

**Regular Meeting #09-39
Fairfield County Commissioners' Office
September 22, 2009**

9:15 a.m. Meeting with Jon Kochis

The Board of Commissioners met with Emergency Management Director Jon Kochis to discuss pandemic flu planning. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Health Commissioner Frank Hirsch, Merrilee Taylor, Jason Dolin and Scott Zody.

Mr. Kochis stated that the county will need to declare a partial emergency as Governor Strickland intends to declare a statewide partial emergency with respect to the swine flu (H1N1). The declaration will distribute state stocks of Tamaflu treatment and permit EMS personnel to administer H1N1 vaccine shots to citizens in need.

Commissioner Kiger asked if the vaccine would be distributed to children, as he was under the impression that only one shot would be required. Mr. Kochis stated that for children age 10-17, only one shot is needed, but younger children need two shots.

Mr. Kochis stated the need for the emergency declaration locally is so EMS personnel can volunteer and be covered under the umbrella of the county to administer the shots and have some protection from liability. Commissioner Myers asked if the EMS personnel were willing to volunteer, and Mr. Kochis stated that he has been in contact with various jurisdictions and there are many volunteers ready – he has approximately 100 EMS personnel that would need to be brought in under the Reserve Medical Corps that was recently established.

Commissioner Kiger asked what the Reserve Medical Corps does, and Mr. Kochis explained that the Corps is comprised of medical first responders who volunteer to respond and participate in emergency events, and pandemic flu is considered an emergency event.

Commissioner Kiger stated that he was under the impression that EMS personnel were prohibited from administering shots, and Mr. Kochis explained that under a Governor's emergency declaration, that prohibition is waived.

Mr. Kochis explained that the Reserve Medical Corps is the statutory avenue to bring in EMS volunteers – at the point where a declaration is made, it is up to the Health Department, and they will take charge of the Tamaflu when it is delivered. The state has decided to distribute it, even though it is not needed at this time.

Mr. Hirsch stated that he participated in a meeting with Franklin County and other regional health districts and the state Department of health announced that they would be “dumping” the Tamaflu to the counties – even though the medicine is out of date – and it will be up to the counties to decide how to distribute. Mr. Zody asked if the counties would also be responsible for disposing of unused or out of date medication, and Mr. Hirsch stated they would, and part of the reason the state is dumping the medicine on the counties is due to the storage costs they have incurred – approximately \$90,000 per year.

Commissioner Kiger asked how the stated could distribute out of date medicine to begin with, and Mr. Hirsch explained that apparently the expiration date is fungible, and the state had the ability to extend the expiration date, which they have done. Mr. Zody asked what happens when the new expiration date arrives, and Mr. Hirsch stated that his intention would be to provide the Tamaflu to area pharmacies to distribute to needy families in the event the flu becomes pandemic in Fairfield County. Commissioner Kiger stated it might be wise to also distribute some to area fire departments, and Mr. Kochis stated that Tamaflu is a prescription medication and can't be distributed by EMS personnel.

Commissioner Kiger asked if the declarations would address the storage issues, and Mr. Kochis stated he would be able to store it at the maintenance facility. Commissioner Kiger asked if there needed to be climate controls, and Mr. Kochis stated the tolerance of the medication is good, and the maintenance building is sufficiently heated/cooled. Mr. Hirsch stated that there seems to be enough of the medication available to treat those who might need it, and that is the best they can hope for at this point.

Commissioner Kiger asked when the vaccinations would begin, and Mr. Hirsch stated they would begin in mid-October. Mr. Hirsch stated there are two target populations – the seasonal flu hits older residents and residents with severe health issues, and H1N1 hits young children and pregnant women. Mr. Hirsch stated that once the vaccine is out and in use, the need for the Tamaflu should significantly decrease.

Commissioner Myers asked if the county is seeing a pandemic developing, and Mr. Hirsch stated that the western states are seeing increasing numbers of cases, and in Ohio the west central area is reporting a number of cases, but it is not widespread at this point.

9:30 a.m. Meeting with Skye Gettys

The Board of Commissioner met with Fairfield Medical Center Chief Financial Officer Skye Gettys to discuss a Southeast Ohio broadband initiative. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Gettys stated that Fairfield Medical Center (FMC) was also preparing for a possible flu pandemic and specifically H1N1 controls. They are strongly encouraging their employees to get vaccinated and utilize proper hygiene and masking for emergency room protocols.

Mr. Gettys stated that he would like the Board to consider sending a letter of support for the Southern Ohio Healthcare Network project. This project would install fiber optic infrastructure throughout southern Ohio to build broadband internet capacity for all homes and businesses, not just medical facilities. The stimulus bill contains some funding for hospitals to get involved, and there are several areas in Fairfield County, such as Rushcreek, Berne and Madison Townships that do not have any broadband infrastructure or access. Mr. Gettys stated that Congressman Zack Space has been involved, and they are working with Congressman Austria's office to seek his involvement as well.

