

**Regular Meeting #21 - 2017**  
**Fairfield County Commissioners' Office**  
**May 16, 2017**

**Review**

The Commissioners met at 9:00 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis, Dave Levacy, and Mike Kiger. Also present were Carri Brown, Rachel Elsea, Josh Horacek, Amy Brown-Thompson, Todd McCullough, Mary Beth Lane, Amy Brown-Thompson, Josh Horacek, Tony Vogel, Jeff Porter, Jon Kochis, Dennis Keller, Spencer Remoquillo, Loudan Klein, Chief Perrigo, Branden Meyer, and Rick Szabrak.

- Legal Update

Mr. Horacek stated he did not have a legal update.

- Administration and Budget Update/Carri's List

- a. Announcements

Save the Dates! The review packet will contain the "Save the Date" notices and the flier of all event dates.

- The employee recognition event is Friday, June 9<sup>th</sup> at 8:30 am.
    - The June 17<sup>th</sup> Ribbon Cutting Ceremony for the Jail and Public Safety Facility is 11 am – 2 pm.
    - The Formal Building dedication is Friday, September 29<sup>th</sup> at 12 noon.

- a. Highlights of Resolutions

Ms. Brown provided highlights of resolutions.

We proposed a proclamation for the Police Memorial Day. Commissioner Levacy plans to attend the event to present the proclamation, which has been framed.

We proposed formalizing the representation of the Commissioners on the County Automatic Data Processing Board. The Board President for 2017 is making assignments, and this will be done by letter just as it is done with the Board of Revision going forward. Given this is the first time the formal action has been taken, a resolution is proposed.

We proposed approval of two festival allocations to support economic activity in the county. The allocations proposed are \$5,000 for the Picktown Palooza and \$10,300 for the Lancaster Festival. The resolution documentation includes information requested last week. The City of Pickerington is supportive of the Palooza, newly organized this year as discussed last week with Chris Stein. The Lancaster Festival continues to be a well marketed and highly anticipated event.

JFS proposed to salvage an obsolete vehicle, a Ford Taurus.

The Utilities Department proposed a contract for investigation for a wellfield expansion. This project is planning for the water supply for generations to come.

There were financial resolutions to approve, such as:

- Appropriations from unappropriated funds for GIS; the Dog & Kennel Fund; the Engineer; Self-Funded Insurance; and Juvenile Court- (all non-general fund funds) and for the IT department of the general fund for multiple planned expenditures (including the purchase of Office 365 as contractual services);
    - Account to account transfers of appropriations to properly classify expenditures for the Clerk of Courts, the Sheriff, and Workforce and Economic Development Department;
    - CHIP/CDBG and HOME draws and status reports;

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- The creation of a new fund for the County Prosecutor and appropriations for that fund, which is titled the Prosecuting Attorney Legal Services Fund;
- The credit of interest for the Health Department and Parks District for March and April 2017 –and- memo expenditures for the credit to the General Fund for Internal Service fund administrative fees and for interest for the Parks District; and
- The payment of bills (including the UHC payment for the health benefit plan & approval and payment of then and now certifications or substitute then and now certifications, as needed).

With pending resolutions, we have a lease for property at Maple Street through December for the Sheriff's Office, for the continued use of property that was formerly donated space. The rate is market rate, and it includes utilities. Over the next several months, we will collectively think about ways to replace the lease with the use of existing property. Carri Brown and Dennis Keller visited the site on Thursday, May 11, with Lt. Alex Lape.

b. Administrative Approvals & Budget Update

- *Administrative Update*

The review packet will contained a list of administrative approvals for the week. Ms. Brown presented the list and asked if there were questions. None were posed.

FYI: The Healthier Buckeye Grant ends June 30, 2017 – not December 31, 2017, as previously indicated by ODJFS.

In thinking about the county's transparency efforts and practice to be as transparent as possible, Ms. Brown reported on an article in *Governing* magazine that included elements to improve transparency. Those elements were to have a website with accessible information, such as the sunshine pages of the county website. Other elements were to make accessible: managers for the public and the press; comprehensive meeting minutes in a timely manner; public records and a simple process for requesting them. Fairfield County is demonstrating leadership by having these accessible elements for transparency.

