

MONDAY, SEPTEMBER 28, 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, September 28, 2009, with the following members present: Mrs. Ula Metzler; Mr. Glenn D. Reeser; and Mr. Jay H. Wippel. 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 September 21, 2009.

Voting on the motion was as follows: Mrs. Metzler, yes; 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 September 25, 2009, in the Commissioners' Voucher Journal, then

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 **\$314,317.33** on the County Treasurer to satisfy the same.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Meeting with Jim Deal
Regarding EMA Update:

Jim Deal, Pickaway County Emergency Management Agency (EMA) Director, met with the Commissioners to provide an update.

Topics reviewed included:

- **Grants:** Four new grants have been obtained, two of which are continuing grants. A grant in the amount of \$54,000 available through the Franklin County EMA is for the purchase of Haz Mat equipment. With Pickaway County being contiguous to Franklin County, the specialized equipment will be shared if a major event were to occur in Franklin County. The funds should be available next month. The county's State Emergency Response Commission (SERC) grant for this year is \$13,000. The current Homeland Security Grant continues through 2010. The Emergency Management Planning Grant (EMPG), a 50-50 matching grant, is approximately \$64,000 this year. The grant can cover approximately 50% of the local agency's office and vehicle expenses. The Commissioners requested a summary of the expenditures related to the grant.
- **Severe Weather Outreach Programs:** Mr. Deal is scheduled to meet with local school district superintendents at the Pickaway County Educational Service Center on November 5th, and will be providing information on tornado preparedness, etc. for school administrators. Commissioner Metzler stated that she had been informed of an excellent outreach program in the Scioto County,

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particularly related to an evacuation plans that he could look into. It was determined that Mr. Deal will speak with the various school district superintendents regarding written plan for each school.

- **Emergency Siren at Mary Virginia Hannan Community Park:** When the Commissioners inquired, Mr. Deal stated that he was not aware if the City of Circleville had plans to install an emergency at the location of the new Mary Virginia Hannan Community Park. Mr. Deal will look into the matter.

At the conclusion of the meeting, the Commissioners thanked Mr. Deal for meeting with them, and requested that he provide them with quarterly updates.

In the Matter of
Meeting with Tammy Ayers
Regarding Board of Health Update:

Tammy Ayers, Director of Operations for the Pickaway County Board of Health met with the Commissioners to provide an update.

Topics reviewed included:

- **Budget:** Even with the recent layoff of some employees, Ms. Ayers reported that if the department does not have the carry-over at the end of the year to keep the department operational, the 2010 ten furlough days for hourly employees will probably be realized in the first six months of the year. Core leaders of the department have taken a 5.5% decrease in salaries until mid-2010 that equals the ten furlough days for hourly employees. A spreadsheet was distributed reflecting the department's current balance, which includes revenue from various grants. Ms. Ayers also reported that the department is going to utilize only one of its vehicles going into the winter months as another cost cutting measure.
- **H1N1 Virus:** Due to the clinical/health related services the department provides, Ms. Ayers reported that the Board of Health is hesitant to layoff any additional employees should a local outbreak of the H1N1 virus were to occur. The Health Department is expecting the vaccine to be available next month which will include both the mist and muscular injection. The department will soon be inspecting the twenty-three local registered providers of the H1N1 vaccine which will be responsible for the custody of the vaccine to ensure they have the means for proper storage, etc. once it is provided to them by the health department. Regarding the schools, she reported that all local school district superintendents have agreed to follow the same school closure policy in the event of an outbreak among students. A predetermined trigger point will be established that will be recognized by all school districts as far as closing and all outside school activities, such as football and basketball games, dances, club activities, etc. will be canceled as well. Ms. Ayers distributed H1N1 resource information for the Commissioners' review and stated that the Health Department is finalizing its H1N1 plan for submittal to the Ohio Department of Health for approval and will be providing it for the Commissioners. She stated that there is an estimated 50% attack rate for both the H1N1 virus and seasonal flu, and about a 2% mortality rate of the morbidity. Anyone that may be hospitalized for influenza like illness (ILI) symptoms will be tested for the H1N1 strain. If a cluster of ILI were to occur, those people will be tested for the H1N1 strain as well.

