

Regular Meeting #37 - 2020
Fairfield County Commissioners' Office
August 25, 2020

Review

The Commissioners met at 9:01 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Amy Brown-Thompson, Tom Lininger, Jon Kochis, Chief Lape, and Ray Stemen. Joining via teleconference were CJ Roberts, Diana Steckman, Mark Conrad, Todd McCullough, Tony Vogel, Joshua Horacek, Temple Custer-Gagni, Jim Bahnsen, Lisa McKenzie, Stephanie Fyffe, Jeff Barron, Nikki Drake, Judge Laura Smith, Dennis Keller, Larry Hanna, Aunie Cordle, Jon Slater, Shannon Carter, Rick Szabrak, and Dave Burgei.

- Welcome

Commissioner Davis welcomed everyone to the meeting.

- COVID-19 Update

Mr. Kochis reported there were 31 cases over the weekend which is pretty good trend comparatively speaking. There were two deaths from COVID-19, unfortunately. The overall trend, though, is one of improvement. Mr. Kochis hopes with schools opening they can continue the trend of improvement as there will be more community events. They supported schools with PPE as much as they could and were able to persuade the state that school nurses do need proper PPE and are part of the public health effort. They will by conducting assessments and educating kids on symptoms. He believes more people are more understanding of issues now than there were earlier in the year.

Mr. Davis stated that in looking at the parameters for the red, orange, yellow (with the state's public health advisory system), there are two parameters that most counties hit. He is thankful to go from red to orange and asked if there was any sense of an orange to yellow situation.

Mr. Kochis replied that the county is only meeting two parameters now - community spread and daily case count. To get into yellow will be a long shot. The good news is to get into red you need four markers, and without a huge impact on the medical system, the county will not go back to red with just a fluctuating increasing case count. He believes we will stay at the orange level for quite some time. To get to red it would be a widespread issue for Central Ohio.

Mr. Levacy stated the hospitalizations show 133 with the last daily report.

Mr. Kochis replied that was a cumulative number. He gets current numbers from FMC, but not Columbus hospitals. The current number remains relatively low.

Mr. Davis was in a meeting on Monday where one thought was that social distancing, masking, and hygiene is helpful for COVID-19, but is also likely helpful for the flu season in general - which is a silver lining.

Mr. Kochis stated that all viral illnesses are down.

Mr. Levacy asked if going from red to orange changed school plans.

Mr. Kochis replied two schools went from plans for virtual sessions to in person classes because their plans were directly tied to the advisory system. A lot of the districts use the advisory system as a marker.

Dr. Brown stated the change in the advisory rating will not change county operations in any significant way, as we will continue to follow all safeguarding procedures. It does give a positive boost to how people perceive the pandemic and confirms a sense of being on the right track in terms of the safeguarding procedures. The data show a leveling or drop in new cases, and that is a very good thing.

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Mr. Hanna and Ms. Fyffe encouraged everyone to continue to wear their masks, sanitize, and social distance. They are working with schools on their plans for sports.

Mr. Davis asked how hiring for contact tracing was going.

Ms. Fyffe replied they have interviewed candidates and have individuals they are interested in.

Mr. Davis asked how cooperation was with those contacted by contact tracers.

Ms. Fyffe replied it is still an issue, but they are adjusting and learning new communication styles to get as much information as possible.

Ms. Fyffe added they are up 14 cases from yesterday. As long as they are below about 20 cases a day they will be below the range for that specific parameter.

Mr. Levacy stated that he saw the CDC dropped their recommendation of quarantining after travel.

Ms. Fyffe replied she had not seen that, but knows the quarantine has changed. She believes it is recommended, but not mandated.

Mr. Fix asked about the senate Bill introduced by Senator Schaffer and the Health Departments' plan to lobby him to change the direction of the bill.

Ms. Fyffe will discuss this with the individual who was meeting with him and report back next week.

- Legal Update

Ms. Brown-Thompson did not have a legal update.

- Ohio's Distribution of the Remaining CARES Act Funds Now Held at the State (\$850M)

CCAO created videos from commissioners to highlight the importance of the distribution to the local communities. Also, a webinar about CARES Act uses was held on August 21. CCAO reported that following all forms of advocacy, the state Controlling Board voted to release about \$175 M.

