airport
- 07-08.21.u Approval to appropriate from unappropriated – Fairfield County Engineer
- 07-08.21.v Approval to appropriate from unappropriated – Fairfield County Engineer
- 07-08.21.w Approval to appropriate from unappropriated – Fairfield County Engineer
- 07-08.21.x Approval of account to account transfer – Fairfield County Domestic Relations Court
- 07-08.21.y Approval of account to account transfer – Fairfield County Sheriff
- 07-08.21.z Approval of account to account transfer – Fairfield County Common Pleas Court
- 07-08.21.aa Approval of Memo Expenditure – Fairfield County Job & Family Services
- 07-08.21.bb Approval of Memo Expenditure – Fairfield County Job & Family Services
- 07-08.21.cc Approval of warrant to American Red Cross – Fairfield County Emergency Management Agency

Commissioner Myers asked why warrant was being issued to the American Red Cross. Staci Knisley responded that the American Red Cross was purchasing items for the Emergency Management Agency exercise, Saturday, August 25, 2007.

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, August 21, 2007 – check date August 24, 2007

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the authorization for payment of bills, August 21, 2007, check date August 24, 2007; see resolution 07-08.14.dd

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

Approval of CFLP resolutions

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the following CFLP resolutions, see below:

- 07-08.21.ee Approval of the 2008 drop off, commercial and curbside recycling contract prepared by the Lancaster-Fairfield Community Action for submission to the CFLP Solid Waste District
- 07-08.21.ff Approval of the 2008 CFLP Recycling and Litter Prevention Program Grant Application

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 at 10:20 a.m. to review correspondence, pending items, and future action items. Present at the review session were Mike Kiger, Jon Myers, Judith Shupe, Mayor Bob Kalish, Julia Hilty, Aundrea Cordle and Staci Knisley.

Approval of appropriate from unappropriated – Fairfield County Sheriff

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted the approval to appropriate monies from the General Fund to unappropriated for the Fairfield County Sheriff; see resolution 07-08.21.gg

Commissioner Myers reported that this resolution allows monies to be appropriated for the Sheriff to hire one additional deputy for the Hall of Justice Security. Commissioner Kiger reported that he did not have a problem with the resolution and hiring an additional deputy as long as the deputy would be for Hall of Justice security.

Roll call vote of the motion resulted as follows:

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

Executive Session re: legal matters

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to go into executive session at 10:58 a.m. with Aundrea Cordle regarding legal matters.

Roll call vote of the motion resulted as follows:

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

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to go out of executive session at 11:15 a.m. No official action was taken.

Roll call vote of the motion resulted as follows:

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

11:15 a.m. Meeting with Jonathon Febrache, Fairfield County Soil & Water

The Board of Commissioners met with Jonathon Febrache to discuss the agricultural easement program. Present at this meeting were: Mike Kiger, Jon Myers, Judith Shupe and Staci Knisley. Mr. Febrache updated the Board on the differences of the agricultural easement programs. The Young's wish to donate 125 acres of farmland for preservation. No monies will be given, a Federal Tax deduction for 16 years will be given instead. The same restrictions on the farmland are given. The Young's believe donating the property will preserve their land.

11:40 a.m. Meeting with Jerry Perrigo re: Public Safety Hot Zone Update

The Board of met with Jerry Perrigo to discuss the Public Safety Hot Zone Committee update with the following present: Mike Kiger, Jon Myers, Judith Shupe, Joe Spybey, Ed Laramie, Rick Axline, Dave Blodgett and Staci Knisley. Mr. Axline reported that all figures of the presentation are from sources from other entities and were actual. Mr. Blodgett reported that Shremshock Architects were attempting to project the jail population and needs 23 years from now, 2030. Mr. Blodgett reported that the United States Census Bureau estimates population in 2030 to be 201,012 people. The average monthly bookings, population and rated jail capacity factors the projected amount of prisoners in 2030. The Department of Rehabilitation, Bureau of Adult Detention determines the rated jail capacity, currently at 70. Commissioner Shupe asked if presentation included minimum and maximum jail. Mr. Blodgett responded yes, that both were factored. Mr. Blodgett reported that 35 square feet of maximum unencumbered space is the standard. Mr. Laramie asked if the jail capacity rate would

