Regular Meeting #14- 2013  
Fairfield County Commissioners' Office  
March 26, 2013

Review

The Commissioners met at 8:58 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: Steven Davis and Mike Kiger. Also present were Carri Brown, Rachel Elsea, Jason Dolin, Staci Knisley, Mike Orlando, Mary Beth Lane, Tony Vogel, Dennis Keller, David Miller, Jeff Barron, Ed Laramee, Bob Clark, Julie Hurley, Susan Bloom, Aunie Cordle, Jon Kochis, and Ursula LaVeck.

Mr. Davis opened the meeting and asked that the representatives from the Board of Elections come forward so they could have their meeting first.

Ms. Bloom stated that there was a vendor issue with Dayton Legal Blank who is going defunct after 130 years. Dayton Legal Blank recently laid off the technician that converts the ballots. They are coming in on Wednesday to do a conversion but Ms. Bloom has heard that they will be printing the ballots. She feels that Dayton Legal Blank can no longer provide the services that are laid out in their contract. She has spoken to Runbeck (manufacturer of the machine) who can provide the conversion service.

Mr. Davis asked what the plan would be going forward if they do terminate the contract with Dayton Legal Blank.

Ms. Bloom stated that Runbeck is willing to negotiate a contract with the BOE. This would eliminate the middle man (Dayton Legal Blank) and allow them to work directly with the manufacturer.

Mr. Davis asked if Dayton Legal Blank could survive.

Ms. Bloom stated that she believed they would, but would offer different services and that they would operate under a new name, “DLB Elections”.

Mr. Davis said that he blessed the termination if Dayton Legal Blank could no longer provide the services needed.

Ms. Bloom stated that if things did not go well on Wednesday they planned on terminating the agreement.

Ms. Hurley distributed a copy of the termination notice (see attached).

Mr. Davis asked Mr. Dolin if he had seen the termination notice.

Mr. Dolin said that he had.

Mr. Davis asked if a motion was needed to go ahead with the termination if needed.
Mr. Dolin said it was.

Mr. Davis said he appreciated the BOE bringing this matter to the Commissioners’ attention and thanked them for looking out for the best interests of the voters in the county.

**Motion to approve the Dayton Legal Blank termination letter on the assumption that they are not able to meet their contract obligations on Wednesday, March 27th and to allow for Mr. Jason Dolin to sign the termination agreement.**

On the motion of Steve Davis and second of Dave Levacy, the Board voted to approve the Dayton Legal Blank termination letter on the assumption that they are not able to meet their contract obligations on Wednesday, March 27th and to allow for Mr. Jason Dolin to sign the termination agreement.

Roll call on the motion as follows:
Voting aye thereon: Steve Davis, Dave Levacy and Mike Kiger.

Mr. Orlando introduced Ursula LaVeck who will be the new Finance Director at JFS.

Mr. Kiger said that he has previous worked with Ms. LaVeck at MCJDC and believes she will do an excellent job.

- **State of the County Address**

  Mr. Davis asked if they were still expecting 260 at the address that afternoon.

  Ms. Elsea said that they were.

**Executive Session to discuss matters to be kept confidential**

On the motion of Steve Davis and second of Dave Levacy, the Board voted to enter into Executive Session to discuss matters to be kept confidential at 9:10 a.m.

Discussion: Commissioner Davis stated that the following be present: Commissioner Davis, Commissioner Levacy, Commissioner Kiger, Carri Brown, Rachel Elsea, Aunie Cordle, Jason Dolin, Mike Orlando, and Ursula LaVeck.

Roll call on the motion as follows:
Voting aye thereon: Steve Davis, Dave Levacy, and Mike Kiger.

On the motion of Mike Kiger and the second of Dave Levacy, the Board voted to exit Executive Session at 9:25 a.m.
Roll call on the motion as follows:
Voting aye thereon: Mike Kiger, Dave Levacy, and Steve Davis.

**Review continued at 9:25 a.m.**

The Commissioners met at 9:25 a.m. to continue review of legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steven Davis, Mike Kiger, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Jason Dolin, Staci Knisley, Mike Orlando, Mary Beth Lane, Tony Vogel, Dennis Keller, David Miller, Jeff Barron, Ed Laramee, Bob Clark, Julie Hurley, Susan Bloom, Aunie Cordle, Jon Kochis, and Ursula LaVeck.

