

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 David Herier; Commissioner John Detrick; Nathan Kennedy, County Administrator; Megan Lokai, Clerk; Bonnie McHenry, New Carlisle News; Michelle Noble, Human Resources Director; Ginny Martycz, Job and Family Services Director; Jim Strohl; Susan Page; Michael Cooper, Springfield News Sun; Geoff Daniels, Representative for Senator Sherrod Brown; Bryan Heck, City of Springfield.

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

Audience Comments: Dr. Susan Page asked the Commissioners to fulfill their obligation as elected officials to defend the citizens of Clark County. She objected to the property being annexed along State Route 72 to build a Kroger's super store. There were 100 acres. It would change the corridor. Heading south does not lead into the City of Springfield. The only people that would benefit from it would be those exiting from I-70. Those living on or off State Route 72 object to this. Kroger's should upgrade the current store on the south side of town. The people living on the south side have asked for upgrades. She expressed concern about the traffic patterns. Dr. Page read a letter she prepared. See attached letter. She asked the board to deny it. There needs to be an evening meeting to discuss this. She was upset that it wasn't publicized.

Commissioner Detrick said Dr. Page was referring to Resolution 2016-0441. He said Kroger's will hold a public hearing on July 26 at The Dome from 4 p.m.-6 p.m.

Dr. Page said there has been a long history of the City going into the county and annexing. They have plenty of brown fields that need to be redeveloped.

Commissioner Detrick said the realtor for Kroger's came up with this, not the City. Every major city has annexation policies. It was not just Ohio policy. The County was a pass through for this type of annexation. It was hard to stop a city from annexing. It would involve major court costs and the County cannot win.

Dr. Page said several years ago land was proposed to annex. They wanted to build a truck stop. The residents came out strongly. She didn't understand the difference this time. Commissioner Detrick said there was an old city dump site that had issues for clean up. Commissioner Lohnes said the landowners have agreed to this. The City cannot just annex land. They have to have petitions. The annexation referenced earlier wasn't legal.

Commissioner Detrick said it will benefit the school district. Dr. Page said her son was in an accident due to the Swifty Gas Station. She had traffic concerns and was worried about congestion.

Commissioner Herier said there will be a traffic study to develop the language. Kroger's said there was not enough space for redevelopment where they were now.

Commissioner Lohnes said Kroger's picked the site.

Dr. Page said Kroger's should have stayed on Leffel Lane. There was plenty of land and stores that have gone out of Springfield.

Commissioner Detrick agreed but explained big corporations looked at demographics, exits, etc. He reiterated the County had no choice.

Commissioner Detrick said the Board could take a stand on this but legally there was not a leg to stand on.

Mr. Kennedy explained because it was a Type 1 annexation, in an area that was a CEDA, and the Ohio Revised Code states the process, the Board was hemmed in. It falls under the County Engineer or County Planning to say it was not in conformity. The parties to the CEDA agreement were Springfield Township, City of Springfield and the County Commissioners. The Board has to find a technical reason to deny the annexation.

Dr. Page did not realize the legalities and now understood the process better. She was opposed as a County resident.

Mr. Kennedy said unless the Board had a technical reason to deny they have to approve it per that agreement.

Mr. Kennedy said Kroger's was sensitive to the residents.

Commissioner Lohnes said the public meeting would be a good time for residents to talk to them. They will still have to do a traffic study. He has heard from residents that support it and residents that are against it.

Commissioner Detrick said Clark County was #1 perseverance of agriculture.

Geoff Daniels, Senator Brown's Office, introduced himself. The Board brought up the Tremont City Land fill. Commissioner Herier said the proposed fix was to solidify what was going back in the land fill. There was concern for the aquifer. People were concerned about the sense of urgency.

The other concern brought up to Mr. Daniels was sales tax being applied to Medicaid expenditures. They were worried about that tax being declared ineligible to be taxed. It has been taxed since Strickland in Ohio. Ohio will lose \$1 billion. Clark County will lose \$3 million. Commissioner Detrick said 88 counties were losing 7%. Mr. Daniels said he would refer back to the legislative aides in the D.C. office. He would find out if it was being pursued in congress.

