

MONDAY, JUNE 8, 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, June 8, 2009, with the following members present: Mr. Glenn D. Reeser; and Mr. Jay H. Wippel. Mrs. Ula Jean Metzler was absent. Ryan Scribner, County Administrator, was also in attendance.

In the Matter of
Minutes Approved:

Mr. Wippel offered the motion, seconded by Mr. Reeser to approve the minutes from June 1, 2009.

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

Attest: Patricia Webb, Clerk

In the Matter of
Payment of Bills:

Mr. Reeser offered the motion, seconded by Mr. Wippel 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 June 8, 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 \$375,006.35 on the County Treasurer to satisfy the same.

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

Attest: Patricia Webb, Clerk

In the Matter of
Authorization to Offer Susan K. Robinson Program Specialist 1
Position in Pickaway County Development & Planning Office:

Terry Frazier, Director of the Pickaway County Development & Planning Office met with the Commissioners regarding the Program Specialist 1 position recently advertised. The essential functions of the position include but are not limited to: write, manage, and maintain grants that include the Community Development Block Grants (CDBG) and other related special funding grants; and management of the county's participation in the Ross, Pickaway, Highland, Fayette Joint Solid Waste District's Recycling Outreach Program.

More than thirty (30) applications were received, resulting in three (3) subsequent interviews conducted by Mr. Frazier and Ryan Scribner, County Administrator. Following a brief summary of the interviews, Mr. Frazier and Mr. Scribner recommended that applicant Susan K. Robinson of Circleville be offered the position. The position would be offered on a part-time basis, (24 to 32 hours per week depending on workload), for the short-term, working Tuesdays, Thursdays, and alternating Fridays at a rate of \$14.00 per hour. The wages will be supported with administrative funds provided through the various grant programs and the recycling program.

Following further discussion regarding the recommendation, Mr. Wippel offered the motion, seconded by Mr. Reeser to offer Susan K. Robinson, 2364 Shawnee Trail, Circleville, Ohio 43113 the part-time position of Program Specialist 1 within the Pickaway County Development & Planning Office.

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

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Attest: Patricia Webb, Clerk

It was then decided that due to the county's current and projected economic challenges, Mr. Frazier will prepare a written release to be distributed to all county departments and agencies notifying them of the county's intention to hire an additional employee who will be compensated with non-general administrative funds provided through the recycling and various grant programs.

Mr. Frazier then briefly spoke to the Commissioners regarding the Pickaway County Planning Commission's Special Meeting scheduled to be held in their conference room later in the day. A property owner wants to sell a small lot to an adjacent property owner in a residential neighborhood on Bell Station Road who desires to construct a pole barn to store tractors. The property owner purchasing the small lot is requesting that the utilities be relocated, which will require re-platting and the Pickaway County Planning Commission's involvement and obligation to comment. Mr. Frazier also informed the Commissioners that the proposed Muhlenberg Township Comprehensive Land Use Plan is another agenda item scheduled to be discussed in the meeting.

**In the Matter of
Review of May 2009
Month End Reports:**

Susan Turvey, Pickaway County Auditor's Budget/Finance Clerk, met with the Commissioners to review the county's May 2009, revenue and expenditure reports. During the review, Mrs. Turvey stated that the creation of additional revenue line items may soon be requested for approval for improved tracking of the various sources of revenue received by county departments and agencies. Discussion was also held regarding the eventual reduction of the General Fund's 2009 estimated revenue based on the actual revenue received so far.

**In the Matter of
Resolution Adopted for THEN & NOW Certification to
Accommodate the 2009 Second Half Budget Adjustments:**

Due to the recent reduction in county department/agencies appropriations for the remainder of 2009, and at the Pickaway County Auditor's request, Mr. Wippel offered the motion, seconded by Mr. Reeser to adopt the following Resolution:

Resolution No.: PC-060809-1

WHEREAS, for the period of June 1, 2009, to July 31, 2009, all purchases of \$1,000 or less are exempt from the THEN and NOW CERTIFICATION requirements to accommodate the second half budget adjustments, then

THEREFORE BE IT RESOLVED that for any person authorized to make purchases shall, within three (3) business days of making a purchase, file with the Pickaway County Auditor a written document stating the purpose, amount, and date of the purchase along with the name of the vendor.

