

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JUNE 21, 2023, WITH THE FOLLOWING MEMBERS PRESENT: PRESIDENT BONNIE J. BATCHLER, VICE PRESIDENT CLAIRE B. CORCORAN AND MEMBER DAVID L. PAINTER. 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.

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 AT <https://www.youtube.com/user/clermontcounty/playlists>.

Commissioner Batchler requested County Staff/Elected Officials Discussion to be moved up in the Agenda.

COUNTY STAFF/ELECTED OFFICIALS DISCUSSION: Greg Bickford, Assistant County Administrator, addressed the Board regarding Ohio Senate Bill 52, effective October 11, 2021. Last year, the county sent representatives from Planning and Economic Development to address each Township and their constituents about the new law regarding the construction of economically significant wind farms, large wind farms and large solar facilities. In response to the information provided, seven Townships passed resolutions establishing restricted unincorporated areas. Mr. Bickford explained that after receiving the resolutions from the Townships, the Board of County Commissioners, to adopt a resolution designating one or more restricted areas in the county, must discuss the matter at a regular meeting of the Board. Thirty days before the meeting, a public notice of the meeting time and date was published in a local newspaper. The notice, including a map of the area, was made available for the general public at all county libraries. The notice was mailed to all school districts, municipal corporations, and the Boards of Township Trustees. This was all done in compliance with the statute to hold the public meeting today.

Commissioner Batchler asked if Townships can pass a resolution in the future. Mr. Bickford responded that a Township can pass a resolution, and we can proceed with another public meeting. Brian Shrive, Assistant Civil Prosecuting Attorney, said there have been Townships that have passed a resolution since this notice, and these will be addressed at a later date with another public notice. One way of prohibiting large solar is passing a resolution today. The code states that if a resolution is passed, there cannot be an application presented. Commissioner Painter wanted to clarify if particular parcels could be changed at a later date. Mr. Shrive said another meeting would have to be held and modify the resolution. Commissioner Painter asked if a decision is made today, can it be changed via referendum. Mr. Shrive responded yes. Mr. Bickford referred to 303.59 of the Ohio Revised Code as referring to a referendum.

PUBLIC PARTICIPATION:

Name	Township/City/Organization	Summary
Rusty Durbin	Tate Township	Concern for watersheds
Mary Durbin	Tate Township	Concern for the devastation of the community
Peg Fisher	Miami Township	Concern for the energy needs of future generations
Vince Irvin	Franklin Township	Great for the economy
Chad Day	International Brotherhood of Electrical Workers	Good source of supplemental energy
William Gabriel	Batavia Township	Cleaner efficient energy
Chris King	Stonelick Township	Solar can produce revenue in the county

LET THE RECORD SHOW: Recommendation to extend the time of Public Participation.

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

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

PUBLIC PARTICIPATION:

Name	Township/City/Organization	Summary
Thad Bauer	Stonelick Township	Solar is not the worst choice and should keep options open; if not here, then where.
Thomas Ross	Operating Engineer Local 18	Employment opportunities, additional tax money, and clean energy.
Brad Watson	Senior Director of Community Affairs, Vistra Energy Company	Repurposing retired Zimmer power plant and rebuilding local tax base.
Austin Clark	Bethel, Ohio	He has had his family farm since the 1790s, and his township listened to their constituents, got their opinions, and wrote a resolution against them.
Andrew McAfee	Vice President, Clermont Chamber of Commerce	Chamber strongly supports Vistra and the Zimmer plant, with the investment in the county could be from \$600-\$800 million.
Josh Ison	Washington Township Trustee	The absence of data does not mean the absence of risk to public health, environment and water quality; Ohio Farm Bureau is neutral on the policy.
Dennis Cooper	Washington Township Trustee	I had a question about the referendum that was spoken about early – does the entire county vote for it?

LET THE RECORD SHOW: Commissioner Batchler requested a five-minute recess.

Moved by Commissioner Painter, seconded by Commissioner Corcoran, the Board of County Commissioners entered into a brief recess at 10:56 a.m.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

LET THE RECORD SHOW: Regular Session resumed shortly after 11:01 a.m.

