



CIDS

County Information and Data Service

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FEBRUARY 11, 2011

DATES TO REMEMBER

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| FEBRUARY 25, 2010 | CCAO REGIONAL LEGISLATIVE BRIEFING, PUMP HOUSE CENTER FOR THE ARTS, ROSS COUNTY (CHILLICOTHE) |
| FEBRUARY 25, 2010 | CCAO REGIONAL LEGISLATIVE BRIEFING, RIVER OAKS GOLF CLUB, CRAWFORD COUNTY (BUCYRUS) |
| FEB. 27–MARCH 1, 2011 | CCAO COMMISSIONERS TRAINING SEMINAR, DEER CREEK CONFERENCE CENTER, PICKAWAY COUNTY (MT. STERLING) |
| MARCH 5-9, 2011 | NACo LEGISLATIVE CONFERENCE, MARRIOTT WARDMAN PARK HOTEL, WASHINGTON, D.C. |
| MARCH 9, 2011 | OHIO CONGRESSIONAL DELEGATION BREAKFAST, RAYBURN HOUSE OFFICE BUILDING, ROOM B-340, WASHINGTON, D.C. |
| MARCH 9, 2011 | CCAO 2 ND WEDNESDAY SEMINAR, LAW ENFORCEMENT CORRECTIONS & COURTS, CCAO OFFICES, COLUMBUS |
| MARCH 14, 2010 | CCAO REGIONAL LEGISLATIVE BRIEFING, MARY YODERS AMISH KITCHEN, GEAUGA COUNTY (MIDDLEFIELD) |
| MARCH 16, 2010 | OHIO COUNCIL OF COUNTY OFFICIALS SEMINAR & LEGISLATIVE LUNCHEON, STATEHOUSE ATRIUM, COLUMBUS |
| APRIL 2011 | NATIONAL COUNTY GOVERNMENT MONTH |

ASSOCIATION NEWS

COMMISSIONERS' TRAINING SEMINAR FOR NEW & VETERAN COUNTY COMMISSIONERS

Register for the “Commissioners Training Seminar for New & Veteran County Commissioners” to be held February 27 to March 1, 2011 at Deer Creek Resort & Conference Center, 2230 State Park Road #20 in Mt. Sterling. Sessions begin late afternoon on February 27 and end at noon on March 1. Join new & veteran

colleagues to learn about county government and your responsibilities as county officials. This seminar is hosted by CCAO.

Topics to be studied include:

- Introduction to CCAO and NACo
- Ohio Ethics Law
- Commissioners Meetings, Hearings & Open Government Laws
- Employee Relations Issues: Civil Service & Collective Bargaining
- Working With The Third Branch: The Courts
- County Budgeting & Other Financial Issues
- County Procurement Practices

Registration fee (includes all meals & conference materials): \$100 per person (by Feb 11) or \$115 (after Feb 11).

Room rate: \$85 single/double. **The room block will be held until TODAY – February 11.** Call Deer Creek at (740) 869-2020 for room reservations. Registration materials are attached to this issue of CIDS and are posted at www.ccao.org For more information, contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979 or mjneiman@ccao.org.

CCAO REGIONAL LEGISLATIVE BRIEFINGS

CCAO will again be hosting Regional Legislative Briefings for the members of the new 129th General Assembly. The purpose of the meetings is to provide legislators and county commissioners with an opportunity to discuss legislative issues affecting county government on a regional basis. The Briefings are organized by State Senate Districts and the House Districts contained within them. Invitations to the members of the General Assembly were sent by CCAO, but members are encouraged to contact your legislators to personally invite them to your Regional Legislative Briefing.

- **February 25** – Senate Districts 14 and 17 – Pump House Center for the Arts, Yoctangee Park, North Mulberry Street, Chillicothe, 11:30 a.m.
- **February 25** – Senate Districts 19 and 26 – River Oaks Golf Club, 1330 E. Mansfield Street, Bucyrus, 11:30 a.m.
- **March 14** – Senate Districts 18, 27, 28, and 29 – Mary Yoders Amish Kitchen, 14743 N. State Avenue, Middlefield, 11:30 a.m.
- **TBA** – Senate Districts 7, 8, and 9 (Hamilton County)
- **TBA** – Senate Districts 21, 23, 24, and 25 (Cuyahoga County)
- **TBA** – Senate Districts 2, 15, and 16 (Franklin County)

For more information please contact John Leutz, CCAO Senior Policy Analyst, at (614) 220-7994, (888) 757-1904 or jleutz@ccao.org.

