

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON APRIL 24, 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 LEAD BY CHARLES R. POLSTER, OHIO TOWNSHIP TRUSTEE.

LET THE RECORD SHOW THAT THE APRIL 24, 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 **04/22/2019**.

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: The Board of County Commissioners, Clermont County, Ohio, issued a Proclamation designating Saturday, April 27, 2019, as "Ulysses S. Grant Commemoration Day" in Clermont County, Ohio. (19-0115-004)

LET THE RECORD SHOW: The Board of County Commissioners, Clermont County, Ohio, issued a Proclamation designating the month of May 2019 as "Foster Care Recognition and Recruitment Month" in Clermont County. (19-0115-004)

LET THE RECORD SHOW: Commissioner Painter presented a Certificate of Recognition to Mark and Denise Strimple for their thirty (30) years of service as Foster Parents in Clermont County, Ohio.

LET THE RECORD SHOW: The Board of County Commissioners, Clermont County, Ohio, issued a Proclamation designating Thursday, May 2, 2019, as "A Day of Prayer" throughout Clermont County. (19-0115-004)

LET THE RECORD SHOW: Commissioner Painter stated that the Board of County Commissioners has invited the County Villages, Townships and Cities to provide presentations in Regular Sessions relative to what is happening in their respective communities. He further stated that the Board of County Commissioners feels this is a good forum to communicate information to County citizens.

LET THE RECORD SHOW: Jeff Wright, Miami Township Administrator, provided a PowerPoint Presentation to the Board of County Commissioners relative to the current status and initiatives in Miami Township (attached). Mr. Wright discussed specifics of the issues pertaining to Miami Township as outlined in the documentation provided for the following topics:

- **Basic Figures** – Miami Township is the 13th most populated Township in the State of Ohio.
- **Township Organization Chart** – Miami Township is a “Home Rule” Township, providing services for Fire/EMS, Police, Recreation and Community Development.
- **Demographics Benchmarking** – Miami Township’s 2018 median household income is \$90,063.00, a 3.2% increase over 2017.
- **Annual Debt Retirement Schedule** – The debt ratio for Miami Township remains low with a downward trend (with no current large Bond issues).
- **Zoning Permits Issued** – The total New Single Family Permits issued in Miami Township increased from 51 in 2014 to 87 in 2018.
- **Preferred Location for Large Business Growth** – Six of the 150 largest privately-owned businesses in the Region are headquartered in Miami Township.
- **2019 Future Investments** – Future investments for Miami Township include a Tokugawa Japanese Steakhouse, Mike’s Carwash, Buffalo Wings & Rings, Christ Hospital Medical Office and an 8 ½ acre light industrial and office development on Wolfpen Road.
- **Road Projects** – Miami Township Road Projects include the Lewis Road Slope Stabilization Project and the Klondyke Road Slope Stabilization Project.
- **Services Benchmarking** – The Miami Township Police Department received an accreditation from the State of Ohio as the 3rd Safest Community in the State.
- **Increased Demand on Services** – Miami Township received over 23,000 Police Department calls and 5,214 Fire & EMS Department calls in 2018.
- **Collaborative Efforts** – Milford High School and the Miami Township Fire & EMS Department have formed an Internship Program to promote public service careers in the future.
- **Resident Communications** – Communication options for contacting and staying connected with Miami Township were identified.

Commissioner Painter thanked Mr. Wright for his Presentation. (19-0226-001)

LET THE RECORD SHOW: Kelly Flanigan, Finance Director, Miami Township, addressed the Board of County Commissioners on behalf of Miami Township, as well as, the Clermont County Township Association with regard to the Undivided Local Government Fund Allocation and an Alternative Method of Apportionment pursuant to Section 5747.53 of the Ohio Revised Code.

