

MONDAY, AUGUST 6, 2007
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio on Monday, August 6, 2007, with the following members present: Mr. Glenn D. Reeser; Mr. Jay H. Wippel; and Mrs. Ula Jean Metzler. Daniel V. Bradhurst, County Administrator, was also in attendance.

Mr. Wippel offered the motion, seconded by Mr. Reeser to approve the minutes from the previous meetings.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, abstain. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

In the Matter of
Payment of Bills:

Mr. Wippel offered the motion, seconded by Mrs. Metzler to adopt the following Resolution:

BE IT RESOLVED, that the bills have been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated August 3, 2007, in the Commissioners' Voucher Register, and

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners orders the Auditor of Pickaway County, Ohio to draw her warrant on this entry in the amount of \$118,911.70 on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

In the Matter of
Resolution Adopted Honoring
Fire Chief Ray McJunkin:

In recognition of Ray McJunkin, the Saltcreek-Tarlton Fire Chief who is retiring after 42 years of service on August 18, 2007, Mr. Wippel offered the motion, seconded by Mrs. Metzler to adopt the following Resolution:

WHEREAS, Ay McJunkin will be retiring as a 42-year member from the Saltcreek-Tarlton Fire Department on August 18, 2007, and

WHEREAS, Chief McJunkin has served as the Fire Chief of the Saltcreek-Tarlton Fire Department for 33 of those years; and

WHEREAS, Chief McJunkin will be retiring on his 81st birthday, then

THEREFORE BE IT RESOLVED THAT the Pickaway County Board of Commissioners hereby honors Chief Ray McJunkin for his outstanding leadership, steadfast loyalty and unyielding commitment to his community and Pickaway County by declaring Saturday, August 18, 2007, as:

“Fire Chief Ray McJunkin Day”

in Pickaway County, Ohio.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of
Resolution Adopted Honoring
Eagle Scout Cameron Agin:**

In honoring Cameron Agin on achieving the rank of Eagle Scout, Mrs. Metzler offered the motion, seconded by Mr. Wippel to adopt the following Resolution:

WHEREAS, Cameron Agin has reached the rank of Eagle Scout through the hard work, steadfast loyalty, and unyielding commitment; and

WHEREAS, Cameron has shown outstanding leadership in Troop 170 of the Boy Scouts of American completing a project where he reconditioned the West Main Street stage for the Circleville Pumpkin Show; and

WHEREAS, Cameron has contributed to many school and church activities in the Logan Elm School District and his community; then

THEREFORE BE IT RESOLVED THAT the Pickaway County Board of Commissioners does hereby honor Cameron Agin for his great achievement and declare Sunday, August 19, 2007, as

“Cameron Agin Day”

in Pickaway County, Ohio.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of
Creation of New Line Item Approved:**

Mr. Wippel offered the motion, seconded by Mrs. Metzler to approve the following request for the CREATION OF NEW LINE ITEM:

223.0000.4284 – Juvenile/Probate-Special Project Fees

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of
Appropriations Approved:**

Mrs. Metzler offered the motion, seconded by Mr. Wippel to approve the following requests for the APPROPRIATION OF FUNDS:

- 180,000 to 202.3010.5505 – Permissive Tax-Materials & Supplies**
- 450,000 to 201.3006.5505 – Auto License & Gas Tax-Materials & Supplies**
- 500 to 901.1212.5202 – Common Pleas-Special Projects Assessment-Medicare**
- 1,000 to 901.1212.5201 – Common Pleas-Special Projects Assessment-PERS**
- 5,000 to 901.1111.5102 – Common Pleas-Special Projects Assessment-Salary**

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of Resolution Adopted to Enter
Into a Community Reinvestment Area Agreement:**

Mr. Wippel offered the motion, seconded by Mrs. Metzler adopt the following Resolution:

RESOLUTION APPROVING A COMMUNITY REINVESTMENT AREA
AGREEMENT

BE IT RESOLVED BY THE COUNTY OF PICKAWAY, OHIO, THAT:

Section 1: This County, assuming continuing compliance by the Authority or its successors with the CRA Agreement (as described below), grants a tax exemption for real property improvements made to the Project site pursuant to O.R.C. §3735.67 which exemption shall be in the amount of 100% for a period of 15 years commencing in the first year for which each Building comprising the Project would first be taxable were that property not exempted from taxation.

