

**TUESDAY, JUNE 27, 2017**  
**OFFICE OF THE BOARD OF COMMISSIONERS**  
**PICKAWAY COUNTY, OHIO**

The Pickaway County Commissioners met in Regular Session in their office located at 139 W. Franklin Street, Circleville, Ohio, on Tuesday, June 27, 2017, with the following members present: Mr. Brian S. Stewart, Mr. Jay H. Wippel, and Mr. Harold R. Henson. Brad Lutz, County Administrator, was also in attendance.

**In the Matter of  
Minutes Approved:**

Commissioner Henson offered the motion, seconded by Commissioner Wippel, to approve the minutes from June 20, 2017, with corrections.

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

Attest: Patricia Webb, Clerk

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

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 June 28, 2017, 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 \$252,302.91 on the County Treasurer to satisfy the same.

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

Attest: Patricia Webb, Clerk

The commissioners took a few moments to thank the staff for working the booths at the county fair last week. Commissioner Wippel noted that Saturday, after the heavy rain event on Friday, was a very busy day and approximately \$3,000 in donations were received for the project, and Brody Weiler, Junior 4-H member, said he was going to donate half of his earnings for his reserve champion hog.

**In the Matter of  
Exchange Student:**

Fai, an exchange student that is participating in the Circleville Rotary International Student Exchange Program, sat in for a portion of the commissioners' morning session to observe. Fai is a student from Thailand who is studying economics. She is being hosted by Jayme Hartley Fountain, Pickaway County Assistant Prosecutor.

**In the Matter of  
Report Provided by Dave Conrad:**

Dave Conrad, EMA Director, reported that he, Dustin Hube, Deputy EMA Director, and three CERT volunteer members worked 108 hours at the first-aid booth throughout the week of the county. The commissioners thanked them for the volunteer time that they all provided.

Mr. Conrad also reported that he plans to begin updating the Pickaway County 5-Year Hazard Mitigation Plan that is required by the State of Ohio EMA.

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**In the Matter of**  
**Report Provided by Dustin Hube:**

Mr. Hube prepared the invoices for the annual EMA dues that will be mailed to townships, villages, and the City of Circleville. No increases were made to the per capita rates.

**In the Matter of**  
**Report Provided by Erica Tucker:**

Erica Tucker, RPHF Joint Solid Waste Administrative Assistant & Special projects Assistant, has been taking shifts at the commissioners' booths that provides the Fairgrounds Revitalization Project renderings.

- Mrs. Tucker and Tom Davis, Pickaway County Park District Coordinator, provided an activity at Friday in the Park where they helped the kids make binoculars and bird feeders out of toilet paper rolls. Mr. Davis also provided a composting activity and OSU Extension Office's Master Gardners spoke about what is in the soil.
- Mrs. Tucker will be attending an Ohio EPA meeting regarding available recycling grants later in the week. The Circleville Pumpkin Show Committee will be purchasing 100 orange trash bins with the Pumpkin Show logo, and 100 blue and blue recycling bins with the Ohio EPA and the RPHF Solid Waste logo to be placed throughout Pumpkin Show this year. Rumpke Recycling will be emptying the bins each day throughout the show. The Circleville Pumpkin Show Committee will be purchasing 100 additional orange trash bins that will be available for sale to the public.

**In the Matter of**  
**Reports Provided by Department Heads**  
**Under the Commissioners' Purview:**

The following is a summary of the report provided by John Brown, Maintenance Supervisor:

- The standing water issue in the county auditor's data center room due to a plugged A/C condensation line has been resolved and the maintenance department will continue to closely monitor the situation.
- The rubber lining in courthouse courtyard will be removed that is retaining standing water.
- It was reported that Matt and Brad Walker, the part-time summer help, have been a great asset to the department and are excellent workers.
- Related to the Facility Dude Work order system, Grant Clifton and Travis Brown will be provided iPads and training.

**Geoff Davis, Building Department:**

The following is a summary of the report provided by Geoff Davis, Building Inspector:

- Inspections are being performed for Berger Health System's rehabilitation center that is being constructed at the corner of N. Court St. and Walnut Creek, in addition to inspections of the remodeling at Berger's Professional Arts Center.
- Inspections have been occurring at the NorthPoint Development site in Harrison Township.
- Residential home building inspections continue to increase.

**Terry Frazier, Director of Planning & Development:**

- It was reported that Trade Port Road, a private road, is being constructed at the NorthPoint site where a 1 million sq. ft. warehouse is being constructed on the Plat 1 Lot. The road is approximately 1,300 ft. long, and will be required to be built per the county's specifications and will be inspected by the county engineer upon completion. It is expected that the next two warehouses will be constructed in phases.
- Community Reinvestment Area Agreement in Pickaway Township has been prepared.

