

**Regular Meeting #09-38
Fairfield County Commissioners' Office
September 15, 2009**

9:30 a.m. Meals on Wheels Contract Meeting

The Board of Commissioners met with Clerk/Manager Scott Zody and Assistant Prosecutor Jason Dolin to discuss the pending contract for the Meals on Wheels/Older Adult Services levy. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger.

Mr. Dolin and Mr. Zody provided the Board with an overview of the draft contract and issues to address. Mr. Dolin stated the biggest concerns appear to be a need for additional transparency and accountability relative to how MOW spends the levy funding. The MOW Board consists of 15 members, of which one must represent the Olivedale Senior Center and one must represent the City of Pickerington. The members serve three year terms, and five positions are up for appointment each year.

Mr. Dolin explained the Friends of MOW is an advisory committee that Commissioner Kiger currently serves on, plus the Board has one additional appointment.

Mr. Dolin stated some issues for discussion include MOW contracting with itself for services, and Prosecutor David Landefeld has decided that after reviewing the practice, it must cease and he will no longer approve any contract where MOW attempts to directly contract with itself.

Commissioner Myers asked if Mr. Dolin had discussed the practice with the Auditor's Office, and Mr. Dolin stated that he had spoken with Deputy Auditor Ed Laramee. Commissioner Shupe stated the State Auditor's Office may not have conducted a full review of MOW or the practice. Mr. Dolin stated one possible alternative would be for MOW to "spin-off" those aspects of their operation in order to competitively bid or submit proposals for the service contracts, or use an intermediary, so long as it is not a "straw man".

Commissioner Shupe suggested appointing a stand-alone committee for the sole purpose of distributing the funds. Mr. Dolin stated that might work for the grants, but the levy language is very specific in that the funds flow "by or through" MOW. Commissioner Shupe stated that the MOW Board would not like that proposal anyway. Mr. Dolin stated that of the funds distribution process, the biggest concern he sees is MOW contracting with itself.

Commissioner Kiger asked if that would mean that MOW would not be able to contract with themselves to provide meals, and Mr. Zody stated that funding is a direct appropriation from the levy funds to MOW, not a contracted service. Mr. Dolin added that due to the nature of the meals portion of the program, MOW may be considered a sole source vendor.

Commissioner Kiger asked if a separate board would be established for funds distribution, would that require MOW to apply for the meals funding, and Commissioner Shupe stated her concern is that prior to the levy, MOW applied for and received grants from various sources for the meals services, such as Untied Way, but they no longer apply for those grants. The levy should have enhanced their meal services, but that does not appear to be occurring.

Mr. Dolin suggested that he and Mr. Zody discuss the concerns about contracting with the sub-committee of the MOW Board they have been working with. Commissioner Myers suggested having the sub-committee meet with the Commissioners, and Commissioner Kiger agreed that would be helpful. Commissioner Myers stated that if they did not know the facts or concerns relative to the self-contracting, it might help to explain in order to address the issues.

Mr. Zody asked what the Commissioners wanted with respect to any other changes or amendments to the contract, and Mr. Dolin suggested that an Audit Committee or Finance Committee of the Board be established to help watch over the funds – most non-profit boards have such an entity.

Commissioner Shupe stated the Commissioners need to move forward and tell MOW the way it is and some things need to change. Mr. Dolin stated that MOW also needs to inform the Commissioners what controls are in place for contracting and whether or not they solicit bids.

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, September 15, 2009 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Ritta Seitz, Michael Orlando, Aundrea Cordle, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be two add-on items, one addressing a CDBG bid process and the other addressing insurance benefits for employees participating in the voluntary cost savings program.

Public Comment

Commissioner Myers asked Mr. Orlando how Mike Miller, the Workforce Development Coordinator, was doing, and Mr. Orlando stated that Mr. Miller is progressing well with his rehabilitation from Heart valve transplant surgery, and is hoping to get to go home to continue his rehab next week.

