

# THE BOARD OF COUNTY COMMISSIONERS

50 East Columbia Street, 5<sup>th</sup> Floor  
Springfield, Ohio 45501

## CLARK COUNTY, OHIO AGENDA



Source: google images

February 19, 2014

8:30 A.M.

Informal Session

10:00 A.M.

Formal Session

Call to Order

President of County Commission  
Resolution 2014-0108

Invocation

Pledge to the flag

Approve minutes of the last meeting and  
Dispense with reading of same:

Commissioner Hartley

*Review/Action:*

Matters before the Board and Departmental Requests: See attached motions

Staff Notes:

8:30 Review Agenda

10:00 Formal Session

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0109**

**Authorize Amendment No. 9 to Agreement with the Ohio Department of Transportation (ODOT) for LPA Agreement No. 21004 for CLA CR 333 Dayton Springfield Road Project (PID 80450)**

Commissioner \_\_\_\_ moved, per the request of the Deputy Engineer, to authorize amendment to an existing agreement:

Agreement With: Ohio Department of Transportation

Amend SECTION 3, to reflect a revised PROJECT estimate, an increase in the federal funds for construction activities.

3. FUNDING

3.1 The total cost for the PROJECT is estimated to be \$7,144,338 as set forth in Attachment 1. ODOT shall provide to the LPA one hundred (100) percent of the eligible costs up to a maximum of \$315,022 (4TB7/CL07) in Federal funds for the costs associated with the preliminary design phase of the project; a maximum of \$255,316 (4TB7/CL07) for detailed design, provided to the LPA at one hundred (100) percent of the eligible costs; a maximum of \$104,180 (4TB7/CL07) for right of way, provided to the LPA at one hundred (100) percent of the eligible costs; a maximum of \$56,000 (4HB7) for right of way, provided to the LPA at eighty (80) percent of the eligible costs. ODOT shall provide to the LPA eighty (80) percent of the eligible costs up to a maximum of \$5,000,000 (4HB7) in Federal funds for costs associated with the actual construction of the transportation project improvements and construction engineering/inspection activities. ODOT shall provide to the LPA one hundred (100) percent of the eligible costs up to a maximum of \$149,820(4TB7) in Federal funds for costs associated with the actual construction of the transportation project. These maximum amounts reflect the funding limit for the PROJECT set by the applicable Program Managers.

3.2 The LPA shall provide all other financial resources necessary to fully complete the PROJECT, including all cost overruns and contractor claims.

SECTION 15.9 - Signatures

This section is amended to acknowledge the changes were made to Section 3, Funding.

15.9 *Signatures:* Any person executing this Agreement in a representative capacity hereby represents that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

Identification: LPA Agreement #21004  
CLA CR 333 Dayton Springfield Road Project

PID 80450

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Assistant Prosecutor  
County Engineer  
ENG file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0110**

**Authorize Contract for Sale & Purchase of Right of Way  
CLA 327 Upper Valley Bridge Project –PID 89434**

Commissioner \_\_\_\_ moved, per the request of the Deputy County Engineer, to authorize the following:

**Agreement with:** Patricia Sue Allen  
1863 W. County Line Rd.  
Urbana, Ohio 43078  
Parcel 3 WD  
**In the amount of:** \$ 10,000  
**Purpose:** Acquisition of Right of way

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

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

---

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
County Engineer  
ENGC file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0111**

**Authorize Contract for Sale & Purchase of Right of Way  
CLA 327 Upper Valley Bridge Project –PID 89434**

Commissioner \_\_\_\_ moved, per the request of the Deputy County Engineer, to authorize the following:

**Agreement with:** Kenneth D. and Karen E. Moak  
3310 Storms Creek Road, Urbana, Ohio 43078  
Parcel 4 WDV  
**In the amount of:** \$ 760  
**Purpose:** Acquisition of Right of way

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

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
County Engineer  
ENGC file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0112**

**Authorize Change Order #4 for  
Southwest Regional WWTP Plant Upgrade and Expansion**

Commissioner \_\_\_\_ moved, per the request of the Utilities Department Director, to authorize change order #004 with:

**Organization Name:** Peterson Construction Company

**Organization Address:** 1887 S.R. 501 N., Box 2058, Wapakoneta, Ohio 45895-0558

**Original Contract:** \$6,673,000.00

**Previous Changes:** \$-99,034.00

**This Change:** \$ 23,325.00

**New Contract Total:** \$6,597,291.00

**Funding Source(s):** OWDA/WPCLF Loan and OPWC Loan

**Purpose:** Multiple deduct and addition line items, net result is a \$23,325.00 cost increase to the contract – see attached listing.

