

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 8, 2019 WITH THE FOLLOWING MEMBERS PRESENT: DAVID L. PAINTER, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND, CLAIRE B. CORCORAN, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 10:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW THAT THE OCTOBER 8, 2019 REGULAR SESSION WAS VIDEO RECORDED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. IN ADDITION, THE REGULAR SESSION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <https://www.youtube.com/user/clermontcounty/playlists>.

IN RE: MINUTES OF REGULAR SESSION...APPROVED

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

To approve and sign the minutes of the Regular Session of **10/02/2019**.

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

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

LET THE RECORD SHOW: The Board of County Commissioners of Clermont County, Ohio, resolve to issue a Proclamation opposing a State Takeover of the Opioid Litigation brought by Ohio's Local Governments, inasmuch as it would undermine their responsibility to their constituents and further strikes at the heart of Local Government's Constitutional Authority. (19-0115-004)

LET THE RECORD SHOW: Michael Doss, City Manager, City of Milford, Ohio, addressed the Board of County Commissioners, providing an overview of the statistics with regard to the quality of life, public safety services, common industry, economic development and financial overview for the City of Milford. Mr. Doss explained the City of Milford has infrastructure that needs improvement which will be included in the plan for 2020.

Mr. Doss identified \$63,650,000 in economic development during 2019/2020 noting the following projects:

- FC Cincinnati/Mercy Health training complex grand opening in November 2019.
- Two hotels being built, Staybridge Suites and Tru Hotel, to help accommodate the additional attendees to the training facility.
- Starbucks on Chamber Drive and a new U-Haul complex.
- March First Brewery/Sycamore Distillery is currently under construction and the Little Miami Brewing Company is building a patio expansion.
- Pivotek, which manufactures pre-fabricated restroom units.

Mr. Doss further detailed the economic development incentives available to companies wishing to expand or build operations in the City of Milford. (19-0226-001)

LET THE RECORD SHOW: Gary Caudill, Safety Coordinator, Board of County Commissioners, presented the Clermont County Safety Guide. Mr. Caudill explained that safety standards and policies are a very important key to a safe workplace. Mr. Caudill introduced the Safety Committee Members: Lyle Bloom, Water Resources Director, Pam Haverkos, Emergency Management Agency Director, Jennifer Haley, Prosecutor's Office Administrator, Captain Bill

Hogue, Adult Detention and Woody Woodmansee, Highway Maintenance Manager, Clermont County Engineer's Office. The Guide contains 21 Chapters and Mr. Caudill explained some items will be readdressed at a later date to ensure all items, such as confined space/trenching/excavating, are up to date and consolidated into one manual.

Commissioner Painter noted that he would like to see these two items addressed as part of the safety guide: stop work authority and continuation of care after a workplace injury. (19-0226-001)

LET THE RECORD SHOW: COMMISSIONER PAINTER STATED THAT THE BOARD HAD REACHED THE PUBLIC PARTICIPATION SECTION OF THE AGENDA. HE INQUIRED IF THERE WAS ANYONE IN THE AUDIENCE THAT WOULD LIKE TO ADDRESS THE BOARD. 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 Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendations:

CONSENT AGENDA

**1. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 154-19/RESOLUTION TO CERTIFY
DELINQUENT UTILITY CHARGES TO THE CLERMONT COUNTY
AUDITOR FOR PLACEMENT ON THE REAL PROPERTY TAX LIST
AND DUPLICATE...19-0926-004...ADOPTED**

Recommendation of Jim Steinmetz, Fiscal Administrator, Clermont County Water Resources Department, with the concurrence of Sukie Scheetz, Assistant County Administrator, to adopt **Resolution Number 154-19** resolving to certify delinquent utility charges in the amounts of \$13,240.50 for Sewer Charges, \$5,408.33 for Water Charges and \$6,509.91 for Miscellaneous Utility Charges to the Clermont County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibit A, attached thereto and made a part thereof, pursuant to and in compliance with Sections 6103.02 and 6117.02 of the Ohio Revised Code.

