

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON APRIL 8, 2019 WITH THE FOLLOWING MEMBERS PRESENT: DAVID L. PAINTER, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND, CLAIRE B. CORCORAN, 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 APRIL 8, 2019 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>.

IN RE: MINUTES OF REGULAR SESSION...APPROVED

Moved by Mr. Humphrey, seconded by Mrs. Corcoran,

To approve and sign the minutes of the Regular Session of **04/03/2019**.

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

Mr. Humphrey, Aye; Mrs. Corcoran, Yes; Mr. Painter, Yes.

LET THE RECORD SHOW: COMMISSIONER PAINTER STATED THAT THE BOARD HAD REACHED THE PUBLIC PARTICIPATION SECTION OF THE AGENDA. HE INQUIRED IF THERE WAS ANYONE IN THE AUDIENCE THAT WOULD LIKE TO ADDRESS THE BOARD. NO ONE REQUESTED TO ADDRESS THE BOARD.

LET THE RECORD SHOW: The Board was introduced to the new employees of Clermont County by their respective department heads and/or designated department staff.

CONSENT AGENDA

LET THE RECORD SHOW: COMMISSIONER PAINTER 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 Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners consider the following recommendations:

- 1. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) TITLE IV-E CHILD PLACEMENT AGREEMENT AND ADDENDA THERETO, CONSISTING OF AMENDMENT NUMBERS 1 THROUGH 3, WITH DEPARTMENT OF MENTAL HEALTH - EASTWAY CORPORATION FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...19-0328-003...RATIFIED**

Recommendation of Judy Eschmann, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Judy Eschmann, Director, Department of Job and Family Services, to execute an Ohio Department of Job and Family Services (ODJFS) Title IV-E Child Placement Agreement and Addenda thereto consisting of Amendment Numbers 1 through 3, by and between the County of Clermont, Ohio, and Department of Mental Health - Eastway Corporation, 600 Wayne Avenue, Dayton, Ohio 45410, operating the residential facilities located at 1771 Palmer Road, Washington Courthouse, Ohio 43160 and 4950 Northcutt Place, Dayton, Ohio 45414, for the provision of residential treatment services for children referred by the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates identified therein, effective for the period of 04/01/2019 through 03/31/2020, pursuant to and in compliance with the terms and conditions specified therein, and contingent upon the receipt of a current License to Operate a Residential Facility for the Northcutt Residential Treatment Facility and the release and receipt of the required purchase order in concert with Requisition Number 00002722-00 dated 03/20/2019 relative thereto.

2. IN RE: BOARD OF COUNTY COMMISSIONERS...ANNUAL ELECTRONIC SUBSCRIPTION MEMBERSHIP FOR SAME...19-0403-001...APPROVED

Recommendation to approve the following Electronic Subscription Membership for the provision of an online software subscription, by and between the County of Clermont, Ohio, and Clermont Sun Publishing Co. at the not to exceed rate and term outlined below and to authorize the County Auditor to remit the payment accordingly relative thereto.

Vendor	Subscription	Not to Exceed Rate	Term
MCM Ohio, LLC. Clermont Sun Publishing Co. 465 East Main Street Batavia, Ohio 45103	Newspaper - Digital Edition Only	\$20.00	04/08/2019 through 04/07/2020

3. IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...APPROVED

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of routine travel expenses associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2019 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Clermont County Court of Common Pleas Judge Jerry McBride Staff Attorney/Magistrate John Danner Staff Attorney/Magistrate Jennifer Mitchell Staff Attorney Charlotte Eichman DC# 19-0328-002	Cincinnati Bar Association	\$1,108.00	05/01/2019 through 04/30/2020
County Auditor Linda L. Fraley and/or Staff DC# 19-0103-003 (revised/previously approved 01/09/2019)	Ohio Society of Certified Public Accountants	\$1,065.00	01/01/2019 through 12/31/2019

County Sheriff Sheriff Robert S. Leahy and/or Staff DC# 18-1217-005 <i>(revised/previiously approved 12/19/2018)</i>	Clermont County Police Chief's and Sheriff's Association	\$100.00	01/01/2019 through 12/31/2019
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4. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Recommendation of Thomas J. Eigel, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2019 and any and all amendments subsequent thereto:

CLERMONT COUNTY COURT OF COMMON PLEAS

Judge Anthony W. Brock, Judge Victor Haddad, Judge Richard Ferenc and Harold Paddock – One (1) day – Mason, Ohio – Thirty-Eighth Annual Twelfth District Judicial Conference and Appellate Seminar – Total expenses for meals (\$40.00), mileage (\$118.44), and registration (\$440.00) estimated not to exceed \$598.44.

