

MONDAY, JUNE 21, 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 21, 2010, with the following members present: Mr. Jay H. Wippel.; Mr. Glenn D. Reeser; and Mrs. Ula Jean Metzler. Ryan Scribner, County Administrator, was also in attendance and Mr. Stan Summers, Muhlenberg Township Trustee, was in attendance for the morning session.

**In the Matter of
Minutes Approved:**

Mr. Reeser offered the motion, seconded by Mr. Wippel, to approve the minutes from June 14, 2010.

Voting on the motion was as follows: Mr. Wippel, yes; Mr. Reeser, yes; Mrs. Metzler, abstain.
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 21, 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 \$233,492.28 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
Appointment of David Conrad, Pickaway County
Emergency Agency Director, to the
Pickaway County 800 MHz Advisory Committee:**

With the recent retirement of Jim Deal as the Pickaway County Emergency Management Agency Director, Mrs. Metzler offered the motion, seconded by Mr. Reeser to appoint David M. Conrad, Pickaway County Emergency Management Agency Director, as Mr. Deal's replacement on the Pickaway County 800 MHz Advisory Committee, effective immediately.

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
Change Order #2 Approved for Sperry Drive
Signal Improvements and Sperry Drive Signal Improvement Early Order Signal Equipment:**

The Commissioners signed Change Order #2 increasing the original contract with Complete General Construction Company, 1221 East Fifth Avenue, Columbus, Ohio 43219, in the amount of \$5,345.14 for the

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Sperry Drive Signal Improvements and Sperry Drive Signal Improvement Early Order Signal Equipment Project, funded through the Tax Increment Financing Fund. The total adjusted contract amount is \$141,696.73.

In the Matter of
Resolution Adopted for the
Retirement of Linda Jackson from the
Pickaway County Department of Job & Family Services:

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

Resolution No.: PC-062110-1

WHEREAS, it is the Pickaway County Board of Commissioners responsibility to recognize people and events of outstanding significance; and

WHEREAS, Linda Jackson began her career with The Pickaway County Welfare Department, now known as the Pickaway County Job and Family Services, on June 20, 1977; and

WHEREAS, Linda began her career with the department as a Social Service Aide and worked her way up through the years to a Program Manager in the Family and Adult Support unit, and

WHEREAS, during her career Linda has made a difference in countless lives, with a special interest and compassion for working with the elderly and disabled citizens in the county; and

WHEREAS, Linda has now determined that she wishes to retire after thirty-three years of devoted service; then

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners, on behalf of the citizens of Pickaway County, thanks Linda Jackson for her many years of exemplary service and her dedication to helping those in our community most in need, and wishes her happiness and success in all her future endeavors.

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
Proposal from Dynahoe Construction & Excavating
Approved for Concrete Repair Work at the Pickaway County Service Center:

David Conrad, Supervisor of the Pickaway County Maintenance Department, met with the Commissioners and reviewed a proposal from Tyeveco, Inc. in the amount of \$5,277, and a proposal from Dynahoe Construction & Excavating in the amount of \$4,320 for repair work to sections of failing concrete at the employee entrance door of the Pickaway County Service Center.

Following the Commissioners review of the proposals, Mr. Reeser offered the motion, seconded by Mrs. Metzler to **approve the proposal from Dynahoe Construction & Excavating, 584 East Main Street, Circleville, Ohio 43113 in the amount of \$4,320 for the materials and labor to replace two sections of failing concrete in front of the employee entrance door of the Pickaway County Service Center.**

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

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A proposal in the amount of \$12,890 from Tyeco, Inc., Lancaster, Ohio, for work to be performed in the front of the Commissioners' building was reviewed. The proposal included the removal and replacement of concrete sidewalk; removal and replacement of concrete walls at the front steps and reinstallation of handrails; replacement of broken tile and grout as necessary on the front porch which includes sealing and caulking around the perimeter of the porch; and tuck-point brick around the porch walls. Following the Commissioners review of the proposal they requested Mr. Conrad to obtain additional quotes from concrete contractors as they felt Tyevco Inc.'s price was excessive. The Commissioners also requested Mr. Conrad to contact Tyevco, Inc. about moving forward with the tuck-pointing and brick work for the portion of Memorial Hall that they previously approved. Additional tuck-point work that is required for other portions of the building will be addressed next year.

