



# CIDS

## County Information and Data Service

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JANUARY 13, 2006

### DATES TO REMEMBER

FEBRUARY 6, 2006

CCAO COURTS & CORRECTIONS COMMITTEE MEETING, OJFSDA OFFICE, COLUMBUS

MARCH 4-8, 2006

NACo LEGISLATIVE CONFERENCE, WASHINGTON HILTON & TOWERS, WASHINGTON, D.C.

MARCH 8, 2006

OHIO CONGRESSIONAL DELEGATION BREAKFAST, WASHINGTON, D.C.

JULY 12, 2006

17<sup>th</sup> CCAO ANNUAL GOLF OUTING, OAKHAVEN GOLF COURSE, DELAWARE COUNTY (DELAWARE)

AUGUST 29-30, 2006

COUNTY COMMISSIONERS DAYS, ERIE COUNTY (SANDUSKY)

### ASSOCIATION NEWS

#### IT'S CCAO ROSTER UPDATE TIME...

It's that time again...time to update information for the 2006 CCAO Roster! A memo concerning updating the Roster was sent to county commissioners clerks last week. Newly elected commissioners and veteran commissioners that would like to update their photos should submit them by January 31. Please do not fax photos or send photos from the newspaper. The reproduction quality is poor. New photos should be sent or e-mailed to Mary Jane Neiman, CCAO Public Relations Associate, at [mjneiman@ccao.org](mailto:mjneiman@ccao.org) by Tuesday, January 31.

#### COUNTY LAW LIBRARY SURVEY DUE JAN. 20

House Bill 66, the state's biennial budget for fiscal years 2006 and 2007, created a Task Force on Law Library Associations. This task force is comprised of

13 members - 4 legislators and 3 members each from the CCAO, Ohio Judicial Conference and Ohio State Bar Association.

The CCAO members are Mark Thomas, Belmont County Commissioner; Marilyn Reid, Greene County Commissioner; and John Leutz from the CCAO policy staff. They are asking that each board of commissioners discuss the law library funding issue with your judges and prosecutor and then complete the SURVEY expressing your board's opinions regarding the issue. The Survey was included with the December 16 issue of CIDS for county commissioners. We are asking that this survey be completed and returned to CCAO by Friday, January 20, 2006. Also please remember to put your county name on the form before you return.

During the budget deliberations it became clear that members of the General Assembly, as well as the CCAO, feel that the current organizational and

funding structures and scope of services provided by county law libraries are outdated and need significant review. CCAO's participation on the Task Force offers us the opportunity to guide and obtain change regarding the status of county law libraries.

Your survey response will help guide and frame the positions the CCAO representatives will place before the Task Force. If you have any questions while completing the survey please contact John Leutz at (614) 220-7994, (888) 757-1904 or [jleutz@ccao.org](mailto:jleutz@ccao.org).

### CCAO COURTS & CORRECTIONS COMMITTEE TO MEET FEB 6

The CCAO Courts & Corrections Committee will meet on Monday, February 6, 2006 at 10:00 a.m. The meeting will be held in our building at 37 West Broad Street - Floor 11 in the Ohio Job & Family Services Directors Association offices.

The purpose of the meeting will be to review the County Law Library Survey that all board of county commissioners have been asked to complete and provide policy guidance to the CCAO members on the Law Library Task Force. CCAO is represented by Commissioners Mark Thomas (Belmont) and Marilyn Reid (Greene) and CCAO Senior Policy Analyst John Leutz. (See previous article)

Please RSVP your attendance to Amanda Jones, CCAO Administrative Assistant, at (614) 221-5627, (888) 757-1904 or [ajones@ccao.org](mailto:ajones@ccao.org) by Wednesday, February 1 if your planning to attend.

### **STATE ACTIVITIES**

#### SUPREME COURT RULES FOR VILLAGE OF MORELAND HILLS IN DEVELOPER'S EFFORT TO VOID ZONING ORDINANCE REQUIRING TWO-ACRE LOTS FOR NEW HOUSES

In a 5-2 opinion handed down on January 11, the Ohio Supreme Court has ruled in favor of a village zoning ordinance that requires new construction in areas zoned for single-family homes to have a minimum lot size of two acres.

