

COMMISSIONER'S JOURNAL

Wednesday

Regular

February 6, 2013

The Coshocton County Commissioners met in Regular session on Wednesday, February 6, 2013 with Mr. Dane Shryock, Mr. D. Curtis Lee and Mr. Gary Fischer. Also present was Ms. Beth Scott, The Beacon, Mr. Ken Smailes, WTNS and Mrs. Mary Beck, Administrator/Clerk.

Minutes

Mr. Shryock made a motion, seconded by Mr. Fischer to approve the minutes as presented for the Monday, February 4, 2013 meeting.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

Court Square – First Step Family Violence

Mr. Fischer made a motion, seconded by Mr. Shryock granting permission to First Step Family Violence Intervention Services for the use of the Court Square on April 20, 2013 for a 5K Walk/Run.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

Sublease Agreement – 401 Main St. – Port Authority

Mr. Shryock made a motion, seconded by Mr. Fischer to sign a Sublease Agreement with the Coshocton Port Authority for the lease of office space at 401 Main Street, Coshocton, Ohio. The term of the lease will be 5 years and commencing on May 1, 2012 and ending on April 30, 2017 in the amount of \$329.00 per month.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

Sublease Agreement – 401 Main St. – Convention & Visitors Bureau

Mr. Fischer made a motion, seconded by Mr. Shryock to sign a Sublease Agreement with the Coshocton Convention and Visitors Bureau for the lease of office space at 401 Main Street, Coshocton, Ohio. The term of the lease will be 5 years and commencing on May 1, 2012 and ending on April 30, 2017 in the amount of \$329.00 per month.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

Sublease Agreement – 401 Main St. – Chamber of Commerce

Mr. Shryock made a motion, seconded by Mr. Fischer to sign a Sublease Agreement with the Coshocton Chamber of Commerce for the lease of office space at 401 Main Street, Coshocton, Ohio. The term of the lease will be 5 years and commencing on May 1, 2012 and ending on April 30, 2017 in the amount of \$329.00 per month.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

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Transfers/Additional/Reductions

Mr. Fischer made a motion, seconded by Mr. Shryock to approve the following Transfers/Additional/Reductions which have been certified by the County Auditor.

Additional – EMS

FROM	TO	AMOUNT
Unappropriated Funds	120-0100-5260.01 Rent	\$1,000.00

Transfer – Litter

200-0200-5200.00	Supplies	200-0100-5400.07	Reimbursement	\$168.36
200-0200-5260.00	Disposal Fees	200-0100-5400.07	Reimbursement	\$218.89
200-0200-5400.00	Vehicle Exp.	200-0100-5400.07	Reimbursement	<u>\$627.98</u>
Total				\$1,015.23

Transfer – Commissioners

001-1510-5900.02	Trn. Out Reg. Pl	070-0100-4900.02	Trn In Reg. Planning	\$30,000.00
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001-1510-5900.03	Trn. Out EMA	140-0100-4007.00	Trn. In EMA	\$42,700.00
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Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

Part-time to Full-time Employee – EMS

Mr. Shryock made a motion, seconded by Mr. Fischer to approve the hiring of Michael Lawler from part-time intermittent to full-time employment at the Coshocton County Emergency Medical Service effective February 9, 2013 as requested by Mr. Bernie Minet, EMS Director.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

EMA Training Lease/COTC

Mr. Fischer made a motion, seconded by Mr. Shryock to sign a lease for the Evan's/541 Parking Lot on the Central Ohio Technical College from 12:00 p.m. on April 19, 2013 to 2:00 p.m. on April 20, 2013 to hold an Emergency Management Agency Training as requested by Mr. Robbie McMasters, EMA Director.

Vote:	Lee	yea
	Fischer	yea
	Shryock	yea

Dog Warden's Report

Received the Dog Warden's Report for the week ending February 5, 2013 with 8 dogs picked up by the warden, 1 dog brought in as a stray, 4 dogs destroyed, 10 citations issued, 22 calls handled, 127 licenses sold, 8 late fees paid, 10 dogs sold, 5 dogs redeemed, 4 dogs per owner surrender, \$30.00 in boarding fees collected for a total of \$1,965.00 in fees collected.

