

Moved by Mr. Uible, seconded by Mr. Proud,

Recommendation that the Board of County Commissioners adopt Resolution Number 2276 resolving to approve payment to vendors in the total amount of \$2,616,827.16 as set forth in the BCC Approval Invoice Report(s) For **Checks Dated March 9, 2016**, BCC Directed Pre-Paid Invoices Report(s), Vendor Invoice List Report(s), Items paid by Fund and Check Date Range report and/or Procurement Card Transaction Report presented by the County Auditor 3/7/2016, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Robert L. Proud,	<u>yes</u>
David H. Uible,	<u>yes</u>
Edwin H. Humphrey,	<u>Absent</u>

Date Adopted: MARCH 9, 2016

<u>Robert L. Proud</u>
Robert L. Proud, President
<u>David H. Uible</u>
David H. Uible, Vice-President
<u>Absent</u>
Edwin H. Humphrey, Member

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 9th day of March 2016, with the following members present:

Robert L. Proud, President

David H. Uible, Vice President

Mr. Uible moved for the adoption of the following Resolution:

RESOLUTION NO. 34-16

RESOLUTION TO AUTHORIZE AND APPROVE FUNDING AND THE CLERMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT MANAGEMENT, ACQUISITION AND CONSTRUCTION OF THE CLERMONT COUNTY AIRPORT TRANSPORTATION PROJECT

WHEREAS, the Clermont County Board of Commissioners (the "Board") has created the Clermont County Transportation Improvement District (the "CCTID") in an effort to further enhance and promote transportation improvements and capital improvements within Clermont County, Ohio (the "County") and the region, and to participate in a cooperative county-wide coalition to take advantage of the opportunities and benefits made available only through a TID, as authorized by Ohio Revised Code ("ORC") Chapter 5540;

WHEREAS, the transportation projects undertaken by the CCTID pursuant to ORC Chapter 5540 are necessary and will contribute to the improvement of the prosperity, health, safety, and welfare of the County and of the State of Ohio (the "State") and their people, are essential governmental functions and the exercise by the CCTID of the authority granted by ORC Chapter 5540 is consistent with and will promote industry, commerce, distribution, and research activity in the County and the State;

WHEREAS, accordingly, on August 15, 2006, the County, the Clermont County Engineer's Office ("CCEO") and the CCTID entered into an Intergovernmental Agreement, as amended (the "IGA") in an effort to finance, plan, construct and improve highways, roads, bridges, interchanges and other transportation projects (including, but not limited to, air and rail projects) and further develop, facilitate, enhance and promote transportation improvements within the County and the region through intergovernmental cooperation and coordination by the County/CCEO and the CCTID in furtherance of these goals and to provide for funding commitments to advance certain projects undertaken by the CCTID;

WHEREAS, the Board, by its Resolution Number 183-15 authorized the entry into a joint use agreement (the "Agreement") with, among other parties thereto, the University of Cincinnati ("UC"), as an instrumentality of the State, for, and to access, a capital appropriation from Amended House Bill 497 in the amount of \$500,000.00 from the State to UC (the "Capital Funds") for a public purpose and public improvement, to wit: capital improvements to the Clermont County Airport, which facility is located at Clermont County Parcel No. 012007E106 (the "Airport"), and help fund this transportation improvement to the Airport, including, but not limited to, an extension of the existing Airport runway length from 3,550 feet to approximately 4,990 feet to increase capacity, service and enhance operations and safety and related transportation improvements, as further described and set forth herein and in documents and plans on file with the County, the CCEO and the CCTID (collectively the "Transportation Project");

WHEREAS, the Board, in conjunction with the Agreement and in maximizing the use of the available Capital Funds, is further committing to provide the amount of \$1,000,000.00 from available County funding, which combined with the Capital Funds, is intended to provide adequate funding reserves for both the Transportation Project's construction costs [which according to the "Engineer's Estimate" are estimated to be in the amount of \$1,000,000.00] and to pay for the acquisition costs of additional real property interests for the Transportation Project (the "Runway Right of Way") and related project costs as set forth in the Agreement (the "County Funding");

WHEREAS, the County, the CCEO and CCTID recognize that it is a priority to engage and cooperate to the greatest extent practical in the development of these projects and in related efforts, such as the Transportation Project, in coordination and cooperation with UC and the State;

WHEREAS, in furtherance of the IGA, the CCTID established a Regional Transportation Improvement Program (the "RTIP"), in coordination and collaboration with the County, the CCEO, and other local project sponsors, which has been amended and updated from time to time, consisting of certain corridor-level capital improvement projects and supporting program-level implementation strategies and activities, and it's the CCTID's intent to designate the Transportation Project as an RTIP transportation project;