Commissioner Myers asked if the initiative involved more than the hospitals, and Mr. Gettys stated the goal of the project is community-wide broadband access. Commissioner Myers asked how the project would affect Fairfield County, and Mr. Gettys stated that Reed Consulting is a company that is working on the project, and they want to be able to put a network in place. One option under consideration is adding infrastructure to existing cell and radio towers. Mr. Gettys noted that the ConnectOhio initiative is taking a different approach, and is more education related. Mr. Gettys stated that no funding would be asked of the county, they are only seeking letters of support.

Commissioner Kiger asked where the first "ring" of infrastructure would be targeted in Fairfield County, and Mr. Gettys stated that the southern and southeastern townships would likely be targeted, as they have the greatest needs. Commissioner Kiger stated that he was under the impression that the initiative was focused on health care providers, not common citizens, and Mr. Gettys stated that the goal is to serve the entire community. Commissioner Myers asked Mr. Gettys to send a draft letter of support for the Board to consider.

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, September 22, 2009 beginning at 10:00 a.m., with the following Commissioners present: Judith Shupe, Jon Myers and Mike Kiger. Also present were Ritta Seitz, Ed Laramie, Mary Beth lane, Travis Markwood, Glenn Pratt Linda Kaufmann, Jason Dolin and Scott Zody.

Announcements

Mr. Zody announced there would be three potential add-on items.

Public Comment

Glenn Pratt, of Peck Schaffer, who is bond counsel to the Board of Commissioners, provided comment relative to a proposed refinancing for the 1st United Methodist Church for their Crossroads facility on West Fair Avenue.

Mr. Pratt explained that the church recently discovered that they are eligible for tax-exempt financing, but have to go through the Commissioners to receive it. There would be no pledging of the full faith and credit on the part of the county, and no risk to the county bond rating. The church would be solely responsible for the debt service. Mr. Pratt stated the church would be going before the Lancaster CIC tomorrow for their approval and they hope to come back to the Commissioners in October for a hearing and approval at that time.

Commissioner Myers asked if the project is currently bonded or under a note, and Mr. Pratt stated it is currently under two notes.

Commissioner Kiger asked how Peck Schaffer came to be involved, and Mr. Pratt stated that Peck Schaffer is under contract to represent the county as bond counsel, and normally Dennis Schwallie is present for these issues. However, they are also working with the church and Fairfield National bank, who will hold the bonds under the refinancing.

Commissioner Myers asked why the church is using tax-exempt bonds, and Mr. Pratt stated the tax-exempt bonds can be used by 501 3© organizations, which the church has – just being a church does not automatically exempt them.

Commissioner Myers asked if the bond would be a municipal bond held by Fairfield National Bank, and Mr. Pratt stated it would be. Mr. Pratt stated they would like to schedule a hearing for October 13th if possible, and Mr. Dolin stated that would like to review the materials and advise the Board first. Commissioner Shupe stated the Board would review the matter and get back to the church.

Approval of minutes of Tuesday, September 15, 2009

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the minutes for Tuesday, September 15, 2009.

Roll call vote of the motion resulted as follows:

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

Approval of National RC&D Week, September 20, 2009 – September 26, 2009

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve to declare national RC&D Week in Fairfield County from September 20, 2009 – September 26, 2009, see resolution 09-09.22.a

Roll call vote of the motion resulted as follows:

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

Approval of Compass Point and North Point Subdivisions – Final Acceptance

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve Compass Point and North Point Subdivisions – Final Acceptance, see resolution 09-09.22.b

Roll call vote of the motion resulted as follows:

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

Approval of Grant Agreement with the State of Ohio, Small Cities Community Development Block Grant, FY2009, grant #B-F-09-022-1

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Grant Agreement with the State of Ohio, Small Cities Community Development Block Grant, FY2009, grant #B-F-09-022-1, see resolution 09-09.22.c

Roll call vote of the motion resulted as follows:

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

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

On the 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, see resolution 09-09.22.d

Roll call vote of the motion resulted as follows:

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

Approval of a Fairfield County Revolving Loan Fund Review Committee's recommendation for funding a proposal for Community Development Block Grant Revolving Loan Fund financing

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Fairfield County Revolving Loan Fund Review Committee's recommendation for funding a proposal for Community Development Block Grant Revolving Loan Fund financing, see resolution 09-09.22.e

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 HOME drawdown #197

On motion of Mike Kiger and the second of Jon Myers, the Board of Commissioners voted to approve a request for payment and status of funds report – FY2008 HOME drawdown #197, see resolution 09-09.22.f

Roll call vote of the motion resulted as follows:

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

Approval of a Prisoner Housing Agreement with the Licking County Commissioners – Sheriff's Office

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

voted to approve a prisoner Housing Agreement with the Licking County Commissioners, see resolution 09-09.22.g

Roll call vote of the motion resulted as follows:

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

Approval of Participation Agreement between the Village of Pleasantville and Fairfield County – FY2008 CDBG Formula Program

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Participation Agreement between the Village of Pleasantville and Fairfield County – FY2008 CDBG Formula Program, see resolution 09-09.22.h

Roll call vote of the motion resulted as follows:

Voting aye thereon: Mike Kiger, Jon Myers 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:

09-09.22.i Approval of creating a 4-way Stop at the intersection of Winchester Road NW (CR23) and Waterloo Road NW (TR197) - Engineer

09-09.22.j Approval of Creating School Speed Zones - Engineer

09-09.22.k Approval of Revised Prima Facie Speed Limit for Lake Road (CR 60), Berne Township - Engineer

Roll call vote of the motion resulted as follows:

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

Approval of Reduction in Appropriations in the General Fund #1001 – various departments

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve a Reduction in appropriations in the General Fund #1001 for various departments, see resolution 09-09.22.l

Roll call vote of the motion resulted as follows:

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

Approval of Establishing a New Enterprise Water Pollution Control Loan Fund for the repair and/or replacement of home sewage treatment programs

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve Establishing a New Enterprise Water Pollution Control Loan Fund for the repair and/or replacement of home sewage treatment programs, see resolution 09-09.22.m

Roll call vote of the motion resulted as follows:

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

Approval of Repayment of an Advance to the General Fund of the Fairfield County Commissioners by the EMA Fund#2092 Citizen Corps Fund of the EMA

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Repayment of an Advance to the General Fund of the Fairfield County Commissioners by the EMA Fund#2092 Citizen Corps Fund of the EMA, see resolution 09-09.22.n

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

Approval of Amended Certificate resolutions

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

- 09-09.22.o Approval of Amended Certificate & Reduction of Appropriations for Fund 7733 – Basic Life Insurance
- 09-09.22.p Approval of Amended Certificate & Reduction of Appropriations for Fund 7680 – Flexible Spending

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

Approval of Financial resolutions

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

- 09-09.22.q Approval of Payment of a voucher without an appropriate carry over purchase order - JFS
- 09-09.22.r Approval of Account to Account Transfer - Commissioners
- 09-09.22.s Approval of Account to Account Transfer – Commissioners/Maintenance
- 09-09.22.t Approval of Account to Account Transfer - BDD
- 09-09.22.u Approval of Account to Account Transfer – Board of Elections
- 09-09.22.v Approval of Account to Account Transfer – major Crimes Unit
- 09-09.22.w Approval of Account to Account Transfer – Fund 5044 - Utilities
- 09-09.22.x Approval of Account to Account Transfer – Commissioners (Fund 1001)
- 09-09.22.y Approval of Account to Account Transfer – Prosecutor Victim/Witness
- 09-09.22.z Approval to Appropriate from Unappropriated - Engineer
- 09-09.22.aa Approval to Appropriate from Unappropriated – Juvenile Court

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

Approval of Authorization for Payment of Bills, September 22, 2009, check date September 25, 2009

On the motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve the authorization for payment of bills September 22, 2009, check date September 25, 2009, see resolution 09-09.22.bb

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

Approval of Disbursal of Funds in the CDBG Revolving Loan Fund Program

On motion of Mike Kiger and second of Jon Myers, the Board of Commissioners voted to approve disbursement of funds in the CDBG Revolving Loan Fund Program, see resolution 09-09.22.cc

Roll call vote of the motion resulted as follows:

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

Approval of Name Change of Walnut Township Road 1329, known as Sellers Point Drive, to Sellers Drive

On motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve a Name Change of Walnut Township Road 1329, known as Sellers Point Drive, to Sellers Drive, see resolution 09-09.22.dd

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 Travis Markwood, Ed Laramée, Jason Dolin and Scott Zody.

Mr. Markwood stated that the Lancaster CIC is in the process of considering economic development refinancing for the 1st United Methodist Church Crossroads facility, and both CIC and the Commissioners must approve the application. Fairfield National bank would be the bondholder and conduct the financing.

Commissioner Shupe asked if the county would be issuing the bonds or some other party, as she recalled a situation a few years ago where a nursing home or care facility had asked the Board to issue bonds in their name and the Board declined to do so. Mr. Markwood stated that this is a first for him, and he is not up to speed on all the details of the transaction.

Mr. Dolin provided an update on legal issues, stating that the Engineer has prepared another hazard/obstruction letter to send to the Rauch's, but before Mr. Dolin signed it, he wanted to be certain that the Board would be prepared to act if the fence was not removed. Commissioner Shupe stated that the Rauch's had removed the top rail of the fence and partly complied. Commissioner Kiger stated that the Board needs to be consistent with its actions on obstructions. Commissioner Myers stated that the Board required Mr. Custer to remove his fence, and should also require the Rauch's to remove their fence. Commissioner Kiger added that the Slagell's removed their obstructions just down the road from the Rauchs.

Commissioner Shupe stated that she would like to review the situation again. The Board directed Mr. Dolin to go ahead and sign the letter and send it.

Mr. Dolin stated that the Board is at the point of needing to make decisions relative to the Meals on Wheels (MOW) contract, as they are running out of time to work out differences with the MOW Board. Commissioner Shupe asked what if any concerns are anticipated from the meeting, and Mr. Dolin stated he was not sure and that would be something that the Board would need to work out with the MOW representatives. Commissioner Kiger stated that the MOW Board appears to be open to input. Mr. Dolin stated that he has discussed the issues with Raina and transparency and accountability are what is desired.