**2. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 155-19/RESOLUTION TO CERTIFY
DELINQUENT UTILITY CHARGES TO THE CLERMONT COUNTY
AUDITOR FOR PLACEMENT ON THE REAL PROPERTY TAX LIST
AND DUPLICATE...19-0926-003...ADOPTED**

Recommendation of Jim Steinmetz, Fiscal Administrator, Clermont County Water Resources Department, with the concurrence of Sukie Scheetz, Assistant County Administrator, to adopt **Resolution Number 155-19** resolving to certify delinquent utility charges in the amounts of \$256.54 for Sewer Charges, \$130.21 for Water Charges, \$235.00 for Miscellaneous Utility Charges and \$26.41 for Penalty Charges to the Clermont County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibit A, attached thereto and made a part thereof, pursuant to and in compliance with Sections 6103.02 and 6117.02 of the Ohio Revised Code.

**3. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RELEASE OF MAINTENANCE BONDS AS SURETY FOR THE
INSTALLATION OF SEWER MAIN EXTENSIONS AND ACCEPTANCE
OF SAME INTO THE COUNTY SEWER SYSTEM...APPROVED**

Recommendation of Heath Wilson, P.E., Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to authorize the release of Maintenance Bonds which provided surety for the installation of sewer main extensions to serve the following subdivisions and to accept said sewer main extensions into the County Sewer System, accordingly, pursuant to the Clermont County Water Resources Department Rules and Regulations:

Subdivision	Township/Village	Sewer Main Extension Bond
Woodbury Glen Subdivision Section 6 DC# 17-0717-002	Batavia	\$6,600.00* *Secured by Cashier's Check Number 2685520 drawn on PNC Bank, National Association Ohio for WBG Development, LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242

**4. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A
WATER MAIN EXTENSION FOR SAME...19-1001-002...EXECUTED**

Recommendation of Heath Wilson, P.E., Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to execute a Maintenance Bond in the amount outlined below as surety for the installation of a Water Main Extension to serve the following subdivision:

Subdivision	Township	Water Main Extension Bond
Madingley Falls Subdivision Section 1B	Miami	\$4,300.00

**5. IN RE: INFORMATION SYSTEMS DEPARTMENT...RESOLUTION
DETERMINING PERSONAL PROPERTY IS UNNEEDED, OBSOLETE
OR UNFIT AND NO LONGER NECESSARY FOR COUNTY USE AND TO
APPROVE THE POSTING AND SALE OF SAME BY INTERNET
AUCTION WITH GOVDEALS, INC....19-0925-005...APPROVED**

Recommendation of Brandon V. Hoepfner, Director, Information Systems Department, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to determine that certain personal property is unneeded, obsolete or unfit and no longer necessary for County use as described in Exhibit "A" and to authorize Thomas J. Eigel to approve the posting and sale of the afore stated property by internet auction with GovDeals, Inc., 100 Capitol Commerce Boulevard, Suite 110, Montgomery, Alabama 36117, in concert with the Agreement ratified by the Board of County Commissioners on 04/08/2009 relative thereto, and pursuant to and in compliance with Section 307.12 (E) of the Ohio Revised Code.

**6. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...EARLY
INTERVENTION LOCAL OUTREACH FUNDS AGREEMENT BY AND
BETWEEN THE CLERMONT COUNTY DEPARTMENT OF JOB AND
FAMILY SERVICES, ACTING IN ITS ROLE AS THE ADMINISTRATIVE
AGENT FOR CLERMONT COUNTY FAMILY AND CHILDREN FIRST,
AND THE OHIO DEPARTMENT OF DEVELOPMENTAL DISABILITIES
FOR THE PROVISION OF FUNDING FOR EARLY INTERVENTION**

OUTREACH ACTIVITIES FOR STATE FISCAL YEAR 2020 FOR SAME...19-0905-005...RATIFIED

Recommendation of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Interim Director, Department of Job and Family Services, to execute an Early Intervention Local Outreach Funds Agreement by and between the Clermont County Department of Job and Family Services, acting in its role as Administrative Agent for the Clermont County Family and Children First, and the Ohio Department of Developmental Disabilities, Office of Grants Management, 30 East Broad Street, 8th Floor, Columbus, Ohio 43215 for the provision of funding for Early Intervention Outreach Activities for Clermont County families with children from birth through age two with development disabilities, in an amount not to exceed \$18,310.00 for State Fiscal Year 2020, with no local cash match required therefore, effective for the period of 07/01/2019 through 06/30/2020, pursuant to and in compliance with the terms and conditions specified therein.

7. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...SUBGRANT AGREEMENT NUMBER G-2021-06-0257 WITH THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES FOR THE PROVISION OF FUNDING FOR THE ADMINISTRATION OF THE OHIO HUMAN SERVICES TRAINING SYSTEM (OHSTS) AT THE SOUTHWEST OHIO REGIONAL TRAINING CENTER FOR STATE FISCAL YEARS 2020 AND 2021 FOR SAME...19-0819-004...EXECUTED

Recommendation of Timothy Dick, Interim Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize David L. Painter, President of the Board of County Commissioners, to execute Subgrant Agreement Number G-2021-06-0257 by and between the Board of Clermont County Commissioners, on behalf of the Clermont County Department of Job and Family Services, which serves as the Administrative Entity for the Southwest Ohio Regional Training Center located in Clermont County, Ohio, and the Ohio Department of Job and Family Services (ODJFS), Office of Families & Children, P.O. Box 183204, Columbus, Ohio 43218-3204 for the provision of funding for the administration of the Ohio Human Services Training System (OHSTS) at the Southwest Ohio Regional Training Center therefore, in the amount of up to \$54,590.00 for State Fiscal Year (SFY) 2020 and up to \$54,590.00 for State Fiscal Year (SFY) 2021, for a total amount not to exceed \$109,180.00, effective 07/01/2019 through 06/30/2021, pursuant to and in compliance with the terms and conditions set forth therein and contingent upon the receipt of Attachment A identified in Article III (B) entitled Amount of Subgrant/Payments relative thereto.

8. 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>
PROBATION IMPROVEMENT GRANT	CP Prob Improvement & Incentive Grant REGULAR SALARY	\$ 6,750.00

<p>PROBATION IMPROVEMENT GRANT</p>	<p>2114 - 04 - 11 - 245000 - 511200 - CP Prob Improvement & Incentive Grant FRINGE BENEFITS</p>	<p>\$ 5,250.00</p>
<p>PROBATION IMPROVEMENT GRANT</p>	<p>2114 - 04 - 11 - 245000 - 520000 - CP Prob Improvement & Incentive Grant OTHER EXPENSES</p>	<p>\$ (12,000.00)</p>
	<p>2114 - 04 - 11 - 245000 - 530000 -</p>	

BUDGET TRANSFER OF FUNDS FOR FISCAL YEAR 2019

FUND	FROM: ORGANIZATION - OBJECT - ACCOUNT	TO: ORGANIZATION - OBJECT - ACCOUNT	AMOUNT
GENERAL FUND	Adult Detention Corrections BARGAINING UNIT - SALARY 1000 - 04 - 19 - 432504 - 511700 -	Adult Detention Corrections OVERTIME 1000 - 04 - 19 - 432504 - 512100 -	\$ 100,000.00
GENERAL FUND	SW OH Regional Training Center REGULAR SALARY 1000 - 06 - 01 - 088329 - 511200 -	SW OH Regional Training Center OVERTIME 1000 - 06 - 01 - 088329 - 512100 -	\$ 100.00

CASH TRANSFER OF FUNDS FOR FISCAL YEAR 2019

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
CERT OF TITLE ADMINISTRATION TRANSFERS OUT TO GEN FUND 2102 - 01 - 05 - 221000 - 700100 -	GENERAL FUND OPERATING TRF IN FR SPEC REV 1000 - 01 - 01 - 032328 - 480200 -	\$ 500,000.00
GENERAL FUND TRANSFERS OUT TO SPEC REV 1000 - 06 - 01 - 035328 - 700200 -	PUBLIC ASSISTANCE OPERATING TRF IN FROM GEN FUND 2401 - 06 - 01 - 081000 - 480100 -	\$ 87,589.50
GENERAL FUND TRANSFERS OUT TO SPEC REV 1000 - 06 - 01 - 035328 - 700200 -	CHILDRENS SERVICES OPERATING TRF IN FROM GEN FUND 2402 - 06 - 01 - 085000 - 480100 -	\$ 50,000.00
GENERAL FUND TRANSFERS OUT TO SPEC REV 1000 - 06 - 01 - 035328 - 700200 -	PUBLIC ASSISTANCE OPERATING TRF IN FROM GEN FUND 2401 - 06 - 01 - 081000 - 480100 -	\$ 35,000.00
PARK DISTRICT TRANSFERS OUT TO DEBT SERVICE 7200 - 21 - 27 - 891000 - 700400 -	CHILO LOCK AND DAM REVENUE BOND OPERATING TRF IN FR SPEC REV 7260 - 00 - 00 - 007260 - 480200 -	\$ 16,052.27