Section 2: The CRA Agreement relating to the provision of the real property tax exemptions, in the form presently on file with the Pickaway County Prosecutor, providing for, among other things, the provision of the real property tax exemptions, is hereby approved and authorized with changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this County and which shall be approved by the President of this Board. The President of this Board, for and in the name of this County, is hereby authorized to execute the CRA Agreement, provided further that the approval of changes and amendments thereto by that official, and their character as not being substantially adverse to the County, shall be evidenced conclusively by the President's execution thereof. This Board further hereby authorizes and directs the President and the Pickaway County Prosecutor, and other appropriate officers of the County, to sign those instruments and make those arrangements as are necessary carry out the purposes of this Resolution.

Section 2: The Compensation Agreement, in the form presently on file with the Pickaway County Prosecutor, is also hereby approved and authorized with changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this County and which shall be approved by the President of this Board. The President of this Board, for and in the name of this County, is hereby authorized to execute the Compensation Agreement, provided further that the approval of changes and amendments thereto by that official, and their character as not being substantially adverse to the County, shall be evidenced conclusively by the President's execution thereof. This Board further hereby authorizes and directs the President and the Pickaway County Prosecutor, and other appropriate officers of the County, to sign those instruments and make those arrangements as are necessary carry out the purposes of this Resolution.

Section 4: The Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, that all deliberations of this Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including O.R.C. §121.22.

Section 5: This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of Resolution Adopted to Enter Into a
Compensation Agreement /Tax Increment Financing Agreement**

Mr. Wippel offered the motion, seconded by Mrs. Metzler to adopt the following Resolution:

RESOLUTION APPROVING COMPENSATION AGREEMENT WITH
THE TEAYS VALLEY LOCAL SCHOOL DISTRICT

WHEREAS, this Pickaway County Board of Commissioners (hereinafter "Board") by a Resolution adopted July 10, 2006 (the "CRA Resolution"), created the Pickaway County Northern Industrial Community Reinvestment Area (the "Northern Industrial CRA") comprised of approximately 7250 acres; and

WHEREAS, the Director of the Ohio Department of Development confirmed the findings of that Resolution on August 28, 2006; and

WHEREAS, this Board desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the County of Pickaway that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, this Board has determined to encourage the development of real property and the acquisition and installation of personal property in the approximately 610 acres of land (the "CRAA Land") owned by the Columbus Regional Airport Authority (the "Authority") located within the Northern Industrial CRA; and

WHEREAS, the Authority intends to cause to be constructed on the CRAA Land a series of industrial and distribution facilities and related site improvements (collectively, the "Project"; and with each individual building within the Project, with its related site improvements, hereinafter referred to as a "Building"), provided that the appropriate development incentives are available to support the economic viability of the Project; and

WHEREAS, the maintenance and construction of structures in such areas would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, in order to facilitate the completion of the Project and the creation of the related employment opportunities, this Board desires to grant to the Authority a 15-year, 100% real property tax exemption for each Building comprising the Project; and

WHEREAS, this Board desires to provide for the execution and delivery of the Pickaway County Northern Industrial Community Reinvestment Area Agreement (the "CRA Agreement") (as described below) to provide for those real property tax exemptions; and

