



CIDS

County Information and Data Service

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JUNE 20, 2008

DATES TO REMEMBER

JUNE 23, 2008	CEBCO REGIONAL SEMINAR, CLINTON COUNTY COMMUNITY CENTER, CLINTON COUNTY (WILMINGTON)
JUNE 24, 2008	CEBCO REGIONAL SEMINAR, DEFIANCE COUNTY PUBLIC SAFETY & EMERGENCY MANAGEMENT AGENCY, DEFIANCE COUNTY (DEFIANCE)
JUNE 25, 2008	CEBCO REGIONAL SEMINAR, HOLIDAY INN ZANESVILLE, MUSKINGUM COUNTY (ZANESVILLE)
JULY 11-15, 2008	NACo ANNUAL CONFERENCE, JACKSON COUNTY (KANSAS CITY), MISSOURI (WWW.NACO.ORG)
JULY 14, 2008	CCAO LUNCHEON AND CAUCUS, KANSAS CITY MARRIOTT, JACKSON COUNTY (KANSAS CITY), MISSOURI
JULY 28, 2008	NW DISTRICT COMMISSIONERS AND ENGINEERS ASSOCIATION QUARTERLY MEETING, OTTAWA COUNTY (PUT-IN-BAY)
AUGUST 6, 2008	CCAO ANNUAL GOLF OUTING, OAKHAVEN COUNTRY CLUB, DELAWARE COUNTY (DELAWARE)
AUGUST 19-20, 2008	COUNTY COMMISSIONER DAYS, ROSS COUNTY (CHILLICOTHE)
AUGUST 29, 2008	CORSA ANNUAL MEETING, THE RAMADA PLAZA HOTEL & CONFERENCE CENTER, COLUMBUS

ASSOCIATION NEWS

MONDAY – AUGUST 18

COUNTY COMMISSIONER DAYS – AUG 19-20

Ross County Commissioners Jim Caldwell, Frank Hirsch, and Doug Corcoran and OSU Extension invite you to attend County Commissioner Days on August 19-20, 2008 in historic Ross County (Chillicothe) - Ohio's First Capital. Highlights of activities include:

Optional Golf Outing – Chillicothe Country Club, Woodbridge Avenue and Arch Street, (740) 775-0150. Experience 9-holes of rolling hills and lightning fast greens the evening before County Commissioners Days begin. Tee times are reserved for the first 24 golfers. Cost: \$25 payable by cash or check only at tee time. Call to schedule your tee time.

TUESDAY – AUGUST 19

- 9:30-11:30 a.m. – CCAO Board of Trustees Meeting – The meeting is open to all county commissioners and staff members. If you would like to address the Board, please contact Kathy Dillon, CCAO Office Manager and Boards' Liaison, at (614) 220-7998 or (888) 757-1904 by July 21, 2008.
- Photo Session – County commissioners and county OSU Extension agents may have their photo taken to include with a press release for home county media.
- Buffet Lunch (sponsored by CCAO)
- County Tours: historical/cultural, agricultural/industry, business/economic development, and government facilities/services.
- Dinner and Tecumseh out door drama

WEDNESDAY – AUGUST 20

- Breakfast (catered by the Ross County Farm Bureau)
- Educational Sessions I –How Cooperatives Can Impact Your Community Businesses; Central Business District: Measures of Success (and Failure); Van Wert County OSU Extension's Use of a County-Wide Economic Development Advisory Group to Benefit the Local Economy; Be Healthy Now: CCAO and OSU Extension Partnership for Healthy Employees; and the Winning 4-H Plan (for special needs youth).
- Educational Sessions II: Local Government Leadership Education for Elected and Appointed Officials in Ohio; Growing Community Through Farmers' Markets; Ohio Market Maker: Making Local Food Connections Through an Economic Development Tool; Worksite Wellness Efforts in Ross County; Ready or Not? Business Continuity Planning for the First Four Hours after an Emergency or Disaster; and Real Money, Real World (for youth).
- Closing Luncheon

Early registration fee – before August 4: Both days - \$98/one day - \$70/Tuesday or \$40/Wednesday.
Late registration fee – after August 4: Both days - \$108, one day - \$80/Tuesday or \$50/Wednesday.

