

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 22, 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 MAY 22, 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 **05/15/2019**.

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.

LET THE RECORD SHOW: CHRIS HICKS, 444 WOODWICK COURT, CINCINNATI, OHIO 45255, REQUESTED TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS DATE. (17-0628-003)

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: Mr. Chris Hicks addressed the Board of County Commissioners with regard to the following issues:

- **Linda Fraley, County Auditor** - Mr. Hicks expressed his concern regarding County Auditor Linda Fraley and nepotism (as it relates to Item Number 21 on today's Non-Consent Agenda regarding the employment of outside legal counsel). Mr. Hicks stated that the Bureau of Criminal Investigation (BCI) audios he released yesterday clearly show that felonies took place. Mr. Hicks cited some examples of illegal actions by Ms. Fraley relative to the employment of Troy Bushman (her stepson). Mr. Hicks stated that Ms. Fraley did not request taxpayer paid representation for the 04/05/2018 hearing that took place as a result of his filing of a private citizen affidavit. It was not until nine months later, in December of 2018, that Ms. Fraley requested taxpayer paid representation. The request was denied by the Board of County Commissioners.

Mr. Hicks reported that Supreme Court law is clear on this matter, showing that public officials can request taxpayer paid legal representation, but they must do so before incurring fees. In addition, the law does not permit public officials to select their own counsel. Mr. Hicks stated that Ms. Fraley is now improperly seeking almost \$35K in back fees and to self-appoint counsel for herself. She is still incurring legal fees and trying to hide records that she claimed in the 04/05/2018 hearing cleared her actions. Mr. Hicks stated that this issue remains as improper as it was in December of 2018. Past services are not legally reimbursable and Ms. Fraley cannot self-pick counsel for herself. Mr. Hicks stated that the recommendation for the employment of outside legal counsel (on today's agenda) should be denied by the Board of County Commissioners. Mr. Hicks encouraged everyone to listen to the full BCI audios on hickswatchdog.com. Mr. Hicks stated that the \$35K in past legal fees was not disclosed on Ms. Fraley's 2018 Ohio Ethics Filing (as is required by law).

Mr. Hicks stated that there was a ten (10) day period (from 03/01/2019 through 03/10/2019) when Clermont County had no statutory Auditor, as Ms. Fraley had resigned. During this time, a series of crimes were committed as checks, court filings and more occurred in Ms. Fraley's name while she was not a County employee. He further noted that the Board of County Commissioners did not appoint an Interim County Auditor during this time period which is required by law. Mr. Hicks encouraged the Board of County Commissioners to stop working for themselves in an inbred Batavia system and start working for the people.

- **Local Government Fund** - Mr. Hicks stated that he cannot comment on the Local Government Fund (LGF) formula, as it is apparently secret. He stated that he feels the County should give up the percentage of the LGF revenues received by the County (which is 50%) and indicated that if the Board of County Commissioners votes on this issue today, it will mean that the public never had a chance to comment on the actual legislation being considered. Mr. Hicks stated that is wrong.
- **Uible Farm Land Purchase** - Mr. Hicks thanked the Board of County Commissioners for tabling the request for a Letter of Support for a Natural Resources Assistance Council (NRAC) Grant Application for Clean Ohio Green Space Conservation Funds for the New Richmond Nature Preserve Project in Ohio Township last week (which involved the purchase of the Uible farm with \$1.8M in tax dollars). Mr. Hicks asked the Board of County Commissioners to now vote no on the issue. He commented on the fact that such a corrupt and sketchy deal using tax dollars was even presented to the Board of County Commissioners speaks of the swamp system that exists in Batavia.
- **House Bill 153** - Mr. Hicks stated that on Monday, 05/20/2019, the Brown County Commissioners passed a Resolution in support of House Bill 153, the Work Act. The Work Act requires County officials to be in their offices (at some point) at least five (5) days out of every thirty (30) days, Mr. Hicks suggested that the Clermont County Board of Commissioners pass a Resolution in support of House Bill 153 as well.

Mr. Hicks thanked the Board of County Commissioners for the opportunity to speak. Mr. Hicks further thanked Commissioner Painter for sharing the records with him related to the Uible farm

issue last night. Mr. Painter thanked Mr. Hicks for his comments. (17-0628-003)

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 COVE PREP FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...19-0508-003...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 Cove Prep, P.O. Box G, Torrance, Pennsylvania 15779, for the provision of residential treatment services for a specific child in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates as defined therein, effective for the period of 06/05/2019 through 06/04/2020, pursuant to and in compliance with the terms and conditions specified, **and contingent upon the release of the required purchase order therefore in concert with Requisition Number 00003102-00 dated 04/15/2019 relative thereto.**

- 2. 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 COMMUNICATION SPEAKS, LLC FOR THE PROVISION OF INDEPENDENT LIVING SERVICES FOR SAME...19-0510-004...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 Communication Speaks, LLC, 6439 Waywind Drive, Dayton, Ohio 45426 for the provision of Independent Living Services for eligible participants referred by the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rate of \$99.00 per child per day, effective 04/20/2019 through 04/19/2020, pursuant to and in compliance with the terms and conditions specified therein, **and contingent upon the release of the required purchase order therefore in concert with Requisition Number 00003334-00 dated 05/01/2019 relative thereto.**

- 3. IN RE: INFORMATION SYSTEMS DEPARTMENT/THE TELECOMMUNICATIONS DIVISION...ALERTUS TECHNOLOGIES,**

LLC ELECTRONIC SUBSCRIPTION RENEWAL FOR SOFTWARE AND HARDWARE UPDATES AND SUPPORT FOR SAME...19-0502-003 AND 19-0502-006...RATIFIED

Recommendation of Brandon V. Hoepfner, Director, Information Systems Department/The Telecommunications Division, with the concurrence of Thomas J. Eigel, County Administrator, to approve the following electronic subscription renewal for the provision of software and hardware updates and support, at the not to exceed estimated rate outlined below and as set forth in the Electronic Subscription Renewal therefore, which is on file in The Telecommunications Division, and to authorize David L. Painter, President of the Board of County Commissioners, to execute the Alertus Terms and Conditions relative thereto, effective for the term outlined below, and to authorize the County Auditor to remit payment therefore accordingly:

Vendor	Software	Not to Exceed Estimated Rate	Term
The Telecommunications Division			
Alertus Technologies, LLC 11720 Beltsville Drive, 9 th Floor Beltsville, Maryland 20705	Alertus Notification System (1,500 licenses)	\$3,450.00	06/08/2019 through 06/07/2020

4. IN RE: INFORMATION SYSTEMS DEPARTMENT...RESOLUTION DETERMINING PERSONAL PROPERTY IS UNNEEDED, OBSOLETE OR UNFIT AND NO LONGER NECESSARY FOR COUNTY USE AND TO APPROVE THE POSTING AND SALE OF SAME BY INTERNET AUCTION WITH GOVDEALS, INC....19-0510-005...RATIFIED

Recommendation of Brandon V. Hoepfner, Director, Information Systems Department, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to determine that certain personal property is unneeded, obsolete or unfit and no longer necessary for County use as described in Exhibit "A" and to authorize Thomas J. Eigel to approve the posting and sale of the afore stated property by internet auction with GovDeals, Inc., 100 Capitol Commerce Boulevard, Suite 110, Montgomery, Alabama 36117, in concert with the Agreement ratified by the Board of County Commissioners on 04/08/09 relative thereto, and pursuant to and in compliance with Section 307.12(E) of the Ohio Revised Code.

5. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...RECOMMENDATION NOT TO PROCEED WITH THE DOGWOOD TRAIL WATER PETITION PROJECT LOCATED WITHIN GOSHEN TOWNSHIP...19-0510-007...RATIFIED

Recommendation of Ainsley Knapke, E.I., Project Manager, with the concurrence of Chris Rowland, P.E., Assistant Sanitary Engineer, Clermont County Water Resources Department, not to proceed with the Dogwood Trail Water Petition Project located within Goshen Township due to the lack of support from property owners for said Project and to authorize the Clermont County Water Resources Department to send notice to the owners of property affected by said Project advising them that the Project is no longer active and declaring that all proceedings with respect to same are hereby discontinued.

6. IN RE: COUNTY ENGINEER...PERMANENT AND TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER GO-03-13 RELATIVE TO THE WOODVILLE PIKE CULVERT (CC133-11) REPLACEMENT PROJECT LOCATED IN GOSHEN TOWNSHIP..19-0513-002...RATIFIED

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to accept the following Permanent and Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway purposes necessary for Project Number GO-03-13 relative to the Woodville Pike Culvert (CC133-11) Replacement Project located within Goshen Township, and to authorize payment as compensation for the Permanent and Temporary Easements and Rights-of-Way granted thereby and Repairs relative thereto:

Grantor(s)	Parcel Number	Compensation
Adam Roesner & Polly Roesner 1973 Woodville Pike Goshen, Ohio 45122	11-22-10A-080	Perm \$ 550.00 Temp \$ 500.00 Repairs \$ 7,950.00

7. IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 081-19/REQUEST TO REDUCE THE SPEED LIMIT ON WHITE OAK ROAD (C-128) LOCATED IN PIERCE TOWNSHIP...19-0510-001...ADOPTED

Recommendation of Patrick J. Manger, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 081-19** resolving to request the State of Ohio/Director of Transportation to reduce the speed limit on White Oak Road (C-128) located in Pierce Township as outlined below:

Road	Current Speed Limit	Beginning/Ending	Length/Mileage
White Oak Road (C-128)	posted 45 MPH	From Behymer Road to State Route 125	3.51 miles or 18,532 feet

8. IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 082-19/REQUEST TO REDUCE THE SPEED LIMIT ON CLOVER ROAD (C-5) LOCATED IN WILLIAMSBURG TOWNSHIP...19-0510-002...ADOPTED

Recommendation of Patrick J. Manger, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 082-19** resolving to request the State of Ohio/Director of Transportation to reduce the speed limit on Clover Road (C-5) located in Williamsburg Township as outlined below:

Road	Current Speed Limit	Beginning/Ending	Length/Mileage
Clover Road (C-5)	Un-posted 55 MPH	From State Route 133 to the dead end	2.92 miles or 15,418 feet

9. IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE ISSUANCE OF PROCUREMENT CARDS FOR EMPLOYEES OF THE CLERMONT COUNTY RECORDER AND THE CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND EXECUTION OF THE REQUESTS FOR THE ISSUANCE OF PROCUREMENT CARDS RELATIVE THERETO PURSUANT TO THE CLERMONT COUNTY PROCUREMENT CARD POLICY AND PROCEDURES FOR SAME...19-0206-001...RATIFIED

Recommendation of Thomas J. Eigel, County Administrator, to authorize the issuance of Procurement Cards for Marsha H. Collier, an employee of the Clermont County Recorder, and Jennifer Meade, an employee of the Clermont County Department of Job and Family Services, and to authorize David L. Painter, President of the Board of County Commissioners, to execute the Requests for the Issuance of Procurement Cards relative thereto, pursuant to and in compliance with the Clermont County Procurement Card Policy and Procedures adopted by the Board of County Commissioners on 06/22/2005 and subsequently amended on 03/28/2007 and

09/24/2014.

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

Recommendation of Sukie Scheetz, Assistant County Administrator, 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 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:

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 -	
GENERAL FUND	ADVOCATE PROJECT	\$ 38,334.00
TRANSFERS OUT TO SPEC REV 1000 - 02 - 01 - 033328 - 700200 -	OPERATING TRF IN FROM GEN FUND 2061 - 02 - 04 - 381000 - 480100 -	
PARK DISTRICT	CHILO LOCK AND DAM REVENUE BOND	\$ 34,018.96
TRANSERS OUT TO DEBT SERVICE 7200 - 21 - 27 - 891000 - 700400 -	OPERATING TRF IN FR SPEC REV 7260 - 00 - 00 - 007260 - 480200 -	

11. 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/DOMESTIC RELATIONS DIVISION

Judge Kathleen M. Rodenberg and Ashton France – One (1) day – Cincinnati, Ohio – Domestic Relations Institute Update on Law and Panel Discussion – Total expenses for other (\$25.00) estimated not to exceed \$25.00.