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OSU Hydrologic Station Lease

Mr. Jason Given, County Prosecutor, Mrs. Dorothy Skowrunski, Coshocton Port Authority, Mrs. Emily Adams, Mr. Jim Buxton, Mr. Dave Benfield, Mr. Steve Slack and Ms. Gwen Wolford attended the meeting to discuss the OSU lease of the Hydrologic Station Property with the County Commissioners. Mr. Lee stated this property has previously been leased by the USDA and OSU is interested in leasing the property for 3-4 more years to complete 3 of their projects. The last this lease was discussed was in December and the Commissioners sent a letter via our Prosecuting Attorney's Office stating that we are only interested in leasing the property that has projects on it with the right of way to those projects. Mr. Slack stated that they felt that once they got the last letter from the Commissioners they should schedule a meeting to discuss issues that the Commissioners have. The biggest change is that they have hired Mr. Buxton to deal with all the processes with the USDA. They feel this will improve the communication with the Commissioners. He then reviewed where they are with the Federal land transfer. They are going through environmental assessments at this time. Once those are completed they can then discuss the Federal Lease. They expect this to come to a close sometime this spring. He stated that they have multiple projects on going on the Federal Property. He presented the Commissioners with a handout that explained the projects occurring on both the County and the Federal property. He explained that they have a beef production project, Cropping Systems and Sustainability Project and Forestry and Soils Projects. He then stated that they have Canaan Fir species that are long term plots that have been harvested over a 20-30 year period. The origin of these trees is in West Virginia and all of those trees in West Virginia have been blighted. So the County is the only source of these seedlings. On the County Property the Cattle Production Project is very important as well because of the hay and grazing that is needed. He stated that they utilize approximately 50% of the county's acreage. It would be difficult to break out each project as they are spread over the county acreage. Mr. Given questioned what OSU does with these seedlings. Mr. Slack stated that 2 things happen with the seeds. One is they are replanted to continue the growth of the trees. The other is the seedlings are sold and then the monies are directly put back into the program to continue the program. This program was strictly OSU's and had nothing to do with the USDA. OSU did not become involved out at the Hydrologic Station until 1973 and have been there ever since. Mr. Given stated that it would appear that there was subletting involved and not just collaboration. Mr. Slack stated that fundamentally all the buildings were managed by USDA and what OSU brought to the table was the management of the field operations. If the land doesn't get transferred and a lease signed with the County then the loss of more than 50 years of research will be gone. Mr. Given stated that several lysimeters are located on the County Property. Is it their understanding that those lysimeters would be conveyed from the Federal Government? Mr. Slack stated that any lysimeter located on the Federal land would go to OSU, but the property located on the County land would be an agreement between the USDA and the County. Mr. Slack then stated that they have several scientist interested in working off the sites that are in place on the Federal and County Properties. He stated that they are utilizing one of the County lysimeters at this time. Mr. Lee stated that there are three disposal methods and we still have not heard from USDA as to how this will be conveyed to the County. Mr. Lee then stated that he was under the impression that there were on 3 projects on the property and they would be complete in 3-4 years. And this was stated a year ago. Mr. Slack stated that they have a long term lysimeter project as well as a grazing project that needs at least one more year. He also stated that he did not know of any new projects except once they found out the Commissioners would do some timber harvesting they did some research on that. The reasons we are doing these projects are that people have questions and we are trying to answer those questions. If there is not a State, Regional or National reason for doing these projects then there will not be any projects. Mr. Benfield stated that the Corn Cap Project and the Cattle Grazing Project are very important projects as well as the Canaan Fir Project. It provides most of the Christmas Trees for the nation. Mr. Lee stated that this is an ongoing project then. Mr. Slack stated that this will have a generation of 15-16 years. Mr. Fischer asked if an outside party comes in to harvest those seeds every 2-3 years. Mr. Slack stated that OSU has a written agreement on what is done with those seeds. But all funding made from the trees go right back into the project. Fundamentally the project must have a cost recovery or it will not be continued. There are other plantings that are on at least 2 other locations. Mr. Slack stated that all of the projects on County Land are related to productions issues. We have no desire to have any impact on mineral rights and

