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 County Offices/Municipal Court Building, 50 E. Columbia Street, Springfield, Ohio.

The following members and guests were present: Commissioner Richard L. Lohnes; Commissioner John Detrick; Commissioner David Hartley; Nathan Kennedy, County Administrator; Megan Lokai, Clerk; Tiffany Latta, Springfield News Sun; Reverend Linda Stampley; Don Smith.

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

Agenda Review:

Commissioner Hartley asked about the following resolutions:

Resolution 2014-0115 authorized the then and nows. There were three people doing the paperwork in the Sheriff's Office.

The CHIP program (Wellness activity) was starting at 11:30 today.

Commissioner Detrick asked about the following resolutions:

Resolution 2014-0118: He was pleased that Mr. Simpson was representing Clark County. He wanted to see Clark Lake drained or George Rogers Clark Lake drained. It brings silt and clay down. The lakes need to be deeper.

Resolution 2014-0119: He was pleased to see a reduction.

Resolution 2014-0120: They got a good deal on state bid. The vehicles were American made.

Resolution 2014-0123: Commissioner Detrick noted the Veterans Office had become much more cost conscious due to Commissioner Lohnes. Commissioner Lohnes explained it was a nationwide and statewide effort. The conferences have been changed so people could train closer to home.

Commissioner Lohnes had no questions.

Discussion ensued about dispatch and combining the centers.

Commissioner Detrick gave an update of his weekly events. Commissioner Detrick wanted to look for grants for tree barriers in place of the sound wall along I-70 for the Ashbrook subdivision. An EPA mediator will be getting involved in the Tremont City Barrel Fill issues.

Mr. Kennedy asked what the Board wanted to do about the Chamber Gala. The Commissioners said they will pay their own way. Commissioner Detrick said this Board compared to others, this Board does not charge expenses.

Reverend Stampley said there will be a meeting at Elderly United regarding the Tremont Land fill. She asked if there was travel funds set aside for the Commissioners. Commissioner Lohnes said they do not have a separate fund. Mr. Kennedy said statutorily they (Commissioners) can be reimbursed for mileage and other travel expenses. Commissioner Detrick stated he has not taken a reimbursement since 2000. Commissioner Hartley said the Commissioners didn't used to operate that way. Commissioner Detrick spoke passionately about all he does for Clark County and all he felt Commissioner Hartley did and didn't do for Clark County.

The Board recessed until 10:00.

Following the pledge and invocation, Commissioner Hartley 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 Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

The motion carried.

Commissioner Hartley moved to approve the then and nows. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

The motion carried.

Commissioner Hartley moved to approve the agenda in its entirety. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

The motion carried.

**Resolution 2014-0109** 

Authorize Amendment No. 9 to Agreement with the Ohio Department of Transportation (ODOT) for LPA Agreement No. 21004 for CLA CR 333 Dayton Springfield Road Project (PID 80450)

Commissioner Hartley moved, per the request of the Deputy Engineer, to authorize amendment to an existing agreement:

Agreement With: Ohio Department of Transportation

Amend <u>SECTION 3</u>, to reflect a revised PROJECT estimate, an increase in the federal funds for construction activities.

#### 3. FUNDING

- 3.1 The total cost for the PROJECT is estimated to be \$\frac{\$7,144,338}{a}\$ as set forth in Attachment 1. ODOT shall provide to the LPA one hundred (100) percent of the eligible costs up to a maximum of \$\frac{\$315,022}{(4TB7/CL07)}\$ in Federal funds for the costs associated with the preliminary design phase of the project; a maximum of \$\frac{\$255,316}{(4TB7/CL07)}\$ for detailed design, provided to the LPA at one hundred (100) percent of the eligible costs; a maximum of \$\frac{\$104,180}{(4TB7/CL07)}\$ for right of way, provided to the LPA at one hundred (100) percent of the eligible costs; a maximum of \$\frac{\$56,000}{(4HB7)}\$ for right of way, provided to the LPA at eighty (80) percent of the eligible costs. ODOT shall provide to the LPA eighty (80) percent of the eligible costs up to a maximum of \$\frac{\$5,000,000}{(4HB7)}\$ in Federal funds for costs associated with the actual construction of the transportation project improvements and construction engineering/inspection activities. ODOT shall provide to the LPA one hundred (100) percent of the eligible costs up to a maximum of \$\frac{\$149,820}{(4TB7)}\$ in Federal funds for costs associated with the actual construction of the transportation project. These maximum amounts reflect the funding limit for the PROJECT set by the applicable Program Managers.
- 3.2 The LPA shall provide all other financial resources necessary to fully complete the PROJECT, including all cost overruns and contractor claims.

This section is amended to acknowledge the changes were made to Section 3, Funding.