- *Budget Update*

Ms. Brown reported sales tax revenues were recovering, with current collections at 2.78% above the previous year. Given the Managed Care Organization issue with sales tax, we budgeted flat sales tax revenues for 2017.

The budget hearings have been set for 2017 (for the 2018 budget). The deadline for level 2 budget entry is **June 21**. The parameter for the health benefit plan was adjusted to 5%, and additional adjustments will be made for guidance as more information is known.

Ms. Brown reported that she had a teleconference with Ms. Hanley with the Board of Elections on Monday, May 15. We are aware of how the Secretary of State's Office, in conjunction with the Ohio Association of Elections Officials and the County Commissioners Association of Ohio, has been working with the Ohio Department of Administrative Services to obtain information on the estimated cost for each county to purchase new voting equipment. Knowing the estimated cost for procuring new voting equipment is the first step in determining how much state funding may be allocated for counties to purchase new voting equipment in the event that such funding is available in the future. The second step is determining how many counties have a serious interest in purchasing new voting equipment within the next few years. Ms. Hanley is researching the options available for new equipment, making sure we have a purchase that is compatible with our existing equipment. We are not being asked to select or commit to any particular vendor or system today. We are researching options. In addition, Ms. Hanley believed that the expenditure would occur in 2019, as opposed to

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2018 as thought previously. The state is expected to share in the cost. By June 13<sup>th</sup>, we will need to prepare a statement of need about the voting equipment and provide that statement to the Secretary of State. There is a prescribed form for that statement, but we do not have it just yet.

On September 23, 2014, the Board of County Commissioners approved a resolution to target a minimum unassigned fund balance in the General Fund equal to no less than two months of General Fund revenues or expenditures. The minimum fund balance is to protect against cash flow shortfalls related to timing of project revenue receipts and to maintain a budget stabilization commitment. If the fund balance falls below the targeted range, the County will use the following budget strategies to replenish the unassigned fund balance within three years: reduce recurring expenditures to eliminate any structural deficit; increase revenue, pursue other funding sources; or some combination of the two prior options. Fund balance reserves are maintained to avoid interruption in operations, meet obligations, and minimize opportunity costs.

Minimum unassigned fund balances will only be made available for extraordinary events as follows: major projects that are *long-term in nature*; temporary gap financing pending permanent financing and/or grant monies; disaster recovery; or potential service disruptions. The draft financial statements have been reviewed and there is no recommendation to make any changes to the policy at this time. The unassigned fund balance in the general fund increased 15% over last year. Further, as discussed in several meetings, the county is pursuing alternate revenue sources, such as revenue from renting excess capacity of the new jail. As stated previously, budget planning is including the examination of multiple revenue and expenditures items in an ongoing manner.

Mr. Davis asked Ms. Elsea to contact the Speaker of the State House and President of the State Senate to request they meet with a representative from the Commissioners' office regarding the MCO sales tax.

c. Jail and Public Safety Facility Update

The most recent report on the jail population shows the population is 257.

The project is on time and within its budget.

The event flier will remain in the review packet.

Thank you to Dennis Keller, Josh Horacek, and Amy Brown Thompson for preparing and reviewing documents for the advertisement for bids to demolish the Wheeling Street jail.

Ms. Brown toured the jail on Thursday, and the use of technology in reviewing punch lists was very impressive.

As you tour, remember cosmetic concrete cracks in jail common areas were expected, and the use of concrete saves maintenance costs. Once the area is clean and polished, it will not be noticeable in the way it is at this moment.

We have been informed that well monitoring yields no results of concern. Also, Mike Nixon reported to Dennis Keller that Lancaster now posts the monitoring spreadsheets on the Lancaster website.

Dennis Keller shared photos of the paving. The first layer of asphalt was laid on Monday with the second, finer later being put down today. The parking lot will be striped later this week. The project is on schedule to be completed May 29<sup>th</sup>. Next week will be tying up odds and ends. They are expecting a certificate of occupancy by May 29<sup>th</sup>, and most contractors are all done with the work.

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Dynamix was added to the contract and are now tweaking all electronics to make sure they are running correctly and efficiently.

Mr. Davis stated there were initially two concerns about the property, the first being the chemical content of the soil (which was not an issue) and the second being the suitability of the soil to withstand building the jail. He asked if the second issue was a concern.

