

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 18, 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 SEPTEMBER 18, 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 Mrs. Corcoran, seconded by Mr. Painter:

To approve and sign the minutes of the Regular Session of **09/11/2019**.

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

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

## **CONSENT AGENDA**

**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 MARIE'S HOUSE OF HOPE, INC. FOR THE PROVISION OF GROUP HOME SERVICES FOR SAME...19-0827-005...RATIFIED**

Recommendation 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 Marie's

House of Hope, Inc., 706 ½ East Main Street, Trotwood, Ohio 45426, for the provision of group home 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 05/15/2019 through 05/14/2020, pursuant to and in compliance with the terms and conditions specified therein, and contingent upon (1) the receipt of the Ohio Bureau of Workers' Compensation Certificate for the period of 05/15/2019 through 06/30/2019 and (2) the release of the Purchase Order in concert with Requisition Number 00004797-00 dated 08/21/2019 relative thereto, both of which are required therefore.

**2. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... GRANT OF WATER EASEMENT WITH RIGHT OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 6401-60158 RELATIVE TO THE GLENDALE & GLEN WILLOW WATER MAIN REPLACEMENT PROJECT LOCATED WITHIN UNION TOWNSHIP...19-0906-004...RATIFIED**

Recommendation of John R. Schramm, Construction Coordinator, with the concurrence of Chris Rowland, P.E., Assistant Sanitary Engineer, Clermont County Water Resources Department, to accept the following Grant of Water Easement with Right of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing and removing or reinstalling water utility lines, pumping equipment, and all incidental fixtures required for the transportation of water in, on, under and across the property of the Grantors for Project Number 6401-60158 relative to the Glendale & Glen Willow Water Main Replacement Project located within Union Township, and to authorize the execution of the Plat of Easement as designated, in and as it relates thereto, and further to authorize the County Auditor to remit payment to the Grantors in the amount(s) as outlined below and as indicated on the Settlement Sheet attached thereto as compensation for the Permanent Easement and Right-of-Way granted thereby and Repairs relative thereto and to remit payment in the amount of \$80.00, payable to Jeannie M. Zurmehly, Clermont County Treasurer, for the recording fees required therefore:

Grantors	Parcel Number	Compensation
Robert E. Taggert and Christy L. Ratliff 1204 Pood Drive Batavia, Ohio 45103 <b>Record Plat Number 629-3156</b> (Replat of Lot Number 40 in Green Valley Subdivision/Union Township)	41-48-02.-040.	Perm       \$538.56 Repairs     \$725.00

**3. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... ACCEPTANCE OF THE CONTRACT WITH SMITHCORP, INC. FOR PROJECT NUMBER 6401-60132 RELATIVE TO THE PLUM STREET WATER PETITION PROJECT LOCATED WITHIN GOSHEN TOWNSHIP AS COMPLETE AND APPROVAL OF THE APPLICATION AND CERTIFICATION FOR PAYMENT #3, FINAL, FOR A PROGRESS PAYMENT AND THE RELEASE OF RETAINAGE RELATIVE THERETO...16-0912-001...RATIFIED**

Recommendation of Chris Rowland, Assistant Sanitary Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to accept the Contract by and between the County of Clermont, Ohio, and Smithcorp, Inc., 130 Novner Drive, Cincinnati, Ohio 45215 for Project Number 6401-60132 relative to the Plum Street Water Petition Project located within Goshen Township as Complete as of 04/25/2017 and to approve the Application and Certification for Payment #3, Final, which represents a progress payment in the amount of \$8,901.00 and the release of retainage in the principal amount of \$2,800.00, for a total amount due of \$11,701.00, and further, to authorize the Clermont County Auditor to issue the total

afore stated referenced payment therefore subsequent thereto.

**4. IN RE: COUNTY ENGINEER...GLENWOOD TRAILS SUBDIVISION/SECTION 3A/BATAVIA TOWNSHIP...RESOLUTION NUMBER 143-19/RESOLUTION AUTHORIZING THE CONVERSION OF THE PERFORMANCE AND MAINTENANCE BOND AS SURETY FOR SAME...18-0118-005...ADOPTED**

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 143-19** resolving to convert the Performance and Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Batavia Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance and Maintenance Bond	Street/Length (miles)
Glenwood Trails Subdivision Section 3A Batavia Township	\$34,000.00/\$10,000.00	Autumnview Drive (0.085) Trail Overlook (0.082)

**5. IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/SECTION 3/BATAVIA TOWNSHIP...RESOLUTION NUMBER 144-19/RESOLUTION AUTHORIZING THE CONVERSION OF THE PERFORMANCE AND MAINTENANCE BOND AS SURETY FOR SAME...18-0118-004...ADOPTED**

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 144-19** resolving to convert the Performance and Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Batavia Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance and Maintenance Bond	Street/Length (miles)
Forest Glen Subdivision Section 3 Batavia Township	\$27,000.00/\$10,000.00	Millstream Drive (0.099) Streamview Court (0.036)

**6. IN RE: COUNTY ENGINEER...GLENWOOD TRAILS SUBDIVISION/SECTION 3B/PART 1/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE AND MAINTENANCE BOND HERETOFORE PROVIDED AS SURETY THEREFORE AND ACCEPTANCE OF STREETS SITUATED THEREIN AS PUBLIC ROADS FOR PLACEMENT INTO THE BATAVIA TOWNSHIP PUBLIC ROAD SYSTEM...14-0903-001...APPROVED**

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the Performance and Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following Subdivision located within Batavia Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Batavia Township Public Road System:

Subdivision	Maintenance Bond	Streets/Length (miles)
Glenwood Trails Subdivision Section 3B/Part 1 Batavia Township	\$10,000.00	Green Valley Court (0.025) Autumnview Drive (0.110)

**7. IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/SECTION II/BLOCK D/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE AND MAINTENANCE BOND HERETOFORE PROVIDED AS SURETY THEREFORE AND ACCEPTANCE OF STREETS SITUATED THEREIN AS PUBLIC ROADS FOR PLACEMENT INTO THE BATAVIA TOWNSHIP PUBLIC ROAD SYSTEM...16-0711-004...APPROVED**

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the Performance and Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following Subdivision located within Batavia Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Batavia Township Public Road System:

Subdivision	Maintenance Bond	Streets/Length (miles)
Forest Glen Subdivision Section II Block D Batavia Township	\$10,000.00	Pheasant Ridge Court (0.093) Millstream Drive (0.057)

**8. IN RE: COUNTY ENGINEER...PINE BLUFFS SUBDIVISION/SECTION 3/MIAMI TOWNSHIP...REQUEST TO REDUCE THE AMOUNT OF THE PERFORMANCE BOND FOR SIDEWALKS HERETOFORE APPROVED AS SURETY FOR SAME...18-0921-003...APPROVED**

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to approve the request of the developer of the following subdivision to reduce the amount of the Performance Bond for Sidewalks heretofore approved by the Board of County Commissioners on 10/10/2018 as Surety therefore, for which the reduced amount reflects a fifty percent (50%) completion thereof, pursuant to and in compliance with the terms and conditions set forth in the afore stated surety bond for same:

Subdivision	Initial Amount of Performance Bond for Sidewalks	Revised Amount of Performance Bond for Sidewalks
Pine Bluffs Subdivision Section 3 Miami Township	\$23,800.00*  *Secured by Cashier's Check Number 2993997 issued on 09/05/2018 by PNC Bank, National Association Ohio, on behalf of Pine Bluffs Development, LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242	\$11,900.00*

**9. IN RE: COUNTY ENGINEER...WOODBURY GLEN SUBDIVISION/SECTION 7/BATAVIA TOWNSHIP...REQUEST TO REDUCE THE AMOUNT OF THE PERFORMANCE BOND FOR SIDEWALKS HERETOFORE APPROVED AS SURETY FOR SAME...18-0907-003...APPROVED**

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to approve the request of the developer of the following subdivision to reduce the amount of the Performance Bond for Sidewalks heretofore approved by the Board of County Commissioners on 09/12/2018 as Surety therefore, for which the reduced amount reflects a seventy-five percent (75%) completion thereof, pursuant to and in compliance with the terms and conditions set forth in the afore stated surety bond for same:

Subdivision	Initial Amount of Performance Bond for Sidewalks	Revised Amount of Performance Bond for Sidewalks

Woodbury Glen Subdivision Section 7 Batavia Township	\$38,400.00*  *Secured by Cashier's Check Number 2993866, issued on 08/14/2018 by PNC Bank, National Association Ohio, on behalf of WBG Development. LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242	\$9,600.00*
---	--	-------------

**10. IN RE: COUNTY ENGINEER...PERMANENT AND TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER BA-08-18 RELATIVE TO THE ELKCLICK ROAD BRIDGE (T3151-0.15) REPLACEMENT PROJECT LOCATED IN BATAVIA TOWNSHIP...19-0905-001...ACCEPTED**

Recommendation of Jeremy P. Evans, 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 BA-08-18 relative to the Ellick Road Bridge (T3151-0.15) Replacement Project located within Batavia Township, and to authorize payment as compensation for the Permanent and Temporary Easements and Rights-of-Way granted thereby and Repairs relative thereto:

Grantor	Parcel Number	Compensation
The Clermont Sportsmen, Inc. 3451 State Route 222 Batavia, Ohio 45103	01-20-20I-038	Perm \$ Donated Temp \$ Donated Repairs \$ 5,000.00

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

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

Elected Official/Department/Employee	Organization	Annual Dues	Term
County Engineer & Staff Jeremy P. Evans Rob Alfieri DC# 18-1214-007 (revised/previously approved on 12/19/2018 and subsequently amended on 06/18/2019)	Clermont County Township Association	\$70.00	01/01/2019 through 12/31/2019
Department of Job and Family Services Tim Dick and/or Staff DC# 19-0910-006	Clermont County Affordable Housing Coalition	\$25.00	07/01/2019 through 06/30/2020
Department of Job and Family Services Tim Dick and/or Staff DC# 19-0910-005	Ohio Family and Children First Coordinators Association	\$125.00	07/01/2019 through 06/30/2020

**12. IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE ISSUANCE OF PROCUREMENT CARDS FOR EMPLOYEES OF THE CLERMONT COUNTY BOARD OF DEVELOPMENTAL DISABILITIES 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...APPROVED**

Recommendation of Thomas J. Eigel, County Administrator, to authorize the issuance of Procurement Cards for Elizabeth Martin, an employee of the Clermont County Board of Developmental Disabilities and Hope Shinkle, 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.