Commissioner Kiger stated that he had spoken with Cheryl Subler from CCAO to discuss the Board of Elections health insurance issue and she believes that the county

is not required to offer the board members insurance, but she is going to contact Marc Fishel to discuss.

Commissioner Kiger discussed some information he had received at the Township Association meeting relative to Issue 2, the livestock car board proposal that will be on the November ballot. Commissioner Myers stated that it appears to be helpful, and Commissioner Shupe stated she was not sure if the livestock farmers were supportive of the issue or not.

Mr. Zody explained that Issue 2 is a measure written and endorsed by the Ohio Farm Bureau that is designed as a "pre-emptive" measure to put livestock care standards in place to prevent competing, more restrictive measures from passage that are sponsored by the Humane Society of the United States.

Commissioner Kiger stated there was a Farm Bureau representative at the township meeting and they are very supportive of the measure. Mr. Zody stated he would prepare a draft resolution of support for the Board to consider.

Regarding a request from Data Processing Chief Randy Carter to purchase a new email server, Commissioner Kiger stated the county would save funding over the long run by reducing monthly fees for email. Commissioner Myers stated if the purchase will result in a costs savings, he would be supportive.

Regarding a request from the county Humane Society to lease or purchase county land to expand their operation, Commissioner Shupe stated that the Society would like to construct a new building adjacent to the current location and would be interested in purchasing or leasing from the Board. Commissioner Myers suggested having Facilities Director Joe Spybey look into the matter, but stated that Monty Black has a right of way through the property that might conflict with the Society's plans.

Commissioner Shupe stated that the Drug Coalition, the Sheriff, and judges are pushing to adopt a countywide curfew for juveniles. The Sheriff currently cannot enforce anything in the rural areas of the county. Commissioner Shupe stated there is no specific time being pushed, but 11:00 p.m. or midnight seemed to be the times the group is considering. Commissioner Myers asked what the current village and municipal curfews are, and Commissioner Shupe stated that they vary, some even have different times for different age groups. Mr. Laramée stated that if a curfew is established, the Sheriff and judges need to be willing to enforce it, otherwise it is somewhat pointless. Commissioner Shupe stated the intent is not to arrest or prosecute violator, but to give the Sheriff authority to take action, such as taking the teen home or taking them to a sub-station and contacting the parents to pick the child up.

Approval of the change of name of Walnut Township Road, Number 1329, known as Sellers Point Drive to Sellers Drive

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to approve the change of name of Walnut Township Road number 1329, known as Sellers Point Drive to Sellers Drive, see resolution 09-09.22.dd

Roll call vote of the motion resulted as follows:

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

Review, cont.

Mr. Laramée stated that the Auditor is bumping up against a user limit on the MUNIS system. The original system allowed for up to 40 user/licenses, and as more modules are put into use, sometimes users are having difficulty accessing the system. Mr. Laramée stated the Auditor would like to purchase unlimited licenses to allow more access.

Commissioner Myers asked how much the county is currently paying for the license, and Mr. Laramée stated the original 40 were part of the contract for MUNIS, and funding was set aside for those, but he would have to use other funds or appropriate from the General Fund to purchase the additional licenses – approximately \$11,000.

Commissioner Shupe asked if the outside fund users would be asked to contribute to the cost, and Mr. Laramée stated that he did not intend to ask for funding assistance for this item, but has other maintenance costs that will be coming in the future that he would expect them to contribute to.

Commissioner Shupe asked when the MUNIS funding that is currently set aside would run short, and Mr. Laramée stated that he would need some additional funding in 2011. The Board asked Mr. Laramée to take the \$11,000 out of the MUNIS funding, and they would provide funds to cover any shortfall in 2011.

Mary Beth Lane from the Columbus Dispatch asked the Board if they had any comments relative to the pending pullout of Pickerington and Lancaster from the Combined Health District. Commissioner Myers stated that the impacts are not clear, but the county may be forced to assume the maintenance of the Health Department building once again. Ms. Lane asked what those costs might be, and Commissioner Myers stated that he believes the costs would run about \$50-60,000 per year.

Ms. Lane asked what would happen with the City of Lancaster and their options, and Commissioner Myers replied that Lancaster would either have to establish its own Health Department or contract with the county Health Department for services, including administrative services. Ms. Lane asked when the city and county first merged operations, and Commissioner Myers stated that he believed it was approximately 5 years ago.

Commissioner Kiger stated that Lancaster would not leave until the end of 2010, unless the District Advisory Council approved a sooner pullout date. Ms. Lane asked why the city would pull out, and Commissioner Myers stated that he believes the city feels it could contract for the services at a lesser cost.

Ms. Lane asked the Board what their overall feelings on the matter were, and Commissioner Myers stated that everyone is trying to save funding, and it is a sign of the times – the county is looking for ways to reduce spending as well. Commissioner Shupe stated that regardless, the city would need to pay their fair share of costs.

