

Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021

Review

The Commissioners met at 9:00 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Levacy called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Jon Kochis, Joshua Horacek, Amy Brown-Thompson, Aunie Cordle, Corey Clark, Tony Vogel, Dennis Keller, Chris Schmelzer, Ray Stemen, Judy Stemen, Margaret Euler, Chief Ervin, Sheriff Lape, Jon Slater, and Branden Meyer.

Attending virtually were: Jeffrey Porter, Dave Burgei, Jim Bahnsen, Lisa McKenzie, Lynette Barnhart, Jason Dolin, Bennett Niceswanger, Stacy Hicks, Tony Howard, Park Russell, Jeff Barron, Shannon Carter, and Raz Sabaiduc.

- Welcome

Commissioner Levacy welcomed everyone.

- Fairfield Forward

CCAO Presentation

Aunie Cordle served on a panel discussion with CCAO on August 20 to share information about uses of ARP fiscal recovery funds and strategic planning. Commissioner Fix was very proud of how Fairfield County was represented for this training for new commissioners. Commissioner Davis asked if there was anything interesting learned from others. Aunie Cordle mentioned how other counties were looking internally as opposed to externally for the use of ARP funds. Montgomery County is thinking about ways to support the jail operations with the provision of substance abuse services.

Teamwork and Leadership

Teamwork and supporting youth are strong values of Fairfield County. A photo of the Farmers' Market coloring event held on August 14th was in the review packet. Spencer Remoquillo had the idea of engaging children in this way. We are exploring some other ideas, too.

Special Events

Since June, we have celebrated Flag Day with a special contest and event; participated in July 4th celebrations; enjoyed festivals; dedicated the patriotic mural at Amstutz; completed the Foster the Future mural; and have multiple plans for the remainder of the year. We will continue to meet administratively with the Fair Board. We are planning for October 11 and October 15 fair days. We may have some volunteers from the Boy Scouts to help with painting.

There were fliers in the review packet and hearing room about Fairfield Forward events. There is an employee appreciation cookout on September 7. There is an open house at 108 N. High on September 21. We shared some pictures of the murals in that building.

Main Uses of the ARP Fiscal Recovery Funds

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

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

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.

We previously talked about the Fairfield Growing plan, and we issued a press release to announce the contract and its expected completion date of February 2022.

A summary of ARP expenditures, approved uses, and encumbrances (as well as appropriations) was in the review packet. The first report to the federal government is due August 31.

We are maintaining a summary of expenditures, approved uses, and encumbrances by federal category just as was completed for the CARES Act reporting.

Here is an excerpt from the most recent report of all ARP uses:

As of August 20, 2021, \$1,258,102.40 of expenditures were made from the **\$15,303,451.00** received as the first tranche of fiscal recovery funds. Expenditures by category were as follows:

1 Public Health	
R16 a Medical Expenses	\$ 206,838.33
R17a Public Health, Vaccination Clinic	4,707.11
R 18 a Communications for Board of Health	34,577.94
R 19 a Public Safety Payroll Support	944,927.28
1 Public Health	\$ 1,191,050.66
4 Premium Pay	
R41a Premium Pay, EMA (5 FTEs)	\$ 27,907.72
7 Administrative	
R71a Administrative Expenses	\$ 39,144.02
Total Expenditures	\$1,258,102.40

As of August 20, 2021, **\$671,753.67** was encumbered or obligated.

1 Public Health	
R17a Vaccination Clinic	\$18,406.51
R17b Capital Investment/Public Facilities of the County	2,350.16
R17c Capital Investment for Public Facilities, air quality improvements	56,674.00
Subtotal Public Health	\$77,430.67
2 Negative Economic Impacts	
R211a Aid to the Tourism Industry	500,000.00
R213a Aid to the Agricultural Industry, Strategic Growing Plan	45,000.00
Subtotal Aid to respond to Negative Economic Impacts	\$545,000.00
7 Administrative	
R71a Administrative Expenses	49,323.00
Total Encumbrances	\$671,753.67

