

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON NOVEMBER 8, 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>.**

**IN RE: MINUTES OF REGULAR SESSION...APPROVED**

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

To approve the minutes of Regular Session of **11/01/2023**.

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

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

**PUBLIC PARTICIPATION:** No one requested to address the Board.

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

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts 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 2024 and any amendments:

<b>Elected Official or Department/Employee</b>	<b>Organization</b>	<b>Amount not to exceed</b>	<b>Term</b>
Office of Public Information Michael J. Boehmer DC# 23-1024-005	Public Relations Society of America (PRSA) National	\$267.00	01/01/2024 to 12/31/2024
Office of Public Information Michael J. Boehmer DC# 23-1024-005	Cincinnati Public Relations Society of America (PRSA) Chapter	\$60.00	01/01/2024 to 12/31/2024
Department of Job and Family Services	Cincinnati District OCDA Annual dues/meetings	\$7,032.00	01/01/2024 to

Anne M. Gross and/or Staff DC# 23-1024-011			12/31/2024
Department of Human Resources Sandy Tahat DC# 23-1027-002	National Public Employer Labor Relations Association (NPELRA) and Ohio Public Employer Labor Relations Association (OHPELRA) Joint Organization Membership	\$250.00	01/01/2024 through 12/31/2024
Department of Human Resources Terri Brandenburg DC# 23-1027-002	National Public Employer Labor Relations Association (NPELRA) and Ohio Public Employer Labor Relations Association (OHPELRA) Joint Organization Membership	\$250.00	04/19/2024 through 04/19/2025
Department of Human Resources Terri Brandenburg DC# 23-1027-002	County Loss Control Coordinators Association (CLCCA) Membership (Primary Membership)	\$150.00	01/01/2024 through 12/31/2024
Department of Human Resources Gary Caudill (associated with Workers' Compensation) DC# 23-1027-002	County Loss Control Coordinators Association (CLCCA) Membership (Associate Membership)	\$75.00	01/01/2024 through 12/31/2024
Domestic Relations Court Judge Mary Lynne Birck DC# 23-1031-003	Ohio Judicial Conference	\$250.00	01/01/2024 through 12/31/2024
Domestic Relations Court Judge Mary Lynne Birck DC# 23-1031-003	Ohio Association of Domestic Relations Judges	\$400.00	01/01/2024 through 12/31/2024
Domestic Relations Court Judge Mary Lynne Birck Rob Barnhorn Heather Cady Allan Edwards Penny Gates Kay Heile Nathan Little Mary Prudencio Don Swartz DC# 23-1031-003	Association of Family and Conciliatory Courts  (1 @ \$480.00 Institution Membership which includes \$90.00 for Institutional Chapter Dues)	\$480.00	01/01/2024 through 12/31/2024
Domestic Relations Court Judge Mary Lynne Birck Rob Barnhorn Heather Cady Allan Edwards Penny Gates Nathan Little Mary Prudencio Don Swartz DC# 23-1031-003	Clermont County Bar Association (\$125.00 Each)	\$1,000.00	01/01/2024 through 12/31/2024
Domestic Relations Court Judge Mary Lynne Birck Rob Barnhorn Heather Cady Allan Edwards Penny Gates Nathan Little Mary Prudencio Don Swartz DC# 23-1031-003	Ohio State Bar Association (\$125.00 Each)	\$1,000.00	01/01/2024 through 12/31/2024

Domestic Relations Court Heather Cady Penny Gates Nathan Little Mary Prudencio Don Swartz DC# 23-1031-003	Ohio Association of Magistrates (\$125.00 Each)	\$625.00	01/01/2024 through 12/31/2024
Domestic Relations Court Allan Edwards DC# 23-1031-003	Ohio Association of Court Administrators	\$200.00	01/01/2024 through 12/31/2024
Board of County Commissioners and/or Staff DC# 23-1102-002	County Commissioners Association of Ohio (CCAO)	\$13,306.00	01/01/2024 through 12/31/2024
Board of County Commissioners Countywide Membership DC# 23-1102-002	National Association of Counties (NACO)	\$3,947.00	01/01/2024 through 12/31/2024
Board of County Commissioners and/or Staff DC# 23-1102-002	Milford Miami Township Chamber of Commerce	\$150.00	01/01/2024 through 12/31/2024
Board of County Commissioners Thomas Eigel Greg Bickford DC# 23-1102-002	Cincinnati Area Management Association	\$150.00	01/01/2024 through 12/31/2024
Board of County Commissioners Greg Bickford DC# 23-1102-002	American Planning Association (APA)	\$720.00	01/01/2024 through 12/31/2024
Board of County Commissioners Thomas Eigel Greg Bickford DC# 23-1102-002	County Administrators' Association of Ohio (CAAO) (Includes OCMA)	\$760.00	01/01/2024 through 12/31/2024

**2. IN RE: BLANKET TRAVEL REQUEST FOR REIMBURSEMENT OF ELIGIBLE ROUTINE TRAVEL EXPENSES FOR PARTICIPATION IN MEETINGS, ORGANIZATIONS AND/OR PROGRAMS DURING CALENDAR YEAR 2024...APPROVED**

Recommendation to approve the following blanket travel request(s) for reimbursement of eligible expenses for participation by the following Elected Official(s) or Department(s) 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 2024, 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 2024 and any amendments as outlined below:

<b>Elected Official/Department</b>	<b>Meetings, Organizations and/or Programs</b>
Office of Public Information Mike Boehmer DC# 23-1024-004	Ohio Emergency Management Training Public Relations Society of America Cincinnati Chapter Meetings Public Relations Society of America National Meetings
Department of Human Resources and/or Staff DC# 23-1027-003	Bethesda Tri-Health Bureau of Workers' Compensation (BWC) and other BWC locations throughout the State of Ohio CEBCO Chard-Snyder County Commissioners Association of Ohio (CCAO) County Loss Control Coordinator's Association (CLCCA) MetLife Dental Greater Cincinnati Safety Council Health Action Council Industrial Commission Hearings National Public Employer Labor Relations Association (NPELRA)

	<p>Ohio Public Employee Labor Relations Association (OPELRA)                  Ohio Safety and Congress Expo                  Sedgwick                  State Employment Relations Board (SERB)                  State Personnel Board of Review (SPBR)                  United Healthcare                  USI Insurance</p>
<p>Clermont County Court of                  Common Pleas/Domestic                  Relations Court                  Judge Mary Lynne Birck                  DC# 23-1101-001</p>	<p>Ohio Common Pleas Judges Association</p>
<p>Clermont County Court of                  Common Pleas/Domestic                  Relations Court                  Judge Mary Lynne Birck                  DC# 23-1101-001</p>	<p>Ohio Judicial Conference</p>
<p>Clermont County Court of                  Common Pleas/Domestic                  Relations Court                  Judge Mary Lynne Birck                  DC# 23-1101-001</p>	<p>Ohio Association of Domestic Relations Judges</p>
<p>Board of County Commissioners                  and/or Staff                  DC# 23-1102-001</p>	<p>Adams-Clermont Solid Waste District Executive and Advisory                  Board                  Air Quality Policy Advisory Committee                  American Planning Association                  Appalachian Regional Commission                  Bethesda Tri-Health                  Board of Township Trustee's Meetings                  Bureau of Workers' Compensation (BWC)                  Central Ohio River Business Association (CORBA)                  Chard-Snyder                  Cincinnati Area Management Association (CAMA)                  Cincinnati USA Partnership                  Cincinnati USA Regional Chamber                  Clermont County Addiction &amp; Recovery Partnership (CARP)                  Clermont County Agricultural Society                  Clermont Chamber of Commerce                  Clermont County Community Improvement Corporation                  Clermont County Family and Children's First Council                  Clermont County Farm Bureau                  Clermont County Police Chiefs and Sheriffs' Association                  Clermont County Township Association                  Clermont County Transportation Improvement District                  Coalition for a Drug-Free Clermont County                  CompManagement Inc.                  County Administrators' Association of Ohio (CAAO)                  County Commissioners Association of Ohio (CCAO)                  County Engineer's Association of Ohio                  County Loss Control Coordinator's Association (CLCCA)                  Duke Energy                  Family and Children First Council                  Fire &amp; EMS Chiefs Alliance of Clermont County                  Goshen Chamber of Commerce                  Government Finance Officers Association                  Greater Cincinnati Behavioral Health                  Greater Cincinnati Local Government Management Association                  Greater Cincinnati Safety Council                  Hamilton County Transportation Improvement District                  Health Action Council                  Horan Associates                  Industrial Commission Hearings                  International City/County Management Association                  International Economic Development Council</p>

