



CIDS

County Information and Data Service

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JUNE 15, 2007

DATES TO REMEMBER

JUNE 20, 2007	SOIL & WATER CONSERVATION DISTRICT COUNTY COMMISSIONERS TOUR, LOGAN COUNTY
JUNE 20, 2007	CEBCO REGIONAL SEMINAR, GALAXY RESTAURANT, MEDINA COUNTY (WADSWORTH)
JUNE 21, 2007	CCAO WORKERS' COMP GROUP RATING PLAN ANNUAL MEETING, MIDWEST CONFERENCE CENTER, COLUMBUS
JUNE 22, 2007	CEBCO REGIONAL SEMINAR, CLINTON COUNTY COMMUNITY CENTER, CLINTON COUNTY (WILMINGTON)
JUNE 28, 2007	CEBCO REGIONAL SEMINAR, HOLIDAY INN ZANESVILLE, MUSKINGUM COUNTY (ZANESVILLE)
JUNE 29, 2007	CEBCO REGIONAL SEMINAR, DEFIANCE COUNTY PUBLIC SAFETY & EMERGENCY MANAGEMENT AGENCY, DEFIANCE COUNTY (DEFIANCE)
JUNE 29, 2007	RECENT REFORMS IN CIVIL SERVICE LAW & PUBLIC RECORDS, COLUMBUS POLICE ACADEMY, COLUMBUS
JULY 16, 2007	OHIO CAUCUS LUNCHEON, RICHMOND CONVENTION CENTER – ROOM B17, RICHMOND, VIRGINIA
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

THANK YOU, LUCAS COUNTY!

The staff and members of CCAO/CEAO extend a warm round of applause for Lucas County Commissioners Tina Skeldon Wozniak, Pete Gerken and Ben Konop and County Engineer Keith Earley and their staff for hosting the 127th CCAO/CEAO Annual Summer Conference on June 10-12, 2007 in Toledo! From cheering on the Toledo Mud Hens to victory over the Norfolk Tides at Fifth Third Field to touring the Veterans' Glass City Skyway Bridge and Caruth Studios, Lucas County shared just a little bit of the best of their county.

In addition, CCAO/CEAO thanks area legislators State Senator and Majority Floor Leader Randy Gardener (Dist., 2 - Bowling Green) and State Representative Peter Ujvagi (Dist 47-Toledo) for addressing the opening general session of the conference on Monday. (See related story in the Statehouse Report).

Also speaking at the general session was David Dysard, Deputy Director - Dist. 2 of the Ohio Department of Transportation, who spoke about the new Veterans' Glass City Skyway Bridge.

Thanks, Lucas County for your warm hospitality and hard work!

CEBCO REGIONAL SEMINARS TO BE HELD THROUGHOUT THE STATE IN JUNE

It's NOT too early to begin to think about healthcare benefits for 2008! CEBCO, the County Employee Benefit Consortium of Ohio, will be conducting regional seminars throughout the state. CEBCO offers medical, prescription, dental, life and employee assistance programs. Each of the programs can be purchased separately.

Counties participating in the CEBCO plans currently are: Allen, Ashtabula, Athens, Butler, Champaign, Darke, Delaware, Hardin, Hocking, Logan, Madison, Putnam, Union, and Williams. The CCAO office employees also are covered by the CEBCO program.

Please mark your calendar for the following meetings

in your area. Vendor partners will be available to present the program, as well as, members from participating counties. Lunch will be provided. All meetings begin at 10:00 a.m.

June 20 - Northeast - Medina County

Galaxy Restaurant, 201 Park Centre Drive, Wadsworth

June 22 - Southwest - Clinton County

Clinton County Community Center (I-71, Exit 50), 111 South Nelson Avenue, Wilmington

June 28 - Southeast - Muskingum County

Holiday Inn - Zanesville (I-70, Exit 160), 4645 East Pike, Zanesville

June 29 - Northwest - Defiance County

Defiance County Public Safety & Emergency Management Agency, 22491 Mill Street, Defiance

For more information about the CEBCO program please call Maggie Neely, Managing Director, Health & Wellness Programs, at (614) 220-7984, (888) 757-1904 or mneely@ccao.org.

To RSVP for any of the CEBCO Regional Seminars please contact Melissa Bodey, CEBCO Benefits Specialist, at (614) 220-7997, (888) 757-1904 or mbodey@ccao.org by June 19.

CEBCO BOARD OF DIRECTORS APPROVES ENHANCED WELLNESS BENEFITS FOR CEBCO COUNTIES!