At the conclusion of the meeting, the Commissioners thanked Ms. Ayers for the update.

In the Matter of
Bid Opening for Re-Bid of
Sheriff Department/Jail Partial Roof Re-cover:

The Commissioners conducted the bid opening for the re-bid of the Pickaway County Sheriff Department/Jail Partial Roof Re-cover project. Jack Middaugh, Sheriff Department Administrative Assistant; Brandon Meade of Meade Construction; and Jim Smith of B & B Roofing were in attendance.

Project Estimate: **\$70,700**

The following bids were received and read aloud:

B & B Roofing, Inc.
150 Cooks Hill Rd

\$93,600

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P.O. Box 6351
Chillicothe, Ohio 45601

K & W Roofing, Inc. 8356 National Road Pataskala, Ohio 43062	\$80,000
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Division 7, Inc. 72 Holmes St. Galena, Ohio 43021	\$77,000
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Meade Construction, Inc. 19325 Zolman Rd. Fredericktown, Ohio 43019	\$94,900
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Carl T. Johnson, Inc. P.O. Box 71 Logan, Ohio 43138	\$70,700
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The bids were turned over to Jack Middaugh for review by the Sheriff Department.

In the Matter of
800 MHz Communications Re-banding Contract with
Nextel Communications Signed:

Jayne Fountain, Pickaway County Assistant Prosecutor, along with Jim Bingman, former Chairman of the Pickaway County 800 MHz Advisory Committee, met with the Commissioners for the signing of the final Frequency Reconfiguration Agreement between Pickaway County and Nextel West Corporation.

In 2004, the Federal Communications Commission (FCC) issued a Report and Order that modified its rules governing the 800 MHz band and adopted a nationwide Consensus Plan to reshuffle many of the channels in the 800 MHz band. The purpose of this Order was to separate the wireless companies, namely Nextel, from the public safety agencies in order to inhabit a different end of the band to minimize harmful interference to public safety radio communications systems. Nextel is required to cover all fair and reasonable costs associated with the retuning process of the public safety radios system that are affected. In exchange for Nextel removing itself from the area of bandwidth it currently occupies, the FCC agreed to allocate and give Nextel a certain amount of prime real estate in the airwaves at a different place in the spectrum that will then be made available to public safety communication.

In the Matter of
Meeting with Jim Bingman
Regarding Maintenance Coordinator Position for 800 MHz Communications Tower:

Jim Bingman met with the Commissioners in a follow-up meeting from September 8, 2009, to further discuss the possible creation of a maintenance coordinator position to handle the maintenance of the Pickaway County 800 MHz Communications Tower. The tower provides 800 MHz communication services to emergency first-responders, Berger Hospital, PICCA transportation department, and local school districts.

Mr. Bingman recently retired after thirty-two years of service with the county. His official retirement date is September 30, 2009. For the past several years, Mr. Bingman has served as the Chairman of the county's 800 MHz Communications Advisory Committee and, by choice, served as the 800 MHz system maintenance coordinator as well. On September 8, 2009, he met with the Commissioners and explained that he remains deeply rooted to the communications system, possesses a high value for public safety, however; upon his retirement he will no longer be able to serve on the advisory committee at his current capacity and requested their consideration in creating an intermittent position that would give him the authority to continue to manage the 800 MHz communications system for an agreed upon compensation amount after a two month period has expired following his retirement date. Mr. Bingman said that among other things associated with the communications system, he would like to remain engaged with the upcoming FCC mandatory nationwide re-banding project that he has been involved with for the past number years. During that meeting, the Commissioners stated that while they realize that it will be necessary for someone to continue to manage the system, there are several areas that will need to be addressed such a job description;

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required office space; training of a second individual to maintain the system during Mr. Bingman's absence; the number of hours that would be involved; the amount of compensation; will the revenue from the paying users (non-governmental entities) of the tower cover the additional costs associated with the position.

