

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; Allan Neimayer and Jennifer Tuttle, Community & Economic Development Department; Neil Stemen; Steven Schulze; Sheriff Deborah Burchett; Patrick Williams, Myers Market; Parker Perry, Springfield News Sun; Fred Vogel, Ohio Department of Transportation (ODOT).

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

Patrick Williams spoke about the Myers Market project downtown. He is working on developing the building. Mr. Williams was born and raised in the area. COhatch partnered with SpringFoward to collaborate on the building. COhatch takes old buildings and makes them cool and usable. The space is 25,000 square feet. The space used to be Elderly United. It will be a multipurpose space. They will offer a variety of levels for memberships to use the space. The space has five conference areas. There will be couches and chairs, high and low tables. It isn't ordinary business spaces. They have 17 fixed offices with hard walls on the sides and glass walls on the front. COhatch just opened in Delaware, Ohio. R6Interactive, Mr. Williams' company, will have office space. They will have food vendors who will build out spaces in there, which will all be local Clark County based operators. No franchises will be involved. TAC Industries will have space.

Commissioner Wilt liked the opportunity if someone wants to recruit from economic development they could work in the community and see what opportunities there are.

Commissioner McGlothin asked if events, such a weddings and birthdays could be held at this location. Mr. Williams replied yes. They are building a 40'x 24' mezzanine for private parties. Members can book it anytime. Part of his vision was non-members will want to use the space. They plan to be open July 1. He noted they were about 10 weeks behind. He thanked the Auditor for his help.

Jail Report:

Sheriff Burchett presented her report. See attached. Most of the costs in the jail were medical bills for the inmates. The hospital doesn't send the bills on time. As of today there were 164 people in the jail-34 females. Some of the kitchen equipment was being replaced. She noted the inmates were pleased with the food. Soon inmates will be able to purchase sandwiches and pizzas. She spoke of equipment that has been obtained through the government program. SMHA (Springfield Metropolitan Housing Authority) will contract to employ a deputy in the city and county. She spoke about staffing levels.

Agenda Review:

Commissioner Lohnes asked about the following resolutions:

Resolution 2019-0098: He asked about the funding and project description. Mrs. Burr stated the Engineer's Office received federal funds to construct the roundabout at the intersection of Selma Pike and East Possum road. This was in conjunction with Clark Shawnee building a new school. The intersection did not qualify for a four way stop or a traffic signal. Discussion ensued about roundabouts.

Resolution 2019-0102 authorized the contract for the mobility management program. This came out of TCC (Transportation Coordinating Committee). Commissioner Wilt said it was to help transport people and coordinate services.

Commissioner McGlothin hoped the roundabout would be made wide enough. He spoke about the narrowness in the roundabout at St. Rt. 235 and St. Rt. 41. Trucks have a difficult time getting through. Mr. Vogel noted ODOT has struggled and tried to correct it. Discussion ensued.

Resolution 2019-0105: Mrs. Burr explained the state requested some changes to the resolution. The major change was making this resolution effective 30 days after its adoption. This resolution replaces the previous resolution.

Resolution 2019-0110: Commissioner McGlothin was glad to see the \$600,000 transfer from the Clerk of Courts.

Commissioner Wilt asked about 2019-0113, the conference in Las Vegas. Ms. Hutchinson explained they have looked for training in this area. He could take a college course but it would cost more. Ms. Noble added this training will allow the drone to be insured.

The hearing for the rezoning case will be held at 10:00.

Audience Comments:

Fred Vogel, ODOT, explained they were involved with the Urbana Road project. They were able to bring 629 funds into the project. He spoke highly of the County Engineer and his staff. They did a fantastic job putting the grant together.

Commissioner Wilt noted the Governor's focus on infrastructure. Mr. Vogel spoke about ODOT's financial issues and that it will affect the county level. The state legislatures are responsible for any increases to the funding. ODOT has not taken on any new projects.

County Administrator Updates:

Ms. Hutchinson reminded the Commissioners they should have their budget binders. The retail position has been posted for Community & Economic Development. She scheduled monthly meetings with the City to facilitate the 911 discussions. February 27th there will be a Strategic Plan review. Commissioner Wilt noted this was the highest number of active projects in at least 15 years.