Mr. Davis believes Mr. Fix, Senator Portman, and Congressman Stivers were influential in this issue. He thinks the county should expect a little more than \$800,000 as an estimate. He was on a conference call with Lt. Gov. Husted yesterday regarding the distribution. He asked if Lt. Gov. Husted imagined any scenario in which the State did not release the remaining approximate \$680 K. Lt. Gov. Husted replied he did not see any way that money would not be released.

Mr. Levacy stated that when you remind the legislators that the rural areas did not receive the entire amount, they are surprised.

Mr. Fix stated that Mr. Davis also had a big role in this development as well.

Mr. Davis stated that in negotiations with federal legislatures about the use of the CARES Act funds, while the negotiations are failing, there may be additional legislation to help with the flexibility of the spending of dollars already distributed to the states. He urged everyone to keep up their communications.

Dr. Brown stated that the flexibility could come in terms of having more time to spend the funds that have already been allocated or in terms of the allowable uses for the funds.

She went on to explain that when the most recently approved \$175 M is released, and with the LGF methodology, there would be about \$835,000 for Fairfield County as an

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entity. Through the end of August, the planning tool shows about \$909,000 available for eligible expenditures for the CARES Act related funding. This includes estimates for digitizing services, overtime for facilities, public safety payroll support, and vehicles for COVID-19 response.

We are appreciative of the amounts provided to date and look forward to additional amounts shared by the state.

We also believe our federal representatives are supportive of the state distributing the remaining amounts and supportive of additional flexibility (if able to be provided in federal legislation).

- Administration and Budget Update/Carri's List

- a. Announcements & Date Reminders

- Announcements

- Anyone can email or text a question anytime:

- Carri.Brown@FairfieldCountyOhio.gov or (740) 777-8552

- Date Reminders

- September 4 – CORSA Membership Meeting (Mr. Porter will represent the county.)

- September 7 – Labor Day holiday

- September 8 – Celebrating National Preparedness Month

- September 24 – Virtual Leadership Conference – with Marc Fishel and Others

- b. Highlights of Resolutions

- Dr. Brown highlighted 10 resolutions planned for the voting meeting.

- The County Engineer proposes a resolution to approve a change order for the BER-34, FAI-CR154-0.698 Sugar Grove Road over the Hocking River Guardrail Improvement Project.

- There are 9 *financial and grant related resolutions* to approve, such as:

- Appropriations for the START grant, the WWK grant, a Sheriff's Office special revenue fund, and for fees for Meals on Wheels (four resolutions);
 - Reimbursements by operation of law for JFS (two resolutions);
 - Repayments of an advances (two repayments); and
 - An account to account transfer of appropriations for JFS.

- c. Administrative Approvals, Program, & Budget Update

- Administrative & Program Updates

- Administrative Approvals and Update

- The review packet contained a list of *administrative approvals*. There were no questions about the administrative approvals.

- Dr. Brown reported that in queue there was a MOU with Meals on Wheels to provide specific services for the elderly during the pandemic. Thanks to EMA and MOW for connecting.

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Budget Update

County 2021 Budget

The deadline for level 3 budget entry is September 3. We will begin analyzing level 3 as soon as the data entry is complete. We will also be updating the projection tool. The parameters at this point remain unchanged from the earlier communications.

Sales Tax Update

Sales tax revenues for non-auto sales for June to be receipted in September are anticipated to be 14% above the May non-auto sales number and 13% above the previous year's non-auto sales number. They are expected to be \$1.7 M.

Last month we had information to show that the auto sales anticipated receipt for May sales was \$484 K. We reported that if June's amount is at least \$267 K we would surpass the monthly projection for sales tax revenue.

We now have information about the auto share of sales tax for June to be receipted in September, and it is anticipated to be \$414,650. That brings the full amount for that month to about \$2.1 M, above the previous month, too. This exceeds the projection for the month of June sales by more than \$140,000.

YTD through June sales, sales tax revenue is anticipated to be \$16.78 M, as compared to \$16.56 M in 2019 for the same timeframe. This is an increase of about 1.38%.

It is important to point out that there is ongoing uncertainty in dealing with the economy and the effects of the pandemic.

Mr. Davis stated that the original budget projection included an increase of 2.5% increase. He also stated that when the federal government releases \$5 trillion into the economy, that shows up in the sales tax revenues and can create a bubble effect. If the economy doesn't pick up, they could look back on the last few months as the "good old days." He stated there is reason to remain cautious.

