



CIDS

County Information and Data Service

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OCTOBER 23, 2009

DATES TO REMEMBER

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| OCTOBER 29, 2009 | CCAO COUNTY & LOCAL GOVERNMENT REFORM & COLLABORATION TASK FORCE, CCAO OFFICES, COLUMBUS |
| NOVEMBER 6, 2009 | CCAO FISCAL, ECONOMIC DEVELOPMENT & INFRASTRUCTURE COMMITTEE, CCAO OFFICES, COLUMBUS |
| DECEMBER 6-9, 2009 | CCAO/CEAO ANNUAL WINTER CONFERENCE, HYATT REGENCY, COLUMBUS |
| MARCH 6-10, 2010 | NACo LEGISLATIVE CONFERENCE, MARRIOTT WARDMAN PARK HOTEL, WASHINGTON, D.C. |

ASSOCIATION NEWS

129th CCAO/CEAO ANNUAL WINTER CONFERENCE & TRADE SHOW

Mark your calendars and plan to attend the 129th CCAO/CEAO Annual Winter Conference and Trade Show to be held December 6-9, 2010 at the Hyatt Regency, 350 North High Street, in Columbus. Register for the conference by November 13 to get the pre-registration discount. Everyone attending the conference must register, even if you are attending meetings only. Registration materials and an updated draft agenda are on the CCAO website at www.ccao.org. Click on the story on the front page.

SPOUSE/GUEST ACTIVITY & LUNCHEON – Monday, December 7

All CCAO/CEAO Spouse/Guest registrants are invited to participate in an event planned on Monday, December 6. Buses will depart from the Hyatt Regency at 9:30 a.m. and travel to the City of Worthington.

Worthington was one of the Midwest's first planned communities, blending commerce, residential life, education, and faith. Founded in 1803, Worthington reflects its dignified New England heritage with authentic brick sidewalks leading to the central Village Green where many of the city's original commercial buildings and churches still stand proudly. Today, as in ages past, people come to meet and greet on the Village Green and stroll the streets of downtown Worthington.

Upon arrival in Worthington, spouses/guest will visit The Candle Lab (www.thecandlelab.com) to make your own hand-poured soy candles. Design your label and select from 120+ pure fragrance oils or mix your oils. Candles will be poured by trained employees at The Candle Lab.

Lunch will be served at The Worthington Inn (www.worthingtoninn.com), which was built by Rensselaer W. Cowles, a former county commissioner, as a private residence in 1831. In 1852, the inn was changed into a traveler's inn on one of Columbus' most traveled thoroughfares. Over the last 157 years, the Inn has changed and grown while maintaining its historical integrity. At the conclusion of lunch, the candles will be delivered to the Inn for you to take home. Buses will return to the Hyatt after lunch.

CCAO/CEAO General Session – Monday afternoon, December 7

- State General Fund & Transportation Budget Challenges: Where Do We Go From Here? *We all know that the economy has impacted both state and county budgets. But where do we go from here? Where are we for the rest of this biennium and what is the outlook for the next state budget? How has the federal stimulus money helped us and what happens when this money and other one-time monies are not longer available? What are the state budget implications to counties?*

CCAO Sessions – Monday, December 7

- Workers' Compensation Options for Counties
- Transition to Law Library Resource Boards
- Counties Facing Financial Challenges: Understanding What Fiscal Emergency Means
- When Bad Things Happen to Good Counties
- Wellness on a Budget
- Local Impact of the State Budget on Human Services
- Ethics Update
- CCAO Legislative Update
- Area 7 Consortium Meeting
-

CCAO Sessions – Tuesday, December 8

- OSU Extension Restructuring Update: Dialog with the Director
- Funding the Courts – Seeing it from Both Sides
- Pension Reforms: Proposed Changes in PERS, Age & Service, and Vesting
- CCAO Deferred Comp Plan Updates and Enhancements
- Network of Care™
- Budget Seminar for Small Counties
- CCAO Annual Meeting and Election of Officers

CCAO/CEAO Session – Wednesday, December 9

- Public Records Training

The headquarters hotel is the Hyatt Regency, 350 North High Street, in Columbus. Rate: \$139 single/double. Reservation deadline: November 14. To reserve a room call (888) 421-1442, (402) 592-6464 or <http://columbusregency.hyatt.com/groupbooking/cmhrc2009ccas>.

