

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 Richard L. Lohnes; Commissioner Lowell R. McGlothlin; Jennifer M. Hutchinson, County Administrator; Michelle R. Noble, Assistant County Administrator/HR Director; Megan Burr, Commission Clerk; Angela Wheeler, Administrative Assistant; Hailey Williams, Intern; Beau Thompson, Prosecutor's Office; Judge Katrina Lancaster, Juvenile Court; Ginny Martycz & Tom McGrath, Job and Family Services; Richard Holt; John Maurer, Tom Loftis; Chuck Ingle, CFA; Reverend Linda Stampley; Mary Ann Schmidt; Deputy Bleything; Sydney Dowes, Springfield News Sun; Randall Comer, James Griffin, Frank Catanzariti, Clark County Bar Association; Laura Austin, Ohio Public Defender's Office; Amy King, Municipal Court; Melissa Schrier & Chanel Davis, Clark County Committee of Safety; Jo Blondin, Clark State College.

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

Commissioner Wilt announced it was Child Support Awareness Month. She presented Ms. Martycz and Mr. McGrath with the proclamation. Ms. Martycz spoke about the partnership with Juvenile Court and thanked the Commissioners for their support of staff working from home during the pandemic. They were able to meet the needs of the children and families in Clark County. She thanked Mr. McGrath for his hard work as well.

Court Appointed Attorney Fees:

Mr. Comer gave a report about the results of the taskforce that was created to review court appointed attorney fees. He spoke about their meetings and who all has been involved. He recommended the Board adopt a fee of \$75 an hour for cases in and out of the county. It has been 15 years since an increase was issued. Clark County has a high poverty rate. Laura Austin, State Public Defender's Office, explained the difference between reimbursement rate and rejection rate. They are two different things. Reimbursement rate is how much the county is being reimbursed and the rejection rate is how many bills are paid or rejected once submitted. Mr. Comer reviewed the concerns from the Commissioners from the last time this was discussed in the spring. He thanked Ms. Hutchinson for organizing everything. The taskforce met with the state public defender's office through this process. Mr. Comer said the county public defender's office has been reimbursed 100%. Ms. Austin said they did not have a rate of rejection. The court appointed attorneys are decided through the courts. In 2019, Juvenile Court submitted almost \$12,000 to be reimbursed. There was only \$2,000 submitted for adults. Judge Lancaster explained all juveniles qualify because they are minors. If a child is charged with a felony the judge is required to appoint an attorney. If a child needs a guardian ad litem (GAL) they are court appointed. A GAL is required if the parent is absent or not capable of representing the child. Mr. Griffin added if the parent is the victim of the child a GAL is appointed. Rejection rates have decreased and stabilized. 2019 was not a good year. The rejection rate was 22.3%. In 2020 the rejection rate was 10.2%. In 2021 so far the rate is 9.5%. The State Public Defender's Office felt those rates were pretty good still. No one is 100%. Most of the rejections were due to being submitted beyond the 90 days. The taskforce learned bills can be submitted mid-case. Another reason they were getting rejected was improper coding. Judge Lancaster took the bench in 2019. In February she set a local rule for timely submission from attorneys which has been effective lowering the rejection rate. There were personnel changes in Municipal Court. Her predecessor was not submitting them timely. In researching this, the taskforce found Richland County to be the best. They have a specific dedicated employee in the Auditor's office reviewing all of these. Judge Lancaster was unsure how that would work but was willing to look into it. Ms. Austin said it couldn't hurt to have extra people reviewing these. Hiring an additional staff member may or may not be feasible. It can't hurt to have dedicated people within current operations reviewing them. Education is an issue. Mr. Comer noted Ms. King has had zero rejections since she took over. There will be three staff submitting them and they are Karen Howard (Common Pleas Court), Amy King (Municipal Court) and Kelly Hill (Juvenile Court). Ms. Austin noted the state cannot require someone to leverage their car or home to retain an attorney.

