

# ASHLAND CITY COUNCIL

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## Minutes for Charter Members Meeting Thursday, April 19, 2007 7:30 a.m.

Charter Member Meeting started at 7:30 am

Purpose: To Review Charter and make updates.

### **Session:**

Economic Development Conference Room.

Roll Call: Sign -In sheet was sufficient.

- 1)Nevin Bowers
- 2)Darcie Loreno
- 3)Bill Benz
- 4)Howard Scanlan
- 5)Al Sanders
- 6)Ron Baker
- 7)Ev DeVaul
- 8)Dorothy Stratton
- 9)Elizabeth Hipp
- 10)Anna Tomasek

Ken Seidner- Chair Person was absent.

Ev DeVaul- Acting Chair Person called the meeting to order at 7:30 am

Bernard Sargent, Dennis VanScoy, Kay Conrad, were also absent.

Old Business:

- (a) Ev DeVaul- We will have the next meeting in 2 weeks, May 3, 2007  
And meetings every week thereafter for month of May and until further notice. (make May's calendar)
  - Topics formulated.
  - Research completed.
  - Keep within our timeline.
  - Weekly meetings at 7:30 am

Ev Devaul welcomed Nevin Bowers to the meeting, he has been doing his research in Florida on these topics for us and is well-versed. Were you here last week? I was not here last week.

Nevin Bowers: No we just got back.

Ev DeVaul: Nevin, why don't you give your background; some of these people might not know you.

Nevin Bowers: I had been with the City for quite a number of years in Engineering. I have been retired for 10 years. Came back the first year after I retired and did Construction management on the downtown streets and the City Justice Center. But pretty much totally retired.

Ev Devaul: We are glad you could make it. This morning, Al Sanders is here.

Al Sanders: Administrator for the City and County Health Departments. I work under the direction of the Health Commissioner who is Daniel Daugherty, M.D. and I was hoping he could make it this morning but he had another conflict. The idea of combining the Health Districts isn't a new idea; well it might be the first time you had the opportunity to think about that. This proposal was first presented to the Mayor of the City of Ashland in 1988. Mayor Richey at the time, we discussed it. We had some discussion at City Council and at that time they elected not to pursue the idea. It reappeared again during Doug Cellar's term as Mayor and we went to a Council Work Session and for whatever reason again it didn't go any farther than that. So we tried one more time and the reason for this third attempt, it appeared to be a good opportunity to look at it with the current administration along with the Charter Review since this happens every 7 years. I understand the Charter doesn't have to wait every 7 years to be changed but at the same time it is the opportunity to look at all of the different sections and the section that has to deal with the health department in the City is Section 50 of the City Charter and in reading that and discussing what it has to say with our legal representative in the City, Rick Wolfe II, City Law Director, he has informed me that the Charter would need to be amended to allow for the consideration of combining the two health districts to go any further in talking. In section 50, it specifically says that the head of the Department of Health of the City of Ashland Health District shall be the Board of Health, tells what the make up is etc. I guess at this point in time all we are really asking the Charter Review Committee to do is to consider amending the current Charter to allow consideration for a combination of both the County and City Health Districts, if at some point in the future, City Administration, City Council would want to move in that direction; without amendment of the current Charter, that could not happen. So that is what we are looking at as far as the wording to the amendment, and I will leave that up to you folks, or Rick Wolfe or however we do that here in the City. You should have gotten a copy of our 2006 annual report. Did everybody get a copy of that? No? It tells about all the public services that we provide. I will bring some more over. The public only sees one Health Dept., Ashland City/County Health Dept. Our County Board of Health is

