

**Regular Meeting #08-48
Fairfield County Commissioners' Office
November 13, 2008**

9:30 a.m. – Review Session

The Board of Commissioners met at 9:30 a.m. to review pending legal issues, current and future actions items, and correspondence. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Staci Knisley, Jason Dolin and Scott Zody.

Mr. Dolin reported that the Airport Board has approved an interim agreement with Chris Chapman to initiate skydiving activities at the county airport. Commissioner Kiger asked if there would be any limits on the number of jumps per day, and Mr. Dolin stated that he was not sure if that was part of the initial agreement.

Mr. Dolin stated that he has reviewed the agreement between the airport and the State Infrastructure Bank and wanted to make the Board aware that, as owners of the property, they would be responsible for backing the airport on the loan and may have to set aside that loan amount as collateral on the loan while it is paid off – approximately \$600,000. Commissioner Myers asked why the Board should have to encumber the funds, as this has not been a practice in the past when the county has incurred debt. Mr. Dolin stated he was not sure why this request was being made, but he would contact the Attorney General's Office for clarification and alternatives. Commissioner Shupe stated that the Board should have the option of entering into an agreement or MOU to state that the county would guarantee the loan, but shouldn't have to encumber the funds each year. Commissioner Kiger asked what else the county is responsible for – for example, flexible spending if an employee withdraws all of their flex money then leaves county employment and doesn't pay the funding back through payroll withdrawals. Ms. Knisley stated that the county would be responsible for that, that is the way flex spending is set up, and Mr. Dolin stated that IRS regulations require the program to be set up that way, but it is very rare to have an employee withdraw all their funds up front then leave. Commissioner Kiger asked what the maximum amount an employee could sign up for, and Ms. Knisley stated \$3500 per year.

Regarding the Dog Shelter and their request to obtain a greater credit from the City of Lancaster for utility costs, Commissioner Kiger stated that he would support asking the city to provide full credit for utility costs, which as currently around \$13,000 per year. The city provides a \$5,000 per year credit, and that amount has not increased since 2001. Commissioner Shupe suggested having Mr. Zody draft a letter to the Mayor from the Board making the request. Commissioner Shupe stated that Mr. Miller informed her that the estimates to repair the incinerator are so high that he would probably be better off purchasing a new incinerator. Commissioner Myers asked if that item was not just recently installed, and Commissioner Kiger stated that the gas chamber is new, but the incinerator is at least 10 years old. Commissioner Shupe directed Mr. Zody to check with Mr. Miller on the quotes and inform the Board of the options.

10:00 a.m. Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Thursday, November 13, 2008 beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Judith Shupe and Mike Kiger. Also present were Mary-jane Gard, Michael Orlando, Corey Clark, Aundrea Cordle, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be one possible add-on resolution relative to Child Support Enforcement Attorney compensation.

Public Comment

There were no public comments.

Approval of Minutes for Tuesday, November 4, 2008

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the meeting minutes for Tuesday, November 4, 2008

Roll call vote of the motion resulted as follows:

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

Approval of a Purchase of Social services Agreement by and between Fairfield County Job & Family Services and Big Brothers/Big Sisters of Fairfield County, Inc.

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a Purchase of Social services Agreement by and between Fairfield County Job & Family Services and Big Brothers/Big Sisters of Fairfield County, Inc., see resolution 08-11.13.a

Roll call vote of the motion resulted as follows:

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

Approval of widening and altering a portion of a public road, Refugee Road, Violet Township

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the widening and altering of a public road, Refugee Road in Violet Township, see resolution 08-11.13.b

Roll call vote of the motion resulted as follows:

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

Approval to dispose of one (1) totaled vehicle to Ohio Mutual Insurance Group - Sheriff

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the disposal of one totaled vehicle to the Ohio Mutual Insurance Group, see resolution 08-11.13.c

Roll call vote of the motion resulted as follows:

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

Approval of Change Order for the FAI-CR30-2.829 Delmont Road SW Widening and Resurfacing project - Engineer

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve a Change Order for the FAI-CR30-2.829 Delmont Road SW Widening and Resurfacing project, see resolution 08-11.13.d

Roll call vote of the motion resulted as follows:

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

Approval of a contract between the Fairfield County Commissioners and Maximus, Inc. – indirect cost allocation plans

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a contract between the Fairfield County Commissioners and Maximus, Inc. – indirect cost allocation plans, see resolution 08-11.13.e

Roll call vote of the motion resulted as follows:

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

Approval of U69 Workers' Compensation contract coverage – Sheriff

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve U69 Workers' Compensation contract coverage for the Sheriff, see resolution 08-11.13.f

Aunie Cordle stated the coverage was for the Community Watch volunteers, and is required per the State Auditor's Office.

