



CIDS

County Information and Data Service

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DATES TO REMEMBER

AUGUST 25, 2006	CORSA ANNUAL MEETING, CONCOURSE HOTEL AND CONFERENCE, COLUMBUS
AUGUST 30 & 31, 2006	COUNTY COMMISSIONER DAYS, ERIE COUNTY
SEPTEMBER 11, 2006	NW DISTRICT COMMISSIONERS & ENGINEERS QUARTERLY DISTRICT MEETING, HENRY COUNTY (NAPOLEON)
SEPTEMBER 22, 2003	CCC/ESAO REGIONAL MEETING, HANCOCK COUNTY AGRICULTURAL SERVICE CENTER, HANCOCK COUNTY (FINDLAY)
OCTOBER 6, 2006	CCC/ESAO REGIONAL MEETING, ROSS COUNTY SERVICE CENTER, ROSS COUNTY (CHILLICOTHE)
OCTOBER 27, 2006	CCC/ESAO REGIONAL MEETING, MONTGOMERY COUNTY

ASSOCIATION NEWS

THREE DATA EXCHANGE BULLETINS ON COUNTY EXPENDITURES ARE INCLUDED WITH THIS ISSUE OF CIDS

Included with this issue of CIDS are four copies of the final results of the CCAO Expenditure Survey. The completed survey consists of three bulletins that report county general fund and all fund expenditures by dollar amount (Bulletin 2006-02), percentage change by year (Bulletin 2006-03), and aggregate percentage change and average annual percentage change (Bulletin 2006-4).

While the original purpose of the survey was to assist CACO in understanding the impact of the now-defunct TEL-TABOR amendment, we hope you find the results useful and informative in understanding

county finances. Thank you to all counties for helping us compile this information!

COUNTY WALKWAY PROJECT

49 Counties Pledge to Participate in Heritage Garden Path; Deadline Extended to August 15.

In the last six years the grounds at the Governor's Residence have undergone a major transformation. Each year, nearly 10,000 people visit the Residence and Heritage Garden where they learn about the artistic, industrial, political, horticultural and geologic history of Ohio through artifacts and plants. These visitors want to know what is at the "people's house" from their part of the state and are delighted to learn what other parts of Ohio have to offer.

The Residence and Heritage Garden would like to

carry this concept of representing all parts of Ohio one step farther and have something that represents each of our 88 counties. To do this, the CCAO has agreed to work with the Residence staff to encourage each county to provide a rock, stone or paver brick bearing the county's name for a walk in the Heritage Garden. For example, it could be an old cobblestone from an early road, a paver brick made in your county, a piece of local sandstone or limestone, or a flat rock from the local river.

Guidelines

- 1) **Name of the County:** The stone or brick must arrive with the county name already cut into it (i.e., Adams County, etc.)
- 2) **Smallest size:** 8"X 4" (regular brick size) 3) **Largest size:** 12" X 12" (oval, square or rectangular)
- 4) **Surface of the stone/brick:** The stone or brick does not have to be perfectly smooth since they will be used to build the 2' soldier course on each side of the walk.
- 5) **Quality:** The stone or brick should be able to withstand the harsh winters and foot traffic of the 10,000 annual visitors at the Governor's Residence and Heritage Garden.

Thanks to the following 49 counties that have contacted CCAO to indicate their interest in participating in the project: Adams, Ashland, Athens, Auglaize, Carroll, Champaign, Clermont, Clinton, Cuyahoga, Darke, Defiance, Delaware, Erie, Fairfield, Franklin, Geauga, Greene, Guernsey, Hancock, Hardin, Huron, Jackson, Jefferson, Knox, Lake, Lawrence, Licking, Logan, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Noble, Perry, Pickaway, Portage, Preble, Richland, Sandusky, Tuscarawas, Union, Vinton, Warren, Wayne, Williams, and Wood. CCAO hopes all counties will want to add to the beauty, interest, and educational value of the Residence by donating a stone or brick with your county's name cut into it.