Ms. Flanigan provided a PowerPoint Presentation to the Board of County Commissioners entitled “Local Government Fund” (attached). Ms. Flanigan reviewed the history of the Local Government Fund (LGF) as outlined in the documentation provided and stated that, to her knowledge, only four (4) Counties in Ohio utilize the Statutory Formula for the LGF. The current revenue sharing concept for the LGF Alternative Formula utilized today in Clermont County was created in the 1970’s and the rationale for how the LGF Alternative Formula was derived is unknown. Ms. Flanigan stated that she believes everyone can agree that no one can fully understand and explain the current LGF Alternative Formula, that a lot has changed since the 1970’s, and that it is time to consider a different LGF Alternative Formula. Ms. Flanigan reported that in 2018 Miami Township, along with other communities, elected to adopt a one (1) year Resolution (in lieu of a five (5) year Resolution) to continue with the current LGF Alternative Formula for an additional one-year period in order to propose a new LGF Alternative Formula. A spreadsheet outlining the 2019 Census vs. the 2019 Local Government Fund Allocation for Clermont County (attached) was reviewed and disparities were identified and discussed. Ms. Flanigan reiterated that the LGF Alternative Formula being utilized today does not meet the current funding needs of Clermont County and needs to be changed. Subsequent to the passing of the one (1) year Resolution for the LGF Alternative Formula, a Committee was formed by the Clermont County Township Association to consider options for changing the LGF Alternative Formula. Ms. Flanigan reviewed the proposed LGF Alternative Formula for 2020 - 2024 as outlined in the documentation provided (attached). The Proposal was prepared by the

Committee and supported by the Clermont County Township Association. The LGF Proposed Alternative Formula includes Clermont County maintaining the current percentage of 48.545%, 25% of the remaining portion equally distributed among all jurisdictions throughout the County and the remaining portion allocated based on per capita as reported in the current 10 (ten) year census. In addition, there is a three (3) year phase-in plan for the LGF Proposed Alternative Formula. In conclusion, Ms. Flanigan stated that the Clermont County Township Association feels that the proposed LGF Alternative Formula presented today is simple, justifiable, equitable, transparent, and that every resident in Clermont County has the same worth, regardless of where they live.

The Board of County Commissioners thanked Ms. Flanigan for her Presentation. (19-0226-001)

LET THE RECORD SHOW: Michael Doss, City Manager, City of Milford, addressed the Board of County Commissioners with regard to the Undivided Local Government Fund (LGF) Allocation and an Alternative Method of Apportionment pursuant to Section 5747.53 of the Ohio Revised Code.

Mr. Doss provided a brief overview of the history of the LGF Allocation from its establishment in 1934 by the General Assembly to present date. Mr. Doss stated that each County Budget Commission is responsible for distributing the LGF Funds to their jurisdictions based on need. Mr. Doss stated that the LGF Allocation being utilized today is outdated and that no one can explain the rationale for the LGF Alternative Formula. It was noted that if the City of Milford would have voted no on the current LGF Alternative Formula in previous years, it would have meant going back to the Statutory LGF Formula which would have benefited the City of Milford. However, in this scenario, the Villages and Townships would have lost funding.

Mr. Doss stated that the proposed LGF Alternative Formula prepared by the Clermont County Township Association has a negative impact on the City of Milford, the City of Loveland as well as numerous Villages, with significant funding losses to those jurisdictions that will result in substantial financial burdens. Mr. Doss stated that a LGF Alternative Formula that would better meet the needs of local government would include other variables including, but not limited to, population, median household income, median home value, road maintenance, and millage. He further stated that there are other variables, but they will only make the Formula more complicated. The City of Milford feels that a simple LGF Alternative Formula is needed that everyone understands and is easy to use.

Mr. Doss reported that several jurisdictions, including the City of Loveland and the City of Milford, have passed a one (1) year Resolution adopting the current LGF Alternative Formula for another year into 2020 to allow more time to collaborate on a revised LGF Alternative Formula that is more amicable and equitable for all. A spreadsheet was provided and reviewed (attached) which was created by the City of Milford to use as a "talking point" in the collaborative effort moving forward. Mr. Doss explained that the spreadsheet encompasses the per capita population element which was included in the Clermont County Township Association's proposed LGF Alternative Formula, but also includes a redistribution of the County's portion of the funding. Mr. Doss reviewed the spreadsheet which includes Clermont County receiving 46.25% of the LGF Funds, the City of Milford receiving 3.75% of the LGF Funds and 50% of the LGF Funds going to all other Townships and Villages. It was noted that, in this funding model, the City of Milford loses \$61,780.41 vs. in the Clermont County Township Association's model where the City of Milford loses \$116,855.00. Mr. Doss stated that the LGF Alternative Formula he outlined today would work for the City of Milford due to their unique geographical location (between two large Townships). Even though the population of the City of Milford is only 6,700, at any point in time, that number can double or sometimes triple due to traffic from S.R. 126, S.R. 131, S.R. 28, U.S. 50 and the S.R. 275 Corridor. Mr. Doss stated that the model presented today represents a funding distribution based 50% per jurisdiction and 50% per capita. Increases and decreases for the jurisdictions throughout the County were reviewed as outlined in the documentation provided.

