

**TUESDAY, JULY 7, 2015**  
**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 Tuesday, July 7, 2015, with the following members present: Mr. Brian S. Stewart, Mr. Harold R. Henson, and Mr. Jay H. Wippel. Brad Lutz, County Administrator, was also in attendance.

**In the Matter of**  
**Minutes Approved:**

Commissioner Wippel offered the motion, seconded by Commissioner Henson, to approve the minutes from June 30, 2015, with corrections.

Voting on the motion was as follows: Commissioner Stewart, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

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

Commissioner Wippel offered the motion, seconded by Commissioner Henson, 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 July 1, 2015, in the Commissioners' Voucher Journal, the date in which checks will be cut; 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 \$145,804.09 on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Stewart, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Fiscal Specialist Report:**

The following is a summary of the report provided by Erica Tucker, Fiscal Specialist:

- Mrs. Tucker will be attending the final 2015 Leadership Pickaway class this Friday, July 10<sup>th</sup>. A breakfast will be held for class members on Friday, September 17<sup>th</sup>, beginning at 8:00 a.m. at the Ohio Christian University. Commissioner Wippel plans to attend the breakfast with Mrs. Tucker.
- Mrs. Tucker will be on vacation next week, from July 13<sup>th</sup> through July 17<sup>th</sup>.

**In the Matter of**  
**Emergency Management Agency Report:**

The following is a summary of the report provided by Dave Conrad, EMA Director/911 Coordinator:

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- **First-aid Station at county fair:** The EMA staff, Mr. Conrad and Dustin Hube (part-time Planning Assistant), and the Community Emergency Response Team (CERT) covered a total of 96 man hours at the first-aid station during the Pickaway County Fair held last week.
- **Amateur Radio Emergency Services:** Mr. Conrad participated in the local Amateur Radio Emergency Services field day held at the Mary Virginia Crites Hannan Park on Saturday, June 27<sup>th</sup>, and Sunday June 28<sup>th</sup>.
- **Fire Chief's Association meeting:** Mr. Conrad attended the Pickaway County fire Chief's Association meeting held on Thursday, July 2<sup>nd</sup>, and representatives from the Ohio Public Utilities Commission (PUCO) spoke about various services they provide. Mr. Conrad reminded the fire chief's that the card project still needs to be implemented at the county's Public Safety Answering Point (PSAP).
- **Local Emergency Planning Committee (LEPC):** Mr. Conrad conducted the LEPC meeting held on Thursday, July 2<sup>nd</sup>.
- **Community Emergency Response Team (CERT) meeting:** Mr. Conrad provided Damage Assessment Part 2 training at the CERT meeting held on July 6<sup>th</sup>.
- **ESINet Steering Committee meeting:** Mr. Conrad will be attending the ESINet Steering Committee meeting scheduled to be held at the Ohio Department of Transportation Auditorium on July 9<sup>th</sup>.
- **800 MHz Committee:** The 800 MHz Committee will be meeting at the Pickaway County Sheriff's Office on Friday, July 10<sup>th</sup>, at 12:00 noon, wherein a Tier 4 partnership with Ohio MARCS is part of the planned discussion.

**In the Matter of**  
**Assistant County Administrator Report:**

The following is a summary of the report provided by April Dengler, Assistant County Administrator:

- **Asebrook & Co./Toole & Associates:** A letter was received from Asebrook & Co. about how the company will be transitioning to Toole & Associates and contracts with the same cost rates for chief building official services and other back-up services on an as-needed basis will be delivered to the Pickaway County Building Department and provided to the commissioners for signatures.
- **New Custodial Worker I:** The new part-time custodial worker that was recently hired to focus on cleaning, mopping, vacuuming of floors throughout the various county facilities began work on Monday, July 6<sup>th</sup>.
- **Household Hazardous Material Waste and Electronics Collection Day:** Flyers are being prepared for the event that is scheduled for Saturday, September 19<sup>th</sup>, from 9:00 a.m. to 1:00 p.m. at PPG Industries. Berger Health System donated \$200 toward the event.
- **Healthcare:** Ms. Dengler will be participating in a conference call next Wednesday, July 15<sup>th</sup> to discuss the healthcare plan and how it pertains to same sex spouses.
- **Handicapped van:** The handicapped van that was formerly utilized by the Veterans Services office goes off the auction block later in the day, and currently has a high bid amount of \$1,650.