provided office space by the County Commissioners and that is per Ohio Revised Code. The City Health Dept shares that office space through a lease that the City of Ashland has with the County Commissioners. That current lease runs through the end of this calendar year. So it will need to be renewed or renegotiated between the City Administration and the County Commissioners. As a little background on other Health Departments in the City of Ohio; every County is called a general health district; so every County in the State of Ohio has a County General Health District. Every City in the State of Ohio is a City Health District. What does that mean? That means if you are a Health District, County/City you have the ability to create your own Health Dept. So in the City of Ashland, our City health district, so we could have our own Health Dept. The County is the County General Health District so they could have their own Health Department. In some communities, you will see a City Health Dept., down the Street will be the County Health Dept. In 1947, our two Boards of Health got together and decided to cooperate with each other and they hired Dr. Mainzer to be the Health Commissioner, not only for the City but for the County so that was the first step in this process, but since 1947, it has never been able to completely combine to merge into one governing body. While we share the same office space and the same personnel, there is two independently entities, so I have a City Board of Health and a County Board of Health and we meet the 2<sup>nd</sup> Tuesday of every month and the County sits on the one side of the table, the City sits in the other. If it is a County issue, we discuss it, then the County will vote on it and vice versa if it is a City issue. As Administrator, I have two separate budgets and I have some employees that are paid 100% on the County side and then I have other employees, most employees are split 50/50 and one of the examples would be myself. 50% of my salary is County, 50% City. We do have one personnel policy thankfully. We don't have to go to two different books to figure out what that is. Workers Comp.- if you are 50% County and 50% City and you are injured on the job, who gets the claim? Well that occurred a couple of years ago when we had a needle stick with one of the nurses. We worked out a plan with the City and the County and that we have identified all of their employees and determined if X employee is injured it would go to the County and vice versa if City. So these are just some of the things Administratively we have to deal with when we still have two separate departments that operate under one roof so to speak. We have 88 County Health Departments in Ohio; we have 48 stand alone City Health Departments in Ohio and then we have 128 Cities that have combined with their County General Health District; an example of that would be Mansfield/ Richland County Health Department, now called Mansfield/Ontario Richland County Health Department. The City of Ontario became, the population rose to 5,000 or more and became classified as the City and they automatically became a City Health District. They could of either set up their own Health Department and operated under the City of Ontario. They chose to combine with the City of Mansfield Richland County. The City of Shelby is still a stand-alone. They operate their own Health Department independent of the County so that is one example. Then there is 65 Cities in Ohio that have contracted to their County General Health District. That is primarily Cuyahoga County and all of the Cities along that corridor, Instead of setting up their own Health Departments it was better for them to contract and the same with

Franklin County and the Cities around Franklin County. So I guess we are just throwing out the idea and seems like an opportune time to discuss it with the Charter Review being made. The current County Health Levy is a 3/10 Mill Levy and that is due to expire at the end of 2008 so when that goes on the ballot depending on what, how far along we are in this discussion, it include the City or it may not. So that is still to be determined. If the Charter Review Committee would recommend to Council to amend the Charter to allow the combination, if at some point they chose to do that, then it is my understanding that would go on the ballot in November and if the people approve it then at that point, City Council would need to pass a Resolution to allow combination and on the County Side, the District Advisory Council; and that group is made up of a Chairman of each of the Township Trustees and the Village Mayors and the President of the Board of County Commissioners. They would need to also pass the Resolution to combine. And at that point the two sides would get together, hammer out the agreement, sign off and approve the agreement and then it would be sent down to the Director of Health to consider it for approval. That real quickly is kind of an overview of our Department along with what we are looking at or proposing. If you have questions, feel free to ask.

Elizabeth Hipp: Are there financial advantages to the City of Ashland to do this?

Al Sanders: There could be because currently the City Board of Health is funded from the City general fund which is Income Tax. We also generate office receipts within the Health Dept. Whatever we generate in house for City goes to the City general fund currently. Off of the top of my head I think our budget this year is like \$284,000.00 dollars so that comes out of the general fund. Office receipts last year was about \$80,000.00 so they have got return. If we subtract that from what we got it is about \$210,000.00. The savings to the City General Fund would be if the current County Health Levy was extended to include City and that would be approved then we wouldn't need that whole \$200,00.00 to continue to operate the City Health Dept. We would probably need a fraction of that. I wouldn't think they would need more than half; it would probably even be less than that.

Elizabeth Hipp: Then looking forward, How about the County, is it going to be any more or less expensive for the County?

Al Sanders: No it wouldn't be. Basically we are absorbing what we are currently doing in to just one budget.

Elizabeth Hipp: Would you be eliminating some employees?

Al Sanders: No. We wouldn't be eliminating any employees and would not be eliminating any services. Streamlining the City/County Health Department into one governing body as opposed to two now.

Howard Scanlan: Who would head that up?

