

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 Fairgrounds, Arts and Crafts Building, 4401 South Charleston Pike, 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; Michael Cooper, Springfield News Sun; Andrea Fields; Devon Fields; Ron Vincent, Clerk of Courts; Mindy Smith; Cindy Stucky; Patricia Elliott; Arlaine Blything; Clint Blything; Tina Blything; Michael Elliott; Bryan and Paige Elliott; Sally Bowers; Rebecca Bowers; June Allen; Diana Mefford; Dakota Mefford; David Dombrosky & Virginia Martycz, Department of Job and Family Services; Brent Wheeler; Misty Wheeler; Megan Lewis; Ryan Allen; Bruce Eckler; Donise Jordan; Stacey Eckler; Alexis Eckler; Gail Eckler; Deja Eckler; David Herier; Mark Oster; Darrell Holland; Tom Sothard; Amber Hall; Brian Mueller; Dave Taylor; Marjorie Travis; Maureen Fagans, Joyce Ware, and Darrell Kitchen, United Senior Services; Carl Loney, Clark County Sheriff's Office; John A. Loney; Eric Holmes, Captain Clark County Sheriff's Office; Sheriff Gene A. Kelly; John Burr, County Engineer; John Federer, County Auditor.

Call to Order, Commissioner Lohnes

Resolution 2014-0556

Following the pledge and invocation, Commissioner Lohnes recognized the county officials and employees in attendance.

Swearing In Ceremony:

Sheriff Kelly thanked the Commissioners for holding the meeting and he introduced his staff. The longest serving elected official was Ronny Vincent, Clerk of Courts, who administered the oath. The Sheriff shared a little bit of background information about each deputy. The Swearing In ceremony was held.

Maureen Fagans, United Senior Services, requested the levy renewal be placed on the ballot this November. Seniors have enjoyed the benefits of the levy since 1990. They requested a renewal. It was currently a 1 mill levy that was put into place in 2006. Elderly United has been in business for 46 years. It was organized by Betty Pitzer. See attached summary sheet of the services and benefits of the levy. Commissioner Lohnes asked how long the renewal period was for. Ms. Fagans said five years.

Commissioner Lohnes mentioned the Golden Wedding Celebration that was organized by Elderly United.

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

The motion carried.

Agenda Review:

Commissioner Hartley asked about the following resolutions:

Resolution 2014-0558 authorized a contract with the City of Springfield for the local government fund distribution. This maintained the existing formula. If they do not get concurrence between the City and the County the statutory formula must be used. The statutory formula needs data from the 1920s and 1930s which is difficult to find. Therefore, he recommended the alternate formula.

Commissioner Hartley requested a separate vote on Resolution 2014-0566 and 0567.

Commissioner Detrick thanked everyone for coming out to the meeting.

County Engineer, John Burr reviewed resolutions 2014-0559 through 0561.

Resolution 2014-0559 authorized a couple right of ways for the Lower Valley Pike project.

Resolution 2014-0560 authorized intergovernmental agreements for pavement marking. They bundle the townships into one to decrease the unit cost.

Resolution 2014-0561 authorized the contract for the paving partnership with the Village of Enon.

Engineer Burr gave a project update: Upper Valley Pike was complete. County Line/Upper Valley Pike will start August 12th. The project was to correct safety issues. Spangler will start August 4th and complete October 17. One lane of traffic will be maintained for that project. The Hampton Bridge was complete. The bridge on Folk Ream was under construction. County paving was in process. Chip seal would begin next week.

Commissioner Detrick commented resolution 2014-0562 appointed members to the LEPC.

Resolution 2014-0563: Mr. Kennedy explained no bids were received however half a dozen were requested.

Resolution 2014-0564 dealt with upgrades at the Southwest Regional Wastewater Treatment Plant. Clark County served 11,000 customers each on water and sewers. That included the I-70 industrial park. They were meeting EPA standards. The project was 79% complete.

Commissioner Lohnes had not questions.

