

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 28, 2018, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, DAVID L. PAINTER, VICE PRESIDENT AND, DAVID H. UIBLE MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 10:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**LET THE RECORD SHOW THAT THE FEBRUARY 28, 2018 REGULAR SESSION WAS VIDEO RECORDED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. IN ADDITION, THE REGULAR SESSION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <https://www.youtube.com/user/clermontcounty/playlists>**

**LET THE RECORD SHOW:** Carl Lamping, Director, Clermont County Building Inspection Department, addressed the Board regarding the inspections being done by the Clermont County Building Department in the areas impacted by recent flooding. Mr. Lamping stressed the importance of having the building ready for inspection prior to calling the Building Department for approval and stated that the staff of the Building Inspection Department is readily available to provide assistance. Mr. Lamping advised the Board that the building inspection fees can be a hindrance in obtaining building inspections and he would ask the Board to consider waiving the inspection department fees for permits and inspections of impacted properties.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 027-18/RESOLUTION AUTHORIZING THE WAIVER OF COUNTY IMPOSED BUILDING INSPECTION DEPARTMENT FEES FOR PERMITS AND INSPECTIONS RELATING TO THE REOCCUPATION OF EVACUATED BUILDINGS AND STRUCTURES DURING RECENT SEVERE STORMS AND FLOODING OF THE OHIO RIVER AND TRIBUTARIES THROUGH MARCH 16, 2018, WITHIN CLERMONT COUNTY, OHIO...18-0227-003...ADOPTED**

Moved by Mr. Painter, seconded by Mr. Uible, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carl Lamping, Director, Clermont County Building Inspection Department, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 027-18** resolving to authorize the waiver of County imposed fees for inspections directly relating to the reoccupation of evacuated buildings and structures during the recent severe storms and flooding of the Ohio River and its tributaries, within Clermont County, Ohio, through March 16, 2018, pursuant to and in concert with Resolution Number 026-18 heretofore ratified by the Board of County Commissioners on 02/26/2018 in and as it relates to the declaration that a State of Emergency exists and will continue to exist in Clermont County, Ohio, as a result of accumulative adverse effects of the recent rain storms and Ohio River flooding respectively.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

**LET THE RECORD SHOW,** Pam Haverkos, Director, Clermont County Emergency Management Agency (EMA), provided the Board with an update on the recent flooding in Clermont County. Ms. Haverkos indicated that roads are being reopened, crews are clearing the roadways of debris and the public is being notified. EMA is coordinating efforts to determine the costs incurred by local agencies, assessing services being provided by faith based and non-profits and determining the long term needs of the impacted residents. She advised that there are

currently 12 residents staying at the shelter being assisted by the Red Cross and there are 5 pets being housed at the pet shelter.

Kathleen Williams, Communications Coordinator, Office of Public Information, indicated that there will be a press release later today to provide residents with the most up-to-date information. Commissioner Uible inquired as to the impact the forecasted rain could have. Ms. Haverkos stated that it could slow down the recession of the water; however, there should not be an increase in the flood waters.

Commissioner Painter commended everyone on their coordination efforts.

Ms. Haverkos recognized the Building Department for the flood plain regulations they put into place after the 1997 flooding and credits those regulations for creating a safer community.

## CONSENT AGENDA

**LET THE RECORD SHOW: COMMISSIONER HUMPHREY STATED THAT A CONSENT AGENDA HAS BEEN PREPARED FOR THE BOARD OF COUNTY COMMISSIONERS AND REQUESTED WHETHER ANY BOARD MEMBER WANTED ANY ITEMS REMOVED FOR FURTHER DISCUSSION AND CONSIDERATION AND UPON HEARING NONE:**

Moved by Mr. Uible, seconded by Mr. Painter, that the Board of County Commissioners approve the following recommendations:

- 1. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... GRANT OF SEWER EASEMENT WITH RIGHT OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 6402-60141 RELATIVE TO THE LOCUST LAKE LIFT STATION AND CONVEYANCE IMPROVEMENTS PROJECT LOCATED WITHIN PIERCE TOWNSHIP...18-0216-002...RATIFIED**

Recommendation of John R. Schramm, Construction Coordinator, with the concurrence of Chris Rowland, P.E., Assistant Sanitary Engineer, Clermont County Water Resources Department, to accept the following *Grant of Sewer Easement with Right of Re-Entry for Repair and Replacement* heretofore granted and conveyed to the Board of County Commissioners, Clermont County, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing and/or removing or reinstalling sewer utility lines, pumping equipment, manholes and all incidental fixtures required for the transportation of sewage in, on, under and across the property of the Grantor for Project Number 6402-60141 relative to the Locust Lake Lift Station and Conveyance Improvements Project located within Pierce Township, and further to authorize the County Auditor to remit payment to the Grantor in the amount as outlined below and as indicated on the Settlement Sheet attached thereto as compensation for the Permanent Easement and Right-of-Way granted thereby and to remit payment in the amount of \$72.00, payable to Jeannie M. Zurmehly, Clermont County Treasurer, for the recording fees required therefore:

<b>Grantor</b>	<b>Parcel Number</b>	<b>Compensation</b>
Deborah L. Cook 1402 Locust Lake Road Amelia, Ohio 45102	28-28-07B-079.	Perm \$763.64

- 2. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2018...APPROVED**

Recommendation of the Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual

Appropriation (**Resolution Number 185-17**) for Fiscal Year 2018, including legal level of control, and/or interfund transactions pursuant to Sections 5705.13 through 5705.14 of the Ohio Revised Code as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

**CASH TRANSFER OF FUNDS FOR FISCAL YEAR 2018**

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
WATER REVENUE	WATER & SEWER COMBINED SERVICES	\$ 170,000.00
TRANSFERS OUT TO ENTERPRISE 6001 - 11 - 01 - 141000 - 700600 -	OPERATING TRF IN FROM ENTERPR. 6003 - 13 - 01 - 161000 - 480600 -	
SEWER REVENUE	WATER & SEWER COMBINED SERVICES	\$ 170,000.00
TRANSFERS OUT TO ENTERPRISE 6002 - 12 - 01 - 151000 - 700600 -	OPERATING TRF IN FROM ENTERPR. 6003 - 13 - 01 - 161000 - 480600 -	

**CASH ADVANCE OF FUNDS FOR FISCAL YEAR 2018**

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
CDBG ENTITLEMENT	GENERAL FUND	\$ 10,000.00
ADVANCES OUT TO GEN FUND 2624 - 07 - 01 - 067000 - 702100 - REPAY ADV OF 09/13/17	ADVANCES IN FROM SPEC REVENUE 1000 - 01 - 01 - 032329 - 482200 -	
COMMUNITY TRANSPORTATION	GENERAL FUND	\$ 500,000.00
ADVANCES OUT TO GEN FUND 2031 - 08 - 01 - 131000 - 702100 - Repay 7/19/2017 Advance	ADVANCES IN FROM SPEC REVENUE 1000 - 01 - 01 - 032329 - 482200 -	

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

**NON-CONSENT AGENDA**

**3. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 028-18/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Painter, seconded by Mr. Uible, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 028-18** resolving to approve payment to vendors **in the total amount of \$1,317,081.41** as set forth in the BCC Approval Invoice Report(s) For Checks Dated **February 28, 2018**, 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 on **02/26/2018**, 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:

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

**4. IN RE: BOARD OF COUNTY COMMISSIONERS...FIRST AMENDMENT TO THE COMMUNITY REINVESTMENT AREA AGREEMENT BY AND BETWEEN THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY, OHIO, 32 EAST, LLC AND 32 EAST CENTER DELAWARE, LLC FOR THE ABATEMENT OF REAL PROPERTY WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE UNION TOWNSHIP AREA 2 COMMUNITY REINVESTMENT AREA IN THE COUNTY OF CLERMONT, OHIO...14-1103-001...EXECUTED**

Moved by Mr. Uible, seconded by Mr. Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of Thomas J. Eigel, County Administrator, to execute the *First Amendment to the Community Reinvestment Area Agreement* by and between the Board of Commissioners of Clermont County, Ohio, 32 East, LLC, an Ohio Limited Liability Company (the "*Current Owner*"), with its main offices located at 7900 Glades Road, Boca Raton, Florida 33434 and 32 East Center Delaware, LLC, a Delaware Limited Liability Company, with its main offices located at 1350 West 3<sup>rd</sup> Street, Cleveland, Ohio 44113 (the "*New Owner*"), *to reassign the afore stated Community Reinvestment Area Agreement, heretofore ratified by the Board of Clermont County Commissioners on 11/19/2014, for the granting of a fifty percent (50%) tax exemption for fifteen (15) years on real property improvements made as part of the Project, as identified in the referenced Agreement designated Exhibit A, attached thereto and made a part thereof, to 32 East Center Delaware, LLC,* pursuant to Article 15 thereof, with all other terms contained therein to remain in full force and effect, all of which is in concert with Section 3735.65 through 3735.70 inclusive of the Ohio Revised Code, and in consideration of the investment to be made by 32 East Center Delaware, LLC for the expansion and retention of economic development, as well as the preservation and creation of employment opportunities *within the designated boundaries of the Union Township Area 2 Community Reinvestment Area in the County of Clermont, Ohio,* and to direct the Clerk of the Board to forward the referenced amendment by and between the Board of Commissioners of Clermont County, Ohio, 32 East, LLC and 32 East Center Delaware, LLC, to the Ohio Development Services Agency, the Ohio Department of Taxation, and the Clermont County Auditor.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

