



CIDS

County Information and Data Service

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DATES TO REMEMBER

JUNE 10-12, 2007	CCAO/CEAO ANNUAL CONFERENCE, PARK INN TOLEDO (FORMERLY RADISSON HOTEL), LUCAS COUNTY (TOLEDO)
JUNE 11, 2007	CCAO BOARD OF TRUSTEES MEETING, SEAGATE CENTRE, LUCAS COUNTY (TOLEDO)
JUNE 11, 2007	AREA 7 CHIEF ELECTED OFFICIALS CONSORTIUM, PARK INN, LUCAS COUNTY (TOLEDO)
JUNE 18, 2007	CCAO COURTS & CORRECTIONS COMMITTEE, CCAO OFFICES, COLUMBUS
JUNE 29, 2007	RECENT REFORMS IN CIVIL SERVICE LAW & PUBLIC RECORDS, COLUMBUS POLICE ACADEMY, COLUMBUS
JULY 13-17, 2007	NACo ANNUAL CONFERENCE, RICHMOND, VA
AUGUST 1, 2007	CCAO ANNUAL GOLF OUTING, OAKHAVEN GOLF CLUB, DELAWARE COUNTY (DELAWARE)
AUGUST 14-15, 2007	COUNTY COMMISSIONERS DAYS, VAN WERT COUNTY (VAN WERT)
SEPTEMBER 2007	NATIONAL PREPAREDNESS MONTH (www.ready.gov)

ASSOCIATION NEWS

AREA 7 CHIEF ELECTED OFFICIALS CONSORTIUM MEETING - JUNE 11

The next meeting of the Area 7 Chief Elected Officials Consortium will be held on June 11, 2007 from 4:00-5:30 p.m. in conjunction with the CCAO/CEAO Annual Summer Conference at the Park Inn Toledo in Lucas County (Toledo). Allen County Commissioner Sam Bassitt is the CEO of the Area 7 Consortium.

If you have any questions about the meeting, please contact Beth Dominic, CCAO Policy Analyst, at (614) 220-7996 or bdominic@ccao.org. A complete agenda will be sent out closer to the date. The attendance of each member county is very important.

COUNTY ADVISORY BULLETIN

Enclosed in the Commissioners' packets is County Advisory Bulletin 01 concerning the new pay-to-play

law that was enacted in H.B. 694. The bulletin explains the new law and answers frequently asked questions concerning the law's prohibitions and requirements. However, CCAO recognizes that many other questions exist and we encourage you to discuss these questions with your county prosecutor's office.

In general, H.B. 694 prohibits a state or local contracting authority, including a board of county commissioners, from accepting political contributions in excess of certain specified amounts from a vendor to whom the contracting authority has awarded a goods or services contract costing more than \$500. If that contracting authority has accepted contributions in excess of those amounts, then the contracting authority is prohibited from awarding that vendor a goods or services contract costing more than \$500. Additionally, H.B. 694 requires state and local contracting authorities to obtain certification from all vendors from whom the contracting authorities purchase goods or services costing more than \$500 that the vendor has not given contributions in violation of the act.

CCAO COURTS & CORRECTIONS COMMITTEE TO MEET JUNE 18

CCAO Courts & Corrections Committee Chair Bob Proud (Clermont) has scheduled a meeting on Monday, June 18, 2007 in the CCAO Offices in Columbus. The two guest speakers include Terry Collins, Director of the Ohio Department of Rehabilitation & Corrections, and Tom Stickrath, Director of the Ohio Department of Youth Services. Other agenda items include:

- Status of Law Library Reform
- Indigent Defense Reimbursement
- H.B. 173 - Judicial Qualifications & Compensation Issues and Judicial Allotment Commission
- H.B. 108 - Court Cost for Drug Enforcement Task Force Funding
- H.B. 154 - Create Community Courts & Abolish Mayor's Courts
- DRC's Re-Entry Proposal

- CCAO Appointments to the DRC Jail Advisory Board & Community Corrections Advisory Board

Please RSVP your attendance to John Leutz, CCAO Senior Policy Analyst, (614) 220-7994, (888) 757-1904 or jleutz@ccao.org.