Commissioner Hartley moved to approve the agenda in its entirety with the exception of Resolutions 2014-0566 and 0567. 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 Detrick moved to approve Resolution 2014-0566 and 0567. Commissioner Lohnes seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

Before Commissioner Hartley cast his vote made a statement. Resolution 2014-0567 was a disservice to the taxpayers of Clark County. It was not legal. It was an attempt to disregard sections 307.09 and 307.10 of the Ohio Revised Code. Even the attorney(s) from Konecranes acknowledges this problem by inserting 4a and b in the agreement of lease. This problem could have been overcome if the CIC had purchased the facility and sold it to Konecranes as suggested at that time. Commissioner Hartley supported that. Although he would have voted no, the Commission could have sold the building and walked away. Instead staff has wasted 400-500 hours on this transaction. There will be more hours wasted on this if a tax payer lawsuit was filed. The sale price ignored the appraised value. The County Auditor's appraised value of the building was \$1,037,370. The only certified commercial appraised value was \$900,000. Clark County paid \$1,500 for that appraisal. The County selling the property for a substantially below amount was a disgrace to the taxpayers. If the County was going to provide a facility to a multimillion dollar foreign corporation for a cost well below the value of the building, should the County then provide buildings at a discount to other businesses and business entities? Commissioner Hartley also questioned the \$200,000 indemnification for Konecranes in section 27, E,

iii of the agreement. This whole process doesn't pass the smell test. The sale was engineered by the director of the Chamber of Commerce and CIC. Conflicts of interest are evident in this transaction. He questioned if the Commission should terminate the lease at this time. If a tax payer lawsuit gets filed there is the possibility of an injunction blocking the sale of this property. If Resolution 2014-0566 passes there may be no sale and no lease.

Before casting his vote, Commissioner Detrick made a statement. He stated they were under the advice of their legal counsel. There were appraisals on this building for \$700,000, \$750,000, \$900,000 and the Auditor's appraisal of \$1 million. The agreement was reached at \$800,000. Konecranes promised 20 jobs. They have brought 100 jobs and retained 300. These were livable wage jobs not minimum wage jobs. This was equal to General Electric getting millions of dollars in subsidies to build a headquarters in downtown Cincinnati. There was no comparison. Konecrane was not getting any tax abatements. They will be paying real estate taxes to the local entities to the tune of \$25-30,000. Konecrane had already expended \$200,000 in upgrading the facility. In regard to foreign investment, one third of the money in the United States comes from foreign money. What are we going to do, build a wall around the United States? He hoped not. There needs to be foreign influence. There were people lined up at the borders to come here because of the enterprises. It was ludicrous to not welcome them with open arms in America.

An unidentified woman in the audience worked at Konecranes and knew of a person that had worked for them for four years as a temp but had not been brought on permanently and had no benefits. She wondered if this was common practice. Commissioner Detrick was not aware of that but noted the opportunity given to that person to work because Konecranes was here.

Martin (inaudible last name), wanted the Board to quit messing around with Konecranes. This was a chance to sell Springfield and Clark County. He said the Board needed to get in with them and get the issue settled.

Commissioner Lohnes clarified the sale amount of the building was \$787,000. It used to be the Ag Building.

Resolution 2014-0557

Authorize Contract Amendment #2 with Northwoods Consulting Partners, Inc.

Commissioner Hartley moved, per the request of the Job & Family Services Director, to authorize contract amendment #2 with:

Organization Name:	Northwoods Consulting Partners, Inc.
Organization Address:	5815 Wall Street, Dublin, Ohio 43017
In the amount of:	\$0.00
Funding Source(s):	Shared Administrative Dollars
Purpose of amendment:	Change the reimbursement structure to allow for liquidated damages upon late delivery of the "Forms Favorite" feature for Compass Pilot.
Effective Dates:	July 22, 2014

Further move to authorize the County Administrator to execute the contract amendment 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 2014-0558

Authorize Contract with The City of Springfield

Commissioner Hartley moved to authorize a contract with:

Organization Name: The City of Springfield

Organization Address: 76 East High Street, Springfield, Ohio 45502

Purpose: Local Government Fund distribution for three years beginning in 2015.

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 2014-0559

**Authorize Contract for Sale & Purchase of Right of Way
CLA CR 316 – Lower Valley Pike LPA Project 88008**

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

Agreement with: Trupointe Cooperative, Inc.
8721 Lower Valley Pike
Medway, Ohio 45341
Parcel 134 WD

In the amount of: \$ 300

Purpose: Acquisition of Right of way

Agreement with: John George
9978 Lower Valley Pike
Medway, Ohio 45341
Parcel 48 WD

In the amount of: \$ 2,800

Purpose: Acquisition of Right of way

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 2014-0560

**Authorize Inter-governmental Agreements Between the
Bethel Township, Moorefield Township, Pike Township, Springfield Township,
Village of Enon, and the Board of Clark County Commissioners**

Commissioner Hartley moved, per the request of Deputy Engineer, to authorize the following agreements:

Agreements between: Bethel Township, Moorefield Township, Pike Township, Springfield Township, Village of Enon, and the Board of Clark County Commissioners

In the amount of: COUNTY, TOWNSHIPS, and VILLAGE agree to cooperate in completing the 2014 Pavement Marking project. The COUNTY, TOWNSHIPS, and VILLAGE agree the total local share of the cost for the project to be

\$149,891.92.