1:30 p.m. meeting with Meals on Wheels

The Board of Commissioners met with Meals on Wheels Board members Raina Cornell and Terry Borah and staff members Phyllis Saylor, Lisa Cheeseman, and Lori Anderson to discuss a pending contract for MOW to implement the Older Adult Services levy funding. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Jason Dolin, Ed Laramée and Scott Zody

Commissioner Shupe stated that the Commissioners wanted to meet with MOW to finalize some details in the contract and clarify some questions relative to MOW operations. Ms. Saylor stated that many of the issues that she is aware of she believes MOW already provides information and answers for on a regular basis, including copies of their audits by Jones Cochenour.

Mr. Zody and Mr. Dolin provided some background on the changes proposed in the contract, stating that many of the changes are lifted straight from the Ohio Revised Code with respect to accountability and reporting, and some are merely updates.

Commissioner Kiger stated that he did not see a need for any specific additional reporting requirements. Ms. Saylor stated that she was concerned with one item

regarding recovery of improperly paid costs. Mr. Dolin stated that specific language is part of the Revised Code requirements, and MOW should be responsible for collecting any and all improper payments. Ms. Cornell stated that MOW had an occurrence where Alternacare improperly billed MOW for approximately \$20,000, and the Commissioners at that time advised MOW not to pursue collection. Commissioner Myers stated that he recalled the incident, and believes there were issues relating to the contract with Alternacare that led the Prosecutor to question whether collection would be possible.

Mr. Borah asked if this means that in the future MOW would need to pursue collection, and Ms. Cornell stated that would be the case, and MOW would also be responsible for any legal costs to do so. Ms. Cheeseman stated that Mr. Dolin currently reviews all of the MOW contracts, and Mr. Dolin stated that he review contracts as to form only, and the substantive matters should be reviewed by MOW.

Commissioner Myers asked if MOW is audited on a regular basis, and Ms. Cheeseman stated they have financial audits conducted every year by Jones Cochenour and provide those to the Commissioners. Mr. Zody stated that he does recall receiving them, and puts them in the Commissioners review packages. Mr. Zody asked if MOW had ever been audited by the State Auditor's Office, and Ms. Saylor stated they have not.

Mr. Dolin stated that normally, non-profit organizations maintain an outside audit committee to review expenditures, and asked if MOW had such a body. Ms. Saylor stated that she and Ms. Cheeseman randomly pull bills and check services.

Mr. Dolin stated that from a legal standpoint, internal audit committees are usually outside 3rd party representatives, and not employees or board members.

Mr. Zody stated that he wanted to clarify that on the talking point paper that he provided, the Board makeup/size discussion point refers to the Friends Committee, not the MOW Board. Commissioner Kiger agreed, stating that at recent Friends meetings, the committee discussed expanding from 8 to up to 14 members. Ms. Saylor stated the Friends committee is a sub-committee of the MOW Board. Commissioner Shupe asked how often the Friends committee met, and Commissioner Kiger stated they meet approximately 6 times per year, primarily to go over grants. Ms. Saylor added that the committee can also make recommendations to the MOW Board.

Mr. Dolin stated that one issue we discussed was if there are changes to recommend it would be to open up the committee to community members or other organizations representatives. Ms. Saylor stated the Board meetings and Friends meetings are open to the public and anyone can attend or participate. Commissioner Shupe asked if the public had any voting rights, and Ms. Saylor stated they did not.

Commissioner Shupe asked if the Friends committee wished to expand, and Commissioner Kiger stated that was not clear. Commissioner Shupe stated the Commissioners make one appointment to the Friends committee and asked if the MOW Board made the remainder, and Ms. Saylor stated that is correct, there were some volunteers and some she had to recruit.

Ms. Cheeseman stated there are representatives of clients, caregivers, the Career Center, Olivedale and Mel Truax is the Commissioner's representative. Mr. Dolin stated that one representative from Olivedale and one from Pickerington are required as part of the by-laws. Ms. Saylor stated that the Board is already diverse – there are representatives from all over the county with some seniors, some in the workforce, etc. and she tries to keep a diverse mix on the Board.

Mr. Borah stated that as a Board member, he is very receptive to suggestions from the Friends committee.

Mr. Zody asked if there were any members representing community organizations such as food pantries or service organizations, and Commissioner Shupe asked if there were any transportation representatives.

Ms. Saylor stated that everyone has interests in areas, such as Mike Sabbatino providing expertise from a city government perspective. Mr. Zody stated that he would be interested in seeing representatives with over-arching needs, such as a representative from Untied Way or the Family, Adult & Children First Council, not a specific organization.

Ms. Saylor stated she feels the Board needs to focus on client needs, not service organization needs. Commissioner Shupe asked how client needs are assessed, and Ms. Saylor stated MOW sends surveys to clients and follow up with contacts to track client needs. Commissioner Shupe asked if the service organizations would not also have information relative to client needs, and Ms. Saylor stated that she feels it is more helpful to talk to the clients, not the organizations.

