

MONDAY, JUNE 7, 2010
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 7, 2010, with the following members present: Mr. Jay H. Wippel; Mr. Glenn D. Reeser; and Mrs. Ula Jean Metzler. Ryan Scribner, County Administrator, and Stan Summers, Muhlenberg Township Trustee, were also in attendance.

In the Matter of
Minutes Approved:

Mrs. Metzler offered the motion, seconded by Mr. Reeser, to approve the minutes from May 31, 2010.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Approval for 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 June 4, 2010, 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 \$162,548.94 on the County Treasurer to satisfy the same.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Travel Authorizations Signed:

The Commissioners signed Travel Authorizations for numerous Job & Family Services employees to attend various meetings and training sessions to be held throughout the month of June 2010, at the total probable cost of \$1,314.57.

In the Matter of
Discussion Regarding Increase in
800 MHz Communications Systems User Fees:

Ryan Scribner, County Administrator, held a brief follow-up discussion regarding the implementation of an increase radio user fees related to the 800 MHz Communications System that was previously reviewed with Jim Bingman, the system's maintenance coordinator, on May 17, 2010. Spreadsheets were distributed at that time reflecting three ranges, low, medium, and higher, with the projected annual income for each. No action was taken at that time.

Today Mr. Scribner stated that the implementation of a new fee schedule would require official action of the County Board of Commissioners by January 1, 2011. A user agreement/contract has been drafted but not yet reviewed by the county prosecutor. Mr. Scribner stated that action should be taken as soon as possible to allow ample time for the system's users to plan their budgets for 2011. When the Commissioners inquired about the 800 MHz Communication System Advisory Committee's

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recommendation regarding the matter, Mr. Scribner indicated that the committee is in favor of a mid-range increase.

After further discussing the matter, it was determined that a formal resolution of recommendation will be required from the 800 MHz Communications Advisory Committee before the Commissioners take official action on the implementation of an increase in radio user fees.

In the Matter of
Meeting with Mike Struckman
Regarding Pickaway County Building Department:

Mike Struckman, Scioto Township Trustee, spoke to the Commissioners regarding a complaint related to the turn-around time in reference to a plan review stamped by an architect submitted to the Pickaway County Building Department for approval, specifically a renovation project at the Scioto Township Fire Department. Commissioner Reeser explained that more complex plans reviews are not performed by the local building department, they are sent to the state for approval. Mr. Struckman also expressed his concerns regarding the department's turn-around time related to project inspections.

After discussing the matter further, the Commissioners stated that they were surprised to hear the grievance as they have received positive feed-back from several sources regarding the local building department, however; there are always exceptions and they will investigate the matter.

In the Matter of
Meeting Regarding Scioto Township
Comprehensive Landuse Plan:

Terry Frazier, Director of the Pickaway County Planning Commission, Stacey Sark and Mike Struckman, Scioto Township Trustees, met with the Commissioners regarding the status of the Scioto Township/Village of Commercial Point Comprehensive Landuse Plan. Also in attendance were Abby Scott, Zoning Inspector for Scioto Township and Steering Committee member, and Louise Warner, another member of the Steering Committee. Jim Houk and Arron Domini, of Bird Houk Collaborative Planning Consultants, and Mike Smith of Clear Channel Radio, Chillicothe, Ohio, were also in attendance.

Mr. Frazier began by stating that the process for the joint comprehensive landuse plan has been in the works for a number of years and during the more active time, approximately the last 18 months to 2 years, the township and village have performed their due diligence on its contents, a time consuming process. He also stated that during that 18 month to 2 year period there have been changes in elected officials, which has presented some challenges, and Bird Houk Collaborative engaged in a merger and two of the principal planners left the firm that were working on the project. Mr. Frazier stated that with the county's invested interest in the plan, as both a funding and strategic partner, he wanted to come before the Commissioners to discuss the next steps to take for the successful completion of the plan which as already taken a considerable amount of time. Mr. Houk then apologized for the delay in the process related to his consulting firm and its goal is to conclude the plan as soon as possible. He stated that Mr. Domini has reviewed some recent changes that were submitted for the plan by the Steering Committee, however; Mr. Houk added that there seems to be some confusion regarding the comprehensive landuse plan in that it is written to be a guideline as opposed to a codified ordinance. With that being said, the meeting was opened up to discussion.