In the Matter of
Proposal from J & J Painting Approved for
Refinishing of Courthouse Front Doors:

Mr. Conrad then reviewed a proposal from J & J Painting in the amount of \$3,150 for the refinishing of the two wood entry doors of the Courthouse that includes stripping, sanding, staining, and re-varnishing. Following the Commissioners' review, Mr. Reeser offered the motion, seconded by Mrs. Metzler to **approve the proposal from J & J Painting, 9121 Drum Place, Orient, Ohio 43146** in the amount of **\$3,150** for the **refinishing of two wood entry doors and frame of the Courthouse that includes, stripping, sanding, staining, and re-varnishing with polyurethane.**

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

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It was also determined that the Courthouse front doors will be placed on a two-year maintenance program.

Mr. Conrad then informed the Commissioners that Alex Wolfe of Wolfe & West Construction Co. will be able to bring in all utilities related to the pole barn structure slated for construction that will house the county's Maintenance Department. The sanitary sewer connection will require cutting out a portion of asphalt and connecting to an existing near-by sewer line followed by the replacement of the asphalt. A location for tile drainage has also been indentified that will also service the Jobs One Stop Office building which is adjacent to the site for the new pole barn.

A brief discussion was also held in regard to the approval of the City of Circleville Historic District Review Board for the demolition of the old boiler house that is no longer utilized. The structure, located behind the Courthouse, is in extreme disrepair and poses a safety hazard. Al Sheldon, Pickaway County Chief Building Official, previously inspected the building and recommended that it be demolished. Mr. Conrad has contacted a few firms to obtain the cost for an asbestos inspection. If asbestos is found in the structure, the proper abatement process will be followed.

In the Matter of
Contract with the Ohio Department of Developmental
Disabilities Signed for Renovation Projects for the
Pickaway County Board of Developmental Disabilities Facilities:

Bob Hively of the Pickaway County Board of Developmental Disabilities (PCBDD) met with the Commissioners and obtained their signatures on an Early Childhood/Family Centers/Adult Services Contract with the Ohio Department of Developmental Disabilities (ODDD). The PCBDD applied for and received 50% reimbursable renovation project assistance funds offered through ODDD. Renovation projects planned for the PCBDD's East High Street facility, titled to the Pickaway County Commissioners, and the South Pickaway Street facility, titled to the Brooks Yates Housing Opportunities, with a \$1 a year lease with the PCBDD. It is estimated that the project costs will be \$475,300 with a reimbursement from the ODDD not to exceed \$237,650. The purpose of the contract is to ensure the continued use of these facilities for developmental disability services. The county prosecutor reviewed and signed off on the fifteen-year contract.

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In the Matter of
Meeting with Dog Warden
Regarding Dog Shelter Update:

Mark Cobb, Pickaway County Dog Warden, met with the Commissioners to provide an update for the Wright-Poling/Pickaway County Shelter.

Topics reviewed included:

- **Fee increases:** For comparison, Mr. Cobb provided a spreadsheet reflecting current adoption and tag fee rates for various county dog shelters throughout the state. Fee increases were discussed as a possible way to break the cycle of the county's General Fund advancing the Dog & Kennel fund \$10,000 to \$20,000 a year in order to sustain the operations of the dog shelter. Increasing other rates, such as owner-turn-in fees, were discussed as well. Other options, such as ways to increase tag sales and adoptions were also discussed. It was determined that Mr. Cobb will be providing the Commissioners with an additional spreadsheet reflecting recommended increases and the income generated if implemented in addition to the historical data the number of drop-offs, adoptions, tag sales, euthanasia services, etc.
- **Kennel Sponsorship Program:** Mr. Cobb is working on the kennel sponsorship program where individuals can make donations to the dog shelter and have a dog kennel placed in their name. He is also working with the county's IT Director in upgrading the dog shelter's website.
- **Volunteer Program:** Discussion was held regarding recognition of individuals that volunteer their time. Discussion was held in reference to holding an appreciation luncheon to recognize these dedicated individuals.
- **Meet and Greet the New Pickaway County Dog Warden:** A Meet and Greet is scheduled at the dog shelter for Saturday, June 26, from 10:00 a.m. to 3:00 p.m. where the public can meet Mr. Cobb, who was recently appointed as the county's new Dog Warden.
- **Flag Pole:** Discussion was held in reference to a good location to install the new flag pole donated by the Soldier's Monumental Association.
- **Deputy Dog Warden:** Keith Adams, a Deputy Dog Warden, is in the process of being fully released from partial disability related to physical labor.
- **Certifications:** Mr. Cobb is scheduled for a two-day course required to administer euthanasia injections. He is also scheduled to take an Animal Behavioral training course.
- **Ventilation & electrical breaker issues:** Mr. Cobb is working on the improvement of ventilation in the kennel area of the facility. The Maintenance Department will be inspecting an electrical breaker, which has been tripping, that runs the refrigerator and equipment in the medical room. The Partners for Paws Committee is willing to financially assist the dog shelter with some of the costs related to both matters. The Commissioners requested Mr. Cobb to compile a list of capital improvements for the facility that could be presented to Partners for Paws, whose objective is to assist the dog shelter with such matters.