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

**As of August 20, 2021, the Board of Commissioners has authorized uses for
\$ 5,328,719.66 of the first tranche.**

Category	Appropriations as of August 20, 2021	In dollars
R16a	Professional Health, Medical Expenses as Public Health response for treatment of COVID-19 and its effects	\$ 206,838.33
R17a	Public Health, Vaccination Clinic	32,168.62
R17b	Public Health, Capital Investment for Public Facilities of the County	1,191,359.74
R17c	Public Health, Capital Investment for Public Facilities, Air Quality	56,674.00
R17d	Public Health, Capital Investment for a Mobile Morgue	49,500.00
R18a	Professional Communications on Behalf of the Board of Health	34,577.94
R19a	Public Safety Payroll Support	944,927.98
	<i>Subtotal Public Health</i>	\$ 2,516,045.91
R211a	Support for Tourism, Support for the Fair	\$ 500,000.00
R29a	Economic Assistance for Businesses Planning	150,000.00
R213a	Support for the Agricultural and Growing Community	45,000.00
R213b	Technical Assistance for Townships	100,000.00
	<i>Subtotal Response to Negative Economic Impact</i>	\$ 795,000.00
R41a	<i>Premium Pay, Premium Pay for EMA Workers</i>	\$ 27,907.73
R56a	Infrastructure, Stormwater	\$ 475,000.00
R511a	Infrastructure, Water, Grant Hampton	1,370,000.00
	<i>Subtotal Water, Sewer, and Broadband Infrastructure</i>	\$ 1,845,000.00
R71a	<i>Administrative Expenses</i>	\$ 144,766.02
	Total Appropriations as of August 20, 2021	\$ 5,328,719.66

About 13% of the first tranche is expended or encumbered. About 33% is authorized for use.

- Legal Update

Mr. Horacek stated there was no legal update.

- Administration and Budget Update/Carri's List

- a. Announcements & Dates of Interest

Announcements

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

Dates/Events of Interest

September 6 – Labor Day Holiday
September 7 – National Preparedness Month Event
September 7 – Cookout for employees, at the Administrative Courthouse lawn
September 21 – Open House at Real Estate Assessment Offices, 108 N. High

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

September 23 – Leadership Conference
September 28 – State of the County Address

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

b. Highlights of Resolutions

Dr. Brown highlighted the 16 resolutions for the voting meeting.

There were 16 *financial and grant related resolutions* to approve:

- 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 the purchase of teleworking equipment for Human Resources staff;
- Appropriations and memo transactions for the County Engineer (two resolutions);
- Memo transactions to reflect the 2% administrative fee of insurance through June;
- Appropriations for TCAP and the Sheriff (three resolutions);
- Appropriations and grant accounting for JFS (seven resolutions);
- Workforce Development Board certification; and
- Payment of bills.

In queue, there were multiple contracting and financial resolutions.

One resolution pending is the approval of \$19,000 for a safety grant for the Agricultural Society, which is supported by a CORSA dividend to be received and will be documented as an allocation.

c. Administrative, Program, and Budget Update

Administrative & Program Updates

Administrative Approvals

The review packet contained a list of administrative approvals. There were no questions.

Webinar – Cybersecurity Collaborative

On August 18, Carri Brown attended a NACo webinar about cybersecurity, reviewing recommended practices and the zero-trust framework. There is a cybersecurity collaborative that an IT leader can join. The materials can be reviewed with the Data Board executive team. There are multiple NACo resources that seem well researched.

Ditch Maintenance District – Rushcreek Estates

There is a packet for the public hearing for review. The original estimates from the County Engineer have been adjusted downward. The County Engineer sent updated letters to the property owners.

Administrative Meeting with Jeff Porter, Dennis Keller, and Erin Frost

We have administratively reviewed protocols, civic education, Borrow a Buddy procedures, and the plans for the Human Society construction. All is well. The Dog Shelter will provide an update on August 31, and the Humane Society (as well as Beavers Field) will provide an update on September 7.

Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021

Stormwater Utility Research

Along with Jeremiah Upp and subject matter experts, the county is reviewing options for creating a stormwater utility. Dr. Brown expects a proposal for contracted services to evaluate the county circumstances relating to stormwater utility creation.

Liberty Center Sidewalk Project

Bids were reviewed on Friday. Of the complete bid packages, the low bid was from Wolf Creek Contracting of Waterford, Ohio. The project amount was bid at \$81,898. We will be proceeding.

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.

The non-auto sales tax estimate for the receipt of September for June sales for Fairfield County is \$1.9 M, up 10% over the previous year. The overall state receipts for the same time period are up 11%. In 2019, Fairfield County full sales tax receipts were \$2 M for the same month.

Auto sales tax receipts for the month at \$220 K would result in a 3% increase in 2019 and 2020. The actual auto sales tax receipts for the month are estimated at \$567,730, or 44% above the prior year.