9. 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/Division of Domestic Relations

Kathryn L. McBride – One (1) day – Columbus, Ohio – Ohio Judicial Conference Domestic Relations Fall Seminar – Total expenses for registration/conference (\$50.00) estimated not to exceed \$50.00.

Ashton France – One (1) day – Cincinnati, Ohio – Legal Remedies for Human Trafficking Victims hosted by the Ohio Women’s Bar Association and Frost Brown Todd LLC for Continuing Legal Education Credit – Total expenses estimated not to exceed \$0.00.

Penny Gates – One (1) day – Columbus, Ohio – Ohio Judicial College Training – Total expenses for mileage (\$146.16) estimated not to exceed \$146.16.

County Treasurer

Jeannie M. Zurmehly and Jane Kretzer – Three (3) days – Dublin, Ohio – 2019 County Treasurers Association of Ohio Fall Conference – Total expenses for lodging (\$750.00), meals (\$305.00), mileage (\$150.80) and registration/conference (\$300.00) estimated not to exceed \$1,050.80.

County Sheriff

Deputy Bobby Pham – One (1) day – Liberty Township, Ohio – Basic Report Writing Skills and Practical Application Course – Total expenses for registration/training (\$85.00) estimated not to exceed \$85.00.

Deputy Jesse Kidder – Three (3) days – London, Ohio - Ohio Peace Officer Training Academy (OPOTA) Course entitled: “Counter Ambush Tactics for Law Enforcement” – Total expenses for lodging (\$30.00), registration/training (\$345.00) and other (\$50.00) estimated not to exceed \$425.00. *(revised/previously approved on 03/07/2019)*

Clermont County Department of Job and Family Services

Hope Shinkle – Two (2) days – Columbus, Ohio – Ohio Job and Family Services Directors’ Association General Session – Total expenses for lodging (\$150.00), meals (\$122.00) and other (\$30.00) estimated not to exceed \$302.00.

Timothy Dick – Three (3) days – Lewis Center, Ohio – Ohio Job and Family Services Directors’ Association New Director Training – Total expenses for lodging (\$129.00) and meals (\$165.00) estimated not to exceed \$294.00.

Board of County Commissioners

Lindsey Aranyos – One (1) day – Eaton, Ohio – County Commissioners’ Clerks and Engineers’ Administrative Professionals of Ohio Regional Training Meeting – Total expenses for mileage (\$84.80) estimated not to exceed (\$84.80).

Emily McAfee – One (1) day – Eaton, Ohio – County Commissioners’ Clerks and Engineers’ Administrative Professionals of Ohio Regional Training Meeting – Total expenses for mileage (\$84.80) estimated not to exceed (\$84.80).

10. 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

11. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 156-19/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 156-19** resolving to approve payment to vendors **in the total amount of \$1,641,285.67** as set forth in the BCC Approval Invoice Report(s) for Checks dated **October 9, 2019** and BCC Directed Pre-Paid Invoices Report(s) presented by the County Auditor on **10/07/2019**, 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.

12. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD OF BID AND EXECUTION OF CONTRACT FOR PROJECT NUMBER 6401-60153 RELATIVE TO THE SR 28 WATER MAIN REPLACEMENT (BUCKWHEAT TO BRANCH HILL GUINEA) PROJECT LOCATED WITHIN MIAMI TOWNSHIP...19-0621-006...RATIFIED

Moved by Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners approve 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 award the bid for Project Number 6401-60153 relative to the SR 28 Water Main Replacement (Buckwheat to Branch Hill Guinea) Project located within Miami Township, pursuant to the plans and specifications, to Ford Development Corporation, 11148 Woodward Lane, Cincinnati, Ohio 45241, for the lowest and best bid received on 08/15/2019, at the item prices as outlined therein, for a total amount not to exceed \$876,196.00, and to execute the Contract relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore **and contingent upon the release of the required Purchase Order in concert with Requisition Number 00005034-00 dated 09/10/2019 relative thereto.**

