



CIDS

County Information and Data Service

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DATES TO REMEMBER

JUNE 2, 2006	CCAO WORKERS' COMP PROGRAM ANNUAL MEETING, FOUR SEASONS CONFERENCE CENTER, HILLARD
JUNE 11-13, 2006	CCAO/CEAO ANNUAL SUMMER CONFERENCE, JOHN S. KNIGHT CENTER, SUMMIT COUNTY (AKRON)
JUNE 19, 2006	NW OHIO COMMISSIONERS & ENGINEERS ASSOCIATION, HARDIN COUNTY FAIRGROUNDS - COMMUNITY BUILDING, HARDIN COUNTY (KENTON)
JULY 12, 2006	CCAO ANNUAL ALUMNI GOLF OUTING, OAKHAVEN GOLF COURSE, DELAWARE COUNTY (DELAWARE)
AUGUST 4-8, 2006	NACo ANNUAL CONFERENCE, COOK COUNTY (CHICAGO), IL
AUGUST 25, 2006	CORSA ANNUAL MEETING, CONCOURSE HOTEL AND CONFERENCE, COLUMBUS, OH

TEL UPDATE

DEAL REACHED TO PULL TEL OFF THE NOVEMBER BALLOT

At a press conference late Wednesday, Speaker Husted and Senate President Bill Harris announced that the TEL is expected to be stripped from the November ballot and replaced with a less restrictive statutory law change.

Republican lawmakers expect to pass a law next week that would give the TEL proponents who submitted the issue to the ballot a mechanism to withdraw it, while at the same time passing the new spending restriction virtually immediately. The statutory spending cap will likely be inserted into the

state tobacco settlement budget that is scheduled to pass the House on Tuesday.

While details of the statutory law change are at a conceptual level at this time, the Republican leaders announced that the new law would apply a 3.5% cap to only state and not local spending.

Local government criticisms of the TEL were attributed as a key reason that GOP legislative leaders pushed to find a way to get the TEL off the November ballot.

CCAO would like to thank you all for the grass roots efforts that were put forth across the state to make our concerns heard!

Obviously, the focus is now on the statutory solution that will be crafted and passed in such short order. CCAO will keep you posted.

ASSOCIATION NEWS

CORSA MOVING CLAIMS IN-HOUSE JUNE 1, 2006

CCAO is pleased to announce that CORSA will begin managing all claims in-house starting on June 1, 2006. This move has been in the discussion and planning stages for over two years, and we are very excited that it will soon become a reality. Handling claims in-house will give CORSA flexibility and control to enhance the services we provide to our members.

We are very fortunate to have been able to put together an exceptional claims management team. Please join us in welcoming:

Greg Gilliam - Claims Manager (ggilliam@ccao.org, (614) 220-0638, extension 158). Greg comes to CORSA with over 17 years experience working for our third party administrator (TPA) handling CORSA claims and litigation. Only Dave Brooks has been with CORSA longer!

Jeff Knapp - Senior Claims Representative (jknapp@ccao.org, (614) 220-0642, extension 145). Jeff comes to us from Riverside Hospital's Risk Management Department, but also has a CORSA connection. From 1998-2001 Jeff worked for CORSA's TPA managing major claims and litigation for our members. He has over 13 years claims experience including risk management.

Audrey Scholer - Claims Assistant (ascholer@ccao.org, (614) 220-0636, extension 156). Audrey joins CORSA with 13 years experience working for our TPA handling the administrative and reporting functions of the claims department.

Jay Randall - Senior Claims Representative (jrandall@ccao.org, (614) 220-0643, extension 149). Jay brings to CORSA 9 years of claims experience, 5 of which have been with CORSA's TPA where he

has handled major claims and litigation on behalf of our members.

Katie Lininger - Claims Representative (klininger@ccao.org, (614) 220-0637, extension 157). Katie comes to CORSA with over 5 years of claims experience, the last four of which have been with CORSA's TPA.

CORSA looks forward to continuing to provide the highest level of claims management services to our members!

