



CIDS

County Information and Data Service

Published weekly by: County Commissioners Association of Ohio

209 East State Street • Columbus, Ohio 43215-4309
Phone: 614-221-5627 • Fax: 614-221-6986 • www.ccao.org

VOLUME XXXXVIII

NO. 22

JUNE 1, 2012

DATES TO REMEMBER

JUNE 4, 2012	CCAO METROPOLITAN & REGIONAL AFFAIRS CONFERENCE CALL – 3:00 P.M.
JUNE 7, 2012	CCAO BOARD OF DIRECTORS MEETING, DOUBLTREE COLUMBUS/WORTHINGTON HOTEL, COLUMBUS
JUNE 8, 2012	CCAO SUMMER SEMINAR, DOUBLETREE COLUMBUS/WORTHINGTON HOTEL, COLUMBUS
JUNE 11, 2012	NW OHIO COMMISSIONERS & ENGINEERS QUARTERLY MEETING, HOWARD JOHNSON HOTEL, ALLEN COUNTY (LIMA)
JUNE 13, 2012	JOB & FAMILY SERVICES COLLABORATION & MERGER PROJECTS – CCAO 2 nd WEDNESDAY SEMINAR, CCAO OFFICES, COLUMBUS
JUNE 14, 2012	CCAO JOBS, ECONOMIC DEVELOPMENT & INFRASTRUCTURE COMMITTEE, CCAO OFFICES, COLUMBUS
JULY 13-17, 2012	NACo ANNUAL CONFERENCE, DAVID L. LAWRENCE CONVENTION CENTER, ALLEGHENY COUNTY (PITTSBURGH), PA
JULY 14, 2012	OHIO DELEGATION CAUCUS AT THE NACo ANNUAL CONFERENCE, DAVID L. LAWRENCE CONVENTION CENTER – ROOM 333, ALLEGHENY COUNTY (PITTSBURGH), PA

ASSOCIATION NEWS

1ST ANNUAL CEBCO WELLNESS CHALLENGE

CEBCO is partnering with the American Heart Association for our 1st Annual Walking Challenge. Counties within the CEBCO program will be competing for an additional \$1,000 of Wellness Grant money. To get started today, dust off those walking shoes and go to www.startwalkingnow.org

- 1) On the home page, click the “Register” button in the “Register Today!” box.
- 2) Enter all required contact information.
- 3) In the box that says “Company” click the orange phrase that says “Search for Company.”
- 4) In the box that appears, type in your specific county/CEBCO, then click on the search button for your county (as you have been advised it is registered)
- 5) Select the entry that matches by clicking on it.

- 6) You do not need to specify a department or team.
- 7) Create your own password and re-enter it where it says "confirm."
- 8) Enter your weight and height.
- 9) Under preferences, make sure the first box is checked. Your employer will be able to see your name, department and contact info. Your health information (i.e., height and weight) will not be seen.

OK, to those of you that are groaning at the prospect of walking...don't give up now! Use the conversion chart found on the website to determine the number of steps for activities other than walking. For more information, please contact Wendy Dillingham, CEBCO Senior Benefit Specialist, at (614) 220-7992, (888) 757-1904 or wdillingham@ccao.org

CCAO SUMMER SEMINAR TO BE HELD JUNE 8 – JUST AROUND THE CORNER

CCAO invites all county commissioners, affiliates and guests to the CCAO Summer Seminar to be held June 8, 2012 at the [Doubletree Hotel Columbus/Worthington](#), 175 Hutchinson Avenue, in Columbus. Registration will open at 7:30 a.m. with sessions beginning at 8:30 a.m. and ending at 3:00 p.m. There will be one registration fee for all attendees that will include conference registration, continental breakfast, beverage breaks, and lunch. An updated agenda has been posted on our website.

These **affiliate organizations** will be meeting at the Summer Seminar: County Administrators Association, County Commissioners Clerks and Engineers Administrative Professionals Association, Ohio County Dog Wardens Association, and Organization of Solid Waste Districts of Ohio.

For the first time, you will have the opportunity to register online at www.ccao.co/registration REGISTRATIONS WILL NOT BE TAKEN OVER THE PHONE. For registration information please contact Ali Redmond, CCAO Accountant, at (614) 221-5627, (888) 757-1904, fax (614) 221-6986, or onlinereg@ccao.org

CIDS & STATEHOUSE REPORT SENT FROM NEW E-MAIL ADDRESS

Several weeks ago, CCAO e-mailed CIDS and the Statehouse Report from our newly developed database. Previously both reports were sent via e-mail from ajones@ccao.org Starting Friday, May 18, CIDS and the Statehouse Report were sent from: enews@ccao.org

To ensure you keep receiving all of your important notifications from CCAO, please be sure and add enews@ccao.org to your address book! Ask your IT department to whitelist enews@ccao.org Please make sure this new e-mail address is not in your "blocked or spam" folder. CIDS and the Statehouse Report are e-mailed to individuals with CCAO membership as well as other affiliated contacts.

