

**Regular Meeting #07-48
Fairfield County Commissioners' Office
November 13, 2007**

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, November 13, beginning at 10:00 a.m., with the following Commissioners present: Mike Kiger, Jon Myers and Judith Shupe. Also present were: Mary Jane Gard, Tierra Palmer, Jason Dolin and Scott Zody.

Announcements

Clerk/Manager Zody informed the Board of Commissioners that there would be two additional resolutions that were not on the agenda that were being prepared for adoption.

Public Comment

There were no comments from the public.

Approval of minutes of Tuesday, November 6, 2007

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday, November 6, 2007.

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

Approval to ratify appointment of Theresa Haynes, Clerical Specialist 2

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to ratify the appointment of Theresa Haynes as Clerical Specialist 2 for the County Commissioners, see resolution 07-11.13.a

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

Approval to Lease Parking Space at 135 W. Chestnut Street to Jason Sarver

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a lease for parking space at 135 W. Chestnut St. to Jason Sarver, see resolution 07-11.13.c

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

Approval of an Easement Acquisition for Pickerington Road Emergency Water Supply Connection

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve an easement acquisition for Pickerington Road emergency water supply connection for Fairfield County Utilities, see resolution 07-11.13.d

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

Approval of agreement to obtain a Sanitary Sewer Easement for Pickerington Road Sanitary Sewer Extension

On motion of Jon Myers and second of Judith Shupe the Board of Commissioners voted to approve the acquisition of a sanitary sewer easement for the Pickerington Road sanitary sewer extension, see resolution 07-11.13.e

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

Approval to Table Account to Account Transfer – Sheriff’s Office

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to table a request for account to account transfer for the Fairfield County Sheriff’s Office, see resolution 07-11.13.f

Commissioner Kiger stated that the request came in late, and he wanted the Board to further discuss the request before approving it.

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

Financial Resolutions

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve financial resolutions as follows:

- 07-11.13.g Approval of Repayment of Advance to the General Fund – Fairfield County Airport
- 07-11.13.h Approval Appropriate from Unappropriated – County Engineer
- 07-11.13.i Approval of Repayment of Advance to the General Fund – CDBG Fund 2661
- 07-11.13.j Approval of Account to Account Transfer – MRDD
- 07-11.13.k Approval of Account to Account Transfer – ADAMH
- 07-11.13.l Approval of Account to Account Transfer – Commissioners

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

Payment of Bills

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the authorization for payment of bills, November 13, 2007, check date November 16, 2007, see resolution 07-11.13.m

Roll call vote of the motion resulted as follows:
Voting aye thereon: Judith 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. Commissioners present at the review session were Mike Kiger, Jon Myers, and Judith Shupe. Present also were Tierra Palmer, Frank Anderson, Jason Dolin and Scott Zody.

Mr. Dolin provided an update on various legal issues he is working on for the Commissioners. Mr. Dolin stated that he has been conducting research on the County Commissioner’s Association draft public records policy, and plans to attend the training scheduled for the Winter Conference on December 5 in Columbus. He hopes to have a clearer direction at that time.

Commissioner Kiger reported that he is close to having confirmation of a person willing to serve on the Meals on Wheels Advisory Board as the Commissioners appointee. Clerk/Manager Scott Zody provided the Commissioners with a report on interest earning from various funds within the County Engineer's Office.

Commissioner Shupe asked if the Board was prepared to take any action relative to David Conley's recommendations regarding the County's bond rating and refinancing of outstanding county debt. Commissioner Myers stated that he had spoken with Utilities Director Tony Vogel and Mr. Vogel did not believe refinancing at this time would be a significant benefit. Commissioner Myers suggested scheduling a meeting involving County Auditor Barb Curtiss and Ed Laramée to discuss the issue. Commissioner Shupe stated that the Auditor likely does not wish to pursue refinancing either, but Mr. Conley feels there would be sufficient benefits to the County to move forward. Commissioner Myers stated that he would be interested in knowing the Auditor's thoughts on the matter, and Commissioner Kiger suggested including County Treasurer Jon Slater in the meeting as well.

The Commissioners discussed next steps for the proposed Access Management system. Commissioner Myers stated that he believes the proposal has been languishing for too long, and it would be better to restart the process rather than continue with the current proposal. Commissioner Kiger agreed and directed Mr. Zody to check the schedule and set two public hearings on the proposal.

Mr. Dolin reported that he has been working with Roy Hart in the Prosecutor's Office, and expects to have some direction relative to county road right of way obstructions in the next week or two. In addition, Mr. Dolin stated that he has been conducting additional research in to the question of spending limits on outside legal counsel, and stated that the cap is the cap regardless of the source of funds, but there is a mechanism whereby the Commissioners and Prosecutor can jointly request the Court of Common Pleas to grant a waiver to exceed the cap. Mr. Dolin stated that this had occurred in 2005, and the Revised Code does not appear to have any timeline relative to the effectiveness of a waiver, but recommended that the Board and Prosecutor provide an annual request for a waiver to the Court of Common Pleas to ensure compliance.

