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SEPTEMBER 4, 2009

DATES TO REMEMBER

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| SEPTEMBER 9, 2009 | UNDERSTANDING THE NEW FURLOUGH AUTHORITY REGIONAL SEMINAR, GREENE COUNTY SOCIAL SERVICES CENTER – MEDIA ROOM, GREENE COUNTY (XENIA) |
| SEPTEMBER 9, 2009 | CCAO AGRICULTURE & RURAL AFFAIRS COMMITTEE, CCAO OFFICES, COLUMBUS |
| SEPTEMBER 14, 2009 | UNDERSTANDING THE NEW FURLOUGH AUTHORITY REGIONAL SEMINAR, LOGAN HIGH SCHOOL - AUDITORIUM, HOCKING COUNTY (LOGAN) |
| SEPTEMBER 14, 2009 | NW DISTRICT COMMISSIONERS & ENGINEERS QUARTERLY MEETING, GREEN HILLS GOLF COURSE, SANDUSKY COUNTY (CLYDE) |
| SEPTEMBER 28, 2009 | CCAO REGIONAL BRIEFINGS, THE OLDE DUTCH RESTAURANT, HOCKING COUNTY (LOGAN) |
| SEPTEMBER 29, 2009 | CCAO REGIONAL BRIEFINGS, MARY YODER'S AMISH KITCHEN, GEAUGA COUNTY (MIDDLEFIELD) |
| SEPTEMBER 30, 2009 | CCAO REGIONAL BRIEFINGS, WOOD COUNTY COMMISSIONERS MEETING ROOM, WOOD COUNTY (BOWLING GREEN) |
| OCTOBER 5, 2009 | CCAO REGIONAL BRIEFINGS, CLINTON COUNTY ANNEX, CLINTON COUNTY (WILMINGTON) |
| DECEMBER 6-9, 2009 | CCAO/CEAO ANNUAL WINTER CONFERENCE, HYATT REGENCY, COLUMBUS |

ASSOCIATION NEWS

CCAO AGRICULTURE & RURAL AFFAIRS COMMITTEE – SEPT 9

Huron County Commissioner Gary Bauer, CCAO Agriculture & Rural Affairs Committee Chair, has scheduled a meeting of the committee on Wednesday, September 9 at the CCAO offices located at 209 East State Street in downtown Columbus. The meeting will begin at 10:00 a.m. and end at 1:00 p.m. Presentations by proponents of Issue 2 – the Livestock Care Standards Board constitutional amendment for the November ballot will be featured.

Lunch will be provided. Please RSVP your attendance to Janet Erwin, CCAO Administrative Assistant, at (614) 220-7986 or jerwin@ccao.org to assure an accurate lunch count. For more information about the meeting, contact Josh Hahn, CCAO Policy Analyst, at (614) 220-7982 or jhahn@ccao.org.

SANDUSKY COUNTY TO HOST NW DISTRICT MEETING – OPTIONAL TURNPIKE OVERPASS TOUR AVAILABLE

Sandusky County Commissioners Terry Thatcher, Dan Potter, and John Rettig and County Engineer James Moyer will host the NW Ohio Commissioners and Engineers Association Quarterly Meeting on Monday, September 14, 2009 at Green Hills Golf Course, 1959 South Main Street, in Sandusky County (Clyde).

Sandusky County Engineer James Moyer would like to offer an optional tour of the failing Ohio Turnpike overpasses in the county to any attendee that might be interested. Please contact Jim at (419) 334-9731 or jmoyer@sandusky-county.org for more information.

UNDERSTANDING THE NEW FURLOUGH AUTHORITY REGIONAL SEMINARS

The Ohio Council of County Officials (OCCO) is sponsoring five regional seminars on “Understanding the New Furlough Authority Granted in the State Budget Bill (HB 1) Seminars.” Registration begins at 8:30 a.m. with the seminar starting at 9:30 a.m. and ending at 12:30 p.m.

