

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 2, 2020, WITH THE FOLLOWING MEMBERS PRESENT: DAVID L. PAINTER, PRESIDENT, CLAIRE B. CORCORAN, AND MEMBER. EDWIN H. HUMPHREY, VICE PRESIDENT, ATTENDED THE MEETING VIRTUALLY. 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 2, 2020 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>

LET THE RECORD SHOW: COMMISSIONER PAINTER ACKNOWLEDGED THAT COMMISSIONER HUMPHREY IS JOINING US VIRTUALLY FROM A REMOTE LOCATION WHICH IS NOT 101 EAST MAIN STREET, BATAVIA, OHIO.

IN RE: MINUTES OF REGULAR SESSION...APPROVED

Moved by Commissioner Humphrey, seconded by Commissioner Corcoran,

To approve the minutes of Regular Session of **08/26/2020**.

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

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

LET THE RECORD SHOW: RECOMMENDATION OF THE BOARD OF COUNTY COMMISSIONERS, CLERMONT COUNTY, OHIO, TO ISSUE A PROCLAMATION DESIGNATING THE WEEK OF SEPTEMBER 6TH THROUGH SEPTEMBER 12TH, 2020, TO BE "SUICIDE PREVENTION WEEK IN CLERMONT COUNTY". (20-0102-001)

CONSENT AGENDA

LET THE RECORD SHOW: COMMISSIONER PAINTER STATED THAT A CONSENT AGENDA HAS BEEN PREPARED FOR THE BOARD OF COUNTY COMMISSIONERS AND REQUESTED WHETHER ANY BOARD MEMBER WANTED ANY ITEMS REMOVED FOR FURTHER DISCUSSION AND CONSIDERATION AND UPON HEARING NONE:

Moved by Commissioner Corcoran, seconded by Commissioner Humphrey, that the Board of County Commissioners approve the following recommendations:

- 1. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, ADMINISTRATIVE AGENT FOR CLERMONT COUNTY FAMILY AND CHILDREN FIRST, AND THE MIAMI VALLEY CHRISTIAN ACADEMY RELATIVE TO THE PROVISION OF SUICIDE PREVENTION SERVICES FOR SAME...20-0827-006...RATIFIED**

Recommendation of Thomas J. Eigel, County Administrator, to authorize Hope Shinkle, Chief Financial Officer 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 the Clermont County Department of Job and Family Services and the Miami Valley Christian Academy, 6830 School Street, Cincinnati, Ohio 45244, for the provision of funding in the amount of \$2,000.00 from FCF to the Miami Valley Christian Academy relative to suicide prevention services for the 2020-2021 school year, in an ongoing effort to improve the well-being of children and their families and prevent youth suicide in Clermont County, Ohio, effective for the period of 08/17/2020 through 05/31/2021, pursuant to the terms and conditions specified therein, **and contingent upon the release of the required Purchase Order in concert with Requisition Number 00004050-00 dated 08/04/2020 relative thereto.**

2. IN RE: COUNTY ENGINEER...MADINGLEY FALLS SUBDIVISION/SECTION 1A/MIAMI TOWNSHIP...REQUEST TO REDUCE THE AMOUNT OF THE PERFORMANCE BOND FOR SIDEWALKS HERETOFORE APPROVED AS SURETY FOR SAME...19-0620-003...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 07/10/2019 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 bonds for same:

Subdivision	Initial Amount of Performance Bond for Sidewalks	Revised Amount of Performance Bond for Sidewalks
Madingley Falls Subdivision Section 1A Miami Township	\$19,100.00	\$4,775.00

3. IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/SECTION II/BLOCK D/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE BOND AS SURETY FOR SIDEWALKS FOR SAME...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 Three Year Performance Bond for Sidewalks in the amount as follows for the following subdivision/location within Batavia Township:

Subdivision/Location	Performance Bond
Forest Glen Subdivision Section II Block D Batavia Township	\$34,320.00

4. IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/SECTION II/BLOCK C/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE BOND AS SURETY FOR SIDEWALKS FOR SAME...13-0927-007... APPROVED

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the Three Year Performance Bond for Sidewalks in the amount as follows for the following subdivision/location within Batavia Township:

Subdivision/Location	Performance Bond
Forest Glen Subdivision	\$18,080.00

Section II Block C Batavia Township	
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5. IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/SECTION 3/BATAVIA TOWNSHIP...RELEASE OF PERFORMANCE BOND AS SURETY FOR SIDEWALKS FOR SAME...18-0118-004...APPROVED

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to authorize the release of the Three Year Performance Bond for Sidewalks in the amount as follows for the following subdivision/location within Batavia Township:

Subdivision/Location	Performance Bond
Forest Glen Subdivision Section 3 Batavia Township	\$30,320.00

6. IN RE: COUNTY ENGINEER...DERBY PLACE SUBDIVISION/SECTION 1/BLOCK A/BATAVIA TOWNSHIP...RESOLUTION NUMBER 144-20/RESOLUTION AUTHORIZING THE CONVERSION OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...18-1115-008...ADOPTED

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to adopt Resolution Number **144-20** to convert the Combined Performance-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/Location	Performance-Maintenance	Street/Length (miles)
Derby Place Subdivision Section 1, Block A Batavia Township	\$66,000.00/\$15,000.00	Roses Run (0.039) Derby Place Road (0.130) Paddock Crossing (0.154)

7. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RELEASE OF A MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF WATER MAIN EXTENSION AND ACCEPTANCE OF SAME INTO THE COUNTY WATERWORKS 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 the Maintenance Bonds which provided surety for the installation of the water main extensions to serve the following locations and to accept said water main extensions into the County Water Waterworks/Sewer Systems pursuant to the Clermont County Water Resources Department Rules and Regulations:

Subdivision	Township	Water Main Extension Bond
Woodbury Glen Subdivision Section 7 DC# 18-0820-008	Batavia	\$2,600.00* *Secured by Cashier's Check Number 2993865, issued on 08/14/2018 by PNC Bank, National Association Ohio, on behalf of WBG Development. LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242
Pine Bluffs Subdivision Section 2, Block B DC# 18-0111-008	Miami	\$1,900.00* *Secured by Cashier's Check Number 2770314 issued on 12/29/2017 by PNC

		Bank, National Association Ohio, on behalf of Pine Bluffs Development, LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242
Pine Bluffs Subdivision, Section 3 DC# 18-0913-001	Miami	\$2,500.00* *Secured by Cashier's Check Number 2993998 issued on 09/05/2018 by PNC Bank, National Association Ohio, on behalf of Pine Bluffs Development, LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242

8. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR CALENDAR YEAR 2020...APPROVED

Recommendation of Mary K. Rains, Director, Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation (**Resolution Number 191-19**) for Calendar Year 2020, 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:

CASH ADVANCE OF FUNDS FOR CALENDAR YEAR 2020

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
HEALTH INSURANCE FUND	GENERAL FUND	\$ 300,000.00
ADVANCES OUT TO GEN FUND	ADVANCES IN FROM INT SERVICE	
8001 - 00 - 01 - 171000 - 702100 - Repay 6/27/18 Adv to Med Acct	1000 - 05 - 01 - 036329 - 482700 -	

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 Calendar Year 2020 and any and all amendments subsequent thereto:

CLERMONT COUNTY MUNICIPAL COURT

Magistrate Anita Bechmann – (3) days – Batavia, Ohio – Ohio Association of Magistrates – 2020 Fall Webinar Conference – Total expenses for registration (\$200.00), estimated not to exceed \$200.00.

COUNTY SHERIFF

Chris Shouse – (5) days – Montgomery, Ohio – Public Agency Training Council – Field Officer Training Certification – Total expenses for registration (\$495.00), estimated not to exceed \$495.00.