At the conclusion of the meeting, the Commissioners suggested that Mr. Cobb join the Ohio Dog Warden Association, thanked him for the update, and told him to keep up the good work.

In the Matter of
Approval of Replat for Lots 3 & 4 of
The Woods at Split Lot:

Terry Frazier, Director of the Pickaway County Development & Planning Office met with the Commissioners to obtain their signatures on a Replat for Lots 2 & 3 of The Woods at Split Rock. Following the Commissioners' review and a brief question and answer session, Mr. Reeser offered the motion, seconded by Mrs. Metzler to approve the **Replat of Lots 3 & 4 of The Woods at Split Rock, Scioto Township, Pickaway County, Ohio, VMS 1678.**

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

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In the Matter of
Meeting with Terry Frazier Regarding County
Planning and Development and Building Department Topics:

Terry Frazier, Director of the Pickaway County Development & Planning Office and the Pickaway County Building Department, spoke to the Commissioners regarding various matters related to the Building Department and Development and Planning. Stan Summers, Muhlenberg Township Trustee, was also in attendance.

Topics reviewed included:

- **Demolition Order:** Al Sheldon, Pickaway County Chief Building Official, has issued a demolition order for the structure located at 430 E. High Street in Circleville.
- **Building Department Inspection Contracts:** Mr. Frazier reported that the Villages of Tarlton and Darbyville are “on board” with entering into contracts with the Pickaway County Building Department for inspection services. Mr. Frazier stated that he has provided a copy contract to the Administrator of the Village of Ashville for consideration as he and the mayor appear to be showing some interest as well. Mr. Frazier also reported that representatives of the Village of Ashville expressed interest in a regional sewer district within the Cooperative Economic Development Agreement (CEDA) area.
- **Municipal Flood Plain Resolutions:** Mr. Frazier informed the Commissioners that a letter recently went out from the Federal Emergency Management Agency in reference to communities, such as villages, that have not adopted new flood plain resolutions. The letter stated that these communities are subject to having their flood insurance suspended or put on probation. Mr. Frazier stated that the Pickaway County Building Department, because it is tied to the Flood Plain Resolution, has previously offered to help manage the flood enforcement in these communities throughout the county. Mr. Frazier said that the county building department is issuing boiler plates and suggesting to villages that they adopt flood plain regulations. He stated that the county building department can assist the villages; however, the responsibility is on the villages to adopt their flood plain resolutions.
- **Muhlenberg Township Comprehensive Land Use Plan:** Stan Summers, Muhlenberg Township Trustee, expressed his concerns regarding the township’s legally required approval and adoption process related to its comprehensive land use plan. The Commissioners previously approved a \$5,200 in financial support for facilitating in its development by professional planner, James Hartzler, AICP. Commissioner Reeser stated that he has recently been contacted by several townships residents who have also expressed their concerns regarding the fact that no public hearing was advertised or conducted to allow the opportunity to receive public input, which is part of the plan’s legal approval and adoption process.

Mr. Summers explained that during last week’s township trustees meeting, he inquired as to when the public hearing regarding nine changes to the plan’s “final draft” made during the stakeholders committee’s last work session would be held. Mr. Summers said he was shocked when the president of the Muhlenberg Township Zoning Board responded by stating that the public hearing had already taken place during the last Muhlenberg Township Zoning Board meeting. When Mr. Summers said he was not aware that the public hearing had been conducted and he did not see it advertised as legally required, he was told that it took place at the last Muhlenberg Township Zoning Board meeting and Mr. Summers was told “it was legal.” Mr. Summers informed the Commissioners that he has not been able to obtain a copy of the “final” plan, does not know if the recommended changes were included in the final plan, and in particular, he is uncertain as to whether the legal process has actually been followed. When Commissioner Wippel asked Mr. Frazier about the appropriate process, he said it is his understanding that the township zoning commission makes a recommendation to the township trustees for the adoption of a final plan following an advertised public hearing. The township trustees then reviews the recommended plan during a regular meeting, which should also provide the opportunity for public input. The trustees can then do one of three things: accept the plan; reject the plan; or accept the plan with modifications.

