

**Regular Meeting #08-53  
Fairfield County Commissioners' Office  
December 16, 2008**

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

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, December 16, 2008 beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Judith Shupe and Mike Kiger. Also present were Bill Arnett, Mary jane Gard, Tony Vogel, Ritta Seitz, Phil Johnson, David Conley, Dale Jaques, Jason Dolin and Scott Zody.

**Announcements**

Mr. Zody announced that there have been several resolutions added on to the agenda, and there are two additional resolutions that will be added on that are not on the agenda.

**Public Comment**

There were no public comments.

**Approval of Minutes for Thursday, December 11, 2008**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the meeting minutes for Thursday, December 11, 2008

Roll call vote of the motion resulted as follows:

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

**Approval of Authorizing the issuance of not to exceed \$500,000 on notes to pay part of the cost of constructing sanitary sewer improvements in the Carroll area**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve authorizing the issuance of not to exceed \$500,000 on notes to pay part of the cost of constructing sanitary sewer improvements in the Carroll area, see resolution 08-12.16.a.

Mr. Conley provided an overview of the project and the airport expansion project (Item 08-12.16.b). Mr. Conley expects to receive a good rate for the one-year note, and will sell the note tomorrow, and close the transaction in January. He is somewhat concerned about the marketability of the airport notes, because as a quasi-private entity, the notes are subject to the Alternative Minimum Tax and will be more difficult to sell in the current market.

Commissioner Myers asked if there was any chance that the notes would not sell, and Mr. Conley stated that is a possibility, and in that case the County would likely be required to purchase the notes, but that would be a worst-case scenario.

Roll call vote of the motion resulted as follows:

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

**Approval of authorizing the issuance of not to exceed \$1,475, 000 of notes to renew notes previously issued to pay part of the cost of acquiring, constructing and equipping airport facilities consisting of one (1) ten-unit T-hangar, five (5) 50X50 hangars, one (1) 60X50 hangar, and one (1) twelve-unit T-hangar and associated pavement, all located at the Fairfield County airport**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve authorizing the issuance of not to exceed \$1,475, 000 of notes to renew notes previously issued to pay part of the cost of acquiring, constructing and equipping airport facilities consisting of one (1) ten-unit T-hangar, five (5) 50X50

hangars, one (1) 60X50 hangar, and one (1) twelve-unit T-hangar and associated pavement, all located at the Fairfield County airport contract with Fairfield County Job and Family Services, see resolution 08-12.16.b.

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

**Approval of permanent appropriation resolution for 2009**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the permanent appropriation resolution for 2009, see resolution 08-12.16.c.

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

**Approval of extension of the unexpired statute of limitations – US EPA investigation**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an extension of the unexpired statute of limitations relative to a US EPA investigation, see resolution 08-12.16.d.

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

**Approval of Personnel Policy Manual for Fairfield County employees**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to the Personal Policy Manual amendments for the Fairfield County employees, see resolution 08-12.16.e.

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

**Approval of Change Order #1 – Claypool Electric Infrastructure Wiring County Facilities Project**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve Change Order #1 for the Claypool Electric Infrastructure Wiring County Facilities Project, see resolution 08-12.16.f.

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

**Approval of Winding Creek Section 2, Phases 1-5, Final Acceptance**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the Winding Creek Section 2, Phases 1-5 Final Acceptance, see resolution 08-12.16.g.

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

**Approval of Leasing temporary storage space for County-owned property**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the leasing of temporary storage space for County-owned property, see resolution 08-12.16.h

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

**Approval of Waiver of Conflict of Interest for Assistant County Prosecutor Jason Dolin**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a waiver of conflict of interest for Assistant County Prosecutor Jason Dolin, see resolution 08-12.16.i.

Roll call vote of the motion resulted as follows:

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

**Approval of Contract Award for the Pickerington-Fairfield County Emergency Water Line Connection**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the Contract Award for the Pickerington-Fairfield County Emergency Water Line Connection, see resolution 08-12.16.j.

