

**Regular Meeting #08-24  
Fairfield County Commissioners' Office  
June 17, 2008**

**9:00 a.m.- Viewing – Winchester Road Culvert Replacement**

The Board of Commissioners met at 9:00 a.m. to view a culvert replacement project on Winchester Road in Violet Township. Commissioners present included Jon Myers and Mike Kiger. Also present were Jeff Baird, Deputy Fairfield County Engineer, Bill Yapple, Violet Township Administrator, Gary Donley, Michael Cummings, and Tandra Cummings.

**10:00 a.m. Commissioners' Regular Meeting**

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, June 17, 2008 beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Judith Shupe and Mike Kiger. Also present were Mary Jane Gard, Lynette Leach, Jason Dolin and Scott Zody.

**Announcements**

Mr. Zody announced that there could possibly be one add-on resolution relative to an alley vacation in the Climer's Grandview Beach subdivision, Walnut Township.

**Public Comment**

There were no public comments.

**Approval of minutes of Tuesday June 10, 2008**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday June 10, 2008.

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Mike Kiger, Judith Shupe and Jon Myers.

**Approval of the forgiving of loans for the Fairfield Historical Parks**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the forgiving of three loans made to the Fairfield Historical Parks, see resolution 08-06.17.a

Commissioner Myers stated that these loans were made several years ago to assist the Historical Parks, and Commissioner Shupe stated that the Board was under the impression that the loans had been forgiven some time ago, but needed to take this action.

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Judith Shupe, Mike Kiger and Jon Myers

**Approval of the Fairfield County Revolving Loan Fund Review Committee's recommendation for funding a proposal for Community Development Block Grants Revolving Loan Fund (CDBG-RLF) financing**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the Fairfield County Revolving Loan Fund Review Committee's recommendation for funding a proposal for Community Development Block Grants Revolving Loan Fund (CDBG-RLF) financing, see resolution 08-06.17.b

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Mike Kiger, Judith Shupe and Jon Myers.

**Approval of a contract for county facilities roofing with the Garland Company dba – Design-Build Solutions, Inc.**

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a contract for county facilities roofing (MSMJ) with the Garland Company, dba as Design-Build Solutions, Inc., see resolution 08-06.17.c

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Judith Shupe, Mike Kiger and Jon Myers.

**Approval of Engineer’s resolutions**

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the following Engineer’s resolutions:

- 08-06.17.d                      Approval of a contract with the Shelly Company for the 2008 Chip & Seal Project – Engineer
- 08-06.17.e                      Approval of Notice of Commencement, 2008 Chip & Seal Project – Engineer

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Mike Kiger, Judith Shupe and Jon Myers.

**Approval of Financial Resolutions**

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the following financial resolutions:

- 08-06.17.f                      Approval of payment of a voucher without an appropriate carry-over purchase order – Fairfield County Job & Family Services
- 08-06.17.g                      Approval of memo expenditure – Fairfield County Job & Family Services
- 08-06.17.h                      Approval of Fund 7428 BWC Refunds Amended Certificate and Appropriate from Unappropriated
- 08-06.17.i                      Approval of creation of a new fund, amend the certificate, update the receipt line items and appropriate from unappropriated – FY2008 CDBG Formula - Commissioners
- 08-06.17.j                      Approval to amend the certificate, update receipts, and to appropriate from unappropriated – Fairfield County Emergency Management
- 08-06.17.k                      Approval to amend certificate, conversion of a prior year encumbrance to current year appropriation, reduce current year appropriations - Engineer
- 08-06.17.l                      Approval of amended certificate & request to appropriate from unappropriated – Public Assistance Fund, Job & Family Services
- 08-06.17.m                      Approval of account to account transfer - Auditor
- 08-06.17.n                      Approval of account to account transfer – Fairfield County Airport
- 08-06.17.o                      Approval to Appropriate from Unappropriated – Insurance Investment Fund
- 08-06.17.p                      Approval to Appropriate from Unappropriated – Sheriff’s Office
- 08-06.17.q                      Approval to appropriate from unappropriated – Fairfield County Commissioners – Stormwater Assessment
- 08-06.17.r                      Approval to Appropriate from unappropriated within Debt Service Funds – Fairfield County Utilities

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Judith Shupe, Mike Kiger and Jon Myers.

### **Payment of Bills**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the authorization for payment of bills, June 17, 2008, check date June 20, 2008, see resolution 08-06.10.s.

Roll call vote of the motion resulted as follows:  
Voting aye thereon: Mike Kiger, Judith Shupe and Jon Myers.