15.9 *Signatures*: Any person executing this Agreement in a representative capacity hereby represents that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

Identification: LPA Agreement #21004

CLA CR 333 Dayton Springfield Road Project

PID 80450

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0110** 

# Authorize Contract for Sale & Purchase of Right of Way CLA 327 Upper Valley Bridge Project –PID 89434

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

**Agreement with:** Patricia Sue Allen

1863 W. County Line Rd. Urbana, Ohio 43078

Parcel 3 WD

**In the amount of:** \$ 10,000

**Purpose:** Acquisition of Right of way

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

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0111** 

# Authorize Contract for Sale & Purchase of Right of Way CLA 327 Upper Valley Bridge Project –PID 89434

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

**Agreement with:** Kenneth D. and Karen E. Moak

3310 Storms Creek Road, Urbana, Ohio 43078

Parcel 4 WDV

In the amount of: \$ 760

**Purpose:** Acquisition of Right of way

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

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

### **Resolution 2014-0112**

# Authorize Change Order #4 for

# **Southwest Regional WWTP Plant Upgrade and Expansion**

Commissioner Hartley moved, per the request of the Utilities Department Director, to authorize change order #004 with:

**Organization Name:** Peterson Construction Company

Organization Address: 1887 S.R. 501 N., Box 2058, Wapakoneta, Ohio 45895-0558

 Original Contract:
 \$6,673,000.00

 Previous Changes:
 \$-99,034.00

 This Change:
 \$23,325.00

 New Contract Total:
 \$6,597,291.00

**Funding Source(s):** OWDA/WPCLF Loan and OPWC Loan

**Purpose:** Multiple deduct and addition line items, net result is a \$23,325.00 cost increase to the

contract – see attached listing.

Further move to authorize the County Administrator to execute change order and related OWDA/WPCLF and OPWC forms.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0113** 

#### **Authorize Intra-Fund Transfer(s)**

Community Sanctions.

Commissioner Hartley moved, upon the recommendation of the County Administrator, to authorize the following Intra-Fund Transfer(s):

From

Department Expense Acct. Amount Department Expense Acct. Amount

Fund: Dept of Rehab & Corrections

Common Pleas Ct Personnel & Fringes \$2,186.89 Common Pleas Ct Operating Exp \$2,186.89

Reason: All transfers need to be made to reflect the amounts submitted in the grant through the Bureau of

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0114** 

## **Approve Supplemental Appropriation(s)**

Commissioner Hartley moved, upon the recommendation of the County Administrator, to authorize the following supplemental appropriation(s) from unappropriated funds:

Fund:Department:Account:Amount:Dept Rehab & CorrectionsCommon Pleas CtOperating Exp\$ 5,608.00

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

#### **Resolution 2014-0115**

# **Approve Issuance of Warrants for Then and Now(s)**

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

P.O. NumberFundVendorDate PurchaseAmount290672General (Sheriff)SRMC LabNov.-Dec. 2013\$ 367.90Reason: Due to the timing of when bills were received and cutoff date for paying bills in 2013.

290670 General (Sheriff) A-1 Able Pest 12/3/13-1/7/14 \$ 253.76 Reason: Due to several unexpected services throughout the year and the way the company applies their payments I was having a difficult time obtaining our current balance until I received the February 2014 statement.

290666 General (Sheriff) MedTrans 5/10/13 \$ 127.14

Reason: Just notified of outstanding invoice by MedTrans.

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0116** 

# **Approve Payment to**

Peterson Construction Company, Payment #4 - Partial

Commissioner Hartley moved, per request of the Utilities Director to approve the following payment:

**Payment to:** Peterson Construction Company

Address: PO Box 2058, Wapakoneta, Ohio 45895

**Services:** General Construction

**Project:** Southwest Regional WWTP Upgrade and Expansion

**Amount:** \$76,580.80; % Complete = 19.93%

Retainage Held By: NA - retainage waiver on-file for contractor

**Retainage Amount:** \$6,659.20; retainage held from this pay; retainage held to date \$104,800.16

**Comments:** Of this pay, \$61,264.64 will be direct paid to the Contractor by OWDA Loan Account

6519 and \$15,316.16 will be direct paid to the Contractor by OPWC Loan Account

CK29Q.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

#### **Resolution 2014-0117**

Resolution authorizing the filing of a project proposal with the Ohio Department of Transportation for grants through the US DOT Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as codified, 49 USC Chapter 53, and executing a contract with the Ohio Department of Transportation upon project approval

Commissioner Hartley moved the adoption of the following resolution:

**WHEREAS**, the Director of the Ohio Department of Transportation is authorized to make grants for public bodies, private nonprofit organizations and other eligible entities;