In addition, please provide a three-sentence story about the stone's history or why it was selected on a piece of paper. Do not cut the story into the stone. The stone's story will be posted on the website,

www.governorsresidence.ohio.gov, and all donors will be invited to a reception on September 8th. For more information please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979 or mjneiman@ccao.org or Julie Stone, Residence Facilities Manager, (614) 644-7644 or jstone@gov.state.oh.us. The Residence would like to have the stones by **August 15**. Let Mary Jane or Julie know when you would like to bring your stone or brick to Columbus with a county delegation and have a special tour of the Residence and Heritage Garden.

The Residence staff is also working with OSU Extension Agents and Master Gardeners from each county to try to get a native plant from a prepared list for the Heritage Garden, too. Perhaps your county delegation can work together to get both the native plants and stone or brick for your county. Rick Stanforth, Residence Horticulturist and former Clinton County Commissioner, will be creating this 'walk' and would be happy to discuss this project with you. He can be reached at (614) 644-7644 or rstanforth@gov.state.oh.us.

HENRY COUNTY TO HOST NW DISTRICT MEETING

Henry County Commissioners Richard Bennett, Rita Franz and Colleen Phillips and County Engineer Randy Germann will host the next Northwest Ohio Commissioners and Engineers Association of Ohio quarterly meeting on Monday, September 11, 2006. Registration begins at 12:15 p.m. at the American Legion, Bert G. Taylor Post 300, 500 Glenwood Avenue, Napoleon, OH 43545. The following tours depart at 1:15 p.m. Please choose one tour. Availability is limited.

- Campbell Soup Company - the largest soup manufacturing facility in the world. Proper attire requires slacks and flat shoes.
- Proteam Classic Corvette Collection and Sales - the world's largest collection of classic corvettes with over 150 Corvettes available for viewing.

The business meeting begins at 4:00 p.m. followed by networking and a buffet dinner. Registration fee: \$10 per person for dinner and the meeting.

Registration deadline: September 1, 2006. For more information about the meeting and dinner please contact Kathy Bostelman, Henry County Commissioners Office, at (419) 592-4876, fax (419) 592-4016 or kathy.bostelman@henrycountyohio.com.

An optional golf outing has been planned at the Napoleon Municipal Course located across the street from the American Legion. Greens fees: \$11 for nine holes and a shared cart. Another nine holes is \$10. The golf course only accepts cash or checks - no credit cards. To reserve a tee time, contact Randy Germann at (419) 592-2976 by September 1.

CCAO SERVICE CORPORATION PROGRAM NEWS

2007 WORKERS' COMP GROUP DEADLINE

August 15, 2006 is the deadline for eligible counties to join the 2007 CCAO Workers' Comp Group. Packets were mailed out to all eligible counties the week of June 5. As of August 10, we have not received documents from the following eligible counties: Ashtabula, Columbiana, Delaware, Gallia, Geauga, Guernsey, Hocking, Madison, Miami, Muskingum, Noble, Paulding, Richland, Scioto, Van Wert, and Vinton. **Don't wait until the last minute!** The estimated total group savings for 2007 is \$1.8 million, with an average savings of 10.19% for each member. For additional information, contact Beth Miller at emiller@ccao.org.

STATE ACTIVITIES

MODIFICATIONS TO HOUSEHOLD SEWAGE TREATMENT RULES PROPOSED BY HEALTH DEPARTMENT

Amid considerable controversy and concerns expressed by a number of counties, the Ohio Department of Health has proposed changes to rules dealing with the installation and maintenance of household sewage treatment systems that were adopted in May and are scheduled to become effective on January 1, 2007. On May 4, 2006, the Public Health Council rescinded existing rules 3701-

29-01 through 3701-29-20 of the Ohio Administrative Code and adopted new rules 3701-29-01 through 3701-29-18 based on the new authority and requirements contained in ORC Chapter 3718 as authorized by HB 231 of the 125th General Assembly that became effective on May 6, 2005.

