

**Regular Meeting #08-21  
Fairfield County Commissioners' Office  
May 27, 2008**

**9:00 Meeting with Perry Orndorff**

The Board of Commissioners met with Perry Orndorff of the Fairfield County Soil & Water Conservation agency for an annual program update. Commissioners present were Jon Myers, Judith Shupe, and Mike Kiger. Also present were Dave Libben, Jason Dolin and Scott Zody.

Mr. Orndorff thanked the Board for the recent painting and carpeting improvements at the Ag Center, stating that he has received many compliments from their customers. Mr. Orndorff stated that it has been a successful year for the SWCD, particularly with respect to the financial support received from the state – the district had planned to receive 75% match, and instead received 91% match. Unfortunately, Mr. Orndorff does not expect this trend to continue due to recent budget cuts and financial conditions of the state.

Mr. Orndorff reported that Federal funding through the Farm Bill looks positive, especially the Conservation Title and programs such as EQIP, the Conservation Security Program, and Conservation Reserve. The EQIP program focuses on manure management, wetland enhancement, forestry, and technical support, while the Conservation Security Program rewards best practices and should remain in effect for at least the next 6 years.

Commissioner Shupe asked Mr. Orndorff if the funding outlook appears steady, and Mr. Orndorff replied that so far, the Federal aid programs appear to be funded. Mr. Orndorff added that the payments for the Security Program are very streamlined.

Regarding the Conservation Reserve Program, sign-ups have tailed off somewhat, due to the high commodity prices for corn and soybeans, but Mr. Orndorff is pleased that most of the sensitive or highly erodible lands in Fairfield County continue to remain enrolled. Commissioner Myers asked what the average per acre payment is under CRP, and Mr. Orndorff stated it depends on soil types and features, but \$80-150 per acre is normal, adding that is getting near the breakeven point for many landowners.

Commissioner Myers asked if it was accurate that there were over \$500 million in subsidies in the recently passed Farm Bill, and Mr. Orndorff stated that was accurate, but given the skyrocketing cost of fuel, especially diesel fuel, those subsidies will be needed. Mr. Orndorff stated that one positive development from the high fuel prices is a marked increase in low-till and no-till practices.

Commissioner Myers asked if the majority of farmers used diesel equipment, and Mr. Orndorff stated they did, and fertilizer costs are very high as well.

Mr. Orndorff reported that once again Fairfield County had a successful applicant for the Clean Ohio Ag Easement Program, and has had a successful applicant every year of the program except one.

Mr. Orndorff reported that the Wildlife Specialist Program through ODNR continues to receive funding, and has been very successful in providing the SWCD with new contacts and relationships in the community, particularly with sportsmen. Commissioner Shupe asked if there is a plan for removal/disposal of deer carcasses, and Mr. Orndorff stated that there is no coordinated plan – ODOT takes carcasses that are in or near their roads, usually to a landfill. The county and some townships will lime carcasses that resident complain about, but there is still no coordinated solution to the problem. In fact, deer and Canada Goose numbers in Ohio are at all-time highs.

Commissioner Myers asked how quail restoration efforts were going, and Mr. Orndorff stated there are a few pockets of wild quail here and there in Fairfield County, where habitat is available, but regeneration of quail takes a very long time. Commissioner Kiger stated the blizzards of 1977 and 1978 nearly wiped out the quail in Ohio, and Mr. Orndorff stated there are a few areas around the state where ODNR is focusing efforts to establish growing populations of quail, transplanting wild birds from Kansas and providing incentive programs for landowners to establish habitat.

Mr. Dolin asked if there were any black bear sightings in Fairfield County, and Mr. Orndorff stated there are usually a few here and there, but none have been reported so far this year.

Mr. Orndorff reported that the SWCD has some Pollution Abatement funding available, mainly to address livestock in streams, but that funding has been decreasing in recent years. The District also has been notified that they will be receiving \$10,000 in a pollution settlement involving a spill and fish kill that occurred near Buckeye Lake, and will be exploring projects to use the funding.

