

**Regular Meeting #07-23
Fairfield County Commissioners' Office
May 29, 2007**

9:00 a.m. Meeting with Perry Orndorff, Soil and Water Conservation District

At 9:00 a.m., the Board attended a meeting with Soil and Water Conservation District officials. Attending the meeting were: Commissioners Kiger, Shupe, and Myers. Also attending were Carri Brown, Perry Orndorff, Dave Libbon, Joe Young, and John Albert.

Perry reported that the county budget for the Fairfield County Soil and Water District for 2006 was \$282,922. These dollars were leveraged by NRCS and SWCD staff into USDA and ODNR programs. The group reported that the federal funds were healthy at this point. Please see the attachment noting the 2006 dollars leveraged for the conservation programs. Joe Young reported that some of the conservation funds were diverted to homeland security and emergency management items at the federal level. While the farm bill has not yet been drafted and the specific focus is not known at this time, there is an expectation that the conservation programs will continue.

Dave reported that with farmers, there is ongoing education for the conservation and buffer program. The topic can be a hard sell when it comes to various factors, including the increasing price of corn. Perry reported that the Wildlife Habitat program is a relatively small program which attracts those who are really interested in wildlife protection.

Perry reported that the Ohio Agricultural Easement Purchase Program is progressing well. Across the state, Fairfield County is recognized for its work in this program. Judy commented that the program is helpful in maintaining the agricultural base. Perry reported that Jonathan Febrache with the Soil and Water District is managing the easement program very well.

Perry reported that the District is in the process of obtaining a new wildlife specialist. He has not heard yet who the replacement will be, but information will be forthcoming. Perry reported that the District works closely with the specialist.

The pollution abatement program represents an incentive for citizens to correct problems. This particular program has not been well funded in the past, and typically this program involves only a few cases where there needs to be corrective actions for land use. Judy asked if people were typically receptive to the help offered by the District relating to the pollution program.

Perry reported that while there is not a lot of enforcement authority, the District works hard with outreach, education, and communication, noting that a lot of the issues revolve around financial concerns on a case by case basis.

Joe reported that he is welcoming a new intern this week, and he is excited by this.

Jon Myers asked if the state funding has suffered with the new state administration. Perry reported that the new state administration has been very positive for the soil and water conservation programs. The budget passed by the House was favorable. The state match has declined over time, but the amounts remain workable.

Perry reported a success story. Walnut Creek is one of the only streams in Ohio to meet all clean water standards established by the EPA. There are some endangered fish thriving in this stream. The endangered fish are small, colorful fish. Joe reported that there was an article in the media recently about this stream. While there has been flooding with Walnut Creek, the quality of the water in the stream is excellent. Perry reported that there could be a focus group conducted in Fairfield County regarding the improvements that have been made regarding the quality of the water. Perry reported that the meeting would likely come about late this summer, and he will provide details once they are known.

Jon Myers reported that he agreed that the trees next to the Fairfield Inn should remain. Perry reported that his office was going to provide additional information to the architect in order to offer some potential solutions that would maintain the trees.

Judy Shupe reported that the Heart of Ohio Research, Conservation, & Development of Ohio program was now posting for a full-time coordinator. Judy believed that the program was getting back on the right track. There is difficulty in coordinating nine counties. Joe reported that he did see the e-mail announcing the posting of the position.

John reported that Fairfield County is very highly respected in the state, and he is proud to represent the District.

10:00 a.m. Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, May 29, beginning at 10:00 a.m., with the following Commissioners present: Mike Kiger, Judy Shupe, and Jon Myers. Also present were: Carri Brown and Julia Hilty.

Announcements

Carri Brown reported upon an additional resolution proposed by the Regional Planning Commission. The resolution is to draw upon a letter of credit if needed. (See resolution 07-05.29.v.)

Another additional resolution was proposed by DR Court, for appropriations from unappropriated funds in a special projects fund. (See resolution 07-05.29.w.)

Also, the Adult Community Based Correction Fund provided an additional resolution to issue an advance and establish the grant fund appropriations. (See resolution 07-05.29.x.)

Licking County provided information to place on the tax duplicate delinquent sewer rentals for the Buckeye Lake Sewer System. (See resolution 07-05.29.y.)

Also, as an informational item, the e-mailed agenda noted a luncheon meeting with EMH&T engineering consultants, and the luncheon meeting is actually with GGC engineering consultants.