WHEREAS, the Northern Industrial CRA is located in the Teays Valley Local School District and the Teays Valley Local School District Board of Education has been provided a copy of the CRA Agreement and that Board of Education has by a Resolution adopted July 16, 2007 approved that CRA Agreement subject to the School District also entering into a Compensation Agreement (the "Compensation Agreement") with the County and the Authority as approved in that Resolution, and the County desires to approve and enter into that Compensation Agreement; and

WHEREAS, the Northern Industrial CRA is also located in the Eastland-Fairfield Career and Technical Schools Joint Vocational School District and the Board of Education of that School District has been timely notified in accordance with Ohio Revised Code (O.R.C.) §5709.83 and been provided a of the CRA Agreement; and

WHEREAS, pursuant to O.R.C. §3735.67(A) and in conformance with O.R.C. §3735.671(B), the parties hereto desire to set forth their agreement with respect to matters hereinafter contained; NOW THEREFORE upon the motion of Commissioner Jay H. Wippel and seconded by Commissioner Ula Jean Metzler.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes.
Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of Resolution Adopted to Enter Into a
Assignment and Assumption for a Building Project:**

Mr. Wippel offered the motion, seconded by Mrs. Metzler to adopt the following Resolution:

**RESOLUTION APPROVING AN ASSIGNMENT AND ASSUMPTION AGREEMENT FOR A
BUILDING PROJECT UNDER THE PICKAWAY COUNTY NORTHERN INDUSTRIAL
COMMUNITY REINVESTMENT AREA AGREEMENT**

WHEREAS, this Pickaway County Board of Commissioners (hereinafter "Board") by a Resolution adopted July 10, 2006 (the "CRA Resolution"), created the Pickaway County Northern Industrial Community Reinvestment Area (the "Northern Industrial CRA") and the Director of the Ohio Department of Development confirmed the findings of the CRA Resolution on August 28, 2006; and

WHEREAS, this Board pursuant to a Resolution adopted August 6, 2007 entered into a Pickaway County Northern Industrial Community Reinvestment Area Agreement (the "CRA Agreement") with the Columbus Regional Airport Authority (the "Authority") granting the Authority a 15-year, 100% real property

tax exemption for each Building comprising the Project on the CRAA Land within that CRA (all as defined in that CRA Agreement); and

WHEREAS, the Authority has entered into an Agreement for Purchase and Sale dated as of June 27, 2007 by which THG Rickenbacker, LLC, as a Qualified Intermediary of GESA 1999, LLC (the “Successor”), shall succeed to the interest of the Authority for a portion of the CRAA Land (that portion being referred to as the “Transferred Property”); and

WHEREAS, the Successor wishes to obtain the benefits of the CRA Agreement and assume the obligations of the Authority under the CRA Agreement as to that Transferred Land and, as agreed in the CRA Agreement, the County is willing to make these benefits available to the Successor on the terms set forth in the CRA Agreement; and

WHEREAS, this Board desires to provide for the execution and delivery of the Assignment and Assumption Agreement (the “Assignment Agreement”) (as described below) to provide for the Successor to assume the obligations of the Authority and to obtain the benefits of the CRA Agreement as to the Transferred Property; and

WHEREAS, now therefore upon the motion of Commissioner Jay H. Wippel and seconded by Commissioner Ula Jean Metzler.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY OF PICKAWAY, OHIO, THAT:

Section 1: The Assignment and Assumption Agreement and the assignment the CRA Agreement effected thereby, are hereby approved. That Assignment and Assumption Agreement is approved in the form presently on file with the Pickaway County Prosecutor with changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this County and which shall be approved by the President of this Board. The President of this Board, for and in the name of this County, is hereby authorized to execute that Assignment and Assumption Agreement, provided further that the approval of changes and amendments thereto by that official, and their character as not being substantially adverse to the County, shall be evidenced conclusively by the President’s execution thereof. This Board further hereby authorizes and directs the President and the Pickaway County Prosecutor, and other appropriate officers of the County, to sign those instruments and make those arrangements as are necessary carry out the purposes of this Resolution.

