

**Regular Meeting #07-51
Fairfield County Commissioners' Office
December 11, 2007**

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, December 11, beginning at 10:00 a.m., with the following Commissioners present: Mike Kiger, Jon Myers and Judith Shupe. Also present were: Mary Jane Gard, Lynette Leach, Deborah Dupler, Judy Irish, Margie Stokes, Tamaria Kulemeka, Jason Dolin and Scott Zody.

Announcements

Clerk/Manager Scott Zody announced that there would be one add-on resolution for an advance from the General Fund.

Public Comment

Judy Irish (8110 Blacklick Eastern Road), Margie Stokes (7415 Marcy Road), and Deborah Dupler (718 Oakwood Ave.) provided public comments relative to alleged wrongdoing in the Fairfield County Clerk of Courts Office. All three are former employees of the Clerk of Courts Office, Ms Irish and Ms. Dupler were terminated, and Ms. Stokes resigned. The ladies alleged that they were pressured to give campaign contributions to the Clerk of Courts, and were told that it was "in their best interests" to do so. They provided documentation to the Board of Commissioners along with their claims.

Commissioner Myers asked when they were terminated or resigned, and all three replied that they had been terminated or resigned within the past year, Ms. Dupler having been terminated in the last week. All three alleged that they had had no prior disciplinary actions against them until the current Clerk had taken office.

Ms. Stokes alleged that a current Clerk of Courts employee was using her cash drawer at the Pickerington Office for personal use, and that the situation had been brought to the attention of supervisors, but no action had been taken against the employee, which was one of the reasons she had resigned. Commissioner Myers asked about a copy of a check from a dealer to the Clerk that had been provided with the ladies documentation, and Ms Dupler replied that it was a check the employee in Pickerington wrote after she was placed in a supervisory position. Ms. Dupler stated the employee would write a check, place it in her drawer, then withdraw cash for personal use.

Ms. Irish stated that a different employee was fired after taking \$10 from her drawer, but this particular employee had no action taken against her. Ms. Irish stated that all three felt it important to bring this information to the attention of the Board, so that some action might be taken.

Commissioner Myers stated that it is important that the ladies attempt to address their grievances in the proper venue, as the Board of Commissioners would not have jurisdiction over these types of allegations. Ms. Irish and Ms. Dupler stated that they had been original employees 8 years ago when the Pickerington Office opened, and now all the original employees were gone, and they weren't sure what to do.

Commissioner Myers thanked all three from speaking out, and requested that Assistant Prosecutor Jason Dolin provide them with guidance as to the proper venue to pursue their complaints. Mr. Dolin informed the ladies that they should contact the County Prosecutor's Office and also the local law enforcement jurisdiction regarding these issues. Commissioner Shupe stated that she appreciated the ladies willingness to attend the meeting and speak out.

Approval of minutes of Thursday, December 6, 2007

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Thursday, December 6, 2007.

Roll call vote of the motion resulted as follows:

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

Approval of Declaration of Necessity for Child Protective Services/Adult Protective Services levy

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a Declaration of Necessity and draft ballot language for a Child Protective Service/Adult Protective services levy, see resolution 07-12.11.a

Roll call vote of the motion resulted as follows:

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

Approval of Estimated Useful Life for Dog Shelter Euthanasia Chamber

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a statement of estimated useful life for the Fairfield County Dog Shelter Euthanasia Chamber, see resolution 07-12.11.b

Roll call vote of the motion resulted as follows:

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

Approval of Referral of Delinquent Sewer Rental Payments – Licking County Water & Wastewater District

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the referral of delinquent sewer rental payments in the Buckeye Lake area to the Fairfield County Auditor for placement on the tax duplicate per the Licking County water & Wastewater District, see resolution 07-12.11.c

Roll call vote of the motion resulted as follows:

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

Approval of 2008 Mileage Reimbursement Rate for Travel

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve the 2008 mileage reimbursement rate of \$0.505 cents per mile for business related travel for county employees, see resolution 07-12.11.d

Roll call vote of the motion resulted as follows:

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

Approval of a Service agreement by & between the Fairfield County Job & Family Services, Child Protective Services, and Sojourners Care Network

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a service agreement by & between the Fairfield County Department of Job & Family Services, Child Protective Services, and Sojourners Care Network, see resolution 07-12.11.e

Lynette Leach with JFS stated that this is a standard and routine contract with the vendor to provide for placement of foster children.

Roll call vote of the motion resulted as follows:

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

Approval of an Award of Bid – CDBG FY2006 Rushcreek Township Hall & Firehouse Renovations Project

On motion of Judith Shupe and the second of Jon Myers the Board of Commissioners voted to approve an award of bid for the CDBG FY2006 Rushcreek Township Hall and Firehouse Renovations Project, see resolution 07-12.11.f

Roll call vote of the motion resulted as follows:

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

Approval of Intergovernmental Agreement for covering the operation of the Ross, Pickaway & Fairfield Workforce Development Area 20

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an intergovernmental agreement covering the operation of the Ross, Pickaway & Fairfield Workforce Development Area 20, see resolution 07-12.11.g

Commissioner Shupe stated that this new area seems to be working much better than the old area that covered a larger geographic region.

