

**Regular Meeting #07-42
Fairfield County Commissioners' Office
October 2, 2007**

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, October 2, beginning at 10:00 a.m., with the following Commissioners present: Jon Myers and Judith Shupe. Also present were: Julia Hilty, Alaina Fahy, Jason Dolin, Terre Vandevort and Scott Zody.

Announcements

There were no announcements.

Public Comment

There were no public comments.

Approval of minutes of Tuesday, September 25, 2007

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday, September 25, 2007.

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

Approval to Bore under Cedar Hill Road

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a request from Insight Communications to bore under Cedar Hill Road for placement of a fiber optic line, see resolution 07-10.02.a

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

Approval of County Employee eligibility to apply for a loan through the County Commissioners Association of Ohio Deferred Compensation Program

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve eligible county employees to apply for loans through the County Commissioners of Ohio Deferred Compensation Program, see resolution 07-10.02.b

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

Approval of Electric Line Right-of-Way Easement – South Central Power

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a request for an electric line right of way for South Central Power Company, see resolution 07-10.02.c

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

Approval of Authorizing Satisfaction of a Mortgage held by the Fairfield County Commissioners

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the satisfaction of a mortgage held by the Board of Commissioners, see resolution 07-10.02.d

Commissioner Myers asked which particular mortgage this affected, and Scott Zody replied that it is for a Barbara Householder on Horns Mill Road.

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

Approval of a Contract for Services between the Fairfield County Commissioners, Fairfield County Family, Adult and Children First Council and Lancaster Fairfield Community Action Head Start

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve a contract for services between the Board of Commissioners, Fairfield Family, Adult, and Children First Council, and the Lancaster Fairfield Community Action Head start, see resolution 07-10.02.e

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

Approval to Rescind Resolution 07-09.25.q, Fairfield County Engineer

On motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to rescind Resolution 07-09.25.q, Memo Expenditure, 3434 OPWC Payments, Fairfield County Engineer, see resolution 07-10.02.f

Commissioner Shupe asked what was the cause for the rescission, and Scott Zody responded that there was an issue processing the original resolution, and the Engineer's Office requested the rescission and will be submitted a new resolution for consideration.

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

Approval of Payment and Status of Funds Report – CHIP Drawdown

On the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to approve the payment and status of funds report CHIP FY2005 B-C-05-022, B-C-05-022-1, and C-05-022-1 drawdown, see resolution 07-10.02.g

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

Financial Resolutions

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

- 07-10.02.h Approval to appropriate from unappropriated – Fairfield County Utilities- Enterprise Grant Fund 5672
- 07-10.02.i Approval of Account to Account Transfer - Fairfield County Commissioners – Fund 1001
- 07-10.02.j Approval of Account to Account Transfer – Fairfield County Job & Family Services
- 07-10.02.k Approval of Account to Account Transfer - Fairfield County Commissioners – Fund 7564 – Multi-County Juvenile Detention Center

- 07-10.02.l Approval of Account to Account Transfer - Fairfield County Prosecutor - Fund 2665 – Victims of Crime Act
- 07-10.02.m Approval to Appropriate from Unappropriated – Adult Community Based Corrections – Fund 13268910
- 07-10.02.n Approval to Appropriate from Unappropriated – Domestic Relations Parent Education - Fund 2338

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

Payment of Bills

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to approve the payment of bills, October 2, 2007, check date October 5, 2007, see resolution 07-10.02.o.

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

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 Jon Myers, and Judith Shupe. Present also were Terre Vandevoot, Julia Hilty, Jason Dolin, Alaina Fahy, and Scott Zody.

Terre Vandevoot

Ms. Vandevoot requested some time to discuss the pending contract between the City of Lancaster and the Board of Commissioners relative to the City Law Director's Office prosecuting misdemeanor violations in the unincorporated areas of the county and other municipal corporations within the county.

Ms. Vandevoot provided some historical background on the agreement, stating that the county used to provide \$25,000 per year for these services in the 1990s. Unfortunately, because there was no formal agreement or contract, some cases were thrown out of court. That led to an initial contract in 1999 for county and municipal corporation prosecutions. In 2000, Carroll and Baltimore challenged the billings they were receiving for misdemeanor prosecution services, and as a result, one contract covering nearly all the county was devised.

Ms. Vandevoot contended that while the amount of funding has increased dramatically since 1995 – 2007 (\$25,000 to \$107,745), the amount does not cover the actual costs to her office. She explained that her annual budget is approximately \$613,000, and is nearly all "people and paper". Ms. Vandevoot stated that she has one part-time prosecutor that she would like to make full time to help address workload needs, which would cost an additional \$10,000, and her budget is projected to be approximately \$30-40,000 short for FY2008. She would like to see the county increase its "share" from the current \$107,000 to \$150,000.

