

**Regular Meeting #09-41
Fairfield County Commissioners' Office
October 6, 2009**

9:30 a.m. Meeting with Jon Kochis

The Board of Commissioners met with County Emergency Management Director Jon Kochis to discuss H1N1 (Swine Flu) planning. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Human Resource Director Aundrea Cordle, Ed Laramee, Jason Dolin and Scott Zody.

Mr. Kochis stated that he and Ms. Cordle have been working on an occurrence policy relative to H1N1. Ms. Cordle stated that current county policy requires a doctor's excuse after 8 sick leave occurrences, but Job & Family Services is one of only a few agencies that actively enforces the policy. Mr. Zody asked Ms. Cordle to clarify what 8 occurrences would mean, and Ms. Cordle stated that would be 8 separate uses of sick leave during a calendar year.

Mr. Kochis stated in a total outbreak/pandemic situation, it may become necessary for the Commissioners to close some facilities or offices. Doctors offices are turning away or isolating patients with flu-like symptoms, and citizens are being advised to stay away from school or work until two days after their symptoms have disappeared, and the symptoms usually last 1 to 7 days.

Businesses are encouraging separation of employees if more than 15% become ill, and try to limit face-to-face contact. This could be problematic with certain county offices, such as JFS, that have a lot of walk-in traffic.

Mr. Kochis stated that if 30% of employees become ill, the CDC is recommending office or building closure or operating only essential operations. Commissioner Kiger asked how long a period of time that would entail, and Mr. Kochis stated as long as the 30% threshold was breached, and the recommended closure would likely be 7 days.

Commissioner Shupe asked if some schools had not already hit that mark, and Mr. Kochis stated there was a junior high school in Delaware County that had 800 students come down ill within 24 hours. Mr. Kochis stated the nasal vaccine will become available next week, and shots are still in progress.

Commissioner Myers asked if the Board should ask agencies and departments to track and report illness, and Ms. Cordle stated that would be a good idea, but the Board would have to be flexible with respect to smaller agencies with fewer employees. Mr. Laramee asked if there were prevention kits available, and Mr. Kochis stated the Health Department should receive those on Thursday, but keep in mind that children are the biggest risk group with H1N1.

Commissioner Myers asked who would receive masks, and Mr. Kochis stated the Health Department would control that, and those are not meant to be used until the public stockpiles are depleted. Mr. Kochis stated there is a group meeting every Monday from now through the end of the year to discuss and plan, and invited the Board to attend if they wish.

Commissioner Shupe asked if the new office space was working out, and Mr. Kochis stated that is progressing well and he is waiting on the architect contract to be finalized to initiate remodeling with the state grant.

Commissioner Myers asked if Mr. Kochis had any guidelines to send out, and Mr. Kochis suggested using the 15% rule to initiate limiting contact, and the 30% rule to consider closure.

Ms. Cordle stated that if Mr. Kochis could provide some background/draft, she would finalize. Mr. Kochis stated the numbers are important, but they should have some time to prepare a memo. H1N1 is highly contagious, but mild in adults – mainly sore throat, cough, and fever.

Commissioner Kiger stated that he wanted to get Mr. Kochis' input relative to the problems the Dog Warden continues to have with the radio system and conflicts with Head Start. Commissioner Kiger asked who has the final say on the radio frequency, and Mr. Kochis stated that is the Commissioner's authority. Mr. Kochis stated the Dog Warden is not as formal on radio protocol as law enforcement, but Head start is even less. Commissioner Shupe stated it may be time to have Head Start switch out to another frequency. Mr. Kochis stated that he feels the Dog Warden would cooperate and get off the line in the event of an emergency. Mr. Kochis added the Red Cross would like access to the channel as well, but he does not want to complicate matters further.

Executive Session

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to enter into Executive Session at 9:55 a.m. for the purpose of discussing candidates for the County Economic Development Director position. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Aundrea Cordle, Jason Dolin and Scott Zody.

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

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to adjourn from Executive Session at 10:02 a.m.

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

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, October 6, 2009 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Michael Orlando, Aundrea Cordle, Linda Kauffman, Jon Kochis, Ritta Seitz, Mary Beth Lane, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be two add-on items.

Public Comment

There were no public comments.

Approval of minutes of Tuesday, September 29, 2009

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, September 29, 2009.