Please note the following:

- If you previously unsubscribed to CIDS and the Statehouse Report, you are now re-subscribed (any previous email you may have received and unsubscribed to was a test).
- Please note: If you click unsubscribe to ALL, you will not receive any emails from CCAO.

If you did not receive CIDS and the Statehouse Report on or after May 18 and think an error has been made; or, if you have any questions, please contact Mary Jane Neiman, CCAO Public Relations Associate, at (614) 220-7979, (888) 757-1904 or mjneiman@ccao.org

Also, we want to thank all of our members for their continued support and patience as we work to implement our new database!

JOB & FAMILY SERVICES COLLABORATION & MERGER PROJECTS – CCAO 2ND WEDNESDAY SEMINAR SERIES

Cutbacks in state and federal funding and increased demand for human services in a weak economy are causing county job and family service departments to look at new approaches to achieve efficiencies through merger of departments and collaboration projects. Join CCAO on June 13, 2012 for a 2nd Wednesday seminar to learn from a director of a three-county pilot merger project the genesis, challenges and anticipated benefits of this joint effort. You will also receive information from JFS executives on the advantages of sharing resources for training and supervision, and potential savings and flexibility flowing from a “one-call center,” a pooled workforce, and collaborative technological processes and purchases.

All 2nd Wednesday’s Seminars will be held in the Board Room at the CCAO Offices, 209 E. State Street, in Columbus. Register for this FREE program by e-mail to Tanya McComas, CCAO Administrative Assistant, at tmccomas@ccao.org. Please include the name and title of those attending and the county, agency or company they represent. Coffee will be served at 9:00 a.m., the program begins at 9:30 a.m. and concludes promptly at 12:30 p.m., and lunch is on your own after the program.

A workshop flyer and schedule of other 2012 2nd Wednesday Seminars is attached to this issue of CIDS and linked on the front page of www.ccao.org. If you have questions regarding the substance of the program, contact Brad Cole, Managing Director of Research, at (614) 220-7981, (888) 757-1904 or bcole@ccao.org.

STATE ACTIVITIES

CASINO NUMBER TWO OPENED ITS DOORS THIS WEEK

On Tuesday the Hollywood Casino Toledo celebrated its grand opening. Penn National which owns and operates the Toledo venue spent almost 75 percent of the \$270 million investment it pledged to make in land, construction, and equipment. Nearly 2,300 people worked to build the 290,000-square-foot casino and more than 1,300 people have been hired as permanent employees with three-quarters of these jobs being full-time positions.

The counties should receive their first payout from the state's casino tax by the end of July. The payment will include collections from the operations since the opening dates of both the Cleveland casino (which opened May 14) and the Toledo casino through June 30. Casino revenue distributions will be made on a quarterly basis by the Department of Taxation with the money being transferred to the counties by the last day of the month following the calendar quarters (April, July, October, and January).

CCAO continues to receive inquiries asking how much revenue will be received from the casino tax. The sales pitch to sell the voters on the constitutional amendment suggested that the 33% tax on casino gross revenue provided by the amendment would generate more than \$469 million a year for Ohio counties, host cities, school districts, and other specified purposes. Counties get 51% of the tax revenue collected. As you recall, the counties receive a per-capita distribution and in those counties where the largest city has a population of 80,000 or above, the county money will be split 50/50 between the county and that city. When the concept of “racinos” (allowing video lottery terminals at horse racing tracks) was initially proposed, the state Department of Taxation issued a report suggesting that racinos could reduce the projected revenue estimates for the casinos by as much as 27%. At this point, with no actual data regarding casino tax receipts in hand, it makes it very difficult for counties to factor in the receipt of casino revenues during the county budgeting process for 2013.

Many questions persist. What will be the social costs of casino gambling and will crime and gambling addiction increase leading to the need to increase county spending in these areas? What effects will the casino have

upon the other aspects of the local economies and other area entertainment venues? And ultimately for counties – will we reap the riches we have been promised?

As *The Toledo Blade* said in its Tuesday editorial welcoming the Hollywood Casino Toledo “The answers to these questions won’t be known for months, perhaps years. That’s why it’s called gambling.”