At the request of Senator Tom Niehaus (R-New Richmond) and the Joint Committee on Agency Rule Review (JCARR), the Ohio Department of Health committed to continue working with interested parties over the summer in an effort to resolve concerns and issues with the adopted rules. The broad based coalition of interested parties presented 12 items of concern for consideration. After much discussion, ODH has a set of proposed amended rules. These amendments accommodate many items presented by the coalition, and provide for further compromises that will benefit homeowners across the state by offering more flexibility and reducing costs.

According to the Ohio Department of Health it has compromised to reduce the vertical separation distance to all limiting conditions for the soil absorption system from 3 feet to 2 feet, with the exception of bedrock. This compromise will allow additional sites across the state to use conventional leach line systems significantly reducing the cost of systems for homeowners.

The proposed amendments also address the request by Senator Niehaus to expand the number of lots eligible for the pre-approval process to include *any* system approvals granted by the local health district prior to the effective date of the rules on January 1, 2007. While provisions related to Ohio EPA discharge permits and any locally established expiration dates are still honored, this compromise will significantly expand the grace period (through 2010) to a larger number of pre-approved systems that can be installed under the old rule provisions. This allows lot owners with existing and future lots additional time and options to install their systems with a subsequent costs savings as well.

If the Public Health Council votes to file these proposed STS rule amendments with JCARR next week, the proposed amendments will be on the ODH Bureau of Environmental Health website. Link directly

to the STS rules on the ODH Web site at <http://www.odh.ohio.gov/rules/final/f3701-29.aspx> to view the current rules. For more information contact the ODH Bureau of Environmental Health at (614) 644-1390 or BEH@odh.ohio.gov

SERB SEEKING INPUT ON HEALTH CARE SURVEY

The State Employment Relations Board (SERB) is in the process of revising its annual health insurance survey sent to public employers. SERB has contacted CCAO and other interested parties asking for suggestions on how to update the questionnaire, which has been used for 16 years.

Counties interested in providing feedback to SERB should do so directly or through the Association.

For further information, contact CCAO Staffer Cheryl Subler at csubler@ccao.org or at (614) 220-7980. She can provide you a copy of the current questionnaire. Feedback to Cheryl needs to be provided ideally by August 21, so it can be shared with SERB in a timely fashion.

The new SERB survey is due to go out to public employers around September 4th.

FEDERAL ACTIVITIES

HIGH COURT NARROWS FREE SPEECH PROTECTION FOR PUBLIC EMPLOYEES IN CASE PITTING CALIFORNIA LAWYER AGAINST DISTRICT ATTORNEY'S OFFICE

The United States Supreme Court, in a recent 5-4 decision, has ruled that the First Amendment to the U.S. Constitution provides no free speech protection to public employees for statements made during the course of their official job duties.

The case of *Garcetti v. Ceballos* involved a deputy district attorney in the Los Angeles County District Attorney's Office who claimed he was the subject of retaliatory actions by his employer after he criticized the district attorney's decision to prosecute a case that the deputy district attorney thought was legally suspect.

The attorney sent a memorandum to the district attorney outlining the perceived weaknesses in the case, which centered on factual inaccuracies contained in an affidavit used to acquire a search warrant. Then, after being called by the defense as a witness testified at a preliminary hearing, the deputy district attorney presented his view of the case's weaknesses orally in the courtroom.

The deputy district attorney claimed that after that court appearance, the District Attorney's Office took a number of retaliatory actions against him. He filed suit, claiming the office had violated his First Amendment rights by retaliating against him.

The high court rejected his argument. In his opinion for the majority, Justice Anthony Kennedy wrote that there is a difference between a public employee speaking in his or her official capacity and speaking as a citizen engaging in public debate.

"When an employee speaks as a citizen addressing a matter of public concern, the First Amendment requires a delicate balancing of the competing interests surrounding speech and its consequences," Kennedy wrote. "When, however, the employee is simply performing his or her job duties, there is no warrant for a similar degree of scrutiny."

Because the deputy district attorney was not acting as a citizen when he wrote his memorandum and testified in court, and was acting only in his official capacity as a deputy district attorney, he was not entitled to First Amendment protection.

