

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; Bonnie McHenry, New Carlisle News; Tiffany Latta, Springfield News Sun; John Federer, County Auditor; Lowell McGlothlin; Louis Agresta, Transportation Coordinating Committee; Melissa Tuttle; Ethan Harris, Allan Neimayer, Jennifer Tuttle, Tom Hale, Community Development Department; Dom Tuccillo; Beth Tuccillo; Clem Schmid; Terri Lucas; Ed Lucas; Sue Lucas; Neil Blevins; Paul Andras; Michael Potts; Bob Kalinak; Stephen Butler; Lisa Adamson; Cheryl & Bill Herrman; Sharon Ondregla; Cassandra Ditman; David Ditmer; Joy Benson; David Rudy; Kathyleen Rudy; Bill Lyons; Rob Florence; Ed Forrest; Garnett Traylor; Layne Peiffer; Mary & Bob Fairman; Jerry Stanfill; Pam Ford; Gary Clark; John Roberds; Jeff Roberds; Katie & David Eviston; Pamela Thompson; Earl Massey; Kendall Rogers; Linda Collins; George McClenners; Melony Andras; Mary Ann Schmid; Adrian Davoli; George Smith; Bob Potts; David Morris; William Lyons; Carolyn Allan; Patricia Siler; Ruth Nixon; Rob Siler; Tim Howard, Village of Enon; Ned Clark; other unknown audience members.

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

Louis Agresta, Transportation Coordinating Committee (TCC), presented resolution 2016-0224. The contract with OPWC (Ohio Public Works Commission) authorized funding for TCC as they serve as the administrative office for two OPWC programs. One of the programs was infrastructure. Recently, the Ohio General Assembly approved administrative funds for the Clean Ohio Conservation fund that villages, townships, cities and counties can apply for. The program purchased, usually wooded and may have streams, etc., that the owner wanted to remain "as is" and not be developed. Tecumseh Land Trust has been involved with that. It protects the water quality. The contract goes back to July 1, 2015. TCC can bill retroactively. The work load comes and goes. There will be a round in July which will be labor intensive at first. He spoke briefly about WESTCO.

Agenda Review:

Commissioner Herier had no questions about the agenda.

Commissioner Detrick asked about the following resolutions:

Resolution 2016-0223: He asked where the work was being done. Mr. Kennedy said at the Engineer's Office.

Resolution 2016-0225 authorized a lease with PERRY proTECH. Mr. Kennedy explained the county released an RFP for copiers a year ago. JFS had some quirky things with their set up so they had to bid separately. They have to be able to do RightFax.

Commissioner Lohnes had no questions.

The Board recessed until 10:00.

Call to Order, Commission President Lohnes

Resolution 2016-0222

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 Resolutions 2016-0231 and 0232. 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.

The Board held the public hearings.

Resolution 2016-0223
ENGC file

**Authorize Contract with
A Team Maintenance LLC**

Commissioner Herier moved, per the request of the Deputy Engineer, to authorize a contract with:

Organization Name: A Team Maintenance LLC
In the amount of: \$25,540.00
Purpose: Construction renovations of men’s and women’s restrooms as well as the adjacent mini kitchen.
Funding Source: Local (MV>)

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

Resolution 2016-0224
TCCC file

**Authorize Contract with
Ohio Public Works Commission**

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

Organization Name: Ohio Public Works Commission
Organization Address: 65 East State Street #312, Columbus, Ohio 43215
In the amount of: \$7,500.00
Funding Source(s): Clean Ohio
Purpose: District 11 NRAC Administration
Effective Dates: July 1, 2015 through June 30, 2016

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

Resolution 2016-0225
JFSL file

**Authorize Lease with
PERRY proTECH**

Commissioner Herier moved, per the request of the Department of Job and Family Services Director, to authorize a lease with:

- Organization Name:** PERRY proTECH
- Organization Address:** 545 West Market Street, Lima, Ohio 45801
- In the amount of:** \$200,000.00
- Funding Source(s):** Shared Administrative Dollars
- Purpose:** Lease and service for 15 new multi-function devices; installation, upgrade, and service for RightFax and PaperCut.
- Effective Dates:** May 2, 2016 through May 1, 2021

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

Commissioner Detrick 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 2016-0226
TRSR file

Acknowledge Treasurer’s Investment Reports

Commissioner Herier moved to acknowledge the receipt of the Treasurer’s December 31, 2015, January 31, 2016 and February 29, 2016 Investment Reports.