Nearly 260 people attended the first three regional seminars sponsored by OCCO. Registration for this seminar is limited to county elected officials, staff, and related county agencies that fall under the umbrella of the office of the county commissioners.

County appointing authorities received the much sought furlough authority for non-collective bargaining employees. HB 1 permits each county appointed authority to establish a mandatory program that each non-collective bargaining employee must participate in for up to 80 hours in each of state fiscal years 2010 and 2011. Plan to attend one of the final two seminars:

- **September 9** – Greene County Social Services Center – Media Room, 541 Ledbetter Road, Greene County (Xenia). Registration begins at 8:30 a.m. with the seminar starting at 9:30 a.m. and ending at 12:30 p.m.
- **September 14** – Logan High School – Auditorium, 14578 State Route 328, Hocking County (Logan). Registration begins at 8:30 a.m. with the seminar starting at 9:30 a.m. and ending at 12:30 p.m.

There is no charge to attend, but space is limited. There will be a \$10 charge for no-shows, but last minute substitutions are welcome. Registration forms are being distributed to county commissioners this week. To download a copy go to www.ccao.org and click on the story on the front page. For more information, please contact Amanda Jones, CCAO Administrative Assistant, at (614) 220-7985, (888) 757-1904, or ajones@ccao.org.

REGIONAL CCAO SEMINARS!

To help county commissioners and key staff better understand provisions included in the recently enacted state budget (House Bill 1) and other legislation, CCAO staff has scheduled four regional briefings. Staff also will be available to answer questions commissioners may have on general county matters. In addition, CCAO staff will highlight workers' comp programs available as the result of changes at the BWC and CCAO's involvement in developing options for counties. This will include a brief overview of workers' comp rating options – self insurance and retrospective rating; recent changes to group rating and deductibles; an explanation of the newly developed Group Retro option; and possible changes in BWC discount programs.

The dates include:

- **September 28** – Hocking County (Logan)
The Olde Dutch Restaurant, 12791 State Route 664 South, Logan

- **September 29** – Geauga County (Middlefield)
Mary Yoder’s Amish Kitchen, 14743 North State Street, P.O. Box 804, Middlefield
- **September 30** – Wood County (Bowling Green)
Wood County Commissioners Meeting Room, One Courthouse Square, Bowling Green
- **October 5** – Clinton County (Wilmington)
Clinton County Annex, 111 South Nelson, Wilmington

Registration begins at 8:30 a.m. with the program starts at 9:00 a.m. Lunch will be provided. The program will wrap up by 3:00 p.m. The seminar is FREE to county commissioners and their key staff, though no-shows will be charged \$10. There is a \$20 charge for other attendees. An article and registration material is attached to the story on the front of the CCAO website (www.ccao.org). For more information, please contact Amanda Jones, CCAO Administrative Assistant, at (614) 220-7985, (888) 757-1904, or ajones@ccao.org.

IN MEMORIAM

DELMER ‘DEL’ L. BONE

Former Greene County Commissioner Delmer ‘Del’ L. Bone, 79, passed away on September 2 following a short illness. A Greene County native of pioneer stock, Del began his professional career with the U.S. Department of Agriculture where he worked for 20 years. He was the youngest person to be appointed by the State of Ohio to manage the Agricultural Stabilization and Conservation Service office. In addition, Del and his wife, Audrey, owned and managed a florist shop and two beauty salons.

Del served as Greene County Commissioner from 1981 through 1996. He was involved in many county and community activities and projects, but his biggest legacy is the U.S. 35 Corridor Project from the Ohio River northward and across Greene and other counties.

CCAO extends heartfelt sympathy to his widow, Audrey, and the Bone Family. Notes of sympathy may be sent to the family at 208 North King Street, Xenia, OH 45385.