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**In the Matter of**  
**Visit from Joe Bengoechea, Field Rep for**  
**Congressman Steve Stiver's Central Office:**

Joe Bengoechea, Central Office Field Rep from Congressman Steve Stiver's office, paid a visit to the commissioners. Mr. Bengoechea stated that he likes to meet with the various county board of commissioners throughout Congressman Stiver's 15<sup>th</sup> District whenever he can to hear any issues or concerns counties may be facing that he can take back to the congressman.

When Mr. Bengoechea mentioned that Congressman Stiver's is pushing broadband throughout the district, the commissioners mentioned that they recently had a discussion with the county engineer regarding Intelliwave Broadband that is installing fiber optic cables in road right-of-ways (ROW) in areas of Pickaway and Fairfield Counties. The only fiscally feasible way Intelliwave states they can construct these networks is plowing and burying the cable no deeper than 3 ft. in utility ROWs. The county engineer prefers directional boring at 5 ft. deep to eliminate possible liability if the county highway workers were to inadvertently cut into any of the broadband cables while working in ROWs. Mr. Bengoechea stated that a similar situation occurred in Fairfield County and to remedy the issue Intelliwave and the Fairfield County Engineer are working on an agreement and are creating an insurance liability pool. Mr. Bengoechea mentioned that he will follow-up with Ryan O'Conner of the central office and he will see that the commissioners receive a final copy of the agreement for their review once it is completed.

Other topics that were discussed were, but not limited to, Health Care Reform; the recent arrest of a man that had been leaving threatening voice mails; the opiate/heroin epidemic; Medicaid Expansion; the Veteran's Administration Choice Program; and the U.S. Office of Personnel Management (OPM). When the Pickaway County Fairgrounds Revitalization Project was mentioned by the commissioners, Mr. Bengoechea said he received an email related to the recent flooding of animal barns that occurred during the county fair and he was pleased to hear about the revitalization project.

At the conclusion of the visit, the commissioners thanked Mr. Bengoechea for taking the time meet with them.

**In the Matter of**  
**Cash Advance Back Approved:**

Commissioner Henson offered the motion, seconded by Commissioner Wippel, to approve the following CASH ADVANCE BACK request:

**10,000 from 232.1155.5801 – Treasurer-DTAC-Advance Out**  
**To**  
**101.0000.4910 – Advance In-General Fund**

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Appropriations Approved:**

Commissioner Henson offered the motion, seconded by Commissioner Wippel, to approve the following APPROPRIATION requests:

**10,500 to 503.6916.5402 – Darby Sewer-Contract Repairs**  
**50,000 to 201.3007.5401 – Engineer-Contract Services**

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

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Attest: Patricia Webb, Clerk

**In the Matter of**  
**Transfer Approved:**

Commissioner Henson offered the motion, seconded by Commissioner Wippel, to approve the following APPROPRIATION requests:

**35,000 from 101.1105.5703 – Contingencies**  
**To**  
**101.1215.5415 – Juvenile Court-Attorney Fees**

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Resolution Approving the Expedited Type 2 Annexation Petition for the**  
**Annexation of 163.708 Acres +/- in Scioto Township into the Village of Commercial Point –**  
**Lehmann Farms Limited Partnership, Petitioner:**

Expedited Type 2 Annexation hearings were held in regards to three separate parcels of land in Scioto Township, all owned by Lehmann Farms Limited Partnership, Petitioner, to be annexed into the Village of Commercial Point. In attendance were Terry Frazier, Director of the Pickaway County Development & Planning office; Donald T. Plank, of Plank Law Firm, appointed Agent for the petitioner; and Jeff Glaven, of Glaven Group, LLC.

Mr. Plank stated that pursuant to the ORC, Expedited Type 2 Annexations cannot exceed 500 areas; therefore, the Lehmann property was platted into three separate parcels, referenced as Part 1, 2, and 3. First to be reviewed was the plat for Part 1, consisting of 163.708 acres +/-, which is the southern portion of the Lehmann property.

Mr. Plank said the second plat for Part 2, consisting of 475.027 acres +/-, is the eastern portion of the Lehmann property along the Scioto River, and along St. Rt. 104 as well. He stated that surveyors worked with the County Engineer, and he reviewed an area that takes on both sides of St. Rt. 104, and an area that takes in half of the roadway to its centerline. Another area that takes in half of a small piece of roadway from the Ohio Department of Transportation (ODOT) was also pointed out. Mr. Plank reviewed small piece of right-of-way taken in due to a separate property ownership situation. It was stated that if more than one property owner is included in an annexation petition, it requires a different type of annexation process. Mr. Plank noted that the property owner shows interest in being annexed; however, if the owner would ultimately be interested, the property will be contiguous with the Village of Commercial Point.