Mr. Doss stated that the City of Milford is asking for the current LGF Alternative Formula to continue for an additional year into 2020 to allow all jurisdictions to review all options and allow everyone to agree on a revised LGF Alternative Formula moving forward.

Commissioner Painter thanked Mr. Doss for his Presentation. Marie Drew, Fiscal Officer, Monroe Township, questioned what percent of the City of Milford's total budget are the LGF revenues and Mr. Doss responded that he does not have that information available today. He stated that the City of Milford has a \$13M budget and that approximately \$10M is used for fire, EMA, water and wastewater services. (19-0226-001)

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.

LET THE RECORD SHOW: IN ACCORDANCE WITH THE BOARD'S RULES OF PROCEDURE, COMMISSIONER PAINTER STATED THAT DURING THIS TIME THE BOARD DOES NOT ANSWER QUESTIONS NOR ENGAGE IN A DEBATE. HE FURTHER STATED THAT NO MEMBER OF THE PUBLIC MAY COMMENT ABOUT A MATTER THAT IS NOT WITHIN THE PURVIEW OF THE COUNTY COMMISSIONERS' RESPONSIBILITIES AND THE COMMISSIONERS ARE NOT EXPECTED TO COMMENT ON MATTERS BROUGHT TO THE BOARD DURING THIS TIME. HE ADVISED THAT EACH SPEAKER SHALL ONLY SPEAK ONCE AND SHALL BE RECOGNIZED BY THE BOARD PRESIDENT BEFORE SPEAKING. COMMISSIONER PAINTER INDICATED THAT IN ACCORDANCE WITH THE BOARD'S RULES OF PROCEDURE THE COMMENTS ARE LIMITED TO FIVE MINUTES.

LET THE RECORD SHOW: The following individuals addressed the Board of County Commissioners with regard to the Undivided Local Government Fund (LGF) Allocation and an Alternative Method of Apportionment pursuant to Section 5747.53 of the Ohio Revised Code (19-0220-003):

Jeff Wright, 6101 Meijer Drive, Milford, Ohio 45150

Mr. Wright stated that the "Robinhood" principle is not a good public policy to apply to redistributing tax revenues. Mr. Wright expressed his support for the Clermont County Township Association's proposed LGF Alternative Formula for 2020 – 2024. Mr. Wright stated that this issue is not about municipalities vs. townships and it is not about large communities vs. small communities. What needs to be remembered is that the Local Government Fund revenues are taxes collected from all of the County residents. The focus should be on how to benefit the County residents that generate the most taxes. Mr. Wright referenced the Community Development Block Grant (CDBG) Fund as an example of how a funding source is not distributed to jurisdictions based on the source of tax collection. The CDBG Funds are distributed to "low to moderate income" census tracts that are primarily in Villages and Cities. Mr. Wright explained that Villages and Cities are permitted to enact income taxes per the Ohio Revised Code and, as such, the City of Milford can collect income taxes on their citizens that work outside of the City of Milford. Mr. Wright further explained that this funding mechanism is not available to Townships. In addition, Cities can collect taxes from employees working in specific areas of Townships through Joint Economic Development Districts (JEDDs), which is also unavailable to Townships. Through a JEDD, Cities and Townships split earnings tax in specific small Districts. Mr. Wright stated that the proposed LGF Alternative Formula presented by Ms. Flanigan today was on behalf of the Clermont County Township Association, which represents a majority of the communities in Clermont County. Mr. Wright reported that Miami Township feels that the Proposal is fair and that a lot of thought went into its preparation. He further reported that the 25% equal distribution of funds as well as the three (3) year phase-in is a reasonable and equitable approach for a revised LGF Alternative Formula. Mr. Wright stated

that this issue has been under consideration now for the last nine (9) months and that it is the responsibility of elected officials to take action now to revise the LGF Alternative Formula to benefit County residents for tax monies collected appropriately.

Dennis Cooper, Washington Township Trustee, 358 Neville-Penn Schoolhouse Road, Felicity, Ohio

Mr. Cooper stated that today's discussion has been good. This same issue was discussed in the 1980's and was not resolved. He stated that he likes the fact that there are Numbers and Formulas to review. Mr. Cooper indicated that the Villages, Townships and Cities all need to write a letter to State Representatives John Becker, Doug Green and State Senator Joe Uecker requesting them to restore the LGF revenues from the current 1.66% to 3.53% which is what it was approximately six (6) years ago. In addition, Mr. Cooper stated that now is the time to communicate to elected officials regarding funding requests for the State Operating Budget, House Bill 166, so that change can take place in the future.