- **Legal Update**

  Mr. Dolin stated that he did not have a legal update and that he would be in training next Tuesday and would be sending another representative from the Prosecutor’s Office.

- **Correspondence and Documents Received**
  - Monthly Inventory and Portfolio Reports from County Treasurer

    Mr. Davis asked Mr. Laramee if he had seen this report.

    Mr. Laramee stated that he had.

  - Probate and Juvenile Courts 2012 Annual Report

- **Calendar Review/Invitations Received**
  - 4-H Recognition Banquet – Tuesday, April 9\textsuperscript{th} at 7:00 p.m.

    Mr. Levacy said he would check his calendar to see if he could go.

    Mr. Davis said he thought one of the Commissioners should go as it is a good event and he has attended it in the past.

  - Police Memorial Day – Friday, May 17\textsuperscript{th} at 12:00 p.m.

    Mr. Kiger and Mr. Levacy said they would attend.

  - Ohio One Now Town Hall – Monday, April 15\textsuperscript{th} at 5:30 p.m.

    Mr. Davis asked Ms. Elsea to contact Ohio One Now to see if there was a set agenda for the evening.
Administration and Budget Update
a. Tax Budget Memo

Ms. Brown asked the Commissioners for permission to send the memo.

Mr. Davis said that would be fine.

b. Review of First Quarter Work.

Ms. Brown stated that the First Quarter Goals had been met and asked the Commissioners if they would like any changes made.

Mr. Davis asked that every now and then a Tuesday be kept lighter so the Commissioners can have a review day to discuss various items.

Mr. Kiger said he believed this was a continuing evolution.

Mr. Levacy said he couldn’t be happier.

The First Quarter Goals for Ms. Brown were:

- Serve as Interim JFS Director.
- Continue Finance Director responsibilities.
- Conduct ITB/RFP Training.
- Meet with the Sheriff re: Public Facility Project.
- Demonstrate Leadership with the State of the County Address, preparing slide shows and videos.
- Continue High Level Guidance with the AIMS project.
- Conduct CLE for the Bar Association.
- Prepare and conduct Grant Writing Seminar.
- Communication with Stakeholders and Department Heads.
- Offer training and coaching to staff.
- Initiate Auditor/Treasurer/IT Administrative Connections (Electronic Processes).
- Communicate and plan Roundtables and schedule/leadership conference/budget hearing dates and purposes

c. Planning for the next Quarter.

Mr. Davis said that they are currently waiting on the revenue streams to stabilize and that it was important to control costs and build a gap between the revenue and expenditures.

Ms. Brown’s Goals are:
- Tax Budget and Budget Analysis. Will request work sessions relating to the Public Safety Facility.
- DH meetings one on one – developing a template for structured supervision.
  - Legislations/Strategic Themes/Personnel/Budget Overview
  - Standard Operating Procedures/Policy Review, such as with compensated absences and review of the public records request and procedures.
  - Training Finance Director.
- GFOA presentation.
- AIMS – Loan Application planning.
- RPC Orientation, other presentations and orientations.
- Review leases, contracts (ongoing).
- Customer Service themes for Administrative Support.
- Analyze Twitter use; Begin website updates in communication with IT and OU; initiate communication workgroup.
- Plan May EO/DH Roundtable.
- Build upon County Strategic Themes.

d. Legislative Update relating to EMA.

Mr. Kochis said there was a potential proposed amendment that would focus on the Sheriff’s involvement with EMA but that it was sent back to committee on Monday.

Ms. Brown confirmed this and said that Mr. Kochis concern was that this was not a good amendment as the focus and perception may be on serving the Sheriff instead of all emergency responders.

Mr. Kochis said that the amendment wouldn’t affect Fairfield County that much but would affect other counties.

Ms. Brown said that CCAO is accepting feedback and does not have a position on the matter yet. There is also an amendment to codify the ability for the Sheriff to serve as the Dog Warden.

e. Thanks to Rachel for setting up the Twitter account - @FairfieldCoOhio.

f. Fairfield County Visitors and Convention Bureau.

Ms. Brown asked if there had been any recent comments made regarding the VCB as the payments are not coming in as expected.

Mr. Davis asked if they were behind.
Ms. Brown stated that they were quite a bit behind.

Mr. Davis said there had not been any conversations and encouraged Ms. Brown to contact them.

Mr. Davis told the group that there would be a brief executive session followed by the voting pattern.