The third plat for Part 3 was reviewed for 475.026 acres +/- of the Lehmann property on the west side of St. Rt. 104 that is zoned residential, with the exception of a small strip zoned commercial that Mr. Plank stated will probably be zoned residential at some point.

Mr. Plank said that the zoning process for the annexations is being worked out with the Village of Commercial Point and there will be commercial zoning along the front of the southern portion of the Lehmann property, residential on the west side of St. Rt. 104, and industrial on the east side. He stated that a few users have shown interest in the area; however, there is no user at this time.

At the conclusion of commissioners' review of the maps for the three separate parcels of land, and a brief question and answer session, Mr. Frazier and the commissioners' clerk verified that the three petitions filed met all technical requirements utilizing the special procedure of ORC §709.023 for Expedited Type 2 Annexations. Mr. Plank noted that each petition will require three separate votes and three separate Resolutions of approval from the county board of commissioners; therefore, Commissioner Wippel offered the motion, seconded by Commissioner Henson, to adopt the following Resolution:

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**Resolution No.: PC-062717-1**

WHEREAS, on May 17, 2017, an Expedited Type 2 Annexation petition for the proposed annexation of 163.708 acres +/- in Scioto Township that met all technical requirements of ORC §709.023 ET SEQ., was properly filed in the Pickaway County Board of Commissioners' office by Donald T. Plank, Plank Law Firm, LPA, appointed agent for the petitioner, Lehmann Farms Limited Partnership; and,

WHEREAS, the territory to be annexed shares a contiguous boundary with the Village of Commercial Point for a length of at least 5% of the perimeter of the territory for annexation; and,

WHEREAS, the annexation will not create an unincorporated area of the township that is completely surrounded by the territory be annexed; and,

WHEREAS, there is no annexation agreement between the municipality and the township pursuant to ORC §709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to ORC §701.07, and the petitioner understands that the property will not be excluded from the township; and,

WHEREAS, the owner of the territory to be annexed expressly waived their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under ORC §709.023 and waives any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in ORC §709.023, and further waives any rights to seek a variance that would relieve or exempt them from the buffer requirement; and,

WHEREAS, Resolution No. 16-2017 adopted by the Village of Commercial Point listing the municipal services it will provide to the territory was properly filed in the Pickaway County Board of Commissioners' office on June 6, 2017, then,

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners hereby approves said 163.708 acres +/- of territory in Scioto Township, owned by Lehmann Farms Limited Partnership, Petitioner, to be annexed into the Village of Commercial Point, Pickaway County, Ohio.

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Resolution Approving the Expedited Type 2 Annexation Petition for the**  
**Annexation of 475.027 +/- in Scioto Township into the Village of Commercial Point -**  
**Lehmann Farms Limited Partnership, Petitioner:**

Commissioner Wippel offered the motion, seconded by Commissioner Henson to adopt the following Resolution:

**Resolution No. PC-062717-2**

WHEREAS, on May 17, 2017, an Expedited Type 2 Annexation petition for the proposed annexation of 475.027 acres +/- in Scioto Township that met all technical requirements of ORC §709.023 ET SEQ., was properly filed in the Pickaway County Board of Commissioners' office by Donald T. Plank, Plank Law Firm, LPA, appointed agent for the petitioner, Lehmann Farms Limited Partnership; and,

WHEREAS, the territory to be annexed shares a contiguous boundary with the Village of Commercial Point for a length of at least 5% of the perimeter of the territory for annexation; and,

WHEREAS, the annexation will not create an unincorporated area of the township that is completely surrounded by the territory be annexed; and,

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WHEREAS, there is no annexation agreement between the municipality and the township pursuant to ORC §709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to ORC §701.07, and the petitioner understands that the property will not be excluded from the township; and,

WHEREAS, the owner of the territory to be annexed expressly waived their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under ORC §709.023 and waives any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in ORC §709.023, and further waives any rights to seek a variance that would relieve or exempt them from the buffer requirement; and,

WHEREAS, Resolution No. 17-2017 adopted by the Village of Commercial Point listing the municipal services it will provide to the territory was properly filed in the Pickaway County Board of Commissioners' office on June 6, 2017, then,

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners hereby approves said 475.027 acres +/- of territory in Scioto Township, owned by Lehmann Farms Limited Partnership, Petitioner, to be annexed into the Village of Commercial Point, Pickaway County, Ohio.

