

The Board of Clark County Commissioners met in regular session pursuant to adjournment in accordance with Section 121.22 O.R.C. (Sunshine Law) in the Commission Chambers, 3130 East Main Street, Springfield, Ohio.

The following members and guests were present: Commissioner Melanie F. Wilt; Commissioner Lowell R. McGlothin; Commissioner Richard L. Lohnes; Michelle R. Noble, Assistant County Administrator/Human Resources Director; Megan Burr, Commission Clerk; Angela Wheeler, Administrative Assistant; Tom O'Neal & Ron Coss, Veterans Services; Dale Henry; Sasha Rittenhouse. Michelle Clements-Pitstick, Emergency Management Director; Ella McMann; Fred Messaros; Sharon Bittner; Dan Driscoll, County Prosecutor.

Call to Order, Commission President Wilt

Resolution 2022-0233

Commissioner Wilt called the meeting to order. Following the pledge, introductions were made.

The public hearing was held.

Commissioner Lohnes moved to close the public hearing at 9:15 a.m., further noting a second public hearing will be held on Wednesday, April 20, 2022 at 10:00 a.m.

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

*Agenda Review:*

Ms. Noble reviewed the agenda.

Resolution 2022-0235 authorized a contract with DLZ for the County Engineer for the Middle Urbana Road Improvements.

Resolution 2022-0236 and 0237 authorized grant submission for hazmat emergency preparedness. Ms. Clements-Pitstick explained the first one was specific for dispatch. The grant is an 80/20 split, with 20% being local match. Resolution 2022-0237 was for radiation training. There will be four additional resolutions next week for hazmat training. She did not expect them all to be funded. She will know on April 15<sup>th</sup> if the applications move to the next level.

Resolution 2022-0238 authorized an intra-fund transfer. It is a housekeeping item.

Resolution 2022-0239 authorized inter-fund transfers for advances. This happens when there is money in house that is used up front and this resolution pays the money back. They are all for Community Development.

Resolution 2022-0240 authorized supplemental appropriations. The first is for ARPA to reimburse for self-funded COVID care funds. The next is a bill from the State of Ohio. It is a once a year appropriation. It's mandated that the Board pays for it on behalf of DJFS (Department of Job and Family Services). It wasn't put on the agenda in the past but will be going forward to make things cleaner.

Resolution 2022-0241 authorized the then and nows. The first was for maintenance for OnBase. The other three are for Juvenile Court.

Resolution 2022-0242 authorized a vehicle purchase for the Engineer's Office.

Resolution 2022-0243 authorized the purchase of a vehicle for the Utilities Department. They are purchasing this from Lucas County. It is a very expensive piece of equipment so this price is a bargain.

Resolution 2022-0244 authorized disposal of obsolete equipment for the Sheriff's Office.

Resolution 2022-0245 authorized the disposal of vehicles for the Sheriff's Office. They will be listed on GovDeals.

Resolution 2022-0246 authorized the weekly travel expense allowance.

Resolution 2022-0247 allocated ARPA funds as legally permitted. The Board already transferred \$1.38 million. This allocation and transfer will get the total to \$10 million. Commissioner Lohnes mentioned the total amount received for the county is \$26 million. There were adjustments to the final rule that allowed the money to be transferred easier to the general fund.

Resolution 2022-0248 acknowledged the annexation petition on Burnett Road. Commissioner Wilt noted this was acknowledging the receipt. There was no formal action beyond that.

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

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

Commissioner Lohnes moved to approve the agenda in its entirety, with the exception of Resolution 2022-0234. Commissioner McGlothlin seconded the motion. The roll being called for its passage resulted as follows:

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

**Resolution 2022-0234**  
**ZMRV file**

**9:00 a.m. Public Hearing for Rezoning Case Z-2022-01  
filed by Fred Messaros in Mad River 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-2022-01 in Mad River Township being 151+ acres located at 1291 Cold Springs Road, to rezone property from A-1 (Agricultural District) to PD-B (Planned Development District – Business), to allow for commercial indoor and outdoor recreational activities

Public Hearing opened by the Commission President at 9:02 a.m.

