



CIDS

County Information and Data Service

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DATES TO REMEMBER

NOVEMBER 18, 2010	CCAO OPEN FORUM, CCAO OFFICES, COLUMBUS
NOVEMBER 19, 2010	CCAO BOARD OF TRUSTEES, CCAO OFFICES, COLUMBUS
DECEMBER 5-8, 2010	CCAO/CEAO ANNUAL WINTER CONFERENCE AND TRADESHOW, HYATT REGENCY, COLUMBUS

ASSOCIATION NEWS

CCAO/CEAO WINTER CONFERENCE – DECEMBER 5-8

Mark your calendars and plan to attend the 130th CCAO/CEAO Annual Winter Conference to be held December 5-8, 2010 at the Hyatt Regency, 350 North High Street, in Columbus. Register for the Conference by November 12 to get the pre-registration discount. Registration materials and agenda updates are posted at www.ccao.org.

The following **affiliate programs** have been posted as of press time: County Administrators Association, County Commissioners Clerks & Engineers Administrative Professionals Association, County Facility Management Association, Ohio County Dog Warden Association, County Loss Control Coordinators Association, and County Sanitary Engineers Association. Click on the story on the front page at www.ccao.org for conference updates.

All CCAO/CEAO **Spouse/Guest registrants** are invited to participate in an event planned on Monday, December 6. The bus will depart from the Hyatt Regency at 9:45 a.m. The morning program will be held at Camelot Cellars Boutique Winery, an urban winery located in the Short North Arts District in Columbus. After learning about the winery, lunch will be cooked and served tableside at the Japanese Steak House.

The headquarters hotel is the Hyatt Regency. Rate: \$149 single/double. Reservation deadline: November 12. To reserve a room call (888) 421-1442 or go to <https://resweb.passkey.com/go/CCAOCEAO>

COUNTY BEHAVIORAL HEALTH CHALLENGES; 2ND WEDNESDAY'S SEMINAR – NOV 10

CCAO will be hosting “County Behavioral Health Challenges” – the seventh in a series of “Second Wednesday’s” seminars – on Wednesday, November 10 at the CCAO Offices, 209 East State Street, in Columbus. Information is posted on the front page of our website at www.ccao.org.

Learn from experts the financial challenges facing County Alcohol, Drug Addiction and Mental Health Boards as they provide mental health and substance abuse prevention, treatment and support services in an era of limited resources. This program will feature the role of behavioral health boards in the community, the cost savings to county and other governments resulting from effective behavioral health programs, the funding crisis that Ohio’s Behavioral Health Boards have experienced and the Ohio Association of County Behavioral Health Authorities (OACBHA) proposed solution to this funding crisis.

The seminar will begin sharply at 9:30 a.m. and will conclude promptly at 12:30 p.m. Registrations will be accepted only by email. Seminar information is posted on our website at www.ccao.org. Coffee will be served during the morning and lunch will be on your own. Best of all, no registration fee will be charged! To register, contact Janet Erwin, CCAO Administrative Assistant, at jerwin@ccao.org.

COUNTY COMMISSIONERS RING

In 1986, CCAO authorized the creation of an official ring for county commissioners. The ring was designed at the request of current and former county commissioners under the guidance of CCAO. To order a ring, please contact Mike Miller at Miller’s Jewelers in Mansfield at (419) 522-2793 or www.millersjewelry.com. It takes about six weeks for delivery of the rings.

COUNTY ACTIVITIES

2011 COUNTY HOLIDAYS

HOLIDAY	LEGAL HOLIDAY
New Year’s Day	December 31
Martin Luther King Day	January 20
President’s Day	February 21
Memorial Day	May 30
Independence Day	July 4
Labor Day	September 5
Columbus Day	October 10
Veteran’s Day	November 11
Thanksgiving Day	November 24
Christmas Day	December 26

HAMILTON, CUYAHOGA & ERIE COUNTIES SUE OVER BED TAX

The next time you book a hotel room through one of the discount travel websites, the company you select may be taking bed tax money out the pockets of counties and other municipalities, according to a lawsuit filed against more than a dozen travel websites. Hamilton, Cuyahoga and Erie counties filed suit in Hamilton County Common Pleas Court on September 27. The defendants named in the lawsuit include: Hotels.com, Hotwire, Cheap Tickets, Cendant Travel Distribution Services Group, Expedia, Lodging.com, Lowestfare.com, Maupintour Holding, Orbitz, Priceline, Travelocity, Travelweb and Travelnow.com.