CLERMONT COUNTY MUNICIPAL COURT

Judge Kevin T. Miles and Judge Jesse Kramig - One (1) day – Mason, Ohio – Thirty-Eighth Annual Twelfth District Judicial Conference and Appellate Seminar – Total expenses for mileage (\$100.00), registration (\$220.00) and other (\$100.00) estimated not to exceed \$420.00.

CLERMONT COUNTY JUVENILE COURT

Judge James A. Shriver - One (1) day – Mason, Ohio – Thirty-Eighth Annual Twelfth District Judicial Conference and Appellate Seminar – Total expenses for meals (\$56.00) and registration (\$110.00) estimated not to exceed \$166.00.

COUNTY SHERIFF

J. Johnson, T. Goins, C. Shouse, S. Singleton, M. Wurtz, H. Glancy, K. Dyer, D. Morgan, T. Blanton and A. Rasfeld – One (1) day – West Union, Ohio – Tactical Defense Institute Training entitled: “Level III Handgun” – Total expenses for registration (\$2,000.00) estimated not to exceed \$2,000.00. *(revised/previiously approved 04/03/2019)*

T. Kramer, R. Depuccio, M. Jarman, B. Dutlinger, E. Pike, K. Henson, J. Kidder, D. Brown, W. Crouch and S. Schubert - One (1) day – West Union, Ohio – Tactical Defense Institute Training entitled: “Tactical Rifle Instruction” – Total expenses for registration (\$2,000.00) estimated not to exceed \$2,000.00. *(revised/previiously approved 04/03/2019)*

Sean Schubert – Four (4) days – Cincinnati, Ohio – Reid Technique of Investigative Interviewing and Advanced Interrogation Training – Total expenses for registration (\$795.00) estimated not to exceed \$795.00.

Ryan Feilhauer – Three (3) days – Columbus, Ohio – Public Agency Training Council Seminar entitled: “Supervising & Managing the Field Training Officer Unit” – Total expenses for lodging (\$211.54), meals (183.00) and registration (\$350.00) estimated not to exceed \$744.54.

Nick DeRose and Nick Crouch – Five (5) days – Sydney, Ohio – Special Weapons Advanced Tactics (SWAT) Command Decision-Making and Leadership Training – Total expenses for lodging (\$590.72), meals (\$660.00) and registration (\$1,420.00) estimated not to exceed \$2,670.72. *(revised/previiously approved 02/20/2019)*

COUNTY TREASURER

Jeannie M. Zurmehly and Jane Kretzer – Three (3) days – Dublin, Ohio – 2019 County Treasurers Association of Ohio Spring Conference – Total expenses for lodging (\$750.00), meals (\$305.00), mileage (\$150.80) and registration (\$300.00) estimated not to exceed \$1,505.80.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

Lyle Bloom – Two (2) days – Columbus, Ohio – County Sanitary Engineers Association of

Ohio (CSEAO) 2019 Summer Conference – Total expenses for lodging (\$318.00), meals (\$75.00), registration (\$90.00) and other (\$50.00) estimated not to exceed \$533.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Judy Eschmann – One (1) day – Cincinnati, Ohio – Clermont Chamber of Commerce 2019 Economic Forecast – Total expenses for registration (\$75.00) estimated not to exceed \$75.00.

Diane McCarty and Judy Speer – One (1) day – Columbus, Ohio – Ohio Child Support Directors' Association Spring Symposium – Total expenses for registration (\$350.00) estimated not to exceed \$350.00.

