

**Regular Meeting #14 - 2019**  
**Fairfield County Commissioners' Office**  
**April 16, 2019**

**Review**

The Commissioners met at 9:00 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Levacy called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Tony Vogel, Jon Kochis, Jeff Barron, Loudan Klein, Dennis Keller, Michael Kaper, Belinda Nebbergall, Jim Bahnsen, Ray Stemen, Amy Brown-Thompson, Joshua Horacek, Jeff Porter, David Miller, Chief Lape, Rick Szabrak, and Aunie Cordle.

- Welcome
- Legal Update

Mr. Horacek did not have a legal update.

Mr. Horacek reviewed the opinion found in the review packet.

- Administration and Budget Update/Carri's List

a. Announcements

April 18 – IT Lunch n Learn (several are attending); also State of the Region Address (Rick Szabrak and Loudan Klein are attending).

April 19 – Good Friday, closing at noon

April 22 – Earth Day, with a proclamation expected on April 23 (Dennis Keller leads this group)

April 25 – Circus Night at JFS

The State of the County Address is April 30 at the WigWam. The review and regular meeting will be held at the WigWam – There were 295 registrants as of today. For our guests (those who will receive an honor) we are planning to pay for their meeting attendance. We will ask for an invoice and will use the State of the County agenda as documentation. This is a de minimis charge and consistent with the resolution that allows for food at meetings with documentation and a public purpose. The public purpose is education of programs that connect the unconnected and awareness of public services.

May 7 – Voting meeting is 1:30 p.m. - Proclamations are planned for this meeting

May 14 – TCAP Lunch n Learn

May 16 – EO/DH Roundtable and Leadership Conference

May 18 – Airport Anniversary

May 21 – Time with the Commission – Engineer's Office

May 27 – Memorial Day – Office is Closed

May 28 – Records Center Dedication (Commission Meetings will be held at the Records Center)

b. Highlights of Resolutions

Dr. Brown highlighted 15 resolutions for the voting meeting.

The County Engineer proposed approval of a bid award for a bridge project in Berne Township.

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RPC proposed participation agreements for CDBG projects for Sugar Grove (Critical Infrastructure) and FCFAF (Formula Funds).

Utilities proposed an amendment for a railroad easement agreement (for a permanent easement for efficiency).

JFS proposed four contracts for protective placement in network.

There were *financial resolutions* to approve, such as:

- Appropriations and memo receipt transactions for an Airport project;
- Approval of the Title XX plan for 2020; this plan is now a single year plan. Title XX of the Social Security Act provides funding to counties for local social services programs to preserve families. The funds are used to strengthen, restore, maintain or improve the participant's ability to be self-supportive and independent. A public hearing is scheduled April 16 at noon and 5pm; the focus for our county is child protective services, along with legal services;
- Three resolutions for movement of funds by operation of law (reimbursements) for JFS funds;
- A draw and report for CDBG; and
- The payment of bills.

After review of new business, there may be an additional resolution to add relating to Ottawa County's request for support of nuclear energy and its impact to Ohio's economy.

Mr. Fix asked a few questions including who controls the opening and closing of nuclear sites. Mr. Kochis replied the federal nuclear regulation commission oversaw that area.

c. Administrative Approvals, Program, & Budget Update

**Administrative Update**

The review packet contained a list of *administrative approvals*. No questions were posed.

Dr. Brown provided updates on various projects and matters of interest.

Regarding the *Baldwin project*, there are regulations in the Ohio Building Code that apply to EMAs as "essential services". We are learning about those regulations (new in 2017) and how they apply to the Baldwin project. Once we have more information, we will update everyone. We have paused on the project to work with the architect to bring the plans up to the code requirements. We believe at least some of the adjustments (structural matters relating to snow load and wind load) will be simplistic adjustments based on the current plans. There are other requirements for the provision of electricity (in separate lines) which will require some changes. We have a meeting scheduled Wednesday, April 17 at 9 am, to review these matters. We are working hard to be as respectful as possible to the bidding process.

