

**Regular Meeting #09-27  
Fairfield County Commissioners' Office  
June 30, 2009**

**9:00 a.m. Viewing – Establishment and Renaming Busey Road, Violet Township**

The Board of Commissioners met to view a proposal to establish and rename a portion of a public road, Busey Road in Violet Township. Commissioners present were Judith Shupe and Mike Kiger. Absent was Jon Myers. Also present were County Engineer Frank Anderson, Violet Township Administrator Bill Yaple and Scott Zody.

Mr. Anderson provided an overview of a project constructed by the township to alter and re-align a portion of Busey Road to remove two dangerous 45-degree curves and improve drainage on neighboring properties. Mr. Anderson stated that his main concerns are that a portion of the old road should be vacated, and the old portion of Busey Road that remains should be established and renamed as a new road in order to prevent confusion on the part of safety services and properly account for county road mileage.

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

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, June 30, 2009 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe and Mike Kiger. Absent was Jon Myers. Also present were Ritta Seitz, Michelle George, Tony Vogel, Ed Laramée, Dave Landefeld, Jason Dolin and Scott Zody.

**Announcements**

Mr. Zody announced that there would be two add-on resolutions relative to extending Enterprise Zone agreements.

**Public Comment**

There were no public comments.

**Approval of minutes of Tuesday June 23, 2009**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday, June 23, 2009.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger and Judith Shupe

**Approval of an amendment to an extension of a lease agreement between the Fairfield County Commissioners and Fairfield County Education Service Center – office space at 951 Liberty Drive**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an amendment to an extension of a lease agreement between the Fairfield County Commissioners and Fairfield County Education Service Center – office space at 951 Liberty Drive, see resolution 09-06.30.a

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger and Judith Shupe

**Approval to authorize Utilities Director Tony Vogel to apply for, accept, and enter into a Water Pollution Control Loan Fund agreement on behalf of Fairfield County for the repair and/or replacement of home sewage treatment systems**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve to authorize Utilities Director Tony Vogel to apply for, accept, and enter into a Water Pollution Control Loan Fund agreement on behalf of Fairfield County for the repair and/or replacement of home sewage treatment systems, see resolution 09-06.30.b.

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

**Approval of an amendment to an agreement between the Fairfield County Commissioners and Thomas Vajen, M.D. for medical services at the Fairfield County jail facilities**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an amendment to an agreement between the Fairfield County Commissioners and Thomas Vajen, M.D. for medical services at the Fairfield County jail facilities, see resolution 09-06.30.c

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

**Approval of first amendment to the agreement with the City of Pickerington for a Mutual Aid Emergency Water Connection - Utilities**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve first amendment to the agreement with the City of Pickerington for a Mutual Aid Emergency Water Connection, see resolution 09-06.30.d

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

**Approval of an Authorization for Request for Qualifications for professional architectural/engineering services for the Utilities Department Administration Office and Garage Complex**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an Authorization for Request for Qualifications for professional architectural/engineering services for the Utilities Department Administration Office and Garage Complex, see resolution 09-06.30.e

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

**Approval to Rescind resolutions**

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

09-06.30.f                      Approval to Rescind Resolution 09-06.23.m, Approval of Account to Account Transfer, FACF Council

09-06.30.g                      Approval to Rescind Resolution 09-06.23.n, Approval of Account to Account Transfer, FACF Council

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

**Approval of Engineer resolutions**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners

voted to approve resolutions for the County Engineer as follows:

- 09-06.30.h Approval of Construction Drawings for the FAI-CR41-2.786 Marcy Road NW Improvement Project - Engineer
- 09-06.30.i Approval of a Contract with Mar-King Construction, Inc. for the 2009 Pavement Marking project - Engineer
- 09-06.30.j Approval of Notice of Commencement, 2009 Pavement Marking Project - Engineer

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

### **Approval of Financial Resolutions**

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

- 09-06.30.k Approval of Memo Expenditure – Job & Family Services
- 09-06.30.l Approval of Amended Certificate & request for appropriations for additional unanticipated receipts – Fund 7521 – FAF Council
- 09-06.30.m Approval of Account to Account Transfer – Older Adult Services Levy
- 09-06.30.n Approval of Account to Account Transfer – Engineer
- 09-06.30.o Approval of Account to Account Transfer – Domestic Relations Court
- 09-06.30.p Approval of Account to Account Transfer – FAF Council
- 09-06.30.q Approval of Account to Account Transfer – Probation Services Fund
- 09-06.30.r Approval of Account to Account Transfer – FAF Council
- 09-06.30.s Approval of Account to Account Transfer – Community Based Corrections
- 09-06.30.t Approval of Account to Account Transfer – Sheriff
- 09-06.30.u Approval of Fund to Fund Transfer - Insurance
- 09-06.30.v Approval of Fund to Fund Transfer - Insurance
- 09-06.30.w Approval to Appropriate from Unappropriated – Sewer District Fund - Utilities
- 09-06.30.x Approval to Appropriate from Unappropriated – Job & Family Services
- 09-06.30.y Approval to Appropriate from Unappropriated – Alternative School – Juvenile Court