Section 2: The Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, that all deliberations of this Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including O.R.C. §121.22.

Section 3: This Resolution shall take effect and be enforced from and after the earliest period allowed by law and upon confirmation by the Director of Development of the findings in this Resolution.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

The Commissioners conducted a meeting for the final review and approval of the three (3) above referenced agreements associated with the 7,250 acre Pickaway County Northern Industrial Community Reinvestment Area (CRA). The CRA area was formed by the Commissioners in July 2006, which offers tax incentives to industrial and commercial businesses related to the Rickenbacker Global Logistics Park Intermodal Campus. The following individuals were in attendance for the meeting: Terry Frazier, Director of the Pickaway County Office of Development and Planning; Nate Green, P3 Economic Development Director; Mike Hess, Pickaway County Assistant Prosecutor; Robin Holderman of the Columbus Regional Airport Authority (CRAA); Geoff Manack and Seatta Layland of Hyperlogistics Group, Inc.; Art Makris of Duke Realty; Randy Beach, Superintendent of the Pickaway County Mental Retardation & Developmental Disabilities (MRDD); Greg Stype of Squire, Sanders & Dempsey L.L.P, legal counsel for the CRAA; and Waylon Strickland of the *Circleville Herald*.

The three (3) agreements reviewed included:

- **Community Reinvestment Area (CRA) Agreement** – A 15-year tax abatement agreement and a 30-year Tax Increment Financing (TIF) agreement between the County and the Airport Authority for a 100% tax exemption on the buildings in the 610 +/- acres of land owned by the Airport Authority within the 7,250 acres of land located in Pickaway County Northern Industrial Community Reinvestment Area. Additional language regarding an annual fee paid to P3 equal to the fee required

to be paid to the county as spelled out under ORC §3735.671 (D) by the owner of the buildings and parcels in the CRA was added to the agreement.

- **Compensation Agreement** – A 30-year Tax Increment Financing (TIF) agreement between the County, the Airport Authority, and the Teays Valley Local School District (TVLSD) for tax service payments in lieu of real property tax payments. The Teays Valley School Board signed and approved the agreement on July 16, 2007. For the first 15-year period of the agreement the property owner will make service payments to the TIF account based solely on the increase in value of the land from its current valuation to commercial status. The TVLSD will receive 100% of these service payments. In the second 15 years of the 30-year TIF agreement, the service payments will be calculated on both land and building valuations and the school will receive 60% of the benefits, with the remaining 40% going to the county. Language was added to the agreement at the Commissioners’ request stating that the county may disburse the tax service payments to other taxing entities such as Pickaway County MRDD, Senior Citizens Center, etc. The service payments may also be allocated for infrastructure improvements in the area.
- **Assignment and Assumption Agreement** – An agreement that will be acknowledged by the county between CRAA and *Hyperlogistics Group, Inc.*, a warehouse and distribution service that receives, stores, handles, assembles, repackages, tracks and ships products. The company plans to relocate to Pickaway County from Obetz, Ohio and purchase 29 acres of land in the CRA and build a 407,000 sq. ft. warehouse and distribution facility. Approximately 40 jobs and \$1.4 million in payroll will be transferred to the company’s new location. Language will be added to the agreement stating that the company shall report all job postings to the Pickaway County Job and Family Services “Jobs One-Stop” employment center for hiring employees to fill new full-time and part-time positions. This is to ensure that Pickaway County residents are given fair opportunity for employment.

Once all modifications have been made to the agreements, the Commissioners will then sign the final documents. “We want to thank everyone for their time and effort they have put into this. It is in all of our best interests to make this work. Our obligation as County Commissioners is to do everything we can to attract jobs to the community and make sure we are looking out for the best interests of the people of Pickaway County,” stated Commissioner Reeser.

**In the Matter of
Meeting in Executive Session:**

At 11:04 a.m. Mr. Wippel offered the motion, seconded by Mrs. Metzler to enter into Executive Session to discuss a personnel matter.

