

**Regular Meeting #08-20
Fairfield County Commissioners' Office
May 20, 2008**

Review Session

The Board of Commissioners met at 9:40 a.m. to review correspondence, pending items, and future action items. Commissioners present were Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin and Scott Zody.

Mr. Dolin provided an update on several legal issues he has been working on, including the issuance of permits to non-public utilities working within county road right-of-ways. Mr. Dolin suggested holding a meeting with the Engineer's Office to enable the transfer of any such authority back to the Engineer and remove the Board from the process, as it is cumbersome and time-consuming. The Board directed Mr. Dolin and Mr. Zody to proceed with such a meeting.

Mr. Dolin has reviewed a proposed contract with a vendor to conduct soil boring and testing at the Liberty Center, and is in the process of negotiating some changes to the contract, which may be ready for the Board to approve in the next week or two.

Mr. Dolin informed the Board that he had received a call from Violet Township Administrator Bill Yapple relative to Mr. Dolin's opinion that an additional viewing and hearing must be held on the improvements to be made to Refugee Road as part of the new Pickerington Schools construction. Commissioner Shupe stated that the viewing and hearing should be a non-event, as the controversial aspects of the project involved changes to Toll Gate Road. Commissioner Myers stated that the Board needed to resolve the sewer issue raised by Lee Gray with Utilities Director Tony Vogel. Commissioner Kiger stated that something had to be done relative to the viewing and hearing, as that is a requirement for any road expansion.

Commissioner Kiger informed the Board that County Dog Warden Mike Miller's father had been injured in a farm accident, losing his sight, and Mr. Miller will need to take some leave time to take his father to the Cleveland Clinic from time to time.

10:00 a.m. Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, May 20, beginning at 10:00 a.m., with the following Commissioners present: Jon Myers, Judith Shupe and Mike Kiger. Also present were Bill Arnett, Michael Orlando, Jason Dolin, and Scott Zody.

Announcements

There were no announcements.

Public Comment

There were no public comments.

Approval of minutes of Tuesday May 13, 2008

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve the minutes for Tuesday May 13, 2008.

Roll call vote of the motion resulted as follows:

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

Approval of Amending an Enterprise Zone Agreement Between the Westerman Company, Fairfield County, and the Village of Bremen

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve an amendment to an Enterprise Zone Agreement between the Westerman Co., Fairfield County, and the Village of Bremen, see resolution 08-05.20.a

Mr. Arnett stated that the amendment was approved by the Village last week, which is to add personal property tax to the exemption for taxes, and the local schools have also signed off. Commissioner Myers asked if the Board had approved the agreement previously, and how long was the agreement in effect, and Mr. Arnett stated that the agreement was first approved a few years back and is good for 10 years.

Roll call vote of the motion resulted as follows:

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

Approval of Continuing an Enterprise Zone Agreement Between Rienschild Gourmet Sausage, LLC, Rienschild Finer Meats, Inc., Rienschild Properties, LLC, Fairfield County, and the Village of Bremen

On motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve continuing an Enterprise Zone Agreement Between Rienschild Gourmet Sausage, LLC, Rienschild Finer Meats, Inc., Rienschild Properties, LLC, Fairfield County, and the Village of Bremen, see resolution 08-05.20.b

Commissioner Kiger asked why all three companies were involved, and Mr. Arnett explained that the sausage company occupies the building, but the land is owned by the property company and so all three are mentioned in the agreement, but only the bulk plant facility is receiving the tax benefits. Commissioner Kiger asked how long the agreement is effective, and Mr. Arnett stated 10 years. Commissioner Shupe asked Mr. Arnett if he had heard any further progress with respect to the business, and Mr. Arnett stated that he had not heard any recent news.