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

Approval of IAS Support Agreement 2008 Renewal for the County IAS Real Estate & Collection Software

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a IAS Support Agreement 2008 Renewal for the County IAS Real Estate & Collection Software, see resolution 08-11.13.g

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

Approval of BWC 2007 Safety Council Discount

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the Workers' Compensation 2007 Safety Council Discount, see resolution 08-11.13.h

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

Approval to ratify previously approved financial resolutions for the Fairfield County Commissioners

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to ratify previously approved financial resolutions for the Fairfield County Commissioners, see resolution 08-11.13.i

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

Approval of Final Acceptance resolutions – Regional Planning

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the Final Acceptance of subdivisions for the Regional Planning Commission as follows:

- 08-11.13.j Approval of Woodstream Section 2 - Final Acceptance – Regional Planning
- 08-11.13.k Approval of Woodstream Section 3 – Final Acceptance – Regional Planning

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

Approval of Establishment of Revenue and Appropriations Budget for the Major Crimes Unit – FY2009

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to establish the revenue and appropriations budget for the Major Crimes Unit for FY2009, see resolution 08-11.13.l

Roll call vote of the motion resulted as follows:

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

Approval of Amended Certificate & Request for Appropriations for additional unanticipated receipts – FACFC

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve to amend the certificate & request appropriations for additional unanticipated receipts, see resolution 08-11.13.m

Roll call vote of the motion resulted as follows:

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

Approval of Amended certificate, update revenue accounts – grant fund #3011 – Airport Federal Funds – FY2008 FAA Grant

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to Amended certificate, update revenue accounts – grant fund #3011 – Airport Federal Funds – FY2008 FAA Grant, see resolution 08-11.13.n

Roll call vote of the motion resulted as follows:

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

Approval of Financial Resolutions

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

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| 08-11.13.o | Approval of Account to Account Transfer and Fund to Fund Transfer - EMA |
| 08-11.13.p | Approval of Account to Account Transfer – JFS |
| 08-11.13.q | Approval of Account to Account Transfer – Engineer |
| 08-11.13.r | Approval of Account to Account Transfer – FACFC |
| 08-11.13.s | Approval to Appropriate from Unappropriated – Flex Spending |
| 08-11.13.t | Approval to Appropriate from Unappropriated – Clerk of Courts |
| 08-11.13.u | Approval to Appropriate from Unappropriated – 5331 Bond Retirement – Utilities |
| 08-11.13.v | Approval to Appropriate from Unappropriated – 5556 Water Consolidation Bond – Utilities |

Roll call vote of the motion resulted as follows:

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

Payment of Bills

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioner voted to approve the authorization for payment of bills, November 13, 2008, check date November 14, 2008, see resolution 08-11.13.w

Roll call vote on the motion resulted as follows:

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

Review Session, cont.

Michael Orlando, Corey Clark, and Aunie Cordle briefed the Board on a proposal to reorganize the attorneys for the Child Support Enforcement division. Mr. Orlando explained that at the current pay rates, it is difficult to retain good staff. Most of the attorneys they attract and hire are fairly new, and use the CSEA experience as a

“stepping stone” to move on to other positions. Currently, they have three very good attorneys and are in the process of offering a position to another, and with the recent departure of the Managing Attorney, would like to reorganize the section to provide more responsibility to each of the four attorneys in exchange for increasing their compensation to try to keep them.

