



CIDS

County Information and Data Service

Published weekly by: County Commissioners Association of Ohio

37 West Broad Street, Suite 650 • Columbus, Ohio 43215-4195
Phone: 614-221-5627 • Fax: 614-221-6986 • www.ccao.org

VOLUME XXXXVIII

NO. 4

JANUARY 27, 2006

DATES TO REMEMBER

FEBRUARY 6, 2006	CCAO COURTS & CORRECTIONS COMMITTEE MEETING, OJFSDA OFFICE, COLUMBUS
FEBRUARY 16, 2006	CCAO LEGISLATIVE COMMITTEE, CCAO CONFERENCE ROOM, COLUMBUS
MARCH 4-8, 2006	NACo LEGISLATIVE CONFERENCE, WASHINGTON HILTON & TOWERS, WASHINGTON, D.C.
AUGUST 4-8, 2006	NACo ANNUAL CONFERENCE, COOK COUNTY (CHICAGO), IL

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 several weeks ago. Thanks to the 60 counties that have updated their information. Newly elected commissioners and veteran commissioners that would like to update their photos should submit them by January 31. Please do not fold, staple, fax 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 by Tuesday, January 31.

OHIO CONGRESSIONAL DELEGATION BREAKFAST - CANCELLED

The **Ohio Congressional Delegation Breakfast** that was scheduled on Wednesday, March 8 during the NACo Legislative Conference **has been cancelled.**

CCAO encourages all Ohio conference attendees to schedule a meeting with your Member of Congress while you are in Washington, D.C. Please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979, (888) 757-1904 or mjneiman@ccao.org if you have any questions.

FRAMING OUR FUTURE: CCAO HHS COMMITTEE SURVEYS COUNTIES ON SOCIAL SERVICE POLICY AREAS

With a change in the state's administration on the horizon, CCAO would like to gather county input to develop a message about what we would like to see happen in key social service policy areas in the future. The CCAO Health & Human Services Committee developed a short, eight question survey that was sent to all boards of county commissioners last week. The first question is a broad one while the remainder focus on specific program areas. Your county's input will be very important in putting together the best possible message and program ideas for our next governor.

CCAO would appreciate receiving comments and feedback by February 10, 2006. Please return the surveys to Suzanne Dulaney, Senior Policy Analyst, CCAO, 37 West Broad Street - Suite 650, Columbus, OH 43215 or via fax at (614) 221-6986. If you have any questions please contact Suzanne at (614) 220-7982, (888) 757-1904 or sdulaney@ccao.org.

FAX NUMBERS

Please jot down the following fax numbers for future reference:

CCAO FAX - (614) 221-6986

CORSA FAX - (614) 220-0209

CEBCO FAX - (614) 229-4588

STATE ACTIVITIES

ONLY ATTORNEYS CAN SETTLE WORKERS' COMP CLAIMS ON BEHALF OF EMPLOYERS

The Ohio Supreme Court's Unauthorized Practice of Law Committee recently announced that only attorneys could settle workers' comp claims on behalf of employers. The ULP Committee's recommendation came in the wake of the Ohio Supreme Court's decision in Cleveland Bar Association v. CompManagement, Inc. (2004), 104 Ohio St. 3d 168.

In the CompManagement case, the Supreme Court ruled that non-lawyers were prohibited from engaging in certain activities defined to be the practice of law by a previous Industrial Commission resolution. The Court then asked the UPL Committee to specifically determine which activities performed by non-attorneys constituted the unauthorized practice of law.

In the year since the Supreme Court decision, non-attorney employer representatives have significantly altered their role in workers' comp hearings to comply with the Court's ruling. However, non-attorneys settling claims on behalf the employer remained permissible. The recent decision by the UPL Committee states that non-attorney employer

representatives may no longer be involved in settling claims. This ruling is equally applicable to all other non-lawyer representatives, such as Commissioners' staff and outside consultants.

CCAO will join in an amicus brief urging the Supreme Court to find that there are many elements of claim settlement which can be performed by a non-attorney. Settlements are an important part of a County's claims management strategy and essential to CCAO's oversight of the CCAO Workers' Comp Group Rating Plan. CCAO will argue that most of the workers' comp settlement process is administrative and actuarial, and thus appropriate for non-attorney involvement. However, in more complex workers' comp claims a County will need to seek advice of counsel on legal issues such as FMLA, ADA or Ohio civil service law.

