

**Regular Meeting #08-47
Fairfield County Commissioners' Office
November 4, 2008**

9:00 a.m. Workers' Compensation Premium Meeting

The Board of Commissioners met at 9:00 a.m. to discuss workers' compensation premium refunds. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Aunie Cordle, Joe Spybey, Jay Shepherd, Ed Laramée, Jason Dolin, and Scott Zody.

Ms. Cordle provided an overview of the situation, explaining that the county has qualified to receive a 2% premium refund by complying with certain safety requirements, and the question is what to do with the funding and how. Mr. Shepherd has been advocating increased safety training and equipment, and has several years experience in the private sector with loss prevention and safety programs.

Ms. Cordle stated that through Mr. Shepherd's efforts, claims are being managed more effectively and costs are being controlled. Now the question is how to build on those efforts and improve safety to further reduce risk and cost. Frequency and severity of claims are also areas they want to reduce, especially with MRDD, The Sheriff's Office, and Utilities, who have the highest injury rates.

Commissioner Kiger asked where the funding comes from, and Mr. Shepherd stated that the funds are essentially rebates coming back from premiums. Commissioner Myers asked where the funding would be spent, and Ms. Cordle stated it would be used for equipment and training, such as lift aids or back braces for MRDD aides. Mr. Shepherd stated that there is a need to consistently identify the type of injuries and causes for those injuries to help identify where funding should be directed. Commissioner Myers asked if that were already being done, and Mr. Shepherd stated that there is a system in place to do that, it just needs to be studied and quantified.

Commissioner Kiger asked about the trip hazards that had been identified in an earlier walk-through of county facilities, and Mr. Shepherd stated that Mr. Spybey has been working on those issues in several county buildings.

Commissioner Shupe asked Mr. Spybey about a wire that was sticking out of one of the concrete steps at the county jail, and Mr. Spybey explained that was part of an old electric ice melting system that was installed in the steps that had shorted out some time ago. Mr. Spybey stated that he tries to conduct monthly inspections of county facilities, but the Sheriff's Office maintenance person is supposed to be inspecting those buildings under the Sheriff's jurisdiction.

Mr. Shepherd stated that he has the results of the walk-through inspections, and provided copies to all.

Mr. Laramée stated that while he has no concerns relative to the safety programs, he is concerned about how to fund the program, as there is no authority for the county to use these funds for these purposes. Commissioner Myers asked if the funds would not be returned to the General Fund (GRF), and Mr. Laramée stated that the funds would have to be returned to the funds from where they originated, part of which is the GRF. The GRF has responsibility for facilities, but the county can't take all of it – it can be deposited initially in the GRF, but the appropriate amounts must be returned to the special funds if they were used to pay premiums.

Commissioner Kiger asked if this was a wording issue on how this is being interpreted, and Mr. Laramée stated no, it is clear the funds should be returned to the agencies. Ms. Cordle asked if the agencies are currently receiving the refunds, and Mr. Laramée stated that they were. Ms. Cordle asked how that is applied, and Mr. Laramée stated it is shown as a reduction of expense. Commissioner Shupe asked how the agencies could spend the funds on safety training or equipment, and Mr. Laramée that the

Commissioners appropriate funds within the allowable expenses for the purposes of the funds.

Mr. Zody asked if the funds could be used for training and equipment and operational costs, and Mr. Laramée stated they could, but not specifically for workers' compensation. Commissioner Myers asked if the funds would remain in the account until the end of the year and be carried over, and Mr. Laramée stated they would, but would have to be re-appropriated in January. Commissioner Myers asked if the Board could establish a line item and appropriate funds for that purpose, and Mr. Laramée stated the Board would need to demonstrate the funds could be used for that purpose.

Ms. Cordle stated the question is whether this is a priority and regardless of source of funds do we find a way to do this. Commissioner Myers and Kiger both stated this should be a priority. Mr. Shepherd stated that if the county reduces claims by 10%, the county would receive another 2% discount. Commissioner Myers stated that when he worked for American Electric Power, safety was one of the company's highest priorities, especially at the coal mines and power plants.

Ms. Cordle stated that the Engineer's Office has been very safety conscious and proactive with their programs. Mr. Shepherd stated that he would like to see more focus on safety such as bulletin boards and safety meetings.

Commissioner Myers asked if there had been many injuries among the maintenance staff this year, and Mr. Spybey stated there had not been many this year. Commissioner Shupe suggested the Board recognize employees and departments for improved safety performances.

Mr. Laramée suggested the Board look at what is budgeted for Workers' Compensation each year because much of that funding is returned unspent at the end of each year.

Commissioner Myers asked if this was a question of appropriations, and Mr. Laramée stated that it was. Commissioner Kiger asked where the funds would go, and Mr. Laramée stated the funds would be returned to the GRF and various special funds where they originated.

Commissioner Kiger suggested involving Mr. Dolin in researching the legal issues involved with the funding.

Commissioner Shupe asked how much funding Ms. Cordle was interested in having for training and equipment, and Ms. Cordle stated that right now she is not receiving any funding, so anything would be helpful. Mr. Laramée suggested establishing a line item in the 2009 budget and the funds would stay in the fund for these purposes.

Executive Session

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to enter into Executive Session at 9:35 a.m. for the purpose of personnel and potential litigation matters. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were Utilities Director Tony Vogel, Human Resources Director Aundrea Cordle, Jason Dolin and Scott Zody.

Roll call motion on the vote resulted as follows:

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

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to adjourn from Executive Session at 9:55 a.m. No official actions were taken.