Today, discussion was held in reference to the number of hours Mr. Bingman estimates the position will require. Mr. Bingman provided an estimated average of ten hours per week plus mileage. Dialogue took place regarding the implementation of a small user fee and radio programming fee increase to help offset the additional expenses if the new position were to be created as it was stressed that the county's General Fund is not in the position to support those costs. Conversation was also held in reference to researching the Community Development Block Grant (CDBG) Formula program for possible funding related to the capital needs for the tower, such as a planned infrastructure upgrade.

At the conclusion of the meeting, it was ascertained that the Commissioners will continue to research the matter and it was also determined that Ryan Scribner, County Administrator, will attend the next meeting of the Pickaway County 800 MHz Communications Advisory Committee scheduled for 7:00 p.m. on Wednesday, October 14, at the Circleville Fire Station to discuss the matter and present the option of increasing user fees to support the position. The Commissioners also requested that Mr. Bingman research potential candidates he could train on the operations and maintenance of the tower as a back-up during his absences.

In the Matter of
Authorization for County Engineer to
Sign Road Agreement with Rockies Express:

Chris Mullins, Pickaway County Deputy County Engineer, met with the Commissioners to obtain their authorization permitting Robert E. Parker, Pickaway County Engineer, to sign the Settlement Agreement and Release between Pickaway County and Rockies Express Pipeline, LLC (REX). The Commissioners reviewed the agreement which states that REX will pay to Pickaway County the total sum of two-hundred and forty-eight thousand and twenty dollars (\$248,020) related to roadway damage repairs rising from the use by REX contractors to portions of London Road and Pherson Pike Road.

Following the Commissioners' review of the agreement, Mr. Wippel offered the motion, seconded by Mr. Reeser to adopt the following Resolution:

Resolution No.: PC-092809-1

WHEREAS, REX has completed its hauling activities at the pipe yard commonly referred to as its "Circleville pipe storage yard" (Pipe-yard") in Pickaway County, Ohio, and

WHEREAS, in reference to the Settlement Agreement and Release agreement related to the Rockies Express Pipeline, Pickaway County and Rockies Express (REX) hereby agree to settle all matters relating to roadway damage repairs and costs arising from the use by REX contractors on portions of London Road from the intersection of Pherson Pike Road, and Pherson Pike Road from the intersection of SR 56 to the intersection of London Road, and

WHEREAS, REX will pay Pickaway County the total sum of two hundred and forty eight thousand and twenty dollars (\$248,020.00) for the damage repairs and costs to the portions of the above-mentioned roads arising from the use by REX contractors, then

BE IT RESOLVED THAT, by signing the above-mentioned agreement Pickaway County, along with its agents, representatives, successors and assigns, releases and forever discharges REX, its officers, directors, members, employees, agents, representatives, contractors, predecessors, successors and assigns, of and from any and all actions, claims, demands, lawsuits, liabilities, costs and expenses of any kind or nature whatsoever arising from or relating to the roads or roadway-related damages, repairs and costs arising out of or in connection with the REX activity on the road, and

BE IT FURTHER RESOLVED that the Pickaway County Board of Commissioners hereby grant Robert E. Parker, Pickaway County Engineer, authorization to sign said agreement on behalf of Pickaway County, Ohio.

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Attest: _____
Patricia Webb, Clerk

In the Matter of
Authorization to Apply for
Ohio Public Works Commission Funding:

Related to the Derby Sanitary Sewer Project, Chris Mullins, Pickaway County Deputy Engineer, obtained the Commissioners' approval to apply for grant funding offered through the Ohio Public Works Commission (OPWC).

