

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JULY 17, 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 JULY 17, 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, that the Board of County Commissioners consider the following recommendation:

To approve and sign the minutes of the Regular Session of **07/10/2019**.

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: BENJAMIN J. BYERS, ALCORESENIOR, LLC, AND MICHAEL DEAN, DINSMORE & SHOHL, LLP, BOND COUNSEL WERE PRESENT TO DISCUSS THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS FOR THE BENEFIT OF ALCORESENIOR, LLC., TO FINANCE THE CONSTRUCTION, EQUIPPING AND START-UP FOR A RETIREMENT COMMUNITY PROPOSED TO BE LOCATED IN CLERMONT COUNTY. MR. DEAN INDICATED THE BONDS WOULD BE ISSUED IN THE NAME OF THE COUNTY WITH THE PROCEEDS TO BE LOANED TO ALCORESENIOR TO FUND A NEW SENIOR HOUSING DEVELOPMENT IN BATAVIA. MR. BYERS SUMMARIZED THE PROJECT AS FOLLOWS:

- EXPERIENCE WITH DEVELOPING SENIOR HOUSING FOR MIDDLE INCOME SENIORS WITH MODEST RETIREMENT INCOME.
- DEVELOPED 15 SIMILAR PROPERTIES USING CONDUIT BOND FINANCING.
- MISSING SENIOR HOUSING AVAILABILITY TO THOSE WHO HAVE RETIREMENT INCOME BETWEEN \$40K - \$50K PER YEAR.
 - TARGET MARKET IS RETIRED SENIORS WITH INCOME OF \$2K TO \$3K PER MONTH WITH LESS THAN \$200K IN ASSETS..
 - TYPICAL SENIOR CARE FACILITY COST IS APPROXIMATELY \$5K+/MONTH, WHICH THIS MARKET CANNOT AFFORD.
 - FACILITY WOULD PROVIDE 50 INDEPENDENT HOUSING UNITS AT \$2,980/MONTH AND 61 ASSISTED LIVING AT \$3,200/MONTH.
 - THE HOSPITAL IS IN CLOSE PROXIMITY AND WOULD BE BENEFICIAL TO PATIENTS WHO NEED ASSISTANCE AFTER BEING RELEASED FROM THE HOSPITAL.

COMMISSIONER PAINTER ASKED MR. DEAN TO REVIEW THE BOND PROCESS AND THE REQUEST ON BEHALF OF ALCORESENIOR:

- ISSUING OF THE BONDS WOULD BE DONE UNDER A BOND INDENTURE WHICH THE COUNTY WOULD BE A PARTY TO WITH A BOND TRUSTEE.
- THE PROCEEDS OF THE BONDS WOULD BE LOANED TO ALCORESENIOR WITH A REPAYMENT LOAN AGREEMENT IN CONCERT WITH A MASTER

TRUST INDENTURE LOAN AGREEMENT.

- ALCORESENIOR IS CURRENTLY IN THE STRUCTURING PROCESS SO THE BONDS MAY BE PUBLICLY OFFERED OR PRIVATELY PURCHASED.
- ALCORESENIOR WOULD REQUEST AN INDUCEMENT RESOLUTION BE PASSED BY THE BOARD.
- REQUESTING COMMISSIONERS AUTHORIZE BONDS BE ISSUED BY FALL 2019.
- LIABILITY FALLS UPON ALCORESENIOR IF THE BOND REQUIREMENTS ARE NOT MET.

JUDITH KOCICA, CLERK OF THE BOARD, NOTED FEDERAL LAW REQUIRES A PUBLIC HEARING WITHIN 7 DAYS PRIOR TO ACTION BY THE BOARD OF COUNTY COMMISSIONERS, AS WELL AS PUBLIC NOTICE TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION. MR. DEAN STATED BOND COUNSEL WOULD BE TAKING CARE OF ALL ITEMS AS RELATED TO THE PUBLIC HEARING AND PUBLIC NOTICE REQUIREMENTS.

COMMISSIONER HUMPHREY INQUIRED ABOUT THE AMOUNT THEY ARE SEEKING FOR THE BOND. MR. DEAN STATED A NOT TO EXCEED AMOUNT OF \$22M WITH FULL INDEMNITY TO THE COUNTY AND IN ADDITION ADDED THAT IT DOES NOT AFFECT THE COUNTY'S DEBT SERVICES.

LET THE RECORD SHOW: DENNIS NICHOLS, ADMINISTRATOR, VILLAGE OF BATAVIA, JOHN Q. THEBOUT, MAYOR, VILLAGE OF BATAVIA, RICHARD SPOOR, BOND COUNSEL, KEATING MUETHING & KLEKAMP PLL., HAL SILVERMAN, PRESIDENT, HAL HOMES INC., AND TIM BERGEYONE, CHIEF OPERATING OFFICER, HAL HOMES INC. WERE PRESENT TO DISCUSS ISSUES RELATED TO STREAMSIDE SUBDIVISION DEVELOPMENT.

MR. NICHOLS PROVIDED A SUMMARY OF STREAMSIDE DEVELOPMENT.

- THE VILLAGE HAS BEEN WORKING WITH HAL HOMES FOR MORE THAN FIVE YEARS ON THE STREAMSIDE DEVELOPMENT.
 - STREAMSIDE WILL INCLUDE: 250 SINGLE FAMILY HOMES, 300 APARTMENTS. THE VILLAGE HAS OFFERED A COMMUNITY REINVESTMENT AREA (CRA) TAX ABATEMENT.
- NOTING THERE IS AN EXISTING 30 YEAR TAX INCREMENT FINANCING (TIF) INITIATED BY THE COUNTY IN 2005.
- THE COMMUNITY REINVESTMENT ACT (CRA) TAKES PRECEDENTS OVER THE TIF.
- THE VILLAGE AND THE COUNTY AUDITOR ARE IN DEBATE IF THE TIF WILL BE HELD IN ABEYANCE AND DEFERRED UNTIL THE END OF THE CRA.
- MR. NICHOLS REQUESTED THAT THE COMMISSIONERS REMOVE THE TIF RATHER THAN CHALLENGE THE DEFERENCE OF THE TIF.
- OHIO STATE LAW ALLOWS A 15% TAX ABATEMENT ON 100% OF THE INCREASED VALUE FOR RESIDENTIAL PROPERTIES.
- THE DEVELOPER HAS AGREED TO PAY 50% OF THE ABATED TAXES TO THE VILLAGE.
- THE VILLAGE WILL UTILIZE THESE PAYMENTS FOR GENERAL FUND TRANSPORTATION AND GENERAL SERVICES. MR. NICHOLS STATED THE VILLAGE HAS ALREADY STARTED PLANS FOR HIGHWAY IMPROVEMENTS WITH ACCESS AT STATE ROUTE (SR) 32 AT BAUER ROAD AND SR32 AT HEROLD ROAD.
- MR. NICHOLS STATED THE STATE OF OHIO HAS SELECTED THE BAUER ROAD INTERCHANGE AT 100% STATE FUNDING. THE VILLAGE WILL CONTINUE TO APPLY FOR STATE SAFETY FUNDS FOR THE INTERCHANGE AT SR 32 AT HEROLD ROAD.

