

**Regular Meeting #09-05  
Fairfield County Commissioners' Office  
February 3, 2009**

**9:00 a.m. Meeting with Bob Competti**

The Board of Commissioners met with Bob Competti from Innerphase Video to discuss the upcoming State of the County event. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Bill Arnett, Jason Dolin and Scott Zody

Mr. Competti stated that he has reviewed the outline as it currently exists and stated that he has quite a bit of footage from various events over the past year that he can incorporate into the presentation, and Mr. Zody has forwarded several photographs that he can use as well. Commissioner Myers and Commissioner Kiger scheduled a date of February 17<sup>th</sup> to film/record their speaking points with Mr. Competti, and Mr. Competti noted that he plans to film several minutes of each Commissioner, and edit the speaking points to match the video and pictures.

Commissioner Shupe stated that she would like to possibly have Dave Fey record some comments or video relative to the economic benefits of the Historical Parks for her presentation. Commissioner Myers stated that he might ask Jon Slater and /or Jeanette Addington to record some comments as well.

**9:30 Meeting with Jeanette Addington**

The Board of Commissioners met with Jeanette Addington for a quarterly financial update. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Staci Knisley, Jason Dolin and Scott Zody.

Ms. Addington provided an overview of the 2008 year-end revenue and expenditure reports, noting that her revenue projection nearly matched the actual revenue numbers for the year. She has projected an overall 2% increase in revenue for 2009, but cautioned that the current economic climate is so volatile that she will be constantly monitoring the revenue figures and making adjustments as needed. In addition, Ms. Addington needs to meet with the Auditor's Office to better understand why so many new accounts and line items are being created, as she is having some difficulty tracking them all.

Commissioner Myers asked if she anticipates the real estate conveyance fees increasing, and Ms. Addington stated that it is difficult to say at this point, and real estate taxes are the same way, with all the volatility in the markets, it is too soon to tell.

On the expenditure side of the ledger, Ms. Addington stated that most county agencies spent at least 95% of their appropriations in 2008, suggesting that budgets are tightening up. Ms. Addington stated that she believes the budget is somewhat high for 2009, but some expenditures will be recovered in 2010.

Commissioner Shupe stated that the county still maintained a good cash carry over of over \$12 million, and over \$10.4 million after encumbrances are accounted for. Ms. Addington cautioned that while the carry over is stable at this point, she is projecting a decline to \$9.5 million at the end of 2009. Ms. Knisley also cautioned that the General Fund only has about \$47,000 in unappropriated funding available, and she expects that to decrease to about \$40,000 due to an increase in expenditures for the Treasurer's Office for Productive Portfolios that was not accounted for in the original budget.

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

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, February 3, 2009 beginning at 10:00 a.m., with the following Commissioners

present: Jon Myers, Mike Kiger and Judith Shupe. Also present were Ritta Seitz, Jon Kochis, Jason Dolin and Scott Zody.

### **Announcements**

Mr. Zody announced there was one add-on resolution dealing with an appointment to the Tax Incentive Review Council.

### **Public Comment**

There were no public comments.

### **Approval of minutes of Tuesday January 27, 2009**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the minutes for Tuesday, January 27, 2009.

Roll call vote of the motion resulted as follows:

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

### **Approval of the Fairfield County Revolving Loan Fund Administrator's recommendation for approval of the CDBG/RLF Semi-Annual Report**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the Fairfield County Revolving Loan Fund Administrator's recommendation for approval of the CDBG/RLF Semi-Annual Report , see resolution 09-02.03.a

Roll call vote of the motion resulted as follows:

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

### **Approval of Submitting Drainage Improvement Estimates - Engineer**

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the submitting of Drainage Improvement estimates, see resolution 09-02.03.b

Roll call vote of the motion resulted as follows:

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

### **Approval to Ratify previously approved General Fund Advance to Job & Family Services Fund 2018**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a previously approved General Fund Advance to Job & Family Services Fund 2018, see resolution 09-02.03.c

Roll call vote of the motion resulted as follows:

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

### **Approval of an Agreement between Fairfield County Job & Family Services and the Office of the Fairfield County Prosecuting Attorney**

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve an Agreement between Fairfield County Job & Family Services and the Office of the Fairfield County Prosecuting Attorney, see resolution 09-02.03.d

Roll call vote of the motion resulted as follows:

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

**Approval of an Agreement for use of GPS Mapping and GPS Survey Equipment with Fairfield County Soil & Water Conservation District**

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve an Agreement for use of GPS Mapping and GPS Survey Equipment with Fairfield County Soil & Water Conservation District, see resolution 09-02.03.e

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

**Approval of a Purchase of Service Contract by & between Fairfield County Job & Family Services and Lancaster Public Transit**

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Purchase of Service Contract by & between Fairfield County Job & Family Services and Lancaster Public Transit, see resolution 09-02.03.f

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

**Approval of Appointment of Debra Buccilla to the Fairfield County Mental Retardation & Developmental Disabilities Board**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the appointment of Debra Buccilla to the Fairfield County Mental Retardation & Developmental Disabilities Board, see resolution 09-02.03.g

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

**Approval to Appropriate the County share of the Construction and Demolition Debris Disposal fee**

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve to Appropriate the County share of the Construction and Demolition Debris Disposal fee, see resolution 09-02.03.h

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

**Approval of Board of Commissioners allocation to the Lancaster Festival**

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve a Board of Commissioners allocation for the Lancaster Festival, see resolution 09-02.03.i

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

**Approval of Financial Resolutions**

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

- 09-02.03.j                      Approval of Payment of Voucher without appropriate carryover purchase order – EMA Siren Account
- 09-02.03.k                      Approval of Payment of Voucher without appropriate carryover purchase order – Commissioner’s Office

- 09-02.03.l Approval of Payment of Voucher without appropriate carryover purchase order – Commissioner’s Office
- 09-02.03.m Approval of Payment of Voucher without appropriate carryover purchase order – Family, Adult & Children First Council
- 09-02.03.n Approval of Payment of Voucher without appropriate carryover purchase order – Sheriff
- 09-02.03.o Approval of Payment of Voucher without appropriate carryover purchase order – Sheriff
- 09-02.03.p Approval of Payment of Vouchers without appropriate carryover purchase orders – MRDD
- 09-02.03.q Approval of Payment of Vouchers without appropriate carryover purchase orders – Engineer
- 09-02.03.r Approval of Payment of Vouchers without appropriate carryover purchase orders - ADAMH
- 09-02.03.s Approval of Payment of Vouchers without appropriate carryover purchase orders – Job & Family Services
- 09-02.03.t Approval of Amended Certificate & Increase in receipt account for 2362 Engineer – Levy Fund
- 09-02.03.u Approval to Appropriate from Unappropriated – Engineer
- 09-02.03.v Approval to Appropriate from Unappropriated – EMA
- 09-02.03.w Approval to Appropriate from Unappropriated - Engineer
- 09-02.03.x Approval to Appropriate from Unappropriated, Fund to Fund transfer, & Amend the Certificate - EMA

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

**Approval of Payment of Bills**

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve the authorization for payment of bills February 3, 2009, check date February 6, 2009, see resolution 09-02.03.y

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

**Approval of Appointment of Holly Mattei to the Tax Incentive Review Council**

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve the appointment of Holly Mattei to the Tax Incentive Review Council, see resolution 09-02.02.z

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

**Review Session**

The Board of Commissioners met at 10:20 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.

Mr. Dolin provided an update on several legal issues, stating that he has several legal issues involving the townships that are keeping him occupied, and is working on 3 different legal opinions for the county – one on the Joint Economic Development District (JEDD) for Bill Arnett, one the Regional Planning Commission, and one for Tony Vogel and Holly Mattei relative to the drainage maintenance districts.

Commissioner Shupe informed the Board that she has been asked to speak at a CCAO Leadership Conference on February 13<sup>th</sup>, and Commissioner Kiger stated that is also the date of the next Multi-County Juvenile Detention Board meeting as well as the CCAO Regional Legislative meeting in Zanesville.

The Board directed Mr. Zody to follow up with the City of Lancaster to obtain a response to their request for utility credits for the Fairfield County Dog Shelter.

Mr. Zody provided the Board with a list of allocations approved by the Board in 2008, noting that several were one-time requests that should not appear in 2009.