	Little Miami, Inc. Little Miami River Chamber Alliance McGohan & Brabender Mercer MetLife Milford/Miami Chamber of Commerce National Association of Counties (NACO) National Association of Development Organizations National Association of Regional Councils National Public Employer Labor Relations Association (NPELRA) Natural Resources Assistance Council Ohio City/County Management Association (OCMA) Ohio Community Corrections Organization Ohio Council of County Officials Ohio Criminal Sentencing Commission Ohio Department of Youth Services/Reclaim Ohio Ohio-Kentucky-Indiana Regional Council of Governments OhioMeansJobs/Workforce One Investment Board Ohio Power Siting Board (OPSB) Ohio Public Employer Labor Relations Association (OPELRA) Ohio Public Works Commission District 10 Executive and Integrating Committees Ohio Safety and Congress Expo Ohio State Employment Relations Board Meetings Ohio Valley Avaya User's Group Ohio Valley Regional Development Commission OneOhio Opiate Task Force Meetings ORW-Ohio River Way REDI Cincinnati Society for Human Resource Management (SHRM) Southwest Ohio Regional Transit Authority (SORTA) Southern Ohio, Southern Indiana, Northern Kentucky (SOSINK) Urban Area Security Initiative (UASI) State Employment Relations Board (SERB) State Personnel Board of Review (SPBR) Statewide Emergency Services Internet Protocol Network Steering TRAC-Transportation Review Advisory Council Committee Meetings United Health Care United Way of Greater Cincinnati Washington Township Quarterly Meetings
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**3. IN RE: CLERMONT COUNTY DEPARTMENT OF PUBLIC SAFETY SERVICES/INFORMATION SYSTEMS DEPARTMENT... ELECTRONIC SUBSCRIPTION RENEWALS FOR ONLINE TRAINING, SOFTWARE AND HARDWARE MAINTENANCE, UPDATES AND SUPPORT...APPROVED**

Recommendation to approve electronic subscription renewals for online training, software and hardware maintenance, updates and support at the not to exceed estimated rates and the terms outlined below and as outlined in the electronic subscription renewals, all of which are on file in the Information Systems Department, and to authorize the County Auditor to remit payment contingent upon the adoption of the Annual Appropriations for Fiscal Year 2024 and the issuance of the required purchase orders:

Vendor	Software/Hardware	Not to Exceed Estimated Rate	Term
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Anydesk Software GmbH Türlestraße 2 70191 Stuttgart, Germany DC# 23-1024-016	AnyDesk Professional (3 license) FlexPlan	\$600.00	08/22/2024 through 08/21/2025
CBT Nuggets LLC 1550 Valley River Drive Eugene, Oregon 97401 DC# 23-1024-016	Learner – IT Training Online (4 licenses)	\$3,000.00	05/28/2024 through 05/27/2025
CDWG 230 North Milwaukee Avenue Vernon Hills, Illinois 60061 DC# 23-1024-016	Adobe All Apps Creative Cloud (1 license)	\$1,000.00	06/23/2024 through 06/22/2025
CDWG 230 North Milwaukee Avenue Vernon Hills, Illinois 60061 DC# 23-1024-016	Crowdstrike (1200 licenses) (Additional 100 licenses to be co- termed)	\$120,000.00	08/24/2024 through 08/23/2025
Cincinnati Bell Technology Solutions Inc. 221 East Fourth Street Cincinnati, Ohio 45202 DC# 23-1024-016	Cisco Duo MFA - (725 licenses)	\$27,000.00	06/07/2024 through 06/06/2025
Cisco Equipment 170 West Tasman Drive San Jose, California 95134 DC# 23-1020-003	Smartnets	\$6,000.00	01/01/2024 through 12/31/2024
CustomGuide 4125 Trenton Lane N Plymouth, Minnesota 55441 DC# 23-1026-001	CustomGuide Course Subscription (Microsoft Office Suite)	\$120.00	Effective 1 year upon purchase
GovConnection, Inc. 732 Milford Road Merrimack, New Hampshire 03054 DC# 23-1024-016	KnowBe4 Security Awareness Training Subscription Diamond (1,300 subscriptions) & KnowBe4 PhishER Subscription (1,300 subscriptions)	\$65,000.00	05/06/2024 through 05/05/2027
JetBrains Americas Inc. 989 East Hillside Blvd, Suite 200 Foster City, California 94404 DC# 23-1024-016	Database Software Tools (2 licenses)	\$700.00	1 year effective upon execution
Malwarebytes 3979 Freedom Circle, 12 <sup>th</sup> Floor Santa Clara, California 95054 DC# 23-1024-016	Malwarebytes (1 license)	\$100.00	12/17/2024 through 12/16/2025
PathSolutions, Inc. 1030 East El Camino Real #173 Sunnyvale, California 94087 DC# 23-1024-016	TotalView Network and VoIP Troubleshooting Software (8000 licenses)	\$14,000.00	01/25/2024 through 01/24/2025
PluralSight 42 future Way Draper, Utah 84020 DC# 23-1024-016	Professional Basic Reporting and User Analytics (2 licenses)	\$1,600.00	1 year effective upon execution
SHI International Corp. 290 Davidson Avenue Somerset, New Jersey 08873 DC# 23-1024-016	20.77 per license for Office 365 G3 and a monthly subscription rate of \$35.88 per license for Office 365 G5	\$50,000.00	Subscription Billed Monthly Upon Each License Activation
Solarwinds P.O. Box 730720 Dallas, Texas 75373 DC# 23-1024-016	Solarwinds DameWare Mini Remote Control (4 licenses)	\$400.00	2/12/2024 through 2/11/2025
Southern Computer Warehouse 1395 South Marietta Parkway Building 300, Suite 106 Marietta, Georgia 30067 DC# 23-1024-016	Macrium Reflected Deployment Kit (1 PC Workstation Deployment for 5 technicians)	\$2,250.00	12/01/2024 through 11/30/2025
Zoho Corporation 4900 Hopyard Road, Suite 310 Pleasanton, California 94588-7100 DC# 23-1024-016	AdventNet ADManager Professional Edition (1 license)	\$900.00	05/26/2024 through 05/25/2025

**4. IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE**

**ISSUANCE OF PROCUREMENT CARDS AND EXECUTION OF THE REQUEST FOR THE ISSUANCE OF A PROCUREMENT CARD...23-0110-002...EXECUTED**

Recommendation to authorize Bonnie J. Batchler, President of the Board of County Commissioners to execute the Request for the Issuance of a Procurement Card form and to authorize the issuance of a Procurement Card in compliance with the Clermont County Procurement Card Policy and Procedures adopted by the Board of County Commissioners on 06/22/2005 and amended on 03/28/2007, 09/24/2014 and 05/25/2022, for the employee listed below:

Employee Name	Department
Megan Davidson	Board of Developmental Disabilities

**5. IN RE: CLERMONT TRANSPORTATION CONNECTION...AUTHORIZATION OF PAYMENT OF THE 2024 UNIFIED CARRIER REGISTRATION FEE REQUIRED FOR THE OPERATION OF INTERSTATE TRANSPORTATION SERVICES...23-1027-004...APPROVED**

Recommendation to authorize payment in the amount of \$769.00 to Unified Carrier Registration Plan, P.O. Box 2935, Idaho Falls, Idaho 83403-2935, for the operation of interstate transportation services for Calendar Year 2024.

