Regular Meeting #20- 2013  
Fairfield County Commissioners’ Office  
April 23, 2013

Review

The Commissioners met at 9:03 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, Mike Kiger, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Jason Dolin, Staci Knisley, Ursula Laveck, Jeff Barron, and Aunie Cordle.

Mr. Davis called the meeting to order.

Executive Session to discuss personnel

On the motion of Steve Davis and second of Mike Kiger, the Board voted to enter into Executive Session to discuss personnel at 9:04 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, Mike Kiger, and Dave Levacy.

On the motion of Dave Levacy and the second of Mike Kiger, the Board voted to exit Executive Session at 9:12 a.m.

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

Executive Session to discuss Pending Litigation

On the motion of Steve Davis and second of Dave Levacy, the Board voted to enter into Executive Session to discuss pending litigation at 9:13 a.m.

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

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

On the motion of Dave Levacy and the second of Mike Kiger, the Board voted to exit Executive Session at 9:21 a.m.

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

Review Continued

The Commissioners met at 9:21 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, Aunie Cordle, Ursula Laveck, Ed Laramee, Jeff Barron, Sheriff Phalen, Chief Perrigo, and Tony Vogel.

- Legal Update

Mr. Dolin provided an update on the Land Lease agreement with Mr. Gorsuch and the airport. There is not a provision in the agreement regarding rent for the second portion of the hangar. The first hangar is occupied; however there is no mention in the agreement as to who collects the rent paid for the second hangar. The lease does say that the lessee is not permitted to sublet the hangar without consent from the lessor. Section 12 of the lease says that upon termination of the lease any permanent buildings on the property become property of the lessor.

- Administration and Budget Update/Carri’s List
  a. Out of County prisoner costs (currently 272 + 25 out of county)

Mr. Davis said that he had a conversation with the Sheriff over the weekend regarding several jail issues including the population increase. It is hard to say when the numbers will go back down again and that they will have to see what summer brings. They estimated that 25 inmates are being held in facilities outside of the county.

Ms. Brown said there was a resolution on the agenda for the day relating to the transfer of inmates.

Ms. Knisley said they estimated $10,000 would be needed to send the inmates to Marrow County and included an extra $10,000 just in case it is needed for the rest of the year.

Executive Session to Discuss Collective Bargaining Matters

On the motion of Steve Davis and second of Dave Levacy, the Board voted to enter into Executive Session to discuss collective bargaining matters at 9:28 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, Sheriff Dave Phalen and Chief Perrigo.
Roll call on the motion as follows:
Voting aye thereon: Steve Davis, Dave Levacy, and Mike Kiger

On the motion of Dave Levacy and the second of Mike Kiger, the Board voted to exit
Executive Session at 9:41 a.m.

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

Review Continued

The Commissioners met at 9:41 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,
Aunie Cordle, Jason Dolin, Mike Orlando, Ursula Laveck, Sheriff Dave Phalen, Chief
Jerry Perrigo, and Jeff Barron.

Mr. Davis asked Sheriff Phalen if the number of inmates transferred out of county was
still at 25.

Sheriff Phalen said that was correct and that they run out of room to house inmates in
county at about 300.

Mr. Davis asked if it was about the same time last year that they transferred inmates out
of county.

Sheriff Phalen said that was correct. He also mentioned that he and Mr. Levacy recently
toured West School to see their AED program. He believes it is important to have
AED’s in their cruisers. The AED machines will be donated by Fairfield Medical Center
and overtime may be involved to train the deputies. He also said that the Sheriff’s
Office may be around $100,000 short in overtime in their budget by the end of the year.
He was not asking for more money at this time, but he may need to do so later.

Mr. Davis asked what was driving the overtime numbers.

Sheriff Phalen said that nothing in particular was driving the costs, but an example of
one issue was CPR training which is currently overdue.

Sheriff Perrigo added that the state recently decided to stop supporting the computer
program they enter their reports in so they are now training on the new program, OLEG
Records Management. They have to train every employee on the system. This is an
unexpected event which is resulting in the need for overtime pay.
Sheriff Phalen said they are mandated to do the OLEG training.