Al Sanders: There wouldn't probably be any change. The agreement or the Resolutions and the contract we would work out between City and County. In that contract it will outline representation; currently we have a 5-member County Board and a 5 member City Board along with the Mayor by virtue of his office, he is also on the City Board of Health making it 6. I don't think it would need to be any different than that. Or if they did it by population, it is kind of like a 58/42 City/County so you may have 6 people in the County and 4 people from the City equaling the 10. It would probably be the one thing we could look at. It wouldn't have to be that way but it could be. So that the City is fully represented. One of the questions I had from the Law Director was that possibly if we had to get it combined and we had a City issue, would County Board of Health members be inclined to look at that issue as if they were City people and I think they would because the same could be said for the City Board. They are going to be dealing with home septic and water systems in the County that currently we don't deal with in the city because we have a City Sewer and Water system.

William Benz: You say this has been discussed for some time. Why hasn't someone moved forward on this?

Al Sanders: I don't think it has ever gotten this far Bill. It was at City Council level but never to that point. I have a letter that was dated June 3, 1988 and signed by the Vice president of Council at the time, Glen Stewart. As you know we dedicated Monday May 16 to a Work Session trying to combine the City/County Health Board from the standpoint of operating efficiency we agree and support the effort to reduce redundancy generated by the two boards. The area of financing causes us great concern, instead of asking the city residents for additional tax. It is not totally necessary for the current budget in the City. That was kind of where it fell apart then. The other option to combining is contracting. The City could contract to the County Board for health services for a set amount of money. The problem with doing that then they would lose the representation on the County Board. The current Board of Health would become an advisory. The second proposal moved in that direction but fell apart because of that lost representation. Back in 1988, Council felt that there was adequate money in the City General Fund to continue to support the Health Department at that level so they didn't see a need for asking the City residents for any additional tax dollars. I am not sure if that is the case today or not with our current financial state.

Dorothy Stratton: How are clinics handled and other tasks of the Health Dept?

Al Sanders: They are all in one program. From the general publics standpoint, they see no difference. If one of our Public Health Nurses, and most of those folks are part time. If they are operating any clinic in the County, then that time sheet is paid by the County. If they are operating the clinic in the City, it is paid by the City. If they are operating our normal immunizations clinic on Wednesday morning with the Health Dept. I split it 50/50. One week the City pays it, the next week the County pays it.

Elizabeth Hipp: It sounds like a lot of clerical work.

Al Sanders: Yes. It is a lot of that busy paper work. Like I said before, I grew up with it, I have been here 32 years and I am use to the system. Someone new coming into this job might have a problem.

Dorothy Stratton: Do you have any objections to combining the two?

Al Sanders: I cannot see any objections to doing it. At least allowing the Charter to be able to move in that direction in the future if the administration and Council felt they want to do it. Right now we don't have that option.

Nevin Bowers: The make up of the County Board, Is there representation there?

Al Sanders: We try to do it geographically. Every Township is represented every village, so in the Month of March they generally meet to hear the annual report from the previous year and appoint one of the 5 members. They all serve 5-year terms. We have a representative from Perrysville, Gloria Weirick, Jeff Hardman, water contractor in the County, Stan Kopp, works at W.I.L. Research. Stan was on the City Board of Health then moved out into the County so he had to vacate his position on the City Board of Health then we had an opening created on the County Board of Health so the District Advisory Council, we appointed him to the County side. Dr. Phil Myers was the Physician Representative on the County. State Law requires the County Board of Health have one of the 5 members be a Physician that lives in the County. When he took Kim Edwards place on the Hillsdale School Board, he had to resign from the County Board of Health and just recently Dr. Raber was appointed to the County Board of Health to fill his term. In the past we had a representative the Nova area, the Sullivan area. We try to do it Geographically but sometimes just finding people that are willing to serve is difficult. They are Volunteers, they are not paid even though State Law allows them to be paid, and they chose not to be. The City Board of Health members, I am sure most of you know Dr. Garrett, DPM, Janice Fridline, Bruce VanScoy from W.I.L. is on the City Board of Health., Hallie Strine, City Board of Health, Mayor Strine and Larry Norris, retired from Ashland University. They are a good Board, they work well together. There is nothing broke; this is just kind of seems like the right time to put it back out there on the table and let you guys look at it.  
If you feel it is worthy of moving forward then.

Howard Scanlan: What is the plus for the Grants?

Al Sanders: Probably just increased population, sometimes some Grants were based on the population.

Ev DeVaul: I just want to make sure I understand about this. The Charter Commission makes the recommendation but Council they put it on the ballot.

Does everything as far as getting the approval from the State have to be done before it can go on the ballot?

