

**Regular Meeting #10-51  
Fairfield County Commissioners' Office  
November 30, 2010**

**9:00 a.m. Meeting with David Landefeld, County Prosecutor**

The Board of Commissioners met with David Landefeld for an update on his 2011 Budget requests. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Staci Knisley.

Mr. Landefeld stated that his beginning salary for 2009 was \$795,160 and the ending salary was \$824,895. In 2009 his salary budget was increased when he added David Kessler which is reimbursed all but 2 hours a pay by Job and Family Services. Mr. Landefeld stated that he gave Assistant Prosecutors Jason Dolin and Jim Edwards a raise in pay and is not replacing Robert Northness at this time. Mr. Edwards will now be making what retired Assistant Prosecuting Attorney Roy Hart was.

Commissioner Kiger asked Mr. Landefeld what his bottom line is for salaries. Mr. Landefeld stated that \$ 889,137.60 was un-reimbursed and \$752,642.03 reimbursed. Mr. Landefeld stated that if David Kessler's position was cut, he would not be able to do anything but Child Protective Services and Adult Protective Service investigations. Mr. Landefeld stated that he did back off the 3% increase in salaries and needs \$889,137.60. Mr. Landefeld will have Lynette update her salary spreadsheet showing general fund allocations only.

Commissioner Shupe told Mr. Landefeld that the Board of Commissioners was considering personal days for those employees who are not getting raises. Mr. Landefeld stated that he appreciates it. Commissioner Myers asked Mr. Landefeld if he could get updated salary figures today to Staci Knisley. Mr. Landefeld responded that he would have Lynette try to get them updated today.

**Review 9:35 a.m.**

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

Commissioner Kiger asked Assistant Prosecuting Attorney Jason Dolin if he had any updates. Mr. Dolin advised the Commissioners that he made changes to the agreement between the Board of Health and the City of Lancaster that was forwarded to him by Frank Hirsch. This agreement deals with the services to be provided to the City next year by the reconstituted General Health District.

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

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, November 30, 2010 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Carl Burnett, Carri Brown, Mary Beth Lane, Ed Laramée, Jason Dolin and Staci Knisley.

**Announcements**

There were no announcements.

**Public Comment**

There were no public comments.

**Approval of Minutes of Tuesday, November 23, 2010**

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners

voted to approve the minutes for Tuesday, November 23, 2010.

Roll call vote of the motion resulted as follows:

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

**Approval to accept the transfer of real property from the Fairfield County Combined General Health District to the Fairfield County Commissioners – 1587 Granville Pike (Clarence E. Miller building)**

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to accept the transfer of real property from the Fairfield County Combined General Health District to the Fairfield County Commissioners, 1587 Granville Pike see resolution 10-11.30.a

Commissioner Myers stated that we are accepting the property because we also have other properties out there.

Commissioner Kiger stated that they will now be a combined health district and cannot own it.

Roll call vote of the motion resulted as follows:

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

**Approval of budget revision – CFLP Solid Waste District Recycling Services Contract 4<sup>th</sup> quarter**

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the budget revision for the CFLP Solid Waste District Recycling Services contract 4<sup>th</sup> quarter, see resolution 10-11.30.b

Roll call vote of the motion resulted as follows:

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

**Approval of change order for the Basil-Western Road Resurfacing Project – Fairfield County Engineer**

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the change order for the Basil-Western Road Resurfacing Project for the Fairfield County Engineer, see resolution 10-11.30.c

Roll call vote of the motion resulted as follows:

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

**Approval of change order for the 2010 pavement markings – Fairfield County Engineer**

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the change order for the 2010 pavement markings for the Fairfield County Engineer, see resolution 10-11.30.d

Roll call vote of the motion resulted as follows:

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

**Approval of Crescent Cove – final acceptance – Fairfield County Regional Planning**

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the final acceptance of Crescent Cove for Fairfield County Regional Planning, see resolution 10-11.30.e