Total sales tax receipts for September 2021 are expected to be over \$2.4 M or 20% above the previous year (for June sales).

Overall, the county receipts are tracking ahead of estimates. We do expect the sales tax revenues to normalize more to what has been experienced in the past.

Budget Entry & Budget Hearings

Budget entry for level three has been extended to September 9.

Budget hearings begin October 21.

d. BRAVOS

Thanks to everyone who made the dedication of the patriotic mural at Amstutz such a positive event.

Congratulations to Eastland-Fairfield Career & Technical Schools for their new facilities!

From Kim Chilcote, thanks to Tony Vogel for helping to set up the Utilities training room for a Juvenile Court training.

Mr. Fix thanked Ms. Cordle for her presentation to CCAO for the new commissioner training.

From Michael Kaper, thanks to Brian Wolfe for his complete willingness to assist the Treasurer's Office with a bulk mailing request on Friday August 20. As always, Brian was helpful and pleasant.

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

Congratulations to the Auditor's GIS Office for earning the annual award from the Soil and Water Conservation District.

- Old Business

- a. Commissioner Communications

Commissioner Levacy attended the virtual Elder Abuse committee meeting with the Attorney General's Office. Commissioner Levacy attended the Annual Athena Leadership Banquet, celebrating 35 years of Athena. Congratulations to Laura Tussing for being named the 2021 Athena. Rachel Hizey was the Rising Athena.

Mr. Levacy complimented Dr. Brown (honored as the Athena recognition in 2019, and there was no one named in 2020) on her inspiring speech at the Athena Banquet.

Mr. Levacy also attended the 4H Award ceremony in the Ed Sands building.

Commissioner Davis discussed the project of the Google development with Lt. Governor Husted, and they were very encouraged with the development.

Commissioner Davis will be touring Lutheran Social Services with Aunie Cordle. He continues to do his homework on homelessness issues. Mr. Davis asked Mr. Szabrak if there was any new property tax abatement associated with the Google deal.

Mr. Szabrak believes it was in a preexisting CRA.

Commissioner Fix attended strategic planning sessions with CCAO and commissioner training sessions. He also met with David Hague, the owner of Coyote Run, on Monday. Mr. Hague is dedicated to returning land to the way it was before the area was developed.

All three Commissioners are sponsoring Project Playhouse for Habitat for Humanity. Sheriff's Office employees have agreed to build the playhouse at the Workforce Development Center.

Mr. Fix's son, Tanner, graduated from Kent State over the weekend.

A roundtable meeting was held on August 19th. Elected officials and department heads shared updates on current events. A packet of information was shared with all participants.

- New Business (none)

- General Correspondence

- a. Liquor Permit Notice for Hereinafter

Sheriff's Office has no concerns.

- Invitations

- a. Transportation Improvement District Meeting – August 26th at 9:00 a.m. at the Engineer's Office

Mr. Szabrak will attend.

Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021

- b. United Way Campaign Kick Off Breakfast – Thursday, September 9th, 7:45 a.m. at the Fairgrounds

Mr. Levacy will attend.

- c. SWCD Annual Meeting – Wednesday, September 15th at 4:30 p.m.

Mr. Levacy and Mr. Fix will attend.

- d. Lancaster-Fairfield Chamber Annual Dinner and Trade Show – Thursday, September 16th from 4:00 p.m. – 8:00 p.m. (brief program at 5:00 p.m.) in the OU-L Lower Parking Lot

Mr. Levacy and Mr. Fix will attend.

- e. South Licking Watershed Meeting – Tuesday, September 28th at 6:00 p.m. – 934 West Main Street, Hebron, Ohio

Mr. Levacy will attend. It is okay to mark his calendar for these meetings every fourth Tuesday.

- f. Leadership Conference – Thursday, September 23rd at 8:30 a.m. at the Wigwam

- g. State of the County – Tuesday, September 28th at the Wigwam

- h. Dedication of the Foster the Future Mural – Tuesday, October 5th at 10:30 a.m.

- i. Protective Services 5k Race – October 9th at 9 a.m. at Victory Park

- j. Fair Grand Opening – Monday, October 11th at 9:00 a.m.