Mr. Shrive returned to answer questions. In response to Mr. Cooper’s question, the referendum according to Ohio Revised Code 303.59, would be a county-wide referendum. The referendum is for a prohibited area but the entire county votes on it. Commissioner Painter clarified that they can only vote on the Townships currently listed for today. Regarding the Veto Rule under Ohio Revised Code

303.62, a utility provider can ask to locate in a township with a restricted area by applying for a certificate from the Ohio Power Siting Board. The utility provider must have a public meeting where the project is located, and the Commissioners have 90 days to take action to prohibit, limit or do nothing. If it is not acted on in ninety days, it is approved. Mr. Cooper asked if the Township meets with Vistra and likes their plan, can the Township change the scope of the restricted area? Mr. Shrive answered yes, but there will need to be another public meeting to modify or amend the map.

LET THE RECORD SHOW: Recommendation to extend the time of Public Participation.

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

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

PUBLIC PARTICIPATION:

Name	Township/City/Organization	Summary
William Gabriel	Stonelick Township	Building permit, lawsuit, resolve the issue, not stop it.
John Wilson	Tate Township Trustee	They spoke about what the citizens at their meeting wanted, and the majority did not want solar.
Dawn Osborne	Washington Township	Doesn't want run-off water from the solar facilities and concerned about contamination.
Mary Durbin	Tate Township	Does not want this in her community.
Dennis Cooper	Washington Township Trustee	In his township, he was elected to represent the citizens; he has yet to find one person in support of this.
Tom Niehaus	New Richmond, Ohio	Encouraged citizens to not carte blanche prohibit solar.

CONSENT AGENDA

Commissioner Batchler 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 Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

1. IN RE: REQUEST FROM A DEPARTMENT TO JOIN A PROFESSIONAL ORGANIZATION AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES... APPROVED

Requests from a department to join a professional organization and to authorize payment of the annual dues in the amount outlined below for membership, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated (*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 Calendar Year 2023 and any amendments:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Board of County Commissioners Office of Public Information Michael J. Boehmer DC# 22-1025-002	Public Relations Society of America (PRSA) National <i>Previously approved on 11/02/2022</i>	\$260.00 to \$267.00	01/01/2023 through 12/31/2023

2. IN RE: BLANKET TRAVEL REQUEST FOR REIMBURSEMENT OF ELIGIBLE ROUTINE TRAVEL EXPENSES FOR PARTICIPATION IN MEETINGS, ORGANIZATIONS AND/OR PROGRAMS DURING CALENDAR YEAR 2023...APPROVED

Recommendation to approve the following blanket travel request for reimbursement of eligible expenses for participation by the following Department and/or Staff, as it relates to reimbursement of routine travel expenses (excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier) relative to all meetings, organizations and/or programs during Calendar Year 2023, pursuant to the current policy for Reimbursement of Travel Expenses (Section 4.08) adopted by the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2023 and any amendments as outlined below:

Elected Official/Department	Meetings, Organizations and/or Programs
Board of County Commissioners and/or Staff DC# 23-0615-007	Little Miami River Chamber Alliance

3. IN RE: BOARD OF COUNTY COMMISSIONERS...MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR OR THE ASSISTANT COUNTY ADMINISTRATOR TO APPROVE MASTER SERVICE AGREEMENT(S) AND TO RELEASE THE SUBSEQUENT PURCHASE ORDER(S) RELATED TO THE AGREEMENT(S)...APPROVED

Recommendation to authorize the County Administrator and/or the Assistant County Administrator to approve the Master Service Agreement(s) as outlined below and to allow the release of the required purchase order(s) for the terms and conditions specified in the agreement(s):

Vendor	MSA Service	Term
Beckman Environmental Services Co. 4259 Armstrong Boulevard Batavia, Ohio 45103 DC# 23-0606-002	Corrective Repairs for Lift Stations, Infrastructure and Equipment	06/21/2023 to 06/20/2026
Trane US Inc. 10300 Springfield Pike Cincinnati, Ohio 45215 DC# 23-0606-001	HVAC Services	06/21/2023 to 06/20/2026

4. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBERS 066-23 THROUGH 085-23 ESTABLISHING ANNUAL MAINTENANCE ASSESSMENTS PURSUANT TO SECTION 6137.03 OF THE OHIO REVISED CODE FOR VARIOUS SUBDIVISION PUBLIC WATERCOURSES SITUATED WITHIN CLERMONT COUNTY, OHIO...ADOPTED

Recommendation to adopt **Resolution Numbers 066-23 through 085-23** resolving to establish the Annual Maintenance Assessments for the following Subdivisions located in various Townships within Clermont County, Ohio, in and as it relates to the public watercourses therefore, in the amounts outlined below, pursuant to and in compliance with Chapter 6137 of the Ohio Revised Code:

Subdivision	Township	Amount
Buxton Meadows Subdivision Block I Resolution Number 066-23 DC# 97-0611-010	Batavia	\$540.00
Summit Crossing Subdivision Resolution Number 067-23 DC# 97-0611-011	Batavia	\$840.00
Edinburgh Place Subdivision Section D Resolution Number 068-23 DC# 97-0611-013	Union	\$1,300.00
Turnberry Subdivision Section A, Blocks Two & Three Resolution Number 069-23 DC# 97-0611-015	Pierce	\$660.00
Rivendell Estates Subdivision Section IV Resolution Number 070-23 DC# 97-0612-001	Pierce	\$460.00
Summerfield Subdivision Section Two Resolution Number 071-23 DC# 97-0612-002	Miami	\$680.00
Chadwick Farm Subdivision Section 2 Resolution Number 072-23 DC# 97-0612-003	Miami	\$540.00
Pleasant Acres Subdivision Section IV Resolution Number 073-23 DC# 97-0612-004	Batavia	\$820.00

McCormick Place Subdivision Resolution Number 074-23 DC# 97-0612-005	Union	\$500.00
Brookeside Estates Subdivision Resolution Number 075-23 DC# 97-0612-007	Batavia	\$540.00
Hopper Estates Subdivision Resolution Number 076-23 DC# 97-0612-008	Pierce	\$600.00
Pleasant View Subdivision Resolution Number 077-23 DC# 98-0213-001	Batavia	\$1,060.00
Hunter's Ridge Farms Subdivision/Hawthorne Meadows Subdivision Section One and Section Three Resolution Number 078-23 DC# 98-0409-001	Miami	\$2,060.00
Deerhaven Subdivision Block A/Section 6 Resolution Number 079-23 DC# 99-0514-001	Miami	\$820.00
Forest Knoll Subdivision Section IV/Block C Resolution Number 080-23 DC# 99-1019-001	Miami	\$460.00
Union Station Subdivision Resolution Number 081-23 DC# 00-0822-011	Union	\$660.00
Estates at Stone Oak Subdivision Resolution Number 082-23 DC# 01-0327-002	Union	\$740.00
Pine Creek Subdivision Resolution Number 083-23 DC# 02-0923-004	Miami	\$380.00
Deerfield Pointe Subdivision Resolution Number 084-23 DC# 03-0605-002	Miami	\$1,160.00
Harrison Woods Subdivision Resolution Number 085-23 DC# 13-0530-003	Union	\$580.00

**5. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RELEASE OF MAINTENANCE BONDS AS SURETY FOR THE
INSTALLATION OF WATER MAIN EXTENSION AND ACCEPTANCE
OF SAME INTO THE COUNTY WATERWORKS SYSTEM...20-0204-
004...APPROVED**

Recommendation *to authorize the release of Maintenance Bond* which provided surety for the installation of water and sewer main extensions to serve the following subdivision and *to accept said water and sewer main extensions* into the County Waterworks System, pursuant to the Clermont County Water Resources Department Rules and Regulations:

Subdivision	Township	Water Main Extension Bond	Sewer Main Extension Bond
Tartan Meadows	Miami	\$5,500.00	\$11,750.00

**6. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF
EXPENSES...APPROVED**

Recommendation to approve the following requests for reimbursement of expenses for training and travel according to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2023 and any amendments:

CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES

Susan Walther – 2 days – Lewis Center, Ohio – Public Children’s Services Association of Ohio Meeting – total expenses for meals (\$59.00), mileage (\$144.10), registration (\$200.00), estimated not to exceed \$403.10.