The Board reviewed a memo and resolution from County Engineer Frank Anderson relative to the ongoing obstruction dispute with the Rauch family on BIS Road. Commissioner Shupe stated she was under the impression that part of the fence had been removed, and the issue had been more or less resolved. Commissioner Kiger stated that a small part of the fence had been removed, but most of the fence remained, and Mr. Rauch had only removed the top rail on the remainder. Commissioner Myers stated that the Board would need to address the issue, but would prefer to wait until the weather improved so the fence could be taken down.

#### **For the Record – Bremen Annexation Petition**

Mr. Zody reported he has received a request from Jon Clark, agent for the Petitioners, a request to annex property (13.935 acres) from Rushcreek Township into the Village of Bremen. As the request is from a single property owner, it will fall under the Type 2 Expedited process.

#### **11:00 a.m. Meeting with Public Safety Committee**

The Board of Commissioner met at 11:00 a.m. with the county Public Safety Committee to discuss a report and recommendation from the committee relative to the need for a new county Public Safety Facility. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Sheriff Dave Phalen, Prosecutor David Landefeld, Municipal Judge Patrick Harris, Mayor Dave Smith, EMA Director Jon Kochis, Jerry Perrigo, Phil Johnson, Ed Laramée, Jason Dolin, Jackie Long, Mike Courtney, and Scott Zody.

Mr. Zody provided copies of the Public Notice/Request for Qualifications that was prepared with assistance of the County Prosecutor's Office. Requirements of the RFQ include preparation of a White Paper outlining the need for the project and estimated construction costs suitable for submission to the State of Ohio for funding assistance. Firms are required to submit qualifications by February 27, with an informational meeting for interested companies set for February 9. A public notice in the newspaper in conjunction with direct contact with companies that have already expressed interest in the project are planned, Mr. Zody explained.

Commissioner Shupe stated there is a sense of urgency to move forward at this time due to the possibility of Federal economic stimulus funding coming available. Mr. Landefeld asked if a public notice was being provided, and Judge Harris asked if firms were being directly contacted, and Mr. Zody stated that he has sent a public notice to

the Lancaster Eagle-Gazette and sent notice to at least 6 companies that have expressed interest in the project.

Mr. Laramée suggested that economic side benefits may give the project an advantage in securing some stimulus funding, and Commissioner Shupe stated the white paper will need to stress job creation.

Commissioner Myers asked where the 10-year certification and background request came from in the RFQ, and Mr. Dolin stated he had taken that from a template he had used to prepare the RFQ.

Commissioner Myers noted that the conceptual drawing phase of the project calls for designs at both the Liberty Center site and former Lancaster Glass site and asked if this would drive up the cost of the planning phase. Mr. Landefeld stated that the committee felt strongly that both sites needed to be evaluated and felt that conceptual drawings for both sites should not be too difficult to create. Judge Harris stated that consideration needs to be given to the operating costs of both locations as well, as transportation costs and court efficiency are significantly impacted if the jail is located at the Liberty Center. Discussion followed regarding the use of video arraignment. Judge Harris explained that, while the Municipal Court frequently utilizes video for jail arraignments, there are certain hearings, such as revocations, at which the defendant must appear in person.

Commissioner Shupe asked if the needs assessment for the Municipal Court was still valid, and Mr. Courtney stated that Judge Trimmer had reviewed the plan and believes it is still valid. Mr. Kochis stated that the square footage estimates for Emergency Management are OK. Mr. Johnson noted that, while co-location or close proximity of a jail facility to the Courthouse(s) is most desirable, a new facility must be designed to make maximum use of video arraignment and visitation. Mr. Laramée suggested that a new Municipal Court building could be designed with a “day room” to which defendants in custody could be transported and held the day of their scheduled appearances. Judge Harris responded that this, too, adds significant cost to a facility.

Commissioner Shupe asked if drawing would be needed for both sites, and Mr. Laramée stated that the committee wanted to review costs for both sites and compare the costs of going horizontal and vertical.

Commissioner Shupe stated that the White Paper should focus on an overview and need for the project without being site-specific; the White Paper should simply indicate that there are locations available and under consideration for construction. Mr. Zody stated that is the intent of the white paper – to generally describe the facility and costs, but not location.

Mr. Landefeld stated that the Bureau of Adult Detention has questioned the county’s estimate for bed space, suggesting that a smaller facility would be sufficient if alternative programs such as house arrest and probation were used more. Mr. Landefeld added that he disagrees that a smaller facility would be sufficient. A recent “snapshot” of the jail population indicated that 65% of the inmates were from Municipal Court, he added. Judge Harris stated he disagrees with estimates that indicate a disproportionate number of jail inmates are unsentenced, adding that a large number are post-conviction awaiting revocation or community control. Municipal Court believes in aggressive enforcement of probation, resulting in more defendants in custody, he explained. He also thanked the County Commissioners for their funding assistance with electronic monitoring.