Mr. Keller replied that the suitability of the soil should not be an issue as the jail was built around that concern. Should the soil be removed, the building would remain standing on the pilings.

Ms. Brown added the Commissioners would be seeing proposed account to account transfers in the near future as they adjust from operating three buildings to one.

d. Roundtable Meeting – May 18<sup>th</sup>

An elected official and department head roundtable meeting is scheduled May 18<sup>th</sup> at 8:30 a.m. A draft agenda was in the review packet. At 3 pm on May 18<sup>th</sup>, there will be a tour of the jail for elected officials and department heads (and their guests). No rsvp is necessary.

e. Bravos

Todd McCullough, Dog Warden, and the whole team of the Dog Adoption Center and Shelter received a nice thank you note from the Mount Pleasant Afterschool Program for the education and outreach presented to students.

Is it okay to bravo an entire village? Amanda has 400 volunteers listed with the Adopt A Road and clean-up program, a part of Fairfield County's environmental stewardship. That is a tremendous accomplishment with volunteers.

Congratulations to all award winners of the Sheriff's departmental employee recognition.

Congratulations to Mr. and Mrs. Levacy on their 50<sup>th</sup> wedding anniversary.

- Old Business

- a. Baltimore Firing Range

Mr. Mock requested time with the Board of Commissioners to share additional information about the Baltimore Gun Range. He has received minutes of our meetings as requested, on the same day that he requested them.

- New Business (none)

- General Correspondence Received

- a. Letter from State Representative Tim Schaffer re: May 2<sup>nd</sup> correspondence
  - b. CFLP 1<sup>st</sup> Quarter Recycling Drop-Off Report

- Calendar Review/Invitations Received

- a. NACo Annual Meeting – Friday, July 21<sup>st</sup> through Monday, July 24<sup>th</sup> at the Columbus Convention Center

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- b. Fairfield County Employee Recognition Ceremony – Friday, June 9<sup>th</sup> at 8:30 a.m. at the new jail
  - 1. Commissioner Levacy will attend.

- FYI

- a. FAA Notice re: aerial spraying of Gypsy Moths

We confirmed to the FAA that we received notice of aerial spraying for Gypsy Moths control. This is a process that is not new.

- b. Utilities to host SEOWEA Meeting on Thursday, May 18<sup>th</sup>
  - c. DD Newsletter

Ms. Brown will be attending the DD meeting in the evening.

- Issues Bin (none)

- Open Items

Mr. Levacy stated that he and Mr. Meyer attended an opioid symposium in Pickerington on Monday night. There were several speakers including Kristi Burre, JFS Deputy Director of Protective Services. It is very surprising where Ohio falls in terms of opioid deaths and drug usage. The number one issue in Ohio must be how to handle this epidemic.

Commissioner Davis stated at 9:27 a.m. that 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, May 16, 2017 beginning at 10:00 a.m., with the following Commissioners present: Steve Davis, Dave Levacy, and Mike Kiger. Also present were Carri Brown, Rachel Elsea, Staci Knisley, Amy Brown-Thompson, Josh Horacek, Spencer Remoquillo, Todd McCullough, Tony Vogel, Rick Szabrak, Jon Kochis, David Miller, Chief Perrigo, Dennis Keller, Terri Wise, Branden Meyer, Ed Laramee, Jerry Mock, and residents of the Baltimore area.

**Pledge of Allegiance**

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

**Announcements**

Commissioner Davis asked if there were any announcements.

There were no announcements.

**Public Comment**

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

Ms. Elsea congratulated Mr. Davis and Mr. Vogel, both of whom have sons graduating from high school this year.

**Approval of Minutes for Tuesday, May 9, 2017**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the minutes for the Tuesday, May 9, 2017, Regular Meeting.