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

Approval of an Award of a Request for Proposal – Telephony Project - Commissioners

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve an award of a request for proposal – telephony project – Commissioners, see resolution 09-10.06.a

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

Approval of Contract and approval of notice to proceed and notice of commencement – CDBG FY2008 Fairfield County, Village of Baltimore Main Street Waterline Improvements

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Contract and approval of notice to proceed and notice of commencement – CDBG FY2008 Fairfield County, Village of Baltimore Main Street Waterline Improvements, see resolution 09-10.06.b

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

Approval to rescind resolution 09-09.15.r, approval of Renaming of Spires Road (TR173) and Duncan Road (TR160)

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve to rescind resolution 09-09.15.r, approval of Renaming of Spires Road (TR173) and Duncan Road (TR160), see resolution 09-10.06.c

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

Approval of Change Order for the 2009 Resurfacing Project – Engineer

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a change order for the 2009 resurfacing project for the Engineer, see resolution 09-10.06.d

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

Approval of Ratification of previous authorization of Board of Commissioners – Approval of Acceptance of Victims of Crime Act (VOCA) and State Victims Assistance Act (SVAA) grants for the funding period of October 1, 2009 through September 30, 2010 for Fairfield County Prosecutor’s Office, Victim/Witness Assistance Division

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve ratification of previous authorization of Board of Commissioners – Approval of Acceptance of Victims of Crime Act (VOCA) and State Victims Assistance Act (SVAA) grants for the funding period of October 1, 2009 through September 30, 2010 for Fairfield County Prosecutor’s Office, Victim/Witness Assistance Division, see resolution 09-10.06.e

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

Approval of Order of Suspension for an employee of Fairfield County Job & Family Services, Child Protective Services

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve an Order of Suspension for an employee of Fairfield County Job & Family Services, Child Protective Services, see resolution 09-10.06.f

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

Approval of IV-D Contract amendment between the Fairfield County Job & Family Services, Child Support Enforcement Agency & Teresa Edwards, Subpoena Plus Services, LLC, Provider

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a IV-D Contract amendment between the Fairfield County Job & Family Services, Child Support Enforcement Agency & Teresa Edwards, Subpoena Plus Services, LLC, Provider, see resolution 09-10.06.g

Mr. Orlando stated the contract provides some investigative service support for child support cases and is mostly covered by Federal funds.

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

Approval to Update Village Policing Protection Agreement held with the Village of Pleasantville

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve to Update Village Policing Protection Agreement held with the Village of Pleasantville, see resolution 09-10.06.h

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

Approval of Juvenile Court resolutions

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

09-10.06.i Approval of a Subgrant Agreement, Fairfield County Juvenile Court

09-10.06.j Approval of Subsidy Grant, Fairfield County Juvenile Court

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

Approval of invalidation of a petition to vacate a part of a public road, Stonewall Cemetery Road in Hocking Township

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the invalidation of a petition to vacate a part of a public road, Stonewall Cemetery Road in Hocking Township, see resolution 09-10.06.k

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

Approval of Fairfield Union High School and Middle School Final Plat - RPC

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the Fairfield Union High School and Middle School Final Plat, see resolution 09-10.06.l

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

Approval of Disbursal of Funds in the Fairfield County Economic Development Administration Revolving Loan Fund program (EDA-RLF)

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve Disbursal of Funds in the Fairfield County Economic Development Administration Revolving Loan Fund program (EDA-RLF), see resolution 09-10.06.m

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

Approval of Pickerington High School North and Lakeview Junior High School – Final Acceptance – RPC

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the Pickerington High School North and Lakeview Junior High School – Final Acceptance – RPC, see resolution 09-10.06.n

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

Approval of Fund to Fund Transfer – 3rd Quarter General Fund #1001 – Multi-County Juvenile Detention Center

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Fund to Fund Transfer – 3rd Quarter General Fund #1001 – Multi-County Juvenile Detention Center, see resolution 09-10.06.o

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:

- 09-10.06.p Approval of Fund to Fund Transfer – 3rd Quarter General Fund # 1001 – Multi-County Juvenile Detention Center
- 09-10.06.q Approval of Fund to Fund Transfer - Insurance
- 09-10.06.r Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities
- 09-10.06.s Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities
- 09-10.06.t Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities
- 09-10.06.u Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities
- 09-10.06.v Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities
- 09-10.06.w Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities
- 09-10.06.x Approval of Fund to Fund Transfer – from Water Inspections to Sewer Inspections - Utilities