Following further discussion, it was determined that the matter should return to the legal process. Mr. Frazier will contact Jim Hartzler, AICP, and notify him that the stakeholders committee should reconvene. The committee will present the final draft to the township zoning commission with the nine recommended changes. The zoning commission should then conduct an advertised public hearing. Following the public hearing, the township zoning commission will make its recommendation to the township trustees for the final plan’s consideration.

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- **County Comprehensive Plan:** Mr. Frazier spoke to the Commissioners in reference to their consideration of a countywide comprehensive plan as opposed to subsidizing the development of township plans. Many of the townships are already in the processing of adopting landuse plans; however, there are townships that have not. He said the plan would not be specific to landuse for the county to impose, but a framework for infrastructures, thorough fare plans, economic development zones, natural areas, a park plan, etc., that could be a tool for the townships to use, then impose their respective landuse planning. Commissioner Wippel inquired about the concept of a patchwork countywide plan inclusive of the townships that have adopted their own comprehensive plan as a first step toward that direction. Mr. Frazier explained that there would be various elements in a countywide plan that would address items such as ground water capabilities, power lines and gas line capabilities, and the like that can not be handled on a township basis because of the larger compelling public interest. In discussing the matter further, the Commissioners decided they would like to learn more about what Mr. Frazier was recommending, contact other counties that have adopted such a plan, and discuss it with the Pickaway County Planning Commission before making a decision.
- **Cooperative Economic Development Agreement (CEDA):** Mr. Frazier provided copies of a draft proposal from the planning firm Edsall & Associates, LLC, to provide professional team consulting services that include ms consultants, inc. and M. Arcari Associates, LLC. The proposal, in the amount of \$118,400, is in reference to the North Gate Alliance CEDA Development Plan that includes Harrison Township, Villages of Ashville and South Bloomfield, and the Pickaway County Commissioners/Pickaway County Office of Development & Planning. It was decided that a meeting will be scheduled with all CEDA partners to discuss the proposal.

At the conclusion of the meeting, the Commissioners thanked Mr. Frazier for the update.

In the Matter of
Meeting with Rachel Spangler, Volunteer for the Pickaway County Farm Bureau, and
Adoption of Resolution in Support of Allowing Time for the
Ohioans for Livestock Care Standards Board to Carry Out Its Mission:

Rachel Spangler, a volunteer with the Pickaway County Farm Bureau, met with the Commissioners to review the coalition to protect Ohio agriculture. Ohio voters confronted this precise issue last year and voted overwhelmingly to place complex decisions on animal care issues in the hands of a new Ohio Livestock Care Standards Board. In November 2009, the Commissioners adopted a Campaign Endorsement Resolution in support for the creation of the Ohio Livestock Standards Board.

The Ohio Livestock Care Standards Board, comprised of Ohio experts in animal husbandry, food production and food safety, local humane organizations, academia, and veterinary medicine, has just been appointed and will provide guidelines for farm animal care in Ohio. The guidelines will not only ensure excellent animal care, but also ensure that Ohioans have a safe, ample, locally grown and reasonably priced food supply. Ms. Spangler stated that the Humane Society of the United States is now circulating petitions to place a proposed Constitutional Amendment on the November 2010 ballot that would outlaw conventional farm and poultry farm housing practices. The issue, if passed, would impose huge new costs on Ohio's largest industry, agriculture, to construct alternate housing. That would translate into higher food costs, and would leave many farming operations unable to make the required investment, ultimately creating more unemployment at the worst possible time in Ohio.

In discussing the matter, the Commissioners agreed that it is important to allow time for the Ohio Livestock Care Standards Board to establish rules and regulations regarding livestock and poultry care. Therefore, Mr. Reeser offered the motion, seconded by Mrs. Metzler, to adopt the following Resolution:

Resolution No.: PC-062110-2

WHEREAS, the Humane Society of the United States (HSUS) is seeking signatures to place an Ohio Constitutional Amendment before voters that would ban certain widely used livestock and poultry practices, and

WHEREAS, in November 2009, voters of the State of Ohio passed a Constitutional Amendment which invested authority in a new Ohio Livestock Care Standards Board to establish rules and regulations concerning livestock and poultry care in Ohio, and

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WHEREAS, the Ohio Livestock Care Standards Board members, comprised of Ohio experts in animal husbandry, food production and food safety, local humane organizations, academia, and veterinary medicine, have now been appointed, and

WHEREAS, the Ohio Livestock Care Standards Board is just beginning its work, then

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners is hereby in favor to allow the Ohio Livestock Care Standards Board time to carry out the mission assigned to it before voters sign the petition to place the HSUS's Ohio Constitutional Amendment on the November 2010 ballot.