The thousands of tourists who visit these counties produce millions of dollars in bed tax revenue, but officials from Hamilton, Cuyahoga and Erie counties say a portion of bed taxes never make it into government accounts. How is this done? The discount travel websites rent a hotel room from a hotel, then resell it to a customer at a higher price. For example, the travel website operator might pay \$75 for a room and sell it to a customer for \$100. The lawsuit says that the bed tax should be based on a percentage of the room's total cost of \$100, not the discount price of \$75. The travel websites contend that the taxed rate should be \$75.

Ohio law says the bed tax is collected as a percentage of what the customer pays. The customer is paying the bed tax based on the highest price, but the websites are turning in bed taxes based on what they actually paid the hotel. The websites are then pocketing the difference.

STATE ACTIVITIES

AGRICULTURAL EASEMENT PURCHASE PROGRAM INFORMATION SESSIONS

Farmland owners have the opportunity to learn how to apply for Clean Ohio Agricultural Easement Purchase Program funds during upcoming information sessions offered by the Ohio Department of Agriculture (ODA).

Agricultural easements are voluntary legal agreements restricting non-agricultural development on farmland, with the land itself remaining on the tax rolls and under private ownership and management. Landowners may undertake any agricultural activity permitted under Ohio law, and they can sell their farm or pass it along as a gift to others. However, the easement remains with the land, prohibiting any future non-agricultural development to make certain that it remains used for agricultural purposes.

Meetings will feature a presentation by the department's farmland preservation staff as well as testimony from landowners who have participated in the program. Meeting attendees will also have the opportunity to discuss the program with Ohio Department of Agriculture staff. Local partners will also be present at each meeting to provide information and direction to landowners. It is important for attendees to connect with these partners who submit applications to the department on behalf of farmland owners.

Information sessions are scheduled for the following dates:

November 8, 6:00 - 8:00 p.m. - Northeast

Trumbull County Soil & Water Conservation District, 520 W. Main Street, Cortland
Local partners: Western Reserve Land Conservancy

November 29, 6:00 – 8:00 p.m. - Northwest

WW Knight Nature Preserve - Great Room, 29530 White Road, Perrysburg
Local partners: Black Swamp Conservancy

December 7, 6:00 – 8:00 p.m. - (refreshments at 5:30 p.m.) - Southeast

Kenyon College Athletic Center Theater – 2nd Floor, 221 Duff Street, Gambier

Local partners: Philander Chase Corporation and Owl Creek Conservancy
RSVP to Dorothy Michalski at (740) 427-5154 or michalskid@kenyon.edu

December 7, 6:30 – 8:30 p.m. - Southwest

Warren County Administration Building, 406 Justice Drive, Lebanon
Local partners: Three Valley Conservation Trust

The next application round for the department's Agricultural Easement Purchase Program is tentatively scheduled to open on January 5, 2011. For more information about the program and the Ohio Department of Agriculture's Office of Farmland Preservation, visit www.agri.ohio.gov.

OHIO SUPREME COURT RULES ON OHIO CHARITABLE PROPERTY TAX EXEMPTION CASE (DIALYSIS CLINIC, INC. V. LEVIN)

In a recent 4-3 decision involving what constitutes charitable healthcare that qualifies for a property tax exemption under Ohio law, the Ohio Supreme Court rejected an attempt to significantly broaden the property tax exemption for healthcare providers. If the healthcare provider had been successful in their appeal of the decision of the board of tax appeals, this case would have set a precedent that could cost property tax dependent local governments millions of dollars in lost revenue. CCAO joined trade associations representing schools, human service associations, library and other general purpose government organizations in a friend of the court brief in support of the state. In addition to rejecting the provider's argument that federal tax exempt status should be sufficient to grant a property tax exemption under Ohio law, the court also examined what charitable healthcare means in an era of expanding Medicare and Medicaid reimbursement for indigent care.