- THE ORIGINAL TIF AGREEMENT REQUESTED A 4,000 FT ACCESS ROAD, WHICH WITH IMPROVEMENTS TO SR 32 WILL NO LONGER BE NECESSARY.
- BENEFITS TO THE COUNTY
 - TRANSPORTATION IMPROVEMENT DISTRICT (TID) AND COUNTY ENGINEER RESPONSIBILITY WOULD BE LIFTED FOR EXPENSES RELATED TO IMPROVING AND MAINTAINING SR32, BAUER ROAD, AND HEROLD ROAD INTERCHANGES.
 - THE CURRENT TAX REVENUE ON THIS ACREAGE ARE AT AGRICULTURAL RATES, THE NEW TAX RATES WOULD BE ON SUBDIVIDED BUILDING LOTS AT 20% DURING THE CRA.
 - ADDITIONAL INCOME FROM NEW CUSTOMERS ON THE COUNTY WATER AND SEWER DISTRICTS.

IN CONCLUSION, MR. NICHOLS STATED THAT STREAMSIDE WOULD CREATE 565 NEW DWELLING UNITS BOOSTING THE ECONOMY AND PROPERTY TAX INCOME AFTER THE 15 YEAR CRA. IN ADDITION, HE REQUESTED THE COMMISSIONERS LIFT THE TIF IMMEDIATELY. COMMISSIONER CORCORAN ASKED FOR CLARIFICATION ON HOW MANY UNITS ARE PROPOSED ON HOW MANY ACRES. MR. NICHOLS STATED THE CURRENT PLAN LISTS 565 PROPOSED ON 145 ACRES, HOWEVER, THE INDICATION IS THAT THE NUMBER OF UNITS WILL DECREASE.

RICHARD SPOOR, KEATING MUETHING & KLEKAMP PLL., COUNSEL FOR HAL HOMES, INC., ADDRESSED THE BOARD WITH DETAILS REGARDING LEGAL ISSUES AS RELATED TO THE STREAMSIDE DEVELOPMENT;

- SALES TAXES WILL BE PAID ON THE BUILDING MATERIALS WITH A TOTAL ESTIMATED CONSTRUCTION COST OF \$70 TO \$75M.
- NOTING THE TAP IN FEES FOR 565 UNITS WOULD BE SIGNIFICANT AS WELL.
- MR. SPOOR NOTED THE EXISTING 30 YEAR TIF WENT INTO EFFECT IN 2006. AT THE END OF 2006 THE STATE REGULATIONS CHANGED WITH REGARD TO TIF(S) AND RESIDENTIAL IMPROVEMENT DISTRICT (RIDS) WITH REGARD TO RESIDENTIAL IMPROVEMENTS.
 - THE TIF IN THIS CASE IS SPECIFIC TO THE STREAMSIDE RESIDENTIAL PROJECT. AND WOULD PAY FOR A PROPOSED 4,000/FT ROADWAY, WHICH IS NO LONGER REQUIRED.
- THE COUNTY FILED THE DEVELOPMENT AGREEMENT WITH HAL HOMES, INC. WITH THE RECORDER WHEN IT WAS ENACTED IN DECEMBER 2005. HOMES COULD POTENTIALLY BE AFFECTED AT THE TIME OF CLOSING WITH A POTENTIAL CLOUD ON TITLE, IF THE TIF(S) ARE NOT CLEARED.
 - THE PROPOSED RESOLUTION:
 - RESCINDS THE 2005 TIF.
 - ALLOWS FOR THE REMOVAL OF THE CLOUD OF TITLE.
 - REVERSES THE EXEMPTION APPLICATION.
 - REMOVAL OF THE COUNTY FILED DEPARTMENT OF TAX EQUALIZATION (DTE) FORM 24. (DTE FORM 24 IS A TAX INCENTIVE PROGRAM – APPLICATION FOR REAL PROPERTY TAX EXEMPTION AND REMISSION.)
 - MR. SPOOR STATED THAT UNDER STATE STATUTES A CRA EXEMPTION WILL TAKE PRECEDENTS OTHER EXEMPTIONS SUCH AS TIF IN SEQUENCE.

COMMISSIONER PAINTER ASKED IS THERE ANOTHER TIF FROM BATAVIA TOWNSHIP. MR. SPOOR STATED THE 2013 TIF FROM BATAVIA TOWNSHIP IS IN EFFECT. NOTING FURTHER THAT IT DOES NOT COVER RESIDENTIAL IMPROVEMENTS IT COVERS COMMERCIAL AND INDUSTRIAL IMPROVEMENTS.

COMMISSIONER PAINTER ASKED THAT MR. SPOOR REVIEW THE TIMELINE. MR. SPOOR DISCUSSED THE FOLLOWING WITH REGARD TO THE TIMELINE/PROCESS DUE TO THE ANNEXATION OF THIS PROPERTY BY THE VILLAGE OF BATAVIA.

- CRA IS REQUIRED TO BE DONE THROUGH THE VILLAGE.
- EXISTING TIFS WOULD STILL BE ATTACHED TO THE PROPERTY UNLESS REMOVED.
- HAL HOMES, INC. IS NOT ASKING THE TOWNSHIP TO REMOVE THE TIF BECAUSE IT DID NOT COVER RESIDENTIAL IMPROVEMENTS.
- DETAILS OF THE CRA FINANCING PLANS:
 - THE VILLAGE WILL ISSUE \$3M WORTH OF BONDS FOR INFRASTRUCTURE IMPROVEMENTS, WHICH WILL BE BACKED BY THE VILLAGE GENERAL INCOME TAX.
 - INDIVIDUAL HOMEOWNERS WILL BENEFIT FROM REDUCED TAXES BY THE CRA. HOWEVER THEY WILL PAY PAYMENTS IN LIEU OF TAXES AND SPECIAL ASSESSMENTS. (SPECIAL ASSESSMENTS ARE ESTIMATED TO BE ISSUED FOR 25 YEARS.)

COMMISSIONER CORCORAN ASKED HOW THE CRA WILL AFFECT THE SCHOOL DISTRICTS. MR. SPOOR EXPLAINED THAT THE CRA ONLY ABATES BUILDING NOT THE PROPERTY (LAND) TAXES. DURING THE 15 YEAR PERIOD THE SCHOOLS WILL NOT GET TAX RECEIPTS ON THE PROPERTY IMPROVEMENTS. STARTING IN YEAR 16 THEY WILL COLLECT THE TAXES ON THE IMPROVED PROPERTY VALUE. SOME DISCUSSION ENSUED WITH REGARD TO HOW THE CRAS AND TIFS DIFFER WITH REGARD TO THE PARTICIPATION OF SCHOOL DISTRICTS. DUE TO A CRA BEING SET AND CONCLUDING AFTER THE 15 YEAR ABATEMENT, SCHOOL DISTRICTS ARE NOT REQUIRED TO BE A PARTY TO THE AGREEMENT.

HAL SILVERMAN, PRESIDENT, HAL HOMES INC. PROVIDED A HISTORY OF THE STREAMSIDE DEVELOPMENT PROJECT.