Presenter: \$25. Child ticket to Tecumseh (16 years or younger) - \$10. Individuals are responsible for making their own lodging reservations. Please see the registration form for options.

For more information, please contact OSU Extension South East Region, 16714 Wolf Run Road, Caldwell, OH 43724, (740) 732-2381 or fax (740) 732-5992.

CEBCO REGIONAL SEMINARS TO BE HELD THROUGHOUT THE STATE IN JUNE

It's NOT too early to begin to think about healthcare benefits for 2009! 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, Carroll, Champaign, Clark, Darke, Delaware, Geauga, 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 23 - Southwest - Clinton County

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

June 24 - Northwest - Defiance County

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

June 25 -Southeast - Muskingum County

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

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 16 .

PHOTOS NEEDED: OHIO STATEHOUSE MUSEUM PHOTO PROJECT

The Capitol Square Review and Advisory Board (CSRAB) has developed a design plan to create updated, high-tech, interactive exhibits and educational programs at the Ohio Statehouse. CSRAB and CCAO have partnered on this project and are seeking the assistance of all counties. The Ohio Statehouse Museum Web site portal is featured on the front page and under the education tab of the Statehouse Web site – www.ohiostatehouse.org. The new Ohio Statehouse Museum is scheduled to be completed in early March 2009.

Thanks to **Allen, Champaign, Clinton, Fayette, Hancock, Henry, Knox, Putnam, Ross, Stark, Summit, Washington, Wayne, Wood, and Wyandot** counties for submitting CDs containing photos for the new Ohio Statehouse Museum project!

What type of photos should you send?

- Diverse current and historic photos of individuals who have served their fellow citizens and made a difference in your county.
- Examples: governors, legislators, business people, farmers, concerned citizens, athletes in action, and even school children.
- Random photos of people who are young, old, male, female, etc.
- Photos do NOT need to be the top historical figures of the county.
- Submit photos of 25 individuals on a CD.

Many counties have reported to CCAO that they have delegated the project to someone for completion. Please check with those individuals about the progress of your county photos! Due to the importance and significance of the project, the deadline has been extended to July 15, 2008. If you have any questions, please contact the Capitol Square Review and Advisory Board at (614) 752-9777.

IN MEMORIUM

JAY WELSH

Former Ashland County Commissioner Clarence Jay Welsh died on June 12. Born in Medina County, Welsh lived most of his life in Ashland County. Upon his retirement from a family business, he was elected Ashland County Commissioner for three terms from 1977 to 1989. Jay was a World War II Army veteran and fought in the Battle of the Bulge, receiving a Bronze Star. His daughter, Marti, is married to Jeff Byers, who is the son of former Ashland County Commissioner Marilyn Byers. CCAO extends heartfelt sympathy to the Welsh family. Notes of sympathy may be sent to Jeff & Marti Byers, 2677 C.R. 687, Loudonville, OH 44842.

STATE ACTIVITIES

READY OHIO: PREPARE...PLAN...STAY INFORMED

September is National Preparedness Month. The Ohio Department of Public Safety's (ODPS) Ohio Homeland Security is once again teaming with the U.S. Department of Homeland Security's *Ready* Campaign and FEMA's Citizen Corps Program to encourage businesses and organizations to *Resolve to be Ready in 2008*.

Last year, Ohio's National Preparedness Month activities received national attention. Weekly kickoff events were hosted by the EMAs in Cuyahoga, Scioto, Franklin, Lucas and Butler counties. This year, ODPS is asking every county to plan to hold one preparedness event. The *Ready* Campaign's focus this year is to encourage citizens to take the four important preparedness steps: Get a Kit; Make a Plan; Be Informed; and Get Involved. Ohio's focus will be the same as last year's: Ready Schools/Kids; Ready Businesses; Multicultural; and Ready Homes and Families. We're looking for another successful National Preparedness Month, but we can't do it without your help.