The standard in Ohio to be exempt from property taxes is that the services need to be provided on a nonprofit basis without regard to race, creed or ability to pay. The Board of Tax Appeals argued that the care provided should be free or unreimbursed care financed by the provider from funds derived from charitable donations or an operating surplus. The court sided with the healthcare provider on this point by ruling that there is no threshold amount of unreimbursed care necessary to obtain tax exempt status. In the age of Medicare and Medicaid, the usual and ordinary indigent patient may have access to government benefits. Providers are not required to forego the pursuit of benefits to qualify for charitable status.

However, an important component of qualifying for the statutory exemption is that providers offer services on a nondiscriminatory basis, which includes not turning anyone away based on inability to pay. In the case at hand, the provider reserved the right to refuse to admit or treat a patient who has no ability to pay. The provider argued that in actuality, they did not turn anyone away. The court was not persuaded that the Board of Tax Appeals had to find evidence of discrimination in order to reject the provider's request for a property tax exemption given their policy statement that they have the right to refuse care based on inability to pay.

SUPREME COURT OK'S FINE AGAINST MAN WHO SOUGHT PUBLIC RECORDS

A split court upheld sanctions that the 8th District Court of Appeals imposed against a man it accused of bad faith in filing a public records complaint against Cuyahoga County Commissioners for records about the Medical Mart economic development project.

Justices said in a 5-2 decision that Brian Bardwell's claims may well have merit. However, they said that based on the record they could not agree with his contention that the court of appeals abused its discretion in imposing sanctions against him.

The litigation stemmed from Mr. Bardwell's March 2009 request for certain public records from the Cuyahoga County prosecutor, including communications between the commissioners and *The (Cleveland) Plain Dealer* about the \$1 billion Medical Mart project and private developers.

The prosecutor informed Mr. Bardwell in writing that drafts of contracts were not subject to disclosure because they were protected under the attorney-client privilege, but that the final agreement would be available when submitted to commissioners for approval. Mr. Bardwell immediately filed a complaint in the 8th District seeking an order to compel the county to release the drafts and other records.

The appellate court rejected his request, found his complaint was groundless "in fact and legal argument," and that sanctions must be imposed. Justices on Tuesday affirmed the appellate court judgment. Justice Cupp, writing for the majority, said the court of appeals sufficiently detailed its rationale for the decision to impose sanctions, pointing out - among other things - that only one day lapsed between Mr. Bardwell's request for records and his filing for a court order. Concurring were Justices Stratton, O'Connor, O'Donnell, and Lanzinger. Chief Justice Brown and Justice Pfeifer dissented.

OHIO DEPARTMENT OF INSURANCE RECEIVES \$1.1 MILLION CONSUMER ASSISTANCE GRANT

The Ohio Department of Insurance announced that \$1.1 million has been made available to the State of Ohio to help Ohio consumers take full advantage of expanding opportunities provided through health care reform. The consumer assistance grant program, funded by the U.S. Department of Health and Human Services as part of the Patient Protection and Affordable Care Act, will;

- Help consumers enroll in health coverage;
- Help consumers file complaints and appeals against health plans;
- Educate consumers about their rights and empower them to take action; and
- Track consumer complaints to help identify problems and strengthen enforcement.

The Department will partner with the Ohio Association of Second Harvest Foodbanks, UCAHN Ohio, Family Voices of Ohio and the Ohio Association of County Behavioral Health Authorities to carry out the goals of this federal grant program. For more information, contact Ohio Association of Second Harvest Foodbanks, 51 North High Street - Suite 761, Columbus, OH 43215-3007, (614) 221-4336 or fax (614) 221-4338.

UNEMPLOYMENT DOWN NARROWLY IN SEPTEMBER

The state's unemployment rate in September was 10%, down slightly from the 10.1% rate in August, according to the Ohio Department of Job & Family Services. The decline represents the sixth straight month the rate has fallen. While Ohio's employment situation was largely unchanged in September, an increase in education and healthcare hiring helped drive the unemployment rate down for the sixth consecutive month. Still, the state said non-farm wage and salary employment declined by 17,300, falling to 5,014,200. The total number of people unemployed in the state was 591,000, a reduction from 601,000 in August.

The national unemployment rate for September was 9.6%, the same as it was in August. Service producers dropped 9,700 jobs in September, with the largest drops in government (-9,500), other services (-1,300), leisure & hospitality (-1,100) and information (-1,000). Those declines were offset by gains in education and health service providers, which added 4,800 jobs). Goods producers shrunk employment rolls by 7,600, with the largest fall-offs in construction (-4,400) and non-durable goods (-2,700).