The maintenance department is working on a *few repair projects of interest*. For example, the flag poles on Main Street are being brushed and painted. The windows for the Hall of Justice and the Historic Courthouse (administrative offices) will be placed in a widow washing schedule with a vendor at the recommended two times a year. (Hall of Justice window replacement is scheduled for 2020.) We are also examining how to repair the cement walls near the sandstone blocks at the front of the Historic Courthouse (administrative offices). That would remove the rust stains at the front entrance. In addition, we have a

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feasibility study to build upon for the future relating to the Historic Courthouse (administrative offices). We have a small work group who will be accepting input and feedback about the moves of administrative offices with the goal of getting people out of mezzanines.

The *Education Service Center* has a "\$1 lease" for space at *Liberty Center*. From 2012-2018, the Commissioners have provided an in-kind contribution valued at \$1.17 M in current year dollars. Annually, in 2019 dollars, the in-kind contribution is \$167,500. The Commissioners have contributed in this way based on community cooperation, not based on a mandate, as the mandate was lifted in 2012 after a time when the mandate was stepped down. The current lease is up for renewal at the end of 2019.

Dr. Marie Ward has been in touch to indicate the ESC needs additional space based on new programs they have implemented and services they have enhanced. There will be an administrative meeting with a goal to understand more about needs. With greater understanding of their needs, there may be some suggestions to assist the ESC. However, we are aware that we are not able to provide additional space at Liberty Center for them nor do we have any funds budgeted for this purpose.

Mr. Fix stated the obligation to the ESC is that we have provided space to them for free in the past and asked if there were other spaces in the community they may be able to utilize.

Dr. Brown replied she believed there were and the county might be able to help the ESC find something suitable for their needs.

Mr. Davis stated that he believes this is an issue of the ESC needing to live within their means.

We are also thinking about ways to consolidate space and storage to open space for the *Board of Elections* (also housed at Liberty Center, of course). The Board of Elections has also remarked that they need more space, especially if the common area or conference space is to be open for more people to use more often. The idea of freeing up some space would be so that the common area could be used more by more people. Dennis Keller and Jon Kochis recently had a meeting about security procedures at the Liberty Center, and we will request an update about BOE security procedures.

Mr. Levacy asked Mr. Keller to come up with a solution so that the main room at the liberty center could be used more frequently by the community.

We received the occupancy certificate for the *Records Center* last week and are beginning to move the Clerk of Courts and HR into the building. The dedication for the Records Center is May 28. A *press release* was issued on Monday and was in the review packet. The press release contained some pictures. *Email about boxes* and use of the building was sent to all elected officials and department heads last week; we should have responses to that email by the end of April. That will help us plan for space utilization.

*Electronic Idea Box Update:* Last week, we updated the Board of Commissioners with the ideas received with the electronic idea box. We also sent those ideas and responses globally by email. There were several emails and calls to express thanks for the effort. An additional idea was received, and we have responded. We will continue to send global emails. A summary of the new idea and response was in the review packet.

**Program Update**

There was a meeting regarding *Hunters Run Conservancy District* on Friday, April 12. Judge Trimmer appointed two board members, Lindy Jackson and Heather

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Malinowski. Now, the HRCD Board can coordinate with Soil and Water Conservation District partners for a tour of the District. The HRCD will likely be requesting the Board of Commissioners to contract on their behalf for immediate services, and there will be a Memorandum of Understanding regarding "repayment" terms, which could go over several budget periods. The City of Lancaster is also willing to be helpful to the HRCD, given its critical importance to dam safety. Details about the effort to support HRCD will be shared as soon as the details are available. The HRCD will also be seeking grants and will be working with the County Auditor's Office to identify specific, true maintenance costs with an evaluation to expand their special assessments. The Court is responsible for approving the HRCD plan. This may or may not require an independent economic analysis by a third party; it will require additional evaluation and analysis. Carri Brown provided guidance for RFQs, grants, Sunshine Law training, and contracting support. Jon Kochis and Jonathan Ferbrache pledged to continue to be supportive of the HRCD.