Citation: *Garcetti v. Ceballos* _____ U.S. _____ 2005 term, 04-473 (May 30, 2006).

LEGISLATIVE ACTIVITIES

UPCOMING EFFECTIVE DATES OF ENACTED LEGISLATION

HB 312 (Clyde Evans R-Rio Grande) – Permits petitions proposing to place statewide or local initiatives or referenda on the ballot to be withdrawn by a majority of the committee representing the petitioners, provided that a written notice of the withdrawal is filed with the office of the secretary of

state or another appropriate office before the 60th day before the election at which the issue is scheduled to appear on the ballot. Amends ORC 3501.38 and enacts new ORC section 3519.08. Effective Date: August 22, 2006.

This is the provision of law that will authorize a majority of the five-member TEL-TABOR petitioning committee to file a withdrawal notice with the secretary of state and formally withdraw TEL-TABOR from the November 7, 2006 statewide ballot. Under the terms of ORC 3519.08, the committee will have a time window of 17 days – August 22 through September 7 -- to file the TEL-TABOR withdrawal notice. The TEL-TABOR cannot be resubmitted after it is withdrawn.

HB 312 also requires each board elections to ensure that the minimum number of handicapped parking spaces are designated at polling places in accordance with federal regulations and state law and also requires the director of the board of elections in each county, before the day of an election, to sign a statement verifying that each polling place that will be used in that county meets the handicapped parking requirements, and requires that statement to be sent to the secretary of state. Amends ORC section 3501.29. Effective Date: August 22, 2006.

HB 289 (White R-Kettering) – Establishes new duties for the Ohio Family and Children First Cabinet Council and county family and children first councils, creates the Ohio Family and Children First Cabinet Council Advisory Board, removes the county juvenile judge as a member of a county family and children first council and instead appoints the judge as a judicial advisor to the county council, and requires the administrative agent of a county council to send notice of specified county council members' absences at county council meetings to the entity that the absent member represents. Amends ORC section 121.37 and enacts new ORC section 121.374. Effective Date: August 17, 2006.

NACo ACTIVITIES

2006-2007 NACo OFFICERS ELECTED

The following officers were elected to serve in 2006-2007 at the National Association of Counties Annual Meeting held on Tuesday, August 8 in Cook County (Chicago), Illinois:

President - Colleen Landkamer, Blue Earth County (MN) Commissioner

President Elect - Eric Coleman, Oakland County (MI) Commissioner

1st Vice President - Don Stapley, Maricopa County (AZ) Commissioner

2nd Vice President - Valerie Brown, Sonoma County (CA) Supervisor

Past President - Bill Hansell, Umatilla County (OR) Commissioner

Brown was the victor out of a field of four qualified candidates who were on the ballot for the election. The other candidates were Teresa Altemus, Gloucester County Supervisor; Joe Fuller, Rapides Parish Police Juror; and Harry Montoya, Santa Fe County Commissioner.

MEETINGS/SEMINARS

FARMLAND PRESERVATION SUMMIT WILL BE HELD NOVEMBER 2 IN REYNOLDSBURG

The Ohio Department of Agriculture will host the seventh annual Farmland Preservation Summit on November 2, 2006 at its offices in Reynoldsburg in Franklin County.

The meeting is co-sponsored by the American Farmland Trust, the Ohio State University's C. William Swank Program in Rural-Urban Policy and Center for Farmland Policy Innovation.

The meeting will run from 9 a.m. to 3:30 pm. at the Department of Agriculture's office at 8995 East Main Street, Reynoldsburg.

Highlights will include a panel of experts from Maryland, New Jersey, Pennsylvania and

Massachusetts and Ralph Grossi, president of American Farmland Trust, as the keynote speaker.

For more information contact Kelly Carneal at (614) 728-6210 or kcarneal@mail.agri.state.oh.us.

CLASSIFIEDS

EMERGENCY MANAGEMENT DIRECTOR

The Wood County Commissioners are accepting applications until **4:30 p.m. on August 16, 2006**, for a Director for the Emergency Management Agency (EMA).

