

**MONDAY, FEBRUARY 2, 2009**  
**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, February 2, 2009, with the following members present: Mrs. Ula Jean Metzler and Mr. Glenn D. Reeser. Mr. Jay H. Wippel was absent. Ryan Scribner, County Administrator, was also in attendance.

**In the Matter of  
Minutes Approved:**

Mr. Reeser offered the motion, seconded by Mrs. Metzler to approve the minutes from January 26, 2009.

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

Attest: Patricia Webb, Clerk

**In the Matter of  
Payment of Bills:**

Mr. Reeser 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 February 2, 2009, 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 \$406,795.89 on the County Treasurer to satisfy the same.

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

Attest: Patricia Webb, Clerk

**In the Matter of  
Travel Authorizations Approved for  
Job & Family Services:**

The Commissioners signed and approved Travel Authorizations for numerous Job & Family Services Employees to attend various meetings, training sessions to be held throughout the month of February 2009, at the total probable cost of \$1,541.44.

**In the Matter of  
Meeting with Terry Frazier  
Regarding McCrady Road:**

Terry Frazier, Director of the Pickaway County Development & Planning Office, met with the Commissioners regarding McCrady Road, a township road, which provides access to the Pickaway County Airport.

In November 2008, Mr. Frazier reported to the Commissioners that Michael E. Clark of *Michael E. Clark & Associates* performed a survey commissioned by the Pickaway County Airport Authority. The survey included McCrady Road because Mr. Clark could not find where the road had ever been platted, dedicated, and accepted by the Pickaway County Board of Commissioners designating it as a county or township road.

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In today's meeting, after researching the Pickaway County Commissioners journal archives, Mr. Frazier stated he found that on April 17, 1972, the official viewing, public hearing, and approval of the road's construction were performed where it was termed an access road, not a public road. He said it is uncertain whether it was the county commissioners' desire at that time to have McCrady Road designated as public road following its construction. When Commissioner Reeser inquired why the approval of an access road would have to come before the county commissioners, Mr. Frazier responded by stating that although he is uncertain, perhaps at that time the deed to the airport property was either in the county commissioners' name; the airport authority's funds were controlled by the county commissioners; or perhaps the construction bond was underwritten by the county commissioners. Mr. Frazier stated that the matter could possibly be further explored, however; at that time the county commissioners clearly took a direct roll in the operation of the airport. Additionally, as far back as 1974, the Ohio Department of Transportation has designated the road as a public road and the Pickaway County Highway Map reflects it as being a public township road, and Pickaway Twp. has received taxes collected for its performed maintenance. Consequently, Mr. Frazier stated the implication is that the road was intended to be a township road and a correction of oversight, or a claw back should be made. It was determined that the proper thing to do will be to get the road platted and formally approved by the commissioners as a township road and the township can continue to maintain it. Mr. Frazier will contact *Michael E. Clark & Associates* and the Airport Authority to initiate that process.

**In the Matter of**  
**Meeting Regarding County**  
**Building Department:**

Mr. Frazier spoke to the Commissioners regarding a plat file stored in the basement of their building and he asked permission for it to be utilized by the county building department. He stated that the surveys and plats currently contained in the plat files could be held in the county engineer map room. The Commissioners agreed to the request, stating the county engineering department is the proper repository for the surveys and plats.

Mr. Frazier then reported that the Emergency Management Agency is settled into the second floor of the county building department. He will be meeting with the IT department regarding hook-up to the building department, and the telephone system is expected to be installed this week.

**In the Matter of**  
**Meeting Regarding Governor Strickland's**  
**A Call to Action Faith-Based and Community Initiatives:**

Heidi Carter, AmeriCorps VISTA Member and Outreach Coordinator for Governor Strickland's *Call to Action* regarding the collaboration of Faith-Based and Community Initiatives that was created to serve as a central point of contact for community groups, nonprofits, and government agencies interested in forming public-private partnerships to meet needs, deliver services, and solve community problems.