Sheriff Phalen suggested that Steve Austria and other legislators be approached to provide support to the project. Mayor Smith cautioned that, although the federal funds should definitely be pursued, the committee should not count on the stimulus funds, as big cities are likely to be the first recipients of any funding, and corrections may or may not be a priority. Judge Harris asked what the alternative to federal stimulus dollars

would be for the project. Commissioner Shupe responded that there really is no alternative and that, with today's financial climate, now is not the time to increase taxes. An economic turnaround would be the best scenario, she stated. Judge Harris asked if the Commissioners were willing to look at other revenue sources. Commissioner Myers stated that any options would be open for discussion.

Mr. Laramée stated it is important to at least get the Phase I requirements completed, regardless of funding availability. Discussion returned to the content of the White Paper. Mr. Zody noted that the Municipal Court space option will not be included in the White Paper. Mr. Dolin suggested that the White Paper make note of co-location of Municipal Court as an option, since there are potentially other funding pools for which the project could qualify. Mr. Courtney noted that a cooperative project between two governmental entities could help to make the project more attractive as well.

Commissioner Myers asked if a cost for the Lancaster Glass site has been determined, and Mr. Laramée stated that is still up in the air, and Mr. Courtney noted that discussions and negotiations remain ongoing.

Commissioner Myers asked if the White Paper would make a recommendation of an appropriate site. Commissioner Shupe responded that the White Paper will target the need for the project and is not intended to focus on the site. She stressed that the county needs to get the paper out to be competitive for the funds. Discussion followed as to how long the successful company would be given to complete the White Paper. It was suggested that the goal for completion should be the end of March and the interview and selection process of the firm needs to be accomplished quickly after the February 27 proposal deadline. Authorization to proceed with the RFQ was given, while the decision as to who will be involved in the selection process will need to be made.

#### **1:00 p.m. Meeting with Barbara Curtiss and Judge Steve Williams**

The Board of Commissioners met at 1:00 p.m. with County Auditor Barbara Curtiss and Juvenile/Probate Judge Steve Williams to discuss records storage options. Commissioners present were Judith Shupe, Jon Myers, and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Ms. Curtiss stated that an RFP for records storage has been put together and is ready to go out on the street, but she wanted to touch base with the Board with respect to the Lancaster hardware facility before finalizing the RFP.

Ms. Curtiss stated that she had spoken with Joe Spybey relative to the Lancaster Hardware building, and if that is something the Board is considering, she would like to change the RFP from a 5 year agreement with a 5 year renewal to a 1 year agreement with annual renewals. Regardless of the term, she and Judge Williams need to get their respective office records out of the current site. Judge Williams concurred, stating that he had to go to the storage facility over the past weekend and move some records due to a water leak. Commissioner Myers asked how badly the records were damaged, and Judge Williams stated it was not good, and this is the second time he has had to move records from this facility – this first time was due to rats chewing on the boxes.

Judge Williams noted that many of the records his office retains are required to be kept by law, and cannot be destroyed. He very much wants to find a more suitable location, but understands there must be a reasonable cost involved.

Commissioner Myers asked if there were sufficient funds available for the RFP, and Ms. Curtiss stated there are still funds available in the allocation the Board provided in 2007. Commissioner Myers asked if the RFP could be bid out both ways – for a longer term and a shorter term, and Ms. Curtiss stated that she did not see why not. Ms. Curtiss noted that the Lancaster Hardware facility could be a good deal as well. Commissioner Shupe stated the renovations costs would be around \$400,000, which would make it less economical.

Ms. Curtiss stated she just needs to move forward and would like to send the RFP out. Commissioner Myers stated he does not oppose sending out the RFP, but would like to see it bid on both short and long terms, and Mr. Dolin stated he would review the contract and see how it is worded.

**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 1:30 p.m.

Roll call vote on the motion resulted as follows:

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

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Mike Kiger  
Commissioner

Jon Myers  
Commissioner

Judith Shupe  
Commissioner

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Scott Zody, Clerk/Manager

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