- k. Fair Holiday – October 15th

- l. Job Fair – Thursday, October 21st at the Workforce Center (conflict with budget hearings)

• FYI

- a. Jail Population – 254
- b. Article of Interest – Governor DeWine requests voluntary safeguarding
- c. Editorial of Interest – Columbus Dispatch re: proposed state legislation
- d. Chart re: Quarantine Recommendations
- e. DD Newsletter (emailed)
- f. Soil and Water Conservation District Newsletter (newsletter folder)
- g. October 23 - SWCD Drug Takeback Day
- h. Article of Interest – Google to Open Data Center in Lancaster
- i. Farmers Market Press Release

Mr. Szabrak reported that SNAP participants can now purchase food at the Farmers Market, and he appreciated the support of the RLF committee and the Commission for this project.

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

Open Items

Introduction of Chief Ervin

Sheriff Lape introduced Chief Ervin. He has been Chief of New Lexington Police the last eleven years.

Chief Ervin is looking forward to the challenges and supporting Fairfield County.

Mr. Davis has known Chief Ervin for a long time and welcomed him.

History of 108 N. High Street

Mr. Slater explained how they came to paint a mural on the wall of the Real Estate Offices and how it centers around public health as a tribute to the use of the building prior to it being used as the detective bureau (and now as the Real Estate Offices).

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, August 24, 2021, beginning at 9:28 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, Joshua Horacek, Amy Brown-Thompson, Aunie Cordle, Jon Kochis, Corey Clark, Rick Szabrak, Dennis Keller, Tony Vogel, Chris Schmelzer, Ray Stemen, Judy Stemen, Chief Ervin, Sheriff Lape, Branden Meyer, Jon Slater, Margaret Euler, and Linda Sheridan.

Attending virtually were: Bennett Niceswanger, Carrie Brown, Raz Sabaiduc, Jeff Barron, Jeff Porter, Joe Ebel, Lisa McKenzie, Lynette Barnhart, Shannon Carter, Stacy Hicks, and Tiffany Wilson.

Pledge of Allegiance

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

Announcements

Commissioner Levacy asked if there were any announcements.

There were no announcements.

Ms. Elsea stated the next item on the agenda was a time 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.

Mr. Ray Stemen of 2444 West Point Road in Lancaster stated that now the COVID-19 vaccine has been approved by the FDA, everyone should be prepared for a Nazi-like enforcement of mandates.

Ms. Judy Stemen of 2444 West Point Road in Lancaster passed out the attached list of articles and opinion piece regarding COVID-19 and its vaccine. She also read the opinion piece to the Commission.

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

Ms. Linda Sheridan shared information about the Athena Award including its history and importance in Fairfield County. She commented on the support of the McGraw family and Chamber for 25 years, recognizing women leadership. She thanked Dr. Brown, the 2019 Athena recipient, for her example of strong leadership and work ethic in Fairfield County. She thanked the Commissioners for nominating Dr. Brown as an Athena. She provided a digital copy of the presentation from last Thursday night.

Ms. Margaret Euler commented she believed it was ironic nurses were featured in the mural at the Real Estate offices because she most likely will be losing her job for refusing to get the vaccine. She encouraged everyone to think of the nurses depicted in the mural.

Approval of Minutes for Thursday, August 19, 2021

On the motion of Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the minutes for the August 19, 2021 Regular Meeting.

Roll call vote of the motion resulted as follows:

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

Approval of the Auditor's Office Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Auditor's Office resolution authorizing a memo expense memo receipt for the General Fund 2% administration fee for managing the county self-insurance program. Fund #5376 to General #1001; see resolution 2021-08.24.a.

Approval of the Commissioners' Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Commissioners' resolution to approve an authorized use of American Rescue Plan fiscal recover funding and appropriate from unappropriated funds for the County ARP fiscal recovery fund, #2876, for the purchase of teleworking equipment for Human Resources staff; see resolution 2021-08.27.b.

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 appropriate from unappropriated into a major expense category for fund #8274 – Targeting Community Alternatives to Prison Grant to establish a budget for 2021; see resolution 2021-08.24.c.

Roll call vote of the motion resulted as follows:

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

Approval of the Economic and Workforce Development Resolution

On the motion Jeff Fix and the second of Steve Davis, the Board of Commissioners voted to approve the Economic and Workforce Development resolution to authorize the approval of the Local Area 20 Board Certification application; see resolution 2021-08.24.d.

Discussion: Mr. Szabrak thanked Ms. Conrad for coordinating the 25-member board that spanned five counties. A lot of work goes into the certification of the board. The Commission, Ms. Cordle, and Mr. Clark discussed how efficient the board has become since Economic Development stepped in. Mr. Szabrak thanked Mr. Levacy for serving as the CEO.