CLERMONT COUNTY DOMESTIC RELATIONS COURT

Deborah Sharp – 4 days – Columbus, Ohio – Supreme Court of Ohio Judicial College Court Management Program – total expenses for lodging (\$366.00), meals (\$256.00), mileage (\$116.59), registration (\$150.00) and other (\$80.00), estimated not to exceed \$968.59.

CLERMONT COUNTY BOARD OF COMMISSIONERS

Tracie Braun – 3 days – Newark, Ohio – County Commissioners Association of Ohio Summer Symposium – total expenses for lodging (\$400.00) meals (\$177.00) and registration (\$250.00), estimated not to exceed \$827.00.

Jennifer Haley – 1 day – Columbus, Ohio – Columbus Statehouse – total expenses for meals (\$64.00), and other (\$15.00), estimated not to exceed \$79.00.

Jennifer Haley – (1) day – Loveland, Ohio – Symmetry 2023 Women’s Executive Luncheon – total expenses for registration (\$55.00), estimated not to exceed \$55.00.

7. IN RE: PERSONNEL ACTIONS...APPROVED

Recommendation to approve the following personnel actions *contingent upon the successful completion of a background check and drug screen for new hires/rehires:*

*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.

8. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR CALENDAR YEAR 2023... APPROVED

Recommendation 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 182-22**) for Calendar Year 2023, including the legal level of control, and/or interfund transactions pursuant to Sections 5705.13 through 5705.14 of the Ohio Revised Code as outlined in the following table(s) and to authorize Linda L. Fraley, County Auditor, to properly record same:

BUDGET TRANSFER OF FUNDS FOR CALENDAR YEAR 2023

FUND	FROM: ORGANIZATION - OBJECT - ACCOUNT	TO: ORGANIZATION - OBJECT - ACCOUNT	AMOUNT
PUBLIC ASSISTANCE	Childrens Protective Services BARGAINING UNIT - SALARY 2401 - 06 - 01 - 082000 - 511700 -	Childrens Protective Services OVERTIME 2401 - 06 - 01 - 082000 - 512100 -	\$ 40,000.00

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

NON-CONSENT AGENDA

9. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 086-23/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 086-23**

resolving to approve payment to vendors **in the total amount of \$2,186,028.00** as set forth in the BCC Approval Invoice Report for Checks dated **June 21, 2023**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on **06/20/2023**, 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 Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

10. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR CALENDAR YEAR 2023...APPROVED

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

Recommendation to resolve to approve and authorize changes in the Annual Appropriation **Resolution Number 182-22** for Calendar Year 2023 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 2023

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
GENERAL FUND	Adult Detention Corrections RETIREMENT PAYOUT 1000 - 04 - 19 - 432504 - 513200 -	\$ 4,563.65
GENERAL FUND	Prosecutor Common Pleas Criminal RETIREMENT PAYOUT 1000 - 01 - 04 - 373000 - 513200 -	\$ 18,521.76

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

11. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 087-23 AUTHORIZING COUNTY PARTICIPATION IN THE OHIO VALLEY REGIONAL DEVELOPMENT COMMISSION (OVRDC) FOR FISCAL YEAR 2024...23-0613-002...ADOPTED

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

Recommendation to adopt **Resolution Number 087-23** to endorse the 2023 Comprehensive Economic Development Strategy (CEDs) prepared by the Ohio Valley Regional Development Commission (OVRDC) and to authorize the County of Clermont, Ohio, to participate in the **Ohio Valley Regional Development Commission for Fiscal Year 2024** and to remit the sum of \$42,161.00 which represents the participatory share of funding from the County of Clermont, Ohio, for payment on or after 01/01/2024, and further to support the Ohio Valley Regional Development Commission's **Economic Development District Planning Partnership Investment Grant Program** with the United States Department of Commerce (USDOC) Economic Development Administration for planning grant funds for the annual performance period 01/01/2024 through 12/31/2024.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