CLERMONT COUNTY JUVENILE COURT

Judge James A. Shriver – Two (2) days – Columbus, Ohio – 2019 Judicial-Legislative Exchange for Ohio Judicial Conference – Total expenses for lodging (\$195.00) and other (30.00) estimated not to exceed \$225.00.

CLERMONT COUNTY PUBLIC DEFENDER

James Hunt and Ronald Mason – Two (2) days – North Canton, Ohio – Ohio Association of Criminal Defense Lawyers DUI Seminar - Total expenses for lodging (\$263.78), mileage (\$285.36), meals (\$118.00) and other (\$20.00) estimated not to exceed \$687.14.

COUNTY SHERIFF

Roger Robertson and Marc McDonald – Four (4) days – Sandusky, Ohio – Ohio Tactical Officers Association (OTOA) Conference - Total expenses for lodging (\$358.29), meals (\$392.00), registration (\$600.00) and other (\$108.00) estimated not to exceed \$1,458.29.

Jesse Kidder and Cody Curless – Three (3) days – Liberty Township, Ohio - Field Training Officer Training Course – Total expenses for registration (\$470.00) estimated not to exceed \$470.00.

Brigham Jones – One (1) day – London, Ohio – Training Course entitled: “Decision Making: The Foundation of Reasonable Force” – Total expenses for registration (\$149.00) estimated not to exceed \$149.00

DEPARTMENT OF JOB AND FAMILY SERVICES

Joseph Scott, Joy Kraus and Rachel Sorg – One (1) day – Lebanon, Ohio – Training entitled: “Wraparound Training: Developing Effective Needs Statements” – Total expenses for mileage (\$121.80) estimated not to exceed \$121.80.

J. Darlene Young – One (1) day – Erwin, Tennessee – Travel and Transporting of a Child for a Pre-Placement Visit – Total expenses for lodging (\$130.00), meals (\$45.00) and other (\$20.00) estimated not to exceed \$195.00.

J. Darlene Young – Two (2) days – Bartlett, Tennessee – Quarterly Visit for Youth – Total expenses for lodging (\$175.00) and meals (\$100.00) estimated not to exceed \$275.00.

Joseph Scott – One (1) day – Hamilton, Ohio – Training entitled: “Intensive Home and Community-Based Services Ethics” – Total expenses for mileage (\$52.90) estimated not to exceed \$52.90.

J. Darlene Young – Three (3) days – Newton, North Carolina - Travel and Transporting of a Child for a Pre-Placement Visit – Total expenses for lodging (\$250.00) and meals (\$100.00) estimated not to exceed \$350.00.

Timothy Dick – Three (3) days – Lewis Center, Ohio – Public Children’s Services Association of Ohio Executive Meeting – Total expenses for lodging (\$260.00), meals (\$150.00) and registration (\$180.00) estimated not to exceed \$590.00.

12. 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

13. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 083-19/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 083-19** resolving to approve payment to vendors **in the total amount of \$1,554,989.39** as set forth in the

BCC Approval Invoice Report(s) for Checks Dated May 22, 2019, BCC Directed Pre-Paid Invoices Report(s), and Procurement Card Transaction Report presented by the County Auditor on 05/20/2019, 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.

LET THE RECORD SHOW: Commissioner Painter requested that Item Number 22 on the Non-Consent Agenda of today's Regular Session relative to the disposition of an alternative method/formula of apportionment of the Undivided Local Government Fund for calendar years 2020-2024 be moved to this point on the agenda for discussion.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN TO MOVE ITEM NUMBER 22 ON THE NON-CONSENT AGENDA OF TODAY'S REGULAR SESSION, RELATIVE TO THE DISPOSITION OF AN ALTERNATIVE METHOD/FORMULA OF APPORTIONMENT OF THE UNDIVIDED LOCAL GOVERNMENT FUND FOR CALENDAR YEARS 2020-2024, TO THIS POINT ON THE AGENDA FOR DISCUSSION, 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.

22. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 084-19/RESOLUTION REGARDING THE DISPOSITION OF AN ALTERNATIVE METHOD/FORMULA OF APPORTIONMENT OF THE UNDIVIDED LOCAL GOVERNMENT FUND FOR CALENDAR YEARS 2020-2024...

LET THE RECORD SHOW: Commissioner Humphrey stated that he needs to excuse himself and leave Regular Session at this time due to a conflict of interest with Item Number 22 on the Non-Consent Agenda of today's Regular Session relative to the disposition of an alternative method/formula of apportionment of the Undivided Local Government Fund for calendar years 2020-2024.

LET THE RECORD SHOW: Commissioner Humphrey left Regular Session at this time.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER PAINTER AND SECONDED BY COMMISSIONER CORCORAN TO EXCUSE COMMISSIONER HUMPHREY FROM REGULAR SESSION, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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

Mr. Painter, Yes; Mrs. Corcoran, Yes; Mr. Humphrey, Not Present.

LET THE RECORD SHOW: Sukie Scheetz, Assistant County Administrator, provided an update to the Board of County Commissioners with regard to the Townships Resolutions and the City of Milford Resolution relative to the Alternative Formula for the Undivided Local

Government Funds (LGF). Ms. Scheetz stated that fourteen (14) Township Resolutions were submitted to the Budget Commission that had a similar Alternative LGF Formula, with an allocation of the funds between the entities based on a per entity and a per capita allocation (25% equally across all the entities and the remaining 75% based on per capita, with the County retaining the 48.54% of LGF held historically). The City of Milford and the City of Loveland also have submitted Resolutions to the Budget Commission, with both Resolutions maintaining the current LGF Formula for a one-year period.

Ms. Scheetz reported that the Township Resolutions included a provision to eliminate the City of Milford's previously held veto vote. The Township Resolutions were for a period of five (5) years from 2020 through 2024. Ms. Scheetz stated that this issue has been discussed with the Prosecutor's Office, and the concern with the Township Resolutions is that the Board of County Commissioners would have to take action on the LGF Formula each year. She further stated that the Board of County Commissioners has heard the views of the Townships and Villages earlier this year and that a decision needs to be made now on the LGF Alternative Formula due to timing issues. The deadline for the establishment of LGF Formula is August 2019. If a decision is made to do something different than what the Townships and Villages have done at this point, it will require them to adopt the same Resolution as the Board of County Commissioners before the August 2019 deadline.

