

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 Commission Office, 50 East Columbia Street, Springfield, Ohio.

The following members and guests were present: Commissioner Melanie Flax Wilt; Commissioner Lowell McGlothin; Jennifer Hutchinson, County Administrator; Michelle Noble, Assistant County Administrator/HR Director; Emily Carter, Deputy Clerk; Megan Burr, Commission Clerk; Michael Cooper, Public Information Officer; Alex Dietz and Ethan Harris, Community & Economic Development; Beau Thompson, Assistant County Prosecutor; Riley Newton, Springfield News Sun, Allan Neimayer, Community & Economic Development; Jack Blain; Teresa Brooks; Tom Prendergast; Warren & Celeste Smith; Reverend Linda Stampley; Jerry & Bonnie Smith; Tamra Thornton; Unknown Audience Members.

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

Agenda Review:

Commissioner McGlothin asked about the following resolutions:

Resolution 2020-0050 authorized the contract for design services for a roundabout on Selma Pike and East Possum Road. He was glad to see that was going forward.

He noted resolution 2020-0051 was authorizing dispatch services for Bethel and Harmony Townships.

He noted there were three rezoning cases that would be heard at the formal session.

Commissioner Wilt asked about the following resolutions:

Resolution 2020-0056 was the adoption of the 2020 budget. There had been discussion the prior week for the additional allocations and they all came to an agreement. Commissioner Wilt asked if there had been any changes and Ms. Hutchinson said no.

Commissioner Wilt asked about the pay periods for the next few years. Ms. Hutchinson said she had not received a definite answer yet. Ms. Hutchinson explained there are 26 pay periods in a year and they were aware of the situation coming up and they will plan for it. Ms. Hutchinson said the personal manual states that if a holiday falls on a Friday, which it does, then the pay date would be the Thursday prior. The decision would be up to the Auditor's office. Commissioner Wilt asked if there needed to be any adjustments to the budget for this and Ms. Hutchinson said if the Auditor's office moved the last pay date to 2020 then there would need to be an adjustment to the budget for the 27th pay in 2020. Ms. Hutchinson said the adjustments could be done later and they would have to make additional appropriations to cover the costs.

Ms. Hutchinson stated that there was an add on for the cost of living increase.

County Administrator Updates:

Ms. Hutchinson stated she had dated for the 911 center. The project would go out for bid and be advertised for two weeks in a row on February 6th and February 13th. The bid opening was set for March 5th. Ms. Hutchinson stated that there would be a tour of the site and a pre-bid meeting in-between February 6th and March 5th. Commissioner McGlothin asked if there was an estimate for the project and Ms. Hutchinson said \$1.5 million for the actual build. The whole project was estimated at \$5 million. Commissioner Wilt noted that the cost of the scope did not change if the City of Springfield was included or not.

Commissioner McGlothlin asked if we were up to date with payments to Kapp Construction and Ms. Hutchinson said yes. Ms. Noble stated there was a meeting the day prior and Kapp said they had been paid and they had started paying their sub-contractors. Ms. Hutchinson noted Pay App #3 to Kapp would be on the agenda next week.

Ms. Hutchinson noted the timelines for the other projects were going on track. Commissioner McGlothlin asked if there could be a tour of the AB Graham building and Ms. Hutchinson said yes.

The Board reviewed calendar events.

Commissioner Wilt asked if there were any more joint meetings with the City set. Ms. Hutchinson said it was the city's turn to host the meeting and they were aware of that.

Commissioner McGlothlin moved to go into executive session to discuss economic development and discipline of a public employee. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The Board recessed until 10:00 a.m.

Call to Order, Commission President Wilt

Resolution 2020-0047

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The motion carried.

Commissioner McGlothlin moved to approve the agenda in its entirety including the add on with the exception of Resolutions 2020-0058, 2020-0059, and 2020-0060 which were the public hearings. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The motion carried.

