

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 Melanie Flax Wilt; Commissioner Richard L. Lohnes; Commissioner Lowell R. McGlothin; Jenny Hutchinson, County Administrator; Megan Burr, Commission Clerk; John Federer, County Auditor; John Burr, County Engineer; Michael Cooper, Clark County Public Information Officer; Allan Neimayer, Community & Economic Development Department; Sheriff Burchett and Major Cox, Clark County Sheriff's Office; Parker Perry, Springfield News Sun; Jason Baker, Board of Elections.

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

Sheriff Burchett submitted her monthly report for the jail expenses. Total expenditures for 2018 were \$718,000. The total for the year 2017 was \$552,000. It was \$168,000 higher for 2018. Commissioner Lohnes noted the higher jail population throughout 2018. Sheriff Burchett said the biggest problem is the hospital and medical bills for the inmates. Medication was phenomenal. Commissioner Wilt asked about psychiatry in the jail. Sheriff Burchett has talked to Mental Health and Recovery Board (MHRB). There was a communication error between MHRB and Mental Health. Commissioner Wilt thought the issue was Mental Health wasn't billing MHRB. Commissioner Lohnes said the Sheriff made this need known at a Criminal Justice meeting. Major Cox said there are 47 people that need seen by the doctor. TCN out of Greene County will come starting this Friday. There is a meeting set up with IT as well to get computers working for them. Sheriff Burchett was aware of a grant MHRB received to help fund a therapist in the jail. Commissioner Wilt thanked her for the update. Commissioner McGlothin told them to keep up the good work and keep the jail population down. Commissioner Lohnes asked what the population was. Major Cox replied 167. The females are being housed inside. The pods have not been open since the second week of December. Maintenance was close to completing the work in the pods.

Resolution 2019-0046:

Jason Baker, Board of Elections, submitted a resolution that had wording the Secretary of State required. The company is called Clear Ballot and they will provide the voting machine equipment. This equipment will be in place May 2019. He shared the company's background. The Board of Elections (BOE) chose this company because they have 10 Ohio counties already. Their technology was wonderful. Staff will not be required to remake ballots. In 2016, they had to remake over 700 ballots. In November 2018, they had to remake over 250. The BOE also liked the major components of the equipment can be purchased off the shelf and by staff. The BOE wanted to get this equipment in place as soon as possible so they had several elections under their belt before the November 2020 election. Statewide \$114 million was given out. Clark County received \$1.3 million. Currently, they have 110 prescient scanners, 85 ADA devices and two high speed scanners for absentee voting. The new equipment will include 110 scanners, 60 ADA devices, and 2 high speed scanners. This new equipment will save Clark County money. He estimated \$15,000 per election. He added the new ADA devices can be programmed in Spanish.

Agenda Review:

Commissioner McGlothin discussed the following resolutions:

Resolution 2019-0047 authorized a submission for a liter grant. Commissioner Wilt said it was talked about at the Solid Waste Planning Committee meeting. She explained Styrofoam contaminates the recycling. This is an extrusion machine. It spits out a pool noodle that can be used for all kinds of things.

Commissioner McGlothin said Resolution 2019-0048 was a good thing.

Commissioner Lohnes asked about the following resolutions:

Resolution 2019-0053 authorized then and nows. Ms. Hutchinson replied they were to be expected with end of the year clean up.

Commissioner Wilt noted the public hearing will be held at 10:00 a.m.

County Administrator Updates:

Ms. Hutchinson said the security camera project was close to presenting a contract. They were working on final quantities. It has been a long year of going through each building.

She has a meeting with the second architect for the 911 center to discuss the proposal further. At some point it may be cheaper to hire a project manager.

The architect with AB Graham is meeting with the elected officials to get layout design and get feedback. She is working on the lease for temporary space.

Commissioner Wilt was ok with a project manager to help with the moves.

The Board reviewed the calendar and gave event updates.

Commissioner Lohnes said the ribbon cutting at Cliff Park was very nice. Discussion ensued.

Commissioner McGlothin said the Martin Luther King Jr. luncheon was very nice.

Commissioner Wilt asked Mr. Federer how the year end items were for the budget. She hoped to approve it this week. Mr. Federer responded he thought it would be done today but if not the end of this week.

The Board recessed until 10:00.

Call to Order, Commission President Wilt

Resolution 2019-0043

Commissioner McGlothin moved to approve the minutes of the last meeting and dispense with reading of same. Commissioner Lohnes seconded the motion. The roll being called for passage resulted as follows:

Commissioner McGlothin, Yes; Commissioner Lohnes, Yes; Commissioner Wilt, Yes

The motion carried.

Commissioner Lohnes moved to approve the agenda in its entirety, with the exception of the public hearing Resolution 2019-0056. Commissioner McGlothin seconded the motion. The roll being called for passage resulted as follows:

Commissioner Lohnes, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

The motion carried.