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have no experiments anticipated for that. He doesn't really know that there are issues other than access. He asked what some of the issues were that might be a constraint on the County's part. Mr. Lee stated that the oil and gas, hunting and mineral rights were stricken from the lease. Mr. Slack stated they would only have an issue with hunting rights. Mr. Fischer stated that there has been hunting going on the property for several years. Mr. Buxton stated that there is not supposed to be any hunting on the property. At one time they had a couple of controlled hunts going on but not anymore. Mr. Lee stated that if we cannot get those monies for leasing the property for hunting then we would like those funds added onto the lease. Mr. Benfield stated that the lease required that the County not interfere with their projects. Mr. Lee stated that we have an oil and gas lease and cannot promise that. Mr. Shryock stated that we have a lease for the Utica Shale rights and additionally we have had numerous people approach us on the Clinton and Rose Run rights as well. So, there is actually a potential for another type of gas well. Mr. Slack stated that we have 2 ways to approach this then. If the county feels that the lease with OSU will prohibit them from doing this then they need to have that in the lease. Or, they could just leave out of the Clinton and Rose Run lease the areas that are projects for OSU. Also is the question of hunting rights. It will be a difficult thing to do with the projects that are going on at this time. They really feel that these projects are of importance and they hope that we can find some reconciliation on this. Mr. Lee asked if they are able to have input on this lease. Mr. Benfield stated that they feel they can have significant input but there are some things they will not bend on. Mr. Lee stated that he feels that in the negotiation of this lease that OSU has forgotten that the County of Coshocton owns the property and not OSU. Mr. Slack stated that he is hoping that we can come together on this and work out this lease. Mr. Fischer stated that our previous discussions were not anything like the lease that came back to us in December. We had anticipated a short term lease and a specified amount of property being utilized and it didn't come back that way. The way it came back we felt like we were the tenants and OSU was the landlord. Mr. Slack stated that it was their intent that they utilize the property without interference to the County, but it would appear that we may need to have something that would say they can access the approximately 50% of the property where they have projects. If we are going to move forward it must be something that is tenable to the County as well as OSU. He asked what direction they would like to convey to OSU. Mr. Shryock stated that every decision we make in Coshocton County is on a business basis. We believe in OSU and we believe in research, but our revenue has declined and we must capitalize on the assets of this county to take that burden off the tax payers. If there is a way that we both benefit they don't have a problem with that. We lost over a million dollars over the last couple years and we are trying to find a way to recoup that. If we can find a way to do that with signing a lease with OSU then I am all for that. But, if we can't lease the ground for the benefit of the county then we have a problem. Mr. Slack stated that USDA's budget was also impacted and there were 10 sites that they were moving to close. There is value in every location, but at the end of the day they are trying to balance their budget. He feels there are benefits in the research that they are trying to continue. Their dialogues are driven by funding and he understands that the Commissioners have responsibilities to the tax payers of Coshocton County. We need to find a way that we all can benefit and the county can participate with OSU. Mr. Shryock stated that he does not have a problem moving forward and working with OSU, but he is not willing to sacrifice any monies that can be made from that property for the residents of Coshocton County. Mr. Slack stated that he understands, but there are several issues that will need to be discussed. Mr. Shryock then stated that we have also been approached by mining companies that are interested in mining the millions of dollars of coal off that property as well. We would have to have something in the lease that would allow us access to that funding if the County had a funding emergency of some sort. Mr. Slack stated that we could do a short term lease that would allow for that flexibility. Mr. Slack stated that what he is hearing from the Commissioners is that the County is not willing to lease to OSU all of the property and maybe just a portion of the property. Mr. Lee stated that the lease that came back to them limited the oil and gas as well as the hunting. Mr. Benfield stated that maybe they could work on the wording of the language to make certain there is not an issue with that. Mr. Slack stated that the things they need to work on is the ability for the county to utilize the property to so that the county can make monies and the hunting rights. Mr. Fischer stated that he is not opposed to OSU including the monies the county would make from the hunting rights to be included in the lease amount. Mr. Slack stated that it would

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need to be determined if that amount would be more than they are able to afford based on the research. Mr. Lee stated that there is one more issue and that is there is a USDA landfill on our property and that is supposed to be mediated. Mr. Lee stated that he would like to make certain that this does not happen again on our property. Mr. Buxton stated that USDA is taking care of that at this time. Mr. Benfield stated that they would like the Commissioners to sit down with their attorney and come up with the lease agreement and forward it on to them. Then they can discuss the legal ease with the attorney. The Commissioners stated that they will forward the draft lease that they come up with to Mr. Benfield. Mr. Fischer stated that he hopes they understand that the County Commissioners do not minimize the impact of the research at the Hydrologic Station. But, we are charged with utilizing that property for what is best for the county as a whole and the Commissioners intend to do this. He also stated that he feels communication is a very important tool. Mr. Slack stated that he would agree that they have been lacking in communication and they will try to remedy that in the future. Mr. Benfield gave the Commissioners a map of the areas on the property where they have active projects. Mr. Lee thanked them for attending.

Adjourn

At 12:05 p.m. Mr. Lee adjourned the meeting.

D. Curtis Lee

Gary L. Fischer

Dane R. Shryock

Administrator/Clerk