Approval of minutes of Tuesday, September 8, 2009

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, September 8, 2009.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jon Myers and Mike Kiger

Abstaining: Judith Shupe

Approval to rescind resolution 09-09.01.d, Approval of a Voluntary Cost Saving Program for employees under the authority of the Fairfield County Board of Commissioners

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve to rescind resolution 09-09.01.d, Approval of a Voluntary Cost Saving Program for employees under the authority of the Fairfield County Board of Commissioners, see resolution 09-09.15.a

Roll call vote of the motion resulted as follows:

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

Approval of request for payment and status of funds report – FY2008 CSBG & OHTF – Drawdown #195

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a request for payment and status of funds report – FY2008 CSBG & OHTF – Drawdown #195, see resolution 09-09.15.b

Roll call vote of the motion resulted as follows:

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

Approval of Voluntary Cost Savings Program for employees under the authority of the Fairfield County Board of Commissioners

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Voluntary Cost Savings Program for employees under the authority of the Fairfield County Board of Commissioners, see resolution 09-09.15.c

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 CDBG Formula Program – Drawdown #196 - Commissioners

On the 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 CDBG Formula Program – Drawdown #196 – Commissioners, see resolution 09-09.15.d

Roll call vote of the motion resulted as follows:

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

Approval of a Contract for Services between the Fairfield County Board of Commissioners, administrative agent for the Fairfield County Family, Adult & Children First Council and Lancaster Fairfield Community Action

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Contract for Services between the Fairfield County Board of Commissioners, administrative agent for the Fairfield County Family, Adult & Children First Council and Lancaster Fairfield Community Action, see resolution 09-09.15.e

Roll call vote of the motion resulted as follows:

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

Approval of Delinquent Sewer Rentals – Licking County – Buckeye Lake Sewer System

On motion of Jon Myers and the second of Mike Kiger, the Board of Commissioners voted to approve delinquent sewer rentals – Licking County – Buckeye Lake Sewer System, see resolution 09-09.15.f

Roll call vote of the motion resulted as follows:

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

Approval of a participation agreement between the Rushcreek Township Trustees and Fairfield County – FY2008 CDBG Program

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a participation agreement between the Rushcreek Township Trustees and Fairfield County – FY2008 CDBG Program, see resolution 09-09.15.g

Roll call vote of the motion resulted as follows:

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

Approval of Award of Bid – CDBG FY2008 Fairfield County, Village of Baltimore Main Street Waterline Improvement Project

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve an Award of Bid – CDBG FY2008 Fairfield County, Village of Baltimore Main Street Waterline Improvement Project, see resolution 09-09.15.h

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

Approval of a Purchase of Service Contract by & between Fairfield County Job & Family Services and Matthew Friesner

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Purchase of Service Contract by & between Fairfield County Job & Family Services and Matthew Friesner, see resolution 09-09.15.i

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

Approval of Ratification of previous authorization of Board of Commissioners – Approval of Fund to Fund transfer from 7110 Undivided Tangible Tax to 7108 Undivided General

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Ratification of previous authorization of Board of Commissioners – Approval of Fund to Fund transfer from 7110 Undivided Tangible Tax to 7108 Undivided General, see resolution 09-09.15.j

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

Approval of Long Distance Contract – AT&T Corporation – Commissioners

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Long Distance Contract with AT&T Corporation, see resolution 09-09.15.k

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

Approval of Development Agreement for Sycamore Plaza Subdivision – Regional Planning

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Development Agreement for Sycamore Plaza Subdivision for the Regional Planning Commission, see resolution 09-09.15.l

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

Approval of Acceptance of Agreement between Fairfield County and the Village of Lithopolis – Engineer

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve acceptance of agreement between Fairfield County and the Village of Lithopolis, see resolution 09-09.15.m

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

Approval of Engineer’s resolutions

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

- 09-09.15.n Approval of Contract with BUD's Inc. for the GRE-41 N. Columbus Street over a Tributary of the Hocking River, City of Lancaster bridge replacement project- Engineer
- 09-09.15.o Approval of Notice of Commencement – GRE-41 N. Columbus Street Bridge Replacement Project - Engineer
- 09-09.15.p Approval of Change Order for the CLE-26 FAI-CR75-2.515 Oakland-Stoutsville Road over a Tributary of Salt Creek Bridge Replacement Project - Engineer
- 09-09.15.q Approval of Altering, establishing and widening of Basil-Western Road, Violet Township, Fairfield County, Ohio, declaration of necessity and setting a Commissioner viewing date of October 20, 2009, at 9:00 a.m. and a final hearing date of October 20, 2009 at 11:00 a.m.
- 09-09.15.r Approval of renaming sections of Spires Road (TR173) and Duncan Road (TR160) – Engineer