Marc McDonald and Josh Oberschlake – (1) day – Cincinnati, Ohio – Great Oaks Public Safety and Advanced Police Training Course – Recognizing and Responding to Mental Illness and Excited Delirium – Total expenses for registration (\$160.00), estimated not to exceed \$160.00.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

James Koch – (1) days – Batavia, Ohio – Ohio Rural Water Association – Chemical Feed

Systems and Pump Calibrations Online Course – Total expenses for registration (\$125.00), estimated not to exceed \$125.00.

Doug Martin, Dan Bailey and Greg Costello – (14) days – Batavia, Ohio – Ohio Water Environment Association – 2020 Virtual Conference - Total expenses for registration (\$345.00), estimated not to exceed \$345.00.

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:

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

NON-CONSENT AGENDA

11. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 145-20/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 145-20** resolving to approve payment to vendors **in the total amount of \$1,137,100.97** as set forth in the BCC Approval Invoice Report for Checks dated **September 2, 2020**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on **08/31/2020**, 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:

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

12. IN RE: CLERMONT COUNTY SHERIFF'S OFFICE... REJECTION OF ALL BIDS HERETOFORE RECEIVED FOR BIDS FOR THE CONSTRUCTION OF THE CLERMONT COUNTY SHERIFF'S RANGE TARGETING SYSTEM AND REQUEST TO RE-ADVERTISE FOR BIDS FOR SAME...20-0527-005...RATIFIED

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

Recommendation of Robert S. Leahy, Sheriff, with the concurrence of Thomas J. Eigel, County Administrator, to reject all bids heretofore received on August 13, 2020 for the **Construction and Installation of the Clermont County Sheriff's Office Range Targeting System**, pursuant to and in compliance with Chapter 307 of the Ohio Revised Code relative to the terms and conditions of public bidding; and to approve the request to re-advertise for bids for the **Construction and Installation of the Clermont County Sheriff's Office Range Targeting System**, 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, 09/10/2020, 09/17/2020 and 09/24/2020, scheduling a non-mandatory pre-bid conference, at 10:00 A.M. local time, Friday, 09/25/2020, 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, 10/08/2020**, 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.

DISCUSSION: COMMISSIONER PAINTER ASKED IF THE BIDS RECEIVED WERE ABOVE THE ENGINEER'S ESTIMATE. CAPTAIN KAMPHAUS, CLERMONT COUNTY SHERIFF'S OFFICE, STATED ONE BID WAS RECEIVED, HOWEVER THAT BID WAS DISQUALIFIED DUE TO A TECHNICAL ISSUE.

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

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

13. IN RE: COUNTY ENGINEER...REQUEST TO REDUCE THE WEIGHT LIMITATION ON BRIDGE NO. T923-0.10 LOCATED ON LUCY RUN CEMETERY ROAD IN BATAVIA TOWNSHIP...20-0827-009...APPROVED

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

Recommendation of Doug Royer, Deputy Engineer, with the concurrence of Thomas J Eigel, County Administrator, to reduce the weight limitation on county Bridge Number T923-0.10, located on Lucy Run Cemetery Road in Batavia Township, from 60 tons to 3 tons, subsequent to the annual inspection therefore and due to the deterioration of the structure.

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

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

14. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD OF BID AND EXECUTION OF CONTRACT FOR PROJECT NUMBER 6401-60165 RELATIVE TO THE MIAMIVILLE AREA WATER MAIN REPLACEMENT PROJECT LOCATED WITHIN MIAMI TOWNSHIP...18-1127-003...RATIFIED

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

Recommendation of Chris Rowland, P.E., Assistant Sanitary Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to award the bid for Project Number 6401-60165 relative to the *Miamiville Area Water Main Replacement 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 07/30/2020, at the item prices as outlined therein, for a total amount not to exceed \$689,032.00, 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 00004264-00 dated 08/19/2020 relative thereto.*

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

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

15. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... GRANTS OF SEWER EASEMENTS WITH RIGHTS OF RE-ENTRY FOR

REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 6402-60116 RELATIVE TO THE NEWTONSVILLE COLLECTION SYSTEM ASSESSMENT PROJECT LOCATED WITHIN WAYNE TOWNSHIP...16-0314-003...RATIFIED