Public Comment

There were no public comments.

Approval of Minutes from May 22, 2007

On motion of Judy Shupe second of Jon Myers, the Board of Commissioners voted to approve the minutes of May 22, 2007.

Discussion: Jon Myers reported he was out of the office on May 22, 2007.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Judy Shupe and Mike Kiger. Abstaining from the vote was Jon Myers.

Approval of various resolutions relating to the County Engineer

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve various resolutions relating to the County Engineer as noted below.

- 07-05.29.a Approval to modify pavement markings, regrade a road ditch, and install necessary driveway and drive pipes
- 07-05.29.b Approval of establishing, altering and widening of Lithopolis Road – declaration of necessity and setting a viewing and hearing date – Fairfield County Engineer
- 07-05.29.c Approval of establishing, altering and widening of Campground Road – declaration of necessity and setting a viewing and hearing date – Fairfield County Engineer
- 07-05.29.d Approval of establishing, altering and widening of Oakland-Stoutsville Road – declaration of necessity and setting a viewing and hearing date – Fairfield County Engineer

Roll call vote of the motion resulted as follows:

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

Approval of Conditional Acceptance for HAAF Farms Section 6, Phase 2 – Regional Planning Commission

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve Conditional Acceptance for HAAF Farms Section 6, Phase 2 – Regional Planning Commission; see resolution 07-05.29. e.

Roll call vote of the motion resulted as follows:

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

Approval of establishing a viewing and hearing date to vacate a part of a public road, Turkey Run Road SE, in Rushcreek Township

On motion of Judy Shupe and second of Jon Myers, the Board of Commissioners voted to approve establishing a viewing and hearing date to vacate a part of a public road, Turkey Run Road SE, in Rushcreek Township; see resolution 07-05.29. f.

Roll call vote of the motion resulted as follows:

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

Approval of a resolution of intent to appropriate 8.93 acres, more or less, fee simple interest, for a permanent and temporary sanitary sewer easement, from Virginia Homes, Ltd., situated in the township of Violet, in the County of Fairfield, and in the state of Ohio

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve a resolution of intent to appropriate 8.93 acres, more or less, fee simple interest, for a permanent and temporary sanitary sewer easement, from Virginia Homes, Ltd., situated in the township of Violet, in the County of Fairfield, and in the state of Ohio; see resolution 07-05.29 g.

Roll call vote of the motion resulted as follows:

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

Approval of the request for payment and status of fund report – CHIP FY 2005 B-C-05-022-2, B-C-05-022-1 and C-05-022-1 drawdown #155 – Acquisition/Rehabilitation, Rehabilitation, Implementation and Administration, and Building Repair

On motion of Judy Shupe and second of Jon Myers, the Board of Commissioners voted to Approve the request for payment and status of fund report – CHIP FY 2005 B-C-05-022-2, B-C-05-022-1 and C-05-022-1 drawdown #155 – Acquisition/Rehabilitation, Rehabilitation, Implementation and Administration, and Building Repair; see resolution 07-05.29.h.

Roll call vote of the motion resulted as follows:

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

Approval of an allocation a Board of Commissioners Allocation to the Fairfield Center for Disabilities and Cerebral Palsy, Inc.

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve an allocation a Board of Commissioners Allocation to the Fairfield Center for Disabilities and Cerebral Palsy, Inc. ; see resolution 07-05.29.i.

Roll call vote of the motion resulted as follows:

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

Approval of various financial related resolutions

On motion of Judy Shupe and second of Jon Myers, the Board voted to approve various financial resolutions as noted below.

- 07-05.29.j Approval of advance from the General Fund to the EMA Fund #2092 – Fairfield County Emergency Management Agency
- 07-05.29.k Approval to appropriate from unappropriated – Fairfield County Airport – Fund # 4667
- 07-05.29.l Approval to appropriate from unappropriated – Fairfield County Commissioners – 911 Wireless Fund # 2683
- 07-05.29.m Approval of account to account transfer – Fairfield County Common Pleas Court
- 07-05.29.n Approval to appropriate from unappropriated – Fairfield County Engineer Fund # 2024
- 07-05.29.o Approval to appropriate from unappropriated – Fairfield County Older Adult Services Levy Fund # 2617
- 07-05.29.p Approval to appropriate from unappropriated – Fairfield County Family, Adult and Children First Council Fund # 7521
- 07-05.29.q Approval of account to account transfers – Fairfield County ADAMH Board
- 07-05.29.r Approval of payment of a voucher without an appropriate carry-over purchase order – Fairfield County Sheriff
- 07-05.29.s Approval of payment of a voucher without an appropriate carry-over purchase order – Fairfield County ADAMH Board
- 07-05.29.t Approval of payment of a voucher without an appropriate carry-over purchase order – Fairfield County Engineer

