

**Regular Meeting #09-44  
Fairfield County Commissioners' Office  
October 27, 2009**

**9:00 a.m. Meeting with Judge Steve Williams**

The Board of Commissioners met with Juvenile/Probate Judge Steve Williams for an update on the juvenile Alternative School. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Judge Williams stated he wanted to brief the Board on an upcoming issue – the current buildings and land used for the Alternative School have been under a 5-year lease to purchase deal and at the end of this year, the Judge would like to exercise the option to purchase the property for \$1 and keep the School at this location.

Commissioner Myers asked if the court was currently paying for the utilities and maintenance costs, and Judge Williams stated they were. Commissioner Kiger asked what the exact location of the facility is, and Judge Williams stated it is on the corner of High and Locust Streets in Lancaster.

Judge Williams stated that a person in the community has expressed an interest in making a sizable donation for the school to construct a new multi-purpose building, but would like to use the facility to implement some Christian based programming, and he is not sure if that is feasible. Judge Williams stated that the School has a 501c3 charitable designation for programming, but is not sure if that would provide enough separation or not.

Commissioner Shupe asked if the building would be constructed on the current site, and Judge Williams stated that is the plan. Mr. Zody suggested if the building could be built and public use permitted, that might be an option. Mr. Dolin concurred that is possible, and asked what the building would be utilized for. Judge Williams stated the building would be used throughout the day by the kids in the school, and for programming in the evenings.

Commissioner Myers suggested possibly leasing the land to the organization or person interested in the donation, and Judge Williams stated that was one idea he was considering. Mr. Dolin stated he would need to further research that option.

Commissioner Shupe asked if the School was going well, and Judge Williams stated it has been very successful, and the School's most recent rating had increased by 2 levels. The School has instituted a program designed to address the drug culture that is popping up in the local schools, and kids are given color-coded t-shirts to wear when they arrive, and earn various levels of colors based upon their behavior until they earn the right to once again wear street clothes. The system has vastly improved behavior in the School.

Commissioner Shupe asked if the School was still doing short-term work with kids, and Judge Williams stated they are, but can only handle about 10 kids at a time in the program. Judge Williams stated the schools are increasingly asking for help with junior high students, but he is reluctant to mix junior high and high school age students at the School. The main problem is lack of space to properly segregate the age groups.

**9:30 a.m. Investment Advisory Board Meeting**

The Investment Advisory Board met for an update on quarterly county investment results. Members present were County Treasurer Jon Slater, Commissioner Judith Shupe, and Commissioner Mike Kiger. Also present were Ed Laramee, Jon Myers, Jason Dolin and Scott Zody.

Mr. Slater called the meeting to order, stating that interest income as of September 30<sup>th</sup> was \$860,000, and as of today it is \$970,000. Mr. Slater stated that he expects to reach his annual goal of \$1.2 million at the end of the year, with some substantial notes and CDs maturing in December.

Mr. Zody asked if there has been any increase in the rates with the recent upswing in the stock markets, and Mr. Slater stated the rates have not improved – in fact, STAR Ohio continues to be down.

Commissioner Kiger asked if any out-of-county banks had been utilized per the last quarterly meeting, and Mr. Slater stated he has not initiated any investments with outside banks, due in part to the rates they were offering no longer being as attractive.

Commissioner Myers noted there is about \$9-10 million in investments coming due in December, and asked where Mr. Slater intended to reinvest those funds. Mr. Slater stated he is not sure at this point, and is pondering options based upon market trends.

Mr. Laramée asked if it is possible for the Treasurer to purchase notes issued by Fairfield County, and Mr. Slater stated it is, and Mr. Laramée stated the interest earned would be better than investing in CDs. Mr. Zody noted that the airport and Utilities Department have two notes that will be renewed soon.

On the motion of Mike Kiger and second of Judith Shupe, the Advisory Board voted to approve the Investment Report.

