

# BCC WORK SESSION

DATE: Wednesday, January 12, 2011

NAME	TITLE	AFFILIATION	PHONE/E-MAIL ADDRESS
1. S. Robert Twee	Treasurer	Clermont	
2. Mike Clapper	Boarder		
3. David Frey	Asst Prosecutor		
4. Chuck Tilbury	Chief Deputy Auditor		
5. Scot Labrows	Assistant County Admin	BCC	732-7394
6. Andy Kuchta	Econ. Dev. Director	OED	732-7906
7. Patrick Mangar	Engineer	Clermont	732-8068
8. THERESA HERBON	COMMUNITY PRESS		848-7138
9. Carol Sivhre	Law Library	Director	732-7109
10. Gary Osterward	Law Library	BO. CHAIR	732-2140
11. Angelo Santoro	PE PS	Santoro Engrg Co	732-2561
12. Bob Fraud	<del>Commissioner</del>	BCC	732-7300

<u>NAME</u>	<u>TITLE</u>	<u>AFFILIATION</u>	<u>PHONE/E-MAIL ADDRESS</u>
13. Connie Bare	Chief Dep. Treas.	Treasurer's off	732-7711
14. Jennifer Bond	resident		947-8917
15. Jim Pully	President		232-2469
16. Jaye E. Miller	resident	Streak Twp	Jayejmiller@Yahoo.com 232-2469
17. Larry Heller	Resident	Milford Twp	L.Heller@Zoomtown.com 575-0062
18. RAND SPINNEY	Co. At-Large	BCC	232-7320
19. Archie King	Comms		
20. Mary Rainis		OMB	
21. Juk & Soretz	Director	OMB	732-7986
22. Edwin A. Humphrey	Commissioner	BCC	232-7300
23. Comm. Side		BCC	732-7919
24.			
25.			
26.			
27.			

## Tibbe, Connie

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**From:** Spinney, Dave  
**Sent:** Thursday, December 23, 2010 2:12 PM  
**To:** Humphrey, Ed; Proud, Bob; 'wilson.archie@fuse.net'  
**Cc:** Scheetz, Sukie; Rains, Mary; Tibbe, Connie  
**Subject:** MX-6200N\_20101223\_145026;  
**Attachments:** MX-6200N\_20101223\_145026.tif

The attached letter from the Law Library Resources Board and the response from the Auditor's Office focuses on an issue that will need some attention the first of the year. Essentially the law library is overspending based upon the revenues that are available to the account. Given the situation I believe the Auditor's attached response is very appropriate.

When HB 450 moved the Law Library within the Appropriations of the Board of County Commissioners for 2010, I and OMB met with the Law Library director and members of the new Law Library Resources Board to discuss the revenues available and indicated that their revenues would be limited to the fines and fees that they were statutorily entitled to. This issue received further attention when the State Auditor found that the Board of County Commissioners had provided more revenue to the Law Library than appropriate. The solution is for the Law Library to reduce spending. As the year progressed the fines and fees from the court system declined below previous years' levels which exacerbated the problem. The issue is a cash flow problem in that revenues are not available to cover both the payroll and other expenditures. The Auditor is holding bills because it is retaining enough funds in the account to cover payroll before it pays vendors invoices.

As Auditor Fraley points out in her letter the Auditor and OMB have had numerous discussions with the Law Library Director over the course of the year. Recall also that the Law Library requested that their appropriation be increase in 2011 and the Board declined. Remember also that HB 450 now requires all expenditures for legal periodicals and subscriptions be run through the Law Library so reductions in their budget will have to be coordinated with the requests for materials from other elected officials and departments.

This will be scheduled for work session early in the year.

# Clermont County Law Library

Carol A. Suhre  
Chief Librarian



www.clermontlawlibrary.com

Linda Fraley, Auditor  
101 E. Main Street  
Batavia, Ohio 45103

Dear Ms. Fraley:

Thank you for your prompt response to my previous letter of December 20, 2010.

It is understandable that your office cannot issue warrants against funds that do not exist. However, it appears the statutory scheme is such that the funds should exist regardless of cash flow issues. As we read the statutes, the county law library resources fund created in the county treasury receives revenue from municipal court fines and penalties (up to a calendar year maximum of \$15,000.00) (ORC 307.515) from the appropriation from the general fund by the board of county commissioners (ORC 307.513), from gifts or bequests (ORC 307.51), or from fees for services (ORC 307.51). (ORC 307.514)

The appropriation from the general fund for the use of the County Law Library Resources Board is to be paid to the library fund one-half within fifteen days after adoption of the annual appropriation measure and one-half no later than July 15<sup>th</sup>. Since that appropriation comprises a very high percentage of the total revenue received by the library fund, the cash flow issue you reference, which we understand relates only to the \$15,000.00 coming from the municipal court, would appear to have little impact on the funds available to pay the library's expenses. So long as the appropriation from the general fund is paid to the library fund at the times required, a cash flow issue should not exist.