Commissioner Detrick 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 2016-0227
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner Herier moved, per the request of the Sheriff’s Office, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2015-0959 §307.12(E) of the Ohio Revised Code:

2002 Chevrolet 1500
VIN# 1GCEK19T72Z211441

1987 Chevrolet Caprice
VIN# 1G1BN51H1H9164884

Further the Board finds this property no longer needed for county use.

Commissioner Detrick 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 2016-0228
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner Herier moved, per the request of the Sheriff's Office, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2015-0959 §307.12(E) of the Ohio Revised Code:

1. 4 Tufloc dual gun racks
2. 1 Patriot dual gun rack
3. 7 Steal cages
4. 12 Jotto deck laptop stands
5. 1 Tomar 50" red and blue light bar
6. 1 Lookout 48" red and blue light bar
7. 11 Watch guard camera systems
8. 1-Black-Club Car gas golf cart –AG9531-448851 (serial number)
9. 1-Red-Club Car electric golf cart—AA0201-107386 (serial Number)

Further the Board finds this property no longer needed for county use.

Commissioner Detrick 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 2016-0229
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
160004627	Victim Witness (Prosecutor)	Brown Enterprise Sol.	2/8/2016	\$813.00
Reason: The invoice has an incorrect date. It should have been dated March 8, 2016, as computers cannot be ordered without obtaining a PO first.				

160004628	Other Expenses (Prosecutor)	Brown Enterprise Sol.	2/8/2016	\$417.99
Reason: The invoice has an incorrect date. It should have been dated March 8, 2016, as computers cannot be ordered without obtaining a PO first.				

Commissioner Detrick 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 2016-0230
TRAV file

Approve Travel/Expense Allowance

Commissioner Herier 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
Comm Pleas	A. Ringler, K. Lancaster	13 th Judicial Symp.	Dayton, OH	5/20/16	\$ 100.00
*CCSWD	S. Schlather, B. Martens	OALPRP Conf.	Athens, OH	6/22-24/16	\$1,118.00
DJFS	D. Estep	SERB Academy	Columbus, OH	July 2016	\$ 331.70
DJFS	M. Amato	Opiate Conference	Columbus, OH	5/3/16	\$ 48.60
DJFS	19 Staff Members	2016 OJFSDA	Columbus, OH	5/12-13/16	\$5,755.00
DJFS	R. Southward	OnBase Conference	Orlando, FL	9/11-15/16	\$4,355.00
Treasurer	S. Metzger	Spring Conference	Dublin, OH	5/17-19/16	\$ 650.00
Utilities	T. Bleidorn, D. Hasting,	SWOWEA Ed. Day	Kettering, OH	4/22/16	\$ 30.00

	B. McGillivray				
*Veterans	J. Bolen, C. Baker	CVSO Spring Conf.	Independence, OH	6/15-17/16	\$2,815.86
	J. Henderson				
WCCCF	C. Stone, M. Brumbaugh	Opiate Conference	Columbus, OH	5/2-3/16	\$ 920.00
	G. Cichy, A. Humphreys				

*Requests authorization to use credit card.

Commissioner Detrick 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 2016-0231
CDDG file

**10:00 a.m. Public Hearing #2 for the
Community Housing Impact and Preservation (CHIP) Program**

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing for the Community Housing Impact and Preservation (CHIP) Program.