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

Attest: Patricia Webb, Clerk

**In the Matter of
Meeting with Dan Bradhurst
Regarding CHIP Update:**

Dan Bradhurst of *Chris Wojno Consulting* (current FY08 CDBG/FY08 CHIP grant consultant) met with the Commissioners to provide an update for the Pickaway County FY08 Community Housing Improvement Program (CHIP), a two-year grant program.

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Mr. Bradhurst reported that thus far, the CHIP grant program has assisted twelve (12) households with Homeless Prevention funds; six (6) households with Tenant Based Rental Assistance funds; eight (8) in Home Repair funds, with five (5) projects currently pending; 2 households in the New Holland area ("Target Area") will be assisted with Private Owner Rehabilitation funds; and one (1) household has been assisted and three (3) applicants have been conditionally approved thus far for Homebuyer Down Payment Assistance/ Rehabilitation funds, which means the applicants have ninety (90) days to find financing and a home to purchase. During the overview, Mr. Bradhurst commented on how well the Pickaway County Chief Building Official, Al Sheldon, is working out in providing the inspections of homes before and after projects are completed and inspection of homes considered for purchase by first-time home buyers. The Pickaway County CBO has been performing these functions for the program since the Pickaway County Building Department became operational the first of this year. Mr. Bradhurst reported that with the program's progress thus far, all required outcomes will be met or exceeded before the grant expires in October 2010.

Discussion was then held regarding the administrative and various soft costs that can be drawn related to the CHIP program such as: rehab specialist dwelling inspections; monitoring/managing construction processes; lead risk assessments/clearance and lab/testing costs; termite inspections, etc. He also stated that the \$10,000 in administrative funds allocated to Pickaway County for the Neighborhood Stabilization Program (NSP) can begin to be drawn down by the Pickaway County Building Department which is handling the administration of the program. In looking into the future, Mr. Bradhurst stated that perhaps *Chris Wojno Consulting* could provide technical assistance to the Program Specialist 1 during the transitioning period, who is planned to handle the county's FY09 CDBG application to the state and the administration of that and future grant programs, and assist with building county's capacity in eventually handling future both the CDBG and CHIP programs in their entirety. The Commissioners agreed that it would be a good idea and it was determined that Mr. Bradhurst, Terry Frazier, and Ryan Scribner will meet sometime in the near future and work out the logistics.

At the conclusion of the meeting, the Commissioners thanked Mr. Bradhurst for the report.

In the Matter of
Meeting with Jack Middaugh of Sheriff Department
Regarding Repairs to Cooling Tower:

Jack Middaugh, Administrative Assistant Pickaway County Sheriff Department, dropped in on the Commissioners in reference to an emergency repair to the department's cooling tower, which is the backbone of the facility's air conditioning. Mr. Middaugh provided pictures of the eliminators showing significant corrosion that is causing rusted parts to fall down into the cooling tower. Mr. Middaugh stated that the situation creates the potential to cause significant damage to other parts of the tower's equipment if they are not replaced immediately. He presented a proposal from *Honeywell*, Dublin, Ohio for the fabrication and replacement of the eliminators in the amount of \$13,819.00. A dumpster in the amount of \$50 will be required to dispose of the old materials, for a total repair cost of \$13,869.00.

Upon reviewing the pictures, the Commissioners inquired if the eliminators, which appear to be long, hollow, squared tubing were made of aluminum or steel. Mr. Middaugh stated these particular eliminators can either be made of steel or fiberglass, but to the best of his understanding, fiberglass eliminators are much more expensive.