Roll call vote of the motion resulted as follows:

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

On the motion of Mike Kiger and second of Jon Myers, the Board voted to adjourn.

Roll call vote of the motion resulted as follows:

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

### **Review (9:45 a.m.)**

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

The Board discussed the request by the Board of Developmental Disabilities (BDD) to join the county health insurance plan. Commissioner Shupe stated she still has some concerns and was informed that John Pekar is also working part time as the Superintendent for the Vinton County BDD. Commissioner Kiger stated he had spoken with BDD Board Member Fred Destadio about the Vinton County situation, and Mr. Pekar spends approximately 4 hours per month helping Vinton County, and Vinton County reimburses Fairfield County BDD, so Vinton County is not paying Mr. Pekar directly.

Commissioner Shupe stated she also had the concern of having BDD conform to county policy relative to leave and retirement pickup and that BDD should clean up its own house first. Commissioner Myers stated that BDD has stated its willingness to address the pickup issues and to hold the county harmless for 3 years. Commissioner Myers asked if BDD would be attending today's meeting, and Mr. Zody stated that he expects them to be here after the 10:00 Regular Meeting. Commissioner Myers stated that Commissioner Shupe could provide BDD with a list of concerns that she would like them to address if they are to become part of the plan.

Commissioner Myers stated that he had a meeting last week on the Multi-County Juvenile Detention Center budget for 2010, and while the budget holds most costs down, and eliminates one full time position, there is a proposal to increase the salary of

the Director by 5%, but only step increases for employees. Commissioner Kiger stated he would be concerned with that, as the county is not providing any raises for 2010. Commissioner Shupe asked when the MCJDC hired him, and Commissioner Kiger stated it was about one year ago. Commissioner Myers stated that 3% makes sense, and he would discuss the issue with Tim Bubb.

Mr. Dolin provided an update on legal issues, stating he expects the Carroll sewer line issue with CSX and I&O to wrap up this week.

Commissioner Kiger asked what would occur if the Meals on Wheels contract is not approved, and Mr. Dolin stated he does not see a mechanism to disburse funds. Commissioner Shupe stated she does not understand what the hang up would be with the contract, as there were not many changes made. Mr. Laramée stated the Board could appropriate part of the year's budget to allow for continued operations. Commissioner Myers stated that it appears that Ms. Cornell may be the holdup with respect to the voting language.

Mr. Dolin stated that as he understands the history behind the language, it was intended as a level of separation for the Commissioners to have from the MOW Board to keep them more of an arms distance away. Mr. Zody stated that it would appear to him that the separation is what is causing the problems – a lack of oversight.

Regarding the Board of Elections health insurance, commissioner Kiger stated that he believes it should be eliminated, and CCAO agrees with that. Commissioner Shupe asked who was up for reappointment this year, and Commissioner Myers stated that he knows John Dolske is, but the fact is that all 4 current Board members have access to other health insurance besides the county.

### **10:00 a.m. Commissioners' Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, October 27, 2009 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Cindy Hillberry, Beth Seifert, Ed Laramée, Ritta Seitz, Mary Beth Lane, Jason Dolin and Scott Zody.

### **Announcements**

Mr. Zody announced there would be add-on items for the Prosecutor and Older Adult Alternatives.

### **Public Comment**

There were no public comments.

### **Approval of minutes of Tuesday, October 20, 2009**

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to remove the minutes for Tuesday, October 20, 2009 from the table.

Roll call vote of the motion resulted as follows:

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

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the minutes for Tuesday, October 20, 2009.

Roll call vote of the motion resulted as follows:

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

### **Approval of minutes of Friday, October 23, 2009**

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Friday, October 23, 2009.

