

**Regular Meeting #07-47
Fairfield County Commissioners' Office
November 6, 2007**

9:00 a.m. Meeting with Jeanette Addington

The Board of Commissioners met with Jeanette Addington for an update on the County revenues and expenditures and a discussion of the annual budget proposal. Present were Commissioners Kiger, Shupe, and Myers. Present also were Staci Knisley and Scott Zody.

Ms. Addington presented information relative to revenues and expenditures through the third quarter for Calendar Year 2007. Both revenues and expenditures are within expectations overall, with some minor variances. Ms. Addington expressed some concern relative to the sales tax revenue, but still believes the year-end numbers will be well within the estimated range. Commissioner Myers stated that it is likely that sales tax revenues will remain flat for the remainder of the year, and asked Ms. Addington to clarify some of the new line items in the projections. Ms. Addington replied that some of the revenue numbers used to be lumped together, and are now being broken out further.

Commissioner Shupe commented that the recording fees seem to be dropping, and Ms. Addington stated that that was reflective of the recent downturns in the real estate market. Ms. Addington also noted that the Auditor's fees are down as well. Commissioner Shupe noted that there was some restitution collected, and Commissioner Kiger stated that it appeared that the "Pay-to-Stay" program with the jail was not generated as much revenue as projected. Commissioner Myers questioned the disparity in Title IV funds, and Ms. Addington replied that these were the numbers that were provided to her, and she was asked to modify them. She also stated that the funds were Child Support dollars. Commissioner Myers stated those funds should possibly be reflected in the Domestic Relations Court budget instead.

Commissioner Shupe asked Ms. Addington to clarify the difference between the estimated and projected figures. Ms. Addington explained that the Auditor's Office does the estimated figures, and Ms. Addington does the projected figures based on historical trends and income. Commissioner Myers asked about the jet fuel fees, and Ms. Addington stated that a portion of the revenue from jet fuel sold at the county airport is deposited in the General Fund. Commissioner Kiger stated that it may not be much, but it does demonstrate increased usage of the airport.

Regarding expenditures, Ms. Addington stated that the numbers look good through the 3rd Quarter, and the departments seemed to be doing well in keeping their spending at or in some cases below projected levels. There is some concern relative to the Maintenance Department and the Auditor's Office, particularly with overtime costs. Commissioner Shupe stated that she believed that the Auditor's Office would be turning the overtime figures in very soon. Ms. Addington stated that the Maintenance Department is over budget, and she is concerned about that. Commissioner Myers stated that the Board was transferring some funding to maintenance to address some critical repairs. Ms. Knisley stated that while the operational side of Maintenance has overspent some, capital repairs were making up the bulk of the excess costs. Ms. Knisley stated that she has been working with Joe Spybey to get him to present some hard figures on needs for the remainder of the year.

Commissioner Myers asked about medical expenses for the jail, and what was included in that figure, and Ms. Addington stated that Dr. Vajen's costs were included in that, as well as medical and housing costs. Commissioner Myers asked if the \$500,000 for the phone system was included in the budget, and Ms. Knisley stated that it is part of the capital improvements budget figures, but that line item will be short for next year and the Board needs to consider adding some funding to that to address other capital needs.

Commissioner Myers asked if the county's cash position is in line with projections, and Ms. Addington stated that it is. The carryover amount should be very close to the projected figure of \$8.3 million.

Ms. Addington cautioned the Board that requested funds for the 2008 budget are exceeding the figures requested as of the annual budget retreat in September – total requests stand at \$34.631 million, and as of the budget they were at \$33.764 million.

Commissioner Myers asked if agencies were going outside of their control numbers, and Ms. Addington stated that some were. She had considering carving out the overages, but some of the overages are with the courts, who have more latitude to set their own budgets. Ms. Addington advised that some reductions should occur to maintain the cash position of the county – approximately \$1 million. The Board of Elections and Clerk of Courts are two areas of concern relative to growth in their budgets. Commissioner Myers stated that some believe that the county's annual carryover is greater than it really is.

Commissioner Myers asked about health insurance increases for the Clerk of Courts of up to 24%, and stated that the Clerk has added additional employees over the past few years. Ms. Knisley stated that the Clerk may be asking for the maximum projected costs for insurance, based on the assumption that some employees may increase coverage through the open enrollment or change of status process.