Commissioner Painter commented that this process has been a long process, with a lot of discussion and questions. He stated that the process has resulted in positive outcomes such as people now have a better understanding of the LGF Alternative Formula. A lot of research has been done on the issue and the fact that the Townships have a method within the Ohio Revised Code to take an exclusionary clause to vote the largest City out of the process is now understood. The County now knows that the previous LGF Formula could not be supported by good mathematics. Mr. Painter stated that the County has looked at every iteration possible for the distribution of the LGF Funds. Mr. Painter further stated that the Board of County Commissioners has heard from Townships, Cities and Villages throughout this process, which is great progress. The process has been an excellent exercise, with a lot of hard work from County representatives who are to be commended for their efforts.

Commissioner Painter summarized the options for the LGF Alternative Formula at this time. He stated that the Resolutions passed by the Townships includes a five-year exclusionary clause for the City of Milford. That is not a proper exclusion, the proper exclusion is for a one-year period. The five-year LGF Formula for the distribution of funds is fine, but it would require a Resolution to be passed every year to exclude the City of Milford. Commissioner Painter stated that he would like to make a motion to adopt a Resolution with the stipulations that have been provided by the Township Trustees' Resolutions, with the exception of having a one-year exclusionary statement for the City of Milford (in lieu of the five-year exclusion). Commissioner Painter stated that the one-year period will provide the opportunity for the Townships, Villages and Cities to continue to review this issue and try to master a proportion that will be a unanimous vote throughout Clermont County. Commissioner Painter stressed the importance of fairness and looking at the needs of the County as a whole moving forward. Commissioner Corcoran stated that the one-year period gives the Township, Villages and Cities the opportunity to continue their collaboration and commitment to this issue and continue working together for a solution that works for each of the entities in the future.

Thomas J. Eigel, County Administrator, stated that the Board of County Commissioners has the option to go into Executive Session at this time which will allow staff to prepare the requested Resolution for the LGF Alternative Allocation Formula. Judith Kocica, Clerk of the Board, asked for clarification regarding the LGF Formula the Board of Commissioners is proposing to adopt. She asked if LGF Formula contained in the Townships' Resolutions for the five-year period is what the Board of County Commissioners wants for the one-year period and Commissioner Painter responded yes.

Dennis Cooper, Washington Township Trustee, asked if all fourteen (14) Townships need to adopt the same Resolution that the Board of County Commissioners are going to adopt today and

Commissioner Painter responded yes. If a Resolution is passed today by the Board of County Commissioners, the Townships will be required to pass a Resolution mirroring that action and submit their Resolution to the County by August 1, 2019. Mr. Cooper stated that this process needs to be clearly communicated to all of the Townships and that the August 1, 2019 deadline leaves little time to get new Resolutions adopted. Mr. Cooper stated that there are no Township Association Meetings scheduled until August 2019. It was noted that a special meeting of the Township Association will have to be scheduled to address this issue. Mr. Eigel stated that if the Board of County Commissioners adopts a Resolution today, it will be distributed to the Townships, Villages and Cities by electronic media so they are aware of the exact contents of the Resolution. Commissioner Corcoran stated that she believes there is a Roundup Meeting to be held in the near future to go over everything that just happened in a Township Association function that was just held, so possibly the Townships can discuss this issue at that meeting. Ms. Kocica suggested the possibility for the Townships to amend their existing Resolutions to indicate that it is effective for Calendar Year 2020. She stated that the Townships should discuss this option with the Prosecutor's Office before taking this action.

Mr. Eigel stated that, in lieu of taking a recess, the Resolution can be prepared while the Board of County Commissioners are in Executive Session. (19-0522-009)

LET THE RECORD SHOW: A MOTION BY COMMISSIONER PAINTER AND SECONDED BY COMMISSIONER CORCORAN, TO DIRECT THE ADMINISTRATION TO PREPARE A RESOLUTION RELATIVE TO THE ADOPTION OF AN ALTERNATIVE METHOD/FORMULA OF APPORTIONMENT OF THE UNDIVIDED LOCAL GOVERNMENT FUND FOR CALENDAR YEAR 2020, WITH SAID RESOLUTION TO CONTAIN THE SAME LOCAL GOVERNMENT ALLOCATION FORMULA UTILIZED IN THE CLERMONT COUNTY TOWNSHIP TRUSTEES' RESOLUTIONS, WITH THE EXCEPTION OF HAVING A ONE-YEAR EXCLUSIONARY STATEMENT FOR THE CITY OF MILFORD, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS (19-0522-009):

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

Mr. Painter, Yes; Mrs. Corcoran, Yes, Mr. Humphrey, Not Present.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER CORCORAN AND SECONDED BY COMMISSIONER PAINTER TO MOVE EXECUTIVE SESSION TO THIS POINT ON THE AGENDA, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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

Mrs. Corcoran, Yes; Mr. Painter, Yes, Mr. Humphrey, Not Present.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER CORCORAN AND SECONDED BY COMMISSIONER PAINTER, TO GO INTO EXECUTIVE SESSION AT 10:27 A.M. PURSUANT TO SECTION 121.22(G) (3) OF THE OHIO REVISED CODE TO 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:

Mrs. Corcoran, Yes; Mr. Painter, Yes, Mr. Humphrey, Not Present.

LET THE RECORD SHOW: COMMISSIONER HUMPHREY WILL PARTICIPATE IN EXECUTIVE SESSION.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 10:58 A.M. WITH NO ACTION TAKEN.

22. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 084-19/RESOLUTION AUTHORIZING ADOPTION OF AN ALTERNATIVE METHOD OF APPORTIONMENT OF THE UNDIVIDED LOCAL GOVERNMENT FUND FOR CALENDAR YEAR 2020 THAT, PER OHIO REVISED CODE SECTION 5747.53, EXCLUDES THE APPROVAL OTHERWISE REQUIRED OF THE LEGISLATIVE AUTHORITY OF THE CITY, LOCATED WHOLLY OR PARTIALLY IN THE COUNTY, WITH THE GREATEST POPULATION...19-0522-009...ADOPTED

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

Recommendation of Sukie Scheetz, Assistant County Administrator, to adopt **Resolution Number 084-19** resolving to adopt an alternative method of apportionment of the Undivided Local Government Fund for Calendar Year 2020 that, per Ohio Revised Code Section 5747.53, excludes the approval otherwise required of the Legislative Authority of the City, located wholly or partially in the County, with the greatest population, with local government funds for 2020 to be distributed on the following basis:

1. The County will receive 48.545 percent of the total allocation to be disbursed.
2. The remaining amount of funds after the County allocation outlined in item 1 above (51.455%) will be disbursed as follows:
 - a. Twenty-five percent (25%) of the remaining funds will be shared equally among all municipalities and townships.
 - b. Seventy-five percent (75%) of the remaining amount of the funds will be distributed to the municipalities and townships on a per capita basis and will be adjusted as necessary based upon the most current United States Census.
 - c. The total of the amounts calculated in Section II, 2.a. and 2.b of the Resolution will be subtracted from the municipalities and townships 2019 actual distribution. This variance to the 2019 actual distribution will be divided by three (3) to represent a three year phased-in approach to the allocation change. This will be the change in allocation from the 2019 distribution.
 - d. The calendar year 2020 allocation will be the 2019 actual distribution plus/minus the change in allocation from the 2019 distribution as calculated in Section II, 2.c of the Resolution. A chart illustrating the estimated 2020 distribution is attached as **Exhibit A** and incorporated by reference.

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

Mrs. Corcoran, Yes; Mr. Painter, Yes, Mr. Humphrey, Not Present.

LET THE RECORD SHOW: Sukie Scheetz, Assistant County Administrator, stated that Resolution Number 084-19 will be distributed to all of the Townships and Villages in a Word document format so that the file can be modified for their entities. Dennis Cooper, Washington Township Trustee, requested if a copy of the signed Resolution could be obtained today and Commissioner Painter responded yes. (19-0522-009)

LET THE RECORD SHOW: A MOTION BY COMMISSIONER CORCORAN AND SECONDED BY COMMISSIONER PAINTER TO MOVE THE PUBLIC HEARING TO THIS POINT ON THE AGENDA, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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

Mrs. Corcoran, Yes; Mr. Painter, Yes, Mr. Humphrey, Not Present.

LET THE RECORD SHOW: Commissioner Humphrey rejoined Regular Session at this time.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING
RELATIVE TO THE PROPOSED ELIMINATION OF CTC ROUTE
1/FELICITY TO EASTGATE VIA AMELIA...19-0110-009**

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS SCHEDULED AT 11:00 A.M. THIS DATE AND WAS CALLED TO ORDER SHORTLY AFTER 11:00 A.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE PROPOSED ELIMINATION OF THE CLERMONT TRANSPORTATION CONNECTION (CTC) ROUTE 1/FELICITY TO EASTGATE VIA AMELIA.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

JOHN RAYMAN, DIRECTOR, CLERMONT TRANSPORTATION CONNECTION, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS AND PROVIDED AN OVERVIEW OF THE PROPOSED ELIMINATION OF CTC ROUTE 1/FELICITY TO EASTGATE VIA AMELIA. MR. RAYMAN STATED THAT ROUTE 1 HAS BEEN PROVIDED BY CLERMONT TRANSPORTATION CONNECTION SINCE 2003 AND THAT THE ROUTE OPERATES TWO DAYS A WEEK (TUESDAY AND THURSDAY) AND RUNS TWO ROUTES EACH DAY (FROM 8:00 A.M. TO 9:00 AM. AND FROM 3:30 P.M. TO 4:30 P.M.). MR. RAYMAN STATED, SINCE ROUTE 1 HAS BEEN IN EXISTENCE, RIDERSHIP HAS AVERAGED ONE (1) RIDER OR LESS FOR EACH BUS TRIP. DUE TO THE POOR RIDERSHIP, ROUTE 1 IS NOT AN EFFICIENT USE OF COUNTY FUNDS. THEREFORE, THE COUNTY IS PROPOSING TO ELIMINATE ROUTE 1 AND REALLOCATE THE RESOURCES TO THE COUNTY'S DIAL-A-RIDE PROGRAM WHICH WOULD BE A BENEFIT FOR ALL CLERMONT COUNTY CITIZENS. THE REALLOCATION OF SERVICES WILL ALLOW CTC TO PROVIDE MORE SERVICES AT PEAK USAGE TIMES (EARLY MORNING FOR DOCTOR VISITS AND EVENING HOURS FOR PEOPLE LEAVING WORK). MR. RAYMAN EXPLAINED THAT FORMER RIDERS OF ROUTE 1 WOULD STILL HAVE OPTIONS FOR TRANSPORTATION. THEY WILL BE ABLE TO CALL THE DIAL-A-RIDE DISPATCHERS AT 513-732-7433 AND SCHEDULE RIDES (ON A FIRST-COME, FIRST-SERVE BASIS). THE DIAL-A-RIDE SERVICES ARE PROVIDED AT ALL LOCATIONS THROUGHOUT CLERMONT COUNTY.

COMMISSIONER PAINTER REITERATED THAT TODAY IS THE DATE, TIME AND PLACE FOR THE PUBLIC HEARING FOR THE PROPOSED ELIMINATION OF CTC ROUTE 1/FELICITY TO EASTGATE VIA AMELIA. COMMISSIONER PAINTER ASKED THAT EVERYONE IN ATTENDANCE FOR THE PUBLIC HEARING SIGN THE SIGN-IN SHEET FOR THE PUBLIC RECORD.

COMMISSIONER PAINTER ASKED FOR PROPONENT TESTIMONY TO THE PROPOSED ELIMINATION OF CTC ROUTE 1/ FELICITY TO EASTGATE VIA AMELIA. AND NO ONE RESPONDED TO THIS REQUEST.