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

**Approval of CHIP resolutions**

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

- 10-11.30.f Approval of request for certification of finding of continued relevance of Environmental Review and Certification of Determination of activities for the Fairfield County FY2010 Community Housing Improvement Program (CHIP) – Home/Building Repair Activity 3
- 10-11.30.g Approval of request for certification of finding of continued relevance of Environmental Review and Certification of Determination of activities for the Fairfield County FY2010 Community Housing Improvement Program (CHIP) – Private Rehabilitation and Down payment Assistance/Rehabilitation Activities 2 and 4
- 10-11.30.h Approval of request for certification of finding of continued relevance of Environmental Review and Certification of Determination of activities for the Fairfield County FY2010 Community Housing Improvement Program (CHIP) – Homeless Prevention Activity 1

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

**Approval of an intention to participate in a Watershed Planning Partnership to develop a Balanced Growth Plan for the Walnut Creek Watershed**

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the intention to participate in a Watershed Planning Partnership to develop a Balanced Growth plan for the Walnut Creek Watershed, See Resolution 10-11.30.i

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

**Approval of financial resolutions**

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

- 10-11.30.i Approval of an Intention to Participate in a Watershed Planning Partnership to develop a Balanced Growth Plan for the Walnut Creek Watershed
- 10-11.30.j Approval of Advance from the General Fund – FY2008 CDBG Fund # 2730
- 10-11.30.k Approval of Advance from the General Fund – FY2008 HOME Fund # 2731
- 10-11.30.l Approval of Advance from the General Fund – FY2008 OHTF Fund # 2732
- 10-11.30.m Approval of repayment of an advance to the General Fund – EMPG Special Projects Fund # 3763
- 10-11.30.n Approval of repayment of an advance to the General Fund – Fairfield County Prosecutor/Victim Witness – Fund # 2742
- 10-11.30.o Approval of repayment of an advance to the General Fund – Fairfield County Commissioners – CFLP FY2010 Fund # 2736

10-11.30.p Approval of account to account transfers – Fairfield County ADAMH Board

10-11.30.q Approval of account to account transfer – Fairfield County ADAMH Board

10-11.30.r Approval of account to account transfers – Fairfield County Adult Probation

10-11.30.s Approval of account to account transfer – Fairfield County Auditor

10-11.30.t Approval of account to account transfers – Fairfield County Clerk of Courts/Title Fund

10-11.30.u Approval to Amend the Certificate, Reduce receipts and appropriations – Fairfield County Commissioners – FY10 ODNR Fund # 2773

10-11.30.v Approval of account to account transfer – Fairfield County Common Pleas Court

10-11.30.w Approval of account to account transfer – Fairfield County Common Pleas Court

10-11.30.x Approval of appropriate from unappropriated – Fairfield County Engineer

10-11.30.y Approval to amend the certificate and request for appropriations and unanticipated receipts/memo expenditure – Fairfield County Engineer

10-11.30.z Approval of account to account transfers – Fairfield County Family, Adult & Children First Council

10-11.30.aa Approval of account to account transfers – Fairfield County Job and Family Services

10-11.30.bb Approval of account to account transfer and reduction of appropriations – Fairfield County Job and Family Services

10-11.30.cc Approval of memo expenditure – Fairfield County Job and Family Services

10-11.30.dd Approval of account to account transfers – Fairfield County Juvenile Court/Alt Fund # 2377

10-11.30.ee Approval of account to account transfers – Fairfield County Probate Court

10-11.30.ff Approval of appropriate from unappropriated – Fairfield County Prosecutor/Victim Witness

10-11.30.gg Approval of reduction in appropriations and receipts – Fairfield County Prosecutor/Victim Witness

10-11.30.hh Approval of account to account transfers – Fairfield County Sheriff

10-11.30.ii Approval of account to account transfer – Fairfield County Sheriff

10-11.30.jj Approval of account to account transfer – Fairfield County Sheriff

10-11.30.kk Approval to amend the certificate, reduce receipts and appropriations – Fairfield County Treasurer

10-11.30.ll Approval to amend the certificate, reduce receipts and appropriations – Fairfield County Treasurer

10-11.30.mm Approval to appropriate from unappropriated – Fairfield County Treasurer/DRETAC