Commissioner Myers suggested going through all agencies that requested funding over and above their control numbers and ask them to justify the requested increases before granting any additional appropriation. Ms. Addington noted that the Board of Elections is increasing judge and poll worker pay, for a total increase of nearly \$70,000. Commissioner Shupe noted that the BOE is assuming a Special Election would be held and is requesting funding that, and that should be cut out, since the Commissioners could provide the funding in the case a Special Election needs to be held.

Commissioner Shupe also noted that the BOE is showing a new additional employee, and did not recall any request for additional personnel. Commissioner Myers suggested the Commissioners ask the BOE to justify their requested increases.

Commissioner Shupe asked how the Sheriff's budget looked, and Ms. Addington stated that the Sheriff looks OK. Commissioner Myers asked if there was any way to identify the \$1 million overage/needed reductions, and Ms. Knisley stated that she could prepare a spreadsheet to do some comparisons from.

Regarding the Maintenance Department, Ms. Knisley stated that she has met with Joe Spybey to discuss needs for the remainder of the year, and is trying to focus on emergencies and put off anything that could be done next year. Mr. Spybey believes that he needs approximately \$50,000 to address end-of-the year needs, but Ms. Knisley is not sure exactly what those needs are. Commissioner Kiger asked if this was \$50,000 in addition to the \$28,000 Mr. Spybey was currently requesting, and Ms. Knisley stated that she believed it was.

Mr. Spybey joined the meeting and stated that he needs the additional funding to address several needs. Commissioner Myers stated that the Board needs a hard number so they can wrap up the years financials. Ms. Knisley stated that there is a stated need for \$29,000 for capital this year. Commissioner Kiger asked what the \$50,000 request would entail, and Mr. Spybey replied that he is trying to anticipate any emergency needs, so he gave the \$50,000 figure to have enough cushion to handle those. Ms. Knisley asked if that was for operations, capital, and emergency needs, and Mr. Spybey stated it would cover a little bit of everything. Commissioner Kiger asked if the entire \$50,000 was intended for unanticipated needs, and Ms. Knisley stated that any unused funds would be deposited back into the General Fund at the end of the year.

In addition, the Board could always ratify funding following an emergency if need be. Mr. Spybey stated that he did save a few thousand dollars off of the recent chimney repair projects when the contractor agreed to remove a failing chimney in exchange for taking the bricks instead of receiving payment.

Regarding a new maintenance vehicle, Mr. Spybey stated that he talked to Tony Vogel about obtaining a used Utility vehicle, but none were available. Mr. Spybey has been looking for a used vehicle to purchase, but has found that a brand new vehicle would only cost about three thousand additional dollars more than the 3-4 year old trucks he has been looking at, and it did not make sense not to purchase a new vehicle. Mr. Spybey found a vehicle at Taylor's that is very reasonable, and the Board indicated they would approve the purchase.

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, November 6, beginning at 10:00 a.m., with the following Commissioners present: Mike Kiger, Jon Myers and Judith Shupe. Also present were: Mary Jane Gard, Lynette Leach, Jason Dolin and Scott Zody.

Announcements

Clerk/Manager Zody informed the Board of Commissioners that there would be at least three 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, October 30, 2007

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday, October 30, 2007.

Roll call vote of the motion resulted as follows:

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

Approval to rescind Resolution 07-10.30.a

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to rescind Resolution 07-10.30.a, updating the membership of the Fairfield County Homeland Security Advisory Team, see resolution 07-11.06.a

Commissioner Shupe asked if there was a mistake on the original resolution, and Mr. Zody stated that one of the names listed was incorrect.

Roll call vote of the motion resulted as follows:

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

Approval to Update Current Membership of the Fairfield County Homeland Security Advisory Team

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an update to the Fairfield County Homeland Security Advisory Team, see resolution 07-11.06.b

Roll call vote of the motion resulted as follows:

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

Approval of a Memorandum of Understanding between the Fairfield County Emergency Planning Agency and the Village of Thurston – emergency sirens

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a memorandum of understanding between the Fairfield County EMA and the Village of Thurston relative to an emergency warning siren, see resolution 07-11.06.c

Commissioner Myers stated that this would increase to 10 the number of emergency warning sirens now up in county, and 10 additional sirens would be added after the first of the year.