Mr. Orlando provided two options – the first would provide an immediate 10% increase in pay, with a review of the reorganization in a year for further consideration of increasing the pay. The second option would be to immediately increase the CSEA attorney pay to equal that provided to a new Assistant Prosecutor, which would be approximately \$24/hour. Moving the attorneys up to the higher rate would help retain them longer and lessen the chances of them jumping to the Prosecutor’s Office or private practice.

Commissioner Shupe asked for clarification that the supervisor attorney has left and that position will not be re-filled, and Mr. Orlando stated that is correct, and by leaving that position vacant, the CSEA would still save money even if the attorney rate was increased to the maximum level. Mr. Clark stated that both are viable options, but he would like to see something changed to help with the short-term turnover problems.

Commissioner Myers asked who would then supervise the attorneys, and Mr. Clark stated that he would. Commissioner Kiger asked if the Supervising Attorney position would then be abolished, not just left vacant, and Mr. Orlando stated that the position would be eliminated.

Commissioner Shupe asked if the attorneys were aware of the plan and duties, and Mr. Clark stated that he has met with all of them and they understand and support the proposals. Commissioner Myers asked how the recent state budget cuts would be addressed, and Mr. Orlando stated that some of the cuts would be absorbed by eliminating the supervisor position, and Mr. Clark would make cuts elsewhere to make up the difference, but the state cuts won’t have that great of an impact on CSEA, and if any future cuts are announced, it would more likely impact the case workers.

Commissioner Kiger asked if the attorneys are comfortable with Mr. Clark directly supervising them, and Mr. Clark stated that it is just a matter of removing one level of supervision, and the attorneys are more comfortable reporting directly to him. Mr. Orlando asked Ms. Cordle how difficult it is to hire attorneys, and Ms. Cordle stated that it is very difficult to attract high-quality candidates at the current \$18/hour range.

Commissioner Myers stated that it makes sense to bring them all up at once, and have a better chance at retaining the current staff. Commissioner Kiger stated that is a big jump in compensation, and he would prefer an incremental approach. Commissioner Shupe stated that with the supervisor position being eliminated, it makes sense to bring them up to a higher level. Commissioner Myers added that training costs would be reduced if the attorneys stay longer as well.

Commissioner Kiger asked about the proposed 3% annual raise for 2009, and Mr. Orlando stated that if the attorneys would be moved up to the higher level, they would have to forego any additional raise in 2009, but he would plan to give them the 3% if the increase is incremental.

Commissioner Kiger stated that he would prefer to give this some more thought, and asked if the decision could wait until the next Board meeting on Tuesday. Ms. Cordle stated that the woman they have offered the vacant attorney position to has other offers to consider, and they might lose her. Commissioner Kiger stated that he would like to think the options over, and would try to make up his mind by the end of the day.

Ms. Cordle briefed the Board on the vacation leave accrual issue involving the MUNIS system. Ms. Cordle stated that she had been working with David Miller to try to change the accrual rate, but it would cost the county \$7,000 for MUNIS to change the software, and since the extra accrual only amounts to about 8 minutes per employee per year, it

was felt that it would be better to wait until other changes needed to be made to the MUNIS system and address the accrual issue at that time.

Ms. Cordle also stated that she has been talking with Utilities Director Tony Vogel regarding the potential of placing an employee on paid administrative leave pending an investigation. She and Mr. Vogel are planning to meet with the employee to discuss options.

Commissioner Shupe asked the Board if there was any interest in developing an agreement between the Board and the Historical Parks relative to the annual funding allocation that the Board provides. Mr. Dolin stated that there does not need to be a written agreement, but if one were to be developed, it should contain some escape clause for the Board pending any financial difficulties that arise.

The Board discussed ending the practice of paying the total cost of health insurance for the Board of Elections board members. Commissioner Shupe asked if the Board needed to act this year, and Commissioner Myers stated that the Commissioners should at least advise the BOE prior to acting. Commissioner Kiger stated that he has always opposed this practice, and the Board should act as a matter of good public policy. Commissioner Myers asked if there was any risk of litigation, and directed Mr. Zody to consult with Ms. Cordle on the matter, as he recalled that a law firm had researched this issue in the past.