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

**Approval of a Temporary Appointment for a Job & Family Services employee**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a temporary appointment for a Job & Family Services employee, see resolution 09-10.27.a

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

**Approval of the appointment of Becky Edwards to the Friends of Meals on Wheels Committee**

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the appointment of Becky Edwards to the Friends of Meals on Wheels Committee, see resolution 09-10.27.b

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

**Approval of contract with Seifert Construction Inc. for the Rushcreek Township ADA Compliance renovations at the Township Hall and Fire House – FY2008 CDBG Formula**

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a contract with Seifert Construction Inc. for the Rushcreek Township ADA Compliance renovations at the Township Hall and Fire House – FY2008 CDBG Formula, see resolution 09-10.23.c

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

**Approval of BWC 2008 (paid in 2009) Employer Premium Refund Invoice**

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a BWC 2008 (paid in 2009) Employer Premium Refund Invoice, see resolution 09-10.23.d

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

**Approval of closing of Fund 2750 FCBDD ARRA Stimulus Fund to 2060 – FCBDD Fund**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the Approval of closing of Fund 2750 FCBDD ARRA Stimulus Fund to 2060 – FCBDD Fund, see resolution 09-10.27.e

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

**Approval of request for approval of IAS Support Agreement 2009 Renewal for the county IAS Real Estate & Collection Software agreement**

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners

voted to approve a request for approval of IAS Support Agreement 2009 Renewal for the county IAS Real Estate & Collection Software agreement, see resolution 09-10.27.f

Roll call vote of the motion resulted as follows:

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

**Approval of request for payment and status of funds report – FY2008 CSBG & HOME – Drawdown #200**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a request for payment and status of funds report – FY2008 CSBG & HOME – Drawdown #200, see resolution 09-10.20.g

Roll call vote of the motion resulted as follows:

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

**Approval of Violet Meadows Subdivision resolutions – Regional Planning**

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve Violet Meadows Subdivision resolutions as follows:

09-10.27.h Approval of Violet Meadows Section 4, Phase 1 – Re-plat of lots 125-127 and Reserve “C” – Regional Planning

09-10.27.i Approval of Approval of Violet Meadows Section 4, Phase 2 – Final Plat – Approval and Conditional Acceptance – Regional Planning

Roll call vote of the motion resulted as follows:

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

**Approval of Sanitary Water & Sewer resolutions – Utilities**

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve sanitary water & sewer resolutions for the Utilities Department as follows:

09-10.27.j Approval of Conditional Acceptance of the Sanitary Sewer and Water Infrastructure for Northwest corner State Route 256 and Refugee Road - Utilities

09-10.27.k Approval of Escrow Release Instructions and Maintenance Escrow Agreement for Northwest corner State Route 256 and Refugee Road - Utilities

09-10.27.l Approval of Pickerington/Fairfield County Emergency Water Line Connection Certificate of Final Completion, Final Change Order and Contract Closeout - Utilities

Roll call vote of the motion resulted as follows:

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

**Approval of Engineer resolutions**

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve resolutions for the County Engineer as follows:

09-10.27.m Approval of Construction Drawings for the FAI-CR9/13/23/TR221/223 ARRA Resurfacing Project - Engineer

09-10.27.n Approval of Declaration of Necessity of VIO-13 Bridge Replacement Project - Engineer

- 09-10.27.o Approval of establishing, altering and widening of Basil-Western Road/Allen Road intersection, Fairfield County, Ohio declaration of necessity and setting a Commissioner viewing date of November 17, at 9:00 a.m. and a final hearing date of November 17, at 11:00 a.m. - Engineer
- 09-10.27.p Approval of hiring Lockwood, Lanier, Mathias & Noland Inc. for General Engineering Services for the Walnut Township Cherry Lane Improvement Project Phase 3 - Engineer
- 09-10.27.q Approval of hiring Lockwood, Lanier, Mathias & Noland Inc. for General Engineering Services for the Walnut Township Cherry Lane Improvement Project Phase 2 - Engineer

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

**Approval of an Advance from the General Fund to the CSBG – Housing Improvement Fund 2730 – Commissioners**

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve an advance from the General Fund to the CSBG – Housing Improvement Fund 2730 – Commissioners, see resolution 09-10.27.r