12. IN RE: COUNTY SHERIFF...SUBGRANT AWARD AGREEMENT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY/OFFICE OF CRIMINAL JUSTICE SERVICES RELATIVE TO THE OHIO DRUG LAW ENFORCEMENT FUND GRANT PROGRAM (DLEF) FOR THE PROJECT ENTITLED CLERMONT COUNTY DRUG UNIT FOR SAME...22-0606-001...EXECUTED

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

Recommendation to authorize Bonnie Batchler, President of the Board of County Commissioners, to execute the Subgrant Award Agreement for Subgrant Number 2022-DL-LEF-5814 between the County of Clermont, Ohio, and the Ohio Department of Public Safety, Office of Criminal Justice Services, P.O. Box 182632, 1970 West Broad Street, Columbus, Ohio 43218-2632, for funding through the Ohio Drug Law Enforcement Fund (DLEF) for the project entitled Clermont County Drug Unit, in the amount of \$96,906.62, with a required cash match in the amount of \$32,302.21 to be provided from the 2022/2023 Annual Appropriations for the County Sheriff and/or to be provided by the County Sheriff from the Narcotics Law Enforcement Trust Fund 2503, for a total project budget of \$129,208.83, for the period of 07/01/2023 through 06/30/2024, for and on behalf of the Clermont County Sheriff's Office as the designated agency for the administration and implementation thereof, in compliance with the terms and conditions of the Grant Application, filed electronically by the County Sheriff on or about 01/25/2023.

DISCUSSION: Commissioner Corcoran requested clarification of the amount. The motion printed in the agenda was correct.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

13. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...RESOLUTION NUMBER 088-23 AUTHORIZING THE EXECUTION OF THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) SUBGRANT AGREEMENT FOR THE PROVISION OF FUNDING FOR STATE FISCAL YEARS 2024 AND 2025...23-0609-001...ADOPTED

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

Recommendation to adopt **Resolution Number 088-23** resolving to execute a Subgrant Agreement G-2425-11-6120 between the Clermont County Board of Commissioners, on behalf of the Clermont County Department of Job and Family Services, the Ohio Department of Medicaid, and the Ohio Department of Job and Family Services, Office of Fiscal and Monitoring Services, Bureau of County Finance & Technical Assistance, 30 East Broad Street, Columbus, Ohio 43215 for Clermont County to continue to receive funding awarded to the State of Ohio by the United States Department of Health and Human Services (DHHS) and the United States Department of Agriculture (USDA) for State Fiscal Years (SFY) 2024 and 2025 to perform all County Department of Job and Family Services duties as set forth in Section 329.04 of the Ohio Revised Code, as well as, all public children services duties and all child support enforcement duties, effective 07/01/2023 through 06/30/2025, pursuant to Sections 307.98, 5101.21 and 5160.30 of the Ohio Revised Code and in compliance with the terms and conditions stated therein.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

14. IN RE: CLERMONT COUNTY ENGINEER...RESOLUTION NUMBER 089-23 TO AUTHORIZE AND APPROVE THE CLERMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT IN COORDINATION

WITH THE CITY OF LOVELAND TO MANAGE AND CONTRACT FOR CONSTRUCTION SERVICES FOR THE EAST LOVELAND BRIDGE REPLACEMENT PROJECT(M0-0.18) IN CONCERT WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) PROJECT CONTROL GRANT AGREEMENT...23-0607-001...ADOPTED

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

Recommendation to adopt Resolution Number **089-23** resolving to authorize and approve the East Loveland Avenue Bridge Replacement Project (M0-0.18) as part of the Clermont Transportation Improvement District (CCTID) Regional Transportation Improvement Program (RTIP) and delegates the CCTID to cooperate with the City of Loveland to proceed to contract for and manage the construction services required for the Project in an amount not to exceed \$954,110.30 with \$417,373.00 funding provided to the CCTID from OPWC grant, DJZ03, and the County Engineer providing the balance of funds.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