WHEREAS, accordingly the Board and the CCEO, with the concurrence of CCTID Board of Trustees, believe it to be in the best interest of and important for advancing and funding the construction of the Transportation Project that the CCTID, in collaboration with the CCEO, oversee, manage, acquire and construct the Transportation Project but subject to and contingent upon: 1. The approval and execution of the Agreement by UC; 2. The related required approval of the Agreement by the State, specifically the Ohio Department of Higher Education; and, 3. The request and confirmation of release of the Capital Funds by UC to the Board or the CCTID, as applicable, to provide for access to and availability of the Capital Funds for the construction of the Transportation Project;

WHEREAS, upon determination that the Capital Funding has been released and is available for use by the CCTID for Transportation Project construction costs, the Board intends to immediately provide to the CCTID an additional amount of \$1,000,000.00 in County Funding so as to facilitate and provide for the CCTID's commencement, management, acquisition of the Runway Right of Way and construction, through completion and inspection, of the Transportation Project, in accordance with the Agreement and such other laws and regulations as applicable to the CCTID;

WHEREAS, the CCTID, pursuant to R.C. 5540.03 is authorized to take such actions, receive such funding, and enter into all agreements necessary or incidental to performance of its functions and the execution of its powers to effect its purposes and transportation projects and pursuant to ORC 5540.02 (F) the Board may make appropriations from moneys available to pay costs incurred by the CCTID in the exercise of its functions under ORC Chapter 5540; and

WHEREAS, the County accordingly intend to takes such further actions and execute such documents, agreements and related instruments, per the IGA and the Agreement in furtherance of these goals and to provide the CCTID with the funding as required to complete the Transportation Project by the CCTID, including the total costs to clear and acquire the Runway Right of Way;

NOW, THEREFORE, BE IT RESOLVED, that the BOCC, does hereby authorize, consent and approve the CCTID, in collaboration with the CCEO, overseeing, managing, acquiring the Runway Right of Way and related necessary actions in accordance with ORC Chapter 163 and Section 5540.04, and then, following such acquisition, undertaking the bidding and constructing of the Transportation Project, for the public convenience and welfare, through application of the County Funding, currently in the amount of \$1,000,000.00, plus the Capital Funding, but subject to and contingent upon: **1.** The approval and execution of the Agreement by UC; **2.** The related required approval of the Agreement by the State, specifically the Ohio Department of Higher Education; **3.** The request and confirmation of release of the Capital Funds by UC to the Board or the CCTID, as applicable, to provide for access and availability of the Capital Funds to the CCTID for the construction of the Transportation Project; and, **4.** all such work to be performed, in coordination with CCEO and the State of Ohio, as appropriate, in accordance with the Agreement and laws and regulations applicable to the CCTID.

BE IT FURTHER RESOLVED, that the Board authorizes its President, the County Administrator or his designee to immediately proceed to collect, apply and convey County Funding, in the amount of \$1,000,000.00 to the CCTID's Secretary-Treasurer upon satisfaction of the contingencies items numbered **1.** thru **3.** set forth above, with the understanding any additional County Funding that may be required by the CCTID to complete the Transportation Project is subject to approval of the Board, and, may prepare and execute such other documents, amendments, letter of agreement, or instruments as may be necessary or appropriate to effect this purpose, and that the taking of any such action and the execution and delivery or acceptance of any such documents or instruments by the President, the County Administrator or his designee shall be conclusive evidence of the Board's determination that such actions are proper and

such actions are proper and necessary in order for the Board to carry out the purposes of this resolution and of the authorization thereof by the Board.

BE IT FURTHER RESOLVED that the Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Proud seconded the Resolution and upon roll call, the vote resulted as follows:

Robert L. Proud, President
David H. Uible, Vice President
Edwin H. Humphrey, Member

Yea
Yes
Absent

This Resolution was duly passed on the 9th day of MARCH 2016.

ATTEST: Judith Kocica
Judith Kocica, Clerk
Board of County Commissioners

**APPROVED AS TO FORM:
D. VINCENT FARIS, PROSECUTOR
CLERMONT COUNTY, OHIO**

BY: D. Vincent Faris
Assistant Prosecutor

DATE: 1/25/16

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 9th day of MARCH 2016, with the following members present:

Robert L. Proud, President

David H. Uible, Vice President

RESOLUTION NUMBER 35-16/ ABOLISHING THE CRIMINAL JUSTICE COORDINATING COUNCIL AND AMENDING RESOLUTION NUMBER 224-94 IN AND AS IT RELATES TO RENAMING THE CLERMONT COUNTY LOCAL COMMUNITY CORRECTIONS PLANNING BOARD TO BE KNOWN AS THE CRIMINAL JUSTICE COORDINATING COUNCIL AND MODIFYING ITS COMPOSITION PURSUANT TO AND IN COMPLIANCE WITH SECTION 5149.34 OF THE OHIO REVISED CODE, AS AMENDED BY THE 129TH GENERAL ASSEMBLY...