**5. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 029-18/RESOLUTION ACCEPTING BID FOR THE SALE OF FORFEITED REAL PROPERTY AT 5 OLD ORCHARD DRIVE, IN UNION TOWNSHIP, CLERMONT COUNTY, OHIO, AND AUTHORIZING THOMAS J. EIGEL, COUNTY ADMINISTRATOR, TO EXECUTE THE CLOSING DOCUMENTS FOR SAID PROPERTY...18-0222-003...ADOPTED**

Moved by Mr. Painter, seconded by Mr. Uible, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Clermont County Facilities Management Department, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 029-18** resolving to accept the bid of \$43,000.00 submitted by Ron Sears, RJK Property Preservation, LLC, 567 Marilyn Lane, Cincinnati, Ohio 45255 for the forfeited real property located at 5 Old Orchard Drive, in Union Township, Clermont County, Ohio, and identified as Parcel Identification Number 41-61-05-064., pursuant to and in compliance with Sections 2981.12, 307.09 and 307.10 of the Ohio Revised Code and in concert with Resolution

Number 191-17 ratified by the Board of County Commissioners on 12/20/2017, and, subsequent thereto, to authorize Thomas J. Eigel, County Administrator, for and on behalf of the Board of County Commissioners, to execute all closing documents to complete the sale for the afore stated property as identified in Exhibit A, attached thereto and made a part thereof.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

**6. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN COURT DOCUMENTS RELATIVE TO THE FEDERAL DISTRICT COURT CASE ENTITLED SARAH WILSON, ET AL. VS. ERIC GREGORY, ET AL...18-0222-002...APPROVED**

Moved by Mr. Uible, seconded by Mr. Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to authorize Thomas J. Eigel, County Administrator, for and on behalf of the Clermont County Board of County Commissioners, to sign the discovery responses and other lawsuit documents as may be necessary, in the Sarah Wilson, et al. vs. Eric Gregory, et al., litigation in the United States District Court, Southern District of Ohio, Western Division, Case No. 1:17-cv-00554.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

**7. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR FISCAL YEAR 2018...APPROVED**

Moved by Mr. Painter, seconded by Mr. Uible, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize changes in the Annual Appropriation Resolution Number 185-17 for Fiscal Year 2018 pursuant to Ohio Revised Code Section 5705.40 as outlined in the following table and to authorize Linda Fraley, County Auditor, to properly record same:

**SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2018**

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
MOTOR VEHICLE AND GAS	Engineer OTHER EXPENSES 2601 - 03 - 09 - 511000 - 530000 -	\$ (570,100.00)

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

**LET THE RECORD SHOW:** A MOTION BY COMMISSIONER UIBLE AND SECONDED BY COMMISSIONER PAINTER, TO GO INTO EXECUTIVE SESSION AT 10:28 A.M. PURSUANT TO SECTION 121.22(G)(1)(G)(3) AND (G) (4) OF THE OHIO REVISED CODE

TO (1) CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, DEMOTION, OR COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES, (2) CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING OR IMMINENT LITIGATION AND (3) PREPARE FOR, CONDUCT, OR REVIEW NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT, RESPECTIVELY, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

**LET THE RECORD SHOW:** THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 11:23 A.M. WITH NO ACTION TAKEN.

**LET THE RECORD SHOW:** COMMISSIONER HUMPHREY STATED THAT WE HAVE REACHED THE PUBLIC PARTICIPATION SECTION OF THE AGENDA. HE INQUIRED IF THERE WAS ANYONE IN THE AUDIENCE THAT WOULD LIKE TO ADDRESS THE BOARD. HAVING HEARING NONE:

**IN RE: ADJOURNMENT...APPROVED**

Moved by Mr. Uible, seconded by Mr. Painter, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 11:23 A.M. until the next regularly scheduled session to be held at a later date.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

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**EDWIN H. HUMPHREY, PRESIDENT**

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**DAVID L. PAINTER, VICE PRESIDENT**

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**DAVID H. UIBLE, MEMBER**

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**JUDITH KOCICA, CLERK OF THE BOARD**

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**03/07/18**  
**DATE APPROVED**