Regular Meeting #43 - 2013  
Fairfield County Commissioners’ Office  
September 12, 2013

Review and Regular Meeting

The Commissioners met at 9:53 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, Mike Kiger and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Jeff Barron, Kevin Servick, and Ed Laramee.

Mr. Davis called the meeting to order.

Mr. Davis stated he has had frequent conversations with Ms. Brown regarding the public hearings.

Mr. Kiger asked if the Commissioners could pass the minutes from September 10th before continuing the discussion regarding the public safety facility.

Motion to approve the minutes from Tuesday, September 10, 2013.

On the motion of Steve Davis and second of Dave Levacy, the Board voted to approve the minutes from Tuesday, September, 10, 2013.

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

Mr. Davis continued his thoughts on the public hearings. He stated that the Commissioners had indicated a timeline for the public hearings of approximately six weeks before a decision would be made. He stated that he spent a majority of Wednesday looking at the issues relating to the construction of a new facility and realized there are several ancillary and collateral issues related to the building of a new facility regardless of location. He suggested the Commissioners spend some time after the Executive Session with the Auditor of State to brainstorm issues such as transition costs, annexation lease times, the bidding timeline, the financing timeline, and buildings that would no longer be needed if the Commissioners do decide to build a new public facility.

Mr. Davis suggested the Commissioners should make a decision today to prepare for the possibility of a green light so they do not lose the planning time if they decide to move forward. The only risk to doing this would be to putting a month of preparation into the ancillary effects of building a new public safety facility and then not building the facility. He said this motion or decision would be useful for the staff (Ms. Brown, Mr. Keller, and others) to proceed so that coming out of the decision to be made within six weeks, they can quickly move forward if necessary. He asked if it was ok for the Commission to discuss this issue after the executive session for the pre-audit conference.
Mr. Kiger and Mr. Levacy agreed. Mr. Levacy added that this was also a concern for him.

Mr. Kiger stated he had a meeting at 12:30 p.m. he needed to attend.

Mr. Davis stated they should be done by then.

Ms. Brown stated that the September 17th Board of Commissioners meeting includes a BWC video. It would be great if the Commissioners could participate as 100% participation is desired. She added that there would be time scheduled for the video next Tuesday, as other departments are reviewing the training video, as well.

Ms. Brown also asked if the Commission wanted to authorize her to sign for the cooperative agreement of the Farm and Ranch Land Protection Program.

**Motion to authorize Ms. Carri Brown to sign the cooperative agreement of the Farm and Ranch Land Protection Program**

On the motion of Steve Davis and second of Dave Levacy, the Board voted to authorize Ms. Carri Brown to sign the cooperative agreement of the Farm and Ranch Land Protection Program.

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

**Executive Session to discuss an Audit with the Auditor of State**

On the motion of Steve Davis and second of Dave Levacy, the Board voted to enter into Executive Session to discuss an Audit with the Auditor of State at 10:09 a.m.

Discussion: Commissioner Davis stated that the following be present: Commissioner Davis, Commissioner Levacy and Commissioner Kiger, Carri Brown, Rachel Elsea, Kevin Servick, Kevin Saionzkowski, and Jerry Riffe.

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

On the motion of Steve Davis and second of Dave Levacy, the Board voted to exit Executive Session at 11:08 a.m.

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

The Commissioners met at 11:08 a.m. to continue 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, Mike Kiger and Dave Levacy. Also present were Carri Brown, Rachel Elsea, and Dennis Keller.

Commissioner Davis stated at 11:08 a.m. there would be an approximate ten-minute recess followed by the continuation of review.

Review Continued

The Commissioners met at 11:24 a.m. to continue 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, Mike Kiger and Dave Levacy. Also present were Carri Brown, Rachel Elsea, and Dennis Keller.

Commissioner Davis stated he had been thinking about (and will continue to gather more information over the next several weeks) the number of issues associated with the process of building a new public safety facility. He suggested the Commissioners take time to identify issues to perform a level of due diligence and also encouraged the inclusion of the Sheriff’s Office in the next several weeks as these issues are discovered. He asked that for these purposes they assume the Commissioners will choose the go forward approach and if they do, they need to be prepared for the transitions that would be involved. He suggested the Board of Commissioners may want to encourage individuals to begin identifying issues and how those issues would be addressed. Aside from the transition from old buildings to a new facility Mr. Davis brought up the issue of what to do with the buildings that would be vacated (whether or not they could even be repurposed). He thought it would be difficult to demolish the historical home on the corner of High and Main streets and thought the harm would outweigh the benefits. He added that the house does not seem like a good fit for detectives’ offices either and that he did not immediately see a useful government oriented purpose.

Mr. Davis asked Mr. Keller to analyze and think about these issues if the Commissioners do decide to build a new facility. He added that he was not sure how the lots across the street were parceled and that repurposing the maximum security facility across the street seemed unlikely. He stated it seemed best to convert the area to meet the parking needs of the area which makes sense as a parking lot is already next to the maximum security jail (they could rearrange for the most efficient and effective use).