A lengthy conversation ensued that included some confusion on recommended changes to sections of the plan submitted by both the township and village and whether those changes have been included in the final draft. When asked by the Commissioners if all township trustees agreed with the plan, Mr. Struckman indicated that some were not. Mr. Struckman said that he and a fellow township trustee, Terry Brill, are not necessarily in favor of the plan as it reads now as it appears to lean in favor of growth for the village. Mr. Struckman also voiced his concerns related to potential annexation of areas of Scioto Township into the Village of Commercial Point if the village were to supply water and sewer services to those areas. After Mrs. Sark stated that she is of the impression that the village is agreeable to work out an annexation agreement, Mr. Struckman stated he is not under the same impression. After further discussion regarding concerns that seem to be preventing the document from being agreed upon by both entities, Commissioner Reeser stated he is concerned that the longer the process is dragged out, the less likely a plan will be adopted. Mr. Struckman mentioned that Mr. Brill would like to review sections of the plan and recommend various changes, however; that is not expected to take place for several months. Mr. Struckman also pointed out that

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members of the village council is under the impression the plan would be “law” if accepted, at which time Mr. Houk reiterated that the document is to be

used as a guideline and a comprehensive land use plan is a fluid plan that can be updated and/or amended. Mr. Struckman pointed out that at this point in time, if the plan were to be voted upon, he feels it would not be approved for adoption. Mr. Struckman stated that he does not want to “kill” the plan, but would like to have additional time in order to look out for the township’s best interest.

After further discussing the issue, it was stated that all concerns expressed from both entities are solvable and through continued talks and efforts an amicable agreement between both entities is possible. Mr. Frazier suggested that all comments received up to last week be integrated into a “final to the final” plan that could be supplied for all to review and exercise a conflict resolution to identify any obstacles and ultimately find their solutions. It was determined that Bird Houk Collaborative will provide an electronic version of the plan that includes the most recent comments and both entities will continue to communicate and resolve any issues that remain. The need for an annexation agreement was reiterated.

In the Matter of
Meeting with Wendy Sizemore
Regarding Pickaway County Agricultural Society’s
Refusal to Allow The Ohio Project a Booth at the
Pickaway County Fair for the Collection of Signatures:

Wendy Sizemore, a representative of The Ohio Project, met with the Commissioners to inform them of a problem she has encountered in reference to the Pickaway County Agricultural Society’s denial in allowing the organization to obtain a booth for collection of signatures during the 2010 Pickaway County Fair. The Ohio Project is a grassroots effort of Ohio citizens to bring a proposed state constitutional amendment to Ohio’s November ballot in order to preserve the freedom of Ohioans to individually choose their health care and health insurance.

Ms. Sizemore stated that she was informed by the secretary of the Agricultural Society that her request was denied as part of a solicitation law, however; she was informed by an attorney of the Ohio Constitutional Law that collection of signatures is not considered solicitation. She also stated that her requests to the secretary of the Pickaway County Agricultural Society for the section of the Ohio Revised Code that addresses the solicitation law and the Pickaway County Agricultural Society’s board member names were denied as well. Ms. Sizemore said that she was informed by the secretary that she could be present for the Agricultural Society’s regular meeting scheduled later in the evening to discuss the issue, which she plans to attend. When the relationship between the Commissioners and the Agricultural Society was discussed, the Commissioners explained that the deed to the fairgrounds property is in the county’s name and, per the Ohio Revised Code, provided the Agricultural Society conducts a county fair one week per year, it has operational control of the property the remaining 51 weeks of the year.

At the conclusion of the meeting, the Commissioners stated that they would provide Ms. Sizemore with the Pickaway County Agricultural Society’s Board member names and they would like to review the section of the Ohio Revised Code that addresses solicitation on which the Agricultural Society based its denial of her request.

In the Matter of
Annual Meeting of the Wolfe Run Group Ditch
Joint Board of Commissioners Regarding Approval of 2010
Ditch Maintenance Assessments:

The annual meeting of the Joint Board of County Commissioners for the Wolf Run Group Ditch was conducted with the following members in attendance: Pickaway County Commissioners Jay H. Wippel; Glenn D. Reeser; Ula Jean Metzler; and Ross County Commissioners Frank Hirsch and Doug Corcoran. Ross County Commissioner James Caldwell was absent. Robert Parker, Pickaway County Engineer; Chris Mullins, Deputy County Engineer; Kelly Shelton, Ross County Administrator; and Ryan Scribner, Pickaway County Administrator were also in attendance.

The purpose of the meeting was to review the ditch maintenance fund balance, its 2010 anticipated revenue and expenditures, and to certify the 2010 ditch maintenance assessments made against benefiting

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property owners along the ditch located in both Pickaway County (Deercreek Township), and Ross County (Deerfield Township.)

Mr. Parker reported that as of May 27, 2010, the ditch maintenance fund has a balance of \$2,763.03, with anticipated real estate assessment collection revenue of \$504.51, and estimated expenses in the amount of \$2,105 in 2010 for various maintenance costs and Pickaway County Soil & Water Conservation District (SWCD) office administrative costs, for a projected carryover of \$1,162.54 at the end of 2010. The current base cost for the ditch is \$28,000, with a 20% maximum for contingencies. Another base cost evaluation is due in 2011.