Roll call vote of the motion resulted as follows:

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

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:

- 2021-08.24.e A resolution to appropriate from unappropriated in a major expenditure object category County Engineer 2024-Motor Vehicle to subdivision inspection fees and general consulting [Engineer]
- 2021-08.24.f A resolution to request for appropriations for additional unanticipated receipts of Memo receipts and memo expenses for fund 2580 for subdivision inspections of Violet Meadows, Estates at Lake Forest, Chesapeake, Heron West and Spring Creek [Engineer]

Roll call vote of the motion resulted as follows:

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

Approval of the Job and Family Services Resolutions

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

- 2021-08.24.g A resolution to approve additional appropriations by appropriating from unappropriated into a major expense object category – Fund # 2018 – Public Assistance Fund - Fairfield County JFS [JFS]
- 2021-08.24.h A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2072 reimbursing Fund 2018 [JFS]
- 2021-08.24.i A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2015 reimbursing Fund 2018 [JFS]
- 2021-08.24.j A resolution approving an account to account transfer Fund 2018 Public Assistance [JFS]
- 2021-08.24.k A resolution approving Fairfield County Plan for Child, Family and Adult Community and Protective Services Expenditures (State Budget Line Item 533) Job & Family Services [JFS]
- 2021-08.24.l A resolution to approve additional appropriations by appropriating from unappropriated into a major expense object category – Fund # 2018 – Sub Fund 8056 WWK - Fairfield County JFS [JFS]
- 2021-08.24.m A resolution to approve additional appropriations by appropriating from unappropriated into a major expense object category – Fund # 2015 – Child Support Enforcement Agency - 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 Sheriff's Office Resolutions

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

Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021

2021-08.24.n A resolution to appropriate from unappropriated in a major expenditure object category Sheriff's Office Fund 2042 Enforcement and Education [Sheriff]

2021-08.24.o A resolution to appropriate from unappropriated in a major expenditure object category Sheriff's Office Fund 2711 Continuous Professional Training [Sheriff]

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 authorizing the approval of payment of invoices for departments that need Board of Commissioners' approval; see resolution 2021-08.24.p.

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

Update from Sheriff Lape

The Commissioners met at 9:49 a.m. for an update from Sheriff Lape regarding body cameras. 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, Jon Kochis, Aunie Cordle, Joshua Horacek, Corey Clark, Rick Szabrak, Tony Vogel, Dennis Keller, Ray Stemen, Judy Stemen, Chris Schmelzer, Margaret Euler, Chief Ervin, Sheriff Lape, Branden Meyer, Jon Slater, Dan Neeley, Linda Sheridan, and Jeremiah Upp.

Attending virtually were: Bennett Niceswanger, Raz Sabaiduc, Joe Ebel, Kelly Turben, Lynette Barnhart, Stacy Hicks, and Tiffany Wilson.

Sheriff Lape discussed with the Commission how the body cams were working for the office.

Sheriff Lape reported that 56 body cameras went live in March. They have provided 235 requests for footage with fewer than 10 of those requests being public requests. A majority of the requests are from prosecutors. Public requests take at least five hours to prepare the footage. To this point, they have not had an issue as there are not many requests.

The cameras perform very well. They are helpful for crime scene evidence placement. They are now at the point where they need to deploy their 13 additional cameras. The files are easy to access for the prosecutors and law directors. The only issue is bandwidth when there are several deputies on a scene. Other than that, they are very easy to use. They are pleased with the system, and it has proven itself many times.

The cameras are also a requirements as part of the certification through the Ohio Collaborative. The videos follow the records retention plan and are held for 90 days. If there is a request to hold the footage for a longer period, they will put the record on a disc. He explained how the deputies dock the cameras once their shift is ended,

Mr. Fix asked when the cameras are turned on.

Sheriff Lape replied there is a policy for the use. Any time there is an incident, the cameras will turn on and when one camera is turned on, the others in the area will turn on as well. The footage can be used for training if needed. They do regularly review the footage. There have been a few complaints that have not been substantiated with the cameras and have been withdrawn as the footage did not support the complaint.

Mr. Davis asked where the public requests are coming from.

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

Sheriff Lape replied that anyone can make a request. He believes the ones to date are from private citizens.

Dr. Brown asked for a reminder of who wore body cameras.