RECENT REFORMS IN CIVIL SERVICE LAW & PUBLIC RECORDS SEMINAR - JUNE 29

CCAO, the Ohio Public Employer Labor Relations Association (OHPELRA), and Downes, Hurst & Fishel will co-sponsor "The Winds of Change - Recent Reforms in Civil Service Law & Public Records" to be held Friday, June 29, 2007 at the Columbus Police Academy, 1000 North Hague Avenue, in Columbus. Registration and a continental breakfast begin at 8:00 a.m. with sessions starting at 9:00 a.m. and ending at 3:00 p.m. Lunch will be provided. Seminar topics include sessions on H.B. 9 - Public Records Update and H.B. 187 - Civil Service Reform. A wide range of topics will be discussed for all affected by civil service issues.

Registration fee: FREE to CCAO and OHPELRA members or \$150 for non-members. You must pre-register for the conference. Non-members of OHPELRA who join OHPELRA for \$185 at the time of registration are eligible to attend this program for free and receive the benefits of both OHPELRA and NPELRA for the next year.

Registration information was mailed to CCAO and OHPELRA members this week. For more information please contact Janet Erwin, CCAO Administrative Assistant, at (614) 220-7986, (888) 757-1904 or jerwin@ccao.org.

DUCKETT & SUBLER WIN NATIONAL HONORS

At the 36th Annual Training Conference of the National Public Employer Labor Relations Association (NPELRA), CCAO Managing Director for Policy Cheryl Subler received the Pacesetter Award, one of the organization's highest honors. The Pacesetter Award is given to "individuals or organizations who, thorough their professional achievements, have successfully developed a new tool or technique for use in resolving conflicts, addressing new challenges,

or assisting others in their growth in public sector labor relations and human resources. Pacesetters are role models who serve as resources to others in the field." Cheryl received the Pacesetter Award for her outstanding leadership in developing a wage and benefits survey for county government in which an amazing 83 out of 88 counties participated. Cheryl had previously received the OHPELRA Pacesetter Award for this achievement, and OHPELRA nominated her for the national award. We are proud to see one of our own receive this well-earned, national recognition!

At the same conference, Douglas E. Duckett, the Butler County Personnel Director and Labor Counsel, received the NPELRA President's Award for his leadership role in the NPELRA Labor Relations Academy, a professional certification program in public-sector labor relations and collective bargaining. Doug serves as a long-time committee member and lecturer in the NPELRA Academy, and was instrumental in bringing the program to Ohio in 2005 and 2006-07.

Congratulations to Cheryl and Doug!

HIT A HOME RUN IN LUCAS COUNTY! SUMMER CONFERENCE UPDATE

Lucas County Commissioners Tina Skeldon Wozniak, Pete Gerken and Ben Konop and County Engineer Keith Earley will host the 127th CCAO/CEAO Annual Summer Conference on June 10-12, 2007 at the Park Inn Toledo (former Radisson Hotel) and SeaGate Convention Centre in downtown Toledo. Conference materials have been mailed to county commissioners, county engineers, affiliates, and vendors.

Change in Conference Event Schedule - CCAO/CEAO have changed the 2007 Summer Conference event schedule. The conference day pattern is still the same, but sessions will be ending mid afternoon on Tuesday, June 12. There will be no banquet on Tuesday evening.

Sunday evening event - Join Lucas County on Sunday evening, June 10 at the Toledo Mud Hens v. Norfolk Tides baseball game at Fifth Third Stadium, which is located in downtown Toledo across from the Park Inn. A reception, dinner and game will be held

at the stadium. Tickets to the game are included with the full and spouse registration packages. Dinner/baseball tickets must be picked up at the CCAO/CEAO Registration Desk at the Park Inn by 5:30 p.m. You must have a ticket to attend this event.

Tickets that have not been picked up by 5:30 p.m. can be picked up at the will call window located at the first base gate ticket office at Fifth Third Field.