Following a brief question and answer session, Commissioners requested that Mr. Middaugh contact local metal fabrication shops to obtain quotes for the fabrication of replacement eliminators at lesser cost and report back with his findings.

In the Matter of
Meeting with Circleville Mayor to
Discuss Knollwood Village and
Circle Hills Subdivisions' Connection to
Circleville's Waste Water Treatment Plant:

City of Circleville Mayor Chuck Taylor met with the Commissioners at their request to discuss the possible future connection of the Circle Hills and Knollwood Village Subdivisions sanitary waste systems to the city's waste water treatment plant (WWTP) to avoid escalated enforcement action by the Ohio Environmental Protection Agency (OEPA). The County recently received a letter from Sheree Gossett-

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Johnson of the OEPA stating that following reconnaissance inspections of both of the WWTPs owned and operated by the county were found to be operating marginally satisfactorily due to consistent effluent violations believed to be caused by equipment failures and questionable tank integrity. The county has been aware of the aging WWTPs, and the concept of connecting to the city's WWTP has been under consideration for quite some time.

Mayor Taylor, who was previously made aware of today's topic of discussion, stated that he requested some measurements which he has not yet received to gain a better perspective of what it will take to connect Circle Hills and Knollwood Village to the city's WWTP and the associated costs. Though the county's facilities are remote, Mr. Taylor said that the concept is feasible. Discussion was held regarding the Ohio Christian University's (OCU), located on St. Rt. 22 W, desire in eventually connecting to the city's WWTP, which would provide an easy connection for Knollwood Village. Connecting Wintergreen Subdivision, also located on St. Rt. 22 W, was discussed as well. With the distance involved, force mains will probably be required. Mayor Taylor stated that at one point in time he thought OCU was interested in connecting into the city's system, but has recently been under the impression that the university has connected to Earnhart Hill Regional Water & Sewer District (EHRWSD). With being a member of OCU's Advisory Board, Mr. Reeser stated that he is certain that OCU has not connected to EHRWSD, and is still interested in hooking into the city's system.

The topic then turned to a possible connection alternative for Knollwood Village which would be to hook into the city's waste water treatment system from the Mary Virginia Hannan Community Park. When the question was raised regarding the city's ability to handle the additional effluent from the various subdivisions, Mayor Taylor responded by stating that the city's WWTP is operating at a 25% capacity providing more than enough room to accommodate it. He stated that important information to obtain would be the average volume, peak times, infiltration, and if it would ultimately be necessary to connect additional users from the subdivisions. In response to the additional users, the Commissioners stated that all subdivisions are built out and will not be expanding.

Commissioner Reeser stated that probably the first step to take would be to obtain a consensus from all interested parties for a plan and estimated costs; respond to the letters from OEPA; and eventually begin applying for grants. Mayor Taylor stated that in the meantime he can obtain information on distances and contact Sherre Gossett-Johnson of the OEPA to obtain various reports regarding Knollwood Village, Circle Hills, and Wintergreen sewer package plants. It was also decided that the Commissioners office will schedule a meeting for next Monday, June 15th with Robert Parker, County Sanitary Engineer, and Asst. Engineer Chris Mullins, to begin planning meetings with city officials and representatives from OCU for further discussion.

On a separate matter, the Commissioners then inquired about the lift-station that services both the Pickaway County Sheriff Department/Jail and the adjacent State of Ohio Juvenile Detention Facility located on Island Road. From the time the lift station has been operational, the county has provided all operating, maintenance, and repair costs. The question was posed as to why this has been the case in view of the fact that the lift station is part of the city's WWTP and there does not appear to be a pre-existing agreement stating that the county will be responsible for it. Mayor Taylor responded by questioning why the lift station even existed because part of the grant conditions when the City of Circleville received funding for the construction of its WWTP, it had to agree to eliminate all lift stations and not construct any more. He also presented a map showing the lift station listed as "private". Discussion was held in reference to ultimately eliminating the lift station and install a force main to accommodate the Sheriff Department/Jail facility and the state's facility will need to work out its needs on its own. It was determined that Mayor Taylor will contact the maintenance supervisor at the Sheriff Department/Jail Facility to view the lift station.