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:

- 09-09.15.s Approval of Amended Certificate & request for appropriations for the Fund #7521 Family, Adult & Children First Council
- 09-09.15.t Approval of Amended Certificate & request for appropriations for the Fund #7753 Family, Adult & Children First Council
- 09-09.15.u Approval of Fund to Fund Transfer – Flex Spending
- 09-09.15.v Approval of Account to Account Transfer – Family, Adult & Children First Council
- 09-09.15.w Approval of Account to Account Transfer – Auditor
- 09-09.15.x Approval of Account to Account Transfer – General
- 09-09.15.y Approval of Account to Account Transfer – EMA Emergency Planning
- 09-09.15.z Approval of Account to Account Transfer – Sewer S.A. 91
- 09-09.15.aa Approval of Account to Account Transfer – Debt Service Fund 5329 – Utilities
- 09-09.15.bb Approval of Account to Account Transfer – Debt Service 5556 Water Consolidation - Utilities
- 09-09.15.cc Approval of Account to Account Transfer – Debt Service Fund 4488 – Utilities
- 09-09.15.dd Approval of Account to Account Transfer – Family, Adult & Children First Council
- 09-09.15.ee Approval of Account to Account Transfer –Debt Service Fund 5562 – Utilities
- 09-09.15.ff Approval of Account to Account Transfer –Debt Service Fund 4535 – Little Walnut #5 – Utilities
- 09-09.15.gg Approval to Appropriate from unappropriated for the Fairfield County ADAMH Board Fund 2066

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, September 15, 2009, check date September 18, 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 September 15, 2009, check date September 18, 2009, see resolution 09-09.15.hh

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

Approval of Soliciting quotes for FY2008 CDBG Formula Project

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve soliciting quotes for FY2008 CDBG Formula Project, see resolution 09-09.15.ii

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

Approval of Insurance Eligibility for Fairfield County employees participating in a Voluntary Cost Savings Program

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve insurance eligibility for Fairfield County employees participating in a Voluntary Cost Savings Program, see resolution 09-09.15.jj

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Jon Myers 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 Staci Knisley, Ed Laramée, Aundrea Cordle, Jason Dolin and Scott Zody.

Mr. Dolin stated that he is reviewing the telephony project lease, and there are a few issue outstanding such as the indemnification language, and how to address the old equipment. If the old phones are valued at more than \$2500, they must be disposed of through a public bid process or transferred to another public entity.

Mr. Dolin stated that he is also reviewing a legal question with respect to appropriations for the annual lease payment for the phone system, and the county does not need to encumber the total amount of the lease up front, only each year's annual payment.

Ms. Cordle stated that she and Mr. Dolin have been working on guidelines for a mandatory furlough program in the event the Board decides to implement one. Ms. Cordle stated they have reviewed other counties policies and information provided through Downes, Hurst law firm and Mr. Dolin has produced draft guidelines for the Board to review.

Ms. Cordle stated it is important for the Board to review and approve so that the other county appointing authorities can have a consistent template to follow. Ms. Cordle stated that she had the guidelines drafted so that a mandatory furlough would involve a reduction of pay to reflect the number of unpaid leave days determined by the Commissioners. The guidelines also specify that insurance benefits would be

maintained, and holiday pay would be honored if an unpaid leave day is taken the day before or after a holiday. The guidelines also state that leave accrual rates would not be affected.

Commissioner Myers asked if the furloughs would affect employee's retirement, and Ms. Cordle stated it would if an employee would be counting on 2010 as one of three high pay years for retirement benefits.

Commissioner Myers asked if the leave would need to be taken in full day increments, and Ms. Cordle stated that is how the guidelines are drafted, but that is up to the Board. Mr. Dolin stated the goal was to make the guidelines as uniform as possible. Mr. Laramee requested that the Auditor have an opportunity to review prior to the Board formally adopting the guidelines.

