

**Regular Meeting #09-23
Fairfield County Commissioners' Office
June 2, 2009**

9:00 a.m. Meeting with Jack Binninger

The Board of Commissioners met with Jack Binninger of the Lancaster Kiwanis Club to discuss the renovation of the Rising Park pond. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Binninger stated that the Club has completed the restoration of the West wall of the pond, and thanked the Board for donating 4 recycled content benches to place around the pond. Mr. Binninger explained that the project consisted of tearing out the old stone wall that had deteriorated, and replacing the stone and cleaning out the footer. A dedication ceremony will be held on Saturday, June 27th, at 2:00 p.m., and Mr. Binninger invited the Board to attend and participate. He added that 2009 is the 100th anniversary of Rising Park, so the dedication will include a commemoration of the anniversary as well.

Commissioner Shupe asked if the 4 benches were sufficient for the project, and Mr. Binninger stated they were, and reviewed a tentative agenda for the dedication ceremony with the Board. Mr. Binninger stated that in addition to the Commissioners, the Club wished to recognize the efforts of the Fairfield Foundation and Lancaster City Parks for their assistance, as well as numerous private donors who contributed.

Mr. Binninger stated that the project has taken 3 years to complete, and cost approximately \$45,000, and the Club has some funds left over that they are planning to put towards renovating the park restrooms.

Commissioner Myers asked if the Club is pleased with the contractor's work on the project, and Mr. Binninger stated that they are very happy with the contractor's performance.

Review Session – 9:30 a.m.

The Board of Commissioners met to review legal issues, correspondence, and pending and future action items. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Dolin stated that he and Mr. Zody have been working with the Rockies Express Pipeline (REX) to finalize the road usage agreement and bond, and the resolution prepared for today's meeting will reflect the need for the company to finalize the bond prior to initiating work. He added that he expects REX to have representatives present at the Regular meeting to sign any necessary paperwork.

Mr. Dolin reported that the easement issue with the Village of Carroll sewer line is progressing, and Mr. Zody stated that Utilities Director Tony Vogel reported this morning that he is making progress with CSX Railroad in moving the easement paperwork through their internal processes.

Regarding the posting and filling of the county Economic Development Director position, Commissioner Kiger stated that he had spoken with Bill Arnett relative to the position, and Mr. Zody reported that he had received some feedback from local Chambers of Commerce, and expects to receive additional feedback this week.

Commissioner Kiger stated that he has been informed by a member of the Meals of Wheels Advisory Committee that the Advisory Committee has been instructed not to raise issues to the main Board, and has concern with that. Commissioner Shupe stated that she is concerned that Ms. Saylor is not communicating with the Board or service providers relative to the operation of the agency, and stated that she would like to

receive feedback from the various organizations relative to their concerns with MOW. Commissioner Kiger stated that he expects to receive feedback from the Family, Adult & Children First Council any day. Mr. Zody noted that he has received an email from Ms. Saylor stating that she is appointing a sub-committee of the MOW Board to work with the Commissioners on re-writing the overarching agreement relative to use of levy funding.

Regarding the mini-van that Dr. Vajen is turning in from the Coroner's Office, Commissioner Shupe suggested assigning the van to the Maintenance fleet and have Facilities Director Joe Spybey utilize the vehicle for his daily work use, which would save the county mileage reimbursement costs. Commissioner Kiger stated that the Board needs to specify that Mr. Spybey pick up and drop off the vehicle daily at the Maintenance Shop, similar to the mail vehicle and other maintenance vehicles.

11:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, June 2, 2009 beginning at 11:00 a.m., with the following Commissioners present: Jon Myers, Mike Kiger and Judith Shupe. Also present were County Engineer Frank Anderson, Jeff Camechis, Jeff Baird, Mary Beth Lane, Alan Fore, Chris Basista, Mark Totman, Ritta Seitz, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced that there would be one add-on resolution relative to the road usage permits for the Rockies Express (REX) pipeline.

