



CIDS

County Information and Data Service

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DECEMBER 9, 2011

DATES TO REMEMBER

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| DECEMBER 11-13, 2011 | CCAO/CEAO ANNUAL WINTER CONFERENCE, GREATER COLUMBUS CONVENTION CENTER, FRANKLIN COUNTY (COLUMBUS) |
| MARCH 3-7, 2012 | NACo LEGISLATIVE CONFERENCE, WASHINGTON HILTON & TOWERS, WASHINGTON, DC |
| MARCH 7, 2012 | OHIO CONGRESSIONAL DELEGATION BREAKFAST, RAYBURN HOUSE OFFICE BUILDING – ROOM B-340, WASHINGTON, DC |

ASSOCIATION NEWS

CCAO/CEAO CONFERENCE KICKS OFF MONDAY IN COLUMBUS

The 131st CCAO/CEAO Annual Winter Conference will bring over 900 local government officials, affiliates and guests to Columbus on December 11-13, 2011.

Governor John Kasich, Ohio Department of Transportation Director Jerry Wray and U.S. Senator Sherrod Brown are the featured speakers for the annual conference that will be conducted at the Greater Columbus Convention Center, 400 North High Street, in downtown Columbus.

A variety of public officials will be attending the conference, which lists more than 100 different sessions, meetings and events. In addition to CCAO and CEAO, members of the following organizations will participate in the conference: County Administrators Association, County Commissioners Clerks & Engineers Administrative Professionals Association, County Loss Control Coordinators Association, County Purchasing Association, County Sanitary Engineers Association of Ohio, Facility Management Association, Ohio County Dog Warden Association, Ohio County Home Association, and Organization of Solid Waste Districts of Ohio.

Senator Brown and ODOT Director Wray will speak at the opening general session on Monday, December 11. Governor Kasich is scheduled to speak shortly thereafter at 2:00 p.m.

NOTE: In previously published agendas and articles in *CIDS*, CCAO/CEAO erroneously included the name of U.S. Senator Rob Portman in the program as installing the 2012 CEAO officers. Regrettably, Senator Rob Portman will be unable to attend the conference.

For more information on the CCAO/CEAO Winter Conference, please visit www.ccao.org

A NEW LOOK COMING TO CIDS & STATEHOUSE REPORT IN 2012

In January, you will notice a change to the way the weekly *County Information and Data Service (CIDS)* and *Statehouse Report (SR)* will look. Your email will contain short summaries and links to a few hot topics from *CIDS* and the *Statehouse Report* and a link to the entire report. Both the *CIDS* and the *Statehouse Report* will continue to be available from the CCAO web page at www.ccao.org for future reference. And this is only the beginning of changes you will see to CCAO newsletters and other ways we communicate with members.

During 2012 you will see even more changes in how we communicate with members. We will be relying more on technology in how we do things at CCAO. During the first six months of 2012 we will be reviewing how we communicate with the goal being to be respectful of your time and not overload you with information and to focus on information you need to know and for which action needs to be taken to protect county interests. We will also be looking for ways to let you know what other counties are doing and how you can learn from initiatives in these counties and to be informed of the challenges and problems other counties are confronting. The changes to our newsletters will be gradual. Trying to recognize that some members are more advanced and accepting of some of technology than others, we will study how CCAO may better serve the needs of its members by using some of the new social media outlets. In the meantime, tell us what you think and give us ideas on how we can be effective and respectful of you limited time given the myriad of issues that confront our members on a daily basis.

STATE ACTIVITIES

LGIF REGIONAL INFORMATION SESSIONS SCHEDULED IN JANUARY

The Ohio Department of Development (DOD) has scheduled five regional Local Government Innovation Fund (LGIF) Regional Information Sessions to explain the upcoming Innovation Grant & Loan Application and Program. The Local Government Innovation Fund (LGIF) was established to provide financial assistance to Ohio political subdivisions for planning and implementing projects that are designed to create more efficient and effective service delivery within a specific discipline of government services for one or more entities. Through this program, DOD seeks to promote efficiency, collaboration, merger, and shared services among local governments. Projects are also expected to facilitate improved business environments and promote community attraction.