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Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

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

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the following Auditor's Office resolutions:

- 2017-05.16.a      A resolution to appropriate from unappropriated money into a major object expense category (GIS FUND 2443) [Auditor- Admin]
- 2017-05.16.b      A resolution authorizing a memo expense memo receipt for the General Fund 2% administration fee for managing the county self-insurance program, Fund# 5376 TO GENERAL #1001 – Fairfield County Auditor [Auditor- Payroll]

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of the Clerk of Courts – Title Office Resolution**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the Clerk of Courts – Title Office resolution approving an account to account transfer in a major expense object category; see resolution 2017-05.16.c.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of the Commissioners' Office Resolutions**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the following Commissioners' Office resolutions:

- 2017-05.16.d      A resolution authorizing the 2017 allocation for two community festivals for purposes of economic development [Commissioners]
- 2017-05.16.e      A resolution authorizing the approval of a proclamation recognizing Friday, May 19, 2017 and Police Memorial Day. [Commissioners]
- 2017-05.16.f      A resolution to approve a memo expense for interest allocation reimbursement for Fairfield County Historical Parks – Fund # 7308 [Commissioners]
- 2017-05.16.g      A resolution to appropriate from unappropriated funds in a major category expense for Self-Funded Insurance Fund# 5376 [Commissioners]
- 2017-05.16.h      A resolution authorizing the approval of a request for payment and status of funds report – FY2016 CHIP/CDBG Funds – Drawdown for \$20,770 [Commissioners]
- 2017-05.16.i      A resolution to approve a memo expense for interest allocation reimbursement for Fairfield Department of Health – Fund #7012 & Fund# 7321 [Commissioners]
- 2017-05.16.j      A resolution authorizing the approval of a request for payment and status of funds report–FY2016 Home Funds – Drawdown for \$9,500 [Commissioners]

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- 2017-05.16.k      A resolution to approve a memo expense for interest allocation reimbursement for Fairfield Department of Health – Fund #7012 & Fund# 7321 [Commissioners]
- 2017-05.16.l      A resolution authorizing the representation on the County Automatic Data Board for 2017 [Commissioners]
- 2017-05.16.m      A resolution to approve a memo expense for interest allocation reimbursement for Fairfield County Historical Parks – Fund # 7308 [Commissioners]

Discussion: Mr. Davis stated it was a leap of faith by the Commissioners to sponsor the Picktown Palooza, but at the same time they want to be supportive and encourage this type of activity in the north. Mr. Levacy stated he would be presenting the proclamation at the Peace Officers Memorial Ceremony on Friday at noon.

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

**Approval of the Dog Shelter Resolution**

On the motion of Dave Levacy and the second of Steve Davis, the Board of Commissioners voted to approve the Dog Shelter resolution to appropriate from appropriated in a major expenditure object categories for the Fairfield County Dog Shelter, #2002, vehicles; see resolution 2017-05.16.n.

Discussion: Mr. McCullough stated they were moving money to purchase a customized vehicle. Mr. Davis thanked Mr. McCullough for the changes he's made to the Dog Shelter.

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

**Approval of the Economic Development Resolution**

On the motion of Dave Levacy and the second of Steve Davis, the Board of Commissioners voted to approve the Economic Development resolution approving an account to account transfer in a major object expense category; see resolution 2017-05.16.o.

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

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

On the motion of Dave Levacy and the second of Steve Davis, the Board of Commissioners voted to approve the Engineer's Office resolution to appropriate from unappropriated in a major expenditure object category County Engineer 2024 – Motor Vehicle for Safety Supplies; see resolution 2017-05.16.p.

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

**Approval of the Information Technology Resolution**

On the motion of Dave Levacy and the second of Steve Davis, the Board of Commissioners voted to approve the Information Technology resolution to appropriate from unappropriated funds in a major category expense for Fairfield County IT – General Fund #1001; see resolution 2017-05.16.q.

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

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**Approval of the JFS Resolution**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the JFS resolution to approve the disposal of a vehicle – Fairfield County Job and Family Services – Transfer to Skips Hauling; see resolution 2017-05.16.r.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of the Juvenile/Probate Court Resolution**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the Juvenile/Probate Court resolution to approve additional appropriations by appropriating from unappropriated into a major expense object category – Fund #2317 Juvenile Computer Fund; see resolution 2017-05.16.s.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of the Prosecutor's Office Resolution**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the Prosecutor's Office resolution to authorize the establishment of a new fund for the County Prosecutor (titled the Prosecuting Attorney's Legal Services Fund) and appropriate from unappropriated funds; see resolution 2017-05.16.t.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of the Sheriff's Office Resolution**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the Sheriff's Office resolution approving an account to account transfer fund 1001; see resolution 2017-05.16.u.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of the Utilities Office Resolution**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the Utilities Office resolution to authorize the approval of Engineering Services with Bennett & Williams Environmental Consultants, Inc.; see resolution 2017-05.16.v.