- 103 ACRES WERE PURCHASED IN 2005
- ADDITIONAL 41+ACRES WERE PURCHASED IN 2007
- HAL HOMES HAS BEEN ATTEMPTING TO DEVELOP THIS PROPERTY SINCE 2007, BUILDERS STATED THIS PROPERTY WAS TOO FAR OUT TO BE PROFITABLE. IN 2013 THEY RECEIVED A PROPOSAL FROM A BUILDER AND STARTED TALKS WITH THE VILLAGE OF BATAVIA WITH REGARD TO ANNEXATION.
- THE VILLAGE AGREED TO ISSUE A CRA AND PAY FOR THE INFRASTRUCTURE IMPROVEMENTS FOR PHASE 1 (64 LOTS) THROUGH A DEVELOPMENT AGREEMENT AND ASSESSMENT BOND WITH THE ANNEXATION OF THIS PROPERTY INTO THE VILLAGE OF BATAVIA.
- HAL HOMES, INC. ENTERED INTO A PURCHASE AND SALE AGREEMENT WITH RYAN HOMES IN 2019, MAKING THIS DEVELOPMENT FEASIBLE FOR THE FIRST TIME SINCE 2005. MR. SILVERMAN STATED THEY HAVE BROKEN GROUND IN GOOD FAITH THAT THE TIF WOULD BE REMOVED ONCE THE CRA WAS IN PLACE.
 - NOTING BUILDING, TAPPING AND CAPACITY FEES FOR ALL DEVELOPED PROPERTIES WOULD GO TO THE COUNTY AS WELL AS CONTINUED REVENUE FROM NEW WATER AND SEWER CUSTOMERS.

MR. SILVERMAN ASKED THAT THE BOARD VOTE TODAY TO REMOVE THE TIF FROM THIS PROPERTY TO ALLOW THIS DEVELOPMENT TO PROCEED.

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: REX PARSONS, TOWNSHIP ADMINISTRATOR, BATAVIA TOWNSHIP DISCUSSED THE PREVIOUS PRESENTATION BY THE VILLAGE OF BATAVIA WITH REGARD TO THE TIF.

- BATAVIA TOWNSHIP CREATED A 75% TIF ON THIS PROPERTY IN 2013, WHICH HAS NOT YET COMMENCED.
- THE VILLAGE IS ASKING TO ABATE 50% OF THE TAXES THROUGH THE CRA AND IMPOSE A TIF ON THE PROPERTY FOR THE OTHER 50% OF THE TAXES AND COLLECT SERVICE PAYMENTS TO FINANCE BONDS FOR INFRASTRUCTURE IMPROVEMENTS FOR THE DEVELOPMENT.
- THE VILLAGE IS ASKING THE COUNTY TO FORGO ANY OF ITS TIF SERVICE PAYMENTS SO THE VILLAGE CAN COLLECT THOSE PAYMENTS.
- IN 2005 BATAVIA TOWNSHIP ENTERED INTO AN AGREEMENT WITH THE COUNTY TO ABANDON A TIF ON THE SAME PROPERTIES WITH THE STIPULATION THE COUNTY WOULD MAKE BATAVIA TOWNSHIP WHOLE FOR ANY LOSS OF TAX REVENUES.
 - THE COUNTY TIF INCLUDED OTHER TOWNSHIP DEVELOPMENTS SUCH AS LEXINGTON RUN.
 - THE COUNTY HAS BEEN DISTRIBUTING FUNDS TO BATAVIA TOWNSHIP UNDER THE 2005 AGREEMENT WHICH HAS HELPED FUND PROJECTS SUCH AS THE TOWNSHIP PARK.
- ONLY THE IMPROVEMENT VALUES ARE ABATED IN A CRA.
- THE TRUSTEES URGE THE BOARD TO LEAVE ITS TIF IN PLACE FOR THE BENEFIT OF THE COUNTY AND TOWNSHIP AND TO RECEIVE ANY AND ALL SERVICE PAYMENTS FROM THE DEVELOPMENT.

LET THE RECORD SHOW: DENNIS NICHOLS, ADMINISTRATOR, VILLAGE OF BATAVIA, STATED THAT BATAVIA TOWNSHIP HAS NOT APPROACHED THE VILLAGE WITH REGARD TO THE TIF.

LET THE RECORD SHOW: CHRISTOPHER HICKS, 444 WOODWICK COURT, CINCINNATI, OHIO 45255, REQUESTED TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS DATE. HE DISCUSSED THE FOLLOWING ITEMS:

- ITEM 17 IS LISTED AS EXECUTION OF A SETTLEMENT WITH CHRISTOPHER HICKS REGARDING A FEDERAL FIRST AMENDMENT CASE.
 - HE DETAILED EVENTS OF JULY 26, 2017 WITH REGARD TO BEING REMOVED FROM SESSION DURING PUBLIC PARTICIPATION WHEN HE ASKED TO SPEAK. FURTHER NOTING COMMISSIONERS HUMPHREY AND PAINTER DID NOT OBJECT TO THE REMOVAL ORDERED BY FORMER COMMISSIONER UIBLE.
 - MR. HICKS OUTLINED THE FOLLOWING EVENTS:
 - ON JULY 27, 2017 A LETTER WAS SENT FROM FORMER COMMISSIONER UIBLE REQUESTING TO BE APPOINTED TO THE

CONVENTION AND VISITORS BUREAU (CVB) BOARD.

- THE SPECIAL MEETING OF THE REPUBLICAN PARTY EXECUTIVE COMMITTEE TO SEEK HIS REMOVAL FROM THE PARTY.
- TEMPORARY CIVIL PROTECTION ORDER WAS ISSUED TO RESTRICT MR. HICKS FROM GOVERNMENT AND PARTY MEETINGS.
- HE STATED THE SETTLEMENT THE BOARD IS CONSIDERING TODAY COST TAX PAYER DOLLARS IN THE AMOUNT OF \$146,500.00.
 - HE STATED THE BOARD HAS IGNORED REPEATED LESS COSTLY SETTLEMENT OFFERS. INCLUDING A PUBLICALLY REJECTED SETTLEMENT ON APRIL 9, 2018 TO SETTLE THIS AS WELL AS HIS OPEN MEETINGS VIOLATION SUIT.
 - HE PROVIDED DETAILS FROM THE SETTLEMENT AGREEMENT STATING THE BOARD AGREES HIS 1ST AMENDMENT RIGHT TO FREEDOM OF SPEECH WAS VIOLATED ON JULY 26, 2017 WHEN HE WAS NOT ALLOWED TO SPEAK DURING PUBLIC PARTICIPATION.
 - HE STATED THE DOLLAR AMOUNT OF THE SETTLEMENT SHOULD HAVE BEEN TRANSPARENTLY INCLUDED IN THE AGENDA.
- MR. HICKS CLAIMED THE FOLLOWING:
 - ILLEGAL HIRING OF AMY JO DE CLAIRE.
 - PATRONAGE HIRING OF COMMISSIONER POLITICAL AIDES.
 - FOR 15 YEARS EMPLOYEES OF THE ENGINEER FEARED REPRISAL.
 - NO STATUTORY AUDITOR FOR 10 DAYS.
 - GRANTING TWO HEARINGS ON PUBLIC FUNDS REQUEST BY FORMER COMMISSIONER UIBLE WITH REGARD TO CREATING A NATURE PRESERVE.
 - THE BOARD IS CURRENTLY HIRING AN ASSISTANT CLERK.
 - MR. HICKS STATED THE CLERK CURRENTLY MAKES MORE THAN THE COMMISSIONERS.
 - CLAIMING THE CLERK OF THE BOARD IS UNABLE TO EFFECTIVELY USE A COMPUTER AND NEEDS A PERSONAL AIDE TO DO SO.
 - FURTHER INSINUATING THE HIRING OF AN ASSISTANT CLERK WAS ATTRIBUTED TO THE CLERK'S CONNECTION TO THE REPUBLICAN PARTY.
- MR. HICKS URGED FOR CLEAR, HONEST, OPEN AND TRANSPARENT CHANGE IN CLERMONT COUNTY.
- LASTLY, MR. HICKS ASKED COMMISSIONER CORCORAN WHY THE TRANSPARENCY OF THE CVB AS PUBLICIZED DURING HER CAMPAIGN, HAS NOT MADE ANY PROGRESS.