Sheriff Lape replied that patrol deputies use the body cameras. There is a need for a few more to be purchased as staff vacancies were filled.

Executive Session – Pending Litigation

On the motion of Commissioner Steve Davis and second of Commissioner Jeff Fix, the Board voted to enter into Executive Session to discuss pending litigation at 9:56 a.m.

Discussion: Commissioner Steve Davis stated that the following people be included in the executive session: Commissioner Fix, Commissioner Davis, Commissioner Levacy, County Administrator Carri Brown, Deputy County Administrator Aundrea Cordle, Rachel Elsea, Jeff Porter, and Representatives from the Prosecutor's Office.

Roll call on the motion as follows:

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

On the motion of Commissioner Jeff Fix and second of Commissioner Steve Davis, the Board voted to exit Executive Session at 10:04 a.m.

Roll call on the motion as follows:

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

Review

The Commissioners met at 9:00 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Levacy called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Aunie Cordle, Amy Brown-Thompson, and Joshua Horacek.

The Commission was in recess from 10:04 a.m. until the 11:30 a.m. Public Hearing.

Public Hearing – Rushcreek Estates Drainage Maintenance District

The Commissioners met at 11:30a.m. to hold a public hearing regarding the Rushcreek Estates Drainage Maintenance District. 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, Jeremiah Upp, Aunie Cordle, Jon Slater, Joseph Cottrill, and Carl Wolshire.

Mr. Davis opened the public hearing and asked Mr. Upp to review the proposed increase in the assessments to the Rushcreek Estates Drainage Maintenance District. The attached information was reviewed by Mr. Upp.

Mr. Upp stated that they have found over time a lot of the subdivisions are having issues with older infrastructure approaching 20+ years of age. He provided an example of a maintenance issue from 2019 that was limited to the amount in the account. The maintenance could not be fully completed as there was not enough money to do so. As a result of this issue, the Engineer began reviewing DMDs to see what assessments need revised (as allowed for every six years in the Ohio Revised Code). The Engineer has a revised schedule from the original sent in June. The original schedule was six years and has been revised to a twelve-year assessment as this will still be sufficient for the necessary maintenance for this particular DMD. This revision was a result of the meetings Mr. Upp had with the residents of Rushcreek Estates.

Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021

Mr. Upp explained that the Engineer can compile 20% of the replacement costs. The original cost estimates did not include prevailing wage which the Engineer is required to pay. That factor along with inflation is why the Engineer is seeing the need to revise the assessments.

Mr. Upp answered Mr. Fix's questions about what issues the residents will see if the DMD was not updated. Issues include flooding and septic tank issues.

Mr. Davis asked if there were any comments in favor of the proposed assessment.

There were no comments.

Mr. Davis then asked if there were any comments in opposition of the proposed assessment.

Mr. Carl Wolshire of 587 Shannon Place in Rushcreek Estates is opposed to the increase. He thanked Mr. Upp for the meeting on August 11th. While he appreciates the meeting, he was surprised the same amount would be assessed over twelve years. He believes this should be tabled while more information is gathered. He also stated there are no projects on the horizon. Mr. Wolshire does not want assessments gathered for a "rainy day" fund when he could be saving the money instead. He stated Mr. Upp explained in the meeting in August the three reasons why the DMD was failing. He believes the homeowners who are responsible for the failings should be responsible for the maintenance costs. Mr. Wolshire stated that the residents are also waiting on information to show where the tax assessments that were collected previously were applied.

There we no additional comments in opposition to the proposed assessments.

Mr. Davis asked if there were any additional comments.

Mr. Joseph Cottrill of 5900 Holly Street in Lancaster stated that going forward he feels there will be a lot more subdivisions built in Fairfield County, so he would like to see code enforcement or supervision on how the site preparation is performed. His first question: Was what happened in the beginning that they are already having to address.

Mr. Davis stated he's been a commissioner for about 10 years and the discussions of DMDs has only become prevalent in the last few years. This appears to be an area that was neglected for quite some time. He feels the questions and concerns are valid and should have been paid attention to for a while. He believes there should have been an ongoing process to monitor the assessments.

Mr. Upp provided closing comments. He stated that the Engineer's Office shoulders the responsibility. These should have been brought to the Commission every six years as allowed by law. While this wasn't done by his predecessor, it is his responsibility now. He appreciated the comments by Mr. Wolshire and Mr. Cottrill and how they have worked with him.