PAUL F. ‘FRANKIE’ REINHART

Former Auglaize County Commissioner Paul F. “Frankie” Reinhart, 90, died on September 1, while mowing at his farm in New Hampshire, OH. Paul was a long-time farmer. He was an Army veteran of World War II serving in the European Theater, where he received the Purple Heart and the Bronze Star for valor. He was a trustee for Goshen Township from 1947 to 1965, and an Auglaize County Commissioner from 1966 to 1983.

Paul was actively involved in community, veterans, and church activities. He enjoyed golfing, watching his grandsons sporting events, mowing grass at the farm and breakfast at McDonald’s in Wapakoneta.

CCAO extends sympathy his widow, Eileen, and the Reinhart Family. Paul’s son, Doug, is the Auglaize County Engineer. Notes of condolence may be sent to The Reinhart Family at 17811 Mudsock Road, Wapakoneta, OH 45895 or online at www.bayliffandelelyfh.com.

STATE ACTIVITIES

BALANCED GROWTH WATERSHED PLANNING PROJECTS

A joint Request for Proposals (RFP) has been released by the Ohio Lake Erie Commission (OLEC) and the Ohio Water Resources Council (OWRC) calling for projects to develop Balanced Growth Watershed Plans in Ohio. Groups who will have an interest in developing projects will be watershed planning partnerships which

are locally determined organizations that could include local government representatives, planning agencies, councils of governments, special purpose authorities, and/or non-governmental organizations.

Awards of up to \$100,000 each will be made for up to eight projects across Ohio to take part in the two-year planning process. The RFP can be accessed in PDF format at <http://balancedgrowth.ohio.gov> with application deadline of October 16, 2009. All applications from any watershed in the state are to be submitted to the Ohio Lake Erie Commission Office at One Maritime Plaza – Floor 4, Toledo, OH 43604. Selection of watershed projects in the Ohio River Basin will be made by the Ohio Water Resources Council and in the Lake Erie Basin by the Ohio Lake Erie Commission.

For any additional questions on the RFP or the Balanced Growth Program, please contact the OLEC Office at (419) 245-2514 or Gail Hesse of the OWRC at (614) 644-2146.

CERTIFYING COUNTY HOME BEDS

In the recently-passed biennial budget, the moratorium on nursing home beds enacted in 1993 was modified. The Department of Health may issue Certificate of Need (CON) licenses if, based on a bed need formula, beds shift within a county or between counties. However, the moratorium was extended for new nursing home beds. In order to preserve the opportunity for future certification and licensure of the beds, each county home and county nursing home must certify and document to the Director of Health the number of long-term care beds that were in operation in the home on July 1, 1993. Each home must document beds no later than November 1, 2009.

ORC PATHWAYS PROGRAM

The Ohio Rehabilitation Services Commission (RSC) announced that the Pathways II Project, directed at services to Ohio citizens with developmental disabilities, will be accepting applications until 5:00 p.m. on September 15, 2009. Local cash match allows Ohio to access federal dollars at the 78.7 percent match ratio.

Expansion proposals/projects must be partnerships between RSC and state/local government entities. The partner will provide a minimum of \$200,000 for a local cash match which can NOT contain federal dollars nor can the dollars be used as match for any other program. RSC will use this local cash match to access federal dollars at the 78.7 percent match ratio. For example, a project which contributes \$200,000 local match will draw down a federal match of \$738,967, bringing the project total award to \$938,967. RSC retains 13% of all total awards to cover the cost of administering the programs. Individuals served through these programs must be RSC consumers.

Final review and award announcements will take place after September 15, 2009. Upon awarding contracts, RSC will need the local match to be turned in no later than September 21, 2009, allowing RSC the opportunity to secure federal match dollars. While the turn-a-round time is aggressive on this RFP, RSC plans to offer additional opportunities in the coming year.

To view the RFP please visit the 'What's New' section at www.rsc.ohio.gov. For more information about the Request for Proposal, contact Program Coordinator, Renee Kimbell, at (419) 866-5811 or renee.kimbell@rsc.state.oh.us.