Commissioner Shupe asked if the overall budget is looking good, and Mr. Orndorff stated that he feels things are stable, and he has one vacant position that he does not currently plan to fill. Commissioner Shupe asked Mr. Orndorff for his thoughts on the County Extension Office plans to utilize two part time agents instead of employing a full time agent. Mr. Libben stated that Hocking County has had a half-time agent for some time and statewide the Extension Service is under budgetary pressures. Commissioner Shupe stated that the needs of Fairfield County are different than Hocking, in that agriculture and agribusiness are the major industry for Fairfield County and the needs for Extension services are much greater as a result. Commissioner Shupe stated that Fairfield County is providing the necessary funding to cover a full-time position, and that is what should be provided.

Commissioner Myers suggested that instead of Hocking and Fairfield Counties sharing a position, perhaps Hocking and Perry Counties could share, leaving a full-time position for Fairfield County.

Mr. Orndorff stated that his office is currently assisting Violet Township with urban drainage inspections.

Commissioner Myers asked if any of the SWCD management practices or settlement funds could be utilized to help assist some Historical Parks projects, such as Rock Mill, and Mr. Orndorff stated he might be able to provide some assistance. Mr. Orndorff mentioned that he is putting together a tour of several sites in Hocking County for the County Commissioners Association on June 18<sup>th</sup>, and asked the Board to hold that date to possibly attend as well. Commissioner Myers asked if a date had been set for the annual Soil & Water Banquet, and Mr. Orndorff stated that September 11<sup>th</sup> is the tentative date for the dinner.

### **Review Session**

The Board of Commissioners met at 9:35 a.m. to review correspondence, legal issues and future and pending action items. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin, Bill Arnett, and Scott Zody.

Mr. Dolin provided an update on various legal issues, and stated that he and Mr. Zody were in the process of confirming a direction with the County Engineer on the subject of non-public utilities.

Mr. Dolin reported that he is nearly finished with the soil borings contract for the Liberty Center property, and hopes to have an agreed to document by next week.

Regarding the Airport Authority and responsibilities and powers, Mr. Dolin stated that he would like to obtain some additional information from the Authority relative to how they operate, although he agrees with the previous opinion written by Julia Hilty on the matter.

The Board discussed the request by Joe Spybey to replace a temporary part time housekeeping employee with a full time permanent employee. Commissioner Kiger stated that he does not understand how spending more money to hire a full time employee benefits the county in this situation. Mr. Zody stated that Mr. Spybey believes that hiring a full time employee would alleviate the current need to pay overtime costs to current staff to clean the Liberty Center and one-stop building. Commissioner Shupe asked how often those two locations were cleaned, and Mr. Zody stated that he did not recall, but believed that they are cleaned every Saturday, alternating between two employees. Commissioner Myers suggested that it might be worthwhile to consider contracting out all housekeeping.

The Board directed Mr. Zody to set the date of Thursday, June 19<sup>th</sup> for the next Quarterly Roundtable meeting and to schedule a Regular Meeting of the Board that day as well.

The Board directed Mr. Zody to set a date and meeting with the Ohio Department of Job & Family Service, JFS Director Mike Orlando, and Representative Stebelton and Senator Schaffer to discuss the alleged overpayment of state funding issue.

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

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, May 27, beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Judith Shupe and Mike Kiger. Also present were Bill Arnett, Michael Orlando, Lynette Leach, Tony Vogel, Jason Dolin, and Scott Zody.

#### **Announcements**

Mr. Zody announced that there would be an add-on resolution at the request of the Auditor's Office that Barbara Curtiss would discuss with the Board at the Review Session.

#### **Public Comment**

There were no public comments.

#### **Approval of minutes of Tuesday May 20, 2008**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday May 20, 2008.

Roll call vote of the motion resulted as follows:

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

#### **Approval of Proclamation of Recognition – Crestview Rehabilitation & Skilled Nursing Services**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a proclamation of recognition for Crestview Rehabilitation & Skilled Nursing Services on their 50<sup>th</sup> Anniversary, see resolution 08-05.27.a

Commissioner Shupe stated that Crestview would be holding an open house tomorrow to celebrate the event.

Roll call vote of the motion resulted as follows:

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

**Approval of Vacating part of a public road – Champlain Drive, Pleasant Township**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the vacation of part of a public road, Champlain Drive in Pleasant Township, see resolution 08-05.27.b

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

**Approval of Prisoner Housing Contract with the City of Reynoldsburg – Sheriff’s office**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a prisoner housing contract with the City of Reynoldsburg, see resolution 08-05.27.c

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

**Approval of Continuing an Enterprise Zone Agreement Between Princeton Delivery Systems, Inc., Fairfield County, and the Village of Canal Winchester**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve continuing an Enterprise Zone Agreement Between Princeton Delivery Systems Inc., Fairfield County, and the Village of Canal Winchester, see resolution 08-05.27.d

Economic Development Director Bill Arnett stated that the Village Council had approved the agreement, and the Board is the final approval required.