**13. 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:

**APPROPRIATION CHANGES FOR FISCAL YEAR 2019**

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
GENERAL FUND	Municipal Court MAGISTRATE SALARY 1000 - 02 - 12 - 341000 - 511400 -	\$ 1,000.00
GENERAL FUND	Municipal Court FRINGE BENEFITS 1000 - 02 - 12 - 341000 - 520000 -	\$ (7,000.00)
GENERAL FUND	Municipal Court OTHER EXPENSES 1000 - 02 - 12 - 341000 - 530000 -	\$ 6,000.00
SEWER REVENUE	Sewer Treatment REGULAR SALARY 6002 - 12 - 01 - 153000 - 511200 -	\$ 29,000.00
SEWER REVENUE	Sewer Treatment BARGAINING UNIT - SALARY 6002 - 12 - 01 - 153000 - 511700 -	\$ 14,500.00
SEWER REVENUE	Sewer Treatment OVERTIME 6002 - 12 - 01 - 153000 - 512100 -	\$ (23,082.83)
SEWER REVENUE	Sewer Treatment RETIREMENT PAYOUT 6002 - 12 - 01 - 153000 - 513200 -	\$ 3,582.83
SEWER REVENUE	Sewer Treatment FRINGE BENEFITS 6002 - 12 - 01 - 153000 - 520000 -	\$ (24,000.00)

**CASH TRANSFER OF FUNDS FOR FISCAL YEAR 2019**

<b>FROM: FUND - OBJECT - ACCOUNT</b>	<b>TO: FUND - OBJECT - ACCOUNT</b>	<b>AMOUNT</b>
<b>PUBLIC ASSISTANCE</b> TRANSFERS OUT TO SPEC REV 2401 - 06 - 01 - 081000 - 700200 -	<b>CHILD SUPPORT ENFORCEMENT</b> OPERATING TRF IN FR SPEC REV 2403 - 06 - 01 - 086000 - 480200 -	<b>\$ 166,535.75</b>

**14. 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 MUNICIPAL COURT**

**Magistrate Anita Bechmann** – One (1) day – Columbus, Ohio – Supreme Court of Ohio Course on Evidence – Total expenses for meals (\$61.00), mileage (\$150.00), registration (\$50.00) and other (\$50.00) estimated not to exceed \$311.00.

**PROSECUTING ATTORNEY**

**D. Vincent Faris** – Three (3) days – Cleveland, Ohio – Ohio Prosecuting Attorneys Association 2019 OPAA Fall Training – Total expenses for lodging (\$350.00), meals (\$88.00), mileage (\$290.00), registration (\$250.00) and other/parking (\$56.00) estimated not to exceed \$1,090.00.

**Allyson Schaefer** – Four (4) days – Reynoldsburg, Ohio – Ohio Alliance to End Sexual Violence Fall 2019 Training Institute for Sexual Violence Advocates – Total expenses for lodging (\$325.00), meals (\$165.00) and mileage (\$116.00) estimated not to exceed \$606.00.

**COUNTY SHERIFF**

**Latessa Ellis** – Two (2) days – London, Ohio – Ohio Peace Officer Training Academy Course entitled Community Diversity & Procedural Justice Instructor (Course No. 02-170-19-03) – Total expenses for lodging (\$15.00) and registration/training (\$230.00) estimated not to exceed \$245.00.

**COUNTY ENGINEER**

**Jeremy Evans, Craig Risner, Steve Case and Daniel Hickey** – One (1) day – Mason, Ohio – Professional Land Surveyors of Ohio 2019 Fall Seminar – Total expenses for registration/conference (\$722.00) and other (\$50.00) estimated not to exceed \$772.00.

**CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

**Gretchen Behimer** – One (1) day – Dayton, Ohio – Building Resiliency: A Pediatric Mental Health Summit – Total expenses for mileage (\$81.20) and other (\$15.00) estimated not to exceed \$96.20.

**Gretchen Behimer** – One (1) day – Cincinnati, Ohio – Identifying and Integrating Interventions for Young Children of Addicted Parents Conference presented by the Collaborative for Children of Addicted Parents – Total expenses for mileage (\$34.80) and registration (\$65.00) estimated not to exceed \$99.80.

**CLERMONT COUNTY EMERGENCY MANAGEMENT AGENCY**

**Pam Haverkos** – One (1) day – Pickerington, Ohio – The Ohio Emergency Management Agency Fall Conference and the 2019 Emergency Management Association of Ohio Fall Conference – Total expenses for registration (\$30.00) estimated not to exceed \$30.00.

**CLERMONT COUNTY WATER RESOURCES DEPARTMENT**

**Chelsea Strite** – One (1) day – Kettering, Ohio – Southwest Ohio Water Environment Association Operator Education Day – Total expenses for registration/training (\$10.00) estimated not to exceed \$10.00.

**Caleb Gruber** – One (1) day – Kettering, Ohio – Southwest Ohio Water Environment Association Operator Education Day – Total expenses for registration/training (\$10.00) estimated not to exceed \$10.00.

**15. 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:

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

**NON-CONSENT AGENDA**

**16. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 145-19/PAYMENT OF BILLS...ADOPTED**

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 145-19** resolving to approve payment to vendors **in the total amount of \$1,993,264.21** as set forth in the BCC Approval Invoice Report(s) for Checks Dated **September 18, 2019**, BCC Directed Pre-Paid Invoices Report(s) and Procurement Card Transaction Report presented by the County Auditor on **09/16/2019**, 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:

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

**17. IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...AWARD OF BID AND EXECUTION OF CONTRACT 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...RATIFIED**

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

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of Sukie Scheetz, Assistant County Administrator, to award the bid 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, to Bearcat Construction, Inc., dba Gridiron Construction, 4455 Bethany Road, Mason, Ohio 45040, for the lowest and best

bid received on 08/15/2019, in the total amount of \$118,765.00, and to execute the Contract relative thereto, with said services to commence upon issuance of a written Notice to Proceed from the Department of Community and Economic Development and to be completed by 12/31/2020, pursuant to and in compliance with the terms and conditions specified therein and the award of bid therefore **and contingent upon the release of the Purchase Order in concert with Requisition Number 00004868-00 dated 08/27/2019 relative thereto.**