It was announced at the Membership Meeting on Monday, June 11, 2007 that the CEBCO Board of Directors approved the enhancement of Wellness Benefits for all of the CEBCO Counties. **Effective on January 1, 2008** annual wellness exams, Pap Smears, one mammogram (routine or diagnostic), PSA tests, routine immunizations, and exams will all be covered in FULL with NO co-payment, if submitted by the physician with a routine diagnosis! Specialty physicals such as those required for employment, band, camp or sports physicals remain non-covered. Currently for covered routine exams, a flat dollar co-payment is collected at that the time of service. By enhancing the benefits, CEBCO was actually to

project another 1/2 percent of savings for each of the member counties, per the CEBCO Actuaries at Aon Consulting and the Underwriting Team at Anthem BCBS. The premise behind this theory is that disease states will be diagnosed prior to the diseases becoming chronic conditions and that serious health concerns can also be diagnosed in early stages which will provide a better quality of life for the members and possibly a better survival rate.

Preventative Care benefits, Wellness Enhancements, all vendor services will be discussed at the CEBCO Regional Meetings later this month (See previous article). Please plan to attend. CEBCO Vendor Partners are as follows:

- Anthem Blue Cross Blue Shield for Medical
- CAREMARK for Prescription Drug Benefits
- Delta Dental for Dental Benefits
- VSP for Vision Services
- Anthem Life Insurance
- Mt. Carmel Health Systems for Employee Assistance Program

Any of the CEBCO Programs offered can be selected on a stand alone basis or in conjunction with any of the other offerings.

For more information regarding any CEBCO product, services or to obtain a quote, please contact any of the CEBCO Team at (888) 757-1904: Wendy Dillingham, CEBCO Benefits Specialist, x162, Melissa Bodey, CEBCO Benefits Specialist, x152 or Maggie Neely, Managing Director, Health & Wellness Programs, x146.

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.

For more information please contact Janet Erwin, CCAO Administrative Assistant, at (614) 220-7986, (888) 757-1904 or jerwin@ccao.org.

STATE ACTIVITIES

SERB PREPARING TO CONDUCT 2007 HEALTH INSURANCE SURVEY

Pursuant to Chapter 4117.02(K)(5) of the Ohio Revised Code (ORC), the State Employment Relations Board (SERB) has a statutory duty to act as a clearinghouse of information related to wages, fringe benefits, and employment practices applicable to the various political subdivisions in Ohio. Under the same ORC Chapter, public employee organizations, public employers, and governmental units are required to provide such assistance, services and data as will enable SERB to carry out its functions and powers.

To fulfill these requirements, SERB, for the 16th year, is conducting a survey to be distributed the week of July 1, 2008 to public employers in an attempt to assess the cost and content of health insurance in Ohio's public sector. A final Report of findings will be issued in January 2008 which will reflect what is in place in Ohio related to health care insurance.

From earlier survey responses, SERB found that the electronic process for surveying was preferred. Last year, 71 of Ohio's 88 counties participated. So, again this year we are requesting, per the requirements of ORC 4117.02(K) (5), that the public employers complete the survey on line via the internet. We are also mailing a copy of the survey for those who prefer that method of response. For more information please contact Sarah Malackany, Researcher at

smalackany@serb.state.oh.us, Kay Raffo, Researcher at kraffo@serb.state.oh.us, (614) 644-8573 or fax (614) 466-3074.

PUSH TO PLACE ANOTHER SMOKING-RELATED CONSTITUTIONAL AMENDMENT ON THE BALLOT FAILED

A group of bar owners and private club advocates failed to get a constitutional amendment on the ballot this coming fall that would have partially reversed the smoking ban that was adopted by the voters last November. On Monday, June 4, Gongwer reported that the group had started the process to place another smoking-related constitutional amendment on the ballot. The group would like the Ohio Constitution to exempt bars, hotels, nursing homes, retail tobacco shops, private residences, and bingo games from the statewide smoking ban if those places obtain a permit.

The Attorney General's office failed to certify the group's initiative due to a lack of valid signatures. The group presented only 776 valid signatures, which is short of the requirement of 1,000 valid signatures. The group collected 1,417 signatures; however, many of them came from the wrong county.

However, the group's spokesperson stated that the group plans to attempt to get another initiative on the ballot for this fall to accomplish their goals, but in the form of proposed statutory changes instead of a constitutional amendment.

For more information on the statewide smoking ban, please contact Beth Dominic, CCAO Policy Analyst, at (614) 220-7996, (888) 757-1904, or bdominic@ccao.org.