Mr. Fix asked where the HRCD received revenue from.

Dr. Brown replied it was through special assessments of property owners.

### **Budget Update**

We are aligning our county budget with goals. With the implementation of the 20 *recommendations* for recruitment and retention of employees, there is an opportunity for merit based increases. To participate in merit based increases, departments must use the county performance assessment tools and comply with the county compensation plan.

Some departments have not yet filed their positions within the compensation plan, which has been in existence from a county-wide perspective since February 28 of 2017. The County Auditor and County Recorder, among a few others, need to work on adding positions to the plan if they want to use the merit based increase option. Juvenile Court is working on adjusting the plan for positions within their department.

Training for the use of the updated performance assessment tools is also in progress. Any department who wants training can obtain training, and most have already had training. Commission departments have used performance assessment tools for multiple years and have a history on file.

In addition, the letter from the County Administrator for 2020 budget guidance (emailed in April) included information about the merit based increase requirements. This topic has been discussed in multiple meetings and will be addressed again during the leadership conference in May.

We appreciate the multiple tools HR is providing for training, such as the Service Skills (for essential customer service skills), CORSA U, performance improvement plan templates, performance assessment modules, and goal setting modules. All these things are consistent with aligning the county budget with goals. Employees also have access to training tools right at their computer (or tablet). This is a motivational aspect for many employees who want to develop their skills. We have received positive feedback about the training tools.

From a *state perspective*, we remain hopeful about the work conducted to support reimbursements for indigent attorney fees.

CCAO has reported Reps. Steve Hambley and Paula Hicks-Hudson are leading the effort to secure sponsors of a state budget bill amendment HC0607 that would provide full reimbursement to the counties for their costs incurred in providing indigent defense services. As of April 10<sup>th</sup>, 55 of the 99 state representatives have indicated they will sponsor our amendment. The amendment provides an

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additional \$30 million in FY 20 and \$35 million in FY 21 in revenue to reach full reimbursement. The House Amendment to HB 166 will provide this revenue along with an additional \$1.5 million in each year to support the operation of the State Public Defender's office.

Funding for full reimbursement is supported by the Buckeye Institute, Americans for Prosperity-OH, Policy Matters Ohio, Ohio State Bar Association, Ohio Judicial Conference, Ohio Prosecuting Attorneys Association and the State Public Defender.

d. BRAVOs

We sent a note of thanks to Life Church for their partnership in celebrating Child Abuse Prevention Month. The breakfast was a wonderful event and a good opportunity to thank our CPS employees and partners.

Thank you for the terrific customer service at JFS. In a recent survey, more than 96% of customers indicate excellent or good service, and that is an accomplishment!

Thanks, again, to EMA and Soil and Water officials for helping with the dam at Mt. Zion. We are aware of several people who are pleased with the progress at the dam.

- Old Business

- a. MCJDC Rightsizing Contributions

Commissioner Davis is to meet with the programs committee to continue to review options connected with rightsizing the contribution from Fairfield County.

From an indirect cost perspective, we have added the MCJDC as a department for the plan calculated with 2018 numbers for 2020. We have not ever charged MCJDC indirect costs in the past, and inclusion in the plan can be for informational purposes.

- b. VCB & Glass Museum Meeting

Commissioner Davis updated the group on his effort with mediation between the Glass Museum and the Visitors and Convention Bureau. Mr. Davis met with the groups last week and was not optimistic going into the meeting. After the meeting, he was a bit more hopeful. They will meet again tomorrow to discuss the framework for the proposal.

- New Business

- a. Ottawa County Request

Ottawa County Commissioner requested a resolution in support of nuclear energy. Information was in the review packet.