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

At 11:20 a.m. Mr. Reeser announced the Board’s return to Regular Session.

No action was taken.

**In the Matter of
County Commissioners Association of Ohio
Workers’ Compensation Group Rating Plan Agreement Signed:**

Commissioner Reeser, President, entered into a Group Rating Plan agreement on behalf of the Board with the County Commissioners Association of Ohio (CCAO) Service Corporation (CCAOSC).

The purpose of the CCAO Group Rating Plan agreement is intended to: (1) achieve lower workers’ compensation rates for the Group, and (2) result in the establishment of safer working conditions and environments for each Participant.

**In the Matter of Resolution Adopted
Establishing Viewing and Public
Hearing Date, Time, and Location for the Vacation of
Brown Alley Located in the Village of Derby, Darby Township:**

Ned Musselman, Darby Township Trustee, met with the Commissioners to submit a formal request acted upon July 2, 2007, by the Darby Township Trustees requesting the vacation of Brown Alley. Debbie Roberts, 14005 Third Street, Derby, Ohio, made her formal request to the Darby Township Trustees during

their Regular Session on that same date. Mr. Musselman also submitted signatures Ms. Roberts obtained from abutting property owners to the alley indicating that they have no problem with the alley being permanently closed.

Pursuant to Ohio Revised Code Section 5553.04, Mrs. Metzler offered the motion, seconded by Mr. Wippel to adopt the following Resolution:

WHEREAS, on July 2, 2007, Debbie Roberts, a resident and property owner in the Village of Derby, submitted a request to the Darby Township Trustees to vacate Brown Alley, located in the Village of Derby, Darby Township, Pickaway County, Ohio; and

WHEREAS, said alley is located in the J. L. Hall Addition situated in the Village of Derby, Darby Township, Pickaway County, Ohio; and

WHEREAS, said alley is 170 ft. in length and 16 2/3 ft. in width situated between First Street and Second Street, and 170 ft. in length and 16 2/3 ft. in width situated between Second Street and Third Street in the Village of Derby, Darby Township, Pickaway County, Ohio; and

WHEREAS, the Darby Township Trustees took formal action during their Regular Session on July 2, 2007, to request the Pickaway County Board of Commissioners to vacate said alley; and

WHEREAS, on August 6, 2007, the Darby Township Trustees presented their request to the Pickaway County Board of Commissioners for the vacation of said alley; then

THEREFORE BE IT RESOLVED THAT the Pickaway County Board of Commissioners, pursuant to Ohio Revised Code Section 5553.05, does hereby fix **September 4, 2007, at 2:00 p.m. as the date and time the Board shall conduct the viewing at the location of Brown Alley, Village of Derby, Darby Township, Pickaway County, Ohio, and September 10, 2007, at 2:00 p.m. in the Pickaway County Board of Commissioners office, 139 West Franklin Street, Circleville, Ohio as the date, time, and location for the Public Hearing thereon.**

Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of
Animal Shelter Weekly Report Filed:**

The weekly report for the Pickaway County Animal Shelter was filed for week ending August 4, 2007.

A total of \$767 was reported being collected as follows: \$391 sales of dogs; \$90 redemptions; \$65 donations; \$208 in sales of tags; \$13 in late tag fee penalties.

Six (6) dogs and no cats were destroyed.

No firearms were discharged.

With there being no further business brought before the Board, Mr. Wippel offered the motion, seconded by Mrs. Metzler to adjourn. Voting on the motion was as follows: Mr. Reeser, yes; Mr. Wippel, yes; Mrs. Metzler, absent. Voting No: None. Motion carried.

Glenn D. Reeser, President

Jay H. Wippel, Vice President

Ula Jean Metzler
BOARD OF COUNTY COMMISSIONERS
PICKAWAY COUNTY, OHIO

Attest: Patricia Webb, Clerk