**6. IN RE: BOARD OF COUNTY COMMISSIONERS...SATISFACTION OF MORTGAGES RELATIVE TO THE SEPTIC SYSTEM REHABILITATION FINANCING PROGRAM...APPROVED**

Recommendation to authorize Bonnie J. Batchler, President of the Board of County Commissioners, Clermont County, Ohio, to execute Satisfaction of Mortgages, certifying that the terms of the mortgages and promissory notes they secured, as dated, have been satisfied, and authorizing the Recorder to release the said mortgages of record for the following properties, as they relate to the Septic System Rehabilitation Financing Program in concert with the Ohio Development Services Agency Small Cities Community Development Block Grant Program as outlined below:

Name/Address	Parcel Number(s)	Recorded/Executed
Michael A. Powell and Renee R. Powell 1143 Valley Forge Road Milford, OH 45150 DC# 23-1024-010	18-46-38A-029.	Executed: 12/13/2017 Recorded: 1/10/2018 Official Record Book: 2749 Pages: 841-843
James C. Raymond III and Amy J. Raymond 3535 Island Trail Williamsburg, OH 45176 DC# 23-1024-009	52-35-06A-081.	Executed: 12/29/2017 Recorded: 2/8/2018 Official Record Book: 2753 Pages: 2482-2484
Michael B. Moore and Janis B. Moore 1937 West Road New Richmond, OH 45157 DC# 23-1024-008	22-26-05D-030.	Executed: 9/14/2018 Recorded: 10/11/2018 Official Record Book: 2794 Pages: 967-969
Charles E. Sinclair and Doris M. Sinclair 3359 Leuders Road Goshen, OH 45122 DC# 23-1024-007	47-34-06H-049.	Executed: 7/17/2018 Recorded: 10/11/2018 Official Record Book: 2794 Pages: 961-963
James E. Rigdon and Stacey Rigdon 4448 Sharps Cutoff Road Batavia, OH 45103 DC# 23-1024-006	15-23-10H-065.	Executed: 7/19/2018 Recorded: 10/11/2018 Official Record Book: 2794 Pages: 970-972

**7. IN RE: CLERMONT COUNTY ENGINEER...SUBDIVISION/LOCATION WITHIN BATAVIA AND MONROE TOWNSHIPS...RECORD PLAT**

**NUMBERS 629-3436 AND 629-3437 FOR THE REPLAT OF LOTS...APPROVED**

Recommendation to execute Record Plat Numbers **629-3436** and **629-3437** for the Replat of Lots in the following Subdivision/Location within Batavia and Monroe Township:

Subdivision/Location	Record Plat Number	Reason for Replat
Town of Point Pleasant Replat of Lots 2, 3, 4, 11, 12, 13, 14, 19, 20 Monroe Township DC# 23-1025-002	629-3436	To create new lot numbers 2A and 13C.
Billingsley Subdivision Section 6 Replat of Lot 146 and 153 Batavia Township DC# 23-1027-001	629-3437	To create new lots 146A, 146B, 146C, 153A, 153B, and 153C.

**8. IN RE: CLERMONT COUNTY ENGINEER...RESOLUTION NUMBERS 157-23 THROUGH 160-23 AUTHORIZING THE CONVERSION OF COMBINED PERFORMANCE-MAINTENANCE BONDS FOR VARIOUS SUBDIVISIONS WITHIN MIAMI TOWNSHIP...ADOPTED**

Recommendation to adopt Resolution Numbers 157-23 through 160-23 to convert the Combined Performance-Maintenance Bonds in the amounts listed below, for the construction of streets in the stated lengths within the following subdivisions located in Miami Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion:

Subdivision/Location	Performance-Maintenance	Street/Length (miles)
Madingley Falls Subdivision Section 1A Miami Township Resolution No. 157 -23 DC# 19-0620-003	\$22,000.00/\$10,000.00	Brier Creek Drive (0.103)
Madingley Falls Subdivision Section 1B Miami Township Resolution No. 158 -23 DC# 19-0911-003	\$49,000.00/\$11,000.00	Brier Creek Drive (0.104) Emery Crossing (0.156)
Madingley Falls Subdivision Section 2 Miami Township Resolution No. 159-23 DC# 20-0721-002	\$69,000.00/\$15,000.00	Emery Crossing (0.330) Rowan Hills Lane (0.032)
Madingley Falls Subdivision Section 3 Miami Township Resolution No. 160-23 DC# 21-0105-009	\$27,000.00/\$10,000.00	Rowan Hills Lane (0.128)

**9. IN RE: CLERMONT COUNTY DEPARTMENT OF PUBLIC SAFETY SERVICES...ESTABLISHMENT OF STAFF DEVELOPMENT AND CONTINUING EDUCATION PROGRAM FOR FULL-TIME EMPLOYEES AND AUTHORIZATION OF EXPENDITURES...23-1020-002...APPROVED**

Recommendation to authorize the establishment of a Staff Development and Continuing Education Program for the Full-Time Employees of the Clermont County Department of Public Safety Services to include classes offered by the Association of Professional Communications Operators (APCO International, Inc.), Central Joint Fire-EMS District (sponsored by the American Heart Association), National Academy of EMD and Medical Priority Dispatch through on-line training websites and to authorize expenditures for these classes, pursuant to Section 325.191 of



the Ohio Revised Code, as outlined below and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2024 and the issuance of the required purchase orders:

Organization	Not to Exceed Amount
Central Joint Fire-EMS District (sponsored by the American Heart Association) – CPR Recertifications	\$500.00
National Academy of EMD – CEU Recertifications	\$550.00
APCO International, Inc. – Public Safety Telecommunicator	\$2,000.00
APCO International, Inc. – Public Safety Training Officer	\$900.00
APCO International, Inc. – Communications Center Supervisor	\$500.00
Medical Priority Dispatch – EMD	\$3,000.00
Medical Priority Dispatch – EMD-Q	\$900.00
Denise Amber Lee Online Course	\$1,000.00

**10. IN RE: CLERMONT COUNTY EMERGENCY MANAGEMENT AGENCY... RENEWAL OF NOTIFICATION SERVICES SUBSCRIPTION AGREEMENT WITH ONSOLVE, LLC FOR THE PROVISION OF CodeRED SOFTWARE MAINTENANCE AND SUPPORT FOR THE INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS) COMPATIBLE TECHNOLOGY PLATFORM...21-1122-001...EXECUTED**

Recommendation to renew the Notification Services Subscription Agreement between the County of Clermont, Ohio, and OnSolve, LLC, 780 West Granada Boulevard, Ormond Beach, Florida, 32174, previously ratified by the Board of County Commissioners on 02/21/2018 and subsequently renewed on 12/19/2018, 12/18/2019, 10/07/2020, 12/06/2021, 11/16/2022 and amended on 02/17/2021, 08/03/2022, for the use of the Integrated Public Alert and Warning System (IPAWS) compatible software platform through CodeRED® at the rate of \$1,524.20, for the term of one year, effective 01/01/2024 through 12/31/2024, and to renew automatically for two additional one year periods and to authorize Bonnie J. Batchler, President of the Board of County Commissioners, to execute the Renewal Order Form with all other terms and conditions of the original Agreement contingent upon the adoption of the Annual Appropriations for Fiscal Year 2024 and the issuance of the required purchase order.

