

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 Melanie Flax Wilt; Commissioner Lowell R. McGlothlin; Jennifer Hutchinson, County Administrator; Michelle R. Noble, Assistant County Administrator/Human Resources Director; Megan Burr, Commission Clerk; Michael Cooper, Clark County Public Information Officer; Bonnie McHenry, New Carlisle News; Dennis Garrison, Enon Sand & Gravel; Jason Irick, Assistant Prosecuting Attorney; Kathy Estep, Mad River Township Trustee; Chuck Swaney.

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

Ms. Estep asked Commissioner Lohnes if they could see the proposed settlement agreement or sit in executive session.

Mr. Irick explained the Board would go into executive session under Section 121.22 (G)(3) of the Ohio Revised Code . That section authorizes the commissioners to meet with their attorney for pending litigation. The meeting would be considered attorney/client privilege. If the Commissioners invited an outside party it would breach attorney/client privilege. Mr. Swaney said they could waive their attorney/client privilege. Mr. Irick said they could but that would defeat the purpose of executive session. They should stay in open session if they wish to have others present.

Commissioner Lohnes said after the items were discussed in executive session decisions have to be made in open session in order to vote. Ms. Estep requested to be informed when that would occur so the township could be present. Commissioner Lohnes said it would need to be an agenda item but offered to call her when he saw it. Ms. Estep wanted the content of the agreement and asked for the record in advance. She was advised she cannot ask for a record that has not been created yet. She cannot make a "pre-request". Once it goes through the resolution process she can request the record.

Agenda Review:

Commissioner Wilt asked about the following resolutions:

Resolution 2018-0582 was corrected because the acreage was not included the first time.

She was glad to see the Tillie Lane study. Commissioner Lohnes said the kick off meeting is October 15th. Commissioner McGlothlin wanted to attend since he has received so many questions. Mrs. Burr informed them it would be a public meeting and would need to be advertised since a majority of the Commissioners will be attending. Commissioner Wilt was unable to attend.

Commissioner McGlothlin asked about the following resolutions:

He was glad to hear the armory was moving along (Resolution 2018-0582). Ms. Hutchinson said the RFP for the vendor was in the contract phase. Once the contract is signed the building should be down within 30 days.

Commissioner McGlothlin mentioned the New Carlisle Heritage of Flight Festival. Discussion ensued about festivals.

Commissioner Lohnes thanked Mr. Federer for refunding a million dollars to the departments.

Commissioner Lohnes asked for thoughts on Issue 1. He spoke with four judges so far and they were all against Issue 1. Commissioner Wilt noted it will change the Ohio Constitution. Commissioner Lohnes explained Issue 1 will take felony 4 and 5 drug offenses and change them to misdemeanors. Offenders won't go to jail which means the judge cannot order them to rehab. A person will have to have three misdemeanors in a three month period to be incarcerated. Discussion ensued about a public notice. Ms. Hutchinson would check with the Prosecutor's Office.

Commissioner Wilt disagreed with Issue 1 because it circumvented the process.

Commissioner Wilt asked to separate the capital and operating budgets this season. The debt shows up as an annual operating expense. The fairgrounds and other entities are capital requests. Those were different than operating expenses. It will help the Commissioners know what it costs to run a county day to day. It will also aide in determining long term investments. Commissioner McGlothlin thought it was a very good idea.

Commissioner Lohnes said the first Capital Improvement Plan started in 2011 when discussion came up about replacing Sheriff's cruisers. He noted Mr. Kennedy [former County Administrator] broke out a plan for both vehicles and buildings.

Commissioner Wilt planned to look at each of them as an investment cycle to stay on top of things.

Discussion ensued.

The Board recessed until 9:15.

The Board reconvened to go into executive session.

Commissioner McGlothlin moved to go into executive session to discuss pending litigation. Commissioner Lohnes seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

Call to Order, Commission President Lohnes

Resolution 2018-0581

Following the pledge and invocation, Commissioner McGlothlin moved to approve the minutes of the last meeting and dispense with reading of same. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

Commissioner Wilt moved to approve the agenda in its entirety. Commissioner McGlothlin seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

**Corrected
Resolution 2018-0582
COMC file**

**Authorize Purchase Agreement Between the
Board of County Commissioners and the Clark County Land Reutilization Corporation**

Commissioner Wilt moved to authorize the purchase agreement detailing the selling of 4440 Laybourne Road, Springfield, Ohio 45502, consisting of approximately 2.82 acres (parcel number 30507000090001024) and 1.63 acres of land (parcel 3050700009000081) to the Clark County Land Reutilization Corporation (hereinafter "Land Bank") for \$1.00.

It is resolved by the Clark County Board of County Commissioners that the Land Bank has been previously designated as a Community Improvement Corporation pursuant to 1724.10 via resolution dated April 7, 1970.

It is resolved by the Commission that the property currently owned by Clark County to be conveyed to the Land Bank is *not* required for county purposes;

It is further resolved by the Commissioners that the property to be conveyed to the Land Bank will promote the welfare; stabilize the economy, provide employment, promote the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property; and, will provide additional opportunities for gainful employment of county residents;

And last, the Commissioners resolve and indicate that the other terms and considerations of the transfer have been detailed in the purchase agreement and letter of intent;

Further move to authorize the County Administrator to execute the purchase agreement authorized under R.C. 1724.10 (B) (3) and any related documents.

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

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

**Resolution 2018-0583
EMAG file**

**Accept Grant Agreement with
Ohio Emergency management Agency**

Commissioner Wilt moved, per the request of the EMA Director, to accept the following:

Grantor:	Ohio EMA via Federal pass-thru CFDA 97.029 Pre-Disaster Mitigation Grant FY17
Amount Funding:	\$11,244.00
Purpose:	Advance Assistance for Technical Study at Tillie Lane to mitigate repetitive flooding.
Effective Dates:	August 2, 2018 thru August 2, 2020

Further move to authorize the County Administrator to execute the grant 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 Wilt, Yes; Commissioner Lohnes, Yes

**Resolution 2018-0584
DWA0 file**

PULLED

**Resolution 2018-0585
TRSR file**

Acknowledge Treasurer’s Investment Reports

Commissioner Wilt moved to acknowledge the receipt of the Treasurer’s July 31, 2018 and August 31, 2018 Investment Reports.

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

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

**Resolution 2018-0586
TRAV file**

Approve Travel/Expense Allowance

Commissioner Wilt 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
Pub Def	J. Hammond, D. Minton	Pub. Defender Summit	Columbus, OH	10/5/18	\$110.00
Solid Waste WCCCF	C. Bauer, B. Martens D. Ervin, L. Penrod, C. Shumaker, G. Cichy	Clark Co. Twp. Mtg. OJACC Conference	Springfield, OH Columbus, OH	9/27/18 10/11-12/18	\$ 40.00 \$900.00
WCCCF	L. Penrod	CAAO Conference	Columbus, OH	9/27-28/18	\$150.00

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 Wilt, Yes; Commissioner Lohnes, Yes

Resolution 2018-0587

Commissioner Wilt moved to adjourn. Commissioner McGlothin seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Richard L. Lohnes, President

I certify that the record is true and accurate:

By: _____
Melanie F. Wilt

Commission Clerk

By: _____
Lowell R. McGlothin