**WHEREAS**, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

**WHEREAS**, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 53 the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

# NOW, THEREFORE, BE IT RESOLVED BY the Clark County Board of Commissioners:

- 1. That <u>Jennifer Rousculp</u>, <u>Superintendent</u>, is authorized to execute and file application(s) on behalf of <u>Developmental Disabilities of Clark County</u> with the Ohio Department of Transportation to aid in the financing of capital, and operating assistance projects.
- 2. The <u>Superintendent</u> is authorized to execute and file with such applications and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
- 3. That the <u>Superintendent</u> is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the proposal for the program of projects submitted to FTA.
- 4. That the <u>Superintendent</u> is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.
- 5. That the <u>Superintendent</u> is authorized to execute grant agreements on behalf of <u>Developmental Disabilities of Clark County</u> with the Ohio Department of Transportation for aid in the financing of operating, planning and capital assistance projects.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0118** 

Appoint Member(s) to Top of Ohio RC&D Council

Commissioner Hartley moved, to appoint the following member(s) to the Top of Ohio RC&D Council:

Name: Expiration Date:

Chris Simpson, Member at Large Representative December 31, 2016

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0119** 

Commissioner Hartley moved, per request of the Community Development Director, to retain Resource and Mineral Extraction conditional use fee of \$500.00 and reduce all other conditional uses to \$175.00. All Board of Zoning Appeals and Variances will be a fee of \$175.00.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0120** 

### Authorize Purchase of Vehicle for Sheriff's Office

Commissioner Hartley moved, per the request of the Clark County Sheriff's Office, to authorize the purchase of five Ford Utility Interceptors from Lebanon Ford (State Bid) for a cost of \$127,970 to be paid for with Capital Improvement Fund. This purchase is necessary due to the aging fleet of patrol cars.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0121** 

# **Authorize Placement on Tax Duplicate for Uncollected Water and Sewer Use Charges**

Commissioner Hartley moved, per the request of the Director of Utilities, to certify to the Auditor, as required by Sections 6117.02 and 6103.02 O.R.C. for placement on the 2014 real property tax list and duplicate against the following property:

**Property Owner:** John J Sanborn

**Address:** 3949 New York Drive, Enon, OH 45323

18-1-6-210-10 Mad River Twp

**Amount:** \$317.67 water is off

**Comments:** Water & Sewer, Place on tax duplicate

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0122** 

#### **Authorize Removal of Sewer Use Charges from Tax Duplicate**

Commissioner Hartley moved, per the request of the Director of Utilities, to certify to the Auditor, for removal of sewer use charges on the 2014 real property tax list and duplicate for the following property:

**Property Owner:** Rick J Vince

**Address:** 315 Neosha Ave, Springfield, OH 45505

30-7-32-213-12 Springfield Twp

**Amount:** \$384.07

**Comments:** Collected past due charges

**Property Owner:** Park Hills Sentre LTD

Address: 42 Forest Rd, Medway, OH 45341

10-5-25-314-15

Bethel Twp

**Amount:** \$359.90

**Comments:** Collected past due charges

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

## **Resolution 2014-0123**

# **Approve Travel/Expense Allowance**

Commissioner Hartley moved, per request of the following Department Director(s) or Elected Official(s) to approve the following travel allowances.

Dept.	Name	Purpose	Place	Date	Cost	
CCDJFS	B. Otto	OCAPS Conference	Columbus, OH	3/14/14	\$ 175.32	
CCDJFS	R. Smith	Methamphetamine training	Dayton, OH	2/24/14	\$ 49.20	
CCDJFS	K. Dysert and	Schizophrenia	Cincinnati, OH	3/21/14	\$ 150.00	
	M. Timmons	Training				
CCDJFS	2 F&CS Staff	Synthetic Drug	Springfield, OH	2/27/14	\$ 76.78	
		Seminar				
Elections	15-17members/staff	District Mtg.	Springfield, OH	3/13/14	\$ 355.00	
Public Def	G. Cox	Defense Seminar	Columbus, OH	3/6-7/14	\$ 75.00	
Utilities	A. Godsey	Containing Cost Semina	r Northwood, OH	3/6-7/14	\$ 280.00	
*Veterans	5 Commission	OSAVSC Spring Conf.	Columbus, OH	4/4-6/14	\$ 765.00	
*Authorize use of credit card						

<sup>\*</sup>Authorize use of credit card.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0124** 

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Tha	motion	00000000	
1110	motion	Carried	

Commission Clerk

	BOARD	OF CLARK COUNTY COMMISSIONERS
	By:	
	•	Richard L. Lohnes, President
	By:	
I certify that the record is true and accurate:		John Detrick
	By:	

David Hartley