MR. RAYMAN EXPLAINED THAT IT WAS PUBLISHED THAT COMMENTS CAN BE RECEIVED REGARDING THE PROPOSED ROUTE ELIMINATION VIA EMAIL OR PHONE AND THAT NO COMMENTS HAVE BEEN RECEIVED TO-DATE.

COMMISSIONER PAINTER ASKED IF ANYONE WOULD LIKE TO SPEAK IN OPPOSITION OF THE PROPOSED ELIMINATION OF CTC ROUTE 1/ FELICITY TO EASTGATE VIA AMELIA AND NO ONE APPEARED IN OPPOSITION.

COMMISSIONER PAINTER QUESTIONED IF ANYONE WOULD LIKE TO COMMENT ON THE PROPOSED ELIMINATION OF CTC ROUTE 1/ FELICITY TO EASTGATE VIA AMELIA, WITH NO RESPONSE RECEIVED.

COMMISSIONER PAINTER ASKED IF ANY CORRESPONDENCE HAS BEEN RECEIVED ON THE PROPOSED ROUTE ELIMINATION. JUDITH KOCICA, CLERK OF THE BOARD, RESPONDED THAT THE BOARD OF COUNTY COMMISSIONERS HAS NOT RECEIVED ANY CORRESPONDENCE. SHE FURTHER EXPLAINED THAT THE DIRECTIVE WAS TO SUBMIT COMMENTS TO JOHN RAYMAN, CTC DIRECTOR, VIA MAIL, EMAIL OR PHONE.

COMMISSIONER CORCORAN QUESTIONED IF OTHER HEARINGS ARE BEING HELD. MR. RAYMAN INDICATED THAT THIS IS THE FIRST OF THREE PUBLIC HEARINGS, WITH THE SECOND PUBLIC HEARING TO BE HELD AT THE UNION TOWNSHIP CIVIC CENTER AT 7:00 P.M. ON WEDNESDAY, 05/29/2019, AND THE THIRD PUBLIC HEARING TO BE HELD AT THE CLERMONT COUNTY PUBLIC LIBRARY IN FELICITY, OHIO, AT 10:00 A.M. ON FRIDAY, 05/31/2019.

COMMISSIONER PAINTER ASKED HOW THE PUBLIC CAN SUBMIT COMMENTS OR CORRESPONDENCE AND MR. RAYMAN EXPLAINED THAT PEOPLE CAN SUBMIT COMMENTS BY PHONING HIM AT 513-732-7577 OR BY EMAILING HIM AT JRAYMAN@CLERMONTCOUNTYOHIO.GOV.

COMMISSIONER PAINTER ASKED HOW LONG OF A TIMEFRAME DOES THE PUBLIC HAVE TO SUBMIT COMMENTS ON THE PROPOSED ROUTE ELIMINATION AFTER THE LAST PUBLIC HEARING. MS. KOCICA EXPLAINED THAT THE BOARD OF COUNTY COMMISSIONERS CAN OFFER THE PUBLIC THE OPPORTUNITY OF ADDITIONAL TIME TO COMMENT; HOWEVER, A DECISION ON THE PROPOSED ROUTE ELIMINATION NEEDS TO BE MADE BY THE BOARD OF COUNTY COMMISSIONERS WITHIN SIXTY (60) DAYS FROM THE LAST PUBLIC HEARING DATE IN ACCORDANCE WITH TITLE 6 PROGRAM GUIDELINES. IT WAS NOTED THAT (IF THE BOARD OF COUNTY COMMISSIONERS CHOOSES TO ALLOW ADDITIONAL TIME FOR PUBLIC COMMENT) SOMEWHERE IN THE SIXTY (60) DAY TIMEFRAME, A CUT-OFF DATE NEEDS TO BE DETERMINED IN ORDER TO ALLOW TIME FOR THE BOARD OF COUNTY COMMISSIONERS TO MAKE A DECISION. MS. KOCICA STATED THAT THREE (3) PUBLIC HEARINGS ARE BEING OFFERED FOR PUBLIC INPUT WITHIN THE EXACT LOCALE OF THE ROUTE 1 BUS ROUTE AND THAT THE PUBLIC HEARINGS ARE BEING TELECAST AND RECORDED FOR PUBLIC VIEWING AND COMMENTS.

MS. KOCICA STATED THAT THE BOARD OF COUNTY COMMISSIONERS WILL BE IN ATTENDANCE AT ALL THREE (3) PUBLIC HEARINGS SCHEDULED FOR THE PROPOSED ELIMINATION OF CTC ROUTE 1/ FELICITY TO EASTGATE VIA AMELIA. COMMISSIONER HUMPHREY QUESTIONED IF THE BOARD OF COUNTY COMMISSIONERS HAVE TO ATTEND THE SECOND AND THIRD PUBLIC HEARINGS AND ALLAN EDWARDS, ASSISTANT PROSECUTING ATTORNEY, CLERMONT COUNTY PROSECUTOR'S OFFICE, RESPONDED THAT YES, THE BOARD NEEDS TO ATTEND EACH PUBLIC HEARING. HE STATED THAT HE HAS REVIEWED THE U.S. CODE OF REGULATIONS REGARDING THIS ISSUE AND IT STATES THAT THE

PUBLIC HEARING WILL BE HELD BY THE RECIPIENT, WHICH IS THE BOARD OF COUNTY COMMISSIONERS IN THIS INSTANCE. MR. EDWARDS INDICATED THAT, BASED ON THE LEGAL NOTICE STATING THERE WILL BE THREE (3) PUBLIC HEARINGS FOR THE PROPOSED ROUTE 1 ELIMINATION, HE BELIEVES THAT THE BOARD OF COUNTY COMMISSIONERS NEEDS TO ATTEND EACH PUBLIC HEARING. COMMISSIONER PAINTER STATED THAT, AT THE WILL OF THE BOARD OF COUNTY COMMISSIONERS, HE SUGGESTS THAT THE THREE CLERMONT COUNTY COMMISSIONERS BE PRESENT AT THE TWO UPCOMING PUBLIC HEARINGS FOR THE PROPOSED ROUTE 1 ELIMINATION.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 11:13 A.M. LOCAL TIME.