Justices ruled that Jaylin Investments was not entitled to a court order voiding a zoning ordinance in the Village of Moreland Hills in Cuyahoga County. Jaylin purchased 18 acres of land in the village with the intention of building 29 homes on lots of about one-half acre each in size.

After the village planning commission refused to approve Jaylin's proposal, the company won a decision in Cuyahoga County Common Pleas Court that allowed it to develop the property as proposed. The 8<sup>th</sup> Ohio District Court of Appeals reversed the decision of the common pleas court.

The Supreme Court affirmed the decision of the appeals court, with Justice Evelyn Stratton writing for the majority that included Chief Justice Thomas Moyer, and Justices Alice Resnick, Maureen O'Connor and Judith Lanzinger. Justices Paul Pfeifer and Terrence O'Donnell dissented.

Citation: Jaylin Investments, Inc. v. Moreland Hills, 107 Ohio St. 3d 2006-Ohio-4. Case No. 2004-1145. Submitted June 15, 2005. Decided January 11, 2006.

#### HIGH COURT HEARS ARGUMENTS IN NORWOOD EMINENT DOMAIN CASE

The Ohio Supreme Court heard oral arguments on January 11 in a case that pits homeowners against the city of Norwood in Hamilton County in a fight over the city's efforts to take property for the benefit of private developers.

The court is the first state supreme court in the nation to hear an eminent domain case since a U.S. Supreme Court decision last year authorized the seizing of private property for the benefit of corporations and other non-public entities.

The U.S. Supreme Court decision in *Kelo v. New London* also allowed states the discretion to pass laws giving property owners greater protections from such seizures. In response, the General Assembly enacted SB 167 (Grendell R-Chesterland), which imposes a one-year moratorium on the seizure of property for private development until lawmakers study the issue.

The Norwood case stems from the efforts of Rookwood Partners, Ltd. and the city since 2002 to obtain land on which to build a shopping mall and an apartment and office complex. Five landowners rejected the city's offer of compensation for their land. A majority of affected landowners accepted the buyout offers. The SB 167 moratorium has delayed further demolition of the affected homes.

Lawyers for Norwood and Rookwood told the justices that urban renewal is a legitimate public purpose for which land can be seized. They said that a small group of homeowners should not be able to block the conversion of blighted land into developments that benefit the community-at-large.

The homeowners were represented by the Institute for Justice, a libertarian organization based in Arlington, Virginia. Among those filing briefs in support of the homeowners were the NAACP and the National Federation of Independent Businesses.

A trial court in Hamilton County ruled in favor of the city in June 2004, and that decision was affirmed by the 1st Ohio District Court of Appeals in September 2004. The Supreme Court is expected to issue a decision within six months.

Citation: City of Norwood v. Horney, et. al. Case Numbers 2005-1210 and 2005-1211. 1st District Court of Appeals (Hamilton County.)

### STATE REIMBURSING COUNTIES FOR BALLOT ADVERTISING COSTS

*Over a million dollars being forwarded to counties*

On January 9, Controlling Board released a little over a million dollars to reimburse counties for advertising 5 statewide ballot issues up last November. Attached to this issue of CIDS is a breakdown of how much money will be sent to each county for costs incurred.

The total amounts to \$1,095,906.26. This number could have been slightly higher; however, several counties worked together to fulfill the advertising requirements, thereby saving taxpayer dollars.

In the current state operating budget, \$300,000 was allocated to reimburse counties for ballot advertising costs. This amount would have been sufficient had there only been one statewide ballot issue before voters last November, but there were **five**. As a result, Controlling Board approved a transfer of \$795,906.26 from the Emergency Purposes line item to cover the full cost.

County expenses range from a low of \$726.49 in Morgan County to a high of \$222,345.00 in Franklin County. Montgomery County came in second highest with a cost of \$107,445.69 and Lucas County third at \$74,410.22.

Ohio's Constitution requires statewide ballot language be published in a newspaper of general circulation three times prior to election day. The publication also includes an explanation of the issue as well as the arguments for & against. In 1997, legislation was enacted that requires the State to reimburse counties. While this had been the practice at least a few years prior to 1997, it was not statutorily required. CCAO sought this legislative relief.