Mr. Fix asked if Ottawa County feared the facilities were slated for early closure.

Mr. Davis replied he believed the plants were failing financially and that Ottawa county is asking the State for support to keep the facilities in operation.

Mr. Levacy stated he was in favor of the resolution.

Mr. Davis stated he was also supportive of the resolution with the qualification it is only asking the State to determine if action needs taken. He noted he is not in the

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position to analyze the financial needs. Requesting the state take appropriate action is an acceptable course.

- General Correspondence Received (none)
- Calendar Review/Invitations Received
  - a. Foster Parent Banquet – Friday, May 17<sup>th</sup> at Life Church
    - 1. Commissioner Levacy will attend.
- FYI
  - a. Jail Population is 277
  - b. Engineer's 2018 Annual Report
  - c. Melissa Schiffel appointed Delaware County Prosecutor
  - d. Prescription Drug Disposal Event – Saturday, April 27<sup>th</sup> from 10:00 a.m. – 2:00 p.m. at the Violet Township Service Center
  - e. FMC Monitor
  - f. DD Newsletter

- Open Items

Mr. Davis stated that the Lancaster Baseball team is currently undefeated and will take on Pickerington North at Beaver's Field later that day. He thanked the elected officials for their support in coming to games.

At 9:42 a.m., Commissioner Levacy stated the Commission would be in recess until the 10:00 a.m. Regular Meeting.

### **Commissioners' Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, April 16, 2019 beginning at 10:00 a.m., with the following Commissioners present: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Joshua Horacek, Staci Knisley, Amy Brown-Thompson, Dennis Keller, Jeff Porter, Aunie Cordle, Tony Vogel, Jon Kochis, Ray Stemen, Joshua Horacek, Jim Bahnsen, Belinda Nebbergall, Michael Kaper, Chief Lape, Ray Stemen, Rick Szabrak, James Mako, Donna Fox-Moore, Jeff Barron, Ed Laramée, and David Miller.

### **Pledge of Allegiance**

Commissioner Levacy asked everyone to rise as able, and he led the Pledge of Allegiance.

### **Announcements**

Commissioner Levacy asked if there were any announcements.

There were no announcements.

### **Public Comment**

Commissioner Levacy asked if anyone from the public who would like to speak or offer comments.

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Mr. Ray Stemen of 2444 West Point Road in Lancaster spoke of his concerns with national gun law proposals.

**Approval of Minutes for Tuesday, April 9, 2019**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the minutes for the Tuesday, April 9, 2019 Regular Meeting.

Discussion: Mr. Davis thanked Ms. Elsea for her minute taking.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the Commissioners' Resolutions**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the following Commissioners' Office resolutions:

2019-04.16.a            A resolution authorizing the approval of a request for payment and status of funds report for the FY2017 CDBG Critical Infrastructure Grant - \$ 11,380 [Commissioners]

2019-04.16.b            A resolution to approve to appropriate from unappropriated into a major expense object category for fund# 3034, subfund# 8116 FY2016 ODOT grant fund, and to approve a memo receipt for FY2016 ODOT grant fund# 3034 overmatched by Airport Operations fund# 2800-- Fairfield County Commissioners [Commissioners]

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the Engineer's Office Resolutions**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Engineer's Office resolution to approve the contract bid award for the BER-42 Schwilk Road Bridge Repair; see resolution 2019-04.16.c

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the JFS Resolutions**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the following JFS resolutions:

2019-04.16.d            A resolution regarding Network Placement and Related Services Agreement between A Home for You, Inc., and Job and Family Services, Child Protective Services Department [JFS]

2019-04.16.e            A resolution regarding Network Placement and Related Services Agreement between Ohio Teaching Family Association and Job and Family Services, Child Protective Services Department [JFS]

2019-04.16.f            A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2758 reimbursing Fund 2018 [JFS]