Optional Golf Outing - Tee times have been reserved beginning at 11:00 a.m. on Sunday, June 10 at Heather Downs Country Club. Greens fees: \$45 (includes 18 holes and a shared cart). Please contact Tanya Wilcox, CCAO Administrative Assistant, at (614) 221-5627, (888) 757-1904 or twilxoc@ccao.org for more information.

CCAO/CEAO and Affiliate Agendas were distributed with CIDS last week. Please contact the CCAO office at (614) 221-5627 for more information.

Hotel Reservations - The headquarters hotel is the Park Inn Toledo. Room rate: \$89 single/double. Reservation cut off date: May 18, 2007. For reservations please call (419) 241-3000.

Spouse/Guest Tour and Luncheon - On Monday morning, June 11, spouse/guest registrants will visit the Carruth Studios located in Waterville. Since 1983 George Carruth has been creating original cast images in stone from completely original designs carved from limestone and clay. From a home business run out of a basement and garage, the Carruth Studios have grown to a staff of over 40 with over 3,500 shops nationwide. Following a visit and shopping at the studios, registrants will stop at a local restaurant for lunch before returning to the hotel.

NOMINATIONS FOR AREA 7 WORKFORCE INVESTMENT BOARD

The Area 7 Consortium of Chief Elected Officials and the Area 7 Workforce Investment Board are in search of individuals who are interested in becoming members of the Area 7 Workforce Investment Board.

The Board is seeking to fill seven vacancies: three positions must be filled by individuals who represent business, two positions must be filled by individuals who represent public or private economic

development agencies, one position must be filled by a representative of a local educational entity who provides adult education and literacy, and one must be filled by an ODJFS employee who specializes in Wagner-Peyser employment services, unemployment compensation, and NAFTA and the Trade Adjustment Act.

Each board of commissioners should contact local business organizations, labor organizations, and educational institutions to solicit nominations for appointments. Nominees should be made aware of the role of the Area 7 Board, which is to provide broad policy direction and to coordinate the efforts of the 47 counties of Area 7 in workforce development. Nominees should understand that a major principle of Area 7 is to provide as much flexibility as possible to local workforce policy boards, while maintaining the program and fiscal integrity of Area 7 as a whole. Emphasize that, while not every county will be represented on the Area 7 Board, appointees will be asked to be sensitive to the needs of their geographic area as well as Area 7 as a whole, and will need to communicate and work with local Workforce Policy Boards and elected officials.

A large part of the job of the Area 7 Board is to give local business leaders and their communities the broader vision, guidance, shared knowledge, and policy framework within which to succeed. It is wise to discuss these concepts with potential Board appointees and ensure that they share the concept and the vision behind the establishment of Area 7.

Counties are invited to submit no more than one nomination for each vacancy described above. The deadline has been extended to no later than **May 25, 2007**. The Board will meet with nominees at the Board's meeting on June 6, 2007. Please fax resumes and any additional pertinent information for your nominees to Beth Dominic, CCAO Policy Analyst, at (614) 221-6986 as soon as possible.

COMMISSIONERS IMMEDIATE ACTION NEEDED ON INDIGNET DEFENSE

Included with today's CIDS is a Legislative Action Alert regarding INDIGENT DEFENSE. We are asking all commissioners to contact their State Senators to urge them to increase funding for indigent defense

reimbursement to the counties. The budget [HB 119], as recommended by the governor and passed by the House, cuts the appropriation for indigent defense. The costs are skyrocketing and the state's commitment continues to tumble. County government needs relief from this increasing burden we carry for the state.

STATE ACTIVITIES

UNANIMOUS SUPREME COURT RULES COUNTIES SUBJECT TO LAWSUITS UNDER NURSING HOME PATIENTS' BILL OF RIGHTS

Residents of Ohio's 37 county homes are entitled to sue counties for violations of the state Nursing Home Patients' Bill of Rights, the Ohio Supreme Court said in a unanimous opinion (Cramer v. Auglaize Acres, 113 Ohio St-3d 266, 2007-Ohio 1946). Justices rejected arguments that county homes and county commissioners were protected from lawsuits under Ohio's Sovereign Immunity Law, Ohio Revised Code (ORC) Section 2744.