LET THE RECORD SHOW: RICHARD SPOOR, KEATING MUETHING & KLEKAMP PLL., 105 EAST 4TH STREET, CINCINNATI, OHIO, COUNSEL FOR HAL HOMES, INC. WOULD LIKE TO CLARIFY, BASED ON PREVIOUS COMMENTS BY BATAVIA TOWNSHIP, THE SPECIFIC DEVELOPMENT AGREEMENT BETWEEN THE COUNTY AND HAL HOMES, INC. STATES THE TIF MONEY WAS EXPLICITLY DESIGNATED FOR THE 4,000 FOOT ACCESS ROAD AND WAS NOT TO BE USED FOR GENERAL PURPOSES.

COMMISSIONER PAINTER REQUESTED A MOTION FOR THE BOARD TO TAKE A BRIEF RECESS AT 10:55 A.M.

Moved by Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners take a brief 10 minute recess.

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

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

LET THE RECORD SHOW: REGULAR SESSION RESUMED AT 11:12 AM.

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:

CONSENT AGENDA

- 1. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...BANQUET EVENT ORDER WITH THE HILTON GARDEN INN CINCINNATI NORTHEAST RELATIVE TO THE RENTAL OF ONE (1) MEETING ROOM FOR THE SOUTHWEST OHIO REGIONAL TRAINING CENTER (SWORTC)...19-0621-002...RATIFIED**

Recommendation of Timothy Dick, Interim Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Interim Director, Department of Job and Family Services, to execute the Banquet Event Order by and between the Board of Clermont County Commissioners, on behalf of the Clermont County Department of Job and Family Services as the Administrative Entity for the Southwest Ohio Regional Training Center (SWORTC) located in Clermont County, Ohio, and Hilton Garden Inn Cincinnati Northeast, 6288 Tri Ridge Boulevard, Loveland, Ohio 45140 for the rental of one (1) meeting room to be utilized by the Southwest Ohio Regional Training Center (SWORTC) for training purposes on 06/27/2019, for a total cost not to exceed \$250.00, pursuant to and in compliance with the terms and conditions specified therein, *and contingent upon the receipt of the required purchase order in concert with Requisition Number 00003782-00 dated 06/06/2019 relative thereto.*

- 2. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...CONTRACT FOR SERVICES WITH CLERMONT SENIOR SERVICES, INC. FOR THE PROVISION OF ADULT PROTECTIVE SERVICES FOR SAME...19-0618-008...EXECUTED**

Recommendation of Timothy Dick, Interim Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to execute a Contract for Services by and between the County of Clermont, Ohio, and Clermont Senior Services, Inc., 2085 James E. Sauls Sr. Drive, Batavia, Ohio 45103 for the provision Adult Protective Services to senior citizens in Clermont County, on behalf of the Department of Job and Family Services, for the period of 07/01/2019 through 06/30/2020, in an amount not to exceed \$50,000.00, payable at the rate of \$4,166.74 for the first month and at the rate of \$4,166.66 for the following eleven months, pursuant to and in compliance with the terms and conditions specified therein, *and contingent upon the release of the Purchase Order required therefore in concert with Requisition Number 00003875-00 dated 06/13/2019 relative thereto.*

- 3. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CLERMONT COUNTY FAMILY AND CHILDREN FIRST (FCF) AND CLERMONT COUNTY PUBLIC HEALTH FOR STATE FISCAL YEAR 2020 IN CONCERT WITH THE CLERMONT COUNTY FAMILY AND CHILDREN FIRST LOCAL**

CONTRIBUTION POLICY...19-0625-009...RATIFIED

Recommendation of Timothy Dick, Interim Director, Clermont County Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Interim Director of the Department of Job and Family Services, Administrative Agent for Clermont County Family and Children First (FCF), to execute a Memorandum of Understanding by and between Clermont County Family and Children First, 2400 Clermont Center Drive, Batavia, Ohio 45103 and Clermont County Public Health, 2275 Bauer Road, Suite 300, Batavia, Ohio 45103, for the establishment of a cooperative and mutually beneficial relationship between all parties therefore, and further, to provide for the contribution by Clermont County Public Health in the amount of \$3,000.00 to Clermont County Family and Children First, which represents the local contribution for the period of 07/01/2019 through 06/30/2020 (SFY 2020), pursuant to the terms and conditions specified therein and in compliance with the Clermont County Family and Children First Local Contribution Policy, attached thereto and made a part thereof.

4. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CLERMONT COUNTY FAMILY AND CHILDREN FIRST (FCF) AND THE CLERMONT COUNTY MENTAL HEALTH AND RECOVERY BOARD FOR STATE FISCAL YEAR 2020 IN CONCERT WITH THE CLERMONT COUNTY FAMILY AND CHILDREN FIRST LOCAL CONTRIBUTION POLICY...19-0625-008...RATIFIED

Recommendation of Timothy Dick, Interim Director, Clermont County Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Interim Director of the Department of Job and Family Services, Administrative Agent for Clermont County Family and Children First (FCF), to execute a Memorandum of Understanding by and between Clermont County Family and Children First, 2400 Clermont Center Drive, Batavia, Ohio 45103 and the Clermont County Mental Health and Recovery Board, 2337 Clermont Center Drive, Batavia, Ohio 45103, for the establishment of a cooperative and mutually beneficial relationship between all parties therefore, and further, to provide for the contribution by Clermont County Mental Health and Recovery Board in the amount of \$25,000.00 to Clermont County Family and Children First, which represents the local contribution for the period of 07/01/2019 through 06/30/2020 (SFY 2020), pursuant to the terms and conditions specified therein and in compliance with the Clermont County Family and Children First Local Contribution Policy, attached thereto and made a part thereof.

5. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CLERMONT COUNTY FAMILY AND CHILDREN FIRST (FCF) AND CLERMONT COUNTY JUVENILE COURT FOR STATE FISCAL YEAR 2020 IN CONCERT WITH THE CLERMONT COUNTY FAMILY AND CHILDREN FIRST LOCAL CONTRIBUTION POLICY...19-0625-010...RATIFIED

Recommendation of Timothy Dick, Interim Director, Clermont County Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Interim Director of the Department of Job and Family Services, Administrative Agent for Clermont County Family and Children First (FCF), to execute a Memorandum of Understanding by and between Clermont County Family and Children First, 2400 Clermont Center Drive, Batavia, Ohio 45103 and Clermont County Juvenile Court, 2340 Clermont Center Drive, Batavia, Ohio 45103, for the establishment of a cooperative and mutually beneficial relationship between all parties therefore, and further, to provide for the contribution by Clermont County Juvenile Court in the amount of \$25,000.00 to Clermont County Family and Children First, which represents the local contribution for the period of 07/01/2019 through 06/30/2020 (SFY 2020), pursuant to the terms and conditions specified therein and in compliance with the Clermont County

Family and Children First Local Contribution Policy, attached thereto and made a part thereof.

