

The Board of Clark County Commissioners met in regular session pursuant to adjournment in accordance with Section 121.22 O.R.C. (Sunshine Law) at the Commission Office, 50 East Columbia Street, Springfield, Ohio.

The following members and guests were present: Commissioner Richard L. Lohnes; Commissioner John Detrick; Commissioner David Herier; Nathan Kennedy, County Administrator; Megan Lokai, Clerk; Dale Henry; Bonnie McHenry, New Carlisle News; Tiffany Latta, Springfield News Sun; Lowell McGlothlin; Greg Rice; Connie Rice; Jim Patterson; Josh Storts; Tom Hale, Community Development Department; Thad Townsend, Assistant County Prosecutor; Pastor Marc Grey, Peace of Our Savior Lutheran Church; Joe Roller, Representing Art Paradise; David Phares, Bethel Township Trustee; Paula Crew & Dan Studebaker, Tecumseh Local Schools.

Commissioner Lohnes called the meeting to order and introductions were made.

Commissioner Lohnes clarified how the meeting will work. He opened the floor to Greg Rice.

Planned Parenthood Discussion:

Mr. Rice said in January, 1973 abortion became legal in all 50 states. Planned Parenthood sold parts of the babies. Planned Parenthood of Clark County does not do abortions. The justification from the Board for the contract was Planned Parenthood was a provider for women of Clark County. He noted other sources that provided the same services for women. Women's health care needs can be provided by the Affordable Care Act and the Pregnancy Resource Center. An organization that kills babies was an organization that was not necessary for women. He asked when the contract with Planned Parenthood will stop.

Commissioner Detrick said the money funding the contract came through a pool. Clark County was one of the few agencies that fund the Pregnancy Resource Center. Clark County has a high single parent birth rate. It had to be a three prong approach. The contract with Planned Parenthood does not go directly for abortions. It goes to education. Commissioner Detrick agreed abortions need to be limited. He spoke of other health issues in the community. He added it was not sales tax money.

Mr. Stort said there were 300 aborted babies in our community last year. He was very concerned about this being a standard that was ok. He wanted the Board to take that money that Planned Parenthood received and spend it on the other issues Commissioner Detrick stated instead of abortions.

Mr. Rice said he cared about the \$138,000 budget funding an organization that kills babies and sells their body parts. He expressed appreciation to Commissioner Lohnes for his advancement on the motion and vote on the contract. He did not come to argue but to state his opinion. Mr. Rice's last thoughts were the Board was armed with knowledge that Planned Parenthood does kill unborn children and elected officials were still giving money and tax dollars to this organization. History will judge them for their actions. This may be the County's darkest hour.

Agenda Review:

Commissioner Herier asked about the following resolutions:

Resolution 2016-0045 lowered the speed limit by Shawnee High School. Discussion ensued about speed limits across the county.

Resolution 2016-0047: He noted there were no then and nows for JFS (Job and Family Services) this week.

Commissioner Detrick asked about the following resolutions:

Resolution 2016-0036 authorized a reduction. It was a good bridge.

Resolution 2016-0038 authorized right of way for the Derr Road project.

Commissioner Lohnes asked about the following resolutions:

Resolution 2016-0039: He felt was confusing. It was a request from Community Development for the CHIP and CDBG money.

Resolution 2016-0042 revised the water and sewer rates to pass on a 7% increase from the City of Springfield. This will impact Northridge residents. There total increase will be 10%. Commissioner Lohnes asked about the possibility of the county putting in a treatment plant. Staff can explore that. Commissioner Lohnes said it was the one area of the County that was still growing.

Resolution 2016-0048 was the public hearing for the zoning case. He advised the Commissioner to read through the minutes of Rural Zoning Commission.

The Board recessed until 10:00.

Call to Order, Commission President Lohnes

Resolution 2016-0033

Following pledge and invocation, Commissioner Herier moved to approve the minutes of the last meeting and dispense with reading of the same. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Herier, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

The motion carried.

Commissioner Herier moved to approve the agenda in its entirety with the exception of Resolution 2016-0048, the public hearing, and including the add-on. Commissioner Lohnes seconded the motion. The roll being called for passage resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

The motion carried.

The Board held the public hearing for rezoning cases Z-2015-03 and 2015-04.