Working through the transition from a private non-profit association to a public agency has been difficult. Our interpretation of the relevant statutes may be flawed. For that reason we welcome further discussion regarding these issues.

We do initially have an additional inquiry. Apparently the municipal court fines and penalties are paid to a fund other than the library fund. It would appear that ORC 307.515(A) requires the municipal court clerk to deposit those funds directly to the library fund.

Very truly yours,

Gary D. Ostendarp

GDO/bw

cc: David Spinney  
Carol Suhre



**Linda L. Fraley**

Clermont County Auditor

2010 DEC 21 P 4: 16

CL. OF COUNTY  
COMMISSIONERS  
CLERMONT COUNTY, OH

December 21, 2010

Gary D. Ostendarp, Chairman  
Clermont County Law Library  
270 E Main Street  
Batavia, Ohio 45103

Dear Mr. Ostendarp,

This letter is in response to your letter dated December 20, 2010; regarding the payment of vouchers that have been presented by the county Law Library.

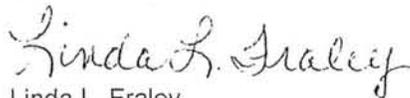
Procedures were put into place to ensure the payment of the Law Library's expenses within the guidance given in ORC 307.513 since the beginning of 2010. These procedures have been utilized along with other procedures to ensure that budgetary compliance and proper accounting controls are followed.

Any instances in which payments have not been made in accordance with ORC 307.513 have been due to the cash flow issues of the Law Library. Budgetary compliance will not allow my office to issue warrants against funds that do not exist; therefore as cash is received, payments are made to suppliers/vendors. We have had numerous discussions with Carol Suhre and the Office of Management and Budget regarding this fact, and spending continues to exceed actual receipts. In our discussions, we have indicated that we will make payroll demands a priority for payment and any remaining cash will be used to pay outstanding bills, but there is still very little cash available to pay all of the submitted bills. The cash flow issue is a direct result of the statutory limits related to the law library distributions which in prior years were exceeded as you are aware from the most recent audit of the Law Library.

Although I understand your need to maintain a good rapport with your supplies/vendors, I'm in no position to disregard budgetary law and our accounting controls to cut warrants that will place the Law Library fund in the negative. We would recommend that the Law Library begin to review its current expenses versus the timing of its revenue to ensure that agreements/contracts/orders are not executed unless cash is available or in the process of collection.

If you would like to discuss this situation further please contact my office to set up an appointment.

Sincerely,



Linda L. Fraley

cc: Dave Spinney  
Carol Suhre

# Clermont County Law Library

Carol A. Suhre  
Chief Librarian



www.clermontlawlibrary.com

Board of Trustees  
Gary D. Ostendarp - Chairman  
Kevin Miles  
Michael Minniear  
George E. Pattison  
Richard P. Schuler

December 20, 2010

Linda Fraley, Auditor  
101 E. Main Street  
Batavia, Ohio 45103

Dear Ms. Fraley:

I am writing to you in my capacity as Chairman of the Clermont County Law Library Resources Board.

The Board is concerned by the current delay in the payment of vouchers approved by the county law library. R.C. §307.513(B) provides in part that:

The funds appropriated by the board of county commissioners from the county law library resources fund shall be dispersed by the county auditor's warrant drawn on the county treasury five days after receipt of a voucher approved by the county law librarian pursuant to procedures established by the county law library resources board.

Currently there is approximately \$69,000.00 in outstanding bills for which vouchers have been approved by the county law librarian and received by the county auditor. Warrants are obviously not being drawn within five days of the auditor's receipt of the voucher.

Prior to the enactment of H.B. 420 the Clermont County Law Library Association established a good rapport with its suppliers by timely payment of invoices. The current Resources Board is the beneficiary of that good will. However, the patience of the suppliers is wearing thin with the aging of their invoices. Any steps you can take to insure that the five day turnaround as mandated by the statute is observed would be much appreciated. If there is anything the Resources Board or the Librarian can do to assist in the process please let us know.