6. 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 CLEVELAND CHRISTIAN HOME, INC. FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...19-0626-002...RATIFIED

Recommendation of Timothy Dick, Interim Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Interim 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 Cleveland Christian Home, Inc., 4614 Prospect Avenue, Suite 240, Cleveland, Ohio 44103, for the provision of residential treatment services for children referred by the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates as defined therein, effective for the period of 05/10/2019 through 05/09/2020, pursuant to and in compliance with the terms and conditions specified therein, and contingent upon the issuance and receipt of the required (1) State of Ohio License to Operate, (2) Ohio Bureau of Workers' Compensation Certificate, and (3) the purchase order in concert with Requisition Number 00003335-00 dated 05/01/2019 relative thereto.

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

Recommendation of Mary K. Rains, Director, 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 L. 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
CERT OF TITLE ADMINISTRATION	Clerk of Cts - Crt of Title Admin REGULAR SALARY 2102 - 01 - 05 - 221000 - 511200 -	Clerk of Cts - Crt of Title Admin OVERTIME 2102 - 01 - 05 - 221000 - 512100 -	\$ 5,500.00

REIMBURSEMENT OF FUNDS FOR FISCAL YEAR 2019

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
WORKFORCE DEVELOPMENT REIMBURSEMENTS OUT SPEC REV 2404 - 06 - 01 - 087000 - 703200 -	PUBLIC ASSISTANCE REIMBURSEMENTS IN FROM SP REV 2401 - 06 - 01 - 081000 - 483200 -	\$ 28,218.64

CASH TRANSFER OF FUNDS FOR FISCAL YEAR 2019

AMOUNT

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	
SEWER REVENUE	WATER & SEWER COMBINED SERVICES	\$ 180,000.00
TRANSFERS OUT TO ENTERPRISE	OPERATING TRF IN FROM ENTERPR.	
6002 - 12 - 01 - 151000 - 700600 -	6003 - 13 - 01 - 161000 - 480600 -	
WATER REVENUE	WATER & SEWER COMBINED SERVICES	\$ 180,000.00
TRANSFERS OUT TO ENTERPRISE	OPERATING TRF IN FROM ENTERPR.	
6001 - 11 - 01 - 141000 - 700600 -	6003 - 13 - 01 - 161000 - 480600 -	
GENERAL FUND	PUBLIC ASSISTANCE	\$ 87,589.50
TRANSFERS OUT TO SPEC REV	OPERATING TRF IN FROM GEN FUND	
1000 - 06 - 01 - 035328 - 700200 -	2401 - 06 - 01 - 081000 - 480100 -	
GENERAL FUND	PUBLIC ASSISTANCE	\$ 35,000.00
TRANSFERS OUT TO SPEC REV	OPERATING TRF IN FROM GEN FUND	
1000 - 06 - 01 - 035328 - 700200 -	2401 - 06 - 01 - 081000 - 480100 -	
GENERAL FUND	CHILDRENS SERVICES	\$ 50,000.00
TRANSFERS OUT TO SPEC REV	OPERATING TRF IN FROM GEN FUND	
1000 - 06 - 01 - 035328 - 700200 -	2402 - 06 - 01 - 085000 - 480100 -	

8. 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:

COURT OF COMMON PLEAS/GENERAL DIVISION

Judge Jerry R. McBride – One (1) day – Columbus, Ohio – The Supreme Court of Ohio/Court Executive Team Seminar: Data Driven Decision Making – Total expenses for meals (\$10.00), mileage (\$127.60), registration (\$50.00) and other/parking (\$25.00) estimated not to exceed \$212.60.

Jennifer Mitchell – Four (4) days – Columbus, Ohio – Ohio Association of Magistrates 2019 Fall Conference – Total expenses for lodging (\$405.00), meals (\$120.00), mileage (\$143.84), registration (\$375.00) and other/parking (\$25.00) estimated not to exceed \$1,068.84.

COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION

Penny Ann Gates - Three (3) days – Columbus, Ohio – Ohio Association of Magistrates 2019 Fall Conference – Total expenses for lodging (\$274.00) and registration (\$375.00) estimated not to exceed \$649.00.

Michael Finney - Four (4) days – Columbus, Ohio – Ohio Association of Magistrates 2019 Fall Conference – Total expenses for lodging (\$274.00), mileage (\$143.84) and registration (\$375.00) estimated not to exceed \$792.84.

Kathryn L. McBride - Four (4) days – Columbus, Ohio – Ohio Association of Magistrates 2019 Fall Conference – Total expenses for lodging (\$274.00) and registration (\$375.00) estimated not to exceed \$649.00.

Penny Ann Gates - One (1) day – Columbus, Ohio – Ohio CSEA Directors’ Association Fall Training – Total expenses estimated not to exceed \$0.00. (All expenses to be paid by the Ohio CSEA Directors’ Association)

Kathryn L. McBride - Twelve (12) days – Clermont County, Ohio – 2020 LEAD Clermont Academy – Total expenses estimated not to exceed \$0.00.

COURT OF COMMON PLEAS/DIVISION OF PROBATE AND JUVENILE

Judge James A. Shriver – Four (4) days – Columbus, Ohio – Ohio Judicial Conference 2019 Annual Meeting – Total expenses for lodging (\$549.00), meals (\$244.00) and registration (\$350.00) estimated not to exceed \$1,143.00.

COUNTY SHERIFF

Corporal William Crouch – Five (5) days – Nashville, Tennessee – 9th Annual K-9 COP

Magazine Police & Military Working Dog Conference – Total expenses for lodging (\$751.50), meals (\$244.00) and registration (\$295.00) estimated not to exceed \$1,290.50.

Deputy Danny Spears – Five (5) days – Nashville, Tennessee – 9th Annual K-9 COP Magazine Police & Military Working Dog Conference – Total expenses for lodging (\$751.50), meals (\$244.00) and registration (\$295.00) estimated not to exceed \$1,290.50.

Deputy Jim Kirker – Five (5) days – Nashville, Tennessee – 9th Annual K-9 COP Magazine Police & Military Working Dog Conference – Total expenses for lodging (\$751.50), meals (\$244.00) and registration (\$295.00) estimated not to exceed \$1,290.50.

COUNTY AUDITOR

Jennifer Hartley and Tina Williams - Four (4) days – Columbus, Ohio – 32nd Annual Ohio GFOA 2019 Conference & Membership Meeting – Total expenses for lodging (\$1,335.00), meals (\$490.00), mileage (\$278.40), registration (\$520.00) and other/parking (\$50.00) estimated not to exceed \$2,673.40.

PROSECUTING ATTORNEY

Mary Lynne Birck – Two (2) days – Richfield, Ohio – Academy of Continuing Legal Education: Ohio Election Law 2019.2 – Total expenses for lodging (\$117.56), meals (\$56.00) mileage (\$278.98) and registration (\$225.00) estimated not to exceed \$677.54

Carol Rowe – Two (2) days – Dayton, Ohio – The 2019 Montgomery County Prosecutor's Law Enforcement Seminar for Police Officers and Prosecutors – Total expenses for mileage (\$88.16) and registration (\$150.00) estimated not to exceed \$238.16.