Go to www.ready.ohio.gov to become a partner, post your events and order your toolkit that includes

promotional aids and a form to order free copies of Ready brochures, booklets and posters.

SUPREME COURT RULES CHILDREN SERVICES AGENCY IMMUNE FROM LAWSUITS

Ruling in separate complaints against the Cuyahoga County Department of Children and Family Services, justices held in 6-1 decisions that:

1. A public children services agency and its employees, upon receiving a case referral, do not have a duty under R.C. 2151.421(A), pertaining to failure to report suspected child abuse, to cross-report to a law enforcement agency, and they are immune for failing to do so.
2. A political subdivision is not liable for damages in a civil action for injury, death, or loss to person or property allegedly caused by any act or omission in connection with its operation of a public children services agency except as specifically provided in statute. Ohio Revised Code 2919.22(A) pertaining to child endangering, does not expressly impose civil liability on a political subdivision and its employees and, therefore, does not support an exception to immunity under R.C. 2744.
3. "Recklessness" for purposes of loss of employee immunity under R.C. 2744 means a perverse disregard of a known risk. The actor must be conscious that his conduct will, in all probability, result in injury.

In the first case, (O'Toole v. Denihan, 2008-Ohio-2574), the Cuyahoga County agency received a hotline tip about the condition of a child. An intake supervisor gave the case a priority-one rating because the child reportedly had a mark on the left side of her head and other marks on her body. A social worker, who interviewed the child's mother and several others, did not believe she had a duty to notify police of the referral and investigation. In late April, the agency learned the child had died. Her mother was eventually convicted of child endangering, felonious assault, and murder. A wrongful death lawsuit was subsequently filed against the agency and several employees on

behalf of the child. The trial judge dismissed it, but the 8th District Court of Appeals found there were genuine issues of material fact that should have precluded summary judgment. The Supreme Court on Wednesday reversed the appellate panel, and said the agency was entitled to immunity.

In the second case (Rankin v. Cuyahoga County Dept. of Children and Family Services, 2008-Ohio-2567) a father sexually abused his child during supervised visitation at the children services agency. The mother sued the agency and the individual social workers, alleging that they breached a "special duty" to the child. The special duty doctrine is an exception to the public duty rule. The Court held that the special duty doctrine is not codified in R.C. 2744 and does not provide an exception to immunity on par with the exceptions to immunity set forth in R.C. 2744.02(B). Neither the agency nor the social workers were liable under a "special duty" theory. However, the record was insufficient to allow the court to determine whether social workers were reckless. If they were reckless, then they would lose their immunity. A trial judge granted summary judgment dismissal for the agency on grounds of immunity. The 8th District reversed, again finding there were genuine issues of material fact pertaining to liability. Chief Justice Thomas Moyer, writing for the majority, reversed the appellate panel after finding statute did not permit the claim against a political subdivision. Justice Paul Pfeifer was the dissenter in both cases.

CCAO retained the firm of Mazanec, Raskin, Ryder & Keller Co., a member of CORSA's defense panel, to file an amicus brief in support of the Cuyahoga County Department of Children and Family Services. For additional information, please contact Beth Miller, CORSA Claim and Litigation Manager, at (614) 220-7989, (888) 757-1904 or emiller@ccao.org.

SUPREME COURT'S 5-2 RULING BLOCKS LAWSUIT AGAINST LOCAL GOVERNMENTS OVER HAZARDOUS ROADS

A split Ohio Supreme Court ruled Wednesday that state law bars lawsuits against local governments whose actions may create hazards on highways -

so long as the roads are not totally blocked to traffic.