BWC BOARD CONSIDERS FURTHER RATE CUTS FOR PUBLIC EMPLOYERS, TOUTS TWO YEAR PROGRESS

Last week, the Bureau of Workers' Compensation (BWC) reconstituted leadership team lauded premium rate cuts over the past two-years and said it was considering further reductions for public employers. Ohio's 3,800 public taxing districts, which include cities, counties, townships, villages, and schools, could see a rate cut of nearly 20% for the policy year starting in January 2010.

The BWC announced an average 17% reduction in base rates for all public employers. The actual reduction in counties' base rates will be 18%. BWC staff had recommended a reduction for public employers of 17%. Committee members are considering a cut as high as 19.8%. The panel will consider specifics of the proposal and vote on next year's public employer rates during its next meeting on September 25. A recent review by Oliver Wyman Actuarial Consulting, Inc. recommended BWC reduce public employer rates anywhere from 12.1% to 24%.

The proposed changes were based on projections that estimate next year's costs, with adjustments for inflation, frequency of claims, and the impact of rising or falling payroll. The potential reduction follows a 5% cut for public employers that the board approved last November. Premium rates for private employers were also reduced 5% in 2008 and 12% in 2009, and state agencies and universities saw rate decreases of 10% and 3.75% respectively.

In a news release the bureau touted additional accomplishments over the last two years:

- Reducing the maximum discount to 77%.
- Imposing a 100% cap on premium increases due to an employer's claim history to limit extreme cost swings for many employers.
- Achieving an average 25.3% rate decrease for private, non-group employers.
- Creating two new insurance options (deductible and group retrospective).
- Reducing out-of-pocket cost for employers and improved safety for workers.
- Updating fee schedules for physicians and other medical professionals who provide care for injured workers.

FEDERAL ACTIVITIES

RESTORE THE PARTNERSHIP ACT INTRODUCED IN CONGRESS

NACo members approved more than 100 resolutions at the 2009 Annual Conference held in Davidson County (Nashville). But for many, one last-minute resolution was the culmination of years of hard work and symbolized NACo's long-term commitment to restoring the federal-state-local government partnership.

The resolution simply states: "NACo supports the passage of H.R. 3332, a bill to create a National Commission on Intergovernmental Affairs." Introduced on July 24 by Rep. Gerry Connolly (D-VA), H.R. 3332 — the Restore the Partnership Act of 2009 — would establish a permanent, bipartisan National Commission on Intergovernmental Affairs to facilitate the fullest cooperation and coordination between all levels of government.

It is anticipated that the commission will bring together representatives of federal, state and local governments to discuss and give critical attention to common problems. The commission would have 30 members, four of which would be appointed by the president of the United States from a list of names submitted by NACo, at least two of which must be from counties with a population of less than 50,000. The first meeting of the commission would take place within 90 days after the enactment of the bill.

For more information, contact Steve Traylor, NACo Associate Legislative Director, at (202) 942-4254 or straylor@naco.org.

PUBLICATION

CAT WOBBLES ITS WAY INTO FULL EFFECT; REPORT FINDS WEAK CAT REVENUES

Ohio's broad state tax on business – the Commercial Activity Tax (CAT) – has now gone into full effect. A report issued last week from Policy Matters Ohio finds that like Ohio's other major state taxes, the CAT is producing less revenue than was anticipated earlier. This is a source of problems for the state budget. The CAT:

- Fell \$94.9 million or 7.4 percent in Fiscal Year 2009 below projections from earlier this year.
- Is now expected to generate \$1.4 billion in revenue in the current fiscal year, \$200 million below what was anticipated as recently as February.
- Is now expected to fall \$476 million short over the FY2010-2011 biennium of generating enough to reimburse schools and localities. Revenue from the tax is currently used to reimburse school districts and local governments for the taxes they no longer receive because of the phase-out of a local business property tax.

Policy Matters Ohio is a nonprofit, nonpartisan research institute with offices in Cleveland and Columbus. For more information please contact Zach Schiller, Research Director, Policy Matters Ohio, 3631 Perkins Avenue - Suite 4C – East Cleveland, OH 44114, (216) 361-9801, fax (216) 361-9810, or www.policymattersohio.org. To read a copy of the report at www.policymattersohio.org/NotFatCAT2009.htm.

CONFERENCE

THE SERB ACADEMY

The State Employment Relations Board (SERB) will hold "The SERB Academy" on October 22 & 23, 2009 and March 25 & 26, 2010. The SERB Academy is for newcomers to public sector collective bargaining or for those who will be working in positions where they need to know how Ohio's law governs labor relations in the public sector. It is an intensive two-day review of representation, dispute settlement, and unfair labor practice matters covering the law, the administrative rules, and the day-to-day procedures of the agency.

Registration fee: \$275 (includes all sessions and course materials disk.) Registrations must be received by 5:00 p.m. on October 14, 2009 and March 17, 2010. Space is limited - register as soon as possible! The Academy will be held in the SERB offices located at 65 East State Street – Floor 15, Columbus OH 43215. A limited block of sleeping rooms is being held at the Hyatt on Capitol Square at a cost \$80/night. Please make reservations directly with the Hyatt (614) 228-1234.

Please go to our website at www.serb.state.oh.us and click on "The SERB Academy" for more information. If you have any questions, please contact SERB Academy 2009, State Employment Relations Board, 65 East State Street – Floor 12, Columbus, OH 43215-4213, (614) 466-2963 or tjohnson@serb.state.oh.us.

ATTORNEY GENERAL'S OPINIONS

SYLLABUS

2009-030

1. Before an "agency or authority," as described in the final sentence of R.C. 5705.03(B)(3), requests a taxing authority to submit a tax levy to the electors, the agency or authority is required by R.C.

5705.03(B) to request and receive a certification of tax valuation and millage from the county auditor. There is no need or authority for the taxing authority to request an additional or alternate certification.

2. An "agency or authority" authorized to request a taxing authority to submit a tax levy on its behalf within the meaning of R.C. 5705.03(B)(3) includes the board of library trustees of a county, municipal corporation, school district, or township public library under R.C. 5705.23 and the board of health of a general health district under R.C. 3709.29. It does not include a county MR/DD board, a county children services board, a community mental health board, an alcohol and drug addiction services board, or an alcohol, drug addiction, and mental health board.

SYLLABUS

2009-031

A county that has adopted a final plan for the provision of wireless enhanced 9-1-1 under R.C. 4931.40-.70 may rotate on a monthly basis the public safety answering points that will receive moneys disbursed to the county from the wireless 9-1-1 government assistance fund under R.C. 4931.64(B).

CLASSIFIEDS

OTCS PROGRAM MANAGER (9-1-1 COMMUNICATIONS CENTER MANAGER)

Clermont County seeks a full-time OTCS program manager to provide management through direct supervision and responsibility of county-wide public safety communications, including 9-1-1 telephone services and information systems that provide for the exchange of information between police, fire, emergency medical, and emergency management response services. Develops strategic plans, capital budgets, management plans and annual work plans. Guides all programs to ensure compliance with agency mission, goals, and objectives adopted by the Board of County Commissioners. Makes recommendation to the Office of Technology, Communications, and Security (OTCS) Director on issues relative to operations and strategic plans. Pre-planning of information and communications technology to develop coordinated approach and utilization of multi-agency resources that anticipates emergencies and disasters, effectively applies resources to respond.

Qualifications: Requires completion of an undergraduate degree with major course work in public administration, emergency communications, or a related field, or the equivalent in knowledge, skills, or experience. Must have National Incident Management System (NIMS) certification in IS-700, IS-800, ICS-100, ICS-200, and ICS-300. Requires 10 years experience with increasing responsibility in the areas of emergency communications, emergency dispatch operations, emergency response, or a related field. Application Deadline: **4:30 p.m. on September 11, 2009**. For more information, contact Clermont County Human Resources, 101 East Main Street, Room 322, Batavia, OH 45103, (513) 732-7110, or www.clermontcountyohio.gov/careers.aspx. EOE.