Mr. Davis also stressed that the appearance of the lot would be very important as the area would need to be beautified to fit in with the rest of the neighborhood (landscaping,
retaining walls, etc.). Mr. Davis asked Mr. Keller to give some thought to the buildings across the street as they would be affected regardless of the location of a new jail.

Mr. Levacy added that they should also think about the veteran services office for how it fits in the plan.

Mr. Keller concurred.

Mr. Davis stated that was a fair consideration and that he did not know the costs of building demolition or parking lot construction but he would like to know as they figure out what ancillary costs would be involved.

Mr. Levacy stated the Land Bank estimates an average of $12,000 per demolition.

Mr. Keller suggested it would be much more than that for the maximum security jail due to the concrete reinforcements at each level of the building.

Mr. Kiger stated the building on the corner was historical, but he wasn’t sure about the veterans building. He also believed the jail was mandated to be torn down.

Mr. Davis stated that may have been the recommendation of the 1999 Kimble report, which he recalled stating it should be demolished. Mr. Davis stated he couldn’t envision a future use for the building other than as a jail.

Mr. Kiger stated he would like to see a lot that is one continuous lot and completely accessible.

Mr. Davis stated he thought that increasing parking capacity and making it palatable to the eye might come with a substantial cost – it could be pricy.

Mr. Levacy stated that he agreed that looks were very important being that the lot would be a focal point in the downtown location.

Mr. Keller stated he agreed with keeping the house on the corner.

Mr. Davis stated it would help to start considering this ancillary issues now as the timelines would be very tight if they do decide to build. They would have timelines for building designs, bids, funding/bonding, and existing jail arrangements (Annex lease).

Mr. Davis added that if the Commissioners do decide to build a new facility there is no way they could do so in 2014 and he didn’t see breaking ground until 2015 which would be doable but still a challenge. He stated there would be much to do and that he wasn’t answering questions at this time, just raising them.
Mr. Kiger stated he thought they would benefit from having Ms. Brown's help due to all of her work with the MCJDC when the multi-county facility was being built.

Mr. Davis stated he spoke with Dana at MCJDC regarding possible cooperation if a new jail were to be built at the Liberty Center. Cooperation with transport would not be an option as the ORC frowns upon juvenile and adult inmate interaction. Coordination with food services would also not work as it now stands as MCJDC has their own kitchen and chef for a very small population whereas the jail uses Aramark as their food vendor. As of Thursday it did not look like the two could coordinate as easily as one may initially think.

Mr. Kiger stated he would like to look at the agreement with Aramark as he does not believe the savings that was promised has been achieved.

Mr. Davis went on to talk about the need for jail bed space in Perry and Hocking Counties. When considering building a new jail, the Commissioners will need to keep in mind the current market. The current designs are for 384 beds with the ability to add an additional 216 or more. If the market allows for lease space to adjoining counties the Commissioners could be more aggressive in the number of beds built. Mr. Davis reminded everyone that they will ultimately be limited by debt access, but that a difference between 384 and 408 may not be a huge increase.

Mr. Levacy stated he has spoken to Perry County officials and they seemed interested in using bed space.

Mr. Davis stated that Perry County costs are about $58 per bed per day. If we were possibly able to offer beds at less than the market rate, perhaps at $45 a day, and lease 50 beds, that would result in more than $800,000 in revenue, which would likely greatly exceed the variable cost of housing the inmates.

Mr. Davis suggested that the Commissioners authorize and direct staff through Ms. Brown to begin due diligence to be prepared on issues for a potential yes decision to build a new jail in about five weeks from now.

Mr. Kiger stated he thought more beds need built than originally proposed.

Mr. Levacy stated that McAnally indicated it was possible to add an additional proposal to expand walls allowing for more bed space.

Mr. Kiger suggested the Commissioners look at the Mansfield facility as a good example of wall expansion.

Mr. Davis did not disagree but stated that the controlling factor will be the debt limitation and that this may determine the number of beds they can build. He added that the analysis of bed needs from 1999 to today has remained right on point. The
Commission needs to figure out how they will be bumping their head against the ceiling of what can be borrowed.

Mr. Kiger stated he has had talks with Mr. Kuhn who indicated there could be some debt issued through the county.

Ms. Brown replied that any amount that the county would loan to itself would be a relatively small part of the project, even minimal by relative comparison.

Mr. Davis stated the point of the discussion was that building a new jail would not only include construction costs but other costs, and the multiple issues brought up today and other issues would need to be considered.

Mr. Keller asked where the inmates would go during construction if they were to build at the Wheeling Street site.

Mr. Levacy stated the architect indicated in the public meetings that they could phase in construction and work around the inmates.

Ms. Brown said renting space elsewhere was another option that may come to pass.

Mr. Keller stated that if they do not phase the construction and keep the prisoners at the Wheeling Street jail, it would cost to house them elsewhere.

Mr. Davis stated they had estimated $1,500,000 in 2013 for a new facility and advocated for doing the same in 2014. Having established a pool of cash would help with some of these issues.