At the conclusion of the meeting, the Commissioners thanked Mayor Taylor for his time and cooperation.

In the Matter of
Telephone Conference Call With
Attorney Peter Pavarini Regarding
Berger Hospital Conversion Request:

A conference call was placed to the county's legal counsel Peter Pavarini of *Schottenstein, Zox & Dunn*, to discuss trade secrets of a county hospital organized under Ohio Revised Code Chapter 339.

At 1:30 p.m. Mr. Wippel offered the motion, seconded by Mr. Reeser to enter into Executive Session.

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

Attest: Patricia Webb, Clerk

At 2:31 p.m. Mr. Wippel offered the motion, seconded by Mr. Reeser to resume Regular Session.

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

Attest: Patricia Webb, Clerk

No action was taken.

**In the Matter of Meeting with Terry Frazier and
Al Sheldon Regarding Temporary
Flood Plain Variance Determination and Necessary
Electrical Upgrades at the Pickaway County Fairgrounds:**

Terry Frazier, Director of Development & Planning, and Al Sheldon, Pickaway County Building Department Chief Building Official (CBO) met with the Commissioners to follow-up on the meeting held on April 6, 2009, regarding a 60-day flood plain variance issued to Joe Melville of *Ohio Energy, Inc.* The variance came about due to Mr. Melville being contacted and informed by the county engineering department that he would have relocate an electrical pole meter base connection on a section of now county-owned property that supplies power to the operations of an oil well located on private property. Mr. Melville complied and moved the electrical pole meter base connection 125 ft. from its original location. Subsequently, when Mr. Sheldon was called to inspect the relocated electrical pole meter base connection, he did not provide his approval for it to be energized because it was located in a flood plain and the connection would have to be elevated to the level required in the county's Flood Reduction Resolution. Dialogue took place during that meeting in reference to who has the jurisdiction for the inspection and approval of electrical pole meter base connections. Mr. Melville referenced Sub. H.B. 278 that repeals all statutory authority of local governments to regulate oil and gas exploration and operations, which would include inspections of pole meter base connections. However, Mr. Frazier had consulted the county prosecutor who researched the matter and informed him that local authorities do have that authority. Following further discussion at that time, and in order for Mr. Melville to be able to restart the operation of the oil well after two weeks of down time, the Commissioners granted a 60-day temporary flood plain variance order for the electrical connection to be energized allowing the oil well restart its operation while the issue of inspection jurisdiction could be further explored.

Today, Mr. Sheldon reported that the Ohio Building Code does not list oil/gas well pole mounted electrical connections exempt from inspection by local authorities and he has requested verifying written documentation from Ohio Board of Building Standards. In addition, Mr. Frazier stated that he consulted the Ohio Department of Natural Resources Division of Water which recommended that the county's Flood Plain Resolution be enforced. He also consulted with the county prosecutor who agreed that the county should to enforce the Flood Plain Resolution as well. Mr. Frazier stated that that if an applicant claims an exemption to the Flood Plain Resolution; the duty for the burden of proof of exemption is on the applicant.

Following further discussion regarding the issue, it was ascertained that written documentation will be obtained from the Ohio Board of Building Standards stating the local officials have the authority to inspect meter base connections, which will be attached to a letter prepared by the county prosecutor informing Mr. Melville of such and that he must comply with the county's Flood Plain Resolution within a specified timeframe.