Commissioner Lohnes reviewed the prior forms from the Public Defender. He looked at 400 forms out of 2,000 and 40% stated zero income and zero expenses. He didn't understand how that was possible. Ms. Austin said the code says the public defender reviews those forms but they are subject to review and approval by the court. Ohio is a home rule state so it is up to local processes to review them. She said zero could be marked due to someone being incarcerated. She offered to meet with local parties to discuss the thoroughness and details provided. She noted there is a professional obligation to report clients income if they have not disclosed it honestly. In the end clients would rather hire their own attorney and not have a public defender.

Mr. Comer restated the recommendation to increase the fees for in county and out of county cases to \$75. It is currently \$50 in county/\$60 from out of county. It is good for the citizens and the attorneys.

Commissioner Wilt thanked everyone for their work. She was glad to see the concerns addressed and the wealth of information presented.

Ms. Austin travels around the state to help with this. She stated at the state level there is \$336 million appropriated for the next two years for this. That averages \$13 million per month. They are still not spending 100% of the funds appropriated each month. She also noted Ohio Revised Code Section 120.33 that authorizes the Commissioners to determine the rate. The Board can adjust the rate up or down as needed.

Commissioner McGlothlin thanked them all for their hard work and enlightening him on how the process works.

Commissioner Wilt said there is not a resolution today but it will likely come up.

Convention Facilities Authority Request for Tax Increase:

Commissioner Wilt introduced the issue. As part of the state budget, counties can opt to increase the hotel tax 1%.

Chuck Engle requested the additional 1% bed tax. It would allow the CFA to continue to do things. The goal is to continue to do the things they have done and maybe get into some bigger projects. Commissioner Lohnes asked how much it would generate. Mr. Engle responded \$150-170,000 a year. With the pandemic it sliced their budget in half. The CFA received \$350,000 a year ten years ago. They would like to see a couple more hotels in the county. Mr. Engle said the two big things they have spent money on so far is the Fairgrounds and Equine Center. So far \$2 million has gone to them. Commissioner Lohnes attends their meetings on occasion and appreciated what they have done.

Mr. Loftis said they have worked with the Chamber of Commerce, City of Springfield and County to grow it. It takes a team to get things done.

Ms. Blondin, Clark State, was very supportive of this. It is very important to the down town area. This helps Clark State advocate at the state level. Commissioner Wilt asked if there are matching funds at times. Ms. Blondin confirmed and said some of these funds could be used as matching funds.

Mr. Engle said they were working on a plan on how the additional funding would be spent. The goal is to get an expo center downtown but a study needs to be done to see if it is feasible.

Ms. Blondin noted Clark State has a footprint downtown and are willing to donate to this project and the expo center.

Commissioner Lohnes noted the Board has the first of two public hearings tonight at 6 for the sales tax continuation. He invited all of them to attend.

Melissa Schrier was working on the current settlement for Clark County for common law. She read a statement and submitted documents to the Board.

Richard Holt asked about the hotel tax increase. He felt it was a bad time to be asking for an increase in taxes. He wondered where the hotels were and surprised they didn't attend to give their opinion. Commissioner Wilt explained the tax is paid by those staying in the hotels not by citizens of Clark County.

Agenda Review:

Commissioner McGlothlin was glad to see Pretzel Maker relocate to downtown.

Commissioner Lohnes had no questions.

Commissioner Updates:

Commissioner Lohnes reviewed the potential projects for the ARPA funding. See attached. He briefly spoke about each project. The final decision will be made by the Board via resolution.

The Board recessed for five minutes then reconvened for formal session.