- 09-10.06.y Approval of Local Match, Account to Account Transfer, Fund to Fund Transfer – General Fund – Victims of Crime Grant
- 09-10.06.z Approval of Account to Account Transfer - FACFC
- 09-10.06.aa Approval of Account to Account Transfer - Maintenance
- 09-10.06.bb Approval of Account to Account Transfer - General
- 09-10.06.cc Approval of Account to Account Transfer – Clerk of Courts
- 09-10.06.dd Approval of Account to Account Transfer – Juvenile Court
- 09-10.06.ee Approval to Appropriate from Unappropriated – Auditor
- 09-10.06.ff Approval to Appropriate from Unappropriated – FACFC
- 09-10.06.gg Approval to Appropriate from Unappropriated – Commissioners/CDBG/RLF
- 09-10.06.hh Approval to Appropriate from Unappropriated – Engineer
- 09-10.06.ii Approval to Appropriate from Unappropriated – Flex Spending

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 6, 2009, check date October 9, 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 6, 2009, check date October 9, 2009, see resolution 09-10.06.jj

Roll call vote of the motion resulted as follows:

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

Approval of Woodstream Section 4, Phase 1 Final Acceptance - RPC

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve Woodstream Section 4, Phase 1 Final Acceptance – RPC, see resolution 09-10.06.kk

Roll call vote of the motion resulted as follows:

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

Approval of renaming sections of Spires Road (TR173) and Duncan Road (TR160) – establish date for public hearing

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to renaming sections of Spires Road (TR173) and Duncan Road (TR160) – establish date for public hearing, see resolution 09-10.06.ll

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 Michael Orlando, Aundrea Cordle, Ed Laramee, Jason Dolin and Scott Zody.

Mr. Dolin provided an update on legal issues, stating that the CSX agreement relative to the Carroll sanitary sewer line is near completion. Commissioner Myers asked if any feedback had been received from Meals on wheels relative to the draft contract, and Mr. Dolin stated they have the draft, but he had not heard anything from the Board or Ms. Cornell. Mr. Zody stated he had not heard any feedback either. Commissioner Kiger stated the Friends Committee will meet next week, so he may hear something then.

Mr. Dolin informed the Board that he had spoken with Glenn Pratt from Peck Schaffer relative to the First United Methodist Church economic development bonds, and he is comfortable that allowing the church to issue the bonds will in no way affect the county bond rating. Mr. Pratt will attend the public hearing next week to help explain any additional questions or concerns. Commissioner Myers asked how much the bonds were for, and Mr. Zody stated it was right around \$1 million.

Commissioner Myers asked Mr. Laramee if he was familiar with such bonds, and Mr. Laramee stated he is familiar with the bonding authority and is comfortable that they would not impact the county in any way.

Commissioner Shupe stated that the Board had previously turned down a similar request, but could not recall the specific details, and Mr. Laramee stated that he recalls an apartment complex had made a request, but it was different circumstances.

Commissioner Kiger reported that he had spoken with attorney Mark Fishel and Cheryl Subler from the County Commissioners Association regarding health insurance for county Board of Elections members. Commissioner Kiger stated that at least three counties do not offer any health insurance benefits to their BOE members, and Ms. Subler informed him that CCAO does not believe counties are required to offer those benefits. Some other counties are phasing out the benefits.

Commissioner Shupe asked if the issue is whether or not these officials are elected, and Commissioner Kiger stated that CCAO's opinion is that they are not elected officials, nor are they considered "employees" for benefits determination.

Mr. Laramee asked if an Attorney General's opinion had ever been issued on the subject, and Commissioner Kiger stated that neither Mr. Fishel nor Ms. Subler mentioned anything about an opinion. Commissioner Myers asked if an opinion had been rendered locally on this, and Mr. Dolin stated that Prosecutor Landefeld has a differing opinion than Mr. Fishel. Ms. Cordle stated she would review her file to see what she can find.

Mr. Zody provided the Board with a brief overview of two bond issues that David Conley from Baird and Associates is suggesting the Board consider for refinancing, explaining that one of the bond issues is mostly Utilities and BDD funds, but one is for the Liberty Center purchase. Mr. Zody stated he is awaiting information from Mr. Conley relative to the costs of the refinancing, as well as some feedback from Tony Vogel and Jon Pekar relative to their interest.