The case arose out of a patient falling while two nurses were assisting the patient. The patient broke his leg, and died after surgery was performed to repair the broken leg. The deceased's son filed a lawsuit, alleging, among other things, negligence and violations of ORC 3721.10 through 3721.17, the Ohio Nursing Home Patients' Bill of Rights.

The county argued that ORC 2744 provided immunity for unlicensed county homes from lawsuits arising out of violations of the Patients' Bill of Rights. The Court stated that ORC 3721.17(I)(1) specifically abrogates governmental immunity and permits residents of unlicensed county homes to file lawsuits for violations of the Patients' Bill of Rights. The Court declined the request to rule on the constitutionality of ORC 2744.

CCAO, along with the Ohio County Homes Association, the Ohio Prosecuting Attorneys Association, and the Ohio Association of Civil Trial Attorneys, filed amicus briefs in support of Auglaize Acres and the Auglaize County Board of Commissioners.

The decision increases the risk of lawsuits against county homes. However, some good news did come

out of the decision. The Court did not find that a claim against the nurses at Auglaize Acres could be brought under the Patients' Bill of Rights. The Court also acknowledged that there could be no punitive damages awarded against political subdivisions.

At the time of the accident (January, 2002), there was a provision in ORC 2744.02(B)(5), which stated that a political subdivision is liable when liability is expressly imposed upon the political subdivision by a section of the Revised Code, such as the Patients Bill of Rights. The Supreme Court cited the provision in the Auglaize Acres decision. Senate Bill 106, which was effective April 9, 2003, amended the provision to stipulate that a political subdivision and its employees do not have expressed imposed liability under a statute merely because the statute used the word "shall". The word "shall" appears throughout the Patients' Bill of Rights. Although the new language will not prevent lawsuits, county homes have an argument that was not available in 2002. For additional information on the decision, please contact Dave Brooks in the CCAO office (dbrooks@ccao.org)

IS YOUR COUNTY HANDLING USED LAMPS CORRECTLY?

The Ohio EPA, Division of Hazardous Waste Management (DHWM), has observed that many businesses that are routinely inspected do not manage used lamps (fluorescent bulbs) correctly. Many people don't realize used lamps can be hazardous because of the mercury, lead, cadmium and barium they contain. When Ohio EPA uses the term "lamp" it includes: incandescent, fluorescent, metal halide, neon, high-intensity discharge (HID), high-pressure sodium, mercury-vapor, and LED lamps. For more information about the OEPA's Lamp Initiative, please go to: www.epa.state.oh.us/dhwm/lampinitiative.html.

Ohio EPA has developed these resources to help manage bulbs correctly.

- Office of Compliance Assistance and Pollution Prevention (OCAPP), has developed a checklist to help you at: http://www.epa.state.oh.us/ocapp/sb/publications/Lampcompliance_checklist.pdf

- OCAPP is a one-stop location for answers and information about environmental regulations, compliance concerns and pollution prevention. All services of the office are FREE. OCAPP is an independent, non-regulatory office within Ohio EPA. This means that information obtained WILL NOT be shared with Ohio EPA inspection and enforcement staff. 1-800-329-7518 <http://www.epa.state.oh.us/ocapp/ocapp.html>
- Division of Hazardous Waste Management (DHWM) web site at: <http://www.epa.state.oh.us/dhwm/>
- DHWM Fact Sheet "Fluorescent Lamps: What You Should Know " at: <http://www.epa.state.oh.us/dhwm/pdf/LampGuidance.pdf>
- If you have other questions about hazardous waste, please ask the [Answer Place](#), contact the DHWM regulatory service unit at (614) 644-2917 or your district office inspector.