Public Hearing opened by the Commission President at 10:06 a.m.

Staff Report: Mr. Harris stated staff worked diligently to prepare the grant application. They were applying for \$400,000 if the Board approved today. The grant would allow for home repair and home rehab for low to moderate income households. Anyone can apply and go through the process to be qualified for use of those funds.

Audience Comments: None.

There being no one else in favor of or opposed to the Community Housing Impact and Preservation (CHIP) Program who wished to address the Board, the Public Hearing was closed by the Commission President at 10:07 a.m.

Commissioner Herier moved to approve the Community Housing Impact and Preservation (CHIP) Program as presented. Further move to authorize the County Administrator to execute all documents.

Commissioner Detrick 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

Resolution 2016-0232
ZMRV file

**10:15 a.m. Public Hearing for Rezoning Case Z-2016-01
Filed by William E. and Cheryl E. Herrmann in Mad River 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 case Z-2016-01 being 70.06 acres located at 5370 and 5372 Hunter Road, Enon, Ohio 45323 to rezone from current A-1 (Agricultural District) to R-1 (Rural Residence District).

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

Staff Report: Mr. Neimayer presented his report. Commissioner Lohnes noted he was the only certified planner in the county. Mr. Neimayer stated the subject property was currently zoned A-1. The applicant was looking to rezone in Mad River Township from A-1 to R-1. The owners own two additional parcels in Enon.

This request was only for the property located in Mad River Township. In the rezoning packet, there was the staff report and comment letters from tech review. Other communication was received. During the tech review the Engineer's Office spoke about storm water and road profiles. Those items will be looked at in more detail. The Engineer and Utilities will review plans to ensure the extension of the lines up to the subject property. It will present challenges to the development of the subject property. Staff recommended approval of the 70+ acres approve as presented. Planning Commission met and recommended approval. They noted the drainage of the property. Rural Zoning Commission met and after hearing testimony they recommended the request be denied.

Commissioner Lohnes said if the rezoning were granted today there would be a process that would have to be completed before dirt could move. The Engineer referenced drainage, road cuts, and site distance. There was an issue with cross jurisdiction since the northern portion was in the Village and the southern portion was in the township.

Mr. Neimayer said it would meet the file for the subdivision review. During the subdivision review, the roads, engineering, storm water, utilities, etc. would be reviewed by the Engineer's Office and Utilities Department. All the property owners would be sent notification to comment before the Planning Commission. Both zoning and subdivision regulations do not allow development in an A-1 district. The key issue was drainage. Any planning would have to include strict compliance with the newer Storm Water Drainage issue. Lots cannot straddle the township and village. It would create a lot of issues for that property owner. Any lots proposed would have to be in one jurisdiction or the other. They are all in Mad River Township now. It was completely in the flood plain. There was no cross jurisdiction. The development would have to be in the Mad River Township area and cannot cross over to the Village of Enon.

Audience Comments of those in Favor:

Bill & Cheryl Herrman live in Crawford County, Ohio. They bought the property to build single family homes. Mrs. Herrman very much appreciated the opportunity and appreciated the public hearing. She wanted to present facts about their true intentions for the property. They were not developers. Their careers were hog farming and dental hygienist. Through farming they met many people across Ohio. They bought the farm not for farming but to build houses. Only 50 acres were tillable. There were four parcels total. Two were in the Village of Enon, which was floodable area. It was not suitable to build homes. 70 acres remained in the County. She stated they were not doing 70 one acre lots. The Clark County Subdivision Regulations of land zoned A-1 stated no more than five lots were involved after the original parcel has been completely subdivided. There were 70 acres and two parcels. They can be divided into a maximum of five lots. Currently, they can add eight lots on the 70 acres. The rezoning request was to consider a greater number than eight. The intent was to build single family homes. There would be no apartments, no manufactured homes, and no public buildings. The original map was not their intention. She presented the new map. See attached. She stressed it was a concept. This was much more information than needed for a rezoning application. The light green was the area logical to have housing sights. The dark green area would not be developed. That was where the woodlands were. The detention pond would be in that area. 50 acres will not be developed. The 70 remaining acres were in the light green area. The white lines were an idea for a swale if the Engineer approved. Mrs. Herrman noted this process was expensive. There were currently two homes on the property and families live in those homes. Wells were not present due to the bedrock. They planned to install a loop system.