CCAO/CEAO ANNUAL SUMMER CONFERENCE TO BE HELD IN SUMMIT COUNTY

Summit County Executive James McCarthy, County President Clair Dickinson and County Engineer Greg Bachman invite all county commissioners, engineers, affiliates and guests to attend the 126th CCAO/CEAO Annual Summer Conference to be held June 11-13, 2006 in Summit County (Akron). Meetings will be held at the John S. Knight Center in downtown Akron. The headquarters hotel will be the Crowne Plaza Quaker Square with additional rooms at the Radisson Hotel City Centre. Both hotels are located just a few blocks from the Center.

Sunday, June 11

Golf - An optional golf outing is planned for Good Park Golf Course, a tree lined, 71 par golf course established in 1926. The golf course has hosted two U.S. Amateur qualifiers and one U.S. Pub Link Qualifier. Transportation will not be provided. Please contact Tanya Wilcox, CCAO Administrative Assistant, at (614) 221-5627 for additional golf information.

Akron Aeros v. Connecticut Defenders Baseball Game - Last year the Akron Aeros were the 2005 Eastern League Class AA Champions. Join CCAO/CEAO and Summit County for this optional activity at Canal Park located in downtown Akron for an exciting game. There is no charge for the tickets. You must pre-register. Transportation will not be provided to the game. Please contact Tanya Wilcox, CCAO Administrative Assistant, at (614) 221-5627 for additional baseball information.

Dinner and Entertainment at the Akron Zoo -

Since 1953, the Akron Zoo, one of only 211 accredited world conservation zoos by the American Zoo and Aquarium Association, has participated in breeding programs to save endangered species. Visit the zoo's 50 acres to see more than 700 animals. Transportation will be provided.

Monday, June 12

CCAO Sessions

- Health Insurance Legislative Update
- Riparian Rights: Protecting Water Quality & Respecting Property Rights
- Understanding the Summit County Charter
- Panel Discussion on TEL/TABOR
- Contractual Risk Transfer/Multi Jurisdiction Vehicles
- Major Land Use Issues Facing Ohio in 2006
- The End of the Tangible Personal Property Tax

CCAO/CEAO General Session

- The Honorable Stephen LaTourette (invited)
- 2006 Gubernatorial Candidates (invited)
- CCAO Legislative Committee Membership Open Forum Meeting

Spouse/Guest Luncheon & Tours

- Stan Hywet Hall & Gardens
- Summit Art Space Gallery
- Don Drumm Studios & Gallery

Tuesday, June 13

CCAO Sessions

- Building a Discipline Case That You Can Win
- MR/DD Status Report
- 2010 Quality of Life Study
- HAVA & New State Election Laws
- Local Costs & Benefits of Wal-Mart
- Summit County's Criminal Justice Advisory Board
- CCAO Service Corporation Program Updates

CCAO/CEAO Luncheon

- The Honorable Don Plusquellic, Mayor, City of Akron

Dinner & Racing at the All-American Soap Box

Derby - On your mark, get set...RACE! Since 1933, the All-American Soap Box Derby has attracted more than a million children ages 8-17 from the U.S. and foreign countries. Join CCAO/CEAO and Summit County for a casual evening of food and fun at Derby Downs. Wear casual clothes suitable for racing. Transportation will be provided.

Hotel Accommodations

Blocks of rooms have been held at the following hotels:

- **Crowne Plaza Quaker Square**
135 South Broadway, Akron
Room: \$95 single/double (includes parking)
(330) 253-5970
(800) 227-6963
- **Radisson Hotel Akron City Centre**
20 West Mill Street, Akron
Room: \$89 single/double (includes parking)
(330) 384-1500

The block of rooms at the Crowne Plaza is almost full. If the Crowne Plaza is full when you make your reservations, please call the Radisson directly. Both hotels have very nice sleeping rooms. A shuttle will run between the hotels in the evening hours.

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.

HARDIN COUNTY TO HOST NW DISTRICT MEETING ON JUNE 19

Hardin County Commissioners Jerry Cross, Russell Ludwig and Gerald Potter and County Engineer Michael Smith will host the next meeting of the NW Ohio Commissioners & Engineers Association on Monday, June 19. Registration and the dinner will be held at the Hardin County Fairgrounds - Community Building, 14176 County Road 140/Fairgrounds Road/Letson Avenue, in Kenton.