Casino Revenues Update

The total casino revenues for the year (not including any amounts from July forward) is about \$923K.

In November 2020, we will receive July – September's shared casino revenues (amounts beyond this \$923K.) An article in the media noted there were record casino revenues from July activity. The related receipts for us will be deposited in November. Anything we receive in 2020 from this point forward is more than we thought we would be getting based on the effects of the pandemic.

Conveyance Fees Update

\$1,975,000 of conveyance fees has been receipted through the end of July, against an estimate of \$2.6 M, and no adjustments are recommended. About 73% of the estimate has already been collected.

Employee Contributions to the Health Benefits Plan

However, coupled with the information about the increase in property tax collections, it is an appropriate time to plan for a one-month waiver of health insurance contributions for all employees. This is something that has been accomplished in the past when resources permit such a waiver. We want to say thanks to employees for their participation in the self-funded health benefits plan.

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In past months, we have talked about how we would coordinate a waiver of employee contribution when possible, especially because many employees have been supportive.

They have been supportive with their work attitudes and with their increased participation (20% for many) as a measure of conserving resources during the pandemic.

A one-month waiver is proposed for November (for the employee share only) of the contributions.

A one-month contribution to the self-funded insurance fund from employees amounts to about \$250K, and with the worst-case scenario relating to claims, the general fund could be called upon to support bridge funding.

Mr. Levacy likes to see all the numbers and supports the action, assuming it is supporting financially.

Mr. Fix really appreciates the way that the collective staff has accepted the change for participation with the self-funded insurance. He stated Dr. Brown and he have been talking for a while about a "holiday" or waiver like this. He supports it and thinks it is the right thing to do.

Mr. Davis stated that in speaking with Ms. Moore at MCJDC yesterday he was asked where the money to cover the employee share came from. He called her back to clarify that reserves will be monitored, and if they become concerned about the reserve, the county would address that.

Mr. Davis stated that they are living in an environment where if they do what they say they will be big news. He added that when they went from a 15% to 20% for contributions, they told employees if the numbers looked good, they would circle back to a "holiday". He would like the Commission to authorize right now to authorize staff to proceed.

After discussion, the Commissioner approved the plan to proceed with a waiver of employee contribution in November.

Motion to Proceed with the Plan to Conduct a Waiver of the Employee Share of Health Benefits for the Payments Made in November for December Coverage in Recognition of the Partnership with Employees in Conserving Overall County Resources

On the motion of Jeff Fix and second of Dave Levacy, the Board voted to Proceed with the Plan to Conduct a Waiver of the Employee Share of Health Benefits for the Payments Made in November for December Coverage in Recognition of the Partnership with Employees in Conserving Overall County Resources.

Discussion: Mr. Levacy stated there was discussion about doing this in December, but it is helpful to plan earlier for staff and employees with holidays.

Roll call on the motion as follows:

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

CARES Act Update (Additional Discussion)

CCAO requested that Fairfield County share its summary in a webinar about the CARES Act eligible uses to help other counties. Most of the questions that arose were about administrative leave. If such pay is specifically classified as administrative leave, and there was no such leave already budgeted, then a county can use CARES Act dollars as reimbursement. We are tracking such leave and have not yet charged it to the CARES Act resources.

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Also, we will likely receive an additional distribution from the HB 481 amount based on unspent amounts within other political subdivisions. We are tracking additional expenditures and organizing input about potential uses.

Agenda Change

Mr. Davis asked that the Executive Session be moved to after the voting pattern.

Mr. Fix also asked for an Executive Session for the Franklin County litigation as well.

d. BRAVOS

Thanks to the Airport and Jon Kochis with security committee for helping in the effort to repurpose security cameras.

Thanks in advance to all Fairfield County employees who will participate as a precinct official (or poll worker) for the November election. HR sent email communication and a flyer about this opportunity, which has been available to employees since 2014.

We appreciate the ongoing work of the recruitment and retention committee. Their work continues to inform policy. We also recognize the importance of employee engagement and inclusivity and diversity in the workplace. This benefits the entire organization and the public. We are also appreciative of HR for how they have shared multiple training resources for *cultural competencies*.