OCCO SEMINAR & LUNCHEON – MARCH 16

Mark your calendars and plan to attend the Ohio Council of County Officials (OCCO) Legislative Luncheon on Wednesday, March 16, 2011 from 12:00 Noon until 1:00 p.m. The Ohio Recorders' Association will host the luncheon which will be held in the Statehouse Atrium. There is no charge to attend the luncheon.

County officials need to continually communicate and build a partnership with members of the General Assembly. The OCCO encourages you to invite your state senators and state representatives to the luncheon.

Please schedule appointments with them to discuss issues of importance to your county while you are in Columbus. Don't miss this opportunity to lobby the Ohio General Assembly!

The OCCO has also scheduled an Ethics Seminar for that day as well. The Ohio Ethics Commission will conduct this seminar from 10:00 a.m. – 11:00 a.m. in the Statehouse Atrium. The seminar is also free of charge to you. No registration is required by the Ohio Ethics Commission to attend their seminar.

Many of you see your lawmakers within your counties. I strongly encourage you, though, to travel to Columbus on March 16th to physically show your support for your lawmakers, who will be looking to see if anyone from their district has made the effort to come to this important event. The OCCO also recommends that you attend a committee meeting and/or senate and house session in that afternoon. Please register on the enclosed form by **March 11, 2011**.

For more information, please Jon Slater, Fairfield County Auditor and OCCO President, at (740) 652-7021, or at JSLATER@co.fairfield.oh.us or Karen Vincent, Muskingum County Recorder, at (740) 455-7107, fax (740) 455-7943, or kbvincent@muskingumcounty.org

NACo's 2011 LEGISLATIVE CONFERENCE

The National Association of Counties (NACo) 2011 Legislative Conference will take place March 5-9, 2011 at the Marriott Wardman Park Hotel in Washington, D.C. To register or view the descriptions of more than 25 educational workshops, go to www.naco.org.

Mark your calendars for the **Ohio Congressional Delegation Breakfast** hosted by CCAO on Wednesday, **March 9** at 8:00 a.m. in the **Rayburn House Office Building – Room B-340**. Watch future issues of CIDS and www.ccao.org for more information about the breakfast.

COUNTY ACTIVITIES

FRANKLIN COUNTY ADOPTS REVISED QUALITY CONTRACTING STANDARDS

The Franklin County Commissioners recently adopted revised quality contracting standards for construction projects where prevailing wage regulations apply.

Franklin County originally adopted quality construction standards in 2002. In 2009 Franklin County began a review of these standards with the expectation that the panel reviewing the standards would issue recommendations proposing modification to those standards. In March 2010 the Ohio Supreme Court issued an opinion in *State ex rel. Associated Builders and Contractors of Central Ohio v. Franklin County Board of Commissioners*, 2010-Ohio-1199, 125 Ohio St.3d 112, 926 N.E.2d 600 in which the court ruled that the commissioners had exceeded their discretion in rejecting a bidder on grounds that the bidder had "violated" the prevailing wage law. The key issue in the case is what constituted a "violation." While acknowledging in their opinion that state law provides no precise definition of what constitutes a violation of the prevailing wage law, the court concluded that a violation "refers to the situation in which the director (of the Department of Commerce) makes a formal finding that a contractor or subcontractor intentionally violated the prevailing wage law, and all appeals are exhausted." The court also found that prevailing wages may not be used as a single criterion in rejecting otherwise qualified bids, but must be considered in the context of other bid criteria.

In response to the Supreme Court decision, Franklin County has revised their quality contracting standards. The new standards eliminate the term "violation" by substituting any three findings in a two year period over the last ten years. The standards provide a safe harbor of \$5000, under which a finding would not be considered. The standards also exempt findings based upon a journeyman-to-apprenticeship ratio unless the findings are part

of a pattern of multiple, similar findings.