Roll call vote of the motion resulted as follows:

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

**Approval of Board of County Commissioners authorization to exempt purchases of \$1,000 or less from the prior County Auditor certification requirement**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the Board of County Commissioners authorization to exempt purchases of \$1,000 or less from the prior County Auditor certification requirement, see resolution 08-12.16.k.

Roll call vote of the motion resulted as follows:

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

**Approval to Guarantee a State Infrastructure Bank Loan for the Fairfield County Airport Authority**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve to Guarantee a State Infrastructure Bank Loan for the Fairfield County Airport Authority, see resolution 08-12.16.l.

Roll call vote of the motion resulted as follows:

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

**Approval of amending agreement for administration and housing inspection assistance for the Fairfield County Fiscal Year 2008 Community Housing Improvement Program (CHIP) as approved by the Ohio Department of Development, Office of Housing and Community Partnerships**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve amending an agreement for administration and housing inspection assistance for the Fairfield County Fiscal Year 2008 Community Housing Improvement Program (CHIP) as approved by the Ohio Department of Development, Office of Housing and Community Partnerships, see resolution 08-12.16.m.

Roll call vote of the motion resulted as follows:

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

**Approval of Water Line Easement for Marcus Centre - Utilities**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a water line easement for Marcus Centre for the Fairfield County Utilities, see resolution 08-12.16.n

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

**Approval of resolutions to rescind previously approved resolutions**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve resolutions to rescind previously approved resolutions as follows:

- 08-12.16.o Approval to rescind resolution 08-12.11.ii, approval to amend certificate & request for appropriations for additional unanticipated receipts - Commissary
- 08-12.16.p Approval to rescind resolution 08-12.11.jjj, approval to appropriate from unappropriated – Common Pleas Court

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

**Approval of appointment resolutions**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve resolutions making Commissioner appointments to various Boards and Commissions as follows:

- 08-12.16.q Approval of appointment of Board Member to the Fairfield County Airport – Oran Hoover
- 08-12.16.r Approval of appointment of Board Member to the Fairfield County Alcohol, Drug Addiction & Mental Health Board – Cindy Bender
- 08-12.16.s Approval of appointment of Holly Mattei to the Mid-Ohio Regional Planning Commission Transportation Advisory Committee and Policy Committee

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

**Approval of Engineers resolutions**

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

- 08-12.16.t Approval of the Annual County Highway System Mileage Certification for 2008 - Engineer
- 08-12.16.u Approval of Federally Mandated Alcohol & Substance Abuse Program Agreement – Engineer

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

**Approval of Authorization of Payment of a Bill outside the normal budgetary process – Chester Larry and Mary Ann Frear – land purchase for airport**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the Authorization of Payment of a Bill outside the normal budgetary process – Chester Larry and Mary Ann Frear – land purchase for airport, see resolution 08-12.16.v