The Board held the public hearing.

**Resolution 2019-0044
SHRC file**

**Authorize Dispatching Contract(s) with
Harmony Township**

Commissioner Lohnes moved, per the request of the County Sheriff, to authorize contract(s) for dispatching services with:

Township: Harmony
In the amount of: \$12,595.40
Effective Dates: January 1, 2019 through December 31, 2019

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

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2019-0045
ENGC file**

**Authorize Change Order #1 for
CLA CR 314-0.15 New Carlisle Pike (PID 104810)**

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

Organization Name: Barrett Paving Materials, Inc.
Original Contract: \$1,108,699.85
Previous Changes: \$0.00
This Change: \$29,732.90
New Contract Total: \$1,138,432.75
Funding Source(s): Federal and OPWC Grant
Reason for Change: Final cost adjustments.

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

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2019-0046
BOEC file**

**AUTHORIZING PARTICIPATION IN A SUBLEASE-PURCHASE
ARRANGEMENT WITH THE OHIO SECRETARY OF STATE FOR
THE PURPOSE OF ACQUIRING AND IMPLEMENTING VOTING
MACHINES AND EQUIPMENT AND FINANCING CERTAIN COSTS
THEREOF, A SUBLEASE-PURCHASE AGREEMENT EVIDENCING
SUCH ARRANGEMENT, AND MATTERS RELATED THERETO.**

Commissioner Lohnes moved to adopt the following:

WHEREAS, pursuant to Amended Substitute Senate Bill 135 of the 132nd Ohio General Assembly (as the same may be amended, modified, revised, supplemented or superseded from time to time, the “Act”) and the financing program authorized thereunder (the “SoS Financing Program”), the Secretary of State of the State of the Ohio (the “Sublessor”) is providing financing to Ohio counties for the acquisition of voting systems, including, but not limited to, voting machines, marking devices, automatic tabulating equipment, and direct record electronic voting machines, as defined in Ohio Revised Code (“ORC”) Section 3506.01, together with associated allowable expenditures, as defined in the Act; and,

WHEREAS, in accordance with ORC Section 3506.02, it has been determined that the equipment used by the citizens of the County of Clark, Ohio (the “Sublessee”) to vote in federal, state and local elections shall be changed to that equipment described in the Proposal of Clear Ballot Group (the “Vendor”) dated January 2, 2019 (the “Proposal”); and,

WHEREAS, the Vendor has submitted a draft contract for the implementation of the Proposal to the Sublessee (the “Project Contract”), and the Sublessor has reviewed and approved the Project Contract (as it relates to the SoS Financing Program) and the Project Equipment (as hereinafter defined); and,

WHEREAS, the Proposal requires the Sublessee to acquire certain voting machines and equipment (the “Project Equipment”) and pay certain costs related to implementing the Proposal (along with the acquisition of the Project Equipment, the “Project”) and this Board of County Commissioners of the Sublessee (the “Legislative Authority”) desires to accept the Proposal, enter into the Project Contract, undertake the Project, and finance a portion of the cost of the Project by utilizing the provisions of the SoS Financing Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Clark, State of Ohio, that:

SECTION 1. It is hereby determined to be necessary, desirable and expedient, and in the best interests of the Sublessee and its citizens, for the Sublessee (i) to accept the Proposal, (ii) enter into the Project Contract, (iii) acquire the Project Equipment, and (iv) finance a portion of the costs of the Project Equipment (the “State-Financed Equipment”) and other costs of the Project by participating in the SoS Financing Program.

SECTION 2. The Sublessee’s participation in the SoS Financing Program shall be evidenced by a Sublease-Purchase Agreement between the Sublessor and the Sublessee (together with all exhibits and appendices thereto, the “Sublease”). At least two members of the Legislative Authority and the Sublessee’s County Auditor (collectively, the “County Signers”) are hereby separately and individually authorized, alone or with others, to execute and deliver the Sublease on behalf of the Sublessee in substantially the form presently on file with the Legislative Authority, which is hereby approved, with such changes not substantially adverse to the Sublessee as the County Signers may approve; the approval of such changes and that the same are not substantially adverse to the Sublessee shall be conclusively evidenced by the execution of the Sublease by the County Signers.

SECTION 3. All of the obligations of the Sublessee set forth and covenants made by the Sublessee under the Sublease are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Sublessee within the meaning of ORC Section 2731.01 et seq.

SECTION 4. Pursuant to the SoS Financing Program, the Sublessee shall not be required to make any scheduled payments towards the purchase of the State-Financed Equipment to the Sublessor or any other entity. To pay that portion of the cost of the Project not financed through the SoS Financing Program, there is hereby appropriated from the Sublessee’s General Fund (i) the amount of \$0.00, and (ii) to pay the Sublessee’s other obligations under the Sublease during this 2019, the amount of \$0.00.