CLERMONT COUNTY EMERGENCY MANAGEMENT AGENCY

Pam Haverkos – Two (2) days – Columbus, Ohio – Ohio Emergency Management Agency (OEMA) Spring Directors' Conference and the Emergency Management Association of Ohio (EMAO) Conference – Total expenses for meals (\$88.50), mileage (\$136.30) and registration (\$30.00) estimated not to exceed \$254.80.

BOARD OF COUNTY COMMISSIONERS

Emily McAfee and Lindsey Aranyos – One (1) day – Cincinnati, Ohio – 2019 Leadercast Cincinnati East – Total expenses for registration (\$200.00) estimated not to exceed \$200.00.

Emily McAfee and Lindsey Aranyos – One (1) day – Loveland, Ohio – Linkedup Loveland Spring 2019 Seminar – Total expenses for registration (\$30.00) estimated not to exceed \$60.00.

5. IN RE: PERSONNEL ACTIONS...APPROVED*

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

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

Mrs. Corcoran, Yes; Mr. Humphrey, Aye; Mr. Painter, Yes.

NON-CONSENT AGENDA

6. IN RE: BOARD OF COUNTY COMMISSIONERS...NON DISCLOSURE AGREEMENT BETWEEN CLERMONT COUNTY OHIO, UNITED HEALTHCARE SERVICES, INC., SYMETRA LIFE INSURANCE COMPANY AND HORAN ASSOCIATES, INC. FOR THE SHARING OF PROPRIETARY INFORMATION AND CONFIDENTIAL HEALTH INFORMATION RELATIVE TO THE COUNTY MEDICAL PLAN FOR 2019 AND THE PROVISION OF STOP LOSS INSURANCE PROTECTION FOR SAME...19-0329-001...EXECUTED

Moved by Mr. Humphrey, seconded by Mrs. Corcoran, that the Board of County Commissioners consider the following recommendation:

Recommendation of Yvonne Smith, Benefits Coordinator, with the concurrence of Thomas J. Eigel, County Administrator, to authorize David L. Painter, President of the Board of County Commissioners, to execute the Non Disclosure Agreement by and between the County of Clermont, Ohio, United HealthCare Services, Inc., 400 East Business Way, Suite 100, Sharonville, Ohio 45241 (for itself and its affiliated and associated companies), Symetra Life Insurance Company, 9100 Keystone Crossing, Suite 440, Indianapolis, Indiana 46240, and

Horan Associates, Inc., 4990 East Galbraith Road, Suite 102, Cincinnati, Ohio 45236, for the sharing of Proprietary Information and Confidential Health Information between said Parties as outlined therein relative to the County Medical Plan for 2019 and the provision of Stop Loss Insurance Protection for same, at no cost to Clermont County, effective 12/12/2018 and ongoing until termination thereof as outlined therein, pursuant to and in compliance with the terms and conditions set forth therein.

DISCUSSION: Commissioner Painter asked for a brief explanation and stated that he understands that the Non Disclosure Agreement allows the parties to communicate regarding Stop Loss Insurance Protection. Yvonne Smith, Benefits Coordinator, explained that United HealthCare Services, Inc. (UHC) is the County's Medical Plan Administrator and, in this capacity, UHC processes all of the County's insurance claims. Once an insurance claim reaches the \$250,000 limit for one person, the claim then rolls over to a Stop Loss Insurance Carrier and is no longer the County's liability. In order to receive payment from the County's Stop Loss Insurance Carrier (Symetra Life Insurance Company), United Health Care, Inc. has to coordinate and share information. The Non Disclosure Agreement sets forth the terms and conditions for the sharing of information accordingly.

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

Mr. Humphrey, Aye; Mrs. Corcoran, Yes; Mr. Painter, Yes.