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

Approval of Appointment of Robin Jay Bahnsen – ADAMH Board

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the appointment of Robin Jay Bahnsen to the Fairfield County Alcohol, Drug Addiction, and Mental Health Board for a four-year term, see resolution 07-11.06.d

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

Approval of purchase of a vehicle – Fairfield County Dog Shelter

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve the purchase of a vehicle for the Fairfield County Dog Shelter, see resolution 07-11.06.e

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

Approval of resolutions for the Fairfield-Hocking Major Crimes Unit

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve resolutions for the Fairfield-Hocking Major Crimes Unit as follows:

- 07-11.06.f Approval to Ratify the approval of a lease of a vehicle – Fairfield- Hocking Major Crimes Unit
- 07-11.06.g Approval to Ratify the approval of a lease of a vehicle – Fairfield- Hocking Major Crimes Unit
- 07-11.06.h Approval of the Quarterly Report for the 2007 OCJS Grant Award for the Fairfield-Hocking Major Crimes Unit

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

Approval of a Contract between Fairfield County Job & Family Services and Jani-King

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a contract between Fairfield County JFS and Jani-King of Columbus for cleaning services, see resolution 07-11.06.i

Commissioner Shupe asked if this contract would address all the cleaning needs of the JFS building, and Ms. Leach stated that it would provide for some cleaning services, but

not every day. Commissioner Myers asked if the maintenance person did any cleaning, and Ms. Leach stated that he did not, as the maintenance needs take up all of his time.

Roll call vote of the motion resulted as follows:

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

Approval of agreement between the Fairfield County Auditor and the Auditor of State

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve an agreement between the Fairfield County Auditor and the Auditor of State for the review of the annual financial statement, see resolution 07-11.06.j

Roll call vote of the motion resulted as follows:

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

Approval of Engineer's resolutions – set viewings and hearings

On motion of Jon Myers and the second of Judith Shupe the Board of Commissioners voted to approve resolutions for the Fairfield County Engineers Office as follows:

07-11.06.k Approval to set a viewing and hearing – altering and widening of Pickerington Road, Bloom Township – Fairfield County Engineer

07-11.06.l Approval to set a viewing and hearing – altering and widening of North Columbus Street, Greenfield Township – Fairfield County Engineer

07-11.06.m Approval to set a viewing and hearing – altering and widening of North Columbus Street, Greenfield Township – Fairfield County Engineer

Roll call vote of the motion resulted as follows:

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

Approval of a land gift for a highway project

On motion of Judith Shupe and second of Jon Myers, the Board of Commissioners voted to approve a land gift for the purposes of a highway improvement, see resolution 07-11.06.n

Roll call vote of the motion resulted as follows:

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

Approval of award of bid – Village of Rushville, WWTP Lagoon Liner Overlay

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an award of contract – CDBG – Village of Rushville, WWTP Lagoon Liner Overlay, see resolution 07-11.06.o

Roll call vote of the motion resulted as follows:

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

Financial Resolutions

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

07-11.06.p Approval of Account to Account Transfer – County Commissioners

07-11.06.q Approval of Account to Account Transfer – County Commissioners

- 07-11.06.r Approval of Fund to Fund Transfer – JFS Relocation Fund
- 07-11.06.s Approval to Appropriate from Unappropriated – County Engineer
- 07-11.06.t Approval to Appropriate from Unappropriated – County Engineer
- 07-11.06.u Approval to Appropriate from Unappropriated - Probation Services Fund
- 07-11.06.v Approval of Account to Account Transfer – Probation Services Fund
- 07-11.06.w Approval to Appropriate from Unappropriated – Special Operations Account
- 07-11.06.x Approval to Appropriate from Unappropriated – Fairfield County EMA
- 07-11.06.y Approval to Appropriate from Unappropriated – Fairfield County ADAMH Board

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

Approval of Recycling Service Contract Revision – Community Action

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a 4th Quarter CFLP Recycling Services Contract budget revision for Fairfield County Community Action, see resolution 07-11.06.z

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 6, 2007, check date November 9, 2007, see resolution 07-11.06.aa

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 Tony Vogel, Jason Dolin and Scott Zody.

Mr. Dolin provided an update on various legal issues he is working on for the Commissioners. Mr. Dolin provided two opinions on issues, one relative to the Sheriff serving on the ADAMH Board and one regarding payment of outside legal counsel.

Mr. Dolin opined that the Sheriff cannot serve as a voting member of the ADAMH Board, as the Board awards funding to various local service providers, some of whom provide services to the county jail. As such, this could create a conflict of interest. Commissioner Myers asked if that is a legal prohibition, or merely a conflict. Mr. Dolin replied that there is no legal prohibition, but if one followed the Attorney General's guidelines for conflict of interest, particularly involving a law enforcement officer, then this clearly is a conflict.