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

LAWSUIT CHALLENGING VIDEO LOTTERY TERMINALS AT HORSE RACETRACKS DISMISSED

This week, the Franklin County Common Pleas Court dismissed a lawsuit aimed at blocking the state's implementation of so-called "video lottery terminals" at horse racetracks. Judge Timothy Horton dismissed the suit against the state filed by the Ohio Roundtable on a procedural issue rather than on the merits finding that the Ohio Roundtable lacked the legal standing to file the suit. Judge Horton found that the plaintiffs were unable to show a specific injury or interest that provided an actual case or controversy that could proceed on the merits.

The Ohio Roundtable, a conservative-minded group that has led past efforts to block gambling expansion in the state, filed the lawsuit last fall against Governor Kasich, members of the Ohio Casino Control and Lottery Commissions and state Department of Taxation, charging that the administration lacked the authority to allow the lottery-operated machines. Among the 17 claims brought in the law suit were allegations that the expansion of VLTs to the race tracks was a violation of the Ohio Constitution's lottery section; the terms specified in the agreements brokered last year between Governor Kasich and casino developers for them to pay more in license fees while authorizing the state to modify application of the commercial activity tax on casinos were illegal; allowing the Horseshoe Cleveland Casino to open in phases in multiple structures violated the constitutional amendment authorizing the four venues; and, the racetracks were receiving a preference in being allowed to keep more revenue from VLTs than other lottery games.

TOWNSHIP IMPACT FEES FOUND TO BE AN UNAUTHORIZED IMPOSITION OF A TAX

The Ohio Supreme Court unanimously held this week that Hamilton Township in Warren County cannot legally collect “impact fees” on new commercial and residential projects to pay for roads, parks and police and fire services. The fees constituted taxes that the township is not legally able to collect, the court ruled. Townships are prohibited from establishing taxes that are not authorized by general law.

The court noted that the mere fact that the township's resolution calls the assessments 'fees' is not sufficient to establish that the assessments are not taxes. In order to determine whether certain assessments are taxes you must analyze the substance of the assessments and not merely their form. The court found that the funds generated through the township's assessments were set up for expenditures that were general in nature as a tax would be, rather than targeted for specific projects and services as a fee would be.

OHIO'S GENERAL TAX AMNESTY: A GOOD DEAL FOR ALL TAXPAYERS

Time is running out to take advantage of the opportunity offered by the Ohio General Tax Amnesty Program. The amnesty program ends June 15, 2012, making it important for you to act now if you have fallen behind on your taxes. The General Tax Amnesty Program is specifically designed to help individual and business taxpayers who haven't paid what they currently owe. It also benefits all Ohio taxpayers.

Here's how it works: Taxpayers who contact the Ohio Department of Taxation during amnesty and pay their overdue tax in full can avoid all penalties and get the interest owed cut in half. The offer allows individuals and

businesses that have not paid certain taxes as of May 1, 2011 to settle their obligations with the least hassle and the lowest possible cost.

Ohio first offered a tax amnesty program in 2002 and attracted thousands of taxpayers who paid more than \$37 million in taxes they owed. Ohio's second amnesty program, in 2006, brought in more than \$55 million in back taxes.

These programs benefit all taxpayers, not just those who participate in amnesty. Of course, the debts paid during amnesty are important in helping cover the costs of the services we all use, and they help balance budgets without a tax increase. Some of the taxes eligible for amnesty are local taxes that will help your county.

Perhaps more importantly, amnesty helps assure fairness by asking ALL Ohioans to fulfill their responsibilities in helping create a better Ohio. The amnesty program is open to those who are not involved in an audit related to the taxes owed, or have not been notified by the department that they owe tax. Covered taxes include individual income, individual school district income, commercial activity, sales and seller's use, employer withholding, school district employer withholding, and a number of other individual and business taxes. Individuals and businesses can find out more about tax amnesty by visiting www.ohiotaxamnesty.gov

FEDERAL ACTIVITIES

FARM BILL HEADED TO THE SENATE FLOOR; BROWN INTRODUCES AMENDMENT

The full Senate is likely to take up the Farm Bill the first week of June. The Agriculture Reform, Food and Jobs Act of 2012 passed the Senate Agriculture Committee on April 26 and overall the current version is beneficial to county priorities, with the one major exception being the lack of mandatory funding for rural development programs. The legislation authorizes a broad range of programs that are critical to counties. These programs assist counties in the development of rural water/wastewater infrastructure, community facilities, broadband expansion, conservation easements, research, nutrition assistance, renewable energy, local and regional food systems, support for new farmers, and business development initiatives. [Click here](#) for NACo analysis of the bill.