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

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 Grants of Sewer Easements with Rights 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, removing or reinstalling sewer utility lines, pumping equipment, manholes and all incidental fixtures required for the transportation of sewage in, on, under and across the properties of the Grantors for Project Number 6402-60116 relative to the Newtonsville Collection System Assessment Project located within the Wayne Township, and to authorize the execution of the Plat(s) of Easements as designated, in and as it relates thereto, and further to authorize the County Auditor to remit payment to the Grantors in the amounts as outlined below and as indicated on the Settlement Sheets attached thereto as compensation for the Permanent Easements and Rights-of-Ways granted thereby and Repairs relative thereto:

Grantor	Parcel Numbers	Compensation
Clermont Metropolitan Housing Authority 65 S. Market Street Batavia, Ohio 45103 Property Address: 5956 Newtonsville Road, Goshen, Ohio 45122 Record Plat Number 629-3227 (Replat of Lot Number 1 in Newtonsville North Subdivision)	49-34-10A-111.	Perm \$146.25
Thomas Wagenfeld 5962 Newtonsville Road Goshen, Ohio 45122 Record Plat Number 629-3228 (Replat of Lot Number 4 in Newtonsville North Subdivision)	49-34-10A-114.	Perm \$553.78
Gary & Robin Roberts P.O. Box 19 Newtonsville, Ohio 45158 Property Address: 5968 Newtonsville Road, Goshen, Ohio 45122 Record Plat Number 629-3229 (Replat of Lot Number 7 in Newtonsville North Subdivision)	49-34-10A-117.	Perm \$997.44
Gary H. Haggard & Deborah K. Haggard 602 Cedarville Road Goshen, Ohio 45122 Property Address: Main Street, Goshen, Ohio 45122	50-11-03.-096.	Perm \$1,422.87
Terry & Raven Woods P.O. Box 141 Newtonsville, Ohio 45158 Property Address: Pin Oak Street, Newtonsville, Ohio 45158	50-11-04.-078.	Perm \$907.83 Repairs \$300.00
Richard Albert Marsh, Jr. 616 Cedarville Road Goshen, Ohio 45122 Property Address: Pin Oak Street, Newtonsville, Ohio 45158	50-11-04.-098.	Perm \$786.85 Repairs \$300.00
Larry Joe & Marsha E. Childress 280 Pin Oak Street Newtonsville, Ohio 45158 Property Address: Pin Oak Street, Newtonsville, Ohio 45158	50-11-04.-079.	Perm \$2,071.64 Repairs \$2,000.00
Larry Joe & Marsha E. Childress 280 Pin Oak Street Newtonsville, Ohio 45158 Property Address: Pin Oak Street, Newtonsville, Ohio 45158	50-11-04.-100.	Perm \$250.00 Repairs \$2,000.00
Larry Joe & Marsha E. Childress 280 Pin Oak Street Newtonsville, Ohio 45158 Property Address: Pin Oak Street, Newtonsville, Ohio 45158	50-11-04.-103.	Perm \$289.47 Repairs \$1,500.00

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

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

16. IN RE: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION

NUMBER 146-20/RESOLUTION AUTHORIZING THE SIGNATURE OF THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN FOR THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION ...20-0813-003... RATIFIED

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

Recommendation of William Harris, Director, Clermont Transportation Connection, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Number 146-20/** resolving to adopt the **Public Transportation Agency Safety Plan**, attached thereto and made a part thereof, by and between the Board of Clermont County Commissioners on behalf of the Clermont Transportation Connection and the Ohio Department of Transportation, 1980 West Broad St., Columbus, Ohio, 43223 and to authorize David L. Painter, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute the signature page of the Public Transportation Agency Safety Plan drafted and certified by the Ohio Department of Transportation Office of Transit.