### **Review Session**

The Board of Commissioners met at 10:15 a.m. to review correspondence and future and pending action items. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin, Joe Spybey, Tony Vogel, and Scott Zody.

Mr. Spybey requested some direction from the Board relative to the Lincoln Avenue car wash facility. Mr. Spybey believes that the county has performed due diligence in seeking operators for the facility, and has two parties interested in leasing and operating the car wash. Commissioner Myers asked if a copy of the previous lease had been provided to Mr. Spybey and Mr. Dolin, and both stated they had copies.

Mr. Spybey stated that he would prefer to have the two interested parties submit proposals and business plans on how they would operate the facility, and choose the best proposal. Commissioner Myers asked what the next steps would be, and Mr. Spybey stated that he would like to work with Bill Arnett to redraft and update the previous letter that was sent seeking proposals and business plans.

Commissioner Myers asked Mr. Spybey if there were any new developments with the Decorative Arts Center wall. Mr. Spybey stated that he had contacted the engineering firm that conducted the original cost estimate and plan, and has asked them to update the plans. Mr. Spybey stated that he would be interested in finding out if DACO would fall under state and local contracting requirements if the county would provide the funding for the repairs. Mr. Dolin stated that he would explore the question.

Jason Dolin updated the Board of Commissioners on pending items for the County Prosecutor opinions. Mr. Dolin stated that he has reviewed the draft resolutions sent by Dennis Schwallie relative to the bond refinancing package, and feels comfortable with them. Mr. Dolin also reviewed the proposed dog warden legislation, and stated that while the bill does not make a lot of substantive changes, there will be some that could significantly increase the cost of operating the shelter, particularly the requirement for veterinary care. Commissioner Kiger stated that he is concerned about any expansion of the dog warden's authority, especially regarding control of stray cats.

The Board directed Mr. Zody to contact Maggie Lewis to see if she would be available to facilitate this year's budget retreat. Commissioner Shupe stated that she believed that Ms. Lewis was still with the Commission on Dispute Resolution and Conflict Management.

Commissioner Shupe provided the Board with an update on the Tarlton sanitary sewer project, stating that she had been contacted by the Village Administrator, Victor Smith. Apparently the U.S. Department of Agriculture is providing the bulk of the funding for the project, and they are unhappy that the Village has had to spend over \$40,000 in legal fees and is threatening to reduce or offset funding for the project. Mr. Smith is requesting that the Commissioners contact USDA and possibly the local legislators to try to intervene or assist.

Commissioner Myers asked if the Board should wait until a decision on an injunction that was filed by several local citizens is decided prior to acting. Commissioner Shupe

stated that the county is not a party to the lawsuit, but the Utilities Department has been closely monitoring the situation.

Mr. Vogel stated that all evidence had been submitted and testimony taken relative to the injunction hearing, and he was expecting the Judge to issue a decision within the next two weeks. Mr. Vogel stated that he would be surprised if the injunction would be granted, but one never knows for certain.

Mr. Vogel stated that the attorney fees incurred by the Village cover more than just the injunction issue, as the Village has been defending itself from a lawsuit threat from Columbia Gas regarding a gas line that runs parallel to the sewer line.

Commissioner Myers asked Mr. Vogel if there was any progress on his new office plans, and Mr. Vogel stated that he is in the process of reviewing cost estimates and plans from a consultant for an office at the Lockville Road property. Commissioner Myers asked if the Lockville Road site is the preferred site, and Mr. Vogel stated that he would prefer Lockville Road over the Liberty Center.

Commissioner Myers asked Mr. Vogel if his revenue stream has decreased, and Mr. Vogel stated that it has decreased somewhat this year, but he had budgeted for that with the slowing housing market last year, and he feels comfortable with his budget situation. Mr. Vogel expects the commercial market to begin to turn more positive before the housing market does.

### **For the Record**

Mr. Zody reported that he had received three annexation petition requests – one from the City of Pickerington and two from the City of Lancaster.

The City of Pickerington has filed an annexation petition under Revised Code Section 709.16 requesting to annex 67.84 acres of city-owned property in Violet Township.

The first petition filed by the City of Lancaster under Revised Code Section 709.023 (Type 2 Expedited) requests to annex 15.482 acres of city-owned property in Hocking Township (Cedarlen Park).

The second petition filed by the City of Lancaster under Revised Code Section 709.023 (Type 2 Expedited) requests to annex 1.594 acres of state-owned property in Hocking Township.