Purpose: 2014 Pavement Marking Project

Effective Dates: July 22, 2014 through October 31, 2014

Further move to authorize the County Administrator to execute the contracts 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 2014-0561

Authorize Inter-governmental Agreement Between the Village of Enon and the Board of Clark County Commissioners

Commissioner Hartley moved, per the request of Deputy Engineer, to authorize the following agreement:

Agreement between: Village of Enon and the Board of Clark County Commissioners

In the amount of: COUNTY and VILLAGE agree to cooperate in completing the 2014 Roadway Resurfacing project. The COUNTY and VILLAGE agree the total local share of the cost for the project to be \$1,203,951.54.

Purpose: 2014 Roadway Resurfacing Project

Effective Dates: July 22, 2014 through October 31, 2014

Further move to authorize the County Administrator to execute the contracts 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 2014-0562

Appoint Member(s) to Local Emergency Planning Committee (LEPC) 2013-2015

Commissioner Hartley moved to appoint the following member(s) to the Local Emergency Planning Committee (LEPC):

Name/Address	New Expiration Date:
Douglas Clary City of Springfield	August 14, 2015
Dawn Colombi 178 th FW/Medical Group	August 14, 2015
Christina Conover- replacing Judy Andrews Clark County Health District- replacing Judy Andrews	August 14, 2015

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Bob Holder
R.D. Holder

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Scott Kaufman
Hustead Fire and EMS

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David Newman- replacing Terri Norris
Springfield Regional Medical Center

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Bradley R. Phillips- replacing Tracy Young
City of New Carlisle Fire Division

August 14, 2015

Lisa Silva
Navistar

August 14, 2015

Brian K. Aller- replacing Matt Cleaveland
Ohio State Highway Patrol

August 14, 2015

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 2014-0563

Acknowledge Bid Opening for South Charleston Street Improvements CDBG Project

Commissioner Hartley moved to acknowledge no bids were received for South Charleston Street Improvements CDBG Project on Thursday, July 17, 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 2014-0564

Approve Payment to Peterson Construction Company, Payment #9 - Partial

Commissioner Hartley 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:	\$474,986.74; % Complete = 79.44%
Retainage Held By:	NA - retainage waiver on-file for contractor
Retainage Amount:	\$0.00; retainage held from this pay; retainage held to date \$340,883.08
Comments:	Of this pay, \$379,989.39 will be direct paid to the Contractor by OWDA Loan Account 6519 and \$94,997.35 will be direct paid to the Contractor by OPWC Loan Account CK29Q.

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 2014-0565

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
Personnel	L. Thomas	BWC Safety Training	Pickerington, OH	11/17-21/14	\$323.76
Personnel	N. Baker	Brower Seminar	Dayton, OH	7/22/14	\$ 29.00

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 2014-0566

**Authorize Termination of Lease Agreement with
The Community Improvement Corporation of Springfield and Clark County, Ohio**

Commissioner Detrick moved to terminate the following lease agreement:

Lessee: The Community Improvement Corporation of Springfield and Clark County, Ohio
Purpose: Lease of space at 4400 Gateway Blvd., Springfield, Ohio 45502
Termination Effective: July 1, 2014

Further move to authorize the County Administrator to execute the lease agreement termination and related documents.

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

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

Resolution 2014-0567

**Authorize Contract with
Konecranes Inc.**

Commissioner Detrick moved to authorize a contract with:

Organization Name: Konecranes, Inc.
Organization Address: 4401 Gateway Blvd., Springfield, Ohio 45502
In the amount of: \$787,000
Funding Source(s): General Fund
Purpose: To approve a lease purchase contract with Konecranes, Inc. whereby Konecranes will lease purchase from the County the real property at 4400 Gateway Blvd., Springfield, Ohio 45502
Effective Dates: July 1, 2014-May 31, 2015

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

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

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

Resolution 2014-0568

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