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

**Approval of Financial Resolutions**

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

- 08-12.16.w Approval of Payment of a Voucher without appropriate carry-over purchase order - Engineer
- 08-12.16.x Approval to Amend Certificate - Treasurer
- 08-12.16.y Approval to Amend Certificate - Treasurer
- 08-12.16.z Approval to Amend Certificate – Adult Community Base Correction
- 08-12.16.aa Approval of Amended Certificate by reduction of the Estimated Receipts Fund 2443 - GIS
- 08-12.16.bb Approval of Amended Certificate and lower anticipated receipts – Enforcement & Education
- 08-12.16.cc Approval of Amended Certificate and lower anticipated receipts – Police Revolving Fund
- 08-12.16.dd Approval of Amended Certificate and update receipts – EMA
- 08-12.16.ee Approval of Amended Certificate and update receipts – EMA
- 08-12.16.ff Approval of Amended Certificate and request for reduction in appropriations and estimated receipts –EMA Homeland Security
- 08-12.16.gg Approval of Amended Certificate and reduction in estimated receipts, extend expiration date to March 15, 2009 & appropriate from unappropriated – EMA Citizen Corps Grant
- 08-12.16.hh Approval of Amended Certificate and update Receipts – EMA Homeland Security
- 08-12.16.ii Approval of Amended Certificate & reduce appropriations – Domestic Relations Court
- 08-12.16.jj Approval of Amended Certificate, reduce appropriations and estimated receipts – Juvenile/Probate Court
- 08-12.16.kk Approval of Amended Certificate and reduce receipts and reduce appropriations - Engineer
- 08-12.16.ll Approval of Amended Certificate and reduce estimated receipts – Airport bonds
- 08-12.16.mm Approval of Approval of Amended Certificate and reduce receipts and conversion of a prior encumbrance to current year appropriation – Commissioners – FY2006 CDBG Formula Grant
- 08-12.16.nn Approval of reduction in appropriations for the Fairfield County Auditor and estimated receipts Fund 7681
- 08-12.16.oo Approval of reduction in appropriations and estimated receipts – Child Support Enforcement/JFS
- 08-12.16.pp Approval of reduction in appropriations and estimated receipts – Recorder Equipment Fund
- 08-12.16.qq Approval of reduction in appropriations and estimated receipts – Workforce Development WIA Fund
- 08-12.16.rr Approval of Approval of Amended Certificate and reduce for appropriations for additional unanticipated receipts of memo expenditure – OPWC Payments

08-12.16.ss	Approval of Account to Account Transfer – Victim/Witness Assistance
08-12.16.tt	Approval of Account to Account Transfer – Common Pleas Court
08-12.16.uu	Approval of Account to Account Transfer – Board of Elections
08-12.16.vv	Approval of Account to Account Transfer – Board of Elections
08-12.16.ww	Approval of Account to Account Transfer – Job & Family Services
08-12.16.xx	Approval of Account to Account Transfer – Fund 2036 - Reclaim
08-12.16.yy	Approval of Account to Account Transfer – Adult Community Based Corrections
08-12.16.zz	Approval of Furtherance of Justice Transfer for the Sheriff – Fund to Fund Transfer – General Fund - FOJ
08-12.16.aaa	Approval of Furtherance of Justice Transfer for the Prosecutor – Fund to Fund Transfer – General Fund - FOJ
08-12.16.bbb	Approval of Account to Account Transfer – Commissioners
08-12.16.ccc	Approval of Account to Account Transfer – Engineer – Motor Vehicle Fund
08-12.16.ddd	Approval to Appropriate from Unappropriated – Motor Vehicle Fund

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

### **Payment of Bills**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the authorization for payment of bills, December 16, 2008, check date December 19, 2008, see resolution 08-12.16.eee.

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

### **Approval of Amended Certificate and reduce appropriations and estimated receipts – Commissioners CDBG Formula FY2007**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an Amended Certificate and reduce appropriations and estimated receipts – Commissioners CDBG Formula FY2007, see resolution 08-12.16.fff.

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

### **Approval of a Contract between the Fairfield County Sheriff’s Office and ARAMARK Correctional Services, LLC to operate the food service in the county jail for purpose of cooking and providing meals for the inmates**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to table a Contract between the Fairfield County Sheriff’s Office and ARAMARK Correctional Services, LLC to operate the food service in the county jail for purpose of cooking and providing meals for the inmates, see resolution 08-12.16.ggg.

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

### **Approval of Amended Certificate resolutions**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve Amended Certificate resolutions as follows:

- 08-12.16.hhh Approval of Amended Certificate and low appropriations - Utilities
- 08-12.16.iii Approval of Amended Certificate – Victim/Witness Assistance Fund 2686
- 08-12.16.jjj Approval of Amended Certificate – Victim/Witness Assistance Fund 2685

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

**Approval of Construction Drawings for the FAI-CR56-0.00 Sheridan Drive and Tiki Lane Rehabilitation Project**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve Construction Drawings for the FAI-CR56-0.00 Sheridan Drive and Tiki Lane Rehabilitation Project, see resolution 08-12.16.kkk.