The LGIF program will award up to \$100,000 in grant funds per feasibility study, up to \$100,000 in loan assistance per entity for demonstration projects, and up to \$500,000 in loan assistance for multi-entity projects to be used for demonstration projects. The following regional information sessions will provide more information. For additional information go to: <http://www.development.ohio.gov/Urban/LGIF.htm>

DATE	TIME	LOCATION	VENUE
1-1-12	10:00 a.m. – 12:00 p.m. (Including webinar)	Columbus	William Green Building 30 West Spring St-2 nd FL Auditorium Columbus
1-11-12	10:00 a.m. – 12:00 p.m.	Marietta	Washington State Community College 710 Colegate Drive – Graham Auditorium Marietta
1-17-12	1:00-3:00 p.m.	Cleveland area	Cuyahoga Community College Corporate College East – Super Conference Room 4400 Richmond Road Warrensville Heights

1-18-12	10:00 a.m. – 12:00 p.m.	Toledo area	Owens Community College Center for Fine Arts and Performing Arts 30335 Oregon Road Perrysburg
1-14-12	1:00 p.m.-3:00 p.m.	Cincinnati area	Miami University – Hamilton 1601 University Blvd – Parrish Auditorium Hamilton

ODJFS ISSUES TECHNICAL GUIDANCE ON INTERFUND TRANSFER BUDGET LANGUAGE

The Ohio Department of Job and Family Services (ODJFS) issued technical guidance on language in the biennial budget that allows money to be transferred from the Public Assistance (PA) Fund to the CSEA Fund or Children Services Fund. Commissioners questioned if the language in ORC 5705.14(I) went so far as to encompass the mandated share of welfare commissioners must transfer to the PA fund from the county general fund. It does not, and speaks more to auditing and accounting technicalities. Please see the attached County Monitoring Advisory Bulletin for more information.

FEDERAL ACTIVITIES

“WATERS OF THE U.S.” CONFERENCE CALL ARCHIVED FOR FUTURE REVIEW

On November 22, the U.S. Environmental Protection Agency (EPA) held a conference call for NACo proposed changes to the “Waters of the U.S.” definition in the Clean Water Act (CWA). These changes will impact a number of county-run programs that involve ditches and other water features. The EPA has archived this call for counties to listen to the EPA/county discussion. To listen to this 90 minute call, the dial-in number is (855) 859-2056; Conference ID# 28877889. According to the EPA, the proposal will increase the number of waters (and their conveyances) that will fall under federal jurisdiction based on the draft “waters of the U.S.” guidance released earlier this year.

HOUSE VOTES TO TERMINATE ELECTION ASSISTANCE COMMISSION

On December 1, the House voted 235-190 to approve H.R. 3463 to end taxpayer financing of presidential elections and dismantles the Election Assistance Commission (EAC) and transfers some of its duties to the Federal Election Commission. The provision to terminate public financing of presidential candidates and political conventions was already passed by the House earlier this year by a vote of 239-160 (H.R. 359). The bill was not considered by the Senate. H.R. 3463 quickly passed through the House as it was introduced just two weeks ago and is a combination of H.R.359 and a previous legislative attempt to eliminate the EAC, H.R. 672. President Obama has expressed strong opposition to ending the public financing system for presidential elections, calling for reform rather than termination.

CONFERENCES

OHIO WATER QUALITY & WASTE MANAGEMENT CONFERENCE

OSU Extension is sponsoring an Ohio Water Quality & Waste Management Conference on “Septic Systems and Storm Water – Is There a Connection?” on February 2 and 3, 2012 at the University Plaza Hotel, 3110 Olentangy River Road, in Columbus.

Septic systems may work well in dry weather summer. But for much of the winter and spring in Ohio soils are wet and drainage systems move water from fields and yards into ditches and streams. If properly designed, constructed and operated, wastewater is treated to remove pollutants and pathogens before the water enters

drainage ways. Unfortunately, not all systems work to completely treat wastewater, polluting beaches and irrigation water. In fact Ohio is second in the nation for the most polluted beaches.

Registration fee: \$165 (includes tuition, materials, reception, brunch and refreshment breaks) before January 16 or \$180 after January 16. Continuing Education Credits: 8 clock-hours have been applied for from the State Board of Sanitarian Registration and the Ohio EPA. For registration information, contact Holly Bartholomew at (843) 471-2357 or bartholomew.six@gmail.com or www.firstclassconferences

ATTORNEY GENERAL OPINION

SYLLABUS

2011-044

R.C. 307.09 and R.C. 307.10 do not authorize a board of county commissioners to sell a one-half undivided interest in real property that is donated to a board of county hospital trustees under R.C. 339.08.

SYLLABUS

2011-045

Pursuant to R.C. 307.691, a board of county commissioners that wishes to make a donation for the general health and safety of the community may effect that purpose by donating a portion of general fund revenues derived from the sale of the personal property of a county hospital to a nonprofit corporation engaged in promoting safety in Ohio.

