

**Regular Meeting #09-06
Fairfield County Commissioners' Office
February 10, 2009**

9:30 Investment Advisory Board Meeting

The Investment Advisory Board met at 9:30 a.m. for a quarterly financial update. Members present were County Treasurer Jon Slater, Commissioner Judith Shupe, and Commissioner Mike Kiger. Also present were Jon Myers, Jason Dolin and Scott Zody.

Mr. Slater presented the end of the year report on investment earnings, stating that the county received approximately \$2.9 million in earnings for 2008. That reflects a decrease of about \$800,000 from 2007, mainly as a result of declining interest rates. Commissioner Shupe asked if Mr. Slater expected the earnings to continue to decrease in 2009, and Mr. Slater stated that, based on the investments he has locked in, he knows the county will receive at least \$1 million, the rest is dependent upon the economy. The overnight rate is the lowest he has ever seen.

Mr. Slater stated he is taking some funding out of the State Treasurer's Star Ohio program and is pursuing local certificates of deposit that will generate higher interest. Commissioner Myers asked if the \$2.9 million figure included other funds besides the General Fund, and Mr. Slater stated the Clerk of Courts Title Fund is included in that, but it would not represent a large amount of earnings. Commissioner Shupe noted the Clerk's fund is not controlled by the Board, and the last time the Clerk wanted to transfer some funding to the General Fund, it required a court order to do so.

Mr. Slater stated that he requires a Memorandum of Understanding with local financial institutions to pursue certificates of deposit and spread opportunities for investment, and needs to update the resolution approving the Memorandum of Agreement with local banks to add People's Bank.

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

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

On the motion of Mike Kiger and second of Judith Shupe, the Board voted to adjourn.

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

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, February 10, 2009 beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Mike Kiger and Judith Shupe. Also present were Mary Beth Lane, Jon Kochis, Christy Noland, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there was one add-on resolution dealing with a request to Appropriate from Unappropriated for the Fairfield 33 development Alliance Fund.

Mr. Kochis introduced Christy Noland, the new Administrative Assistant in the Emergency Management Agency, and announced that Deputy Director Deb Pearson will be resigning effective March 5th.

Public Comment

There were no public comments.

Approval of minutes of Tuesday February 3, 2009

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, February 3, 2009.

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

Approval of Proclamation of Recognition – Community Advisory and Planning Committee (CAPP)

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Proclamation of Recognition for the Community Advisory and Planning Committee (CAPP), see resolution 09-02.10.a

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

Tabling of Road, Bridge and Culvert Levy, Fairfield County Engineer – intent to place levy on the May ballot

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to table a resolution of intent to place a Road, Bridge and Culvert levy for the Fairfield County Engineer on the May ballot, see resolution 09-02.10.b

Commissioner Shupe stated that one of the members of the Board of Elections had contacted her expressing concern over the cost of a county wide primary where the Engineer's levy would be the only levy on the ballot.

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

Approval of Development Agreement and Escrow Agreement for the Northwest corner of State Route 256 and Refugee Road - Utilities

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve agreement resolutions for the Fairfield County Utilities Department as follows:

09-02.10.c Approval of Development Agreement for the Northwest Corner State Route 256 and Refugee Road - Utilities

09-02.10.d Approval of Escrow Agreement for the Northwest Corner of State Route 256 and Refugee Road - Utilities

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

Approval to Amend an Easement to install a 42” natural gas pipeline on county-owned property - COMmissioners

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve to Amend an Easement to install a 42” natural gas pipeline on county-owned property, see resolution 09-02.10.e

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

Approval of a Prisoner Housing Contract with Licking County - Sheriff

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Prisoner Housing Contract with Licking County, see resolution 09-02.10.f

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

Approval of a Contract between the Fairfield County Commissioners and Innerphase Video Productions, for production assistance on the State of the County address

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Contract between the Fairfield County Commissioners and Innerphase Video Productions, for production assistance on the State of the County address, see resolution 09-02.10.g

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

Approval of Notice of Commencement for the Pickerington-Fairfield County Emergency Water Line Connection - Utilities

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve a Notice of Commencement for the Pickerington-Fairfield County Emergency Water Line Connection – Utilities, see resolution 09-02.10.h

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

Approval of Approval of Subgrant Award Agreement - Sheriff

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve a Subgrant award agreement for the Sheriff's Office, see resolution 09-02.10.i

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

Approval of Acceptance of Agreement between Fairfield County and the State of Ohio to realign County Line Road (CR72) - Engineer