Mr. Davis said that the Commission is trying to have the general fund expenses stabilize and level off. They need to grow the gap between revenues and expenses in order to handle the debt structure for a new jail facility. There are two ways to build a jail: the first being to increase voted taxes (which was denied in the past) and the second is to grow the gap. With the magnitude of expenses, increasing expenses in any way makes it hard to grow that gap.

Sheriff Phalen said they were not asking for the money today but wanted to give the Commission a heads up that the request may be coming.

Mr. Davis said he appreciated the heads up and would continue to look favorably on the Sheriff’s Office.

Mr. Kiger suggested that the Sheriff contact Bob Williams at FMC to see if he could do the CPR and AED training for free.

Sheriff Phalen said that most of the cost for training is in overtime pay but that he’d check with Mr. Williams.

Mr. Davis thanked the Sheriff and Chief Perrigo for their time and service and asked if there were any other issues to discuss prior to the voting pattern.

Mr. Kiger said that he received an email from Mr. Greg Fisher confirming his resignation from the Airport Board.

Mr. Davis announced at 9:52 a.m. that there would be a brief recess followed by the voting pattern.

**Commissioners’ Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, April 23, 2013 beginning at 10:00 a.m., with the following Commissioners present: Steven Davis, Mike Kiger and Dave Levacy. Also present were Jason Dolin, Carri Brown, Rachel Elsea, Staci Knisley, Ed Laramee, Jason Dolin, Paul Kemmer, Annabelle Kemmer, Kathleen Young, Ursula Laveck, Jeff Barron, Dennis Keller, Krisa Rhodes, Steven Rhodes, Laura Holton, Bill Miller, and Holly Mattei.

**Pledge of Allegiance**

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

**Announcements**

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

**Public Comment**

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

Mr. Paul Kemmer of 2659 B Elder Road, Lancaster stood up and thanked the Commissioners for looking into their issue. Mr. Kemmer and his wife disagree with Mr. Hanna and believe they do have sewage problems on their property. They have not received help from the Health Department in months and asked for the Commissioners to set aside a time for them to come in and discuss this.

Mr. Davis thanked Mr. Kemmer for his comments.

**Approval of Minutes for Tuesday, April 16, 2013.**

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Minutes for Tuesday, April 16, 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 Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Auditor’s Office resolution authorizing a fund to fund transfer; see resolution 2013-04.23.a.

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

**Approval of the Clerk of Courts – Legal Division Resolutions**

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the following Clerk of Courts – Legal Division resolutions:

- **2013-04.23.b**
  A resolution authorizing a fund to fund transfer and to appropriate from unappropriated in a major expenditure object category. Fund 2326 Title And Fund 1001 Legal

- **2013-04.23.c**
  A resolution authorizing a fund to fund transfer and to appropriate from unappropriated in a major expenditure object category.
Roll call vote of the motion resulted as follows:
Voting aye thereon: Mike Kiger, Dave Levacy and Steve Davis

**Approval of Clerk of Courts – Title Division Resolutions**

On motion of Dave Levacy and second of Mike Kiger, the Board voted to approve the following Clerk of Courts – Title Division resolutions:

2013-04.23.d A resolution authorizing an account to account transfer.

2013-04.23.e A resolution authorizing an account to account transfer.

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 Dave Levacy, the Board of Commissioners voted to approve the following Commissioners’ Office resolutions:

2013-04.23.f A resolution to approve interest allocation reimbursement for Fairfield County Historical Parks – Fund # 7308

2013-04.23.g Approval of account to account transfers in major expenditure categories for the Maintenance Department

2013-04.23.h A resolution approving an account to account transfer – Fairfield County Commissioners/Prisoner Housing

2013-04.23.i A resolution authorizing the approval of a renewal lease agreement with the Ohio Department of Public Safety.