9. 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

10. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 108-19/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 108-19** resolving to approve payment to vendors **in the total amount of \$1,673,798.38** as set forth in the BCC Approval Invoice Report(s) for Checks Dated **July 17, 2019**, BCC Directed Pre-Paid Invoices Report(s) and/or Procurement Card Transaction Report presented by the County Auditor on **07/15/2019**, 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.

**11. IN RE: CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT...
REQUEST TO ADVERTISE FOR BIDS FOR THE CLERMONT COUNTY
SHERIFF'S OFFICE SAFETY & TRAINING FACILITY...19-0628-
001...APPROVED**

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

Recommendation of Wade Grabowski, Director, Clermont County Facilities Management Department, with the concurrence of Thomas J. Eigel, County Administrator, to approve the request to advertise for bids for the *Clermont County Sheriff's Office Safety & Training Facility*, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation for three (3) consecutive weeks commencing on **Thursday, 07/25/2019**, scheduling a non-mandatory pre-bid conference, at **9:00 A.M. Local Time, Thursday, 08/01/2019** at the **Clermont County Sheriff's Office, 4470 State Route 222; Batavia, Ohio 45103**, with bids to be received until **2:00 P.M. Local Time on Thursday, 08/15/2019**, 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 will also be posted on Clermont County's website at the following URL link: www.clermontcountyohio.gov.

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

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

**12. IN RE: BOARD OF COUNTY COMMISSIONERS...AGREEMENT WITH OHIO-
KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF
GOVERNMENTS FOR COMPREHENSIVE REGIONAL PLANNING
SERVICES FOR THE COUNTY OF CLERMONT, OHIO...19-0705-
001...RATIFIED**

Moved by Mr. Humphrey, seconded by Mrs. Corcoran, 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 an Agreement by and between the County of Clermont, Ohio, and the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202 for comprehensive regional planning services for the County of Clermont, Ohio, for a total amount not to exceed \$67,804.00, effective 07/01/2019 through 06/30/2020, pursuant to and in compliance with the terms and conditions set forth therein.

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

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

**13. IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF AN
EQUAL EMPLOYMENT OPPORTUNITY (EEO) OFFICER FOR
CLERMONT COUNTY, OHIO, PURSUANT TO THE CLERMONT
COUNTY PERSONNEL POLICY AND PROCEDURE MANUAL...19-0628-
003...RATIFIED**

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

Recommendation to designate the Human Resources Administrator as the Equal Employment Opportunity (EEO) Officer for the County of Clermont, Ohio, pursuant to and in compliance with Section 1.03 (B) of the Clermont County Personnel Policy and Procedure Manual entitled Fair Employment Practices/Employee Complaints of Discrimination for purposes of receiving complaints of alleged EEO violations, to serve as the point of contact with the EEO Agency(ies), and to be the signatory for matters of EEO compliance and further to authorize the update of the appropriate internet links and appendices accordingly, effective 07/17/2019.

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

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

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

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

Recommendation of Mary K. Rains, Director, 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 L. Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
GENERAL FUND	TB Clinic	\$ 5,000.00
	OTHER EXPENSES	
	1000 - 05 - 01 - 041000 - 530000 -	

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

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

15. IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO CONSIDER THE REMOVAL OF ITEM NUMBER 20 FROM THE NON-CONSENT AGENDA OF THE REGULAR SESSION OF 06/19/2019 HERETOFORE Tabled IN AND AS IT RELATES TO THE CONTRACT FOR MINOR PUBLIC IMPROVEMENT PROJECTS WITH GARLAND/DBS, INC. FOR THE EMA/911 COMMUNICATIONS CENTER ROOF REPLACEMENT PROJECT...19-0606-001...APPROVED

LET THE RECORD SHOW: COMMISSIONER PAINTER REQUESTED TO CONSIDER THE REMOVAL OF ITEM NUMBER 20 FROM THE NON-CONSENT AGENDA OF THE REGULAR SESSION OF 06/19/2019 HERETOFORE Tabled IN AND AS IT RELATES TO THE CONTRACT FOR MINOR PUBLIC IMPROVEMENT PROJECTS WITH GARLAND/DBS, INC. FOR THE EMA/911 COMMUNICATIONS CENTER ROOF REPLACEMENT PROJECT FOR CONSIDERATION BY THE BOARD...19-0606-001...APPROVED

Moved by Mr. Humphrey, seconded by Mrs. Corcoran, that the Board of County Commissioners item 20 from the Non-Consent Agenda of the Regular Session of 06/19/2019 resolve to approve a request to remove from the table for further consideration.

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: WADE GRABOWSKI, DIRECTOR CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT PROVIDED THE REQUESTED ADDITIONAL DETAILS WITH REGARD TO THE WARRANTY INFORMATION FOR THE EMA/911 COMMUNICATIONS CENTER ROOF.

16. IN RE: CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT... CONTRACT FOR MINOR PUBLIC IMPROVEMENT PROJECTS WITH GARLAND/DBS, INC. FOR THE EMA/911 COMMUNICATIONS CENTER ROOF REPLACEMENT PROJECT...19-0606-001...EXECUTED

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

Recommendation of Wade Grabowski, Director, Clermont County Facilities Management Department, with the concurrence of Thomas J. Eigel, County Administrator, to execute a *Contract for Minor Public Improvement Projects* by and between the Board of Commissioners of Clermont County, Ohio, and Garland/DBS, Inc., 3800 East 91st Street, Cleveland, Ohio 44105 for the *EMA/911 Communications Center Roof Replacement Project* in concert with their Proposal #: 25-OH-170946, which is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA # 14-5903) with Cobb County, Georgia and U.S. Communities, and as more fully described in the Scope of Services identified as Exhibit A, attached thereto and made a part thereof, in an amount not to exceed \$173,283.00, with said services to be completed within 120 days of Contractor's receipt of signed contract and Notice to Proceed from the Clermont County Facilities Management Department, pursuant to and in compliance with the terms and conditions set forth therein *and contingent upon the release of the required Purchase Order in concert with Requisition Number 00003703-00 dated 05/30/2019 relative thereto.*

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

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

COMMISSIONER PAINTER ASKED THAT ITEM NUMBER 17 BE TABLED AS A RESULT OF A CONFIDENTIALITY BREACH EARLIER DURING TODAY'S SESSION WHICH WAS PART OF THE FOLLOWING SETTLEMENT AGREEMENT.

17. IN RE: BOARD OF COUNTY COMMISSIONERS...EXECUTION OF A SETTLEMENT AGREEMENT WITH CHRISTOPHER HICKS AS IT RELATES TO UNITED STATES DISTRICT COURT CASE NO. 1:17-CV-00677...19-0717-001...TABLED

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

Recommendation of G. Ernie Ramos, Jr., Chief Assistant Prosecuting Attorney, with the concurrence of Thomas J. Eigel, County Administrator, to authorize David L. Painter, President of the Board, to execute the *Settlement Agreement* for the provision of full settlement and release of all claims associated with the matter of Christopher Hicks vs. Clermont County Board of Commissioners, et al., United States District Court, Southern District of Ohio, Western Division Case No. 1:17-cv-00677, the terms of which are set forth in detail in that Settlement Agreement.