Alan Ausman – Mayor of the Village of Bethel, 250 Mound Street, Bethel, Ohio 45106

Mr. Ausman stated that that he disagrees with the comments made by Jeff Wright this date. In his opinion, this issue is about large vs. small communities. From what he sees, the proposed LGF Alternative Formulas presented this date are taking funds from small communities and distributing the funds to large communities. Mr. Ausman stated that he lives in Tate Township and cited the losses for Tate Township based on the proposed LGF Alternative Formulas discussed today, with a potential funding loss of \$56K. Mr. Ausman stated that he is in agreement that the Village of Bethel has received an abundance of LGF revenues in the past, but a \$56K loss is too much of a decrease. The \$56K represents the salary of one police officer in the Village of Bethel. Mr. Ausman questioned how the development of a revised LGF Alternative formula cannot include the factor of millage. He further questioned if larger Townships such as Miami and Union Townships need additional funds, as well as, if the proposed LGF Alternative Formula is a need-based plan. Mr. Ausman stated that the Village of Bethel would like to see further discussion on this issue and that he thought that the Villages should have been invited to participate in previous discussions.

Robert Weisgerber, Vice Mayor of the City of Loveland, 240 East Loveland Avenue, Loveland, Ohio 45140

Mr. Weisgerber stated that the City of Loveland is located in three (3) different Counties (Clermont, Hamilton and Warren Counties). Services have to be provided across all of these boundaries. He further stated that he does not agree with the comments made by Jeff Wright this date with regard to large communities vs. small communities. Mr. Weisgerber stated that everyone is aware that the LGF Alternative Formula needs to be changed, but he was surprised that everyone was not invited to the table to review, discuss and offer input for the development of a LGF Alternative Formula that makes good sense. Mr. Weisgerber stated that while the City of Loveland has multiple funding resources, it also has multiple services to provide. The City of Loveland has recently experienced State funding cuts which have impacted their community services. Mr. Weisgerber stated that the core of this issue is community services. Now is not the time to approve a revised LGF Alternative Formula, this issue does not need to be rushed. Everyone needs to be included in the discussions. Mr. Weisgerber suggested forming an Ad-Hoc Committee to review and prepare a LGF Alternative Formula proposal that makes sense and works for all jurisdictions.

Todd Hart, Mayor, Village of Amelia, 28 Maple Avenue, Amelia, Ohio 45102

Mr. Hart stated that he represents the Mayors' Association of Clermont County. Mr. Hart stated that what the Mayors' Association of Clermont County would like is to be included in the discussions for the revised LGF Alternative Formula. He discussed the negative impact of recent income taxes approved for the Village of Amelia and stated that those revenues are not guaranteed in the future. Mr. Hart asked that additional discussions be held and that the Mayors' Association of Clermont County and the Cities be invited to attend.

Chris Hicks, 444 Woodwick Court, Cincinnati, Ohio 45255

Mr. Hicks stated that he lives in Union Township and that he fully supports the LGF Alternative

Formula change. He stated that he has heard discussions regarding this issue for more than a year and he finds it disingenuous for anyone to say this is a surprise, or that they are just not plugged into their community. Mr. Hicks stated that there are some small Villages in Clermont County that need to face the economic reality that they are not financially sustainable. Mr. Hicks stated that he feels that the percentage of the LGF revenues slated for Clermont County (50% and/or 46.25%) is ludicrous. The County is economically strong now, with revenues increasing from year to year. He suggested that the County take less LGF funds at this time in order to protect the Villages, Townships and Cities in the County.

Marie Drew, Fiscal Officer for Monroe Township, 2014 Clermontville Laurel Road, New Richmond, Ohio 45157

Ms. Drew stated that she first learned of the need for a revised LGF Alternative Formula less than a year ago. She stated that the Townships formed a Committee to address the issue in an effort to be fair and equitable to everyone. Ms. Drew stated that she is happy with the proposed LGF Alternative Formula for 2020 - 2024 presented by Ms. Flanigan this date. Ms. Drew stated that the LGF revenues represent 21% of the total budget for Monroe Township and that this issue is huge for Townships. She further stated that the LGF revenues represent basic operating funds that are needed solely to maintain Township operations.