Resolution 2016-0034
JFSC file

**Authorize Contract Amendment #1 with
National Youth Advocate Program, Inc.**

Commissioner Herier moved, per the request of the Department of Job and Family Services Director, to authorize contract amendment #1 with:

Organization Name:	National Youth Advocate Program, Inc.
Organization Address:	1801 Watermark Drive, Suite 200, Columbus, Ohio 43215
Amendment Amount:	\$100,000.00
New Contract Amount:	\$160,000.00
Funding Source(s):	IV-E, IV-B, Title XX, Levy, ESSA, Chafee, TANF IL
Purpose of Amendment:	To extend contract termination date and increase total contract value.
Amendment Effective Date:	January 20, 2016
New Termination Date:	December 31, 2017
Contract Effective Dates:	July 1, 2015 to December 31, 2017

Further move to authorize the County Administrator to execute the contract amendment and related documents.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0035
UTLB/C file

**Authorize Contract with
Sunesis Construction**

Commissioner Herier moved, per the request of the Utilities Director, to authorize a contract with:

Organization Name: Sunesis Construction
Organization Address: 2610 West Chester, Ohio 45069
In the amount of: \$115,838.00
Funding Source(s): Sewer General Fund; OPWC
Purpose: Remove Joseph Drive Lift Station and replace with Gravity Sewer
Effective Dates: January 20, 2016 to June 13, 2016

Further move to authorize the County Administrator to execute the contract and related documents.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0036
ENGC file

**Authorize Change Order #2 for the
CLA CR 314 0.09 New Carlisle Pike Bridge No. 1204 Project**

Commissioner Herier moved, per the request of the Deputy Engineer, to authorize change order #2 with:

Organization Name: R. B Jergens
Original Contract: \$661,006.45
Previous Changes: \$3,347.80
This Change: (\$12,975.04)
New Contract Total: \$651,379.21
Funding Source(s): State funds (95%) and local (5%)

Further move to authorize the County Administrator to execute change order.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0037
ENGC file

**Authorize Change Order #10 for the
CLA CR 333 0.00 Dayton Springfield Road Project**

Commissioner Herier moved, per the request of the Deputy Engineer, to authorize change order #10 with:

Organization Name: R. B Jergens
Original Contract: \$5,713,512.90

Previous Changes: \$172,693.33
This Change: Finalize completion date – Addition of 138 days
New Contract Total: \$5,886,506.23
Funding Source(s): Federal funds (100%)

Further move to authorize the County Administrator to execute change order.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

**Revised
Resolution 2016-0038
ENG file**

**Authorize Contract for Sale & Purchase of Right of Way
CLA CR 385– Derr Road Project PID 92813**

Commissioner Herier moved, per the request of the Deputy County Engineer, to authorize the following:

PURPOSE: Acquisition of Right of Way

<i>Agreement With</i>	<i>Address</i>	<i>Parcel</i>	<i>Amount</i>
Stacy M. Slusher	4509 Derr Road	Parcel 92 WD	\$2,470.00
Donna Comer	4525 Derr Road	Parcel 94 WD	\$2,384.00

Further move to authorize the County Administrator to execute the contracts and related documents.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

**Resolution 2016-0039
CDDC file**

**Authorize Contract with
Ohio Development Services Agency (ODSA)**

Commissioner Herier moved, per the request of the Grants Coordinator, to authorize a contract with:

Organization Name: Ohio Development Services Agency
Organization Address: 77 South High Street, P.O. Box 1001, Columbus, Ohio 43216-1001
Purpose: Outlines the terms of use for program income generated by HOME and CDBG-funded housing programs administered by ODSA, as well as the creation and management of Revolving Loan Funds for said program income.
Effective Dates: January 1, 2016 to December 31, 2018

Further move to authorize the County Administrator to execute the contract and related documents.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

**Authorize Grant Submission
For Water and Wetlands Teacher Workshop**

Commissioner Herier moved, per the request of the Solid Waste Director, to authorize grant submission of the following:

Grant: Water and Wetlands Teacher Workshop
Grantor: Ohio Environmental Education Fund
Funding Amount: \$4,050.00
Purpose: To help pay expenses of an environmental education workshop for Clark County teachers, to be presented jointly by the Solid Waste District and the Clark County Parks District. The grant requires a 10% match, to be provided by the Solid Waste and Parks districts.