Call to Order, Commission

Resolution 2021-0503

Following the pledge, Commissioner Lohnes moved to approve the minutes and dispense with reading of the same. Commissioner McGlothlin seconded the motion and 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 2021-0520 (the public hearing). Commissioner McGlothlin seconded the motion and the roll being called for passage resulted as follows:

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

Resolution 2021-0504
ISDC file

**Authorize Contract with
MNJ Technologies Direct, Inc.**

Commissioner Lohnes moved, per the request of the Assistant County Administrator and Information Systems Director, to authorize a contract with:

Organization Name:	MNJ Technologies, Inc.
Organization Address:	1025 Busch Pkwy, Buffalo Grove, IL 40089-4504
In the amount of:	\$9,100.00
Funding Source(s):	General
Purpose:	KnowBe4 Security Awareness Training Diamond Subscription
Effective Dates:	August 4, 2021

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

Resolution 2021-0505
JFSC file

**Authorize Contract with
PAR II, LLC**

Commissioner Lohnes moved, per the request of the Department of Job and Family Services Director, to authorize a contract with:

Organization Name: PAR II, LLC
Organization Address: 2890 Springfield-Xenia Road, Springfield, Ohio 45506
In the amount of: \$17,515.00
Funding Source(s): Local Levy Dollars
Purpose: To provide sealing, standard crack repair, and striping services for parking areas located at 1346 Lagonda Avenue and 766 Pauline Street
Effective Dates: Upon execution by the Board until project is complete

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

Resolution 2021-0506
CDDG file

Authorize Grant Agreement with Dessert Time of Ohio, Inc.

Commissioner Lohnes moved, per request of the Development Director, to authorize the Economic Development Incentive Agreement (EDIA) with:

Organization Name: Dessert Time of Ohio, Inc. (dba PretzelMaker)
Organization Address: 30 North Fountain Avenue, Springfield, Ohio 45502
In the amount of: \$4,500.00
Funding Source(s): Economic Development project pool funds established under Resolution 2014-0231, further amended under Resolution 2016-0287
Purpose: To promote economic development and assist with relocation costs associated with the closing of the Upper Valley Mall

Further move to authorize the County Administrator to execute the grant agreement 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 2021-0507
PERG file

**Accept Grant Agreement with
Bureau of Workers' Compensation**

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

Grantor: Bureau of Workers' Compensation
Amount Funding: \$6,300.00
Purpose: To customize a program that includes policies and procedures to assist employers in safely bringing injured employees with restrictions back to work by performing identified jobs, tasks or functions as the transition back to their original position.
Effective Dates: 7/9/2021 – 10/7/2021

Further move to authorize the County Administrator to execute the grant 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 2021-0508
COMD file

**Acknowledge and Accept
Utility Easement with Ohio Edison Company**

Commissioner Lohnes moved, per the request of the County Administrator, to acknowledge receipt and accept the following permanent utility easements with Ohio Edison Company for distribution of electric current, including communication facilities, upon, over and across the following described premises:

Situated in the Township of Springfield, County of Clark, State of Ohio; situated in the Southwest Quarter of Section 23, and the West Half of Section 17, Township 5, Range 9, further described as Permanent Parcel Number 30507000173001003

Said right of way being a strip of land twenty (20) feet wide, lying ten (10) feet on each side of the centerline of electric facilities as constructed. Also a strip of land ten (10) feet wide, lying five (5) feet on each side of the centerline of facilities as constructed. Said right of way areas are depicted on Exhibit "A", attached hereto and made part hereof.

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 2021-0509
FINA file

**Authorize Amended Certificate #7 and
Appropriate Funds**

Commissioner Lohnes moved, upon the recommendation of the County Administrator, to authorize Amended Certificate #7 and appropriate funds.

<u>Fund</u>	<u>Department</u>	<u>Account</u>	<u>Amount</u>
INFO SERV ROTARY FUND (6200)	IS DEPT - COUNTY WIDE	TELEPHONE EXP	260,000.00
GENERAL FUND (0001-280)	VETERANS	OPERATING EXP	1,152.55
GENERAL FUND (0001-250)	SHERIFF	OPERATING EXP	32,292.64
CDBG FUND (1203)	COMM DEVELOPMENT	ADVANCES	20,000.00
BODD RES SERV FUND (2090)	BODD	OPERATING EXP	25,980.00
BODD RES SERV FUND (2090)	BODD	OPERATING EXP	13,050.00

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 2021-0510
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:

Fund:	Department:	Account:	Amount:
Self Ins. UMR Fund (6100)	Personnel	Operating Exp	\$20,000.00

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 2021-0511
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 Department	Expense Acct.	Amount	To Department	Expense Acct.	Amount
Fund: General Juvenile Ct.	Pers. & Fringes	\$ 23,000.00	Juvenile Ct.	Operating Exp.	\$23,000.00
Reason: Transfer needed to adjust accounts.					