Mr. Daniels asked about the concern with summer youth employment project changes. Commissioner Lohnes said the changes took place this year. Right now staff was tasked with Comprehensive Case Management for 16-24 year olds. They get money from WIOA and TANF. A lot of the nuts and bolts have not come from the state. Discussion ensued.

#### *Agenda Review:*

Commissioner Herier asked about the following resolutions:

Resolution 2016-0432 was connected to the NSP3 grant. This will finish the grant. It was a five year grant. The change amended the dates from "July 13" to "project completed".

Commissioner Detrick asked about the following resolutions:

Resolution 2016-0435: He asked what roads were involved. Mr. Kennedy said Croft and Home Roads. The project starts in 2018.

Resolution 2016-0439: He noted to the press it was a major project.

Resolution 2016-440: He asked where the bridge was.

Commissioner Detrick wanted a thank you sent to the board appointment.

Commissioner Lohnes had no questions.

Tax Budget Briefing: Mr. Kennedy presented the tax budget. See attached. He estimated a budget of \$156-160 million of total fund appropriations. He reminded the Board that the responsibility was not just over the general fund but over the whole \$160 million. The main purpose was to also approve the inside millage. Once the revenues were certified it will be sent to the Budget Commission who approves it as well.

Sales tax was growing at 2% a year. Expenditures were more but not by a lot. The county has controlled operating costs.

The change in sales tax for Medicaid will be a 2017 problem. The Commissioners have to start preparing for it now.

Commissioner Herier said the 40% that was Human Services doesn't include the money JFS (Job and Family Services) was responsible for to pay out in benefits. Mr. Kennedy replied that was correct. Mr. Kennedy said it was around \$300 million in benefits. Those checks were cut from the State.

Dr. Page thanked the Board. Not here as a member of the school board but as a resident. Commissioner Lohnes thanked her.

Commissioner Herier moved to go into executive session to discuss Collective Bargaining and Employment of a Public Employee. 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 recessed until 10:00.

Call to Order, Commission President Lohnes

Resolution 2016-0431

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. 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.

**Resolution 2016-0432**  
**CDDC file**

**Authorize Contract Amendment with  
Neighborhood Housing Partnership of Greater Springfield for the Neighborhood Stabilization Program**

Commissioner Herier moved, per the request of the Community and Economic Development Director, to authorize contract amendment with:

<b>Organization Name:</b>	Neighborhood Housing Partnership of Greater Springfield
<b>Organization Address:</b>	527 East Home Road, Springfield, Ohio 45503
<b>Amendment Amount:</b>	\$62,210.80
<b>New Contract Amount:</b>	\$62,210.80
<b>Funding Source(s):</b>	Neighborhood Stabilization Program (NSP)
<b>Purpose of amendment:</b>	To allow for the remaining NSP funds to be spent and the final project to be completed.
<b>Amendment Effective Date:</b>	July 13, 2016
<b>Contract Effective Dates:</b>	July 13, 2016 until the project is completed

Further move to authorize the County Administrator to execute the contract amendment 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 2016-0433**  
**JFSC file**

**Authorize Contract Amendment #1 with  
Oesterlen Services for Youth, Inc.**

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

**Organization Name:** Oesterlen Services for Youth, Inc.  
**Organization Address:** 1918 Mechanicsburg Road, Springfield, Ohio 45503  
**Amendment Amount:** \$0.00  
**New Contract Amount:** \$68,000.00  
**Funding Source(s):** Protect Ohio  
**Purpose of amendment:** To extend the contract for an additional two months.  
**Amendment Effective Date:** July 1, 2016  
**Contract Effective Dates:** July 1, 2015 through August 31, 2016

Further move to authorize the County Administrator to execute the contract amendment 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 2016-0434**  
**ENG file**

**Authorize Contract with  
Double Z Construction**

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

**Organization Name:** Double Z Construction Co.  
**Organization Address:** 2550 Harrison Road, Columbus, Ohio 43204  
**In the amount of:** \$4,257,228.46  
**Funding Source(s):** 80% Federal and 20% Local (OPWC)  
**Purpose:** CLA-CR 395-1.00 Derr Road Project 92813  
**Effective Dates:** July 18, 2016 through July 30, 2017