14. IN RE: INFORMATION SYSTEMS DEPARTMENT/THE TELECOMMUNICATIONS DIVISION (TTD)...VOICE SYSTEM IMPLEMENTATION PROJECT STATEMENT OF WORK AND BILL OF MATERIALS RELATIVE THERETO WITH CINCINNATI BELL TELEPHONE COMPANY LLC FOR THE PROVISION OF AVAYA PBX AND VOICE MAIL SYSTEM UPGRADES FOR SAME...19-0510-006...EXECUTED

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

Recommendation of Brandon V. Hoepfner, Director, Information Systems Department/The Telecommunications Division, with the concurrence of Thomas J. Eigel, County Administrator, to authorize David L. Painter, President of the Board of County Commissioners, to execute the *Voice System Implementation Project Statement of Work and Bill of Materials relative thereto* by and between the Board of County Commissioners of Clermont County, Ohio, and Cincinnati Bell Telephone Company LLC, 221 East Fourth Street, Cincinnati, Ohio 45202, in concert with the Master Services, Products and License Agreement and Equipment Maintenance Addendum by and between Clermont County, Ohio, and Cincinnati Bell Technology Solutions Inc., previously ratified by the Board of County Commissioners on 08/24/2016, and subsequently extended through Addendum #02450665-A thereto on 10/24/2018, for the provision of hardware, software, maintenance and support services, with said Voice System Implementation Statement of Work to provide *Upgrades to the Avaya PBX Systems and Voice Mail Systems* located at multiple locations throughout Clermont County, Ohio, as outlined therein, at an estimated *mathematically corrected* amount not to exceed \$422,553.39, at the rates as defined in Appendix A: Bill of Materials, attached thereto and made a part thereof, with software maintenance costs for Year 2 and Year 3 in the amount of \$2,059.10 each year, effective upon execution, pursuant to and compliance with the terms and conditions specified therein, *and contingent upon the release of the Purchase Order required therefore in concert with Requisition Number 00003421-00 dated 05/07/2019 relative thereto.*

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

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

15. IN RE: INFORMATION SYSTEMS DEPARTMENT...RENEWAL OF THE MEMORANDUM OF UNDERSTANDING WITH THE CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, ADMINISTRATIVE AGENT FOR CLERMONT COUNTY FAMILY AND CHILDREN FIRST, RELATIVE TO THE SHARING OF THE ADMINISTRATIVE SUPPORT TECHNICIAN POSITION...17-0518-005...APPROVED

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

Recommendation of Brandon V. Hoepfner, Director, Information Systems Department and Judy Eschmann, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to approve the *Renewal of the Memorandum of Understanding* by and between the Clermont County Department of Job and Family Services, Administrative Agent for Clermont County Family and Children First ("DJFS/FCF"), 2400 Clermont Center Drive, Batavia, Ohio 45103 and the Clermont County Information Services Department ("ISD"), 2279 Clermont Center Drive, Batavia, Ohio 45103, previously ratified by the Board of County Commissioners on 06/07/2017, for the provision of clerical services to DJFS/FCF by an ISD employee as needed, which exercises the additional two (2) year renewal period pursuant to Article 5 of the afore stated Memorandum of Understanding, effective 05/03/2019 through 05/02/2021, with all other terms and conditions of the original Memorandum of Understanding to remain in full force and effect.

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

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

16. IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO APPROVE THE REVISED SOLID WASTE MANAGEMENT PLAN FOR THE ADAMS-CLERMONT SOLID WASTE DISTRICT FOR THE PLANNING PERIOD 2018-2037...19-0426-001...RATIFIED

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

Recommendation of Hannah Lubbers, Director, Adams-Clermont Solid Waste District, with the concurrence of Sukie Scheetz, Assistant County Administrator, to approve the Revised Solid Waste Management Plan for the Adams-Clermont Solid Waste District for the Planning Period 2018 -2037, pursuant to and in compliance with Section 3734.52 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.

17. IN RE: BOARD OF COUNTY COMMISSIONERS...SUBGRANT AGREEMENT WITH THE CLERMONT COUNTY MENTAL HEALTH AND RECOVERY BOARD FOR THE PROVISION OF STATE OPIOID RESPONSE (SOR) LOCAL PROJECTS FUNDING FOR SERVICES PROVIDED AT THE COMMUNITY ALTERNATIVE SENTENCING CENTER (CASC) FOR CLERMONT COUNTY, OHIO...19-0503-003...EXECUTED

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

Recommendation of Thomas J. Eigel, County Administrator, to execute a *Subgrant Agreement* by and between the Board of Clermont County Commissioners and the Clermont County Mental Health and Recovery Board, 2337 Clermont Center Drive, Batavia, Ohio 45103 *for the provision of State Opioid Response (SOR) Local Projects Funding in an amount up to \$244,000.00 for services provided at the Clermont County Community Alternative Sentencing Center (CASC) relative to the continuation of the female program services and the provision of Medication Assisted Treatment (MAT) services for male clients* as set forth in the Scope of Services

identified as Exhibit A, attached thereto and made a part thereof, effective for the period of 05/01/2019 through 09/28/2019, which will be automatically extended for the period of 09/29/2019 through 09/28/2020 should the Clermont County Mental Health and Recovery Board receive Year 2 of the State Opioid Response (SOR) Funding, pursuant to the terms and conditions set forth therein, and in concert with the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant heretofore awarded to the Clermont County Mental Health and Recovery Board by the Ohio Department of Mental Health and Addiction Services therefore.

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

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

18. IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF A REAPPOINTMENT TO SERVE ON THE CLERMONT COUNTY ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES BOARD...19-0301-001...RATIFIED

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

Recommendation of Karen Scherra, Executive Director, Clermont County Mental Health and Recovery Board, with the concurrence of Thomas J. Eigel, County Administrator, to reappoint Patty Lawrence, 6758 Little River Lane, Loveland, Ohio 45140 to serve on the Clermont County Alcohol, Drug Addiction and Mental Health Services Board for the term 06/01/2019 through 05/31/2023, which represents her first full four year term thereon, pursuant to Section 340.02 of the Ohio Revised Code.