On the payment of outside legal counsel, Mr. Dolin advised the Board that they may not expend more than \$112,000 (the equivalent of the County Prosecutor's salary) for

outside legal counsel in any given year. Commissioner Myers asked if the limit applied only to GRF funds, and Mr. Dolin stated that he believes that it applies to all funding sources. Commissioner Myers asked if anyone was tracking the funding spent on outside counsel, and Staci Knisley joined the meeting to state that no one was specifically tracking it, but her records show that the county agencies under the Boards supervision were well below that threshold.

Commissioner Shupe asked Mr. Dolin to clarify – is the spending cap an aggregate amount? Mr. Dolin stated that is was, however, there is an allowance in the Revised Code for cases where outside counsel must be retained and a waiver is granted through the County Court of Common Pleas.

Mr. Dolin continues to review the new public records law and draft public records policy from the County Commissioners Association. Mr. Dolin stated his intent to finish his review and meet with Clerk/Manager Zody to discuss options.

Mr. Dolin has spoken with Ed Laramee in the Auditor's Office and Carol Marx with Meals-on-Wheels regarding the Older Adult Services Levy, and stated that Mr. Laramee is looking for a citation/rule for Mr. Dolin to review.

Mr. Dolin advised the Board that Access Management should have two hearings per the Revised Code prior to a vote to approve or reject by the Board. The Board directed Mr. Zody to schedule and advertise two dates for public hearings to occur prior to Regular Meetings of the Board to address that need.

Regarding roadway obstructions, Mr. Zody informed the Board that he has heard input from both the County Commissioners Association and the County Engineers Association and both state unequivocally that they do not agree with Mr. Hart's assertion that the Board must hold a "fact-finding" hearing relative to the removal of roadway obstructions. Mr. Dolin indicated he would discuss the issue further with Mr. Hart.

Mr. Dolin informed the Board that he has looked into the issue of Join Economic Development Districts (JEDD) and confirmed that the Board has little choice except to approve a JEDD or allow one to become effective after 30 days without Board approval.

Tony Vogel provided updates for the Board on several utility issues. Mr. Vogel informed the Board that the agency made a recent assessment mistake on a foreclosed property and needs to pay the shortage out of the General Fund, as he cannot utilize Utility funding to do so. The amount is for \$387.35, and the Board authorized Mr. Vogel to seek that amount through Ms. Knisley.

Mr. Vogel sought guidance from the Board on moving forward with acquiring a credit card for his office to use to make payments and accept payments via credit card. The Board directed Mr. Vogel to work with Mr. Zody, Ms. Knisley, Ed Laramee, and Aunie Cordle.

Mr. Vogel requested the Board to consider amending the sick leave policy to permit Mr. Vogel to grant two personal leave days per year to his employees. Prior practice had been to permit employees to "convert" two days worth of sick leave into two personal leave days, but Mr. Vogel has been informed that that practice is not permissible. In lieu of that, Mr. Vogel would like to simply award two personal leave days per year to his employees. Commissioner Shupe stated she would like to review the proposal and possible precedent with Ms. Cordle. Commissioner Kiger suggested a review of the County Sick Leave and Leave Policy would be in order to determine what is permissible. Mr. Vogel stated he would get in touch with Ms. Cordle.

Regarding a new Utilities Office, Mr. Vogel stated that he has two options – build on a lot reserved for Utilities at the Liberty Center, or build on Utility-owned property on Lockville Road, which would be closer to their customer base. Commissioner Shupe

stated that she would prefer the office be located at the Liberty Center. Commissioner Myers stated that if the Lockville Road location were used, it would free up additional space at the Liberty Center for other possibilities. Commissioner Shupe suggested Mr. Vogel develop cost comparisons for both sites and share those with the Board. Commissioner Myers asked if the Lockville Road property was suitable for an office building, and Mr. Vogel stated that a portion of the land was suitable and not in any floodplain as it had been purchased for wellhead protection.

Mr. Vogel requested the Board consider allowing the Utilities Department to retain a portion of the interest earned from its fund, as current practice is to transfer all interest earned to the General Fund. Mr. Vogel would like to transfer the interest from some of the smaller accounts to his debt service fund to help pay down some of his bonded indebtedness.

