

MONDAY, APRIL 9, 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, April 9, 2007, with the following members present: Mr. Jay H. Wippel and Mrs. Ula Jean Metzler. Mr. Glenn D. Reeser was absent. Daniel V. Bradhurst, County Administrator, was also in attendance.

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

Voting on the motion was as follows: Mr. Reeser, absent; Mr. Wippel, yes; Mrs. Metzler, yes. 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 April 6, 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 **\$363,991.68** on the County Treasurer to satisfy the same.

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

Attest: Patricia Webb, Clerk

**In the Matter of
Ross, Pickaway, Highland, Fayette Joint Solid Waste
Management District Recycling Contract:**

Following the Commissioners evaluation of the bids that were provided for their review by the Ross, Pickaway, Highland, Fayette (RPHF) Joint Solid Waste Management District for the processing and marketing of collected recyclable materials, Mrs. Metzler offered the motion, seconded by Mr. Wippel to award the contract to the **lowest bidder, Rumpke Material Recovery Facility, 1191 Fields Avenue, Columbus, Ohio 43201**, for a period of **three (3) years in the amount of \$69,751.00 per year**. The annual rate is subject to a 3.5% increase for each year of the contract term.

The motion also includes granting authorization to Ross County Commissioner Frank Hirsch, Chairman of the RPHF Joint Solid Waste District Board of Directors, to sign the contract.

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

Attest: Patricia Webb, Clerk

**In the Matter of
Authorization for the
Purchase of Voting Machines:**

Upon review and discussion of a written request dated April 3, 2007, from Johnda Perkins, Director of the Pickaway County Board of Elections, Mrs. Metzler offered the motion, seconded by Mr. Wippel authorizing the purchase of three (3) additional ES&S iVotronic DRE voting machines from the department's "Poll Worker" line item.

In the written request, Mrs. Perkins explained that due to the fact that the county did not have a February Special Election and with a very limited May Special Election, there is enough appropriation available in the Board of Elections' "Poll Workers" line item to cover the costs of the three (3) additional voting machines.

The purchase of five (5) voting machines is a part of the county's 2007 Five Year Capital Plan, however, in order to be compliant with the Help America Vote Act (HAVA) requirement of one (1) machine per 175 voters, Pickaway County is currently required to have a total of 178 voting machines. At this time, the county has 170 machines.

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

Attest: Patricia Webb, Clerk

**In the Matter of
Road Load Reduction for
Madison Township Roads:**

Upon the written request dated March 20, 2007, from the Monroe Township Trustees, Mrs. Metzler offered the motion, seconded by Mr. Wippel to **enact a 50% load reduction for all Township Roads in Monroe Township due to freezing and thawing conditions. The reduction is effective immediately and will expire on June 1, 2007.**

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

Attest: Patricia Webb, Clerk

**In the Matter of
Authorization for
Common Pleas Jury Room Furniture Improvements:**

Upon review of the written request dated March 30, 2007, from Common Pleas Court Judge, P. Randall Knece, Mrs. Metzler offered the motion, seconded by Mr. Wippel authorizing a proposal from OPI Correctional Industries to strip the finish, make any necessary repairs, and refinish the Jury Room table and sixteen (16) Jury Room chairs per the following cost breakdown:

Jury Room Table	\$ 205.00
Jury Room Chairs	\$1,280.00
Inside set-up and delivery (5%)	\$ <u>74.25</u>
Total	\$1,559.25

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

Attest: Patricia Webb, Clerk

**In the Matter of
Transfer of DPL Tax Abatement Agreement to
Columbus Southern Power:**

Terry Frazier, Pickaway County Enterprise Zone Manager, and Director of the Pickaway County Office of Development and Planning, met with the Commissioners regarding the conveyance of the DPL Energy, LLC (DPL), facility located in Darby Township, Ohio, to Columbus Southern Power. Previously, due to changes in structure, DPL reached an agreement to sell its Darby Station facility consisting of six (6) natural gas peaking generators to Columbus Southern Power, a utility subsidiary of American Electric Power (AEP). Those in attendance for the meeting were Chris Hergenrather, DPL Energy, LLC Tax Commissioner, Toby Thomas and Brandon Parmer of AEP, and Melissa Betz, Pickaway County Auditor.

Mr. Frazier began by stating that DPL and Columbus Southern Power are seeking the Commissioners' approval of the agreement on a two-part measure, the first being the approval of amendments identical to the DPL Enterprise Zone Agreement amendments approved by the Commissioners on December 26, 2006. The second part being an added amendment which states that the Pickaway County Board of Commissioners agrees that the agreement is transferable and assigned to Columbus Southern Power upon conveyance of the facility.