**Executive Session to discuss personnel**

On the motion of Steve Davis and second of Dave Levacy, the Board voted to enter into Executive Session to discuss personnel at 9:37 a.m.

Discussion: Commissioner Davis stated that the following be present: Commissioner Davis, Commissioner Levacy, Commissioner Kiger, Carri Brown, Rachel Elsea, Aunie Cordle, and Jason Dolin.

Roll call on the motion as follows:
Voting aye thereon: Steve Davis, Dave Levacy, and Mike Kiger.

On the motion of Mike Kiger and the second of Dave Levacy, the Board voted to exit Executive Session at 10:01 a.m.

Roll call on the motion as follows:
Voting aye thereon: Mike Kiger, Dave Levacy, and Steve Davis.

**Commissioners' Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, March 26, 2013 beginning at 10:05 a.m., with the following Commissioners present: Steven Davis, Mike Kiger and Dave Levacy. Also present were Jason Dolin, Rachel Elsea, Mary Beth Lane, Jeremiah Upp, Ed Laramee, Dennis Keller, Holly Mattei, Aunie Cordle, David Miller, Jeff Barron, Mike Orlando, Ursula LaVeck, Tony Vogel, Jason Dolin, Jon Kochis, Kathleen Young, Bill Miller, Steve Fleegal, Al Altfater, Paul Kemmer, and Annabelle Kemmer.

**Pledge of Allegiance**

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

**Announcements**
Commissioner Davis asked Ms. Elsea if there were any announcements. Ms. Elsea stated that there were no announcements.

Mr. Davis said that the meetings would be a bit brief for the day as the Commissioners were looking forward to and getting ready for the State of the County Address to be held at 11:30 a.m.

Public Comment

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

Mr. Paul Kemmer of 2659 B Elder Road, Lancaster, Ohio 43130 stood up and spoke about the septic system failure that their area is having. He stated that he and his wife have attended 6 Health Department Meetings and urged the Commissioners to listen to the meeting recording from September 28, 2012 specifically the comments made at the 28 minute 30 second mark. He said he has received an email from Mr. Larry Hannah that said he was to send all concerns to Mr. Dolin directly and not contact Mr. Hannah regarding the problem. He said this problem is wrong and the septic system their neighbors have is illegal. He also asked the Commissioners to listen to the 16 minute 30 second mark of the same recording where Ms. Childers laughed during the discussion and said the lesson there was not to buy a house with a bad septic system down the street. He acknowledged that the Commissioners could not comment on the issue as it is currently pending litigation but asked them to help resolve the issue.

Mrs. Annabelle Kemmer of 2659 B Elder Road, Lancaster, Ohio 43130 also stood up to speak to this issue. She said their neighbor has now made complaints to the Health Department about the Kemmer’s septic system; however the Kemmers were never informed of these complaints. The neighbor recently dug up the Kemmers septic system and filled it in. She said there were no checks and balances to the Health Department’s system and that the Health Department hasn’t come out to address the complaints filed by their neighbor. She went on to say that upon calling the Health Department to see if they were going to come out and check their system the Health Department said her husband could just turn himself in.

Approval of Minutes for the Tuesday, March 19, 2013

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Minutes for Tuesday, March 19, 2013.

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Dave Levacy and Steve Davis
Approval of Minutes for the Monday, March 25, 2013

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Minutes for Monday, March 25, 2013.

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

Approval of the Auditor's Office Resolution

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Auditor’s Office resolution to authorize a fund to fund transfer. [INSURANCE 7671 TO GENERAL 1001]; see resolution 2013-03.26.a

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

Approval of the Clerk of Courts – Legal Division Resolution

On the motion of Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Clerk of Courts – Legal Division’s resolution to appropriate from unappropriated in a major expenditure object category & fund to fund transfer; see resolution 2013-03.26.b.