Resolution 2020-0048
B&GC file

**Authorize Contract with
Roger Storer Plumbing Inc.**

Commissioner McGlothlin moved, per the request of the Buildings & Grounds Director, to authorize a contract with:

| | |
|------------------------------|--|
| Organization Name: | Roger Storer Plumbing Inc. |
| Organization Address: | 315 South Center Street, Springfield, Ohio 45506 |
| In the amount of: | \$18,860.00 |
| Funding Source(s): | General Fund |

Purpose: Replace Municipal Court sanitary pumps.
Effective Dates: January 22, 2020

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

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0049
CORC file

**Authorize Contract with
Adam Dwyer Funeral Trade**

Commissioner McGlothlin moved, per the request of the Clark County Coroner, to authorize a contract with:

Organization Name: Adam Dwyer Funeral Trade
Organization Address: 3601 Glengary Lane, Cincinnati, Ohio 45236
In the amount of: \$100.00 for removal and transport to Springfield Regional Medical Center and \$110.00 for removal and transport to Montgomery County Coroner’s Office.
Funding Source(s): General Fund
Purpose: Removal and transport of bodies.
Effective Dates: January 1, 2020 through December 31, 2020

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

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0050
ENG file

**Authorize Contract with
Burgess & Niple, Inc.**

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

Organization Name: Burgess & Niple, Inc.
Organization Address: 5085 Reed Road, Columbus, Ohio 43220
In the amount of: \$233,443.00
Funding Source(s): Federal Funds (100%)
Purpose: Design services for CLA CR 351-7.92 Selma Pike / East Possum Road Roundabout.
Effective Date: January 22, 2020

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

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2020-0051
SHRC file**

**Authorize Dispatching Contract(s) with
Bethel and Harmony Townships**

Commissioner McGlothin moved, per the request of the County Sheriff, to authorize contract(s) for dispatching services with:

Township: Bethel
In the amount of: \$43,771.50
Effective Dates: January 1, 2020 through December 31, 2020

Township: Harmony
In the amount of: \$12,322.05
Effective Dates: January 1, 2020 through December 31, 2020

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

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

Commissioner McGlothin, Yes; Commissioner Wilt, Yes

**Resolution 2020-0052
JFSC file**

**Authorize Subgrant Amendment #1 with
Marriage Resource Center of Miami Valley dba Encompass Connection Center**

Commissioner McGlothin moved, per the request of the Department of Job and Family Services Director, to authorize subgrant amendment #1 with:

Organization Name: Marriage Resource Center of Miami Valley dba Encompass Connection Center
Organization Address: 616 North Limestone Street, Suite 3, Springfield, Ohio 45503
Amendment Amount: \$0.00
New Contract Amount: \$144,000.00
Funding Source(s): Children’s Services Levy and Protect Ohio
Purpose of Amendment: To revise the outcomes and deliverables to reflect the appropriate target population.
Purpose of Contract: To provide a Safe Families Prevention and Intervention Program.
Amendment Effective Date: January 8, 2020

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

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

Commissioner McGlothin, Yes; Commissioner Wilt, Yes

**Resolution 2020-0053
COMA file**

**Authorize Agreement Between
City of Springfield and the Board of Clark County Commissioners**

Commissioner McGlothlin moved to authorize the following agreement:

- Agreement with:** City of Springfield
- Purpose:** Stabilize sewer bills for the Erie Sewer Service Area for the County residents utilizing connection to the Erie Sewer Interceptor.
- Effective Date(s):** January 1, 2020 through December 31, 2029

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

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2020-0054
EMAG file**

**Authorize Grant Submission
For Ohio Emergency Management Agency (OEMA)**

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

- Grant:** Water Search and Rescue Supplemental (2020-WSAR-R3)
- Grantor:** Ohio EMA
- Funding Amount:** \$5,000.00
- Purpose:** To equip and prepare water rescue team and resources in the eight (8) counties of Ohio State Homeland Security Region.
- Effective Dates:** July 1, 2019 through May 30, 2020

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

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2020-0055
BRDR file**

**Re-Appoint Member(s) to the
Clark County Rural Zoning Commission**

Commissioner McGlothlin moved to re-appoint the following member(s) to the Clark County Rural Zoning Commission:

- Name:** Larry Spahr (Alternate)
- New Expiration Date:** December 31, 2022

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0056
FIN\$ file

Adoption of 2020 Budget

Commissioner McGlothlin moved, upon recommendation of the County Administrator, to adopt the 2020 appropriations budget in the total amount of \$195,346,205.00 consisting of the General Fund appropriations in the amount of \$49,417,795.00 and All Other Fund appropriations in the amount of \$145,928,410.00. These appropriations shall be governed by the First Amended Certificate of Official Resources. It should be noted that this budget is prepared and adopted in CAFR format as recommended by the State Auditor's Office. Be it further moved that the County Administrator is authorized to utilize a line item internal control budget, in conjunction with the County Auditor's Office, to enforce compliance with the official appropriations budget.

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0057
TRAV file

Approve Travel/Expense Allowance

Commissioner McGlothlin 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 |
|--------------|------------------------------------|----------------|----------------|-------------|-------------|
| Comm Dev | J. Tuttle | OCEOA Mtgs. | Plain City, OH | Quarterly | \$ 185.00 |
| Comm Dev | Various Staff | Various Trngs. | Various | 2020 | \$1,000.00 |
| Comm Dev | 5 Staff Members | OBOA Conf. | Akron, OH | 3/15-17/20 | \$4,220.00 |
| DJFS | C. Guittar, N. Gill A. Cornwell | OCOWF Conf. | Columbus, OH | 3/26-27/20 | \$ 402.00 |

Further move reimbursements shall comply with all requirements of the Travel Policy as adopted in the Personnel Manual.

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0058
ZBTH file

**10:00 a.m. Public Hearing for Rezoning Case Z-2019-11
filed by Steve and Annette Triplett in Bethel Township**

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing on the proposed rezoning case Z-2019-11 being 33.53 acres located at 10811 Schiller Road, Medway, Ohio from current A-1 (Agricultural District) to PD-R (Planned District-Residential) to allow for two dwellings on the same parcel (in-law suite, not used as a rental).

Public Hearing opened by the Commission President at 10:03 a.m.

Staff Report: Mr. Neimayer, Community & Economic Development Department, gave the report. See attached. The property was located right out of Medway, Ohio on Schiller Road in Bethel Township. Schiller Road was rural residential. The property was zoned agricultural district. Back in 2006 agricultural use exemption was granted for construction. After a period of time a portion of the property was converted to a full dwelling. There were inspections through the health district in October 2019 and a zoning code inspection after that. Section 808.10 only allows for one dwelling on the parcel. The only zoning code to allow for two dwellings on the property was planned district-residential (PDR). Along with the PDR requirements is a develop plan. The applicant submitted additional projects that may be completed at a later date. The applicant included possible projects because if they wanted to do anything different than the plans submitted, they would have to do another rezoning application. The comprehensive plan identified the area as rural agricultural. There is public sanitary sewer in the district. Staff recommended the rezoning to be approved as presented. Commissioner Wilt stated that they have seen cases lately that the applicant builds something and then goes through the steps to get approval. Commissioner Wilt wanted to note that that is not the way the process was.

Audience Comments: None.

The Public Hearing was closed by the Commission President at 10:07 a.m.

Commissioner McGlothlin moved to approve rezoning case Z-2019-11 as presented.

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0059
ZMRV file

**10:00 a.m. Public Hearing for Rezoning Case Z-2019-12
filed by Veterans Best Home Improvement LLC in Mad River Township**

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing on the proposed rezoning case Z-2019-12 being 1.13 acres located at 7373 Dayton-Springfield Road, Enon, Ohio from current R-4S (Multiple-Family Residence District, Specific Use) to O-1 (Office Business District) for Real Estate Office, training room for realtors, and other allowed professional business services or office space.

Public Hearing opened by the Commission President at 10:08 a.m.