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
Blanket Purchase Order Approved:

Mr. Reeser offered the motion, seconded by Mrs. Metzler, to approve the following request for the ISSUANCE OF A BLANKET PURCHASE ORDER:

3,663.74 – 101.1210.5901 – Common Pleas-Other Expenses

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
Meeting with Nate Green, Economic Development Director,
Regarding Pickaway Progress Partnership (P3) Update:

Nate Green, P3 Economic Development Director, met with the Commissioners at their request to provide an update.

Topics reviewed included:

- **P3 Green Building:** The 12,000 Sq. Ft. P3 Green Building located on St. Rt. 752 in Ashville, now has its first tenant, Natural Gas Equipment Services. P3 obtained a loan from the Ohio Department of Development (ODOD) toward the construction of the building, with a 10-year payback from the date of the first lease. The company has been leasing 3,000 SF of the building since June 1, at the rate of \$4.00 per Sq. Ft. (SF), and has expressed interest in leasing an additional 3,000 SF. Mr. Green reported that he recently negotiated a lease, expected to be signed next week, with a second tenant for an additional 6,000 SF of the building, who has expressed interest in purchasing the building. One-half of the lease payment will go toward the purchase.
- **Ohio Jobs Ready Sites (JRS) Program Grant Application:** Results of the P3 and Industrial Realty Group's JRS Program grant application in the amount of \$3.5 million to the ODOD are expected to be received in late July 2010. The application was submitted for the construction of roads and sewer and water lines onto the former Thomson Consumer site to help develop the site for industrial, commercial and retail purposes.
- **Former Thomson Consumer Engineering Building:** A Letter of Intent has been received regarding interest in the engineering building at the former Thomson Consumer site.
- **Transportation Investment Generating Economic Recovery (TIGER) and Transportation Review Advisory Council (TRAC) Grants:** Mr. Green and the Pickaway County Engineering Department continue to work on TIGER and TRAC grant applications for the East-West Connector road in northern Pickaway County.

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- **Former Jefferson-Smurfit Property:** A partial demolition of the former Jefferson-Smurfit site is expected to take place in the next 30 days. The contract for the remaining demolition is expected to be signed in August 2010.

In the Matter of
Resolution Accepting the Proposal from Kingston Bank for a Two-year
\$350,000 Loan to be Serviced with Tax Increment Financing Collections:

The following proposals were received for solicited requests from four local banks for interest rates and terms related to a two-year \$350,000 loan with no prepayment penalty that will be serviced by Tax Increment Financing (TIF) collections on the Casto/WalMart properties:

The Savings Bank of Circleville

3.875% fixed rate Monthly interest/principal payments No prepayment penalty

The Citizens Bank of Ashville

3.95% fixed rate Payment structure not specified No repayment penalty

The Kingston National Bank

2.75% fixed rate Semi-annual interest/principal payments No repayment penalty

WescoBank

No response

Following the Commissioners review of the proposals, Mr. Reeser offered the motion, seconded by Mrs. Metzler, to adopt the following Resolution accepting the proposal from the Kingston National Bank:

Resolution No.: PC-062110-3

WHEREAS, the Pickaway County Commissioners solicited requests from four local banks for interest rates and terms related to a two-year loan in the amount of \$350,000 with no pre-payment penalty that will be serviced by Tax Increment Financing collections on the Casto/WalMart properties, and

WHEREAS, the best and lowest interest rate proposal was received from the Kingston National Bank with a fixed interest rate of 2.75% to be paid in four semi-annual payments of approximately \$90,168.37 beginning October 15, 2010, and maturing on October 15, 2012, then

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners hereby accept the proposal and approve borrowing from the Kingston National Bank the aforesaid loan amount, at the aforesaid interest rate and terms.

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 19, 2010.

A total of \$508 was reported being collected as follows: \$208 in sales of dogs; \$15 in redemptions; \$25 in donations; \$195 in sales of tags; and \$65 in late tag fee penalties.

One (1) dog was euthanized.

No firearms were discharged.

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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: 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
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