Bravo to Jeff Porter and the HR staff for outlining the Equal Employment Opportunity Policy *for a future, formal adoption by the Board of Commissioners*. The policy statement is consistent with the current practice of prohibiting discrimination, unlawful harassment and retaliation of applicants and employees regardless of age, sex, gender, race, color, religion, disability, military status, genetic testing, sexual orientation, or national origin. It also speaks to the shared responsibility between Human Resources and the appointing authority.

Bravo to everyone supporting Fairfield County United Way with the "day of kindness" event. (The entire Economic and Workforce Development team and many others have already signed up.) HR sent communication about this effort, too.

Thank you for the positive partnership between Juvenile Court, the Sheriff's Office, Fairfield UP Inc. and TeenWorks regarding the community bike donations. There was a nice article in the Eagle Gazette about this positive partnership.

We also appreciate the positive spirit of Markel and Jessica Davis who have shown encouragement to the Sheriff's Office. Commissioner Davis was able to attend a lunch with this family and members of the Sheriff's Office on August 19.

Mr. Davis visited with Markel, his mother, and grandfather, and was blown away. He is on his way to being an amazing young man. He appreciated the opportunity to meet the family.

Thanks to Susan Dixon with the Treasurer's Office. She took some excellent photos of the Administrative Courthouse.

Thanks to everyone participating on the Board of Revision. There have been at least three cases of incredible follow-up with cases, with referrals to Economic and Workforce Development, Meals on Wheels, and the Veterans Commission.

Dr. Brown commented on the NACo High Performance Leadership training Jon Kochis, Aunie Cordle, and she are taking. She shared some highlights and helpful

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concepts that relate well to a pandemic, such as a leadership oath to be kind and remain calm (and other rules of leadership from General Colin Powell.)

Mr. Fix recognized Dr. Brown's leadership and how it is being recognized throughout the state.

- Old Business

- a. *State of the County*

This coming Friday each Commissioner will record their video for the State of the County. (There is a rain day scheduled for the following Friday).

Mr. Levacy plans on addressing the Amstutz Mural recognizing the military that has made this country what it is. He will also include first responders and safety forces in his comments.

Commissioner Fix will focus on "Fairfield County Matters" and how the county is taking more and more of a leadership role throughout the state of Ohio.

Mr. Davis initially planned on focusing on financials throughout the pandemic and beyond. He thinks someone should touch on those important matters. He may also discuss other issues that are of national importance such as racial relations issues.

Mr. Levacy offered to speak to the current racial relations issues, as well.

Mr. Davis does not see a need to be concerned with overlapping concepts. He would like each Commissioner to be honest and heartfelt without rigid parameters.

Mr. Fix asked if they could share accomplishments and how the county government has worked for the residents.

Mr. Davis stated he would add that to his remarks and agreed that is always a good topic for State of the County Address.

Mr. Davis also stated he could not be more disappointed that they cannot hold an in-person State of the County address this year especially as many other counties have tried to emulate Fairfield County in their operations.

- b. *MARCS New Tower*

Mr. Kochis stated that with MARCS, they have broken ground on the new tower.

- c. *Horns Mill Road Residents*

Another resident at Horns Mill Road called to say thanks for lowering the speed limit.

- New Business

We welcome Brian Wolfe as our Courthouse Security/Front Desk temporary worker. Mr. Wolfe is a former Marine working on a degree in the field of criminal justice and has an interest in law enforcement.

- General Correspondence Received

- a. August 27th TID Agenda
 - b. CLFP 2nd Qtr. report for Combined Education and Recycling

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- Calendar Review/Invitations Received (none)
- FYI
 - a. Jail Population – 275
 - b. Letter of Support – Lead Hazard Reduction Grant Program
 - c. Public records requests can be made to Rachel.Elsea@fairfieldcountyohio.gov or Carri.Brown@fairfieldcountyohio.gov
- Open Items – Additional Review Topics

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, August 25, 2020, beginning at 10:02 a.m., with the following Commissioners present: Steve Davis and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Amy Brown-Thompson, Tom Lininger, Chief Lape, and Jon Kochis, and Ray Stemen. Joining via teleconference were Aunie Cordle, Jim Bahnsen, CJ Roberts, Temple Custer-Gagni, Dave Burgei, Dennis Keller, Dianna Steckman, Stephanie Fyffe, Jeff Barron, Joshua Horacek, Judge Laura Smith, Lisa McKenzie, Mark Conrad, Nikki Drake, Jon Slater, Todd McCullough, Tony Vogel, and Rick Szabrak.

