

Regular Meeting #32 - 2021
Fairfield County Commissioners' Office
July 27, 2021

Update from AG Representative Jim Shaw

The Commissioners met at 9:00 a.m. for an update from Ohio AG representative Jim Shaw. 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, Joshua Horacek, Thomas Lininger, Jim Shaw, Jon Kochis, Aunie Cordle, Dennis Keller, Corey Clark, Jim Bahnsen, Jeff Porter, Tony Vogel, Chris Schmelzer, Audrey Stoffel, Kathy Ball, Ray Stemen, Judy Stemen, Kelly Shoemaker, Sandy Bryan, Krista Humphries, Kathy Hyme.

Attending virtually were: Chris Wagner, Dave Burgei, Becky, S. Herman, Jason Dolin, Chris Wagner, Bennett Niceswanger, Jeff Barron, Tony Howard, Bill, Ashely Arter, Britney Lee, Jessica Murphy, Joe Ebel, Stacy Hicks, Kelly Turben, Emily, and other callers.

Mr. Shaw thanked the Commissioners for the opportunity to provide an update. He also thanked them for having a virtual option as he has used that frequently to check in on what's going on in Fairfield County. He passed out handouts on what to do if a gun is stolen as well as the 2020 Attorney General Highlights.

Mr. Shaw also provided a brief update on the settlement with opioid distributors. The settlement is still pending and has not yet been finalized.

Mr. Davis stated that the settlements did not contain what local governments wanted them to contain, which was reimbursement of past expenses and local control.

Mr. Fix echoed Mr. Davis' sentiments on how Fairfield County has been affected from this epidemic.

Mr. Shaw thanked the Commission for their comments and stated he appreciated their candor. He will share the Commission's thoughts with Attorney General Yost.

Review

The Commissioners met at 9:13 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 and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Joshua Horacek, Thomas Lininger, Jim Shaw, Jon Kochis, Aunie Cordle, Dennis Keller, Corey Clark, Jim Bahnsen, Jeff Porter, Tony Vogel, Chris Schmelzer, Audrey Stoffel, Kathy Ball, Ray Stemen, Judy Stemen, Jon Slater, Kelly Shoemaker, Sandy Bryan, Krista Humphries, Kathy Hyme, Jeremiah Upp, and Dan Neeley.

Attending virtually were: Chris Wagner, Dave Burgei, Becky, S. Herman, Jason Dolin, Chris Wagner, Bennett Niceswanger, Jeff Barron, Tony Howard, Bill, Ashely Arter, Britney Lee, Jessica Murphy, Joe Ebel, Stacy Hicks, Kelly Turben, Emily, Lisa McKenzie, Brett Riffle, and Sheriff Lape.

- **Welcome**

Commissioner Levacy welcomed everyone.

- **Fairfield Forward**

Special Events

There was a flier in the review packet about Fairfield Forward community events. Also, there were fliers for the Millersport Sweet Corn Festival.

- The dedication of the Patriotic Mural is August 17th.
- There is an open house tentatively planned for 108 N. High on September 21.
- The State of the County Address is September 28. We are accepting input for the address.

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Strategic Planning

Main Uses of the ARP Fiscal Recovery Funds

We will continue using the Fairfield Forward theme for strategic planning.

We had fact sheets on the table to show how we anticipate catalytic uses of the ARP fiscal recovery funds.

There are two main uses for us:

1. Responding to the public health emergency with respect to the COVID19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.
2. Making necessary investments in water, sewer, or broadband infrastructure.

As we think about the first purpose, we will need to:

- Identify a need or negative impact of the public health emergency,
- Identify how the county investment would specifically address that need, and
- Readily explain how the investment helps the county respond to the disease or the harmful economic consequences of the economic disruption.
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July 27 Kick-off Meeting

At 1 pm on July 27, we have a meeting that marks the community strategic planning kick-off. The purpose of this kick-off meeting is to introduce the process and expectations for strategic planning to elected officials and department heads of the county. *There was a press release in the review packet about the community strategic visioning project.*

- Legal Update

Tom Lininger attended the opioid litigation meeting on July 23. Mr. Lininger provided a brief update on how the meeting went and reported there was not any dialogue after the information was passed out. In the next week to ten days, we will be receiving a detailed packet including figures of what each subdivision could expect from a bankruptcy settlement.

Mr. Davis thanked the Assistant Prosecutors for the memo regarding the annexation hearing to be held later in the day.

- Administration and Budget Update/Carri's List

- a. Announcements & Dates of Interest

Announcements

Quote of the day: *We rise by lifting others.* – Robert Ingersoll.

Anyone can email or text a question anytime:
Carri.Brown@FairfieldCountyOhio.gov or (740) 777-8552

Dr. Brown congratulated Mr. Fix on being named the Public Servant of the Year by the Building Industry Association of Central Ohio.

Mr. Fix provided an update on what work the county has done with BIA.

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Dates/Events of Interest

August 4 - Wear Green for Child Support Awareness

August 10 – Treasurer’s Lunch N Learn, Land Bank Meeting

August 17 – Patriotic Mural Dedication

August 19 – EO/DH Roundtable Meeting

August 31- Commission Connection Taping – Commissioner Levacy

Commissioner Davis commented there was no need to reschedule a taping that was formerly scheduled for today.

August 31 – Board of Elections Lunch n Learn

The State of the County Address is scheduled for *September 28* at the WigWam.

We are accepting ideas about the Address.

b. Highlights of Resolutions

Dr. Brown reported there were 23 resolutions for the voting meeting.

There was a resolution to approve proclamations for CSEA Awareness and Wellness Month in August. Corey Clark and Patrick Welsh accepted the proclamation for CSEA Awareness. Jeff Porter accepted the proclamation for Wellness Month.

We had a resolution to adjust the Meals on Wheels Board appointment to Donna Fox-Moore by name as she would like to continue serving and the MOW Board would also like for her to continue serving following her retirement from the Fairfield County Family, Adult, and Children First Council.

There were 21 *financial and grant related resolutions* to approve:

- A resolution authorizing acceptance of the Targeting Community Alternatives to Prison 2022/2023 grant;
- A recoupment policy for indigent defense;
- A match for a grant for MCU (and accounting for the grant);
- Three transfers by operation of law for JFS reimbursements;
- June interest allocations;
- Account-to-account transfers of appropriations for the Coroner and DD;
- New appropriations for the Board of Elections, Juvenile Court, Engineer, and JFS, as well as for the Commission to support a loan for the Hunters Run Conservancy District;
- Repayment of an advance and grant accounting for EMA;
- Shared cost payments for CPS, ADAMH, and the County Engineer;
- A subgrant for the Fairfield County Agricultural Society (from previously approved ARP appropriations);
- A resolution to approve an authorized use of American Rescue Plan fiscal recovery funding and appropriate from unappropriated funds for the County ARP fiscal recovery fund, #2876, for a response to the public health emergency with respect to COVID19 or its negative economic impacts to purchase a tent to allow outside events and services to be held in a safe and socially distanced manner; and
- The payment of bills over \$100,000.

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We had a press release, subgrant agreement, and FAQ document for the subgrant agreement relating to the County Fair in the review packet.

Mr. Davis spoke about the grant agreement to support tourism and the Fair. He is very encouraged by that. He and Dr. Brown have met with representatives from the Fair several times to make sure they understood their situation, and it was not good. They were in trouble. To be able to be helpful to make sure the Fair happens and happens well is exciting to Mr. Davis. He believes the relationship between the Commissioners and the Fair Board will be materially and positively changed by this arrangement.

There were additional financial and contracting resolutions in queue. Works in progress included:

- A resolution for air quality improvements for Utilities & DD, as a part of ARP fiscal recovery;
- A resolution for ARP related expenditures to support DR Court and how they addressing a backlog based on the pandemic;
- A resolution for appropriations to make the temporary position with the Records Center a permanent one (reporting to the HR/Risk Management Director). This is a position that will be filled by Bennett Nicewanger, who is working on a temporary basis now; and
- A resolution to increase appropriations for the County Auditor to support staffing needs in the payroll area, an area that has experienced some turnover.

c. Administrative, Program, and Budget Update

Administrative & Program Updates

Administrative Approvals

The review packet contained a list of administrative approvals.

Dr. Brown highlighted the sale of a used crane truck to the Village of Baltimore which is permissible by the ORC. The Village of Baltimore is happy to receive this asset.

Dr. Brown also highlighted the approval of the engineering design services for the SWAT building to be located at the Fairfield County Airport.

There were no questions posed about the administrative approvals overall.

Hunters Run Conservancy District – Pending Action

In queue for payment is the loan for the Hunters Run Conservancy District. A copy of the MOW was in the review packet. The HRCD is appreciative of the support of the Commission, SWCD, and EMA as they continue to improve the maintenance of more than 29 dams and 22 bridges.

The repayment of the loan is over three years and will allow for them to stabilize their cash flow as they are in the midst of several projects. Other departments are able to obtain advances, but that is not an option for HRCD given their funds are all segregated from the county.

Idea Box July Update

Dr. Brown reported the electronic idea box is a way for employees (and those with a county email address) to offer an idea to improve any aspect of Fairfield County

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local government. People can offer an idea through an efficient tracking system. To date, there have been 61 ideas.

Here is the summary for July 2021.

Idea 59: An employee proposed a “Bring your Dog to Work Day” for Fairfield County, citing benefits of encouraging responsible pet ownership and boosting morale. The employee recognized there would need to be rules about such a day.

Response: Given there are varying levels of customer traffic and employee allergies all throughout the county, it is problematic to promote such a day from a broad perspective. There are also risk management concerns.

However, the leadership of the Dog Adoption Center and Shelter will be sending out information about how employees could have a dog that is ready to be adopted with them at work for a short period of time (with supervisor approval). This is called the “*Borrow a Buddy*” program.

This program is permissible under our current insurance program. It is also a relatively new program. So, please look for more information to come soon.

(The employee later indicated that the “Borrow a Buddy” program was a super idea. The Commission has a meeting with Dog Adoption Center and Shelter leadership to review this program in the near future.)

Mr. Porter provided an update on how the Borrow a Buddy program will work. There will be more information on August 31st.

Idea 60: An employee wondered if free weights or dumbbells could be placed in the wellness center at the Records Center.

Response: We will look into the possibility of free weights or dumbbells being placed at the Records Center. For those near the Carroll area, there is a wellness center at the Utilities Office. There are free weights available there. Some have been able to use the workout space in the Sheriff’s Office, too.

Idea 61: An employee suggested moving future Employee Public Service Recognition Events from July to later in the year. The employee commented that July was a common month for vacations.

Response: HR will evaluate that idea for future events. The warmer months offer such a great opportunity for an outdoor event. All months of the year tend to be very busy, and we will see if there is a different month that could work well. Even if an employee cannot attend an event, we will make sure they have recognition. Thanks for the suggestion.

Everyone commented on how successful the employee recognition event was this year.

Budget Update

Ongoing Sales Tax Review & Budget Review

The sales tax estimate for 2021 in Fairfield County is \$23.6 M, or 3% above the sales tax revenues of 2020. We are tracking ahead of that estimate, but we have not changed the projection or planning tool to show a higher increase projected over time.

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For May sales tax revenues, to be paid to the County in August, the non-auto sales tax revenues for Fairfield County were \$1.827 M, or 21% above the previous year. The auto sales tax revenues for this same time were \$454,759.

These are estimates from the Ohio Department of Taxation. In 2019, total sales tax revenues were \$1.867. The 2021 estimate is \$2.281 M, or 22% ahead of 2019.

All revenue categories increased except for interest income, which is expected based on the drop in the interest rates. At mid-year, revenues are up 14.55%, and expenditures are about flat. We expect increases in expenditures based on negotiated agreements and projects that are beginning to take off.

Dr. Brown reported that the refunding and new bonds will be going out for pricing this week. We are prepared for that process.

Mr. Davis emphasized that the increase in the sales tax revenue for this year will not affect the projections for the years to come.

Dr. Brown presented the attached budget update (focused on the general fund) which was also highlighted (briefly) last week in the review session.

In addition, Dr. Brown reviewed the current strategic plan activities and accomplishments from 2020. She also highlighted an update from Meals on Wheels, an agency that is adjusting their compensation plan for hourly employees to be more competitive and is adjusting their budget to reflect the CDBG grant they have through the CARES Act. Many agencies, including non-profit organizations, are making compensation plan adjustments for entry level and hourly positions in order to be competitive.

d. BRAVOS

Thanks to HR for the fun employee recognition ceremony. Congratulations to all who achieved a milestone anniversary. Thanks to Tammy Smith and the Facilities Team for making sure the outdoor area was ready to go for the event. Thanks to JFS staff and EMA for their support in setting up for the event, too.

BRAVO to Juvenile Court Judge Terre Vandervoort for Fairfield County being selected by the Supreme Court of Ohio to receive one year of intensive technical assistance from the Robert F. Kennedy National Resource Center for Juvenile Justice. This technical assistance will allow the dual status youth project to move forward. The "dual status youth" concept refers to juveniles who come into contact with both the child welfare and juvenile justice systems and occupy various statuses in terms of their relationship to the two systems. A growing body of research has consistently confirmed that, in comparison to juveniles without such cross-system involvement, dual status youth present a range of important challenges. Juvenile Court will be collaborating even more with Child Protective Services to address these challenges.

Thanks to the County Prosecutor's Office (Josh Horacek, Amy Brown-Thompson, and Thomas Lininger) for the presentation about procurement and use of the County Resolution Management System for procurement.

- Old Business

- a. Commissioner Communications

At 6 pm on July 27th, there is a regular annexation hearing.

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On July 20th, Commissioner Davis and Carri Brown attended the open house for Shelby's House of Hope.

Mr. Davis thanked HR for the employee recognition event. He also asked for kind thoughts and prayers for a family in Lithopolis who lost their 9-year old daughter due to a tragic accident. The mother is currently in critical condition.

Mr. Levacy reminded everyone to vote in the Special Election on August 3rd for the vacant Congressional seat.

- New Business

- General Correspondence

- a. Annexation Petition received – 15.73 acres from Bloom Township into Lithopolis

The petition has been reviewed and returned to the petitioner for corrections identified by subject matter experts.

- Invitations

- a. Retirement Celebration for Denise Bauer – August 4th from 5pm-7pm at the Mill Event Center – A certificate and card has been prepared for Ms. Bauer to honor her exception service with hospice.

- FYI

- a. Jail Population –250
 - b. Jeremiah Upp will set up a meeting with Rushcreek Estates property owners regarding the DMD hearing that is scheduled if desired. Commission staff will attend the meeting as needed.
 - c. Article of Interest – Dolly's Imagination Library
 - d. Health Advocate email – utilization report forthcoming
 - e. DD Newsletter – emailed and posted online
 - f. Dr. Brown reported County bonds are out for sale this morning, and the sales are going well.
 - g. Dr. Brown pointed out the poster celebrating 100 years of women voting.
 - h. Mr. Kochis stated the Southfork Licking River has been selected as an Army Corp Silver Jacket program. It will be looked at to see how it can be revitalized. They will specifically look at the log jam. This will benefit a flooding issue in the Licking River.

Mr. Levacy spoke to the importance of this program and how happy he was to see this project.

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, July 27, 2021 beginning at 10:00 a.m. 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, Aunie Cordle, Jon Kochis, Jim Shaw, Corey Clark, Dennis Keller, Joshua Horacek, Thomas Lininger, Jeff Porter, Tony Vogel, Dan Neeley, Jeremiah Upp, Jon

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Slater, Ray Stemen, Judy Stemen, Chris Schmelzer, Kathy Ball, Audrey Stoffel, Kelly Shoemaker, Sandy Bryan, Krista Humphries, Kathy Hyme, and Jim Bahnsen.