Other revised provisions of the standards require any qualified bidder to provide a health care medical plan and a pension or retirement program for those employees working on the project where such benefits are part of the regular compensation of the employees on an annualized basis. Any qualified bidder must employ supervisory personnel with at least five years experience in a specific trade, an increase from 3 years under the old standards. Finally, the standards require that bidders maintain a risk assessment rating of 1.5 or better with the Ohio Bureau of Workers' Compensation.

For a summary of the changes to the standards or a copy of the Supreme Court decision, please contact Brad Cole, Managing Director of Research, at (614) 220-7981, (888) 757-1904 or bcole@ccao.org

STATE ACTIVITIES

CHANGES TO LOAN PROGRAM OFFER MORE HELP FOR BROWNFIELD CLEANUPS

State officials recently overhauled a program that lends money for restoring polluted industrial sites to allow more companies to benefit from publicly funded brownfield cleanup assistance. The Ohio Water Development Authority (OWDA) has administered the Brownfield Loan Program since 1995, but recently expanded it, eliminated certain restrictions and moved it into the Department of Development (DOD).

William Murdock, director of DOD's Urban Development Division, said the OWDA loan program was severely underutilized partly because it had been isolated from the state's other brownfield cleanup options, such as the Clean Ohio Program. OWDA Executive Director Steve Grossman said the loan program had only issued three loans since it was created, largely because of the grant money that became available through Clean Ohio.

The new loan program offers up to \$500,000 for site assessment costs and \$5 million for cleanup expenses. Interest rates are below market rates and have a maximum repayment period of 10 years.

LEGISLATION TO REPEAL THREE PERCENT WITHHOLDING INTRODUCED IN THE SENATE

Two bills have been introduced in the Senate to repeal the three percent withholding requirement on county purchases found in Section 511 of the Tax Increase Prevention and Reconciliation Act of 2006. Without repeal, the provision goes into effect January 1, 2012. Both bills, S.89, sponsored by Senator David Vitter (R-La.) and S.164, sponsored by Senator Scott Brown (R-Mass.), mirror each other to the extent that they repeal section 511 of the 2006 Act. The bill by Senator Scott Brown, however, provides an offset for the estimated loss in revenues due to the repeal by rescinding \$39 billion in unobligated discretionary funds. The Office of Management and Budget would be tasked with deciding the sources of the rescissions. Unobligated funds of the Department of Defense and the Department of Veteran Affairs would be exempt from rescission. For more information, contact Mike Belarmino, NACo Associate Legislative Director, at (202) 942-4254 or mbelarmino@naco.org

FARMLAND PRESERVATION UPDATES

The Office of Farmland Preservation announced a few important updates on their website, www.agri.ohio.gov/farmland. The revised sample Deeds of Agricultural Easement are now available online including templates for the Ohio Agricultural Easement Donation Program (AEDP) and the Clean Ohio Agricultural Easement Purchase Program (AEPP).

There are two easement samples associated with the AEPP program, “State” and “State & Federal”. The “State & Federal” sample easement recognizes a cost-share with the federal Farm and Ranch Land Protection Program (FRPP) but the policies remain consistent to the “State” easement template.

These easements have been reviewed by stakeholders, legal counsel, and staff over the last year in an effort to create an easier to read and understand easement. For more information, contact The Office of Farmland Preservation, Ohio Department of Agriculture, 8995 East Main Street, Reynoldsburg, OH 43068-3399, (614) 728-6210 or farmlandpres@agri.ohio.gov

NACo ACTIVITIES

2011 COUNTY COURTHOUSE AWARDS

Applications for the 2011 NACo County Courthouse Awards program are now available at <http://www.naco.org/programs/recognition> The County Courthouse Awards program is sponsored by Siemens and recognizes innovative governance by county elected officials from NACo Member counties. Award winners will receive an engraved plaque that they can display in their county, recognition at the 2011 NACo Annual Conference and a \$5,000 college scholarship to present to a graduating high school senior. Awards will be given out in three categories: rural, suburban and urban. All NACo members are encouraged to apply. Applications must be received by April 29, 2011. For more information, contact Erik Johnston, NACo Associate Director of Legislative Affairs, at (202) 942-4230 ejohnston@naco.org