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve an Acceptance of Agreement between Fairfield County and the State of Ohio to realign County Line Road (CR72), see resolution 09-02.10.j

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

Approval of Disposal of Assets – Sheriff

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve of the Disposal of Assets for the Sheriff's Office, see resolution 09-02.10.k

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

Approval of Job & Family Services IV-D Contracts

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve contracts for the Fairfield County Job & Family Services agency as follows:

- 09-02.10.l Approval of a IV-D Contract between the Fairfield County Job & Family Services, Child Support Enforcement Agency and Teresa Edwards, Subpoena Plus Service, provider
- 09-02.10.m Approval of a IV-D Contract between the Fairfield County Job & Family Services, Child Support Enforcement Agency and Teresa Edwards, Subpoena Plus Service, provider
- 09-02.10.n Approval of a IV-D Contract between the Fairfield County Job & Family Services, Child Support Enforcement Agency and Fairfield County Sheriff, provider

Roll call vote of the motion resulted as follows:

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

Approval of Advance from Fund 7682 – 911 Reserve – to 7681 – Wireless 911 – Sheriff

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve an Advance from Fund 7682 – 911 Reserve – to 7681 – Wireless 911 – Sheriff, see resolution 09-02.10.o

Roll call vote of the motion resulted as follows:

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

Approval of Repayment of Advance to the General Fund – ODOT State Grant – SIB Loan – Fairfield County Airport

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve a Repayment of Advance to the General Fund – ODOT State Grant – SIB Loan – Fairfield County Airport, see resolution 09-02.10.p

Roll call vote of the motion resulted as follows:

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

Approval of New Grant Fund for the Emergency Management Agency for special Revenue – Amend Certificate, Update Receipts, and appropriate from unappropriated

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve a New Grant Fund for the Emergency Management Agency for special Revenue – Amend Certificate, Update Receipts, and appropriate from unappropriated, see resolution 09-02.10.q

Roll call vote of the motion resulted as follows:

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

Approval of Financial Resolutions

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

- 09-02.10.r Approval of Payment of Voucher without appropriate carryover purchase order - Commissioners

09-02.10.s	Approval of Payment of Voucher without appropriate carryover purchase order – Utilities
09-02.10.t	Approval of Payment of Voucher without appropriate carryover purchase order - FACHF
09-02.10.u	Approval of Payment of Voucher without appropriate carryover purchase order - Engineer
09-02.10.v	Approval of Payment of Vouchers without appropriate carryover purchase orders - ADAMH
09-02.10.w	Approval of Payment of Voucher without appropriate carryover purchase order – Job & Family Services
09-02.10.x	Approval to Account to Account Transfer – ADAMH
09-02.10.y	Approval to Account to Account Transfer – Clerk of Courts
09-02.10.z	Approval of Fund to Fund Transfer – Insurance
09-02.10.aa	Approval to Appropriate from Unappropriated – Engineer
09-02.10.bb	Approval to Appropriate from Unappropriated – Treasurer
09-02.10.cc	Approval to Appropriate from Unappropriated – Commissioners
09-02.10.dd	Approval to Appropriate from Unappropriated – Utilities – Water District Fund
09-02.10.ee	Approval to Appropriate from Unappropriated – Utilities – Sewer District Fund

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

Approval of Payment of Bills

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve the authorization for payment of bills February 10, 2009, check date February 13, 2009, see resolution 09-02.03.ff

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

Approval to Appropriate from Unappropriated – Fairfield 33 Development Alliance Fund

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve to Appropriate from Unappropriated – Fairfield 33 Development Alliance Fund, see resolution 09-02.10.gg

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

Review Session

The Board of Commissioners met at 10:25 a.m. to review correspondence, pending items, and future action items. Commissioners present at the review session were Jon Myers, Mike Kiger and Judith Shupe. Also present were Jason Dolin and Scott Zody.

The Board contacted County Engineer Frank Anderson and Jeff Camechis via a conference call to discuss the Engineer's request to place a Road, Bridge and Culvert renewal levy on the May ballot. Mr. Anderson stated that he is very concerned about waiting until November to place the levy on the ballot, as the levy expires at the end of 2009, and he would be required to ask for a new levy in May of 2010 if the November vote would fail.

The Engineer's Office will also be initiating contract negotiations in August, and Mr. Anderson would like to know whether or not the levy is approved for negotiation purposes. In addition, Mr. Anderson believes it would be better to seek renewal in May with no other county wide issue competition, as that would improve the chances of passage.