If you have questions, please contact CCAO Staffer Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or at (614) 220-7980 or toll-free at (888) 757-1904.

### BWC ANNOUNCED THAT EMPLOYERS WILL NOT RECEIVE DIVIDEND IN UPCOMING PREMIUMS

The Ohio Bureau of Workers Compensation (BWC) announced in December that it would not pass on a dividend to both public and private employers in upcoming premium bills. This action, or rather lack of action, is due to the Bureau not possessing sufficient monies beyond its statutory requirement to maintain a reasonable surplus to fund a dividend.

However, BWC Administrator/CEO William Mabe has expressed confidence that dividends would return in 2006 through a combination of increased revenue, reduced expenses, and additional investment income.

Additionally, Administrator Mabe has announced that he will unveil the Bureau's strategic plan on January 19<sup>th</sup> to the Workers Compensation Oversight Commission, which could generate approximately \$200 million in savings annually. Such proposal is being pitched as being able to get the Bureau's combined ratio to 1 and making the system more competitive nationally.

Currently, BWC's combined ratio is 1.29, which means for every dollar collected the agency spends \$1.29. According to Mabe, "giving a dividend simply is not fiscally prudent given the fact that the bureau spends nearly 30 percent more than it collects; this trend must be reversed."

BWC's surplus is approximately \$850 million. By law, the Bureau is required to maintain a reasonable surplus to cover against a decline in market or other catastrophic situations. The State Insurance Fund currently is valued at \$14.4 billion, which Ennis Knupp confirmed in September. It remains fully-funded.

If you have further questions, please contact CCAO Staffer Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or at (614) 220-7980 or toll-free at (888) 757-1904.

## **NACo ACTIVITIES**

### NACo LEGISLATIVE CONFERENCE - REGISTRATION OPEN

The National Association of Counties (NACo) Legislative Conference will be held on March 4-8, 2006 at the Hilton Washington & Towers in Washington, D.C. The conference features a new "day pattern" for the first time. The conference will begin on Saturday and conclude on Wednesday. On-line registration is now available at [www.naco.org](http://www.naco.org). Click on Conferences & Events.

Featured education sessions will include comprehensive, up-to-date information about eminent domain, potential reductions of Federal funding, telecommunication rewrite, emergency management and disaster preparedness, homeland security and court appointed special advocates.

The Hilton Washington & Towers is the headquarters hotel. Other hotel options include The Churchill Hotel (across the street), the Jury's Normandy Hotel (few blocks away), and the Omni Shoreham Hotel (a brisk walk & good exercise.)

Mark your calendars for the Ohio Congressional Delegation Breakfast to be held on Wednesday, March 8, 2006. More information will be published when the location is confirmed.

If you have any questions about the conference please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979, (888) 757-1904 or [mjneiman@ccao.org](mailto:mjneiman@ccao.org).

## **CLASSIFIEDS**

### EXECUTIVE DIRECTOR

The Board of Lucas County Commissioners is seeking a dynamic individual to lead the Lucas County Department of Job & Family Services, a public assistance agency serving the citizens of Lucas County, Ohio. The successful candidate will be able to plan and direct the agency's programs and maintain a standard of professional practices, providing leadership in planning, evaluating, organizing, and staffing agency services.

The successful candidate will possess the following qualifications: Bachelors degree, Masters preferred, in business or public administration, human services, human resources, psychology, sociology, social work, education or finance with six years of administrative and managerial experience, preferably in a bargaining unit environment, to include responsibility for managing the fiscal aspects of an organization, agency, program, or operational area and assisting in developing and implementing policies, programs, laws, rules and/or regulations, plus a demonstrated ability to work with federal and state laws, rules, and regulations and experience working cooperatively with public/private agencies and officials as well as the community at large. At least three of the six years of administrative and management experience must have been as a supervisor over subordinate staff and/or contractors

Selected candidate must be willing to serve in the unclassified service as a condition of employment. Salary Range: \$90,300-\$112,875

Please forward a resume addressing specific examples of relevant professional performance, along with salary requirements and the names and addresses of three professional references, by **January 31, 2006**, to: Executive Search Committee, Board of Lucas County Commissioners' Human Resources Department, One Government Center, Ste. 450, Toledo, OH 43604

Please visit the Board of Lucas County Commissioners' home page at [www.co.lucas.oh.us](http://www.co.lucas.oh.us), and click on the Job Postings link for further information about this employment opportunity.