Roll call vote on the motion resulted as follows:

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

10:00 a.m. Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, November 4, 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, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be one add-on resolution consisting of a second bill list containing one item.

Public Comment

There were no public comments.

Approval of Minutes for Thursday, October 30, 2008

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the meeting minutes for Thursday, October 30, 2008

Roll call vote of the motion resulted as follows:

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

Approval of Winding Creek – Section 5, part 1A – Approval of the Final Plat – Regional Planning

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the Winding Creek, Section 5, part 1A Final Plat for the Regional Planning Commission, see resolution 08-11.04.a

Roll call vote of the motion resulted as follows:

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

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:

08-11.04.b Approval of hiring Lockwood, Lanier, Matthias & Noland, Inc., for General Engineering Services for Bloom Township, Kauffman Road Improvement Phase 3 Project - Engineer

08-11.04.c Approval of hiring Lockwood, Lanier, Matthias & Noland, Inc., for General Engineering Services for Bloom Township, Kauffman Road Improvement Phase 2 Project - Engineer

Roll call vote of the motion resulted as follows:

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

Approval of Notice of Commencement – Commissioners

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a Notice of Commencement for the county wiring infrastructure project, see resolution 08-11.04.d

Roll call vote of the motion resulted as follows:

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

Approval of authorizing R. Brooks Davis to certify that housing opportunities for persons with AIDS (HOPWA) grant consistency with Fairfield County Community Housing Improvement Strategy

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

voted to approve authorizing R. Brooks Davis to certify that housing opportunities for persons with AIDS (HOPWA) grant consistency with Fairfield County Community Housing Improvement Strategy, see resolution 08-11.04.e

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

Approval of Financial Resolutions

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

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|------------|-----------------------------------------------------------------------|
| 08-11.04.f | Approval of Memo Expenditure – Job & Family Services |
| 08-11.04.g | Approval Fund to Fund Transfer – Insurance |
| 08-11.04.h | Approval of Account to Account Transfer – ADAMH |
| 08-11.04.i | Approval of Account to Account Transfer – Insurance |
| 08-11.04.j | Approval of Account to Account Transfer – EMA |
| 08-11.04.k | Approval of Account to Account Transfer, Public Assistance Fund – JFS |
| 08-11.04.l | Approval of Account to Account Transfer – LEPC |
| 08-11.04.m | Approval of Account to Account Transfer – Clerk of Courts |
| 08-11.04.n | Approval to Appropriate from Unappropriated – Engineer |
| 08-11.04.o | Approval to Appropriate from Unappropriated – Engineer |

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

Payment of Bills

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioner voted to approve the authorization for payment of bills, November 4, 2008, check date November 7, 2008, see resolution 08-11.04.p

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

Payment of Bills, second bill list

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioner voted to approve the authorization of a second bill list for payment of bills, November 4, 2008, check date November 7, 2008, see resolution 08-11.04.q

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

Review Session

Executive Session

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to enter into Executive Session at 10:15 a.m. for the purpose of personnel matters. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Also present were Human Resources Director Aundrea Cordle, Jason Dolin and Scott Zody.

Roll call motion on the vote resulted as follows:

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

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to adjourn from Executive Session at 10:45 a.m. No official actions were taken.

Roll call vote on the motion resulted as follows:

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

Review, cont.

Mr. Dolin provided an update on various legal issues he is working on, stating that the contract for the Sheriff to enter into a lease with the Pine Grove Landfill has been reviewed and is ready to send to the landfill operator for approval.

The Board reviewed a proposed 3-year contract with Maximus to continue their work calculating the annual indirect charge-back costs for county agencies to reimburse the General Fund (GRF). The Board directed Mr. Zody to prepare a resolution for the following week's meeting for approval of the contract.

The Board reviewed a draft letter relative to terminating a farming lease on county owned property, and directed Mr. Zody to revise the letter and prepare it for signature by the Board.

The Board approved and signed a letter that Sheriff Dave Phalen prepared and also signed to the operator of the Pine Grove landfill regarding the shooting range lease.

The Board directed Mr. Zody to return an invoice received from the Department of Health for the treatment of an out-of-state tuberculosis patient who had spent time in Fairfield County visiting relatives. The Board directed Mr. Zody to ask the Health Department for an explanation and justification for the Board to consider paying such an invoice.

The Board reviewed a letter received from CORSA relative to a pending Elections Commission complaint against County Clerk of Courts Debbie Smalley. Commissioner Myers asked what CORSA was rejecting relative to any claim involved with the complaint, and Mr. Dolin stated that due to the nature of the complaint, Ms. Smalley had to retain private legal counsel to represent her before the Elections Commission and had apparently requested reimbursement for those costs through CORSA. CORSA has denied the claim, and Mr. Dolin stated that Ms. Smalley should consult directly with County Prosecutor Dave Landefeld on the matter.

12:00 p.m. Meeting with Dianne Sumego – ARCADIS

The Board of Commissioner met with Dianne Sumego of ARCADIS to discuss future county improvements. Commissioner present included Jon Myers, Judith Shupe and Mike Kiger. Also present was Scott Zody.

Ms. Sumego provided an overview of some projects ARCADIS is working on elsewhere in Ohio, and stated that several local jurisdictions are delaying or slowing projects due to the current economic climate and concerns for the future. Commissioner Myers stated that the Fairfield County is considering how to construct a new Public Safety Facility, and is facing the same questions relative to funding. Commissioner Shupe stated that private development, particularly housing, has slowed significantly in Fairfield County, but there are several commercial ventures that are progressing.

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 1:00 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
THURSDAY NOVEMBER 13, 2008 AT 10:00 A.M.**