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

**Approval of Financial Resolutions**

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

- 09-10.27.s Approval of Amended Certificate & request for appropriations from unappropriated – JFS - CPS
- 09-10.27.t Approval of Amended Certificate & request for Appropriations for additional unanticipated receipts 7734 – Supplemental Insurance
- 09-10.27.u Approval of Amended Certificate, Update receipts & appropriate from unappropriated
- 09-10.27.v Approval of Reduction in Estimated Receipts 2707 – EMA Planning Grant
- 09-10.27.w Approval of Reduction in Appropriations 2707 EMA Planning Grant
- 09-10.27.x Approval of Fund to Fund Transfer – FCBDD Residential Services Fund to FCBDD Fund
- 09-10.27.y Fund to Fund Transfer 2060 BDD Fund to BDD Capital Improvements Fund
- 09-10.27.z Approval of Fund to Fund Transfer – Insurance to General
- 09-10.27.aa Approval of Account to Account Transfer - ADAMH
- 09-10.27.bb Approval of Account to Account Transfer – BDD
- 09-10.27.cc Approval of Account to Account Transfer – Personal Property
- 09-10.27.dd Approval of Account to Account Transfer - REA
- 09-10.27.ee Approval of Account to Account Transfer – EMA Planning Grant

- 09-10.27.ff Approval to Appropriate from Unappropriated - ADAMH
- 09-10.27.gg Approval to Appropriate from Unappropriated – Health Insurance
- 09-10.27.hh Approval to Appropriate from Unappropriated – Basic Life Insurance
- 09-10.27.ii Approval to Appropriate from Unappropriated - BDD
- 09-10.27.jj Approval to Appropriate from Unappropriated – Road & Bridge Levy - Engineer

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

**Approval of Authorization for Payment of Bills, October 27, 2009, check date October 30, 2009**

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the authorization for payment of bills October 27, 2009, check date October 30, 2009, see resolution 09-10.27.kk

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

**Approval of Account to Account Transfer – Older Adult Services Levy**

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve an account to account transfer for the Older Adult Services levy, see resolution 09-10.27.ll

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

**Approval to Amend the Certificate, Update Receipts and Appropriate from Unappropriated – General Fund #1001, Fairfield County Prosecutor**

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve a request for approval of IAS Support Agreement 2009 Renewal for the county IAS Real Estate & Collection Software agreement, see resolution 09-10.27.f

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

**Approval of Account to Account Transfer – Victim Witness Assistance**

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve an account to account transfer for the Victim Witness Assistance Division, see resolution 09-10.27.nn

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

**Review Session**

The Board of Commissioners met to review legal issues, correspondence, and pending and future action items. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Aundrea Cordle, Beth Seifert, Cindy Hillberry, Ed Laramee, Jon Slater, Mary Beth Lane, Jason Dolin and Scott Zody.

Ms. Cordle stated that she has a call in to the Economic Development Director candidate to see if he remains interested in the position.

Mr. Slater stated that his office had received a contact from the FBI in Atlanta relative to a person who had attempted to claim some unclaimed funds from the county. Mr. Slater stated apparently this person had successfully defrauded several local governments around the country by posing as a representative of parties to claim unclaimed funds, and had stolen over \$1 million. Fortunately, Fairfield County did not release any funds to this person as he would not submit the required information, and the FBI now had him in custody.

Regarding a request for funds from the Lancaster Public Transit Authority, the Board decided to wait on making a final decision until they met with Jeanette Addington to finalize the 2010 budget numbers.

Mr. Zody provided the Commissioners with a copy of an email from Lisa Nodestone in the Auditor's Office relative to the JFS lease, stating that unless the lease is amended by the end of the year, in all likelihood the county will be cited and have a finding for recovery levied by the State Auditor's Office. Mr. Zody has provided Mr. Dolin with copies of the lease and amendments, and they will work with Ms. Nodestone to put together the lease. Mr. Laramie suggested assigning a square footage rental figure to the lease to lock down what space JFS would use.