Further move to authorize the County Administrator to execute change order and related OWDA/WPCLF and OPWC forms.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department  
Peterson Construction Company  
UTLC file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0113**

**Authorize Intra-Fund Transfer(s)**

Commissioner \_\_\_\_ 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: Dept of Rehab & Corrections					
Common Pleas Ct	Personnel & Fringes	\$2,186.89	Common Pleas Ct	Operating Exp	\$2,186.89

Reason: All transfers need to be made to reflect the amounts submitted in the grant through the Bureau of Community Sanctions.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor, County Administrator, Requesting Department(s), FINF file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0114**

**Approve Supplemental Appropriation(s)**

Commissioner \_\_\_\_ 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>
Dept Rehab & Corrections	Common Pleas Ct	Operating Exp	\$ 5,608.00

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department  
FINS file



The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0115**

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

Commissioner \_\_\_\_ moved, 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 Purchase</b>	<b>Amount</b>
290672	General (Sheriff)	SRMC Lab	Nov.-Dec. 2013	\$ 367.90

Reason: Due to the timing of when bills were received and cutoff date for paying bills in 2013.

290670	General (Sheriff)	A-1 Able Pest	12/3/13-1/7/14	\$ 253.76
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Reason: Due to several unexpected services throughout the year and the way the company applies their payments I was having a difficult time obtaining our current balance until I received the February 2014 statement.

290666	General (Sheriff)	MedTrans	5/10/13	\$ 127.14
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Reason: Just notified of outstanding invoice by MedTrans.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)  
FINT file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19<sup>th</sup> day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0116**

**Approve Payment to  
Peterson Construction Company, Payment #4 - Partial**

Commissioner \_\_\_\_ moved, per request of the Utilities Director to approve the following payment:

**Payment to:** Peterson Construction Company  
**Address:** PO Box 2058, Wapakoneta, Ohio 45895  
**Services:** General Construction  
**Project:** Southwest Regional WWTP Upgrade and Expansion  
**Amount:** \$76,580.80; % Complete = 19.93%  
**Retainage Held By:** NA - retainage waiver on-file for contractor  
**Retainage Amount:** \$6,659.20; retainage held from this pay; retainage held to date \$104,800.16  
**Comments:** Of this pay, \$61,264.64 will be direct paid to the Contractor by OWDA Loan Account 6519 and \$15,316.16 will be direct paid to the Contractor by OPWC Loan Account CK29Q.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department  
Peterson Construction Company  
UTLP file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0117**

**Resolution authorizing the filing of a project proposal with the Ohio Department of Transportation for grants through the US DOT Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as codified, 49 USC Chapter 53, and executing a contract with the Ohio Department of Transportation upon project approval**

Commissioner\_\_\_\_\_ moved the adoption of the following resolution:

**WHEREAS**, the Director of the Ohio Department of Transportation is authorized to make grants for public bodies, private nonprofit organizations and other eligible entities;

**WHEREAS**, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

**WHEREAS**, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 53 the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

**WHEREAS**, it is the goal of the applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

**NOW, THEREFORE, BE IT RESOLVED BY** the Clark County Board of Commissioners:

1. That Jennifer Rousculp, Superintendent, is authorized to execute and file application(s) on behalf of Developmental Disabilities of Clark County with the Ohio Department of Transportation to aid in the financing of capital, and operating assistance projects.
2. The Superintendent is authorized to execute and file with such applications and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the Superintendent is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the proposal for the program of projects submitted to FTA.
4. That the Superintendent is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.
5. That the Superintendent is authorized to execute grant agreements on behalf of Developmental Disabilities of Clark County with the Ohio Department of Transportation for aid in the financing of operating, planning and capital assistance projects.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)  
BDDO file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0118**