Staff Report: Mr. Neimayer, Community & Economic Development Department, presented his report. See attached. The property was located off of Dayton Springfield Road in Moorefield Township. The area was single family residential with a few businesses along Dayton Springfield Road. The property was originally zoned R-1 and in 1997, the property was rezoned to R-4S to allow for a daycare operation. With the existing building, one issue was parking. The applicant had to comply with the zoning requirements for the parking issue. The comprehensive plan identified the area as suburban living high intensity. Staff recommended approving the rezoning as presented.

Audience Comments: None.

The Public Hearing was closed by the Commission President at 10:11 a.m.

Commissioner McGlothlin moved to approve rezoning case Z-2019-12 as presented.

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0060
ZMRF file

**10:00 a.m. Public Hearing for Rezoning Case Z-2019-10
filed by JTS Capital Realty LLC in Moorefield Township**

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing on the proposed rezoning case Z-2019-10 being 2.67 acres located at the southwest corner of Hunt Parkway and Derr Road (PID# 220-03-00027-100-026), Springfield, Ohio from current O-1 (Office Business District) to R-2A (Medium Density Single-Family Residence District) to allow for a single family residence.

Public Hearing opened by the Commission President at 10:11 a.m.

Staff Report: Mr. Neimayer, Community & Economic Development, gave the report. See attached. The property was located on the corner of Derr Road and Hunt Parkway in the Simon Kenton subdivision. Property was zoned as O1. There was public water and sewer available. The comprehensive plan identified the area as mixed use. The first phase of the Simon Kenton subdivision was platted back in 1998 and the property was intended for an office type development and there was restriction with access control. Access to the two lots had to be at least 300 feet from the center line of Derr Road. Staff recommended the rezoning to R-2A be approved as presented. The County Planning Commission denied the request. The Planning Commission was not opposed to the rezoning concept; they were concerned of the development standards that were to be used for the request.

Audience Comments: Warren Smith, 888 Brendle Trace, Springfield, was concerned about the water control. There was a tree line on the property and if the applicant removed the tree line and disturbs the water line, how would it affect the water control on his property. There were a lot of trees on the south side as well that may affect the water control for the other neighbors. Commissioner Wilt asked if he has had any discussions with the applicant and Mr. Smith said no. Commissioner McGlothlin said he would think that the Engineer's office would look at the water control on the property.

Tom Prendergast, President of the Deerfield Village Condominiums Association, respectfully requested the request be tabled or denied because there were too many unknowns. At the Planning Commission meeting, there was a discussion on covenants or restrictions and there were none listed. There was also a difference in opinions on whether the property was part of the HOA. Mr. Prendergast said there was an easement for the white fence line that went along Hunt Parkway. Mr. Prendergast wanted to know if they fence line was in the easement and did the fence line go west on Hunt Parkway and across the curb cut, where the ingress and egress would be. Mr. Prendergast thought it would be premature to make a decision without the answers to all the unknowns stated. One other concern he had that had not been discussed is the taking away the calming effect when someone entered the subdivision. A house being built on the property would take away from the beautiful scenery. Mr. Prendergast said there were 3 divisions in Simon Kenton Farms and the board he was on has had several discussions about purchasing the property.

Commissioner Wilt explained the property was zoned for an office type business already and the request was changing it to a residential. Commissioner Wilt said they were not considering the building on the property, but rezoning the property.

Mr. Prendergast said the property buyer did not want to be a part of the HOA and he did not know if the property was in the HOA already.

Celeste Smith, 888 Brendle Trace, Springfield, presented pictures of her property. Commissioner Wilt asked why she wanted the property to be zoned for an office type business than residential. Mrs. Smith said they had just found out about the rezoning and they wanted time to get with everyone to see if their community wanted to purchase the property.

Teresa Brooks, 884 Brendle Trace, Springfield, presented pictures of her property and the tree line behind it. Ms. Brooks stated the buyer would have to remove the trees because that was the only access to the property. She stated that the property was a green space and it needed to stay a green space. Commissioner Wilt said it was not zoned a green space, it was zoned an office district. Ms. Brooks said no one was notified of the prior meetings and it was the first time she had heard that anyone was wanting to buy it and rezone it. Ms. Brooks asked if there was a conflict of interest and if anyone was directly involved. Commissioner Wilt and Commissioner McGlothlin said no. Commissioner Wilt explained that there was an ethical responsibility as elected officials to recuse if there was a conflict of interest. Ms. Brooks asked if there was a chance that there would be more than one house built on the property. Commissioner Wilt said the request was for single residential district medium density. Ms. Brooks asked why there couldn't be an access to the house from Derr Road and leave the tree line there. Commissioner McGlothlin said that was something the Engineer's office could look at.