Copies of the report for the ditch's annual inspection conducted on March 11, 2010, by Aaron Mosley of the Soil & Water Conservation District Office were distributed. Committee members Andy Hamman, Harold Shaw and Donald Shaw were present for the inspection. A township hall meeting was subsequently held on April 7, 2010, to discuss the inspection findings at which Tim Hartsock and Don Shaw attended. The inspection resulted in several items needed, including but not limited to animal guards at specified locations; outlet pipes that need to be cut off or replaced; areas in need of spot spraying; areas in need of reseeding; areas in need of bank stabilization; areas that need dipped out; a large rock that needs to be removed from the easement; and etc. In reviewing the report, it was noted that no estimated charges were included for mowing of the ditch as was done in past years. Arrangements for mowing of ditches are handled by the Pickaway County SWCD office. Mr. Parker stated that he would contact the Pickaway County SWCD office to inquire about the matter and report his findings.

The Joint Board of County Commissioners then reviewed the schedule of assessments that are to be made against benefiting landowners in both Pickaway and Ross Counties. Upon completion of the review, which was followed by a brief question and answer session, Mr. Corcoran offered the motion, seconded by Mr. Hirsch to adopt the following Resolution approving and certifying the assessments for year 2010, collectible in year 2011:

Resolution No.: PC-060710-1

WHEREAS, special assessments were made against the described real estate on the following list of benefiting acreage situated in Deercreek Township and Deerfield Township, Pickaway County and Ross County respectively, and

WHEREAS, assessments were made for the Wolf Run Group Ditch Maintenance Fund and is in compliance with O.R.C. §6137.02, then

THEREFORE BE IT RESOLVED that the Auditor of Pickaway County, Ohio and the Auditor of Ross County, Ohio are hereby authorized and directed to place said assessments on Tax Duplicates for year 2010 against the benefiting landowners listed below:

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

Attest: _____
Patricia Webb, Clerk

**In the Matter of Certification of
2010 Assessments to the Pickaway County Auditor for
Wolf Run Group Ditch:**

This is to certify that special assessments were made against the described real estate situated in Deercreek Township, Pickaway County, Ohio. Said assessments were made for the Wolfe Run Group Ditch Maintenance Fund in compliance with O.R.C. §6137.02, and the Pickaway County Auditor is hereby authorized and directed to place said assessments on Tax Duplicate for year 2010, against the following schedule of landowners to be benefited, to wit:

Wolf Run Ditch Pickaway County 2010				
PROPERTY OWNER	PARCEL NUMBER	TOTAL ACRES	BENEFITED ACRES	TOTAL AMT. TO BE ASSESSED

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Shaw, Mark	C09-0-001-00-376-00	105.857	13.2	\$	26.68
Sheridan, Mary Ellen Trustee	C09-0-001-00-380-00	273	19	\$	38.99
Hamman, Andy Russell & Cathryn	C09-0-001-00-354-01	24.36	22	\$	45.15
Mace, Harold (Trust), Norma Mace, Trustee	C09-0-001-00-373-00	72.2	48	\$	98.51
Mace, Harold (Trust), Norma Mace Trustee	C09-0-001-00-374-00	3.6	3.6	\$	7.39
Massey, Norman D.	C09-0-001-00-380-01	7.18	4	\$	8.20
Massey, Norman D.	P33-0-001-00-162-01	51.52	1	\$	2.06
Shaw, Donald E. Sr. & Constance F.	C09-0-001-00-355-00	41	8	\$	16.42
Shaw, Donald E. Sr. & Constance F.	C09-0-001-00-356-00	44	44	\$	90.30
Shaw, Donald E. Sr. & Constance F.	C09-0-001-00-357-00	40	21	\$	43.09
Shaw, Donald E. Sr. & Constance F.	C09-0-001-00-358-00	90	12	\$	24.63
Barbee, T. Richard Jr.	C09-0-001-00-367-00	129	21	\$	43.09
		Total:	216.8	\$	444.51

Attest: _____
 Patricia Webb, Clerk

**In the Matter of Certification of
 2010 Assessments to the Ross County Auditor for
 Wolf Run Group Ditch:**

This is to certify that special assessments were made against the described real estate situated in Deerfield Township, Pickaway County, Ohio. Said assessments were made for the Wolfe Run Group Ditch Maintenance Fund I compliance with O.R.C. §6137.02, and the Ross County Auditor is hereby authorized and directed to place said assessments on Tax Duplicates for year 2010, against the following schedule of landowners to be benefited, to wit:

PROPERTY OWNER	PARCEL NUMBER	TOTAL ACRES	Wolf Run Ditch Ross County 2010		TOTAL AMT. TO BE ASSESSED
			BENEFITTED ACRES		
Michael T. & Emily M. Oyer	100705007000	294.81	19.2	\$	39.40
Norma Mace, Trustee	090705009000	237.7	206.8	\$	424.40
E. Scott McCollister, etal	100705010000	163.35	98.4	\$	201.94
GE-MJ Farms, LLC	090705003000	306.66	107.3	\$	220.20
Andy R. Hamman & Cathryn	090705002000	184.68	31.9	\$	65.47
Norman D. Massey	100705012000	8.23	3.3	\$	6.77
		Total:	466.9	\$	958.18

Attest: _____
 Patricia Webb, Clerk

**In the Matter of
 Meeting Regarding Agreement with
 Kinder Environmental Service, Inc. for
 Wastewater Facilities Management Service:**

Robert Parker, Pickaway County Sanitary Engineer, along with Chris Mullins, Deputy Engineer, met with the Commissioners to review the contract with Kinder Environmental Services, Inc. (KES) due to expire on September 30, 2010. KES contract was renewed in 2006, with an option of one four-year extension at the annual rate of \$5,800, with a 3% increase per year. KES provides for the management, operation, and maintenance of the county's four wastewater treatment plants; three lift-stations in the Darby Township Sub-district Sanitary System; and one lift station located at the Pickaway County Jail that is also utilized by the State Juvenile Detention Facility. KES is also responsible to for the completion and submission of all governmental agency reports for the operation of the facilities, which must comply with monthly and yearly National Pollution Discharge Elimination Systems (NPDES) permit requirements.

Mr. Parker reported that KES has been providing excellent services and he has received no complaints regarding the company's performance. When Commissioner Reeser inquired about previous

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complaints related to KES response time at the lift-station located in Clarks Lake Subdivision (associated with the Darby Township Sub-district Sanitary Sewer System), Mr. Parker stated that the emergency auto-dialer that set-off an alarm when the lift-station equipment malfunctioned was defective and has since been replaced which seems to have resolved the issue.

A brief discussion was then held regarding the Commissioners tour of the county's wastewater treatment facilities.

In the Matter of
Resolution Authorizing 2010
General Fund Second Half Appropriations:

Ryan Scribner, County Administrator, reviewed the 2010 General Fund second half departmental line item appropriations with the Commissioners. Following the review, Mrs. Metzler offered the motion, seconded by Mr. Reeser to adopt the following Resolution:

Resolution No.: PC-060710-2

BE IT RESOLVED that the Pickaway County Board of Commissioners, pursuant to Ohio Revised Code §5705.392, hereby adopts as a part of its annual appropriation measure as spending plan setting forth a semi-annual schedule of all expenses and expenditures of all appropriations for fiscal year 2010 from the Pickaway County General Fund. The total second half schedule of expenses and expenditures for each office, department, and division is as follows and that there be appropriated from the **General Fund:**

\$5,991,224.89

as the second 2010 semi-annual appropriation.

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
Appointment of Zachary Ryan Bowling, Sr. to a
Temporary, Unclassified Dog Shelter Worker Position as
Part of the Temporary Assistance for Needy Families
Subsidized Summer Employment Program for Youth:

Mr. Reeser offered the motion, seconded by Mrs. Metzler, to appoint **Zachary Ryan Bowling, Sr., 113 Caroline Court, Circleville, Ohio 43113, a participant in the TANF Subsidized Summer Employment Program for Youth**, to a temporary, unclassified **Dog Shelter Worker** position at the Wright-Poling/Pickaway County Dog Shelter at a rate of **\$9.50 per hour, effective immediately**. One hundred percent (100%) of Mr. Bowling's wages will be paid from line item #246.4010.5102 – **Dog & Kennel Salaries**.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Appointment of Justin Alan Whitesed to a
Temporary, Unclassified Maintenance Worker Position as
Part of the Temporary Assistance for Needy Families
Subsidized Summer Employment Program for Youth:

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Mr. Reeser offered the motion, seconded by Mrs. Metzler, to appoint **Justin Alan Whitesed, 105 Elizabeth Street, Tarlton, Ohio 43156**, a participant in the Temporary Assistance for Needy Families Subsidized Summer Employment Program for Youth, to a temporary, unclassified Maintenance **Worker position within the Pickaway County Maintenance Department at a rate of \$9.50 per hour, effective immediately**. One hundred percent (100%) of Mr. Whitesed's wages will be paid from line item **#101.1102.5102 – Maintenance Salaries**.

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

Attest: _____
Patricia Webb, Clerk

In the Matter of
Weekly Dog Warden Report:

The weekly report for the Wright-Poling/Pickaway County Dog Shelter was filed for week ending June 5, 2010.

A total of \$477 was reported being collected as follows: \$96 in sales of dogs; \$45 in redemptions; \$180 in donations; \$117 in sales of tags; and \$39 in late tag fee penalties.

One (1) dog was euthanized.

No firearms were discharged.

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

Jay H. Wippel, President

Glenn D. Reeser, Vice President

Ula Jean Metzler