CCAO FISCAL, ECONOMIC DEVELOPMENT & INFRASTRUCTURE COMMITTEE - NOVEMBER 6

Tim Bubb, Licking County Commissioner and Chair of the CCAO Fiscal, Economic Development & Infrastructure Committee, has scheduled a meeting of the committee on Friday, November 6 from 11:00 a.m. to 1:30 p.m. in the CCAO offices, 209 East State Street, in Columbus. The purpose of the meeting is to discuss funding for the board of tax appeals, legislation permitting DTAC funds to be transferred to the county general fund, draft legislation permitting the creation of a new economic development tool called an Ohio Opportunity Area, and updates of taxation of wind turbines and possible revision to Ohio's tax incentive laws.

Lunch will be provided. To assure an accurate lunch count, please RSVP to Janet Erwin, CCAO Administrative Assistant, (614) 220-7986 or jerwin@ccao.org.

REQUESTS TO CCAO NOMINATING COMMITTEE DUE NOVEMBER 3

In mid-September, Daniel Troy, Lake County Commissioner and CCAO Nominating Committee Chair, sent each county commissioner a memo detailing CCAO nominating procedures for 2009. A copy of the nominating memo and procedures are located on the CCAO website at www.ccao.org. Click on the story on the front page.

The Committee will nominate individuals for the offices of president, first vice president, second vice president, secretary, and treasurer. It will also recommend eight members to serve two-year terms on the CCAO Board of Trustees in 2010 and 2011. The eight members whose terms to the Board expire this year include: Mike Adelman (Huron), Sam Bassitt (Allen), Nick Kostandaras (Summit), Deborah Lieberman (Montgomery), Joe Moroski (Ashtabula), Richard Myers (Henry), Otto Nicely (Defiance), and Bill Young (Geauga).

The nine members appointed by President Metzger whose one-year term to the Board expires at the end of this year include: Steve Arndt (Ottawa), Thomas Graham (Jefferson), Brian Hill (Muskingum), Peter Lawson Jones (Cuyahoga), Gary Lee (Union), Ann Obrecht (Wayne), Bob Peterson (Fayette), Penny Traina (Columbiana), and Tom Wheaton (Carroll).

Finally, the CCAO Nominating Committee Request Form and Candidate Questionnaire must be submitted by November 3, 2009 to Daniel Troy, Lake County Commissioner, 105 Main Street, PO Box 490, Painesville, OH 44077-0490. In addition, mail a copy to CCAO, 209 E. State Street, Columbus, Ohio 43215, in an envelope marked: NOMINATING COMMITTEE – ATTENTION: KATHY DILLON. If you have any questions, feel free to contact the Nominating Committee Chair Daniel Troy at (440) 350-2745, or CCAO Executive Director Larry Long at (614) 221-5627.

COUNTY ACTIVITIES

AUTHORITY TO CONTRACT FOR HEALTH INSURANCE

In a recent decision, the Fifth District Court of Appeals affirmed that it is a board of county commissioners, not a third party, that has the authority to contact for health insurance in a county. The court ruled that the binding conciliation process contained in ORC 4117.14 does not usurp the statutory authority provided in ORC 305.172 to a board of county commissioners to contact for, purchase, or otherwise procure health insurance for county employees. In addition, the court concluded that ORC 4117.10 does not preempt the general contracting powers outlined in ORC 307.86.

This issue arose during negotiations between the Licking County Sheriff's Office and the Teamsters Local Union No. 637 in May, 2008. The Teamsters proposed a specific insurance plan known as the "Michigan Plan" (i.e., Michigan Conference of Teamsters Welfare Fund.) The inclusion of the Michigan Plan in the collective bargaining agreement was opposed. The Teamsters maintained its position to binding conciliation. The Conciliator awarded the Union's proposal and required the Sheriff's office provide its employees the Michigan Plan through the collective bargaining agreement.