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

### **Approval of Payment of Bills**

On motion of Mike Kiger and the second of Judith Shupe, the Board of Commissioners voted to approve the authorization for payment of bills June 30, 2009, check date July 2, 2009, see resolution 09-06.30.z

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger and Judith Shupe

**Approval of Continuing an Enterprise Zone Agreement between Westerman, Inc., Fairfield County and the Village of Bremen**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve Continuing an Enterprise Zone Agreement between Westerman, Inc., Fairfield County and the Village of Bremen, see resolution 09-06.30.aa

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger and Judith Shupe

**Approval of Continuing an Enterprise Zone Agreement between Rienschild Gourmet Sausage, LLC, Rienschild Finer Meats Inc., Rienschild Properties, LLC, Fairfield County and the Village of Bremen**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve Continuing an Enterprise Zone Agreement between Rienschild Gourmet Sausage, LLC, Rienschild Finer Meats Inc., Rienschild Properties, LLC, Fairfield County and the Village of Bremen, see resolution 09-06.30.bb

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger and Judith Shupe

**Review Session**

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

Regarding the pending renewal of the Meals on Wheels (MOW) contract under the Older Adult Services levy, Commissioner Shupe stated that several groups and individuals have provided comments and concerns relative to the distribution of the funds, and that some form of Board or oversight body may be needed. The Board directed Mr. Zody to schedule a meeting for the Board to discuss in the near future.

Mr. Landefeld provided an overview on a pending request from the Prosecutor's office for a Victims of Crime Assistance (VOCA) grant, stating that the funding is used exclusively for personnel, and if the full match is not provided, it would impact his staffing levels. Mr. Zody asked if flat funding the match at the previous year's level would be workable, and Mr. Landefeld stated that he needed the additional match to cover increased insurance and workers' compensation costs, and his only option would be to try to reduce the hours of the employees.

Mr. Laramee asked of the county has been picking up both the increased costs for the positions as well as making up for declining grant funds from the Ohio Attorney General's Office, and Mr. Landefeld stated that was the case.

Commissioner Kiger noted that Meals on Wheels (MOW) had sent a letter relative to changes in their congregate meal site processes due to Health Department concerns. Mr. Laramee noted that many of the congregate meal sites are restaurants or dining facilities, so it is no surprise the Health Department wishes to hold them to those standards.

The Board discussed a potential de-merger of the County Health Board, with the City of Pickerington declaring its intention to withdraw at the end of 2009 and the City of Lancaster expressing an interest in possibly leaving as well. Mr. Landefeld if a complete de-merger would occur that could impact the county, as the Board would then become responsible for the Health Department building again. Commissioner Shupe

asked if this would result in an increase in the per capita charge for county taxpayers who were not in Pickerington or Lancaster, and Mr. Laramée stated the per capita system is no longer used, but is based upon property tax valuation.

Mr. Laramée explained that the existing merger agreement consists of the District Advisory Council, the City of Pickerington, and the City of Lancaster, and if any one of the cities intends to drop out, they must provide written notice and cannot drop out until after the following appropriation cycle ends. In the case of Pickerington, they filed notice in late 2008, so they would leave effective January 1, 2010. Lancaster would like to be able to leave early, but that would require special action to amend the merger agreement, otherwise they would have to stay until January 1, 2011.

The concern and legal question is how the merger agreement could be altered and by whom, and who would be permitted to vote on such action.

Commissioner Kiger asked if Pickerington's move to the Franklin County Board of Health would have any affect relative to legal actions and the Prosecutor's Office, and Mr. Landefeld stated that any action initiated in Fairfield County would remain in Fairfield County courts, but he does not foresee any major problems, as the Health Department does not generate much litigation in which the Prosecutor's Office is involved. Commissioner Shupe stated that the Board will need to see if Lancaster actually files any intent and react from there.

The Board discussed a letter from Mina Ubbing on behalf of the Fairfield 33 Development Alliance that expressed concern relative to the County Economic Development position, and urges the Board to refill the position quickly and with a person who will effectively lead the Alliance. Commissioner Shupe stated that Lancaster has already voiced its concern and has stated they will pull out of the Alliance if a strong leader is not in place soon. Commissioner Kiger agreed, stating that these opinions were stated at the most recent Alliance meeting.

Mr. Landefeld asked if there was anyone currently working for the county that could fill in or take that role, and Commissioner Shupe stated there was no one that she was aware of, and Linda Kauffman is overwhelmed trying to keep up as it is.

Mr. Laramée agreed, stating that the Enterprise Zone processes alone require a lot of time and attention. Commissioner Shupe stated that Mr. Arnett invested a lot of time working on those and working with the various Tax Incentive Review Committees.

Commissioner Shupe stated the Board needs someone who is knowledgeable, networked, and strong. Mr. Laramée added that they do not want someone who is easily cowed.