PUBLIC RECORDS TRAINING REMINDER

Pursuant to House Bill 9 (126th General Assembly), all elected officials or their designees are required to attend a three hour public records certification course (per term of office). The Auditor of State and Attorney General provide the required training for this course and have scheduled numerous public records sessions throughout Ohio.

To find a list of trainings being offered by the Auditor's office please visit: <http://www.auditor.state.oh.us/conferences/hb9/default.htm>; for training offered by the AG's office, please visit <http://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws/House-Bill-9-Certified-Training>.

FEDERAL INFORMATION

OHIO BUSINESSES AFFECTED BY TOXIC ALGAE BLOOM CAN APPLY FOR SBA DISASTER LOANS

Low-interest disaster loans are available in Ohio to small businesses, small agricultural cooperatives and most private non-profit organizations that were affected by the toxic algae bloom in Grand Lake St. Marys that began on June 21, 2010.

The Small Business Administration (SBA) made the loans available following a request from Ohio Gov. Ted Strickland on October 15 for a disaster declaration by the SBA. The declaration covers Auglaize and Mercer counties and the adjacent counties of Allen, Darke, Hardin, Logan, Shelby and Van Wert in Ohio; Adams and Jay in Indiana.

Eligible entities may qualify for loans up to \$2 million. The SBA offers Economic Injury Disaster Loans (EIDLs) to help meet working capital needs caused by the disaster. The rates on these loans are 3 percent for non-profit organizations and 4 percent for businesses with terms up to 30 years. The SBA determines eligibility for the loans based on the size and type of business and its financial resources. Loan amounts and terms are set by the SBA and are based on each applicant's financial condition.

To obtain applications and program information call the SBA's Customer Service Center at (800) 659-2955 (or 800-877-8339 for people with speech or hearing disabilities), Monday through Friday from 8:00 a.m. to 6:00 p.m. or send an e-mail to disastercustomerservice@sba.gov. Business loan applications can also be downloaded from the SBA website at www.sba.gov. Mailed completed applications to U.S. Small Business Administration, Processing & Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155. Apply online for disaster loans at www.disasterloan.sba.gov/ela/. Application deadline: July 19, 2011.

CONFERENCES/SEMINARS

OHIO TRANSPORTATION FUTURES PLAN: HELP MOVE OHIO INTO A PROSPEROUS NEW WORLD

Join the Ohio Department of Transportation at one of last four interactive "Go OHIO: Transportation Futures Plan" Workshops. What should Ohio's future transportation system look like? Where should it go? Which investments will retain and attract jobs? The Go OHIO goal is to ignite Ohio's economic growth and prosperity by transforming Ohio's vast road, rail, transit, maritime, air and bicycle/pedestrian travel assets into one, fully integrated, technically-advanced system.

Attend a workshop in your community. Registration for all workshops begins at 5:30 p.m. Workshops begin at 6:00 p.m. and end at 8:00 p.m. RSVP at GoOHIO@dot.state.oh.us or www.Go.OHIO.gov.

DATE	LOCATION
November 3	Cleveland - Crowne Plaza Cleveland City Centre, 777 St. Clair Avenue
November 4	Youngstown – Youngstown State University, Williamson Hall Auditorium, 101 West Rayen Avenue
November 9	Cambridge – Pritchard Laughlin Civic Center, 7033 Glenn Highway
November 10	Athens – Nelson Commons, Ohio University, 1 North McKinley Avenue

2010 TOP GUN CONSTRUCTION CLAIMS SEMINAR

CCAO is one of the co-sponsors of the “8th Annual Top Gun Construction Claims Seminar” to be held on Thursday, November 18, 2010 at The Conference Center at OCLC, 6600 Kilgour Place, in Dublin. The seminar is being presented by Bricker & Eckler LLP.

Attendees will learn about important contract language, best practices for project documentation, the risks of differing site conditions, delay and lost productivity claims, and the design professional’s standard of care; understand damages and claims; learn to analyze, prepare for, and defend against claims for additional compensation or damages; and learn how to manage and resolve construction claims efficiently.

