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DATES TO REMEMBER

SEPTEMBER 5, 2012	CCAO METROPOLITAN & REGIONAL AFFAIRS CONFERENCE CALL
SEPTEMBER 14, 2012	CCAO AGRICULTURE & RURAL AFFAIRS COMMITTEE, CCAO OFFICE, COLUMBUS
SEPTEMBER 14, 2012	CCC/EAPA REGIONAL MEETING, OLD ASHTABULA COUNTY COURTHOUSE, ASHTABULA COUNTY (JEFFERSON)
SEPTEMBER 17, 2012	NW DISTRICT COMMISSIONERS & ENGINEERS QUARTERLY MEETING, THE GRANDVIEW PLAZA, AUGLAIZE COUNTY (WAPAKONETA)
SEPTEMBER 20, 2012	CCAO JUSTICE & PUBLIC SAFETY COMMITTEE, CCAO OFFICE, COLUMBUS
SEPTEMBER 20, 2012	CCAO GENERAL GOVERNMENT & OPERATIONS COMMITTEE, CCAO OFFICE, COLUMBUS
SEPTEMBER 21, 2012	CCAO BOARD OF DIRECTORS, CCAO OFFICE, COLUMBUS
OCTOBER 1, 2012	OHIO'S NEW OIL BOOM SEMINAR, RIFE OFFICE TOWER – CAPITOL THEATER, COLUMBUS
OCTOBER 10, 2012	OHIO'S NEW CASINOS: ECONOMIC IMPACT, COUNTY REVENUE & REGULATION – CCAO 2 ND WEDNESDAY SEMINAR SERIES, CCAO OFFICE, COLUMBUS – (RESCHEDULED FROM SEPTEMBER 12)
OCTOBER 12, 2012	CCC/EAPA REGIONAL MEETING, CCAO OFFICE, COLUMBUS
DECEMBER 9-11, 2012	CCAO/CEAO WINTER CONFERENCE, GREATER COLUMBUS CONVENTION CENTER, COLUMBUS
FEBRUARY 10-12, 2013	CCAO COMMISSIONERS TRAINING SEMINAR, DEER CREEK LODGE & CONFERENCE CENTER, MT. STERLING

ASSOCIATION NEWS

CCAO METROPOLITAN & REGIONAL AFFAIRS COMMITTEE CONFERENCE CALL

The CCAO Metropolitan and Regional Affairs Committee meeting scheduled on September 5, 2012 at 10:00 a.m. has been changed from a meeting in the CCAO Offices to a conference call. Information about the

conference call was emailed to all committee members this week. Please contact Kathy Dillon, CCAO Office Manager and Boards' Liaison, at (614) 220-7998 or kathydillon@ccao.org if you have any questions.

The Committee will be discussing the CCAO Legislative Program for the next session of the General Assembly. Two years ago CCAO developed a Legislative Program related to Metropolitan and Regional Affairs. As the current session of the General Assembly comes to a close, it is time to review and update the Legislative Program for the 130th General Assembly. We are asking members of the Committee to review the current program and give us their recommendations for change. In addition, please feel free to distribute the document to other staff for review. We are also asking for new issues that are currently not in the Program that you feel should be included at this time.

OHIO'S NEW OIL BOOM SEMINAR – OCTOBER 1

What is Ohio's new oil boom? What does it mean for school and local governments? Mark your calendars and plan to attend a seminar on "Ohio's New Oil Boom: A Conversation" to be held on October 1, 2012 at the Riffe State Office Tower – Capitol Theater, 77 South High Street, in Columbus. Registration will begin at 8:00 a.m. with sessions beginning at 8:50 a.m. and ending at 4:00 p.m. Lunch will be provided. More details will be available after Labor Day. CCAO is co-sponsoring this seminar along with the Buckeye Association of School Administrators, Ohio School Boards Association, Ohio Association of School Business Officials, and Ohio Township Association.

AFFILIATE NEWS

CCC/EAPA REGIONAL MEETINGS SCHEDULED IN SEPTEMBER & OCTOBER

The last two County Commissioners Clerks and Engineers Administrative Professionals Association (CCC/EAPA) Regional Meetings for 2012 will be held in the following counties:

- **September 14 – Ashtabula County** – Old Courthouse, 25 West Jefferson Street – 2nd FL, Jefferson. RSVP your attendance by Monday, September 10 to Theresa Upton at (440) 329-5103 or tupton@loraincounty.us
- **October 12 – Franklin County** – CCAO Offices, 209 East State Street, Columbus. RSVP your attendance to Lora Redick at (419) 228-3196 or [iredick@allencountyohio.com](mailto:redick@allencountyohio.com)

All the county commissioners' and engineers' office support staff members are encouraged to attend. These regional meetings, as well as at the CCAO Summer Seminar and the CCAO/CEAO Winter Conference, are excellent opportunities for networking. The topics discussed at the regional meetings vary from the daily operations of the office to recent legislative updates. All meetings will be held on Fridays from 10:00 a.m. until 2:30 p.m. There is no charge to attend. Lunch is provided by CCAO/CEAO.