15. IN RE: CLERMONT COUNTY ENGINEER...AGREEMENT WITH THE BOARD OF TRUSTEES OF UNION TOWNSHIP RELATIVE TO THE BINNING ROAD LANDSLIDE PROJECT LOCATED IN UNION TOWNSHIP...23-0612-001...EXECUTED

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

Recommendation to execute an Agreement between the Board of County Commissioners of Clermont County, Ohio, and the Board of Trustees of Union Township, 4350 Aicholtz Road, Cincinnati, Ohio 45245, relative to the Binning Road Landslide Project located within Union Township, with the County Engineer to pursue funding from the Ohio Public Works Commission (OPWC), in the form of a grant which will reimburse seventy-nine percent (79%) or \$243,964.64 of the \$308,816.00 estimated cost of the proposed repairs, with the required local match of funds in the amount of \$64,851.36 (21%) of the estimated project cost to be paid to the County Engineer by Union Township in compliance with the terms and conditions.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

16. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...GRANT OF SEWER EASEMENT WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 6402-60202 RELATIVE TO THE BRANCH HILL GUINEA ROAD SEWER EXTENSION PROJECT LOCATED WITHIN MIAMI TOWNSHIP AND EXECUTION OF THE REPLAT FOR SAME...22-0812-005...APPROVED

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

Recommendation to accept the following Grant of Sewer Easement with Rights of Re-Entry for Repair and Replacement granted and conveyed to the County of Clermont, Ohio, by the Grantor outlined below for utility purposes for Project Number 6402-60202 for the Branch Hill Guinea Road Sewer Extension Project located within Miami Township and to execute the replat for same:

Grantor	Parcel Number	Compensation
Jackson Woods Residential Owners Association, Inc.	17-25-20H-523.	Perm \$500.00
c/o Stonegate Property Management, Inc.		Repairs <u>\$250.00</u>

2320 Grandview Drive, Suite 101 Ft. Mitchell, Kentucky 41017 Property Location: 738 Harper Lane, Loveland, Ohio 45140 Record Plat Number 629-3417 (Replat of Lot Number 1 in Jackson Woods Subdivision/Phase 1)		Total \$750.00
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Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

17. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES...APPROVED

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

Recommendation to approve the following requests for reimbursement of expenses for training and travel according to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2023 and any amendments:

CLERMONT COUNTY BOARD OF COMMISSIONERS

Commissioner David L. Painter – 3 days – Newark, Ohio – County Commissioners Association of Ohio Summer Symposium – total expenses for lodging (\$400.00), meals (\$177.00) and registration (\$250.00), estimated not to exceed \$827.00.

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

Commissioner Corcoran, Yes; Commissioner Batchler, Yes; Commissioner Painter, Abstain.

18. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES...APPROVED

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

Recommendation to approve the following requests for reimbursement of expenses for training and travel according to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2023 and any amendments:

CLERMONT COUNTY BOARD OF COMMISSIONERS

Commissioner Bonnie J. Batchler – (1) day – Loveland, Ohio – Symmetry 2023 Women’s Executive Luncheon – total expenses for registration (\$55.00), estimated not to exceed \$55.00.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Abstain.

19. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES...APPROVED

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the following requests for reimbursement of expenses for training and travel according to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2023 and any amendments:

CLERMONT COUNTY BOARD OF COMMISSIONERS

Commissioner Claire B. Corcoran – (1) day – Loveland, Ohio – Symmetry 2023 Women's Executive Luncheon – total expenses for registration (\$55.00), estimated not to exceed \$55.00.

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

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Abstain.