On a separate topic, Mr. Sheldon informed the Commissioners that he annually drives through the Pickaway County Fairgrounds prior to the county fair. In recently doing so before the start of this year's county fair, he stated that he has found a number of electrical infractions that are causes for concern. He also stated that some electrical work currently being performed at the fairgrounds is over and above the permit application. He provided the Commissioners with some examples of the infractions and requested the their permission to meet with the Pickaway County Agricultural Society (Fair Board) after this year's county fair and provide them with a prioritized list of the electrical infractions that need to be addressed. The

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Commissioners granted Mr. Sheldon permission and, with the list expected to be relatively extensive; this will most likely be a multi-year project.

**In the Matter of
Telephone Conference Call With
Attorney Peter Pavarini Regarding
Berger Hospital Conversion Request:**

A conference call was placed to the county's legal counsel Peter Pavarini of *Schottenstein, Zox & Dunn*, to discuss trade secrets of a county hospital organized under Ohio Revised Code Chapter 339.

At 3:00 p.m. Mr. Wippel offered the motion, seconded by Mr. Reeser to enter into Executive Session.

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

Attest: Patricia Webb, Clerk

At 3:09 p.m. Mr. Wippel offered the motion, seconded by Mr. Reeser to resume Regular Session.

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

Attest: Patricia Webb, Clerk

No action was taken.

**In the Matter of
Special Meeting of the
Pickaway County Planning Commission:**

At the request of Terry Frazier, Director of the Pickaway County Development & Planning Office, the Commissioners attended and provided the necessary space in their conference room for a Special Meeting of the Pickaway County Planning Commission. Minutes from the meeting will be available at the Pickaway County Development & Planning Office.

**In the Matter of
Agreement with *ME Engineering, Inc.* Signed for
Derby Sanitary Sewer Project Design:**

Mr. Reeser signed the agreement with *MS Engineering, Inc.* for the Derby Sewer Project design and other services related to the project in the amount of \$222,535 previously approved by Commissioners Reeser and Metzler on May 18, 2009. Due to today's absence of Commissioner Metzler, her signature will be obtained on the agreement upon her return later in the week.

**In the Matter of
Honeywell Proposal Approved for Replacement of Cooling Tower
Eliminators at the Pickaway County Sheriff Department/Jail:**

After contacting local fabrication shops regarding the manufacturing of cooling tower eliminators for the Pickaway County Sheriff Department/Jail, Jack Middaugh reported back to Ryan Scribner, County Administrator, and informed him that he was told by the local shops that they do not have the capability to replicate the eliminators and do not know of any local business that can.

Following further discussion regarding the matter, and due to the urgency of the repair, Mr. Wippel offered the motion, seconded by Mr. Reeser to approve the proposal from **Honeywell, 5025 Bradenton Avenue, Dublin, Ohio 43017 in the amount of \$13,819**, and the expense will be deducted from the \$75,000

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built-out in the department's capital plan that was earmarked for next year to repair and update the cooling tower.

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

Attest: Patricia Webb, Clerk

In the Matter of
Appropriations Approved:

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

1,416.50 to 101.1105.5703 – Contingencies
71.44 to 101.1105.5703 – Contingencies

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

Attest: Patricia Webb, Clerk

In the Matter of
Transfers Approved:

Mr. Wippel offered the motion, seconded by Mr. Reeser to approve the following requests for the TRANSFER and RE-APPROPRIATION OF FUNDS:

71.44 from 101.1105.5703 – Contingencies
to
101.6906.5901 – Unclaimed Funds-General
1,416.50 from 101.1105.5703 – Contingencies
to
101.1140.5428 – Board of Elections-Contract Workers

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

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 June 6, 2009.

A total of \$450 was reported being collected as follows: \$128 in sales of dogs; \$30 in redemptions; and \$45 in donations; \$169 in sales of tags; and \$78 in late tag fee penalties.

Three (3) dogs were euthanized.

No firearms were discharged.

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

ABESENT
Ula Jean Metzler, President

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Glenn D. Reeser, Vice President

Jay H. Wippel
BOARD OF COUNTY COMMISSIONERS
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Attest: Patricia Webb, Clerk