SYLLABUS

2011-046

1. Pursuant to R.C. 124.39(B), a city police officer who retired from active service with the city and elected to receive a cash payment for only a portion of his total accrued, unused sick leave may not receive credit under R.C. 124.38 for the amount of sick leave for which no cash payment was made when he is subsequently employed in the public service by a county in a nonbargaining unit position and no collective bargaining agreement or local policy grants him such a benefit.
2. Rule 123:1-32-10(B)(1)(b) does not authorize a county that employs a city police officer who retired from active service with the city and elected to receive a cash payment for only a portion of his total accrued, unused sick leave to grant him credit for the amount of sick leave for which no cash payment was made.

CLASSIFIEDS

FISCAL OFFICER

The Huron Public Library is looking for a Fiscal Officer. This person will serve as chief fiscal officer of the library and will ensure that all financial operations comply with the statutes of the State of Ohio, state auditing requirements and the policies and decisions of the Board of Trustees. The position is part time with 15 hours per week. Appointment is made annually. Wages and Benefits: negotiated and dependent upon experience and education. Board of Trustees and in close coordination with the Library Director.

Qualifications: Minimum of Bachelor's Degree in accounting or related field with 1 to 3 years progressively responsible experience with budget development, financial administration and government or public accounting. Relevant knowledge with UAN and governmental or public fund accounting experience preferred. Eligibility for bonding required and successful completion of a background and credit check required.

DUTIES: Receiving and depositing all funds; paying out money; cash management, including investing; keeping financial records; maintaining payroll, fringe benefits, and retirement system records; preparing

monthly and annual financial reports; preparing budgets and financial forecasts; providing reports as required by federal, state, and local agencies; knowing the statutory requirements relating to libraries; attending all board meetings and take minutes; providing the board and the director with information as needed; and other duties as assigned.

Application deadline: **December 9, 2011**. Please send a cover letter, resume, and three references to: Huron Public Library, Attn: Board President, 333 Williams Street, Huron, OH 44839. EOE.

EXECUTIVE DIRECTOR

Northeast Ohio Areawide Coordinating Agency (NOACA), Northeast Ohio's Metropolitan Planning Organization (MPO), is seeking a superior and proven leader, manager and administrator to serve as the Executive Director. Starting salary range \$140,000 - \$160,000 plus generous benefits depending on qualifications

This position has three direct reports: Directors of Transportation Planning, Transportation Programs and Finance and Operations. This role also oversees Information Technology and Legal Counsel. NOACA is the federally-designated Metropolitan Planning Organization (MPO) for Cuyahoga, Geauga, Lake, Lorain, and Medina Counties in Northeast Ohio, combining to serve a population of over 2 million. This agency provides cooperative, comprehensive, and continuous planning for highways, public transit, and multi-modal transportation. In addition, this organization performs water quality, transportation-related air quality, and other environmental planning functions. NOACA works with partners including the Federal Highway Administration, the U.S. Environmental Protection Agency, the Ohio Department of Transportation and the Ohio Environmental Protection Agency, among others.

A Bachelor's degree in Urban or Regional Planning, Public Administration, Transportation or Civil Engineering or related fields with seven to ten years senior level leadership experience is needed. Experience and background should include long-range and current planning, and successful experience with complex governing entities. Prior experience working in a MPO is highly desirable as are relevant certifications and recognitions.

Qualified candidates should submit resumes online at www.watersconsulting.com/recruitment. This position is open until filled; however, the first review of applicants will take place on December 15, 2011. For more information please contact Andrea Battle Sims at (877) 356-2924 or (216) 695-4776.

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

Office of Fiscal and Monitoring Services

To: All CDJFS, CSEA, and PCSA Directors

From: Lou Tomlin-King, Assistant Deputy Director
Monitoring Services Division, Office of Fiscal and Monitoring Services

Date: December 1, 2011

Subject: **County Monitoring Advisory Bulletin 2011-001:** Interfund Transfers from the Public Assistance Fund to the Children Services Fund or the Child Support Administrative Fund; Amendment to Section 5705.14, Revised Code.

Background

County Monitoring Advisory Bulletin 2009-001: Interfund Cash Transactions noted that monitoring reviews of county family services agencies have resulted in the identification of a number of interfund cash transactions which may be in conflict with the requirements of Ohio law. Where interfund transactions are contrary to statute, the effects can be serious, resulting in significant monetary findings in an OMB Circular A-133 audit of the county. That bulletin was issued to clarify for county family services agency management and staff the circumstances under which interfund cash transactions are allowed.