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

**Approval of the Dog Shelter’s Resolution**

On motion of Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Dog Shelter’s resolution to appropriate from unappropriated in the major expenditure object category of contract services for the Fairfield County Dog Shelter # 2002; see resolution 2013-04.23.j.
Discussion: Mr. Davis asked what this resolution was for. Ms. Brown said it would accommodate the Dog Shelter’s needs through the end of the year and corrected a resolution from the past.

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

Approval of the Domestic Relations Court Resolution

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Domestic Relations Court’s resolution authorizing an account to account transfer for the purchase of replacement courtroom recording system microphones; see resolution 2013-04.23.k.

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

Approval of the Emergency Management Agency’s Resolution

On motion of Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Emergency Management Agency’s resolution authorizing the approval of repayment of an advance to the General Fund from EMA 2738 (subfund 8048) Medical Reserve Corps/NAACHO Grant Fund; see resolution 2013-04.23.l.

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

Approval of the Human Resources Resolution

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Human Resources resolution to approve an Order of Removal for an employee of Fairfield County Job and Family Services, Community Services; see resolution 2013-04.23.m.

Discussion: A member of the public stood up to speak.

On the motion of Steve Davis and second of Mike Kiger, the Board of Commissioners voted to return to Public Comments during the regular meeting.

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

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

Mr. Steven A. Rhodes of 10025 Twp. Road 25, Mount Perry, Ohio 43760 stood up in opposition of this resolution. He said that JFS was losing a valued employee as the result of a targeted investigation. He said Ms. Rhodes did not receive the additional training she requested. He also said that calls to Mr. Orlando went unanswered and that Ms. Rhodes was not afforded the chance to defend herself. He said this matter caused undue personal and marital stress and asked the Commissioners to investigate all cases under this department at JFS. He added that Ms. Rhodes is a very dedicated employee and said that the Commissioners need to look at the unresolved issues at hand. He ended by asking if Ms. Rhodes would be able to collect her items after the meeting as she was not provided the opportunity to do so before.

On the motion of Steve Davis and second of Mike Kiger, the Board of Commissioners voted to return to the voting pattern.

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

Approval of the Human Resources Resolution (continued)

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

Approval of the Prosecutor’s Office Resolution

On motion of Dave Levacy and second of Mike Kiger, the Board of Commissioners voted to approve the Prosecutor’s Office resolution approving a transfer of appropriations from the major expenditure category of contract services to the major expenditure category of capital outlay; see resolution 2013-04.23.n.

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

Approval of the Regional Planning Commission’s Resolution

On the motion of Mike Kiger and second of Dave Levacy, the Board of Commissioners voted to approve the Regional Planning Commission resolution to approve the plat for the Buckeye Lake Winery Addition – Lot 9-A & Vacation of Kenney’s Beach – Lots 9 – 14, Part of Lot 15 & 20-foot Roadway; see resolution 2013-04.23.o.
Discussion: Mr. Davis asked Ms. Mattei if this resolved all problems that the Buckeye Lake Winery was having. Ms. Mattei said that everything was resolved.

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

Approval of the Payment of Bills Resolutions

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

2013-04.23.p  A resolution to approve the payments of vouchers without appropriate carry-over purchase orders for all Departments that are approved by the Commissioners. [Auditor- Finance]

2013-04.23.q  A resolution authorizing the approval of payment of invoices for departments that need Board of Commissioners’ approval. [Commissioners]

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

Ms. Elsea announced that the next regular scheduled meeting for the Board of Commissioners will be Tuesday, April 30, 2013 at 10:00 a.m.

Commissioner Davis announced at 10:12 a.m. that a 2 minute recess will be held followed by the continuance of review and a meeting with Sky Gettys in Commissioner Kiger’s Office.

Review Continued

The Commissioners met at 10:23 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, Aunie Cordle, Jason Dolin, Bob Clark, Kathleen Young, Jon Slater, Dennis Keller, and Jeff Barron.