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

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

17. IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF DEPUTY DOG WARDENS FOR THE COUNTY OF CLERMONT, OHIO, PURSUANT TO CHAPTER 955 OF THE OHIO REVISED CODE...20-0630-002...APPROVED

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

Recommendation of Greg Bickford, Assistant County Administrator, to resolve to ratify the appointment(s) of the following individuals as Dog Wardens for the County of Clermont, Ohio, pursuant to and in compliance with Section 955.12 of the Ohio Revised Code and in concert with the Contract with Clermont Animal CARE Humane Society for the administration of the statutory requirements of Chapter 955 of the Ohio Revised Code entitled Dogs relative to the housing, feeding, caring for, destroying and disposing of unlicensed and stray dogs within Clermont County, Ohio for the period of 01/01/2020 through 12/31/2020, previously executed by the Board of County Commissioners on 11/29/2017 and extended on 10/24/2018 and 12/03/2019 in and as it relates thereto, effective as of the date(s) indicated:

Name	Action	Position	Effective Date
Matthew Aaron Horsley	Appointment	Deputy Dog Warden	09/02/2020
Troy Taylor	Reassignment	Deputy Dog Warden	08/19/2020

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

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

18. IN RE: BOARD OF CLERMONT COUNTY COMMISSIONERS...ADOPTION OF THE BOARD OF COUNTY COMMISSIONERS ADMINISTRATIVE POLICY MANUAL...20-0820-001...RATIFIED

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

Recommendation of Sandra Tahat, Human Resources Administrator, with the concurrence of Thomas J. Eigel, County Administrator, to establish an Administrative Policy Manual for the

Board of County Commissioners which includes, as amended by the Board in today's Regular Session, the Rules of Procedures for Sessions of the Board, including the suspension of Article VI "Public Participation" approved by the Board on March 18, 2020, Public Records Policy, and Social Media Policy for External Users, effective upon adoption, and further to authorize the removal of the Rules of Procedures for Sessions of the Board and Public Records Policy from the Board of County Commissioners Personnel Policy & Procedure Manual subsequent thereto and to direct the Human Resource Department to update the appropriate internet links and appendices as it relates thereto.

DISCUSSION: COMMISSIONER PAINTER STATED THAT THE RULES OF PROCEDURES FOR THE BOARD, AND THE PUBLIC RECORDS POLICY ALREADY EXISTED AND THE SOCIAL MEDIA POLICY IS NEW. COMMISSIONER PAINTER ASKED IF THE NUMBERING WILL NEED CHANGED DUE TO THE MOVE FROM ONE POLICY MANUAL TO ANOTHER. MS. TAHAT STATED THAT IS CORRECT, THE SECTION NUMBERS FOR THE RULES OF PROCEDURE AND THE PUBLIC RECORDS POLICY WILL CHANGE, HOWEVER, ANY OF THE TEMPORARY ACTIONS SUCH AS THE CHANGES MADE TO THE RULES OF PROCEDURE IN MARCH DUE TO COVID-19 WOULD STAY IN PLACE. COMMISSIONER PAINTER STATED HE WOULD LIKE TO AMEND THIS MOTION, TO INCLUDE THAT THE AMENDMENT TO THE RULES OF PROCEDURE TO SUSPEND PUBLIC PARTICIPATION BE INCLUDED IN THE MOTION. COMMISSIONER CORCORAN AND HUMPHREY AGREED TO AMEND THE MOTION TO INCLUDE THE AMENDMENT AS DESCRIBED.