Mr. Dolin also reported that he is continuing his research on the proposed Older Adult Services levy renewal, but at this point, it would appear that the levy could not be placed on the ballot until the November, 2008 election.

Regarding the MRDD Sensory Trail issue, Mr. Dolin stated that the property deeds need to be consulted, and Commissioner Shupe directed Mr. Zody to contact the County Soil & Water Conservation Office to look into that matter.

Commissioner Kiger stated that a question had arisen at an alley vacation viewing that morning relative to responsibility for payment of a survey. Mr. Dolin stated that he did not know the answer to that question, but would try to find an answer prior to the hearing on the vacation petition. County Engineer Frank Anderson stated that, in the event there is a dispute on a survey involving a county road, the Engineer typically conducts a survey and assesses the adjoining property owners for the costs, but in this case, the property owners just need to know where the boundary corners are so they can evenly split the alleys to be vacated. Commissioner Myers asked if there is anything in the Revised Code to cover this issue, and Mr. Dolin and Mr. Anderson stated that they believed that there is existing law on the matter, but they were not certain exactly where. Commissioner Shupe stated that the dispute is between the landowners on who is responsible for paying for the survey, not the survey itself.

Sheriff Account to Account Transfer Request

Commissioner Kiger stated that he had concerns relative to the request by the Sheriff to transfer funding out of his Overtime line item and use the funding to purchase equipment and contract services, especially since the Sheriff requested an addition \$65,000 for his 2008 budget for Overtime to cover additional state mandated training for deputies. Commissioner Kiger reported that he had spoken with Chief Deputy Jerry Perrigo and the Sheriff wants to utilize some of the remaining funding in his 2007 Overtime budget line to purchase computers and repair radios. He had asked Mr. Perrigo if sufficient funds would remain in the line item to cover any additional overtime costs that would be incurred for the remainder of the year, and Mr. Perrigo believed that funding is sufficient. Commissioner Kiger stated that he was concerned over that last-minute nature of the request and asked for the resolution to be tabled until the Board could discuss the request and have the Sheriff's Office provide clarification. The Board directed Mr. Zody to schedule a meeting with the Sheriff's Office to discuss.

The Board reviewed and approved a request from Joe Richards to be appointed to serve a full term on the County Airport Authority. Commissioner Kiger stated that Mr. Richards has faithfully attended meetings and has provided sound input on several matters. The Board directed Mr. Zody to prepare a resolution for the next regular meeting to appoint Mr. Richards to a full term.

Commissioner Shupe reported that Brad Shull has provided quotes for the needed equipment and repair work for the eastern radio towers. Cost of the repairs would be approximately \$52,700. Commissioner Myers asked if requests like this should be coming directly to the Commissioners or should be channeled through Mel Meloy and the Sheriff's Office. Commissioner Shupe directed Mr. Zody to bring this matter to Mr. Meloy's attention and seek his input.

Meeting with Michael Orlando

The Board of Commissioners met with Fairfield County Job & Family Services Director Michael Orlando to discuss Child Protective Services and Adult Protective Services funding issues. Commissioners present at the meeting were Mike Kiger, Judith Shupe and Jon Myers. Present also was Scott Zody. Mr. Orlando expressed concern relative to the timing of the proposed Older Adult Service levy renewal and his desire to place a Child Protective Service levy on the ballot in 2008. Mr. Orlando stated that he could be prepared to go to the ballot in March if need be, but would prefer to go on the November General election ballot.

Mr. Orlando provided options for the Board to consider, including a levy that would be for Child Protective Services only, and levy to combine Child Protective Services and Adult Protective Services, or consider asking Meals on Wheels to set aside a portion of the Older Adult Services levy funding for Adult Protective Services programs.

Commissioner Shupe stated that it was her understanding that Meals on Wheels had previously received some funding through the United Way Program, but was no longer requesting any funding. Commissioner Myers asked if the Meals on Wheels Program would provide funding for Adult Protective Services currently, and Mr. Orlando replied that they currently do not refer customers to Meals on Wheels, because they were not being served by the group. Mr. Orlando stated that state funding for Adult Protective Services will disappear sometime this year, and funding needs to be found to support those in need. He would prefer that the Older Adult Services levy be delayed until spring of 2009 so the Child Protective Services levy could have an opportunity for consideration, or a combined Child Protective Service/Adult Protective Service levy could be proposed.

Commissioner Myers asked if it would be possible to combine the two services as a overall Protective Services levy, and Mr. Orlando stated that Wood County had recently passed a combined levy, and that county's demographics are very similar to Fairfield

County. In addition, passage of such a levy would negate the need for JFS to request any additional General Fund support over the 2007 funding levels.

Commissioner Kiger stated that he thought the levy would completely negate the need to GRF funding for JFS. Mr. Orlando stated that that was never the intent – the intent was to stop requesting any additional GRF funding. Commissioner Kiger asked what the incentive would be for citizens to vote in favor of a levy, and Mr. Orlando stated that the funding would significantly increase the ability of Child Protective Services to investigate and serve children in need and provide services that schools and communities are requesting. Commissioner Kiger asked if the agency would be able to provide services to those currently not being served, and Mr. Orlando confirmed that additional services would be provided.