DISCUSSION: Karen Scherra, Executive Director, Clermont County Mental Health and Recovery Board, reported to the Board of County Commissioners that Ms. Lawrence has been a great asset to the Clermont County Alcohol, Drug Addiction and Mental Health Services Board. Ms. Scherra stated that Ms. Lawrence is a very active and involved member and they would like very much to have her reappointed.

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

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

19. 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 Sukie Scheetz, Assistant 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>
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PROBATION IMPROVEMENT GRANT	CP Prob Improvement & Incentive Grant REGULAR SALARY 2114 - 04 - 11 - 245000 - 511200 -	\$ 45,000.00
PROBATION IMPROVEMENT GRANT	CP Prob Improvement & Incentive Grant FRINGE BENEFITS 2114 - 04 - 11 - 245000 - 520000 -	\$ 9,000.00
PROBATION IMPROVEMENT GRANT	CP Prob Improvement & Incentive Grant OTHER EXPENSES 2114 - 04 - 11 - 245000 - 530000 -	\$ (20,000.00)

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

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

20. IN RE: BOARD OF COUNTY COMMISSIONERS...REVISED TABLE OF ORGANIZATION FOR THE CLERMONT COUNTY DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT/OFFICE OF PUBLIC INFORMATION...19-0509-001...RATIFIED

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

Recommendation of Andrew T. Kuchta, Director, Clermont County Department of Community and Economic Development/Office of Public Information, with the concurrence of Sukie Scheetz, Assistant County Administrator, to adopt a revised Table of Organization for the Clermont County Department of Community and Economic Development/Office of Public Information, to add the position of one (1) Communications Coordinator, Classification #89250, Pay Range B, as outlined in Exhibit A, attached thereto and made a part thereof, effective 05/22/2019, and to remove the position of one (1) Communications Coordinator, Classification #89250, Pay Range B, effective 06/14/2019, and further to authorize the update of the appropriate internet links and appendices accordingly.

DISCUSSION: Andrew T. Kuchta, Director, Clermont County Department of Community and Economic Development/Office of Public Information, stated that Kathleen Williams, Communications Coordinator, is retiring on 06/13/2019. He explained that the proposed revised Table of Organization will allow for Ms. Williams' potential replacement to be trained on specific County systems, workflows and procedures prior to Ms. Williams' retirement. He further explained that the additional position will be removed from the Table of Organization on 06/14/2019. Commissioner Painter thanked Ms. Williams for her services to Clermont County and wished her luck in her future endeavors.

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

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

21. IN RE: BOARD OF COUNTY COMMISSIONERS...JOINT APPLICATION WITH THE PROSECUTING ATTORNEY TO THE CLERMONT COUNTY COURT OF COMMON PLEAS FOR EMPLOYMENT OF OUTSIDE LEGAL COUNSEL TO REPRESENT CLERMONT COUNTY AUDITOR LINDA L. FRALEY AS IT RELATES TO ALL LITIGATION RESULTING FROM THE PROBABLE CAUSE AFFIDAVIT FILED BY CHRISTOPHER HICKS AND ASSIGNED IN THE CLERMONT COUNTY MUNICIPAL COURT AND DESIGNATED AS CASE NO. 2018 PC 00002....19-0506-001...EXECUTED

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

Recommendation of Thomas J. Eigel, County Administrator, to authorize David L. Painter, President of the Board of County Commissioners, to execute the Joint Application for Employment of Outside Legal Counsel with the Clermont County Prosecuting Attorney to the Clermont County Court of Common Pleas for the employment of the legal counsel, as outlined below, pursuant to and in compliance with Section 305.14 of the Ohio Revised Code:

Law Firm	Legal Matters	Compensation
Strauss Troy Co., LPA 150 East Fourth Street 4 th Floor Cincinnati, Ohio 45202-4018	To represent Linda L. Fraley, Clermont County Auditor, in all litigation resulting from the probable cause affidavit filed by Christopher Hicks, identified as State of Ohio vs. Linda L. Fraley and assigned in the Clermont County Municipal Court and designated as Case No. 2018 PC 00002.	Compensation will be payment of fees due as of April 30, 2019 in the amount of \$34,768.11; and compensation from May 1, 2019 forward at the range of \$135.00 per hour to \$350.00 per hour with a total amount of all compensation not to exceed \$55,000.00

DISCUSSION: Commissioner Painter explained that the Board of County Commissioners received a Joint Application to employ outside counsel. The Joint Application was made pursuant to Linda Fraley, County Auditor, being notified that the Clermont County Prosecutor's Office could not represent her in a lawsuit due to the criminal charges that are being alleged. The case has been closed at this time, with two (2) appeals pending. The first appeal has been identified as Case Number 2019 CA 020 017 and it relates to the denial of motions for unrestricted access to exhibits and is scheduled to hold a special Prosecutor in contempt. The second appeal is identified as Case Number 2019 CA 04 036 filed by Linda Fraley relating to the denial of an application to seal a criminal record. Mr. Painter stated that the Joint Application request is being made through the Clermont County Court of Common Pleas to pay attorney fees incurred to date, as well as, attorney fees that are incurred moving forward, in an amount not to exceed \$55,000.

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

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

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN, TO GO INTO EXECUTIVE SESSION AT 11:26 A.M. PURSUANT TO SECTION 121.22(G) (1) AND (G) (2) OF THE OHIO REVISED CODE TO (1) CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR COMPENSATION OF ONE OF MORE PUBLIC EMPLOYEES AND (2) CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES AND THE SALE OF PROPERTY AT COMPETITIVE BIDDING, 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 12:37 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: Thomas J. Eigel, County Administrator, stated that Judy Eschmann, DFJS Director, is retiring and requested that the Board of County Commissioners consider a temporary appointment to that position as an add-on to today's agenda.

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF ONE AGENDA ITEM TO THE REGULAR SESSION OF 05/22/2019...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 05/22/2019 to include a personnel action.

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

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

IN RE: PERSONNEL ACTION...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.

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 12:39 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:

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