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

**Approval of Change Order #1 – The Garland Company/dba Design-Build Solutions, Inc. – Fairfield County Maintenance – MSJ roof project**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve Change Order #1 – The Garland Company/dba Design-Build Solutions, Inc. – Fairfield County Maintenance – MSJ roof project, see resolution 08-12.16.iii.

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

**10:25 – Review Session**

The Board of Commissioners met at 10:25 a.m. to review pending legal issues, current and future actions items, and correspondence. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin, Dave Conley, Dale Jacques, Dennis Schwallie, and Scott Zody.

**Approval of a Contract between the Fairfield County Sheriff’s Office and ARAMARK Correctional Services, LLC to operate the food service in the county jail for purpose of cooking and providing meals for the inmates**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to remove from the table a Contract between the Fairfield County Sheriff’s Office and ARAMARK Correctional Services, LLC to operate the food service in the county jail for purpose of cooking and providing meals for the inmates, see resolution 08-12.16.ggg.

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

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a Contract between the Fairfield County Sheriff’s Office and ARAMARK Correctional Services, LLC to operate the food service in the county jail for purpose of cooking and providing meals for the inmates, see resolution 08-12.16.ggg.

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

## **Review cont.**

Mr. Conley reported to the Board that he believes the Federal government will provide funding to the states in the form of economic development for “shovel-ready” infrastructure projects. There is already intensive lobbying occurring on Capitol Hill from construction and development interests to get the funding out as soon as possible.

In addition, the President-elect wants to spread the funding out as much as possible to provide projects and assistance in each state and in rural as well as urban areas. Mr. Conley suggested that the Board try to get the proposed Public Safety Facility as shovel-ready as possible to try to secure some funding for that project, as he anticipates the funding to become available in the late summer or early fall of 2009.

Mr. Conley stated that local entities need to ask for the funding sooner rather than later to avoid missing an opportunity. Projects that provide sustainable economic activity will be given higher priority, and if the Public Safety facility were located in downtown Lancaster, it would have a greater impact from an economic sustainability standpoint.

Other projects could include roads that provide connections between points of commercial activities, but schools could be a challenge with the recent history of Ohio’s School Facilities Commission being so aggressive in helping rebuild poorer school district facilities, leaving the middle and higher income schools for later.

Commissioner Shupe asked if there would be any connection to completing the Route 33 Corridor via the Nelsonville by-pass, and Mr. Conley stated that it might be helpful to point out that project as part of a regional benefit, but he would recommend focusing on project within Fairfield County first.

Commissioner Shupe stated that having a conceptual design for the public safety facility would not be too difficult, and Commissioner Myers stated that it depends on how detailed the plans need to be, as a final design could take at least 12 months to complete.

Mr. Schwallie stated that he has been told that the funding may follow the Rural Farm Program model already in place with the Federal Government. Mr. Conley added that the funding will likely be targeted towards area hit hard by the auto industry slowdown.

Commissioner Shupe asked if it would be better to send something immediately with general details now, and follow up with more specific requests once the Board knows what might be available, and Mr. Conley stated that would be a good approach.

Commissioner Myers stated that he thought Tony Vogel was working on getting a list of potential projects together for the county, and Mr. Zody stated that he would check with Mr. Vogel on that.

Commissioner Kiger asked if renovation projects would be included, and Mr. Conley stated that would likely depend on what was being renovated and for what purpose.