- Administration and Budget Update/Carri’s List
  - FYI – Work sessions planned with Jeannette Addington for April 29th to discuss the Dashboard. This will bring all departments in line with communication about the General Revenue Fund.
c. FYI – Administrative Team Goal Setting Retreat scheduled for June 21st. The team will report back with goals set during this retreat.

d. Connecting with Holly Mattei re: ODOT support letters for the Carroll Interchange. Ms. Brown reported that she will draft example letters this week for stakeholders.

e. FYI: Ms. Laura Holton, Community Services Director at JFS, was recently invited to take part in a statewide Medicaid project recognizing her exemplary skills in policy implementation. This is great news for the state, the county, and Ms. Holton. The Commissioners will see an agreement with the state regarding her participation in this project and the reimbursement of costs associated with Ms. Holton’s personal services, salary, and potentially benefits. The agreement will be forthcoming.

- **Old Business**
  a. AED Machine – doing leg work and research at this time.

  Ms. Brown added that the Sheriff’s Office doing this and the Commissioners looking into it are two separate projects as the Commissioners’ Office will be seeking employees to volunteer for their floor or area, for example.

  b. MHA Board Member search – Email sent to EG, Chambers, and County finance employees.

    Ms. Brown reported there was some initial interest received.

- **New Business**
  a. See meetings scheduled for the day.

- **Correspondence & Documents Received**
  a. Hickory Lakes opposition email

    Mr. Kiger said he directed the individual who sent the email of opposition to the news article.

    Mr. Davis said he thought the article and Commissioners’ quotes spoke for themselves.

- **Calendar Review/Invitations Received**
  a. Investment Advisory Board Meeting – April 30th?
     i. Need two commissioners to attend
Ms. Elsea will coordinate with Mr. Kuhn to schedule this for April 30th after the Regular Meeting.

b. Lancaster Burial Squad dinner – Friday, May 10th at 7:00 p.m.
   i. Mr. Kiger will attend; Mr. Levacy will check his schedule; Mr. Davis is unable to attend.

c. JFS Candlelight Walk – Thursday, April 25th at 6:30 p.m.

d. Senior Citizens Hall of Fame Ceremony – Wednesday, May 15th at 1:00 p.m.
   i. Mr. Davis will attend.

Mr. Davis asked if there was another request for benches from Baltimore.

Ms. Elsea said she received a request for 5 benches and a playground from Mr. Scott Brown, Baltimore Village Administrator. She informed him that Lions Club was picking up two benches and two tables for Basil Park and asked Mr. Brown to provide a location where they plan on putting the benches as well as more details on the playground (model and price). Mr. Keller will check the bench inventory. Ms. Elsea also said that while there may be benches available now, they Commission would have to wait for the May 24th CFLP meeting to see what carryover funds are available, but historically, there have not been enough funds for a playground.

Mr. Davis asked to see the final request before approving.

Ms. Brown said that CFLP will inform the Commissioners of available funds in May and that there may be grant opportunities to explore.

**Meeting with Sky Gettys**

The Commissioners met at 10:37 a.m. to with Sky Gettys to discuss Fairfield Medical Center. 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, Bob Clark, Kathleen Young, Jon Slater, Dennis Keller, and Jeff Barron.

Mr. Davis welcomed Mr. Gettys. He said that he and Mr. Gettys met a few weeks ago to discuss the history of FMC and the relationship with the county. Mr. Gettys had some preliminary thoughts he wanted to share with the entire Commission.

Mr. Gettys said that FMC was hoping to go out for a bond issue for a $35 million expansion project as they are not able to tax on their own. There are two issues here. The first being that the county is not responsible for the bond but state law requires the bond to be issued through a taxing authority. FMC has already kicked off the project.
and is in the process of refinancing all of their debt ($90-$95 M). They are using Peck-Schaffer for this project and expect Peck-Shaffer to be in touch with the county. The project will create a larger surgical area (as the current one is too small for new technologies) and also create all private rooms which helps with patient confidentiality and the increasing desire for families to stay in the room with the patients. They hope to have the project completed at the end of 2014 or 2015 so that it is done by their 100th Anniversary (FMC has existed in one form or another since 1916). They expect Peck-Shaffer to contact the Commissioners by mid-June.