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

Approval of the Commissioners' Office Resolutions

On the motion of Mike Kiger and second of Steve Davis, the Board of Commissioners voted to approve the following Commissioners’ resolutions:

2013-03.26.c A resolution to approve to appropriate from unappropriated into a major expenditure category – Fund # 2748 Subfund# 8010 NSP [Commissioners]

2013-03.26.d A resolution authorizing the approval of a request for payment and status of funds report – FY2012 CDBG Formula Funds – Drawdown for $6,863 [Commissioners]

2013-03.26.e A resolution to approve the appointment of Mr. Sam Hurley to the Fairfield County Alcohol, Drug Addiction and Mental Health (ADAMH) Board. [Commissioners]
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2013-03.26.f A resolution to appointment of Commissioner Dave Levacy as the Commissioners’ representative to the Fairfield 33 Development Alliance. [Commissioners]

2013-03.26.g A resolution to approve a Settlement and Release Agreement between Mr. Joseph R. Spybey (Plaintiff) and the Fairfield County Board of Commissioners (Defendant). [Commissioners]

Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Steve Davis and Dave Levacy
Mr. Levacy abstained from voting on Resolution 2013-03.26.f.

Approval of the Emergency Management Agency's Resolutions

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

2013-03.26.h A resolution to approve a memo expenditure for EMA 2091 (subfund 8047) Hazardous Materials Emergency Preparedness Grant Fund [EMA]

2013-03.26.i A resolution authorizing the approval of an advance from the general fund to EMA – Fund 2724 (subfund 8050) Citizen Corps FY2011 Competitive Grant Funds [EMA]

2013-03.26.j A resolution to amend the certificate, update receipt line item & request for appropriations for additional unanticipated receipts for EMA Fund 2724 (subfund 8050) CCP Grant FY11. [EMA]

2013-03.26.k A resolution to appropriate from unappropriated in a major expenditure object category EMA Fund 2738 Medical Reserve Corps [EMA]

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

Approval of the Engineer's Office Resolutions

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

2013-03.26.l A Resolution to Approve the Contract Bid Award for the CLE-08, FAI-CR71-0.515 Julian Road over a Tributary to Clearcreek Bridge Replacement Project. [Engineer]

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2013-03.26.m A resolution to appropriate from unappropriated in a major expenditure object category County Engineer 2024-Motor Vehicle [Engineer]

2013-03.26.n A Resolution to Approve Advertising for the Purchase of Liquid Asphalt Project. [Engineer]

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

Approval of the JFS Resolutions

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

2013-03.26.o A resolution regarding a Software Support Agreement between Northwoods Consulting Partners, Inc. and Job & Family Services, Protective Services Division [JFS]

2013-03.26.p A resolution regarding a Software Support Agreement between Northwoods Consulting Partners, Inc. and Job & Family Services, Community Services Division. [JFS]

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

Approval of the Fairfield-Hocking Major Crimes Unit's Resolutions

On the motion of Mike Kiger and second of Dave Levacy, the Board voted to approve the following Fairfield-Hocking Major Crimes Unit's resolutions:

2013-03.26.q A resolution to appropriate from unappropriated in a major expenditure object category for the Fairfield-Hocking Major Crimes Unit – Fund 7619 Federal Seizures [Prosecutor- Major Crimes Unit]

2013-03.26.r A resolution to authorize signature waiver for the Major Crimes Unit for grant adjustments and reporting [Prosecutor- Major Crimes Unit]

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

On motion of Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Regional Planning resolution to support the use of Clean Ohio funds by the Appalachia Ohio Alliance for the purpose of acquiring a combination of properties and conservation easements along the Hocking Ricker through purchase and donation., see resolution 2013-03.26.s

Discussion: Ms. Mattei said that two technical comments were received which were attached in the agenda packet. Those issues will be addressed. Mr. Davis asked if there were any problems raised by the City of Lancaster regarding this agreement. Mr. Fleegal stated that they would allow the trails and there were no problems with Lancaster. Mr. Davis said he was just checking due to his relationship with the City of Lancaster regarding other legal matters.

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

Approval of the Sheriff’s Office Resolution

On motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Sheriff’s Office resolution to authorize the establishment of two special revenue funds for Sheriff’s Office, Appropriate from Unappropriated. Sheriff $79,988.38; see resolution 2013-03.26.t

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

Approval of the Soil and Water Conservation District Resolution

On motion of Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Soil and Water Conservation District’s resolution authorizing an account to account transfer (7793 – Buckeye Lake Nutrient Reduction Project); see resolution 2013-03.26.u

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

Approval of the Payment of Bills resolutions

On motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the following Payment of Bills resolutions:
A resolution to approve the payment of a vouchers without appropriate carry-over purchase orders for all Departments that are approved by the Commissioners [Auditor- Finance]

A resolution authorizing the approval of payment of invoices for departments that need Board of Commissioners’ approval [Commissioners]

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

Ms. Elsea announced that the next regular scheduled meeting for the Board of Commissioners will be Tuesday, April 2, 2013 at 10:00 a.m.