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

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

13. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD OF BID AND EXECUTION OF CONTRACT FOR PROJECT NUMBER 6401-60159 RELATIVE TO THE SR 48 & SR 28 WATER MAIN REPLACEMENT PROJECT LOCATED WITHIN GOSHEN TOWNSHIP...19-0626-004...RATIFIED

Moved by Mr. Humphrey, seconded by Mrs. Corcoran, that the Board of County Commissioners approve 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 award the bid for Project Number 6401-60159 relative to the SR 48 & SR 28 Water Main Replacement Project located within Goshen Township, pursuant to the plans and specifications, to Brackney, Inc., 10028 U.S. Highway 52 South, P.O. Box 221, Brookville, Indiana 47012, for the lowest and best bid received on 08/15/2019, at the item prices as outlined therein, for a total amount not to exceed \$1,599,266.15, and to execute the Contract relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore **and contingent upon the release of the required Purchase Order in concert with Requisition Number 00005133-00 dated 09/17/2019 relative thereto.**

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

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

14. IN RE: COUNTY ENGINEER...MADINGLEY FALLS SUBDIVISION/SECTION 1B/MIAMI TOWNSHIP...RECORD PLAT NUMBER 629-3168 AND PERFORMANCE AND MAINTENANCE BOND, AS WELL AS, PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...19-0911-003...APPROVED

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 629-3168** for the following subdivision located within Miami Township, and further to execute the Performance and Maintenance Bond, as well as, the Performance Bond for Sidewalks as Surety for same relative to the construction of the below listed streets:

Subdivision	Performance and Maintenance Bond	Performance Bond for Sidewalks	Street/Length (miles)
Madingley Falls Subdivision Section 1B Miami Township	\$49,000.00/\$11,000.00	\$56,600.00	Brier Creek Drive (0.104) Emery Crossing (0.156)

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

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

15. IN RE: BOARD OF COUNTY COMMISSIONERS...TUITION ASSISTANCE APPLICATION FROM A CLERMONT COUNTY EMPLOYEE...17-0609-003...RATIFIED

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

Recommendation of Yvonne Smith, Benefits Coordinator, with the concurrence of Sandra Tahat, Human Resources Administrator, to authorize David L. Painter, President of the Board of County Commissioners, to execute a Tuition Assistance Application submitted by the following employee for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Course Name(s)
Prosecuting Attorney Taylor N. Lee DC# 17-0609-003	ENGL 2089: Intermediate Composition SW 2050: Families in America SPAN 1001: Basic Spanish 1

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

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

16. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 157-19/DISPOSITION OF DECISION/ENTRY OF ADMINISTRATIVE APPEAL IN CASE NO. 2019CVF0026 CAPTIONED RICK MCEVOY, APPELLANT VS BOARD OF CLERMONT COUNTY OHIO

COMMISSIONERS ET AL, APPELLEES RELATIVE TO RESOLUTION NUMBER 200-18 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON 12/12/2018 DENYING THE PETITION FOR ANNEXATION OF 96.7449 ACRES OF LAND FROM STONELICK TOWNSHIP TO THE VILLAGE OF OWENSVILLE IN CLERMONT COUNTY, OHIO, PURSUANT TO AND IN COMPLIANCE WITH SECTION 709.033 (A) OF THE OHIO REVISED CODE...18-0820-005...ADOPTED