Commissioner Shupe stated that she has heard that client needs are not being met and that is part of the reason the Commissioners are interested in expanding the committee representation. Ms. Saylor asked if those concerns had been brought to the attention of the Board, and Commissioner Shupe stated that she believes they have, and that some organizations have applied for funding to help clients and feel they are not provided enough to do the job.

Mr. Dolin stated that under general governance, boards will have members who are from other businesses and it is not a matter of specific clients but the benefit of having a broader perspective.

Mr. Borah stated that is the purpose of the Friends committee. Commissioner Shupe stated that took three years to put together over the objection of the MOW Board, and the President of the Board even stated that he did not think it was any business of the Commissioners to get involved.

Ms. Cornell stated that she and the sub-committee have held two meetings with Mr. Zody and Mr. Dolin to discuss the contract and it needs to be completed in a timely fashion, and stated her willingness to work with the Commissioners, but the document needs to be finalized. Ms. Cornell stated the issues and questions being raised are good, but not necessarily germane to the contract.

Mr. Dolin stated there may be some items that the Commissioners would like to include in the contract. Ms. Cornell stated her goal is to get the contract in a final form in order to have something to take to the Board. One specific concern she has is with an item that is proposed for amendment to remove a requirement that the Commissioners can only deny a grant application by unanimous vote – the language has been changed to permit a majority vote and to allow the Commissioners to amend grants.

Mr. Dolin stated the main concern was the unanimous vote requirement, which he believes is in conflict with the Revised Code and parliamentary procedures. Mr. Dolin asked if the ability to amend grants is a problem, and Ms. Cornell stated that it is.

Mr. Laramée stated that this was part of the original discussions with the Commissioners when the levy was first approved. A tier was established for senior grants that would be passed through MOW to send up to the Commissioners – that is why the levy ballot language was worded the way it is. Mr. Laramée stated that MOW is not an independent entity with respect to the levy funding, and the Commissioners should and must have editing authority. The Commissioners still issue the grants, and the levy and contract were not meant to restrict the Commissioner's authority.

Mr. Borah stated all grants are funneled through the Commissioners for approval. Mr. Zody stated that he had drafted this particular language in order to try to provide the

Commissioners with some flexibility to address individual grant applications with which they may have concerns. It was not intended as micro-managing or to amend each and every grant, but rather to provide the Commissioners with an option other than an up or down vote.

Commissioner Myers stated that he understands why this might be a concern, not for the current Board but for future Boards of Commissioners.

Mr. Laramee stated the Commissioners are supposed to be the filter on grants, and the only choice on current grants is an up or down vote. Ms. Cheeseman stated MOW is always willing to provide any information the Board desires relative to grants.

Mr. Laramee stated that agencies put together budget and try to account for unforeseen circumstances, and he feels the word "amend" should be included. Mr. Dolin stated that from his perspective, the biggest concern was the unanimous vote requirement, and the amend language is a policy call by the Commissioners. Commissioner Myers stated that he did not have a problem with removing the word, and Ms. Cornell stated that if it were not removed, she would advise her Board to vote against the contract and litigate the issue.

Mr. Zody stated the other big concern is to clarify that MOW cannot contract with itself to provide services. Mr. Dolin stated the Prosecutor will not approve any contract that permits that.

Ms. Saylor stated the original self-contract was her fault, and had to do with providing senior self-alert monitors some years back. Even so, that contract was approved at the time by the prosecutor. Mr. Dolin stated that may have been the case then, but going forward it will not be permitted.

Ms. Saylor stated she could just reallocate the funding from the contract services line item to the MOW operations line item and provide the services directly. Mr. Zody asked why these were under the contract services line item to begin with, and Ms. Cheeseman stated these are services MOW is providing per requests they receive from clients.

Mr. Dolin asked if the services were provided by employees of MOW or contractors, and Ms. Saylor said both.

Mr. Laramee stated MOW receives three "legs" of funding – Operations, Services and Grants, and it appears they are proposing to shift the funding from one leg to another. Ms. Saylor stated that the chair volleyball program may be a problem, as that is a program MOW picked up after the Health Department dropped it.

Mr. Laramee asked if the Commissioners approved the grants, and Ms. Cheeseman stated they had. Mr. Laramee stated that operations should cover staff costs, and outside services should be covered under contract services, and the two must always be separated.

Commissioner Myers asked how employee run programs are tracked, and Ms. Saylor stated they are currently written as a grant to MOW. Commissioner Shupe asked if that is a problem, and Mr. Dolin stated that it is because MOW is on both sides of the transaction.

Ms. Saylor stated she could probably work the chair volleyball into the operations budget as well, and Mr. Laramee stated that should be reviewed by the Commissioners.

Commissioner Shupe asked if there were any other items for discussion, and Mr. Laramee stated that levy items need to be tracked. Mr. Dolin stated that some MOW records could be subject to the Open Records law, and possibly the Sunshine law because they receive and spend public funds. Commissioner Myers asked if MOW had

a records retention policy, and Ms. Saylor stated they did not, and Mr. Dolin stated they may wish to develop one.