The Board considered a request from the Bremen Chamber of Commerce for a donation/allocation for their project to construct a centerpiece clock in downtown Bremen. Commissioner Myers asked if a \$500 allocation would be acceptable, and Commissioner Kiger expressed concern relative to the seemingly endless list of request for funding the Board receives, and where to draw the line. Commissioner Myers agreed there has been an increase in such requests, but felt \$500 would be reasonable. The Board directed Mr. Zody to prepare a resolution for a \$500 allocation for the following Regular Meeting.

11:00 a.m. Meeting with Barry Conrad, Larry Bigler

The Board of Commissioners met with Barry Conrad and Larry Bigler of the Central Ohio Beekeepers Association (COBA) to discuss apiary activities in Fairfield County. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Conrad provided an overview of the COBA, stating that Fairfield and Pickaway Counties have several beekeepers, and that honeybees are having problems worldwide, and no one seems to be able to understand exactly why.

Franklin County has taken steps to promote beekeeping, holding beekeepers schools to train people who are interested in the activity and to promote growth in the industry. Commissioner Myers asked if beekeeping was expensive, and Mr. Conrad stated that a person can purchase the necessary equipment and two hives for approximately \$500. Franklin County provided about 15 grants last year of \$500 each to incent individuals to take up beekeeping.

Commissioner Myers asked how much the school costs, and Mr. Conrad stated the school costs \$50 per person. Commissioner Shupe asked if they received any assistance from the OSU Extension Office, and Mr. Bigler stated only technical assistance.

Mr. Conrad stated that they would like the Board to consider providing some assistance in Fairfield County similar to that in Franklin County to entice new beekeepers. COBA will be placing new beehives in Franklin Park in Columbus next year to assist the park with their garden program.

Commissioner Myers suggested COBA try some publicity, and Mr. Conrad stated that when the Columbus Dispatch ran a recent story on the plight of bees, they received over 60 phone calls from concerned citizens, and several of them became beekeepers.

Soil & Water Conservation Annual Update Meeting

The Board of Commissioners met with representatives of the Fairfield Soil & Water Conservation Agency, SWCD Board members, and various agricultural organizations for an annual update on activities. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were District Conservationist Perry Orndorff, Chad Lucht, Amy Boyer, Nikki Drake, and Vicki Kohli of the SWCD, David Libben of the Natural Resource Conservation Service, Justin Reinhart and Steve Hawkins of the ODNR Division of Soil & Water Conservation, Jim Skeeles of the OSU Extension, Roger Wolfe of the Fairfield County Farm Bureau, Tim White, SWCD Board Member, Aaron Stockberger of the Farm Services Agency, Jason Dolin, and Scott Zody.

Mr. Orndorff, Ms. Boyer, Ms. Kohli and Mr. Lucht provided updates on various SWCD activities over the past year, including watershed management, storm water and non-point source pollution runoff, wildlife management, and forestry activities.

1:00 p.m. meeting with Tony Vogel

The Board of Commissioners met with Utilities Director Tony Vogel to discuss the Village of Carroll sanitary sewer project. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Vogel explained that he had agreed to provide \$500,000 towards the project, since the sewer line will be turned over to the County Utilities Department to operate after installation. The Village has not requested the funding yet, but Mr. Vogel was considering issuing a short-term (2 or 3 year) note for the funds, and wanted to seek approval and input from the Board in that regard. Commissioner Myers stated that approach makes sense, and Commissioner Kiger asked if using that approach would be better for Mr. Vogel's operating budget, and Mr. Vogel stated that it would.

Mr. Vogel explained the project would run a 36-inch sanitary sewer under Route 33 that would serve the Village of Carroll, and put them in a position to serve future growth along the 33 corridor. Commissioner Shupe asked if the rates would be comparable between the Village and county, and Mr. Vogel stated that Carroll's rates are actually a little higher than his.

Mr. Vogel stated that this would be a small note, and in 2010 he plans to issue bonds of approximately \$6 million to construct the Pleasant Run plant, and looks at this project as a good opportunity to shop around the various bonding companies that are interested in doing business with the county. The Board approved, and Mr. Vogel stated that he would work with Mr. Zody on the note.

Commissioner Kiger asked if the Building Department functions were operating smoothly, and Mr. Vogel stated that he has not heard of any issues, but things are pretty slow right now.