Justices rejected, in a 5-2 opinion, the attempt of a Montgomery County man to sue the Miami Township Fire Division over the death of his son.

The teenager was killed in a traffic accident allegedly caused when water from a controlled-burn training exercise coated a nearby road with black ice.

Donald Howard, the victim's father, filed a wrongful death action against the township in Montgomery County common pleas court. The trial judge granted summary judgment dismissal in favor of the township after ruling that the ice at issue did not amount to an "obstruction" under state law.

However, the 2nd District Court of Appeals ruled the lawsuit should proceed because the trial judge had applied too narrow a definition of the word obstruction.

Appellate judges said a broader definition, including "any object that has the potential of interfering with the safe passage of motorists," should have been used. The Supreme Court on Wednesday overruled the appeals panel and dismissed the lawsuit.

State law previously had said local governments were liable for damages caused by their failure to keep public roads open, in repair, and "free from nuisance." However, in April 2003 the General Assembly replaced the phrase "free from nuisance" with "other negligent failure to remove obstructions."

Justice Maureen O'Connor, writing for the majority, said legislators had purposely changed the wording.

"We are persuaded that the legislature's action ... was not whimsy but a deliberate effort to limit political subdivisions' liability for injuries and deaths on their roadways," Justice O'Connor said.

"The General Assembly, in furtherance of its goal, used the word 'obstructions' in a deliberate effort to impose a condition more demanding than a

showing of a 'nuisance' in order for a plaintiff to establish an exception to immunity," she said.

Agreeing with Justice O'Connor were Justices Evelyn Stratton, Terrence O'Donnell, Judith Lanzinger, and Robert Cupp.

Chief Justice Thomas Moyer dissented, as did Justice Paul Pfeifer. Justice Moyer said he believed an accumulation of ice on a public road could qualify as an obstruction.

"Under the majority's interpretation of the word 'obstruction,' Miami Township could be liable if it negligently leaves a large oil drum in one lane of a public road, but not if it negligently leaves a large quantity of oil on the road, because the former would block the road and the latter would not," he said.

"However, the latter situation would be at least as dangerous as the former. It makes little sense to hold political subdivisions liable for negligence that makes travel impossible while excusing liability for negligence that merely makes travel treacherous," Justice Moyer said.

The Court's ruling upholds the language in Senate Bill 106 which reduced political subdivisions' liability for injuries and deaths on public roadways. The Bill, enacted by the 124th General Assembly, was effective April 9, 2003. The efforts of the CCAO legislative staff, who collaborated with the Ohio Townships Association, the Ohio Municipal League, the Ohio School Boards Association, and the Ohio Alliance for Civil Justice, were instrumental in the passage of Senate Bill 106. The Bill provided significant additional immunity from lawsuits arising out of numerous functions of Ohio political subdivisions, in addition to roadway liability. For additional information about the Court's decision, please contact Beth Miller, CORSA Claim and Litigation Manager (emiller@ccao.org).

NACo ACTIVITIES

VOTING CREDENTIALS – 2008 NACo ANNUAL CONFERENCE

The NACo Annual Conference will be held July 11-15, 2008 in Jackson County (Kansas City),

Missouri. 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 2008 and have one paid registrant for the conference, according to NACo bylaws. Credentials information and a “NACo 2008 Credentials (Voting) Identification Form” were distributed on May 7 to member counties. Please indicate on the form the name of the voting delegate and alternate authorized to pick up your county’s voting materials. You must also indicate your county’s choice on the form in the event that your delegate does not pick up the county’s ballot. Your choices are:

- Allow **another county within your state** to pick up your ballot
- Allow **CCAO President Daniel Troy (or designee, such as CCAO Executive Director Larry Long)** to pick up your ballot
- Allow **no one** to pick up your county’s ballot.

Additionally, the president of the board of county commissioners must sign the form. On-site balloting procedures have also changed.