Al Sanders: All that we are asking is section 50 at the Current Charter be looked at and amended to allow that to go forward. That doesn't say if you elect to amend the language in section 50, it goes on the ballot and gets approved. That doesn't mean that this is a done deal. They are not going to be voting on any of this part. This would allow a future Council to consider that.

Howard Scanlan: We will look at it a little deeper.

Nevin Bowers: I don't have a problem with it, with the concept of combining the Board; I feel the Board should be pretty well informed.

William Benz: I want to follow up on what Ev raised. If the Charter allowed this to happen and the citizen's vote for it, then are going to have to vote again if the decision is made to move forward and do it?

Al Sanders: No. That would require a vote of City Council on the City side and a vote of the District Advisory Council on the County side. And the City may be all for it and all of a sudden the County side is not. Those will be the next two hoops to jump through. Then the State would sign off on it. And in this meeting of the County and the City, then the make up of the Board of Health and the financing of the department will be hammered out as to who is paying what share of what.

Dorothy Stratton: What community could be a model for exactly what we should do?

Al Sanders: Probably almost any community because most of them have taken that next step. I did have a conversation with a gentleman at the State Health Department. I am not sure how fast your Committee is moving or what your date of completion may be but at he is in the process of mailing me a sample. Once I get that I can share that with Valarie and she can make a copy. Mansfield/Ontario Richland County has combined, two Cities have combined in their County. That would probably be the closest example. Norwalk, Huron, Wayne, Wooster, Medina, Lorain County has three Health Departments. Lorain County General Health District, Lorain City Health District and Lorain City and they all maintain separate. Which is further removed than what we have here. From the administrative standpoint, they would be easier to operate with just one Health Dept. I guess you could take advantage of any of the three. If one wasn't provided somewhere, you could go somewhere else.

Everett DeVaul: Al, we appreciate you coming in this morning. You are welcome to stay. Since I was not here last meeting, we can go back and revisit the Minutes, are there any questions or topics that were raised that did not get discussed? Anybody have any questions?

Howard Scanlan: I am glad Anna came today. I was hoping maybe she could work with us of adopting some sort of financial director. At least a minimum of qualifications so it doesn't scare everyone off that wants to become a Finance Director.

Anna Tomasek: I would like to clear up something from the last meeting also. Basic qualifications for a Finance Director obviously is they have to be bondable, not bonded, there is a difference. Paper work you received last time was the Assistant Finance Directors Bond but the one you have has been terminated or canceled. Right now currently, the individuals under the City that are bonded through our Insurance Company is Finance Director, The Judge, The Law Director, Clerk of Courts and everyone in the City that handles money is bonded currently at \$10,000.00 Dollars as a blanket bond but I did research and call other cities and our bond limits are low in comparison to our peers. I would recommend some sort of generic language so that way we are not always changing a dollar amount on the bond. So that way we keep up with times. Right now we are talking to your insurance companies for Finance Director the one in high-level positions should be bonded for at least \$ 250,000.00 dollars. Right now the assistant Finance Director and the Payroll specialist in my department are bonded at higher levels since they can wire anywhere from 5-6 Million dollars at a time when we have to roll over debt or dealing with investment. So those individuals are at a higher risk so that is why they are insured more. But the basic qualifications go back to your original question. My opinion there should be education requirement, it doesn't have to be because most of my peers, some individuals are trained right on the job. When you do get your accounting degree, Government or County is an elected it is not a requirement when you actually do get your degree. It is different from private sector accounting. There are certifications out there and there are continuously more certifications out there but the one that is recommended the most is through the State Treasurers office. We are required by law and hired by code section 135 to complete six hours of mandatory training and so take that a step further there is a National organization called the Association of public treasurers in the United States and Canada. There is a 3-year program and from the State of Ohio, that is at Kent State University and once you complete your 3 years of training it is basically a Power point system to get that certification. Once you get that certification you have to maintain it through additional training. In my mind looking at all the certifications throughout all the organizations it is the most cost effective for this size City. The Basic credentials of Finance Director are basically understanding being compliant with the State of Ohio, Auditors office, State of Ohio Treasurers office and fulfilling the needs of this community. A position of trust and credentials.

Nevin Bowers: Do you think a CPA requirement is needed?

Anna Tomasek: A CPA would be fine, but honestly if you brought a CPA in here, most CPA's would not be able to handle it because Finances are totally

different. Just because you have a CPA credential, doesn't actually mean you can perform your job. It is a different type of training.

Dorothy Stratton: Does this certification require any educational level or background or level in order to get into the program?