OHIO SUPREME COURT ACTIVITIES

SUPREME COURT RULES THAT NURSING HOMES HAVE ONLY ONE AVENUE TO CHALLENGE MEDICAID REIMBURSEMENTS

In a 4-3 decision, the Ohio Supreme Court ruled that nursing homes have only one avenue legally to challenge the amount of a state agency's Medicaid reimbursements. The Ohio Academy of Nursing Homes and individual nursing homes sued ODJFS

over the agency's refusal to increase Medicaid reimbursement payments. The Academy's members were required to pay higher premiums to the Ohio Bureau of Workers' Compensation, but were not being reimbursed for those higher costs. Under Ohio law, workers' compensation premiums are reimbursable for nursing homes.

The statute that concerns nursing homes' reimbursement gives discretion to ODJFS to set the reimbursement rate. More importantly, the statute does not make this discretionary decision subject to appeal. Thus, the Court held that the only remedy available to the nursing homes is obtaining a writ of mandamus from a court if the nursing homes can prove that ODJFS abused its discretion in refusing to increase the homes' reimbursement rate.

FEDERAL ACTIVITIES

CONGRESS PASSED AND PRESIDENT SIGNED MINIMUM WAGE INCREASE

Last week, Congress passed and the President signed the emergency war supplemental bill, which included the Fair Minimum Wage Act of 2007. The Fair Minimum Wage Act requires employers subject to the federal minimum wage law to pay \$5.85 per hour beginning in early to mid July, 2007, \$6.55 per hour beginning 12 months after the \$5.85 per hour increase, and \$7.25 per hour beginning 12 months after the \$6.55 per hour increase.

These increase impacts Ohio employers in two ways. First, Ohio's minimum wage law requires (1) employees under the age of 16 and (2) employees of businesses with annual gross receipts of \$250,000 or less for the preceding calendar year to be paid not less than the minimum wage required under the federal law. Thus, beginning in early to mid July of this year, these two types of employees must be paid \$5.85 per hour.

Second, the federal law specifies that an employer who is subject to both the federal and a state minimum wage law is governed by the law that establishes the higher minimum wage. Because Ohio's basic minimum wage was increased to \$6.85 per hour last November, Ohio's minimum wage is higher than the federal wage. Thus, employer's who

are subject to both Ohio and federal minimum wage law must pay Ohio's wage (\$6.85 per hour) instead of the federal wage (\$5.85 per hour). However, in July, 2009, the federal wage may surpass Ohio's wage. In that month, the federal wage will be \$7.25 per hour. However, Ohio's \$6.85 per hour wage is adjusted each year based on the rate of inflation. Thus, before July, 2009, Ohio's wage will have been twice increased by the rate of inflation. Because of this adjustment, it's possible that Ohio's wage will still surpass the federal wage in July, 2009. However, if Ohio's wage is lower than the federal wage, then Ohio employers whose gross annual sales exceed \$500,000, or who are engaged in commerce, who were required to pay the Ohio wage will be required to pay the higher \$7.25 per hour federal wage.

For more information on the federal or state minimum wage laws, please contact Beth Dominic, CCAO Policy Analyst, at (614) 220-7996, (888) 757-1904, or bdominic@ccao.org.

WETLANDS GUIDANCE

On June 5, the Army Corps of Engineers (Corps) along with the U.S. Environmental Protection Agency (EPA) released long-awaited guidance on wetlands permitting jurisdictional decisions. This was in response to the Supreme Court's instructions in the 2006 consolidated cases of Rapanons v. the United States and Carabell v. United States.

The guidance attempts to clarify when a Clean Water Act (CWA) Section 404 permit is needed. The 404 permit program was originally created to control discharge of dredged or fill materials into "navigable" waters. These discharges include return water from dredged material disposed of on the upland and general any fill material (e.g. rock, sand, dirt) used to construct fast land for site development, roadways, erosion protection, etc. However, the program has been inconsistent regarding jurisdictional determinations nationwide.

According to the agencies, the purpose of the guidance is to "ensure that jurisdictional determinations, administrative enforcement actions and other relevant agency actions are consistent" with the 2006 Supreme Court decision. Through the guidance, the agencies hope to identify jurisdictional

waters by categories or on a case by case basis. Specifically, the guidance discusses the agencies' protection of three classes of waters through the following actions: (1) Continuing to regulate "traditionally navigable waters," including all rivers and other waters that are large enough to be used by boats that transport commerce and any wetlands adjacent to such waters; (2) Continuing to regulate "non-navigable tributaries that are relatively permanent and wetlands that are physically connected to these tributaries"; and (3) Continuing to regulate based on case-by-case determinations for other tributaries and adjacent wetlands that have certain characteristics that significantly affect traditionally navigable waters.