LET THE RECORD SHOW: Ed McCoy, 21 Bellwood Court, Amelia, Ohio 45102, addressed the Board of County Commissioners. He stated that he previously addressed the Board of County Commissioner with regard to the potential Joint Application for Employment of Outside Counsel with the Clermont County Prosecutor to represent Linda L. Fraley, Clermont County Auditor, in legal matters. He thanked the Board of County Commissioners for listening to him on that issue and stated that he needs their assistance again. Mr. McCoy stated that there is much turmoil in the Village of Amelia, with the residents and government disconnected from each other. Mr. McCoy stated that, in the last eleven (11) years, 93% of Ordinances and 97% of Resolutions have been passed by the Village of Amelia Council by declaring an emergency. An Emergency Ordinance is meant to be used to protect the public's peace, health and safety and the reason it is needed is required to be stated (which is not happening in the Village of Amelia). Mr. McCoy stated that the Emergency Procedure takes the public out of the process. A 1% Income Tax was passed as an Emergency in February 2018 during a Special Meeting where public participation is not allowed. The public was not aware of the upcoming Income Tax until two weeks before it went into effect on 07/01/2018. Since the tax was imposed, the Village of Amelia has went on a spending spree, buying everything from car washes to street sweepers. The income tax was supposed to be used for street maintenance and repairs, but that has not been done. Resumes are now being reviewed for a City Manager with an average salary of \$102K. Additional issues identified by Mr. McCoy include the issue of housing developments everywhere throughout the Village, residents leaving the Village in droves, homes are being purchased by Brokers and used as rental properties, and extremely overcrowded schools. Mr. McCoy stated that he submitted a letter at the Village of Amelia Council Meeting on 04/18/2019 stating that he intended to circulate a petition to take to the voters to surrender the corporate powers of the Village of Amelia. The citizens are powerless and it is time to go a different direction. Mr. McCoy stated that the citizens are looking to become a part of their local Townships (Pierce and Batavia Townships) and the chances of this Initiative look very promising. He is here to ask for help from the County to make this transition smooth for the residents of the Village of Amelia and for Pierce and Batavia Townships. Mr. McCoy stated that they realize that this change will be historic and they are asking for guidance and education in this process from the County. Mr. McCoy can be contacted through email at edmccoy1007@gmail.com. Mr. McCoy thanked the Board of County Commissioners for the opportunity to speak and that he looks forward to their response.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN FOR A BRIEF RECESS AT 10:33 A.M. WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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: REGULAR SESSION RESUMED AT 11:41 A.M.

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: COUNTY ENGINEER...GLENWOOD TRAILS SUBDIVISION/SECTION 1 AND 2A/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...08-0117-002...RATIFIED**

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the One Year Performance Bond for Sidewalks in the amount as follows heretofore provided as Surety for the following subdivision located within Batavia Township:

Subdivision	Performance Bond for Sidewalks
Glenwood Trails Subdivision Section 1 and Section 2A Batavia Township	\$5,412.00

- 2. IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/PHASE 1, SECTION II, BLOCK A, AND SECTION II, BLOCK B/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...10-1015-002...RATIFIED**

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the Three Year Performance Bond for Sidewalks in the amount as follows heretofore provided as Surety for the following subdivision located within Batavia Township:

Subdivision	Performance Bond for Sidewalks
Forest Glen Subdivision Phase 1 Section II, Block A Section II, Block B Batavia Township	\$44,020.00

- 3. IN RE: COUNTY ENGINEER...LEXINGTON RUN SADDLETOP RIDGE SUBDIVISION/PHASE 4/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...12-0920-006...RATIFIED**

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the Three Year Performance Bond for Sidewalks in the amount as follows heretofore provided as Surety for the following subdivision located within Batavia Township:

Subdivision	Performance Bond for Sidewalks
Lexington Run Saddletop Ridge Subdivision Phase 4 Batavia Township	\$12,350.00

4. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2019...APPROVED

Recommendation of the Office of Management and Budget, with the concurrence of Sukie Scheetz, Assistant 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 194-18**) for Fiscal Year 2019, 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:

BUDGET TRANSFER OF FUNDS FOR FISCAL YEAR 2019

FUND	FROM: ORGANIZATION - OBJECT - ACCOUNT	TO: ORGANIZATION - OBJECT - ACCOUNT	AMOUNT
CHILD SUPPORT ENFORCEMENT	Child Support Enforcement BARGAINING UNIT - SALARY 2403 - 06 - 01 - 086000 - 511700 -	Child Support Enforcement OVERTIME 2403 - 06 - 01 - 086000 - 512100 -	\$ 75,000.00
PUBLIC ASSISTANCE	DJFS Income Maintenance BARGAINING UNIT - SALARY 2401 - 06 - 01 - 083000 - 511700 -	DJFS Income Maintenance OVERTIME 2401 - 06 - 01 - 083000 - 512100 -	\$ 40,000.00