CCC/EAPA has a [Yahoo group](#) that is a resource for questions and answers. For more information about the [CCC/EAPA](#), please contact 2012 President Lora Redick, Account Clerk, Allen County Engineer's Office, 1501 North Sugar Street, Lima, OH 45801-3136, (419) 228-3196 ext. 12, Fax (419) 227-2920, or [iredick@allencountyohio.com](mailto:redick@allencountyohio.com)

IN MEMORIUM

JERRY CROSS

Former Hardin County Commissioner Jerry Cross died on Friday, August 24. A graduate of Mt. Victory High School, Cross began a business career that spanned over 30 years. He later founded Cross Marketing. Jerry

was elected and served two terms as county commissioner from 2002 to 2010. He loved serving his community and being with the people of Hardin County. Notes of sympathy may be sent to the Cross family at 516 North Cherry Street, Kenton, OH 43326 or [online](#) at the funeral home's website.

COUNTY NEWS

OHIO SUPREME COURT RULES FAVORABLY IN STORM SEWER SYSTEM CASE

The Ohio Supreme Court has ruled in favor of local governments in the [Coleman v. Portage County Engineer](#) case. The Court agreed with local government that an allegation of failure to upgrade a storm sewer system was an issue of construction and not maintenance, and thus a governmental function for which the county engineer was entitled to immunity.

Appellees Barbara and Robert Coleman sued the Appellant, Portage County Engineer, complaining that their property flooded in 1982, 1989, 2003, 2005, and 2009 and caused damaged to their real and personal property. Flooding was due to water overflowing from culverts in front & behind the residence. Coleman's alleged that their property will continue to flood. Both parties agreed that the cause of the storm-sewer backup was unclear. Appellees alleged that the Portage County Engineer breached the duty of due care owed to the plaintiffs in designing, constructing and maintaining the water piping system that collects and discharges water on the plaintiffs property. Appellees asked for modifications to protect them from further flooding.

The court held that: "For purposes of R.C. Chapter 2744, a claim based on a failure to upgrade is a claim based on a failure of design and construction, for which political subdivisions enjoy immunity, and not a claim based on a failure to properly maintain, for which political-subdivision liability may be extant."

Congratulations to defense counsel John McLandrich and Frank Scialdone of Mazanec, Raskin and Ryder, and counsel for Amici Curiae Scyld Anderson and Mark Landes of Isaac, Brant, Ledman and Teetor for their great lawyering. And thanks to all the Amici for their support: CCAO, CORSA, Ohio Municipal League (OML), Ohio Township Association (OTA), Consortium of Large Ohio Urban Townships (CLOUT), the County Sanitary Engineers Association (CCAO Affiliate), Metropolitan Sewer District of Greater Cincinnati, Association of Ohio Metropolitan Wastewater Agencies, and County Engineers Association of Ohio (CEAO).

STATE ACTIVITIES

SCHOOL TRANSPORTATION GRANTS

The Capitol Square Review and Advisory Board (CSRAB) and Capitol Square Foundation will provide 240 school transportation grants for Ohio students in grades four through twelve to visit the Ohio Statehouse and its museum during the 2012-2013 academic year. The online application process will open at 9:00 a.m. on September 4, 2012. The grants will be made available to help schools defray bus transportation expenses to the Ohio Statehouse. Each awarded grant will be based on one-way mileage from the visiting school to Columbus. The program was created in 2009 by Honda of America Mfg., Inc. and the Walmart Foundation. Since the program's inception, more than 60,000 students from nearly every Ohio county have visited the Ohio Statehouse with the help of this grant program.

A total of \$72,000 has been made available for the 2012-2013 academic year. A total of 240 grants will be awarded; 80 grants in three mileage categories for a one-way trip from the visiting state funded school to the Ohio Statehouse. The three mileage categories include: 1 to 50 miles, \$ 200.00 transportation grant; 51 to 100 miles, \$ 300.00 transportation grant; and 101+ miles, \$ 400.00 transportation grant. Each category will be closed once the 80 available grants have been awarded. All grants will be awarded on a first come-first served

basis. Only one transportation grant will be awarded to each school regardless of the number of buses or students visiting the Ohio Statehouse.

Once the application process opens on September 4, only online applications will be accepted. All applications must be submitted by an authorized teacher or school administrator. Detailed information about the program is available at www.ohiostatehouse.org. Applications will be accepted until every grant is awarded.