The second issue that Mr. Gettys wanted to discuss was the 10 acres of land in the middle of the FMC campus. FMC was originally built and owned by the city. The city then turned it over to the county with a reverter clause. In the 1980s the county turned the land over to FMC (non-profit) with a revert clause. The entire FMC campus is over 20 acres (completely surrounding the 10 acres). FMC has been maintaining the property. This agreement can make other agreements and bond issues difficult and FMC would like to clean it up and have their lawyers see what would be required to remove the reverters. If that would work FMC would then own all the property on which their buildings are located.

Mr. Davis asked if Mr. Gettys had had a preliminary discussion with Mayor Smith.

Mr. Gettys said that he had and that the city may be receptive to this proposal. He had a follow up meeting with him scheduled for later in the day to see if they were willing to move forward.

Mr. Davis said that Mr. Gettys had asked if it was ok to have FMC’s attorneys look at this process to see if it would be easy to unwind the reverters. Mr. Davis himself is interested in the process and is curious to see what steps would need to be taken without preordaining the Commission’s decision.

Mr. Gettys said that the current reverters create complications in paperwork and potential leases.

Mr. Levacy asked if they were pursuing totally removing the reverters.

Mr. Gettys said that was correct.

Mr. Levacy asked if they may consider leaving in the reveter and make the property FMC’s that way, if FMC would do something that upset the community they would still have leverage.

Mr. Gettys said he hoped that would never happen, but they could look at phasing out the reverters. The city has a strong leg in this issue. He also added that there is no way that FMC can afford to move and that they are right where they want to be.
Mr. Levacy said that he was impressed with everything that FMC was doing.

Mr. Davis asked if they own everything over to Main Street.

Mr. Gettys said that they did including the day care center across the street which they were able to secure with help from former Congressman Dave Hobson.

Mr. Levacy asked if a port authority would help.

Mr. Clark asked if FMC had to pay prevailing wage.

Mr. Gettys said they were exempt from prevailing wage.

Mr. Davis said that it has become apparent in the past year that the county owns several properties, not all of which have a specific county purpose or are usable.

Mr. Gettys said that the county also owns 2 parcels in the front parking lot of FMC.

Mr. Davis said the issue at hand was whether or not the Commissioners wanted to go forward having FMC look into the possibility of removing the reverters without this step preordaining their decision.

Mr. Levacy and Mr. Kiger said they were fine with that.

Mr. Gettys thanked the Commissioners for their time and said they planned on meeting again in July.

Mr. Davis thanked Mr. Gettys for taking the time to come in to discuss this.

**Meeting with Regional Planning re: 2013 CDBG Projects**

The Commissioners met at 10:55 a.m. to with Ms. Holly Mattie and Mr. James Mako with Regional Planning to discuss the 2013 CDBG Projects. 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, Bob Clark, Kathleen Young, Jon Slater, Dennis Keller, Holly Mattei, James Mako, and Jeff Barron.

Ms. Mattei said she attended training last week and found out that CDBG funding was cut from $219,000 to $162,000. They have restructured the program and cut all allocations by roughly 40% (although RPC only saw a 30% cut) and put all moneys into three programs. RPC must apply for funding through those three programs. At the training she asked if the NSP grant could be applied for even if it was received last year. She was told that they would try to grant those requests but that 75% of last year’s funding had to be spent by June. Ms. Mattei said they were not able to do that this year.
Mr. Davis asked if RPC's fee was a percentage of the $219,000.

Ms. Mattei said it was 20% or in this case they'd be about $11,000 short for 2014.

Ms. Mattei said that the RPC decided Monday night to take the $11,000 hit for 2014 and hoped to get it for 2015. They hope to get the $147,500 from the Commission compared to the $130,000 they have historically received. They need the $147,500 for 2014 as they are not applying for competitive grants this year.