## **Meeting with Brooks Davis**

The Board of Commissioners met with Regional Planning Commission Executive Director Brooks Davis to discuss his pending retirement. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Davis stated that he just want to come by and thank the Board for all of the support he has received in his 15 year tenure as Executive Director. Fairfield County has been through a lot of change and growth, and he has enjoyed his time here. He is confident Holly Mattei will do an outstanding job as the Executive Director and asked the Board to be cognizant of the Regional Planning Commission’s (RPC) budget, as it will be very tight for 2009.

Commissioner Myers asked how much the Board currently provides the RPC, and Mr. Davis stated that the Board provides \$130,000, and the remainder of their funding comes through dues, CDBG administrative funds, and lots splits and associated development fees.

### **Review cont.**

Commissioner Shupe directed Mr. Zody to review the lease between the Board and the Education Service Center, as she believes the current lease is due to expire in July of 2009.

Mr. Dolin reported that he has reviewed the Board of Election (BOE) health insurance issue and stated that any changes to the existing coverage would not take effect until the beginning of a new term, which would be sometime in 2010. Commissioner Myers asked Mr. Dolin if he still believes that the Board cannot ask the BOE to pay 100% of their health insurance cost, and Mr. Dolin stated that based upon the discussions involving Dave Landefeld and Roy Hart, they do not believe the Board can require that. Commissioner Kiger asked about the impact on other part-time employees, and Mr. Dolin stated that the BOE members are somewhat unique under the Revised Code and this should not affect any other part-time employees.

Joe Spybey reported on the bids received for the Job & Family Services (JFS) window replacement project. Mr. Spybey stated that he had been made aware of the specification concerns raised to the Board, but it was not until after the bids had already gone out. The specifications had been developed by the consultant on the project, Nick Palladino. Mr. Spybey stated that he does not know of any commercial building that has vinyl clad window – they are overwhelmingly aluminum. Commissioner Shupe stated that the Lancaster Municipal Water Plant has vinyl windows.

Mr. Spybey stated that vinyl windows are more elastic, but the aluminum windows last longer. Commissioner Shupe asked about the glass in the windows, and Mr. Spybey stated the type of glass in the specs was recommended by Mr. Palladino. Commissioner Shupe asked what the R Factor is for the specified windows, as a concern has been raised that the windows should be rated a 10 and the specifications are only asking for a 3.8. Mr. Spybey stated that he was unsure what the rating is.

Mr. Spybey stated that he had received 6 bids on the project, with one local bidder (Buckeye Glass) being the second-lowest bid. The low bid came from a Pittsburgh, Pennsylvania firm called Architectural Window Concepts. Commissioner Shupe asked what the low bid amount was, and Mr. Spybey stated the low bid was \$140,800.

Commissioner Shupe asked what the new windows will look like, and Mr. Spybey stated the new windows will look very similar to the existing windows in the building. Commissioner Kiger asked about the failure of the existing aluminum windows, and the chances of those failing, and Mr. Spybey stated that the technology of the windows has improved much in the last 15 years, and he is confident the windows will last.

Commissioner Myers called Mr. Dave Bitler, a local businessman, and put him on speaker phone to discuss the issues with the Board and Mr. Spybey. Mr. Bitler contended that the bids could be improved dramatically by redoing the specifications to permit vinyl windows and not significantly increase costs. Mr. Bitler stated that vinyl windows would provide better glass and a better R Factor to insulate.

Mr. Spybey stated that he would research these issues with Mr. Palladino and report back to the Board before making a final recommendation on the bids. Mr. Dolin stated the Board has 60 day from the day the bids are opened to act.

### **Adjournment**

With no further business to come before the Board, on the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to adjourn at 1:30 p.m.

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

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Mike Kiger  
Commissioner

Jon D. Myers  
Commissioner

Judith K. Shupe  
Commissioner

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Scott A. Zody, Clerk/Manager

**THE COMMISSIONERS' 2009 ORGANIZATIONAL MEETING IS SCHEDULED FOR  
MONDAY JANUARY 12, 2008 AT 10:00 A.M.**