This policy, for the Corps district offices, is for guidance purposes only. It is not a regulation, although the agencies indicated that, based on public comment, they may consider future regulations. The agencies will accept comments for the next six months. They would like to hear specifically about experiences in applying the guidance. To submit comments: <http://www.regulations.gov>, identified by Docket No. EPA-HQ-OW-2007-0282.

The joint guidance is available at: <http://www.epa.gov/owow/wetlands/guidance/CWAwaters.html>. (Contact: Julie Ufner, NACo Associate Legislative Director, (202) 942-4269 or jufner@naco.org)

NACo ACTIVITIES

2007 COUNTY ENERGY STAR CHANGE A LIGHT CAMPAIGN

NACo, in cooperation with Office Depot, is pleased to announce the second annual County ENERGY STAR Change a Light Campaign, part of the Environmental Protection Agency's national ENERGY STAR Change a Light Campaign. Join with county governments from across the nation to help lower our country's energy consumption and curb greenhouse gas emissions.

The Campaign asks individuals to pledge to change a light in their home to an energy efficient one. In 2006, over 6,000 pledges were collected from county employees. This will help to prevent over 2.7 million pounds of greenhouse gas emissions thanks to an

energy savings of more than 1.7 million kWh. By popular demand, the 2007 County ENERGY STAR Change a Light Campaign has expanded to include county residents. The Campaign will be conducted over two phases. Counties have the option to register for either or both phases of this year's Campaign.

**Phase 1: County Employees
Pledge Collection: July 1– September 13, 2007**

**Phase 2: County Residents
Pledge Collection: October 3 – November 30, 2007**

Each individual who pledges will receive a coupon for \$3 off the purchase of an ENERGY STAR light bulb from Office Depot.

Go online today to register your county as a participant and for more information: www.naco.org/regCAL. Winning counties from each phase will receive special national recognition. For more information contact Kelly Zonderwyk, NACo Senior Associate, Community Services at (202) 942.4224 or kzonderwyk@naco.org.

VOTING CREDENTIALS - 2007 NACo ANNUAL CONFERENCE

The NACo Annual Conference will be held July 13-17, 2007 in Richmond, Virginia. To ensure that member counties can participate in the NACo annual election of officers and policy adoption for the "American County Platform," the NACo staff needs your help!

In order to vote, a county must have paid its membership dues for 2007 and have one paid registrant for the conference, according to NACo bylaws. Credentials information and a "NACo 2007 Credentials (Voting) Identification Form" was distributed about a month ago to member counties. Please indicate on the form the name of the voting delegate and alternate(s) authorized to pick up your county's voting materials. Additionally, the president of the board of county commissioners must sign the form.

In addition, the CCAO president or executive director are entitled to pick up unclaimed credentials during the conference on Monday, July 16. If you do not want CCAO to receiving your voting materials, please

check the box on the form.

If you have any questions about the credentials process, please contact Emily Landsman, Credentials Committee, National Association of Counties, 25 Massachusetts Ave NW, Washington, D.C. 20001, (202) 942-4242, or (202) 393-2630.

If you have any questions about CCAO's voting procedures at the NACo Conference, please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979, (888) 757-1904 or mjneiman@ccao.org.

GRANTS

GRANT OPPORTUNITY FOR WORKFORCE AREAS

The Staples Foundation for Learning is offering grants to provide funding to programs that support or provide job skills or education for all people, with a special emphasis on disadvantaged youth. The Foundation awards grants on a quarterly basis to those who qualify. To qualify, an organization must be a nonprofit 501(c)(3) corporation and must have a vision that aligns with the Foundation's mission. The deadline for submitting an application for the next grant award is August 3, 2007.

For more information, please visit the Foundation's website at www.staplesfoundation.org/foundapplication.html.

SEMINARS/WORKSHIOPS

DRUG TESTING FOR PUBLIC EMPLOYEES

Clemans Nelson & Associates will present a seminar, "Drug Testing for Public Employees: Where Employers are Between a Rock and a Hard Place," on July 18, 2007 at the Pontifical College Josephinum, 7625 North High Street, in Columbus. Registration begins at 8:00 a.m. and the program starts at 9:00 a.m.

For some time now, public employers have seemingly been pulled in opposite directions on the issue of employee drug testing. Some groups have

promoted wall-to-wall testing of all employees whether it is for pre-employment or post-accident. Legal scholars, on the other hand, have voiced skepticism about whether "suspicionless" drug testing is constitutional. Many employers are understandably uncertain about where the lines are drawn and where they are "gray." A recent Ohio Attorney General opinion seems to preclude any public entity from participating in the Bureau of Workers' Compensation Drug Free Workplace "Rate Reduction Program." The agenda will include: discussion of prior Federal and State cases; the OAG's opinion about the Rate Reduction Program; who is, or is not, "safety sensitive" in Ohio; leaving the program midstream--practical implications and cost considerations; proving legitimacy of the laboratory test result, what the SPBR has said about drug/alcohol possession, and much more. Registration fee is \$159. Register before July 6, 2007, or mention this article in CIDS when you register and you will receive a 10% discount. For more information, a program agenda, or to register contact: Karen Metzger, (800) 282-0787, or online at www.clemansnelson.com.