- 10-11.30.nn Approval to appropriate from unappropriated – Fairfield County Treasurer/DRETAC
- 10-11.30.oo Approval to appropriate from unappropriated – Fairfield County Treasurer/DRETAC
- 10-11.30.pp Approval of Account to Account Transfer – Fairfield County Veterans Services
- 10-11.30.qq Approval of payment of voucher without an appropriate carry-over purchase order – Fairfield County Engineer
- 10-11.30.rr Approval of authorization for payment of debt service – special check run/wire dated December 1, 2010 – Fairfield County Commissioners & Utilities

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

**Approval of authorization for payment of debt service – special check run/wire dated December 1, 2010 – Fairfield County Commissioners & Utilities**

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the authorization for payment of debt service – special check run/wire dated December 1, 2010 – Fairfield County Commissioners & Utilities, see resolution 10-11.30.ss

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

**Approval of advance from the General Fund to OCJS-JAG Grant Fund # 2764 – Fairfield-Hocking Major Crimes Unit**

On the motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the advance from the General Fund to the Fairfield-Hocking Major Crimes Unit, see resolution 10-11.30.tt

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

**Review continued @ 10:15 a.m.**

The Board of Commissioners met to finish review. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Ed Laramee, Jason Dolin and Staci Knisley.

Commissioner Kiger asked Ed Laramee what status was on Fairfield Medical Center's Medicaid reimbursement was. Mr. Laramee stated that his office is starting with the Medicaid reimbursement for Fairfield Medical Center and other business such as doctors and radiology.

Commissioner Kiger asked Mr. Laramee why we were waiting and can we settle with Fairfield Medical Center. Mr. Laramee stated that they are going back 5 years.

Commissioner Myers asked Mr. Laramee if his office staff had the time. Mr. Laramee said with the transition of the Auditor and Treasurer it was tough finding someone to find the time right now, but would be sending someone with the finance knowledge. Commissioner Myers asked Mr. Laramee if he could take the 4-5 months of reimbursements and pro-rate the amount. Mr. Laramee stated that he had talked with Skye Gettys from the Fairfield Medical Center and they are trying to come up with a factor. Commissioner Myers asked Mr. Laramee if the State Auditor would have a problem with a settlement. Mr. Laramee stated that this is why his office is building the

documentation. Mr. Laramée stated that he will analyze the current data. Commissioner Shupe stated that the original goal was to have the reimbursement settled by the end of the year. Mr. Laramée stated that this would not happen. Commissioner Myers asked Mr. Laramée if he could borrow an employee from the Treasurer's office. Mr. Laramée stated that they already have for other auditor purposes.

Mr. Laramée stated that he had a meeting with the Board of Elections today at 3:30 to discuss their budget reductions. He will advise Staci Knisley on Wednesday.

Commissioner Shupe asked the other board members if they wanted to revisit the Board of Election Members to pay their 15% share of health insurance. Commissioner Kiger stated that he wanted them to pay all or none. Commissioner Myers stated that if we had the Board members pay their whole share, we could pay for it later with higher expenses. Commissioner Shupe stated that we had two legal opinions and at minimum they should pay their 15% share. Commissioner Shupe stated that this was not for money savings but for the principle. Commissioner Myers suggested that we present a resolution at the next Commissioners meeting for a vote. Commissioner Kiger stated that he still did not think it was a good idea and wants to take their health insurance away period.

Mr. Laramée asked Mr. Dolin that in terms of precedence, which opinion holds to the legal action. Commissioner Myers stated that the Board of Commissioners would have to seek the outside counsel because of the county prosecutor's office representing both parties. Mr. Dolin stated that the county prosecutor's opinion was not the law, but is their opinion on what should happen. Commissioner Kiger asked Mr. Dolin to check into the Board of Elections Member health insurance. Commissioner Shupe asked Mr. Dolin to check into if the Commissioners can proceed during the Board Members term. Mr. Dolin stated that we would take a look at Roy Hart's file and to not proceed with the resolution until he has reviewed file.

### **11:00 Investment Advisory Committee Meeting**

The Investment Advisory Committee met to review 3<sup>rd</sup> Quarter 2010 investment results. Members present were County Treasurer Brian Kuhn, Commissioner Judith Shupe and Commissioner Mike Kiger. Also present were Commissioner Jon Myers, County Auditor, Stan Bahorek, Ed Laramée, Jason Dolin and Staci Knisley.

