

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; Jennifer M. Hutchinson, County Administrator; Michelle Noble, Assistant County Administrator/HR Director; Megan Burr, Clerk; Michael Cooper, Public Information Officer; Beau Thompson, Assistant County Prosecutor; Chuck Bauer, Utilities/Solid Waste District Department Director; Bonnie Sakaitis, Records Office; Jim Marshall, Public Defender; Ethan Harris & Alex Dietz Community & Economic Development Director; Melissa Tuttle, Clerk of Courts.

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

Jim Marshall, Public Defender addressed the budget cuts. He thought it would be a resolution on the agenda this morning. Commissioner Wilt replied it is the most important task of the Board but there wasn't a resolution on today. She said they did have a resolution previously that authorized furloughs for general fund Commission Departments. Ms. Hutchinson explained the budget memo asking for reductions from all general fund departments was a guidance document. There has not been a formal resolution to reflect the budget reductions.

Mr. Marshall was concerned because it was not a definite that cuts had to be made. The only way he could meet the requested reduction was through furloughs. He was previously told that \$100,000 was needed from the Public Defender budget. Then he was asked to cut \$50,000, however, the amount cut was \$25,000. He didn't feel the Commission took into account that the Public Defender budget is reimbursed by the state 85%. Commissioner Lohnes said that has been put on hold. Mr. Marshall agreed and said the future for it was unknown. The county budget paid \$150,000 and 10% of that is \$15,000. The Public Defender offered \$25,000. He asked the Commissioners to agree to the \$25,000 and see what the budget looks like before cutting it further. He wanted to see what sales tax and state reimbursements came through.

Commissioner Wilt asked what the reimbursable amount for legal fees has been in the past. He felt that would give the Board a more tangible budget to work with. Mr. Marshall thought their whole budget was reimbursable from the State. Commissioner Lohnes said that was not the impression he had. He thought only the attorney hourly fees were reimbursable. He explained the Board was thinking about increasing those fees prior to the COVID-19 pandemic. Mr. Marshall explained they were two separate issues. Commissioner Lohnes was referencing the reimbursable rate to attorneys. Mr. Marshall spoke about the public defender budget being reimbursed at 85%.

Commissioner Wilt asked if their office had a revenue source. She thought that would help compensate. Ms. Hutchinson explained she calculated a loss in total revenues to the general fund budget. Then the loss was divided evenly over each department. She did not consider each department individually with the revenue that offsets it. It can be done but takes more work and time.

Mr. Marshall restated he wanted to do the 2.5% reduction now and wait until summer to see what the reductions need to be. He asked if the Commissioners knew exactly what each department budget was. Commissioner Wilt said every budget that the Board has is an estimate. The analysis says there will be a loss of 20%. The requested reduction of 10% is only half.

Commissioner Lohnes noted the Governor's Office hasn't decided what to do to correct the State budget.

Mr. Marshall said his staff has agreed to furloughs if that is what it takes. Commissioner Lohnes said all Commission employees plus the Commissioners are on the furlough plan. Every pay is reduced 4.5 hours except the last pay of the year it is 3.5 hours. Commissioner Wilt said the hours are spread out over the rest of the year so it isn't as big of a hit at once.

Mr. Marshall did not want to lay anyone off. He said his employees agreed to help. He wanted to know how many days they have to agree to take. Commissioner Wilt asked if there were any other areas he could trim. Mr. Marshall said the operating expenses are \$15,000 so it doesn't amount to much.

Commissioner McGlothlin appreciated him stepping forward with \$25,000. His idea sounded reasonable. He thanked him and noted everyone is doing their best to get through this time.

Mr. Marshall appreciated it.

Commissioner Wilt said some of the other departments have closed out open purchase orders and that has helped. She appreciated his willingness to help the county.

Mr. Marshall thanked them for allowing him to speak. He asked how the furloughs worked. Ms. Noble said they can only furlough 80 hours per state fiscal year. If the furlough doesn't work, hours can be reduced. Mr. Thompson said the salaries of attorney's can be cut but secretaries and other staff are limited to 80 hours per fiscal years.

Mr. Marshall left the meeting.

Melissa Tuttle, Clerk of Courts, joined the meeting. She thanked them for letting her speak. She requested the Commission to reconsider the proposal she submitted in November. She wanted online imaging available. Under the current system it is labor intensive and isn't practical to access. She hasn't reached out to CourtView but thought the cost would remain the same. She tried to reach out to the judges but she has had no response. The Court has not allowed fax filings during the pandemic. She asked for the Board's support to implement this technology. She felt it would reduce the number of people coming in. Commissioner Wilt asked if there was a court order that prevented this from happening before. Ms. Tuttle said it was a verbal court order. Counsel has not responded for clarification. Since the Court threatened the Commission with a court order already (for another issue) she would really appreciate the Board considering what is best for the citizens. Commissioner Wilt asked if there was a challenge with IS (Information Systems) implementing this. Ms. Hutchinson explained it was included in the court order that IS could not start any part of the process. The Commission has been told by the Court not to implement the software. At this time the Commission hands are tied. Commissioner Wilt asked what the Court's rationale was. Ms. Hutchinson responded they have no confidence that it could be implemented without errors and there are issues that could affect the court. The Court said they were taking steps to reduce their fears but she hasn't heard what those steps are. Ms. Tuttle said that was the September 2019 court order. There was nothing in there about additional services. Ms. Tuttle said she wasn't advocating for rights to the software. This system will redact efficiently. Ms. Hutchinson said CourtView was contacted and Ms. Tuttle would have to have some type of administrative function in order to redact. Commissioner Wilt asked how many other counties were imaging. Ms. Tuttle knew Miami and Shelby counties were imaging. She thought of the 88 counties 50 were imaging and at least a quarter offered online access. In addition, it would be a great aid for the Court of Appeals. Commissioner Wilt requested a memo or email from Ms. Tuttle outlining the rationale for this change. She found it difficult to understand why the county wouldn't move forward with electronic imaging. Commissioner McGlothlin also wanted to know how many counties were using online imaging.

Ms. Sakaitis asked, on behalf of Ms. Pence, for guidance on how to proceed with the Governor's Order. She asked what the Commission Office was doing with staff to meet the guidelines and wanted to try to follow suit. It is hard to maintain a 6 foot distance in Bushnell. Currently, they have an alternate work schedule that has been working. Commissioner Wilt explained the goal in the Commission Office was to be efficient and available all day every day. Since each person has their own office that can be closed it made it easier to shift back. That model might not work for everyone. Ms. Sakaitis said staff has still been busy. People are still

buying and refinancing due to low interest rates. Commissioner Wilt supported their work schedule as is. Commissioner Lohnes didn't think the Governor would eliminate the social distancing requirement for awhile. Ms. Sakaitis thanked the Board for their time. Commissioner Wilt thanked her and Ms. Pence for coming through on the budget cuts and being thoughtful and mindful of the situation.

*Agenda Review:*

Commissioner Lohnes had no questions

Commissioner McGlothlin had no questions.

Commissioner Wilt had no questions. She was glad departments and elected officials were abiding the current budget restrictions.

*County Administrator Updates:*

Ms. Hutchinson has met through Zoom with the department heads. Buildings and Grounds is acquiring the material needed to install sneeze guards and partitions as necessary prior to reopening to the public. Each department will be sending their individual plans.

AB Graham and Springview will be finishing up. Springview will be finished sometime in June. Next week the Commissioners will see the security change order from IMS on the agenda. It was one we waited until the project was further along in the building for the doors fobs and security cameras to be placed. Ms. Hutchinson wanted to approve it because Court cannot go back in that building until security is set up. Commissioner Wilt asked if that was money out of the general fund budget for the court. Ms. Hutchinson replied yes, it is from the permanent improvement (PI) fund.

Discussion ensued about the Veteran's budget and Memorial Day expenses. Mr. Thompson clarified the individual organizations can get reimbursed but they have to show how they spent it. It isn't the Veterans budget that is reimbursed. Each individual organization is reimbursed.

Commissioner McGlothlin moved to go into executive session to discuss economic development. Commissioner Lohnes seconded the motion. The roll being called for its passage resulted as follows:

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

The motion carried.

The Board recessed until 10:00 a.m.

Call to Order, Commissioner Wilt

Resolution 2020-0270

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. 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.

**Resolution 2020-0271**  
**ENG file**

**Authorize Amendment No. 1 to Agreement with the Ohio Department of Transportation (ODOT) for LPA Agreement No. 33106 for CLA CR 351-7.92 Selma Pike/Possum Road Project (PID 109451)**

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

**Agreement With:** Ohio Department of Transportation

**Amend** SECTION 3 Funding, for additional funds added for preliminary engineering and right of way.

3. FUNDING

- 3.1 The total cost for the PROJECT is estimated to be \$1,345,000 as set forth in Attachment 1. ODOT shall provide to the LPA 100 percent of the eligible costs, up to a maximum of \$285,000 Federal CMAQ (4TB7) funds for Design. ODOT shall provide to the LPA 100 percent of the eligible costs, up to a maximum of \$220,000 Federal CMAQ (4TB7) funds for Right of Way. ODOT shall provide to the LPA 100 percent of the eligible costs, up to \$840,000 Construction in Federal CMAQ (4TB7) funds. This maximum amount reflects the funding limit for the PROJECT set by the applicable Program Manager. Unless otherwise provided, funds through ODOT shall be applied only to the eligible costs associated with the actual construction of the transportation project improvements and construction engineering/inspection activities.

Identification: LPA Agreement No. 33106  
CLA CR 351-07.92 Selma Road Project (PID 109451)  
PID 109451

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 2020-0272**  
**ENG file**

**Authorize Amendment No. 1 to Agreement with the Ohio Department of Transportation (ODOT) for LPA Agreement No. 33097 for CLA CR 315-1.28 Enon Xenia Road Improvement Project (PID 109441)**

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

**Agreement With:** Ohio Department of Transportation

**Amend** SECTION 3 Funding, for additional funds added for preliminary engineering.

3. FUNDING

- 3.1 The total cost for the PROJECT is estimated to be \$2,825,000 as set forth in Attachment 1. ODOT shall provide to the LPA 80 percent of the eligible costs, up to a maximum of \$340,000 for Preliminary Engineering, \$140,000 R/W Acquisition & Real Estate Services, and \$1,632,000 for Construction Inspection with in Federal STP (4TA7) funds. ODOT shall provide to the LPA 100 percent of eligible costs, up to a maximum of \$220,000 in Federal CMAQ (4TB7) funds for Construction and Inspection. The above maximum amounts reflect the funding limit for the PROJECT set by the applicable Program Manager. Unless otherwise provided, construction funds through ODOT shall be applied only to the eligible costs associated with the actual construction of the transportation project improvements and construction engineering/inspection activities.

Identification: LPA Agreement No. 33097  
CLA CR 315-1.28 Enon Xenia Road Improvement Project  
PID 109441

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

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

Commissioner McGlothin, Yes; Commissioner Lohnes, Yes; Commissioner Wilt, Yes

**Resolution 2020-0273**  
**CDDB/C file**

**Acknowledge Bid Opening for  
Donnelsville Beach Drive Drainage Improvements Project in accordance with Community Development  
Block Grant requirements**

Commissioner Lohnes moved, per request of the Community & Economic Development Grants Coordinator, to acknowledge receipt of the bids below, subject to the Board's right to reject any bid pursuant to the notice of competitive bidding and any other applicable bid requirements. The bid opening for the Beach Drive Drainage Improvement project was held on Thursday, April 23, 2019. The following bids were read:

<u>Bidder</u>	<u>Base Bid</u>
Associated Excavating	\$ 84,950.00
Durst Brothers	\$ 81,938.00
Mark Finchum Excavating	\$ 83,405.94 (See Note * Below)
Outdoor Enterprise	\$ 81,030.00
Ranger Earthworks	\$ 79,551.50
TC Holzen Inc.	\$ 82,721.00

**Estimate: Base Bid \$83,136.00**

\* Mark Finchum Excavating did not submit an original bid bond, which automatically invalidates the bid.

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

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 2020-0274**  
**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:

1. Wausau Poly-Trip Edge Plow
2. Gledhill Snow Plow
3. 4 Tailgate Sanders
4. Knapheide Truck Bed, Flat with tool box
5. 2 Truck Bumpers
6. 6 Truck Tool Boxes
7. Speedaree Gas Powered Air Compressor
8. 2 Spools Wire Rope
9. Wacker Plate Compactor
10. 13 lots of Guardrail Bundles, 50 pieces

Further, the Board finds this property is 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 2020-0275**  
**PRWP file**

### **Approve Payment to Project Woman**

Commissioner Lohnes moved, to approve the following payment:

<b>Payment to:</b>	Project Woman
<b>Address:</b>	525 East Home Road, Springfield, Ohio 45503
<b>Services:</b>	1st quarter 2020 marriage license fees
<b>Funding Source(s):</b>	Marriage License Fund
<b>Amount:</b>	\$4,864.49

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

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

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

<b>P.O. Number</b>	<b>Fund</b>	<b>Vendor</b>	<b>Date Purchase</b>	<b>Amount</b>
200018009	General (EMA)	Jamie Myers	3/30/2020	\$22.90

Reason: Purchase was made before emergency PO was put in place.

200017935	General (Sheriff)	Trinity Services	3/12/2020	\$1,861.50
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Reason: Thought the PO request was put in early enough and didn't realize it would take the amount of time it did to get it approved.

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

Commissioner McGlothin, Yes; Commissioner Lohnes, Yes; Commissioner Wilt, Yes

Commissioner Wilt thanked everyone for their cooperation with the budget.

Resolution 2020-0277

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. McGlothin