

The Board of Clark County Commissioners met in special 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; John Burr, County Engineer; Michele Burns, Charles Swaney, Mitchell Goth, Lauren Gessing, Krista McGaw, Tecumseh Land Trust; Thad Townsend, Assistant County Prosecutor.

Call to Order, Commission President

Resolution 2014-0317

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

Commissioner Lohnes asked for comments from the County Engineer on the AEPP (Agriculture Easement Purchase Program). Mr. Burr explained the issue was once the easement goes into affect the county can no longer procure or add on to any easements. A lot of these do not have thorough fare plan right of way. Utilities could not get existing easements due to lack of right of way. Once these are approved there was no way to go back. He noted the issue that came up when they were trying to replace the Selma Pike Bridge. The AEPP held up the project for a whole year. They had to get the Secretary of Agriculture to sign off on the project. During the process the load rating kept dropping and the farmer could not use the bridge to move equipment. Mr. Burr stated he only wanted to maintain existing roadways and structure. The bridge on Selma was reduced to a 12 ton limit. He did not want to see that situation happen again. He was not looking to widen or replace any roads in the area. He talked to Mr. Swaney and had a letter from Mr. Swaney stating their intent to dedicate right of way. The language that was adopted previously worried the state; however it wasn't meant to be perceived as new right of way. The resolution was part of the application process for the easement. Mr. Kennedy stated the farmer needed to sign an agreement with the County that they will put in an easement for public right of way before the conservation easement was approved. It needed to be added as a step in the application process. Ms. McGaw said she would suggest it to the Ohio Department of Agriculture. They will also build that in to the process they go through with the applicants. Once of the problems in the past was the feds were not flexible at all. Mr. Kennedy was concerned about safety studies and widening of a road etc. Ms. McGaw understood and said they would be proactive. The letter from Charles Swaney was not binding. Mr. Swaney felt it was binding. Mr. Kennedy explained it wasn't in public sector. Ms. McGaw added there has to be a title review before the easement closes. Ms. McGaw pledged to take that on but noted the state may not make it a requirement.

Commissioner Detrick was the county liaison at the state. Clark County was out in the forefront again. Tecumseh Land Trust was still working cooperatively with the local people. Commissioner Detrick gave judos to Ms. McGaw, Michele Burns, Charles Swaney, John Burr and Nathan Kennedy for getting this done.

Ms. McGaw thanked Clark County for making this successful. The farmers feel really good about. She appreciated the extra meeting.

Commissioner Hartley moved to approve resolution 2014-0318. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

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

Resolution 2014-0318

Resolution of Support for Application for Agricultural Easement Purchasing Program (AEPP)

Commissioner Hartley moved to approve the following:

Whereas, on February 5, 2014 the Clark County Board of Commissioners received a request from the Tecumseh Land Trust for support of their applications to the State of Ohio, Department of Agriculture for purchase of conservation easements on the attached listing of properties; and,

Whereas, the Clark County Board of Commissioners has reviewed this request for support of the applications and has determined that the nominations of the properties for the purchase of conservation easements are compatible with the long-range goals of the local government area regarding open space protection; and,

Whereas, the Board finds the request for the conservation easements acceptable under the following condition: The conservation easement would not apply to existing easements at the time the conservation easements are recorded.

Whereas, the land owners included in the applications wish to participate and commit to donate approximately 60% of the conservation easement value.

NOW THEREFORE BE IT RESOLVED BY THE CLARK COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. That the local governing body hereby supports the request for nomination of the properties for purchase of conservation easements.
2. That the local governing body hereby certifies that the purchase of the conservation easement of the nominated property is compatible with the long-range open space goals of the local government area with the exception of the following: the conservation easement would not apply to existing easements at the time the conservation easements are recorded.
3. That the Clerk is hereby directed to transmit certified and sealed copies of this resolution to the applicant and the farmland preservation office.

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 2014-0319

Commissioner Hartley moved to adjourn. 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.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Richard L. Lohnes, President

I certify that the record is true and accurate:

By: _____
John Detrick

Commission Clerk

By: _____
David Hartley