Roll call vote of the motion resulted as follows:

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

Approval of the payment of bills

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted To approve the payment of bills, for the check date of June 1, 2007; see resolution 07-05.29.u.

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

Approval to Draw Upon a Letter of Credit, Sagamore Pond Division

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve drawing upon a letter of credit regarding the Sagamore Pond Division project; see resolution 07-05.29.v.

Discussion: Carri Brown reported that Brooks Davis with Regional Planning indicated that the letter of credit would only be drawn upon if the money was not deposited as expected. A letter from Brooks Davis documented that the existing letter of credit expired on June 1, 2007. The resolution is needed so that Regional Planning can draw on the letter of credit if the county does not receive confirmation of the renewal of the letter of credit prior to June 1, 2007.

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

Approval of appropriations from unappropriated funds for a special revenue fund – Domestic Relations Court

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve appropriations from unappropriated funds for a special revenue fund – Domestic Relations Court; see resolution 07-05.29.w.

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

Approval of an amended certificate, an advance of funds and appropriations from unappropriated funds for the Adult Community Based Corrections Fund

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve an amended certificate, an advance of funds and appropriations from unappropriated funds for the Adult Community Based Corrections Fund; see resolution 07-05.29.x.

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

Approval of Delinquent Sewer Rentals to be placed on the tax duplicate

On motion of Judy Shupe and second of Jon Myers, the Board of Commissioners voted to approve delinquent sewer rentals to be placed on the tax duplicate; see resolution 07-05.29.y.

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

Review Session

The Board of Commissioners met at 10:15 a.m. to review correspondence, pending items, and future action items. Present at the review session were Mike Kiger, Judy Shupe, Jon Myers, Julia Hilty, Nikki Bannister (for a portion of the meeting) and Carri Brown.

Correspondence received included a letter dated May 24 from Mr. Dehlendorf (attached). The County Prosecutor provided a letter dated May 3, 2007, indicated that he considered the Dehlendorf matter regarding Stemen Ditch closed. Note: today, a resolution was passed so that Regional Planning can draw on the letter of credit if the county does not receive confirmation of the renewal of the letter of credit prior to June 1, 2007.

The appellate board proposed for access management was reviewed and approved as presented.

Bill Arnett jointed the meeting for a discussion on the 33 Growth Alliance and its new mission and proposed by-laws.

The Board reviewed a letter for Mayor Smith regarding a CIC proposal received.

Nikki Bannister requested that she be copied on the advertisements for the hearings and viewings.

Approval of vacating a part of a public road, Academy Avenue Rd NW in Greenfield Township

On motion of Jon Myers and second of Judy Shupe, the Board voted to “remove from the table the tabled resolution” regarding vacating a part of a public road, Academy Avenue Rd NW in Greenfield Township; see resolution 07-05.22.h.

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

On motion of Jon Myers and second of Judy Shupe, the Board of Commissioners voted to approve vacating a part of a public road, Academy Avenue Rd NW in Greenfield Township; see resolution 07-05.22.h.

Discussion: Judy Shupe reported that she was out of the office during the viewing and hearing. Jon Myers reported that the Board has received no opposition to the vacation.

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jon Myers and Mike Kiger. Abstaining from the vote was Judy Shupe.

12:00 noon Meeting with GGC Engineering Consultants

The Board of Commissioners met at noon for a lunch meeting with GGC professional engineers. Attending the lunch were: Commissioners Kiger, Shupe and Myers and Michael Betts, Michael Carder, and Jennifer Emerick.

1:00 p.m. Meeting with Tom Moe

The Board of Commissioners met at 1:00 p.m. with former EMA Director, Tom Moe, regarding EMA funding and SB 84. Attending the meeting were Tom Moe, Bob Clark, Commissioners Kiger, Shupe, and Myers, and Carri Brown.