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

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

19. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 147-20/ RESOLUTION DETAILING ADDITIONAL SPECIFIC FINDINGS OF THE BOARD FOR DENYING ANNEXATION OF 96.7449 ACRES OF LAND OWNED BY CLERMONT SAVINGS ASSOCIATION, JUDY DUNN ANSTAETT, CINCINNATI GAS & ELECTRIC CO, 5075 STATE ROUTE 276 LLC, 5069 STATE ROUTE 276 LLC, 5055 STATE ROUTE 276 REALTY LLC, ARTHUR STRICKER, RANDY CLEM & SHAWNA KAY CLEM, RANDALL L. WORKMAN, SARAH J ROSSELOT TRUSTEE, WILLIAM J & SARAH JO ANN ROSSELOT TO THE VILLAGE OF OWENSVILLE IN CLERMONT COUNTY, OHIO AS REQUESTED BY JUDGE HADDAD IN CASE NO. 2019 CVF 0026...18-0820-005... RATIFIED

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

That the Board of County Commissioners, Clermont County, Ohio, adopt **Resolution Number 147-20/ resolving to detail additional specific findings of the Board for denying annexation of 96.7449 acres of land to the Village of Owensville in Clermont County, Ohio as requested by Judge Haddad in Case No. 2019CVF0026 captioned Rick McEvoy, Appellant vs Board of Clermont County Ohio Commissioners et al, Appellees.** 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, and (2) 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. 2019CVF0026 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, and (4) Resolution Number 157-19 adopted by the Board of County Commissioners during their Regular Session on 10/08/2019 resolving to issue specific findings as to why the Board determined sections 709.033(A)(4) and (5) of the Ohio Revised Code were not met.

In accordance with Ohio Revised Code Section 709.033(A), The Board of County Commissioners, **based upon a preponderance of the substantial, reliable, and probative evidence on the whole record**, issues additional specific finding indicating that all of the 6 conditions in that section have not been met as follows:

- A. The petition meets all requirements set forth in and was filed in the manner 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 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. In addition, the area of contiguity with the Village and the proposed annexed area is 1.4% of the perimeter of the territory proposed to be annexed. Due to the lack of contiguity, the proposed annexation would alter the geographic character, shape and size of the territory to be annexed in the relationship to the territory to which it will be annexed. None of the petitioners own property contiguous to the existing Village boundary as indicated on the annexation plot filed of record, and the parcels that have been brought into the annexation exclusively for contiguity purposes create an unwieldy peninsula. 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 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. In addition, the area of contiguity with the Village and the proposed annexed area is 1.4% of the perimeter of the territory proposed to be annexed. Only seven of the thirteen property owners signed the petition for annexation. None of the petitioning owners own property contiguous to the Village as indicated on the annexation plat. These owners are almost exclusively the remotest properties from the existing Village. 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. 2019CVF0026 accordingly.

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

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

20. IN RE: BOARD OF COUNTY COMMISSIONERS...SOLICITATION OF REQUEST FOR COMPETITIVE SEALED PROPOSALS FOR OPERATING THE ANIMAL SHELTER INCLUDING BUT NOT LIMITED TO THE STATUTORY REQUIREMENTS OF CHAPTER 955 OF THE OHIO REVISED CODE FOR THE HOUSING, FEEDING, CARING FOR, DESTROYING AND DISPOSING OF REGISTERED AND UNREGISTERED DOGS WITHIN CLERMONT COUNTY, OHIO, PURSUANT TO SECTION 307.862 OF THE OHIO REVISED CODE...20-0828-001...RATIFIED

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

Recommendation of Greg Bickford, Assistant County Administrator, with the concurrence of Thomas J. Eigel, County Administrator, to approve the solicitation of *Request for Competitive Sealed Proposals* for operating the Clermont County Animal Shelter located at 4025 Filager Road, Batavia, Ohio 45103 including but not limited to the housing, feeding, caring for, destroying and disposing of registered and unregistered dogs brought to the Clermont County Animal Shelter by the Dog Warden and Deputy Dog Wardens within Clermont County, Ohio in accordance with the statutory requirements of Chapter 955 of the Ohio Revised Code, pursuant to the specifications set forth therein and in compliance with Section 307.862 of the Ohio Revised Code and to authorize the Clerk of the Board to place a Legal Notice in the Clermont Sun on Thursday, September 10, 2020 with *Request for Competitive Sealed Proposals to be received until 2:00 P.M. Local Time on Thursday, October 1, 2020*, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, where they will be publicly opened and acknowledged accordingly. This notice is also posted on Clermont County's website at the following URL link: www.clermontcountyoohio.gov