Fund: General Juvenile Det.	Operating Exp.	\$ 13,000.00	Juvenile Ct.	Operating Exp.	\$13,000.00
Reason: Transfer needed to adjust accounts.					

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 2021-0512
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 nows are as follows:

P.O. Number	Fund	Vendor	Date Purchase	Amount
210021150	General (Sheriff)	Miami Co. Sheriff	7/8/2021	\$ 920.26
Reason: Initially tried to pay remaining balance of \$10920.26 off a blanket PO.				

210019854	General (Com. Dev.)	FastLane Wash & Lube	9/25/20 & 11/10/20	\$ 55.94
Reason: No invoice 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 2021-0513
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner Lohnes moved, per the request of the Board of Elections Director, to dispose of the following by way of discard or salvage in accordance with §307.12(I) of the Ohio Revised Code:

156 – iPad Stands

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 2021-0514
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner Lohnes moved, per the request of the Director of the Board of Elections, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2020-0834 §307.12(E) of the Ohio Revised Code:

105 Apple iPads Mini's
55 Transfer Cases
5 Charging Carts

Further the Board finds this property 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 2021-0515
INVS file

Authorize Transfer of Equipment

Commissioner Lohnes moved, per the request of the Sheriff's Department, to authorize the transfer of the following equipment to Clark County Park District per ORC 307.12(D).

2014 Ford Explorer VIN #1FM5K8AR5EGA14594

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 2021-0516
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner Lohnes moved, per the request of the Sheriff's Office, to dispose of 37 out dated miscellaneous investigative items such as broken cameras and other investigative tools. This equipment is not in use any longer and will be disposed of or salvaged in accordance with §307.12(I) of the Ohio Revised Code.

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 2021-0517
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
Veterans	5 Staff	Fall Conf.	Columbus, OH	9/13-17/21	\$3,405.00

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 2021-0518
TRSR file

Acknowledge Treasurer's Investment Report

Commissioner Lohnes moved to acknowledge the receipt of the Treasurer's June 30, 2021 Investment Report.

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 2021-0519
ZMRV file

Certify Referendum Petitions to Board of Elections

Commissioner Lohnes moved, upon the recommendation of the County Administrator, per the request of the Commission Clerk, to certify the Petitions for a County Zoning Referendum for Rezoning Case No. Z-2021-05 in Mad River Township to the Board of Elections (Resolution 2021-0500). The Prosecutor's review indicates that the petitions appear to substantially comply with Section 303.12 of the Ohio Revised Code, as well as other applicable provision of Title 35 of the Ohio Revised Code. The Board of Elections review indicates that the petitions contain 585 valid signatures, with the minimum number required being 308.

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

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

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

The Board recessed until 6:00 p.m.

Commissioner Wilt opened the meeting and resumed the formal session at 6:00 p.m.

Commissioner Lohnes explained there was one final add-on, Resolution 2021-0521, for the opioid settlement.

Commissioner Lohnes moved to approve Resolution 2021-0521. Commissioner McGlothlin seconded the motion. The roll being called for its passage resulted as follows:

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

Add on
Resolution 2021-0521
COMO file

Accept the Material Terms of the One Ohio Subdivision Settlement Pursuant to the One Ohio Memorandum of Understanding and Consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement

Commissioner Lohnes moved, per the request of the Prosecuting Attorney, to accept the following agreement:

A Resolution authorizing the County Administrator to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (“Settling Distributors”) pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

WHEREAS, Clark County, Ohio (herein “County”) is a county formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and County has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Board understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, The Board of Commissioners of Clark County, Ohio wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”):

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLARK COUNTY, OHIO.