Please fill out the “NACo 2008 Credentials (Voting) Identification Form” in advance and return it by Friday, June 27 to: Credentials Committee, c/o Emily Landsman, National Association of Counties, 25 Massachusetts Avenue, NW – Suite 500, Washington, D.C. 20001, (202) 942-4242, fax (202) 393-2630 or elandsman@naco.org. More information can also be found on the front page of www.naco.org.

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.

ENERGY STAR LOCAL GOVERNMENT CHALLENGE

NACo has partnered with the U.S. EPA in the Energy Star Local Government Challenge. The program encourages counties to improve their

energy efficiency by 10 percent or more and provides assistance to counties to accomplish their goals.

A free, web-based tool is available through the program, to help counties track and assess the energy performance of their buildings. Certain buildings, such as county office buildings and courthouses, can receive a rating on a scale of 1 to 100. Scoring 75 percent or above puts a building in the top 25 percent of energy-efficient buildings nationwide.

To date, 57 counties have participated in the challenge, and data has been entered on at least 229 buildings. Of those, 19 have earned Energy Stars.

The challenge also provides counties with assistance in doing our-reach to their broader communities, by promoting energy-efficiency to commercial offices, retailers, healthcare organizations, schools, small businesses, congregations and others.

For more information, including the Energy Star Challenge Tool-kit, visit www.energystar.gov/challenge, or contact Kelly Zonderwyk, NACo Senior Associate, Community Services, at (202) 942-4224 or kzonderwyk@naco.org.

PUBLICATIONS

KEEPING AMERICA HEALTHY: NEW PROMISING PRACTICES GUIDE AND WEBSITE LAUNCHED

The Partnership to Fight Chronic Disease (PFCD) recently released a new resource called *Keeping America Healthy: A Guide To Successful Programs*, which highlights successful health and wellness programs in schools, communities, workplaces, and within the health system, and identifies the essential elements that these programs share. Within the document you’ll find nearly 150 programs featured as, *Programs that Work*, *Programs to Watch*, or *Programs with Promise*. In addition to the extensive, hard-copy document, a Web site has been launched - www.fightchronicdisease.org/promisingpractices -

on which you can search the database of programs by state, health target and setting; submit additional programs to be considered for inclusion on the site; and download the entire guide and its accompanying materials. Contact Jenny Camper with the Ohio PFCD at (614) 224-0658 or jcamper@lesiccamper.com if you have any questions.

CONFERENCES

OHPELRA SUMMER WORKSHOP

The Ohio Public Employer Labor Relations Association (OHPELRA) will host their 2008 Summer Workshop on Friday, July 11, 2008 at the Columbus Police Training Academy, 1000 North Hague Avenue, in Columbus. Registration and a continental breakfast begin at 9:00 a.m. Sessions will focus on “You Be the Arbitrator” and “Religious Discrimination Issues in the Workplace.” Lunch will be served. The workshop ends at 2:30 p.m.

Registration fee: FREE for OHPELRA members or \$150 for non-members. Cancellation deadline: July 7, 2008. For more information about the seminar or your OHEPRLA membership status, please contact Laura Joy Campbell, OHPELRA Treasurer, Butler County Department of Personnel, 315 High Street – Floor 6, Hamilton, OH 45011-6062, (513) 887-3595, fax (513) 785-5199 or campbellj@butlercountyohio.org.

OHIO FARMLAND PRESERVATION SUMMIT

“Bonding Ohio Together” is the theme of the 9TH Annual Ohio Farmland Preservation Summit that will take place on October 2, 2008 from 8:30 a.m. to 4:00 p.m. at the new Nationwide and Ohio Farm Bureau 4-H Center, 2201 Fred Taylor Drive, on The Ohio State University campus in Columbus. The Clean Ohio Fund’s renewal will be a focus of the gathering in addition to an exciting array of farmland protection topics. The summit key note speaker is David Kline, farmer, Amish minister, author, and publisher of *Farming* magazine. Other highlighted speakers include leaders from successful township, county and nonprofit programs (both in and outside of Ohio) who will provide examples of creative collaboration strategies. The day will feature breakout sessions

on a variety of topics ranging from landowner basics, statewide land-use policies, creative funding sources, and agriculture in the local economy. There will also be exhibition space and a lunch featuring Ohio foods.

