

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 County Offices/Municipal Court Building, 50 E. Columbia Street, Springfield, Ohio.

The following members and guests were present: Commissioner Richard L. Lohnes; Commissioner John Detrick; Commissioner David Hartley; Nathan Kennedy, County Administrator; Megan Lokai, Clerk; Tiffany Latta, Springfield News Sun; Reverend Linda Stampley.

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

Agenda Review:

Commissioner Detrick asked about the following resolutions:

Resolutions 2014-0301 and 0302: Commissioner Detrick commented these were good improvements on Dayton Springfield Road.

Commissioner Detrick noted Commissioner Lohnes had been working with the townships for support for the joint communications effort.

Resolution 2014-0303 was another good quality of life issue.

Resolution 2014-0305 was for the veterinary office at State Route 334 and Middle Urbana Road. They will annex into the City so they can get water and sewer. Commissioner Detrick said it was an ongoing saga. One of the doctors was retiring.

Resolution 2014-0306: Commissioner Detrick thanked everyone involved in it. The numbers were current as of Monday.

Land Bank, Resolution 2014-0311:

Staff anticipated a half million to a million dollars for a land bank in Clark County. It would be a non-profit created by the Board of County Commissioners for foreclosed properties. The land bank would take the properties and make them usable again. The land bank would be a separate entity from the county. The county would not own the property. By statute the County Treasurer and two Commissioners were required to be part of the land bank. Banks do not like to hold land. They could give it to the land bank if the bank couldn't sell the land. The land bank would remodel or demolish the property. This resolution was the first step in creating the land bank. The grant application has to be submitted by the end of June. In order to have the grant application considered the land bank has to be established prior. This resolution will authorize the Treasurer to file for articles of incorporation. There will be another two other resolutions at a later date. One of those resolutions will approve the plan. A final resolution will be adopted if the Commissioners choose to use the DTAC money collected, up to 5%. It was not the same funds collected by the Prosecutor and Treasurer. If the Board is not comfortable with the land bank the Board can stop the process any time one of the resolutions is brought forth. Staff was interested in getting started with the process sooner rather than later due to the grant. The three resolutions are time sensitive and cannot be done all at once. Commissioner Hartley thought there needed to be a resolution appointing the members to the land bank. Mr. Kennedy explained that would be the second resolution. The City of Springfield staff was interested in this; however he was unsure how the City Commission felt about it. The City can perform most of these functions without the land bank. The City has the right to cease a property if it was in tax foreclosure. The City was not interested in being a landlord. The problem was when the City ceased a property they have to maintain it and cannot collect taxes on it. If the land bank were in place they would take care of all that.

The land bank would be responsible for the liability and they would also have a paid director at some point. Commissioner Lohnes noted it was not county government taking control of privately owned land.

Mr. Kennedy explained once a property is a tax foreclosure it becomes property of the county. The Sheriff's Sales are for bank and tax foreclosures. If the property doesn't sell at the second Sheriff's Sale it becomes the Auditor's. The land bank would expedite selling the properties.

Commissioner Lohnes asked about the money flow. Mr. Kennedy explained if there was a rehabilitation the land bank could sell it and the money stays with the land bank. It will be funded through the grants and DTAC. It should be a self supporting entity. The Board can dissolve it if it doesn't work. Reverend Stampley asked if the City would be part of this. She noted they have linked lots together. She also asked how much the properties would be sold for. Mr. Kennedy explained it would depend on the value of the property. Some properties might be sold for \$1 if it was a small parcel and unusable land. The land bank could give it away if they choose. The City already does similar actions. If the City could not give land away they could give it to the land bank. Reverend Stampley was upset the City was not giving the public a chance to purchase some of these properties.

Mr. Kennedy did talk to Andy Wilson and a consultant will be needed to set up the land bank. The Prosecutor agreed to pay a quarter of the cost and the Treasurer will pay another quarter of the cost. Mr. Wilson was for the land bank for different reasons. For example, if there is a property that is used for felonious activity the land bank would help cut down on that. NHP has been considered to partner with. The Treasurer was hesitant at first but he does see the advantages. The county does not have flexibility like the City does. The Treasurer was ok with helping set up the land bank but did not want to run it. Reverend Stampley asked if there were other land banks. Mr. Kennedy and the Commissioners responded yes. It was very common. The county has to be a certain size to be eligible. Staff recommended starting with a small land bank and see how it actually functions. Commissioner Lohnes was hesitant but would agree to it since there were other opportunities to stop it. He didn't want to vote separate on the resolution but wanted to abstain on this resolution.