SECTION 5. The County Signers and other appropriate officers of the Sublessee, or any of them, are hereby separately and individually authorized and directed to (i) make the necessary arrangements with the Sublessor to establish the date, location, procedure and conditions for executing and delivering the Sublease, and delivering the Sublease to, the Sublessor, and (ii) give all appropriate notices and execute and deliver, on behalf of the Sublessee, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out, give effect to and consummate the transaction contemplated thereby in such forms as the official executing the same may approve, and to take all other steps necessary or appropriate to effect the due execution, delivery and performance of the Sublease pursuant to the provisions of this resolution. The Clerk of the Board of County Commissioners shall furnish to the Sublessor a true transcript of proceedings pertaining to the Sublease containing such information from the records of the Sublessee as is necessary to evidence or determine the regularity and validity of the authorization, execution and delivery of the Sublease. Each of the County Signers is hereby separately and individually designated to act as the authorized representative of the Sublessee for purposes of the Sublease until such time as the Legislative Authority shall designate any other or different authorized representatives for such purpose.

SECTION 6. The Sublease shall constitute a special obligation of the Sublessee. Nothing in the Sublease or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt, bonded indebtedness or a general obligation of the Sublessee. Neither the taxing power nor the full faith and credit of the Sublessee are pledged or shall be pledged for the payment or security of the Sublease, or any other related agreement or document.

SECTION 7. The Legislative Authority acknowledges that the Sublessor has obtained funds for the SoS Financing Program by utilizing a sublease-purchase / certificates of participation arrangement, and that the interest component of the Sublessor's lease payments thereunder is intended to be exempt from federal income taxation under the Internal Revenue Code of 1986, as amended and the regulations prescribed thereunder (the "Code"). The Legislative Authority hereby covenants that it will restrict the use of the State-Financed Equipment in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the Sublease is entered into, so that the interest portion of such lease payments by the Sublessor will not be subject to federal income taxation under the Code. Any County Signer or any other officer having responsibility with respect to the execution and delivery of the Sublease is authorized and directed to give an appropriate certificate on behalf of the Sublessee on the date of delivery of the Sublease, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the State-Financed Equipment and other matters under the Code.

SECTION 8. It is hereby determined that the terms of the Sublease and this resolution are in compliance with all legal requirements. If any section, paragraph, clause or provision of this resolution or the Sublease shall for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any remaining provisions of this resolution or the Sublease, respectively. Any provisions of any ordinance or resolution inconsistent with this resolution are hereby repealed, but only to the extent of such inconsistency; this provision shall not be construed as reviving any ordinance or resolution or any part thereof.

SECTION 9. It is found and determined that all formal actions of the Legislative Authority concerning and relating to the adoption of this resolution were adopted in an open meeting of the Legislative Authority, and that all deliberations of the Legislative Authority and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including ORC Section 121.22.

SECTION 10. This resolution shall take effect and be in force upon its adoption.

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2019-0047
SWDG file

Authorize Grant Submission
Recycle Ohio, Ohio EPA

Commissioner Lohnes moved, per the request of the Solid Waste Director, to authorize grant submission of the following:

Grant: 2019 Community and Litter Grant
Grantor: Recycle Ohio, Ohio EPA
Funding Amount: \$43,400.00
Purpose: To purchase an EPS/PS densifier (Styrofoam) recycling unit. The Solid Waste District would be able to offer recycling of EPS/PS to residents and businesses in the county as part of our drop-off recycling program. Our match would be 25%.
Effective Date: July 1, 2019

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

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2019-0048
SWDG file

Authorize Grant Submission
Recycle Ohio, Ohio EPA

Commissioner Lohnes moved, per the request of the Solid Waste Director, to authorize grant submission of the following:

Grant: 2019 Community and Litter Grant
Grantor: Recycle Ohio, Ohio EPA
Funding Amount: \$12,381.99
Purpose: To purchase surveillance cameras. There are sites throughout the city of Springfield and the county that get targeted regularly by individuals who are illegally dumping items such as mattresses and furniture. These cameras will offer a better chance for our Environmental Officers to catch and prosecute those individuals. Our match would be 25%.
Effective Date: July 1, 2019

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

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2019-0049

ENGO file**Mileage Certification
Ohio Department of Transportation**

Commissioner Lohnes moved, per the request of the Deputy Engineer, to acknowledge and certify the County's total road mileage of 308.159 miles for the year 2018.

Agreement with: Ohio Department of Transportation
Purpose: **Annual County Highway System Mileage Certification**

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2019-0050
SHRR file****Acknowledge Sheriff's Jail Expenditure Report**

Commissioner Lohnes moved to acknowledge the receipt of the Sheriff's Jail Expenditure Report for December 2018.