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

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

**18. IN RE: CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT... REJECTION OF ALL BIDS HERETOFORE RECEIVED FOR THE CLERMONT COUNTY SHERIFF'S OFFICE SAFETY & TRAINING FACILITY AND APPROVAL OF THE REQUEST TO RE-ADVERTISE FOR BIDS FOR SAME...19-0628-001...RATIFIED**

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

Recommendation of Wade Grabowski, Director, Clermont County Facilities Management Department, with the concurrence of Thomas J. Eigel, County Administrator, to (1) reject all the bids heretofore received on 08/15/2019 for the **Clermont County Sheriff's Office Safety & Training Facility**, inasmuch as all bids received exceeded the Engineer's Estimate by more than ten percent (10%), pursuant to and in compliance with Section 153.12 of the Ohio Revised Code; (2) to approve the request to **re-advertise** for bids for the **Clermont County Sheriff's Office Safety & Training Facility**, pursuant to the **revised plans, specifications and Engineer's Estimate 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, 09/26/2019, scheduling a non-mandatory pre-bid conference, at 9:00 A.M. Local Time, on Thursday, 10/10/2019 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, 10/24/2019**, 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](http://www.clermontcountyohio.gov).

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

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

**19. IN RE: COUNTY ENGINEER...MILLER ESTATES SUBDIVISION/TATE TOWNSHIP...RECORD PLAT NUMBER 629-3157 FOR THE REPLAT OF LOT NUMBER 10 WITHIN SAME...19-0903-002...EXECUTED**

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

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute **Record Plat Number 629-3157** for the Replat of Lot Number 10 in the following Subdivision located within Tate Township:

Subdivision	Record Plat Number	Reason for Replat
Miller Estates Subdivision Replat of Lot Number 10 Tate Township	629-3157	To Create New Lot Number 10A

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

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

**20. IN RE: COUNTY ENGINEER...MAWOOD SUBDIVISION/BATAVIA TOWNSHIP...RECORD PLAT NUMBER 629-3158 FOR THE REPLAT OF LOT NUMBER 20 AND ALL OF VACATED UNION STREET WITHIN SAME...19-0123-008... EXECUTED**

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

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute **Record Plat Number 629-3158** for the Replat of Lot Number 20 in the following Subdivision located within Batavia Township and acceptance of 0.2084 acres of Dedicated Right-of-Way along Old State Route 32:

Subdivision	Record Plat Number	Reason for Replat
Mawood Subdivision Replat of Lot Number 20 Batavia Township	629-3158	To Create New Lot Number 21 and Acceptance of 0.2084 acres of Dedicated Right-of- Way along Old State Route 32

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

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

**21. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 146-19/RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE CLERMONT COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING SAME TO THE COUNTY AUDITOR FOR FISCAL YEAR 2020...19-0905-002...ADOPTED**

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

Recommendation to adopt **Resolution Number 146-19** resolving to accept the amounts and rates of each tax necessary to be levied on the tax duplicate of Clermont County, Ohio, within and without the ten mill limitation for Fiscal Year 2020 as determined by the Clermont County Budget Commission; to authorize the amounts and rates of each tax necessary to be levied on the tax duplicate of Clermont County, Ohio within and without the ten mill limitation for Fiscal Year 2020 as determined by the Clermont County Budget Commission; and to certify the amounts and rates of each tax necessary to be levied on the tax duplicate of Clermont County, Ohio, within and without the ten mill limitation for Fiscal Year 2020 as determined by the Clermont County Budget Commission to Linda L. Fraley, County Auditor, effective 01/01/2020, pursuant to and in compliance with Section 5705.34 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.

**22. 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 approve 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 Fraley, County Auditor, to properly record same:

**SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019**

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
<b>COUNTY HOTEL LODGING</b>	<b>Hotel Lodging Tax</b>	<b>\$ 189,745.67</b>
	<b>OTHER EXPENSES</b>	
	2022 - 01 - 02 - 023000 - 530000 -	
<b>WATER CONSTRUCTION</b>	<b>Water Construction</b>	<b>\$ 2,612,557.24</b>
	<b>OTHER EXPENSES</b>	
	6401 - 00 - 00 - 006401 - 530000 -	

Discussion: Commissioner Painter asked about the lodging tax. Ms. Rains responded that this is the Clermont County Auditor's estimate of the additional 1% lodging tax.

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

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

**23. IN RE: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF PROPOSALS AND/OR ACKNOWLEDGEMENT OF RENEWALS OF THE GROUP HEALTH BENEFITS FOR THE 2020 BENEFIT YEAR AND AUTHORIZATION TO OBTAIN AGREEMENTS THEREFORE FOR RATIFICATION THEREOF; TO ESTABLISH THE CAFETERIA PLAN; AND TO SCHEDULE OPEN ENROLLMENT...19-0905-006...RATIFIED**