Roll call vote of the motion resulted as follows:

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

Approval to Amend an Agreement to install a 42” natural gas pipeline on county owned property

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to amend an agreement to install a 42” natural gas pipeline on county owned property, see resolution 08-05.20.c

Roll call vote of the motion resulted as follows:

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

Approval of an Amendment of the District Solid Waste Management Plan

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve an amendment of the District Solid Waste Management Plan, see resolution 08-05.20.d

Roll call vote of the motion resulted as follows:

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

Approval to Establish a Viewing and Hearing on a Petition to vacate a part of a public road, Climers Grandview Beach Addition, Walnut Township

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to establish a viewing and hearing on a petition to vacate a part of public road, Climers Grandview Beach Addition Walnut Township, see resolution 08-05.20.e

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

Approval to Establish a Viewing and Hearing to establish, alter, and widen a public road, Winchester Road NW, Violet Township, Fairfield County for the purpose of a culvert replacement

On the motion of Mike Kiger and second of Judith Shupe, the Board of Commissioners voted to approve to establish a Viewing and Hearing to establish, alter, and widen a public road, Winchester Road NW, Violet Township, Fairfield County for the purpose of a culvert replacement, see resolution 08-05.20.f

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

Approval to Establish a Viewing and Hearing to establish, alter, and widen a public road, Pleasantville Road, in Liberty Township, Greenfield Township, and Pleasant Township, Fairfield County for the purpose of a drainage improvement project

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve to Establish a Viewing and Hearing to establish, alter, and widen a public road, Pleasantville Road, in Liberty Township, Greenfield Township, and Pleasant Township, Fairfield County for the purpose of a drainage improvement project, see resolution 08-05.20.g

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 Engineer's resolutions as follows:

- 08-05.20.h Approval to Change Bridge Load Ratings - Engineer
- 08-05.20.i Approval of Contract Bid Award for the 2008 Chip & Seal Project - Engineer
- 08-05.20.j Approval of Contract Bid Award for the Purpose of Asphalt Emulsion MSW90 - Engineer

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

Approval of a Board of Commissioners Allocation to the Fairfield Center for Disabilities & Cerebral Palsy

On motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve a Board of Commissioners allocation to the Fairfield Center for Disabilities & Cerebral Palsy, see resolution 08-05.20.k

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

Approval of Financial Resolutions

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

- 08-05.20.l Approval of Amended Certificate & increase receipt amount and increase of appropriations for fund 3445 ODOT Project - Engineer
- 08-05.20.m Approval of Memo Expenditure – Job & Family Services
- 08-05.20.n Approval of Payment of a Voucher without Appropriate Carryover Purchase Order - MRDD
- 08-05.20.o Approval of Payment of a Voucher without Appropriate Carryover Purchase Order – Job & Family Services
- 08-05.20.p Approval of Account to Account Transfer – Human Resources
- 08-05.20.q Approval of Account to Account Transfer - Adult Community Based Corrections
- 08-05.20.r Approval of Account to Account Transfer - Commissioners
- 08-05.20.s Approval of Fund to Fund Transfer – Job & Family Services
- 08-05.20.t Approval of Fund to Fund Transfer – Commissioners
- 08-05.20.u Approval to Appropriate from Unappropriated – Benefits Fund

Roll call vote of the motion resulted as follows:

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

Payment of Bills

On the motion of Judith Shupe and second of Mike Kiger, the Board of Commissioners voted to approve the authorization for payment of bills, May 20, 2008, check date May 23, 2008, see resolution 08-05.20.v.

Roll call vote of the motion resulted as follows:

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

Review Session, cont.

The Board of Commissioners met at 10:20 a.m. to review correspondence, pending items, and future action items. Commissioners present at the review session were Jon Myers, Judith Shupe and Mike Kiger. Present also were Joe Spybey, Mike Orlando, Jason Dolin and Scott Zody.

Mr. Orlando stated that he had two items to update the Board on, the first being the repayment conflict with the state ODJFS. Mr. Orlando stated that he had spoken with Director Jones-Kelly and was awaiting a letter from her office, and that Belmont County had met with the Governor's Office on the matter. According to the Belmont County Director, ODJFS agreed to permit Belmont County to pay back the money they owed over several years without interest. Mr. Orlando said if he could obtain the same terms, he would be inclined to pay back ODJFS, even though he believes they are not owed anything. Mr. Orlando believes that would be more acceptable than going to the Attorney General's collection process, where the county could be forced to pay the entire amount up front.