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...ADDITION OF THREE AGENDA ITEMS TO THE REGULAR SESSION OF 07/17/2019...19-0130-009...APPROVED

Thomas J. Eigel, County Administrator, asked the Board to consider adding three additional items to the agenda of the Regular Session of 07/17/2019 to include the following: (1) Determination to make improvements relative to the construction, operation, and maintenance of the SR 28 Water Main Replacement Project; (2) Determination to make improvements relative to the construction, operation, and maintenance of the SR 48 & SR 28 Water Main Replacement and; (3) Request to Advertise for Bids Relative to the City of Milford "Riverside Park Improvements" Project. Commissioner Painter asked for a motion to approve the addition of the agenda items to today's Regular Session.

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

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

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

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RESOLUTION NUMBER 109-19/RESOLUTION DETERMINING TO MAKE IMPROVEMENTS KNOWN AS PROJECT NUMBER 6401-60153 RELATIVE TO THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SR 28 WATER MAIN REPLACEMENT (BUCKWHEAT TO BRANCH HILL GUINEA) PROJECT LOCATED IN MIAMI TOWNSHIP AND REQUEST TO ADVERTISE FOR BIDS FOR SAME...19-0621-005 AND 19-0621-006...ADOPTED

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

Recommendation of Ainsley Knapke, E.I., Project Manager, with the concurrence of Chris Rowland, P.E., Assistant Sanitary Engineer, Clermont County Water Resources Department, to adopt **Resolution Number 109-19** resolving to determine to make improvements relative to the construction, operation, and maintenance of the SR 28 Water Main Replacement (Buckwheat to Branch Hill Guinea) Project located in Miami Township, as set forth in Exhibit A, attached thereto and made a part thereof, designated as Project Number 6401-60153, and in conformance with the detailed plans, specifications and estimates of cost and financing as herein ratified and confirmed, all of which shall be paid from one or more of any combination of the Waterworks Replacement and Improvements Fund, Waterworks Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from water rates and charges levied for the operation of the Clermont County Waterworks System and, subsequent thereto, to approve the request to advertise for bids for Project Number 6401-60153, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on Thursday, 07/25/2019, scheduling a non-mandatory Pre-Bid Meeting on Thursday, 08/08/2019, at 9:00 A.M., with bids to be received until **2:00 P.M. Local Time on Thursday, 08/15/2019** 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. This notice will also be posted on Clermont County's website at the following URL link: www.clermontcountyohio.gov.

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

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

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RESOLUTION NUMBER 110-19/RESOLUTION DETERMINING TO MAKE IMPROVEMENTS KNOWN AS PROJECT NUMBER 6401-60159 RELATIVE TO THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SR 48 & SR 28 WATER MAIN REPLACEMENT PROJECT LOCATED IN GOSHEN TOWNSHIP AND REQUEST TO ADVERTISE FOR BIDS FOR SAME...16-0626-003 AND 19-0626-004...ADOPTED

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

Recommendation of Ainsley Knapke, E.I., Project Manager, with the concurrence of Chris Rowland, P.E., Assistant Sanitary Engineer, Clermont County Water Resources Department, to adopt **Resolution Number 110-19** resolving to determine to make improvements relative to the construction, operation, and maintenance of the SR 48 & SR 28 Water Main Replacement Project located in Goshen Township, as set forth in Exhibit A, attached thereto and made a part thereof, designated as Project Number 6401-60159, and in conformance with the detailed plans, specifications and estimates of cost and financing as herein ratified and confirmed, all of which shall be paid from one or more of any combination of the Waterworks Replacement and Improvements Fund, Waterworks Capital Improvement Fund, Ohio Public Works Commission Grant, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from water rates and charges levied for the operation of the Clermont County Waterworks System and, subsequent thereto, to approve the request to advertise for bids for Project Number 6401-60159, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on Thursday, 07/25/2019, scheduling a non-mandatory Pre-Bid Meeting on Thursday, 08/08/2019, at 8:30 A.M., with bids to be received until **2:00 P.M. Local Time on Thursday, 08/15/2019** 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. This notice will also be posted on 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.

IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...REQUEST TO ADVERTISE FOR BIDS FOR PROJECT NUMBER 2016-04 RELATIVE TO THE CITY OF MILFORD "RIVERSIDE PARK IMPROVEMENTS" PROJECT IN CONCERT WITH THE CLERMONT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2016...18-0613-001...APPROVED

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 approve the request to advertise for bids for Project Number 2016-04 relative to the City of Milford "Riverside Park Improvements" Project in concert with the Clermont County Community

Development Block Grant (CDBG) Program for Fiscal Year 2016, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 07/25/2019, with bids to be received until **2:00 P.M. Local Time on Thursday, 08/15/2019** 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 will also be posted on Clermont County's website at the following URL link: www.clermontcountyohio.gov.

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

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

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN, TO GO INTO EXECUTIVE SESSION AT 11:29 A.M. PURSUANT TO SECTION 121.22 (G) (1), (G) (3), (G) (4) AND (G) (6) OF THE OHIO REVISED CODE TO (1) CONSIDER THE EMPLOYMENT AND COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES (2) CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING OR IMMINENT LITIGATION, (3) PREPARE FOR, CONDUCT, OR REVIEW NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT AND (4) DISCUSS DETAILS RELATIVE TO THE SECURITY ARRANGEMENTS AND EMERGENCY RESPONSE PROTOCOLS FOR A PUBLIC BODY OR A PUBLIC OFFICE, RESPECTIVELY

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 12:55 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: COMMISSIONER PAINTER REQUESTED A MOTION FOR THE BOARD TO TAKE A RECESS UNTIL 2:00 P.M.

LET THE RECORD SHOW: COMMISSIONER PAINTER EXITED THE SESSION ROOM AT 12:56 P.M. AND RETURNED AT 12:57 P.M.

Moved by Mr. Humphrey, seconded by Mrs. Corcoran, that the Board of County Commissioners take a recess until 2:00 P.M.

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 1:58 P.M.

LET THE RECORD SHOW: JUDITH KOCICA, CLERK OF THE BOARD, STATED THERE NEEDS TO BE A CORRECTION TO ITEM #12 WHICH WILL NEED TO BE RESCINDED AND RECONSIDERED.

12. IN RE: BOARD OF COUNTY COMMISSIONERS...AGREEMENT WITH OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS FOR COMPREHENSIVE REGIONAL PLANNING SERVICES FOR THE COUNTY OF CLERMONT, OHIO...19-0705-001...RESCINDED

Moved by Mr. Painter, seconded by Mrs. Corcoran, 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 an Agreement by and between the County of Clermont, Ohio, and the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202 for comprehensive regional planning services for the County of Clermont, Ohio, for a total amount not to exceed \$67,804.00, effective 07/01/2019 through 06/30/2020, pursuant to and in compliance with the terms and conditions set forth therein.

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

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

LET THE RECORD SHOW: JUDITH KOCICA, CLERK OF THE BOARD, NOTED THE CORRECTION TO THE FOLLOWING RECOMMENDATION WILL BE TO AUTHORIZE THOMAS J. EIGEL, COUNTY ADMINISTRATOR TO SIGN THE AGREEMENT WITH OKI COUNCIL OF GOVERNMENTS ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS.