**Motion to direct Ms. Carri Brown and additional staff to perform due diligence for assumption of a go decision so that if the Commission does decide to build a jail they have already started the processes to deal with ancillary issues.**

On the motion of Steve Davis and second of Dave Levacy, the Board voted to direct Ms. Carri Brown and additional staff to perform due diligence for assumption of a go decision so that if the Commission does decide to build a jail they have already started the processes to deal with ancillary issues.

Discussion: Mr. Kiger stated he believed this was a wise step.

Mr. Davis added that this information could be helpful in determining whether or not to build a new facility.

Ms. Brown stated that a jail is exempt from direct debt limitation but is subject to indirect limitations. There could come a time when we very close to the indirect limit, which has happened in the past, too. She added that the decisions, of course, need to take into
account what the county can afford. At all points of discussion, this is something that remains in our thinking.

Mr. Davis stated that while there may be a good feeling surrounding the $1.84 million revenue stream from the casinos, the last quarter is the only evidence of the four casinos operating. This is too soft to use for a historic stand point.

Mr. Levacy stated that if they do decide to go forward they may find that they need to scale back a bit with their plans.

Mr. Davis added that they must also consider interest rates and recently asked a broker to send weekly municipal market data updates to know where the rates are going. The interest rates have recently increased, which is a concern to Mr. Davis, in terms of increasing project costs. He added these issues are why directing staff to move forward with the assumption of a go decision is important.

Mr. Levacy stated that the economy improving could also raise costs.

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

Mr. Davis asked if there were any additional significant components to consider.

Mr. Kiger mentioned EPA studies that may be needed at the Liberty Center. He stated they wouldn’t want to pick a site that couldn’t be developed.

Mr. Davis thought they included $150,000 for that in the estimate. Regarding the location, which location and environment is better once the location is determined also raises concerns for Mr. Davis regarding the buildings that would be vacated downtown and potentially shipping out 100 plus people who work in those offices. It is very complicated in determining what to do with those locations. Mr. Davis added that he is very comfortable with only considering county owned properties for a jail location.

Mr. Kiger agreed and stated he was happy the Commissioners were moving forward.

Mr. Levacy asked if there were plans for a kitchen in the drawings.

Mr. Keller stated there was, along with a budget for furnishings.

Mr. Levacy asked if there would be a construction manager.

Mr. Keller stated that position had been removed. He commented on a need to have an understanding of terminology in the construction industry.

Commissioner Kiger left the meeting at 12:13 p.m.
Mr. Keller when on to say that McAnally suggested that between them and Mr. Keller, they would be able to do the job of a construction manager saving almost a million dollars.

Mr. Levacy commented that he was deeply appreciative of the knowledge that Mr. Keller brings to the table, given his extensive experience in construction of major projects.

Mr. Davis asked if there were any other issues.

Mr. Levacy said if he thought of any he would share them with Ms. Brown and Mr. Keller.

Mr. Davis stated that the Commissioners have included the hearing process as part of their decision and have multiple other sources to receive input. No one source is controlling in and of itself, but all put together are being used to make the decision. If you invite the public for input, then that input should be used in determining the decision. He added that the Commissioners were still receiving input in any way that it came for the next 5 weeks.

Mr. Levacy stated they would have to look at both the costs of building and the logistics.

Mr. Keller added it was a very tough decision.

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

Ms. Brown stated she received a call from Jonny Moore regarding possible storage/office space for the county. Mr. Moore is part of the Windsor Group, the owner of the Brumfield storage facility. His call related to future storage needs and at this point is just an opportunity being presented. Mr. Keller will be continuing his work in identifying storage needs.

Ms. Brown will send a draft agenda for the Leadership Conference to the Commissioners by next Tuesday. She is working with Ms. Elsea on logistics of the conference. The meeting will include a regular meeting so that decisions of the Board can be taken.

Ms. Brown also responded on Tuesday, September 10th, to the Meals on Wheels letter received September 10th. Each of the Commissioners and people copied on the Meals on Wheels letter received the response. Today, the State Auditor requested additional information regarding this matter and she will provide them with that information, such as ballot language and contract language.
Mr. Levacy stated he thought the approach with Meals on Wheels was a good approach.

Ms. Brown also provided the Commissioners with the online survey results for the jail location.

**Adjournment**

With no further business, on the motion of Dave Levacy and a second of Steve Davis the Board of Commissioners voted to adjourn 12:23 p.m.

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

The next regular meeting for the Board of Commissioners is scheduled for Tuesday, September 17, 2013 at 10:00 a.m. with review session at 9:00 a.m. on the same day.

Motion by: ___________________ Seconded by: ___________________

that the September 12, 2013, minutes were approved by the following vote:

**YEAS:** ___________________ **NAYS:** None

**ABSTENTIONS:** None

*Approved on September 17, 2013*

Steven A. Davis
Commissioner

Dave Levacy
Commissioner

Mike Kiger
Commissioner

Rachel Elsea, Clerk

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