Discussion: Mr. Vogel stated this was for well testing at Diley Farms for potential well field use. Mr. Davis thanked Mr. Vogel for his forward thinking and future planning.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

**Approval of Payment of Bills Resolutions**

On the motion of Dave Levacy and the second of Mike Kiger, the Board of Commissioners voted to approve the following Payment of Bills resolutions:

2017-05.16.w	A resolution to approve the payment of vouchers without appropriate carry-over purchase orders for all Departments that are approved by the Commissioners [Auditor- Finance]
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- 2017-05.16.x      A resolution authorizing payment(s) to United Health Care for purposes of the Fairfield County Health Benefits Plan – Fairfield County Board of Commissioners [Commissioners]
- 2017-05.16.y      A resolution authorizing the approval of payment of invoices for departments that need Board of Commissioners' approval [Commissioners]

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

Commissioner Davis stated at 10:11 a.m. that the Commission would be in recess until the 10:30 a.m. meeting with Jerry Mock.

**Meeting with Jerry Mock re: the Baltimore Firing Range**

The Commissioners met at 10:31 a.m. with Jerry Mock regarding the Baltimore Firing Range. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis, Dave Levacy, and Mike Kiger. Also present were Carri Brown, Rachel Elsea, Amy Brown-Thompson, Joshua Horacek, Spencer Remoquillo, Ed Laramee, Lt. Alex Lape, Chief Perrigo, Dennis Keller, Branden Meyer, Terri Wise, Jeff Feyko, Michael Kaper, Jon Kochis, Rusty Mock, Jerry Mock, Barb Mock, Jamie Mock, Robert Smeck, Max McNichols, Greg Fisher, Donna Fisher, Don Santore, Karen Santore, Kevin Imes, and other residents of the Baltimore area.

Mr. Davis thanked everyone for attending and provided a brief history of the Commissioners becoming involved in this situation. A few weeks ago Mr. Jerry Mock attended a Commissioners' meeting and voiced his concerns about the Baltimore Firing Range. Commission staff looked into the issue and met with officials from Baltimore and the Sheriff's Office to see how they could be helpful as the Sheriff's Office uses the site. At the close of the meeting, the Commission offered to be helpful in any way they could to improve the safety of the firing range, and the village officials informed the Commission they would let them know how they could help. Since that meeting, Mr. Jerry Mock requested a meeting with the Commissioners.

Mr. Jerry Mock stated he was the spokesperson for the residents regarding the topic of the firing range. He stated not all were able to attend the meeting due to work or because they had fear of speaking up. He thanked the Commissioners for getting involved in this situation. Mr. Mock stated many are unaware of what is going on in the area. Several bullets have left the range, and his initial goal was to make the range safer. They originally took their concerns to Baltimore seven months ago. He stated Baltimore has proven they do not have the ability to maintain the facility by acknowledging the berms have settled and bullets could potentially make it through the trees. One tree has ten bullets in it, while others are riddled with them. Baltimore has stated they have had experts out to examine the bullet and building lay out and determined the bullet could not be from the gun range. The minutes from the May 2<sup>nd</sup> meeting with the Commissioners stated that Baltimore spot checks users and have not had recent misuse. Mr. Mock takes that to mean there has been misuse in the past. Many residents have called to complain and Mr. Mock does not believe Baltimore has the right to have a firing range within 200 feet of a Fairfield County historical park. He explained the history of the parcels. One parcel donated in 1958 by Guy Wiley has restrictions in the deed that it has to be kept as a park with permissions included for a sewer plant. In 1962 Harold Smeck donated 1.5 acres with no restrictions, and the County Auditor's site says this is to be used for drainage. The pistol range is located on the parcel from Mr. Smeck. The State of Ohio, through a quit claim deed, gave Baltimore a portion of the Erie Canal which is to only be used for a street or park. A second parcel donated by Mr. Wiley also has the condition that it only be used as a park. Mr. Mock stated this was right next to the Commissioners' park and that it was a shame that those who protect and serve are violating these deed restrictions.