Regarding a request from Dr. Vajen for additional funding to cover unanticipated autopsies in the Coroners Office, Commissioner Shupe asked why there had been so many more this year, and Mr. Dolin stated autopsies are usually requested when a cause of death is uncertain, or to ascertain whether or not foul play is involved. Part of the reason may be an increased number of drug-related deaths this year, which can be difficult to pin down.

Commissioner Kiger asked if funding could be provided by the court or Major Crimes Unit for such activities, and Mr. Zody stated he was not sure the courts or Major Crimes Unit could be involved unless there is evidence that a crime was committed in

connection with the death. Commissioner Shupe asked if the autopsies were performed in Fairfield County, and Mr. Dolin stated they are sent to Franklin or Licking County for the actual autopsy. Mr. Zody stated he would check with Ms. Knisley regarding and available funds for autopsies.

The Board discussed the draft collective bargaining contract between the County Engineer and the Teamsters Union. Commissioner Kiger stated that he did not understand why the Board would review or approve the contract, as the Engineer is the appointing authority. Mr. Zody stated that Ms. Cordle is not involved in the negotiation of the contract the way she is with the Sheriff and the Fraternal Order of Police. Commissioner Myers asked if the Board wanted to take any formal action relative to the agreement, and the Board indicated they would defer the approval to Mr. Anderson.

Mr. Zody noted that the proposed workers' compensation premiums for 2010 had been received, and Ms. Cordle stated that it appears the county will receive a 2% discount. She added that the Board may wish to consider apportioning the group rating administration fee of \$8,000 among the various departments, as the General Fund currently pays 100% of the cost. Ms. Cordle stated that 2010 will be the last year the county can participate in the group rating plan, as they have become too large and BWC is going to restructured base rates for both private and public employers.

Mr. Orlando stated that he has been examining some budget cut scenarios and allocations, and stated that the Child Support Enforcement Agency (CSEA) has some incentive dollars that were earned by Carrie Brown and Corey Clark that may allow for some reductions in the General Fund allocation for that agency, as the incentive dollars need to be spent by the end of 2010 anyway. Commissioner Myers asked if the Governor's delayed income tax reduction plan would help in lieu of the slots revenue, and Mr. Orlando stated that the slots funds were earmarked for school in accordance with consistency with lottery revenue, so he does not believe the impact to social services would be that great, but in the event additional state cuts would need to be absorbed, enough positions were eliminated in the spring to hopefully take the cuts without additional layoffs.

Commissioner Kiger asked how many employees currently work at JFS, and Mr. Orlando stated there are 173. Mr. Orlando stated the other issue is the \$500,000 provided by the Board as "up front" funding for the CPS/APS levy. Lisa Kessler recently pointed out to him that ORC section 5705.24 permits that during the time between voter approval of a levy and prior to its collection, anticipation notes can be issued of up to 50% of the value of the levy. Mr. Orlando believes that the Board could issue a note for \$500,000 and have it paid off over the life of the levy to provide an immediate lift of approximately \$500,000 to the General Fund.

Commissioner Myers stated the date of collection for the levy is January 2010. Mr. Laramee stated that he would not have the charge created until the tax duplicate is created. Mr. Orlando stated that he thought it might be an option worth looking into. Mr. Orlando noted that he has a CSEA finance position that is currently vacant due to an employee death that he would like to refill.

11:30 a.m. Meeting with John Pekar

The Board of Commissioners met with Board of Developmental Disabilities (BDD) Executive Director John Pekar to discuss the possible inclusion of BDD in the county health insurance consortium. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Aundrea Cordle, Beth Seifert, Ed Laramee, Jason Dolin and Scott Zody.

Commissioner Myers asked if Mr. Pekar had received the revised numbers from CBIZ relative to the cost for BDD to make up any cost differential in case the county would be dropped a tier on the benefit consortium, and Mr. Pekar stated that he had. Commissioner Shupe asked if the number bothered Mr. Pekar, and he stated that it did

not, as he is facing a \$500,000 increase in health care premium costs, and the \$300,000 cost differential is a worst-case scenario and would still save him money. Even in a worst case scenario, he would break even. He is expecting his current premiums to increase to \$2400 per month per employee, and employees are currently paying between 22-25% of that cost.

Commissioner Myers stated that including BDD could increase the county premiums as well, and we are already expecting premiums to increase due to normal activities. Ms. Cordle stated the increase would depend upon trends, and she is expecting an increase of about 6.5%. Adding BDD could mean an additional 3%, that BDD is offering to cover, if the county is dropped another tier.