Commissioner Myers asked if the interest is needed to help make the debt payments, and Mr. Vogel replied that it would help, explaining that some accounts have assessment funds deposited in them and need to be transferred twice per year for payments, and he would like to keep the interest earned by those funds.

Commissioner Myers asked how much land at the Liberty Center was reserved for Utilities, and Mr. Vogel stated about 5 acres is set aside for the Utilities Office, but some of that is slated for use as a drainage retention basin.

Staci Knisley brought to the attention of the Board that the Department of Health still has an outstanding debt of \$70,000 that they "borrowed" in 2005 from the General Fund. The Board directed Clerk/Manager Zody to prepare a letter to send to the Department of Health inquiring as to their repayment plans.

The Commissioners then discussed other sources of interest income for the General Fund, including some sources from the County Engineer. Mr. Zody informed the Commissioners that CCAO has sent information to all counties relative to CORSA payments from County Engineers. Recent court action has cleared the way for Commissioners to charge back to County Engineers their portion of CORSA coverage that can be attributed to highway purposes so as to retain the Constitutional use of gas tax funds. The Board directed Mr. Zody to work with Aunie Cordle to determine what that cost might be to the Engineer, and also determine what sources and amounts of interest from Engineer funds currently are deposited in the General Fund.

Resolutions, cont.

Approval of Financial Resolution

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an account to account transfer for the Fairfield County Maintenance Department, see resolution 07-11.06.bb

Roll call vote of the motion resulted as follows:

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

Approval of CDBG Project and Change Order – Amanda Street Paving

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an award of contract – CDBG – Village of Amanda, Street Paving Project, see resolution 07-11.06.cc, and a Change Order to that contract, see resolution 07-11.06.dd

Roll call vote of the motion resulted as follows:

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

Approval of Financial Resolution

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve an account to account transfer for the Fairfield County Job & Family Services – Public Assistance Fund, see resolution 07-11.06.ee

Roll call vote of the motion resulted as follows:

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

JEDD Meeting

The Board of Commissioners met with Bill Yapple, Violet Township Administrator, and Joy Davis, Violet Township Economic Development Specialist, to discuss the proposed Joint Economic Development District (JEDD) involving Violet Township, Canal Winchester, Lancaster, Pickerington, and Bloom Township. Present were Commissioners Kiger, Shupe and Myers. Present also were Bill Arnett, Tony Vogel, Brooks Davis, Jason Dolin, and Scott Zody.

Mr. Yapple explained that the JEDD document has been sent out for review to each of the potential partners, and all must approve the document before it can be sent to the Commissioners for ratification. Commissioner Myers asked why Lancaster was included, and Mr. Yapple stated that initially, they were not sure if Canal Winchester or Pickerington would be interested in participating, so the township asked Lancaster to be involved. In the future, they would like to include the Village of Carroll and Greenfield Township in the JEDD, but they are not currently involved.

Commissioner Myers asked what the mission statement of the JEDD is, and Mr. Yapple replied that that is being worked on, but the focus is economic development one mile on each side of the centerline of U.S. 33. Commissioner Myers asked how the JEDD works. Mr. Yapple explained that the Canal Winchester 2% income tax would be assessed on the businesses within the JEDD area, and those funds would be used to provide infrastructure and pay off any bonds issues to build such infrastructure. The funds generated by the JEDD would be divided as follows: 30% to a Maintenance 7 Improvement Fund, 5% administrative costs to the taxing authority (Canal Winchester), and the remaining 60% would be split among the member partners, with Violet Township receiving 15% as the host entity. Commissioner Shupe asked if those percentages are set by law, and Mr. Yapple stated that they are negotiated amongst the partners.

Mr. Davis asked if the idea is to start in areas already zoned commercial, then expand from there, and Mr. Yapple replied yes, that is the plan, but certain areas that are under current negotiation or subject to active lawsuits are excluded. Mr. Davis asked if the current Industrial Park is included, specifically the 90 acres south of the Trevcor site, and Mr. Yapple stated that it could be.

Commissioner Shupe asked what advantage a business would have to locate in a JEDD, vs. an existing Industrial Park, and Mr. Yapple stated the biggest factor is infrastructure where it otherwise might not be built to serve businesses. Mr. Vogel asked who pays for the infrastructure to be built, specifically water, sewer, electric, and other utilities. Mr. Yapple replied those costs are usually borne by the developer, at least the first ones to locate in the area. Mr. Vogel asked how such services are started, and Mr. Yapple stated usually it begins with a business or businesses that do not want to be annexed.