Commissioner Updates:

Ms. Hutchinson, Commissioners McGlothin and Wilt attended the CIC meeting. They talked about a visit to Chicago. Discussion ensued.

Discussion ensued about activity downtown.

Commissioner McGlothin attended the Housing Coalition meeting which was very successful. Commissioner Wilt thanked him for attending.

The Board reviewed the calendar and gave event updates.

Commissioner Lohnes reviewed Quint Studor's report. He was very interested in programming for downtown.

Commissioner Wilt and Ms. Hutchinson will meet with the DDC (Dayton Development Coalition) Friday.

Discussion ensued about PDAC.

The Board recessed until 10:00.

Call to Order, Commission President Wilt

Resolution 2019-0058

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 Lohnes, Yes; Commissioner McGlothin, 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 2019-0114. Commissioner McGlothin seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

Resolution 2019-0097
ENG file

**Authorize Agreement with Ohio Department of Transportation for
LPA Agreement No. 33097 ~ CLA CR 315-1.28 Enon-Xenia Road Improvements PID 109441**

Commissioner Lohnes moved, per the request of the Deputy Engineer, to authorize the following agreement:

Agreement With:	Ohio Department of Transportation
Total Project:	80% Federal Funding up to \$1,984,000 and 100% Federal Funding up to \$220,000
Description:	Install left turn lanes, replace deteriorating storm sewer system from Mud Run to Vista Drive, rehabilitate the bridge over Mud Run, construct a shared use path from Hunter Drive to Green Vista Drive and resurfacing the roadway from the bridge to Dayton-Springfield Road.
Identification:	CLA CR 315-1.28 Enon-Xenia Road Improvements LPA Agreement No. 33097 PID 109441

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

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

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

Resolution 2019-0098
ENG file

Authorize Agreement with Ohio Department of Transportation for LPA Agreement No. 33106 ~ CLA CR 351-7.92 Selma Pike Improvements PID 109451

Commissioner Lohnes moved, per the request of the Deputy Engineer, to authorize the following agreement:

- Agreement With:** Ohio Department of Transportation
- Total Project:** 100% of funding up to \$1,200,000
- Description:** Construct a roundabout at the intersection of Selma Pike and E. Possum Road.
- Identification:** CLA CR 351-7.92 Selma Pike Improvements
LPA Agreement No. 33106
PID 109451

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

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 2019-0099
ENG/UTLC file**

Authorize Contract with Sunbelt Rentals, Inc

Commissioner Lohnes moved, per the request of the Deputy Engineer and the Utilities Director, to authorize a contract with:

- Organization Name:** Sunbelt Rentals, Inc
- In the amount of:** \$45,000.00 (not to exceed)
- Funding Source(s):** MV>
- Purpose:** Equipment Rental
- Effective Dates:** February 13, 2019 through February 12, 2020

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

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 2019-0100
ENGB/C file**

Award Bid to PDK Construction, Inc. for CLA CR VAR Guardrail FY2019 Project PID 106839

Commissioner Lohnes moved, per the request of the Deputy Engineer, to award the bid to PDK Construction, Inc. for their low bid of \$302,416.70 for the CLA CR VAR Guardrail FY2019 Project PID 106839.

Engineer's Estimate \$305,000.00

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

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

Resolution 2019-0101
ENGB/C file

Acknowledge Unit Price Bid Opening and Award Unit Price Contracts for Asphalt Concrete, Ready Mix Concrete, Bituminous Cold Mix, and Aggregate

Commissioner Lohnes moved, per the request of the Deputy Engineer, to acknowledge Unit Price Bids received on Thursday, February 7, 2019, to award Unit Price Contracts for Asphalt Concrete, Ready Mix Concrete, Bituminous Cold Mix, and Aggregate, and to authorize the County Administrator to enter into Unit Price Contracts as follows:

Asphalt Concrete – award to:
Shelly Materials, Inc.
Barrett Paving Materials, Inc.
A&B Asphalt Corporation
Valley Asphalt Corporation

Ready Mix Concrete – award to:
Bryce Hill, Inc.
Ernst Concrete

Bituminous Cold Mix – award to:
Barrett Paving Materials, Inc.
Valley Asphalt Corporation
Hei-Way LLC

Aggregate – award to:
Enon Sand & Gravel
Barrett Paving Materials, Inc.
Mechanicsburg Sand and Gravel
Shelly Materials, Inc.