Following the Conciliators Award, a Motion to Vacate was filed with the trial court by the Sheriff's Office. The argument stated that the Conciliator exceeded his authority by usurping the powers of the Board of County Commissioners and requiring a Sheriff's Office to do what it doesn't have the authority to do (i.e., contact for health insurance.) The Conciliators Award was vacated by the trial court. The Union appealed. In the end, the appeals court confirmed the powers of the Board of County Commissioners.

MEDINA COUNTY AUDITOR RECEIVES ABOVE & BEYOND AWARD

The Medina County Auditor's Office is proud to announce that Auditor Michael E. Kovack received the prestigious state-wide "Above and Beyond Award" at the Empowering and Strengthening Ohio's People (ESOP) 2009 Gala Celebration held in Cleveland.

Last year, after extensive research, Auditor Kovack partnered with ESOP to assist homeowners having difficulty with their mortgage payments in Medina County. That partnership has become the most effective form of assistance offered to homeowners in the county with people being referred to the Auditor's Office on a daily basis. Through his website, press releases and inserts in the county tax and local utility bills, Auditor Kovack has promoted the assistance available through the ESOP program. The success of the program has made Medina County a leader throughout the state in addressing the problem head-on.

Since partnering with ESOP in December of 2008, over 600 families in Medina County have sought assistance facing their mortgage issues. For more information regarding this program, contact (330) 725-9137.

STATE ACTIVITIES

2010 COUNTY HOLIDAY SCHEDULE

HOLIDAY	LEGAL HOLIDAY
New Year's Day	January 1
Martin Luther King Day	January 18
President's Day	February 15
Memorial Day	May 31
Independence Day	July 5
Labor Day	September 6
Columbus Day	October 11
Veteran's Day	November 11
Thanksgiving Day	November 25
Christmas Day	December 24

OHIO INSURANCE DEPARTMENT TO HOLD FREE MEDICARE CHECK-UP DAYS ACROSS STATE

The Ohio Department of Insurance – through its Ohio Senior Health Insurance Information Program (OSHIIP) – is traveling the state through the end of the year to help eligible Ohioans, family members, and caregivers understand the different Medicare coverage options, and to provide assistance with plan selection. OSHIIP is conducting free and unbiased "Medicare Check-up Days" in each of Ohio's 88 counties to complement Medicare's annual "coordinated election" period, which starts November 15 and ends December 31. Coverage secured during this open enrollment period will begin January 1, 2010.

During the coordinated election period, people on Medicare can select one of several coverage options: original Medicare for their health coverage needs paired with a stand-alone Part D prescription drug plan; a Medicare Advantage Plan, which provides comprehensive health benefits including drug coverage; or determine if their existing coverage already meets their health insurance needs. Plan benefits may change each year so Ohioans are encouraged to contact OSHIP for a plan review. In addition, financial assistance is available to those with limited income.

For a complete listing of available Part D and Medicare Advantage plans, visit www.medicare.gov. Those with Medicare questions and those who need enrollment assistance (starting November 15) and/or information about financial assistance programs can call OSHIP at 1-800-686-1578 Monday through Friday, 7:30 a.m. to 5:00 p.m., or Medicare at (800) 633-4227, 24 hours-a-day, seven days-a-week. A listing of Medicare Check-Up Days is available on the Department's web site at www.insurance.ohio.gov.

UNEMPLOYMENT TOPS 15% IN TWO COUNTIES; YOUNGSTOWN HIGHEST AMONG CITIES AT 13.3%

Unemployment rates across Ohio during September ranged from a high of 15.3% in Highland County to a low of 6.3% in Holmes County, according to the Ohio Department of Job and Family Services. Among major metropolitan areas, jobless rates ranged from a low of 8.3% in Columbus to a high of 13.3% in Youngstown. Statewide, the unemployment rate declined in September to 10.1%, compared with 10.8% in August. The drop was attributed mainly to a continued departure of workers from the labor force.