Roll call vote of the motion resulted as follows:

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

Approval of a new fund for the Fairfield County Sheriff

On motion of Judith Shupe and second of Jon Myers the Board of Commissioners voted to approve the creation of a new training fund for the Fairfield County Sheriff, see resolution 07-12.11.h

Commissioner Shupe stated that this fund is for the additional funding granted to the Sheriff at the budget retreat to address new state training requirements for peace officers.

Roll call vote of the motion resulted as follows:

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

Approval of Amended Certificates for the Fairfield County Treasurer

On motion of Judith Shupe and second of Jon Myers the Board of Commissioners voted to approve amended certificate resolutions as follows:

07-12.11.i Approval of Amended Certificate – Fairfield County Treasurer

07-12.11.j Approval of Amended Certificate – Fairfield County Treasurer

07-12.11.k Approval of Amended Certificate – Fairfield County Treasurer

07-12.11.l Approval of Amended Certificate – Fairfield County Treasurer

Roll call vote of the motion resulted as follows:

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

Approval of Amended Certificates and Request for Appropriations

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve amended certificates and requests for appropriations resolutions as follows:

07-12.11.m	Approval of Amended Certificate and Request for Appropriations – Fairfield County Treasurer
07-12.11.n	Approval of Amended Certificate and Request for Appropriations – Fairfield County Treasurer
07-12.11.o	Approval of Amended Certificate and Request for Appropriations – Fairfield County Treasurer
07-12.11.p	Approval of Repayment of Advance of Funds – Public Assistance Fund – Job & Family Services

Roll call vote of the motion resulted as follows:

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

Financial Resolutions

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve financial resolutions as follows:

07-12.06.w	Approval of Account to Account Transfer – Fairfield County Dog Warden
07-12.06.x	Approval of Account to Account Transfer – Fairfield County Dog Warden
07-12.06.y	Approval of Account to Account Transfer – Fairfield County Family, Adult & Children First Council

Roll call vote of the motion resulted as follows:

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

Approval of Amended Certificate and Request for Appropriations Resolutions

On motion of Judith Shupe and second of Jon Myers the Board of Commissioners voted to approve requests of amended certificates and requests for appropriations as follows:

07-12.06.z	Approval of Amended Certificate and Request for Appropriations for Additional Unanticipated Receipts of Memo Expenditure – 3434 OPWC Payments
07-12.06.aa	Approval of Amended Certificate and Request for Appropriations for Additional Unanticipated Receipts of Memo Expenditure – 3434 OPWC Payments
07-12.06.bb	Approval of Amended Certificate and Request for Appropriations for Additional Unanticipated Receipts of Memo Expenditure – 3434 OPWC Payments
07-12.06.cc	Approval of Amended Certificate and Request for Appropriations for Anticipated Receipts – Federal Grant – Sheriff's Office

Roll call vote of the motion resulted as follows:

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

Financial Resolutions

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

07-12.11.q	Approval to Extend Repayment of Advance to the General Fund – EMA
07-12.11.r	Approval to Extend Advances – CHIP/CDBG

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

Approval of Repayment of Advance to the General Fund

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a repayment of an advance to the General Fund, see resolution 07-12.11.s

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

Financial Resolutions

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve financial resolutions as follows:

07-12.11.t	Approval of Account to Account Transfer - Soil & Water
07-12.11.u	Approval of Account to Account Transfer - Data Processing
07-12.11.v	Approval to Appropriate from Unappropriated – Fairfield County Family, Adult, and Children First Council
07-12.11.w	Approval of Account to Account Transfer – Fairfield County Utilities
07-12.11.x	Approval of Account to Account Transfer – Fairfield County Utilities
07-12.11.y	Approval to Lower Anticipated Revenue within Utility Funds – Fairfield County Utilities

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

Payment of Bills

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the authorization for payment of bills, December 11, 2007, check date December 14, 2007, see resolution 07-12.11.z

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

On motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to approve an advance from the General Fund for the Housing Improvement Fund, see resolution 07-12.11.aa

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 at 10:30 a.m. to review correspondence, pending items, and future action items. Commissioners present at the review session were Mike Kiger, Jon Myers, and Judith Shupe. Present also were Tamaria Kulemaka, Jason Dolin and Scott Zody.

Mr. Dolin reported that he was working on the draft Public Records Policy sent out by the County Commissioner's Association. Commissioner Myers stated that a policy needed to be in place, and suggested the Board may wish to adopt the policy and consider changes as needed.

Mr. Dolin and Mr. Zody reported that they had been working on the resolution relative to the Custer obstruction, and it is ready to be considered by the Board. The Board directed Mr. Zody to prepare the resolution for the December 18th agenda and to contact Mr. Custer's attorney and notify him.

Mr. Dolin reported that he had reviewed the e-mail received from the Village of Lithopolis Administrator regarding the re-bid of materials contract, and still feels the contract should be re-bid as the original bid was only for Fairfield County.

