

MONDAY, MAY 7, 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, May 7, 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 Mrs. Metzler to approve the minutes from the previous meetings.

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
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 May 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 **\$184,565.58** 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
Travel Authorizations
Signed for Job & Family Services Department:**

Travel Authorizations were signed and approved for numerous Job & Family Services employees to attend various seminars, workshops, training sessions, and meetings that are to be held throughout the month of May 2007, at a total probable cost of \$3,420.83.

**In the Matter of
Contract Signed with South Central Ohio
Regional Juvenile Detention Center:**

Mr. Wippel offered the motion, seconded by Mrs. Metzler authorizing Glenn D. Reeser, President of the Board, to sign a renewal agreement with the **South Central Ohio Regional Juvenile Detention Center, 182 Cattail Road, Chillicothe, Ohio** for the guarantee of a rate of **\$90 per diem** on an as-needed basis for the detention and care of Pickaway County juvenile detainees.

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
Invoice Payment Approved for National Electrical
Design Company:**

Mr. Wippel offered the motion, seconded by Mrs. Metzler authorizing payment to the **National Electrical Design Company (NEDCO), 304 E. Mound St., Circleville, Ohio** in the amount of **\$425** for project management and design criteria for the installation of lightning protection surge suppressors at the Pickaway County Jail Facility. The \$20,000 project was provided by the County Risk Sharing Authority (CORSA) at no cost to the county, and the installation of the equipment was performed by Turner Electric Company, an electrical contractor supplied through CORSA.

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
Approval of Plat for Logan's Run Subdivision
Located in Scioto Township:

Terry Frazier of the Pickaway County Regional Planning Commission (PCRPC) and Director of the Pickaway County Office of Development and Planning, met with the Commissioners regarding their approval of the Logan's Run Subdivision Plat, for the development of a 23.4 acre plot located in Scioto Township at the corner of Commercial Pont Road and State Route 316. Also in attendance was Connie Williamson, representing Thomas Williamson of Solid Rock Builders and Developers, Inc., who was unable to attend due to a previous commitment; Mike Schienke, Construction Manager for Solid Rock Builders, Inc; Mike Struckman, Scioto Township Trustee; and Matthew Forte of the *Circleville Herald*.

Commissioner Reeser opened the meeting by stating its purpose and when the floor was turned over to Mrs. Williamson she stated Solid Rock Builders and Developers, Inc. was seeking approval of the above mentioned subdivision plat. She went on to say that when the Pickaway County Regional Planning Commission last met regarding the matter, it recommended approval of the plat with two conditions. The first being the Ohio Department of Transportation (ODOT) driveway permits being issued, and the second being the Pickaway County Health Department's approval of the lots. Mrs. Williamson stated that both of those conditions have been met, as well as the obtainment of other prerequisite approvals. She further stated that because the Scioto Township Trustees unlawfully denied Solid Rock Builders and Developers, Inc.'s rezoning request, the Pickaway County Common Pleas Court Judge ordered the rezoning from agricultural to residential be granted. "Knowing that the township will not sign off on the plat, we believe that the court's order provides the Commissioners with the authority to sign the final plat without the township's signature. We suggest that on the township's signature line, the words 'By Court Order' should be written and the court order should be attached to the plat," stated Mrs. Williamson. Previously, a suit was filed against the Scioto Township Trustees by Thomas Williamson when they denied rezoning of Logan's Run plot of land unless he paid a per-lot fee for the rezoning to be approved. The Pickaway County Common Pleas Court Judge put a court-order stay on the case.

When Mr. Frazier was asked by the Commissioners if he had any comments on behalf of the PCRPC, he stated that in January of this year the PCRPC did review and approve the plat based on the approval of the ODOT's and Pickaway County Health Department's conditions. He added that upon consulting with the county prosecutor, the PCRPC was advised that it could proceed with the approval process.

When Mr. Struckman was asked if he had any comments, he questioned why the Commissioners were considering the plat's approval if the judge signed a stay that nothing would happen until the case was over. Commissioner Reeser responded by stating that in consulting with the Pickaway County Prosecutor, the Commissioners are not under a court stay or court findings that would prevent them from approving the plat. According to the court-ordered stay, Williamson is prohibited from the conveying any parcel or initiating construction on the property. Commissioner Reeser stated that there was no mention about plat approval, which was the only matter before the Commissioners. "Beyond that, it's a matter between the plaintiff court, and township trustees," he said. When Mrs. Williamson asked if "By Court Order" could be placed on the Scioto Township Trustee's signature line, Commissioner Reeser stated that the Commissioners can not address that request. "All we can do is look at this plat and say we accept it," he said. Mr. Frazier then stated that he has a request into the prosecutor's office regarding whether a marginal entry can be placed on the plat to refer to a particular entry in the Pickaway County Recorder's Office with a copy of the court-order, but that has nothing to do with approval of the plat at this time.