Questions may be directed to Beth Miller at CCAO, (888) 757-1904 or emiller@ccao.org. Thanks to Downes, Hurst and Fishel for their assistance in writing this article.

HOUSEHOLD SEWAGE TREATMENT RULES PROPOSED

New regulations for household sewage treatment systems (including septic systems) have been submitted by the Ohio Department of Health to the Public Health Council for consideration. To get information about the hearing and comment process as well as a copy of the proposed rules, go to the following web site in early February: <http://www.odh.ohio.gov/rules/pending.aspx>

The proposed rule package was prepared by the Ohio Department of Health (ODH) after considering over 150 comments submitted to ODH through mid-December of 2005. The comments were extensive and diverse. According to the Department, all comments were reviewed, and various changes were made as a result.

Mercer County Commissioner Jerry Laffin and CCAO Executive Director Larry Long served on the advisory committee which assisted ODH in developing the proposed rules. CCAO appreciates their time and

commitment to this endeavor.

Counties with thoughts on this matter should participate in the Public Health Council review process, outlined on the web site listed above. In addition, they may contact either Laffin or Long. Larry Long, CCAO Executive Director, can be reached at (614) 221-5627, (888) 757-1904 or llong@ccao.org.

NACo ACTIVITIES

NACo LEGISLATIVE CONFERENCE

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. Click on Conferences & Events. The early bird registration cutoff is February 6, 2006. Register early to save \$50 to \$160 on conference registrations.

The **Opening General Session on Monday**, March 6 will feature liberal Democratic strategist Bob Beckel and conservative columnist, Cal Thomas, who write a popular *USA Today* column on finding common ground in the most contentious of issues, will bring their insights to the NACo Legislative Conference. In addition, Senator Gordon Smith (OR) will address the Opening General Session. Smith serves on five major Senate committees: Commerce, Science & Transportation, Energy & Natural Resources, Rules, Indian Affairs, and the powerful Finance Committee.

Arrive at the **Tuesday luncheon** early to get a good table to hear The Capital Steps, Washington's premiere political and social satire revue. For more than a decade, the Capital Steps have been making fun of common perceptions in the political arena.

During the conference 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 **Ohio Congressional Delegation Breakfast** scheduled for Wednesday, March 8 **has been cancelled**.

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.) Hotel rooms are getting scarce. Register today!

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.

NACo AWARD PROGRAMS - DEADLINES COMING SOON

Get the recognition that your county deserves! Applications are being accepted for four popular NACo Award Programs.

2006 Achievement Award - Deadline Feb. 10 - The application process for the 2006 Achievement Awards program has begun. The Achievement Award annual program recognizes innovative county government programs in a variety of issue and interest areas. Applications must be received at the following address on or before February 10, 2006. For more information please contact Jackie Byers, NACo Research Director, at (202) 942-4285 or jbyers@naco.org.

Counties Care for KIDS Awards - Deadline Feb. 22 - The 4th Annual Counties Care for Kids Awards Program acknowledge the critical role counties play in early childhood development by recognizing outstanding programs during County Government Week in April. Applications must be received by February 22, 2006. For more information please contact Gary Gortenberg, NACo County Services Program Director, at (202) 942-4287 or

ggortenb@naco.org.

For more information about NACo award programs check out their website at www.naco.org. Click on "awards" in the left column on the front page.

OSU EXTENSION NEWS

OSU EXTENSION DATA CENTER UPDATE

The Ohio State University Extension Data Center website contains a wealth of information for counties. The following information has been updated:

- Median Income & Poverty - updated with 2003 census data which is the most recent data available
- County Business Patterns - updated with 2003 data which is the most recent data available
- Commuting Data - updated to include the influx of commuters from the surrounding states. For example, if you check Ashtabula County you will see that two counties in Pennsylvania are part of their commuting statistics.

To access this data, please go to the OSU Extension Data Center's homepage at www.osuedc.org and click on "county profiles" and select the "demographics category" for median income and poverty data and the business category for county business patterns and commuting data.

For more information please contact Rosemary R. Gliem, Director of the OSU Extension Data Center, The Ohio State University, Department of Human and Community Resource Development, 2120 Fyffe Road - Room 248, Columbus, OH 43210, (614) 688-8760, fax (614) 688-8762 or gliem.1@osu.edu.