Subsequent to the issuance of that bulletin, BMCS staff identified circumstances under which monies legally required to be paid into and expended from the Public Assistance (PA) Fund were lawfully applicable to purposes of the Children Services Fund or of the Child Support Administrative Fund, but difficulties existed in moving these monies to these Funds for lawful expenditure. For example, Title XX monies paid into the PA Fund are allowable funding under federal law for child welfare purposes. However, under Ohio law, expenditures for child welfare purposes must be made from the statutory Children Services Fund under Section 5101.144, Revised Code. The transfer of PA Fund monies to the Children Services Fund required transfer pursuant to Sections 5705.15 and 5705.16, Revised Code, including approval of the Board of County Commissioners, the Ohio Tax Commissioner and the local Court of Common Pleas.

Legislative Change

To reduce the administrative burden on county agencies and to facilitate the use of such monies, the ODJFS proposed that the Ohio General Assembly revise Section 5705.14, Revised Code, to allow transfers from the PA Fund to either the Children Services Fund or to the Child Support Administrative Fund by simple resolution of a majority of the board of county commissioners. The requested language was included in Am. Sub. H. B. 153 and was effective October 1, 2011. Specifically, the amended statute states, in subsection (I):

(I) Money may be transferred from the public assistance fund established under section 5101.161 of the Revised Code to either of the following funds, so long as the money to be transferred from the public assistance fund may be spent for the purposes for which money in the receiving fund may be used:

(1) The children services fund established under section 5101.144 of the Revised Code;

(2) The child support enforcement administrative fund established, as authorized under rules adopted by the director of job and family services, in the county treasury for use by any county family services agency.

Effecting Transfers from the PA Fund to the Children Services Fund or to the Child Support Administrative Fund

If a county wishes to transfer monies from the PA Fund to either the Children Services Fund or the Child Support Administrative Fund, the following steps are necessary:

- Identify monies in the PA Fund which are lawfully applicable under state and federal law for expenditure for the purposes of the fund to which the monies are to be transferred. Monies to be transferred to the Children Services Fund must be lawfully applicable to “purposes of meeting the expenses of providing children services,” as provided in Section 5101.144, Revised Code. Monies to be transferred to the Child Support Administrative Fund must be lawfully applicable to the purposes set forth in OAC Section 5101:9-6-83 (B).
- Prepare a resolution for the approval of the board of county commissioners, providing for a transfer from the PA Fund to the receiving fund. The resolution should be accompanied by documentation indicating the source of the monies to be transferred, the allowable uses of the monies to be transferred, and the basis for your conclusion that the monies to be transferred are lawfully applicable to the purposes of the receiving fund. These materials should be retained for review by external auditors and by ODJFS monitoring staff.

The county prosecuting attorney, as statutory legal advisor to county officials, may be able to provide you with guidance in the preparation of the necessary materials.

Accounting for Transferred Monies

County agencies must be able to account in the receiving fund for the receipt, obligation, and disbursement of monies transferred into the fund, and must be able to identify at all times any unobligated or unexpended balance of the transferred monies in the receiving fund. If monies with different legal restrictions, uses, or limitations are transferred into a fund, this level of information must be maintained separately for each funding stream.

A failure to account for transferred monies as required by federal law may result in the loss of

identity and commingling of monies in the receiving funds, with possible significant federal questioned costs and possible difficulties in preparation of auditable financial statements on a county-wide level. Questions as to the detailed process for appropriately accounting for such transferred monies should be referred to your designated ODJFS Fiscal Supervisor.

Limitations of the Statutory Amendments

The revised statute does not provide for the transfer of monies from the Children Services Fund or from the Child Support Administrative Fund to the PA Fund or to other funds of the county by mere resolution of the board of county commissioners. Any such transfers must be pursuant to Sections 5705.15 and 5705.16, Revised Code, including approval of the Board of County Commissioners, the Ohio Tax Commissioner and the local Court of Common Pleas.

This would include any proposed “reversal” of a completed transfer. If, for example, \$25,000 were transferred pursuant to this section from the PA Fund to the Children Services Fund, and a decision was made that \$10,000 of the \$25,000 should be transferred back to the PA Fund, the transfer to return the monies in question to the PA Fund would require approval of the Board of County Commissioners, the Ohio Tax Commissioner and the local Court of Common Pleas, pursuant to Sections 5705.15 and 5705.16, Revised Code.

This does not apply to the “Shared Cost Transfers,” which are not legally transfers, but are interfund movements of cash by operation of law. For more details on this process, see County Monitoring Advisory Bulletin 2009-001: Interfund Cash Transactions, at pages 2 and 3.

Questions?

The BMCS has established a GroupWise e-mail account for questions related to technical issues. Questions about this bulletin or other matters may be submitted through the GroupWise system to BMCS_INQUIRIES or through the Internet to BMCS_INQUIRIES@jfs.ohio.gov.

This e-mail account will be checked frequently for new inquiries and we will respond to questions as quickly as possible.