Grant Effective Dates: October 3, 2016 to February 10, 2017

Further move to authorize the County Administrator to execute the grant submission and related documents.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0041
ENGB file

Pulled

Resolution 2016-0042
UTLR file

**Acknowledge Revised Report on
Water and Sewer Rates for 2016**

Commissioner Herier moved, per request of the County Administrator, to acknowledge the revised report from the Utilities Director proposing water and sewer rate changes for 2016 and the establishment of water and sewer inactive account base charges. The report is updated to include a 7% pass-through sewer rate to increase to affected sewer districts from the City of Springfield that became effective January 5, 2016. The following sewer districts are affected:

Sewer Districts

Northridge Residential
 Northridge Commercial
 Rockway/Maplewood Residential
 Rockway/Maplewood Commercial
 Garden Acres Sewer
 Limecrest Sewer

The attached rate tables for the above referenced sewer districts replace those approved by Resolution 2015-0963. All other rate tables approved by Resolution 2015-0963 remain in effect. See attached rate tables.

Further move to direct staff to implement the sewer rate changes and charges as required.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0043
BRDV file

**Acknowledge Re-Appointment to
Veterans Service Commission**

Commissioner Herier moved, per the request of the Veterans Service Commissioners, to acknowledge the re-appointment of the following member to the Veterans Service Commission to represent the American Legion, said appointment is made by the Common Pleas Court:

Name:	Representing	New Expiration Date:
Thomas R. Storer	VFW	January 14, 2021

In accordance with the Attorney General's opinion the bi-weekly salary will be \$310.01 effective January 15, 2016 and in accordance with Commission Resolutions 2015-0817 the cost for medical/drug coverage will be 10% of the fully insured premium rate. If the officer participates in the County Wellness Option and completes the requirements of the option, the officer's premium will be reduced monthly by the following amounts: \$50.00 for a single plan, \$75.00 for an employee plus one plan, and \$100.00 for a family plan.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0044
ENGO file

**Mileage Certification
Ohio Department of Transportation**

Commissioner Herier moved, per the request of the Deputy Engineer, to acknowledge and certify the county's total road mileage of 308.348 miles for the year 2015.

Agreement with:	Ohio Department of Transportation
Purpose:	Annual Highway System Mileage Certification
Effective Dates:	2014-2015

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0045
ENGO file

**Authorize Ohio Department of Transportation to Revise the Prima-Facie
Speed Limit on Selma Pike, Springfield Township**

Commissioner Herier moved, per request of the Deputy Engineer, to authorize the Ohio Department of Transportation to revise the prima-facie speed limit on Selma Pike, Springfield Township, in accordance with Section 4511.21 of the Ohio Revised Code.

Whereas, the County Engineer has received requests by local citizens regarding the lowering of the existing speed limit of 55 mph on the subject roads. Following procedures recommended by the Ohio Department of Transportation we have documented: 1) the physical features of the roadway; 2) the existing control devised; 3) the results of the speed studies; 4) the traffic accidents which occurred over a three-year period;

Whereas, the County Engineer's Office has analyzed this data and the section of roads are more particularly described as follows:

Selma Pike (CR351) from Crabill Road (TR218) to 0.392 miles south of East Possum Road, Springfield Township.

Whereas, it is recommended that the Board pass a resolution requesting the Director of Transportation of the State of Ohio to review the attached documentation and to determine and declare a reasonable and safe prima-facie speed limit for this section of road;

Whereas, the Clark County Engineer's Office will send the speed study data as well as a copy of this resolution to the Ohio Department of Transportation, District 7, 1001 St. Marys Avenue, Sidney, Ohio, 45365-1876, to the attention of Mr. Justin Yoh, P.E., District 7 HMA Traffic Engineer.

Now, therefore, be it resolved by the Board of Clark County Commissioners, Clark County, Ohio, that the resolution requesting revision of the prima-facie speed limit on Selma Pike, Springfield Township, in accordance with Section 4511.21 of the Ohio Revised Code, be and is hereby approved.

Be it further resolved that the Clerk shall certify a copy of this resolution to the County Engineer. The County Engineer shall forward a copy of the certified resolution to the Ohio Department of Transportation.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0046
FINO file

Authorize Salary Increase

Commissioner Herier moved, upon the recommendation of the County Administrator, to authorize a 2% raise for all non-collective bargaining unit employees that report to the Board of Clark County Commissioners as the Appointing Authority or Co-Appointing Authority. Said salary adjustments shall begin on January 18, 2016.

Further authorize the County Administrator to approve any and all personnel actions to execute this resolution.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0047
FINT file

Approve Issuance of Warrants for Then and Now(s)

Commissioner Herier moved, to approve the issuance of warrants for then and now(s) are as follows:

P.O. Number	Fund	Vendor	Date Purchase	Amount
160004086	WCCCF	American Health Assoc.	5/12/2015	\$241.46
Reason: Never received invoices until now.				
160003989	MV> (Engineer)	Cox Ohio Advertising	12/17/2015	\$301.50
Reason: Did not receive notification of ad.				

160003989	MV> (Engineer)	Cox Ohio Advertising	12/17/2015	\$263.25
Reason: Did not receive notification of ad.				
160004231	DRC (Prosecutor)	Andrew Wilson	12/31/2015	\$395.01
Reason: There wasn't a blanket in place before purchases were made.				
160004231	DRC (Prosecutor)	Ronald Vincent	Jan-Nov 2015	\$234.00
Reason: There wasn't a blanket in place before purchases were made.				
160004255	Recorder's Spec. Equip.	Xerox Business Service	12/16/2015	\$34.34
Reason: Thought there was a reserve already in place, but there wasn't.				
160004255	Recorder's Spec. Equip.	Xerox Business Service	12/16/2015	\$1,000.00
Reason: Thought there was a reserve already in place, but there wasn't.				
160004255	Recorder's Spec. Equip.	Xerox Business Service	12/16/2015	\$4,560.28
Reason: Thought there was a reserve already in place, but there wasn't.				
160004354	General (Personnel)	Rita Lookabaugh	Oct-Dec 2015	\$24.67
Reason: Blanket reserves closed out for end of year.				

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0048
ZBTH file

10:00 a.m. Public Hearing for Rezoning Cases Z-2015-03 and Z-2015-04
Filed by Arthur D. Paradise in Bethel Township

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing on the proposed rezoning cases Z-2015-03 and Z-2015-04 being 87+ acres located at SR 235 and Dille Road in Bethel Township as follows: #Z-2015-03: To rezone 26+ acres (south side of Dille Road) from current A-1 (Agricultural District) to R-3 (Medium Density Single-Family District); #Z-2015-04: To rezone 34+ acres (SR 235 and Dille Road) from current A-1 (Agricultural District) to I-1'S' (Industrial District, Specific Use) and 27+ acres (north side of Dille Road) from current A-1 (Agricultural District) to R-1 (Rural Residence District).

Public Hearing opened by the Commission President at 10:11 a.m.

Commissioner Lohnes reviewed the process for a rezoning case. He noted the Planning Commission met and voted unanimously to approve all three parcels. Rural Zoning Commission met and voted to approve two of the three parcels and deny the third. The denial was for the 34 acres that were requested to be rezoned to I-1'S'. He opened the floor for the staff report.

Staff Report: Tom Hale, Community Development Department, noted the PowerPoint defined the proposed zoning and mapping. See attached. Everything that went on with the Planning Commission and Rural Zoning was accurate. Commissioner Lohnes said the I-1'S' category and uses seemed to be the bulk of the discussion. Mr. Hale said it was important to note that the 'S' meant specific. It wasn't an open I-1 zoning. Before anything would be done on the property it has to be approved by the Community Development Department. Mr. Hale added this particular case was not in the flood plain.

Audience Comments: Joe Roller, 2324 Shelterwood Drive, Kettering, represented Art Paradise who was the owner. He was in a traffic jam and unable to attend. He gathered the main concern was traffic where Dille

Road intersects with State Route 235. Commissioner Lohnes explained letters were received from the school board and township trustees. The primary problem was the intersection and the concern that development will bring in more traffic. The concern was the development of the residential neighborhood on the north side of Dille Road. Mr. Roller said the development would be 12-16 lots on the 27 acres. There may be fewer depending on what will sell. Commissioner Detrick asked if they knew sewer was available. Mr. Roller said sewer would still need to be installed. The 26 acres did not have sewer because it was blocked by the church property. If a future commercial business locates on this property they will want traffic control. They will have to go through the subdivision process.

Commissioner Lohnes said if a commercial investor invested in the I-1'S' property they would have options to connect out to State Route 235.

Commissioner Detrick said ODOT (Ohio Department of Transportation) will be involved with the access on State Route 235.

Mr. Hale pointed out this was a rezoning request. The subdivision would not be granted until those problems were resolved. Those issues fall on the developer.

Commissioner Herier asked if it applied to cluster lot splits. Mr. Hale said cluster lots were available but in this scenario probably would not happen. The Rural Zoning Commission wanted retail there.

Mr. Roller said there would not be adult entertainment, gravel pit, or recycling center, etc. The traffic impact study will be done. The County Engineer has made that clear.

Commissioner Detrick noted there was no income tax.

Commissioner Lohnes asked about the retail request from Rural Zoning Commission. Specifically he wanted to know what caused the worst amount of traffic, retail or a business/company. Mr. Hale responded that was a tough choice because the size of the company and the shifts were unknown. Retail was transient traffic. Mr. Hale felt mixed use was a better idea for that development.

Mr. Roller said they were in compliance with the Comprehensive Plan.

Commissioner Lohnes asked the township to speak since a letter from the trustees was received. The letter did not differentiate between the parcels so Commissioner Lohnes asked for clarification on their concerns.

Mr. Phares, Bethel Township, expressed concern about all three parcels regarding traffic. He didn't want that burden on the township. State Route 2325 was an issue for the schools too. The new school was built without the State letting them have an entrance/exit on SR 235. There was talk to reroute Dille Road to align it with Bellefontaine Road. He wanted the chance to look at these options before development took place. Commissioner Detrick said the state was doing studies south of that area. The Township was not opposed to development. Their job was to look at the dollars for the Township and look out for the safety of the citizens. He noted there was bedrock in the hill side which could be an issue. It would be nice to have a plan for the whole thing. Mr. Phares said the township would like the Board to deny all three parcels.

Mr. Hale noted there has been dialogue with Mr. Neimayer and the church about the land and sewer there. The rezoning was the first phase. Further decisions cannot be made until the rezoning was approved.

Mr. Phares gave the example of Styer and SR 235 which was zoned for business. There was a large corporation that was going to build there but the traffic would not flow appropriately for the State. Discussion ensued.

Mr. Roller said that example showed how protected the County was. The County processes work. Anyone wanting to develop this area would have to jump through the hoops.

Commissioner Herier asked Mr. Hale about the Thoroughfare Plan. He noted that was not in response to this. It was already a thought and it was part of the improvements that were done.

Commissioner Lohnes said without the rezoning there were no options. With rezoning there were possibilities but with requirements.

Commissioner Detrick wanted to table it until the Board was able to get more information. Thad Townsend, Assistant County Prosecutor, said the Board could table it and have more information presented at a public meeting. It would not need to follow the hearing process since that requirement was fulfilled today.

Commissioner Herier mentioned Mr. Roller listed bars and taverns were taken out. Those types of businesses along with adult entertainment, landfill, gravel pit, recycling center, etc. would not be located at this site.

The Public Hearing was closed by the Commission President at 11:00 a.m.

Commissioner Detrick moved to table rezoning cases Z-2015-03 and Z-2015-04 until February 3, 2016.

Commissioner Herier seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

Add On
Resolution 2016-0049
BRDC file

Appoint Member(s) to the Child Abuse and Child Neglect Regional Prevention Council

Commissioner Herier moved to appoint the following member(s) to the child abuse and child neglect regional prevention council:

Name	Expiration Date
Leslie Crew (FCFS Director)	December 31, 2018
Pam Meermans (FCS Director)	December 31, 2018

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Add On
Resolution 2016-0050
ISDC file

Authorize Agreement with AT&T Corporation

Commissioner Herier moved, per the request of the Information Systems Director, to authorize an agreement with:

Organization Name: AT&T Corporation
Organization Address: 150 East Gray Street, Columbus, Ohio 43215
Amount: \$82,623.50 (Income)
Purpose: Refund for Centrex Service

Further move to authorize the County Administrator to execute the agreement and related documents.

Commissioner Lohnes seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

Resolution 2016-0051

Commissioner Herier moved to adjourn. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Detrick, Yes; Commissioner Herier, Yes; Commissioner Lohnes, Yes

The motion carried.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Richard L. Lohnes, President

By: _____
John Detrick

I certify that the record is true and accurate:

Commission Clerk

By: _____
David Herier