Mr. Mako said he provided the projects to Ms. Brown (see attached). This year they received the fewest number of submissions. There were 10 projects submitted. The Village of Amanda was eliminated as they were not eligible (due to both the census and the independent survey they had completed). They are not recommending LPT due to the small amount of funding and that they funded them in 2011 for 88 vehicles (they feel that they have addressed their needs). They are also suggesting that Madison Township and Carroll's projects be held off until next year.

Mr. Mako said they were recommending projects for the Villages of Thurston and Baltimore along with two road projects in Walnut Township. The Thurston and Baltimore Projects would be for water line work (specifically installing hydrants). He said the Commissioners can fund up to four projects and they feel that all of Baltimore's project, Walnut Township's projects, and Thurston's project can be funded with some change left over. If the Commissioners feel this is acceptable they will need to get some questions answered from the communities and requests sent to the state to schedule meetings.

Mr. Davis asked if the Baltimore and Thurston projects involved the waterlines that are in question for other current issues.

Mr. Mako said the projects were health and safety related (fire hydrants).

Ms. Mattei said they were unrelated to the other issues under discussion with the areas.

Mr. Levacy said that Thurston does not have their plant completed and asked how they would go forward without it.

Ms. Mattei said the hydrants would go on existing lines.

Mr. Davis asked if a preliminary determination was required at the public hearing.

Mr. Mattei said that it was required and that RPC could publish all projects.
Mr. Davis said it was a hurdle for the Commissioners to give money to someone who refuses to come in for a meeting they have requested in attempts to settle another issue.

Ms. Mattei said she understood that.

Mr. Davis said to go ahead and publish the projects.

Mr. Mattei said she would do that and also publish and hold the hearing as soon as possible.

Review continued

The Commissioners met at 11:10 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: Steven Davis, Mike Kiger, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Ed Laramee, Tony Vogel, Jason Dolin, Dennis Keller, and Staci Knisley.

- FYI
  a. ODOT Public Meeting – Tuesday, April 30th at 5:00 p.m.
  b. Congressman Stivers' Congressional Art Competition – Friday, April 26th at 5:30 p.m.
  c. Lancaster/Fairfield Chamber of Commerce Café Series with David Slatzer, ODOT re: Carroll Interchange – Wednesday, May 1st at 11:30 a.m.

- Issues Bin

Mr. Levacy asked if the Auction was still on for October 19th.

Ms. Elsea said that it was and that the Fairgrounds has been reserved.

Mr. Davis asked if there were any other issues to discuss prior to recess.

Ms. Knisley said that the Municipal Clerk of Courts had received an unemployment claim that was not budgeted for. The former employee has separated from a new job which makes the county on the hook for part of the claim. She will appropriate roughly $4,600 for next week’s meeting.

Mr. Kiger also added that when an office has a large transfer of funds (such as those that happened in the Regular Meeting earlier) the Commission usually has them come in to explain the transfer.

Mr. Davis said that was a good idea for the future.
Ms. Brown said it would be good to know the extent of the projects.

Mr. Levacy asked where they were at regarding the vending machines.

Ms. Brown stated that she has a draft agreement, but first needs to know what the current situation is. She may do a survey monkey to see what people would like in the machine. An RFP is likely.

Mr. Davis announced at 11:20 that the Commission would be in recess until the 1:00 p.m. meeting with the Engineer’s Office.

**Meeting with the Engineer’s Office**

The Commissioners met at 1:07 p.m. to with Engineer Jeremiah Upp and Mr. Jeff Baird to discuss a bridge project and detour in Clearcreek Township. Commissioner Davis called the meeting to order with the following Commissioners present: Steven Davis, Mike Kiger, and Dave Levacy. Also present were Carri Brown, Jason Dolin, Jeremiah Upp, Rachel Elsea, Bob Clark, and Jeff Baird.

Mr. Jeremiah Upp, County Engineer, reported that there is a bridge project in Clearcreek Township planned for this Spring. The project will result in a detour, and while he will mark the detour south of Julian Road, there is an expectation that travelers will use Heigel Road, which is a township road and one that cannot take the heavy traffic from trucks that would be anticipated. The problem is that the Engineer cannot take care of maintenance of a township road; the Engineer is only authorized to maintain county roads.