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 2016-0435**  
**ENG file**

**Authorize Contract Amendment #2 with  
Barge Waggoner Sumner & Cannon, Inc.**

Commissioner Herier moved, per the request of the Deputy Engineer, to authorize a contract amendment #2 with:

**Organization Name:** Barge Waggoner Sumner & Cannon, Inc.  
**Organization Address:** 1370 Vanguard Boulevard, Miamisburg, Ohio 45342  
**In the amount of:** \$26,241.00  
**Funding Source(s):** Federal and Local (M.V. & G.T.)  
**Purpose of amendment:** CLA-CCE VAR Road Reconstruction  
**Effective Dates:** July 13, 2016

Further move to authorize the County Administrator to execute the contract amendment 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 2016-0436  
ENG file**

**Authorize Contract for Sale & Purchase of Right of Way  
CLA TR 98 – Newlove Road Project PID 98690**

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>
Judy L. Yoder	Newlove Road	Parcel 2 WD	\$1,100.00

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 2016-0437  
ENG file**

**Authorize Inter-governmental Agreement between the  
Board of Clark County Commissioners and The City of Springfield**

Commissioner Herier moved, per the request of the Deputy Engineer, to authorize the following inter-governmental agreement:

**Agreement Between:** Board of Clark County Commissioners and the City of Springfield  
**In the Amount of:** The total cost of said water main work as bid totals \$109,100.00, and the CITY agrees to deposit with the COUNTY the said amount on or before July 29, 2016, prior to the county's receipt of the contractor's first invoice for the project, but said amounts are to be adjusted upon completion of said work in

order that the CITY’S ultimate share of the cost of said items shall be the actual cost of said items once final installed quantities are known.

**Purpose:** The COUNTY proposes to improve 2.00 miles of Derr Road between Villa Road and Moorefield Road by widening and reconstruction including upgrading of the drainage, signage, pavement markings and installation of a traffic signal, and the project will adversely impact the CITY’S water main located within the COUNTY’S road right of way, and the CITY agrees to bear all costs for the COUNTY’S contractor to relocate said water main as shown on the project construction drawings.

**Effective Date:** July 13, 2016 through July 31, 2017

Further move to authorize the County Administrator to execute the agreement 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 2016-0438  
EMAC file**

**Authorize Memorandum of Understanding (MOU) Between Board of County Commissioners and Madison Correctional Institution**

Commissioner Herier moved, per the request of the EMA Director, to authorize the following MOU:

**MOU with:** Madison Correctional Institution (MaCI)  
**In the amount of:** \$0  
**Funding Source(s):** N/A  
**Purpose:** Provide a Hazardous Materials Response from the Clark County HazMat Team  
**Effective Date(s):** March, 17, 2016 to indefinite with annual review by MaCI.

Further move to authorize the County Administrator to execute the MOU 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 2016-0439  
ENGG file**

**Accept Grant Agreement with Ohio Public Works Commission DKT08– CLA CR 385-1.00 Derr Road Project 92813**

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

**Grantor:** Ohio Public Works Commission  
**Amount Funding:** \$1,040,140  
**Purpose:** Derr Road Project - matching funds  
**Effective Dates:** July 1, 2016 through July 30, 2017

Further move to authorize the County Administrator to execute the grant 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 2016-0440  
ENGG file**

**Accept Grant Agreement with  
Ohio Public Works Commission DKT09– CLA CR 362-2.95 Old Columbus Rd. Bridge 1057**

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

**Grantor:** Ohio Public Works Commission  
**Amount Funding:** \$525,400  
**Purpose:** Old Columbus Road Bridge No. 1057 Replacement  
**Effective Dates:** July 1, 2016 through July 30, 2017

Further move to authorize the County Administrator to execute the grant 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 2016-0441  
ANXS file**

**Acknowledge Receipt of and Approve Expedited Type 1 Annexation Petition for  
Approximately 99.59 acres in Springfield Township**