NATIONAL PREPAREDNESS MONTH 2007

September marks National Preparedness Month 2007, a nationwide coordinated effort encouraging families to take simple steps for emergencies in their homes, businesses and schools. During National Preparedness Month, the Ohio Department of Public Safety (ODPS) will partner with the U.S. Department of Homeland Security, national, state and local organizations to highlight the importance of emergency preparedness and promote community involvement through a wide variety of events and activities.

Both the Ohio Department of Public Safety and U.S. Department of Homeland Security are asking families, schools and businesses to prepare for all types of emergencies from natural disasters to possible terrorist attacks. During National Preparedness Month 2007, there will be four focus areas:

- **Week One** - September 1-8: Back to School and Ready Kids
- **Week Two** - September 9-15: Business Preparedness and Ready Business

- **Week Three** - September 16-22: Multicultural Preparedness (coinciding with the beginning of Hispanic Heritage month)
- **Week Four** - September 23-30: Home and Family Preparedness (including older and disabled Ohioans, as well as pet owners)

Who should plan the events? The Ohio Department of Public Safety would like county commissioners and the county emergency management agency to convene a planning committee that involves government leaders, schools, libraries, businesses, financial institutions, culturally diverse and special needs communities - just to name a few.

Where do you get the information about National Preparedness Month 2007? Go to www.ready.gov or www.listo.gov (Spanish website). Publications may be down loaded to be printed in your county or ordered from this site. For more information about ordering or downloading publications, please go to www.ready.gov and click on Ready America>Downloading and Ordering Publications. Each organization is limited to ordering 1,000 of each publication. Supplies are limited. Order now - don't wait until August.

The Ohio Department of Public Safety thanks counties for taking the lead and helping to create a culture of preparedness in Ohio. For more information, please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979, (888) 757-1904 or mjneiman@ccao.org.

FEDERAL ACTIVITIES

HOUSE APPROVES DHS AUTHORIZATION BILL

On May 9, 2007, the US House of Representatives adopted H.R. 1684, a \$39.9 billion authorization bill for the Department of Homeland Security (DHS). The measure authorizes \$2.1 billion more than the President requested for the department for FY2008 and passed by a final vote of 296-126. Significantly, final passage of the bill faces a likely uphill climb as the White House has indicated they would veto the bill because of strong opposition to the legislation's personnel provisions.

Overall, the legislation restores numerous cuts in DHS key grants programs to state and local first responders; strengthens and streamlines DHS management; reforms DHS contracting and procurement practices to enhance accountability; strengthens congressional oversight of DHS; enhances protection for DHS civil service employees; improves information sharing between federal, state and local governments and their respective public safety agencies; improves science, technology, and cybersecurity at DHS; and enhances bioterrorism preparedness.

Of particular importance to counties the bill restores funding to DHS' State Homeland Security Grant program and FIRE Grant programs, and opposes the President's FY08 budget request to eliminate DHS' Local Law Enforcement Terrorism Prevention program and SAFER (Staffing for Adequate Fire and Emergency Response) program. Furthermore, the legislation includes several provisions to improve nationwide information sharing, by establishing a State and Local Fusion Center program at DHS which would coordinate with existing and future state and local centers.

Finally, the bill includes several provisions to enhance bioterrorism preparedness, including reauthorizing the Metropolitan Medical Response System (MMRS) Program, which the President has proposed to eliminate. MMRS would be funded at \$63 million a year, for five years, to support local jurisdictions in enhancing all-hazards response capabilities to manage mass casualty incidents by systematically enhancing and integrating first responders, public health personnel, emergency management personnel, and volunteers.

The legislation will now head to the US Senate, where the Committee on Homeland Security and Government Affairs will likely and finally prepare a similar bill. (Contact: Dalen Harris, NACo Associate Legislative Director, at (202) 942-4236 or dharris@naco.org)

HOUSE SPLITS SUPPLEMENTAL APPROPRIATIONS INTO TWO BILLS

The House of Representatives passed two separate supplemental appropriations bills May 10, and could

be headed to another confrontation with the White House.

The first bill, H.R. 2206, passed by a vote of 221-205 and would fund the Iraq war through July. This bill also includes the one-year moratorium on implementation of the Medicaid public entity rules, funding to cover the State Child Health Insurance Program shortfall, new funds for the Low-Income Home Energy Assistance and hurricane relief.