PLAN FOR NATIONAL COUNTY GOVERNMENT MONTH

This year’s theme for National County Government Month (NCGM) in April is “Serving Our Veterans, Armed Forces, and Their Families.” A NCGM booklet full of ideas to celebrate NCGM will be sent to member counties later this month. The booklet will contain suggested community activities, a draft proclamation, a sample news release, and many more possibilities. This year, for the first year, NACo will recognize and present an award to three counties for their outstanding NCGM activities. Each of the three winners will win two free conference registrations to any NACo meeting. Details on the award’s program can be found in the booklet as well as on NACo’s website starting the week of January 17 at www.naco.org. For more information, contact Jim Philipps, NACo Media Relations Manager, at (202) 942.4220 or jphilipps@naco.org

CONFERENCES/SEMINARS/WEBINARS

OPEN RECORDS & OPEN MEETINGS LAWS

The Toledo Metropolitan Area Council of Governments (TMACOG) has organized a free training for elected and appointed officials on “Ohio’s Open Records & Open Meetings Laws,” collectively known as the Sunshine Laws. The required training course will be held on Friday, March 11 from 9:00 a.m. to 12:00 noon in the Audio/Visual Classroom Center – Rooms 125-128 at Owens Community College, 30335 Oregon Road, in Perrysburg. For maps and directions go to www.owens.edu/about_owens/maps.html

All public officials and/or their appropriate designees are required to attend a three-hour certified public records training session approved by the Ohio Attorney General once per elected term. This class will satisfy that requirement. Attendees will receive an overview of the public records act including definitions, obligations, liabilities, and exemptions. To register go to www.ohioattorneygeneral.gov/Legal/Sunshine-Laws/House-Bill-9-Certified-Training

OHIO SAFETY CONGRESS & EXPO 2011 – MARCH 29-31

Join 6,000 safety-minded individuals at Ohio's largest and most established occupational safety and health event. The Bureau of Workers' Compensation (BWC) will hold the Ohio Safety Congress & Expo 2011 on March 29-31 at the Greater Columbus Convention Center, 400 North High Street, in Columbus.

On Wednesday March 30 there will be two one-hour sessions on drug testing specifically for public sector employers. Session #184 "Drug Testing in the Public Sector: Overview of Legal Issues and Pre-Employment Testing", and session #185 "Drug Testing Public Employees: Collective Bargaining Issues, Reasonable Suspicion, Post Accident and Random Testing". The presenter will be Cheri Hass, attorney with Downes, Fishel, Hass and Kim, LLP.

The safety congress will help attendees prevent workplace injuries and illnesses, reduce workers' compensation claims costs, meet training needs, and shop for products in a single location. Here's why you should attend:

- There's no cost to register and attend
- Select from 150 educational sessions
- Earn free CEUs for accreditation and BWC discount programs
- Streamline your product purchases at the Expo Marketplace
- Discover solutions to real-life safety scenarios
- Avoid out-of-state travel expenses
- Fewer injuries mean lower workers' compensation costs

If you require special services while attending the Ohio Safety Congress & Expo, notify BWC in advance by calling 1-800-OHIOBWC. For more information go to www.bwc.com

CLASSIFIEDS

LANDFILL MANAGER/ENVIRONMENTAL ENGINEER

The Board of Hancock County Commissioners is seeking a highly motivated individual to fill the landfill manager/environmental engineer position at the Hancock County Solid Waste Landfill in Allen Township. This individual must have a minimum 10 year combination of experience and education, including MOLO certification in the operation and management of BAT Subtitle "D" permitted landfills. Any combination of education and experience equivalent to graduation from a college or university with a degree in environmental science, business administration, civil engineering, engineering technology or related field will be required. A professional engineer's license is preferred but not a requirement.

The landfill manager position requires good communication skills along with the ability to handle facility administrative and regulatory procedures, maintain a fleet of construction equipment, and supervise personnel. Additionally, a working knowledge of state and federal laws and policies pertaining to solid waste collection, processing, methane collection, OSHA rules and occupational hazards associated with modern solid waste landfills is necessary.

Interested parties must submit application with resume to the Hancock County Board of Commissioners, 300 South Main Street, Findlay, Ohio 45840 or commissioners@co.hancock.oh.us. Position Open until filled. EOE