*Staff Report:* Mr. Neimayer presented his report. See attached. The original request was to rezone to a B-3(S). It was amendment to allow for parking and drive areas as non-paved surfaces. There are two parcels. He presented a map of the activity layout. The northern property was approximately 87 acres and the southern property is approximately 64 acres. Some of the property will be used for tourism and other areas will be for commercial operation. The property is surrounded by agriculture use primarily. There is some business to the south. He presented the latest site plan. See attached. The Comprehensive Plan identifies the area as rural agriculture use. The plan identifies Cold Springs road as a local road. He spoke with the Engineer's Office and there is no record of Cold Springs Road as a public right of way. It is a private drive coming off of Dayton-Springfield Road. In addition, the property owner has shown he has ownership of the road. The road was brought up due to concerns about dust and traffic access.

The Planning Commission met on February 2, 2022 and recommended approval with the following conditions:

- 1) Preliminary Plan approval only.
- 2) Subject to comments from the County Engineer's Office with regards to the right-of-way status of Cold Springs Road.
- 3) Allow all parking and related areas to be non-paved surface.
- 4) Final plan approval shall be with the Zoning Inspector after receiving sign-off from the County Engineer's Office regarding access and storm water management. At the Zoning Inspector's discretion, approval of the Final Plan shall go before the County Planning Commission.

Rural Zoning Commission met on February 10, 2022 and recommended approval with the following conditions:

- 1) Preliminary Plan approval only.
- 2) Subject to comments from the County Engineer's Office with regards to the right-of-way status of Cold Springs Road.
- 3) Allow all parking and related areas to be non-paved surface.
- 4) Findings of the County Engineer's Office regarding the responsibility for the surface of Cold Springs Road and a mutual agreement/solution between the applicant, the county and the township trustees.

Mr. Neimayer learned last week there was an error in the notification process. There were four property owners that did not get notified for the Rural Zoning meeting or the public hearing today.

Discussion ensued with staff on how to proceed. Staff advised holding a second hearing and notifying all property owners.

*Audience Comments:* Sharon Bittner wanted to know what will happen with the road. She was concerned about the dirt and dust.

Commissioner Lohnes asked what was back there right now. Currently, dump trucks, semis and a haunted house.

Ms. Bittner asked if they will be required to fix the road. Commissioner Wilt explained a paved parking area is not a requirement. Mr. Neimayer explained from the last hearing staff assumed the front portion of Cold Springs Road was public right of way, therefore, upgrades could be worked out. Since that meeting, he learned the entire road is a private drive. It would be up to the Commissioners to make a condition to require pavement of the road. There is nothing more they can do.

Commissioner McGlothlin asked if there was anything Mr. Messaros could do. Mr. Messaros replied water or mineral oil can be put on the drive to keep the dust down. He was open to blacktopping a portion of the road to Ms. Bittner's property.

Commissioner Lohnes moved to close the public hearing at 9:15 a.m., further noting a second public hearing will be held on Wednesday, April 20, 2022 at 10:00 a.m.

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 2022-0235**  
**ENG file**

**Authorize Contract with**  
**DLZ Ohio, Inc.**

Commissioner Lohnes moved, per the request of the County Engineer, to authorize a contract with:

**Organization Name:** DLZ Ohio, Inc.  
**Organization Address:** 6121 Huntly Road, Columbus, Ohio 43229  
**In the amount of:** \$49,989.00  
**Funding Source(s):** OPWC and Local Funds (MVGT)  
**Purpose:** Middle Urbana Road Improvements OPWC Project (CK10Y)  
**Effective Dates:** April 5, 2022 through December 31, 2023

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase 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 2022-0236**  
**EMAG file**

**Authorize Grant Submission  
for Hazardous Material Emergency Preparedness (HMEP)**

Commissioner Lohnes moved, per the request of the Emergency Management Agency Director, to authorize grant submission of the following:

**Grant:** Hazardous Material Emergency Preparedness (HMEP)  
**Grantor:** Ohio Emergency Management Agency  
**Funding Amount:** \$3,240.00  
**Purpose:** To develop, improve, and carry out emergency plans within the National Response System and the Emergency Planning and Community Right-To-Know Act of 1986. This grant is being written for Hazmat training specifically for dispatchers.  
**Grant Effective Dates:** October 1, 2022 - September 30, 2023

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 2022-0237**  
**EMAG file**

**Authorize Grant Submission  
for Hazardous Material Emergency Preparedness (HMEP)**

Commissioner Lohnes moved, per the request of the Emergency Management Agency Director, to authorize grant submission of the following:

**Grant:** Hazardous Material Emergency Preparedness (HMEP)  
**Grantor:** Ohio Emergency Management Agency

**Funding Amount:** \$1,940.00

**Purpose:** To develop, improve, and carry out emergency plans within the National Response System and the Emergency Planning and Community Right-To-Know Act of 1986. This grant is being written for radiation training, specifically the meters we carry.

**Grant Effective Dates:** October 1, 2022 - September 30, 2023

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 2022-0238**  
**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):

<b>From</b>			<b>To</b>		
<b>Department</b>	<b>Expense Acct.</b>	<b>Amount</b>	<b>Department</b>	<b>Expense Acct.</b>	<b>Amount</b>
Fund: CDBG Fund					
Comm. Dev.	Pers. & Fringes	\$ 434.12	Comm. Dev.	Operating Exp.	\$ 434.12

Reason: Need to finish using grant funds before end of grant period.

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 2022-0239**  
**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):

<b>Transfer From</b>	<b>Amount</b>	<b>Transfer To</b>	<b>Amount</b>
Comm. Dev. - Advance Out 1203-020-831204	\$10,000.00	Comm. Dev. – Housing Rehab 1204-020-521203	\$10,000.00

Reason: To repay advance that was used for Critical Infrastructure working funds.

Comm. Dev. – Advance Out 1203-020-831253	\$20,000.00	Comm. Dev. – Project Advance 1253-020-521203	\$20,000.00
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Reason To repay advance that was used for working funds.

Comm. Dev. – Project Advance 1253-020-832217	\$ 4,400.00	Comm. Dev. – Comm. Housing CHIP Grant 1253-020-521253	\$ 4,400.00
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Reason: Advance from project advance to CHIP FY21. Advance in for CHIP FY21 working funds.

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 2022-0240**  
**FINS file**

**Approve Supplemental Appropriation(s)**

Commissioner Lohnes moved, upon the recommendation of the County Administrator, to authorize the following supplemental appropriation(s) from unappropriated funds:

<b>Fund:</b>	<b>Department:</b>	<b>Account:</b>	<b>Amount:</b>
ARPA Fund (1210)	Comm. Dev.	Transfers	\$259,322.21
Reason: To reimburse Health Insurance-Self Funded fund for Covid-19-related healthcare costs (Resolution 2022-0190).			

General Fund (0001)	Miscellaneous	Operating Exp.	\$238,000.00
Reason: 2022 Bureau for Children with Medical Handicaps billing from State of Ohio.			

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 2022-0241**  
**FINT file**

**Approve Issuance of Warrants for Then and Now(s)**

Commissioner Lohnes moved, upon the recommendation of the County Administrator, 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</b>	<b>Purchase Amount</b>
220023290	Real Estate Assessment	Clark County IS	2/7/22	\$8,281.64
Reason: No purchase order was prepared before invoice was received. OnBase annual maintenance 2022.				

220023315	Juv. Ct. Spec. Project	American Bar Assoc.	2/28/22	\$ 750.00
Reason: Training registration had to be completed prior to the approval of the purchase order.				