Pledge of Allegiance

Commissioner Davis led everyone in the pledge of allegiance.

Announcements

Commissioner Davis asked if there were any announcements.

Public Comment

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

Mr. Ray Stemen of 2444 West Point Road in Lancaster feels there is a great need for education on the difference between mail in ballots and absentee ballots which people apply for and go through the proper procedures. He and his wife spoke to about 70 people last week, and only one person new the difference. He believes this is a concern that voters need to tell people when you come across them, wherever you are.

Approval of Minutes for Tuesday, August 18, 2020

On the motion of Dave Levacy and the second of Jeff Fix, the Board of Commissioners voted to approve the minutes for the Tuesday, August 18, 2020 Regular Meeting.

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

Approval of the Commissioners' Resolution

On the motion of Dave Levacy and the second of Jeff Fix, the Board of Commissioners voted to approve the Commissioners' Office resolution authorizing the approval of repayment of an advance to the General Fund – Fund #2788 Subfund #8235 FY 2019 Target of Opportunity CDBG Grant; see resolution 2020-08.25.a.

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

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Approval of the Engineer's Office Resolution

On the motion of Dave Levacy and the second of Jeff Fix, the Board of Commissioners voted to approve the Engineer's Office resolution to approve a Change Order for the BER-34, FAI-CR154-0.698 Sugar Grove Road over the Hocking River Guardrail Improvement Project; see resolution 2020-08.25.b.

Roll call vote of the motion resulted as follows:

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

Approval of the Job and Family Services Resolutions

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

- 2020-08.25.c A resolution to request for appropriations for Fund #2843 (12284300) – Ohio Start Grant – Fairfield County JFS. [JFS]
- 2020-08.25.d A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2015 reimbursing Fund 2018 [JFS]
- 2020-08.25.e A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services, Fund 2072 reimbursing Fund 2018 [JFS]
- 2020-08.25.f A resolution to appropriate from unappropriated in a major expenditure object category for Fairfield County Job & Family Services Sub Fund 8056 (2072 Wendy's Wonderful Kids). [JFS]
- 2020-08.25.g A resolution approving an account to account transfer Fund 2018 Public Assistance [JFS]

Roll call vote of the motion resulted as follows:

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

Approval of the Juvenile/Probate Court Resolution

On the motion of Dave Levacy and the second of Jeff Fix, the Board of Commissioners voted to approve the Juvenile/Probate Court resolution authorizing the approval of repayment of an advance to the General Fund from Fund #2856 Child Abuse & Neglect Discretionary Fund (QIC); see resolution 2020-08.25.h.

Roll call vote of the motion resulted as follows:

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

Approval of the Meals on Wheels Resolution

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the Meals on Wheels resolution to appropriate from unappropriated funds in a major expenditure object category for Meals on Wheels-OAAFC, Inc. Fund #2617; see resolution 2020-08.25.i.

Roll call vote of the motion resulted as follows:

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

Approval of the Sheriff's Office Resolution

On the motion of Dave Levacy and the second of Jeff Fix, the Board of Commissioners voted to approve the Sheriff's Office resolution to appropriate from unappropriated in a major expenditure object category Sheriff's Office Fund 2705 Community Education; see resolution 2020-08.25.j.

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

Review continued

Mr. Davis stated the Commission will have an executive session for security as well as an additional execution session for pending litigation. Following those executive sessions, the commission will return to review with no current plan for additional actions.

Executive Session – Security

On the motion of Steve Davis and second of Jeff Fix, the Board voted to enter into Executive Session to discuss security at 10:10 a.m.

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

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

On the motion of Steve Davis and second of Jeff Fix, the Board voted to exit Executive Session at 10:35 a.m.

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

Review (continued)

The Commissioners met at 10:35 a.m. to continue review legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Jon Kochis, Chief Lape, Amy Brown-Thompson, and Tom Lininger.

Executive Session – Pending Litigation

On the motion of Steve Davis and second of Jeff Fix, the Board voted to enter into Executive Session to discuss pending litigation at 10:36 a.m.

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

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

On the motion of Steve Davis and second of Jeff Fix, the Board voted to exit Executive Session at 10:42 a.m.

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

Review (continued)

The Commissioners met at 10:42 a.m. to continue review legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Amy Brown-Thompson, and Tom Lininger.

Handwritten text, possibly a signature or name, which is extremely faint and illegible.