CASH TRANSFER OF FUNDS FOR FISCAL YEAR 2019

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
WATER REVENUE	WATER & SEWER COMBINED SERVICES	\$ 180,000.00
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	\$ 180,000.00
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 2019

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
SEWER REVENUE	NORTH AFTON SEWER	\$ 25,150.00
ADVANCES OUT TO DEBT SERVICE 6002 - 12 - 01 - 151000 - 702400 - Repay when Collected	ADVANCES IN FROM ENTERPRISE 3331 - 00 - 00 - 003331 - 482600 -	

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

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

NON-CONSENT AGENDA

5. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 044-19/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 044-19** resolving to approve payment to vendors **in the total amount of \$3,254,361.75** as set forth in the BCC Approval Invoice Report(s) for Checks Dated **April 24, 2019** and BCC Directed Pre-Paid Invoices Report(s) presented by the County Auditor on **04/22/2019**, 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. Humphrey, Aye; Mrs. Corcoran, Yes; Mr. Painter, Yes.

6. IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...CHANGE ORDER NUMBER 1 TO THE CONTRACT FOR SERVICES WITH MCKENNA ASSOCIATES, INC. FOR CONSULTING SERVICES RELATIVE TO THE PREPARATION OF A FIVE YEAR CONSOLIDATED PLAN, ASSESSMENT OF FAIR HOUSING AND ONE YEAR ACTION PLAN FOR THE COUNTY OF CLERMONT, OHIO, IN AND AS IT RELATES TO THE CLERMONT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION FOR FISCAL YEARS 2020 THROUGH 2024 AS ADMINISTERED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT...18-1207-001...EXECUTED

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

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of Sukie Scheetz, Assistant County Administrator, to execute **Change Order Number 1 to the Contract for Services** with McKenna Associates, Inc., 235 East Main Street, Suite 105, Northville, Michigan 48167 for Consulting Services relative to the preparation of a Five Year Consolidated Plan, Fair Housing Assessment and One-Year Action Plan for the County of Clermont, Ohio, in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, in and as it relates to the Clermont County Community Development Block Grant Program Application for Fiscal Years 2020 through 2024, as administered by the U. S. Department of Housing and Urban Development and in concert with the Housing and Community Development Act of 1974, previously ratified by the Board of County Commissioners on 12/19/2018, **which represents an extension of time of an additional 360 consecutive calendar days for the completion thereof, for a revised contract completion date of 06/21/2020 and contingent upon the receipt of a current Certificate of Liability Insurance required therefore.**

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

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

7. IN RE: COUNTY ENGINEER...REQUEST TO ADVERTISE FOR BIDS FOR PROJECT NUMBER RS-07-19 RELATIVE TO THE 2019 ROAD RESURFACING PROGRAM LOCATED IN VARIOUS TOWNSHIPS...19-0408-009...TABLED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to approve the request to advertise for bids for Project Number RS-07-19 relative to the 2019 Road Resurfacing Program located in Various Townships, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 05/02/2019, with bids to be received until **2:00 P.M. Local Time on Thursday, 05/16/2019**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's website at the following URL link: www.clermontcountyohio.gov.

DISCUSSION: Commissioner Painter questioned the estimated cost of the 2019 Road Resurfacing Program and the number of road miles involved. Doug Royer, Deputy Engineer, County Engineer's Office, responded the total cost is approximately \$2,080,000.00 with 20 miles of road resurfacing and 15 to 20 miles of road repairs. Commissioner Painter questioned if the Resurfacing Program cost is only for asphalt or does it also include road and bridge repairs. Mr. Royer explained that cost is only for asphalt, at a cost of \$75K per mile. If repairs are needed, the cost increases an additional \$30K to \$40K per mile. Commissioner Painter questioned if additional repairs can be added to the Project as a result of the increased revenues from the upcoming gasoline tax (effective July 2019). Mr. Royer responded no, not at this time. He further explained that the gasoline tax revenues will also be utilized for emergency needs such as bridges and landslides. It was noted that the current schedule for the repaving of County roads is twenty (20) to twenty-four (24) years to complete the four hundred (400) miles of repaving needed. Mr. Royer reported that the industry standard is 10 to 12 years. Commissioner Humphrey stated that the increased gasoline tax will help expedite the road resurfacing efforts and Mr. Royer stated that if the revenues from the gasoline tax is solely used for road resurfacing, the County will get back on schedule with a 12 year cycle. Commissioner Painter stated that he would like to table this agenda item until further discussion can be held with Patrick Manger, County Engineer. He further stated that he wants to know why the County cannot get \$3M worth of roads paved this year. The County has made a commitment to fix the roads and we need to try and fulfill that commitment.