The Board reviewed a letter from NAI Equities relative to the availability of certain downtown real estate, and the Board directed Mr. Zody to forward the information to Mayor Smith for the city to consider.

The Board discussed a request from the Information & Referral Service for a \$2,000 allocation to assist with the agency's transition into a 2-1-1 network. Commissioner Kiger stated that he had informed the group at their most recent meeting that the budget was very tight and the Board would likely not be able to fund the request.

### **11:00 a.m. Hearing – Busey Road Establishment & Renaming**

The Board of commissioner met to hold a Public Hearing on the proposed establishment and renaming of a portion of a public road, Busey Road in Violet Township. Commissioners present were Judith Shupe and Mike Kiger. Absent was Jon Myers. Also present were County Engineer Frank Anderson, Prosecutor Dave Landefeld, Violet Township Administrator Bill Yapple, Ed Laramée and Scott Zody.

Mr. Anderson provided an overview of the issue, which arose when Violet Township constructed a portion of new road in order to remove two dangerous curves and address some drainage issues. Mr. Anderson stated that the old portions of Busey Road need to be renamed, and the new portion of Busey Road needs to be properly established. Mr. Anderson added that he believes at least a small portion of the old road needs to be vacated, as a ravine was dug through the old road bed for drainage and the road is impassable due to that and a guardrail barrier.

Mr. Anderson suggested vacating at least that portion of the old road where it no longer exists due to the drainage improvement. His concern is that as long as the right-of-way exists, someone could request that the road be re-opened.

Commissioner Shupe asked if Mr. Anderson is requesting the township to submit a petition to vacate the road, and Mr. Anderson stated that would be the best approach. The only other option would be to wait 21 years and place the road on unmaintained status.

Commissioner Shupe asked Mr. Yapple what the township's position is on the issue of vacating a portion of the road, and Mr. Yapple stated that he would prefer to have the Prosecutor's Office involved in that discussion and decision, as he is not sure if such action would impact a lot split of some of the residual property. Mr. Yapple stated it might be better to vacate a portion of the road at the intersection with "new" Busey. Mr. Anderson stated that would not address the problem of the right-of-way being impassable at the ravine and guardrail. Mr. Yapple stated the open cut ditch was necessary for the drainage issues, and drain pipe was installed under the old road bed as well, and the township does not want to lose the ability to repair or maintain that drainage.

Commissioner Shupe stated that the vacation and drainage issues are really separate from the process of establishment and renaming, and should be worked out independently of this process, and Mr. Landefeld agreed. Mr. Laramée asked if the road right-of-way could be abandoned and a drainage easement retained, and Mr. Zody stated that the Revised Code allows for certain utilities within road rights-of-way to retain their access rights, and changing the road easement to a drainage easement would make sense.

Mr. Anderson stated he would like to check with emergency services on what name to change old Busey to so they would not object. Commissioner Shupe asked if there was a name preference, and Mr. Yapple stated he is fine with Busey Court. Mr. Yapple added that the trustees had sent a letter to the board relative to the wording of the resolution, and would like their letter to be part of the record.

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

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger and Judith Shupe

### **11:00 Meeting with Aundrea Cordle**

The Board of Commissioners met with Human Resources Director Aundrea Cordle to discuss the position description for the County Economic Development Director. Commissioners present were Judith Shupe and Mike Kiger. Also present was Scott Zody.

Commissioner Shupe stated that she has been contacted by several individuals and organizations expressing concern over the position and would like to see the position description amended to reflect certain duties, such as coordinating the Fairfield 33 Development Alliance. Ms. Cordle stated that she has some draft verbiage to do that,

and Commissioner Shupe stated that she would like to have some of the Alliance Board members review that language.

Commissioner Kiger stated that he had met with Canal Winchester Economic Development Director Chris Strayer and Mr. Strayer suggested making the position an employee of the Alliance. Commissioner Shupe stated the Alliance members would not want to fund the entire position, but may be willing to reimburse the county for the hours the position provides directly to Alliance activities. Commissioner Shupe stated they should have Linda Kauffman review the position description and check the percentage of time that would need to be devoted to Alliance business.

Commissioner Kiger stated that he would like to add language to the description to make the position flexible – such as “performs others duties as assigned” or “including, but not limited to”. He added that he believed that Mr. Arnett was accounting for the hours on Alliance business and believed that he put in approximately 400 hours per year on average in that effort.

Commissioner Shupe stated that it appeared that those changes and finalizing the percentage on the Alliance would be all that would be needed.

### **Adjournment**

With no further business to come before the Board, on the motion of Mike Kiger and the second of Judith Shupe, the Board of Commissioners voted to adjourn at 11:20 a.m.

Roll call vote on the motion resulted as follows:

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

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Mike Kiger  
Commissioner

Jon D. Myers  
Commissioner

Judith K. Shupe  
Commissioner

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Scott Zody, Clerk/Manager

**THE NEXT REGULAR MEETING OF THE COMMISSIONERS' IS SCHEDULED FOR TUESDAY, JULY 7, 2009 AT 10:00 A.M.**