Commissioner Herier moved to acknowledge receipt of and approve the Expedited Type 1 Annexation Petition for the following property:

**Petitioner/Agent:** Bryan Heck, City of Springfield on behalf of Frederick R. Lower, David V. Lower, Allen C. Armstrong, Twenty Six Hundred, Ltd, and Nancy J. Davis  
**Agents Address:** 76 East High Street, Springfield, Ohio 45502  
**Location:** Springfield-Jamestown Road (State Route 72) properties, Approximately 99.59 acres  
**From:** Springfield Township  
**To:** City of Springfield  
**Documents Filed:** Annexation Petition, Exhibit A (Legal Description), Exhibit B (Map), Exhibit C (List of tracts in the territory or adjacent to the territory proposed for annexation), CEDA Agreement, Filing Fee  
**Date Received:** July 6, 2016

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 2016-0442  
BRDL file**

**Appoint Member to the  
Board of Trustees of Clark County Public Library**

Commissioner Herier moved, to appoint the following member to the Board of Trustees of Clark County Public Library:

**Name:**  
Walt Szczesny

**Expiration Date:**  
June 30, 2023

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 2016-0443**

**CHDV file**

**Acknowledge Receipt of Certificate of Estimated Property Tax Revenue**

Commissioner Herier moved to acknowledge receipt of Certificate of Estimated Property Tax Revenue for the proposed levy request from the Clark County Combined Health District.

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 2016-0444**

**CHDV file**

**Approve Renewal Tax Levy of 1.00 Mill for the Purpose of Providing Funds for the Necessary Requirements of the Clark County Combined Health District**

Commissioner Herier moved, upon the recommendation of the Board of Health of the Clark County Combined Health District, to authorize a Resolution providing for a renewal tax levy in the amount of 1.00 mill, for a period of five (5) years for the purpose of carrying out the general health district program of the Clark County Combined Health District (excepting City of New Carlisle Municipal Corporation).

Whereas, The Board of County Commissioners is a special taxing authority for the purpose of Section 3709.29 of the Ohio Revised Code; and,

Whereas, the Board of Health of the Clark County Combined Health District has certified to this Board pursuant to Section 3709.29, O.R.C., that the estimated amount of money necessary to meet the expenses of the general health district program will not be forthcoming to the Clark County Combined Health District out of the district health fund because the taxes within the ten-mill limitation will be insufficient; and,

Therefore, Be it Resolved, that the Board of County Commissioners of Clark County, Ohio, with at least two-thirds of its members concurring, pursuant to the authority granted by Section 3709.29, O.R.C., hereby declares that the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Clark County Combined Health District within Clark County, and that it is necessary to levy a tax in excess of such limitation in order to provide the Board of Health of said District with sufficient funds to carry out the general health district program; and,

Be it further resolved, by the Board of County Commissioners of Clark County, Ohio, with at least two-thirds of its members concurring, that it is necessary to levy a renewal tax for the benefit of the Clark County Combined Health District, for the purpose of carrying out its health program at a rate not exceeding one mills (1.00 mills) for each one dollar of tax valuation, which amounts to Ten Cents (\$0.10) for each One Hundred Dollars (\$100.00) of tax valuation, appearing on the tax list for a period of five (5) years, viz: 2017, 2018, 2019, 2020, 2021; and that the question of such tax renewal levy shall be submitted to the electors of the Clark County Combined Health District at the General Election to be held on November 8, 2016.

Be it further resolved that the said renewal tax levy shall be effective and placed on the 2017 tax lists and duplicates, if a majority of the electors voting on the question, vote in favor thereof; and,

Be it further resolved, that the Clerk of this Board of County Commissioners of Clark County, Ohio, is hereby directed to certify a copy of this resolution to the Board of Elections of Clark County, Ohio, in the manner provided by Section 5705.25 of the Ohio Revised Code.