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

Recommendation of Yvonne Smith, Human Resources Benefits Coordinator, the Clermont County Health Care Advisory Committee and Horan Associates, Inc., with the concurrence of Sandra Tahat, Human Resources Administrator, to resolve (1) to accept the 2020 Vendor Recommendations with Medical Plan Option #2, as presented to the Board of County Commissioners by Horan Associates, Inc. on 08/28/2019 without eliminating the Copay Accumulator; (2) to acknowledge the renewals of the listed carriers for 2020, as outlined in the table below, effective January 1, 2020 through December 31, 2020; (3) to authorize the Human Resources Benefits Coordinator to obtain new Agreements, as noted, for the referenced services for submittal to the Board of County Commissioners for ratification thereof; (4) to establish the Cafeteria Plan reflecting the 2020 Plans and Costs, as well as, the 2020 Benefit Credits relative thereto as listed below; and (5) to schedule the 2020 Employee Benefits Open Enrollment Period therefore:

<b>CARRIER</b>	<b>SERVICE</b>
<b>United Healthcare of Ohio, Inc. 400 E. Business Way, Suite 100, Sharonville, Ohio</b>	Administration functions and claims services for the County's Medical Plan for employees

<p><b>45241</b> DC# 18-0201-005 <b>*Existing Multi-Year Contract through 12/31/2020</b></p>	<p>and covered dependents. As negotiated through the Health Action Council (HAC).</p>
<p><b>OptumRx, Inc.,</b> <b>1600 McConnor Parkway, Schaumburg, Illinois 60173</b> DC# 17-1205-002 <b>*Existing Multi-Year Contract through 12/31/2020</b></p>	<p>Administration functions and claims services for the County's Prescription Drug Plan for employees and covered dependents. As negotiated through the Health Action Council (HAC).</p>
<p><b>Dental Care Plus, Inc.*</b> 100 Crowne Point Place, Cincinnati, Ohio 45241 DC# <b>*New Multi-Year Contract through 12/31/2022</b></p>	<p>Fully insured dental plan for employees and covered dependents. Offering the existing traditional plan and a new premium plan option.</p>
<p><b>EyeMed Vision Care*</b> 4000 Luxottica Place, Mason, Ohio 45040 DC# 18-1030-001 <b>*Existing Multi-Year Contract (through 12/31/2022)</b></p>	<p>Fully insured vision plan for employees and covered dependents. As negotiated through the Health Action Council (HAC).</p>
<p><b>VOYA Insurance Company*</b> DC# 18-0928-004 <b>*Existing Multi-Year Agreement through 12/31/2021</b></p>	<p>Coverage and administrative services for basic life, voluntary life, accidental death and dismemberment, and long-term disability insurance.</p>
<p><b>Chard, Snyder and Associates, Inc.*</b> 6867 Cintas Blvd., Mason, Ohio 45040 DC# 15-0921-001 <b>*Existing Multi-Year Agreement through 12/31/2021</b></p>	<p>Administrative services for Section 125 premium conversion and the Flexible Savings Account (FSA) benefits plan.</p>
<p><b>P &amp; A Administrative Services, Inc.*</b> <b>17 Court St., Ste 55, Buffalo, New York 14202-3294</b> DC# 14-1224-004 <b>*Existing Agreement-Rate hold extended through 12/31/2020</b></p>	<p>Full COBRA Administration including, but not limited to: providing COBRA notices, payment collection, COBRA enrollment, COBRA open enrollment, notifying vendor when member elects COBRA.</p>
<p><b>TriHealth EAP*</b> <b>11121 Kenwood Rd, Cincinnati, Ohio 45242</b> <b>DC#18-0928-005</b> <b>*Existing Agreement. 5 rate hold renewals through 12/31/2024</b></p>	<p>Employee Assistance Program provider: Provides a variety of counseling services to employees and family members. On-site and webinar training opportunities for employees, supervisors, etc.</p>

**2020 HealthCare Plans (per pay / 24 pays per year)**

<b>MEDICAL ADVANTAGE (COPAY)</b>	<b>COUNTY BENEFIT CREDIT</b>	<b>EMPLOYEE NON-TOB. USER RATES</b>	<b>EMPLOYEE TOB-USER RATES **</b>	<b>ANNUAL PHYSICAL CREDIT</b>
SINGLE	\$279.15	\$44.03	\$49.03	-5.00
EE + SPOUSE *	\$543.07	\$135.60	\$140.60	-10.00
EE + CHILD(REN)	\$455.90	\$109.68	\$114.68	-5.00

FAMILY *	\$869.53	\$196.98	\$201.98	-10.00
----------	----------	----------	----------	--------

MEDICAL HDP / HSA	COUNTY BENEFIT CREDIT	EMPLOYEE NON-TOB. USER RATES	EMPLOYEE TOB-USER RATES **	ANNUAL PHYSICAL CREDIT	COUNTY HSA CONTRI B.
SINGLE	\$225.83	\$30.00	\$35.00	-5.00	\$25.00
EE + SPOUSE *	\$438.28	\$98.96	\$103.96	-10.00	\$50.00
EE + CHILD(REN)	\$368.58	\$79.14	\$84.14	-5.00	\$50.00
FAMILY *	\$702.68	\$141.57	\$146.57	-10.00	\$50.00

DENTAL	Basic Plan	Premium Plan
SINGLE	\$12.25	\$14.26
EE + SPOUSE	\$33.60	\$39.12
EE + CHILD(REN)	\$30.94	\$36.00
FAMILY	\$37.51	\$43.69

VISION	
SINGLE	\$2.82
EE + SPOUSE	\$5.92
EE + CHILD(REN)	\$6.76
FAMILY	\$8.08

\*Spousal surcharge will remain at \$50 per pay for employees electing spousal coverage through the county when the spouse has coverage available through their own employer.

\*\*Tobacco users who completed the Clermont County Public Health Department's "Tobacco Cessation" program during 2019 are eligible for non-tobacco user rates in 2020.