12. IN RE: BOARD OF COUNTY COMMISSIONERS...AGREEMENT WITH OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS FOR COMPREHENSIVE REGIONAL PLANNING SERVICES FOR THE COUNTY OF CLERMONT, OHIO...19-0705-001...RATIFIED

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

Recommendation to authorize Thomas J. Eigel, County Administrator, for an on behalf of the Board of County Commissioners, Clermont County, Ohio to execute an Agreement by and between the County of Clermont, Ohio, and the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202 for comprehensive regional planning services for the County of Clermont, Ohio, for a total amount not to exceed \$67,804.00, effective 07/01/2019 through 06/30/2020, pursuant to and in compliance with the terms and conditions set forth therein.

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...ADDITION OF TWO AGENDA ITEMS TO THE REGULAR SESSION OF 07/17/2019...19-0130-009...APPROVED

Thomas J. Eigel, County Administrator, asked the Board to consider adding two additional items to the agenda of the Regular Session of 07/17/2019 to include the following: (1) Collective Bargaining Agreement between Clermont County Commissioners, Department of Job and Family Services and American Federation of State, County and Municipal Employees and; (2) Appointment of Outside Legal Counsel. Commissioner Painter asked for a motion to approve the addition of the agenda items to today's Regular Session.

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

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES... COLLECTIVE BARGAINING AGREEMENT BETWEEN CLERMONT COUNTY COMMISSIONERS, DEPARTMENT OF JOB AND FAMILY SERVICES AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, OHIO COUNCIL 8, LOCAL 3536...19-0625-001...EXECUTED

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

Recommendation of Tim Dick, Interim Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to execute the Collective Bargaining Agreement by and between the County of Clermont, Ohio, and the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 3536, representing the Bargaining Unit Employees of the Clermont County Department of Job and Family Services, for the period of 01/01/19 through 12/31/21, pursuant to and in compliance with the terms and conditions specified therein; and further to authorize the Clermont County Department of Job and Family Services to prepare and process Munis personnel actions for eligible Bargaining Unit Employees of the Department of Job and Family Services in concert therewith, to adjust their rates of pay in compliance with Article 29 entitled Wages effective 12/17/18.

Discussion: Commissioner Painter stated he understands this is in alignment with all other bargaining agreements. Ms. Tahat stated this agreement does align with other bargaining unit agreements.

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...APPOINTMENT OF OUTSIDE LEGAL COUNSEL IN COMPLIANCE WITH THE REQUIREMENTS OF R.C. 2744.07(A)(1) IN AND AS IT RELATES TO THE CLAIMS SET FORTH IN THE LITIGATION IDENTIFIED AS JARED SCHWARTZ VS. CLERMONT COUNTY SHERIFF'S OFFICE, ET AL....19-0716-001...APPROVED

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

Recommendation of G. Ernie Ramos, Jr., Assistant Prosecuting Attorney, with the concurrence of Thomas J. Eigel, County Administrator, to appoint outside legal counsel, in compliance with R.C. 2744.07(A)(1) which states: a political subdivision shall provide for the defense of an employee, in any state or federal court, in any civil action or proceeding which contains an allegation for damages for injury, death, or loss to person or property caused by an act or omission of the employee in connection with a governmental or proprietary function.

Potential conflicts of interest exist such that representation is necessary for certain individuals, identified as defendants, in their individual capacities in and as it relates to the matter of Jared Schwartz vs. Clermont County Sheriff's Department, et al., filed in the United States District Court for the Southern District of Ohio, Western Division, under Case No. 1:19-cv-00453. Said representation shall be as follows:

Law Firm	Individual Represented	Hourly Rate
Schroeder, Maundrell, Barbieri & Powers 5300 Socialville-Foster Road, Suite 200 Mason, Ohio 45040	Jeffrey Gaffney	Partners' time shall be billed at a rate of \$175.00 per hour; associate attorneys shall be billed at a rate of \$160.00 per hour; and legal assistants-paralegals shall be billed at a rate of \$90.00 per hour.
Montgomery Jonson, LLP 600 Vine Street Suite 2650 Cincinnati, Ohio 45202	Michael Ashley	Attorneys' time shall be billed at a rate of \$200.00 per hour; and paralegal/law clerk time shall be billed at \$85.00 per hour.

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

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

LET THE RECORD SHOW: COMMISSIONER PAINTER REQUESTED ITEM 17 BE REMOVED FROM THE TABLE FOR CONSIDERATION BY THE BOARD.

17. IN RE: BOARD OF COUNTY COMMISSIONERS...EXECUTION OF A SETTLEMENT AGREEMENT WITH CHRISTOPHER HICKS AS IT RELATES TO UNITED STATES DISTRICT COURT CASE NO. 1:17-CV-00677...19-0717-001...APPROVED

Moved by Mr. Painter, seconded by Mr. Humphrey, that the Board of County Commissioners remove item 17 from the table for consideration.

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

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

17. IN RE: BOARD OF COUNTY COMMISSIONERS...EXECUTION OF A SETTLEMENT AGREEMENT WITH CHRISTOPHER HICKS AS IT RELATES TO UNITED STATES DISTRICT COURT CASE NO. 1:17-CV-00677...19-0717-001...RATIFIED

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

Recommendation of G. Ernie Ramos, Jr., Chief Assistant Prosecuting Attorney, with the concurrence of Thomas J. Eigel, County Administrator, to authorize David L. Painter, President of the Board, to execute the Settlement Agreement for the provision of full settlement and release of all claims associated with the matter of Christopher Hicks vs. Clermont County Board of Commissioners, et al., United States District Court, Southern District of Ohio, Western Division Case No. 1:17-cv-00677, the terms of which are set forth in detail in that Settlement Agreement.

Discussion: Commissioner Painter provided details of the Settlement Agreement to which the Board agrees: the Board of Commissioners admit that, while not being disruptive, Mr. Hicks' First

Amendment Right to Freedom of Speech was violated when he was not given permission to speak during public participation at and was removed from the Board Session meeting on July 26, 2017; The Board of Commissioners will be enjoined from removing persons from a Board Session meeting on the grounds that the person made an utterance, gesture, or display which outrages the sensibilities of the Board and from authorizing the Board President to determine whether a speaker's remarks outrage the sensibilities of the Board at a Session meeting; and the Board agrees to pay \$145,000.00 as and for compensation to Mr. Hicks and to Mr. Hicks' attorneys for all legal representation in this Federal action.

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 07/17/2019...19-0130-009...APPROVED

Thomas J. Eigel, County Administrator, asked the Board to consider adding one additional item to the agenda of the Regular Session of 07/17/2019 to include the following: (1) Supplemental Appropriations. Commissioner Painter asked for a motion to approve the addition of the agenda items to today's Regular Session.

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

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...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 Mary K. Rains, Director, 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 L. Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
GENERAL FUND	INSURANCE/HEALTH/JUDGEMENTS	\$ 146,500.00
	OTHER EXPENSES	
	1000 - 01 - 01 - 031302 - 530000 -	

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

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

LET THE RECORD SHOW: COMMISSIONER PAINTER READ THE NEWS RELEASE BELOW WITH REGARD TO THE SETTLEMENT WITH CHRISTOPHER HICKS.

[NEWS RELEASE: Settlement - Hicks vs. Clermont County](#)

IN RE: ADJOURNMENT...RATIFIED

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

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:13 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

07/24/19
DATE APPROVED