There are multiple Unit Price Contracts for the same item because of individual item price variations and to provide secondary sources because of job location or materials availability.

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

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

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

Resolution 2019-0102
TCCG file

**Accept Grant Agreement with
The Ohio Department of Transportation**

Commissioner Lohnes moved, per the request of the Transportation Director, to accept the following:

Grantor: Ohio Department of Transportation
Amount Funding: \$41,000.00 Federal FTA Section 5310 Funding
Purpose: To Implement a Mobility Management Program for Clark County
Effective Dates: January 1, 2019 through December 31, 2019

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

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

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

**Resolution 2019-0103
B&GB file**

**Instruct Clerk to Advertise for Bids for
Elevator Repair and Maintenance Services**

Commissioner Lohnes moved, per the request of the Buildings & Grounds Director, to instruct the Commission Clerk to advertise for bids for elevator repair and maintenance services. Said bids will be opened in public session on March 14, 2019 at approximately 10:00 a.m., 5th Floor, County Offices/Municipal Courts Building, 50 East Columbia Street, Springfield, Ohio 45502. It is noted that bids are due in the County Commission office at the above address no later than 10:00 a.m. on March 14, 2019.

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

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

**Resolution 2019-0104
UTLB file**

**Instruct Clerk to Advertise for Bids for
Dayton Springfield Road Waterline Extension**

Commissioner Lohnes moved, per the request of the Utilities Director, to instruct the Commission Clerk to advertise for bids for the Dayton Springfield Road Waterline Extension project. Said bids will be opened in public session on March 14, 2019 at approximately 10:30 a.m., 5th Floor, County Offices/Municipal Courts Building, 50 East Columbia Street, Springfield, Ohio 45502. It is noted that bids are due in the County Commission office at the above address no later than 10:30 a.m. on March 14, 2019.

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

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

**Resolution 2019-0105
Replaces Resolution 2019-0055**

ENGX file

Authorize Additional Amount for Motor Vehicle License Fee (Permissive Tax)

Commissioner Lohnes moved, pursuant to Ohio Revised Code Section 4504.24, to levy an additional County motor vehicle license fee in the amount of five dollars (\$5.00). This fee is in addition to any fee levied under Section 4503.02, 4503.07 and 4503.18 of the Ohio Revised Code (ORC) and any other relevant fee levied under this title of the ORC. The fee shall be set at the rate of five dollars (\$5.00) per motor vehicle on all motor vehicles in the district of registration of Clark County, Ohio. The Board finds additional funds are necessary to adequately finance the planning, constructing, improving, maintaining and repairing of public roads, highways and streets, and the maintaining and repairing of bridges and culverts. In accordance with ORC Section 4504.24, the Board held two public hearings, the first was held January 16, 2019 and the second was held January 22, 2019. This resolution shall become effective 30 days following adoption.

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

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

**Resolution 2019-0106
SHRR file**

Acknowledge Sheriff’s Jail Expenditure Report

Commissioner Lohnes moved to acknowledge the receipt of the Sheriff’s Jail Expenditure Report for January 2019.

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

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

**Resolution 2019-0107
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. (January 2019 payment received 1/31/19)
Funding Source(s):	State Treasurer’s 9-1-1 Government Assistance Fund
Amount:	\$3,439.52

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.
(January 2019 payment received 1/31/19)

Funding Source(s): State Treasurer’s 9-1-1 Government Assistance Fund
Amount: \$5,159.28

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 2019-0108
FINF file

Authorize Intra-Fund Transfer(s)

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

From			To		
Department	Expense Acct.	Amount	Department	Expense Acct.	Amount
Fund: DJFS & CSEA Funds					
CSEA	Personnel & Fringes	\$6.00	CSEA	Operating Expenses	\$6.00
Reason: Transfer needed to cover move of monies from incorrect GL lines.					