Section 1. That the County Administrator is authorized to accept the Proposed Settlement on behalf of County, pursuant to the terms of the OneOhio MOU.

Section 2. That it is found and determined that all formal actions of the Board relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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

The Board held the public hearing.

**Resolution 2021-0520
FINX file**

**6:00 p.m. Public Hearing for the
Continuation of the Current Rate of County Sales Tax**

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing for the continuation of the current rate of County Sales Tax.

Public Hearing opened by the Commission President at 6:01 p.m.

Staff Report: Ms. Hutchinson explained the current rate of sales tax for the entire county is 7.25%. As far back as she could tell it's been that rate for 20 years or so. The county only collects 1.5% of the 7.25%. The state gets the rest. Of the 1.5%, 1% is permanent. The .5% has been temporary for over 20 years. She recommended making it permanent because it is essential to provide services to Clark County. This half percent generates \$9 million for the general fund. She explained public safety was a huge part that was funded by this tax (Sheriff, Courts, Prosecutor, and Public Defender) among others (Veterans, Commission, Information Systems, and Community Development). If the Commissioners decide not to continue with it 20% of the general fund budget will be cut. She reminded the Board when departments were asked to reduce budgets by 5% during COVID it was not well received. Making it permanent now means these funds will not be in jeopardy in the future. The general fund is not balanced yet. They are still using the transitional funds. Once those are gone adjustments will need to be made. A very serious unknown with the budget is the state. When the state runs into budget trouble the first place they cut is local governments. She recommended the Board make it permanent. She pointed out the sales tax rates across the state. See attached. 62% of the counties have the same sales tax rates as Clark County. It is very common. The rate is in line with surrounding counties.

Commissioner Lohnes clarified the half percent is \$9 million; however, the total general fund budget is approximately \$42 million. The income was only \$39 million. He explained the budget was higher based on carry over amounts. If the \$9 million is lost it is a greater loss out of the revenues.

Commissioner Wilt observed Clark County is in the medium at 7.25%. There are 30 counties that have lower amounts. Only four counties have higher rates. While one increased their tax, some lowered theirs.

Commissioner McGlothlin said it was obvious that you can't run a county without money. They need to provide public safety for the citizens. Their budget is one of the largest. By looking at this chart the majority of the

counties are the same as Clark. The state gets the majority of the tax. It is not an increase. It maintains what has been in place.

Commissioner Wilt takes any tax decision very seriously. Part of that process is having these hearings.

Audience Comments:

Reverend Linda Stampley, 1413 Noelle Drive, asked why the rate hasn't increased. Everything else has increased over time. Commissioner Wilt said this is the allowed amount the county can tax. The only way to get more is for transit and most recently jails. This is the maximum amount the county can tax.

Mary Ann Schmidt, North Bird Road, read her opinion from a prepared statement. See attached. She was against the extra half percent. She mentioned the Upper Valley Mall.

Commissioner Lohnes said the mall doesn't include the \$750,000 income already collected from a developer that never followed through. Commissioner Wilt said the county will break even on the mall plus provide some economic development. It was never to make money but have an infrastructure that allowed individuals to benefit. Commissioner McGlothlin said she would see things coming at the mall very soon.

Reverend Stampley asked if transit will available at this site. Commissioner Lohnes explained it will not be retail. It will be industrial. He also noted the mall isn't within the City limits.

Commissioner Lohnes moved to close the public hearing at 6:16 p.m. Further, noting a second public hearing will be held Wednesday, August 11, 2021 at 10:00 a.m. in the Commissioner Chambers, Room 151 at the Springview Government Center.

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 2021-0522

Commissioner Lohnes moved to adjourn. Commissioner McGlothlin seconded the motion. The roll being called for its passage resulted as follows:

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

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Melanie F. Wilt, President

By: _____
Lowell R. McGlothlin

I certify that the record is true and accurate:

Commission Clerk

By: _____
Richard L. Lohnes