Attending virtually were: Adam Tippet, Ashely Arter, Becky, Bill, Britney Lee, Chris Wagner, Emily, Jeff Barron, Jessica Murphy, Joe Ebel, Kelly Turben, Lisa McKenzie, S. Herdman, and Sheriff Lape.

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.

Ms. Elsea stated that there were no announcements. She stated the next item on the agenda was for public comments.

As a reminder, public comments are to be limited to three minutes. Comments may or may not be about county business. While this is a time for the public to offer comments, this is not a time for questions and answers. Comments represent the view of the person commenting.

Public Comment

Commissioner Levacy asked if anyone from the public who would like to speak or offer comments. He stated this is a time for voters and taxpayers (members of the public) to provide comments.

Mr. Ray Stemen of 2444 West Point Road in Lancaster spoke about his concern about foreign elected officials. He stated his wife spends a lot of hours putting together the information she shares.

Ms. Judy Stemen of 2444 West Point Road in Lancaster reviewed the attached handouts regarding COVID-19 and the related vaccine. She also spoke of her concern about illegal immigrants. She is very concerned about the county and country.

Mr. Chris Schmelzer from Bremen stated he chose to come to the Commission meeting because he has a lot to do with grass root efforts. He does not like the stuff coming from Washington, DC or Columbus. He does not like that Governor DeWine criticized former President Trump. As a Trump supporter this is hard for him to take. He believes that Dr. Fauci should be in jail. When President Biden was installed (not inaugurated in his opinion) he lowered the requirements for the citizenship test. He does not believe most of the pandemic news and does not believe the virus is as bad as the news reports show. He read the letter from the Health Department last fall regarding opening schools. When he was in school, he skipped school as much as he could but still finished. He stated shutting down schools for a long time is a bad idea.

Ms. Audrey Stoffel mentioned that Johnson and Johnson was a part of the opioid settlement. She believes the settlement is a slap on the wrist, as they will pay the fine, but they are also getting paid for the COVID vaccine. She has seen other states pull out of the agreement and believes that is something that should be considered for Ohio. She does not trust these companies to put out a safe vaccine.

Approval of Minutes for Tuesday, July 20, 2021

On the motion of Steve Davis and the second of Dave Levacy, the Board of Commissioners voted to approve the minutes for the Tuesday, July 20, 2021, Regular Meeting.

Roll call vote of the motion resulted as follows:

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

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Approval of the ADAMH Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the ADAMH resolution to approve a reimbursement for share of costs for liability insurance paid to CORSA; see resolution 2021-07.27.a.

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

- | | |
|--------------|--|
| 2021-07.27.b | A resolution authorizing the approval of proclamations. [Commissioners] |
| 2021-07.27.c | A resolution to appropriate from unappropriated funds in a major expenditure object category for fund# 1001 - Fairfield County Commissioners [Commissioners] |
| 2021-07.27.d | A resolution approving the appointment of Ms. Donna Fox-Moore to the Meals on Wheels – Older Adult Alternatives of Fairfield County Board of Directors. [Commissioners] [Commissioners] |
| 2021-07.27.e | A resolution authorizing the approval of an American Rescue Plan Act fiscal recovery subgrant agreement with the Fairfield County Agricultural Society [Commissioners] |
| 2021-07.27.f | A resolution to adopt an Indigent Defense Fee/Cost Recoupment Policy for Fairfield County [Commissioners] |
| 2021-07.27.g | A resolution to approve an authorized use of American Rescue Plan fiscal recovery funding and appropriate from unappropriated funds for the County ARP fiscal recovery fund, #2876, for a response to the public health emergency with respect to COVID19 or its negative economic impacts to purchase a tent to allow outside events and services to be held in a safe and socially distanced manner. [Commissioners] |
| 2021-07.27.h | A resolution to approve a memo expense for interest allocation reimbursements for Fairfield Department of Health, Fairfield County Parks, & Fairfield County Port Authority – Fund #7012, #7321, #7308, & #7865, – Fairfield County Commissioners [Commissioners] |

Discussion: The Commission congratulated leaders of the Child Support Enforcement Program and of Wellness programs in Fairfield County as part of issuing the proclamations for awareness.

Dr. Brown highlighted the resolution to approve the subgrant award in support of tourism and the Fairfield County Fair.

Roll call vote of the motion resulted as follows:

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

Approval of the Common Pleas Court Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Common Pleas Court resolution to authorizing the acceptance of the Targeting

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Community Alternatives to Prison (T-CAP) 2022/2023 grants from ODRC; see resolution 2021-07.27.i.

Discussion: Mr. Davis thanked Judge Berens for a thoughtful memo regarding indigent defense and rates. His points were well taken.

Roll call vote of the motion resulted as follows:

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

Approval of the Coroner's Office Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Coroner's Office resolution approving an account to account transfer in a major expenditure object category for Fairfield County Coroner; see resolution 2021-07.27.j.

Roll call vote of the motion resulted as follows:

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

Board of Developmental Disabilities

Approval of the ~~Common Pleas Court~~ Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Board of Developmental Disabilities resolution approving an account to account transfer; see resolution 2021-07.27.k.

Roll call vote of the motion resulted as follows:

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

Approval of the Board of Elections Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Board of Elections resolution to appropriate from unappropriated and an account-to-account transfer in a major expenditure object categories – Board of Elections 2861 Center for Tech & Civic Life; see resolution 2021-07.27.l.

Roll call vote of the motion resulted as follows:

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

Approval of the Emergency Management Agency Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Emergency Management Agency resolution authorizing the repayment of an advance to the General Fund from EMA 2707 (subfund 8244) Emergency Management Performance Grant; see resolution 2021-07.27.m.

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

2021-07.27.n A resolution to approve a reimbursement for share of costs for 2020 Liability Insurance paid to CORSA as a memo expenditure for fund 2024 – Motor Vehicle [Engineer]

2021-07.27.o A resolution to appropriate from unappropriated in a major expenditure object category County Engineer 2024-Motor Vehicle for employee training [Engineer]

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Roll call vote of the motion resulted as follows:

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

Approval of the Job & Family Services Resolutions

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the following Job & Family Services resolutions:

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|--------------|---|
| 2021-07.27.p | A resolution to approve a reimbursement for share of costs for Liability Insurance paid to CORSA as a memo expenditure for fund# 2072 Fairfield County Job and Family Services - PCSA [JFS] |
| 2021-07.27.q | A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2015 reimbursing Fund 2018 [JFS] |
| 2021-07.27.r | A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2758 reimbursing Fund 2018 [JFS] |
| 2021-07.27.s | A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2072 reimbursing Fund 2018 [JFS] |
| 2021-07.27.t | A resolution to approve additional appropriations by appropriating from unappropriated into a major expense object category – Fund # 2072 – Children Services Fund - Fairfield County JFS [JFS] |

Roll call vote of the motion resulted as follows:

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

Approval of the Juvenile/Probate Court Resolutions

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Juvenile/Probate Court resolution to appropriate from unappropriated in a major expenditure object category – Juvenile Court Fund #2036 Department of Youth Services; see resolution 2021-07.27.u.

Roll call vote of the motion resulted as follows:

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

Approval of the Major Crimes Unit Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Major Crimes Unit resolution to appropriate from unappropriated in the 2021/2022 DLEF Grant Fund 7830 SF 8269 and request for an advance and fund to fund cash match; see resolution 2021-07.27.v.

Discussion: Dr. Brown stated this resolution allowed for a general fund match for the Major Crimes Unit. The Commission can expect to see more of these requests for grant matches as MCU is applying for more grants to help promote their programs, including project FORT.

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 Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Payment of Bills resolution to authorize the approval of payment of invoices for departments that need Commissioners' approval; see resolution 2021-07.27.w.

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

Open Items

Mr. Davis asked Mr. Horacek about the procedure for the rest of the day.

Mr. Horacek advised that the Commission recess between meetings and adjourn after the hearing.

At 10:29 a.m., Commissioner Levacy stated the Commission would be in recess until the 11:30 Lunch & Learn.

Lunch & Learn – Workforce Development

The Commissioners met at 11:30 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, Aunie Cordle, Rick Szabrak, Dennis Keller, Corey Clark, Krista Humphries, and Rhonda Baldwin.

Rick Szabrak, Economic and Workforce Development Director, and Corey Clark, JFS Director, led a presentation about Workforce Development. Their slide show is attached to the minutes.

Presentation from RAMA re: Community Strategic Visioning

The Commissioners met at 1:00 p.m. for a presentation from RAMA re: Community Strategic Visioning. 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, Mo Wright, Maura Maher, Branden Meyer, Clint Davis, Joe Ebel, James Mako, Rick Szabrak, Jeff Porter, Dan Neeley, David Uhl, Corey Clark, Bart Hampson, Dennis Keller, Tony Vogel, Anna Tobin, Jim Bahnsen, Donna Fox-Moore, Lisa McKenzie, Jon Slater, Ed Laramée, and Raz Sabaiduc.

Attending virtually were: CJ Robberts, Carrie Stoneman, Jn Kochis, Chief Collins, Joshua Horacek, Nikki Drake, Marcy Fields, Ashely Arter, Beth Seifert, Britney Lee, Dave Burgei, David Miller, Jessica Murphy, Jillian Boone, Cassie Strickler, and Sheriff Lape.

This meeting marked the community strategic planning kick-off.

The purpose of this kick-off meeting was to introduce the process and expectations for strategic planning to elected officials and department heads of the county.

The attached slide show was reviewed.

The community planning is for the whole county (the entire community) and will include information to inform approvals and decisions for the ARP fiscal recovery funds, as well as to inform broader approvals and decisions.

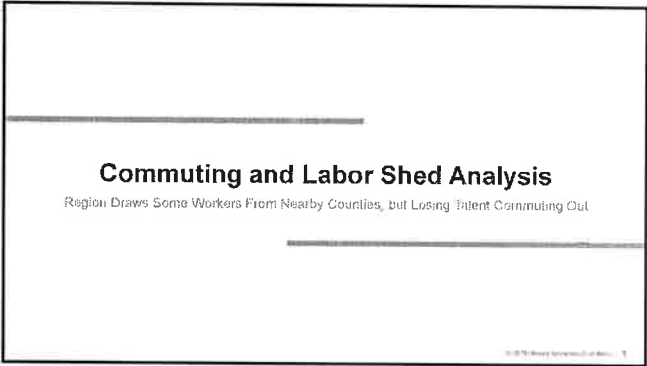
Ms. Cordle outlined how she became acquainted with RAMA as the JFS Director and ultimately recommended them for a county wide process.

Maura Maher and Mo Wright, with RAMA, shared their process for community visioning and answered some questions from those in attendance about the process of learning, planning, and implementing the strategic visioning process.

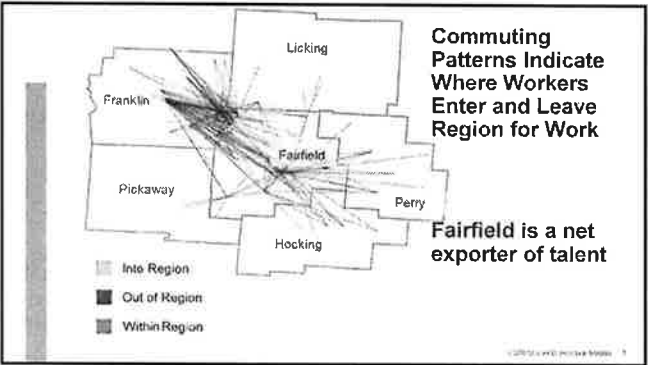
There was a fact sheet available for those interested in the strategic visioning process. The general consensus was one of excitement about the process.



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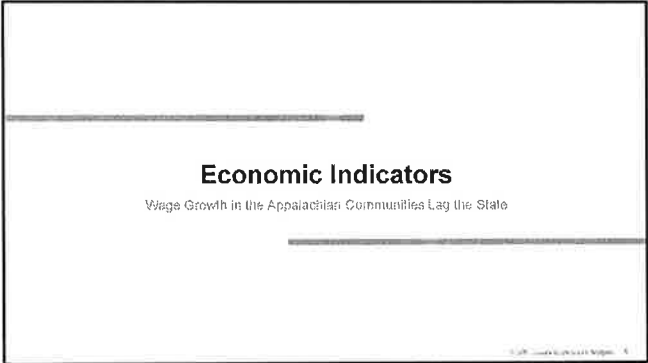


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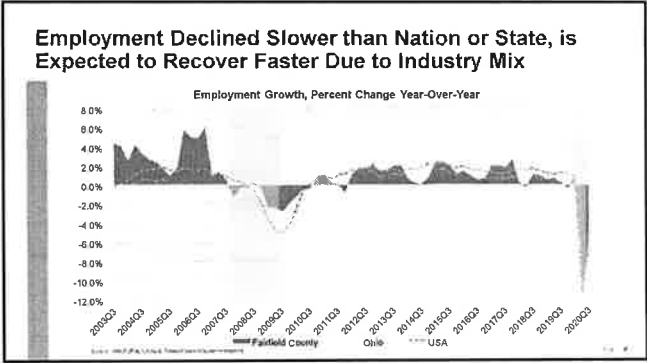
A table titled "Commuting by Occupation Group Shows Skilled Workers Leaving the Region". It lists various occupation groups and their corresponding commute in, commute out, and net values.

| Occupation Group | Commute In | Commute Out | Net |
|--|------------|-------------|--------|
| Office and Administrative Support Occupations | 1,250 | 6,266 | -5,016 |
| Transportation and Material Moving Occupations | 1,285 | 4,118 | -2,833 |
| Healthcare Practitioners and Technical Occupations | 1,039 | 2,965 | -1,925 |
| Business and Financial Operations Occupations | 457 | 2,269 | -1,812 |
| Sales and Related Occupations | 1,524 | 2,879 | -1,355 |
| Management Occupations | 669 | 2,011 | -1,342 |
| Healthcare Support Occupations | 598 | 1,873 | -1,275 |
| Installation, Maintenance, and Repair Occupations | 785 | 1,945 | -1,159 |
| Production Occupations | 1,122 | 2,274 | -1,152 |
| Protective Service Occupations | 244 | 1,202 | -958 |
| Computer and Mathematical Occupations | 156 | 1,101 | -945 |