Mr. Vogel stated that he is concerned about Canal Winchester moving into service areas reserved for Fairfield County Utilities. Mr. Yapple replied that in one area, the county is preparing to build lines to serve a new condo development that will effectively cut off a stub line that Canal had installed. Mr. Yapple stated that the intent of the JEDD is to have the county serve the area, because that was the original intent in laying out service areas.

Mr. Vogel asked who is the “authorized provider”? Mr. Yaple stated that the county would be considered an authorized provider. Mr. Vogel asked if that term could be more defined, and Mr. Yaple stated that was the plan. Mr. Vogel stated that he had no wish to become involved in a battle to provide water and sewer services, especially with Canal Winchester. Mr. Yaple stated that some areas being considered for the JEDD, such as the Busey Road property, would have to be served by other, because the county lines would not be able to reach them. Mr. Yaple’s hope is that Greenfield Township would have an interest in joining so they can serve some areas in their service district. Mr. Vogel stated that may no happen, as the township is considering switching some of their service areas.

Mr. Yaple stated that the basis of the JEDD is not to supplant county services, but to utilize them. Mr. Vogel asked if clear and stronger language could be amended into the agreement relative to water and sewer services, and Mr. Yaple stated that it might not be possible right now, but it could be done later. Mr. Vogel stated he feels very strongly that these issues need to be addressed prior to the adoption of any agreement.

Mr. Vogel then asked about language that would seem restrictive in the document relative to residential service. Mr. Yaple stated that he believes that language was included to specifically keep a JEDD member from serving residential customers in the area, as that is prohibited, but the county could serve residential customers since the y are not and could not be a member of the JEDD. It is not the intent to limit the county’s ability to serve residential customers.

Commissioner Kiger stated that she still did not see any great advantage for a business to locate in the JEDD vs. elsewhere. Ms. Davis replied that the income from the JEDD could be used to pay off bonds for infrastructure, so the intent is to start small and grow. Mr. Yaple replied that one advantage is that rural lands outside of municipalities and industrial parks are usually cheaper, which is one advantage. Commissioner Shupe asked if the property owners have to agree to be part of the JEDD, and Mr. Yaple stated that they would.

Commissioner Myers asked what the timeline is for adoption of the agreement, and Mr. Yaple stated that he hope to have the agreement adopted by all partners by the end of the year, but acknowledged that may not be possible. Commissioner Myers asked if Mr. Yaple would be open to the county offering amendments to the agreement to address Mr. Vogel’s concerns, and Mr. Yaple stated that he would, but that any changes would need to be reviewed by all the partners. Commissioner Myers asked if all the zoning would also need to be changed by the end of the year, and Mr. Yaple and Mr. Davis both stated that it would not, and such a feat would not be possible regardless due to the timelines required for zoning changes.

Mr. Vogel asked if the JEDD has an economic development plan, and Ms. Davis replied that they do, but it is very basic and boilerplate. Mr. Yaple stated that each partner in the JEDD must hold two public hearings on the proposal, and he expects those hearing dates to be set anytime. Mr. Dolin stated that he would prefer to fix any problems or conflicts now, rather than wait. Mr. Yaple state he would provide contact information for the JEDD legal counsel, and Commissioner Myers stated that the county would provide comments and concerns ASAP.

Buxton/Bill Arnett

The Board of Commissioners met with Economic Development Director Bill Arnett to discuss a proposal from Canal Winchester and the Buxton Company relative to economic development and retail marketing. Commissioners present were Mike Kiger, Judith Shupe and Jon Myers. Present also was Scott Zody.

Mr. Arnett explained the Buxton Company specializes in working with communities and retail companies to “match” likely retail stores with communities that fit their customer

profiles. Canal Winchester has retained Buxton to conduct an analysis of their community, and wanted to see if Lancaster and/or the county would be interested in “piggy-backing” onto their contract. The cost to the county would be approximately \$30,000. Commissioner Shupe expressed concern about focusing too much on retail, and commented that several new retail outlets are coming to Lancaster already (Kohls, Menards, Wal-Mart). Commissioner Myers commented that he could see some benefit to such an analysis if there were limited availability for growth, but right now, there are several areas around Lancaster and elsewhere in the county that have space to grow. Commissioner Kiger concurred with Commissioner Myers, stating that he did not think the timing was right as well.

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 2:00 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 9, 2007 AT 10:00 A.M.**