Commissioner Kiger asked if it would be better to do away with the 10 paid holidays and not lose any worker productivity, and Mr. Dolin stated that is an option. Ms. Cordle stated the only reason she would caution that approach would be that under a mandatory furlough, you are already taking pay away from an employee, so allowing the employee the flexibility to choose their days off would be better for them.

Commissioner Kiger asked if you would save more dollars one way or the other, and Ms. Cordle did not believe so, but the Board could do a combination of unpaid holidays or select certain days to close county offices, such as Christmas Eve and New Year's Eve. Ms. Cordle stated she would advise the Board to maintain as much flexibility as possible.

Commissioner Kiger asked what would happen if an employee did not take all 10 days off over the course of the year, would those days "carry over" to 2011? Ms. Cordle stated those days would not carry over. Mr. Zody stated that it is important to remember that the law is based upon the state fiscal year, not the calendar year, so the county will need to be careful in how any mandatory furlough is implemented.

Regarding an email response the Board received from Lancaster Mayor Dave Smith on the Lancaster Glass site, Commissioner Shupe stated that the Mayor did not commit to providing the site in the response. Mr. Zody stated that the Board did not ask for that in the letter that was sent to the Mayor, and Mr. Laramee stated it was discussed, but not included in the letter language.

Commissioner Shupe stated that the county is not tied to a site, and they do not have to be specific, and need to go ahead and finish the plans to be ready for stimulus money. Commissioner Myers suggested taking the Mayor's response back to the Public Safety Committee, as the committee is supposed to make a recommendation to the Board. Commissioner Shupe stated the final decision is the Commissioners to make, and the businesses do not want a jail downtown.

Mr. Laramee stated that much of the stimulus funding is still unspent, and it would be prudent to have the Phase 1 complete, but all options should be considered. Mr. Zody stated he could schedule a committee meeting to discuss or he and Mr. Laramee could meet with the Mayor to seek some sort of commitment on the site.

Commissioner Myers asked if the city would be willing to provide the site, and Commissioner Shupe stated the people do not want it there. Mr. Laramee stated a commitment is needed from the city, and all things considered, the county should look at all the differences.

Commissioner Myers stated that CCAO has provided some information that indicates that any economic recovery will be slow in Ohio. Mr. Laramee stated the state budget is in precarious shape, and he fully expects additional state budget cuts to come down soon. Commissioner Myers asked how the sales tax revenue was doing, and Mr. Laramee stated it is trending down. Commissioner Myers asked is the cash fo clunkers

programs was having any effect, and Mr. Laramée stated he would not see any of those numbers for at least 80 days, due to the reporting process, and he does not expect any more than a \$50,000 “bump” from the program in the sales tax. Mr. Laramée stated the sales tax is up approximately 1.4% for 2009, but he expects it to end the year flat.

11:00 Hearing – Sellers Drive

The Board of Commissioners convened a hearing on the proposed name change of Sellers Point Drive (Walnut Twp. Road 1329) to Sellers Drive. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Fred Ervin, Patty Ervin, John Jacobs, Michael Hickey, Roger Ruble, Carolyn Ruble, Scott Zody and Jason Dolin

Fred Ervin, 3559 Sellers Drive, testified, stating that he and other citizens living on the road researched the issue and this all stems from one landowner who would like the road to be called Sellers Point Drive based upon an old plat that was discovered in the County Engineer’s Office. Mr. Ervin stated that the road has been known as Sellers Drive for decades, all the residents receive their mail using Sellers Drive as their address, and no one else wants to see the name altered. Commissioner Myers asked what the deeds or mortgages state, and Mr. Ervin stated that his mortgage states Sellers Drive.

Michael Hickey, 3563 Sellers Drive, stated that this issue came to the attention of the homeowners via the Engineer, and since 1957, the road has been called Sellers Drive. Even the Auditor and Engineer have the road as Sellers Drive, but the one old plat has it as Sellers Point Drive. Commissioner Shupe stated this may come down to the Commissioners clarifying the name of the road, rather than actually changing it. Mr. Zody stated that he had spoken with the Engineer’s Office on the matter, and the Engineer had suggested the residents go this route in order to formalize the name of the road.