20. IN RE: DISPOSITION OF...DESIGNATION OF CERTAIN UNINCORPORATED AREAS OF CLERMONT COUNTY AS RESTRICTED RELATIVE TO THE CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS, AND LARGE SOLAR FACILITIES PURSUANT TO SECTIONS 303.57 AND 303.58 OF THE OHIO REVISED CODE...23-0505-004...APPROVED

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

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

LET THE RECORD SHOW: Mr. Bickford read Senate Bill 52 and explained in detail that this resolution designated certain unincorporated areas as restricted relative to the construction of economically significant wind farms, large wind farms, and large solar facilities, pursuant to Sections 303.57 and 303.58 of the Ohio Revised Code. Resolution 090-23 does designate certain unincorporated areas, as shown on the map, included as restricted for those types of facilities. Ohio Revised Code Section 303.58 states how the Board of County Commissioners may adopt a resolution, but to do this, 30 days prior to this resolution, the Board must notify all school districts, townships, and municipalities within the restricted area; the Board must place the map at every library in the county and also put a legal notice of the public meeting in a newspaper of general circulation. All of that was done to identify today as the date of the public meeting, which just occurred. The Board has the ability to take action on this resolution and the resolution prohibits these types of facilities in Batavia, Jackson, Monroe, Stonelick, Tate, Washington, and Williamsburg Townships. Earlier today, Mr. Shrive indicated that the Board could modify this resolution, but to do that, they must follow the exact procedure done with this one. Two other townships submitted resolutions regarding restricted areas in their townships so that this process will happen again. This will come back before the Board for the addition of those townships. This is the time for disposition and discussion. There was some confusion as to whether a motion was needed. Mr. Bickford clarified this by saying he was putting it on the floor to make the motion correct and the Board was permitted to discuss it at this time.

Commissioner Painter: A lot of testimonies were heard today, there have been many testimonies throughout the county, and many of these meetings were talked about today. I attended these meetings at the townships in person as informational sessions so he could hear the actual conversations and discussions of people who were for, who were against, what features they liked or didn't like, what they wanted in their community, and what they did not. One of the things that I noted is that today is a different day when it comes to politics. Most people vote for candidates that want politics out of their everyday lives; they want representation that doesn't reach within their everyday lives; and they want politics removed from things that affect their decision-making process. We can all understand that, and there are many people who do. Obviously, reaching and restricting people's property and limiting what they can do is an overreach of government and typically that's not what people vote for today. What people want is government removed from their lives; however, that's my opinion and my opinion it's just like everybody else and I wasn't elected to have an opinion. What I was elected to do was represent the good people of Clermont County and they have spoken loud and they have spoken clearly. There is an avenue for this Board and keep in mind this is a decision of three people on the Board of Commissioners. No one else has the legislative authority to make this decision except the Commissioners of this County. You can recommend, you can send in potential resolutions but that doesn't mean that this commission has to find in favor of those resolutions and for or against again in my particular opinion and I can only speak for one, you didn't elect me to force my opinion on you, you elected me to represent you the people of Clermont County and the people have spoken. I would be inclined to restrict

these areas that have been requested in these seven townships as they wanted it for well knowing that if the good people of that township again and the trustees that represent them have a project that's brought before them that makes sense and is something that you want to pursue that obviously this commission could consider that and could un-restrict particular parcels as needed. We do this for other economic development projects. You know we listen to the people of that community so that's my opinion.

Mr. Bickford: At this time, you're discussing if you want to proceed, then you would need a motion to vote to approve, deny, or table. You have all kinds of options right now.

Commissioner Batchler: I absolutely agree we were elected to represent the majority of the people that speak to us and express their wishes within their own townships. These townships have made it clear what they want but I do like the idea that if they want to come back later and if there is a certain portion and if good people of those townships decide they want to take a portion of that land they could come back and ask for that to be granted so I have to listen to what the people say they want.

Commissioner Corcoran: There is the option out there for a referendum to bring it back in and each township could come in individually. It doesn't have to be as a group, and it doesn't have to be the people who have delayed getting their responses into us whom we will deal with next. I think the townships did a great job in getting this information out, as did our Economic Development Department making sure that everyone was informed. I did stay away from those meetings because I was given guidance not to go to those meetings so that I did not get overindulged in what this group or that group did not want and to make my own opinion, and as you said, Commissioner Painter, you're correct. It is three different views, and the view today is to represent what the people have told us they wanted, and that's my position in it, so if you want to call for a vote at this time, I don't know if we're in that order.