be the number that the county would be slammed against. Mr. Blodgett responded yes, use the jail capacity rate. Mr. Axline reported that in the early 80's they started following the design parameters. Mr. Blodgett reported that in 1999, the National Institute of Justice did a needs analysis and the condition of jails border on unconstitutional doings. Mr. Blodgett reported that for 2005 the National Incarceration rate was 200 inmates per 100,000 people and the Ohio Incarceration rate was 173 inmates per 100,000 people. Mr. Blodgett reported that the national rate goes up every year and the projected total for 2030 is 451 inmates. Mr. Blodgett reported that inmates should be moved around per classification. Mr. Blodgett reported that other factors built into projection are population peaks. In 2006 there were 488 felonies and 2,636 misdemeanors. In 2000 there were 227 felonies and 2,139 misdemeanors. In 1999 there were 289 new case filings and 493 were filed in 2006. Mr. Blodgett reported that the State average change is 4.7% and the county has an average change of 8.5 % in Common Pleas criminal case findings, the overall criminal cases in Common Pleas has a state increase of 6.2% and the county has an increase of 7.4% increase. Mr. Blodgett reported that other variables are based on the average daily population including outside prisoner housing and electronic monitoring. Mr. Blodgett reported that the current facilities had no space for programs, no attorney visit rooms and no recreational space. Mr. Blodgett reported that to operate a jail successfully these variables need to be met. Mr. Blodgett reported that from 2002 until June of 2007 operational costs for the current facilities were \$1,954,095. Ed Laramee reported that this does not include transportation of prisoners or salaries and benefits. Mr. Blodgett reported that the current facilities had no classifications for sentenced and un-sentenced, men and women. Mr. Blodgett reported that it is critical to keep the population in control. Mr. Blodgett reported that the MSJ is in violation, classifications need to be separated. Mr. Blodgett reported that based on 2005 & 2006 populations 474 males and 55 females are estimated for 2030. Mr. Axline reported that requirements are changing for psychological inmates they are getting pushed off on counties. Mr. Laramee reported that if lower number of beds was chosen the out of town expenses would be down. Mr. Spybey reported that the number of beds for 2030 will push the site analysis information. Commissioner Myers asked if the bottom line number for 2030 would be 540 beds. Commissioner Shupe reported that she hoped the facility could be built in pods. Mr. Laramee reported that more than likely the facility would need 500 beds. Mr. Blodgett reported that 400-550 beds would be the cone for building the facility. Commissioner Shupe asked how much it would cost per bed. Mr. Axline responded that it would cost \$65,000. Mr. Axline asked if there was another date the Board would like him to project the number of inmates. Commissioner Myers responded that when the site analysis was completed, the Board would start from there. Commissioner Myers reported that to discount the information today would be premature. Commissioner Myers asked if there is a committee that will do the financial planning. Mr. Laramee responded yes, but committee hasn't been formed yet. Commissioner Shupe asked if the soft costs have been considered unlike the Multi-Juvenile Detention Facility. Mr. Laramee responded that all questions will be addressed. Mr. Axline reported that based upon 170,000 square feet including administrative space that the estimated costs would be \$32 million if project. Mr. Axline reported that construction costs are going up, when petroleum goes up it is estimated that 40 % of construction costs go up. Mr. Axline reported that with the new facility, two more correctional officers per floor per 3 shifts would need to be hired. Mr. Laramee reported that with having rental space and income it would subsidize the new staff.

1:30 p.m Meeting with Brooks Davis re: Windy Hill Estates

The Board of Commissioners met with Brooks Davis to discuss Windy Hill Estates with the following present: Mike Kiger, Jon Myers, Judith Shupe, Brooks Davis, Holly Mattei, and Staci Knisley. Present also was: Roger & Carolyn Ruble owners of Windy Hill Estates. Mrs. Mattei reported that the Ruble's asked for a variance from the Regional Planning Subdivision Regulations Committee requesting not to build the stub road at this time. The Regulations request a 100% bond to build the road currently estimated at \$47,000. The Regional Planning Commission Subdivision amended the recommendation and now the developer is only required to provide a bond for 50% of the cost plus inflation, which is currently \$23,500 plus inflation. Mrs. Mattei reported