**11. 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 ANIMAL SHELTER**

**Chief Dog Warden Tim Pappas and Deputy Dog Warden Katy Asbrock** – 4 days – Columbus, Ohio – Annual Ohio Dog Wardens Training Conference – total expenses for lodging (\$852.00) meals (\$512.00), registration (\$100.00), and other (\$100.00) estimated not to exceed \$1,564.00

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

**Anne Gross** – 2 days – Lewis Center, Ohio – Public Children’s Services Association of Ohio Executive Membership Meeting – total expenses for lodging (\$125.00) meals (\$59.00), mileage (\$144.10) and registration (\$200.00), estimated not to exceed \$528.10

**CLERMONT COUNTY HUMAN RESOURCES**

**Angela Brand and Sandra Tahat** – 1 day – Milford, Ohio – Moving beyond Confrontation, Managing Team Conflict Workshop – total expenses for mileage (\$14.41) and registration (\$396.00), estimated not to exceed \$410.41

**CLERMONT COUNTY JUVENILE/PROBATE COURT**

**Judge James A. Shriver** – 3 days – Columbus, Ohio – Ohio Association of Juvenile Court Judges Winter Meeting – total expenses for lodging (\$310.00), meals (\$192.00) and registration

(\$125.00), estimated not to exceed \$627.00

**CLERMONT COUNTY RECORDER**

**Deborah Clepper and Marsha Collier** – 4 days – Columbus, Ohio – Ohio Recorders’ Association 97<sup>th</sup> Annual Winter Conference – total expenses for lodging (\$1,005.00), meals (\$512.00), mileage (\$162.44) and registration (\$325.00), estimated not to exceed \$2,004.44

**CLERMONT COUNTY SHERIFF’S OFFICE**

**All Road Patrol Deputies and All Jail Corrections Officers** – 10 days – Batavia, Ohio – CopOp 2023 Inservice Wellness Training/Post Traumatic Stress Disorder (PTSD) – total expenses for registration (\$3,500.00), estimated not to exceed \$3,500.00

**CLERMONT COUNTY WATER RESOURCES**

**Ainsley Knapke, Chris Rowland, Jason Collins, Joe Scharf, and Matt Sander** – 1 day – Milford, Ohio – Moving beyond Confrontation, Managing Team Conflict Workshop – total expenses for registration (\$792.00), estimated not to exceed \$792.00

**Dan Bailey and Doug Martin** – 1 day – Mason, Ohio –Southwest Section of the Ohio Water Environment Association Plant Operations Seminar and Section Meeting – total expenses registration (\$180.00), estimated not to exceed \$180.00

**12. 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.

**13. 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**

<b>FUND</b>	<b>FROM: ORGANIZATION - OBJECT - ACCOUNT</b>	<b>TO: ORGANIZATION - OBJECT - ACCOUNT</b>	<b>AMOUNT</b>
<b>DEVELOPMENTAL DISABILITIES</b>	<b>Bd of Developmental Disabilities FRINGE BENEFITS</b> 7000 - 06 - 23 - 010001 - 520000 -	<b>Bd of Developmental Disabilities OVERTIME</b> 7000 - 06 - 23 - 010001 - 512100 -	<b>\$ 15,000.00</b>
<b>GENERAL FUND</b>	<b>Building Inspection Division REGULAR SALARY</b> 1000 - 04 - 01 - 122000 - 511200 -	<b>Building Inspection Division OVERTIME</b> 1000 - 04 - 01 - 122000 - 512100 -	<b>\$ 25,000.00</b>
<b>GENERAL FUND</b>	<b>Common Pleas Adult Probation FRINGE BENEFITS</b> 1000 - 04 - 11 - 241000 - 520000 -	<b>Common Pleas Adult Probation REGULAR SALARY</b> 1000 - 04 - 11 - 241000 - 511200 -	<b>\$ 29,600.00</b>
<b>CP PROBATION SERVICE</b>	<b>CP Crt Adult Probation Services REGULAR SALARY</b>	<b>CP Crt Adult Probation Services FRINGE BENEFITS</b>	<b>\$ 417.00</b>

	2113 - 04 - 11 - 244000 - 511200 -	2113 - 04 - 11 - 244000 - 520000 -	
<b>PILOT PROBATION</b>	<b>Pilot Probation Grant REGULAR SALARY</b>	<b>Pilot Probation Grant FRINGE BENEFITS</b>	<b>\$ 248.00</b>
	2112 - 04 - 11 - 243000 - 511200 -	2112 - 04 - 11 - 243000 - 520000 -	
<b>PROBATION IMPROVEMENT GRANT</b>	<b>CP Prob Improvement &amp; Incentive Grant REGULAR SALARY</b>	<b>CP Prob Improvement &amp; Incentive Grant FRINGE BENEFITS</b>	<b>\$ 5,300.00</b>
	2114 - 04 - 11 - 245000 - 511200 -	2114 - 04 - 11 - 245000 - 520000 -	

**CASH TRANSFER OF FUNDS FOR CALENDAR YEAR 2023**

<b>FROM: FUND - OBJECT - ACCOUNT</b>	<b>TO: FUND - OBJECT - ACCOUNT</b>	<b>AMOUNT</b>
<b>DEVELOPMENTAL DISABILITIES TRANSFERS OUT TO SPEC REV</b> 7000 - 06 - 23 - 010001 - 700200 -	<b>DISABILITIES RESIDENTIAL - SRF OPERATING TRF IN FR SPEC REV</b> 7011 - 06 - 23 - 010002 - 480200 -	<b>\$ 200,000.00</b>

**CASH ADVANCE OF FUNDS FOR CALENDAR YEAR 2023**

<b>FROM: FUND - OBJECT - ACCOUNT</b>	<b>TO: FUND - OBJECT - ACCOUNT</b>	<b>AMOUNT</b>
<b>GENERAL DRAINAGE IMPROVEMENT</b> ADVANCES OUT TO GEN FUND 4020 - 00 - 00 - 004020 - 702100 - 8TH ANNUAL PYM ON 06/17/15	<b>GENERAL FUND</b> ADVANCES IN CAPITAL PROJECT 1000 - 01 - 01 - 032329 - 482300 -	<b>\$ 5,576.76</b>
<b>WATER REVENUE</b> ADVANCES OUT TO DEBT SERVICE 6001 - 11 - 01 - 141000 - 702400 - REPAY WHEN COLLECTED	<b>2003 VARIOUS WATERLINE S A</b> ADVANCES IN FROM ENTERPRISE 3329 - 00 - 00 - 003329 - 482600 -	<b>\$ 5,592.65</b>
<b>SEWER REVENUE</b> ADVANCES OUT TO DEBT SERVICE 6002 - 12 - 01 - 151000 - 702400 - REPAY WHEN COLLECTED	<b>NORTH AFTON SEWER</b> ADVANCES IN FROM ENTERPRISE 3331 - 00 - 00 - 003331 - 482600 -	<b>\$ 20,890.00</b>
<b>WATER REVENUE</b> ADVANCES OUT TO DEBT SERVICE 6001 - 11 - 01 - 141000 - 702400 - REPAY WHEN COLLECTED	<b>GO SPECIAL ASSESSMENT 2006</b> ADVANCES IN FROM ENTERPRISE 3333 - 00 - 00 - 003333 - 482600 -	<b>\$ 9,261.29</b>
<b>WATER REVENUE</b> ADVANCES OUT TO DEBT SERVICE 6001 - 11 - 01 - 141000 - 702400 - REPAY WHEN COLLECTED	<b>2011 VARIOUS WTR AND SWR SA</b> ADVANCES IN FROM ENTERPRISE 3334 - 00 - 00 - 003334 - 482600 -	<b>\$ 59,631.13</b>

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

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

**NON-CONSENT AGENDA**

**14. IN RE:    BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 161-23/PAYMENT OF BILLS...APPROVED**

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 161-23** resolving to approve payment to vendors **in the total amount of \$2,423,789.38** as set forth in the BCC Approval Invoice Report for Checks dated **November 8, 2023**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on **11/06/2023**, 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.

**15. IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO WITHDRAW THE PETITION FOR ANNEXATION OF 0.792 ACRES FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG, CLERMONT COUNTY, OHIO, PURSUANT TO SECTION 709.02 OF THE OHIO REVISED CODE...23-0329-003...APPROVED**

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

Recommendation to approve the request submitted by Steven Gittinger, Attorney at Law, 241 Elm Street, Ludlow, Kentucky 41016, for and on behalf, as Agent of the Petitioner, to withdraw the Petition for Annexation of 0.792 Acres from Williamsburg Township, Clermont County, Ohio, to the Village of Williamsburg, Clermont County, Ohio, filed in the office of the Board of County Commissioners on Wednesday, 09/05/2023, for issues relating to notification of adjoining property owners for the annexation and further that the public hearing set for Wednesday, November 8, 2023, at 11:00 A.M. Local Time in the Office of the Board of Clermont County Commissioners, 101 East Main Street, Third Floor, Batavia, Ohio 45103-2960 be canceled accordingly.

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 DEPARTMENT OF JOB AND FAMILY SERVICES... RESCISSION OF MOTION AND ACKNOWLEDGEMENT OF THE EXECUTION OF THE REVISED LOCAL WORKFORCE DEVELOPMENT SYSTEM SUBGRANT AGREEMENT BY AND AMONG THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) AND REPRESENTATIVES OF LOCAL AREA 12 IN AND AS IT RELATES TO THE USE OF SUBGRANT FUNDS ALLOCATED TO LOCAL AREA 12 BY ODJFS FOR THE ADMINISTRATION OF WORKFORCE DEVELOPMENT ACTIVITIES PURSUANT TO SECTION 5101.20 OF THE OHIO REVISED CODE FOR THE PERIOD OF 07/01/2023 THROUGH 06/30/2025...23-0627-001...EXECUTED**

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

Recommendation to rescind the motion, previously ratified by the Board of County Commissioners on 07/19/2023, which resolved to authorize the execution of the Local Workforce Development System Subgrant Agreement by and among the Ohio Department of Job and Family Services (ODJFS) and Local Area 12 representatives including the Butler, Clermont and Warren County Commissioners (Subgrantee), who are the Chief Elected offices of Local Area 12, the Local Workforce Development Board (LWDB) for Local Area 12, and the Warren County Board of Commissioners as the Fiscal Agent for Local Area 12, by Clermont County Commissioner David L. Painter, in his capacity of Clermont County's representative on the Area 12 Chief Elected Official (CEO) Consortium, and in lieu thereof, acknowledge the execution of the revised Subgrant Agreement by Clermont County Commissioner David L. Painter, in his capacity of Clermont County's representative on the Area 12 Chief Elected Official (CEO) Consortium, on October 6, 2023, with said revised Subgrant Agreement to define the roles and responsibilities of said parties, as well as, to identify the terms, conditions, and requirements for the administration and use of the Subgrant funds allocated to Local Area 12 by ODJFS for the administration of workforce development activities for the period of 07/01/2023 through 06/30/2025, for a total Subgrant Agreement amount not to exceed the amount specified in the Ohio

Department of Job and Family Services (ODJFS) Allocation Letters in accordance with the Workforce Innovation Opportunity Act (WIOA), the authorizing federal statutes and the funding agreements for each funding source authorized under the Subgrant Agreement, pursuant to the terms and conditions specified therein and in accordance with Section 5101.20 of the Ohio Revised Code.

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

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

**17. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
CONTRACT FOR PROFESSIONAL SERVICES WITH BAYER &  
BECKER, INC. FOR PROJECT NUMBER 6402-60236 FOR THE  
NAEGELE LIFT STATION ELIMINATION PROJECT LOCATED IN  
PIERCE TOWNSHIP...23-1101-008...EXECUTED**

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

Recommendation to execute a Contract for Professional Services by and between the Board of County Commissioners of Clermont County, Ohio, and Bayer & Becker, Inc., 6900 Tylersville Road, Suite A, Mason, Ohio 45040, for Project Number 6402-60236 for design services for the Naegele Lift Station Elimination Project located in Pierce Township, as outlined in Exhibit A from their proposal dated September 22, 2023, for a total amount not to exceed \$21,212.10, with said services to be completed within 105 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, and contingent upon the release of the required Purchase Order.

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

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

**18. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
RESOLUTION NUMBER 162-23 TO CERTIFY DELINQUENT UTILITY  
CHARGES TO THE CLERMONT COUNTY AUDITOR FOR  
PLACEMENT ON THE REAL PROPERTY TAX LIST AND  
DUPLICATE...23-1020-001...ADOPTED**

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

Recommendation to adopt **Resolution Number 162-23** to certify delinquent utility charges in the amounts of \$58,956.02 for Sewer Charges, \$49,836.09 for Water Charges, and \$4,530.00 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 the attached Exhibit A, pursuant to and in compliance with Sections 6103.02 and 6117.02 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.

**19. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
CONTRACT FOR PROFESSIONAL SERVICES WITH JONES & HENRY  
ENGINEERS, LTD. FOR PROJECT NUMBER 6402-60242 FOR THE  
FELICITY WASTEWATER TREATMENT PLANT SCREEN  
REPLACEMENT PROJECT LOCATED IN FRANKLIN TOWNSHIP...23-  
1024-015...EXECUTED**

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

Recommendation to execute a Contract for Professional Services between the Board of County Commissioners of Clermont County, Ohio, and Jones & Henry Engineers, Ltd., 4357 Ferguson Drive, Suite 220, Cincinnati, Ohio 45245, for Project Number 6402-60242 for design services for the Felicity Wastewater Treatment Plant Screen Replacement Project located in Franklin Township, as outlined in Exhibit A from their proposal dated September 27, 2023, for a total amount not to exceed \$49,993.00, with services to be completed within 176 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time and contingent upon the release of the required Purchase Order.

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

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

**20. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... AWARD OF BID AND EXECUTION OF CONTRACT FOR GRANULAR ACTIVATED CARBON (GAC) CONTACTOR MEDIA REACTIVATION FOR SAME...23-0725-001...EXECUTED**

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

Recommendation to award the bid for Granular Activated Carbon (GAC) Contactor Media Reactivation for the Clermont County Water Resources Department pursuant to the specifications to Carbon Activated Corporation, 3774 Hoover Road, Blasdell, New York 14219, for the lowest and best bid received on 09/14/2023, as outlined therein, for a total estimated amount of \$2,079,000.00, and to execute the contract relative thereto effective January 2, 2024, through December 31, 2026, with the option to renew for an additional one year period upon the same terms and conditions, in compliance with the terms and conditions set forth therein and the award of bid therefore and contingent upon the adoption of the Annual Appropriations for 2024 and the issuance and receipt of a purchase order.

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

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

**21. 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>
FEMA	FEMA OTHER EXPENSES 2024 - 07 - 02 - 024000 - 530000 -	\$ 2,070.00

<b>DISABILITIES RESIDENTIAL - SRF</b>	<b>Disabilities Residential Serv</b>	<b>\$ 200,000.00</b>
	<b>OTHER EXPENSES</b>	
	7011 - 06 - 23 - 010002 - 530000 -	
<b>SHERIFF CPT</b>	<b>Sheriff's AG Continuing Prof Training</b>	<b>\$ 28,211.68</b>
	<b>BARGAINING UNIT - SALARY</b>	
	2511 - 04 - 19 - 453512 - 511700 -	
<b>GENERAL FUND</b>	<b>Sheriff Administration</b>	<b>\$ 7,150.00</b>
	<b>OTHER EXPENSES</b>	
	1000 - 04 - 19 - 431000 - 530000 -	
<b>GENERAL FUND</b>	<b>Prosecuting Attorney</b>	<b>\$ 3,237.38</b>
	<b>RETIREMENT PAYOUT</b>	
	1000 - 01 - 04 - 371000 - 513200 -	

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. No additional agenda items.

**LET THE RECORD SHOW:** 11:00 a.m. Public Hearing for Proposed Annexation of 0.792 Acres from Williamsburg Township, Clermont County, Ohio, to the Village of Williamsburg, Clermont County, Ohio, pursuant to Section 709.02 of the Ohio Revised Code was canceled pursuant to the withdrawal request from the Attorney for the Petitioner.

**EXECUTIVE SESSION:** A motion by Commissioner Painter and seconded by Commissioner Corcoran, to go into Executive Session at 10:14 a.m. pursuant to section 121.22 (G)(1) of the Ohio Revised Code to consider the employment or compensation of a public employee or more public employees, respectively.

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

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

**EXECUTIVE SESSION:** The Board of County Commissioners returned from Executive Session and resumed Regular Session at 10:49 a.m. after having considered the employment or compensation of a public employee or more public employees, with no action taken and no decisions made.

**COUNTY STAFF/ELECTED OFFICIALS DISCUSSION:** Mike Boehmer, Communications Coordinator, Office of Public Information, gave an overview of the preparation for America's 250<sup>th</sup> Birthday, which will be celebrated on July 4, 2026. America 250 Ohio (AM 250-OH) Communities Designation Program involves all 88 counties in Ohio and aims to create a statewide collaboration of each county and how they impacted our nation. There will be kickoff activities statewide in 2024.

Mr. Boehmer said registering on the America 250 Ohio Community site is the only prerequisite. The Board will pass a resolution and designate two community members as part of the State committee. Jeff Blom, Director Clermont County Convention & Visitors Bureau, has requested to be part of the committee. Mr. Boehmer said that Kennedy Briggs, Grant Coordinator, is already working on the grant offered as part of the America 250 Ohio Community program.

Commissioner Batchler suggested Judy Adams of Bethel has also inquired about being a member.

**IN RE:** Motion to authorize Mike Boehmer, Office of Public Information, to register on behalf of the Board with the America 250 Ohio Committee.

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.

**LET THE RECORD SHOW:** Commissioner Batchler requested a recess until 11:15 a.m.

Moved by Commissioner Corcoran, seconded by Commissioner Painter, 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 Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**LET THE RECORD SHOW:** Regular Session resumed at 11:15 a.m.

**PUBLIC HEARING:** The Public Hearing was called to order at 11:16 a.m. in the office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, for public comment on the proposed annexation of 175.145 Acres from Batavia Township to the Village of Batavia in Clermont County, Ohio pursuant to Section 709.02 of the Ohio Revised Code. (23-0906-001).

This Public Hearing was video recorded and is available for public inspection Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. local time. In addition, the public hearing is available for public viewing at <https://www.youtube.com/user/clermontcounty/playlists>.

Gael Fawley, Clerk of the Board, stated that today is the date, time, and location for the public hearing on the petition for the proposed amended annexation of 175.145 acres of real property from Batavia Township to the Village of Batavia, Clermont County, Ohio. This proposed annexation was originally filed in the Board's office on Wednesday, September 6, 2023, and was filed as 175.7701 acres. This petition was subsequently amended by a filing on Friday, September 15, 2023, reflecting a change in the acreage to 175.145 acres and included a revised map. This was filed by Michael Minniear, Attorney at Law, as Attorney and Agent for Paul Berding Agent for the Petitioners, MLO Investments, LLC, BRMI Properties, LLC, and The Crossing Church. The proposed annexation comprises three contiguous parcels of real property, all in compliance with Section 709.02 of the Ohio Revised Code.

**Julia Carney, Assistant Prosecutor, Clermont County Prosecutors Office**, was present to swear in any individual who would like to testify in favor or in opposition to the proposed annexation.

Commissioner Painter reminded all in attendance of the exit doors at the back of the room in case of an emergency.

**Mike Minniear, Attorney at Law**, 626 Main Street, Milford, Ohio 45150, addressed the board on behalf of the designated agent for the petitioners and indicated that the property in question meets all the criteria for annexation under Section 709.02 of the Ohio Revised Code and he would submit his testimony this date for inclusion in the public record. Mr. Minniear said this is a Type One or regular annexation under Section 709.033 (A). The Board of County Commissioners is limited to two areas of discretion, namely, general good and that the territory is unreasonably large.

Mr. Minniear further stated the Board's determination of general good or detriment is strictly limited to the territory to be annexed and the surrounding one-half-mile properties. The Board may not determine whether the annexation would be in the best interest of the political subdivision from which the territory would be detached, in this case, Batavia Township. The general good includes both the desires of the property owner and the ability of the municipality to provide adequate



services to the annexed territory.

He further stated the production of adequate services refers to the municipality's ability to provide sufficient services for the health, safety, and welfare of the inhabitants of the territory seeking annexation as required by ORC Section 709.03 (D). The Batavia Village Council adopted an ordinance referred to as the Service Ordinance indicating what services the village would be providing to the annexed territory upon annexation. The village may provide additional services to the annexed territory in addition to those services specifically enumerated in the service ordinance. The service ordinance stance is competent, credible evidence that the village can in fact provide those services. In addition, Ken Geis, Batavia Village Administrator, and John Thebout, Village Mayor, testified via sworn affidavits what services the village would provide to the annexed territory.

Mr. Minniear stated the paramount importance in the annexation was that this was a 100% owner annexation. All three owners of the territory to be annexed signed and filed affidavits stating why they wanted their property to be annexed to the village and whether they thought the annexation was in the best interest of their property. Their affidavits are part of the record and serve as testimony to be considered by the Board.

Ms. Minniear stated that the second area of discretion is the total acreage. The annexation is only relevant to the unreasonably large determination. The opponents to the annexation must show one, that the Village will be unable to adequately service the property because of its size or shape or two, that even though the village may be able to adequately service the property, the size or shape of the property it causes or results in a detriment to the property or the surrounding area that outweighs any benefits to the property since the village through its service ordinance and the Village's Administrator, Mayor, Police Chief and all three petitioners have testified that the property will benefit from the annexation. It then becomes incumbent on the opponents of the annexation to prove by the preponderance of reliable, probative, and substantial evidence that the annexation will not only result in some detriment to the territory, but that detriment outweighs the benefits to the territory.

Mr. Minniear continued to outline his case regarding the annexation as a detriment in regard to road segmentation, impact on schools, future development, and loss of property taxes by the Township. He also commented on the possible question of Batavia Village finances and the loss of township land as possible cases against the annexation.

Mr. Minniear requested the Board grant the petition for annexation. He also stated he would like to reserve time to rebut or answer any questions after hearing all the opposition.

Again, the video for this Public Hearing is available for public viewing at <https://www.youtube.com/user/clermontcounty/playlists>.

**Craig Risner, Deputy Surveyor, Clermont County Engineer**, provided an overview of the plat and description of 175.145 acres of land owned by BRMI Properties, LLC, MLO Investments, LLC, and The Crossing Church, and identified as parcel numbers 01-20-06D-088, 01-20-06F-024, and 01-20-07E-035 on the Tax Maps of Clermont County.

The Village of Batavia currently contains approximately 2043 Acres. Batavia Township has about 24,000 acres. The territory proposed to be annexed shares a contiguous boundary with the municipality for a continuous length of 281.12' (2%) of the perimeter of the territory proposed to be annexed. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation. The annexation will not create an island.

Three public roads will be divided or segmented by the proposed boundary line between the township and the municipal corporation to create a road maintenance problem:

1233.70' of Taylor Road C-122, as shown on the provided annexation plat, will no longer be maintained by the Clermont County Engineer's Office.

850' of Bauman Rd T-149 will no longer be maintained by Batavia Township.

455.93' of Clough Pike C-33 as shown on the provided annexation plat, will no longer be maintained by the Clermont County Engineer's Office.

The plat and legal description in the petition provided by Bayer Becker, Inc., are complete and accurate for annexation purposes. A signed and sealed Mylar copy of the Annexation Plat will be required upon approval of this annexation.

**COMMENTS IN FAVOR:** No one requested to comment.

**COMMENTS IN OPPOSITION: Jonathan Roach, Attorney at Law, Frost Brown Todd, appearing on behalf of Batavia Township** in opposition to the annexation today. Mr. Roach stated the annexation must be denied because it does not satisfy the requirements of Ohio Revised Code Section 709.033. He stated the petitioners are required to prove that this annexation serves the general good of the territory including all properties within a half mile of the area to be annexed that are currently within the township.

Mr. Roach stated there are affidavits from the Ohio Supreme Court in 2020 to interpret this requirement in a case involving the Greene County Board of County Commissioners. The case presented explained whether an annexation satisfied the two requirements and is a question of fact within the discretion of the board. Meaning that the Board needs to consider the facts put forward today. The board has the discretion to rule in favor of the annexation or against the annexation.

He stated there are two reasons why this annexation does not serve the general good of the territory and the benefits of this annexation. The first reason is the nature and scope of the public financing that is directly tied to this annexation. The second reason is the impact this type of development will have on the neighboring property owners.

Mr. Roach spoke about the first reason the public financing and tax abatements. Materials were provided to the Board to review regarding the Township's opposition to the annexation. Provided in the materials were pre-annexation agreements executed by the owners, developer, and the Village of Batavia. Mr. Roach stated that Mr. Minniear said that speculation about future development is not admissible evidence, it's not competent evidence and he agreed that speculation is not competent evidence. The signed agreements lay out what's going to happen if the Board grants this annexation.

Mr. Roach stated the pre-annexation documents signed showed the village of Batavia would be required to designate the entire annexed area as a Community Reinvestment Area (CRA). He provided a presentation of the material provided to the Board which can be viewed at <https://www.youtube.com/user/clermontcounty/playlists>.

Mr. Roach stated in fact, the township was approached previously about this area being developed. It is not an area with historic structures. CRAs are unique in Ohio as they allow 100% tax abatement for 15 years with no requirement that the applicant obtain permission from the school district, the joint fire district, the county, or any other governmental entities that service this area. He presented other exhibits supporting the Township's position that all of the agreements are in writing and incorporated into the annexation agreements that are signed by all parties. This is competent evidence that this board can rely on to understand what is going to happen with this annexation.

Mr. Roach stated the second step is that the village is required to issue special assessment bonds, meaning they take on debt and send that financing to the developer. For this development, the Village agrees to work with Petitioners to enter into a development agreement for the purpose of creating special assessment bonds and to use special assessment bonds for the development of the property or portion of the property. He stated the developer expects to receive between six and seven million dollars in special assessment bonds and these special assessment bonds will be paid back via payment in lieu of taxes, a pilot payment will go back to pay off the bonds. He said none of that money is going to go to the joint fire district, Batavia local schools, and the county. So, to sum it up, the developer is receiving 6 million dollars in upfront financing and then taxes abated also. He said that the properties surrounding this proposed annexed area have to pick up the tab

because their property taxes pay for the public services for the joint fire district, for the school district, and for the county but this area will not pay anything for these services for 15 years.

Mr. Roach's final point was that the village understands that obtaining the zoning designation and classification requested by the petitioner and the obtaining of the CRA Development District designation is the primary reason for the petitioner seeking annexation to the village and therefore constitutes a substantial and material consideration for petitioner entering into this agreement. He said it is why this annexation is happening; it is not speculation, and the agreements for the development are provided today. Mr. Roach stated that on behalf of Batavia Township, this annexation does not serve the general good and the detriments to the surrounding area and the territory outweigh the benefits. He is requesting that you deny the annexation.

**Keith Millard, Superintendent of Batavia Local Schools**, spoke in opposition to the annexation. He said the Batavia Local School District (BLSD) and Central Joint Fire-EMS District (CJFED) will not receive compensation for the additional resident. Mr. Millard said that as superintendent and on behalf of the Batavia Local School District Board of Education, over 2,500 students and families, he offers the following statement in opposition to the Village of Batavia's annexation request. The annexation and the associated CRAs are intended for blighted and underinvested properties and the benefit to the public must be carefully weighed. He further stated that public benefit is not served when overlapping governmental agencies are not aligned and are working jointly to serve the public through the annexation process. The Village of Batavia is receiving a double tax benefit, regardless of what they choose to do with the taxes, with both pilot payments and income tax payments heading directly to village coffers. He stated that, at the same time, the BLSD and CJFED are expected to serve the residents of the newly annexed CRA neighborhoods without additional funding benefits. If the BLSC or CJFED could do this scenario and expect the village to provide services without the associated tax benefit, it stands to reason that the village would be upset about this arrangement. The public benefit is also not served by placing an undue burden on existing taxpayers for future operational levies needed to serve the additional students and residents whose families are enjoying services without having the corresponding tax responsibility. The expansion of CRAs by the Village creates a negative tax environment for all residents whose homes are not covered, and the public benefit is not served by the lack of transparency in which the Village is operated.

Mr. Millard continued by stating the Baumann properties are currently under consideration for annexation. The use of emergency actions on council agendas and the lack of communication in consultation with affected overlapping governmental agencies responsible for providing services to the increased territory will result in developmental decisions that do not accurately reflect the will of the citizens of Batavia, nor the ability of educational public safety agencies to meet the needs those additional residents. Finally, the benefit is not served by overburdening CJFED with additional safety responsibilities. Currently, the school district has almost 3000 students and staff who reside at Bulldog Place daily and depend upon the coverage and fast response times that CJFED provides. When over 1,000 new residential units are completed at Streamside, Harvest Meadows, and the Baumann developments, the response times will be reduced further, and the public welfare will be compromised. Where growth is inevitable, it also must be responsible. Mr. Millard requested that the Commissioners deny this request.

**Karen Swartz, Batavia Township Administrator**, spoke on behalf of the Batavia Township Board of Trustees to oppose the annexation. She stated it does not serve the greater good of the territory. If approved, this will be the second industrial property area annexed into the Village of Batavia that has become a residential development. In early 2022, Ms. Swartz met with Jeff Hayes, the developer of the proposed subdivision in the proposed annexation. She has also spoken to one of the property owners, BRMI, LLC. The bottom line from those conversations is it will negatively affect all the property owners in Batavia Township along Clough Pike, and they all own 1-acre to 5-acre lots. Additionally, there are industrial sites on the other side of the property that could be negatively impacted as they are going to have neighbors or residential properties in their backyard. The proposed development of 321 homes has lot sizes that are 6,000 square feet minimum or 0.14 acres per lot. With an overall density of 3.3 units per acre. The community offers zero amenities, lacks access to the Village of Batavia city center, and creates a hazard for the airport property due to the density of the development and the planned retention on the site. The Clermont County

Airport is an essential partner in economic development in Clermont County and for Batavia Township this development will potentially inhibit the growth of the airport. Batavia Township met with Jeff Hayes, developer of the project, in early 2022, regarding this actual development. We worked separately with BRMI, LLC, and granted variances for a mixed-use development on their site. Ms. Swartz said Batavia Township would have approved the development in this area, but the density would have been larger, it would look different, it would look better, and it would consider the adjacent property owners, adjacent industrial properties, and the airport. Ms. Swartz referred to the Ohio Revised Code section regarding CRAs. and stated when she met with Mr. Hayes, the developer for the project, regarding a different project in Batavia Township, I asked him why he didn't stay in the township and why he was going through the annexation process. He stated that the village had offered him the desired density and is approving the development without amenities. Additionally, the village is offering 6 -7 million dollars in special assessment bonds to Mr. Hayes, who explained that the village helps him secure the bonds and that he is responsible for making the payments with residents in the new community to pay a pilot payment directly to the Village instead of property taxes. The village will reimburse Mr. Hayes as defined in their final agreement. He stated that he hoped to be able to cover the bond payments 100% and the Village officials told him the schools and fire departments would be made whole.

Ms. Swartz said she requested several public records from the village, including any contracts or agreements with local schools or fire departments and there are none. This puts an unfair tax burden on the other taxpayers, the district. Ms. Swartz closed by reiterating that Batavia Township opposes this annexation and it does not serve the greater good of the village or the township, as it hurts the fire department, schools, and the airport. It doesn't fit into the neighborhood of existing homes or adjoining properties.

Mr. Roach, attorney for Batavia Township asked Ms. Swartz, on the basis of protecting the record with exhibits. Exhibit three, does that appear to be the homes being sold right now? Exhibit two: does that appear to be the Hal Homes agreement between the village of Batavia and Hal Homes back in 2019? Is this the development plan that you received for the proposed development of this property? And who did you receive that from?

Ms. Swartz answered yes to all the questions asked by Mr. Roach and further explained she received all the information from the village of Batavia. Mr. Roach also asked who provides fire and EMS services to this area and her answer was the Central Joint Fire and EMS District.

Mr. Minniear asked Ms. Swartz if the Township retained somebody to review the village documents that were received. Ms. Swartz said that it was handled by their attorney, Mr. Roach. Mr. Minniear asked if Ms. Swartz hired an independent auditor or CPA. Her reply was the same, it was handled by their attorney.

Mr. Roach and Mr. Minniear both objected, but it was noted by the Clermont County Civil Prosecuting Attorneys that this is an administrative hearing and that the rules of evidence do not strictly apply. The objection was struck.

**Kevin Reilly, Fire Chief Central Joint Fire and EMS District**, spoke briefly about CJFED, which covers Batavia Township and Batavia Village. He stated he has been a fire chief since 1995 and in Clermont County since December 2001. Mr. Reilly said he had seen the chipping away at emergency services funding and adding 321 homes that will not pay taxes to the district should not be allowed.

Mr. Minniear questioned Mr. Reilly regarding whether CJFED provided service to the village and if the annexation were granted, CJFED would continue the service. Mr. Reilly answered yes.

Mr. Minniear asked if in the past, when the village had applied for CRA designation on other property, Mr. Reilly objected to the village council and if so, was there a time for you to state your objections.

Mr. Roach objected to the questions, stating it called for a legal opinion on when the appropriate time for an objection was raised. Mr. Minniear followed up by saying that in the past, Mr. Reilly appeared before the village council to object to the C.R.A. Mr. Reilly answered I show up when

I'm asked to show up.

**Chuck Gallagher, President and CEO of Eastern Cincinnati Aviation Inc. and Airport Manager for the Clermont County Airport** strongly urged the Clermont County Commissioners to deny the annexation of 175.7701 acres from Batavia Township to the Village of Batavia. He said the proposed use of this property, 321 single-family homes on 6,000 sq. ft. lots, will be a detriment to the daily operations at the Clermont County Airport and that the planned development will immediately impact the operations and businesses located at the Clermont County Airport and hinder future expansion projects for the Clermont County Airport.

Mr. Gallagher relayed the history of the Clermont County Airport and read his correspondence to the Board of County Commissioners to the audience. This material provided to the Board can be viewed at <https://www.youtube.com/user/clermontcounty/playlists>. Mr. Gallagher and Eastern Cincinnati Aviation requested the Board of Clermont County Commissioners reject the annexation petition.

Mr. Minniear questioned Mr. Gallagher on how many homes were there now to which he replied none that he knew of. He said the last time he flew over; it was all trees and all the property. Mr. Minniear asked if Mr. Gallagher would oppose any development on the property. Mr. Gallagher said it has to be compatible with airport usage and if it is developed properly and with the proper organizations.

Mr. Minniear spoke to Mr. Gallagher to say if the development does go forward at some point in the future, he will have an opportunity to speak about objections. He also asked Mr. Gallagher where the airport is located in relation to the annexation. His response was that they are less than a quarter mile from the homes, the nearest homes, and a half mile to the center of the subdivision, so there will be lots of airport noise complaints.

**The following witnesses opposed the annexation and spoke briefly about their opposition. The comments provided to the Board can be viewed at <https://www.youtube.com/user/clermontcounty/playlists>.**

- Mike Hillman, industrial property owner near the proposed annexation
- Kyle and Marie Bolen, homeowners near the proposed annexation
- Michelle Snyder, homeowner near the proposed annexation
- Brian Wardstrot, a future homeowner near the proposed annexation
- Ray Neiser, homeowner near the proposed annexation
- John Jack, homeowner near the proposed annexation

**Rex Parsons, Batavia Township Trustee**, spoke briefly about the Mental Retardation and Developmental Disabilities levy supported by property taxes from homeowners. He feels this proposed annexation and development is not in the best interest of the community.

**Michael Wolf, CEO Clermont County Airport**, spoke briefly about the encroachment on the airport. He feels it will negatively impact all of Clermont County.

Mr. Minniear returned to the podium and stated he respected all who came to the public hearing to express their opinions.

Gael Fawley, Clerk of the Board of County Commissioners, asked Craig Risner if the County Engineer received any correspondence on this case. Mr. Risner replied they did not. Ms. Fawley said the Board's office received one email from Eastern Cincinnati Aviation's Charles Gallagher. Mr. Gallagher read the letter to the Board.

Mr. Roach spoke again on behalf of the township and stated he disagreed with Mr. Minniear's interpretation of the case, but he would not insinuate that he was being untruthful. He asked that Exhibits 1-5 be admitted for consideration by the commissioners.

Brian Shrive, Clermont County Prosecutor's Office, Assistant Prosecutor in the Civil Division, wanted clarification on one point. Mr. Shrive said he wanted to note that it seemed that this was a bit of a point of contention. He thought both attorneys were incorrect on this point of law, and the annexation, if approved, would not automatically serve to exclude that territory from Batavia Township. So, the property owners and residents of that territory would continue to vote on township trustee races, would continue to pay township taxes, and the township would continue to get inside millage. This is based on an Ohio Supreme Court case, and Mr. Shrive provided the citation for the attorneys.

Gael Fawley, Clerk of the Board, stated that the public hearing for the proposed amended annexation was closed if there were no further comments at this time. The disposition of the petition can be today if the Board of County Commissioners so chooses or within 30 days of this public hearing, which is pursuant to and in compliance with Section 709.033 of the Ohio Revised Code.

Commissioner Batchler said she would like 30 days to review this as they have received lots of information here today.

Mr. Shrive said it would be his recommendation to the Board to deliberate. He also said this is a hearing, not a meeting, so you don't need to go into a quote or executive session. He stated that you can deliberate privately for this hearing without an executive session and discuss it to come to a determination, whether it be today or between now and the 30 days, and then have the prosecutor's office prepare the actual written decision for the Board.

Commissioner Painter stated he would just prefer that the decision today be made at a later date within the 30-day time frame. He said he would not suggest deliberating or discussing anything that would affect this annexation and/or the people who live in this area unless it was done right out here in the open with the Board.

Commissioner Corcoran said she concurs.

Commissioner Batchler asked if they agreed with having the time to make their decision, and she asked Mr. Shrive if the Board has to do that by motion.

Brian Shrive stated that before they closed the hearing, the Board should act on a motion to strike some testimony that was made. He recommended denying that motion to strike, allowing the testimony, and giving it whatever weight, it deserves. The motion to strike was to Ms. Swartz's testimony, so he thinks it is proper because there are relaxed standards of evidence in these hearings.

Commissioner Batchler stated we need to do that by motion.

Commissioner Painter made the motion to overrule the motion to strike Ms. Swartz's testimony. Commissioner Corcoran seconded the motion.

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

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

Mr. Shrive said there was a separate motion. There was an objection, but he thought it was taken care of in the record with additional questioning. He said there was a motion to admit exhibits into evidence, and his recommendation to the Board would be to accept those into evidence and give them the weight they deserve.

Commissioner Painter motioned to enter all testimony and exhibits into the record today. Commissioner Corcoran seconded the motion.

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

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

Mr. Painter asked if we were closing the hearing, and Ms. Fawley explained that it was done earlier. Mr. Shrive said that it was best to close the hearing now.

There was a question from the audience about the deliberations over the next 30 days, asking if this will all be behind closed doors, private, or if the public has access. Mr. Shrive said that is the Board's private deliberations. There was a question as to if the decision would be released publicly.

Ms. Fawley explained there would be a resolution here in session. It would be added to the draft agenda on the County's website, but we will notify the township and the village of that upcoming resolution.

Commissioner Batchler thanked everyone for coming. She said it's nice to see residents who care about their community and want to come and give their input.

**MEMBER COMMENTS:** Commissioner Batchler reminded everyone that the County Offices will be closed this Friday due to our observance of Veterans Day. She said this Saturday at 1:00 p.m. at the Union Township Park, the helicopter park, they put on a wonderful service in remembrance of our veterans. She also said that on Sunday at the Clermont County Courthouse steps, right at 1:00 p.m., there will be a service and a parade to follow. Commissioner Batchler hopes there will be many people out this weekend celebrating our veterans.

Commissioner Painter said don't forget to light up your residence or your business in green for Operation Green Light to bring attention to veterans who have honorably served.

**IN RE: ADJOURNMENT...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:03 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 Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

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

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**BONNIE J. BATCHLER, PRESIDENT**

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**CLAIRE B. CORCORAN, VICE PRESIDENT**

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**DAVID L. PAINTER, MEMBER**

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**GAEL FAWLEY, CLERK OF THE BOARD**

**11/15/2023**  
**DATE APPROVED**