

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; Michelle Noble, Interim County Administrator; Emily Heitzman, Deputy Clerk; John Federer, County Auditor; Bonnie McHenry, New Carlisle News; Katherine Collins, Springfield News Sun; Allan Neimayer, Community & Economic Development Department; Steve Brown.

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

Agenda Review:

Commissioner Detrick asked about the following resolutions:

Resolution 2016-0534: He stated Derr Road seems to be moving forward. He asked when Derr Road was going to be open. Ms. Noble said it was weather dependent but should be completed by the end of the year.

Resolution 2016-0536: he assumed the County hired McCullough's Tree Service because they were able to be bonded. Ms. Noble said the County has used them in the past and they were being used as needed.

Resolution 2016-0537: he wanted to send a thank you to Richard Flax. Mr. Flax replaced Commissioner Detrick three years prior and has done a good job. Mr. Federer asked what the function of the West Central Ohio Port Authority Board was. Commissioner Detrick explained the function was to maintain the railroads. Mr. Federer asked where the funding came from and Commissioner Detrick said the funding came from government grants and from the cars that use the railroads.

Commissioner Herier had no questions.

Commissioner Lohnes had no questions.

Commissioner Herier moved to go into executive session to discuss the Employment of a Public Official. 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.

The Board recessed until 10:00.

Call to Order, Commission President Lohnes

Resolution 2016-0533

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

The motion carried.

Commissioner Herier moved to approve the agenda in its entirety including the add on, with the exception of Resolution 2016-0540. 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.

**Authorize Change Order #1 for
CLA CR 385-1.00 Derr Road**

Commissioner Herier moved, per the request of the Deputy Engineer, to authorize change order #1 with:

Organization Name: Double Z Construction Company, Inc
Original Contract: \$4,257,228.46
Previous Changes: \$0.00
This Change: \$6,465.23
New Contract Total: \$4,263,693.69
Funding Source(s): Federal, OPWC, and Local (MV>)

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

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 2016-0535
JFSC file**

**Authorize Contract Amendment #1 with
Northwoods Consulting Partners, Inc.**

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

Organization Name: Northwoods Consulting Partners, Inc.
Organization Address: 5815 Wall Street, Dublin, Ohio 43017
Amendment Amount: \$0.00
Contract Amount: \$225,000.00
Funding Source(s): Shared Administrative Dollars
Purpose of Amendment: To add Appendix IV in compliance with IRS regulations.
Amendment Effective Date: August 24, 2016
Contract Effective Dates: February 29, 2016 through February 28, 2017

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

**Resolution 2016-0536
UTLC file**

**Authorize Contract with
McCullough's Tree Service**

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

Organization Name: McCullough Tree Service
Organization Address: 955 Alfred Street, Zanesville, Ohio 43701-5830
In the amount of: \$21,000

Funding Source(s): Water and Sewer General Fund
Purpose: Easement brush removal and clearing
Effective Dates: August 18, 2016 through August 17, 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 Herier, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

Resolution 2016-0537
BRDW file

**Appoint Member(s) to the
West Central Ohio Port Authority Board**

Commissioner Herier moved to appoint the following member(s) to the West Central Ohio Port Authority Board:

Name/Address:

New Expiration Date:

Richard Flax (County Appointment)
3235 Summerford Rd.
South Charleston, Ohio, 45368

September 31, 2020

Gene Baumgardner (At Large)
4042 Carrs Mill Jamestown Rd. NW
Jeffersonville, Ohio, 43128

August 31, 2020

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 2016-0538
INVP/S file

**Authorize Purchase of Vehicle and Disposal of Obsolete Equipment
for the Utilities Department**

Commissioner Herier moved, per the request of the Utilities Director, to authorize the purchase of a 2017 Chevrolet Express 2500 Van from Jeff Wyler for a cost of \$23,304.85 to be paid for from the Utilities Department Water and Sewer funds. Further move to allow online auction sale of a 2008 GMC Savana (VIN# 1GTFG15X581119864) as the equipment is obsolete and no longer needed for County use, pursuant to Ohio Revised Code Section 307-12 (I).

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

Resolution 2016-0539
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
DJFS	5 Employees	CFIS Training	Columbus, OH	9/27-28/16	\$ 825.49
DJFS	T. Arnold	BIC Training	Columbus, OH	9/21/16	\$ 53.78
Dom Rel	A. Ringler, K. Lancaster	Magistrate Fall Conf.	Columbus, OH	9/28-30/16	\$ 700.00
*Probate	R. Carey	Judges Fall Conf.	Charleston, SC	11/14-17/16	\$2,346.83

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

Resolution 2016-0540
ZBTH file

10:00 a.m. Public Hearing for Rezoning Case Z-2016-04
Filed by Boling Investments, Ltd., Ron Boling 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 case Z-2016-04 being 11.98 acres located on the east side of Lake Road south of Schiller Road (PID# 010-05-00025-201-001), Medway, Ohio to rezone from current A-1 (Agricultural District) to R-4'S' (Multi-Family Residence District, Specific Use).

Public Hearing opened by the Commission President at 10:05 a.m.

Staff Report: Mr. Neimayer stated for record that the property was undeveloped and did not have an address. He also noted that the original request was for a straight R4 zoning. The property was located on the east side of Lake Road and south of Schiller Road. The property has been split off for residential development for the most part. The property had public sanitary sewer available but not public water. The original request from the applicant was for two family dwellings which is a R-3 zoning. Then the applicant talked about a three family dwelling which is a R-4 zoning. In addition to a three family dwelling, an R-4 zoning allows for four family, multiple family or apartment type development. If the applicant develops into three family type units, then public water and sewer would have been provided. The applicant was recently talking about three equal lots and it would be two or three family units.

Commissioner Detrick asked if the applicant did a three family dwelling, would he have to bring in water. Mr. Neimayer said he would have to provide public water. Staff recommended the request of a R-4 zoning be approved as presented. Both County Planning Commission and Rural Zoning Commission recommend the straight R-4 zoning be denied. However, both Boards recommended the property be rezoned from A-1 to R-4'S', specific use limiting the development to three parcels and each parcel having a maximum of three family dwelling units, so, a total of nine. Mr. Neimayer explained comments that were made at the Rural Zoning Commission meeting, that when the public sewer was put in years ago, it had an impact about the wells of the area. Mr. Neimayer checked with the utilities department. The utilities department said with the proposed development, there would not be any impact on the wells.

Audience Comments:

Mr. Brown stated he lived across the street from the property for 27 years. He stated that it sounded like rental properties were being built. Commissioner Lohnes said no. They were going to be homes. Mr. Brown said if they weren't going to be rental properties, then he didn't have much of a concern. Mr. Brown asked if the developer was obligated to build what the pictures showed in the presentation or if they were able to build whatever they wanted. Mr. Neimayer said the Commissioners could incorporate it as part of the motion to make the developer obligated to build what was presented.

Commissioner Detrick said Mr. and Mrs. Stewart sent a text to him stating they were unable to attend the hearing, but they were against the rezoning case. Bobby Riggs also was unable to attend and was also against the project.

The Public Hearing was closed by the Commission President at 10:23 a.m.

Commissioner Herier moved to approve rezoning case Z-2016-04 as presented including the limitations that were put on as it relates to R-4 zoning being denied and the actual zoning be R-4'S', specific use with the limitations of the parcels and incorporate the conceptual drawings.

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

**Add On
Resolution 2016-0541
PERO file**

Approve Personnel Action

Commissioner Herier moved to approve personnel actions as requested.

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 2016-0542

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 Deputy Clerk

By: _____
David Herier