Mr. Zody stated the voting item needed to be resolved, and Commissioner Myers stated that by law, Commissioners operate on a majority basis. Ms. Cornell stated that she disagreed with that. Mr. Dolin stated he believes it is a matter of the Revised Code, which a contract cannot overrule.

2:30 p.m. Budget Meeting

The Board of Commissioners to discuss the 2009/2010 budget. Commissioners present were Judith Shupe, Jon Myers and Mike Kiger. Also present were Linda Kaufmann, Ed Laramée, Staci Knisley, Jeanette Addington, Michelle George, Treasurer Jon Slater, Jason Dolin and Scott Zody.

Ms. Kaufmann stated that she wished to express her concern to the Board relative to the filling of the vacant Economic Development Director position. Ms. Kaufmann stated that previously, Dave Zak and Bill Arnett did a good job attracting and retaining jobs and shining a light on Fairfield County for development, and now the state is pushing changes on economic development overall.

Ms. Kaufmann stated her concern with maintaining the Revolving Loan Fund, which currently has 26 active loans, 2 pending applications and 2 additional applications she expects to be filed. In addition, the Enterprise Zone Agreement is up for renewal, and the wage and benefit surveys are lagging.

Ms. Kaufmann stated the Fairfield 33 Development Alliance is in need of leadership that Mr. Arnett previously provided or it will not remain viable. She stated that the CEO of Toxco expressed his concern over the vacancy as recently as yesterday. She asked the Board if they would be considering eliminating the position if Mr. Arnett had not left, and stated that she considers the position vital and urged the Board to hire a replacement soon.

Commissioner Shupe stated that Mayor Smith had recently sent an email to the Commissioners urging them to act as well. Ms. Kaufmann stated her main concern is the loss of momentum for projects in the county.

Commissioner Shupe stated that even if the Board made a decision today, it would likely take 3-4 weeks to fill the position, and they have already saved a significant amount of funding from the position being vacant for 4 months. Ms. Kaufmann noted this was the amount she “gave back” under the 2009 budget cuts.

Mr. Slater noted that the Treasurers Association is working on a bill for the legislature to allow them to increase some fees that are overdue for adjustment. He added that to date, county interest income is about \$860,000, and he still hopes to reach his goal of \$1.2 million for the year, but 2007 interest income totaled \$3.2 million

Ms. Addington stated she had an update for the Board on progress since the Budget Retreat. The 2009 appropriations have been reduced approximately \$1.1 million, and the goal was \$1.8 million – have all offices met their commitments? Ms. Knisley stated the Job & Family services had backed off their additional commitment to reduce their allocation request by \$150,000, but she had just today received the \$70,000 the Engineer promised to return.

Ms. Addington stated the new commitment was for \$1.3 million. Mr. Laramée stated that he was under the impression that at the end of the Retreat, there was approximately \$300,000 not covered. Ms. Addington agreed, stating that there were originally \$150,000 in commitments given, and she is happy to have \$1.3 million in reductions, but it will make 2010 a bit more difficult.

Commissioner Shupe asked if they had heard from any agencies conducting voluntary furloughs, and Mr. Zody stated so far the JFS, the Prosecutor, the Commissioners, and Clerk of Courts were actively participating.

Commissioner Myers asked what the projected carryover for 2009 would be, and Ms. Addington stated that projected spending for 2009 is \$35.853 million, and she believes that will leave a carryover of approximately \$6.773 million, but that could increase due to the recent budget reductions to as much as \$7.1 million. Revenue for 2010 is still projected to be \$25 million.

Commissioner Kiger asked what the shortfall would be, and Ms. Knisley stated that she believes it will be between \$5-6 million due to encumbrances and purchase order carryovers. Ms. Addington added that current requests for 2010 total nearly \$36 million, and total budget revenues and carryover are estimated to be \$32 million.

Commissioner Myers asked why the county has so many old encumbrances from year to year, and Mr. Slater stated many of those involve contracted services, and the agencies like to carry them over in order to preserve the new year's cash. Mr. Laramée stated the Auditor's Office has closed out several old encumbrances recently.

Commissioner Myers asked if anyone knew how many were still out there, and Ms. Knisley stated she could try to get a report.

Ms. Addington stated that she needs to know what the Commissioners want her to do for them. Commissioner Kiger asked if Ms. Addington, Ms. Knisley and Mr. Zody had had any meetings with the elected offices, and Ms. Knisley stated that without a clear plan, there are no clear numbers to communicate. Ms. Addington added that the Board needs to keep in mind that the numbers are changing that she is being given from the agencies, and she cannot control that. Ms. Knisley noted that receipts are changing as well, so it is difficult to track accurately.

Commissioner Kiger stated the deficit at the retreat was approximately \$5.2 million, and now it could be \$5 million or it could be \$6 million – which is it? Ms. Addington stated it would be nice to end the year within the 25% cash carryover position but does not believe that will happen. She is also concerned about making it through 2010 with carryover to take into 2011. Mr. Slater noted that without carryover at the end of 2010, they might as well shut the doors on several offices as that would be devastating.