LET THE RECORD SHOW: Commissioner Painter reported that the jail population as of this morning is 416 inmates. He expressed his concern regarding the number of inmates and stated that the number of inmates approved for occupancy by the State is 370. Commissioner Painter stated that he knows that the Administrative team will work together quickly to address the situation. Options for addressing the overcrowding issue at the Jail were identified including subcontracting services and housing inmates at the Butler County Jail. Commissioner stated that this option was suggested by the Jail Administrator and would be at a cost of \$75.00 per day per inmate. Commissioner Humphrey stated that there would also be additional costs for transporting the inmates. Another option to be considered is the hiring of additional Correction Officers and opening a separate pod in the County Jail. Commissioner Painter stated that financially it is less expensive to keep inmates in the County Jail as opposed to subcontracting services to another County. Commissioner Humphrey stated that a third option to consider is to open the second pod and utilize existing staff to work overtime for the additional services needed. The second pod was vacated in anticipation of the possibility of Issue 1 passing. Since this did not occur, the pod can now be reopened and utilized on days when the Jail population is excessive and overtime hours can be used as needed. Thomas J. Eigel, County Administrator, stated that Clermont County Sheriff Robert Leahy indicated to him that the plan, at this time, is to use overtime hours to address the situation. Commissioner Painter stated that Commissioner Humphrey's suggestion to utilize overtime hours is good and that the financial impact to the County for this option is less than the costs of hiring new Corrections Officers. Commissioner Corcoran expressed her concern with regard to the possibility of the negative impact of ongoing overtime hours on staff if the Jail population continues to exceed the occupancy level allowed by the State in the future. She further stated that, if this proves to be the case in the future, she would like to consider expanding staff for the operation of the Jail. (19-0220-003)

LET THE RECORD SHOW: Commissioner Painter stated that the FC Cincinnati Project is progressing in Milford, Ohio. The grass fields are in, the water is on, the light poles are up and the steel structures are in place. Commissioner Painter stated that the Board of County Commissioners previously approved a 1% hotel/motel tax for the Project, specifically to help offset the debt that the City of Milford would incur for the property purchase for the Project. He further stated that he wanted to bring it to the Board's attention that, as of this date, the Bonds have not been issued for the Project. The County continues to collect the 1% hotel/motel tax which is being held in a Special Revenue Fund which is growing in monetary value. Commissioner Painter stated that potentially a decision may need to be made regarding this

issue in the future. Thomas J. Eigel, County Administrator, stated that it is his understanding that the deadline for issuing the debt is 04/19/2019. However, he does not believe that the deadline will be met and that the City of Milford will probably extend the deadline to issue the debt. (19-0220-003)

LET THE RECORD SHOW: Lyle Bloom, Director of Utilities, Clermont County Water Resources Department, provided an update to the Board of County Commissioners with regard to the Newtonsville Area Wastewater Treatment Plant and Collection System Project. Mr. Bloom reported that also in attendance for the Project update are Chris Rowland, Assistant Sanitary Engineer, Clermont County Water Resources Department, and Julianne Nesbit and Robert Wildey of the Clermont County General Health District. Mr. Bloom stated that the Project began in the mid to late 1990's and the purpose of today's presentation is to update the Board of County Commissioners with regard to the history of the Project over the last eighteen (18) months, as well as, plans for moving forward with the project.

A detailed PowerPoint Presentation (attached) was provided outlining the key actions/issues impacting the Project starting with the Public Hearing held on 09/25/2017. Mr. Bloom reviewed the three (3) options available for the Project (Re-Design to Full Gravity, Support As-Is or Discontinue Project) and discussed the progression of the proposed Project from the original Hybrid Conveyance System (with a Septic Tank Effluent Pumping (STEP) System included) to the proposed redesign to a Full Gravity system as outlined in the documentation provided. Mr. Bloom reported that, as of this date, the majority of the property owners are in support of the Re-Design to Full Gravity option for the Project. Mr. Bloom stated that as a result of the property owners' responses, the County proceeded accordingly and presented three (3) All-Gravity options to the public in an Open-House on 09/25/2018.

Mr. Bloom reported that he is recommending to proceed with an All Gravity Collection System with one (1) Lift Station (Option 2 presented at the Open-House on 09/25/2018). A map of the Project Area was reviewed and the Schedule for Redesign as of May 2018 was discussed as outlined in the documentation provided (attached). It was noted that the Lift Station and some of the sewers are located outside of the initial Project Area (impacting additional property owners). Mr. Bloom reported that a United States Department of Agriculture/Rural Development (USDA/RD) Loan Agreement was approved on 04/26/2016 and that the County must close on the loan within five (5) years (by 04/25/2021) in order to receive the Grant Funds.