Mr. Upp apologized for the idea of tabling the proposal.

Mr. Davis stated that the Commission would not be tabling, but would, at a later date, vote to approve or disapprove the proposal.

Mr. Upp added that he has been working the Auditor's Office to see what assessments were collected and where they were spent. The Auditor's Office is saying they have three different systems from the 1990's forward to gather this information from. The Engineer's Office is also gathering their information.

Mr. Davis asked if going forward, would the same problem exist.

Mr. Upp stated it would not be a problem going forward. He also stated that other subdivisions also have the same issue of not understanding why the Engineer is assessing the funds when there is no work to be done immediately. It is much easier to fix the problem with funds

Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021

available instead of waiting from the problem, getting emergency funds from the Commissioners, and then reassessing those costs to the homeowners. While the Engineer is at the site when the work is being done, they are not involved when the houses are being built; and while downspouts are not allowed to be tied in, they are being tied in without the Engineer knowing or being able to see them.

Mr. Davis asked Mr. Horacek to look into the legality of the tie-ins that the Engineer does not allow.

Mr. Horacek replied they would look into it and added that there are issues with enforcement when the work is not visible.

Mr. Levacy asked that if there were no funds set aside and Mr. Upp needs to get funds from the Commissioners, what happens next?

Mr. Upp replied that after the work is done, a special assessment is placed on the properties for reimbursement.

Mr. Upp also replied that they were not allowed to cut trees that were causing damage as they are on private property. They have never tried to pin the fees on the property owner before. It is a good point as to why all the property owners have to pay for what a few have done, and he does not have a good answer on that issue at this time.

Mr. Upp explained how the Ohio Revised Code lays out the amount that the Engineer can collect (20% of the estimated replacement cost).

Mr. Davis asked Auditor Slater about the three systems from the 1990s.

Mr. Slater replied they are working to gather the information from the tax duplicate. Cheryl Slone should now have the information requested.

Mr. Davis asked that the request for this information be replied too quickly.

Mr. Davis asked Mr. Upp about a stormwater utility situation that would be broader in its approach to replace all the DMDs. He asked if something like this could alleviate the need for DMDs.

Mr. Upp replied that is the goal they are trying to accomplish with a stormwater district that would allow from DMDs to dissolve and also, hopefully, decrease the amount assessed to property owners. He has done a lot of research on the benefits of stormwater districts.

Mr. Davis asked Mr. Horack to look into would happens to DMD assessments if a storm water district is created.

Mr. Horacek replied they would figure out a way to get there and he'd get that answer for the Commission.

Mr. Upp firmly believes when and if they get to the point of having a stormwater district, they will be able to better serve the residents of Fairfield County.

Mr. Davis asked how many DMDs there were.

Mr. Upp estimated around seventy DMDs were in existence.

Dr. Brown stated that they have begun the research to see what would be needed to move towards a stormwater district and away from DMDs. There will be an evaluation of the next steps to take.

**Regular Meeting #37 - 2021
Fairfield County Commissioners' Office
August 24, 2021**

Mr. Levacy stated he also thinks a stormwater district is a better mechanism to serve the residents as the Engineer doesn't have the staff to inspect all the DMDs regularly. The stormwater district is a self-funded mechanism spread over a broader area.

Mr. Fix asked what would happen if they didn't do anything for six months.

Mr. Upp stated it would not be an emergency because the Commission has shown its support to help out in an emergency. If there was a problem, then the Engineer would come to the Commission knowing that the issue would be taken care of. Dr. Brown added that there was a distinction between doing nothing and either approving or not approving the proposal, of which should be addressed in a reasonable time given the hearing process was initiated.

Mr. Davis asked if there was a section of the code that dictated a timeframe for a voting after the hearing.

Mr. Horacek replied that the AG has said a “reasonable” timeframe for voting for similar situations.

Mr. Davis stated that while this was not a well-attended hearing for DMDs, he believed it was the most substantive and informative.

The public hearing was closed at 12:15 p.m.

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 12:15 p.m.

Roll call vote of the motion resulted as follows:

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

Motion by: _____ Seconded by: _____
that the August 24, 2021, minutes were approved by the following vote:

YEAS: NAYS: None

ABSTENTIONS: None

*Approved on August 31, 2021





Steven A. Davis
 Commissioner

Dave Levacy
 Commissioner

Jeff Fix
 Commissioner

Rachel A. Elsea
Rachel A. Elsea, Clerk