WORKSHOPS

MEDINA COUNTY HOSTS ZONING WORKSHOPS

The Medina County Department of Planning Services has announced their "2006 Zoning Workshop and Activities Series." All workshops are anticipated to be

held from 6:30 to 9:00 p.m., unless otherwise noted, at the Medina County Department of Planning Services, 124 West Washington Street - Lower Level, in Medina. The workshops are developed in partnership with the Medina County Department of Planning Services, the Ohio State University Extension - Medina County, the Medina County Prosecutor's office and the Akron Section - Ohio Planning Conference (chapter of the American Planning Association). AICP Continuing Education Credits are available for the workshops. Certificates of attendance will be awarded to those who attend at least five workshops.

The first workshop on the Basics of Zoning was held January 26. Training on the following dates and topics includes:

<i>Date</i>	<i>Topic</i>
February 9	Board of Zoning Appeals
March 23	Zoning Commission
April 20	Zoning Inspector Training
May 12	Planning Bus Tour - meet at DPS office at 9:00 a.m.
May 23	Planning for the Environment
June 13	Planning for Safe Communities
October 19	Planning for Schools - Zoning Amendments for Smart Growth
November 10	Planning Day Open House 2:00-4:00 p.m.

Additional Training Opportunities

- January 18 - 4:00-6:00 p.m.
Introduction to the Planning Commission: Part 1
- February 15 - 4:00-5:00 p.m.
Zoning Clinic Audio Conference
- March 22 - 4:00-6:00 p.m.
Introduction to the Planning Commission: Part 2
- April 7 - 8:00-4:00 p.m.
Planning & Zoning Commissioners Training @ Greystone Hall, 103 High Street, Akron
- October 4-6
2006 OH-KY-IN Regional Planning Conference

Please RSVP to Patrice Theken at ptheken@medinaco.org or khouston@medinaco.org to confirm date and meeting location for each workshop. For additional information please call (3 3 0) 7 2 2 - 9 2 1 9 o r v i s i t www.planning.co.medinah.oh.us.

ATTORNEY GENERAL OPINIONS

SYLLABUS 2006-01

A board of county commissioners has no authority to transfer title to county property to its office of economic development or to a non-profit corporation operating that office for the purpose of the transferee's selling the property, without competitive bidding or public auction, to a buyer previously selected by the county commissioners at a price agreed upon by the buyer and the county commissioners, even if the transferee remits to the county commissioners the purchase price paid by the buyer.

SYLLABUS 2006-02

Pursuant to ORC 3111.80 and 3311.81, an administrative child support order issued by an administrative officer of a child support enforcement agency may, regardless of the marital status and living arrangements of a child's parents, establish the amount of child support an emancipated woman who is the biological mother of a child is required to pay when a child resides with a third party who is the legal custodian of the child.

SYLLABUS 2006-03

1. A person may serve simultaneously as a trustee of a township that has not adopted a limited home rule government pursuant to ORC Chapter 504 and member of the board of directors of a port authority created pursuant to ORC 4582.22 when the township has not participated in the creation of, or joined in, the port authority.
2. As a township trustee, the person may not participate in any deliberations, discussions,

negotiations, or votes concerning 1) contracts or property transactions with the port authority; 2) township tax levies or bond issues for additional funding when the port authority has placed such a levy or bond issue on the ballot; 3) development or use of the port authority's property, facilities or services; 4) appropriation of the port authority's land or lesser interests therein; 5) joining the port authority; 6) relocation of a road, railroad or public facility under ORC 4582.57; or 7) legal matters involving the township and port authority.

3. As a member of the board of directors of the port authority, the person may not participate in any deliberations, discussions, negotiations, or votes concerning 1) contracts or property transactions with the township; 2) port authority tax levies or bond issues for additional funding when the township has placed such a levy or bond issue on the ballot; 3) appropriation of the township's land or lesser interests therein; 4) participation by the township in the port authority; 5) development or use of port authority property, facilities, or services by the township; or 6) legal matters involving the township and port authority.