Steven Butler, Community Civil Engineering, 2440 Dayton-Xenia Road, Beavercreek, addressed the swale. The map showed approximately 20-25 acres across the southern portion of the property. The diversion ditch would capture that runoff and help control the outflow. Commissioner Lohnes asked how much water would be diverted to the bottom of the hill. Mr. Butler said looking at the USGS map, the village property was unclear on the water coming from Houck Meadows. If it was determined that water was still coming into Houck Meadows they would divert that water to the creek. Part of the 120 acres was in Enon. The owners intended to extend sanitary sewer and water. Commissioner Lohnes asked what the minimum size of the lots would be. Mr. Butler said they proposed the minimum of half acre per the Comprehensive Plan survey that was sent out. The goal was to be in the half acre range. Commissioner Detrick asked how many lots. Mr. Butler noted the shape of the land, shown on the concept map was not efficient for the lots. Commissioner Detrick said 120 lots was the original proposal. He thought it would be less. Mr. Butler said the first number

was for the entire 120 acres. Commissioner Herier asked if the part that was in the township would be developed and sold, what the plan was for the Village of Enon portion. He was curious if there were drainage requirements would the Herrman's be responsible for the design. Mr. Butler said if they determined water was running to Houck Meadows they would install drainage. Current ownership would keep it as its current use. Most of it was woodland. Commissioner Lohnes explained to the audience it was not normal to have those detailed plans that have been reviewed by the departments prior to the rezoning being approved. Mr. Hale confirmed. Mr. Butler said the fees for engineering and survey would be around \$100,000 just to gather the information. Commissioner Lohnes has not met any developer that will spend that amount of money on a chance.

Commissioner Lohnes said the Commissioners have received many emails, phone calls, text messages and letters about the rezoning case. They were all against the rezoning. The Commissioners have heard the voice of the community. They have heard from Enon, the Township Trustees and the County Engineer. Commissioner Lohnes stated he had 25 names of people that have sent in comments. Drainage and flooding was the number one issue. He recently saw some tiling going on. The owners were tiling the farm fields. He summed up the other issues: traffic, access to roads, site distance, school overcrowding, loss of the country setting, other properties available for building, condos still for sale, errors in the past with issues, property value decreasing, Mad River Township Land Use Plan, increase in crime, increased strain on Township and Enon City government services, the road cut, and it just was not needed in the township.

Audience Comments of those Opposed:

Tim Howard, Village of Enon, stated as far as the water part, he promoted everyone to be on public water, the loop will not solve the situation with the booster station on the south side of Fairfield Pike. The terrain was higher. The other issue was the flood plain. The Village of Enon opposed the rezoning because of the flooding concerns. They were real and legitimate concerns. The drainage was miles upstream and it collects in Mud Run. When it overflows everyone around them was affected. Mr. Howard felt the constriction point was the bridge on Hunter Road. He thought if a wider bridge was there it would help but the affect downstream needed to be taken into consideration. The Village was against the rezoning case due to general drainage issues and the overall flooding that occurs.

Joe Catanzaro, Mad River Township Trustee, had a lot of concern. The main point was the plan. The people would like to see the plan. They would like a commitment of what they want to do before the commissioners make a decision. He stated half an acre was not the rule. They wanted them to build with what was around.

Commissioner Lohnes said it wasn't the norm to get the plan ahead of time.

Mr. Catanzaro said the people just want the truth.