**In the Matter of**  
**Contract Award for FY2014 Village of Ashville Street Improvements**  
**West Station Street to Lexington Avenue Resurfacing Project:**

In reference to the bid opening conducted on Tuesday, June 30, 2015, related to the **project referred to as the FY2014 Community Development Block Grant Allocation Program-Village of Ashville Street**

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**Improvements-South Station Street to Lexington Avenue Resurfacing Project**, and upon the written recommendation of Bob Berquist, Berquist Consulting, Inc., Commissioner Wippel offered the motion, seconded by Commissioner Henson, to **award the contract to the lowest bidder, Cox Paving, LLC, US Highway 22 SW, Washington Court House, Ohio 43160, in the amount of \$44,840.38.**

Voting on the motion was as follows: Commissioner Stewart, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
Ohio Public Works Commission  
Grant Agreement Signed for  
“2015 County and Township Road Resurfacing Program-Bid “B”:**

Commissioner Wippel signed an Ohio Public Works Grant Agreement in and amount not to exceed \$450,000 for Project No. DQS03, referred to as the “2015 County and Township Resurfacing Program – Bid “B,” that includes the project named “North Court Street & Ashville Pike Improvements.” The project is located on the entire length of North Court Street (Circleville), 2.0 miles long, including 1,755 linear feet of storm sewer replacement and 2,070 linear feet of guardrail. A project will also take place on Ashville Pike, 2.4 miles from the Village of Ashville’s north corporation limit to Duvall Road.

**In the Matter of  
Contract Award for Bid “B” Related to the  
2015 County & Township Resurfacing Program:**

In reference to the bid opening conducted on May 12, 2015, for the project referred to as “Pickaway County – 2015 County and Township Resurfacing Program – Bid B,” and upon the recommendation of Anthony Neff, Deputy County Engineer, Commissioner Stewart offered the motion, seconded by Commissioner Henson, to award the contract to the lowest bidder, Kokosing Construction Co., Inc., 6235 Westerville Road, Westerville, Ohio 43081, in the amount of \$727,832.91.

Voting on the motion was as follows: Commissioner Stewart, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
County Administrator Update:**

The following is a summary of the report provided by Brad Lutz, County Administrator:

- **OPERS benefits/independent contractor:** Information was provided that is in the OPERS Benefit Handbook that has been in place where it states that if a public employee retires and returns to work as an independent contractor at the same entity, the individual cannot continue to receive benefits and work independently under a contract for any period of time for the public employer from which he/she retired. This prohibition is applicable regardless of the number of hours or days actually worked. An independent contractor can continue to receive benefits under a contract for services as an independent contractor for another public employer; however, if this occurs within the first two

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months of retirement, the independent contractor will forfeit his/her pension benefits for the entire period of service as an independent contractor. Mr. Lutz stated that this affects two county employees, the former coroner and a former employee of the Pickaway County Sheriff's Office that retired and returned to work as a security officer, and their two contracts will have to cease. Mr. Lutz stated that two individual's job descriptions can be rewritten and they can be brought back as county employees if they so choose; however, they will have to evaluate their individual situations and make sure that their coming back as a county employee does not affect their current retirement benefits. Independent contractors have been required to provide OPERS with a *Notice of Re-employment of an OPERS Benefit Recipient* form and Mr. Lutz noted that the employer, the county, is liable for any benefit overpayment resulting from the lack of notice to OPERS.

- **Durable Slate:** Durable Slate Co. is scheduled to begin the repair/replacement of approximately 200 slate shingles on the courthouse roof this week.
- **Flat roof:** CentiMark has started the replacement of the flat roof on a portion of the courthouse.
- **Second concrete quote:** A second quote has been requested from Pettibone concrete for sidewalk concrete work on Franklin Street but has not yet been received.
- **Basement in building house by county engineering department:** With the basement renovation project being complete, the state auditors and the real estate appraisers can begin moving into the basement.
- **LED back lights for courthouse clock tower:** An inquiry has been placed with the Verdin Co. has to whether the LED back lights for the courthouse clock faces can be multi-colored.