LET THE RECORD SHOW: Commissioner Corcoran withdrew her second to the recommendation to approve the motion for the Request to Advertise for bids for Project Number RS-07-19 relative to the 2019 Road Resurfacing Program located in Various Townships. Commissioner Humphrey subsequently withdrew his motion to approve said Request to Advertise.

Moved by Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners table the afore stated recommendation.

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

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

8. IN RE: COUNTY ENGINEER...GREIMANN 2ND SUBDIVISION/STONELICK TOWNSHIP...RECORD PLAT NUMBER 629-3135 FOR THE REPLAT OF LOT NUMBERS 50, 67, 68, AND 69 WITHIN SAME...19-0411-002...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute **Record Plat Number 629-3135** for the Replat of Lots in the following Subdivision located within Stonelick Township:

Subdivision	Record Plat Number	Reason for Replat
Greimann 2 nd Subdivision Replat of Lot Numbers 50, 67, 68, and 69 Stonelick Township	629-3135	To Create New Lot Number 50A

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

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

9. IN RE: COUNTY ENGINEER...RECORD PLAT NUMBER 629-3136 FOR THE RIGHT OF WAY DEDICATION PLAT FOR PORTRUSH WAY IN UNION TOWNSHIP, AS WELL AS, THE PERFORMANCE AND MAINTENANCE BOND AND THE PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...19-0411-001...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute **Record Plat Number 629-3136** for the Right of Way Dedication Plat for Portrush Way in Union Township, and further to execute the Performance and Maintenance Bond, as well as, the Performance Bond for Sidewalks as Surety for same relative to the construction of the below listed street:

Subdivision	Performance and Maintenance Bond	Performance Bond for Sidewalks	Street/Length (miles)
Right of Way Dedication Plat for Portrush Way Union Township	\$21,000.00/\$10,000.00	\$14,800.00	Portrush Way (0.142)

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

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

10. IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO ADVERTISE FOR PROPOSALS FOR LOCKBOX PROCESSING SERVICES BY FINANCIAL INSTITUTIONS FOR TAX BILLS AND UTILITY BILLS OF CLERMONT COUNTY, OHIO...19-0408-010...APPROVED

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

Recommendation of Sukie Scheetz, Assistant County Administrator, to approve the request to advertise for *Proposals for Lockbox Processing Services by Financial Institutions for Tax Bills and Utility Bills for Clermont County, Ohio*, pursuant to the specifications therefore, and further to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 05/02/2019, *with said proposals to be received until 2:00 P.M. Local Time on Thursday, 06/06/2019* in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, where they will be publicly opened and read aloud shortly thereafter, pursuant to

and in compliance with Sections 321.03 and 323.611 of the Ohio Revised Code. This notice is also posted on the Clermont County's website at the following URL link: www.clermontcountyohio.gov.

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

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

11. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR FISCAL YEAR 2019...APPROVED

Moved by Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners consider 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 194-18 for Fiscal Year 2019 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 2019

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
PARK DISTRICT	Park District	\$ 650,000.00
	OTHER EXPENSES	
	7200 - 21 - 27 - 891000 - 530000 -	
CLERM PARK DIST CAPITAL PROJ	Park District Capital Projects	\$ 1,851,360.00
	OTHER EXPENSES	
	7249 - 00 - 00 - 007249 - 530000 -	
NARCOTICS ASSETS FORFEITURE	Narcotics Unit Asset Forfeiture	\$ 50,000.00
	OTHER EXPENSES	
	2508 - 04 - 19 - 449000 - 530000 -	

DISCUSSION: Chris Clingman, Director, Clermont County Park District, addressed the Board of County Commissioners and stated that the above-listed request for supplemental funding for the Clermont County Park District is for Capital Improvement Projects. The projects include the expansion of Pattison Park, new restroom facilities and picnic tables at Pattison Park and Sycamore Park, and resurfacing and repairs of the tennis court at Sycamore Park.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF ONE AGENDA ITEM TO THE REGULAR SESSION OF 04/24/2019...19-0130-009...APPROVED