Jobless rates decreased in all 88 counties during September. In addition to Highland, unemployment was highest, at 15.2%, in Meigs County. Those counties, both in the southern Appalachian region, were the only ones in which the level exceeded 15 percent. An ODJFS summary showed seven counties with rates at or below 8% for September. Other than Holmes, they were Geauga (6.5%); Delaware (6.7%); Medina (7.5%); Mercer (7.8%); Lake (7.9%); and Union (8%). Among eight metropolitan areas, the jobless rate was highest in Youngstown at 13.3%, compared with 14.4% in August. Other cities with double-digit rates: Canton (12.3%); Toledo (12.1%); Dayton (12%); Cleveland (10.3%), and Akron (10.1%). Cincinnati's rate dropped from 10.2% in August to 9.3% in September. The Columbus rate of 8.3% in September compares with 8.9% in August.

FEDERAL ACTIVITIES

GREENHOUSE GASSES MANDATORY REPORTING RULE ADVANCES

The U.S. Environmental Protection Agency (EPA) has finalized plans to require emitters of greenhouse gases (GHG) to file annual reports. Counties, cities and states could fall under the new rule if they own or operate covered facilities, such as landfills or stationary combustion units, according to the EPA. Other types of county facilities that may be affected — depending on level of GHG emissions — are health and education services, fossil-fuel fired electric generating units and sewage treatment facilities.

The rule would apply to fossil fuel suppliers and industrial gas suppliers, as well as to sources that emit GHG over the specified emissions threshold. It does not address GHG control limits. Essentially, the rule would require facilities or suppliers that emit 25,000 metric tons or more of greenhouse gas per year to submit annual reports to the EPA. This is equal to GHG emissions from 4,600 passenger vehicles annually.

An estimated 10,000 facilities would fall under the new reporting requirements. These facilities account for nearly 85 percent of the GHG. Collection of data would begin on Jan. 1, 2010 with the first reports due to the EPA in 2011. EPA hopes this information will provide a framework for development of future policies and programs to reduce GHGs.

More information on the new reporting system and reporting requirements is available at: <http://epa.gov/climatechange/emissions/ghgrulemaking.html>. The EPA has developed an Applicability Tool to

aid entities in assessing whether they are required to report under the rule: <http://epa.gov/climatechange/emissions/GHG-calculator/index.html>. A guide for state and local agencies is available at: www.epa.gov/climatechange/emissions/ghg_infosheets.html. For more information contact Julie Ufner, NACo Associate Legislative Director, (202) 942-4269, fax (202) 942-4281 or jufner@naco.org.

NATIONAL CENTER FOR STATE COURTS LAUNCHES NEW WEB SITE

The National Center for State Courts (NCSC) has launched a new Web site at www.ncsc.org. Visitors can compare what's happening across state court systems, find an expert or a consultant, or sign up for a course or a conference, all within a format that's straightforward and easy to navigate. You also can sign up to have e-newsletters sent directly to you and get the latest news from our many associations and partners. NCSC is an organization courts turn to for authoritative knowledge and information, because its efforts are directed by collaborative work with the Conference of Chief Justices, the Conference of State Court Administrators, and other associations of judicial leaders. For more information, contact NCSC at 300 Newport Avenue, Williamsburg, VA 23185, (800) 616-6164 or fax (800) 616-6164.

2010 CENSUS: COMPLETE COUNT COMMITTEES FORMED IN 31 OHIO COUNTIES

Every 10 years, as mandated by the U.S. Constitution, our nation conducts a census — an effort to count every person living in the United States. The key to this endeavor is having every household fill out and mail back a completed census form. Participation is critical, as the results determine how Congress is apportioned and how more than \$300 billion in federal funds are distributed annually to state, local and tribal areas.