Registration begins at noon. Lunch will not be

provided. Tours of Wilson Sporting Goods Factory, where Wilson footballs are made, and International Paper, where paper cups, plates and lids are manufactured, begin at 1:00 p.m. Space is limited to the first 50 people who sign up for the tours. The social hour begins at 4:00 p.m. followed by the business meeting at 4:30 p.m. and the dinner at 5:30 p.m.

Registration fee for the tours, meeting and dinner: \$10.00. Registration deadline: June 9, 2006. For more information please contact Debra Madison, Deputy Clerk, Hardin County Commissioners, One Courthouse Square - Suite 100, Kenton, OH 43326, (419) 674-2205, fax (419) 674-2272, hccom@co.hardin.oh.us.

Golf tee times are available beginning at 10:00 a.m. (weather permitting). Greens fees (18 holes with cart) - \$20 or \$18 for seniors. Please contact Veteran's Memorial Park Golf Course, 15906 SR 309 E, in Kenton, (419) 674-4573 for tee times. For other information please contact Mike Smith at (419) 674-2222.

STATE ACTIVITIES

SUPREME COURT LIMITS ABILITY OF PUBLIC EMPLOYEES TO CASH IN UNUSED SICK LEAVE

In a 5-2 decision handed down on May 10, the Ohio Supreme Court has ruled that public employees cannot convert unused sick leave into cash if they leave their jobs before the date on which they are eligible to retire.

The justices also said that public employees, if they retire before their eligibility date, cannot hold onto the unused sick leave until the date on which they are eligible to retire and then cash it in.

The case involved Joyce Davenport, a court reporter in Montgomery County. She retired in 2002 at the age of 48. She was not eligible to retire under PERS rules until age 55. She applied to convert 964 hours of accumulated sick leave into a pro-rata cash payment. The county denied her application because she was not transitioning directly from active public

employment to retirement. Davenport then filed suit against the county.

Justice Evelyn Stratton, writing for the majority, said that while state law permits public employees to convert sick leave into cash "upon retirement," it is neither an entitlement nor a retirement benefit. Absent a clear mandate from the General Assembly, the court will interpret the current statute to mean that sick leave conversion is available to an employee if the employee's separation from service coincides with (or follows), the date on which he or she is eligible to retire.

Concurring with Stratton's opinion were Chief Justice Thomas Moyer, Justice Maureen O'Connor, Justice Terence O'Donnell and Justice Judith Lanzinger. Dissenting were Justices Alice Resnick and Paul Pfeifer.

Citation: *Davenport v. Montgomery County*, 109 Ohio State 3d 135. 2006-Ohio-2034. Number 2005-0074. Submitted October 12, 2005. Decided May 10, 2006.

CHANGES IN OHIO LAW EXPAND LOCAL GOVERNMENT EMERGENCY BORROWING AUTHORITY FOR REMOVAL OF DEAD AND DYING ASH TREES

Thank you to Rebecca C. Princehorn of Bricker & Eckler LLP, for providing this update on the emerald ash borer situation:

The emerald ash borer (EAB) beetle from Asia has worked its way into 20 Ohio counties, 14 of which currently have quarantined areas: Auglaize, Defiance, Delaware, Erie, Fulton, Hancock, Henry, Huron, Lorain, Lucas, Ottawa, Sandusky, Williams and Wood.

The Ohio Department of Agriculture has quarantined these areas in an effort to stop the artificial spread of the beetles into other Ohio counties and states. Ash trees, limbs, branches, firewood, logs and nursery stock cannot leave quarantined areas under penalty of law. Individuals doing so face up to a \$4,000 fine.

Although Governor Taft requested \$50 million to

combat the EAB, Congress allotted only \$10 million for the regional EAB program. Those funds will largely be devoted to early detection and containment rather than removal of dead and dying trees. This means that local governments and homeowners will be responsible for tree removal costs, which can run between \$400 and \$1,000 per tree.

Fearing that EAB could be on a scale similar to Dutch Elm disease, that overwhelmed local governments in the 1950's as they got stuck with dead and dying elm trees, Bricker & Eckler was encouraged to pursue the revamping of local government emergency borrowing authority to encompass invasive pests like the EAB..