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Resolution Adopted Approving the Expedited Type 2 Annexation Petition for the**  
**Annexation of 475.026 Acres +/- in Scioto Township into the Village of Commercial Point –**  
**Lehmann Farms Limited Partnership, Petitioner:**

Commissioner Wippel offered the motion, seconded by Commissioner Henson to adopt the following Resolution:

**Resolution No. PC-062717-3**

WHEREAS, on May 17, 2017, an Expedited Type 2 Annexation petition for the proposed annexation of 475.026 acres +/- in Scioto Township that met all technical requirements of ORC §709.023 ET SEQ., was properly filed in the Pickaway County Board of Commissioners' office by Donald T. Plank, Plank Law Firm, LPA, appointed agent for the petitioner, Lehmann Farms Limited Partnership; and,

WHEREAS, the territory to be annexed shares a contiguous boundary with the Village of Commercial Point for a length of 7.35% of the perimeter of the territory for annexation; and,

WHEREAS, the owner of the territory to be annexed expressly waived their right to appeal in law or equity from the board of county commissioners' entry of any resolution pertaining to this special annexation procedure, although a writ of mandamus may be sought to compel the board to perform its duties required by laws for this special annexation procedure; and,

WHEREAS, Resolution No. 18-2017 adopted by the Village of Commercial Point listing the municipal services it will provide to the territory was properly filed in the Pickaway County Board of Commissioners' office on June 6, 2017, then,

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners hereby approves said 475.026 acres +/- of territory in Scioto Township, owned by Lehmann Farms Limited Partnership, Petitioner, to be annexed into the Village of Commercial Point, Pickaway County, Ohio.

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

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Attest: Patricia Webb, Clerk

Per ORC §709.023, the Pickaway County Board of Commissioners' clerk will provide a copy of this record to the Village of Commercial Point Clerk's office.

**In the Matter of**  
**Resolution Adopted Approving the Expedited Type 2 Annexation Petition for the**  
**Annexation of 439.016 Acres+/- in Scioto Township into the Village of Commercial Point –**  
**Ball Family Farms, Limited Partnership, Petitioner:**

The commissioners held an Expedited Type 2 Annexation hearing for 439.016 acres +/- of property, owned by Ball Family Farms, Limited Partnership, Petitioner, in Scioto Township to be annexed into the Village of Commercial Point. Present for the hearing was the appointed for the petitioner, Molly R. Gwin, of Isaac Wiles Burkholder & Teetor, appointed agent for the petitioner. Also in attendance was Terry Frazier, Director of the Pickaway County Development & Planning Office.

Ms. Gwin began by stating that the list of subject properties to be annexed filed with the petition ("Exhibit C") involuntarily omitted a sixth subject property owned by the petitioner. It was noted, however, that the subject property was included in the property's legal description filed with the petition ("Exhibit A") for the 439.016 acres +/- to be annexed. Per ORC §709.015, *Substantial compliance with procedural requirements sufficient to grant jurisdiction*, Ms. Gwin stated that as the appointed agent for the petitioner, she is permitted to correct the scrivener's error; therefore, a replacement list of the subject properties to be annexed was presented to the commissioners, which was accepted.

When the inquiry was made by the commissioners, Mr. Frazier and the commissioners' clerk verified the filed petition met all technical requirements utilizing the special procedure of ORC §709.023 ET SEQ for Expedited Type 2 Annexations. Therefore, Commissioner Wippel offered the motion, seconded by Commissioner Wippel, to adopt the following Resolution:

**Resolution No.: PC-062717-4**

WHEREAS, on May 19, 2017, an Expedited Type 2 Annexation petition for the proposed annexation of 439.016 acres +/- in Scioto Township that met all technical requirements of ORC §709.023 ET SEQ., was properly filed in the Pickaway County Board of Commissioners' office by Molly Gwin, of Issac Wiles Burkholder & Teetor, appointed agent for the petitioner, Ball Family Farms, Limited Partnership; and,

WHEREAS, the territory to be annexed shares a contiguous boundary with the Village of Commercial Point for a length of 7.35% of the perimeter of the territory proposed for annexation; and,

WHEREAS, the owner of the territory to be annexed expressly waived their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under ORC §709.023 and waives any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in ORC §709.023, and further waives any rights to seek a variance that would relieve or exempt them from the buffer requirement; and,

WHEREAS, Resolution No. 19-2017 adopted by the Village of Commercial Point listing the municipal services it will provide to the territory was properly filed in the Pickaway County Board of Commissioners' office on June 6, 2017, then,

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners hereby approves said 475.026 acres +/-of territory in Scioto Township, owned by Ball Family Farms, Limited Partnership, petitioner, to be annexed into the Village of Commercial Point, Pickaway County, Ohio.