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

That the Board of County Commissioners, Clermont County, Ohio, adopt **Resolution Number 157-19 resolving to find that based upon a preponderance of the substantial, reliable and probative evidence on the whole record**, in and as it relates to (1) the filing of a Petition for Annexation of 96.7449 Acres of Land situated in Stonelick Township to the Village of Owensville, Clermont County, Ohio, on Monday, August 20, 2018, by Michael Minniear, Attorney at Law, 626 Main Street, Milford, Ohio 45150, for and on behalf of Rick McEvoy, P.O. Box 438, Owensville, Ohio 45160, as the designated Agent for the Petitioners, and comprising eighteen (18) parcels of real property, who are the owners of the described real estate sought to be annexed, pursuant to Section 709.02 of the Ohio Revised Code, (2) and subsequently denied by a majority of the members of the Board of County Commissioners in Resolution Number 200-18 adopted during their Regular Session on 12/12/2018, and (3) appealed to the Clermont County Court of Common Pleas in Case No. 2019 CVF 0026 and, thereafter, upon the filing of the **Decision/Entry of Administrative Appeal in Case No. 2019CVF0026 captioned Rick McEvoy, Appellant vs Board of Clermont County Ohio Commissioners et al, Appellees** relative to Resolution Number 200-18 adopted by the Board of County Commissioners on 12/12/2018 denying the Petition for Annexation of 96.7449 acres of land from Stonelick Township to the Village of Owensville in Clermont County, Ohio, pursuant to and in compliance with section 709.033 (A) of the Ohio Revised Code, **hereby finds that all of the six (6) conditions in Section 709.033 (A) of the Ohio Revised Code have not been met as follows:**

- (A) The Petition meets all requirements set forth in and was filed in the matter provided in Section 709.033 (A) (1) (2) (3) and (6) of the Ohio Revised Code.
- (B) **In regards to Section 709.033 (A) (4) of the Ohio Revised Code, the Board of County Commissioners found that the territory proposed to be annexed is unreasonably large.** The area to be annexed contains 96.7449 acres which would represent a 37% increase in area to the Village of Owensville. In addition, the area of contiguity with the Village of Owensville and the proposed annexed area is 1.4% of the perimeter of the territory proposed to be annexed. **Based upon these factors, the territory to be annexed is unreasonably large.**
- (C) **In regards to Section 709.033 (A) (5) of the Ohio Revised Code, the Board of County Commissioners found that on balance, the general good of the territory proposed to be annexed will not be served, and the benefits to the territory proposed to be annexed and the surrounding area will not outweigh the detriments to the territory proposed to be annexed and the surrounding area.** The area to be annexed contains 96.7449 acres which would represent a 37% increase in area to the Village of Owensville. In addition, the area of contiguity with the Village of Owensville and the proposed annexed area is 1.4% of the perimeter of the territory proposed to be annexed. **Based upon these factors, on balance, the general good of the territory to be annexed to be served, and the benefits to the territory proposed to be annexed and the surrounding area will not outweigh the detriments to the territory proposed to be annexed and the surrounding area.**

and, **further resolving**, that the Board of County Commissioners, having found that based upon

a preponderance of substantial, reliable, and probative evidence on the whole record, that each of the six conditions in Section 709.033 (A) of the Ohio Revised Code have not been met, *the Petition for Annexation of territory described therein to the Village of Owensville, Clermont County, Ohio, be and hereby is denied;* and the Clerk of the Board of County Commissioners of Clermont County, Ohio, is hereby directed to enter on the journal the resolution denying annexation and to deliver a certified copy of the Resolution of the Board, to the Agent of the Petitioners, the Clerk of the Village of Owensville, the Stonelick Township Fiscal Officer and to the Clerk of Courts for filing in Case No. 2019 CVF 0026 accordingly.

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

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

17. 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 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>
CP PROBATION SERVICE	CP Crt Adult Probation Services OVERTIME 2113 - 04 - 11 - 244000 - 512100 -	\$ 2,500.00
CP PROBATION SERVICE	CP Crt Adult Probation Services OTHER EXPENSES 2113 - 04 - 11 - 244000 - 530000 -	\$ 20,000.00
PARK BOND RETIREMENT FUND	Park Bond OTHER EXPENSES 7261 - 00 - 00 - 007261 - 530000 -	\$ 16,052.27
MONTEREY WATER SA	Monterey Water SA OTHER EXPENSES 3301 - 00 - 00 - 003301 - 530000 -	\$ 682.17
FELICITY SEWER SA	Felicity Sewer SA OTHER EXPENSES 3302 - 00 - 00 - 003302 - 530000 -	\$ 481.83
MGS SEWER FUND	MGS Sewer Fund OTHER EXPENSES 3303 - 00 - 00 - 003303 - 530000 -	\$ 39,431.57
AMELIA-BATAVIA SEWER SA	Amelia-Batavia Sewer SA OTHER EXPENSES 3304 - 00 - 00 - 003304 - 530000 -	\$ 1,150.46
LOWER EAST FORK SA	Lower East Fork SA OTHER EXPENSES 3305 - 00 - 00 - 003305 - 530000 -	\$ 444.67
TERRACE VIEW SEWER SA	Terrace View Sewer SA OTHER EXPENSES 3306 - 00 - 00 - 003306 - 530000 -	\$ 14.80