As a result, State Representative James M. Hoops (R-Napoleon), whose district is in the EAB quarantine area, introduced legislation that would permit local governments to borrow funds on an emergency basis for the removal of dead and dying ash trees. It was passed as part of House Bill 530, signed by the Governor on March 30, 2006. The legislation allows local governments to:

- Issue general obligation securities to defray expenses considered necessary to combat the outbreak or infestation of a pest, including removal or complete destruction of plants that are dead or dying from the pest.
- Use general funds to purchase or rent equipment and supplies designed to combat a pest for which a quarantined area is established and to hire necessary employees to operate such equipment.
- Make joint contracts with other counties, townships, municipal corporations, or any combination of subdivisions for the purchase or renting of such equipment, the purchase of such supplies, and for the hiring of such employees to conduct a joint effort to combat a pest.
- Obtain permission from land owners to enter their land, combat the pest or remove the dead plants, and charge the cost of the efforts to the land owner.

These provisions will become effective on July 1, 2006. What can your local government do now to

start combating the EAB? First, take an inventory of ash trees in your area. Remove any infected trees right away. Second, develop a strategy to pay for large scale removal of dead or dying ash trees. By planning now, local governments may be able to spread the cost across several years.

For example, the City of Upper Arlington in Franklin County has already identified 700 ash trees that could be removed and replaced in the next 10 years. Upper Arlington is also considering a plan that would provide it with greater power to remove dead ash trees from private property. Early planning coupled with the new ability to borrow emergency funds can help local governments make it through the EAB crisis.

Becky Princehorn is chair of the Political Subdivisions & Governmental Agencies group at Bricker & Eckler. Reach her at (614) 227-2302 or rprincehorn@bricker.com.

TAFT ANNOUNCES PILOT PROGRAM OF TREATMENT SERVICES FOR MINOR DRUG CRIMES

Six Ohio counties have been selected as pilot sites for a new program to provide individuals convicted of minor drug crimes with intensive alcohol and drug treatment service rather than incarceration.

In announcing the program, Governor Bob Taft said Monday that Ohio's current system of drug courts and the quality of treatment services have resulted in reduced recidivism for offenders. "Today we are going a step further to help communities provide the counseling and other drug treatment services to help individuals to assume a productive role in society rather than a long-term member of Ohio's prison system," he said.

The governor said the counties of Allen, Franklin, Hamilton, Mahoning, Richland and Washington will share \$2.5 million in funds to support community based treatment services for both juveniles and adults with children who are at or below 200% of the federal poverty level. The pilot program, pending approval by the Controlling Board, will receive funding through the Department of Job & Family

Services and treatment services through the Department of Alcohol & Drug Addiction Services.

Under the program, counties will determine the treatment and life skills opportunities offered and what types of offenses would fall within the program. The incentive for offenders to successfully complete a program may include the clearing of a criminal record or having charges dismissed or records sealed. For others, the prospect of finding a job and taking care of their family, rather than going to jail, may serve as an enticement to participate.

STATE AGENCY, COUNTY BOARDS OF MR/DD REACH LANDMARK AGREEMENT ON MEDICAID WAIVERS

Stakeholders are hailing a recent agreement between state and county mental retardation and developmental disability agencies as a major step forward in the effort to revise the Medicaid-funded system toward more choice-driven community-based services.

The Department of MR/DD and all 88 county boards of MR/DD have endorsed the Medicaid Waiver Administration Agreement for home- and community based services, state agency Director Kenneth Ritchey announced recently.

"These agreements painstakingly delineate the respective roles and responsibilities of the Department and the county boards," Mr. Ritchey said in a statement. "With every county participating we now have a very formal common set of expectations for all to see."

The agreement, among other things, spells out specifics such as when the state department provides the required match to federal funds and when the county does so. It generally outlines the administrative responsibilities for the waivers for both levels of government, which have sometimes been at odds over details related to the transition away from institutional services.

The agreement stems from the fact that "contracts for Medicaid purposes between county MR/DD

boards and providers will no longer be in place," according to ODMR/DD. As such, discussions ensued "in an attempt to comprehensively document in contract-agreement form the complex Medicaid administrative and fiscal relationship between the Department and the county boards."