**In the Matter of**  
**Meeting with Sportsmen, Inc.**  
**Members Regarding Potential Construction of**  
**Multi-purpose Building on Fairgrounds Property:**

Bob Black, Mike Rittinger, and Mike Bennett, members of the Sportsmen, Inc., a 501(c) (4) organization, all of which are also members of the Pickaway County Agricultural Society (Ag Society), scheduled an appointment with the commissioners to discuss estimated construction costs for the 100 x 300 sq. ft. multi-purpose building (with a show ring members of the Sportsmen, Inc. has been speaking with the commissioners about over the past few years. The Sportsmen, Inc. has plans for the building to be used during the county fair and could be rented for other functions and events throughout the year to generate revenue.

Commissioner Stewart opened the meeting by providing a brief overview of the Sportsmen, Inc.'s desire to have the building constructed on the fairgrounds property. A letter dated April 21, 2015, was referenced that the commissioners sent to Mr. Black (which was copied to all members of the Ag Society) stating that the items previously determined to be completed by the commissioners had been completed, such as obtaining the county prosecutor's opinion that with the potential building being constructed on public property, it will have to be competitively let out for bid, design plans and specifications would be required and the prevailing wage law would apply. The members of the Sportsmen, Inc. were requested to finalize the plans and specifications that could be used for competitive bidding, provide loan documents, and provide a 5-year capital plan for maintenance, repair, and replacement of other structures on the property that is seriously needed.

Mr. Rittinger responded by stating that they have obtained "bids" from construction companies to build the structure that came in at the \$2 million plus range. It was reported that the Sportsmen, Inc. has accumulated \$800,000 to go towards the construction costs. In seeking clarification as to what was meant by "bids," Commissioner Stewart inquired if there were biddable certified plans and specifications that were used by the construction companies to determine the amounts, Mr. Rittinger essentially stated that he told the

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companies what he wants, but there are no final design plans or specifications. (In other words, “quotes” were obtained.) Mr. Black stated that they want to do design-build bids. When the question was raised on whether the county prosecutor had been consulted about design-build bids, Mr. Black questioned why the county prosecutor would have to be consulted. In response, the commissioners said that with the building being constructed on public property, the competitive bidding process and prevailing wage laws as spelled out in the Ohio Revised Code (ORC) would have to be followed as they previously informed the Sportsmen, Inc. There would have to be design plans and specifications stamped by an architect or engineer. In researching the ORC regarding design-build, Mr. Lutz, County Administrator, read a portion of ORC §153.693 aloud that states, “For every design-build contract, the public authority planning to contract for design-build services, in consultation with the criteria architect or engineer, shall evaluate the statement of qualifications submitted by design-build firms specifically regarding the project, including the design-build firm’s architect or engineer of record. Following this evaluation, the public authority shall: Select and rank not fewer than three design firms which it considers to be the most qualified to provide the design-build services, except that the public authority shall select fewer than three firms when the public authority determines in writing that fewer than three qualified firms are available.” It was emphasized again that that there is a defined process in the ORC which has to be followed if the Sportsmen, Inc. wants obtain a design-build firm. It was determined that Commissioner Stewart will email the section of the ORC that addresses the design-build process to Mr. Black and if there are any questions about the process, the county prosecutor can be consulted.

The question was raised about financing, Mr. Rittinger stated that they haven’t done anything yet related to financing and that he doesn’t want to proceed too far with that until it is known how much the building will cost. Commissioner Wippel stated that the only way to know that is to get plans and specifications. When the question was asked if the \$800,000 would be transferred to the Pickaway County Ag Society to build the structure, Mr. Rittinger said that would not be an issue.

When Commissioner Stewart inquired if the Ag Society had the 5-year capital plan related to the other buildings on the fairgrounds, Mr. Black stated that he knows what he wants to have done, but the money that the Ag Society has only goes so far. Per the ORC, Ag Societies are to take the net proceeds from county fairs to repair and maintain the fairgrounds and buildings. Mr. Black said that they still haven’t heard back from the commissioners on providing some in assistance in paying the \$13,000 that the Ag Society had to spend last year on gas lines, water lines, meters, etc. When the commissioners suggested taking some of the \$800,000 that the Sportsmen, Inc. has to make repairs and improve the other buildings on the property, Mr. Black said that money is strictly for the new building and not to repair existing buildings. When Commissioner Wippel asked where the building improvement fund money was held, Mr. Black and Mr. Rittinger stated that they thought it was held by a 4-H committee and mentioned a couple of individual’s names that served on a committee that used to handle those funds. Commissioner Wippel mentioned that during this year’s county fair he is aware of farmers that took their own equipment, time, and money to weld hinges on hog gates and make other repairs, but that is what the building improvement fund is supposed to be for. It was mentioned by the commissioners that people will make donations if there is some sort of capital plan that exists as to what will be done with the money.