Bob McClure, Mad River Township Trustee, said the water was what scared the people. Living and farming along Mud Run he understood. Mud Run needed dredged. It cannot take another gallon of water. There were things with retention ponds but the water eventually goes somewhere.

Commissioner Lohnes noted a lot of standing water in the area.

Ned Clark, Cardinal Drive, has lived there for 30 years. He saw a big problem that keeps spreading out. He quoted Commissioner Detrick in a recent newspaper article. Mr. Clark showed pictures of his backyard that was flooded with the last rain. Mr. Clark commented on Mrs. Herrman's "just a concept" statement

Commissioner Detrick asked if he was in flood plain. Mr. Clark said yes. If the land was developed it will make the water flow faster. It comes from the south cascading toward Cardinal. Mr. Clark asked if the owners live in Ohio. Commissioner Detrick said they live in Ohio and wanted to give them credit for making an investment in Clark County.

The crowd quickly spoke up passionately stating they made an investment in Clark County too by purchasing their homes.

Bob Potts believed everyone was concerned about what happens after the fact. The builders did not expect all that flooding in Houck Meadows. After they built was when the problems developed. All have an interest. He did not hear what will happen after the fact. If flooding occurs the developers will not pay for it.

Commissioner Lohnes said the plan would be reviewed by Soil and Water.

Michael Potts, 177 Fairfield Pike, stated his worst fear was shown on the map. The road that will come out will be in front of his house. The turn lanes were at the base of the hill. He mentioned before that was difficult to get in and out of the driveway. It will be harder with the road coming out there.

Commissioner Lohnes said that intersection with the site distance was a concern of the Engineer too.

Mr. Potts noted the construction will be over the next five to ten years, which was during his retirement. There will be mud on the road. It was only going to get worse.

Commissioner Detrick wanted to get Mr. Potts a copy of the Engineer's letter.

Dom Tucillo stated there was 35 acres of steep runoff. He was very concerned that it will get worse. His second concern was one of intent, which went back to Enon Heights. Originally there were 30 parcels identified. Lots 26-27-28 were roughly five acre lots that Mr. Wise purchased and they are now part of his farm. He asked if there was any commitment to honor the intent of the original commissioner that laid that out to be single family homes on those sights. Commissioner Detrick wanted to know when Enon Heights was developed. Mr. Tucillo thought it was the early 1990's. There was not a road in the original lot plan.

Earl Massey, 1080 Blue Jay Drive, asked why dirt was being moved if the ground wasn't being developed.

Mrs. Herrman said they were putting in drainage tiles.

Melony Andras didn't want a realistic plan she wanted a real plan. The owners cannot give that. The trees behind her property have been cut down. She commented on the wells that were supposedly bad on Hunter Road. She has had a well for years that was fine. Since all the information comes about after rezoning would be approved she asked if the property could be rezoned back to A-1 if the subdivision plans were denied.

Commissioner Lohnes said they would have to apply to go back to A-1. If the subdivision plans were denied the owners would want to do that for taxes. The rules and plans have changed over time for development. Commissioner Lohnes asked Mr. Hale what happens when someone violates the subdivision process. Mr. Hale responded the legal process would begin. Commissioner Lohnes said if that final plan was denied then the options were another plan, modify it, or don't do it.

Ms. Andras lived on Hunter Road and noted the engineers have decided how the water will flow but it doesn't work. The water goes the way it wants to.

Cathy Reeves grew up on Stine Road and now she lives on Bob White Drive. She was looking at property to invest in but they have found the flood insurance goes up like crazy in June.

Cheryl Smith, Blue Jay Drive, asked if anyone has done an analysis on how many lots were available in Mad River Township and Enon that were ready for development. Commissioner Lohnes knew there were a few lots at the Bluffs. Commissioner Detrick said there have been 40 new houses built in 2015 and 28 houses built in the last 5 years in Mad River Township. There were three houses being built. Ms. Smith pointed out there were lots available. Commissioner Lohnes added there were one or two condos vacant.