Public Comment

John Snider, attorney representing REX, stated that he has been working with Assistant Prosecutor Jason Dolin and Mr. Zody relative to finalizing the road usage agreement and bond requirements for the company, and has been informed by the bond company that they need a signed copy of the usage agreement prior to issuing the bond, so he is hopeful that the Board can approve the agreement today.

Chris Hogan, attorney representing Violet Township, spoke relative to item 09-06.02.f, an annexation request by the City of Pickerington. Mr. Hogan stated that the township has two concerns. First, that the plat/map attached to the annexation petition contains some minor errors, and second, that the deed for the subject property contains language requiring perpetual public access and use, and the township would like to see that public access and use maintained.

Mr. Snider spoke again, stating that he neglected to mention in his previous comments that REX is hopeful of obtaining a bond very quickly so as to expedite the Engineer and Commissioner's approval of the necessary permits to initiate work.

Approval of minutes of Thursday May 28, 2009

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Thursday, May 28, 2009.

Roll call vote of the motion resulted as follows:

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

Approval of a road usage agreement by and between the Fairfield County Commissioners, the Fairfield County Engineer, and Rockies Express Pipeline LLC

On motion of Jon Myers and second of Mike Kiger the Board of Commissioners

voted to approve a road usage agreement by and between the Fairfield County Commissioners, the Fairfield County Engineer, and Rockies Express Pipeline LLC, see resolution 09-06.28.a

Commissioner Kiger asked Mr. Dolin if the language in the agreement had met with the Prosecutor's approval, and Mr. Dolin stated that it does. Commissioner Shupe asked if there were any outstanding issues, and Mr. Anderson stated that the one outstanding issue he has concern with are the number of culverts under county and township roads. Mr. Camechis stated that they have tried to work with REX to identify culverts, but there are many under township roads that have not been inventoried.

Roll call vote of the motion resulted as follows:

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

Approval of Delinquent Sewer Rentals – Licking County Auditor

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve Delinquent Sewer Rental for the Licking County Auditor, see resolution 09-06.28.b

Roll call vote of the motion resulted as follows:

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

Approval of Contract Bid Award for the 2009 Pavement Marking Project - Engineer

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a contract bid award for the 2009 Pavement Marking Project, see resolution 09-06.28.c

Roll call vote of the motion resulted as follows:

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

Approval of Service Agreement by and between Fairfield County Job & Family Services, Child Protective Services, and New Horizon Youth & Family Center

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Service Agreement by and between Fairfield County Job & Family Services, Child Protective Services, and New Horizon Youth & Family Center, see resolution 09-06.02.d

Roll call vote of the motion resulted as follows:

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

Approval of Contract – Ford Motor Credit – Major Crimes Unit

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a contract with Ford Motor Credit for the Major Crimes Unit, see resolution 09-06.28.e

Roll call vote of the motion resulted as follows:

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

Approval of a petition to Annex 4.088 acres, more or less, in Violet Township to the City of Pickerington pursuant to ORC 709.16, annexation of land by petition submitted by landowner

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners

voted to approve a petition to Annex 4.088 acres, more or less, in Violet Township to the City of Pickerington pursuant to ORC 709.16, annexation of land by petition submitted by landowner, see resolution 09-06.02.f

Commissioner Shupe stated that while she appreciates that the township has some concerns with respect to the petition, the Board by law must approve the petition as filed.