DISCUSSION: COMMISSIONER PAINTER STATED THIS AGENDA ITEM FOR ANIMAL CARE IS NEAR AND DEAR TO HIS HEART AS WELL AS MANY OF OUR CITIZENS. HE FURTHER STATED THAT THE COMPETITIVE NATURE OF GOVERNMENT PROCUREMENT REQUIRES THAT CONTRACTS SUCH AS THIS ARE OPENED FOR PROCUREMENT PERIODICALLY TO ENSURE THAT ALL CONTRACTORS/VENDORS ARE ABLE TO BID ON SUCH SERVICES. THE CURRENT CONTRACTOR HAS DONE A FINE JOB. MR. EIGEL EXPLAINED THE CONTRACT IS ONE YEAR WITH TWO ADDITIONAL ONE YEAR RENEWAL OPTIONS AND WERE ARE IN THE FINAL RENEWAL YEAR.. COMMISSIONER PAINTER STATED THIS DOES NOT REFLECT ON THE CURRENT CONTRACTOR BUT IS A STANDARD PROCUREMENT OF THIS CONTRACT FOR SERVICES AS PER THE COMPETITIVE BIDDING REQUIREMENT.

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

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

21. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR CALENDAR YEAR 2020...APPROVED

Moved by Commissioner Humphrey, seconded by Commissioner Corcoran, 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 Thomas J. Eigel, County Administrator, to resolve to approve and authorize changes in the Annual Appropriation Resolution Number 191-19 for Calendar Year 2020 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 CALENDAR YEAR 2020

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
COMMON PLEAS SPECIAL PROJECTS	CP Court Special Projects TEMPORARY 2140 - 02 - 11 - 234000 - 511800 -	\$ 962.00
COMMON PLEAS SPECIAL PROJECTS	CP Court Special Projects FRINGE BENEFITS 2140 - 02 - 11 - 234000 - 520000 -	\$ 1,954.38
FAMILY AND CHILDREN FIRST	FCF Administration OTHER EXPENSES 7400 - 06 - 28 - 931000 - 530000 -	\$ 200,000.00

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

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

LET THE RECORD SHOW: COMMISSIONER PAINTER ASKED MS. RAINS IF SHE COULD PROVIDE A BRIEF BUDGET UPDATE. MS. RAINS STATED THAT ON 08/28/20 CLERMONT COUNTY RECEIVED THE 2ND INSTALLMENT OF COVID MONIES FROM HOUSE BILL 481. OF THESE FUNDS, \$783K WILL STAY WITH THE COUNTY. THE REST WILL BE DISTRIBUTED AS THE FIRST ROUND WAS, BY THE 2019 LOCAL GOVERNMENT FUNDS FORMULA. MR. EIGEL STATED THAT A NEW RESOLUTION IS NOT REQUIRED SINCE ONE HAD BEEN SUBMITTED FOR THE FIRST DISTRIBUTION. COMMISSIONER PAINTER ASKED IF ALL JURISDICTIONS HAVE SUBMITTED A RESOLUTION. MS. RAINS STATED THAT \$211K HAD NOT BEEN DISTRIBUTED FROM THE FIRST ROUND BY THE AUDITOR. SINCE DISTRIBUTIONS ARE MADE UPON RECEIPT OF A RESOLUTION, SHE ASSUMES THIS IS BECAUSE RESOLUTIONS ARE NOT GOING TO BE RECEIVED FROM THE FORMER VILLAGES OF NEWTONSVILLE AND AMELIA. RESOLUTIONS HAVE NOT BEEN RECEIVED FROM CHILO, FELICITY, AND NEVILLE, AS WELL AS JACKSON TOWNSHIP AND OHIO TOWNSHIP. COMMISSIONER PAINTER ASKED IF THE REMAINING FUNDS WOULD BE ABLE TO BE ALLOCATED THROUGH THE SMALL BUSINESS RELIEF GRANTS. MR. BICKFORD STATED THE FINANCIAL ADVISORY COMMITTEE IS MEETING TODAY AND WILL BE DISCUSSING WHAT CHANGES THEY CAN MAKE TO THE INITITIVE DUE TO THE POSSIBILITY OF ADDITIONAL FUNDS.