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

Attest: Patricia Webb, Clerk

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Per ORC §709.023, the Pickaway County Board of Commissioners' clerk will provide a copy of this record to the Village of Commercial Point Clerk's office.

**In the Matter of**  
**Resolution Approving the Expedited Type 2 Annexation Petition for the**  
**Annexation of 2.391 acres +/- in Harrison Township into the Village of Ashville –**  
**H C Diversified, LLC, Petitioner:**

The commissioners held an Expedited Type 2 Annexation hearing for 2.391 acres of property, owned by HC Diversified, Petitioner, in Harrison Township to be annexed into the Village Ashville. Present for the hearing was Craig Stevenson, PE, PS, of Harral & Stevenson, Engineering-Surveying-Planning, appointed agent for the petitioner. Also in attendance was Terry Frazier, Director of the Pickaway County Development & Planning Office.

Mr. Stevenson stated that the petitioner is working on the process to bring the territory to be annexed zoned as General Business (GB), and it was noted that the territory is contiguous to the area that is already zoned GB.

In discussing the filed annexation petition prior to vote, Mr. Frazier pointed out while it will be create a problem for the commissioners' to be concerned about related to approval, he stated that there is a Cooperative Economic Development Agreement (C.E.D.A.) in the area that Harrison Township and Village of Ashville are part of He said that an Expedited Type 1 Annexation petition, with an attached copy of the C.E.D.A, could have been filed, which eliminates several requirements of Expedited Type 2 petitions. After a brief discussion regarding the matter, all agreed that the end result of both types of Expedited Annexations are the same, and does not hinder the commissioners' approval of the petition. Commissioner Henson mentioned that as a precaution, he would be abstaining from any motion or vote as he owns a parcel of property in the vicinity of territory to be annexed.

At the conclusion of the commissioners' discussion regarding the Expedited Type 2 Annexation Petition, Commissioner Wippel offered the motion, seconded by Commissioner Stewart, to adopt the following Resolution:

**Resolution No.: PC-062717-5**

WHEREAS, on May 19, 2017, an Expedited Type 2 Annexation petition for the proposed annexation of 2.391 acres +/- in Harrison Township that met all technical requirements of ORC §709.023 ET SEQ., was properly filed in the Pickaway County Board of Commissioners' office on May 19, 2017, by Craig Stevenson, PE, PS, of Harral & Stevenson, Engineering-Surveying-Planning, appointed agent for the petitioner; and,

WHEREAS, the territory to be annexed is contiguous to the boundary of the Village of Ashville for a perimeter of 5% or more; and,

WHEREAS, an accurate description of the perimeters of the territory sought to be annexed was attached to the petition and made a part thereof as Exhibit "A". A map or plat of the territory sought to be annexed was attached to the petition and was made a part thereof as Exhibit "B"; and,

WHEREAS, there is an annexation agreement between the municipality and the township pursuant to ORC 709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to ORC 701.07, and the petitioner understands the property will not be excluded from the township; and,

WHEREAS, the owners who signed the petition expressly waived their right to appeal in laws or equity from the board of county commissioners' entry of any resolution passed under ORC §709.023 and waives any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in ORC §709.023, and further waives any rights to seek a variance that would relieve or exempt them from the buffer requirement; and,



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WHEREAS, Resolution No. 03-2017 adopted by the Village of Ashville listing the municipal services it will provide to the territory was filed in the Pickaway County Board of Commissioners' office on June 5, 2017, then,

THEREFORE BE IT RESOLVED that the Pickaway County Board of Commissioners hereby approves said 2.391 acres +/- of territory in Harrison Township, owned by H C Diversified, LLC, petitioner, to be annexed into the Village of Ashville, Pickaway County, Ohio.

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

Attest: Patricia Webb, Clerk

Per ORC §709.023, the Pickaway County Board of Commissioners' clerk will provide a copy of this record to the Village of Ashville Clerk's office.

**In the Matter of**  
**Meeting with Representatives of ms consultants, inc.; Signet Development; and**  
**Quandal Construction Regarding Fairgrounds Revitalization Plan:**

Ryan Sullivan, of Signet Development; David Chen, and Melissa Poppelman, of ms consultants, inc.; and Scott Forshe, of Quandel Construction, met with the commissioners to discuss the Pickaway County Fairgrounds Revitalization project. Eric Tucker, Special Projects Assistant, was also in attendance, as was Cody Link, Pickaway County Agricultural Society/Fair Board member, and Scott Pritchard, interested resident.

Commissioner Wippel opened the meeting by thanking the representatives from ms consultants, inc. for participating and making themselves available at the commissioners' booths at various times throughout the county fair last week to answer questions from the public regarding the revitalization project.