CONFERENCES/WEBINARS

OHIO GREEN FLEET SHOWCASE – FREE TICKETS AVAILABLE

Clean Fuels Ohio will host the “2012 Ohio Green Fleets and Green Fleets Technology and Vendor Showcase” from 11:00 a.m. to 3:30 p.m. on Wednesday, September 12, 2012 at The Boat House at Confluence Park, 679 West Spring Street, in Columbus. This event will focus on fleets from across Ohio that are being certified as Ohio Green Fleets for improving their environment performance, efficiency, and cost effectiveness. The Ohio Green Fleets Showcase will also include informative panels from fleets and technology experts, awards luncheon, and the technology and vendor showcase.

Registration (\$35 value) is complimentary to county commissioners. There are a limited number of complimentary tickets. Register today at www.OGFSpecialPass.Eventbrite.com to claim your free ticket. For more information, contact Andrew Conley, Program Director, Clean Fuels Ohio, at (614) 884-7336 or Andrew@CleanFuelsOhio.org or www.cleanfuelsohio.org

WASTE TO WEALTH SUMMIT

Join the Appalachia Ohio Zero Waste Initiative on September 13 & 14, 2012 at the Ohio University Inn & Conference Center, 331 Richland Avenue, in Athens for a solid waste and recycling summit. “Waste to Wealth: Building Rural Assets Through Resource Recovery Summit” will bring together solid waste and recycling stakeholders from Ohio, Kentucky and West Virginia to explore how to increase rural wealth by increasing resource recovery.

The program will highlight exemplary rural recycling programs, marketing cooperatives, recycling and zero waste policy, business development, the global and regional context of waste and more. The summit will encourage a value chain approach, where communities, haulers, processors, industries, businesses, politicians, philanthropists and others work together for the benefit of the local economy, the health of its people, and the environment. The lunch and evening reception will feature local foods as well as composting and recycling in an effort to make the event as close to zero waste as possible.

Registration fee (includes lunch, evening reception and summit materials): \$75 per person. [Click here](#) for more information and to register. Note: Athens or Hocking County residents and employees are eligible for a special, free post-summit lunch and forum. Lunch will be served at noon and the program will run from 12:30-3:00 p.m. on September 14. Attendance at the Waste to Wealth summit is not a prerequisite to attending this forum.

SUSTAINABLE PURCHASING & POLITICS – SEPTEMBER 27

Making improvements to purchasing systems requires extraordinary effort, but it is one of the key opportunities for counties to become more sustainable. Join NACo for a free webinar - “Sustainable Purchasing and Politics: Leading But Staying Out of the Mud” - on Thursday September 27, 2012 from 2:00-3:15 p.m. to find out how many innovative county leaders are finding the “right ways” to engage in better purchasing practices. Learn how Franklin County (OH) and Multnomah County (OR) have made it easier to purchase more efficiently and

sustainably through the use of strong policies, cross-departmental teams, and community support. [Click here](#) to register. For more information, contact Jared Lang, NACo Community Services Program Manager, at (202) 942-4224 or jlang@naco.org

ATTORNEY GENERAL OPINION

SYLLABUS

2012-025

1. A majority vote of “no” on the question specified in R.C. 4301.356 affects the result of a majority vote of “yes” in a site-specific local option election previously held under R.C. 4301.355(B)(1) when the location that is subject to the site-specific local option election is within the community entertainment district.
2. A majority vote of “no” on the question specified in R.C. 4301.356 affects within a community entertainment district the result of a majority vote of “yes” in a precinct-wide local option election previously held under R.C. 4301.35, R.C. 4301.351, R.C. 4301.353, R.C. 4301.354, R.C. 4303.29, or R.C. 4305.14.
3. A majority vote of “yes” on the question specified in R.C. 4301.356 affects an area of a community entertainment district that (1) is subject to a previously held precinct-wide local option election prohibiting the sale of beer and intoxicating liquor or (2) voted in the November 1933 election against the repeal of Article XV, § 9 of the Ohio Constitution.
4. An ordinance requesting the submission of the question set forth in R.C. 4301.356 to the electors of a municipal corporation is valid when the legislative authority of the municipal corporation submits to the board of elections all the names and addresses of the liquor permit holders who sell beer or intoxicating liquor within the community entertainment district.

CLASSIFIEDS

Title /For More Information. . .	Employer/Application Deadline
Operations Supervisor	Franklin County Sanitary Engineer Applications accepted until position is filled
Historical Museum & Center Director	Wood County Commissioners Applications accepted until position is filled
Business & Technology Services Supervisor	Seneca County JFS Applications accepted until position is filled
Chief Wastewater Treatment Plant Operator	Fairfield County Utilities September 7, 2012
Executive Director	Center for Local Government (CLG) October 1, 2012 or until position is filled