Commissioner Shupe asked about a line item in the budget marked "PERS pickup". Ms. Vandevoot stated that that item refers to an increased share of employer share that her office must cover, but it is not the employee share – that is covered entirely by the employees.

Commissioner Myers asked if the contract covered all municipal areas of the county, and Ms. Vandevort stated that she does receive some financial assistance from Pickerington (\$25,000) and Reynoldsburg (\$3-6,000) each year.

Commissioner Myers stated that he was concerned with the increasing costs of the contract, and asked about Violet Township and is there any difference with that area being a Home Rule Township? Ms. Vandevort replied that Violet is still considered unincorporated area of the county, and so is covered by the existing contract.

Ms. Vandevort stated that she would like to see a stable, longer-term agreement in place – up to five years, if everyone can agree. Commissioner Shupe stated that the Commissioners had proposed a three-year contract with annual increases of 3% based on the current \$107,745 because of the concern of escalating costs. Ms. Vandevort replied that she believes the current amount is insufficient to cover the costs associated – for example, OMVI cases are up, as are appeals. Her office has been able to secure increased court costs to help generate additional revenue, but she is about to lose a \$60,000 grant that will be running out.

Commissioner Myers asked Ms. Vandevort to clarify that she is willing to have an agreement longer than three years, and she replied yes she is, and wants to avoid having to try to bill individual villages for her services. Commissioner Shupe asked if \$150,000 is the optimal funding level, and could there be cost reductions or other costs the city could pick up? Ms. Vandevort replied that there are costs that the county incurs as well, such as jail space.

Julia Hilty stated that the issue gets “muddy”, in that the city is not required to prosecute misdemeanors for the villages, but the county is required to reimburse the city for it, but the amount is negotiable. If the county has a contract, there needs to be clear communication with the villages so they understand that the county is paying reimbursement to the city as required.

Commissioner Myers asked if any of the villages still have Mayor’s Courts, and how those are affected. Ms. Vandevort replied that Baltimore, Carroll, and Pickerington have Mayor’s Courts, but those are limited to mostly vehicle moving violations – no felonies, no OMVI’s.

Commissioner Shupe asked Ms. Vandevort if she planned to charge the locals if the county provided the requested \$150,000. Ms. Vandevort replied that she would only like to continue the arrangement she has with Pickerington and Reynoldsburg, and would not bill any others.

On the issue of fines and court costs, Ms. Vandevort explained that any fine collected under a violation of state law goes 100% to the county, and any violation under a city ordinance goes to the city. In 2006, approximately \$160,000 in fines went to the county, and about \$30,000 of that was for OMVI housing(jail).

Commissioner Myers asked if the jail housing included city inmates, and Ms. Vandevort stated that there is a contract for that.

Commissioner Shupe how medical costs are covered, and Ms. Vandevort stated she was not sure how that was handled, and cited a case from years past involving a problem inmate who could not be jailed due to medical conditions.

Commissioner Myers asked if the county is required to house city prisoners, and Ms. Vandevort stated that there is a contract delineating those services (ORC vs. ordinance).

Commissioner Shupe asked if the \$25,000 amount was reflective of costs in 1995, and Ms. Vandevort stated that amount was insufficient at the time.

Commissioner Shupe asked if the city received any funding from Columbus areas in Fairfield County, and Ms. Vandevort replied only small amounts, as the area of Columbus in Fairfield County is so small.

Ms. Hilty stated that it is easier to have an overall contract relative to these services, and she suggested that Ms. Vandevort write a contract with Pickerington and Reynoldsburg, but they should acknowledge the county agreement in those documents. The safest position for the county would be to inform all incorporated areas that the county has an agreement to pay for these services so the locals know they don't have to pay.

Commissioner Myers stated that it would probably be better for all entities to negotiate "en masse" with the city to arrive and a mutually beneficial agreement. Ms. Hilty suggested involving the Prosecutor's Office in the process to ensure proper coverage of services.

Pending Items

Executive Session

On the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to enter into Executive Session at 11:00 a.m. to discuss personnel matters. Present were Commissioner Myers, Commissioner Shupe, Scott Zody, Aunie Cordle, Sean McKelley, and Julia Hilty

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

On the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to adjourn Executive Session at 11:50 a.m. No action was taken during the session.

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

Executive Session

On the motion of Jon Myers and second of Judith Shupe, the Board of Commissioners voted to enter into Executive Session at 12:00 p.m. to discuss personnel matters. Present were Commissioner Myers, Commissioner Shupe, Aunie Cordle, Tony Vogel, Steve Samuel, and Bob Cochran

On the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to adjourn Executive Session at 12:45 p.m. No action was taken during the session.

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

On the motion of Jon Myers and the second of Judith Shupe, the Board of Commissioners voted to adjourn at 12:45 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,
OCTOBER 9, 2007 AT 10:00 A.M.**