The main focus of the meeting was to discuss any alterations to programming and the schematic designs of the buildings in the revitalization plan. It was verified that the Preliminary Program Schedule remains the same showing construction of the arena and various animal barns beginning immediately after the 2018 Pickaway County Fair.

Mr. Chen said that once the commissioners are satisfied with the schematic designs (SD) after any changes decided upon today, as the owners, they will ultimately be asked to sign off. He said ms consultants, inc. will take that into the next stage, which will be providing detailed designs (DD), which should be towards the end of July, and Quandel Construction will provide pricing. That will be followed by another review by commissioners related to materials, colors, finishes, and other selections.

At the conclusion of the meeting, the commissioners thanked everyone for their attendance.

**In the Matter of**  
**Bid Opening for 2017 Pavement Markings of Various County Roads:**

A bid opening was held for the 2017 Pavement Markings of various county roads. Anthony Neff, Deputy County Engineer, was in attendance, along with Lance Boyer and Ryan Davis of the Pickaway County Highway Garage.

Engineer's estimate: \$162,300

The following bids were received and read aloud:

Dura-Mark, Inc. Aurora, Ohio 44202	\$144,648.50
Aero-Mark, Inc. Streetsboro, Ohio 44241	\$140,810.00

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A & A Safety Amelia, Ohio 45102-1020	\$158,488.55
Oglesby Construction, Inc. Norwalk, Ohio 44857	\$152,590.00

The bids were turned over to Mr. Neff for his review and contract award recommendation.

**In the Matter of**  
**Memorandum of Understanding Signed**  
**Related to Transfer of Title to a 2007 Harley Davidson**  
**Electra Glide Motorcycle from the Ohio State Highway Patrol for Training Purposes Only:**

A Memorandum of Understanding (MOU) was presented to the commissioners by Mr. Lutz that he Sheriff Robert Radcliff previously spoke with him about which involves the transfer of the title to a 2007 Harley Davidson Electra Glide motorcycle donated by the Ohio Department of Public Safety (ODPS), Division of Ohio State Highway Patrol (OSHP). The OSHP is providing the motorcycles to county sheriff's departments, at no cost, with the understanding that motorcycles are strictly used for motorcycle training that is provided by the OSHP.

After review of the MOU, Commissioner Wippel offered the motion, seconded by Commissioner Henson, to approve signing of the document.

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Approval of Equipment and Furniture Upgrades**  
**For Pickaway County 9-1-1 Dispatch Center:**

Administrative Lt. James Brown, of the Pickaway County Sheriff's Office (PCSO), and Lt. Gabe Carpenter, met with the commissioners to discuss the updated and final quote related to the equipment and furniture upgrades for the Pickaway County 9-1-1 Dispatch Center.

The commissioners reviewed the updated itemized quote from WS Electronics for the equipment and ergonomic furniture upgrades in the total amount of \$238,853.10. After discussing the upgrades, it was determined that as much of the cost as possible will be made from the E9-1-1 funds, and the remaining costs will be supplemented by the county's Capital fund. It was also noted that the current dispatcher chairs will be utilized, and will not be replaced.

Commissioner Henson then offered the motion, seconded by Commissioner Wippel, to approve the quote from WS Electronics, Xenia, Ohio, in the amount of \$238,853.10.

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

Attest: Patricia Webb, Clerk

When Commissioner Wippel also noted the importance of implementing the CAD (Computer Aided Dispatch), Lt. Brown mentioned the age of the current system; however, Zuecher Technologies has an excellent CAD software suite. Also stressed by Commissioner Wippel was the importance of the implementation of run cards, and Emergency Medical Dispatch (EMD) training for dispatchers. Lt. Brown stated that he will begin looking into the EMD training.

Lt. Carpenter then informed the commissioners that an inmate at the county jail located a piece of metal and swallowed it. He said the inmate was taken to Berger Hospital, and was transported to the OSU

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Hospital, where he is being guarded by PCSO deputies until it is determined whether surgery will be required.

**In the Matter of  
Resolution Adopted Approving  
2017 County Ditch Maintenance Assessments:**

The commissioners reviewed the annual schedule of assessments prepared by the Pickaway County Engineering Department related to the maintenance of all county-maintained ditches to be placed upon the benefited landowner's real estate tax duplicates, too numerous to list, for year 2017, payable in 2018.