One way to help ensure that everyone is counted is to form Complete Count Committees in counties across the country. Complete Count Committees are volunteer teams consisting of community leaders, faith-based groups, schools, businesses, media outlets, and others who are appointed by elected officials and work together to make sure entire communities are counted.

Creating a Complete County Committee in your community will increase your constituents understanding of the census and hopefully their willingness to return a questionnaire. Follow these seven simple steps to start a Complete County Committee in your county and contact your team leader to connect with other Committees:

Step 1) Complete the Partnership Form – Downloaded from the Ohio 2010 Census website www.census.ohio.gov/StartCompleteCountCommittee

Step 2) Contact one of Ohio three Team Leaders to identify your local Partnership Specialist:

- Northeast – Ben Holbert, Census Bureau, 1350 Euclid Ave. – Suite 650, Cleveland OH 44115, (216) 377-4436 ext. 36, or benjamin.i.holbert.iii@census.gov
- Central & Northwest & Toledo – Rose Simmons, Census Bureau, 2192 Dividend Dr., Columbus, OH 43228, (614) 743-9640, or rose.simmons@census.gov
- Southern & Southeast – Theresa Brundage, Census Bureau, 801 Linn Street – Floor 4, Cincinnati, OH 45023, (513) 766-1120, or theresa.m.brundage@census.gov

Step 3) Return the Partnership Agreement Form to your Partnership Specialist by e-mail or fax.

Step 4) Download and read the Complete Count Committee Guide – Downloaded from the Ohio 2010 Census website www.census.ohio.gov/StartCompleteCountCommittee

Step 5) Work with your Partnership Specialist in establishing a Complete Count Committee

Step 6) Reaffirm your support by signing a resolution during your kick off meeting. Downloaded from the Ohio 2010 Census website www.census.ohio.gov/StartCompleteCountCommittee

Step 7) Register your Complete Count Committee on the Ohio 2010 Census website to get connected to other Committees. www.census.ohio.gov

The following 31 counties have established Complete County Committees: Adams, Athens, Auglaize, Belmont, Brown, Clermont, Cuyahoga, Delaware, Fairfield, Franklin, Gallia, Hamilton, Harrison, Highland, Hocking, Jackson, Jefferson, Lawrence, Licking, Lorain, Lucas, Madison, Medina, Montgomery, Pickaway, Ross, Scioto, Tuscarawas, Van Wert, Union, and Washington.

NATIONAL INSTITUTE OF FOOD & AGRICULTURE LAUNCHED

Last week, the U.S. Department of Agriculture's (USDA) National Institute of Food and Agriculture (NIFA), the new name of the Cooperative State Research, Education, and Extension Service (CSREES), was launched. While continuing the programs and responsibilities of CSREES, NIFA will be divided into the following four institutes plus one center: food production and sustainability; bioenergy, climate, and environment; food safety and nutrition; youth and community development; and the Center for International Programs. The institutes reflect the Administration's agricultural research priorities and will focus research efforts on the accompanying challenges -- ensuring global food security and eliminating hunger, overcoming climate change, producing sustainable energy, eliminating childhood obesity, and ensuring food safety. For more information, contact Erik Johnston, NACo Associate Legislative Director, at (202) 942-4230 or ejohnston@naco.org.

NACo ACTIVITIES

NACCHO PROFILES STATE OF LOCAL HEALTH DEPARTMENTS

As local governments continue to face both decreased funding and increased demand for public health services, the role of local health departments (LHDs) has become more and more critical. The National Association of County and City Health Officials' (NACCHO) recently released *2008 National Profile of Local Health Departments* is the best and most comprehensive source of information about LHDs in the United States. It is available online at www.naccho.org/2008profile015.

NACCHO conducted the profile study, which was funded by the Centers for Disease Control and Prevention (CDC) and the Robert Wood Johnson Foundation. With a response rate more than 83 percent, the 2008 Profile provides a comprehensive look at LHD governance, funding, workforce, and activities and services including those related to emergency preparedness, community health planning, quality improvement, accreditation, health promotion, advocacy, and information technology.