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 2019-0109
FINI file

Authorize Inter-fund Advance(s)

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

Advance From	Amount	Advance To	Amount
Project Advances		CDBG FY18	
1253-020-831203	\$20,000.00	1203-020-521253	\$20,000.00
Reason: To be advanced for grant working funds.			

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 2019-0110
FINI file

Authorize Inter-fund Transfer(s)

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

Transfer From	Amount	Transfer To	Amount
Project Advances 1253-020-831203 Reason: Working Funds.	\$10,000.00	CDBG 001203-020-521253	\$10,000.00
Certificate of Title Admin 0200-180-850000 Reason: Budget Transfer.	\$600,000.00	General Fund 000001-010-540000	\$600,000.00

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 2019-0111
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
180013887	DJFS	United Way	8/8/2018	\$1,666.52
Reason: Bill received after original PO was closed for the year.				
190014409	Indigent Guardian	Huntington Nat'l Bank	12/31/2018	\$296.02
Reason: Bill was received before a PO was made				
190014505	General (Comm Pleas)	Vocalink	1/21/2019	\$75.39
Reason: Invoice received prior to purchase order.				
190014505	General (Comm Pleas)	Vocalink	1/21/2019	\$112.89
Reason: Invoice received prior to purchase order.				
190014524	General (Prosecutor)	Clerk of Courts	1/28/2019	\$420.00
Reason: Purchase order had been requested but not yet issued at the time of this invoice.				
190014509	General (Coroner)	OH Coroner Assoc.	1/18/2019	\$3,290.00
Reason: Received bill on January 28 th and did not have a purchase order in place.				
190014623	MV>	J&J Schlaegel, Inc	2/1/2019	\$8,663.79
Reason: Local funds were not encumbered. Originally, this was reserved as grant funds.				

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 2019-0112
UTLO file

**Authorize Placement on Tax Duplicate for
Uncollected Water and Sewer Use Charges**

Commissioner Lohnes moved, per the request of the Director of Utilities, to certify to the Auditor, as required by Sections 6117.02 and 6103.02 O.R.C. for placement on the 2019 real property tax list and duplicate against the following property:

Property Owner: Howard & Sheraldean Aldrich
Address: 6880 Chama Trail, Enon, OH 45323
1801000006205011
Mad River Twp
Amount: \$841.22
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Allison K Funderburg
Address: 7061 Chama Trail, Enon, OH 45323
1801000006108006
Mad River Twp
Amount: \$451.73
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Michael J & Carla E Southward
Address: 4057 Sylvan Dr, Enon, OH 45323
1801000006204003
Mad River Twp
Amount: \$527.36
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Andrea Robinson
Address: 137 Beach Dr, Medway, OH 45341
0100500025312021
Bethel Twp
Amount: \$389.85
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Sandra Manasco
Address: 203 Beach Dr, Medway, OH 45341
0100500025311008
Bethel Twp
Amount: \$389.85
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Mark A & Monika Neville
Address: 47 W Birch Rd, Medway, OH 45341
0100500025319005
Bethel Twp
Amount: \$464.52
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Christopher M Ludwick
Address: 10 Fair Ave, Medway, OH 45341

0100500019103007
Bethel Twp
Amount: \$360.54
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Marjory Nesko
Address: 245 Grove Rd, Medway, OH 45341
0100500025304004
Bethel Twp
Amount: \$352.58
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Michelle Ratliff
Address: 106 Hawthorn Ave, Medway, OH 45341
0100500025311007
Bethel Twp
Amount: \$464.52
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Calvin L & Shanielle J Decker
Address: 2560 Lake Rd, Medway, OH 45341
0100500025201014
Bethel Twp
Amount: \$360.54
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Michael K Randolph
Address: 122 Lake Shore Dr, Medway, OH 45341
01005000253020003
Bethel Twp
Amount: \$333.85
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Zachary T Rhodus
Address: 1405 Lake Shore Dr, Medway, OH 45341
0100500025106026
Bethel Twp
Amount: \$424.02
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Sharon A Childers
Address: 17 Laurel Rd, Medway, OH 45341
0100500025115004
Bethel Twp
Amount: \$333.85
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: John George, Trustee
Address: 45 Oaklawn Ave, Medway, OH 45341
0100500019309003
Bethel Twp