Commissioner Hartley asked about the following resolutions:

Resolution 2014-0309 authorized the then and nows. The Sheriff was leading. They lease two vehicles and the others are all owned. These were leased because of the federal dollars used to pay for the vehicles. The federal dollars only allowed for operating costs.

County Administrator Updates:

Mr. Kennedy explained the Board expressed interest in the OIC payment. It was for the reentry grant. A Job and Family Services staff person authorized OIC to keep and use the reentry admin dollars. The grant said no. With that being said they were obligated to return the grant money. The money was returned to the feds. Commissioner Lohnes pointed out it wasn't OIC's first time working with the grants. Mr. Kennedy stated there was no legal obligation to pay it. The only person to authorize a \$58,000 change order would be the Board.

The other add-on was for the AEPP (Agriculture Easement Purchase Program) resolution that the state kicked back. They did not like some of the language in the resolution that would prevent the Engineer from maintaining roads, bridges and culverts. The easement would start at the right of way. The problem was the language for the Board to approve was not here yet and Mr. Kennedy wanted counsel to review it. He was very concerned about eliminating the ability of the Engineer to do his job. Mr. Kennedy suggested holding a special session end of this week or early next week because the deadline for the AEPP applications was April 30. Commissioner Detrick supported it. It was about \$1.2 million that would be received. If the special session is not held the state will reject the resolution. It will last about 5 minutes to approve the one resolution. The Board decided to hold the special session Friday, April 25th at 9:30. Ms. Lokai would get the resolution prepped.

The Board recessed until 10:00.

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

The motion carried.

Commissioner Hartley moved to approve the then and nows. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

The motion carried.

Commissioner Hartley moved to approve the agenda in its entirety excluding Resolutions 2014-0311 and 0314 and including 2014-0315. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

The motion carried.

Commissioner Hartley moved to approve resolution 2014-0311. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Abstain

The motion carried.

Commissioner Hartley moved to approve resolution 2014-0314. Commissioner Detrick seconded the motion. The roll being called for passage resulted as follows:

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, No

The motion carried.

Resolution 2014-0301

Authorize Contract with R. B. Jergens for CLA 333 0.00 Dayton Springfield Road Project

Commissioner Hartley moved, per the request of the Deputy Engineer, to authorize a contract with:

Organization Name:	R. B. Jergens
In the amount of:	\$5,713,512.90 (Base bid including Alternate 1)
Purpose:	CLA 333 0.00 Dayton Springfield Road Project
Funding Source:	Federal and OPWC funds
Effective Date:	April 23, 2014

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

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0302**Authorize Contract with DLZ Ohio, Inc.
for CLA 333 0.00 Dayton Springfield Road Project**

Commissioner Hartley moved, per the request of the Deputy Engineer, to authorize a contract with:

Organization Name: DLZ Ohio, Inc.
In the amount of: \$391,984.00
Purpose: Construction Inspection for the CLA 333 0.00 Dayton Springfield Road Project
Funding Source: Federal and OPWC funds
Effective Date: April 23, 2014

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

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0303**Authorize Change Order #5 for
Southwest Regional WWTP Plant Upgrade and Expansion**

Commissioner Hartley moved, per the request of the Utilities Department Director, to authorize change order #005 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: \$-75,709.00
This Change: \$ 27,092.00
New Contract Total: \$6,624,383.00
Funding Source(s): OWDA/WPCLF Loan and OPWC Loan
Purpose: Multiple deduct and addition line items, net result is a \$27,092.00 cost increase to the contract – see attached listing.

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

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0304**Acknowledge Request for Proposals (RFP) for
Clark County Accounting and Payroll System Rebid**

Commissioner Hartley moved to acknowledge the RFP opening on Thursday, April 10, 2014 for Clark County Accounting and Payroll System Rebid. The following RFP were received:

Bidder
 BS&A Software
 Software Solutions
 Tyler Technologies

Further move to refer the proposals to staff for further evaluation.

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0305

Approve Expedited Type 2 Annexation Petition for +/- 2.686 acres in Moorefield Township

Commissioner Hartley moved to grant a Type 2 Expedited Annexation Petition for the following property:

Petitioner/Agent: John M. Spencer on behalf of VetSource and the City of Springfield
Petitioner/Agent Address: 30 Warder Street, Suite 250, Springfield, Ohio 45504
Location: Approximately 2.686 acres in Moorefield Township located at 3681 Middle Urbana Road, Springfield, Ohio 45502
From: Moorefield Township
To: City of Springfield
Documents Filed: Annexation Petition, Exhibit A (Legal Description), Exhibit B (Annexation Map), Exhibit C (List of Tracts in the territory proposed for annexation), Exhibit D (parcels adjacent to territory proposed for annexation), Filing fee
Date Received: March 25, 2014

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0306

Approve Agriculture Security Area Applications for Madison Township

Commissioner Hartley moved, to adopt the following:

Ohio’s New Agriculture Security Area (ASA) established in Ohio Revised Code (“ORC”) Section 931 permits one or more landowners to submit an application to the boards of county commissioners and township trustees requesting to enroll at least 500 acres of contiguous farmland onto an ASA for a period of 10 years.