that if the Board of Commissioners sign the plat and accept the right of way dedication for this stub that the county could be responsible for the construction of the road should the developer fail to build it. The county would be holding a bond for \$23,500 plus inflation, the county could be responsible for the remaining costs. Mrs. Mattei reported that she had confirmed this with assistant prosecuting attorney Roy Hart. Commissioner Shupe asked if the stub road led into a pond. Mr. Davis responded that on the currently proposed layout, the road stops at the pond. Mr. Ruble reported that if the regulations are for him to build the road, he believed it would only benefit his neighbor. Mr. Davis reported that connectivity of a road is a requirement of all subdivisions. Mrs. Ruble reported that she didn't understand why the township would want to be responsible for maintaining the road. Mr. Ruble reported that he would be losing money by building this road. Mr. Ruble reported that there is a subdivision on Coonpath Road that does not have connectivity. Mr. Davis reported that we are here today in this meeting to determine who is responsible for building the road in the Windy Hill Estates subdivision. Commissioner Shupe asked what would happen if rest of subdivision was never developed. Mrs. Mattei responded that the responsibility of the road could be relieved, but action would be required by the Regional Planning Commission. Commissioner Myers asked what the chances are that subdivision would be developed. Mrs. Mattei reported that the second access point would be built when the 70 acre property is developed. Commissioner Kiger reported that Frank Anderson, Fairfield County Engineer said the pond could be filled in once developed. Mrs. Mattei reported that the regulations say that developer is responsible for roads in subdivisions. Commissioner Myers reported that the Board of Commissioners generally approve recommendations from the Regional Planning Subdivisions Regulations committee. Commissioner Kiger reported that connectivity of a road has been a regulation for a long time. Mrs. Ruble reported that when a developer builds a road, the county and township lose tax dollars. Mr. Ruble reported that when he purchased his property it was 91 acres and because of right of way easements he now has 83 acres. Mr. Ruble reported that he paid taxes on the 91 acres for 35 years. Mr. Davis reported that once acres are platted right of way dedications occur. Mrs. Mattei reported that Mr. Ruble now has 23 lots out of his property, which he wouldn't have had if he hadn't dedicated the rights-of-way. Mrs. Mattei reported that the State of Ohio will limit access from state routes. Mrs. Ruble reported that they had a vision of their subdivision being a nice development. Mr. Ruble reported that the township does not want the road to be built. Mr. Ruble reported that the current stub is 25 ft wide and goes into neighbor's pond. Commissioner Shupe reported that the Board of Commissioners has no action in front of them. Mr. Ruble would like the Board to consider not to build the road. Mr. Ruble reported that if road was not built there would be less crime. Mrs. Ruble reported that the way the subdivision is laid out now that you could safely drive 60 miles per hour around it. Mr. Ruble reported that building the stub road would only benefit his neighbor's property. He already has access to state route 188. Mr. Ruble reported that in the land use plan for the county the green space was suggested to be for parks and recreation for the county. Commissioner Myers reported that the Board learned a lot today but does not have any action before them. Mr. Davis reported that he and Mrs. Mattei will take this issue back to the Regional Planning Subdivision Regulations Committee to review. Mrs. Mattei reported that the regulations committee has given variances before if the right information is given. Mr. Davis reported that if the variance was denied it would be with good reason.

2:15 p.m. Carl Burnett reporter for the Lancaster Eagle Gazette

Carl Burnett, reporter from the Lancaster Eagle Gazette stopped by for an update on today's meeting. Commissioner Shupe reported that the board felt \$100,000 would be better spent with 2 deputies added to the Sheriff department rather than investing in the Community Watch program. Commissioner Myers reported that 1 additional deputy would be for the security at the Hall of Justice. Commissioner Kiger reported that he supports the deputy if he or she will be extra security at the Hall of Justice. Commissioner Myers reported that the Meals On Wheels/Older Adult Agency would be meeting with the Board of Commissioners to discuss establishing an advisory

committee. Commissioner Myers reported that the Board has heard from other agencies that there was no input from other agencies.

Adjournment

With no further business to come before the Board, on motion of Jon Myers and on the second of Judith Shupe, the Board of Commissioners voted to adjourn the meeting at approximately 2:30 p.m. Roll call vote of 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

Staci A. Knisley, Interim Clerk/Manager

THE NEXT REGULAR COMMISSIONERS' MEETING IS SCHEDULED TUESDAY, AUGUST 28, 2007 AT 10:00 A.M.