County Paid Life Insurance: \$0.052 per \$1,000 (= \$1.30 per emp.).  
 County Paid LTD Insurance: \$0.137 per \$100 (X annual salary)

Voluntary Life (rates based on age group):

- New Hires up to 3x annual salary without EOI (medical form). Up to 5x with approved EOI
- Open Enrollment: can increase existing coverage by up to \$20k without EOI
- Maximum coverage = 5x salary up to \$250k; Spouse: \$50k or up to \$100k w/approved EOI; Child: \$20k

Discussion: Commissioner Painter asked what benefit this year's negotiation provided. Ms. Smith responded that if the Board approves the proposal as presented, there will be no additional cost to employees. In addition, there will be a no copay option which will cover preventative and virtual office visits at 100%, which under the current plan did require a copay.

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

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

**24. IN RE: TRAINING AND TRAVEL REQUEST...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED**

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

Recommendation of Thomas J. Eigel, County Administrator, to approve the following request 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:

**BOARD OF COUNTY COMMISSIONERS**

**Commissioner Claire B. Corcoran:** One (1) day – Covington, Kentucky – Ohio-Kentucky-Indiana (OKI) Regional Council of Governments Annual Luncheon – Total expenses for mileage (\$29.12), registration/conference (\$75.00) and other/parking (\$20.00) estimated not to exceed \$124.12.

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

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

**25. IN RE: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION NUMBER 147-19/A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2020 OHIO TRANSIT PARTNERSHIP PROGRAM...19-0913-001... ADOPTED**

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

Recommendation of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 147-19** resolving to authorize William G. Harris, Clermont Transportation Connection Director, to file an application, including furnishing such additional information as required in connection with the application, on behalf of the Clermont County Board of Commissioners with the Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223, for the Ohio Transit Partnership Program for State Fiscal Year 2020 in the amount of \$173,600.00, 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:

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 10:16 A.M. PURSUANT TO SECTION 121.22 (G) (1), (G) (2), (G) (3) AND (G) (6) OF THE OHIO REVISED CODE TO (1) CONSIDER THE EMPLOYMENT, DISCIPLINE AND/OR COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES; (2) TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, THE SALE OF PROPERTY AT COMPETITIVE BIDDING, OR THE SALE OR OTHER DISPOSITION OF UNNEEDED, OBSOLETE, OR UNFIT-FOR-USE PROPERTY (3) CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING OR IMMINENT LITIGATION; 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 11:00 A.M. WITH NO ACTION TAKEN.

**LET THE RECORD SHOW:** COMMISSIONER PAINTER STATED THAT TODAY IS THE DATE, TIME AND PLACE FOR THE PUBLIC HEARING FOR ANNEXATION OF REAL PROPERTY SITUATED WITHIN WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG PURSUANT TO SECTION 709.02 OF THE OHIO REVISED CODE. COMMISSIONER PAINTER ASKED THAT EVERYONE IN ATTENDANCE FOR THE PUBLIC HEARING SIGN THE SIGN-IN SHEET FOR THE PUBLIC RECORD:

**IN RE: PUBLIC HEARING...PETITION FOR ANNEXATION OF 12.1096 ACRES FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG PURSUANT TO SECTION 709.02 OF THE OHIO REVISED CODE (19-0626-001)**

LET THE RECORD SHOW THAT A PUBLIC HEARING WAS HELD THIS DATE SHORTLY AFTER 11:00 A.M. LOCAL TIME IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE PROPOSED ANNEXATION OF 12.1096 ACRES FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG, CLERMONT COUNTY, OHIO, PURSUANT TO SECTION 709.02 OF THE OHIO REVISED CODE.

LET THE RECORD SHOW THAT THIS PUBLIC HEARING WAS VIDEOTAPED 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 PUBLIC HEARING IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <https://www.youtube.com/user/clermontcounty/playlists>.

LET THE RECORD SHOW THAT ALLAN EDWARDS, ASSISTANT PROSECUTING ATTORNEY, CLERMONT COUNTY PROSECUTOR'S OFFICE, SWORE IN THOSE PRESENT INTENDING TO GIVE TESTIMONY AT THE PUBLIC HEARING THIS DATE.

MIKE MINNIEAR, ATTORNEY AT LAW, 626 MAIN STREET, MILFORD, OHIO 45150, ADDRESSED THE BOARD ON BEHALF OF THE DESIGNATED AGENT FOR THE PETITIONERS, SUSAN M. ELLERHORST, AND INDICATED THAT THE PROPERTY IN QUESTION MEETS ALL THE CRITERIA FOR ANNEXATION AND THAT HE PLANS TO SUBMIT HIS TESTIMONY THIS DATE FOR INCLUSION IN THE PUBLIC RECORD. MR. MINNIEAR INDICATED THAT MARY ANN LEFKER, MAYOR OF THE VILLAGE OF WILLIAMSBURG WAS ALSO PRESENT.

MR. MINNIEAR EXPLAINED THIS IS A REGULAR ANNEXATION FILED PURSUANT TO OHIO REVISED CODE (ORC) 709.02. REGULAR ANNEXATIONS REQUIRE THAT A SIMPLE MAJORITY OF THE OWNERS SIGN THE PETITION.