Mr. Davis asked in the detour would include Heigel Road.

Mr. Upp responded that it would not be part of the marked detour, but there is an expectation that everyone would use that road.

Mr. Levacy asked if there could be weight restrictions placed on Heigel Road.

Mr. Upp responded that a weight restriction could not be placed for this purpose of restricting traffic.

Mr. Davis asked how the Board could be helpful in this situation.

Mr. Upp responded that it was possible that an option may arise in that about a mile of the township road may be required to become a county road so that it could be maintained properly.

Mr. Davis asked for an estimate of costs in maintaining the road due to the detour.
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Mr. Baird responded that the costs could be about $150,000 to $200,000.

Mr. Davis asked for an estimate of the total bridge project cost.

Mr. Baird responded that the bridge project included road realignment with total costs of about $600,000 - $700,000.

Mr. Upp indicated an additional project for the area was also required, with similar costs, directly following the first project.

Mr. Dolin reported that the Engineer could not provide repairs or maintenance of township roads, which is the crux of the issue.

Mr. Upp wondered if the township road was designated as a haul road for the project if the Engineer could then maintain it.

Mr. Kiger wondered if concrete dividers could be used to direct traffic to the intended detour route.

Mr. Upp reported that there were residents in the area that would be restricted for travel, as well.

Mr. Dolin reported that an attorney general opinion from 1982 indicated that trustees cannot restrict roads by type of traffic.

Mr. Upp reported that there were several questions surrounding the project and more leg work needed to be done. The purpose of this meeting was to provide a heads up about the possibility of a portion of the township road needing to become a county road.

Mr. Davis asked when the project was to begin.

Mr. Baird reported that pre-construction meetings are taking place this week.

Mr. Davis said the Commission would try to act as quickly as possible to help find a solution.

**Meeting with Dave Brooks (CORSA)**

The Commissioners met at 2:10 p.m. to with Mr. Dave Brooks with CORSA and Mr. Chris Clark of Clark Insurance to discuss the county’s policy renewal and deductible options. 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, Aunie Cordle, and Staci Knisley.
Ms. Cordle said that Mr. Brooks was there to discuss the renewal of the county’s policy as well as to discuss deductible options.

Mr. Brooks said that the county currently has a $2,500 deductible for all coverage. He then went over the breakdowns in costs and savings of other deductibles (see attached) including a $5,000 (property/auto)/$25,000 (liability) option and a $25,000 option.

Mr. Brooks added that the program saw a 3% increase. The loss for CORSA was seen in law enforcement and jail population numbers (which is usual).

Mr. Davis said that according to numbers presented, going to a $5k/$25k plan would, historically, be an average net benefit savings of $26,000 a year. He asked if, when a former employee sues, is that deductible paid in the year the lawsuit starts or at the end of the suit.

Mr. Brooks said that the cost is incurred once that deductible amount is met or billed.

Mr. Davis asked if any lawsuits were pending now would they be under the current deductible or in other words, is the coverage triggered by the claim or the lawsuit.

Mr. Brooks said it is based on the date of claim.

Mr. Davis asked Mr. Brooks and Mr. Clark why the county wouldn’t want to do a $5k/$25k option.

Mr. Clark said that they want the county to look at the entire “what if” scenarios (i.e. 08-09). Just two additional claims may make the $2,500 deductible a better option. They want the county to weigh the risk and will not push them one way or another. On average the $5k/$25k is a good situation. The risk is with the GL and law enforcement areas.

Mr. Books said their main concern would be with the Board of DD.

Ms. Cordle said the change would be a big adjustment for some departments like DD.

Ms. Brown reported that some departments may not be able to use specific funding streams to accommodate the deductible, which could place an increased burden on local dollars.

Mr. Levacy asked why they shouldn’t do a $5,000 deductible for everything.