Commissioner Myers stated that only two Commissioners can be members of the Committee, so he would be present as an observer.

Mr. Kuhn presented the 3rd quarter Statement of Balance in Treasury Report, dated September 30, 2010. Commissioner Shupe asked County Auditor Jon Slater what the original estimate for interest income was. Mr. Slater stated that the estimate was \$1.2 million, and at the end of the 3<sup>rd</sup> quarter it was \$866,821.46. Mr. Slater stated that we have a lot of interest that will be deposited in December, but will be a little under estimate at the end of the year.

On the motion of Judith Shupe and second of Mike Kiger the Investment Advisory Committee Members voted to accept the Statement of Balance in Treasury, dated September 30, 2010.

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

Mr. Slater stated that we have fundamental problems with the investment policy. The diversity strategy should be changed. Mr. Slater stated that the next revision should be to section 6 to removing allocations for the diversification policy.

Commissioner Myers suggested that if there is a change in the policy, it should be ran by Jason Dolin, Assistant Prosecuting Attorney.

Mr. Bahorek, Managing Director of Productive Portfolios stated that the Ohio Revised Code does a good job on the policy for investment safety. By meeting quarterly the Commissioners see where and why investments are being made.

Mr. Slater suggested that the next time the Committee meets, the new policy should be approved.

Commissioner Kiger asked Mr. Kuhn if he was comfortable in revising the new policy. Mr. Kuhn responded yes, that he agrees. Mr. Kuhn stated that they will have a rough draft before Mr. Dolin and the Board of Commissioners before the next meeting.

Mr. Kuhn stated that part of his duty as the Treasurer and to be on the Investment Advisory Committee he has to have 24 hours of training. Mr. Kuhn stated that he has already had 13 hours of training at conference and will shadow Franklin County Treasurer to get the rest of his hours.

Mr. Slater stated that \$15 million will need invested and that Mr. Kuhn could not vote on investments until he has his training. Mr. Slater asked Mr. Bahorek if the county was maxed out on CDs. Mr. Bahorek responded that they would have to recalculate the CDs and update the cash balances.

Commissioner Myers asked Mr. Bahorek what his salary was based on. Mr. Bahorek responded that it was based on an average of the county's portfolio and that the contract was updated or amended on an as needed basis. Mr. Slater stated that the contract was looked at 2 years ago.

Mr. Slater stated that the county has benefited from the partnership with Productive Portfolios. Mr. Bahorek stated that his company was not based on transaction priced and were not influenced by broker relationships. He added that they were registered to do fiduciary responsibility to their clients.

Commissioner Myers asked Mr. Bahorek how many counties did they oversee. Mr. Bahorek responded around 20 counties. He added that his company was probably the largest in the state of Ohio that contract with government agencies. He added that Lake County was probably the largest portfolio at about \$60 million or more. Commissioner Myers stated that he thought Lake County was around \$80 million.

Mr. Slater stated that Mr. Bahorek has done a good job for the county. He added that Mr. Bahorek is a former school treasurer.

Mr. Bahorek stated that between September 1<sup>st</sup> and November 30<sup>th</sup>, \$16 million investments were called or matured. He added that this week 2 CD's were coming due and that by Friday \$15 million will need invested.

Mr. Slater stated that the Commissioner Shupe and Kiger would have to vote to approve Productive Portfolios to make investment since Mr. Kuhn did not have his full training hours in.

On the motion of Mike Kiger and second of Judith Shupe, the Investment Advisory Committee Members voted to direct Stan Bahorek of Productive Portfolios to purchase as an one time investment \$15 million laddered in 1 year, 2 year and 3 year maturities.

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

On the motion of Mike Kiger and the second of Judith Shupe, the Investment Advisory Committee voted to adjourn at 11:44 a.m.

**Adjournment**

With no further business to come before the Board, on the motion of Judith Shupe and the second of Jon Myers, the Board of Commissioners voted to adjourn at 11:45 a.m.

Roll call vote on the motion resulted as follows:

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

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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 BOARD OF COMMISSIONERS' IS SCHEDULED FOR THURSDAY, DECEMBER 9, 2010 AT 10:00 A.M.**