A NACo affiliate, NACCHO is the national organization representing local health departments. It supports efforts that protect and improve the health of all people and all communities by promoting national policy, developing resources and programs, seeking health equity, and supporting effective local public health practice and systems.

ATTORNEY GENERAL OPINIONS

SYLLABUS

2009-037

A person who is employed by a court of common pleas as the court's computer systems administrator is in the classified service for purposes of R.C. Chapter 124, unless the duties of that position place that position within a category of unclassified employees set forth in R.C. 124.11(A).

SYLLABUS

2009-038

1. If the personal vehicle of a county employee sustains damage while being driven by the employee in conducting county business, the board of county commissioners has no authority to reimburse the employee for her resulting expenses, including the deductible for which she is responsible under her insurance policy, unless the board is the employee's appointing authority.
2. If the personal vehicle of an employee of a county probate and juvenile court sustains damage while being driven by the employee in conducting court business, the probate and juvenile court judge may authorize reimbursement of the employee for her resulting expenses, including the deductible for which she is responsible under her insurance policy.

SYLLABUS

2009-039

1. In a county having forty miles or more of improved intercounty or state highways, the sheriff has a mandatory duty under R.C. 5577.13 to detail one or more deputies for the work of enforcing vehicle weight and size limits established under R.C. 5577.01-.14. The board of county commissioners has a mandatory duty under R.C. 5577.13 to appropriate from the county road fund the amount necessary to equip and compensate each such deputy. A failure to fulfill these duties may result in the lack of county enforcement of R.C. 5577.01-.14 and may subject the sheriff or the board of county commissioners to an action in mandamus.
2. R.C. 5577.13 authorizes the county sheriff to deputize (for purposes of enforcing R.C. 5577.01-.14) officials who patrol the county highways as employees of bodies located within the county. R.C. 5577.13 does not authorize the county sheriff to deputize State Highway Patrol troopers.

SYLLABUS

2009-040

A board of county commissioners does not have express or implied statutory authority to construct an employee fitness center for county employees.

CLASSIFIEDS

DIRECTOR, RICHLAND COUNTY REGIONAL SOLID WASTE MANAGEMENT AUTHORITY

The successful candidate will communicate the mission of the Solid Waste Authority to the public, supervise employees; use marketing strategies; exhibit knowledge of solid waste legislation; develop and monitor a budget; write and administer grants; seek alternative funding sources; develop special projects and carry them through to completion.

Bachelor's degree in solid waste management, business management, communications or a related field supplemented by a minimum of three years of experience in the field or any equivalent combination of education, and experience that provides the requisite knowledge, skill and abilities for this job. Salary range: \$45,000 - \$58,000. Salary commensurate with education and experience

Applications for this position may be obtained at Richland County Dept. of Human Resources, 597 Park Avenue East or the Richland County Commissioners' Office, 50 Park Avenue East, Mansfield, OH 44902, and Richland County Regional Solid Waste Management Authority offices at 1125 National Parkway, Mansfield, OH 44906 phone (419) 774-5861. Application deadline: **November 6, 2009 by 4:00 p.m.** EOE.

DIRECTOR OF EMERGENCY SERVICES

The Warren County Commissioners seek a director of emergency services to direct, plan, manage, organize and coordinate the department consisting of Emergency Management, Police and Fire Communications (911-PSAP), and LEPC (Local Emergency Planning Council). This position is unclassified.

QUALIFICATIONS: Any combination of training and work experience which indicates possession of the skills, knowledge and abilities to perform the job listed above.

LICENSURE AND CERTIFICATION REQUIREMENTS: High School Diploma or equivalent, valid Ohio driver's license, and eligible for L.E.A.D.S. Certification after hire.

This position will be posted until October 30, 2009, but applications will be accepted until the position is filled. Submit application to: Warren County Administration Building, Susan Spencer, Personnel Officer, 406 Justice Drive, Lebanon, OH 45036. Application is located on the Warren County website: <http://www.co.warren.oh.us/>. 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, by e-mail at mjneiman@ccao.org