Roll call vote of the motion resulted as follows:

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

Approval of FY2010 Community Based Corrections Act Program 407 Subsidy Grant Agreement – Adult Probation

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a FY2010 Community Based Corrections Act Program 407 Subsidy Grant Agreement – Adult Probation, see resolution 09-06.28.g

Roll call vote of the motion resulted as follows:

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

Approval to Return a Vehicle to the Village of Canal Winchester – Sheriff’s Office

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve to return a vehicle to the Village of Canal Winchester, see resolution 09-06.02.h

Roll call vote of the motion resulted as follows:

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

Approval of Appointment of Shelley Karns to the Fairfield County Alcohol, Drug Addiction and Mental Health Board

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the Appointment of Shelley Karns to the Fairfield County Alcohol, Drug Addiction and Mental Health Board, see resolution 09-06.02.i

Roll call vote of the motion resulted as follows:

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

Approval of Repayment of an Advance to the General Fund – HOME Funds – FY2008 Fund #2731 – Commissioners

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the Repayment of an Advance to the General Fund – HOME Funds – FY2008 Fund #2731 – Commissioners, see resolution 09-06.02.j

Roll call vote of the motion resulted as follows:

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

Approval to Amend the Certificate, Update Revenue budget and appropriate from unappropriated for Fund 2729 – FY2009 MCU Grant

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve to Amend the Certificate, Update Revenue budget and appropriate from unappropriated for Fund 2729 – FY2009 MCU Grant, see resolution 09-06.02.k

Roll call vote of the motion resulted as follows:

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

Approval of Fund to Fund Transfer – General Fund – Job & Family Services – CPS Relief

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a fund to fund transfer for Fairfield County Job & Family Services – CPS Relief, see resolution 09-06.02.I

Commissioner Kiger stated that he could not vote in favor of the resolution, as it is part of the overall Job & Family Services reorganization plan that he had previously voted against, and with the present economic conditions, does not believe these funds should be transferred. Commissioner Myers stated that, given the status of the state biennial operating budget, things could get worse before the become better.

Roll call vote of the motion resulted as follows:
Voting aye thereon: Myers and Shupe
Voting nay thereon: Kiger

Approval of Financial Resolutions

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

- 09-06.02.m Approval of Account to Account transfer – Family, Adult & Children First Council
- 09-06.02.n Approval of Account to Account transfer – Citizens Corps
- 09-06.02.o Approval of Account to Account transfer – Victim/Witness Assistance
- 09-06.02.p Approval of Account to Account transfer – Commissioners- Municipal Court
- 09-06.02.q Approval of Account to Account transfer – Human Resources
- 09-06.02.r Approval to Appropriate from Unappropriated – Engineer
- 09-06.02.s Approval to Appropriate from Unappropriated – Sewer District Fund
- 09-06.02.t Approval to Appropriate from Unappropriated – Water District Fund
- 09-06.02.u Approval to Appropriate from Unappropriated – Commissioners
- 09-06.02.v Approval to Appropriate from Unappropriated – Federal Equitable
- 09-06.02.w Approval to Appropriate from Unappropriated – Major Crimes Unit
- 09-06.02.x Approval to Appropriate from Unappropriated – State Emergency Response Commission
- 09-06.02.y Approval to Appropriate from Unappropriated – Commissioners/Airport
- 09-06.02.z Approval to Appropriate from Unappropriated – SA Ditch Maintenance Fund/Engineer

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 June 2, 2009, check date June 5, 2009, see resolution 09-06.02.aa

Roll call vote of the motion resulted as follows:

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

Approval to permit oversized/overweight vehicles on county roadways – Engineer

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve to permit oversized/overweight vehicles on county roadways – Engineer, see resolution 09-06.02.bb

Roll call vote of the motion resulted as follows:

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

Review Session, cont.

The Board of Commissioners met to review legal issues, correspondence, and pending and future action items. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Ed Laramee, Jason Dolin and Scott Zody.

The Commissioners directed Mr. Zody to work with Utilities Director Tony Vogel to draft a letter to the US Department of Agriculture relative to stimulus funds provided to Earnhart Hill Regional Water & Sewer District to purchase the Tarlton and Stoutsville sanitary systems.

The Commissioners directed Mr. Zody to work with the County Human Resources office relative to a complaint allegation received from the Bureau of Workers' Compensation.