Meeting with Sheriff Phalen

The Board of Commissioners met with Sheriff Dave Phalen to discuss budget concerns. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were Chief Deputy Jerry Perrigo, Elisa Dowdy, Sergeant Jared Collins, Staci Knisley, Jason Dolin and Scott Zody.

Sheriff Phalen stated that he would like to request some additional funding for his FY2009 budget, particularly for supplies such as food and fuel. Ms. Dowdy stated that they have been budgeted \$595,000, including a \$100,000 supplement specifically for fuel, but thus far in 2008, they have spent \$721,000 for supplies.

Commissioner Myers asked about the \$121,000 spent at the Medicine Shop, and Chief Perrigo stated that is for medication for prisoners in the county jail. Commissioner Kiger asked if Medicare or Medicaid reimbursed some or all of those costs, and Ms. Dowdy stated that some of those costs are reimbursed, but limiting the annual line item to \$595,000 will make things very tight.

Commissioner Kiger asked if there would be savings from privatizing the food service, and Sheriff Phalen stated that he hopes to save approximately \$50,000, but would like to use those funds to hire another 2nd shift road deputy.

Commissioner Myers noted that the Sheriff's appropriations keep increasing, and Sheriff Phalen stated that there are times when a position or positions become vacated that he will delay in filling them to create some savings in case he needs funding elsewhere. His main concern is a lack of training funding.

Commissioner Kiger stated there are many unknowns, especially with the economy, and he would prefer that all agencies stretch their funding as far as possible, then request additional funding if needed rather than appropriating extra funds now.

Sheriff Phalen stated that he understands, but he has already cut out the DARE Program, 2 out of 3 K-9 Units, there is only 1 Courthouse Deputy. In addition, food and medicine costs continue to increase.

Commissioner Kiger asked how many staff were lost in 2005, and Sheriff Phalen stated that he lost 25 positions, some of which were vacant at the time. Commissioner Kiger asked what the Sheriff's current staffing levels were, and Chief Perrigo stated they have 144 positions. Commissioner Kiger stated that is only down 4 positions from 2005. Chief Perrigo stated that Canal Winchester is paying for 10 Deputies and one Sergeant out of the 144.

Commissioner Kiger asked if all of the contract costs are being recouped, and Chief Perrigo stated they were.

Sergeant Collins stated that last year, with the \$65,000 allocation from the Budget Retreat, the office was able to provide over 20 hours of training per officer, and some deputies received training for the first time since graduating their academy.

Commissioner Shupe asked if there were any training funds available this year, and Ms. Dowdy stated that they normally budget \$10,000 for training each year.

Sergeant Collins stated that the State of Ohio has relaxed somewhat their training requirements but it is still difficult to achieve. Chief Perrigo stated that with the \$65,000, they were able to conduct 28 hours of training per officer. Sergeant Collins stated they try to do as much training as possible while the deputies are on-duty, and partner with the City of Lancaster on some training.

Sheriff Phalen stated that he would really like to be able to place one more deputy on the road, and would like to hire additional deputies, but there is not much cushion to do so.

Commissioner Shupe stated that there should be enough excess in the salary line item for the Sheriff to hire an additional deputy and provide for training.

Approval of Job & Family Services Child Support Enforcement Attorney Compensation

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an increase in compensation for Fairfield County Job & Family Services, Child Support Enforcement attorneys, see resolution 08-11.13.x

Commissioner Kiger stated that he still feels this is a very large increase, and Commissioner Shupe stated that while the increase is substantial, the attorneys are all taking on additional duties.

Commissioner Myers stated that there will be a cost savings resulting since the supervising attorney position will be abolished. Commissioner Kiger stated that as long as the supervisor position is indeed abolished then he could support the proposal.

Roll call vote on the motion resulted as follows:

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

Adjournment

With no further business to come before the Board, on the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to adjourn at 2:20 p.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Scott A. Zody, Clerk/Manager

THE NEXT COMMISSIONERS' REGULAR MEETING IS SCHEDULED FOR TUESDAY NOVEMBER 18, 2008 AT 10:00 A.M.