Carri Brown reported that SB 84 was listed in the Ohio Senate Journal of March 6, 2007. Proposed by Senators Schaffer and Boccieri, the proposal is amend section 5502.31 of the Revised Code to specify an additional type of Emergency Management Agency or which a political subdivision may make an appropriation. The bill was sent to the Committee on State and Local Government and Veterans’ Affairs for review.

Jon Myers asked if there had been additional movement on the bill, and Tom thought there was no additional movement at this time.

Tom Moe reported that as everyone knew, funding is an issue for the Emergency Management Agency. The proposed amendment is to adjust the Revised Code in order to allow for the county to make appropriations.

Tom Moe reported on the history of the County Prosecutor's opinion that was requested when he was the EMA Director. There are different types of emergency management agencies, and Tom reported that the new law provides for funding for all types of the emergency management agencies. Jon Myers asked if the bill specified the way the funding would occur specifically, and Tom reported that the bill was not specific in the method of funding, although the charges would be collected and paid into the county treasury. Tom reported that the Emergency Management Agency Association of Ohio was not fully supportive of the bill. Bob Clark stated that the Association wanted to be certain of the support of the County Commissioners and the County Prosecutor. Tom Moe reported that he believed that this legislation would clean up at least a portion of the law.

The Association (EMAO) would like to have approval of the wording of the legislation. The Association would like approval from the County Commissioners and the County Prosecutor. Jon Myers would like to have CCAO comment upon the wording of the legislation. With the legislature wrapping up in July, this item will likely be reviewed again in the fall. Jon Myers reported that he and the Board members would review the item.

Executive Session related to personnel matters

At 1:30 p.m, Judy Shupe made a motion to go into executive session. The motion was seconded by Jon Myers.

Present during the review session for personnel matters were: Judy Shupe, Jon Myers, Mike Kiger, Aundrea Cordle, Carri Brown, Bob Clark and Jon Kochis.

Roll call vote of the motion resulted as follows:

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

At 1:50 p.m., Judy Shupe made a motion to go out of executive session. The motion was seconded by Jon Myers.

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

Executive Session related to personnel matters

At 1:50 p.m., Judy Shupe made a motion to go into executive session. The motion was seconded by Jon Myers.

Present during the review session for personnel matters were: Judy Shupe, Mike Kiger, Jon Myers, Aundrea Cordle, Carri Brown, Bob Clark, and Kevin Watts.

At 2:10 p.m., Judy Shupe made a motion to go out of executive session. The motion was seconded by Jon Myers.

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

Executive Session related to personnel matters

At 2:15 p.m., Judy Shupe made a motion to go into executive session. The motion was seconded by Jon Myers.

Present during the review session for personnel matters were: Judy Shupe, Jon Myers, Mike Kiger, Aundrea Cordle, Carri Brown, Bob Clark, and Henry (Hank) Kauffman.

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

At 2:40 p.m., Judy Shupe made a motion to go out of executive session. The motion was seconded by Jon Myers.

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

Executive Session related to personnel matters

At 2:41 p.m., Judy Shupe made a motion to go into executive session. The motion was seconded by Jon Myers.

Present during the review session for personnel matters were: Judy Shupe, Jon Myers, Mike Kiger, Aundrea Cordle, Carri Brown, Bob Clark and Daniel Lehman.

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

At approximately 3:00 p.m., Judy Shupe made a motion to go out of executive session. The motion was seconded by Jon Myers.

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

Executive Session related to personnel matters

At 3:01 p.m., Judy Shupe made a motion to go into executive session. The motion was seconded by Jon Myers.

Present during the review session for personnel matters were: Judy Shupe, Jon Myers, Mike Kiger, Aundrea Cordle, Carri Brown, and Bob Clark (for a portion of the meeting).

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

At approximately 3:29 p.m., Judy Shupe made a motion to go out of executive session. The motion was seconded by Jon Myers.

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

Adjournment

With no further business to come before the Board, on motion of Jon Myers and on the second of Judy Shupe, the Board of Commissioners voted to adjourn the meeting at approximately 3:35 p.m.

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

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Carri L. Brown
Clerk/Manager

THE NEXT REGULAR COMMISSIONERS' MEETING IS SCHEDULED TUESDAY, June 5, at 10:00 a.m.