The Commissioners directed Mr. Zody to work with Historical Parks Director Dave Fey relative to a response letter received from the Ohio Cultural Facilities Commission on release of funding for Rock Mill Park.

Regarding a letter from Mr. Fey requesting the Board consider providing funding assistance to place a levy on the fall ballot for Historical Parks, the Board directed Mr. Zody to check with the Board of Elections, and Commissioner Myers suggested Mr. Fey provide a plan to the Board relative to the levy and what he would expect the Board to do, and if a levy is approved, would that mean the Board would no longer be expected to provide an allocation to the Parks?

The Board directed Mr. Zody to contact Airport Board President Dave Scheffler to discuss the courtesy vehicle and the concerns with respect to CORSA and the limitations of the Revised Code.

The Board directed Mr. Zody to meet with Facilities Manager Joe Spybey to discuss the Coroner's minivan that is being turned in and that Mr. Spybey will be assigned the vehicle for daily travel around the county.

11:30 a.m. Meeting with Greg Eyerman

The Board of Commissioners met with Fairfield County Visitor & Convention Bureau Director Greg Eyerman for an update on activities. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Ed Laramee, Jason Dolin and Scott Zody.

Mr. Eyerman stated that he wanted to try to schedule semi-annual or quarterly meetings with the Board to keep them updated and let them know how the lodging tax funds the VCB receives are being utilized.

Commissioner Myers asked how much funding the lodging tax provided on an annual basis, and Mr. Eyerman stated the VCB receives approximately \$300,000 per year, but

that amount decreased last year for the first time since the tax was implemented, and 40% of the tax is generated by hotels in the Lancaster area.

Mr. Laramée stated that part of the reason the numbers seem down is that one hotel was late reporting its figures, so the actual amount collected under the tax should be higher.

Commissioner Kiger asked if any of the funding comes from Pickerington, and Mr. Eyerman stated that tax only applies to Lancaster and hotels in unincorporated areas of the county, so any hotels within Pickerington only pay lodging tax to Pickerington.

Commissioner Myers asked what hotels contribute the most, and Mr. Laramée stated there are several that are very active, but no one facility stands out above the rest. Mr. Eyerman stated that the hotels in the Interstate 70 and State Route 256 interchange seem to be some of the most active.

Mr. Eyerman stated that he is aware that Pickerington has expressed some concerns relative to the amount of marketing the VCB provides for the Pickerington area, and asked the Board to consider that he has a responsibility to represent the entire county. In fact, he is in the process of developing some advertising spots for the State of Ohio Travel & Tourism website to plug various local events all over the county, preparing ads for newspapers on local upcoming festivals and marketing some "1-tank trips" around central Ohio to attract visitors to Fairfield County.

Commissioner Myers asked how many employees are with the VCB, and Mr. Eyerman stated there are two full-time employees including himself, plus one other part-time person.

Commissioner Myers asked if there many group tours that come to Fairfield County, and Mr. Eyerman stated there are some bus tours coming in, but the majority are senior citizen day trips, which does not help the overnight businesses.

Mr. Eyerman stated they are having some success with small conventions and sporting events, such as the State High School Bowling Championships that were recently held at Tiki Lanes in Lancaster.

Commissioner Myers asked if there was going to be an Air Show this year, and Mr. Eyerman stated that the sponsors decided to hold some "fly-ins" instead of an Air Show and want to showcase the flight museum at the airport rather than a show this year.

1:00 p.m. Meeting with Randy Carter

The Board of Commissioners met at 1:00 p.m. with Data Processing Chief Randy Carter. Commissioners present were Mike Kiger. Absent were Commissioners Judith Shupe and Jon Myers. Also present were Jason Dolin and Scott Zody.

Mr. Carter stated that the current county email server is old and is being overloaded and will not synch up with mobile units such as Blackberry's or the new telephone system under consideration. Mr. Carter would like to switch over to an Exchange server that would be compatible with all equipment. They cost to do so is mainly in software licenses, which would cost approximately \$30,000 and would need to be renewed every 3-4 years.