Tamra Thornton, 886 Brendle Trace, Springfield, said there were several homes on Derr Road on the same side that have access off Derr Road and there shouldn't be a problem having access off Derr Road. She stated the tree line was the biggest issue. It kept people from seeing the condos from the road. The waterway would also be affected. She said she was never informed until this meeting and never knew anything was going on. If everyone in the subdivision was going to be affected, then why wasn't anyone notified. Commissioner Wilt said this was the formal public hearing and they were at the right one. Ms. Thornton asked why they not notified for the Planning Commission meeting so they could have voiced their opinion then. Commissioner Wilt asked Mr. Neimeyer to explain the rezoning process.

Mr. Neimeyer explained the rezoning process. Rural Zoning Commission and that was where the first public hearing was held. There is a state law that there must be a notice put in the newspaper and notices are sent out to the surrounding property owners within 200 feet of the property in question. The law also states that if there is a Planning Commission, which Clark County has, the Planning Commission hears the case first and can make recommendations to the Rural Zoning Commission. The Rural Zoning Commission cannot act on a rezoning case unless they have a recommendation from the first board. A rezoning case starts with the Planning Commission and there are no notifications for that meeting, but it is a public meeting. The public hearing and comments are at the Rural Zoning Commission, which was held in December. Then it moves onto the County Commissioners, where a second public hearing is held and makes a final decision. Mr. Prendergast asked if notices were sent out for the Rural Zoning Commission public hearing. Mr. Neimeyer said yes. Several audience members said they never received the notice in the mail. Mr. Neimeyer said they were sent out.

Commissioner Wilt asked if the property was in the HOA area. Mr. Neimeyer said a representative of the master association of the subdivision was at a prior meeting and stated that all the properties in the Simon Kenton subdivision were a part of the HOA. Commissioner Wilt asked if the trees would need to be removed for an access point. Mr. Neimeyer said that would be up to the County Engineer and the HOA. Commissioner Wilt asked if the R2A, medium density single-family residence district, means that there would be one family residents to be built. Mr. Neimeyer said yes. If they wanted to put another dwelling on the property in the future, they would need to go through another rezoning process.

Jerry Smith 806 Brendle Trace, Springfield, said no one was notified that anything was going on. They all belong to the HOA and they paid their dues and anyone that owns that property should go by all the regulations that everyone else does.

Commissioner McGlothlin stated that there would be one house on the property, and they did not know where the driveway would go. That would be up to the Engineer. At that time, there could have been commercial properties built on the lot and would have to be a part of the HOA. He said he thought the Engineer would not want to disturb the waterway by taking down the trees. Commissioner Wilt said the property owner would be required to listen to the Engineer’s guidance pertaining to the waterway on the property.

The Public Hearing was closed by the Commission President at 10:57 a.m.

Commissioner McGlothlin moved to approve rezoning case Z-2019-10 as presented.

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Add On
Resolution 2020-0061
FINO file**

Authorize Cost of Living Adjustment

Commissioner McGlothlin moved, upon recommendation of the County Administrator, to authorize a 2.25% cost of living adjustment for all non-collective bargaining unit employees that report to the Board of Clark County Commissioners as the Appointing Authority or Co-Appointing Authority. Said cost of living adjustments shall begin on January 13, 2020.

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

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The Board held the public hearings.

Resolution 2020-0062

Commissioner Wilt adjourned the meeting.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Melanie F. Wilt, President

By: _____
Lowell R. McGlothlin

I certify that the record is true and accurate:

Commission Deputy Clerk

By: _____
ABSENT
Richard L. Lohnes