Commissioner Shupe asked how much Belmont County owes, and Mr. Orlando stated they owe \$1.5 million, but they agreed to pay it over 7 years. Commissioner Myers asked if Mr. Orlando had existing funds to use to pay back ODJFS, and Mr. Orlando stated that he would utilize existing funds and not request any GRF. Commissioner Shupe asked if the issue is worth challenging, and Mr. Orlando stated that if he could obtain a 10-year interest free repayment plan, he could accept that as a compromise.

The second issue Mr. Orlando wished to discuss was a \$50,000 set aside from the past budget retreat. The funding was to be used for a grant for the EMA office, but the grant was not approved and the funds were unused. Mr. Orlando proposed using the funds to help address a recent increase in CPS referrals, possibly due to the levy exposure. Mr. Orlando would like see \$12,000 transferred to the Prosecutor's Office to convert the part time Victims Advocate into a full time position.

Commissioner Shupe asked if this would become an ongoing expense, and Mr. Orlando stated that he expects to be able to utilize some grant funding to pay for this change in 2009, and use levy funding after that. Commissioner Kiger stated that the employee must clearly understand that if the grant does not come through, the position would revert back to part time status.

Mr. Orlando stated his proposal is to use the remaining \$38,000 to cover 4 new employees starting in October for Children's Services, and use part of the \$700,000 "advance" from the Board in 2009 to pay their full year costs in 2009, then convert them to levy funding in 2010.

Commissioner Kiger stated that the levy is expected to generate \$3.1 million per year in funding, and the original budget that Mr. Orlando submitted was based on \$2.4 million per year, and it was his recollection that everyone agreed that the General Fund allocation should be reduced because of the amount of funding the levy would be generating. Mr. Orlando agreed in part, stating that his agency could use every penny it gets to maintain and improve services at 1999 levels. Mr. Orlando stated that is a decision of the Board, and it is clear that there are uncertain times ahead financially. Mr. Orlando expects additional reductions in state and Federal funding in the coming years.

Commissioner Kiger asserted that the levy was designed to raise \$2.4 million, and now, knowing it will raise much more than that, the GRF should be offset. Mr. Orlando stated that the \$2.4 million figure was only for Child Protective Services needs, and did not address Adult Protective Services needs, which were added to the levy. Mr. Orlando stated that APS lost \$362,000 in funding, which is why he made the request for additional funds at the most recent budget retreat. Mr. Orlando suggested the Board offset the difference between \$3.1 and \$2.76 million, or roughly \$350,000.

Commissioner Shupe stated that the Board needed to review the budget request letter that Mr. Orlando had submitted the previous week to look over those numbers. Mr. Orlando stated the good news is that he would not have to request any additional funds for the next 10 years while the levy is in effect.

Commissioner Myers asked Mr. Orlando about the rental payments due for their building, and Mr. Orlando stated the agency is experiencing some cash flow problems typical of the time of year, and should be able to make payments after July 1st.

Commissioner Shupe raised an issue sent via e-mail by a constituent who suggested naming a road or facility for James Kimple, a Fairfield County resident who recently lost his life in Iraq while serving in the military. Commissioner Myers stated that the Board would need to defer to the Engineer's Office regarding a road re-naming, and directed Mr. Zody to contact the constituent and let him know the Board is considering the request. Commissioner Kiger stated that he was certain that there were several other servicemen who had lost their lives in Iraq, and he would check with the Veterans' Service Commission to obtain the exact number and names.

Facilities Manager Joe Spybey updated the Board on several pending projects and discussed a proposal to convert a current temporary contract housekeeping position into a fulltime county position. Mr. Spybey explained that the current temporary contract arrangement is not working, as another fulltime county employee has to stay with the contract employee to unlock and lock doors in the Hall of Justice and is unable to assist other housekeeping employees in other buildings, such as the Courthouse. Mr. Spybey

also provided the Board with an overview of current vs. past housekeeping staff numbers, showing that he is 4-5 positions short of where he was in 2002.