CLASSIFIEDS

EXECUTIVE DIRECTOR

Primary Responsibilities: The Executive Director of Butler County Children Services (BCCS) is the designated executive officer of the agency. Under the direction of the Butler County Administrator, the Executive Director shall assure that the agency continuously operates according to the appropriate statutes of the State of Ohio and the Ohio Administrative Code and in compliance with federal and state rules and regulations. The Executive Director will perform the work required of the position with care, skill and diligence and in accordance with the professional standards currently recognized in the social services profession. BCCS is committed to a renewed culture of team-based, quality guided continuous improvement, technology integration and interagency cooperation. The capacity to envision and contribute to a renewed culture that supports a clear mission and quality assurance is both an expectation and a professional opportunity. BCCS envisions a renewed high performance public service agency.

Minimum Requirements: Bachelor's Degree or equivalent experience. Minimum of eight years progressive management / administrative experience in a service delivery model required (governmental or private). Ability to lead, direct and supervise a large professional and unionized work force required. Solid background in budget management and planning critical for success. Able to oversee and lead a quality driven and learning organization committed to a technologically driven future. Experience in the area of juvenile and children services laws, statutes, rules and regulations are preferred. Willingness and capacity to lead an agency which is committed to an emerging, team-based, quality culture of continuous improvement. Demonstrated ability to model effective interaction and communication skills in cross-cultural situations required. Must be enthusiastic in representing the Agency at appropriate civic and community functions. Must be comfortable in representing the Agency in a variety of faith-based organizations and communities.

If interested, please send application/resume' to: Butler County Administrator, Butler County Commissioners, 315 High St., Hamilton, OH 45011, or e-mail to RogerL03@odjfs.state.oh.us or fax to (513) 887-4194. Applicants will be accepted through **June 24, 2007**. This position is unclassified and serves at the pleasure of the Board of Commissioners. EOE.

CHILD SUPPORT STAFF ATTORNEY

The Fairfield County Job and Family Services, Child Support Enforcement Agency (CSEA) seeks a self-starter to fill an entry-level position as a full-time Staff Attorney/Special Assistant Prosecutor. Responsibilities will include representing the CSEA in civil and criminal prosecutions, administrative and civil establishment of paternity, establishment of support orders and modifications, and preparation of motions, briefs and other legal documents. Readiness for a substantial caseload and excellent people skills are a must. The position involves a degree of professional autonomy in handling cases. Experience in child support issues and/or litigation is a plus. Applicants must be admitted to the Ohio Bar and be in good standing. The annual salary is \$38,792. Applicants should submit a resume, cover letter, writing sample, and civil service application to Human Resource

Director, 239 West Main Street, Lancaster, OH 43130 by **July 2, 2007**. Applications can be found on-line at <http://www.state.oh.us/das/dhr/jobapp.html>. NO PHONE CALLS PLEASE.

ASSISTANT DEPUTY ENGINEER

The Sandusky County Engineer is seeking a full-time assistant deputy engineer. Minimum qualifications: Completion of undergraduate degree in civil engineering along with the ability to obtain a Registered Professional Engineers License, in the State of Ohio. Experience in the operation of computer hardware/software; troubleshooting operating systems and associated problems with computer networking. Must possess a valid Ohio driver's license.

Duties: Assists in the design and support activities of the County Engineer's Office. Assists in the development design and review of; road, bridge and drainage plan; contract plan and specifications and documents; assists in the review of consultant plans; assists in managing contractor projects and assures compliance to specifications. Assists with project inspections and bridge inspections as needed. Coordinates projects with utility companies. Administers county permit system (e.g. overload,

right-of-way, driveways and drainage). Assists in the development and implementation of computer operations. Maintains inventory of computer hardware and software; sets up and maintains computer network systems; installs and maintains operating systems hardware and software; inspects and maintains virus protection on all computers; performs updates of all software and operating systems for all users; troubleshoots and resolves operation problems.

Position open until filled. Apply to: Sandusky County Human Resources, 108 S. Park Avenue, Fremont, OH 43420, phone (419) 334-6108, fax (419) 334-8984 or www.sandusky-county.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. 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.