Commissioner Myers asked if the 3% is assumed, and Ms. Cordle stated that is based upon the CBIZ projection. Commissioner Myers asked if BDD would have sufficient cash to make the increased payments after 2010, and Mr. Laramee stated that they should, if they are saving \$500,000 per year. Mr. Pekar stated that BDD would no longer be paying as high of premiums for their employees, and would reap significant savings – nearly \$900 per month for family coverage.

Commissioner Kiger asked how long BDD would be willing to continue to pay for any cost differential, and Mr. Pekar stated the practice would need to cease at some point, depending upon claims experience and BDD would need to be considered part of the group at some point going forward. Mr. Pekar stated that he would hope there would be some sort of adjustment made after the first year going forward.

Commissioner Kiger asked if BDD claims could be tracked separately from county claims, and Ms. Cordle stated that she did not believe they could, at least on a claims basis. According to CBIZ, that would require more work on the part of United Health Care (UHC) and would cost more.

Commissioner Shupe asked Mr. Pekar if there were any other options under consideration, and Mr. Pekar stated there were not, that is why they would like to be part of the county consortium.

Commissioner Myers asked how many BDD employees were currently covered, and Mr. Pekar stated there are 37 under family coverage and 45 under single coverage. Commissioner Myers asked how BDD was covered for workers' compensation, and Mr. Pekar stated they are under the county policy for that.

Commissioner Myers asked if higher BWC claims would result in increased health care costs, and Ms. Cordle stated BWC claims are separate from health care claims. Mr. Laramee suggested rechecking with CBIZ relative to tracking claims, and Ms. Cordle stated that Scott Solzman has informed her that is not possible. Mr. Laramee stated that over the long haul that may not be needed, but in the short term that needs to occur to track claims experience.

Commissioner Myers asked if there is a timeline to make a decision, and Mr. Pekar stated the South Central consortium requires 180 days notice for a member to leave, but he believes that he gave them notice back in 2008 when they first informed him that they were considering the surcharge for claims experience. He told the consortium at that time that if they did that, BDD would leave, and he reiterated that message a few months ago.

Commissioner Myers asked if BDD was part of the county payroll system, and Mr. Pekar stated that they are. Ms. Cordle stated that she had stepped out to call Mr. Solzman, and he informed her that CBIZ believes they can separate and track BDD claims, and he is OK with what he initially understood and can track experience. Mr. Laramee stated that would work, and the Commissioners would need to decide when BDD would become part of the group – after 1 year, 2 years, etc. Mr. Pekar stated that

BDD is willing to make up any difference in 2011 and 2012, and would hope to then be considered part of the group.

2:00 p.m. Workers' Compensation Meeting

The Board of Commissioners met with Beth Miller from the County Commissioners Association of Ohio to discuss county workers' compensation coverage options. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Aundrea Cordle, Julie Noyes, Jay Shepherd, Jason Dolin and Scott Zody.

Ms. Miller provided an overview of the pending changes to the BWC group rating program, in which Fairfield County has been an active participant. Ms. Miller stated that BWC has been driving changes to the program, because the discounts some employers had been receiving were too high and not enough premiums were being collected to cover costs. As a result, discounts are now being capped, and BWC is also reducing the amount of allowable claims in order to remain in a group rating program.

Ms. Miller stated that these changes forced CCAO to adjust their own group rating program and rules, and no longer allow any credit-rated county to join the group, which unfortunately would include Fairfield County. Under the old system, average discounts were about 20-40%, but under the new system, savings would only be about 7% if all current participants remained in, which would make the program unsustainable.

CompManagement, CCAO's third-party administrator, has put together a program for group retrospective rating, or group retro, which would include Fairfield County and 4 other counties that no longer qualify for the normal group rating program. In addition, there are some other counties that currently would not be eligible for group that could qualify for the group retro program.

Under Group Retro, each county would pay its premium up front, then at the end of the rating year, would either receive a rebate back if the claims experience falls, or pay a penalty if the experience increases. The program is financially incentive based to encourage proper claims management and safety programs for counties to save dollars.

Ms. Miller stated the down side is that if the group performs badly they can all be assessed additional costs, but the more counties that participate, the greater the potential for savings.

Commissioner Myers asked who determined which counties, such as Fairfield, were kicked out of the group program, and Ms. Miller stated that CCAO has a group rating committee made up of representatives from various counties plus Larry Long and Tom Strup, and they had to make those decisions based upon size and claims.