Mr. Brooks said they could but the savings wouldn’t be much.

Mr. Kiger used the fairgrounds as an example saying each time they have a property claim they’d have to pay.
Ms. Cordle said they would be capped at $5,000 since the claims would be property related.

Ms. Brown asked if the deductible had to be the same for every fund or department or could it differ.

Ms. Brooks said it had to be the same for everyone.

Mr. Davis asked if the $2,500 deductible was the gold standard for counties.

Mr. Clark said that it is pretty low for Fairfield County based on the breadth of all that the county does.

Mr. Davis asked if the county would be more consistent with other counties its same size at $5k/$25k.

Mr. Brooks said that Richland County is currently at $10,000k for everything and looking at going to $25,000 across the board. She said that Allen County is at $5k/$25k and that the largest counties are self-insured. He said that the $2,500 is the minimum deductible.

Mr. Clark said that they want to make sure that the county is completely comfortable with the decision and do not create a fire storm. He added that the conversations being had and questions raised show that the Commission is already thinking of problems that could arise from the change.

Ms. Brown said that this may result in requests for support from smaller departments and that could be weighed against overall savings.

Mr. Davis said that the Commission has dealt with some issues recently in a risk management way.

Ms. Brown added that the date of the loss isn’t necessarily when the expenditure occurs.

Mr. Clark said that any claim already made would fall under the $2,500 plan.

Mr. Davis asked if the deductible was based on when the claim was made or the occurrence of the incident.

Mr. Clark said it was when the claim was made.

Mr. Brooks added that the packets included the Stewardship Report outlining services provided which Ms. Cordle uses.
Mr. Davis said that Ms. Cordle speaks very highly of both Mr. Brooks and Mr. Clark.

Mr. Brooks also stated that the county had a $42,000 return for member equity. He also said that the Supreme Court ruled that the Engineer could use MCGT funds to pay for program costs; however some Engineers are still pushing back on that.

Mr. Davis asked what the Commission charges the Engineer’s office.

Ms. Cordle said that they charge the deductible but not the program costs.

Mr. Brooks said that, outside of those suing, most counties bill the Engineer.

Mr. Davis said that the Commissions relationship with the Engineer is very good.

Ms. Cordle asked when they needed to communicate a desire to change the deductible.

Mr. Brooks said that it must be effective May 1 but that they could take a week or two longer to make that decision.

Mr. Davis said he felt they were ready to do so then.

**Motion to have Ms. Aunie Cordle coordinate with CORSA to alter the County’s deductible to $5,000 for property/auto and $25,000 for liability.**

On the motion of Steve Davis and second of Mike Kiger, the Board of Commissioners voted to have Ms. Aunie Cordle coordinate with CORSA to alter the County’s deductible to $5,000 for property/auto and $25,000 for liability.

Discussion: Mr. Levacy asked if the premium savings would be $18,000. Mr. Clark said it would be $66,000. Mr. Davis asked if there was any reason why they shouldn’t change to the new deductible. No additional comments were given.

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

Mr. Davis asked what was budgeted in 2013 for the policy.

Ms. Knisley said that a modest increase was budgeted and that this action would result in savings.

Mr. Clark said that the prior experience should show a good idea for what the future holds.
Mr. Davis thanked Mr. Brooks and Mr. Clark for the well put together presentation, information, and efficiency. Mr. Clark said that everyone in the county and all department heads are great to work with.

**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 3:15 p.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 3:20 p.m.

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

**Adjournment**

With no further business, on the motion of Dave Levacy and a second of Mike Kiger the Board of Commissioners voted to adjourn 3:21 p.m.

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

The next regular meeting for the Board of Commissioners is scheduled for Tuesday, April 30, 2013 at 10:00 a.m., with review session at 9:00 a.m. on the same day.

Motion by: ___________________________ Seconded by: ___________________________

that the April 16, 2013, minutes were approved by the following vote:

YEAS: ___________________________ NAYS: None

ABSTENTIONS: None

*Approved on April 30, 2013*