Below are amendments one through seven (1-7) offered to clarify the original intent of Pickaway County and of DPL Energy, LLC, and to correct errors in the original document. Additionally, the original August 15, 2000, agreement named DPL Energy, Inc. as a party to the agreement. On June 28, 2001, this agreement was amended to change the name from "DPL Energy, Inc." to "DPL Energy, LLC". The eighth amendment item is the approval for the transfer of this enterprise zone agreement from DPL Energy, LLC to Columbus Southern Power. Both the Darby Township Trustees and the Westfall School Board have provided their consent to the amendments. The below page numbers named refer to the page in the original August 15, 2000, document:

Amended Item #1: Page -2- of Original Document

Original: The Project will begin on September 1, 2000, and be completed May 1, 2001.
Amended to: *The Project will begin on September 1, 2000, and be completed by December 31, 2002.*

Amended Item #2: Page -2- of Original Document

Original: DPL Energy, Inc. agrees to make annual donations to the Township in the amount of \$35,000.00 (Thirty-five Thousand Dollars) per year.
Amended to: *DPL Energy, LLC agrees to make annual donations to Darby Township in the amount of \$35,000.00 (Thirty-five Thousand Dollars) per year.*

Amended Item #3: Page -2- of Original Document

Original: The Donation amount shall be paid to the Township Clerk.
Amended to: *The Donation amount shall be paid to the Darby Township Clerk.*

Amended Item #4: Page -2- of Original Document

Original: No exemption shall commence after tax year 2001 nor extend beyond year 2011.
Amended to: *No exemption shall extend beyond year 2011.*

Amended Item #5: Page -3- of Original Document

Original: No exemption shall commence after tax year 2001, nor extend beyond year 2011.
Amended to: *No exemption shall extend beyond tax year 2011.*

Amended Item #6: Page -3- of Original Document

Original: DPL Energy, Inc. and Pickaway County acknowledge that this agreement must be approved by formal action of the legislative authority of Pickaway Township, Ohio as a condition for the agreement to take effect.
Amended to: *DPL Energy, LLC and Pickaway County acknowledge that this agreement must be approved by formal action of the legislative authority of Darby Township, Ohio as a condition for the agreement to take effect.*

Amended Item #7: Page -2- of Original Document

Original: The duration of the annual payments shall be for 11 (Eleven) years, commencing 30 (Thirty) days after the full commercial operation of the project.
Amended to: *The duration of the annual payments shall be for 11 (Eleven) years, commencing 30 (Thirty) days after the commercial operation of the project and according to a schedule agreement upon by the enterprise and the school district.*

Amended Item #8: To be added to the Amended Document:

Amendment: *The Pickaway County Board of Commissioners hereby agrees that this agreement is transferred and assigned to Columbus Southern Power upon conveyance of the facility located at 12509 Adkins Road, Mt. Sterling, Ohio. Evidence of consent by the Darby Township Board of Trustees and the Westfall School District is attached to this amended agreement.*

After gaining further information following a question and answer session, Mrs. Metzler offered the motion, seconded by Mr. Wippel to approve the above listed Tax Abatement Agreement amendments, which includes its transference to Columbus Southern Power.

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

Attest: Patricia Webb, Clerk

Mr. Frazier will provide the final document for the Commissioners' signatures in the near future following obtaining the county prosecutor's signature for approval as to form.

**In the Matter of
Meeting with Melissa Betz
Regarding Month-end Reports:**

Melissa Betz, Pickaway County Auditor, met with the Commissioners to review the General Fund revenue and expenditure reports for month ending March 2007.

**In the Matter of
Fund Transfer Approved:**

Mrs. Metzler offered the motion, seconded by Mr. Wippel to approve **numerous FUND TRANSFERS** in the appropriate amounts from various Non-General Fund accounts totaling **\$142,413.21** needed to remit the annual Worker's Compensation annual premium. These amounts have been approved to be transferred from various departmental "Worker's Compensation 5205" line items into the General Fund revenue line item #101.0000.4901 – "Worker's Compensation."

A list of all accounts is on file in the County Commissioners' and Auditor offices.

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

Attest: Patricia Webb, Clerk

**In the Matter of
Allocation of Sales Tax:**

Mrs. Metzler offered the motion, seconded by Mr. Wippel to allocate the sales tax collected in the month of February 2007, in the following manner:

20,640.00 to 401.0000.4122 - Capital Reserve
16,300.24 to 401.0000.4121- Capital Improvements/Purchases
375,850.15 to 101.0000.4121 - General Fund

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

Attest: Patricia Webb, Clerk

**In the Matter of
Viewing for the Vacation of Carey Alley
Located in Darby Township:**

The Commissioners conducted a scheduled viewing at the location of Carey Alley, located in Darby Township, for its proposed vacation petitioned by property owners Eddie & Linda Weimer, 11585 London Road, Orient, Ohio 43146. The said alley is situated between two (2) parcels owned by Mr. & Mrs. Weimer and is a 12 foot wide division between the two properties. Those in attendance for the viewing were Mr. & Mrs. Eddie Weimer, petitioners; Robert Parker, Pickaway County Engineer; Chris Mullins, Assistant Engineer; and Darby Township Trustees Ned Musselman and Jerrold Fields.

The **Final Public Hearing** for the proposed vacation of said alley is scheduled for **Monday, April 16, 2007, at 2:00 p.m.**, located in the **Pickaway County Board of Commissioners Office, 139 West Franklin Street, Circleville, Ohio 43113.**

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

The weekly report for the Pickaway County Animal Shelter was filed for week ending March 31, 2007.

A total of \$472 was reported being collected as follows: \$147 in sales of dogs; \$30 in redemptions; \$35 in donations; \$169 in sales of tags; \$91 in late tag fee penalties.

Three (3) dogs and no cats were destroyed.

No firearms were discharged.

With there being no further business brought before the Board, Mrs. Metzler offered the motion, seconded by Mr. Wippel to adjourn. Voting on the motion was as follows: Mr. Reeser, absent; Mr. Wippel, yes; Mrs. Metzler, yes. 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