For additional information about the conference, go to <http://cffpi.osu.edu/summit08.htm> or contact Jody Fife, Ohio Department of Agriculture’s Office of Farmland Preservation, at (614) 728-6210 or farmlandpres@agri.ohio.gov. Registration materials will be available in mid-August.

FREE GREEN GOVERNMENT WEBINARS

NACo, through the support of their Green Government Initiative sponsors, will be hosting a series of FREE green government webinars. The intended audience is any elected official or county staff; however, anyone interested in learning more about the county role in green government practices is encouraged to register. Participants will learn valuable background information on each subject, discover new resources, and hear case studies from various counties. Each webinar covers a different subject. To participate, all you need is a computer with internet access and a phone line! To register to go: www.greencounties.org and click on Webinars and Upcoming Events. For more information please contact Kelly Zonderwyck, Senior Community Services Associate and Affiliate Services Coordinator, NACo, 25 Massachusetts Avenue NW – Floor 5, Washington, DC 20001, (202) 942-4224, fax (202) 737-0480, or kzonderwyck@naco.org.

TRANSPORTATION SUMMIT

The Toledo Metropolitan Area Council of Government (TMACOG) will host the “2008 Transportation Summit” on Monday, September 15, 2008. TMACOG, founded in 1968, hosts this forum on top transportation issues for the region focusing on funding, economic development, safety and security, and green transportation. For more information on the Transportation Summit, please call (419) 241-9155 ext. 117 or www.tmacog.org – “What’s Hot.”

CLASSIFIEDS

EXECUTIVE DIRECTOR

The Mental Health and Recovery Board of Wayne and Holmes Counties is seeking an experienced professional to lead our agency in achieving its mission of providing a unified and comprehensive system of behavioral health services for the citizens of Wayne and Holmes Counties. The Executive Director manages and directs all operations of the Board. With responsibility for over \$12 million, the Board funds and monitors services that are provided by a network of contract agencies.

Successful candidates will have strong management, communication, and leadership skills, and a proven work history in the areas of financial planning and management, innovative problem solving, coalition building, and strategic planning. He/She must possess direct service experience and a familiarity with mental health, substance abuse, recovery and human service policies and practices.

Master's degree required, MPA, MBA, or behavioral social sciences preferred. Other highly desirable attributes include administrative experience in public behavioral health or nonprofit management, strong oral and written communications, levy experience, and external relations. Salary commensurate with education and experience and excellent fringe benefits including PERS and health plan. The MHRB is an equal opportunity/affirmative action employer.

Apply by sending a cover letter and resume, including contact information for at least three professional references by **July 1, 2008** to: Search

Committee, Mental Health and Recovery Board of Wayne and Holmes Counties, 2345 Gateway Drive, Suite C, Wooster, Ohio 44691. Applications may also be sent via fax: 330-264-7879 or email: jbogner@whmhrb.org

COUNTY PLANNING DIRECTOR

The Trumbull County Planning Commission is seeking to fill the position of County Planning Director. The Executive Director is responsible for developing and supervising the planning, community and economic development activities of Trumbull County, Ohio. Eligible applicants require a minimum of a Bachelor's Degree, Masters preferred, in Planning or a related field, and a minimum of seven years of related experience and/or training; excellent written and verbal communication skills; grant writing experience; and computer skills including word processing. Starting salary range from \$56,362 to \$68,369. Please send a resume to the: Trumbull County Planning Commission, 347 N. Park Ave., Warren, Ohio 44481. Application deadline is **Friday, July 11, 2008**.

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, by e-mail mjneiman@ccao.org.