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF (1) ONE AGENDA ITEM TO THE REGULAR SESSION OF 09/02/2020...20-0102-004...APPROVED

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

Thomas J. Eigel, County Administrator, asked the Board to consider adding (1) one additional item to the Agenda of the Regular Session of 09/02/2020 to include Executive Session Pursuant to Section 121.22 (G) (3) of the Ohio Revised Code; Commissioner Painter asked for a motion to approve the addition of the agenda item to today's Regular Session.

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

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER HUMPHREY AND

SECONDED BY COMMISSIONER CORCORAN, TO GO INTO EXECUTIVE SESSION AT 10:42 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:

Commissioner Humphrey, Aye; Commissioner Corcoran, Yes; Commissioner Painter, Yes.

LET THE RECORD SHOW: THE BOARD OF COUNTY COMMISSIONERS RETURNED FROM EXECUTIVE SESSION AND RESUMED REGULAR SESSION AT 10:55 A.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: COMMISSIONER PAINTER STATED THAT THE BOARD HAD REACHED THE COUNTY STAFF/ELECTED OFFICIAL DISCUSSION SECTION OF THE AGENDA. HE INQUIRED IF THERE WAS ANYONE IN THE AUDIENCE THAT WOULD LIKE TO ADDRESS THE BOARD.

LET THE RECORD SHOW: GREG BICKFORD, ASSISTANT COUNTY ADMINISTRATOR PROVIDED A BRIEF UPDATE ON THE COVID RELIEF SMALL BUSINESS INITIATIVE. THE FINANCE COMMITTEE WILL MEET TODAY TO DISCUSS ADDITIONAL OPTIONS FOR SMALL BUSINESS RELIEF FUNDS. MR. BICKFORD STATED THAT ONE OPTION THE BOARD COULD CONSIDER IS REMOVING THE REQUIREMENT THAT AN APPLICANT HAVE BEEN IN BUSINESS FOR ONE YEAR, PRIOR TO QUALIFYING FOR PROGRAM ASSISTANCE. COMMISSIONER PAINTER STATED IF THE BOARD AGREES HE WOULD LIKE MR. BICKFORD TO RESEARCH THAT REQUIREMENT AND CONSIDER REMOVING THAT FROM THE CRITERIA IF POSSIBLE, COMMISSIONER HUMPHREY AGREED.

LET THE RECORD SHOW: COMMISSIONER PAINTER OPENED THE MEETING FOR BOARD MEMBER COMMENTS.

LET THE RECORD SHOW: COMMISSIONER HUMPHREY STATED WE ARE COMING INTO A HOLIDAY WEEKEND; PLEASE KEEP YOUR DISTANCE AND WEAR YOUR MASKS. HE IS VERY CONCERNED ABOUT A SPIKE IN CASES IN THE TWO WEEKS FOLLOWING THE HOLIDAY WEEKEND. COMMISSIONER PAINTER AGREED AND HE BELIEVES THAT CLERMONT COUNTY RESIDENTS KNOW WHAT PRECAUTIONS TO TAKE AND WHAT PPE TO WEAR TO STAY SAFE AND HEALTHY.

IN RE: ADJOURNMENT...APPROVED

Moved by Commissioner Corcoran, seconded by Commissioner Humphrey,

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 11:00 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:

Commissioner Corcoran, Yes; Commissioner Humphrey, Aye; Commissioner Painter, Yes.

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

DAVID L. PAINTER, PRESIDENT

EDWIN H. HUMPHREY, VICE PRESIDENT

CLAIRE B. CORCORAN, MEMBER

HOLLY CRUEY, ASSISTANT CLERK

**09/09/2020
DATE APPROVED**