"The voluntary signing of these agreements by the Department and every county board represents a significant accomplishment," said Don Ohler, executive director of the Ohio Association of County Boards of MR/DD, in a statement released by the state agency.

"The willingness of the parties to sit together and patiently work through contentious issues have provided us the proper alternative to costly litigation. We can now move forward together with a common understanding and concentrate our efforts on service delivery."

Cheryl Phipps, President, Ohio Superintendents of County Boards of MR/DD, said, "A new level of partnership between county boards and the Department was attained through the long process of developing these agreements. We appreciate the investment of time and energy by everyone involved, and we are now free to move on and tackle the other challenges facing people with MR/DD and confronting those of us who deliver services to them."

Mr. Ritchey said the agreement would provide certainty and continuity to the system moving forward.

"With clear expectations comes accountability for all the parties involved. I also believe it is important to establish expectations that have a sense of continuity to them," he said. "I hope this will prove beneficial as this system faces the transition to a new administration and new leadership."

NACo ACTIVITIES

BOARD OF DIRECTORS NOMINATIONS

NACo's Annual Conference is rapidly approaching and one of the most important events is the election

of officers and board of directors. State associations are asked to nominate representatives to serve on the NACo Board of Directors. The NACo Nominating Committee will review the nominations and prepare a report to be presented at the Annual Business Meetings to be held on Tuesday, August 8 in Cook County (Chicago), IL. The term of a NACo Board Member runs for one year beginning the last day of the current annual conference and ending the last day of the next annual conference.

CCAO is entitled to two representatives on the NACo Board of Directors. Currently, the positions are filled by Commissioners Lenny Eliason (Athens) and Mary Walker (Clermont).

Commissioners interested in serving on the NACo Board of Directors should send or fax (614-221-6986) a letter in interest to CCAO Executive Director Larry Long by June 5, 2006.

CLASSIFIEDS

HUMAN RESOURCES DIRECTOR

Mahoning County is seeking a human resources director. Masters degree in public administration, human resources and/or labor relations or related field and a minimum of five years experience in human resources administration, or an equivalent combination of education, training, and experience; experience in public sector employment and labor contact negotiation and administrative preferred. Apply 21 W. Boardman Street, Admin: Building, 2nd Floor or call 330-740-2130 ext: 7101, dead line **June 30,2006 at 4:30 P.M.**

EXECUTIVE DIRECTOR

Warren Metropolitan Housing Authority is seeking an Executive Director. This person oversees operations for Warren County's 3 low-income housing programs: Section 8, Public Housing and Transitions. Candidates must possess Bachelor's degree and/or 5 years of leadership experience supervising employees in the correct interpretation and application of HUD regulations. Responsibilities include budgeting, planning, program and staff

development & public relations. Send resume, salary history and a handwritten cover letter to Warren Metropolitan Housing Authority, 990 East Ridge Drive, Lebanon, Ohio 45036. Attention: Interim Executive Director. Resumes will be accepted until the position is filled. No phone calls please. EOE .

ASSISTANT COUNTY ADMINISTRATOR

The Board of County Commissioners is seeking candidates with proven executive management and leadership experience. Position will assist County Administrator with policy development, assessment of managerial and organizational effectiveness, project management and direct authority over assigned group of departments. Successful candidate must have demonstrated ability to analyze complex problems, highly developed communication and organizational skills, excellent judgment and interpersonal skills, experience in preparing and delivering presentations to large audiences and be well versed in management of personnel. Requirements include: 8 years senior management/executive experience with high degree of responsibility, autonomy, and accountability, ideally in local/county government. BS in Business Administration or Public Administration or related field (Master's preferred). Salary (DOQ), Minimum \$83,034.00. For more information and to download a mandatory application; visit our website at www.co.clermont.oh.us. Send completed application and resume to Clermont County Human Resources, 101 E. Main St., Batavia, Ohio 45103. Contact (513) 732-7110 with any questions. **Deadline to apply is June 19, 2006.** 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) 221-6986 or e-mail mjneiman@ccao.org.