Additional challenges identified in late 2018 impacting the Project were discussed as outlined in the documentation provided including (1) estimated time frame of over one (1) year for easement acquisition if necessary (which may surpass the deadline for closing the USDA/RD Loan), (2) Health Nuisance Declaration implications, (3) the necessity for an Ordinance/Resolution from the Village of Newtonsville, and (4) the need to abate the Health Nuisance within an incorporated area (if so determined a Health Nuisance) by either the Village of Newtonsville or the County.

Recent events were identified including (1) the Village of Newtonsville adopted an Ordinance authorizing the Board of County Commissioners to acquire, construct, operate and maintain sanitary sewers in the Village on 03/21/2019, and (2) The Clermont County General Health District adopted a Resolution on 02/13/2019 declaring the Village of Newtonsville a Public Health Hazard and made a formal complaint to the Ohio Environmental Protection Agency (OEPA) to investigate the unsanitary conditions. Mr. Bloom indicated that he has had discussions with OEPA and all indications are that they will declare the area a Health Nuisance and order the County to abate the Health Nuisance. Additional sampling will be done within the next thirty (30) to sixty (60) days by OEPA.

Mr. Bloom indicated that the next step for the Project is to revise the Preliminary Engineering Report (PER) which was originally prepared in December 2014. If the County is going to proceed with an All-Gravity Design for the Project, the PER needs to be revised to reflect that option and be resubmitted to USDA. Mr. Bloom stated that he is recommending going with

the All Gravity System option that is outside of the right-of-way (with one (1) Lift Station) which is the least expensive of the All-Gravity options.

Commissioner Humphrey stated that he was in attendance at all of the meetings for the Project and when the STEP System was presented, they showed the tank on top of the ground. He further stated that he believes that the people in attendance at the meetings think that the STEP System would include an unsightly tank on the ground, which is not true. He further spoke about his personal positive experiences with a STEP System. Mr. Bloom indicated that he provided photos of what would be on the surface of the ground for a STEP System at the meetings and also displayed an actual lid (which is what would be on the ground surface) at the meetings.

A Proposed "Project Schedule with OEPA Nuisance Declaration" was discussed as provided in the documentation provided (attached). Mr. Bloom indicated that the County needs to move forward in anticipation of the Nuisance Declaration being issued in order to expedite the Project and avoid the potential loss of the USDA Grant Funds. Mr. Bloom stated that the total cost for the Project is \$8M to \$9M and if the County loses the USDA Grant Funds, the Project cannot move forward. Commissioner Humphrey questioned how much the County has paid for engineering work completed to date for the Project and Mr. Bloom responded just under \$1M (excluding the funds spent in the 1990's).

Commissioner Painter requested that a monthly Project Schedule and Status Update be provided to the Board of County Commissioners and Mr. Bloom responded that he would provide that information as requested.

Julianne Nesbit, Clermont County General Health District, provided a brief overview of the Clermont County Board of Health efforts to date with regard to stream sampling completed for the Newtonsville area. She stated that, from a public health perspective, sewer systems are the right way to address the health issues. She further stated that when the formal complaint was made in February 2019 to OEPA, the Clermont County General Health District was told that the stream samples were acceptable (even though they were from 2017). However, there is a new OEPA Director now who is requiring that resampling be done. Ms. Nesbit stated that the Clermont County General Health District is waiting for the OEPA resampling and that she is confident that the resampling will result in their Declaration of a Health Nuisance.

Commissioner Painter complimented Mr. Bloom on his presentation and stated that he has done an excellent job communicating information to the public. He further stated that he wants the Village of Newtonsville to successfully achieve their goals for their community and that this is an important Project which will impact the legacy of future generations living in Newtonsville. (19-0226-001)

IN RE: ADJOURNMENT...RATIFIED

Moved by Mr. Humphrey, seconded by Mrs. Corcoran,

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 10:47 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. Humphrey, Aye; Mrs. Corcoran, Yes; Mr. Painter, Yes.

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

DAVID L. PAINTER, PRESIDENT

EDWIN H. HUMPHREY, VICE PRESIDENT

CLAIRE B. CORCORAN, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED