

The Board of Clark County Commissioners met in regular session pursuant to adjournment in accordance with Section 121.22 O.R.C. (Sunshine Law) through teleconference via Zoom.

The following members and guests were present: Commissioner Melanie Flax Wilt; Commissioner Lowell McGlothin; Commission Richard L. Lohnes; Michelle Noble, Assistant County Administrator/HR Director; Megan Burr, Clerk; Michael Cooper, Public Information Officer; Beau Thompson, Assistant County Prosecutor; Emily Carter, Deputy Clerk; Unknown person logged in as AH; John Lintz, Assistant County Prosecutor.

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

Agenda Review:

Commissioner Lohnes asked about the following resolutions:

He asked for separate votes on resolutions 2020-0248, 0250 and 0255. Commissioner Lohnes had a brief discussion with Judge Capper this morning about the 911 building project. People are upset that the Board is proceeding with the project. The Judge asked if there was a way to use the money from the project to cover personnel costs during the COVID-19 crisis. Commissioner Lohnes asked if that was possible with borrowed money. In the meantime, he wanted to pull the resolution until further clarification was received and there was further discussion. Commissioner Wilt said the Board has to use the money on the 911 project since that was what is was borrowed for. Mr. Thompson asked Mrs. Burr if there was a timeline for this resolution or if it could be pulled for a week. Mrs. Burr replied the resolution could be pulled. The Commissioners asked for the resolution to be pulled.

Commissioner Lohnes said Ms. Tuttle (Clerk of Courts) has saved some money since she has been in office. These budget decisions are hard decisions. Ms. Noble knew of two elected officials considering furloughs. Commissioner Wilt stated she didn't like it but furloughs were way better than layoffs. She did like that the pain of the furloughs was spread out through the rest of the year.

Resolution 2020-0250 was pulled.

Commissioner McGlothin asked about the following resolutions:

Resolution 2020-0244 authorized a contract with A&B Asphalt for paving at the Job and Family Services (JFS) campus. This was already in the pipeline prior to COVID 19. It was bid out fall of last year and the funding is separate from general fund.

Resolution 2020-0247 authorized the ODOT (Ohio Department of Transportation) contract with the Sheriff's Office for litter and graffiti cleanup. This is income to the county and part of the PRIDE program.

Resolution 2020-0249 authorized a change order with Kapp Construction. Ms. Noble explained it was a housekeeping item to clean up the amendment for the change order.

Resolution 2020-0254 authorized payment to Kapp Construction. This is from the bond money.

Resolution 2020-0255 requested a travel expense for JFS. Commissioner Wilt thought this was a good resolution to discuss. She noted the Board said no travel during the pandemic. The funding comes in through the VOCA grant so various team members can get trained. The training does not occur until August. Ms. Noble said it was approved previously. This resolution tweaks the total amount to include additional people.

Commissioner Wilt did not want to approve it. She didn't think it looked good to approve it. Commissioner Lohnes wanted to know why 12 people had to go instead of a "train the trainer" situation. He felt less people should go. Commissioner McGlothin asked to pull it until more information is received.

Commissioner Lohnes said under the circumstances Resolutions 2020-0248 and 0250 should be pulled to vote separate.

Commissioner Wilt asked about the following resolutions:

Resolution 2020-0248 authorized the Fazio contract in the amount of \$24,000. Commissioner Wilt became aware that Judge Lancaster did not receive the first memo about budget cuts. Commissioner Wilt originally made her decision based on the fact that everyone received the memo. The Commission made a mistake in notifying them. She wanted to look at this again today and she wanted to change her vote knowing that. However, the Judge proceeded to authorize installation of the flooring on Monday without a contract in place. Commissioner Lohnes said the Judge signed the contract before the resolution came up in front of the Commission. Commissioner Wilt had a discussion with Judge Lancaster. She was upset that the judge went forward with it. She explained that wasn't the process. Judge Lancaster threatened a court order. Commissioner Wilt acknowledged the judge has the ability. However, in this environment carpet replacement is not at the top of the list and the contract process shouldn't be circumvented. The Board has the authority and responsibility to manage the county budget. It should be the rare occasion that something is outside of the process. Commissioner Wilt said she made it very clear that people should cooperate with the 10% budget cut. Elected officials can't go off doing what each individual feel is important. Commissioner Wilt made the new expectation clear. If she sees something like this again it will not be approved. Commissioner Lohnes said it was similar to the Municipal Court issue which was an error by the budget manager. Then the Auditor tried to make it come out right and they made an error. Commissioner Lohnes noted in the judge's email she mentioned she submitted the contract to the Commission in the spirit of cooperation and she wasn't required to do it but she was going to have the carpet done anyway. Commissioner Wilt said the Commissioners can't allow people to circumvent the process.

The furlough resolution was ready. Commissioner Wilt thought long and hard about it. It was a painful decision. The Board knows many are cutting back and making sacrifices for public health. Furloughs have the most minimal impact to the team members. Commissioner McGlothin asked how many employees this would impact. Ms. Noble replied 56.

County Administrator Updates:

Ms. Noble said Kapp was back to work on AB Graham and Springview. They are close to finishing on Springview.

Commissioner Wilt spoke about modernizing the fairgrounds. The Agriculture Society is discussing a backup plan that might be a livestock only type of fair. No midway or carnival rides or food. 4H is continuing on. Discussion ensued.

Ms. Noble received some clarification on the travel request. If the grant money isn't spent they will lose it next year.

Commissioner Wilt said the Land Bank meeting will be held. The BZA (Board of Zoning Appeals) is meeting by zoom.

Commissioner McGlothin added Collier's was closing. Discussion ensued.

The Board recessed until 10:00 a.m.

Call to Order, Commissioner Wilt

Resolution 2020-0243

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

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

The motion carried.

Commissioner Lohnes moved to approve the agenda in its entirety with the exception of resolution 2020-0248, 0250, 0255. Commissioner McGlothlin seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

Commissioner McGlothlin moved to approve resolution Resolution 2020-0248. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner Lohnes, No; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The motion carried.

Commissioner Wilt moved to table Resolution 2020-0250. Commissioner McGlothlin seconded the motion. The roll being called for passage resulted as follows:

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

The motion carried.

Ms. Noble said in regards to Resolution 2020-0255 VOCA helps staff and others know how to deal with crimes against children. They don't know if the training will happen. If they don't use the money they don't get the money this year or next. Commissioner Lohnes disapproved and wanted it resubmitted with less people. He also requested the funding source be listed on the resolution. Commissioner Wilt said the disapproval of travel doesn't mean they disapprove of the grant or their work. Commissioner McGlothlin asked to table it. Commissioner Wilt was comfortable voting. They can also resubmit for approval.

Commissioner Lohnes moved to approve Resolution 2020-0255. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner Lohnes, No; Commissioner McGlothlin, No; Commissioner Wilt, No

The motion carried.

Resolution 2020-0244
JFSC file

**Authorize Contract with
A&B Asphalt, Corp.**

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

Organization Name: A&B Asphalt, Corp.
Organization Address: 1780 Enon Road Springfield, Ohio 45502
Contract Amount: \$277,727.00
Funding Source(s): Local Permanent Improvement and Shared Administrative Dollars
Purpose: Provide Milling and Replacement of Asphalt for Parking Areas for Buildings A, B and C.
Effective Date: April 15, 2020

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

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

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

**Resolution 2020-0245
JFSC file**

**Authorize Contract Amendment #3 with
Tecta America Zero Company**

Commissioner Lohnes moved, per the request of the Department of Job and Family Services Director, to authorize contract amendment #3 with:

Organization Name: Tecta America Zero Company, LLC
Organization Address: 2300 Edwin C. Moses Boulevard, Suite 135, Dayton, Ohio 45417
Amendment Amount: \$0
New Contract Amount: \$99,990.00
Funding Source(s): Shared Administrative Dollars
Purpose of Amendment: To extend term of the contract for one year.
Purpose of Contract: Contractor will provide roofing repair services, including emergency and standard repairs as needed.
Amendment Effective Dates: May 10, 2020 through May 10, 2021

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

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

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

**Resolution 2020-0246
SHRC file**

**Authorize Law Enforcement Contract with
Springfield Metropolitan Housing Authority**

Commissioner Lohnes moved, per the request of the County Sheriff, to authorize contract with:

Organization: Springfield Metropolitan Housing Authority
In the amount of: \$122,548.97
Effective Dates: January 1, 2020 through December 31, 2020

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

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

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

Resolution 2020-0247
SHRC file

Authorize Contract with
Ohio Department of Transportation

Commissioner Lohnes moved, per the request of the County Sheriff, to authorize contract with:

Organization Name: Ohio Department of Transportation
Organization Address: 1980 West Broad Street, Columbus, Ohio 43223
Contract Amount: \$100,464.00 (Income)
Purpose: Litter and graffiti on state roadways.
Effective Date: July 1, 2020 through June 30, 2021

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

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

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

Resolution 2020-0248
JUVC file

Authorize Contract with
Fazio Color Shop

Commissioner McGlothlin moved, per the request of the Juvenile Court, to authorize a contract with:

Organization Name: Fazio Color Shop
Organization Address: 1020 South Limestone Street, Springfield, Ohio 45505
In the amount of: \$24,637.50
Funding Source(s): Permanent Improvement Fund
Purpose: Replace flooring in the Juvenile Court Probation area.
Effective Date: April 15, 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 Lohnes, No; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0249
COMC file

**Authorize Change Order #13 Amendment for
Clark County Administration Building Improvements**

Commissioner Lohnes moved to authorize change order #13 amendment with:

Organization Name: Kapp Construction Inc.
Organization Address: 329 Mount Vernon Avenue, Springfield, Ohio 45502
Amendment Amount: \$3,000.00
New Contract Total: \$5,276,190.37
Funding Source(s): Permanent Improvement
Purpose of Amendment: To increase the amount of change order #13. The original change order amount was entered incorrectly on Resolution 2020-0142.

Further move to authorize the County Administrator to execute the change order amendment.

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

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

Resolution 2020-0250
COMB/C file

**Award Bid and Authorize Contract to Brumbaugh Construction, Inc. for
Clark County 911 Communication Center**

Commissioner Wilt moved to table the following:

Award the bid and authorize the contract with Brumbaugh Construction, Inc. for their bid of \$1,642,500.00 for the Clark County 911 Communication Center project.

Organization Name: Brumbaugh Construction, Inc.
Organization Address: 3520 State Route 49, PO Box 309, Arcanum, Ohio 45304
In the amount of: \$1,642,500.00
Funding Source(s): Permanent Improvement Fund
Purpose: Clark County 911 Communication Center
Effective Date: April 29, 2020

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

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

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

Resolution 2020-0251
TRSR file

Acknowledge Treasurer's Investment Reports

Commissioner Lohnes moved to acknowledge the receipt of the Treasurer's December 31, 2019, January 31, 2020, and February 29, 2020 Investment Reports.

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

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

Resolution 2020-0252
INVS file

Authorize Disposal of Obsolete Equipment

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

2003 Ford F150
VIN# 2FTRX18L13CA77030

2006 GMC 1500
VIN# 1GTEK19Z56Z139813

1999 John Deere 5410 Tractor
VIN# 11O27A0482

1996 John Deere 6300 Tractor
VIN# LO6300H163669

2013 New Holland T5070 Tractor
VIN# ZCJH22821

2004 John Deere 6415 Tractor
VIN# L06415B453343

1989 Dresser 850 Motor Grader
G58003U100707

2007 International 7400 Single Axle Dump Truck
VIN# 3HTWDAAR47N496748

2007 International 7400 Tandem Axle Dump Truck
1HTWAGAZTX6J256211

Further, the Board funds this property no longer needed for county use.

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

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

Resolution 2020-0253
EMAP file

**Approve Payment to
Clark County Sheriff's Office and City of Springfield**

Commissioner Lohnes moved, per request of the 9-1-1 Coordinator, to approve the following payment:

Payment to: Clark County Sheriff's Office
Address: 120 North Fountain Avenue, Springfield, Ohio
Services: Distribution of funds received from the Wireless 9-1-1 Government Assistance Fund pursuant to the Clark County Final 9-1-1 Plan Wireless Amendment, and the Board of Clark County Commissioners Resolution 861-07 dated 10/9/07. (March 2020 payment received 4/2/20)
Funding Source(s): State Treasurer's 9-1-1 Government Assistance Fund
Amount: \$6,194.53

Payment to: City of Springfield
Address: 76 East High Street, Springfield, Ohio
Services: Distribution of funds received from the Wireless 9-1-1 Government Assistance Fund pursuant to the Clark County Final 9-1-1 Plan Wireless Amendment, and the Board of Clark County Commissioners Resolution 861-07 dated 10/9/07. (March 2020 payment received 4/2/20)
Funding Source(s): State Treasurer's 9-1-1 Government Assistance Fund
Amount: \$9,291.78

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

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

Resolution 2020-0254
COMP file

**Approve Payment #6 to
Kapp Construction, Inc.**

Commissioner Lohnes moved to approve the following payment #6:

Payment to: Kapp Construction, Inc.
Address: P.O. Box 629 Springfield, Ohio 45501
Services: Payment #6 General Contract
Project: Administrative Building Improvements
Amount: \$599,133.93
Funding Source: Permanent Improvement Fund
Retainage Held By: Security National Bank
Retainage: \$49,818.70 (retainage withheld to date \$189,852.13)

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

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

Resolution 2020-0255
TRAV file

Approve Travel/Expense Allowance

Commissioner Lohnes moved, per request of the following Department Director(s) or Elected Official(s) to approve the following travel allowances.

Dept.	Name	Purpose	Place	Date	Cost
*DJFS	12 Staff Members	Crime Against Kids	Dallas, TX	8/9-13/20	\$30,000.00

*Replaces same request on Resolution 2020-0114 to add additional staff members.

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 Lohnes, No; Commissioner McGlothlin, No; Commissioner Wilt, No

Resolution 2020-0256
FIN file

**Declaration of Lack of Funds and
Implementation of Mandatory Cost Savings Program**

Commissioner Lohnes moved to declare a lack of funds in the general fund as defined by ORC 124.321. This deficiency of funding is projected to last through December 31, 2020.

Further, move to implement a mandatory cost savings program for all non-union employees paid from the general fund in departments with the Board of County Commissioners as the sole Appointing Authority. Revising Resolution 2019-0608, the following holidays/personal days will be unpaid: Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve. The cost savings will occur in the form of 4.5 hours per pay reduction for full time employees working 80 hours per pay period for 17 pay periods and 3.5 for the final pay period of the year. The reduction shall be pro-rated for other permanent employees who work fewer than 80 hours per pay period. The reduction will occur for each of the 18 pay periods remaining in 2020.

Other Clark County Appointing Authorities with general fund allocations may choose to reduce budgets by utilizing the Mandatory Cost Savings Program.

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

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

Resolution 2020-0257
UTLO file

Authorize Employment of Outside Legal Counsel

Commissioner Lohnes moved to authorize the hiring of Shumaker Loop and Kendrick, for outside legal counsel to defend the County in Clark County Case Number 18-CV-0578, captioned Stevenson Utilities Construction LLC v. Clark County Utilities. The cost of such representation shall not exceed a rate of \$275.00/hour. Be it further moved that the employment of outside counsel is pursuant to Ohio Revised Code Section 305.14(B). The letter from the Clark County Prosecutor’s Office authorizing employment of Shumaker Loop and Kendrick was received.

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

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

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

Resolution 2020-0258

Commissioner Wilt adjourned the meeting.

BOARD OF CLARK COUNTY COMMISSIONERS

By: _____
Melanie F. Wilt, President

By: _____
Richard L. Lohnes

I certify that the record is true and accurate:

Commission Clerk

By: _____
Lowell R. McGlothlin