Following the commissioners' review of the documentation, Commissioner Wippel offered the motion, seconded by Commissioner Henson, to adopt the following Resolution:

**Resolution No.: PC-062717-6**

BE IT RESOLVED that the Pickaway County Board of Commissioners hereby authorizes the Pickaway County Auditor to place the necessary assessments upon benefited landowner's tax duplicates for year 2017, payable in 2018, for the following county-maintained ditches:

**Blue Anderson Ditch  
Braskett Ditch  
Bulen Main/Bulen Lateral Ditch  
Buskirk Upper Terminus Open Ditch  
Clark's Run Upper Terminus Ditch  
Congo Lateral #1 Ditch  
Dry Run Lateral #1 Ditch  
DS Drainage Improvement  
Fulks, Moore, Wolford Ditch  
George's Run Upper Terminus Ditch  
Greenbriar Ditch  
Greenbriar Extension #1 Ditch  
Grove Run Ditch  
Hughes County Ditch Lateral #1  
Hughes Lateral #3 Ditch  
Hughes Main Ditch  
Hughes Upper Terminus & Lateral #4 Ditch  
Metzger-Ewing-Johnson Group Ditch  
Mud Run Lateral #1 Ditch  
PC Acres Storm Water Ditch  
Wampler Hills Storm Water Ditch  
Wilson Ditch  
Writsel Group Ditch**

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

Attest: Patricia Webb, Clerk

**In the Matter of  
Resolution Adopted Approving the  
Hourly Rates and Maximum Assigned Fees to be Paid  
For Legal Representation of Indigent Defendants in the  
Juvenile Court of Pickaway County:**

Juvenile Judge Jan Long, met with the commissioners and presented a resolution for their consideration related to adopting a schedule of hourly rates and maximum assigned counsel fees for indigent

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legal representation of indigent defendants. Jennifer Noble, Administrative Assistant, was also in attendance.

With the Ohio Public Defender's office no longer providing indigent services in juvenile cases beginning July 1<sup>st</sup>, Judge Long stated that legally, the court will have to see that the legal representation is provided and the rates will need established. He provided a resolution modeled after the OPD resolution for the commissioners' review. The judge also pointed out that unbeknownst to him, the OPD has been reimbursing the county for indigent representation at the rates and maximum the county adopted in 1981, not the rates that the OPD office pays, which is higher; therefore, the county has not been receiving the mid 40% reimbursement rate that it could have. Judge Long stated that it may be advantageous to adopt a similar resolution for the other courts in case a similar issue with the OPD would arise in the future, and the commissioners agreed.

After further discussion regarding the matter, Judge Long requested the commissioners' adoption of the resolution and he mentioned that additional funds will need to be transferred into the proper line item to cover the indigent representation costs. It was ascertained that \$35,000 will be appropriated and if additional funds are needed prior to the end of the year, will be addressed at that time.

Therefore, Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to adopt the following Resolution, and to approve a \$35,000 appropriation into the proper line item for indigent legal counsel in Juvenile Court:

:

**Resolution No.: PC-062717-7**

**RESOLUTION APPROVING A SCHEDULE OF HOURLY RATES AND MAXIMUM ASSIGNED COUNSEL FEES TO BE PAID FOR LEGAL REPRESENTATION OF INDIGENT DEFENDANTS IN THE JUVENILE COURT OF PICKAWAY COUNTY**

WHEREAS, Pickaway County recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel for indigent individuals charged with loss of liberty offenses and other statutorily granted right of counsel proceedings in the Juvenile Court of Pickaway County; and,

WHEREAS, Pickaway County has an assigned counsel system to provide representation in indigent defense cases for Juvenile Court. The Commissioners wish to adopt a schedule of fees for those types of services; and,

WHEREAS, Pursuant to Section 120.33(A)(3) of the Ohio Revised Code, to receive reimbursement, a board of county commissioners must adopt a resolution to pay counsel appointed by the court, and must establish an up to date fee schedule which must be filed with the Office of the Ohio Public Defender, upon which reimbursement will be based; and,

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PICKAWAY COUNTY, OHIO:**

The following plan is adopted for use by the Juvenile Court of Pickaway County.

1. Payment for representation in juvenile proceedings will be made based on the maximum rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services. Hourly rates and caps that apply to the attorney will apply for any Guardian Ad Litem appointed if said GAL is an attorney.

Delinquency	\$1,000.00
Unruly	\$1,000.00
Abuse, Neglect Dependency	\$1,000.00
Juvenile Traffic Offender	\$1,000.00
Contempt	\$ 300.00
Probation/Community Control Violation	

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and all other proceedings not elsewhere  
classified \$ 500.00

2. Payments are no longer made for social workers (non-attorneys) appointed as Guardian Ad Litem, therefore, where attorneys are appointed as Guardian Ad Litem, they shall be paid at the juvenile rates.