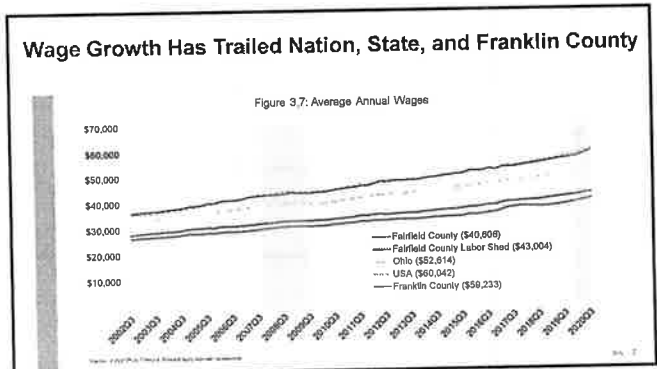
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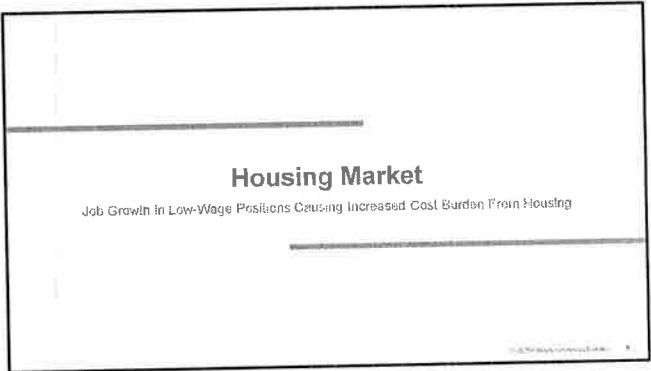
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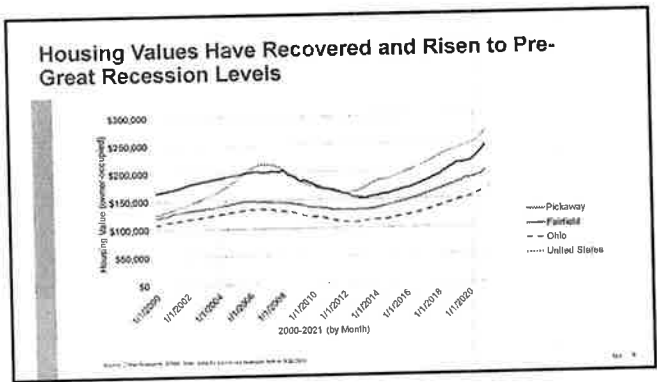
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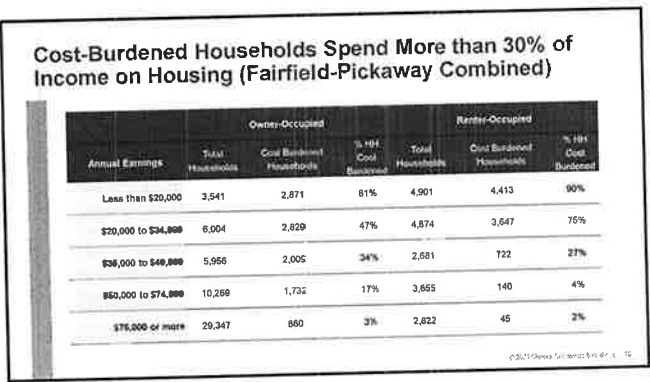
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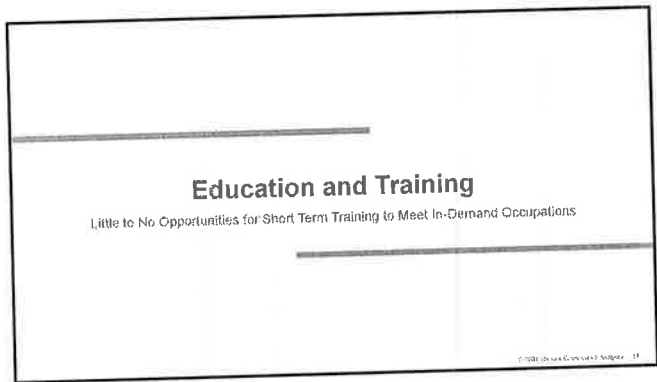
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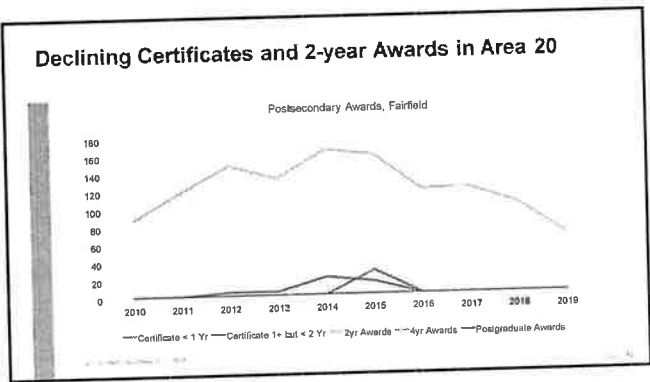
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12

Labor Force Participation

Identify Low Participation Groups and Develop Targeted Strategies to Engage

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Low Participation Among Females, Individuals with a Disability, and Less than High School Diploma

| | Not in Labor Force | Fairfield | Ohio |
|-------------------------------|--------------------|-----------|-------|
| Total (16 and over) | 44,489 | 63.4% | 63.2% |
| Male | 8,623 | 80.9% | 82.3% |
| Female | 11,598 | 74.0% | 75.1% |
| With a Disability | 6,472 | 39.5% | 42.1% |
| 25 to 54 | 10,799 | 82.0% | 82.7% |
| 55+ | 27,451 | 37.8% | 38.6% |
| Less than High School Diploma | 2,515 | 47.7% | 54.8% |
| High School or Equivalent | 7,198 | 70.9% | 72.4% |

Source: July 2012 by O'Connell, ACS 2010-2019

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Transportation Difficulties Impact Work Accessibility, Particularly in Rural Area

| Indicator | Fairfield | Ohio | USA |
|--------------------------------------|--------------|--------------|--------------|
| Average Commute Time | 28.9 minutes | 23.7 minutes | 26.9 minutes |
| Commute Via Public Transportation | 0.4% | 1.6% | 5.0% |
| Households with no vehicle Available | 4.7% (2,568) | 7.9% | 8.6% |

Source: July 2012 by O'Connell, ACS 2010-2019

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Differences by County and Proximity to Greater Work Opportunities

Labor Force Participation Rate (civilian population 16 years and over)

Source: July 2012 by O'Connell, ACS 2010-2019

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Wage and Benefit Survey

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Respondent Location

| County | Count | Percent |
|-----------|-------|---------|
| Fairfield | 67 | 50.0% |
| Pickaway | 25 | 18.7% |
| Ross | 16 | 11.9% |
| Hocking | 7 | 5.2% |
| Vinton | 5 | 3.7% |
| Other | 13 | 9.7% |

- Respondents identified Company Location
- Other counties: Athens, Franklin, Licking, and Madison

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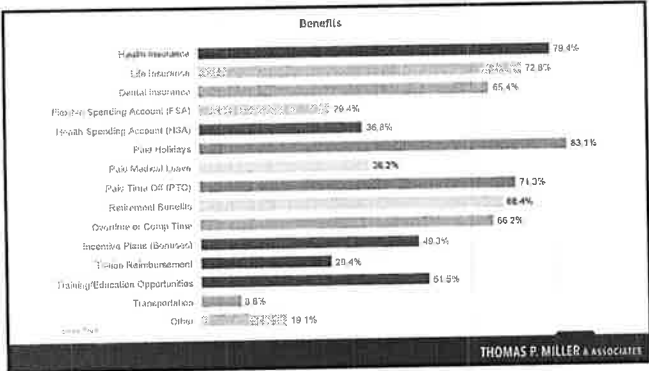
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| TOP 10 HIGHEST WAGE OPENINGS | | | |
|---|-------------|-----------|-------------|
| Position | Entry level | Mid-level | Adv'd level |
| Installation Technician (Construction/Skilled Trades) | \$22.00 | \$31.00 | \$45.00 |
| Journeyman Electrician(Construction/Skilled Trades) | \$25.00 | \$28.00 | \$36.00 |
| Mechanics (Construction/Skilled Trades) | \$22.50 | \$25.00 | \$30.00 |
| Superintendent (Construction/Skilled Trades) | \$25.00 | \$30.00 | \$35.00 |
| Controls Mechanic (MFG) | \$31.11 | \$32.45 | \$33.89 |
| General Mechanic (MFG) | \$31.11 | \$32.45 | \$33.89 |
| Maintenance (MFG) | \$25.54 | \$27.74 | \$30.86 |
| Maintenance Technicians (MFG) | \$24.00 | \$26.00 | \$28.00 |
| Maintenance Techs (MFG) | \$22.78 | \$27.20 | \$30.16 |
| Electrical and Mechanical Maintenance (MFG) | \$28.50 | \$30.00 | \$30.00 |

19

| TOP 10 LOWEST WAGE OPENINGS | | | |
|-----------------------------|-------------|-----------|-------------|
| Position | Entry level | Mid-level | Adv'd level |
| Clerical | \$9.00 | \$11.00 | \$13.00 |
| General Labor | \$9.00 | \$12.00 | \$15.00 |
| Labor | \$10.00 | \$12.00 | \$14.00 |
| Mechanics | \$10.00 | \$11.00 | \$12.00 |
| Mechanics | \$10.00 | \$11.00 | \$12.00 |
| Mechanics | \$10.00 | \$11.00 | \$12.00 |
| MHR/Technician | \$10.25 | \$10.75 | \$11.25 |
| Part Assistant | \$10.00 | \$12.00 | \$13.59 |
| Sales | \$7.80 | \$7.80 | \$10.00 |
| Material Handler (MFG) | \$12.00 | \$14.00 | \$16.00 |

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Wage & Benefit Survey Employer Feedback

- Attracting and or Retaining Employees
- “Outside” competition

- Skilled Workers Shortage
- Low or Inconsistent Wages
- No Shows
- Columbus wages
- Unemployment Compensation

22

Strengths & Opportunities

- Area 20 WDB representation is strong and engaged
- Stakeholders expressed strong willingness to partner, collaborate, and communicate

- Education partners are cooperative rather than competitive
- Many/diverse education program providers present
- Resources available to assist with funding for short-term job training, on the job training and other types of continuing education

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Weakness, Barriers & Threats

- High demand in the job market but low number of job seekers
- Unemployment Benefits
- Limited (or non-existent) access to Technology and High-Speed Internet in the region
- Transportation Access

- Access to childcare pre-pandemic exacerbated by COVID-19
- There are changing demographics and generational differences within the available workforce that are causing shifts in work/employment expectations
- High turnover rates may be caused by non-competitive wages and benefits

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GREATEST NEEDS

- Fill open positions, mostly at the entry level
 - not enough individuals to fill open positions
 - some employers believe the stimulus funds and unemployment compensation are to blame for this struggle.
- Awareness by youth and their parents that college is not the only way to earn a good living
 - A better understanding of credentials, licensures, and apprenticeship programs is necessary.
- Employees with soft skills
 - time management, work ethic, and attitude but also good interpersonal communication

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Recommendations

- In-demand Careers Roadshow
- Opportunities for Earn and Learn
- Expansion of Employer Outreach
- Continued collaboration with Fairfield 33 Development Alliance
- Include CBOs and nonprofits

- Educate employers on services
- Outreach to high poverty areas
- Remote Worker Training

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Workforce Center

- Short term training and credentialling
- OJT, Learn and Earn models
- Programming for tele-work and other changing technologies like automation

- Partner with state for funding
- Monitor State and Federal Legislation
 - IWT allowance
 - CARES funding
 - RA and WBL
 - Supply side considerations

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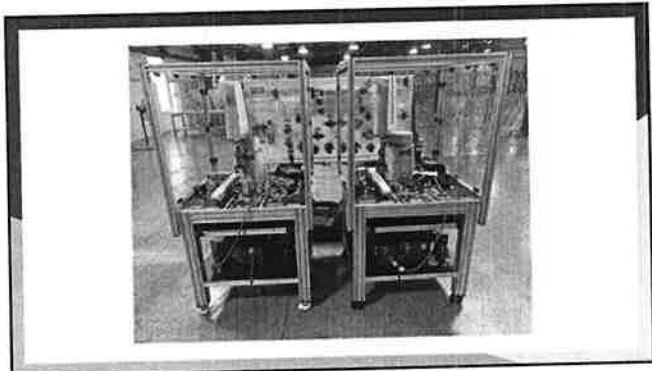
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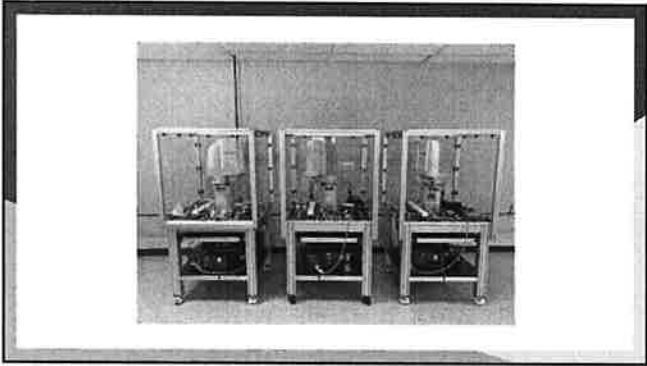
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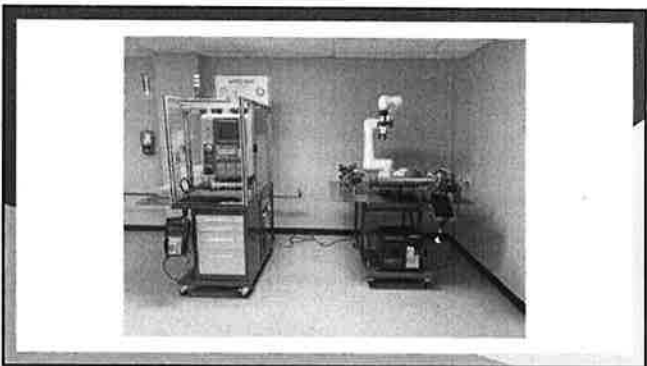
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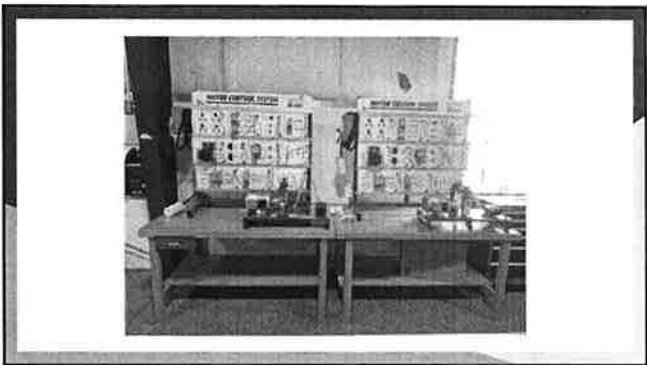
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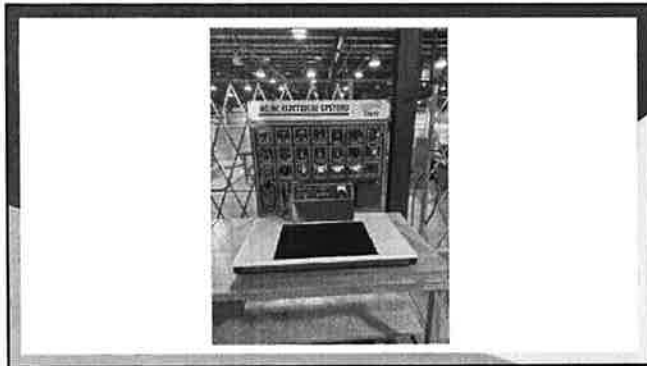
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Ohio Means Jobs Update
Fairfield County Job & Family Services

42

OMJ Center Visits

| | 2019 | 2020 | 2021 |
|-----------|-------|----------------|------|
| January | 1153 | 1036 | 89 |
| February | 991 | 806 | 99 |
| March | 924 | 499 | 175 |
| April | 1042 | Closed - Covid | 139 |
| May | 1046 | Closed - Covid | 193 |
| June | 833 | 77 | 307 |
| July | 857 | 79 | |
| August | 1028 | 106 | |
| September | 836 | 74 | |
| October | 942 | 45 | |
| November | 797 | 105 | |
| December | 859 | 87 | |
| Totals | 11332 | 2956 | 1004 |

43

- RESEA Update
- Reemployment Services and Eligibility Assessments
 - Serving customers in Area 20 counties who are nearing the end of their unemployment benefits
 - 106 customers have met with Career Advisor
 - 26 customers have re-entered the workforce

44

Benefit Bridge

ODJFS Pilot Program
Fairfield County Job & Family Services

45

- Benefits Cliff
- Families receiving public assistance who gain income will experience a loss of benefits
 - This increase in income can cause a net loss of available resources
 - Families can become discouraged and it can impact their path to self-sufficiency