Commissioner Myers noted that the Federal stimulus package may cause some confusion with the voters in the spring, and Mr. Anderson noted that the Federal bill would only apply to major highways and interstate roads, and local roads would not be eligible for funds.

Commissioner Myers asked if the levy would be a straight renewal, not a replacement, and Mr. Anderson stated that was the case, as he did not wish to ask the voters for additional funds with this levy, only to maintain the current funding.

Commissioner Myers asked who would pay for the cost of the levy, and Mr. Anderson stated the cost would be borne by the Engineer's Office, most likely out of existing levy funds. The last time the levy was renewed, it only cost about \$6,000 – now with all the new machines and the new rules and requirements from Secretary of State Brunner, it will cost \$4,000 per precinct, or nearly \$500,000, if there are no other issues appearing on the ballot. Mr. Camechis stated the costs could be reduced if more schools opt to place levies on the ballot, but it would still cost \$2,000 per precinct in those areas.

Approval of Road, Bridge and Culvert Renewal Levy – Engineer

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to remove from the table a resolution to approve a Notice of Intent to place a Road, Bridge and Culvert Renewal Levy on the May ballot.

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

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the Notice of Intent to place a Road, Bridge and Culvert Renewal Levy on the May ballot, see resolution 09-02.10.b

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

Review, cont.

Mr. Dolin provided an update on several legal issues, stating that he has received a new eminent domain case for the Engineer's Office, and he continues work on a legal opinion for Bill Arnett on the proposed Joint Economic Development District (JEDD). Mr. Dolin stated that based upon his research, there appears to be several legal holes in the document as currently drafted.

Auditor Barbara Curtiss joined the meeting, stating that she has been informed that her office will be receiving an award from State Auditor Mary Taylor's Office, and she wanted to see if the Board had any questions or concerns relative to the pre-audit conference meeting that will be held later in the day. Ms. Curtiss stated that she did not expect any major issues or surprises in the meeting.

Fiscal Clerk Staci Knisley joined the meeting, stating that she had an add-on resolution the Board needed to approve in order to deposit the grant funds and pay for the new recycled content carpet at the Liberty Center.

Approval to Establish New Fund, Amend Certificate, Update Receipts and Appropriate from Unappropriated, CFLP Grant Fund, and General Fund Advance

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to Establish New Fund, Amend Certificate, Update Receipts and Appropriate from Unappropriated, CFLP Grant Fund, and General Fund Advance, see resolution 09-02.10.hh

Roll call vote of the motion resulted as follows:

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

11:00 a.m. State of the County Planning Meeting

The Board of Commissioners met to discuss plans for the annual State of the County address. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Economic Development Director Bill Arnett and Scott Zody.

Commissioner Kiger stated that he has forwarded information to Bob Competti relative to his presentation, and asked the Board if they had any suggestions for his comments relative to the proposed Public Safety Facility. Commissioner Myers stated that a brief update on the project and the need for the project should suffice.

Mr. Arnett suggested Mr. Zody check with Bob Competti to see if Dave White from Site Solutions Contractors has been scheduled to record some comments for the address.

The Board discussed whether or not it would be workable for Commissioner Shupe to also record her comments similar to Commissioner Myers and Kiger, and discussed how to transition each segment.

Commissioner Shupe presented a trial run-through of her comments for the Board to consider, and Mr. Zody noted that he had forwarded several photos to Mr. Competti that he could insert as slides during Commissioner Shupe's presentation. Mr. Arnett provided some comments for Commissioner Shupe to utilize for her comments.

The Board directed Mr. Zody to follow up with the Chamber of Commerce relative to the price of the event and to check on which caterer they are planning to use.

The Board approved a request from Liberty Union Schools for three recycled benches or picnic tables for the school Land Lab.

1:00 p.m. Pre-Audit Conference Meeting

The Board of Commissioners met with Auditor Barbara Curtiss to discuss the State Auditor's upcoming annual audit. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Lisa Nodestone, Deputy Auditor Ed Laramée, State Auditor staff Brian Bibler, Rob Pike, Ashley Heavener, and Cassandra Deahl, County Treasurer Jon Slater, Jason Dolin and Scott Zody.

Mr. Bibler introduced his staff and provided an overview of the upcoming audit, stating that, due to an issue with a previous audit, Fairfield County is still considered "High-Risk" and must have 50% of the programs reviewed. The problem stemmed from mistakes that were made in the Emergency Management Office by a previous director, but have since been resolved. Ms. Curtiss noted that Fiscal Clerk Staci Knisley and EMA Director Jon Kochis worked very hard to address the concerns.