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Reason: Training registration had to be completed prior to the approval of the purchase 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 2022-0242**

INVP file

**Authorize Purchase of Vehicle for the  
Clark County Engineer's Office**

Commissioner Lohnes moved, per the request of the County Engineer, to authorize the purchase of one (1) new 2022 Chevrolet 1500 pickup truck, VIN #3GCUYAED1NG204434, from Jeff Schmitt Auto Group at a cost of \$38,130. The cost to be paid from the MV&GT Fund.

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase 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 2022-0243**  
INVP file

**Authorize Purchase of Vehicle  
for the Utilities Department**

Commissioner Lohnes moved, per the request of the Utilities Director, to authorize the purchase of a 2014 International 7500 (VIN 1HTWNAZT3EH481937 with 23,602 miles) with sewer cleaning equipment Vactor Model # 2115 Plus PD, Vactor Serial # 13-04V- 13800 from the Lucas County Sanitary Engineer, 1111 S. McCord Road, Holland, Ohio 43528 for a cost of \$180,000.00 to be paid for from the Utilities Water and Sewer funds. The vehicle will be used by the Utilities Department to provide maintenance of sanitary sewer and public water infrastructure within the County.

Further move to authorize the County Administrator to execute contract and related documents, including the purchase 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 2022-0244**  
INVS file

**Authorize Disposal of Obsolete Equipment**

Commissioner Lohnes moved, per the request of the Sheriff's Office, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2022-0009 §307.12(E) of the Ohio Revised Code:

Whelen Liberty Light Bar Model SX8BBRR - 7 bars  
Code Red Light Bar - 1 bar  
Federal Signal Legend LPX - 2 bars  
Federal Signal Integrity - 1 bar

Whelen Control Pack 295SLSA6 - 4 total  
Federal Control Pack PA640 - 2 total  
Federal Control Pack SSP2000B - 1 total

Federal Smart Siren Platnum - 1 total

Whelen Siren Speaker SA315P - 4 total

Further the Board finds this property is no longer needed for county use.

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 2022-0245**

**INVS file**

### **Authorize Disposal of Obsolete Equipment**

Commissioner Lohnes moved, per the request of the Sheriff's Office, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2022-0009 §307.12(E) of the Ohio Revised Code:

2014 Ford Explorer  
VIN #1FM5K8AR8EGA14587

2014 Ford Explorer  
VIN #1FM5K8AR1EGA14589

2013 GMC Savana Van  
VIN #1GJW7PFA6D1100059

Further the Board finds this property is no longer needed for county use.

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 2022-0246**

**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:

<b>Dept.</b>	<b>Name</b>	<b>Purpose</b>	<b>Place</b>	<b>Date</b>	<b>Cost</b>
Comm. Dev.	D. Lackovich-VanGorp	OCCD Spring Mtg	Columbus, OH	4/26-27/22	\$ 125.00
Comm. Dev.	M. Foley	OCCD Spring Mtg	Columbus, OH	4/26-27/22	\$ 125.00
Clerk of Cts.	M. Tuttle	OJC Court Technology	Columbus, OH	4/12/22	\$ 25.00
DJFS	N. Dunn	Child Placement	Cleveland, OH	4/8-10/22	\$1,700.00
Sheriff	C. Clark, S. Cultice	Vehicle Inspection	Bunnell, FL	4/3/22	\$2,000.00
Juv. Ct.	Detention Staff	Court Tech Conf.	Columbus, OH	4/12/22	\$ 87.00
Juv. Ct.	Court Staff	Court Tech Conf.	Columbus, OH	4/12/22	\$ 208.80
Recorder	N. Pence	ORA Spring Conf.	Columbus, OH	4/19/22	\$ 150.00



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 2022-0247**  
**ARPA file**

**Authorize use of American Rescue Plan Act (ARPA) Funds toward the Standard Allowance for Revenue Loss**

Commissioner Lohnes moved, per request of the County Administrator, to approve the following reimbursement:

**WHEREAS**, Clark County has received direct payments from the United States (US) Treasury under the Coronavirus State and Local Fiscal Recovery Funds authorized by the American Rescue Plan Act (ARPA); and,