Commissioner Batchler: I would say one more thing before you do, what Commissioner Corcoran said, I too was told by an attorney I shouldn't go to the meetings to make an independent decision, and that's the reason I didn't attend any of your meetings at this time.

Mr. Bickford: Before you make a motion, I just want to make clear what you are potentially voting on today is large solar facilities, 50 megawatts and above, economically significant wind farms, 5 to 49 megawatts and large wind farms of 50 or more megawatts. If it does not meet those definitions, it truly becomes a Township issue, this does not apply. I want to make that clear.

Commissioner Painter: Before we move that, since we've talked about attorneys, no one can ever say that Commissioner Painter always listens to attorneys, right or wrong. What I would say is, you know, we're pro-energy when it comes to this state, and we all understand that. There are people that aren't in disagreement with solar energy but aren't in agreement with electric cars and a lot of different things. But we're the most industrialized nation in the world, and if we have the ability to produce energy in a carbon-less environment, then why wouldn't you do it? Just because other countries don't do it? That's really not a good reason. I think because you can take a look at these projects as they come forward, you still maintain the ability to un-restrict areas of the project, to do that if the township wants to allow it.

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF CERTAIN UNINCORPORATED AREAS OF CLERMONT COUNTY AS RESTRICTED RELATIVE TO THE CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS, AND LARGE SOLAR FACILITIES PURSUANT TO SECTIONS 303.57 AND 303.58 OF THE OHIO REVISED CODE...23-0505-004...ADOPTED

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

Recommendation to adopt Resolution Number 090-23 restricting certain unincorporated areas of Clermont County from construction of Economically Significant Wind Farms, Large Wind Farms, and Large Solar Facilities pursuant to and in compliance with Sections 303.57 and 303.58 of the

Ohio Revised Code, which will become effective 30 days after adoption unless acted upon pursuant to Section 303.59 of the Ohio Revised Code.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

ADDITIONAL AGENDA ITEMS: Commissioner Batchler inquired if there were any additions to the agenda.

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF ONE AGENDA ITEM TO THE REGULAR SESSION OF 05/08/2023...23-0110-001...APPROVED

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

Greg Bickford, Assistant County Administrator, asked the Board to consider adding a Letter of Support for Ohio Persistent Cyber Improvement Program to Regular Session.

Commissioner Batchler requested a motion to approve the addition to today's Regular Session agenda.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS... LETTER OF SUPPORT FOR OHIO PERSISTENT CYBER IMPROVEMENT PROGRAM...23-0620-002...EXECUTED

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

Recommendation that the Board of County Commissioners authorize Bonnie J. Batchler, President of the Board, on behalf of the Board, to execute a Letter of Support for the Ohio Persistent Cyber Improvement (O-PCI) program for local government, created as part of the State of Ohio's Comprehensive Cybersecurity Plan, funded by a federal grant through the State and Local Cybersecurity Program.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

EXECUTIVE SESSION: A motion by Commissioner Corcoran and seconded by Commissioner Painter, to go into Executive Session at 11:54 a.m. pursuant to section 121.22 (G)(3) of the Ohio Revised Code to confer with the prosecuting attorney concerning disputes involving the public body that are the subject of pending or imminent court action, respectively.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

EXECUTIVE SESSION: The Board of County Commissioners returned from Executive Session and resumed Regular Session at 12:22 p.m. after having conferred with the prosecuting attorney concerning disputes involving the public body that are the subject of pending or imminent court action.

MEMBER COMMENTS: Commissioners Painter and Batchler said it was a great meeting and a great opportunity for the citizens.

LET THE RECORD SHOW: Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Gael Fawley, Clerk of the Board, recommended that the Board not have a Regular Session on June 26, 2023.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

IN RE: ADJOURNMENT...APPROVED

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 12:24 p.m. until the next regularly scheduled session to be held at a later date.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

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

BONNIE J. BATCHLER, PRESIDENT

CLAIRE B. CORCORAN, VICE PRESIDENT

DAVID L. PAINTER, MEMBER

GAEL FAWLEY, CLERK OF THE BOARD

07/12/2023
DATE APPROVED