Mr. Bibler stated that the programs that require review include Medicaid, the County Airport, and a new Federal Emergency Management Agency (FEMA) grant with the EMA. The FEMA grant needs a new document developed for it.

Mr. Bibler noted that the county had spent nearly \$9 million in Federal funding the previous year, and that the cost of the 2009 audit should be less than that of 2008. One new item that requires review will be the Prosecutor and Sheriff's Furtherance of Justice Funds and the Law Enforcement Trust Fund. Due to the past problems with former Sheriff DeMastry, a review is required every third year.

Ms. Curtiss asked if the standard and terms would remain the same with respect to findings, management letters, and material findings, and Mr. Bibler stated that they would. Ms. Curtiss expressed concern over the standards for material findings, stating that such a finding could hurt the county credit rating, and Mr. Bibler stated that he is trying to make the process easier for the county to avoid such findings.

Mr. Slater asked if it would be proper to request the Auditor to not initiate any actions with his office until after the current annual county property tax collections are finished, and Mr. Bibler stated that would not be a problem nor would it be inappropriate. Mr. Bibler stated that he is also working on the Consolidated Annual Financial Report (CAFR) for the City of Lancaster this year, so he will be moving back and forth between the Courthouse and City Hall. He would need President Shupe and Auditor Curtiss to sign off on the annual letter of arrangement.

Mr. Bibler asked if there was any fraud or inappropriate activities that anyone felt compelled to report, and no allegations were noted by those present.

1:30 p.m. Meeting with Aundrea Cordle

The Board of Commissioners met at 1:00 p.m. with the county Human Resource Director Aundrea Cordle to discuss the emergency weather closure procedure and concerns relative to the recent ice storm. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Commissioner Shupe asked Ms. Cordle if she were aware of the situation that concerns the Board, and Ms. Cordle stated that she had been in conversations with Mr. Zody and Commissioner Kiger relative to the failure of Facilities Director Joe Spybey to physically report to his work location that particular day. She stated that if Mr. Spybey could adequately demonstrate that he was working during a portion of the time in question, he could be compensated for that particular time, but would need to take the balance of the day as leave.

Commissioner Myers asked Mr. Zody to describe the timeline of the day, and Mr. Zody explained that Mr. Spybey had left a voice message for him at approximately 6:30 a.m., stating that he was having difficulty driving in, and he would attempt to do so again later that morning depending on road conditions. Mr. Zody stated that Mr. Spybey contacted him again around 8:30 a.m., and Mr. Spybey had informed him that he was in route to Columbus to pick up a part for a broken snowplow and would report in after that.

Mr. Zody stated that when the Board made the decision to close the buildings around 10:15 a.m., he and Ms. Knisley began contacting elected officials and department heads to notify them, and Mr. Zody sent an email dismissing non-essential employees. Ms. Knisley informed Mr. Spybey of the closure, and both Mr. Zody and Ms. Knisley believed that Mr. Spybey was still in route to report at that time. Later, after making inquiries, they were informed by Mr. Spybey's staff that Mr. Spybey had directed a maintenance employee to meet him on Route 33 and pick up the snowplow part, and then Mr. Spybey returned home.

Commissioner Kiger stated that, in his opinion, if Mr. Spybey did not physically report to work, he should not be compensated for that time. Ms. Cordle noted that, as Facilities

Director, Mr. Spybey would be considered essential personnel and not subject to the building closure that dismissed other employees. Commissioner Shupe stated that if Mr. Spybey did actually work during part of the day, then that portion of the day would be compensable.

Mr. Zody noted that there is also an inconsistency involving the staff of the Utilities central Office. None of the office staff reported to work that day with the exception of Deputy Director Don Sherman, and Director Tony Vogel was on bereavement leave. The inconsistency is that Mr. Vogel has granted Leave with Pay status to his staff for the day, which is not consistent with the Commissioner's Weather Emergency policy.

Ms. Cordle stated that the Board policy must be followed, and Leave with Pay status is not permissible in this instance for employees who failed to report to work. To do otherwise would only incent employees to not even try to report, which is the purpose of the policy. The Board attempted to contact Mr. Vogel to provide direction, and directed Mr. Zody to follow up with him.

The Board approved granting Mr. Spybey some compensation for the portion of the day he was working, provided that portion could be documented.