**WHEREAS**, Clark County will use the funding in accordance with ARPA and guidance from the US Treasury; and,

**WHEREAS**, the Department of Treasury issued the Final Rule, effective April 1, 2022, to provide guidance on permissible uses; and,

**WHEREAS**, electing to use the standard allowance amount as an alternative to the revenue loss calculation formula provided for governments is a permissible use of the ARPA funds. The standard allowance amount, specified by the Treasury as not to exceed \$10,000,000.00, may be applied toward government services and revenue loss incurred during the period of performance; and,

**WHEREAS**, \$1,380,077.00 of the ARPA funds allocated in Resolution 2021-0599 were used to reimburse the County's general fund for revenue loss in 2020. Furthermore, the remaining standard allowance amount of \$8,619,923.00 will be transferred to the County's general fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners, that:

The Board of County Commissioners elects to use the standard allowance option for revenue loss and approves the allocation of ARPA funds toward the remaining standard allowance amount to be placed in the County's general fund, which totals \$8,619,923.00.

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 2022-0248**  
**ANXS file**

**Acknowledge Receipt of Expedited Type 1 Annexation Petition for Approximately 27.976 acres in Springfield Township**

Commissioner Lohnes moved, upon recommendation by the County Administrator, to acknowledge receipt of an Expedited Type 1 Annexation Petition for the following property:

**Petitioner:** DDC Management LLC on behalf of Patricia Felty, Doris Weaver, Nickie Detling, Mary Ann Lynn, Louis Anthony Cappelli, Julie Ann Cappelli, Louis Cappelli, Trustee under the Debra C. Goings Revocable Trust, and Domenick J. Cappelli

**Petitioner Address:** 3601 Rigby Road, Suite 300, Miamisburg, Ohio 45342

**Property Address(s):** 2427 S. Burnett Road, Springfield, Ohio 45505  
PID 3000700020100015  
2399 S. Burnett Road, Springfield, Ohio 45505  
PID 3000700020100016

**Location:** Approximately 27.976 acres of land

**From:** Springfield Township

**To:** The City of Springfield

**Documents Filed:** Annexation Petition, Legal Description, Annexation Map, Properties Included in and Adjacent to Proposed Annexation, CEDA Agreement, Filing fee.

**Date Received:** March 29, 2022

Further move to refer to staff for review and recommendation.

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

*County Administrator Updates:*

Ms. Noble stated Ms. Hutchinson and Mr. Harris were in DC.

There were four architect responses for the Courthouse. They are being evaluated. Once the firm is selected, communication will begin with the elected officials is that building.

There was a meeting there about purchasing changes with the Auditor that went well.

The CORSA insurance renewed. It increased 6.23% overall. Last year, there was a covid credit that wasn't received this year. It was a good year overall. If the Board decided to decreased coverage it would affect the whole group. Ms. Noble noted various trainings are offered throughout the year that helps prevent claims and helps the county earn credits.

It is Child Abuse Prevention Awareness month. Please wear blue next Wednesday.

It is National County Government month as well. There is a legislative lunch tomorrow if anyone can attend.

Commissioner Lohnes added the architect for the courthouse is being paid for with ARPA money.

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

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

The Board reconvened in public session.

*Audience Comments:*

Mr. O’Neal hoped the Board could do something about the bird droppings around the Heritage Center. Commissioner Wilt referred him to the City of Springfield’s plan for crow control.

Discussion ensued about purchase orders and how they are entered. Commissioner Wilt tried to explain the process. Commissioner Lohnes said ultimately it is the Auditor’s responsibility.

Resolution 2022-0249

Commissioner Wilt adjourned.

BOARD OF CLARK COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Melanie F. Wilt, President

By: \_\_\_\_\_  
Lowell R. McGlothin

By: \_\_\_\_\_  
Richard L. Lohnes

I certify that the record is true and accurate:

\_\_\_\_\_  
Commission Clerk