The *Call to Action* seeks to recruit hundreds of faith-based and community groups to initiate, or expand their current good works programs. The community programs include:

- Recruitment of new mentors for youth
- Families to become foster care and adoptive parents
- Establishment of a financial literacy program within the community
- Assisting low/middle income families access work supports benefits by becoming an Ohio Benefit Bank Site
- Recruitment of volunteers to work in corrections and rehabilitation programs
- Become a summer food program and learning site
- Combat hunger by increasing the availability of food at a local pantry

Ms. Carter also explained that the Ohio Benefit Bank (OBB), a clearinghouse for funding with a web-based computer program to connect low and moderate-income Ohioans with access to work supports such as tax credits and public benefits.

The remainder of the meeting was dedicated to providing Ms. Carter with information and contact names regarding various existing faith-based community outreach programs, summits, and workshops such as "It Only Takes a Spark", and the "Bridges Out of Poverty". She was also provided a contact name at the Community United Methodist Church which started a ministry for inmates; the Christian Women's Job

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Corp; and other local community and faith-based community programs that she could assist in being expanded upon. Commissioner Reeser stated that a financial literacy program is an area that seems to be in need in the community.

After gathering further information from the Commissioners, Ms. Carter thanked the Commissioners for their time and information.

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

Mr. Reeser offered the motion, seconded by Mrs. Metzler to approve the following FUND TRANSFER request:

**15,257.18 from 651.6050.5701 - Unclaimed Funds-Transfers**  
**to**  
**101.0000.4997 – General Fund-Unclaimed Funds**

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

Attest: Patricia Webb, Clerk

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

Mr. Reeser offered the motion, seconded by Mrs. Metzler to approve the following CASH ADVANCE:

**1,773.44 from 101.1105.5801**

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Meeting Regarding Tax Increment Financing**  
**Agreement Amendment for Infrastructure Improvements:**

Eric Leibowitz of Don M. Casto Developers (Casto) met with the Commissioners at their request to revisit the expansion of the Tax Increment Financing (TIF) Agreement Amendment (“Phase II-Public Improvements”) to cover the \$181,500 in costs associated with the traffic flow improvement project at the main entrance intersection of the Super Wal-Mart Center. Anthony Neff, Assistant Pickaway County Engineer, and Melissa Betz, Pickaway County Auditor, were also in attendance.

In a meeting held on January 20, 2009, Paul Lukeman (also of Don M. Casto Developers) and Mr. Leibowitz spoke to the Commissioners regarding the intersection improvements that include the installation of a traffic light and pavement marking modifications which will be covered by expanding the existing 10-year TIF. Any costs that may exceed the \$181,500 will be the responsibility of Don M. Casto Developers. With the county having no trained personnel to handle the timing and necessary maintenance of the traffic light, there will also be a perpetual \$3,000 annual cost from the Ohio Department of Transportation (ODOT) to provide those services. It was decided to explore the possibility of incorporating the \$3,000 annual maintenance cost into the TIF amendment.

Since that meeting the Commissioners determined that it would be reasonable to request Casto to share a portion of the infrastructure cost, for example 20% of the \$181,500, in addition to a portion of the annual \$3,000 traffic signal maintenance cost as the improvements will also benefit Casto in the long term as

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well by attracting future development to the area. Last week, Mr. Neff relayed that information to Mr. Leibowitz on behalf of the Commissioners, who responded by stating he did not feel that Casto could honor the request.