The following Continuing Education Certifications have been applied for:

- AIA Learning Units – 7.25
- Continuing Legal Education – 7.25

Tuition: \$199 (by November 1) or \$239 (after November 1). Three or more registrants from the same organization get a discount. Call for special pricing. For more information, contact Amy Abbey, Bricker & Eckler LLP, 100 South Third Street, Columbus, OH 43215, (614) 227-4989, (800) 750-1525, aabbey@bricker.com or www.bricker.com/seminars.

CLASSIFIEDS

INFORMATION TECHNOLOGY SYSTEM ADMINISTRATOR

Washington County seeks a information technology system administrator. The successful applicant will manage and support computer software systems and network connections to ensure high levels of availability and security of the supported business applications and end users.

Applicants must possess a minimum of eight years’ experience in IT operations management and/or a college diploma or university degree in the field of computer science with work experience and certifications in one or more of the following; VMWare, Cisco, Microsoft and CompTIA is desired. A working technical knowledge of network, PC, and platform operating systems, including Windows 2000, XP, 7, Windows Server 2000, 2003 and 2008, application support experience with SQL Server, Exchange and SharePoint and technical knowledge of current systems software, protocols, and standards, including Sonic Wall, IPsec and SSL VPN and Active Directory is required. Successful applicant will be required to pass a background check including drug testing and polygraph.

Salary based on experience. Submit resumes and proof of experience, certifications, specialized training/education to: The Washington County I.T. Department, e-mail eskomra@wcgov.org, Application deadline: **3:00 p.m. on November 1, 2010**. EOE.

PLANNING DIRECTOR

The Department of Community Planning and Development is seeking a director who is an effective manager and strategic thinker with an economic development based perspective while focused on customer service having strong communication, organizational development and team-building skills. Job duties include: supervision of Planning and GIS staff, budget, planning studies, write/manage grants, high profile presentations and other general planning assistance including supporting the County's economic development activities. Requirements include a Masters degree in Planning, or a related field. Ten years of practical experience in public administration, with at least five years of supervisory experience -- or education, training and/or experience in an amount equal to the Minimum Qualifications stated above. Application deadline: **4:30 p.m. on November 3, 2010**. For more information and to download an application please access our website at: www.clermontcountyohio.gov/PLANDIR.aspx. EOE.

DIRECTOR OF JOBS & FAMILY SERVICES

The Mahoning County Commissioners seek a director of the County Department of Jobs & Family Services. Qualifications, Bachelor's Degree (graduate degree preferred) in business administration, human services, human resources, psychology, sociology, social work, education, or finance; 7-10 years of administrative/managerial experience to include responsibility for managing the fiscal aspects of an organization, agency, program or operational area assisting in developing and implementing policies, programs, laws, rules and/ or regulations; 3-5 years of years must have been as a senior manager in the human/social manager in the human/social services field. Salary is negotiable. Application deadline: **4:30 p.m. on November 12, 2010**. Send resumes to Judith A. Tesone, Office Manager, Mahoning County Commissioners, 21 West Boardman Street, Youngstown, OH 44503 or jtesone@mahoningcountyoh.gov.

REENTRY PROGRAM DIRECTOR

Hamilton County is seeking a reentry program director to coordinate the creation and execution of a public-private reentry strategic plan for the County. The plan will be a unified collection of shared goals and commitments by government, non-profit and faith-based agencies that will measurably improve the community reintegration of offenders returning from the criminal justice system. The program director will work with a task force to develop recommendations to eliminate or reduce barriers confronting offenders returning to their communities; identify gaps in reentry services and work with existing providers to develop remedies; collaborate with a wide range of stakeholders engaged in offender transition issues; and support the preparation of grant applications to secure funding to create and sustain evidence-based reentry initiatives. The position is grant-funded for one year with the potential for two renewal years. Qualifications: Bachelor's degree (master's preferred) in public administration, criminal justice or relevant area and five years managerial experience (or equivalent combination of training and/or experience); thorough knowledge of justice system operations; demonstrated ability to plan and implement programs and projects, persuade reluctant stakeholders, communicate effectively, and synthesize information to provide clear analysis and suggest concrete solutions. Visit <http://www.hamiltoncountyohio.gov/hr/BOCCCoverPage2.asp> for application details. Deadline for application: **November 9, 2010**. 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