Mr. Davis clarified that the park belongs to the Fairfield County Historic Parks District which is a separate political entity from Fairfield County and the Commissioners. He stated that he is familiar with Smeck Farms and supports the parks.

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Mr. Mock stated that according to park officials, people hear the firing range and leave the park vowing to never return as they do not feel safe. Something needs to be changed or there will be a fatality.

Mr. Rusty Mock of 2480 Leonard Road stated that his barn is the one the bullet was found in. While Baltimore had two investigators, they never came to look at the site or share the information. Mr. Rusty Mock had two investigators look at the bullet as well. They concluded that it matched rounds for a 9mm gun. An NRA study shows that bullets fired from such a gun can travel 2,500 yards. Mr. Rusty Mock's barn is 1,000 yards from the firing range and only 10 feet higher than the range. The report also showed that most tactical units and academies use this kind of ammo. He stated that it is appalling how Baltimore uses trees as a backstop. Apparently Baltimore does not care about the safety of its citizens, and Mr. Mocks hopes that the Commissioners do.

Mr. Ernie Mock addressed the Commissioners and offered for them to contact him with any additional questions. He stated that some things discussed in the May 2<sup>nd</sup> meeting between the Commissioners and Baltimore were incorrect. Item #1 on the rules given to the Commissioners by Baltimore stated that all those using the facility must be OPOTA certified. This is not the case as some of the users are trainees, and thus not certified. Additionally, the rifle range exceeds the 50 yard shooting limit. The minutes also mentioned that girl scouts could not use the property for planned horse rides. The girl scouts were having a campout and ride on a neighbor's property. Once Baltimore was notified the shooting on the range did stop for the day. Mr. Ernie Mock stated, "This indicated the shooters evidently thought they were creating a hazard for the girl scouts," The website states that the firing range must be booked seven days in advance with the exemption of emergencies. Mr. Ernie Mock stated, "I have a problem understanding emergency need to a firing range. I would prioritize the emergency use of a firing range just below the need of an emergency round of golf." While the range is closed during deer season for the officers' safety, they do not seem to be concerned about the safety of those near the range when they are using it. Mr. Ernie Mock invited the Commissioners and Baltimore Village Council members to a guided tour of the downrange area. He went on to show pictures of the pistol range and stated that the first rule of Baltimore's rules is to make sure you know what is beyond your target. From the picture, the officers can't know what is beyond their target. Mr. Mock assumes they either don't know the rules or are not concerned for what is downrange. He mentioned Mr. Davis' question in the May 2<sup>nd</sup> meeting inquiring if uniformed officers bring unauthorized individuals on the site and how Chief Tussey stated he would address that by sending a reminder to all the users. The rules and regulations state that those who do not abide by the rules will be permanently banned from the site. Mr. Mock stated, "Why not enforce the rules rather than send out reminds? Doesn't this indicate Chief Tussey is intentionally disregarding the safety rules, also? Does he need to be permanently removed from the range?" On several occasions Mr. Mock has entered a tree stand at 6 a.m. only to have to get down at 8 a.m. because he does not feel safe when the shooting begins. Mr. Mock stated, "I can draw one of only two conclusions from this, Either the firing line knew I was there and fired in my direction anyway or they failed to obey safety rules Number 1, Item d. *Know your target and what is beyond* and Safety Rule Number (not provided) Item b. *Know where others are at all times*. Where was the range officer at this time?"

Mr. Ernie Mock provided a printout from the Baltimore website. The website shows how Baltimore states they are an Erie Canal Town, but that website does not say they've placed a shooting range in the tow paths of the site, contaminating the site with lead, with lead leaching into the river less than 30 feet away. Per the County Auditor's website (the range property is categorized as drainage for the sewer plant) the water drains into the river. He stated the agencies that use the site are contributing to the EPA hazard and listed them as: Groveport Police, Whitehall Police, Baltimore Police, Eastland Career Center, Columbus State, Madison Township Police, the Fairfield County Sheriff, Carroll Police, Lithopolis Police, and Fairfield Medical Center. He also showed two documents that reported lead poisoning caused by firing ranges and demonstrated the amount of surface area the US Department of Energy recognizes as a firing range danger zone. There are many Fairfield County residents in what the US DOE would consider the firing range's danger zone. Mr. Mock also provided additional pictures of bullets that have traveled beyond the range.