### **Public Hearing – Winchester Road Culvert Replacement**

The Board of Commissioners held a public hearing for a culvert replacement project on Winchester Road in Violet Township. Commissioners present were Jon Myers, Judith Shupe and Mike Kiger. Also present were Jeff Baird and Scott Zody. Commissioner Myers read the resolution establishing the viewing and hearing for the project and for public comment.

Mr. Baird stated the culvert is in an advanced state of deterioration and needs replaced, and he is hoping to complete the project yet this year.

Commissioner Myers asked if the landowners present at the viewing had expressed any concerns, and if they would be willing to donate the land needed for right-of-way. Mr. Baird stated that he believes the landowners will donate the land, provided the Engineer's Office replaces their fences and the trees that will be removed as part of the project. Commissioner Shupe asked if the Township Trustees were present, and Mr. Baird stated that Bill Yapple, the Violet Township Administrator attended the viewing.

Commissioner Kiger stated that a farmer expressed concerns about construction during the harvest season. Commissioner Myers stated that the Board could possibly approve the resolution at their meeting on Thursday, and asked Mr. Baird what is required to establish the value of the property if the landowners wish to donate. Mr. Baird stated

that if the landowners request it, he would pay for and provide a full appraisal and would be required to offer the appraised value.

Commissioner Kiger asked if there were any effects on the local schools relative to the construction, and Mr. Baird stated that he estimates a 6-10 week closure, so there could be some possible impacts. Commissioner Myers asked what likely detour routes were near, and Mr. Baird stated the likely route would be Pickerington Road to Route 33.

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to close the hearing.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Judith Shupe, Mike Kiger and Jon Myers.

#### **Approval to vacate part of a public road, an alley in or near the Climer's Grandview Beach Addition, Walnut Township**

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve to vacate part of a public road, an alley in or near the Climer's Grandview Beach Addition in Walnut Township, see resolution 08-06.17.t.

Roll call vote on the motion resulted as follows:

Voting aye thereon: Mike Kiger, Judith Shupe and Jon Myers.

#### **Meeting with Judge Kathy Mowry**

The Board of Commissioners met with Judge Kathy Mowry to discuss court renovations. Commissioners present included Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin and Scott Zody. Judge Mowry explained that she is having issues with scheduling and catching up on case backlogs, particularly child support enforcement orders. Domestic Relations Court has two courtrooms, but sometimes there are as many as four judges and magistrates trying to schedule hearings. In addition, substitute courtrooms they use are sometimes incompatible with their transcript equipment.

Judge Mowry explained that her predecessor, Judge Jackson, had proposed clearing out space currently used for records storage down the hall, but she does not believe that would improve efficiency or security for the court. Instead, Judge Mowry proposed to relocate some interior walls and create additional courtroom and work space that would allow the staff to work together. Commissioner Myers asked if any staff or magistrates would need to be added, and Judge Mowry stated that she does not need more staff, she just need more room to make the existing space more usable.

Commissioner Myers asked if the attorneys would still have conference space available, and Judge Mowry stated that there would still be one conference room, and she has already added benches to the hallways to allow for some informal conference/meeting space. Commissioner Myers asked if the cost estimates include wiring and any mechanical needs, and Judge Mowry stated that most of the needed wiring is in place, and does not anticipate the need to much additional infrastructure, but she would like to add a check-in window similar to that utilized by the Municipal Court.

Judge Mowry also said she would like to improve her video hearing capabilities, particularly with the jail. Commissioner Shupe asked if the courts were utilizing video arraignments, and Judge Mowry stated that she was not sure how the other courts were utilizing the technology, but she would like to use it more. She suggested the Board look into a new initiative by the Supreme Court called the Ohio Court Network, where the court is attempting to secure Federal funds to connect courts across Ohio.

Commissioner Myers thanked Judge Mowry for her presentation, and stated that he believes the project sounds reasonable, and Commissioner Shupe and Commissioner Kiger concurred. Commissioner Kiger stated that Joe Spybey is currently doing some work on some security issues, and may be able to assist Judge Mowry's bailiff.

**Adjournment**

With no further business to come before the Board, on the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to adjourn at 1:35 p.m.

Roll call vote on the motion resulted as follows:

Voting aye thereon: Mike Kiger, Judith Shupe and Jon Myers.

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Mike Kiger  
Commissioner

Jon D. Myers  
Commissioner

Judith K. Shupe  
Commissioner

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Scott A. Zody, Clerk/Manager

**THE NEXT COMMISSIONERS' REGULAR MEETING IS SCHEDULED THURSDAY  
JUNE 19, 2008 AT 10:00 A.M.**