With all requirements and obligations having been met and the PCRPC's prior approval of the plat, Mrs. Metzler then offered the motion, seconded by Mr. Wippel to adopt the following Resolution:

BE IT RESOLVED, that the Pickaway County Commissioners accepted and approved the plat for **Logan's Run Subdivision, Scioto Township, Pickaway County, Ohio, V.M.S. 6772**, then

THEREFORE BE IT RESOLVED, that all right-of-ways for roads, streets and easements be accepted for public use as shown on said plat.

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
Update Regarding Joint Development Effort
Between Scioto Township and
Village of Commercial Point:**

Terry Frazier, Director of the Pickaway County Development and Planning Office, informed the Commissioners that five (5) submissions from the Request for Qualifications (RFQ) from qualified firms interested in assisting the Scioto Township Trustees and the Village of Commercial Point with a joint development plan.

A selection committee will convene in the near future to look at the RFQ's and make a decision in reference to which firms will be contacted for interviews.

**In the Matter of
Pickaway County Historical Society
Finance Committee Update:**

Members of the Pickaway County Historical Society (PCHS) met with the Commissioners as a follow-up from the February 26, 2007, meeting where members of the organization requested the Commissioners' consideration in reinstating the county's annual contribution. At the conclusion of that meeting, the Commissioners requested the group to report back with the organization's current financial position. Terry Frazier, President; Charles Weaver, 2nd Vice President, and Caroline Welch, past President of the Society, along with Matthew Forte of the *Circleville Herald* were in attendance.

In 2005, due to financial restraints, the Commissioners informed the PCHS, along with several other local non-profit organizations that beginning in 2006, it was necessary for the county to suspend its annual contributions as an aggressive action to restore and maintain the county's fiscal well-being. In February of this year, because of the PCHS's financial condition with its acquisition of Mt. Oval and the vacating of the building on Main Street, formally occupied by the Chamber of Commerce that had been paying \$400 monthly rent, members of the PCHS met with the Commissioners to request the reinstatement of the county's annual donation. The Commissioners asked for a financial snapshot to justify the request, with no definite decision made at that point.

Since that time, with the county's financial position having improved, Mr. Reeser stated that the Commissioners have decided to work out the details in the implementation of a policy with procedures designed to address annual requests for county funding from local non-profit organizations. The policy will consist of a predetermined amount of money set aside each year in the approximate range of \$30,000 to \$40,000 for this purpose, depending on the county's financial position. To be fair, those organizations would submit their annual requests to the Commissioners for consideration in assisting with the funding of a specific project, not operating budgets. Mr. Reeser explained that they do not want the county to be a funding source for the operations of the various organizations. Mr. Frazier stated that the PCHS will certainly be an applicant each year, as it has no shortage of projects.

Mr. Weaver then presented the Commissioners with the organization's estimated anticipated income and operating expenditures for 2007, with the largest income source being membership dues and the rental of the Main Street building being the seconded largest source of income. Mr. Frazier stated that though there is a prospective tenant, the building is currently empty. On the expense side, perpetual and non-reoccurring costs associated with the PCHS's operations were reviewed, including expenses related to the Clarke-May Historical Museum. At the conclusion of the presentation, the best-case scenario reflected an estimated operating budget shortfall of \$6,000, and the worst-case scenario showed a \$12,000 deficit.

Following a question and answer session in order for the Commissioners to gain further details, Mr. Reeser asked if the funding request was an emergency measure in order for the organization to meet its needs

this year. Mr. Frazier responded by stating that the society is cutting costs and doing the best it can with its resources and that essentially, the organization is healthy. He stated that with much of what the organization is doing, it provides valuable assets to the county and its citizens. "We are asking you to participate in the continued creation of a better quality of life in Pickaway County," said Mr. Frazier. He added that this includes the PCHS's analysis of county records planned in its records retention process.

Mrs. Metzler then stated that over time she felt the organization has more than proven its significant value and assets it provides to the community, and offered the motion to approve a 2007 county contribution of \$8,000. "I know how important it is to preserve the history of our county through the historical society," she said. Mr. Reeser responded by stating that in order to be fair to all of the non-profit organizations that the county has supported in the past, he felt that he did not want to make any exceptions to initiative of annual funding requests for specific projects at this time. Mr. Wippel responded by stating that he would like the board to conduct a planning session to discuss this and other initiatives the Commissioners have underway before making a definite decision at this time as well. The motion then died for the lack of a second. "It's important that we have time to get a policy together," stated Mr. Wippel. A meeting was then scheduled for the Commissioners for May 29 for such a planning session.