Commissioner Davis announced at 10:22 a.m. that a brief recess will be held followed by the end of review in Mr. Kiger’s Office. The Commission will remain in session for the State of the County Address.

Review continued at 10:27 a.m.

The Commissioners met at 10:27 a.m. to continue review of legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present: Steven Davis, Mike Kiger, and Dave Levacy. Also present were Rachel Elsea, Kathleen Young, Jeremiah Upp, Aunie Cordle, Jason Dolin, Ed Laramee, Mary Beth Lane, and Dennis Keller.

Mr. Davis asked Mr. Dolin if the Commission typically stays in session for the State of the County.

Mr. Dolin stated that it would be prudent to do so.

Mr. Davis asked if there were any other matters.

Mr. Upp said that he had prepared the information requested and was ready to present it if the Commission would like.

Mr. Davis asked him to do so.

Mr. Upp presented the information in handouts (see attached) and went over an outlined revenue, counties currently utilizing the tax, what surrounding counties are doing (including Delaware as Fairfield County is usually compared to them), an outline of construction costs from 2003-2012 (the first four items listed were the biggest costs), construction shortfalls, costs of resurfacing Route 33A (by 2020 he expects that they will need to resurface 33A with their own funds as he does not expect to get federal funds
for this. They have been doing well in receiving bridge funding and historically they get one or the other – bridges or roads - but not both).

Mr. Davis stated that he saw the note that said cities and villages that already reached the cap will not see the increase.

Mr. Upp said that was correct. In a municipality already enacted the 06 prior to the Engineer enacting the 02, then the Engineer cannot enact the 02 in that municipality. Additionally, municipalities capped at $20 cannot have the 02 enacted even if they do not have the 06 enacted. Mr. Upp said the biggest fear/uncertainty is alternative fuel costs. He also included paving costs on the spreadsheet. For 2014 they would use all of the revenue on paving and then for following years budget it for paving but may need to use some of the revenue for bridge or construction projects. He said that none of the revenue would be used for personnel or equipment.

Mr. Davis thanked Mr. Upp for the detailed report and said the Commissioners would take time to review it and would possible be able to discuss it again at next Tuesday’s meeting. He asked about the process of enacting if they decide to go that route.

Mr. Dolin said he could develop a calendar. Public Hearings would be required as the process is similar to the others.

Mr. Kiger thanked Mr. Upp for the facts and said it helps him make the decision.

Mr. Upp asked that the Commissioners let him know if they have any additional questions.

Mr. Levacy said he is amazed by the truck traffic on Coonpath Road from 33 to 37.

Mr. Kiger asked if the state maintained that section.

Mr. Upp said that the county did.

Mr. Davis said they would discuss this again in the near future.

Mr. Davis asked if there were any additional comments or concerns.

No comments or concerns were brought up.

Mr. Davis said the Commission would be in recess until the State of the County Address.
State of the County Address

The Commission met at 11:30 at the Liberty Center to present their State of the County Address. The agenda is as follows (presentation slides are attached):

Mr. Mark Morgan welcomed everyone and provided a brief history of Bremen.

The colors were presented and Miss Cat Brown sang the National Anthem followed by Mr. Morgan leading everyone in the Pledge of Allegiance.

Mr. Branden Meyer said the invocation in German.

Mr. Davis welcomed all Elected Officials.

Mr. Kiger presented his portion of the “Past” section of the Commissioners’ address.

Mr. Davis and Ms. Brown presented the “Present” section of the address.

Mr. Levacy presented the “Future” section of the address.

Mr. Davis thanked everyone for attending.

Adjournment

With no further business, on the motion of Steve Davis and a second of Dave Levacy the Board of Commissioners voted to adjourn 12:54 p.m.

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

The next regular meeting for the Board of Commissioners is scheduled for Tuesday, April 2, 2013 at 10:00 a.m., with review session at 9:00 a.m. on the same day.

Motion by:       Seconded by:

that the March 26, 2013, minutes were approved by the following vote:

YEAS:            NAYS: None

ABSTENTIONS: None
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*Approved on April 2, 2013

Steven A. Davis        Dave Levacy        Mike Kiger
Commissioner          Commissioner        Commissioner

Rachel Eisea, Clerk