ASAs provide certain benefits to farmers including protection from nonfarm development and a critical mass of land, to help keep farming economically viable.

Agriculture is important to Clark County’s economy, which in 2007, had a total of 744 farms, totaling 177,335 acres, annual cash receipts of \$4.2 million, and is dependent on protection farmland.

Applications have been received for the following landowners in the township indicated below. The public hearing was held with Madison Township Trustees on Wednesday, April 2, 2014 and have approved the following ASA:

Madison Township, Application: Gregory Spears, Suzanne Trotter, and Martin Spears have submitted applications pursuant to ORC Section 931.02 to request that parcels 1601608838000001, 08012000005000008, 0801600805000010, 1601600807000005, 1601608070000008, 0801600805000008, 1601600805000015, 0801600805000009, 1601300035,000005, 1601300035000008, 1601608070000009,1601609000000030, 1601608838000018, 1601607508000001, 1601609000000003, 1601609000000005, 1601608013000005, 1601608013000001, 1601609000000006, be enrolled in an ASA.

All notices required by ORC Section 931.03 have been provided.

ASA is a partnership between the farmland owner and the local elected officials. The Board of County Commissioners agree to not initiate, approve, or finance any development for residential, commercial, or industrial purposes, including construction of new roads and water and sewer lines, within the above areas for a period of 10 years from the effective date of this resolution in accordance with ORC Section 931.03©. Further, the applicants have agreed to not initiate, approve, or finance any new development for non-agricultural purposes on the land included in the application during the 10 year period from the effective date of this resolution.

The Board of Clark County Commissioners, Ohio, hereby authorize the establishment of an ASA on property pursuant to the terms and conditions above, effective as of the date this resolution.

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0307

Authorize Inter-fund Transfer(s)

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

Transfer From	Amount	Transfer To	Amount
General Sewer Fund 0501-600-74901-00	\$29,570.00	Limecrest Sewer Bond Retirement 0504-600-64100-00	\$29,570.00

Reason: Transfer is necessary for loan payment (principal & interest).

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0308

Approve Supplemental Appropriation(s)

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

Fund:	Department:	Account:	Amount:
Prosecutor DRC Grant	Prosecutor	Personnel & Fringes	\$5,637.60

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0309

Approve Issuance of Warrants for Then and Now(s)

Commissioner Hartley moved, to approve the issuance of warrants for then and now(s) are as follows:

P.O. Number	Fund	Vendor	Date Purchase	Amount
292848	Sheriff's Grant	Foreman-Blair	3/25/14	\$7,035.36

Reason: Funds were not put on a reserve because the decision to lease these vehicles was not made until the end of February/early March. Did not know it would be billed. Had to wait until everything was finalized.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

Resolution 2014-0310

Acknowledge Treasurer's Investment Report(s)

Commissioner Hartley moved to acknowledge the receipt of the Treasurer's March 31, 2014 Investment Report(s).

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

**Resolution 2014-0311
Corrected**

**Direct Treasurer to File Initial Articles of Incorporation for the
Clark County Land Reutilization Corporation**

Commissioner Hartley moved, per the request of Grants Coordinator, to authorize the following:

WHEREAS, division (A) of Section 5722.02 of the Revised Code authorizes a county to elect to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, division (A) of Section 1724.04 of the Revised Code authorizes a county that has a population of more than sixty thousand as of the most recent decennial census and that elects to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to organize a county land reutilization corporation for the purpose of exercising the powers granted to a county under Chapter 5722 of the Revised Code.

WHEREAS, Clark County, Ohio (the "County") had a population over sixty thousand as of the year 2010, the year of the most recent decennial census.

WHEREAS, the Board of Clark County Commissioners (the "Board") has determined that the current economic conditions in the County and the conditions of the real estate market in the County, including, but not limited to, the foreclosures for mortgage and tax payment delinquencies, are such as to necessitate the adoption and implementation of the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, division (B) of Section 5722.02 of the Revised Code permits a county that adopts a resolution under division (A) of such section to cause to be organized a county land reutilization corporation under Chapter 1724 of the Revised Code to act on behalf of and cooperate with the county in exercising the powers and performing the duties of a county with respect to land reutilization under Chapter 5722 of the Revised Code.