46

- Pilot Guidelines
- Complete Compassion Counts Training
 - Build a Care Team
 - Peer Mentor
 - Benefits Coach
 - Job/Education Mentor
 - Identify population
 - Fairfield – families receiving food assistance or child care assistance with employment that is close to the guidelines for making them ineligible
 - Monthly reporting responsibilities

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- Current Status
- Care Team assembled and trained
 - Peer Mentor hired
 - Partnership created with Park National Bank to teach Budgeting Classes monthly for participants
 - Assistance will also be provided for opening checking/savings accounts
 - Supportive services and incentives created for participants
 - Supportive services including rent, deposit and car insurance options
 - Incentives available based on continued employment, increasing hours and gaining education or training
 - Enrolled 6 participants

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Next Steps

- Funding was approved in the state budget
- Meeting at the end of July to determine the amount of funding Fairfield County will receive to administer the program

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Summer Youth Employment Program Update

Fairfield County Job & Family Services

50

Update

- 24 youth have been assessed and placed with local employers
 - Maywood Mission, Kirkbride Lawn care, Meals on Wheels, Keller Family Chiropractic and UPick2Rent
- 24 still remain employed and have increased their hours since they started
- Most youth are working at least 30 hours a week
- There have been zero issues reported by the youth or employers

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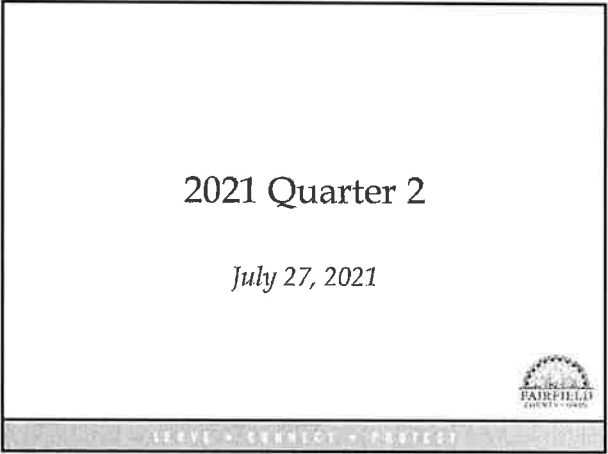
Contacts

- Corey Clark, JFS Director
 - Corey.Clark@fairfieldcountysc.gov
 - 740-652 7751
- Krista Humphries, Deputy Director of Community Services
 - krista.humphries@fairfieldcountysc.gov
 - 740-652 7662

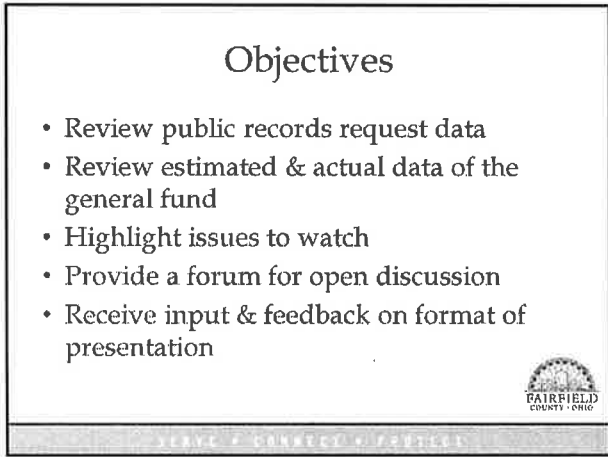
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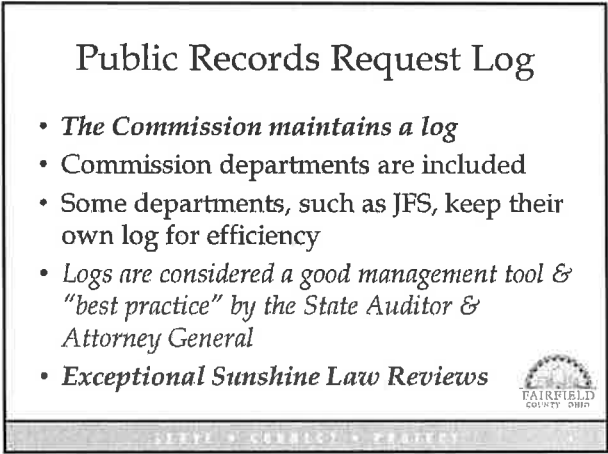
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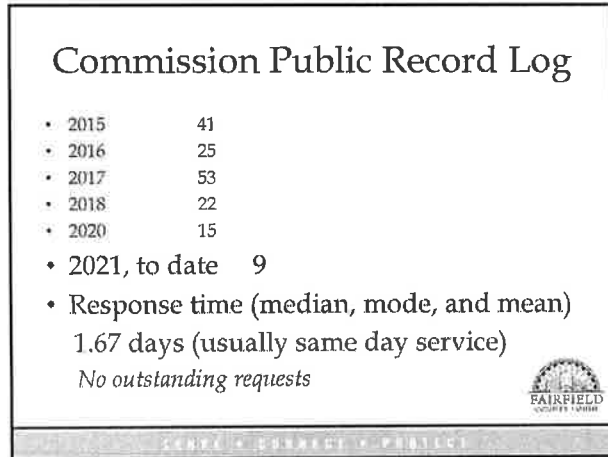
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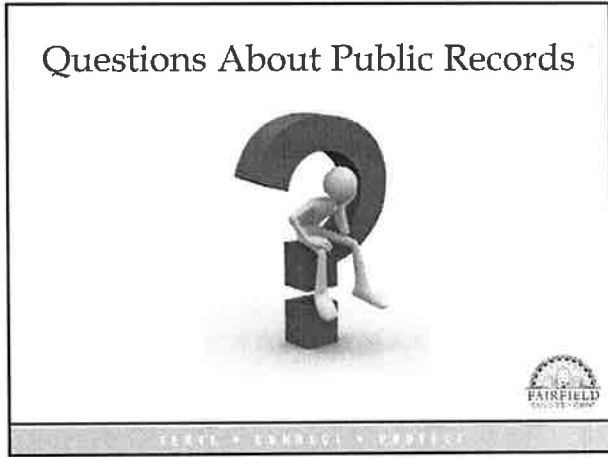
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| General Fund Quarter 2 Revenues | | | |
|--|------------|--|------------|
| 2020 | | 2021 | |
| Property Taxes | 5,648,957 | Property Taxes | 5,876,411 |
| Homesetback Rollback | 656,506 | Homesetback Rollback | 0 |
| Conveyance Fees | 1,570,042 | Conveyance Fees | 2,082,028 |
| Sales & Use Tax | 11,308,025 | Sales & Use Tax | 12,983,677 |
| Casino | 923,261 | Casino | 959,941 |
| Local Government | 827,618 | Local Government | 776,150 |
| Investment Earnings | 1,043,657 | Investment Earnings | 2,369,135 |
| Fees & Charges for Services | 2,803,059 | Fees & Charges for Services | 4,872,799 |
| Title Surplus transfer, unclaimed, & other transfers | 33,921 | Title Surplus transfer, unclaimed, & other transfers | 136,626 |
| Total Q2 Revenue | 24,493,186 | Total Q2 Revenue | 28,056,797 |

7

| General Fund - YTD Quarter 2 | |
|--|--|
| <ul style="list-style-type: none">• Revenues were \$ 28 M+, or 14.55% above the prior year; 54% of projections• Interest declined• All other main categories increased• Sales tax - 15.58%• Property tax - 4.03%• Conveyance fees - 32.58%• Local government revenues - 23.66%• Fees/CS/Other - 73.96% (BWC refund) | |

8

| Sales Tax Rate | |
|--|--|
| <ul style="list-style-type: none">• Fairfield County's rate has not increased since January 1, 2010• Fairfield - 6.75%• Delaware, Union and Madison - 7.00%• Hocking, Licking, Perry, Ross, & Pickaway - 7.25%• Franklin - 7.50% | |

9

| Expenditures | |
|---|-----------|
| • 2020 Qtr 2 Expenditures | \$25.10 M |
| • 2021 Qtr 2 Expenditures | \$24.94 M |
| <i>Decrease of .6% (relatively flat, will increase with payroll changes & filling of vacancies)</i> | |

10

| Items to Watch | |
|---|--|
| <ul style="list-style-type: none">• Ongoing monitoring of all categories• No adjustments are <i>necessary for appropriations</i> | |


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| Items to Watch | |
|--|--|
| <ul style="list-style-type: none">• Adjustments for projects (technology & telecommunications)• ARP relationship to fiscal recovery• Planned projects (shooting/training range & paving projects, for example)• Franklin County case• Federal Reimbursements/Grants• Increase for indigent attorney fees reimbursement (about + \$300 K annually) | |

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CARES Act update

- No audit issues with the county audit
- In process of reviewing federal schedule
- No issues are arising
- All CARES Act expenditures were completed by the end of 2020 with a one-month liquidation period
- The American Rescue Plan fiscal recovery update is reported weekly



FAIRFIELD COUNTY

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New Appropriations

\$1.4 M in 2021

- Capital Improvements
- Grant matches & adjustments
- Compensation adjustments
- Sheriff vehicles & equipment
- Fairfield County Fair




FAIRFIELD COUNTY

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Prepare for 2022

- 3.5% increase for salaries
- Comp Plan utilization - nearly 100%
- Careful monitoring
- Parameters guidance
- Bond rating – Aa2 (reviewed twice)



FAIRFIELD COUNTY

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15

Questions





FAIRFIELD COUNTY

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COMMISSIONERS' MEETING 07-27-21

FDA Adds Warning Label to J&J Vaccine over Links to Rare Neurological Condition

https://www.breitbart.com/politics/2021/07/13/fda-warning-label-jj-vaccine-rare-neurological-condition/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20210713

Hannah Bleau

13 Jul 2021

Top CDC Official Admits Covid Booster Shots May Cause More Serious Side Effects

<https://www.infowars.com/posts/top-cdc-official-admits-covid-booster-shots-may-cause-more-serious-side-effects/>

by Adan Salazar

July 13th 2021

Twitter Admits It Verified Fake Accounts – While Banning Conservatives

https://www.breitbart.com/tech/2021/07/13/twitter-admits-it-verified-fake-accounts-while-banning-conservatives/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20210713

Lucas Nolan

13 Jul 2021

Ken Buck Says It's Time For Facebook To Answer Anti-Trust Questions

July 13, 2021

<https://freedombeacon.com/ken-buck-says-its-time-for-facebook-to-answer-anti-trust-questions/>

****Last week Colorado Republican Congressman Ken Buck sent a letter to Facebook CEO Mark Zuckerberg demanding that he explain Facebook's decision to censor content related to the COVID-19 lab leak theory.

***During the course of the pandemic, Zuckerberg exchanged a number of emails with Dr. Fauci about Facebook's content as well as its participation in providing information regarding COVID-19.

WND

Bombshell lawsuit charges vaccine deaths being concealed

Insider reports at least 45,000 dead from COVID vaccinations

<https://www.wnd.com/2021/07/bombshell-lawsuit-charges-vaccine-deaths-concealed/>

By WND News Services

Published July 20, 2021

WND

'Lying' war escalates between Rand Paul and Anthony Fauci

'There will be responsibility for those who funded the lab, including yourself'

<https://www.wnd.com/2021/07/lying-war-escalates-rand-paul-anthony-fauci/>

By Bob Unruh

Published July 20, 2021

➔***Read this article and see what is so consistently disgusting about Fauci and all his 'jabber'!!!

***WHAT A LIAR!!!!

Fauci now wants to mask your 3-year-old in school, calls it 'reasonable thing to do'

<https://www.wnd.com/2021/07/fauci-now-wants-mask-3-year-old-school-calls-reasonable-thing/>

By Kipp Jones, The Western Journal

Published July 21, 2021

Science & Tech

Former Pfizer VP Destroys Media Hit Piece Attacking His Warnings About COVID Injection: 'A Pack of Lies'

<https://www.infowars.com/posts/former-pfizer-vp-destroys-media-hit-piece-attacking-his-warnings-about-covid-injection-a-pack-of-lies/>

by Jamie White

July 20th 2021

WND

Britain: 40% of hospitalized COVID patients fully vaccinated

Confirms data from Israel indicating natural immunity superior

<https://www.wnd.com/2021/07/britain-40-new-covid-cases-fully-vaccinated-people/>

By Art Moore

Published July 20, 2021

Vaccinated Pelosi and Biden Aides Test Positive for COVID After Meeting with Infected Texas Dems

<https://www.infowars.com/posts/vaccinated-pelosi-and-biden-aides-test-positive-for-covid-after-meeting-with-infected-texas-dems/>

infowars.com

July 20th 2021, 12:22

Bill Gates funded way to record vaccine history under skin at same time vaccine is delivered

<https://www.wnd.com/2021/07/bill-gates-funded-way-record-vaccine-history-skin-time-vaccine-delivered/>

By Mike Landry, The Western Journal

Published July 20

The Tyrants Are Here: Politicians And Leftists Call For Indefinite Detention For Unvaccinated Citizens – Watch Live!

<https://www.infowars.com/posts/uk-pm-you-cant-buy-sell-or-travel-without-the-mark-of-big-pharma-tuesday-live/>

War Room

July 20th 2021

-----WAKE UP AMERICA!!!!!!

Special Reports

VIDEO: Covid-19 Vaccine Program Director Admits Injection Destroys Immune System

<https://www.infowars.com/posts/video-covid-19-vaccine-program-director-admits-injection-destroys-immune-system/>

Infowars.com

July 21st 2021

Caught! CDC Deletes Thousands Of COVID Vaccine Deaths

<https://www.infowars.com/posts/caught-cdc-deletes-thousands-of-covid-vaccine-deaths/>

by Kelen McBreen

July 22nd 2021

✈ the real number of COVID vaccine-induced deaths is closer to 45,000....NOT 6,000.

CNN exec floats idea of punishing the unvaccinated

'The carrot is no longer going to work'

<https://www.wnd.com/2021/07/cnn-exec-floats-idea-punishing-unvaccinated/>

By Bob Unruh

Published July 23, 2021

WND

Segregation returns! Unvaxxed students threatened, harassed**Schools requiring shots even though they're still 'experimental'**<https://www.wnd.com/2021/07/segregation-returns-unvaxxed-students-threatened-harassed/>

WND News Services By WND News Services

Published July 22, 2021

→---getting a college education now **requires** them to submit to a new medical treatment that the U.S. Food and Drug Administration considers **experimental**.

---- The average age of people dying of COVID in America is 77. For someone that age, the long term risks of an experimental vaccine may not be that big of a deal.

SHOT HURT 'ROUND THE WORLD

Renowned COVID doctor: Poisonous vaccine jabs 'an agonizing situation'

→Says vaccine will 'go down as the most dangerous biologic medicinal product roll-outs in human history'

<https://www.wnd.com/2021/07/renowned-covid-doctor-poisonous-vaccine-jabs-agonizing-situation/>

By WND News Services

Published July 23, 2021

Democrats Bring Mask Mandates Back, Mandatory Vaccines Next: Friday LIVE<https://www.infowars.com/posts/biden-says-he-wants-to-ban-handguns-friday-live/>

War Room

July 23rd 2021

COVID burning through massive ship where every sailor is fully vaccinated**Just 1 of many incidences giving doubt to vaccine efficacy**<https://www.wnd.com/2021/07/covid-burning-massive-capital-ship-every-sailor-fully-vaccinated/>

By Randy DeSoto, The Western Journal

Published July 23

--- They have been fully vaccinated against COVID-19...BUT... around 100 cases among the Queen Elizabeth's crew.