Commissioner Kiger asked if the temporary employees were bonded, and Mr. Spybey stated they were not. Commissioner Kiger asked what cost of bonding a temporary employee would be, and Mr. Spybey stated that he did know what that cost would be.

Commissioner Kiger stated that he was under the impression that the county moved to temporary workers as a cost saving measure, and Mr. Spybey stated that during the budget cutbacks, fulltime positions were eliminated, and some contract positions were also eliminated. Mr. Spybey stated that his intent is to post and interview candidates for the position, and there was no preferred candidate. Commissioner Kiger asked about overtime costs for housekeeping, and Mr. Spybey stated that by hiring a fulltime housekeeper, he could eliminate current overtime costs he incurs by having employees clean the one-stop and Liberty Center on Saturdays – the new position would work Tuesday through Saturday, and the one-stop and Liberty Center would be part of their regular assignment.

Mr. Spybey reported that he had received a successful bid through Garland for the Minimum Security jail roof repair, and it was less than half of his original estimate - \$75,000 vs. \$163,000. Commissioner Myers asked if that bid would be acceptable and reasonable, and Mr. Spybey stated that he felt comfortable with it.

Mr. Spybey reported that work on the handicapped accessible ramp to the front courtyard of the Courthouse would begin as soon as he received a sign-off from the Historical Society.

Mr. Spybey stated he could begin looking at the Decorative Arts Center retaining wall issue, and the Board directed Mr. Zody to provide Mr. Spybey with the information that Dave Harcum provided.

Champlain Drive Vacation Hearing

The Board of Commissioners met at 11:00 a.m. to conduct a public hearing on the proposed vacation of the vacation of a public road, portions of Champlain Drive in Pleasant Township. Commissioners present were Jon Myers, Judith Shupe, and Mike Kiger. Also present were Jason Dolin, Frank Anderson, Amy Lewis, Jeff Camechis, Joe Spybey, and Scott Zody.

Mr. Zody read the resolution for the petition, and Commissioner Myers asked if anyone present had any comments. Mr. Anderson stated that he had submitted comments to Mr. Zody outlining some concerns that have since been addressed. Specifically, the Auditor's GIS maps were incorrect relative to some past vacations of portions of Champlain Drive, but have now been corrected. Also, the two parcels of land owned by the Lewis' have now been combined into one parcel, ensuring that there would be no future landlocking issues. Mr. Anderson stated that initially his office had a concern about an adjacent property being landlocked, but discovered through a records search that the property in question had a permanent easement for access that addressed that concern.

Mr. Camechis stated that the Engineer's Office would attempt to assist the neighbors drainage concerns that were raised at the viewing held earlier that morning.

Commissioner Kiger asked Mr. Anderson to clarify the issue of the two separate parcels, and Mr. Anderson explained that had the two parcels remained separate, the back parcel could have been landlocked by the vacation, even though both parcels are owed by the Lewis'.

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

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

Review, cont.

Mr. Spybey continued his update of various projects with the Board, providing photos of various areas around the Job & Family Services building that require attention. Mr. Spybey explained the most pressing need is to install a concrete walkway and apron from the rear of the building to the front entrance near Main Street, as the customers have to either walk in the drive or in the grass, and the grass area has become a dirt path due to the amount of foot traffic.

Another area that needs attention is the rear employee entrance, where an old metal lift needs to be removed. It is currently a trip hazard. Mr. Spybey would also like to address an area that is currently used by visitors and employees as a “break” area and a grassy area near Memorial Drive that is used as a smoking area by employees and visitors. The total costs of the repair and concrete work would be approximately \$25,000.

Commissioner Shupe asked if some funds could be saved by installing only a walkway from the rear of the building to the front, and not doing the apron area, and Mr. Spybey stated there would be some savings there.