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

Recommendation to add one additional item to the agenda of the Regular Session of 04/24/2019 relative to the acknowledgment of notification received from the Clermont County Park District relative to their Clean Ohio Program Grant Application.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...ACKNOWLEDGMENT OF THE CLERMONT COUNTY PARK DISTRICT'S INTENT TO PURCHASE 90 ACRES OF PROPERTY LOCATED AT 2156 US HIGHWAY 50 IN STONELICK TOWNSHIP, CLERMONT COUNTY, OHIO...19-0418-001...RATIFIED

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

Recommendation that the Board of County Commissioners acknowledge receipt of the Letter dated April 2, 2019 relative to the Clermont County Park District's Clean Ohio Program Grant Application for funding to be utilized for the acquisition of 90 acres of property at 2156 US Highway 50, located in Stonelick Township, Clermont County, Ohio, which will enable the Clermont County Park District to protect several headwater streams and about 70 acres of forest, which will help to protect the water quality of Stonelick Creek.

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: Tom Eigel, County Administrator, asked Chris Clingman, Director, Clermont County Park District, to explain what will be preserved by the proposed property purchase by the Clermont County Park District. Mr. Clingman stated that the Clean Ohio Grant Funds will be used to purchase ninety (90) acres of property which is primarily forest. This will enable the Clermont County Park District to protect several headwater streams (approximately 8,000 feet) in Stonelick Creek and also protect the forest. Mr. Clingman spoke of the importance of protecting water quality, conserving forests and protecting forest habitat. In addition, Mr. Clingman stated that hiking trails are also included in the Clermont County Park District's Plan for the property. (19-0418-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF ONE AGENDA ITEM TO THE REGULAR SESSION OF 04/24/2019...19-0130-009...APPROVED

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

Recommendation to add one additional item to the agenda of the Regular Session of 04/24/2019 relative to a Letter of Support for Clermont County Park District's Clean Ohio Program Grant Application.

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: Tom Eigel, County Administrator, stated that there is a possibility that the Clean Ohio Program Grant Application may go through the Natural Resource Assistance Council (NRAC). Since Commissioner Painter has been nominated as the representative of the Local Jurisdiction of Clermont County on NRAC for District 10, he should abstain from the vote relative to the Letter of Support for Clermont County Park District's Clean Ohio Program Grant Application. (19-0418-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...LETTER OF SUPPORT FOR A CLEAN OHIO PROGRAM GRANT APPLICATION BY THE CLERMONT COUNTY PARK DISTRICT RELATIVE TO THE PURCHASE OF 90 ACRES OF PROPERTY LOCATED AT 2156 US HIGHWAY 50 IN STONELICK TOWNSHIP, CLERMONT COUNTY, OHIO...19-0418-001...RATIFIED

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

Recommendation that the Board of County Commissioners execute the Letter of Support dated 4/24/2019 relative to the Clermont County Park District's Clean Ohio Program Grant Application for funding to be utilized for the acquisition of 90 acres of property at 2156 US Highway 50, located in Stonelick Township, Clermont County, Ohio, which will enable the Clermont County Park District to protect several headwater streams and about 70 acres of forest, which will help to protect the water quality of Stonelick Creek.

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

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

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN, TO GO INTO EXECUTIVE SESSION AT 12:03 P.M. PURSUANT TO SECTION 121.22 (G) (1) AND (G) (3) OF THE OHIO REVISED CODE TO (1) CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION OR COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES AND (2) CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING OR IMMINENT LITIGATION, RESPECTIVELY, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 2:08 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: Commissioner Painter stated that he feels today's Regular Session was productive with good attendance. He further stated that the Proclamations approved today for Foster Care Recognition Month, A Day of Prayer, and Ulysses S. Grant Commemoration Day are all worthwhile endeavors.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN FOR A BRIEF RECESS AT 2:11 P.M. AND TO RESUME REGULAR SESSION THIS DATE AT 3:15 P.M., WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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: REGULAR SESSION RESUMED AT 3:15 P.M.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN, TO GO INTO EXECUTIVE SESSION AT 3:15 P.M. PURSUANT TO SECTION 121.22 (G) (1) OF THE OHIO REVISED CODE TO CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION OR COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 4:18 P.M. WITH NO ACTION TAKEN.

IN RE: ADJOURNMENT...RATIFIED

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

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 4:19 P.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:

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