Special Reports

MIT Scientist Exposes Covid-19 Hoax in Bombshell Interview – MUST SEE! (DO SEE)<https://www.infowars.com/posts/mit-scientist-exposes-covid-19-hoax-in-bombshell-interview-must-see/>

Infowars.com

July 23rd 2021

UK government refuses to rule out vaccine passports for Church**Clergy have written open letter to contest vaccine passport proposals**<https://www.wnd.com/2021/07/uk-government-refuses-rule-vaccine-passports-church/>

By WND News Services

Published July 23, 2021

Bombshell lawsuit alleges government covering up tens of thousands of injection-related deaths<https://www.worldviewweekend.com/news/article/bombshell-lawsuit-alleges-government-covering-tens-thousands-injection-related-deaths>

By Leo Hohmann, 22 July, 2021

→--- Attorney Thomas Renz filed a lawsuit in federal court in Alabama on July 19 that alleges a massive government cover-up of injection-related U.S. deaths that number “at least 45,000.”

Behind the Vaccine Veil: Doctor cites 'whistleblowers' inside CDC who claim injections have already killed 50,000 Americans

<https://www.worldviewweekend.com/news/article/behind-vaccine-veil-doctor-cites-whistleblowers-inside-cdc-who-claim-injections-have>

By Leo Flohmann, 24 June, 2021

.....'Good doctors are doing unthinkable things' ... They 'appear to be under a spell'

Dr. Peter McCullough the most highly cited physician on the early treatment of COVID-19 has come out with an **explosive new video** that blows the lid off the medical establishment's complicity in the **unnecessary deaths** of **tens of thousands of Americans**.

America's Frontline Doctors Town Hall Meeting With Simone Gold And Michelle Malkin (Part 3)

By Braannon Howse,
VIDEO

<https://www.worldviewweekend.com/tv/video/americas-frontline-doctors-town-hall-meeting-simone-gold-and-michelle-malkin-part-3>

World View Weekend

14 July, 2021

—————ALL SHOULD WATCH AND GET THE TRUTH—————

COVID-19 HYSTERIA PROGRAMMING EXPOSED

MIT Scientist Exposes Covid-19 Hoax in Bombshell Interview – **MUST SEE!** **

<https://www.infowars.com/posts/mit-scientist-exposes-covid-19-hoax-in-bombshell-interview-must-see/>

Infowars.com

July 23rd 2021

Dr. Andrew Kaufman reveals and breaks down the fear-programming used on the masses to **get them to submit to medical tyranny**.

Kids' suicide, mental health hospitalizations spiked amid COVID lockdowns Lockdown policies had disastrous results in children

<https://www.wnd.com/2021/07/kids-suicide-mental-health-hospitalizations-spiked-amid-covid-lockdowns/>

By WND News Services

Published July 23, 2021

Shock: Doctor Warns That Majority Of Vaccinated Patients Could Have Permanent Heart Damage, Some May Die Within Three Years

<https://www.infowars.com/posts/shock-doctor-warns-that-majority-of-vaccinated-patients-could-have-permanent-heart-damage-some-may-die-within-three-years/>

by Adan Salazar

July 22nd 2021

Dr. Charles Hoffe found **62% percent** of patients who received COVID mRNA jab **test positive** **for blood clots!!!!!!!!!!**

40% of New COVID Cases Have Been Fully Vaccinated in the U.K...

<https://teapartydailyreport.com/2021/07/40-of-new-covid-cases-have-been-fully-vaccinated-in-the-u-k/>

Tea Party Daily Report

By- July 23, 2021

*****the vaccine is supposed to do one thing and one thing only, prevent the contraction of COVID-19. And yet, for at least **40 percent** of the population in England, it seems to have **made no difference whatsoever**.

COVID-19: Why Are American Scientists Silent on This?

From day one this mysterious “new novel” coronavirus was labeled that and remains today as a virus allegedly released from a bio weapons lab in Wuhan, China.

Then along comes scientists and researchers who state no one can prove - not the CDC or any other government or health agency or lab in the world – including the Koch Institute in Germany has a purified isolated particles specimen of that virus.

<https://newswithviews.com/covid-19-why-are-american-scientists-silent-on-this/>

By Devvy Kidd

Monday, July 26, 2021

Covid Tsunami Floods America – Special Report

<https://www.infowars.com/posts/covid-tsunami-floods-america-special-report/>

Jon Bowne | Infowars.com

July 26th 2021

NFL Players Ordered to Wear Colored Wristbands to Identify Vaccination Status

Teams increasing pressure on players who refuse experimental injections

<https://www.newswars.com/nfl-players-ordered-to-wear-colored-wristbands-to-identify-vaccination-status/>

By Dan Lyman

Monday, July 26, 2021

DeWine says he does not have ability to issue mask mandate for schools

WBNS 10TV (This is video)

https://www.youtube.com/watch?v=Sd0I_2xYydU

Monday, July 26, 2021

Then where was he in the
Past --- concerning

- schools
- churches
- small business
- hospitals

**Regular Meeting #32 - 2021
Fairfield County Commissioners' Office
July 27, 2021**

Open Items

Dr. Brown reported that all of the bonds sold today, and that she would have more information at 2:20 p.m.

At 1:52 p.m. Commissioner Levacy stated the Commission would be in recess until the 6:00 p.m. Public Hearing.

Review (continued)

The Commissioners met at 5:58 p.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, Joshua Horacek, Thomas Lininger.

Approval of the Commissioners' Office Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Commissioners' Office resolution authorizing the approval of an advance from the General Fund to PY2018 CHIP/CDBG Fund #2730 Subfund #8200; see resolution 2021-07.27.x.

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

Open Items

Dr. Brown reported that the all-in interest rate for the bonds was 1.58%.

She mentioned that the project outlined in the posters in the hallway will be underway soon. The bonds will close early in September.

Public Hearing – Annexation Petition – 25.8723 acres from Hocking Township into Lancaster

The Commissioners met at 6:00 p.m. to hold a Public Hearing for the Regular Annexation Petition of 25.8723 from Hocking Township into the City of Lancaster. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Laura Comek, Thomas Lininger, Joshua Horacek, Chad Brunner, and others.

Please see the attached transcript of the public hearing proceedings.

The public hearing closed at 7:01 p.m.

**Regular Meeting #32 - 2021
Fairfield County Commissioners' Office
July 27, 2021**

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 7:02 p.m.

Roll call vote of the motion resulted as follows:

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

Motion by: ~~27~~ Seconded by:
that the July ~~20~~, 2021 minutes were approved by the following vote:

YEAS:

NAYS: None

ABSTENTIONS: None

*Approved on ~~July 27, 2021~~

August 17, 2021

| | | |
|--|---|---|
|  Steven A. Davis Commissioner |  Dave Levacy Commissioner |  Jeff Fix Commissioner |
|--|---|---|


 Rachel A. Elsea, Clerk

1 BEFORE THE FAIRFIELD COUNTY
2 BOARD OF COMMISSIONERS

3 - - -

4
5 IN RE: PETITION FOR ANNEXATION
6 OF 25.8723 ACRES FROM
7 HOCKING TOWNSHIP TO THE
8 CITY OF LANCASTER, OHIO

9 - - -

10

11

12

13

14 PROCEEDINGS

15 before Commissioners Steve Davis, David Levacy,
16 and Jeff Fix, at the Fairfield County
17 Commissioners' Office, 210 East Main Street,
18 Lancaster, Ohio 43130, on July 27, 2021, at
19 6:00 p.m., taken before Julia Lamb, RPR, CRR, a
20 Notary Public in and for the State of Ohio.

21 --0--

22

23

24

1 APPEARANCES:

2 Randall T. Ullom
3 Law Director & City Prosecutor
4 CITY OF LANCASTER
5 136 West Main Street
6 Lancaster, Ohio 43130
7 740.687.6616
8 lawdirector@ci.lancaster.oh.us

9 on behalf of the City of Lancaster.

10 Joshua Horacek
11 Thomas Lininger
12 Assistant Prosecuting Attorneys
13 FAIRFIELD COUNTY PROSECUTOR'S OFFICE
14 239 West Main Street, Suite 101
15 Lancaster, Ohio 43130
16 740.652.7560
17 prosecutor@fairfieldcountyohio.gov

18 on behalf of Fairfield County.

19 Laura MacGregor Comek
20 LAURA MacGREGOR COMEK LAW LLC
21 501 South High Street
22 Columbus, Ohio 43215
23 614.560.1488
24 laura@comeklaw.com

on behalf of the Petitioner.

| | | | | |
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1 --0--

2 PROCEEDINGS

3 --0--

4 COMMISSIONER DAVIS: This hearing is
5 open. I'll start off by just letting folks know
6 what process we'll be going through to conduct
7 the hearing. This is a hearing regarding the
8 annexation of 25.8723 plus or minus acres from
9 Hocking Township to the City of Lancaster.

10 The process for the hearing will be that
11 collectively those in favor of the proposed
12 annexation will be given an opportunity to
13 present any evidence or testimony that they deem
14 appropriate in favor of the annexation. That
15 will begin with the Petitioner represented by
16 counsel. Following the Petitioner, the City of
17 Lancaster will be given an opportunity, if they
18 so choose, to present any evidence or
19 information they deem appropriate in furtherance
20 of the annexation.

21 Following proponent testimony, anyone in
22 opposition to the proposed annexation will be
23 given an opportunity to present evidence or
24 testimony in that regard. That will begin first

1 with Hocking Township, if they so desire to
2 present such evidence or information. After all
3 the interested parties, which are the
4 Petitioner, the City of Lancaster, and Hocking
5 Township, have been given an opportunity to
6 formally present their evidence and information
7 as I've outlined, we'll have a more what I'll
8 call wide open opportunity for anyone else in
9 attendance to present any information that they
10 would like to present in that same regard.

11 The reason that the Petitioner will go
12 first and last is that the Petitioner has the
13 burden of proof in this hearing. That burden is
14 based upon a preponderance of the evidence. If
15 there are any objections or concerns that arise
16 during the course of the hearing, those
17 objections or concerns should be addressed to
18 me. I'm running the hearing. I won't tolerate
19 bickering or arguing amongst people in the
20 gallery, so to speak. Direct your questions or
21 concerns to me, or objections, and I'll address
22 those objections accordingly.

23 Before we get started, I want to give
24 everybody an opportunity to ask a question if

1 there's something about the hearing process that
2 you don't understand.

3 My lawyer tells me to speak more
4 clearly. I'll try.

5 Julia, you'll let me know if you're
6 having trouble.

7 THE COURT REPORTER: You're doing good.

8 COMMISSIONER DAVIS: She's been
9 listening to me a long time so she might be able
10 to figure that out.

11 Before we get started, what I'm going to
12 do is ask for all those who would intend to be
13 witnesses or testify to please rise if you're
14 able. And if you would, please, raise your
15 right hand.

16 (Seven people duly sworn.)

17 COMMISSIONER DAVIS: All those who have
18 been sworn are eligible to testify. If anyone
19 would like to testify who for whatever reason
20 did not take that opportunity to be sworn, you
21 must and will be sworn prior to any testimony
22 being permitted.

23 With that, I'm going to allow the
24 counsel for the Petitioner, Ms. Comek, to begin

1 presenting your case, please.

2 MS. COMEK: Thank you, Commissioner
3 Davis.

4 Commissioners, good evening. My name is
5 Laura Comek. I'm here on behalf of the
6 Petitioner Mary Reedy. She is the sole and
7 exclusive owner of the territory sought to be
8 annexed this evening. I'd like to begin, if you
9 wouldn't mind, just a quick housekeeping item.
10 In our petition I have Exhibits A and B. A is a
11 legal description, and B is a map. I would like
12 to use those this evening as A and B, and then
13 continue my subsequent exhibits as C and D if
14 that order pleases the commissioners.

15 COMMISSIONER DAVIS: That will be fine.

16 MS. COMEK: May I approach with some
17 exhibits for you as we begin our presentation?

18 COMMISSIONER DAVIS: You may approach.

19 MS. COMEK: Just for efficiency sake,
20 I'm going to hand these out at the beginning.
21 I've got one for each of you, A, B, C and D, and
22 I've got a set here for the township as well.

23 COMMISSIONER DAVIS: You handed those to
24 me in order?

1 MS. COMEK: Yes. We'll identify them as
2 we go along. I just thought it was easier than
3 me stopping proceedings to hand out some
4 additional exhibits.

5 COMMISSIONER DAVIS: Appreciated.

6 You may proceed, Counsel.

7 MS. COMEK: Thank you. Commissioner,
8 may I question Rachel Elsea, the clerk for the
9 commissioners, as my first witness?

10 COMMISSIONER DAVIS: I don't -- you may
11 and I don't recall if Rachel swore.

12 MS. ELSEA: I did not.

13 COMMISSIONER DAVIS: Would you rise and
14 raise your right hand, please.

15 (Witness duly sworn.)

16 MS. COMEK: Thank you.

17 RACHEL ELSEA

18 called as a witness by the Petitioner, being
19 first duly sworn, testifies as follows:

20 DIRECT EXAMINATION

21 BY MS. COMEK:

22 Q. Rachel, I just have a couple quick
23 questions. The materials that get filed with
24 the county commissioners, including the

1 petition, the exhibits and legal and the survey,
2 those are submitted to your office. Is that
3 correct?

4 A. That's correct.

5 Q. Okay. Have you received all of the
6 documentation required by Ohio law to present
7 our hearing this evening?

8 A. I have.

9 Q. Okay. Thank you.

10 One other question. Have you
11 determined -- have you made any determination
12 about whether or not the basics of the petition
13 meet the minimum requirements regarding Ohio law
14 for filing?

15 A. How is that different from what I was
16 asked?

17 Q. Oh, just the petition itself. Have you
18 in your office made any determination about the
19 petition meeting the basic elements of the
20 Revised Code for a petition itself? And if you
21 haven't, that's okay. You can say you haven't.

22 A. I'm -- no.

23 MS. COMEK: For the record, I consider
24 those two separate questions, the petition

1 itself, but then having received all the
2 documentation up to and including the proof of
3 publication for this hearing this evening.

4 Thank you.

5 All right. My second witness is Mitch
6 Nolan with the City of Lancaster.

7 MITCH NOLAN

8 called as a witness by the Petitioner, being
9 first duly sworn, testifies as follows:

10 DIRECT EXAMINATION

11 BY MS. COMEK:

12 Q. Mitch, you can sit right there and you
13 have been sworn, correct?

14 A. Uh-huh.

15 COMMISSIONER DAVIS: Mitch, I'm not
16 picking on you, but kind of an old thing, when
17 witnesses say uh-huh, huh-uh, and hmm-hmm kind
18 of thing -- right? -- the court reporter
19 sometimes will wonder, you know, which one of
20 those things were meant. So if you wouldn't
21 mind just try to avoid those phrases and answer
22 the questions with words.

23 THE WITNESS: Yep. Very good.

24 COMMISSIONER DAVIS: Okay.

1 THE WITNESS: Yes.

2 MS. COMEK: Thank you.

3 BY MS. COMEK:

4 Q. Okay. So, Mitch, what is your title?

5 A. I am the city engineer for the City of
6 Lancaster.

7 Q. Okay. And in your role as city engineer
8 are you responsible for roads?

9 A. Yes.

10 Q. Are you responsible for other utilities
11 like sewer and water?

12 A. Yes.

13 Q. Okay. Stormwater, is that included on
14 your list of things?

15 A. Yes.

16 Q. Okay. I'm going to ask you to take a
17 look at what we've marked -- what I've got here,
18 Exhibit A. I'm going to ask you to take a look
19 at the document that's marked as Exhibit A. Do
20 you recognize this page?

21 A. Yes, I do.

22 Q. Can you tell me what it is?

23 A. This is the description and the exhibit
24 for the annexation of the property, subject

1 property.

2 Q. Thank you. And that's 25.8723 plus or
3 minus acres, correct?

4 A. Yes.

5 Q. And Mary Reedy is the only property
6 owner of record as far as you know, correct?

7 A. Correct.

8 Q. Okay. I'm going to ask you to turn to
9 page 1 of the packet you're reviewing there.
10 That's the annexation petition. Do you
11 recognize that?

12 A. I have seen this, but I've not read
13 through it.

14 Q. That's all right. As long as you
15 recognize it. All right. Let's look at
16 Exhibit B, which is the large sheet of paper
17 that you have. Can you tell me what that is?

18 A. This is the annexation exhibit,
19 basically the map showing the boundary lines and
20 the delineation of the properties that are being
21 annexed into the city.

22 Q. Okay. Do Exhibits A and B correspond to
23 one another?

24 A. They do, yes.

1 Q. Okay. While we're focused on the
2 annexation map there, can you tell me did you
3 have a role in determining the boundaries of the
4 area to be annexed?

5 A. Yes, I did.

6 Q. Okay. Can you tell us what your role
7 was in determining how the final boundaries
8 worked out. Just briefly.

9 A. We had discussions with both the
10 Fairfield County Engineer's Office as well as
11 with the State of Ohio Department of
12 Transportation in regards to this area and how
13 basically what agencies or jurisdictions would
14 be in control of certain areas.

15 Q. Okay. And so is it fair to say that the
16 boundary as you see it now, you've approved how
17 much would be coming into the city?

18 A. Correct.

19 Q. Okay. Did you, for any reason, consider
20 this area unreasonably large?

21 A. No.

22 Q. Do you have any idea how large the
23 city's industrial park on the north side of
24 State Route 188 is?

1 A. Probably couple hundred acres. Several
2 hundred acres, yes.

3 Q. Okay. Thank you. What I'd like to do
4 is think -- while we have this exhibit in front
5 of us, to talk about the roads for a moment. So
6 the road in the middle is called Delmont Road.
7 Is that correct?

8 A. Correct.

9 Q. And with this annexation the City of
10 Columbus -- the City of Lancaster will be taking
11 jurisdiction over Delmont Road. Is that
12 correct?

13 A. Correct.

14 Q. Okay. And that means you'll be
15 responsible for general maintenance of the road,
16 correct?

17 A. Correct.

18 Q. Okay. With regard to the boundary to
19 the north, the property actually is immediately
20 south of State Route 188. Is that correct?

21 A. Correct.

22 Q. Is that ODOT jurisdiction generally?

23 A. In the State Route 188 right-of-way,
24 correct, yes.

1 Q. Yes. Okay. So there's a spot on the
2 map there where we only take a certain portion
3 of State Route 188, and was that to gain the
4 connectivity to the -- and continuity to the
5 City of Lancaster?

6 A. That is correct. And if I may expand on
7 that.

8 Q. Please.

9 A. So the intersection of Delmont Road and
10 Mill Park Drive and State Route 188 was recently
11 signalized through the Fairfield County TID, and
12 that signalization was built by ODOT. Love's
13 Travel Plaza is also planning on improving a
14 signal on the ramps over on US 33. And the
15 reason why we did not include that section was
16 because of the coordination of ODOT's signals
17 between the ramps and Mill Park Drive, Delmont
18 Road intersection so those will be on the same
19 system.

20 Q. Okay. So the key components of what I
21 heard you say are coordination. So you've
22 coordinated with Fairfield County and ODOT,
23 correct?

24 A. Correct.

1 Q. Okay. And with this annexation we
2 aren't splitting any roadways down the
3 right-of-way. We've taken chunks rather than
4 splitting them for jurisdiction and maintenance
5 purposes, correct?

6 A. Correct.

7 Q. Okay. So there's no split roads or odd
8 segments of roadway created with the annexation,
9 correct?

10 A. Correct.

11 Q. The next thing that you mentioned was
12 the signal. Was there a study performed to
13 warrant a traffic signal?

14 A. There was.

15 Q. Okay. And so it obviously met the
16 warrant in order to have the signal installed?

17 A. Correct.

18 Q. Okay. I want to zoom out for a moment
19 and just ask you about this corner of the world,
20 the west side of Lancaster. Generally what
21 condition are the roads in?

22 A. I would say they're in good condition.

23 Q. And have the roadway networks, including
24 the industrial park to the north, been

1 constructed to handle the types of traffic that
2 would come with an industrial park?

3 A. That is correct.

4 Q. Okay. And just to be clear, the signal
5 warrant was determined prior to this annexation
6 even being proposed, correct?

7 A. The signal warrant for the intersection
8 of Delmont Road was done prior to because that
9 was done through the Fairfield County TID.

10 Q. Got it.

11 A. However, on the ramps, that was done as
12 part of the Love's Travel Plaza.

13 Q. Yes. So let's talk real quickly
14 about -- because I want to stay on roads before
15 we move to any sewer or water or anything like
16 that. Since we're talking about the roads, the
17 traffic study that's been performed for Love's
18 has determined that there will be signals at the
19 off ramp from the bypass onto 188?

20 A. Yeah. The northbound ramps or westbound
21 ramps, yes.

22 Q. Just for everyone else who's here, those
23 are the ramps closest, just to the left of
24 Exhibit B there, right?

1 A. Correct.

2 Q. Okay. Very good. Those are determined
3 as part of this project, correct?

4 A. Correct.

5 Q. Do you think that's a benefit to the
6 area in general to have signals?

7 A. I believe it is a benefit to this area.

8 Q. The traffic along both the bypass and
9 then exiting onto State Route 188, would you
10 categorize that as moderate or high?

11 A. It is -- I would say it's moderate and
12 it's seems to be that's the growth of our city
13 and the growth of our industrial park, and it's
14 going to be continually getting heavier as time
15 goes on.

16 Q. That's my next question. Excellent. So
17 you see that traffic growth in relation to the
18 industrial park?

19 A. Correct.

20 Q. Okay. So as a part of the development
21 generally Love's has conducted a traffic study
22 for the City of Lancaster, correct?

23 A. It was for the City of Lancaster,
24 Fairfield County Engineer's Office, and ODOT.

1 Q. Right. And so in conjunction with the
2 part that you would be responsible for would
3 those be turn lanes into the site?

4 A. Correct.

5 Q. And as a result of the traffic study
6 performed are there turn lanes that would be
7 constructed by Love's for the development?

8 A. Yes.

9 Q. Okay. Do you think the traffic -- the
10 turn lanes are needed in this corridor to serve
11 the property?

12 A. Yes.

13 Q. Okay. And traffic signals going to the
14 industrial park, there's an extra turn lane for
15 a northbound -- for an eastbound left-turn lane,
16 correct?

17 A. There are turn lanes on all legs of that
18 intersection that will eventually be there.

19 Q. Okay. And they wouldn't be there if
20 they weren't warranted by the volume of traffic,
21 right?

22 A. Correct.

23 Q. All right. So just in general we talked
24 about the growth, the bypass in and of itself.

1 There's actually land west of the bypass that is
2 already annexed to the City of Lancaster,
3 correct?

4 A. Correct.

5 Q. And so any traffic that would be going
6 to that part of the city also uses the bypass
7 very likely?

8 A. Very likely.

9 Q. Okay. I think we've answered a lot of
10 questions with regard to the roadway. Now, in
11 general, the traffic in the area, the signal was
12 already needed and necessary, right? Have you
13 seen -- do you believe that the intersection is
14 now safer with the signal that's there?

15 A. I believe that it is safer, yes.

16 Q. Okay. And with regard to additional
17 development right at that intersection, do your
18 role -- does your role as city engineer include
19 also the zoning?

20 A. We -- yes, we take care of zoning
21 changes. We do have a zoning inspector that
22 kind of things run through them, but, yes, it
23 does run through our office when there are
24 zoning changes.

1 Q. Okay. And has your office reviewed the
2 idea of putting additional commercial and/or
3 industrial uses in the area along the bypass?

4 A. Yes.

5 Q. Okay. And has the City determined the
6 appropriateness of the Love's use in this area?

7 A. We have.

8 Q. And what did you decide?

9 A. It is the most -- for our zoning and for
10 the use in that area commercial high intensity
11 is the proposed use and the use that fits our
12 zoning code best.

13 Q. Okay. Let me ask you just a general
14 question -- right? -- with regard to the uses.
15 This is a commercial heavy use, correct?

16 A. Yes.

17 Q. And it includes freeway-oriented uses?

18 A. Yes.

19 Q. And in your review of the zoning are
20 there any other residential homes that are
21 contiguous to this property?

22 A. No.

23 Q. Now, residential zoning, there's lots
24 of, still, farm and ag land, correct?

1 A. Yes.

2 Q. But no homes?

3 A. No homes.

4 Q. Okay.

5 MS. COMEK: Commissioners, I'd like you
6 to take judicial notice I've provided a copy of
7 Exhibit D. It's a certified ordinance from the
8 City of Lancaster. I'm going to ask Mitch a few
9 questions about that. That's the packet that
10 you have there.

11 COMMISSIONER DAVIS: It's a public
12 record and it will be permitted. Please
13 proceed.

14 MS. COMEK: Thank you.

15 BY MS. COMEK:

16 Q. Mitch, I'm going to ask you to take a
17 look at Exhibit D. I've got it here at this end
18 of the table for you. Sorry about that. Do you
19 recognize the legislation that's marked as
20 Exhibit D?

21 A. I do.

22 Q. Okay. And can you explain what this is
23 for the commissioners?

24 A. This is legislation that was passed by

1 city council for -- the pre-annexation agreement
2 for the property, for the Love's property, which
3 is the property located on the east side of
4 Delmont Road.

5 Q. Okay. And as part of this agreement,
6 the City has agreed to review different plans
7 submitted, and in addition to the use, to
8 determine any improvements that are necessary.
9 Isn't that right?

10 A. Correct.

11 Q. Okay. So those turn lanes are one of
12 those things that were studied and determined to
13 be a necessary improvement?

14 A. Correct.

15 Q. And benefit generally to the area for
16 the flow of traffic. Is that a fair statement?

17 A. Correct.

18 Q. Okay.

19 A. I will add that we received -- I brought
20 them with me, but we received construction
21 drawings for all of these improvements last
22 week; so they're in our office for review.

23 Q. Okay. That's a great segue. Let's talk
24 about the construction. And I think one of the

1 interesting things about your office is the
2 stormwater features that we talked about. So
3 this is predominantly a rural area until the
4 industrial park comes along, right?

5 A. Correct.

6 Q. Okay. Your office manages stormwater
7 utilities. Is that correct?

8 A. Correct.

9 Q. Okay. The standards that are applied to
10 new construction, would you describe those as
11 relatively stringent? Can you talk about that a
12 little bit, about the standards that are imposed
13 for developments that occur today so that
14 stormwater is managed in particular around farm
15 fields?

16 A. Yeah. So many years ago we, the City of
17 Lancaster, adopted a stormwater utility and
18 adopted regulations and standards that are --
19 coincide with Ohio EPA's Stormwater Pollution
20 Prevention Plans, as well as our detention
21 policy for the release of stormwater based on
22 various storm events. And our policy basically
23 takes the 100-year post-construction to the
24 2-year preconstruction release rate. So those

1 are the standards that are followed by
2 development in our city.

3 Q. And generally share with the
4 commissioners, is it your experience that new
5 developments help with stormwater management in
6 particular when farms -- you know, when there's
7 farms -- the flow of water from farms,
8 surrounding properties?

9 A. Generally speaking. I know that many
10 times new development makes people nervous
11 during development of property, but I believe
12 that the standards that are put forth in today's
13 engineering practices mitigate and actually
14 assist and reduce peak flows that assist in
15 flooding or assist in mitigating flooding.

16 Q. So any project that would be built and
17 annexed to the city would have to meet those
18 regulatory standards?

19 A. Correct.

20 Q. Just generally, though, that's a benefit
21 to the entire area. It can often be, right?

22 A. Correct.

23 Q. So let's move to what we have marked as
24 Exhibit C. That's the larger colored document.

1 Mitch, can you take a look and tell me what that
2 document is?

3 A. This is an aerial photograph of the
4 subject area, and it also shows where existing
5 utilities are located along various roads. For
6 instance, there's a 16-inch ductal iron
7 waterline that runs long the north side of 188.

8 Q. What color is that?

9 A. That's a blue color.

10 Q. So that's a blue color and that's north.
11 So can you show us on the map where that is?

12 A. That's here. This 16-inch ductal line
13 here.

14 Q. So that's on the north side of State
15 Route 188, correct?

16 A. Correct.

17 Q. Okay. So water and sewer?

18 A. Yeah. The red Xs delineate hydrants
19 that you see on the map. The yellow dashed line
20 you'll see some words there: 4-inch plastic.
21 Those are gas lines along the north side that
22 basically run parallel with the water, and then
23 sanitary sewer are the -- it's somewhat hard to
24 see, but there is sanitary sewer that is green

1 in nature, and it runs along Mill Park Drive on
2 the north stub there, and there are -- the
3 manholes are delineated with the green circles.

4 Q. Okay. So can the City of Lancaster
5 service the territory to be annexed --

6 A. Yes.

7 Q. -- with water and sewer?

8 A. And gas.

9 Q. And gas. Okay.

10 Now, we can only get the benefit of the
11 water or the sewer if we annex to the City of
12 Lancaster. Isn't that correct?

13 A. Correct.

14 Q. Okay. So these lines are extended in
15 this area. Why did you extend them so far from,
16 you know, mainland Lancaster, downtown?

17 A. For future growth.

18 Q. Okay. So the capacity from these lines
19 is adequate as well?

20 A. It is.

21 Q. Okay. So is it fair to say that if
22 there are other annexations that those
23 properties would also benefit from the extension
24 of the lines here?

1 A. That's correct.

2 Q. Okay. And they would benefit from the
3 annexation itself not being on the south side of
4 188 for contiguity purposes?

5 A. Correct.

6 Q. In regards to other development
7 standards, the zoning code in Lancaster has got
8 a variety of rules for buffering and screening
9 of adjacent property. Is that correct?

10 A. Yes.

11 Q. And those would apply to any development
12 that comes into the City of Lancaster?

13 A. Yes.

14 Q. Okay. So if I hear you, there's already
15 traffic there, there's already an industrial
16 park there, there's already sewer and waterlines
17 there for the extension of the City of Lancaster
18 naturally to the west. Is that correct?

19 A. That's correct.

20 Q. Okay.

21 MS. COMEK: That's all I've got for this
22 witness.

23 COMMISSIONER DAVIS: All right. So at
24 this stage of the proceedings the City of

1 Lancaster is given the opportunity, but not the
2 requirement, to cross-examine this witness that
3 was put on by the Petitioner.

4 Do you want to do that or are you
5 declining your right at this time?

6 MR. ULLOM: Yes, Commissioner Davis.

7 COMMISSIONER DAVIS: Thank you.

8 Also at this time Hocking Township --
9 and I'm going to have some leeway here in my
10 discretion. Under normal circumstances, we
11 would require you to have legal counsel to
12 conduct cross-examination. I'm going to waive
13 that requirement out of courtesy and give you
14 the opportunity to cross-examine this witness,
15 just one of you, if you would like to do that.

16 MS. ELLINGER: Okay. Yes, I would,
17 please.

18 COMMISSIONER DAVIS: Gail Ellinger,
19 right?

20 MS. ELLINGER: Yes. Gail Ellinger.

21 COMMISSIONER DAVIS: All right. You'd
22 like to cross-examine Mr. Nolan, correct?

23 MS. ELLINGER: I just have one question
24 of Mr. Nolan.

1 COMMISSIONER DAVIS: Please.

2 CROSS-EXAMINATION

3 BY MS. ELLINGER:

4 Q. I know that the discussion has been
5 prior as far as annexation and services, but I
6 guess I need to ask you why the City of
7 Lancaster can't change their policy as far as
8 not -- or as far as providing sewer to other
9 areas without annexing? Why can't that policy
10 be changed because the gas is already out past
11 the city corporation limits? So that's just my
12 question for you on that, why can't that policy
13 be changed?

14 A. Well, I don't know the exact policy.
15 It's been a policy that I've heard from the
16 administration since I've been with the City.
17 It is used as a tool to bring those types of --
18 any type of properties that are around the edges
19 of the city of Lancaster, to bring them into the
20 city for tax purposes and things like that, but
21 that's just the policy of the City and that's
22 not really up to me.

23 Q. Do you know who it's up to? Can you
24 inform me of that?

1 A. It would be the services committee in
2 the City of Lancaster.

3 Q. The city services committee?

4 A. Yeah.

5 MS. ELLINGER: Okay. Thank you. That's
6 really all I have.

7 COMMISSIONER DAVIS: I don't want to get
8 too far down -- I saw your hand up. I'm going
9 to acknowledge you in a minute. You really
10 should have one person on your behalf who's
11 doing the cross-examining. I've created some
12 leeway there by allowing you to do it without
13 representation of counsel, and I'm going to just
14 take that one step further. Do you have many
15 questions?

16 MR. SHAW: I just want to make a
17 statement.

18 COMMISSIONER DAVIS: I'm going to let
19 you do that. Go ahead.

20 MR. SHAW: Okay. We've talked about
21 ODOT, we've talked about the county engineer,
22 we've talked about City of Lancaster. Not once
23 have we mentioned Hocking Township. We were
24 never notified that this was going on.

1 COMMISSIONER DAVIS: Thank you, sir.

2 All right.

3 MS. ELLINGER: I do have a prepared
4 statement. Is this the time I should do that or
5 at --

6 COMMISSIONER DAVIS: It's really not.
7 So let me go back to the process and just make
8 sure that we're on the same page, and I want you
9 folks to know I do have the rules that are --
10 that we're kind of trying to stay by here so
11 please don't think I'm meaning to be harsh at
12 all. I'm not. I'm just trying to follow the
13 rules.

14 But what we're going to do is the
15 Petitioner is going to put on witnesses and
16 evidence, and then I'm allowing you that right
17 to cross-examine those witnesses if you would
18 like, as would the City of Lancaster. Once the
19 Petitioner is done putting their case on, so to
20 speak, then the Petitioner would say, I close.
21 They close their case, so to speak.

22 The next section of the hearing would be
23 the City of Lancaster as an interested party
24 would also have the opportunity, but not the

1 obligation, to put on evidence or witnesses, and
2 then Hocking Township as an interested party
3 would have the opportunity to put on evidence or
4 witnesses. Once we've been through that process
5 of evidence and witnesses from the interested
6 parties, at that point any and allcomers will be
7 given that opportunity to make statements in
8 favor of, opposed to, or golly, gee-whiz, I just
9 don't know what I think about this. So we'll
10 have that opportunity as well. Okay?

11 Once everything has kind of been done
12 once, we come back to the Petitioner for what's
13 called a rebuttal case. Because the Petitioner
14 has the burden of proof, they get to go first
15 and they get to go last because of that burden.
16 Okay? Everybody understand what's going on?

17 And now I'm back to Ms. Comek with the
18 right, but not the obligation, to call your next
19 witness.

20 MS. COMEK: Thank you. My next witness
21 is Mike Petitt with the City of Lancaster --
22 formerly the City of Lancaster.

23 COMMISSIONER DAVIS: Formerly?

24 MS. COMEK: We got to give him -- he's

1 with COCIC.

2 COMMISSIONER DAVIS: None of my
3 business. Please proceed.

4 MS. COMEK: I'll clear that up right
5 now.

6 R. MICHAEL PETTIT
7 called as a witness by the Petitioner, being
8 first duly sworn, testifies as follows:

9 DIRECT EXAMINATION

10 BY MS. COMEK:

11 Q. Mike, have you been sworn?

12 A. I have been sworn, yes.

13 Q. Can you tell us your official title and
14 for whom you work?

15 A. Yes. So I am the executive director of
16 Lancaster Port Authority, and through the port
17 authority we -- the organization handles the
18 economic development activities for the City of
19 Lancaster.

20 Q. And in a prior lifetime you worked for
21 the City of Lancaster?

22 A. I did. I was general manager of
23 Lancaster Municipal Gas and the economic
24 development director as well as the executive

1 director of Lancaster Port Authority, and I
2 retired from the -- as general manager from
3 Lancaster Municipal Gas and the economic
4 development director officially March 31st of
5 2020.

6 (Court reporter interruption.)

7 Q. State your full name for the record.

8 A. I'm R. Michael Pettit.

9 Q. Spell your last name.

10 A. P, as in Paul, E-T-T-I-T.

11 MS. COMEK: Thank you.

12 Q. I want to ask you to take a look at what
13 we have marked as Exhibit C. Do you recognize
14 that document?

15 A. Yes, I do.

16 Q. Okay. And you've just heard the
17 testimony from Mitch about the utility lines and
18 what this exhibit depicts?

19 A. Yes.

20 Q. Can you talk to me about the purpose of
21 extending all the sewer and waterlines out while
22 you were planning that industrial park?

23 A. Yes. I'm happy to do that. The City of
24 Lancaster recognized the need of jobs for our

1 community, and invested heavily in that area to
2 attract jobs, and we've been very successful.
3 Utilities expansion is very, very expensive,
4 especially water and wastewater more so than
5 gas. The facility just north of here for the
6 wastewater treatment I believe was in excess of
7 \$30 million. So for the benefit of the -- and
8 that's all paid for by the community of
9 Lancaster, and we wanted the jobs here, and we
10 also wanted them in a location that with the
11 bypass, we put those trucks right onto 33 and
12 not be going through town and over all the other
13 roadways in the community and causing
14 congestion.

15 Q. Okay. And so generally speaking does an
16 annexation that has commercial uses serve as an
17 amenity to the industrial park?

18 A. It does. If you haven't been out there,
19 the attraction of Magna, and South Central
20 Power, and many of the others were driving --
21 Mid-West Fabricating who is now doing their
22 coatings there, and a host of other successes
23 are bringing in hundreds of jobs to the city,
24 and it's beneficial to the area, but the truck

1 traffic is increasing greatly.

2 South Central, the full impact there has
3 not been seen yet because they're not open yet.
4 They expect to be open, I believe, in late
5 November, and we'll see both truck activity and
6 employee activity as well as general public to
7 that site as well. So having a truck location
8 here is very beneficial that we keep the trucks
9 as close to the interchange as we can get them.

10 Q. And so the testimony you offered has to
11 do specifically with the industrial park.
12 Within the span of however several many miles do
13 you think that these commercial uses are
14 appropriate in relation to the general area,
15 meaning an amenity for the area?

16 A. I do. Actually, it was -- that's a good
17 question because just today one of our board
18 members lives just west of here off of 188, and
19 he had not been aware that Love's was coming,
20 and was excited because he has to drive a
21 considerable ways to get gasoline for his
22 lawnmower. So I'm sure there are other services
23 that Love's has, including some minimal grocery
24 and food, but very beneficial for this area.

1 Q. Got it. Thank you. Let's see if I have
2 anything else for you, Mr. Pettit. I think
3 that's all for now. Thank you.

4 COMMISSIONER DAVIS: At this time
5 interested party the City of Lancaster is given
6 the right, but not the obligation, to
7 cross-examine Mr. Pettit.

8 MR. ULLOM: The City has no questions
9 for the witness, Commissioner Davis. Thank you.

10 COMMISSIONER DAVIS: Thank you.

11 And, again, at this time interested
12 party Hocking Township is given the right, not
13 the obligation, to cross-examine Mr. Pettit if
14 you would like.

15 MS. ELLINGER: I don't have any
16 questions for him. Thank you.

17 COMMISSIONER DAVIS: Thank you, Gail.

18 The Petitioner may proceed with your
19 next witness, if you have any.

20 MS. COMEK: Is Mr. Ressler in the room?
21 You want to come up to the front, please. I
22 won't take too long for you. Would you mind
23 standing over here?

24 MR. RESSLEY: Yeah.

1 MS. COMEK: That'd be great. Have you
2 been sworn in yet?

3 MR. RESSLEY: No, I have not.

4 MS. COMEK: Would you mind swearing in
5 the witness for me.

6 COMMISSIONER DAVIS: I would not.

7 (Witness duly sworn.)

8 MS. COMEK: Thank you.

9 CHARLES RESSLEY

10 called as a witness by the Petitioner, being
11 first duly sworn, testifies as follows:

12 DIRECT EXAMINATION

13 BY MS. COMEK:

14 Q. Just a quick question for you. Can you
15 state and spell your full name for the record.

16 A. Charles Ressler, R-E-S-S-L-E-Y.

17 Q. And, Mr. Ressler, what's your official
18 title with Hocking Township?

19 A. Fiscal officer.

20 Q. Fiscal officer. All right.

21 I'm going to hand you a document. Do
22 you recognize that?

23 A. Yes.

24 Q. Okay. Can you tell me what it is?

1 A. It is a postage tracking thing for a
2 document that was received.

3 Q. Okay. Certified mail?

4 A. Certified mail.

5 Q. Okay. Great. Is that your signature on
6 there?

7 A. It is.

8 Q. Okay. Thank you.

9 MS. COMEK: That's all I have.

10 COMMISSIONER DAVIS: Mr. Ressler, I'm
11 sorry, I want to make sure we follow the rules
12 at every turn. So even though the questioning
13 of you was very brief, I still want to see if
14 the City of Lancaster would like to
15 cross-examine?

16 MR. ULLOM: City has no questions of the
17 witness.

18 COMMISSIONER DAVIS: Hocking Township,
19 cross-examine?

20 MS. ELLINGER: No.

21 COMMISSIONER DAVIS: All right. Thank
22 you, sir.

23 Ms. Comek, you may proceed.

24 MS. COMEK: Commissioner Davis, I have

1 no further witnesses this evening. Just reserve
2 the right to rebuttable if there's anything
3 presented by Hocking.

4 COMMISSIONER DAVIS: Just so the
5 commission is clear, you gave us Exhibits A, B,
6 C and D.

7 MS. COMEK: Yes, please.

8 COMMISSIONER DAVIS: And then you had
9 Mr. Ressler identify your certificate of
10 service.

11 MS. COMEK: That's correct.

12 COMMISSIONER DAVIS: Are you marking
13 that or asking that a copy of that be made as
14 Exhibit E?

15 MS. COMEK: I certainly can. It's
16 actually a part of the official record that's on
17 file with Ms. Elsea, but I can do that.
18 Whatever is your pleasure.

19 COMMISSIONER DAVIS: I don't need it, if
20 it's in the record and filed prior to the
21 hearing.

22 MS. COMEK: Correct.

23 COMMISSIONER DAVIS: Are you moving the
24 admissions of Exhibits A, B, C and D?

1 MS. COMEK: That's correct.

2 COMMISSIONER DAVIS: All right. Are
3 there any objections to the moving of Exhibits
4 A, B, C and D?

5 MR. ULLOM: No objection from the City.

6 MS. ELLINGER: No objection.

7 COMMISSIONER DAVIS: Without objection,
8 your exhibits will be admitted.

9 MS. COMEK: Thank you.

10 COMMISSIONER DAVIS: The City of
11 Lancaster as an interested party is next given
12 the opportunity to present witnesses or
13 testimony if you would like. Would you like to
14 do that?

15 MR. ULLOM: The City has no case in
16 chief to present, Commissioner Davis. Thank
17 you.

18 COMMISSIONER DAVIS: Thank you.

19 And now Hocking Township is given the
20 opportunity to present witnesses or evidence if
21 you would like. Do you wish to do that at this
22 time?

23 MS. ELLINGER: I do not wish to question
24 any witnesses. I'll have a statement at the

1 end.

2 COMMISSIONER DAVIS: You'll be permitted
3 on that, and I do apologize for the formality.
4 It's just the way it's got to be. But in any
5 event, I just want to be clear so that the
6 record is clear as far as evidence or witnesses,
7 it is not your intent to present a case at this
8 time?

9 MS. ELLINGER: Not at this time.

10 COMMISSIONER DAVIS: Okay.

11 MS. ELLINGER: I would like to speak at
12 the end.

13 COMMISSIONER DAVIS: And you'll --
14 you're going to get it.

15 MS. ELLINGER: Thank you.

16 COMMISSIONER DAVIS: So at this time all
17 of the interested parties have been given the
18 right and the opportunity to present evidence
19 and witnesses, and we are through that portion
20 of the hearing. And so now I'm going to allow
21 anyone who may be in attendance who would like
22 to speak in favor of the proposed annexation,
23 I'm going to give you the opportunity to do
24 that, cautioning you that you will be under oath

1 as you do that.

2 Is there anyone who would like to speak
3 in favor of the proposed annexation?

4 (No response.)

5 COMMISSIONER DAVIS: Hearing none, now
6 I'm going to give those who are here who wish to
7 speak in opposition to the proposed annexation,
8 I'm going to give you the opportunity to do
9 that. Please begin by stating your name and
10 residential address. If you were not previously
11 sworn, you'll need to be sworn prior to giving
12 your statement.

13 Is there anyone who would like to do
14 that?

15 Sir, were you previously sworn?

16 MR. SHURTZ: I was.

17 COMMISSIONER DAVIS: Proceed.

18 MR. SHURTZ: Do you want my name and
19 address?

20 COMMISSIONER DAVIS: I do.

21 MR. SHURTZ: Troy, last name is Shurtz,
22 S-H-U-R-T-Z, 1805 Snoke Road, S-N-O-K-E,
23 Southwest. To be honest with you, I'm opposed
24 about having this annexation done. I find it

1 personally that it's taking property from our
2 township that I live in that also that we
3 started our own firehouse that our community
4 pays for, and I'm concerned about if you annexed
5 this section in what's going to keep you from
6 coming down 22 and annexing that section in and
7 running their lines just because they feel they
8 can run their lines down there so they can grab
9 more land out of our township?

10 So my concern is where does it stop?
11 And why can't they -- like you said already, the
12 gas is already coming to residents that aren't
13 in the city, and all of a sudden now we're going
14 to say, oh, you can't come in, we're going to
15 take all your land and take the water. You
16 can't have water or sewer?

17 Jeff came to our township. He came to
18 our township when he was running for this seat,
19 and he said, I'm here to help your township.
20 And by taking our land that's not helping our
21 township. It's not okay. That's all I got to
22 say.

23 COMMISSIONER DAVIS: Thank you.

24 I just -- I'm not going to argue with

1 you at all, and I don't mean it that way.

2 MR. SHURTZ: I'm just telling you how I
3 feel.

4 COMMISSIONER DAVIS: No, I appreciate
5 that, but I do want to be clear in terms of the
6 county commission's position here. We are in a
7 quasi-judicial capacity. We are not -- the
8 Petitioner's asking that the annexation be done.
9 We're not the City of Lancaster. We're not in
10 that. It's just by the Ohio Revised Code we are
11 put in this quasi-judicial capacity to make a
12 determination as to whether the annexation
13 complies with the requirements of the Ohio
14 Revised Code. And so, again, I'm not arguing
15 with you at all. I just want our record to be
16 clear as to what role the commission is playing
17 at this hearing.