#### TCC DIRECTOR

Clark County is seeking a highly qualified individual for the position of TCC Director. Qualifications include: A Bachelor's Degree in transportation, engineering, planning, or public or business administration; some supervisory experience; and seven years experience in the transportation field, (4 years experience is acceptable for candidates with a Master's Degree in a related field.) Experience with the legislative process and federal and State of Ohio funding a plus. See [www.clarkcountyohio.gov](http://www.clarkcountyohio.gov) for the complete list of qualifications and access to the current Planning Work Program. To apply, please fax or mail a resume to the Clark County Personnel Office, County Offices/Municipal Courts Building, 50 E. Columbia Street-5<sup>th</sup> Floor, P.O. Box 2639, Springfield, OH 45501-2639 or fax to (937) 328-4588.

EOE

#### TRANSPORTATION PLANNER

Bachelor's Degree in planning or related field. Experience with transportation planning, civil engineering, mapping, preparation of spreadsheets, capital improvement planning, oral and written communication skills required. GIS ArcView experience a plus. Salary dependent on qualifications; includes a complete benefit package

including PERS. See [www.clarkcountyohio.gov](http://www.clarkcountyohio.gov) for the complete list of qualifications. To apply, please fax or mail a resume to the Clark County Personnel Office, County Offices/Municipal Courts Building, 50 E. Columbia St., P.O. Box 2639, Springfield, OH 45501-2639 or fax (937) 328-4588.

#### CHIEF BUILDING OFFICIAL

Plans, organizes, directs, and manages the activities of the Building Department in such areas as conformance to residential and commercial building codes and regulations, public counter services, plan review, building inspection, code enforcement, and records management. Advances the practice of exceptional customer service through timely responses to contractor / public requests and complaints. Represents County at community and professional meetings. Develops and implements policies and procedures; reviews recommendations and actions of staff; solves operational problems. Developments and administers budget. Selects, supervises, and evaluates staff.

Minimum qualifications: Interim certification as a Building official granted by the Ohio Board of Building Standards, plus: either a Bachelor's degree from an accredited college or university in Construction Management, Civil Engineering, Architecture or a related field and five years of progressively responsible experience in construction or building inspection/plan review; or a high school graduate or equivalent and compliance with Ohio Building Code standards of at least five years of experience in building design and construction or at least ten years of experience as a construction contractor or superintendent of building construction.

Submit resume to Human Resources, Rm. 206, Attn. CBO, 144 N. Broadway, Medina, Ohio 44256. Learn more about Medina County's Building Department at [www.building.co.medina.oh.us/index.html](http://www.building.co.medina.oh.us/index.html)

Submissions accepted until position filled. EOE.

#### DIRECTOR OF ECONOMIC DEVELOPMENT

The Putnam County Commissioners are seeking qualified individual to fill the position of Director of

Economic Development. Responsibilities include: business attraction and retention, promotion of overall county development, planning, management of enterprise zone program, port authority, community reinvestment areas, and revolving loan program, serve as county's representative to Ohio Department of Development and other organizations, provide coordination and communication among local, state and federal officials.

Minimum recommended requirements include: Bachelor's Degree in related field and/or an appropriate combination of education, training and experience.

Required skills: Excellent communication and public relation skills; ability to successfully interact with counties, townships, villages, public officials, schools, businesses, and the general public; knowledge of local, state, and federal laws/regulations governing economic development or the desire to learn, experience in Microsoft Word and Excel, leadership and ability to be team-player.