Mr. Potts spoke about the property on Stine Road owned by Calvin Hahn. He bought it and said he planned to farm it but Mr. Potts heard he would be developing it. There was nice white fence around all the farmland now. Commissioner Lohnes stated he heard Mr. Hahn say he would farm it.

Andrew Devoli, Bob White Drive, asked what the purpose of this hearing was. Commissioner Lohnes said it was to make a determination on the rezoning case. Mr. Devoli stated the previous panel rejected it. He fully expected the Herrman's would come to this meeting with answers from the last hearing. He didn't understand the expectation of the neighbors to just swallow this. The Commissioners were elected to represent the tax payers and those that live here. Everyone in attendance was looking for someone to speak for them. Commissioners speak through votes.

David Eviston passionately spoke. He pointed out the amount of people in attendance was not normal. Let that be a testament to how many people will be affected. The second comment he wanted to address was that it wasn't normal to have detailed plans for this. Commissioner Lohnes replied no and explained the Board has seen similar issues before with zoning changes. Mr. Eviston said the burden of proof was on the Herrman's. To this point they have not proven anything. They have not addressed the concerns. He felt it was reckless for the Board to approve the rezoning case. The people were counting on the commissioners to take their best interest to heart.

Mr. Rogers, 1065 Blue Jay Drive, presented some information. See attached. He was the past president of the Enon Board of Zoning Appeals. He has not seen evidence of impact studies. Commissioner Herier visited the site and was sympathetic and understood their concerns. It was very wet in that area. Mr. Rogers questioned Commissioner Herier's comment in the paper about the "the experts telling them it will get better not worse". Commissioner Herier explained the experts he referred to was the Engineer's Department. He explained they were concerned about the drainage but thought it would get better. He noted he looked into buying a house in that area eight years ago but the flood plain designation was the reason he didn't buy.

It was noted FEMA set the flood insurance rates, not the insurance companies.

Commissioner Detrick said Clark County had the greatest water aquifer in the world. He added Greenon Schools graduation rate was 176 now it is 112.

Garnett Traylor thanked the people for coming.

Ron Stuart, 36 year resident of Hunter Road, opposed the rezoning case. The spokesman for the zoning board did not know if it would increase values. Those who purchased land on Hunter Road did so with the full understanding of the A-1 zoning. Home owners did not want to live in a residential area. They liked the ability to grow crops, have farm animals and love the wildlife. The whole area was zoned for low density housing that exists with nature. He urged the Commissioners not to destroy the area. He asked the Commissioner to side with the families who have made their lives under their existing plan.

Commissioner Lohnes stated there has not been back room pressure on this.

Ann Sidney retired from a Clark County manufacturer. She wanted to enjoy her retirement in Clark County. Her concern was allowing the R-1 to stay. There was some confusion about the process and the current zoning. Commissioner Herier stated this was the hearing that would determine if the zoning changed. Commissioner Lohnes followed up stating the zoning had not been changed yet. The Commissioners were the final say and the zoning would not change until they voted. If the Commissioners deny it the zoning will remain A-1.

Katy Eviston, lived five houses from the end of Cardinal. She thanked everyone for coming. She hoped the Commissioners would side with Mad River Township.

David Morris, 1060 Cardinal Drive, stated he was two houses south of the flood plain. He appreciated the job the Commissioners have to do. All they wanted was accountability.

Commissioner Lohnes reassured him that's why this process was set up.

The Public Hearing was closed by the Commission President at 11:42 a.m.

Commissioner Herier moved to deny rezoning case Z-2016-01 as presented.

Commissioner Detrick said they were one of the special communities. With that in mind, he commended the entrepreneurs and hoped that something could be worked out. He was also concerned about the water.

Commissioner Detrick 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 2016-0233

Commissioner Herier moved to adjourn. 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.

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