**Appoint Member(s) to  
Top of Ohio RC&D Council**

Commissioner \_\_\_\_ move, to appoint the following member(s) to the Top of Ohio RC&D Council:

**Name:**

Chris Simpson, Member at Large Representative

**Expiration Date:**

December 31, 2016

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department  
Appointee(s)  
BRDT file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0119**

**Reduction of Conditional Use Fees for Zoning and Board of Zoning Appeals Fees**

Commissioner \_\_\_\_ moved, per request of the Community Development Director, to retain Resource and Mineral Extraction conditional use fee of \$500.00 and reduce all other conditional uses to \$ 175.00. All Board of Zoning Appeals and Variances will be a fee of \$175.00.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)  
CDDF file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0120**

**Authorize Purchase of Vehicle for Sheriff's Office**

Commissioner \_\_\_\_ moved, per the request of the Clark County Sheriff's Office, to authorize the purchase of five Ford Utility Interceptors from Lebanon Ford (State Bid) for a cost of \$127,970 to be paid for with Capital Improvement Fund. This purchase is necessary due to the aging fleet of patrol cars.

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

Commissioner Hartley, Commissioner Lohnes, Commissioner Detrick,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)  
INVP file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0121**

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

Commissioner \_\_\_\_ 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 2014 real property tax list and duplicate against the following property:

**Property Owner:** John J Sanborn  
**Address:** 3949 New York Drive, Enon, OH 45323  
18-1-6-210-10  
Mad River Twp  
**Amount:** \$317.67 water is off  
**Comments:** Water & Sewer, Place on tax duplicate

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor, County Administrator, Requesting Department, Treasurer, UTLO file



The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

---

**Resolution 2014-0122**

**Authorize Removal of Sewer Use Charges from Tax Duplicate**

Commissioner \_\_\_\_ moved, per the request of the Director of Utilities, to certify to the Auditor, for removal of sewer use charges on the 2014 real property tax list and duplicate for the following property:

**Property Owner:** Rick J Vince  
**Address:** 315 Neosha Ave, Springfield, OH 45505  
30-7-32-213-12  
Springfield Twp  
**Amount:** \$384.07  
**Comments:** Collected past due charges

**Property Owner:** Park Hills Sentre LTD  
**Address:** 42 Forest Rd, Medway, OH 45341  
10-5-25-314-15  
Bethel Twp  
**Amount:** \$359.90  
**Comments:** Collected past due charges

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

---

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department  
Treasurer  
UTLO file

The Board of County Commissioners, in and for Clark County, Ohio, met this 19th day of February, 2014 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Hartley

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**Resolution 2014-0123**

**Approve Travel/Expense Allowance**

Commissioner \_\_\_\_ 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>
CCDJFS	B. Otto	OCAPS Conference	Columbus, OH	3/14/14	\$175.32
CCDJFS	R. Smith	Methamphetamine training	Dayton, OH	2/24/14	\$ 49.20
CCDJFS	K. Dysert and M. Timmons	Schizophrenia Training	Cincinnati, OH	3/21/14	\$150.00
CCDJFS	2 F&CS Staff	Synthetic Drug Seminar	Springfield, OH	2/27/14	\$ 76.78
Elections	15-17members/staff	District Mtg.	Springfield, OH	3/13/14	\$355.00
Public Def	G. Cox	Defense Seminar	Columbus, OH	3/6-7/14	\$ 75.00
Utilities	A. Godsey	Containing Cost Seminar	Northwood, OH	3/6-7/14	\$280.00
*Veterans	5 Commission	OSAVSC Spring Conf.	Columbus, OH	4/4-6/14	\$765.00

\*Authorize use of credit card.

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

Commissioner Hartley, Commissioner Detrick, Commissioner Lohnes,

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I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of February 19, 2014.

Megan Lokai, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)  
TRAV file