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

**Approval to Engineer’s Resolutions**

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

- 08-05.27.e                      Approval of Advertising for the 2008 Pavement Marking Project – Engineer
- 08-05.27.f                      Approval of Land Gift Agreement for a Bridge Replacement – Engineer
- 08-05.27.g                      Approval of Contract Bid Award for the 2008 Resurfacing Project – Engineer

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

**Approval to Job & Family Services Resolutions**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve resolutions for Job & Family Services as follows:

- 08-05.27.h                      Approval of a Service Agreement by & Between Fairfield County Job & Family Services and Verizon Wireless
- 08-05.27.i                      Approval of a Service Agreement by & Between Fairfield County Job & Family Services and Fairfield County Maintenance Department

- 08-05.27.j Approval of a Purchase of Service Contract by & between Fairfield County Job & Family Services and Functional Training Services, Inc.
- 08-05.27.k Approval of a Purchase of Service Contract by & between Fairfield County Job & Family Services and Functional Training Services, Inc.
- 08-05.27.l Approval of a Purchase of Service Contract by & between Fairfield County Job & Family Services and Functional Training Services, Inc.

Lynette Leach stated that the first agreement is to continue a contract with Verizon Wireless for cellular phones for certain JFS employees, and the three agreements with Functional Training Services were awarded via a Request for Proposals to provide training and services to JFS clients.

Commissioner Myers asked what the term of the phone agreement would be, and whether JFS had consulted with Staci Knisley and the telecommunications team. Ms. Leach stated the term would only be for 6 months, and wanted to keep the agreement short due to the phone discussions. Mr. Vogel stated that his office is currently on a month to month agreement with Verizon.

Commissioner Kiger asked what services would be provided by the Functional Training agreements, and Ms. Leach stated it would be a mix of training and services, and each agreement was accepted under a competitive RFP process.

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

**Approval of Request for Payment and Status of Funds Report – FY2006 CDBG Formula Program – Drawdown #**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve to a Request for Payment and Status of Funds Report for the FY2006 CDBG Formula Program, drawdown # 173, see resolution 08-05.27.m

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

**Approval of Financial Resolutions**

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

- 08-05.27.n Approval of Amended Certificate & request for Appropriations for Additional Unanticipated Receipts - MRDD
- 08-05.27.o Approval of Payment of a Voucher without Appropriate Carryover Purchase Order – MRDD
- 08-05.27.p Approval of Payment of a Voucher without Appropriate Carryover Purchase Order – Older Adult Services Levy
- 08-05.27.q Approval to Reduce Appropriations – Domestic Relations Court
- 08-05.27.r Approval of Account to Account Transfer - Auditor
- 08-05.27.s Approval of Account to Account Transfer - Commissioners
- 08-05.27.t Approval of Account to Account Transfer – Economic Development

- 08-05.27.u Approval to Appropriate from Unappropriated – Commissioners/Engineer – Special Assessment Stormwater – Robinwood Acres
- 08-05.27.v Approval to Appropriate from Unappropriated – Commissioners/Engineer – Special Assessment Drainage Maintenance
- 08-05.27.w Approval to Appropriate from Unappropriated – Engineer
- 08-05.27.x Approval to Appropriate from Unappropriated – Commissioners

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

### **Payment of Bills**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the authorization for payment of bills, May 27, 2008, check date May 30, 2008, see resolution 08-05.27.y.

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

### **For the Record**

Mr. Zody reported that he has received a request for annexation from TCREC, Ltd., to annex their property from Bloom Township into the Village of Lithopolis. As the request is from a single landowner, it will fall under the Type 2 Expedited Process.

### **Review, cont.**

The Board of Commissioners met at 10:15 a.m. to review correspondence, legal issues and future and pending action items. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin, Joe Spybey, and Scott Zody.

Mr. Spybey requested direction from the Board relative to repairing the retaining wall for the Decorative Arts Center of Ohio (DACO), stating that since DACO did not receive any capital funding from the state, the county is the only option to effect immediate repairs. Mr. Spybey reviewed the information provided to the Board by Mr. Harcum the previous week, and believes the repairs will cost at least \$150-180,000.