**Extraordinary Fees/Hourly Rates**

Cases eligible for Extraordinary fees, Extraordinary hourly rates, or additional attorneys are ones which, because of extraordinarily complex issues, multiple offenses, lengthy trials, or other reasons, warrant compensation at a rate which exceeds the maximums established by a county or the Ohio Public Defender or the number of attorneys allowed.. Payment for extraordinary fees/hourly rates/additional attorneys are subject to the following requirements and are hereby enacted:

Pickaway County hereby provides for extraordinary fees/hourly rates/additional attorneys in this fee resolution adopted pursuant to R.C. 120.33(A)(3).

Extraordinary fees must be clearly documented in the appropriate sections on the Motion, Entry, and Certification form. An entry for extraordinary hourly rates or additional attorney should be obtained at the beginning of representation.

The Judge hearing the case must indicate approval of the extraordinary fees and/or hourly rates by checking the "Extraordinary Fees Granted" box in the Judgment Entry section on the front of the form; and a copy of the journal entry/entries must be attached for these extraordinary fees, hourly rates or extra attorney.

**Expenses**

Payments for reasonable expenses requiring Court approval, such as transcripts or experts, associated with providing representation shall be made by motion and approved by the Judge in advance of incurring the expense and the amount thereof is determined to be reasonable by the Judge. All travel expenses are subject to the Rules of the Ohio Public Defender's Office. Allowable travel expenses approved by the Trial Court and with the submission of proper receipts, shall be reimbursed. No payment shall be made without the proper receipts.

**Amendments to the Fee Schedule**

Pickaway County Commissioners may amend this fee schedule at any time. Whenever the schedule is amended or revised, a copy of the resolution amending the fee schedule is directed to be sent to the Ohio Public Defender along with notice to all the Courts and assigned counsel.

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

Attest: Patricia Webb, Clerk

The judge thanked the commissioners for their time and consideration.

**In the Matter of**  
**Lisa A. McNairy Hired as**  
**Pickaway County Deputy Dog Warden:**

April Dengler, Deputy County Administrator, reported that she and Marc Rogols, Chief Dog Warden, interviewed three individuals for the Deputy Dog Warden position that is available. After providing an overview of each interview, it was Mrs. Dengler's and Mr. Rogol's recommendation to hire Lisa A. McNairy, of Circleville, for the position.

After discussing the recommendation further, Commissioner Wippel offered the motion, seconded by Commissioner Henson, to hire Lisa A. McNairy, 2921 Pine Drive, Circleville, Ohio 43113, for the position of Pickaway County Deputy Dog Warden, at the rate of \$10.80 per hour, effective July 3, 2017.

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

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Report Provided by April Dengler:**

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

- Discussion will be held regarding the update to Concealed Carry Policy to be included in the county's Policy & Procedure Manual.
- Mrs. Dengler will be seek clarification of the extra expenses in the contract with WDC Group related to renovation plans for the county's building on South Pickaway Street prior to obtaining the county prosecutor's approval as to form.
- Commissioner Stewart is scheduled to be a speaker at the 2017 Ohio TRIAD Senior Conference that scheduled to be held on Thursday, August 24<sup>th</sup>, at OCU, beginning at 7:30 a.m.
- The ceiling tiles in the Soldier Monumental Association's Military Artifact Museum in Memorial Hall have been installed. Trim installation of the new carpeting and trim work is next. This is to replace the damage to the museum that occurred when the ceiling collapsed during a high wind and severe rain event, which resulted in an insurance claim.
- A Workers' Compensation claim was filed last week by a PCSO deputy that twisted his left knee.

**In the Matter of**  
**CDBG Economic Development Grant Amendment**  
**Signed for Love's Travel Stops Road Infrastructure Improvement Project:**

Commissioner Henson offered the motion, seconded by Commissioner Wippel, authorizing Commissioner Stewart to sign the grant agreement amendment provided by the Ohio Development Services Agency for the CDBG Economic Development Grant, #B-E-16-1CH-1, related to the Love's Travel Stops Road Infrastructure Improvement project. The work completion date has been extended to December 31, 2017; the Draw Date has been extended to January 31, 2018; and the grant completion date has been extended to February 28, 2018.

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

Attest: Patricia Webb, Clerk

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

The weekly Dog Warden report for the Wright Poling/Pickaway County Dog Shelter was filed for week ending June 24, 2017.

A total of \$710 was reported being collected as follows: \$120 in adoptions; \$210 in dog licenses; \$120 in late license fees; \$40 in owner turn-in euthanasia; \$25 in redemptions; \$590 in private donations.

Three (2) dogs were processed in; three (3) dogs were adopted.

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

Brian S. Stewart, President

Jay H. Wippel, Vice President

Harold R. Henson, Commissioner  
BOARD OF COUNTY COMMISSIONERS  
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Attest: Patricia Webb, Clerk