CLASSIFIEDS

FCFC COORDINATOR POSITION

The Family and Children First Council of Wayne County is seeking a Coordinator. This individual provides leadership and staff support for Council activities and functions as the Council's executive director. Candidates need to have strong administrative skills, experience in working with children's issues across systems, and the ability to build consensus among diverse constituencies, including parents. Salary will be commensurate with experience and credentials. Excellent benefits are provided. Interested parties should send a resume to: William Mateer, Executive Director, Mental Health and Recovery Board of Wayne and Holmes Counties, 215 South Market St., Wooster, OH 44691.

An EEO/AAP employer. Applications will be accepted until **February 6, 2006**, or until the position has been filled.

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. EOE.

PLANT MAINTENANCE COORDINATOR I

Under the general direction of the Plant Manager, oversees and performs maintenance functions to plant equipment, buildings and structures prepares, distributes, and provides direction of work assignments to the Maintenance Specialists and Laborers; performs maintenance, preventative maintenance and repairs on a variety of plant equipment; provides training to the Maintenance Specialists and Laborers (as needed); compiles, records, and files all gas, diesel fuel and sewer meter

readings; orders spare parts, building maintenance supplies, and fuel.

Minimum Requirements: High school graduate or equivalent; valid Class II Wastewater Operator License and Two (2) years experience in maintenance to include; corrective maintenance, alignment of pumps, blowers and equipment, all types of piping repairs and plumbing (steel threaded and welded, PVC), cutting of metals and vehicle repair; valid drivers license or valid driving privileges in the State of Ohio; valid Commercial Drivers License (CDL) - Class B or ability to obtain within 6 months; Salary: \$41,121. A Class II Operator license also yields an additional 2% in pay and a Class III an additional 3% in pay. Excellent benefits

Accepting applications/resumes until filled. Please send resume with a copy Class II Wastewater Operator License to: Lucas Human Resources Department, One Government Center, Suite 450 Toledo, Ohio 43604-2259, Attn: PMC1. Applications/resumes also accepted at the Source, 1301 Monroe Toledo, Ohio (419) 213-JOBS.

ANIMAL RESOURCE CENTER DIRECTOR

Montgomery County is seeking a seasoned professional with broad experience in the area of animal care and control to serve as its Animal Resource Center Director.

Reporting to the Administrative Services Director, this position provides oversight of all day-to-day operations of the Animal Resource Center (ARC) and is responsible for all animal care and control activities within Montgomery County. With a staff of 30, the ARC Director ensures fair and ethical treatment of all injured animals, enforces state animal regulations, provides educational and informational programs to the public, and establishes/maintains cooperative and collaborative relationships with other animal welfare agencies.

Requirements include a Bachelor's degree (or equivalency) in Communications, Management or Public Relations and five years experience

supervising an animal control facility. Work experience directly related to this position may be considered in lieu of formal educational requirements.

A salary of \$56,909-\$85,363 is offered along with a generous County benefits package. Applications will be accepted until the position is filled. Interested candidates should submit detailed resumes immediately to Ralph Andersen & Associates at: www.ralphandersen.com. All candidates must apply through Ralph Andersen & Associates in order to be considered for this position. EOE.

HUMAN RESOURCES DIRECTOR

Montgomery County is seeking an experienced human resources professional to serve as its Human Resources Director. The HR Director is responsible for leading the County's Human Resources Department, serving over 1,100 Montgomery County Commission employees. Departmental functions include Labor & Employee Relations, Employee Benefits, Recruitment & Selection and HR Training. The HR Director also provides advice and guidance to other elected officials and agencies within Montgomery County, affecting over 3,000 public employees.

The successful candidate will possess extensive governmental experience and provide highly responsible and complex administrative support and advice to the Administrative Services Director, County Administrator and Board of County Commissioners. The HR Director will also be expected to assist in the management of the employee and labor relations functions, including participating in the bargaining process with multiple employee organizations.

Requirements include a BS degree (or equivalency) in Personnel Management or Human Resources and at least eight years experience in personnel administration, personnel management or human resources. Several years experience managing a human resources department and experience in collective bargaining contracts is highly preferred.

A competitive salary of \$76,710- \$115,065 is offered along with a generous County benefits package. Applications will be accepted until the position is filled. Interested candidates should submit detailed resumes immediately to: Montgomery County Human Resources, P.O. Box 972, Dayton, OH 45422, 937-225-6496 (FAX), www.mcoho.org. 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.