Commissioner Myers asked what other counties are involved, and Ms. Miller stated that she is in the process of making visits to several counties to discuss the program. Commissioner Myers stated that the counties that were permitted to remain in the group rating program would save approximately 15%, and Ms. Miller stated that is possible, but the group retro counties should save at least 10%, and not every county would qualify for group retro – only those with good or improving claims experience.

Mr. Zody asked who the other four counties were besides Fairfield that were kicked out of the group program, and Ms. Miller stated the other four counties are Belmont, Coshocton, Seneca and Union. Commissioner Shupe asked why Fairfield was dropped, and Ms. Miller stated that Fairfield County was not as highly credit rated as other counties.

Ms. Miller stated that each of the 5 counties that were dropped from the group program were being asked to join the group retro program. Commissioner Myers asked if Licking County would be included, and Ms. Miller stated that she believes Licking County is individually retro-rated.

Ms. Miller stated that Fairfield County could pursue the individual retro rating as well – under that program, the county would only pay part of their premium up front, but would be responsible for the full costs of any claims filed during the year, so claims management and safety must be priorities. That program is considered quasi-self-insurance.

Ms. Miller said under that option, the Board could charge back claims to individual departments to provide incentives for those departments to improve workplace safety and claims management.

Ms. Miller stated that under the group retro program, there are pros and cons. The positive aspects include predictable pooling, pooling of like counties and aggregate stop loss.

The cons include delayed savings, underwriting criteria (reliance on other for some of the savings), and an emphasis and need to have good performance.

Ms. Miller reviewed some premium numbers for Fairfield County, stating the overall base rate for Fairfield County would decrease from \$685,000 in 2010 to \$607,000 for 2011, due to some other changes.

If Fairfield County enrolled in the group retro program, a 1% incentive reduction would be granted, and based upon a 10% reduction goal, the county could save up to \$53,000, which would reduce the net premium to \$537,000.

Ms. Cordle noted there is a 8% administrative cost as well, and that is currently paid by the General Fund – it could be apportioned among the county agencies.

Ms. Miller stated the options the county has are individual rating, group retro, individual retro, or possibly self-insurance. Ms. Cordle noted that self-insurance would require in-house claims management by the county, and would require at least one additional staff position in her office to take on those duties.

Commissioner Myers asked what the deadline is for a decision, and Ms. Miller stated she would like to have commitments by the end of October or early November for the group retro program, but things won't be finalized until the end of the year.

Commissioner Myers asked what the potential budget effect would be, and Ms. Cordle stated there would be some savings in 2010, but for the group retro program any savings would not be realized until the 2011 budget.

Ms. Miller stated that total payroll for the counties that sign up for the group retro program needs to exceed \$3 million in order for the numbers to work. Commissioner Myers noted that most counties that will remain in the group rating program are small, and Ms. Miller stated the smaller counties benefit the most from the group program. Fairfield County is too big to have the better experience rating, but may be too small for self-insurance, that is why the group retro plan was devised.

Ms. Miller stated that self-insured counties include Lake, Medina, Miami, Delaware, Warren, and all the large urban counties like Franklin, Cuyahoga, and Hamilton.

Mr. Dolin asked what the claims experience for the other counties being considered for group retro would be, and Ms. Miller stated one requirement is that their claims experience has to be improving, not decreasing.

Mr. Zody asked Ms. Miller to explain the caps on liability and costs under the group retro program. Ms. Miller stated that a county can choose to cap both savings and costs to limit exposure in any given year. Under that, a county could target maximum costs and

savings to plan for each year. Ms. Miller added that rebates would be managed by BWC but controlled through CCAO – the State of Washington has a similar program.

Ms. Miller stated the group retro program provides financial incentives for members to stay in the program, and under the normal group rating system, new surcharges are hurting some members and decreasing their desire and ability to participate. Ms. Miller suggested asking CompManagement to conduct an analysis of Fairfield County to compare advantage and disadvantages of group retro vs. individual retro.

Ms. Miller noted that one change under group retro is that all participants would be required to use the same third-party administrator, which will likely be CompManagement.

Mr. Zody asked Ms. Miller which program she would recommend for Fairfield County and Ms. Miller stated she would recommend the group retro program.

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 2:45 p.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Scott Zody, Clerk/Manager

THE NEXT REGULAR MEETING OF THE COMMISSIONERS' IS SCHEDULED FOR TUESDAY, OCTOBER 13, 2009 AT 10:00 A.M.