Commissioner Myers noted the state budget numbers are not looking good, and it is reasonable to expect additional cuts there. Mr. Slater asked if the conveyance fees were showing any signs of improvement, and Mr. Laramée stated a little, but not much.

Commissioner Shupe asked if a 17% cut is made, where would that leave the cash carryover, and Ms. Addington stated that in order to have a carryover of \$7.7 million, the spending would have to be reduced to approximately \$30 million for 2010.

Commissioner Shupe noted spending requests total nearly \$36 million, so that would be a significant cut. Ms. Addington noted that she does not foresee a significant increase in revenue either. Mr. Laramée stated that at the Retreat a deficit of \$5.8 million shortfall was envisioned.

Commissioner Shupe asked what the appropriation level for 2010 would be, and Ms. Addington stated that she is recommending no more than \$32 million. Commissioner Shupe stated that would approximately equal the amount of certified revenue and carryover. Mr. Laramée stated the maximum amount of revenue that he would expect would be \$27 million, but he would not certify that amount - \$25 million is the maximum safe amount to certify. Commissioner Myers stated the interest income would likely remain flat for the next year or so as well. Ms. Addington stated the only revenue activity likely to increase might be from stimulus funding.

Commissioner Myers noted there does not appear to be any bump from the Rockies pipeline, and Mr. Zody noted it helped keep the sales tax flat, which is what he had feared. Commissioner Kiger asked what amount is safe, and Mr. Zody stated that based upon what is known at this time, he feels comfortable using \$5-6 million as the shortfall, especially if we have to cut 17% and not all of the elected offices participate.

Commissioner Myers stated there is also the issue of revenue and consideration of sales tax. Ms. Addington asked if a temporary increase would be possible, and Commissioner Myers stated it is. Commissioner Kiger noted that still would leave a deficit that would require cuts. Mr. Laramée stated that a ¼% increase would generate \$3.8 million over the course of a full year, but an increase effective January 1st would not be collected until April, thus reducing the amount available in 2010.

Commissioner Myers noted the Sheriff is now saying that Fairfield County has become a hub for certain drug activity, including opiates. Mr. Zody stated the Commissioners also need to consider the impact on the county's bond rating. Mr. Laramée noted the county has been conservative and left room to respond to fiscal emergencies, but the Commissioners must demonstrate a willingness to respond to such situations as well.

Commissioner Kiger stated that if the Board were to vote on a sales tax and pass it as an emergency measure than it could be accomplished sooner, but he would insist that the Board look into and reduce non-mandated items – specifically the allocations to Job & Family Services, since they will be receiving \$3.1 million per year starting in 2010 with their levy, and such items as the Historical Parks allocation. He added that he believes the Commissioners backs are against the wall, and there is little choice left.

Mr. Slater stated for several years the county has been deficit spending, and much spending has been moved outside of the General Fund into areas such as DETAC, but agencies can't take their GRF spending any lower – the outside funds are maxed out. Mr. Slater stated that he appreciates the Board's willingness to consider options, but the county will be out of cash by 2011 if no action is taken.

Commissioner Myers added it will take the country and state longer to pull out of the current economic situation, and Mr. Slater has heard estimates as long as 10 years.

Commissioner Shupe asked what the process would be for a sales tax increase, and Mr. Dolin stated the Revised Code requires 2 public hearings, with at least 3 days between the hearings, and the resolution of approval must be sent to the State Tax Commissioner. The resolution would also be subject to referendum if the vote is not unanimous.

Commissioner Myers noted that every county surrounding Fairfield has a higher sales tax rate, and even if the rate were increased by ¼%, they would all still be higher except Perry County.

Mr. Dolin added the resolution could either approve a continuing tax or a temporary tax. Commissioner Myers noted it would amount to \$0.25 on a \$100 purchase. Commissioner Shupe asked when the 3rd quarter numbers would be available, and Mr. Dolin noted that in order for the tax to go into effect on January 1st, the resolution must be submitted to the Tax Commissioner at least 65 days prior to the effective date, which would be October 27th.

Commissioner Myers asked what additional cuts would need to be made, and Ms. Addington stated she would crunch those numbers, but it would be in the \$3 million range.

Executive Session

On the motion of Jon Myers and second of Mike Kiger, the Board of Commissioners voted to enter into Executive Session at 4:00 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 was 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 4:10 p.m.

Roll call vote of the motion resulted as follows:

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

No official actions were taken.

Review, cont.

The Commissioners discussed the 2010 budget reduction impacts prepared by Mr. Zody. Commissioner Shupe noted that the Auditor was proposing to reduce her Finance Department instead of her GIS department.

The Board directed Mr. Zody to prepare a resolution and public notice to set dates for public hearings to consider an increase to the county sales and use taxes. Meeting dates would be Monday, October 19th at 6:30 p.m. and Friday, October 23rd at 10:00 a.m.

The Board discussed whether to propose a temporary or continuing increase, and scheduled a meeting for Friday, September 25 at 10:00 a.m. to continue their discussions.

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 4:30 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 29, 2009 AT 10:00 A.M.