Commissioner Myers asked if any additional engineering work would need to be conducted, and Mr. Spybey stated that he believes the studies conducted to date should be sufficient, other than updating the numbers and having the plans double-checked. The Board directed Mr. Spybey to proceed.

Regarding Mr. Spybey's housekeeping request, Commissioner Myers asked if the potential overtime savings would offset the cost of converting the position. Mr. Spybey stated that he had contacted CORSA to discuss the issue of bonding temporary workers that Commissioner Kiger had raised, and CORSA believes that the county can bond temporary workers, so Mr. Spybey is going to explore that option and will drop the request to post a full time position.

Mr. Spybey requested permission from the Board to continue to provide some mowing and routine maintenance assistance to the Historical Park District at the Mambourg facility. The Board approved Mr. Spybey's request.

### **Meeting with David Conley**

The Board of Commissioners met with David Conley for a progress report on the pending refinancing of count debt. Commissioners present included Jon Myers, Judith Shupe and Mike Kiger. Present also were Dale Jacques, Jason Dolin, and Scott Zody.

Mr. Conley reviewed the up to date savings package, stating that at today's interest rates, the county savings would amount to \$544,000 over the life of the notes, and the savings would take into account all associated fees. The refinancing would include two bonds, one from 1996 and one from 1999.

Regarding fees, the takedown is the fee paid to the sales force, which is approximately \$5.50 per thousand of bonds refinanced. The Management fee is the fee to cover Mr. Conley's time and expense, the Underwriting fee is in case Baird has to purchase any of the bonds themselves. There are also fees to pay Peck-Schaffer for the Financial Statement prep work, a fee to Moody's for the rating update, and a fee for Huntington Bank as the paying agent.

Commissioner Kiger stated that he feels comfortable understanding the fees vs. the savings, but wanted to know how much would be saved each year. Mr. Conley provided a printout demonstrating the year to year savings, stating that the average annual savings for the county would be approximately \$37,000 the first 9 years, and drop to around \$20,000 after that, because the 1996 note would be paid off.

Commissioner Kiger asked Mr. Conley which of the fees would be collected directly by Baird, and Mr. Conley stated the takedown fee, management fee, and underwriting fee would be Baird's share.

Commissioner Kiger stated that he wants to be sure that the savings generated by the refinancing justify the costs of refinancing. Mr. Conley stated that he usually tries to be conservative in his estimates for just that reason, so as to not "over-promise" how much savings would be realized, and is comfortable that the savings will be at least what is estimated.

Commissioner Kiger asked if the General Fund bonds were for the purchase of the former AEP building, and Mr. Conley and Commissioner Shupe stated those notes were for the purchase of the old Child Support Enforcement building.

Mr. Zody asked Mr. Conley if the underwriting fee would be refunded if Baird did not have to purchase any bonds. Mr. Conley stated that the normal process is to put the bonds on the market to sell, and if no one buys, then Baird would need to purchase the bonds and try to re-sell them. If all the bonds would sell in full, then Baird would call it a day and still charge the fee. If there would be an overage of orders for purchase, then Baird might consider lowering the rates and re-selling them again to get a better rate. The bottom line is the fees are the fees.

Commissioner Kiger stated that the only other issue he had was whether or not to competitively bid the sale process, and asked Mr. Conley his thoughts on that. Mr. Conley stated that for such a small refinancing, he would not recommend bidding the process out, because he believes the costs to do so would outweigh the benefits, if any. If the county would be issuing a new sale of bonds, then a competitive sale would make more sense.

Commissioner Kiger asked if a competitive sale would have any effect on the county's rating, and Mr. Conley stated that he believes it would have a negative effect, because Baird would then potentially be removed from the process, which could affect the rating house attitude.

Commissioner Myers asked how the market was doing, and Mr. Conley stated the market is stable, and they are not seeing big swings either direction, but he would like to

finish the Official Statement and get the rating process completed sooner rather than later, as inflation will start creeping back in if energy prices remain high.

Commissioner Shupe directed Mr. Zody to try to contact Dennis Schwallie with Peck-Schaffer to get a status report on the Official Statement.