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Mr. Ernie Mock stated that according to Chief Tussey the range generates \$1,000 in revenue annually to the Village of Baltimore. If Baltimore were to have to go elsewhere it would cost them \$500. He asked if Baltimore was in so much financial need that they'd put so many lives in danger over \$1,500?

Mr. Greg Fisher spoke to the Commissioners. He would be one with property closest to the range. While standing on top of the berm, he could see bullets in trees ten feet over his head. He stated that Rusty Mock used his drone one day last week to see who was on the site. When he got it in the air, people ran to the 20 cars in the lot and hid. He believes these issues show that Baltimore's heart is not in the right place. Mr. Fisher stated that when the Girl Scouts were on his property and they contacted Baltimore, Chief Tussey was a gentleman in that instance. While so far the bullets have only hit a barn and a tractor, what happens when one hits a person? Baltimore has told residents to keep their kids inside during shooting hours, which is not fair to those who live in the area and pay property taxes. He appreciates anything the Commissioners can do.

Ms. Jamie Mock stated that she has children who love to play outside, but come July they can only play outside safely two days a week. The safety committee (in Baltimore) stated that fences should be installed and the brim raised or at the very least signs be posted. Baltimore did the very least and posted signs. Now they have two days of kids gun safety training scheduled. How can they do this when it's not even safe for officers to use? Ms. Mock stated that most now want the firing range shut down.

Ms. Barb Mock asked how many parents or grandparents only want kids outside two days a week (96 days a year). She pays taxes to be outside 365 days a year.

Mr. Robert Smeck stated he owned farmland next to the firing range and it's not safe for him to be back there. Tomorrow he will be back there for six hours treating his crops. If he's shot, there will be a lawsuit, and the Commissioners will be listed as they are listening to the concerns today. Mr. Smeck's house is three miles from the firing range, and he can still hear it in use. He actually lives closer to a private range, but that range is controlled, safe, and very quiet. One would expect problems from a private range, as opposed to one owned by a municipality. He couldn't keep livestock in his fields due to the sound alone (not to mention the risk of them being shot). Something must be done. If Mr. Smeck had to say ones associated with firing ranges were a bunch of idiots, he'd say that about the ones they were here to complain about today.

Mr. Jerry Mock stated that Mayor Nicodemus told the Commissioners if there was any evidence of bullets leaving the range they wouldn't hesitate to shut it down. He wants to see if Mayor Nicodemus is a man of his word.

Mr. Davis stated that when the Commissioners were first made aware of the issue, they looked into the issue as the Sheriff's Office also uses the site. During the meeting, they mentioned their willingness to make the firing range safer and that offer still stands. While the goals of those in attendance may have changed from making the range safer to shutting it down, the Commissioners do not have the legal authority to shut the range down, and the Sheriff is an independently elected official who does not report to the Commissioners. The Commissioners continue to want to be helpful and will also support the Historical Parks District (a separate political entity). He thanked everyone for the information shared.

Mr. Jerry Mock thanked the Commissioners and asked Mr. Davis to advise them on what their next steps should be because he thought the Commissioners represented Fairfield County.

Mr. Davis replied that the Commissioners represent Fairfield County and provided a forum and provided an offer to be helpful to Baltimore, but do not have the legal authority to have the range shut down. They expressed their opinion to Baltimore that the range could and should be made safer.

**Adjournment**

With no further business, on the motion of Dave Levacy and a second of Mike Kiger the Board of Commissioners voted to adjourn at 11:18 a.m.

**Regular Meeting #21 - 2017**  
**Fairfield County Commissioners' Office**  
**May 16, 2017**

Roll call vote of the motion resulted as follows:

Voting aye thereon: Dave Levacy, Mike Kiger, and Steve Davis

The next regular meeting for the Board of Commissioners is scheduled for Thursday, May 18, 2017, at 10:00 a.m.

Motion by:

Seconded by:

that the May 16, 2017, minutes were approved by the following vote:

YEAS:

NAYS: None

ABSTENTIONS: None

\*Approved on May 23, 2017




Steven A. Davis  
Commissioner



Dave Levacy  
Commissioner



Mike Kiger  
Commissioner



Rachel A. Elsea, Clerk