The Board instructed Mr. Zody to prepare a letter to County Prosecutor Dave Landefeld relative to the allegations and documentation submitted by the former County Clerk of Courts employees.

Commissioner Shupe requested Mr. Zody check with the Fairfield County Family, Adult & Children First Council regarding any grant requests that were not recommended for funding in addition to the packet of recommended grants the Board received for approval.

Hearing – Pickerington Road Bridge Replacement

The Board of Commissioners met at 11:05 a.m. to hold a hearing relative to a proposed bridge replacement project by the County Engineer in Bloom Township on Pickerington Road. Present were Commissioners Kiger, Shupe, and Myers. Present also were Jeff Baird, Bill Boving, Dave Benson, Tom Eckert, and Scott Zody.

Mr. Baird explained that the project would replace an existing sandstone and concrete structure that dates back to the 1930's and the sandstone is deteriorating to the point that the Engineer is concerned about a possible failure.

Mr. Boving (5020 Pickerington Road) stated that he believes the bridge is sound, and is more worried about another bridge down the road that he believes should be fixed first. Commissioner Shupe thanked Mr. Boving for a series of pictures that he had taken of the bridge, and Commissioner Myers asked when the concrete was added, and Mr. Boving stated that project was done in 1934 as a WPA project

Commissioner Myers asked when the project would be constructed and how long the road would be closed. Mr. Baird stated that the project is scheduled for the 2008-2009 construction season, and the typical closure for such a project is 16 weeks.

Dave Benson stated that he had worked for the Ohio Department of Transportation, and also believes the bridge is sound and more than capable of handling any flood waters if that is a concern. He stated that the sandstone ought to be treated or sealed to help preserve it and keep it from deteriorating. Mr. Baird stated that seal the sandstone on the underside would only serve to hide any further deterioration, as sandstone is very porous material and will deteriorate internally as well as externally.

Tom Eckert (5015 Pickerington Road) did not state any specific concerns, but asked if the road would need to be widened in order to accommodate the new bridge. Mr. Baird stated that he believes there is sufficient right-of-way to construct the project without needing any new right-of-way.

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to close the hearing.

Roll call vote of the motion resulted as follows:

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

Meeting with Joe Spybey, Tom Kenney – Rockies Express Pipeline

The Board of Commissioner met with Facilities Director Joe Spybey and Tom Kenney, representative of the Rockies Express Pipeline, to discuss county lands proposed to be affected by the project. Present were Commissioners Kiger, Myers, and Shupe. Present also were Jason Dolin and Scott Zody.

Mr. Kenney provided a brief overview and a computer-based video presentation regarding the project, and explained that the company has acquired approximately 50% of the right-of-way needed in Fairfield County. The county owns 9 parcels that will be affected by the project, all of which are in and around the county airport property.

Mr. Kenney provided the Board with a draft easement to address the properties affected, and stated that the easement would be for one pipeline and only for natural gas. The only restrictions within the easement would be that no permanent structures could be erected, no trees could be planted, and no ponds or bodies of water could be built. Commissioner Myers asked if the airport needed to expand, could runways be constructed over the easement, and Mr. Kenney stated that would be permissible.

Mr. Kenney stated that there would be a 50-foot wide permanent easement, as well as some temporary construction easements that would expire once the line is installed. The total amount of county lands affected would be 4.78 acres for permanent easements, and 12.11 acres for temporary easements. Total compensation being offered to the county is slightly under \$100,000.

The Board directed Mr. Dolin to review the proposed easements and informed Mr. Kenney that they would follow up with him once the review is completed.

Quarterly Meeting – Investment Advisory Board

Fairfield County Treasurer Jon Slater convened a quarterly meeting of the Fairfield County Investment Advisory Board at 3:20 p.m. Present were members Jon Slater, Commissioner Mike Kiger, and Commissioner Judith Shupe. Present also was Scott Zody.

Mr. Slater stated that the purpose of the meeting was to convene to obtain a statement report approval.

Mr. Slater reported that the investment earnings interest will come in above estimated levels for Calendar Year 2007. At the end of the 3rd quarter, total interest earnings stood at \$2.764 million, and based upon early December numbers, the year-end interest earnings should be at or above \$3.500 million, or approximately \$700,000 over estimates.

Commissioner Shupe stated that is very good news, as the county real estate conveyance fees are down significantly this year, and the improved interest earnings will help solidify the county's year-end cash reserve.

On the motion of Mike Kiger and second of Judith Shupe, the Board voted to accept and approve the report.

Roll call vote of the motion resulted as follows:

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

With no further business to come before the Board, on the motion of Mike Kiger and second of Judith Shupe, the Board voted to adjourn at 3:40 p.m.

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 3:45 p.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon Myers
Commissioner

Judith Shupe
Commissioner

Scott Zody, Clerk/Manager

**THE NEXT REGULAR COMMISSIONERS' MEETING IS SCHEDULED TUESDAY
DECEMBER 18, 2007 AT 10:00 A.M.**