Commissioner Stewart stated that the commissioners have done what they said they would do in terms of trying to help in moving forward with the building; however, the Ag Society has not obtained biddable plans and specifications, has not obtained bank documents, and does not have the 5-year capital plan they were to provide and questioned what exactly is expected of them at this point. He mentioned his discontent regarding comments have been made to the commissioners stating that the Ag Society is saying that it is the commissioners are not letting them build the building. Commissioner Wippel said that different individuals approached him during the county fair stating that the Ag Society is saying that the commissioners are holding up the progress for the new building and they are tired of hearing that because that is not the case.

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Conversation was held regarding whether such a large building is needed at the fairgrounds, or whether there was even a market for it, and the question was raised on whether there would be enough events year-around to generate the revenue that would be needed to service the building's debt and cover its maintenance costs. Commissioner Henson mentioned that for a \$2 million building, 5% would be \$100,000 a year in maintenance and 10% would be \$200,000 per year. Mr. Bennett mentioned that if there was the larger building, the monthly flea market that is held at the fairgrounds each month would triple in size. Right now, the flea markets net about \$2,000 per month in revenue. When Commissioner Wippel asked what the number one goal of the Ag Society is, isn't it the annual county fair, the 4-H? "To me, it's the kids. First and foremost you have to satisfy what is needed for the county fair. The fairgrounds wasn't built for economic development," stated Commissioner Wippel. A market research study was suggested as a way in which to determine the size of the building that would be needed during the county fair for one week a year. Commissioner Stewart also stated that if there was a demand in the market for a \$2 million multi-purpose facility to be rented for various events throughout the year.

Conversation was held related to the existing buildings on the fairgrounds that continue to deteriorate, the commissioners questioned the \$2 million building. Commissioner Henson stated that all of the variables about constructing the building has to be considered, its debt service, maintenance, and whether there is a comfort level related to how much revenue the building would generate. "It comes down to a simple business decision," said Commissioner Henson. Commissioner Wippel stated that all three commissioners are very supportive of the fairgrounds, but there are steps that have to be taken because they represent the taxpayers. He said the Ag Society is administered by the ORC and there are certain things that it has to do and he recommended taking some of the \$800,000 generated by the Sportsmen, Inc.'s annual extravaganza to rehab the 4-H Grange building and do something about the animal barns that are in poor condition and develop a 5-year capital plan. The commissioners stated that they feel the public expects there be some plan as to what will be done to the existing buildings that are in poor condition beyond a new \$2 million multi-purpose building. Commissioner said that if the livestock buildings are addressed, which he feels is should be the number one priority, the coliseum could continue to be rented out until a decision can be made about a commercial type building. The commissioners emphasized that there needs to be a plan for the buildings on the property, determined phases in which the plan can be addressed, and recommended fundraisers to monetarily support the plan.

At the conclusion of the meeting, Commissioner Stewart summarized the current status regarding the possibility of the building that is being proposed before moving forward, being biddable plans and specifications, bank documents, and a 5-year capital plan. It was reiterated that the section of the ORC that addresses design-build bids will be emailed to Mr. Black.

**In the Matter of**  
**Transfers Approved:**

Commissioner Henson offered the motion, seconded by Commissioner Wippel, to approve the following request for the TRANSFER and RE-APPROPRIATION OF FUNDS:

**.01 from 11.1101.5430 – Commissioners- Training**  
**To**  
**101.6102.5433 – Agricultural Grant**

**17,517.30 from 201.3007.5401 – Engineer-Contracts/Services**  
**To**  
**201.3007.5506 – Engineer-Contracts/Projects**

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Voting on the motion was as follows: Commissioner Stewart, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

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

The weekly report for the Wright-Poling/Pickaway County Dog Shelter was filed for week ending July 4, 2015.

A total of \$823 was reported being collected as follows: \$360 in adoptions; \$18 in boarding revenue; \$255 in sale of tags; \$105 in tag late fees; \$40 in owner turn-in euthanasia; \$45 in redemptions; \$20 in transfer out-rescue.

No (-0-) dogs were euthanized.

No firearms were discharged.

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

Brian S. Stewart, President

Harold R. Henson, Vice President

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