Anna Tomasek: There are additional points that the individual does have like an associates degree, and Masters degree. The actual program through Kent State, they give you out of 100 points, this is 50 points for education and 50 points for experience and if you attend your program you will automatically get your education points because they are training you actually in how to perform your job as a public Finance Director.

Dorothy Stratton: I can see that there would be citizens who might want to run for the office and they may have finance or accounting educational experience. Are we saying that this training program is necessary before they become a Finance Director or could they be elected Finance Director and then go through it part time while they are holding the job?

Anna Tomasek: For the Democracy to work in this City, we can't require from the get go. I think that someone who does become elected that you give them a 3 year time period to get it. It is important training. Most Finance Directors in the City of Ohio have this training or are going through this training.

Howard Scanlan- there is a recall in the Charter for elected officials if they don't live up to snuff.

Dorothy Stratton: I am just trying to think what do we want to say, is the requirement for being able to run for this office is, that is what is lacking.

Anna Tomasek: My personal opinion for qualifications is a Citizen should be able to run for Finance Director and the citizens should make the decision on who is the most qualified candidate and then they should make that decision based upon the qualifications. It has worked for this City since the Charter of 1916.

Dorothy Stratton: Well the Charter says that the Law Director needs to be an Attorney, It seems very obvious. This just is not quite as cut and dried and I guess I am bothered with no qualifications.

Ev DeVaul: How long has that been available to the Finance Director?

Anna Tomasek: Since 1981.

Ev DeVaul: So unless you were switching jobs from one Finance Director to another, in most cases you are not going to have that.

Anna Tomasek: There is a similar program on for Clerk of Council. They have the same program for them to get certified also. Usually if you get a degree in Government sector accounting you know about this program as soon as you graduate.

Howard Scanlan: Those would have to almost go hand in hand. Finance Director, you have to have a minimum of qualifications, where elected it is majority of the votes.

Anna Tomasek: When we are talking about qualifications and the position of this job, I also thought of it, the State Auditors office is actually requiring all Cities to do this and it would be additional Checks and Balances on the Finance Director. During our last Audit in our Management letter, the State Auditors office and our independent auditing firm has recommended that a review of all City Policies and Procedures that there should be an Audit Committee to assist all of the members in management to review all of the financial policies, procedures. Another mechanism that could probably used as oversight.

Ev DeVaul: Any other questions or comments?

Anna Tomasek: From the Administration part for Al Sanders, it is a headache for him and basically having two bosses, most people cannot succeed in managing for two bosses but he does an excellent job. From the standpoint there is a lot of duplication of services and it would make sense to find a way to make it more cost effective for the citizens of Ashland. Right now we are apparently using our Fund monies to fund the Health Dept. The issue is whether or not we put it in the Charter and we want to include the Property Tax Levy for the Citizens of Ashland vs paying it from the General Fund. That has to be discussed on how we want to fund the Health Department. Make sure we are not overtaxing our citizens. Most cost-effective service from the Health Dept. From my standpoint it is Administrative headache. There is a way probably of making it more cost effective. I have a concern with burning our taxpayers. Obviously our general fund has been under constraint especially in 2005 when we had to lay off 20 employees. Right now our general fund is stable, but we are looking into the future and looking at the general fund continually to make sure it stays stable. Citizens input and Councils input. The other issue won't come into play is that right now according to Ohio Revised Code. The County is responsible for spacing for their office and if we combine somehow then that stipulation would be performed so two parties would have to figure out where to house the Health Department. So right now the City of Ashland is paying rent to the County to the Health Department so that is another issue.

Ev DeVaul: I think we reached the point of the research in the topic areas. It has been well-defined. It is time now to start to put together your top 10 or your top 6 or whatever it might be, so I think at our next meeting it is come prepared with your specific topic areas, again reviewing from 7 years ago, those that need to be revisited. I think it will be probably some subcommittees to evaluate and come up with decisions to start to formulate our recommendations to Council.

Anything else you think we need to evaluate that we haven't thought about or brought to us?

Howard Scanlan: I think if we keep the number low though we probably can get to Council a little quicker.

Ev DeVaul: Just be prepared to bring them to the table.

Nevin Bowers: As part of that process, I assume we will take the last recommendations and go through them one by one and make the decision on each of the previous ones.

Adjournment:

Ev Devaul adjourned the meeting at 8:20 a.m.

Submitted by  
Valarie Bishoff  
Clerk of City Council