**In the Matter of
Meeting Regarding Oil/Gas
Lease for County Property:**

The Commissioners met with geologist Dennis Crist, under contract service with R. C. Poling Co., Inc., Somerset, Ohio, a gas and oil exploration company, to obtain further information regarding the company's request to lease county property for the exploration of oil and gas on property it owns located along Island Road, specifically the Pickaway County Sheriff Department and Pickaway County Engineer Highway Department properties. Robert Parker, County Engineer; Sheriff Dwight Radcliff; and Matthew Forte of the *Circleville Herald* were also in attendance.

Mr. Crist first provided a brief background about himself, which included nearly 28 years with the Department of Natural Resources (ODNR), and Regional Supervisor for over 20 years with the Division of Oil and Gas responsible for exploration, drilling, and production operations for 55 counties throughout Ohio. He stated that R. C. Poling Co., Inc. has already obtained a lease for a block of acreage along Island Road located in Circleville Township and would like to include the county-owned land to that block.

Mr. Crist provided an overview of the exploration process. He stated that with the rock formation in this area, drilling goes to depths of 2,600 to 3,000 feet, which is considered relatively shallow for Ohio. He explained that after a oil and gas lease is obtained, a seismic line is laid out on a map that is followed by a qualified seismic company that will auger a 2" diameter hole, four to six feet deep, every two or three hundred feet. Small amounts of explosives are placed at the bottom of each hole. Mr. Crist stated that when the explosive charges are set off, surface noise level is minimal. Geo-phones, or listening devices, are used to record shock waves that bounce off the different layers of rock. From that recorded information, a seismic profile is generated. If promising areas are identified, wells are drilled at those locations. All wells are inspected and regulated by the state.

Mr. Crist stated that while chances are small that oil or gas will be found on county property, the potential is there. A standard oil and gas lease will give the county 8% of any oil production from its property, becoming what is termed as the "royalty interest owner" and would bear none of the costs. If gas were found, the county would be entitled to a certain amount at no cost. Gas beyond that designated amount can be purchased at the "well head" price.

A question and answer session was held and dialogue took place regarding the process that would take place if oil and/or gas were found. Mr. Crist stated that an addendum can be placed with the standard lease stating that the county can have the authority in controlling where wells can be placed.

At the conclusion of the meeting, the Commissioners thanked Mr. Crist for answering their questions, and stated that they would like to consult with the county prosecutor, and further discuss the matter with Mr. Parker and Sheriff Radcliff before making a definite decision regarding entering into the oil and gas lease.

**In the Matter of
Meeting Regarding City of Circleville and
Circleville Township Landuse Plan:**

Louis McFarland, P.E. City of Circleville Director of Public Service, Mr. John Edsall of Edsall & Associates, LLC, Columbus, Ohio, along with Terry Frazier, the county's appointment to the City of

Circleville and Circleville Township Trustees Planning Board, met with the Commissioners to provide an update in reference to the landuse plan.

Last year the City of Circleville and the Circleville Township Trustees entered into an economic development plan for the creation of three (3) districts encompassing 1,750 acres slated for development. The county contributed approximately one-third (1/3), or \$10,000, to the cost of the plan where land may be annexed only at the property owners' request. The three (3) areas include the North Court Street, U. S. Rt. 22 East, and Kingston Pike Commercial Districts. The creation of these districts necessitates the development of a comprehensive landuse plan.

Mr. Edsall stated that the main objective of the landuse plan right now is to look at the City of Circleville and Circleville Township zoning ordinances and subdivision regulations in an effort to obtain a more unified tool. When developers come into the community, whether they are interested in residential, industrial, or commercial development, they can anticipate a fairly uniform set of requirements and guidelines.

The preliminary review of existing data on utilities, thoroughfares, population analysis and projections is underway. The first public input meeting regarding the landuse plan is scheduled for June 13, and Mr. Edsall stated that he would like to schedule the next progress meeting with the Commissioners on August 6, and talk about community development policies at that time. He said that they would like assessing priorities and policies that the Commissioners feel would be applicable to the landuse plan. A government official's input meeting will be scheduled for September 19, where the Commissioners, City of Circleville officials, members of the planning commission, and the Circleville Township Trustees to discuss, review, and provide input and see that plan is followed through. Mr. Edsall stressed that he wants the ownership of the plan to be Pickaway County, City of Circleville, and the Circleville Township Trustees, not Edsall & Associates, LLC.