Amount: \$411.26
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Georgie A McCoy
Address: 300 Orchid Dr, Medway, OH 45341
0100500025405016
Bethel Twp

Amount: \$360.54
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Joseph A Moyer
Address: 409 S Park Dr, Medway, OH 45341
0100500025319001
Bethel Twp

Amount: \$361.07
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Brian Henry Jones
Address: 313 Pine Rd, Medway, OH 45341
0100500025111026
Bethel Twp

Amount: \$459.20
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Beverly Jean McNier
Address: 331 Queen Rd, Medway, OH 45341
0100500025110007
Bethel Twp

Amount: \$333.85
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Kevin S & Kristin L Frank
Address: 336 Rosewood Rd, Medway, OH 45341
0100500025107012
Bethel Twp

Amount: \$483.90
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Patricia A Smith
Address: 14 Vine Rd, Medway, OH 45341
0100500026305029
Bethel Twp

Amount: \$411.26
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Harvey N Jr & Kath M Ralston
Address: 33 Walnut Rd, Medway, OH 45341
0100500026305012
Bethel Twp

Amount: \$411.26
Comments: Sewer only, Uncollected charges, Place on tax duplicate

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

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

Resolution 2019-0113
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	E. Harris	Drone Conference	Las Vegas, NV	9/2-6/19	\$2,245.88
Comm Pleas	J. Pierce	Court Reporter Conf.	Independ, OH	3/22-24/14	\$ 975.00
Comm Pleas	T. Howdyshell	Medication Symposium	London, OH	2/15/19	\$ 45.00
DJFS	C. Parker, A. Bleedy A. Mann	Crimes Against Children	Dallas, TX	8/12-15/19	\$7,050.00
Veterans	Various Staff	CVSO Meeting	Dayton, OH	2019	\$ 240.00
Veterans	5 Commission	Spring Conference	Columbus, OH	3/3/19	\$ 170.00

*Requests authorization to use county credit card.

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

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

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

Resolution 2019-0114
ZBTH file

10:00 a.m. Public Hearing for Rezoning Case Z-2018-03
Filed by Robert Neil Stemen Trustee 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-2018-03 being 0.37 acres located at 205 Sycamore Street, Medway, Ohio to rezone from current R-2A (Medium-Density Single-Family Residence District) to B-3'S' (General Business District, Specific Use) to allow for an office, residence and auto repair facility for an offsite business.

Public Hearing opened by the Commission President at 10:03 a.m.

Staff Report: Mr. Neimayer, Community & Economic Development, gave the staff report. See attached presentation. The property is located at the corner of Sycamore and Third Street in Medway. This case originated from a code complaint. The vehicles on the south part of the house have been taken care of through code enforcement. The zoning in the area is R2A and B3S. Across the street was rezoned due to a code complaint. The use was an auto collision repair type business. Part of that process was to recognize the use of the property. Following that rezoning the owner acquired the property to the north and it was also rezoned to

B3S. There have been different uses of property. Staff looked for similar use but on a much smaller scale at this property. Staff recommended the B2S or B3S. He leaned towards the B3S to limit other business uses on the property. This zoning code matches what the applicant is looking for. He noted Planning Commissioner added the requirement of no more than six vehicles at one time.

Rural Zoning met on December 13 and testimony was presented. Prior to the meeting, Mr. Neimayer spoke with Nancy Brown, Bethel Township Trustee. The trustees opposed the rezoning. The motion to approve the rezoning failed. There is a recommendation to deny the rezoning request from the Rural Zoning Commission.

Commissioner McGlothlin understood the trustees did not want the rezoning. They felt it should be zoned as residential. The applicant does not want to rezone. He just wants to use his garage. He understood the applicant has a business in Fairborn. Commissioner McGlothlin asked why the vehicles weren't repaired in Fairborn. Mr. Stemen replied he did not have a garage like the one on this property. Commissioner McGlothlin asked if he could limit the number of vehicles at the residence. He felt that would help eliminate the problem. Mr. Stemen said his grandson lives with him. He has a property in Fairborn that will accommodate 12 vehicles. He usually has 5-6 vehicles at this property. He has three personal vehicles and his grandson drives a personal and work vehicle.