JANNIE LANE SA	Jannie Lane SA	\$ 251.57
	OTHER EXPENSES	
	3307 - 00 - 00 - 003307 - 530000 -	
NINE MILE SEWER SA	Nine Mile Sewer	\$ 1,335.90
	OTHER EXPENSES	
	3308 - 00 - 00 - 003308 - 530000 -	
ELICK LANE SEWER	Elick Lane Sewer	\$ 989.95
	OTHER EXPENSES	
	3309 - 00 - 00 - 003309 - 530000 -	
O'BANNON SEWER SA	O'Bannon Sewer	\$ 6,917.89
	OTHER EXPENSES	
	3310 - 00 - 00 - 003310 - 530000 -	
1989 WATER LINE EXT SA	1990 Water Line Ext SA	\$ 252.82
	OTHER EXPENSES	
	3311 - 00 - 00 - 003311 - 530000 -	
PEGGY DRIVE SA	Peggy Drive Sewer	\$ 967.05
	OTHER EXPENSES	
	3312 - 00 - 00 - 003312 - 530000 -	
1990 WATER LINE EXT SA	1990 Water Line Extension	\$ 530.43
	OTHER EXPENSES	
	3313 - 00 - 00 - 003313 - 530000 -	
1992 WATER LINE EXT	1992 Water Line Ext	\$ 104.41
	OTHER EXPENSES	
	3314 - 00 - 00 - 003314 - 530000 -	
MURLE LANE SEWER CAP CHRG	Murle Lane Sewer Cap Chrg	\$ 100.05
	OTHER EXPENSES	
	3316 - 00 - 00 - 003316 - 530000 -	
MIDDLE EAST FORK SEWER CAP	Middle East Fork Sewer Cap Chr	\$ 7,344.46
	OTHER EXPENSES	
	3319 - 00 - 00 - 003319 - 530000 -	
BELLS LANE SPECIAL ASSESSMENT	Bells Lane Special Assessment	\$ 0.58
	OTHER EXPENSES	
	3321 - 00 - 00 - 003321 - 530000 -	
WOODSPOINT DRIVE SPECIAL ASSES	Woodspoint Drive	\$ 5,693.84
	OTHER EXPENSES	
	3323 - 00 - 00 - 003323 - 530000 -	
GENERAL FUND	Municipal Court	\$ 25,000.00
	OTHER EXPENSES	
	1000 - 02 - 12 - 341000 - 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: THOMAS EIGEL, COUNTY ADMINISTRATOR, NOTIFIED THE BOARD THAT THE COUNTY PROSECUTOR NO LONGER REQUIRED AN EXECUTIVE SESSION IN ACCORDANCE WITH SECTION 121.22 (G)(3) OF THE OHIO REVISED CODE.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND SECONDED BY COMMISSIONER CORCORAN, TO GO INTO EXECUTIVE SESSION AT 11:05 A.M. PURSUANT TO SECTION 121.22 (G) (1) OF THE OHIO REVISED CODE TO CONSIDER THE APPOINTMENT, EMPLOYMENT, PROMOTION OR COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES.

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 11:23 A.M. WITH NO ACTION TAKEN.

BOARD MEMBER COMMENTS: COMMISSIONER CORCORAN NOTED THAT THIS WEEK IS NATIONAL FIRE PREVENTION WEEK AND REMINDED EVERYONE OF THE IMPORTANCE OF FIRE PREVENTION AND THANKED OUR FIRST RESPONDERS.

IN RE: ADJOURNMENT...RATIFIED

Moved by Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners approve 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 11:25 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:

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

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

DAVID L. PAINTER, PRESIDENT

EDWIN H. HUMPHREY, VICE PRESIDENT

CLAIRE B. CORCORAN, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

10/16/19
DATE APPROVED