EMERGENCY MANAGEMENT AGENCY DIRECTOR

Clermont County seeks a part-time emergency management agency director to provide management through direct supervision and responsibility of emergency management, Local Emergency Planning Committee (LEPC), and information systems that provide for the exchange of information between police, fire, emergency medical, and emergency management response services. Develops strategic plans, capital budgets, management plans and annual work plans.

Qualifications: Requires completion of an undergraduate degree with major course work in public administration, emergency management, or a related field, or the equivalent in knowledge, skills, or experience. Must have National Incident Management System (NIMS) certification in IS-700, IS-800, ICS-100,

ICS-200, ICS-300, and ICS-400. Requires 10 years experience with increasing responsibility in the areas of emergency/incident management, emergency dispatch operations, emergency response, or a related field. Responsible for coordinating the efforts of the Local Emergency Planning Committee (LEPC). Application Deadline: **4:30 p.m. on September 11, 2009**. For more information, contact: Clermont County Human Resources, 101 East Main Street, Room 322, Batavia, OH 45103, (513) 732-7110, or www.clermontcountyohio.gov/careers.aspx. EOE.

DIRECTOR OF EMERGENCY MANAGEMENT AGENCY

Huron County seeks a director for their Emergency Management Agency. This full-time, unclassified, exempt position reports to the Board of Commissioners. Responsible for operation of EMA for Huron County, including preparedness for disaster response, hazardous materials releases, acts of war or terrorism, weather-related emergencies, and earthquakes. Coordinates the County 911 system. Must pass criminal background check and blood and alcohol screen. Must be or become certified as required by state and federal guidelines, possess valid Ohio driver's license with acceptable driving record as verified by the BMV. Must have a combination of education and significant experience in emergency management or related field. For a complete job description and application log on to www.hccommissioners.com. Submit resume, application, list of three references, and salary requirements **by September 14, 2009**, to Director of Human Resources, 12 East Main Street - Suite 102, Norwalk, OH 44857. Incomplete applications will not be considered. All resumes and applications are public records. EOE.

DIRECTOR OF SANITARY ENGINEERING

The Jefferson County Commissioners seek a Director of Sanitary Engineering. Unclassified salaried position for the Jefferson County Water & Sewer Department. Bachelor's Degree in Engineering is preferred. Applicant should have at least five years experience in water and wastewater treatment. Other duties include but not limited to, ability to monitor all phases of the Water and Sewer District's system operation. Supervise all District Personnel including union and non-union employees. Application deadline **4:00 p.m., on September 16, 2009**. Send resumes to Jefferson County Commissioners, Attn: Linda Porter, Clerk, 301 Market Street, Steubenville, OH 43952. EOE.

ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

The Board of Commissioners of Gallia County is seeking qualified applicants for the position of Gallia County Economic and Community Development Director. The individual selected will work with the Gallia County Commissioners office in an unclassified position. The Director will be responsible for coordinating and facilitating activities and efforts of the area agencies, businesses and industries working toward the economic growth of Gallia County. A detailed position description can be obtained at www.gallianet.net under the Gallia County Commissioners site.

Bachelor's Degree in business administration, city planning, public administration, marketing or related field. Two years experience in economic development, planning, manufacturing or equivalent combination of education and experience. Salary negotiable based on experience and qualifications. Fulltime with benefits (i.e., vacation, sick leave, health insurance, retirement systems, etc.) Interested applicants can submit a resume to Terry Hemby, Clerk of the Board of Gallia County Commissioners, at 18 Locust Street, Room 1292, Gallipolis, OH 45631 or at www.ohiomeansjobs.com no later than **4:00 p.m. on September 24, 2009**. EOE.