### **Meeting with Megan Browning**

The Board of Commissioners met with Megan Browning to discuss county financing opportunities. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Ms. Browning stated that she wanted to introduce herself and her company to the Board and offer her services to the Board for future financial needs. Ms. Browning has experience on Wall Street and worked for Seasongood & Mayer in Cincinnati prior to relocating back to Columbus to work for George K. Baum & Company.

Ms. Browning stated that she reviewed the county current debt and believes her company could provide services relative to some bonds that could be refinanced and also on some outstanding airport notes.

Commissioner Myers stated the Board is currently looking at some options relative to the bonds Ms. Browning referenced, and asked who Baum used for bond counsel. Ms. Browning stated her firm uses Peck-Schaffer, and know Dennis Schwallie who does work with Fairfield County.

Commissioner Myers asked if Baum has a standard fee structure, and Ms. Browning stated they typically charge \$6-7.00 per thousand. Commissioner Myers asked how large Baum is, and Ms. Browning stated that Baum has 20 offices nationwide, and is very similar to Seasongood, and Baum likes to focus on local government.

Commissioner Myers asked if there were any other fees associated with the prior fee quoted, and Ms. Browning stated theirs is a flat fee. Baum likes to be transparent and up front early in the process to establish costs.

Commissioner Myers asked Ms. Browning what her view of the market was, and Ms. Browning stated that things are tough, and she is spending a lot of her time structuring deals, and investors are starting to question the ratings houses in light of the recent sub-prime mortgage problems.

Ms. Browning encouraged the Board to contact Peck-Schaffer for references for herself and her company, as she feels comfortable that they would be complimentary.

Commissioner Myers asked if now would be considered a good time to refinance, and Ms. Browning stated that the timing is very good for such a move.

### **Meeting with Barb Curtiss**

The Board of Commissioners met with County Auditor Barbara Curtiss to discuss a request by her office for appropriations for penalties associated with late payments to the Public Employee Retirement Fund. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Present also were Bob Dvoraczky, Jason Dolin, and Scott Zody.

Ms. Curtiss explained that the county payments to PERS were not sent in a timely fashion in November and December of 2007, and the new employee responsible for ensuring the payments were sent correctly did not inform her supervisor of the problem, and the Auditor only became aware of the problem in February. Mr. Dvoraczky stated that this occurred during the transition with the MUNIS system, and for now the Auditor's Office has returned to the old system of wire transfer of the monthly payments

to ensure timely delivery, as the electronic transfer would not function properly. PERS would receive the report, but not the payment.

Commissioner Myers asked how much was owed, and Ms. Curtiss stated there is approximately \$18,000 in penalties and interest owed, which amount to 5% per month on any unpaid balance.

Commissioner Kiger asked if Ms. Curtiss had talked to MUNIS about paying for this, since it was their system that caused the mistake, and Ms. Curtiss stated that she is reluctant to do that, because the company has been providing a lot of free assistance in the implementation. Commissioner Kiger stated that he was under the impression that part of the MUNIS system had a maintenance agreement to address issues such as this, so such help should already be paid for.

Mr. Dvoraczky stated that they are still working with PERS to see if they would be willing to forego the interest and penalties, but so far, PERS has refused.

Commissioner Myers asked if the issue is that the Auditor needs to pay first, then pursue recovery, and Ms. Curtiss stated that is her intention. Commissioner Myers asked when the appeal process would begin, and Ms. Curtiss stated that it is already in process.

Commissioner Shupe asked if the total that was in dispute was just the two months mentioned, and Ms. Curtiss stated that was correct.

Mr. Dolin asked if this mistake could occur again, and Ms. Curtiss stated that by going back to the old wire transfer system, this would not reoccur.

#### **Approval to Appropriate from Unappropriated – Auditor’s Office**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a resolution to appropriate from unappropriated for the Auditor’s Office, see resolution 08-05.27.z

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

#### **Adjournment**

With no further business to come before the Board, on the motion of Judith Shupe and the second of Mike Kiger, the Board of Commissioners voted to adjourn at 11:55 a.m.

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

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Mike Kiger  
Commissioner

Jon D. Myers  
Commissioner

Judith K. Shupe  
Commissioner

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Scott A. Zody, Clerk/Manager

**THE NEXT COMMISSIONERS' REGULAR MEETING IS SCHEDULED TUESDAY  
JUNE 3, 2008 AT 11:00 A.M.**