THE STANDARD TO BE FOLLOWED AND THE SIX FACTORS TO BE CONSIDERED ARE PROVIDED IN ORC SECTION 709.033. OF THE SIX (6) CONDITIONS, THE BOARD MAY ONLY EXERCISE DISCRETION IN TWO OF THE FACTORS:

**SECTION 709.033(A)(5)** – *ON BALANCE, THE GENERAL GOOD OF THE TERRITORY PROPOSED TO BE ANNEXED WILL BE SERVED, AND THE BENEFITS TO THE TERRITORY PROPOSED TO BE ANNEXED AND THE SURROUNDING AREA WILL OUTWEIGH THE DETRIMENTS TO THE TERRITORY PROPOSED TO BE ANNEXED AND THE SURROUNDING AREA, IF THE ANNEXATION IS GRANTED.*

**SECTION 709.033(A)(4)** - *THE TERRITORY PROPOSED TO BE ANNEXED IS NOT UNREASONABLY LARGE.*

MR. MINNIEAR EXPLAINED THE BOARD MUST DETERMINE WHETHER THE GENERAL GOOD OF THE TERRITORY SOUGHT TO BE ANNEXED WILL BE SERVED. THE BOARD'S DETERMINATION OF GOOD OR DETRIMENT IS STRICTLY LIMITED TO THE TERRITORY TO BE ANNEXED AND THE SURROUNDING ONE-HALF MILE. THE GENERAL GOOD INCLUDES BOTH THE DESIRES OF THE PROPERTY OWNERS AND ABILITY OF THE MUNICIPALITY TO PROVIDE ADEQUATE SERVICES TO THE ANNEXED TERRITORY.

AS REQUIRED BY ORC 709.03(D), THE WILLIAMSBURG VILLAGE COUNCIL ADOPTED A SERVICE ORDINANCE INDICATING WHAT SERVICES THE VILLAGE WILL BE PROVIDING INCLUDING, SANITARY SEWERS. THE VILLAGE HAS AN ORDINANCE THAT FORBIDS THE EXTENSION OF THE VILLAGE'S SEWER SYSTEM TO PROPERTY OUTSIDE THE VILLAGE CORPORATION LIMITS. FIVE OF THE EIGHT PROPERTY OWNERS SIGNED AFFIDAVITS INDICATING THEIR DESIRE TO BE ANNEXED CHIEFLY SO THAT THEY CAN ACCESS THE VILLAGE'S SEWER SYSTEM. UPON ANNEXATION, THE VILLAGE'S SANITARY SEWAGE SYSTEM WILL BE ACCESSIBLE BY ALL THE ANNEXED OWNERS EVEN THE TARVIN'S WHO HAVE ASKED THAT THEIR NAMES BE REMOVED FROM THE PETITION. ALL THE SIGNERS OF THE PETITION, INCLUDING THE TARVIN'S, SIGNED PRE-ANNEXATION AGREEMENTS WHEREBY THE PROPERTY OWNERS ARE CONTRACTUALLY BOUND TO SEEK ANNEXATION OF THEIR PROPERTY TO THE VILLAGE AND THE VILLAGE IS CONTRACTUALLY BOUND TO EXTEND THE VILLAGE'S SEWER SYSTEM TO THE OWNERS.

MR. MINNIEAR REPORTED THAT THE VILLAGE OF WILLIAMSBURG AGREED IN ITS SERVICE ORDINANCE TO ASSUME THE MAINTENANCE OF ANY STREET, ROAD, OR HIGHWAY THAT MAY BE DIVIDED OR SEGMENTED. THAT IS ALL THE LAW REQUIRES. THE STATUTE DOES NOT REQUIRE ANY TYPE OF ROAD MAINTENANCE AGREEMENT BETWEEN THE VILLAGE AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT), THE TOWNSHIP OR THE COUNTY.

MR. MINNIEAR IDENTIFIED CRITERIA REGARDING THE UNREASONABLY LARGE CONSIDERATION. CITING THE COURT OF APPEALS IN DEERFIELD TOWNSHIP BOARD OF TRUSTEES V. BAYSHORE, SET FORTH THE FOLLOWING THREE FACTORS TO CONSIDER WHEN DETERMINING WHETHER AN ANNEXATION IS UNREASONABLY LARGE.

1. THE GEOGRAPHIC CHARACTER, SHAPE, AND SIZE OF THE TERRITORY TO BE ANNEXED; AND
2. THE ABILITY OF THE MUNICIPALITY TO PROVIDE THE NECESSARY MUNICIPAL SERVICES; AND
3. THE EFFECT ON THE REMAINING TOWNSHIP PROPERTY IF THE ANNEXATION IS PERMITTED.

MR. MINNIEAR EXPLAINED THAT THE VILLAGE OF WILLIAMSBURG CAN MORE THAN ADEQUATELY SERVICE THE PROPERTY UPON ANNEXATION AND THAT THE ANNEXATION WILL NOT HAVE ANY ADVERSE IMPACT ON THE AREA TO BE ANNEXED, OR THE SURROUNDING ONE-HALF MILE OR THE REMAINING TOWNSHIP.

MR. MINNIEAR PROVIDED THE CLERK OF THE BOARD WITH A COPY OF THE PRE ANNEXATION AGREEMENT FOR THE TARVIN'S, AS WELL AS, A LETTER FROM CLERMONT COUNTY PUBLIC HEALTH, REGARDING SEWER EXTENSION FOR THE VILLAGE OF WILLIAMSBURG WITH REGARD TO THE ON-SITE SEPTIC SYSTEMS IN THE PROPOSED SEWER EXTENSION AREA OF STATE ROUTE 133 NORTH OF THE VILLAGE. MR. MINNIEAR ASKED THAT THE LETTER BE READ INTO THE RECORD.

HUBERT MILTON III, 4228 STATE ROUTE 133, WILLIAMSBURG, SPOKE IN OPPOSITION EXPLAINING THE PROPERTY HE OWNS WILL NOT SEE ANY BENEFIT TO BEING ANNEXED IN AT THIS TIME.