Today, Mr. Leibowitz began the meeting by stating that following the Commissioners' request, he consulted Casto's construction department to see if the project's numbers were high, which they determined were not. He also consulted the financial department to see if there was room to accommodate the monetary request and he indicated that the construction numbers and associated conventional loan with their bank has already been determined. He stated that while they would prefer to be building a 100,000 sq. ft. warehouse as part of Phase III, the project instead is the construction of a BW3 Restaurant and two store rooms and there are also significant site costs with storm retention, etc., and he did not feel a 20% contribution was feasible. In addition, the traffic signal analysis and site access management study (required by the Pickaway County Engineering Department) invoices in excess of \$20,000 that Casto is covering are now coming due, which he indicated is normally covered by the municipality. The Commissioners then inquired about Casto covering the \$3,000 annual traffic signal maintenance fee. The Commissioners and County Engineer feel that this should be paid by the developer as the signal is a benefit to the shopping center. Mr. Leibowitz inquired if it would be possible for Casto and the county share in that expense due to "through" traffic utilizing the intersection as well. Mr. Neff stated that the concept is not unheard of, however; the percentages will need to be determined based on a calculated formula following a traffic flow analysis. With the traffic signal maintenance cost being perpetual, Mr. Leibowitz stated there could be a separate agreement or attachment to the TIF stating the county engineering department and Casto will share in the costs after the TIF is paid off.

The Commissioners then returned to the topic of Casto providing 20% of the \$181,500 in the improvement costs. Commissioner Reeser stated that the 20% was derived from the original TIF where there was a 20/80 split to cover the initial costs in 2003. Mr. Leibowitz responded by stating that from a cautionary standpoint, the original project was much larger, and the current lending environment is much different than it was in 2003. Commissioner Reeser then stated that it will be difficult to justify to the public that Casto will not be contributing to the \$181,500 since they are benefiting from the improvements as well. When Commissioner Reeser then brought up another subject, being Casto's Irrevocable Standby Letter of Credit, (a substitute for a performance bond or bid guaranty), for the original TIF, Mr. Leibowitz stated that he believed that it had expired and was not renewed. Commissioner Reeser questioned that as it was his understanding that it should be enforced until the TIF was paid off. Mr. Leibowitz stated that though he was not involved in the original TIF, it was his understanding when revenue is generated for two years in a row to cover the service payments, the Letter of Credit disappears. Mrs. Betz stated that, whether it is a Letter of Credit or something equivalent, she would feel much better knowing that Casto had something in place to cover the service agreement debt if necessary. Following further dialogue regarding the matter, it was decided that the topic will be further explored.

When the subject matter then returned to Casto contributing something to the \$181,500 improvement costs, Mr. Leibowitz stated that in the interest of trying to come to an agreement today so the project will not be delayed, he will "go out on a limb" and commit a \$12,000 contribution from Casto.

As a result, Mr. Reeser offered the motion, seconded by Mrs. Metzler approving an amendment to the original TIF service payment agreement with the following understanding:

- Don M. Casto Developers will contribute \$12,000 towards the \$181,500 in improvement costs, in addition to covering any overages that may occur over that amount;
- The \$3,000 traffic light annual maintenance cost will be incorporated into the TIF amendment until the TIF service agreement is paid off;
- After the TIF service agreement is paid off, a separate agreement between the Pickaway County Engineer and Don M. Casto Developers will be attached to the TIF amendment sharing the annual traffic light maintenance cost on a percentage basis based upon a calculated formula determined by a traffic flow analysis.

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

Attest: Patricia Webb, Clerk

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**In the Matter of**  
**Waiver of Waiting Period Approved:**

Mr. Reeser offered the motion, seconded by Mrs. Metzler to waive the waiting period to issue payment to **Citi Mortgage, Inc.** in the amount of **\$600** from line item #252.5039.5942 for foreclosure prevention for E. Burchett with funds provided by the FY08 Pickaway County Community Housing Improvement Program (CHIP) Grant provided through the Ohio Department of Development.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Weekly Dog Warden Report:**

The weekly report for the Pickaway County Dog Shelter was filed for week ending January 31, 2009.

A total of \$2,674 was reported being collected as follows: \$0 in sales of dogs; \$0 in redemptions; \$35 in donations; \$2,639 in sales of tags; and \$0 in late tag fee penalties.

No dogs were destroyed.

No firearms were discharged.

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

Ula Jean Metzler, President

Glenn D. Reeser, Vice President

ABSENT  
Jay H. Wippel

BOARD OF COUNTY COMMISSIONERS  
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Attest: Patricia Webb, Clerk