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

Resolution No.: PC-092809-2

BE IT RESOLVED, that the Pickaway County Board of Commissioners hereby **supports the Derby Sanitary Sewer Project** and does hereby authorize **Ula Jean Metzler, President, to sign the application and further authorizes Ula Jean Metzler to enter into any agreements** as may be necessary for Issue II and/or LTIP funding being submitted to the Ohio Public Works Commission.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Resolution of Support for the London Road
Widening and Resurfacing Project, Phase III:

Chris Mullins, Pickaway County Deputy Engineer, met with the Commissioners regarding the London Road Widening and Resurfacing Project, Phase III, and requested the Commissioners support to apply for Issue II and/or LTIP funding.

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

Resolution No.: PC-092809-3

BE IT RESOLVED, that the Pickaway County Board of Commissioners hereby supports the **“London Road Widening and Resurfacing Project-Phase III**, and does hereby authorize **Ula Jean Metzler, President, to sign the application and further authorizes Ula Jean Metzler to enter into any agreements** as may be necessary for Issue II and/or LTIP funding being submitted to the Ohio Public Works Commission.

Voting on the motion was as follows: Mrs. Metzler, yes; Mr. Reeser, yes; Mr. Reeser, 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 Mr. Reeser to approve the following request for the CREATION OF A NEW LINE ITEM:

225.2021.5301 - Juvenile/Probate-Probation Maintenance-Supplies

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Voting on the motion was as follows: Mrs. Metzler, yes; 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 TRANSFER and RE-APPROPRIATION OF FUNDS:

54,246.40 to 902.1116.5401 – Program Income Revolving Loan Fund
4,000 to 103.2041.5401 – Sheriff-Marine Patrol
20,000 to 202.3010.5506 – Engineer-Contract Projects
250,000 to 201.3006.5506 – Engineer-Contract Projects
950 to 225.2021.5301 – Youth Service Subsidy Grant-Probation Maintenance

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Transfers Approved by County Administrator:

Ryan Scribner, County Administrator, approved the following requests for the TRANSFER and RE-APPROPRIATIONS:

500 from 101.1140.5301 – Board of Elections-Supplies
to
101.1140.5489 – Board of Elections-Travel

450 from 101.1106.5404 – Planning & Development-Advertising
to
101.1106.5901 – Planning & Development-Other

In the Matter of
Waiver Approved:

Mr. Wippel offered the motion, seconded by Mr. Reeser to waive the waiting period to issue payment to Citizens Land Title in the amount of \$54,246.40 from line item #902.1116.5401, CHIP Program Income Fund, for the purchase of property located at 181 Powell St., Ashville, Ohio.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Quarterly Financial Update
Meeting with Elected Officials & Department Heads:

The Commissioners conducted the county's quarterly Financial Update Meeting held with elected officials and department heads. The county's 2009 revenue and expenditures, expected carry-over, were reviewed and 2010 departmental General Fund preliminary budgets were distributed. It was announced that

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the county will be spending \$1 million less in 2010 than in 2009. As done this year, appropriations will be distributed on a quarterly basis, and no mandated funding will be distributed in full in the first quarter as was done this year. There will be no salary increases and employees will be picking up the 6.3% increase in healthcare costs in 2010. The possibility of ten furlough days in 2010 is another cost-cutting measure that can be exercised, and each elected official has the choice on whether to implement them for their department.

In the Matter of
Weekly Dog Warden Report:

The weekly report for the Pickaway County Dog Shelter was filed for week ending September 26, 2009.

A total \$325 was reported being collected as follows: \$166.50 in sales of dogs; \$30 in redemptions; \$70 in donations; \$58.50 in sales of tags; and \$0 in late tag fee penalties.

Four (4) 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, yes; Mr. Reeser, yes; Mr. Wippel, yes. Voting No: None. Motion carried.

Ula Jean Metzler, President

Glenn D. Reeser, Vice President

Jay H. Wippel
BOARD OF COUNTY COMMISSIONERS
PICKAWAY COUNTY, OHIO

Attest: _____
Patricia Webb, Clerk