Relocation or residency is required. Very competitive salary commensurate with experience and qualifications. Putnam County is an Equal Opportunity Employer. Qualified applicants should send a cover letter, resume and three professional references to: Putnam County Commissioners' Office, 245 E. Main Street, Suite 101, Ottawa, OH 45875. Deadline is **January 31, 2006**

#### DIRECTOR OF STORMWATER MANAGEMENT

The Lake County Commissioners are accepting resumes from qualified candidates for the position of Director of Stormwater Management. This position is unclassified and serves at the pleasure of the Board of Commissioners. The director oversees the County Stormwater Department and is responsible for accounting, engineering, educational programs and public information activities. Responsibilities also include planning, organizing, directing and coordinating various programs, design construction, and maintenance of drainage system as well as assisting in regulatory compliance. Knowledge of business administration, public financing and

management, engineering and strategic planning as they apply to a public utility is preferred. Ability to communicate effectively with elected officials and supervise others and plan comprehensive work programs and carry them to completion. Qualifications for this position are a bachelor's degree in civil or environmental engineering or related field. Licensed professional engineer in the State of Ohio or possess equivalent business experience in a related field with a minimum of five years experience in the design, operation and maintenance of environmental and drainage systems. Salary commensurate with experience and qualifications. Send letter with salary requirements and resume by **January 27, 2006**, to William A. Margalis, Lake County Commissioners, 105 Main Street, Painesville, OH 44077. EOE.

#### SAFETY/LOSS CONTROL COORDINATOR

The Portage County Commissioners are accepting applications for Safety/Loss Control Coordinator. The position is responsible for coordinating the County's risk management program including developing, implementing and coordinating safety and accident prevention programs to reduce or eliminate occupational accidents, injuries, and/or financial losses to the County. Examples of duties include: schedules and conducts inspections of work sites, shops, facilities and vehicles to detect potential or existing unsafe/hazardous conditions or unsafe work practices, and ensures work is performed in adherence to established safety procedures; investigates all workers compensation injuries to find probable cause of the injury and to recommend any changes to prevent further injuries; determines whether to certify or reject workers compensation claims; coordinates claims management with worker's department, the third party administrator, managed care organization and transitional work program as needed; coordinates the County's annual renewal for general liability and property insurance coverage; files claims and works with claims adjusters in resolving claims.

Minimum qualifications are any combination of education and experience equivalent to a bachelor's degree in risk management, safety engineering, occupational safety and health or related field and

three years of professional experience in loss prevention, risk management, safety program development or occupational safety and health. Salary range: \$33,421 – \$44,800.

Submit completed County application form with cover letter to: Portage County Human Resources, 449 S. Meridian St., 6<sup>th</sup> Floor, Ravenna, OH 44266. EOE

County job applications may be downloaded at [www.co.portage.oh.us](http://www.co.portage.oh.us). Click on the County Job Openings link.

### SANITARY ENGINEER

Wastewater Treatment Plant Manager: Under direction from the Sanitary Engineer or designee, manages operation and maintenance of treatment plant; develops, manages and supervises preventive maintenance program; prepares and reviews operating records and reports; trains wastewater treatment plant personnel.

Minimum Requirements: A bachelor degree in science or engineering is desirable. A broad experience in wastewater treatment operation and maintenance with a minimum of five years experience as Chief Plant Operator or equivalent. Ohio EPA Class IV Wastewater Operator License is required or a Class III with 2-1/2 years to obtain a Class IV from the date of hire. Valid Ohio Driver's license. Salary: \$60,200 - \$75,250 Excellent benefits.

Accepting applications/resumes until position is filled. Please send resume with a copy of your Class III or IV Wastewater Operator License and transcript to: Lucas Human Resources Department, One Government Center, Suite 450 Toledo, Ohio 43604-2259, Attn: WWTPM. Applications/resumes also accepted at the Source, 1301 Monroe Toledo, Ohio (419) 213-JOBS. Visit our website at [www.co.lucas.oh.us](http://www.co.lucas.oh.us). EOE.

### **CLASSIFIED ADS**

CCAO publishes the County Information and Data Service (CIDS) weekly. Classified ads will be published free of charge as a service to counties. Ads will run for two weeks if space is available. Please provide faxed or e-mailed copy of the classified ad by 5:00 p.m. on Wednesday of each week. Transmit the copy to Mary Jane Neiman, CCAO Public Relations Associate, via fax at (614) 221-5627 or e-mail [mjneiman@ccao.org](mailto:mjneiman@ccao.org).