Mr. Uible moved for the adoption of the following Resolution:

WHEREAS, if a county desires to receive a subsidy from a subsidy program established under Section 5149.34 of the Ohio Revised Code, the Board of County Commissioners (BCC) shall establish a local corrections planning board that shall include an administrator of a county jail, a county commissioner, a judge of the court of common pleas, a judge of a municipal court, an attorney whose practice of law primarily involves the representation of criminal defendants, the chief law enforcement officer of the largest municipal corporation, the county sheriff, one or more prosecutors, the executive director of the board of alcohol, drug addiction, and mental health services; or their designee, the executive director of the county board of developmental disabilities; or their designee, administrator of a community based correctional facility; or their designee, an administrator of a community corrections act-funded program; or their designee, one or more representatives of the public; one of whom should be a victim of crime, one or more additional representatives of the law enforcement community, one or more additional

representatives of the judiciary, one or more additional representatives of the field of corrections, and officials from the largest municipal corporation in the county. At least two of the members of the board shall be members of the largest racial minority population, if any, in the county, and at least two other members of the board shall be women;

WHEREAS, the BCC established, by Resolution 224-94, the Clermont County Local Corrections Planning Board (LCPB) on 12/16/1994 for the purpose of augmenting local resources to develop, implement, and operate a coordinated and collaborative community corrections program;

WHEREAS, the Clermont County Adult Probation Department has obtained a waiver from the Director of Rehabilitation and Correction to allow a victim advocate of the Clermont County Prosecutor's Office to serve in lieu of a victim of crime in accordance with ORC 5149.34;

WHEREAS, the BCC desires to modify the composition of the LCPB to include three additional members; two additional representatives of the Field of Judiciary and the County Administrator or his designee in accordance with ORC 5149.34 for a total of twenty-four (24) members serving three (3) year terms;

WHEREAS, the Board of County Commissioners (BCC), upon the recommendation of the National Institute of Corrections, established the Criminal Justice Coordinating Council (CJCC) on 03/01/2007 to serve as an ad-hoc committee for identifying solutions, proposing actions and facilitating cooperation to improve public safety and to produce desirable results and enhancements to the Clermont County Criminal Justice System;

WHEREAS, the BCC no longer desires to maintain both the CJCC and LCPB as both boards maintain similar memberships and perform similar functions; and

WHEREAS, the name CJCC is familiar to County staff and elected officials as well as persons and organizations throughout the County.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners (BCC) of Clermont County, Ohio as follows:

1. The Criminal Justice Coordinating Council (CJCC) as established by the BCC on 03/01/2007 shall be abolished;
2. The Clermont County Local Community Corrections Planning Board (LCPB) as established by the BCC on 12/16/1994 shall continue to remain in full force and effect; and
3. The Clermont County Local Community Corrections Planning Board (LCPB) shall be renamed the Criminal Justice Coordinating Council (CJCC).
4. To retain the composition of the original/amended membership and to include three additional members; two additional representatives of the Field of Judiciary and the County Administrator or his designee.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the ex-officio members designated to Clermont County Local Community Corrections Planning Board, established by Resolution 224-94 on 12/16/1994, including representatives of the Clermont County Cooperative Extension Service, County Board of Education, Clermont 2001 Clergy Subcommittee and Clermont County Alcohol, Drug Addiction and Mental Health Services Board, are no longer deemed necessary to serve thereon.

NOW THEREFORE, BE IT FURTHER RESOLVED, by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

That the Board of County Commissioners of Clermont County, Ohio, hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Proud seconded the motion and on roll call, the vote resulted as follows:

Mr. Proud	<u>Yea</u>
Mr. Uible	<u>Yes</u>
Mr. Humphrey	<u>Absent</u>

This Resolution was duly passed on the 9th day of March, 2016.

ATTEST:

Judith A. Kocica
Judith A. Kocica, Clerk of the
Board of County Commissioners

This Resolution was approved as to form by the Office of the Prosecuting Attorney of Clermont County, Ohio

By: Allen J. Edward
Assistant Prosecuting Attorney

Date: 3-9-16