Commissioner Wilt clarified this was brought to the county's attention. The rezoning was due to the number of vehicles and the general use of the property. It is not just residential use. Within the current zoning the activity taking place is not allowed. The reason the township was opposed was so that he can't do that activity which is why they want to keep the same zoning. Mr. Neimayer confirmed. Commissioner Wilt said without rezoning he will be limited on what he can do.

Mr. Stemen asked about the vehicles. Mr. Neimayer explained Planning Commission approved it but it was not unanimous.

The Commissioners asked if there was any obvious reason that he was using the property for business. Ms. Tuttle said the complaint came in that commercial vehicles were being worked on at that location.

Mr. Schulze, applicant's son in law, explained he just wanted to use the garage. There would be no shipments, deliveries, signs, invoices, etc. at this location.

Mr. Schulze explained his father in law has been in business for over 50 years. He has never ran into complaints before. He will not conduct business and he will have no signs, sales, deliveries, tools, parts or customers at this location. He simply fixes the company vans for staff. The neighbors have parked vehicles and a dumpster on his property. Third Street is a mess and in need of repairs. There are trucks and junk piled up from the neighbors.

Mr. Neimayer explained the neighbors have parked vehicles in the right of way on Mr. Stemen's property. That would fall back to the township and Sheriff's Office for enforcement.

Mr. Schulze prepared a written statement on behalf of his father in law. He thanked the Commissioners for allowing them to come. Mr. Stemen's has lived at this property for over three years. He understood the purpose of the hearing stemmed from one complaint for him having unlicensed vehicles on his property. All vehicles on his lot are operable. There are no recreational vehicles. He does not maintenance or repair appliances on this property. There is no office on this property. It is his home. This is a residential home where private vehicles are worked on. All vehicles are owned by him. He does not have deliveries, customers, invoices, tools, etc. Please note the neighbor parks his truck and dumpsters on his property. He asked what this zoning change would do to his property taxes. He asked if he would be required to put a fence around his property.

Mr. Neimayer responded the property tax question can be answered by the Auditor’s Office. The fencing referenced is a screening between residential and non-residential properties. Parking was more of a concern than the fencing. They will need to look at site visibility. Depending on how this zoning goes it may impact how many and where the vehicles can be parked. The issue with the neighbor on Third Street needs to be taken up with the township.

Commissioner Lohnes said it appears that the complaints against what was going on are not true. This request asked the Commissioners to look at rezoning for office, business or auto repair. Those things are not going on at this property. Whoever filed the complaint may have assumed the worst. Mr. Neimayer explained he followed what was filed on the application. They are doing minor maintenance work on vehicles at this property which falls under auto repair. That requires it be zoned as a business district. Commissioner Lohnes asked what B3S meant for the property owner.

Mr. Neimayer said the property can continue as a residence and it allows for the minor auto work.

Commissioner Wilt asked if it would be harder to sell later. Mr. Neimayer replied someone may have to rezone if it were to be sold. Otherwise this zoning will limit the use of the property. If someone were to buy it they may have to rezone.

Commissioner McGlothlin asked if they would limit the number of vehicles if it is residential. Mr. Neimayer replied no. Commissioner Lohnes said based on what was really going on, the owner wasn’t violating anything other than those vehicles are commercial not residential.

The Public Hearing was closed by the Commission President at 10:37 a.m.

Commissioner Lohnes moved to approve rezoning case Z-2018-03 to be rezoned to B-3’S’ (General Business District, Specific Use) and limit the number of vehicles on the property to six.

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

Commissioner Lohnes, Yes; Commissioner McGlothlin, No; Commissioner Wilt, Yes

After the hearing, Mr. Stemen asked if the six vehicles was a maximum. The business across the street doesn’t have a limit on the vehicles. Commissioner Lohnes said it was due to the smaller parking area. Mr. Neimayer added that the business was there since the 1960s so it was a different situation. There are no vehicle limits in the code. Commissioner Lohnes said conditional uses have been adopted with other rezoning cases. It was not uncommon.

Resolution 2019-0115

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