2019-04.16.g            A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2072 reimbursing Fund 2018 [JFS]

2019-04.16.h            A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2015 reimbursing Fund 2018 [JFS]

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- 2019-04.16.i      A resolution regarding Network Placement and Related Services Agreement between Kids Count Too, Inc., Child Protective Services Department [JFS]
- 2019-04.16.j      A resolution regarding Network Placement and Related Services Agreement between Hope Haven for Girls and Job and Family Services, Child Protective Services Department [JFS]
- 2019-04.16.k      A resolution approving the 2020 Title XX Social Services Block Grant County Profile Report [JFS]

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the Regional Planning Commission Resolutions**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the following Regional Planning Commission resolutions:

- 2019-04.16.l      A resolution to approve the participation agreement with the Village Of Sugar Grove for the FY2018 CDBG Allocation and Critical Infrastructure Funds [Regional Planning Commission]
- 2019-04.16.m      A resolution to approve the participation agreement with the Fairfield County Family, Adult and Children First Council for the FY2018 CDBG Formula Funds [Regional Planning Commission]

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the Utilities Resolution**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Utilities resolution for amendments for the railroad easement agreement for waterline crossing the Indiana & Ohio Rail Line; see resolution 2019-04.16.n.

Discussion: Mr. Vogel stated this was a one-time payment for crossing at Diley Road.

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the Payment of Bills**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Payment of Bills resolution authorizing the approval of payment of invoices for departments that need Board of Commissioners approval; see resolution 2019-04.16.o.

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

**Approval of the Commissioners' Resolution**

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Commissioners' resolution to support nuclear energy in Ohio and in support of the contributions nuclear energy makes to Ohio's economy, as a fallow to the request of the Ottawa County Commissioners; see resolution 2019-04.16.p.

Discussion: Mr. Davis reiterated that this resolution asks for the state to take appropriate action and that the Commissioners are not in the position to discuss the safety or finances of nuclear plants. Mr. Fix agreed.



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Roll call vote of the motion resulted as follows:  
Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

Commissioner Levacy stated at 10:09 a.m. that the Commission would be in recess until the 10:30 a.m. Executive Session.

## **Executive Session – Pending Litigation**

On the motion of Steve Davis and second of Jeff Fix, the Board voted to enter into Executive Session to discuss pending litigation at 1:30 a.m.

Discussion: Commissioner Davis stated that the following people be included in the executive session: Commissioner Davis, Commissioner Levacy, Commissioner Fix, Carri Brown, Rachel Elsea, representatives from the Prosecutor's Office, Marc Fishel, and representatives from Human Resources

Roll call on the motion as follows:  
Voting aye thereon: Steve Davis, Jeff Fix, and Dave Levacy

On the motion of Jeff Fix and second of Steve Davis, the Board voted to exit Executive Session at 11:16 a.m.

Roll call on the motion as follows:  
Voting aye thereon: Steve Davis, Jeff Fix, and Dave Levacy

### Review (continued)

The Commissioners met at 11:16 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Levacy called the meeting to order with the following Commissioners present: Steve Davis, Commissioner Fix and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Joshua Horacek, Jeff Porter, Marc Fishel, and Amy Brown-Thompson.

### Adjournment

With no further business, on the motion of Jeff Fix and a second of Steve Davis, the Board of Commissioners voted to adjourn at 11:17 a.m.

Roll call vote of the motion resulted as follows:


Voting aye thereon: Jeff Fix, Steve Davis, and Dave Levacy

The next Regular Meeting is scheduled for Tuesday, April 16, 2019 at 10:00 a.m.


Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
that the April 9, 2019 minutes were approved by the following vote:

YEAS:  
ABSTENTIONS: None  
\*Approved on April 16, 2019

NAYS: None

  
Steven A. Davis  
Commissioner

NAYS: None

  
Dave Levacy  
Commissioner

Jeff Fix  
Commissioner

  
Rachel A. Elsea, Clerk