Commissioner Shupe noted that Worknet will need to be moved, and Mr. Zody noted that the Prosecutor's Office would also be moved. Commissioner Shupe noted the Prosecutor is asking for \$250,000 in renovations. Commissioner Myers stated there may be some possible ways to do some of the renovations.

Regarding the allowance of the Board of Developmental Disabilities to join the county health insurance plan, Commissioner Shupe stated the Board has gathered a lot of information over the past few weeks while deliberating the issue, and has some concerns. Commissioner Shupe stated she would like the BDD to consider adopting county policies relative to benefits and stop the practice of giving freebies and give-aways, such as extra days off. Commissioner Shupe stated that Mr. Pekar has indicated that the health insurance pick up would cease, and would encourage BDD to look at retirement pick up and extra days off.

Commissioner Shupe stated that the Commissioners discussed the financial commitment if the county changes tiers, and would ask BDD to adopt similar cost control and utilization efforts that the county has to help keep premiums down. If the BDD will consider those items, the Commissioners are willing to allow BDD to join.

Ms. Seifert stated that some of the pickups cannot be addressed until current employment contracts expire. Ms. Hillberry asked if county agencies had personal leave days, and Commissioner Shupe stated the Commissioners do not. Ms. Hillberry stated personal days have been offered to BDD for several years, and are part of the collective bargaining agreements.

The Commissioners directed Mr. Zody to prepare a resolution for the following Regular Meeting to approve allowing BDD access to the county plan, and include Mr. Pekar's request letter.

### **11:00 a.m. Public Hearing – Spires/Duncan Road Name Change**

The Board of Commissioners met to convene a public hearing on the matter of changing the name of a portion of Duncan Road and Spires Road in Hocking Township. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Hocking Township Trustee Gail Ellinger, Jeff Camechis, John Duncan, John Stryker, Liz Stryker, Jason Dolin and Scott Zody.

Mr. Camechis stated this process was initiated through a letter from the Hocking Township trustees requesting to change a portion of Spires Road on the north side of US Route 22 to Duncan Road and to change that portion of Duncan Road south of US Route 22 to South Duncan Road. The change is requested for 9-1-1, EMS, fire and law enforcement response, as it can be confusing which side of US Route 22 the responders are being sent.

Mr. Camechis stated this has been reviewed by the county 9-1-1 coordinator and he has approved. Commissioner Shupe asked if there were any public comments on the matter.

John Stryker, 5550 Duncan Road, spoke, asking if those folks living on Spires Road on the south side of US Route 22 would have their road name changed, and Mr. Camechis stated those people living on Spires Road on the south side would not be affected, only those living on Duncan Road, which would become South Duncan Road.

Mr. Stryker asked if there would have to be changed to any legal documents, such as land records, and Mr. Camechis stated deeds and other legal documents would not change. Commissioner Myers stated that main things that would need to be changed would be items such as driver's licenses and household bills and other mail.

Liz Stryker, 5550 Duncan Road, asked if this change would have any affect on the school district boundaries, and Mr. Camechis stated it would not. Mr. Zody stated school district boundaries can only be changed by the state. Mr. Camechis stated that for voting purposes, people should inform the Board of Elections of the change of address, but it would not be effective until after this November's election.

Hocking Township Trustee Gail Ellinger spoke, stating that only the north section of Spires Road would be changed, and the house numbers should not change for any resident. Ms. Ellinger stated she had received one call from a resident that she was not sure if the change would affect her or not.

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to close the hearing.

Roll call vote of the motion resulted as follows:

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

### **Adjournment**

With no further business to come before the Board, on the motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to adjourn at 11:30 a.m.

Roll call vote on the motion resulted as follows:

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

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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 COMMISSIONERS' IS SCHEDULED FOR  
TUESDAY, NOVEMBER 3, 2009 AT 10:00 A.M.**