Mr. Spybey joined the meeting in progress. Commissioner Myers asked Mr. Spybey to provide a timeline for his activities on the day in question. Mr. Spybey stated that he attempted to leave for Lancaster early in the morning, but felt road conditions were too dangerous. He left again around 8:30 a.m., and Mr. Gillespie informed him that they needed the snowplow part, so Mr. Spybey told them he would pick it up and come down from there.

Mr. Spybey stated that he was in almost constant contact with his staff during the morning. Commissioner Myers asked what his normal start time was, and Mr. Spybey stated 7:00 a.m. Commissioner Myers asked if the Courthouse was his report-to location, and Mr. Spybey stated it is.

Mr. Spybey stated it was approximately 9:45 a.m. when he spoke with Mr. Gillespie regarding the plow part and he proceeded to the store and picked up the part – he has time-stamped receipts to demonstrate.

Commissioner Kiger stated that most employees made it to work that day, including most of Mr. Spybey's staff, and many had long and difficult commutes. Mr. Spybey state that he believed he would have made it in had he not gone to Columbus for the part. Commissioner Myers noted that Mr. Spybey, as Facilities Director, is an essential cog in the wheel when it comes to being present during weather events. Mr. Spybey agreed, and noted that is why he attempted to stay in constant contact with his staff to assess the situation, and he is usually present early on days when bad weather is expected.

Commissioner Kiger asked what time the maintenance staff reported that morning, and Mr. Spybey stated that most were in around 4:00 a.m. Commissioner Kiger asked why Mr. Spybey did not also report early, and Mr. Spybey stated that had not been required of him in the past. Commissioner Myers stated that the consensus of the Board is that Mr. Spybey should have been in early that morning to report on conditions personally, and should endeavor to do so in the future.

Commissioner Myers asked Mr. Spybey why he did not continue to Lancaster to deliver the plow part, and Mr. Spybey stated that by that time the building closure was effective and conditions were deteriorating and he felt it was unsafe to continue.

Commissioner Shupe stated that it appears to be about 3 hours of time that are in question, and Ms. Cordle noted that there is also the issue of essential vs. non-essential and what occurred after the part was transferred to another employee.

Commissioner Kiger stated that Mr. Spybey needs to help the Board understand what he will do the next time weather threatens, and Mr. Spybey stated that in the past, he has always tried to beat the weather if necessary by reporting early, and leaving at the conclusion of his shift. Commissioner Kiger asked if that means that Mr. Spybey will be here the next time, and Mr. Spybey stated that as long as he feels conditions are not dangerous to travel, he would be here. Ms. Cordle stated that if Mr. Spybey feels he is at risk to travel, then he could always have the option of taking leave for the day and report in and call off.

Commissioner Myers noted that Job & Family Services had several employees who had to take leave that day due to Hocking County being under a Level 3 advisory. Mr. Spybey stated he is not opposing the decision of the Board on his taking leave for the balance of the day, but he would like to be compensated for the time he actually worked. Commissioner Shupe stated that would amount to 3 hours worked, and 4 hours leave.

Ms. Cordle noted that the board's expectation is that in the future, Mr. Spybey would physically report to his work location and personally evaluate conditions and make the call if conditions warrant. Mr. Spybey stated he was also in contact with the Sheriff's Office monitoring conditions that day.

Commissioner Myers noted that the Sheriff is reluctant to go to a Level 3 in Fairfield County, due to the potential impact on the private sector. Commissioner Myers noted that he made it in to the Courthouse that morning to assess the situation, and the sidewalks were very icy and slippery.

Ms. Cordle stated it is important to keep in mind the example Mr. Spybey is setting for his own employees – if they are expected to be present, then they should have an expectation that their supervisor also be present. Mr. Spybey stated that the message he left for Mr. Zody was not that he was not coming in, it was that he was waiting for conditions to improve prior to coming in.

Commissioner Kiger stated that even if Fairfield County goes to a Level 3, essential employees are still expected to report, and that would include Mr. Spybey. Mr. Spybey asked if he comes in early would that effort be recognized, and Commissioner Kiger stated that as long as the work gets done that needs to be done, that would be understood.

Adjournment

With no further business to come before the Board, on the motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to adjourn at 2:30 p.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon Myers
Commissioner

Judith Shupe
Commissioner

Scott Zody, Clerk/Manager

**THE NEXT REGULAR MEETING OF THE COMMISSIONERS' IS SCHEDULED FOR
TUESDAY FEBRUARY 17, 2009 AT 10:00 A.M.**