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 2016-0445**  
**EMAP file**

**Approve Payment to  
Clark County Sheriff’s Office and City of Springfield**

Commissioner Herier moved, per request of the 9-1-1 Coordinator, to approve the following payment:

**Payment to:** Clark County Sheriff’s Office  
**Address:** 120 North Fountain Avenue, Springfield, Ohio  
**Services:** Distribution of funds received from the Wireless 9-1-1 Government Assistance Fund Pursuant to the Clark County Final 9-1-1 Plan Wireless Amendment, and the Board of Clark County Commissioners Resolution 861-07 dated 10/9/07. (June 2016 received 6/28/16)  
**Funding Source(s):** State Treasurer’s 9-1-1 Government Assistance Fund  
**Amount:** \$9,244.06

**Payment to:** City of Springfield  
**Address:** 76 East High Street, Springfield, Ohio  
**Services:** Distribution of funds received from the Wireless 9-1-1 Government Assistance Fund Pursuant to the Clark County Final 9-1-1 Plan Wireless Amendment, and the Board of Clark County Commissioners Resolution 861-07 dated 10/9/07. (June 2016 received 6/28/16)  
**Funding Source(s):** State Treasurer’s 9-1-1 Government Assistance Fund  
**Amount:** \$13,866.07

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 2016-0446**  
**FINX file**

**Adopt 2017 Preliminary Alternate Tax Budget Document**

Commissioner Herier moved, to adopt the 2017 Preliminary Alternate Tax Budget document and certify the same to the County Auditor. Be it further moved that all projected deficits shall be eliminated prior to approval of the final budget in January 2017. Copies of the proposed budget are available in the Office of the County Auditor and the County Administrator for public inspection.

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 2016-0447**  
**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:

<b>P.O. Number</b>	<b>Fund</b>	<b>Vendor</b>	<b>Date Purchase</b>	<b>Amount</b>
160005641	General (Coroner)	Melanie Bender	1/22/2016	\$118.26

Reason: PO approved after the invoice date.

160005784	Victim Witness	Post Printing Co.	6/15/2016	\$150.00
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Reason: Items were purchased prior to a PO request.

160005305	General (Coroner)	Spfld Regional Med Ctr.	1/31/2016	\$554.00
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Reason: PO was signed after the invoice date, due to Springfield Regional Medical Center not sending the correct amount for autopsy's performed.

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 2016-0448**  
**FINI file**

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

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

<b>Transfer From</b>	<b>Amount</b>	<b>Transfer To</b>	<b>Amount</b>
Bd of DD – General Services 2080-220-850000	\$300,000.00	F.F. Mueller Residential Center 1271-220-540000	\$300,000.00

Reason: As per Board Resolution.

General Fund 0001-710-850000	\$35,000.00	MVGT Fund 1215-400-540000	\$35,000.00
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Reason: This transfer is to pay for costs to prepare a site by the SWWWTP for use by the County Engineer's Office.

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 2016-0449**  
**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.

<b>Dept.</b>	<b>Name</b>	<b>Purpose</b>	<b>Place</b>	<b>Date</b>	<b>Cost</b>
DJFS	T. McGrath	OCCP Conference	Dublin, OH	10/21/16	\$ 54.00
DJFS	A. McCune, H. Orr	FDS&S Training	Dayton, OH	10/21/16	\$348.40

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

Commissioner Lohnes informed the guests of the Commission meeting schedule. The annexation was discussed at the 8:30 session. He explained it was a Type 1 annexation due to the existing CEDA agreements. The only way for the Board to oppose it was if a technical error was found in the annexation plan. Unless there was a technical or legal issue the Commissioners were already bound by the CEDA agreement. They could vote against it but would end up in court and the County would lose. Kroger's was having a public information meeting on July 26<sup>th</sup> from 4 p.m.-6 p.m. at The Dome.

Ms. Davis was interested in hearing what was said. She was one of the property owners listed in the annexation.

Commissioner Detrick said the County was a pass through for it. There will have to be a traffic study. Mr. Heck said Kroger's has currently hired and were working on a traffic impact study. Mr. Heck said to become contiguous with the City the Armstrong and Lower properties were needed to make it possible. The piece of their property was zoned B3 but they were interested in marketing commercially. Mr. Armstrong wanted water and sewer access through the process.

Resolution 2016-0450

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