The second bill, H.R. 2207, includes \$425 million for a one-year extension of the Secure Rural Schools and Community Self-Determination Act, \$500 million for wildland firefighting, \$60 million for Northwest coastal fishermen, and money for agriculture disaster programs. It passed by a vote of 302-120.

Senate leadership has not announced what their bills will contain. The President has said that he will veto the short-term war supplemental. The House vote on H.R. 2206 indicates that they cannot override a veto, but the vote on H.R. 2207 was veto-proof. (Contacts: Paul Beddoe, NACo Associate Legislative Director, at (202) 942-4234 or pbeddoe@naco.org; Marilina Sanz, NACo Associate Legislative Director, at (202) 942-4260 or msanz@naco.org.

H.R. 811 APPROVED BY HOUSE ADMINISTRATION COMMITTEE; ASK THE OHIO CONGRESSIONAL DELEGATION TO VOTE "NO"

The House Administration Committee approved H.R. 811, which county election officials have dubbed the "Hinder Americans From Voting Act", on a party-line vote May 8. The bill would turn the clock on election administration back several decades, banning not only electronic voting equipment without a paper trail but also every existing model that keeps a contemporaneous electronic record along with printing a paper ballot.

Not only must all votes be cast solely on paper ballots, but all recounts must be conducted using solely human eye and human hands. The next Presidential election with a narrow margin could be decided in the House of Representatives, as states would be prohibited from certifying the outcome of a federal election until an outside auditor is satisfied that all discrepancies have been resolved, even if

discrepancies are not sufficient to change the outcome of an election.

This bill could reach the floor of the House of Representatives as soon as next week. County officials should urge their members of Congress to vote "NO" on H.R. 811. (Contact: Alysoun McLaughlin, NACo Legislative Director, at (202) 942-4254 or amclaughlin@naco.org)

NACo ACTIVITIES

2007-2008 NACo STEERING COMMITTEE NOMINATIONS

The nomination process for membership on NACo policy steering committees in 2007-2008 is underway. As a NACo steering committee member, you are responsible for debating and creating national policies and priorities affecting counties and serve on NACo's front line in their grassroots efforts. Committees meet at the NACo legislative and annual conferences and one other time during the year. You will be responsible for your own travel. Attendance and participation in the committee is important.

NACo has eleven steering committees: Agriculture & Rural Affairs; Community & Economic Development; Environment, Energy & Land Use; Finance & Intergovernmental Relations; Health; Human Services & Education; Justice & Public Safety; Labor & Employment; Public Lands; Telecommunications & Technology; and Transportation. If you choose to serve as a member of a steering committee again, you may serve on the same committee or join another committee.

CCAO processes all nominations for Ohio public officials before being sent to NACo. If you would like to serve on a NACo committee for 2007-2008, please respond by **Friday, June 15, 2007**. Nominations will be approved by the incoming NACo President after the NACo Annual Conference which will be held July 13-17, 2007 in Richmond, VA. NACo will announce your appointment in September 2007.

For more information about NACo Steering Committees please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979, (888) 757-1904 or mjneiman@ccao.org.

SEMINARS/WORKSHOPS

BWC WORKERS' COMPENSATION UNIVERSITY COURSES

The Bureau of Workers' Compensation Workers' Compensation University (WCU) offers a variety of courses designed to satisfy the needs of first-time attendees and returning students. This year, BWC is taking it one step further by offering four distinct course tracks covering a broad range of topics. Attendees can take a single track in its entirety or create a customized class schedule by mixing and matching courses from the following tracks: employer - beginner or advanced, special topics, or health care. Courses will be held in September and October,

2007. For dates, locations and more information about WCU please go to: <http://www.ohiobwc.com/bwccommon/brochureware/wcu/event.asp>.

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. Ads will also be published on the CCAO website at www.ccao.org. When submitting your ad to CCAO please provide a link to the job posting online and a deadline. Please provide a 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.