This position directs and manages the EMA staff, plans and develops the countywide emergency management program, and coordinates activities of all local agencies having emergency management responsibilities. Ideal candidates will possess management experience related to planning and developing programs, creating and maintaining a budget, coordinating emergency response efforts and strong computer skills. Specific examples of duties include staff training and evaluation, and maintaining positive working relationships with elected officials and department heads. Salary: Pay Grade 11 -- \$45,741.10 Minimum (FLSA Administrative Exemption)

Minimum Qualifications: Advanced training and/or education in public business administration and public relations. Two and one half years training and/or experience in emergency services planning and civil defense preparedness, of which one year was in a supervisory or administrative capacity or equivalent. Must have basic computer skills, preferably in Microsoft Office software. Must possess a valid Ohio driver's license and reside within a three-mile radius of Bowling Green, or upon the approval of the Wood County Commissioners.

Information packets and applications are available from the Commissioners' Office, 5th Floor, County Office Building, One Courthouse Square, Bowling Green, Ohio 43402, Monday through Friday, from

8:30 A.M. to 4:30 P.M., or visit the County's website at www.co.wood.oh.us. EOE.

LUCAS COUNTY SANITARY ENGINEER

Pre-Treatment Coordinator: Responsible for administration of the County's industrial pre-treatment and bio-solids management programs.

Minimum Requirements: Bachelor degree with major in chemistry, environmental science, or related science; or an associate's degree and two (2) years experience in industrial pre-treatment or laboratory analysis. Must have Wastewater Class II license or be able to obtain one within three (3) years. Valid Ohio driver's license. Salary: \$41,121.00 Excellent benefits

Accepting applications/resumes until position is filled. Please send resume with a copy of your Class II 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 or www.lucascountyoh.gov/SanitaryEngineer. EOE.

PURCHASING AGENT 3

Minimum requirements: Bachelor's degree in business administration, public administration, accounting, economics or closely related field and two years experience as a buyer, contract administrator, procurement specialist or similar position, plus coursework and experience in computer practices and procedures, or training and/or experience which evidences an advanced knowledge of computer systems, data entry practices and procedures, purchasing/procurement practices and procedures, and public relations. Demonstrable ability to analyze data and formulate viable conclusions. Certified Public Professional Buyer or equivalent certification.

Job Duties: Participates in efficiency efforts at the program level through potential formal managed

competition initiatives; facilitates group meetings between departments and vendors to brainstorm savings possibilities; reads and interprets financial system reports as assigned and takes appropriate action; evaluates spending and makes recommendations for improvement and initiates cost saving measures; Manages and facilitates all aspects of procurement related to the acquisition of goods, equipment, and services; consults with County departments about their purchasing needs; develops plans to procure goods, supplies, and services taking into consideration the needs of the organization as whole; leverages the buying power of the organization to generate savings; processes requisitions in two financial systems screening for proper procurement and sourcing. Prepares specifications for bid; prepares bid analysis; manages bids assigned in the DemandStar system including uploading of documents and management of addenda; recommends award of bid to Director, including any resolutions necessary to finalize the transaction. Demonstrates regular and predictable attendance. Handles all incoming communication with regard to how vendors can best conduct business with Hamilton County; provides vendors with information regarding the use of the on-line procurement tool and all tools places on the county website for vendor use; tracks all vendor participation in quotes and bids (provides written follow-up to vendors, issues customer satisfaction surveys, makes cold-calls insuring participation, etc.) Speaks publicly as required with regard to the County's vendor program; works with Small Business Development to deliver Purchasing's portion of the Small Business Program. Completes special projects; performs other duties as required. Salary: \$1,639.20 Biweekly

Apply in person or send your resume/application, by **August 15, 2006**, to the following address: Hamilton County Personnel Department, County Administration Building, 138 East Court Street, Room 707, Cincinnati, OH 45202; fax your resume/application to: (513) 946-4720; or apply online at : <http://www.hamiltoncountyohio.gov/personnel/employmentapplication.asp>. 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.