WHEREAS, the Board now desires to adopt a resolution under division (A) of Section 5722.02 of the Revised Code adopting and implementing the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, in furtherance of the implementation of an effective land reutilization program and in accordance with division (B) of Section 5722.02, the Board also desires to organize a county land reutilization corporation under Chapter 1724 of the Revised Code to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county under Chapter 5722.

WHEREAS, the Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board, and that all the deliberations of this Board, and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

NOW, THEREFORE, BE IT RESOLVED; by the Board of County Commissioners of Clark County, Ohio, that:

Section 1. In accordance with division (A) of Section 5722.02 of the Revised Code, this Board hereby finds and determines that the existence of nonproductive land within its boundaries due to foreclosures from mortgage and tax payment delinquencies and other reasons is such as to necessitate the implementation of a land reutilization program to foster either the return of such nonproductive land to tax revenue generating status or the devotion thereof to public use.

Section 2. This Board hereby elects to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

Section 3. In furtherance of the implementation of a land reutilization program for the County, this Board hereby authorizes and directs that a county land reutilization corporation (the "Corporation") shall be organized under Chapters 1724 and 1702 of the Revised Code and hereby authorizes and directs the County Treasurer (the "Treasurer") to incorporate the Corporation in accordance with Section 1724.04 of the Revised Code by the execution and filing of its initial articles of incorporation in the form heretofore on file with the Clerk of the Board.

Section 4. Pursuant to and in accordance with Section 1724.04 of the Revised Code, this Board hereby approves the form of initial articles of incorporation heretofore filed with the Clerk of this Board.

Section 5. Pursuant to division of Section 5722.02 of the Revised Code, the Clerk of this Board is authorized and directed to deliver a certified copy of this resolution to the Auditor of the County, the Treasurer and the Prosecuting Attorney of the County.

Section 6. This resolution shall take effect and be in force immediately upon its adoption.

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Abstain

Resolution 2014-0312

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

Commissioner Hartley 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: Paul Asher
Address: 1259 Bookwalter Ave, New Carlisle, OH 45344
10-5-31-218-3

Bethel Twp
 Amount: \$76.46
 Comments: Water & Sewer, Place on tax duplicate prior to Sheriff Sale on April 25, 2014

Property Owner: Michael W & Debra S Thompson
 Address: 7960 Kimmel St, Fairborn, OH 45324
 18-1-11-106-9
 Mad River Twp
 Amount: \$325.53 water is off
 Comments: Water & Sewer, Place on tax duplicate prior to Sheriff Sale on April 25, 2014

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0313

Approve Travel/Expense Allowance

Commissioner Hartley 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
B&G	M. Swank, M. Yinger	Contract training	Cincinnati, OH	5/8/14	\$ 558.00
Comm Pleas	J. Hunt	Probation Firearms Trng	Springfield, OH	4/25-5/1/14	\$ 525.00
Probate Ct	R. Carey	Judges Summer Conf	Columbus, OH	6/16-19/14	\$1,155.00
Probate Ct	R. Carey	AMA/AJF Seminar	Las Vegas, NV	10/5-10/14	\$1,494.21

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Add-on Resolution 2014-0314 Corrected

Authorize Moral Obligation Payment to Opportunities for Individual Change (OIC)

Commissioner Hartley moved to authorize the moral obligation payment of \$58,842.31 to OIC located at 10 South Yellow Springs Street, Springfield, Ohio County, Ohio 45506 for OIC's reliance on any of the Board's past employees' authorizing any agreement when the employee did not have explicit contract authority to authorize OIC to perform administrative duties under the Re-entry Contract dated May 15, 2012.

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, No

Add-on Resolution 2014-0315

Set Special Session for Friday, April 25, 2014

Commissioner Hartley moved to set a special session for Friday, April 25, 2014 at 9:30 a.m. The special session will be held in the Conference Room, 5th Floor, 50 E. Columbia Street, Springfield, Ohio. The purpose of the meeting is to discuss the Agriculture Easement Purchase Program Applications.

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

Commissioner Detrick, Yes; Commissioner Hartley, Yes; Commissioner Lohnes, Yes

Resolution 2014-0316

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

Commissioner Hartley, Yes; Commissioner Detrick, Yes; Commissioner Lohnes, Yes

The motion carried.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Richard L. Lohnes, President

By: _____
John Detrick

I certify that the record is true and accurate:

Commission Clerk

By: _____
David Hartley