Mr. Carter stated that he is in the process of applying for grant funding to hopefully cover the costs, but if he is unsuccessful, he has enough funding in his 2009 budget to cover half of the cost of the licenses, and would have enough in his 2010 budget to cover the remainder of the costs, but wanted to see if it would be possible for the Board to approve an advance of funds to pay for everything in 2009.

Commissioner Kiger stated that the budget is very tight, and he does not believe it would be possible to advance any funds this year. Mr. Carter stated that he understands, and is planning to move forward with the change regardless, it will just be a matter of timing and when the system can be switched.

1:30 p.m. Public Safety Committee Meeting

The Board of Commissioners met at 1:30 p.m. to attend a meeting of the County Public Safety Committee. Commissioners present were Mike Kiger and Jon Myers. Absent was Commissioner Judith Shupe. Also present were Lancaster Mayor Dave Smith, Sheriff Dave Phalen, Prosecutor David Landefeld, Municipal Court Judge Patrick Harris, Chief Deputy Jerry Perrigo, Ed Laramée, Jackie Long, Phil Johnson, Lancaster Safety Service Director Mike Courtney, Mike Petit, Travis Markwood, Karen Rotkis, Jon Kochis, Joe Spybey, Jason Dolin, and Garry McAnally.

Mr. Zody welcomed all and asked everyone to introduce themselves, stating that the purpose of the meeting was to allow Mr. McAnally to provide an update to the Committee, City, and Commissioners on schematic designs for the proposed County Public Safety Facility.

Mr. McAnally reviewed several draft schematics for the two sites under consideration. Mr. McAnally stated that the Liberty Center site would accommodate a 440 bed facility and still have room for an additional pod that could add up to 200 additional beds in the future.

The downtown, or Lancaster Glass site, required several different designs based upon the current lot configuration and potential expansion with additional land acquisition. Mr. McAnally stated that the current lot would accommodate a facility, but parking would be limited unless a parking structure would be constructed under the building.

Mr. McAnally stated that the good news is that both sites could accommodate a jail component that would not increase staff needs. There is a construction cost differential between the two sites, since the downtown site would require multiple stories and would need a reinforced foundation.

The Liberty Center option would cost approximately \$34 million, and the downtown site would cost approximately \$37 million, for construction only. Mr. McAnally stated those figures did not take into account any operational costs or additional land acquisition costs. Mr. McAnally stated that he just needs a decision on which site the county and/or city desire so he can move forward with completing the Phase I requirements and White Paper.

Mayor Smith stated that the city is excited about the prospect of developing a government service center in the downtown. While the city would prefer a more traditional development, such as a convention center/hotel, that does not appear to be a realistic possibility and the public safety facility would help anchor the downtown area.

Mr. Petit stated that Lancaster Glass is in the process of conducting a Phase II environmental assessment, which is required before they can sell or transfer the property, and they hope to learn in a few weeks whether or not there are any problems.

Mr. Laramée stated that one question that needs to be addressed is whether or not the city is prepared to acquire the downtown site(s) and pay for a municipal court annex, and once a site has been selected, work on financing options.

Judge Harris stated that he would like a firm timeline on when a decision could be made on a site, and the group came to a consensus that early July should provide enough time to gather needed information and make a decision.

Commissioner Kiger stated that while he supports a downtown site, the state of the economy and state and county budgets will make this difficult to finance. Commissioner Myers agreed that financing a facility will be a challenge.

Adjournment

With no further business to come before the Board, on the motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to adjourn at 2:55p.m.

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

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Scott Zody, Clerk/Manager

THE NEXT REGULAR MEETING OF THE COMMISSIONERS' IS SCHEDULED FOR TUESDAY, JUNE 9, 2009 AT 10:00 A.M.