HUBERT MILTON JR, 4228 STATE ROUTE 133, WILLIAMSBURG, SPOKE IN OPPOSITION STATING THERE IS NO BENEFIT TO BEING ANNEXED AS A 1% EARNINGS TAX, WILL BE A BURDEN ON THE BUSINESSES. MR. MILTON ASKED THAT HIS 3 ACRES BE REMOVED. MR. MILTON EXPLAINED THE ZONING REQUIREMENTS ARE MORE STRINGENT WITHIN THE VILLAGE THAN THE TOWNSHIP, WHICH WOULD CAUSE ADDITIONAL HARDSHIP FOR HIS BUSINESS AND RENTAL PROPERTY.

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS AND PRESENTED AN OVERVIEW OF THE AREA PROPOSED TO BE ANNEXED. MR. RISNER INDICATED THAT THE PETITION FOR ANNEXATION CONTAINS TWELVE (12) PARCELS, WITH EIGHT (8) OWNERS. THE PROPOSED ANNEXATION HAS A 88% COMMON BOUNDARY WITH THE VILLAGE OF WILLIAMSBURG. A COMPLETE AND ACCURATE LEGAL DESCRIPTION OF THE PERIMETER OF THE TERRITORY PROPOSED TO BE ANNEXED AND AN ACCURATE MAP OR PLAT OF THE TERRITORY HAS BEEN PROVIDED IN THE APPLICATION. NO STREET OR HIGHWAY SHALL BE DIVIDED AS TO CREATE A MAINTENANCE PROBLEM BY THE PROPOSED ANNEXATION.

JUDITH KOCICA, CLERK OF THE BOARD, STATED THAT A REPORT HAS BEEN RECEIVED BY THE BOARD OF COUNTY COMMISSIONERS REGARDING THE PETITION FOR ANNEXATION FROM THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, AS WELL AS, THE CERTIFICATION OF OWNERSHIP OF THE PROPERTY FROM THE CLERMONT COUNTY AUDITOR'S OFFICE.

MR. MINNIEAR ASKED FOR CLARIFICATION FROM MR. MILTON JR. AS TO WHAT HARDSHIP HE WOULD FACE. MR. MILTON JR., EXPLAINED IT WOULD REQUIRE THEM TO PAY EARNINGS TAX OF 1%, AS WELL AS, INCREASED PROPERTY TAX. FURTHER THAT THE ORDINANCES WITHIN THE VILLAGE ARE MORE STRINGENT THAN WITHIN THE TOWNSHIP. HE PROVIDED THE EXAMPLE THAT THE VILLAGE REQUIRES ALL DRIVEWAYS/ACCESS ROADS MUST BE HARD SURFACES WHERE THE TOWNSHIP ONLY REQUIRES GRAVEL. MR. MINNIEAR REITERATED THAT THE ONLY CONSIDERATION OF HARDSHIP WAS DUE TO TAXES AND ZONING ISSUES.

MS. KOCICA STATED THAT ON OR ABOUT OCT 16TH THE BOARD WILL DETERMINE THE DISPOSITION OF THE PETITION FOR ANNEXATION WHICH WILL BE WITHIN THIRTY (30) DAYS OF THIS HEARING PURSUANT TO OHIO REVISED CODE SECTION 709.033.

THERE HAS BEEN NO CORRESPONDENCE RECEIVED IN FAVOR OF OR AGAINST THE PROPOSED ANNEXATION. HOWEVER MS. KOCICA DID NOTE MR. MILTON III HAS EXPRESSED HIS OPPOSITION WITH HER IN PERSON AND THAT THE TARVIN'S HAD REQUESTED THEIR NAME BE REMOVED FROM THE PETITION, HOWEVER THEY REQUESTED THAT AFTER THE 21 DAY PERIOD HAD ALREADY LAPSED.

HAVING NO FURTHER COMMENTS TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION, THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS STATED THAT THIS WILL CONCLUDE THE PUBLIC HEARING. THE PUBLIC HEARING WAS ADJOURNED AT 11:25 A.M. LOCAL TIME.

**LET THE RECORD SHOW:** A MOTION BY COMMISSIONER CORCORAN AND SECONDED BY COMMISSIONER HUMPHREY, TO GO INTO EXECUTIVE SESSION AT 11:26 A.M. PURSUANT TO SECTION 121.22 (G) (3) TO CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING OR IMMINENT LITIGATION;

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:** THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 11:39 A.M. WITH NO ACTION TAKEN.

BOARD MEMBER COMMENTS COMMISSIONER PAINTER WELCOMED COMMISSIONER HUMPHREY BACK FROM VACATION. COMMISSIONER CORCORAN STATED WE ARE GLAD THAT COMMISSIONER HUMPHREY IS BACK FROM VACATION.

COMMISSIONER PAINTER STATED HE WOULD LIKE TO EXTEND A PERSONAL APOLOGY TO CINDY CASSELL, FOR THE WAY SHE WAS TREATED AT THE SEPTEMBER 11, 2019 SESSION.

**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 11:41 A.M. until the next regularly scheduled session to be held at a later date.

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

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

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

---

**DAVID L. PAINTER, PRESIDENT**

---

**EDWIN H. HUMPHREY, VICE PRESIDENT**

---

**CLAIRE B. CORCORAN, MEMBER**

---

**JUDITH KOCICA, CLERK OF THE BOARD**

**09/25/19**  
**DATE APPROVED**