Commissioner Myers stated the Board could conduct further research with the Engineer and vote on the matter at a later date.

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

11:30 Meeting with Michael Orlando

The Board of Commissioners met with Job & Family Services Director Michael Orlando for a budget update and discussion of building issues. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Rich Bowlen, Mary Winstead, Ed Laramée, Lisa Nodestone, Jason Dolin and Scott Zody.

Mr. Orlando provided an update on the JFS budget for the Board, stating that 85% of the agency funding is derived from state and Federal sources, so he will refer to the state funding cycle in his remarks. At this point for State Fiscal Year (SFY) 2010, the budget is balanced. Other counties such as Licking and Pickaway that waited until the stated budget was enacted, are just now going through painful reorganization processes. The agency is experiencing some delays in service response, but that was understood going into the reorganization earlier this year.

Mr. Orlando stated that under the budget reduction plan adopted by the Board, there are three major funds within JFS – Workforce, Public Assistance, and Child Support Enforcement (CSEA)

The Workforce Fund is in good shape, in part due to all the stimulus funding that is being passed through.

The CSEA Fund is also in good shape, but Mr. Orlando noted that the state ODJFS agency held back some of the funding that was appropriated to CSEA and the state agency directors are attempting to get those funds released, but Fairfield County has credits built up in the system that will keep them whole for SFY2010.

Mr. Orlando stated the Public Assistance Fund was the reason the Commissioners provided financial support to JFS earlier this year, as it bore the brunt of the mid-year and biennial budget reductions. Under the PA Fund, the Income Maintenance line is only off by about \$39,000, but he is expecting a \$40,000 incentive award that should balance that out.

TANF funding is actually in much better shape than initially anticipated, and Mr. Orlando expects to end the fiscal year with a \$500,000 balance barring any additional cuts from the state. Mr. Zody stated that he fully expects additional state budget cuts, and advised Mr. Orlando to preserve as much of that funding as possible. Commissioner Myers asked if this was “use it or lose it” funding, and Mr. Orlando stated that it is, but he intends to hold off spending the excess funds until the springtime when the budget picture is clearer.

Mr. Orlando stated that one concern he has is a loss of good employees, citing a Chil Protective Services supervisor who just recently left to go to Franklin County, which is much more stable in its funding base.

Mr. Orlando stated the Child Protective Services Fund (CPS) looks to be balanced at this point, and he anticipates utilizing a balance of county General Funds and levy funds for 2010, but only plans to appropriate about \$2.4 million of the anticipated \$3.1 million in levy revenues in order to preserve cash in outlying years of the levy.

Mr. Orlando stated one concern he has is whether or not ODJFS will resume its earlier demands for the CPS Fund to reimburse the PA Fund for a long-standing deficit. He is hopeful that ODJFS will allow them to get through SFY 2010 before raising the issue again.

Commissioner Myers asked if the levy funds kick in beginning in January, and Mr. Orlando stated that is correct, and his big worry is the state threatening to cut off weekly payments like they did in early 2009. He is hopeful he can persuade them to hold off if they ask. Commissioner Myers asked what would happen in a worst case scenario and ODJFS would demand the repayment, Mr. Orlando stated he would have to transfer GRF funds into the PA fund.

Ms. Winstead stated that past indicators would say they will not ask because the repayment delay was cited in the corrective plan, and so far, Fairfield County is the only county still following the corrective plan filed with ODJFS.

Commissioner Myers asked how much revenue the levy would produce, and Commissioner Kiger stated it would provide \$3.1 million per year. Mr. Laramée stated the fiscal year ends June 30th, and the first settlement will come in April – was Mr. Orlando counting on the \$2.4 million to cover all of calendar year 2010, and Mr. Orlando stated that is correct, but his strategy is to get to June 30, 2010 in a balanced fashion.

Mr. Laramée noted that the levy funding must be kept in a separate fund and accounted for accordingly – how he and JFS work with that is another issue. Mr. Orlando stated that he understands the levy funds must be expended on neglected and abused children and elderly, similar to Wood County. Mr. Laramée stated the language Fairfield County used is different than that used by Wood County, and word changes can be significant based upon how they are interpreted.