Ultimately the landuse plan will be marketed to developers in an effort to bring businesses into the community. Conversation and a question and answer session took place in reference to supplying water and sewer to the three areas.

At the conclusion of the meeting, the Commissioners thanked Mr. Edsall and Mr. McFarland for the landuse plan update and stated that they are looking forward to being kept informed of its progress.

**In the Matter of
Meeting with Sheriff Radcliff
Regarding Approval to Purchase Two Unmarked Vehicles and
One Extended Cab Pick-up Truck:**

Sheriff Dwight Radcliff met with the Commissioners to discuss the purchase of vehicles for use by his department that were factored into the county's five (5)-year Capital Purchase Plan.

Following their review of prices obtained by Sheriff Radcliff for the purchase of unmarked vehicles, Mrs. Metzler offered the motion, seconded by Mr. Wippel authorizing Sheriff Dwight Radcliff to negotiate the purchase of **three (3) 2007 Grand Marquis from Don Thompson Lincoln Mercury, Inc., 1395 S. Court St. Circleville, Ohio** in the amount of **\$16,865 each**, plus costs associated with the necessary add-on equipment. Trade-ins of (2) used unmarked vehicles for the total amount of **\$2,000** is included in the purchase price.

The motion also includes authorization for the purchase of an extended cab pick-up truck with bed cover to replace the department's 1979 four-wheel drive pick-up truck.

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

Attest: Patricia Webb, Clerk

**In the Matter of
Meeting with Public Defender Office
Regarding 2007/2008 Indigent Representation Contract:**

John Alge, Mike Westfall, and Kathryn Smith of the Office of the Ohio Public Defender met with the Commissioners to review Pickaway County's annual agreement for indigent representation services for defendants being prosecuted by the state in felony, misdemeanor, or juvenile court cases.

The state reimbursement rate for fiscal year 2008, is 25%, therefore the county's share of the cost is 75%, or \$122,080. The contract amount is \$118,380, an increase of \$5,452 or 4.8% over fiscal year 2007. The contract is less than the county share due to a \$3,700 state fund reserve carryover. Mr. Alge reviewed a worksheet with the Commissioners detailing the figures.

Following a brief question and answer session, Mr. Wippel offered the motion, seconded by Mrs. Metzler to **enter into the contract with the Office of the Ohio Public Defender for the period of July 1, 2007, to June 30, 2008.**

The county agrees to pay the **Office of the Ohio Public Defender** the sum of one hundred eighteen thousand, three hundred eighty dollars (**\$118,380.00**). **The contract amount shall be paid in four (4) equal installments of twenty nine thousand, five hundred ninety-five dollars (\$29,595.00), payable on July 1, 2007, October 1, 2007, January 5, 2008, and April 1, 2008.**

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

Attest: Patricia Webb, Clerk

**In the Matter of
Cash Advance Back Approved:**

Mr. Wippel offered the motion, seconded by Mrs. Metzler to approve the following request for a CASH ADVANCE BACK:

**2,915.44 from 239.2059.5801 – High Visibility Enforcement Overtime Grant-Advance Back
to
101.0000.4910 – General Fund-Advance Back**

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

Attest: _____
Patricia Webb, Clerk

**In the Matter of
Waiver Approved:**

Mrs. Metzler offered the motion, seconded by Mr. Wippel to waive the waiting period to issue payment to **Mark Allman Builders** for partial payment in the amount of **\$3,848** from line item **#252.5038.5524** for rehabilitation of the home of Tara Sopher, of Ashville, Ohio, Pickaway County FY05 Community Housing Improvement Program (CHIP) recipient.

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

Attest: _____
Patricia Webb, Clerk

**In the Matter of
Transfers Approved by County Administrator:**

Daniel V. Bradhurst, County Administrator, approved the following requests for the TRANSFER and RE-APPROPRIATION OF FUNDS:

**250 from 101.1103.5442 – Group & Liability insurance
to
101.1103.5443 – CORSA-Deductible-General Liability**

**9,625 from 101.1140.5428 – Board of Elections-Contract Workers
to
101.1140.5501 – Board of Elections-Equipment**

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

The weekly report for the Pickaway County Animal Shelter was filed for week ending May 5, 2007.

A total of \$881 was reported being collected as follows: \$384 in sales of dogs; \$15 in redemptions; \$105 in donations; \$247 in sales of tags; \$130 in late tag fee penalties.

Nine (9) 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, yes; 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