Commissioner Kiger asked Mr. Orlando how many other counties receive GRF funding, and Mr. Orlando replied that 44 counties receive GRF support that he knows of, but he does not know how many of those counties also receive levy support.

Commissioner Kiger asked what happens if the levy would pass and the economy would take a downturn, forcing the county to make cuts in GRF – would Mr. Orlando agree that JFS would need to be cut? Mr. Orlando replied that in the event that cuts would need to be made, that would be up to the Board to decide.

Commissioner Shupe asked Mr. Orlando what millage level would be requested, and Mr. Orlando replied that 1 mill would provide sufficient funding, but 1.5 mills would provide enough funding to totally eliminate any need for GRF funding for Child Protective and Adult Protective Services. Mr. Orlando would also prefer a 10-year term on the levy. Commissioner Myers stated that there are three questions that need answered ASAP – when to go to the ballot, what rate to request, and whether or not to combine the needs into one levy. Commissioner Myers stated that Mr. Orlando also needed a plan to make the case to the average citizen to sell the issue. Commissioner Shupe asked Mr. Orlando if he had a campaign committee organized, and Mr. Orlando stated that he is in the process of getting a committee finalized.

The Board directed Mr. Zody to check with the Board of Elections on the process and what steps need to be taken and when.

Meeting with Jerry Perrigo, Elisa Dowdy

The Board of Commissioners met at 1:30 p.m. with Chief Deputy Jerry Perrigo and Elisa Dowdy of the Sheriff's Office to discuss the Sheriff's request to transfer Overtime funds. Commissioners present at the meeting were Mike Kiger, Judith Shupe and Jon Myers. Present also was Scott Zody.

Commissioner Kiger stated that he had some concerns relative to the request by the Sheriff to transfer funds out of his overtime budget to purchase equipment and contract services in light of his request for \$65,000 additional overtime funding for 2008 for training purposes. Commissioner Kiger asked how much funding had been spent on overtime costs in 2007, and Ms. Dowdy replied that to date, \$144,000 had been used.

Commissioner Kiger asked why the Sheriff was requesting additional overtime funding for next year's budget when it appears there is excess overtime funding in the current year's budget. Deputy Perrigo explained that the Office had not used as much overtime this year as anticipated, but they know that the overtime will increase next year due to state mandated training requirements increasing from 8 to 24 hours per officer.

Deputy Perrigo explained the transfer request, stating that the funds to be transferred (\$57,000) would be used to purchase 6 new desktop computers, an additional Webcheck fingerprint ID machine, a copier for the Pickerington substation, and the remainder for contract services.

Commissioner Shupe asked if the county charges for the background checks on the Webcheck machine, and Deputy Perrigo stated that the county charges \$20 for BCCI check, and \$44 for an FBI check, but the county GRF only receives \$5 from each check. Commissioner Myers asked how Webcheck works, and Deputy Perrigo explained that it is an electronic scanning process of a person's fingerprints that are used to obtain criminal background check information. Commissioner Shupe asked how many checks are conducted each year. Ms. Dowdy stated she was unsure, but there are at least 500 Concealed Carry permits that have been issued in the county that will be up for renewal next year.

Commissioner Myers asked if the computers were desktop computers, or computers for the vehicles, and Deputy Perrigo replied that the computers were desktops.

Commissioner Kiger stated that the Webcheck, copier, and computers account for about \$16,000, what is the remainder of the funds being used for? Deputy Perrigo stated that the remaining funds would be used for contract services to fund ½ of an existing position in the 911 dispatch center to help make the 5th dispatcher more effective, some of the funds would be used for reworking the Sheriff's website, and some would be utilized for radio repair.

Commissioner Shupe asked why the website needed upgraded, and Deputy Perrigo replied that the former website contractor had not been performing up to the Sheriff's needs, and the site was somewhat out of date and needed an overhaul.

Commissioner Kiger asked if the Sheriff had sufficient funding to handle the possible reinstatement of Deputy Skeen, and Deputy Perrigo replied that there is sufficient funding if the reinstatement is finalized.

Commissioner Kiger asked Deputy Perrigo if there were sufficient funds to handle the remainder of 2007 overtime needs, and Deputy Perrigo stated that he believes there is enough funding left.

Approval of Account to Account Transfer – Sheriff's Office

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to reconsider resolution 07-11.13.f, account to account transfer, Fairfield County Sheriff.

Roll call vote of the motion resulted as follows:

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

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an account to account transfer request from the Fairfield County Sheriff, see resolution 07-11.13.f

Roll call vote of the motion resulted as follows:

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

Adjournment

With no further business to come before the Board, on the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to adjourn at 3:00 p.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon Myers
Commissioner

Judith Shupe
Commissioner

Scott Zody, Clerk/Manager

**THE NEXT REGULAR COMMISSIONERS' MEETING IS SCHEDULED TUESDAY
NOVEMBER 20, 2007 AT 10:00 A.M.**