Mr. Orlando stated if that is the case and the funds must be separated, JFS could stand to lose \$1.2 million in Federal funds. If the funds were segregated, Fairfield County would be the only county doing it that way.

Mr. Laramée stated it is more of a book-keeping issue, but the levy funds can only be expended for levy purposes and the funds can't be co-mingled. Mr. Laramée stated if the funds are transferred to a different fund such as the PA Fund that are co-mingled for another purpose, then that is a problem.

Mr. Zody asked if Mr. Orlando could explain in more detail the potential loss of \$1 million in Federal funds. Ms. Winstead stated that under the JFS Random Moment Sample funding system the social services cost pool covers CPS and APS salaries, fringe benefits, and shared costs. Ms. Winstead stated that, assuming the total costs for those items is \$3 million, and \$1 million is paid out of the levy funds, then the social services cost pool is reduced and JFS cannot make claims for Federal reimbursement for those \$\$ unless they are paid out of the PA Fund (based upon ODJFS opinion).

Commissioner Shupe stated that does not make good sense. Mr. Laramée stated the levy funds could be used as a supplement, but now state cuts to CPS and APS dictate that the levy funds first have to fill those holes.

Mr. Orlando stated that every penny of levy funding would only be used for abused and neglected children and elderly victims. He believes that there should be a way to do this without losing \$1 million in Federal funds. Every other county with a levy does it this way, and that is 43 counties.

Commissioner Kiger asked for clarification on the budget breakdown, asking if county general fund dollars only made up 15% of the JFS budget, and Mr. Orlando stated that is correct – out of a \$14 million budget, about \$2 million is GRF. Mr. Orlando stated that he understands the Auditor's concerns, but all of their funds flow through the PA account.

Ms. Nodestone asked if the ballot language is the same, and Mr. Orlando stated that it is similar, but not identical, because the wording used by Wood County contained outdated language such as "human services" and "social services" instead of protective services.

Mr. Laramée stated that previously, Mr. Orlando stated the language was the same, but it is different and different words have different meanings. Mr. Orlando stated that they used Wood County as the template because Wood County was the only county with a combined CPS/APS levy.

Regarding the JFS lease, Mr. Zody stated that he would like to get everyone on the same page relative to JFS obligations for rent going forward in accordance with the payment schedule developed by Ms. Nodestone.

Mr. Orlando stated he wished he would have waited another month to commit to vacating the first floor of his building, as he believes he will need additional space in the future, and he will be able to afford the \$20,000 per month rent. Mr. Laramée noted the \$20,000 per month was based upon JFS occupying 2 floors, not 3, and the actual annual rent is \$247,000 annually.

Mr. Orlando asked if the rent would increase if he occupied additional space, and Ms. Winstead stated it would. Mr. Orlando asked if that figure would change from year to year, and Ms. Nodestone stated it would, especially after the bonds are paid off in 10 years, it would decrease substantially. Mr. Orlando noted that the rent cannot simply be tied to the depreciation schedule.

Regarding Worknet, Mr. Orlando stated that he needs to move Worknet out of the first floor by April 1st according to ODJFS. Mr. Laramee stated that he does not understand ODJFS reasoning in that, and it will look foolish to the public.

Commissioner Shupe asked who is driving that opinion, and Mr. Orlando stated that ODJFS is saying that Worknet cannot be direct-billed for rent due to the allocated cost plans. Mr. Dolin offered to research that issue from a legal standpoint.

Ms. Winstead stated that electric bills, postage, alarm monitoring and facility costs all need to be segregated between JFS and EMA.

Commissioner Myers asked what the state budget is going to look like in 2012, and Mr. Laramee stated the one positive aspect is the levy and the self-directed dollars.

Executive Session

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to enter into Executive Session at 12:20 p.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 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 Jon Myers and second of Mike Kiger, the Board of Commissioners voted to adjourn from Executive Session at 12:27 p.m.

Roll call vote of the motion resulted as follows:

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

No formal actions were taken.

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 12:30 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, SEPTEMBER 22, 2009 AT 10:00 A.M.**