NACo's priority in reauthorization is the Rural Development title, and the current version heading to the Senate floor makes important policy changes that will benefit county governments, such as a new technical assistance component for community facilities, an improved broadband program, streamlining of applications and a new focus on funding the strategic rural development priorities of localities and their larger regions. The 2008 Farm Bill included \$150 million in mandatory funding for rural water/wastewater infrastructure and two rural business programs and NACo is working to reinstate funding through an amendment on the Senate floor.

Senator Sherrod Brown introduced and discussed an amendment during the Senate Agriculture Committee mark-up that would have directed a portion of funds in excess of the \$23 billion the Committee has committed to savings to provide mandatory funding for key rural development accounts. NACo and our coalition partners are working to identify additional Senators that will commit to working to reinstate mandatory funding for rural development programs.

Please contact Senators Brown and Portman and urge them to pass the Farm Bill and support any amendment that will use some of the savings above the \$23 billion commitment to reinstate mandatory funding to rural development programs. [Click here](#) for a full action alert with talking points. For more information, contact Erik Johnston, Associate Legislative Director, at (202) 942-4230 or ejohnston@naco.org

ATTORNEY GENERAL OPINION

SYLLABUS

2012-015

A county prosecuting attorney may use moneys in her law enforcement trust fund created pursuant to R.C. 2981.13 to employ and pay the salary and fringe benefits of an assistant prosecuting attorney whose responsibilities consist solely of prosecuting drug offenses under R.C. Chapter 2925, provided the prosecuting attorney determines, in the reasonable exercise of her discretion, that such use is an appropriate law enforcement purpose. An expenditure of law enforcement trust fund moneys for that purpose must be made in accordance with the written internal control policy that addresses the use of those moneys. (1998 Op. Att'y Gen. No. 98-023 (syllabus, paragraph 2), approved and followed.)

SYLLABUS

2012-016

1. A county sheriff who has been authorized by the board of county commissioners in accordance with R.C. 301.28 to accept payments by financial transaction devices may not use a processor of financial transaction devices to accept (1) money confiscated during the commitment of a person to the county jail, (2) money for a prisoner's inmate account, or (3) bail.
2. A county sheriff who has been authorized by the board of county commissioners in accordance with R.C. 301.28 to accept payments by financial transaction devices may use a processor of financial transaction devices to accept (1) money for property sold at a sheriff's sale, (2) payment of the fee for a license to carry a concealed handgun, or (3) payment of the fee for making a standard fingerprint impression sheet.
3. A processor of financial transaction devices may not charge a person who uses a financial transaction device to make a payment to the county sheriff's office a surcharge or convenience fee that exceeds the surcharge or convenience fee established by a board of county commissioners pursuant to R.C. 301.28(E).

SYLLABUS

2012-017

A person may serve simultaneously in the positions of mayor of the Village of West Jefferson and recycling coordinator for the Madison County-London City Health District provided that as mayor the person does not present the Village's annual tax budget to the county budget commission and does not participate in deliberations, discussions, or negotiations related to (1) an agreement entered into between the Village and the Health District, (2) the Village's annual tax budget, or (3) a tax levy for tax revenue in excess of the ten-mill limitation. If the mayor also is a member of the Health District's district advisory council, the person must abstain from deliberating, discussing, negotiating, or voting upon a recommendation of the district advisory council that would directly affect her employment as recycling coordinator of the Health District. As recycling coordinator for the Madison County-London City Health District, the person may not participate in deliberations, discussions, or negotiations related to an agreement entered into between the Village and the Health District.

SYLLABUS

2012-018

1. A direct deposit payroll policy established by a county auditor pursuant to R.C. 9.37(G) may specify procedures for the direct deposit of a county employee's compensation into an account to which the employee has access when a county employee fails to comply with a direct deposit payroll policy, or provides incorrect information in an attempt to comply with a direct deposit payroll policy. A direct deposit payroll policy may not include procedures that contravene federal or state law. (1996 Op. Att'y Gen. No. 96-055 (syllabus, paragraph 2), overruled because of statutory change.)

2. A county appointing authority may implement a progressive discipline policy and impose discipline on the employees of his office that do not comply with a county auditor's direct deposit payroll policy established pursuant to R.C. 9.37(G).

CLASSIFIEDS

Title	Employer/Application Deadline/For More Information. . .
Multi-Certified Inspector	Geauga County Building Department Applications accepted until position is filled.
Human Resources Generalist	Greene County Commissioners Applications accepted until position is filled.
IT Administrator	Montgomery County's Administrative Service's department Applications accepted until position is filled.
Project Engineer	Union County Engineer Applications accepted until position is filled.
Director, Communications Center	Hamilton County Commissioners July 1, 2012