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2019-0051
INVS file****Authorize Disposal of Unneeded, Obsolete or Unfit Property**

Commissioner Lohnes moved, per request of the Sheriff's Office, to dispose of equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired. Further, in the opinion of the Board, the fair market value of the property is less than \$2,500 in accordance with Ohio Revised Code Section 307.12 (B).

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2019-0052
EMAP file****Approve Payment to
Clark County Sheriff's Office and City of Springfield**

Commissioner Lohnes 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. (December 2018 payment received 1/10/19)

Funding Source(s): State Treasurer's 9-1-1 Government Assistance Fund

Amount: \$6,962.74

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. (December 2018 payment received 1/10/19)

Funding Source(s): State Treasurer's 9-1-1 Government Assistance Fund

Amount: **\$10,444.11**

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2019-0053
FINT file

Approve Issuance of Warrants for Then and Now(s)

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

P.O. Number	Fund	Vendor	Date Purchase	Amount
180013811	General (Dom Rel)	Aqua Falls	12/14/2018	\$13.90
Reason: Invoice received prior to purchase order approved.				
180013865	General (Dom Rel)	Thomas J. Capper	11/19/2018	\$50.00
Reason: Money was reserved after invoice date.				
180013803	General (Dom Rel)	Thomson-Reuters	12/4/2018	\$1,400.00
Reason: Invoice received prior to purchase order approved.				
180013866	General (Dom Rel)	Modern Office Methods	12/19/2018	\$38.60
Reason: Invoice received prior to purchase order approved.				
180013807	General (Dom Rel)	CDW Government Inc	12/7/2018	\$189.00
Reason: Invoice received prior to purchase order approved.				
190014413	General (Sheriff)	The UPS Store	1/4/2019	\$10.94
Reason: Received invoice after cut off for payments from blankets. Then & Now is required because invoice date is before PO approval.				
190014413	General (Sheriff)	The UPS Store	12/26/2018	\$16.03
Reason: Received invoice after cut off for payments from blankets. Then & Now is required because invoice date is before PO approval.				

190014413 General (Sheriff) The UPS Store 12/27/2018 \$9.72
Reason: Received invoice after cut off for payments from blankets. Then & Now is required because invoice date is before PO approval.

190014413 General (Sheriff) The UPS Store 12/27/2018 \$10.94
Reason: Received invoice after cut off for payments from blankets. Then & Now is required because invoice date is before PO approval.

190014413 General (Sheriff) Dickman Directories 12/20/2018 \$313.00
Reason: Received invoice after cut off for payments from blankets. Then & Now is required because invoice date is before PO approval.

190014146 Dog & Kennel Mercy Health Spfld Occ 12/31/2018 \$108.50
Reason: Super blanket PO# 180012812 was in place to pay this expense in 2018. This PO was liquidated for year end before invoice was received.

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2019-0054
TRAV file

Approve Travel/Expense Allowance

Commissioner Lohnes 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 Dev	5 Staff Members	OSHA Compliant	Cincinnati, OH	1/24/19	\$ 600.00
Clerk of Cts.	M. Tuttle	SPBR Conference	Columbus, OH	3/22/19	\$ 185.00
Clerk of Cts.	M. Tuttle	Various Mtgs/Trng.	Ohio	2019	\$1,000.00
DJFS	C. Guittar	Supervisor Cert.	Springfield, OH	2/7-4/18/19	\$ 413.50

Further move reimbursements shall comply with all requirements of the Travel Policy as adopted in the Personnel Manual.

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2019-0055
ENGX file

Decision on Proposed Increase in Permissive Tax

Commissioner Lohnes moved to approve the proposed \$5.00 increase in permissive tax effective January 1, 2020.

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2019-0056
ZGRN file**

**10:00 a.m. Public Hearing for Rezoning Case Z-2018-04
Filed by Evan Jr. & Charlotte Richards in Green 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-2018-04 being 1.16 acres located at 5811 Springfield-Xenia Road, Springfield, Ohio to rezone from current B-3 (General Business District) to R-1 (Rural Residence District for an existing single-family dwelling.

Public Hearing opened by the Commission President at 10:02 a.m.

Staff Report: Allan Neimayer, Community & Economic Development Department, noted the Board had the certification packets. There was no change since the Planning Commission met. Commissioner Wilt felt good at Planning Commission. Commissioner Lohnes had no questions.

Audience Comments: None.

The Public Hearing was closed by the Commission President at 10:03 a.m.

Commissioner Lohnes moved to approve rezoning case Z-2018-04 as presented.

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

Commissioner McGlothlin, Yes; Commissioner Lohnes, Yes Commissioner Wilt, Yes

Resolution 2019-0057

Commissioner Wilt adjourned the meeting.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Melanie F. Wilt, President

By: _____
Richard L. Lohnes

I certify that the record is true and accurate:

Commission Clerk

By: _____
Lowell R. McGlothlin