Commissioner Myers asked if the current Maintenance budget would support these improvements, and Mr. Spybey stated that it would.

Commissioner Kiger expressed concern about paving so much of the areas that are currently grass or mulch, and asked if that would lead to increased stormwater run-off or stormwater fees charged by the city.

The Board directed Mr. Spybey to proceed with removing the lift and installing a walkway without the apron from the rear of the building to the front, but to defer any other work for the time being.

Commissioner Shupe asked Mr. Anderson and Mr. Camechis about a complaint she had received from a Sugar Grove resident relative to some road work conducted by the Engineer’s Office that allegedly caused some damage to his vehicle.

Mr. Camechis stated that a road crew conducted some grading and ditch work on Sponagle and Firetower roads near Sugar Grove Road, and part of the work involved grading the resident’s driveway to improve drainage. The resident claims he damaged his car because of the grading work. Mr. Camechis stated that he had met with the road crew supervisor and had some additional work done on the complainant’s drive, but the damage was caused by the resident, not the road work.

Commissioner Myers asked what the Engineer planned to do next, and Mr. Camechis stated that the Deputy Engineer, Jeff Baird, will be meeting with the resident to try to address his concerns.

Commissioner Shupe briefed the Board on a contact she had received regarding the plan by OSU Extension to hire a part time extension agent for the county. Several residents involved in the ag community are not pleased with the idea of having two part time agents in stead of one full time agent.

Commissioner Myers suggested the Board draft a letter to send to the Extension stating the Board’s preference for one full time agent. Commissioner Shupe stated that she would speak with some other contacts involved with the issue and report back to the Board.

Commissioner Shupe informed the Board that she had been contacted by Kimball & Associates, an architectural firm that was involved in the construction of the Geauga County public safety facility, as well as developing Fairfield County's 20-year facilities plan. The Geauga County facility opened in 2005 and contains 198 beds, and is very similar to the Multi-County Juvenile facility at the Liberty Center. Commissioner Shupe stated that Kimball would like to meet with the Board and make a presentation on the Geauga County facility. They would like to arrange a meeting in June. Commissioner Myers stated that the Public Safety Committee should be included as well. Commissioner Shupe stated that the firm is mainly interested in meeting with the Board, but the Sheriff and Prosecutor have been invited to attend as well. Commissioner Myers asked what the presentation would consist of, and Commissioner Shupe stated that it would likely include drawing and plans of the Geauga County facility.

Utilities Director Tony Vogel proved the Board with a draft response letter to Lee Gray relative to the concern Mr. Gray raised at the previous week's meeting on the sewer line costs for the new schools at Refugee and Toll Gate roads. Mr. Vogel stated that while he cannot reduce or waive the fee for extending the lines across the property, he believes he can offer the school some relief on the tap fee due to the oversizing of the lines for future development. Commissioner Myers asked if the tap fees had been finalized, and Mr. Vogel stated the fees were still being calculated.

Mr. Vogel informed the Board that he has some concerns relative to the future viability of the Greenfield Water & Sewer Board, as there are two active members preparing to retire and there is one outstanding vacancy that they are having difficulty filling. Commissioner Shupe asked if the county would have to take over the operation if the Board would fold, and Mr. Vogel stated that he is unsure – the Board has a 20-year agreement with the City of Lancaster and they are 10 years into it.

Commissioner Shupe stated that the city is increasing its rates substantially, and Mr. Vogel stated those rate increases will be for each of the next five years.

Adjournment

With no further business to come before the Board, on the motion of Judith Shupe and the second of Mike Kiger, the Board of Commissioners voted to adjourn at 11:35 a.m.

Roll call vote on the motion resulted as follows:

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

Mike Kiger
Commissioner

Jon D. Myers
Commissioner

Judith K. Shupe
Commissioner

Scott A. Zody, Clerk/Manager

**THE NEXT COMMISSIONERS' REGULAR MEETING IS SCHEDULED TUESDAY
MAY 27, 2008 AT 10:00 A.M.**