18 MR. SHURTZ: Sure.

19 COMMISSIONER DAVIS: Thank you for your
20 time and your courtesy, sir.

21 Is there anyone else who would like to
22 address the hearing?

23 Sir.

24 MR. WOLFE: My name is Steve Wolfe. I'm

1 a Hocking Township Trustee. I live on Becks
2 Knob Road about a mile, mile and a half from the
3 project. One of the gentlemen over here states
4 that our roadways in that end of the township
5 are in good condition. I agree with that. I
6 live about a thousand feet off of 188.

7 Probably 3 or 4 times a week I have a
8 semi truck come down, stop at my home and ask
9 for directions. They are wanting to go to Mill
10 Park which is the other direction. Instead of
11 going south, they should have went north.

12 Now, when we get all these trucks coming
13 into this Love's, when they leave to go to their
14 destinations, there are going to be more of them
15 going out into the township, confused, because
16 they all rely on GPS, which does not take them
17 where they need to go without the proper
18 addresses in there. So I feel that that is
19 going to lead to further destruction of the
20 township roads, and that's my opinion and
21 statement.

22 COMMISSIONER DAVIS: Thank you, sir.

23 Is there anyone else who would like to
24 address the hearing in opposition to the

1 proposed annexation?

2 Ms. Ellinger.

3 MS. ELLINGER: Gail Ellinger, 5800
4 Westfall Road, Lancaster, Hocking Township
5 Trustee. I don't deny or I don't have an issue
6 with most of the boxes are checked, Laura
7 Comek's done an excellent job of that, I don't
8 dispute that at all, and I don't really have an
9 issue with the truck stop being there or a gas
10 station being there, either.

11 I do feel there is a need for it, and as
12 you go down all the requirements an annexation
13 has to meet or regular annexation has to meet,
14 you certainly are meeting them. Our issue --
15 and I'm going to -- I prepared a statement and I
16 would like to have it on record.

17 COMMISSIONER DAVIS: You may.

18 MS. ELLINGER: Concerning the annexation
19 of 25.8723 acres from Hocking Township into the
20 City of Lancaster, we are very concerned with
21 losing this parcel of our township and ask that
22 consideration be made by your board to make some
23 amendments to this annexation or possibly deny
24 it.

1 We met with the Lancaster city mayor on
2 May 4th to try to work out an agreement that
3 would be beneficial to the parties. The mayor
4 stated that he wanted to be a good neighbor, but
5 does a good neighbor have knowledge of taking
6 land from the other neighbor and not even
7 contacting the other neighbor?

8 The attorney representing Love's set up
9 a meeting and talked with me and our fiscal
10 officer, Charles Ressler, and told us about the
11 annexation. Until we contacted the mayor, the
12 City of Lancaster did not try to contact us in
13 any way.

14 During this meeting with the mayor, we
15 asked if we could try to work out an agreement
16 to where the township would not be losing all of
17 this after 12 years. The mayor said that it was
18 too late at that time to work out anything. My
19 understanding of what I've read -- I'm not an
20 attorney. I don't claim to be. -- there was
21 time at that point that we could have.

22 The mayor said that it was too late. If
23 he was willing, we could have tried to come up
24 with a better plan. One suggestion was that the

1 township take over road maintenance on that
2 portion of Delmont Road that the City is going
3 to be responsible for that the county maintains
4 now. That was suggested and wasn't listened to.

5 Another concern of ours is the amount of
6 mutual aid runs that we are now taking for the
7 city of Lancaster. With the addition of this
8 facility, we are going to have more accidents,
9 thus taxing our fire department. Our department
10 is small and our budget is tight. We do not get
11 paid for mutual aid fire runs and only are we
12 able to bill with the medic if we transport.

13 Why is this annexation the only way the
14 city can provide services? They would be
15 charging for the services even without
16 annexation and the township could hold onto much
17 needed tax base and they would be collecting
18 from the utilities provided. The city would not
19 be taking on more road miles to maintain if they
20 do not annex.

21 I was planning on going to the second
22 reading that Lancaster City Council would have
23 had on this, and was told by the mayor that they
24 decided to forego the second reading, and that

1 he signed the annexation agreement the very next
2 morning. They definitely put a rush on this
3 one. Under a regular annexation, the City is
4 obligated to make payments to the township for
5 12 years. The first three years are 80 percent
6 while it's under construction. Our first
7 payment -- and this is an estimation that we
8 received from Ms. Comek -- is estimated to be
9 \$240.80 for the year. It gradually goes up.
10 There's two more years at 80 percent still under
11 construction, and then the very last year, the
12 12th year, it's estimated that we will receive
13 \$32,476. That hardly paves a mile of road for
14 us. Twelve years will pass by quickly, and I'm
15 sure that this business will be thriving while
16 the township continues to get Local Government
17 Funding cuts and no more revenue from what we
18 used to be -- what used to be a part of our
19 township.

20 During our meeting with the mayor, I
21 asked him if he would be willing to try to come
22 up with a JEDD or CEDA so that in the future we
23 would not be losing out on critical tax base.
24 He said he was open to discussing it. So we

1 hope to be able to sit down and try to work
2 something out to where this doesn't happen
3 again, because we are worried they're just going
4 to keep coming and coming, and we're going to
5 keep losing and losing.

6 Yes, the City has all the boxes checked
7 as far as criteria being met for this
8 annexation. The one condition they are not
9 meeting, which that's a point of dispute here,
10 is that the current land use is not consistent
11 with the proposed usage because it's agriculture
12 right now, and it is not consistent with the
13 commercial.

14 How does anyone think that this is the
15 right thing to do? Just because they can? With
16 only one property owner it's pretty simple for
17 them. My fear is that we will continue to lose
18 valuable ground in the township if this
19 continues.

20 During our meeting, the Lancaster City
21 officials seemed not willing to budge on any
22 items that we brought up. Is this working
23 together? Is this being a good neighbor? I
24 think not.

1 In closing, I would like to say just
2 because you can doesn't make it right, doesn't
3 make it fair, and doesn't help the township and
4 county community that you three commissioners
5 represent. If we let this happen, it only puts
6 more burden on the township and more money in
7 the pockets of City of Lancaster. Sad that it
8 comes to this. Please do the right thing and do
9 not allow this annexation to happen, or at least
10 amend it so that the township doesn't lose in
11 this matter like we are going to with this
12 annexation agreement.

13 Whenever I'm making a decision for our
14 township I try to put myself in the shoes of
15 others and reason out if it is a fair and
16 equitable decision that I'm arriving at. I ask
17 that your board do the same. Thank you.

18 COMMISSIONER DAVIS: Thank you.

19 Is there anyone else who would like to
20 speak in opposition to the proposed annexation?

21 (No response.)

22 COMMISSIONER DAVIS: Hearing none, we're
23 at that stage of the process where the
24 Petitioner is given the right to present

1 rebuttable evidence if they would like to.

2 Ms. Comek, would you like to put on
3 rebuttable evidence?

4 MS. COMEK: No, thank you, no evidence,
5 just a closing statement, we'd be ready to do
6 that.

7 COMMISSIONER DAVIS: I'll come back to
8 you on that in a moment.

9 The City of Lancaster, I'm just going to
10 rule that since you didn't put evidence on we're
11 not going to let you put rebuttable evidence on
12 so there you go on that, and same for Hocking
13 Township.

14 We will proceed to closing statements.
15 First from the Petitioner.

16 MS. COMEK: Thank you, again, and thank
17 you for agreeing to meet with me and talking
18 through what we had planned. I appreciate it.
19 And Ms. Ellinger and I discussed the prescribes
20 of Ohio law.

21 So your job today is similarly bound by
22 Ohio law in this regard. Ohio law favors
23 annexation. It actually prescribes a variety of
24 point tests that we meet here today, but your

1 decision is based on the evidence that you heard
2 today. And the evidence reveals that there are
3 a number of significant benefits to the property
4 and to the good of the territory sought to be
5 annexed is an element you need to consider
6 today.

7 This property gets sewer and water and
8 benefits from sewer and water only upon
9 annexation. That's kind of one of the
10 fundamental principles of annexation, but there
11 are others because there are stormwater benefits
12 that the entire area gets. And without regard
13 to the wishes of the township, the benefits of
14 the extension of sewer and water if other
15 property owners choose to annex, those benefits
16 are there.

17 Stormwater's an interesting thing,
18 right? Stormwater's an interesting thing for
19 farmland, and development is actually an
20 assistance to that. We heard Mitch Nolan offer
21 some testimony about that today. So those are
22 the kinds of benefits that when there is
23 development that sometimes they go unseen
24 because sometimes they're big ponds and

1 sometimes they're underground, and that's a
2 benefit to even existing farmland that remains.
3 That was the testimony you heard today.

4 In terms of traffic, there are going to
5 be other traffic improvements that are made as a
6 result of this annexation and this development.
7 Those are important for everyone's safety, not
8 just people who live in the city of Lancaster.

9 The other elements today: The testimony
10 of Rachel was that we've met all of the
11 statutory requirements for the processing of
12 annexation. According to Mitch Nolan, Mary
13 Reedy is the only -- the sole property so
14 there's one signature on the petition. So we've
15 met that element.

16 The municipal corporation has provided,
17 and that is in the file, the official file with
18 Rachel, the municipal service ordinance where
19 the City agrees to provide all of the essential
20 public services to this site. The territory is
21 not unreasonably large. Testimony from Mitch
22 and Mike has been that there's many -- several
23 hundred acres of an industrial park. There's
24 land west of the bypass. So 25 plus/minus acres

1 is not an unreasonably large territory to annex.
2 There's no segment of any roadway created --
3 and, in fact, the design, the layout of this
4 annexation which takes both Mary Reedy
5 properties on both sides of Delmont is intended
6 to avoid just that consequence. On balance, the
7 general good of the territory outweighs any
8 detriments.

9 First of all, in the record today
10 there's no evidence of detriment to surrounding
11 property owners, but in a more practical sense
12 this is a benefit for the City of Lancaster, but
13 in general there's an amenity here that's much
14 needed as between other off ramps and other
15 locations. So there's -- while there may be
16 some subjective and -- understandably from the
17 township's perspective -- some detriments to
18 their township, it's not to the surrounding
19 property owners because they will now have an
20 amenity, they will have traffic improvements,
21 they will have additional city maintenance of
22 those roads, and then they will have the
23 availability of sewer and water if they choose
24 to develop in the future.

1 Those are the facts that are before you
2 today. So there's no facts that contract --
3 that are contrary to those points. So any
4 decision would be based on those facts today. I
5 respectfully submit that we meet the
6 preponderance of the evidence having presented
7 the only facts that meet on those specific
8 elements. Thank you.

9 COMMISSIONER DAVIS: Thank you.

10 We'll give the City of Lancaster an
11 opportunity for any closing remarks.

12 MR. ULLOM: City has no closing remarks.
13 Thank you.

14 COMMISSIONER DAVIS: I'll come back to
15 you, Ms. Ellinger, for any closing remarks you
16 would like to make.

17 MS. ELLINGER: I have no further
18 comment.

19 COMMISSIONER DAVIS: Okay. Thank you.

20 Without objection, is there any reason
21 why legal counsel suggests I could not close
22 this hearing?

23 COMMISSIONER FIX: So --

24 COMMISSIONER DAVIS: Let me ask my

1 question and then I'll come to your question.

2 MR. HORACEK: I think you're good.

3 COMMISSIONER DAVIS: All right. I just
4 want to make sure we hit all the legal
5 requirements for the conduct of the hearing.

6 And, Commissioner Fix, you had a
7 question?

8 COMMISSIONER FIX: I have a couple. Is
9 this an appropriate time to ask them or not?

10 COMMISSIONER DAVIS: Yeah, it is, but I
11 want to make sure I understand who you're asking
12 your questions of.

13 COMMISSIONER FIX: Well, I would imagine
14 it will be the City of Lancaster as one, and one
15 would be for Josh.

16 COMMISSIONER DAVIS: All right. Well,
17 you may proceed.

18 COMMISSIONER FIX: So the City of
19 Lancaster, when you do annexations, are your
20 boundaries conformed automatically?

21 MR. ULLOM: In answer to that
22 question -- so it is provided for within the
23 Ohio Revised Code. So there is a process. It's
24 not automatic, I guess in answer to your

1 question. There are additional steps that upon
2 the acceptance by the City of the annexation,
3 the creation of the zoning, there is a timing
4 and a process that we go through other steps to
5 conform the boundaries.

6 COMMISSIONER FIX: So is it the policy
7 of the City of Lancaster that boundaries are
8 conformed when there is an annexation?

9 MR. ULLOM: Yes. And in regards to this
10 regular annexation, that's correct, we would
11 proceed with conformance of boundaries.

12 COMMISSIONER FIX: And this is for Josh,
13 perhaps. When boundaries are conformed, that's
14 when the 12-year payment cycle is in place?
15 It's not a -- the township does not continue to
16 collect property taxes when the boundaries are
17 conformed. Is that correct?

18 MR. HORACEK: I believe that's correct.

19 MR. ULLOM: Well, they continue to
20 collect at a reduced amount over the next 12
21 years. As Ms. Ellinger, I think, had said
22 earlier -- I forget the percentages, but I
23 believe the first three years are at 80 percent,
24 and it basically steps down through that 12th

1 year.

2 COMMISSIONER FIX: If the boundaries
3 were not conformed, the township could continue
4 to collect property taxes ad infinitum while the
5 City collected income tax, correct?

6 MR. ULLOM: Yes.

7 COMMISSIONER FIX: The other question I
8 have is with regard to our process. The state
9 law dictates that these six criteria are what we
10 use to evaluate our -- the way we vote, correct?

11 COMMISSIONER DAVIS: That is correct.

12 COMMISSIONER FIX: That's all I have.

13 Thank you.

14 COMMISSIONER DAVIS: All right. In the
15 absence of objection, this annexation hearing
16 will close in just a moment. I just want to let
17 folks know in terms of a going forward process,
18 the commissioners are permitted, but not
19 required, to deliberate in executive session.
20 We may or may not choose to do that at some
21 point in time. When the commission is prepared
22 to make a decision based on the evidence and
23 testimony that we heard tonight, we must make
24 that decision in public, and that -- so I don't

1 want to pin my colleagues down to a specific
2 date and say we'll have a decision by this date.
3 I want to give everybody a reasonable
4 opportunity to consider the evidence and the
5 testimony that they've heard tonight, but at
6 some point, I'll say, in a reasonably near term.

7 Dr. Brown?

8 DR. BROWN: 30 days.

9 COMMISSIONER DAVIS: Within 30 days
10 we'll make an official decision regarding
11 whether this annexation complies with the Ohio
12 Revised Code.

13 We do appreciate you all being here
14 tonight, and we appreciate the courtesy that
15 you've all extended to each other in your
16 presentations. This annexation hearing is
17 closed. The commission remains in session.

18 ==O==

19 Thereupon, the proceedings of July 27,
20 2021, were concluded at 7:01 p.m.

21 ==O==

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1 CERTIFICATE
2 I, Julia Lamb, RPR, CRR, a
3 stenographic court reporter and notary public in
4 and for the State of Ohio, do hereby certify
5 that the foregoing proceedings were taken down
6 by me stenographically and that the foregoing
7 transcript of such proceedings is a full, true,
8 and correct transcript of my stenographic notes
9 as so taken.

10 I do further certify that I was called
11 there in the capacity of a court reporter and am
12 not otherwise interested in this proceeding.

13 In witness whereof, I have hereunto
14 set my hand at Columbus, Ohio, on this 10th day
15 of August, 2021.

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Julia Lamb

Digitally signed by
Julia Lamb
DN: cn=Julia Lamb,
o=PRI Court
Reporting, LLC, ou,
email=julia@prio.hio.c
om, c=US
Date: 2021.08.10
13:15:09 -04'00'

Julia Lamb, RPR, CRR
Notary Public, State of Ohio

My commission expires: 10-10-22