Very truly yours,

ELY & TRUE

Gary D. Ostendarp

GDO/bw

cc: David Spinney  
Carol Suhre

Clermont County Court House • 270 E. Main Street • Batavia, OH 45103  
Phone: (513) 732-7109 • Fax: (513) 732-0974 • Email: cclaw@cclla.org

10 DEC 21 AIO:Z7

RECEIVED  
CLERK OF COURT  
AUDITOR

## Economic Development Corporation of Clermont County

- 06/29/04 \$280,000 Agreement for consulting services.
- Office Space
  - Hire Staff
  - Business Retention and Expansion Program
  - Funding Strategy
  - Annual Plan of Work and Strategic Plan
- 07/13/04 Rescind
- 07/13/04 Agreement (Same as 06/29/04)
- 07/16/04 Organized with Roger Maham, Jim Parker, and Doug Walker as designated Directors.
- Hired Mercer Group for executive search.
- 04/20/05 (\$196,837) Agreement reduces scope and dollar amount of 07/13/04 contract.
- Detailed Economic Assessment
  - Strengths/Weaknesses
  - Wadley Donovan Consultant Report
  - Intent to continue funding through 2009
- 01/19/06 \$588,000 Agreement for 2 Years - \$294,000 for each of 2 years.
- Wadley Donovan Implementation
- 05/03/06 Agreement - Added support to TID to scope – no \$ increase.
- 04/02/08 \$360,000 Agreement for 2 years @180,000 for each year.
- Continue Early Initiatives
  - Cluster Based Strategy
  - Workforce Development
  - Economic Opportunity Fund
- 04/08/09 \$25,000 – To provide \$ to USA Partnership.
- 12/14/09 \$50,000 Agreement for 1 year.
- Continue Cluster and Workforce Development
  - TID Support
- 12/15/10 \$135,000 Agreement for 1 year.

## Clermont County CIC, Inc.

- 02/15/05 \$25,000 – Initial funding of reconstituted CIC.
- Legal fees for 501c3 application, agency agreement w/County
  - Liability insurance
  - Ivy Pointe land sales
    - o Legal fees related to closings in 2006 (12.4 acres)
  - Accounting fees for 990 tax return filing
- 04/02/07 – 06/19/07 \$100,000 – Funding of CIC operations.
- Legal fees for review of JEDD at Ivy Pointe
  - Legal fees for lawsuit w/Eastgate Prof. Office Park
  - Ivy Pointe land sales:
    - o Legal fees related to closings in 2007 (11.0 ac.)
  - Eastgate Blvd. land sale:
    - o Legal fees related to closing in 2007 (0.8 ac.)
  - Accounting fees for 990 tax return filing
  - State audit fees
  - Liability insurance
  - Advance for Ivy Pointe real estate taxes
- 12/12/07 \$125,000 – Funding for Midland Insurance econ. dev. grant.
- 02/22/08 \$85,000 – Funding for CIC operations.
- Legal fees for lawsuit w/Eastgate Prof. Office Park
  - Ivy Pointe land sales:
    - o Legal fees related to closings in 2008 (14.1 ac.)
  - Happy Hollow Rd. land sale
    - o Legal & appraisal fees related to closing in 2008 (0.7 ac.)
  - Legal fees for amendment to CIC Bylaws
  - Accounting fees for state audit
  - State audit fees
  - Liability insurance
  - Advance for Ivy Pointe real estate taxes
- 02/06/09 \$77,139 – Funding for CIC operations.
- Ivy Pointe land sales:
    - o Legal fees related to closing in 2009 (8.9 ac.)
  - Cornstalk Ln. land sales
    - o Legal fees related to closings in 2009 (0.1 ac.)
  - Accounting fees for state audit
  - State audit fees
  - Liability insurance
  - Advance for Ivy Pointe real estate taxes
- 02/19/10 \$70,170 – Funding for CIC operations.
- Ivy Pointe land sale:
    - o Legal fees related to closing in 2010 (5.0 ac.)

- Legal fees related to Ford property acquisition
- Accounting fees for state audit
- State audit fees
- Liability insurance

03/03/10  
12/09/10

\$2,000,000 – Funding for Ford redevelopment project.  
\$2,000,000 – Funding for Jungle Jim’s project.

**Clermont County Capitol Investors  
(3CI)**

Established as a private-non-profit 501(C)(4) in 2006. The Parties will develop and implement a cooperative lobbying/governmental relations strategy in order to achieve the following goals:

- A. Obtain all necessary and appropriate governmental approvals, consents, directives and actions required for the implementation of the Eastern Corridor Project.
- B. Retain and expand existing businesses in Clermont County.
- C. Attract new businesses to Clermont County.
- D. Encourage a diversification of business in Clermont County.
- E. Improve public awareness of the importance of economic development.

04/25/06	\$145,000 Agreement through 01/31/08 mCapitol \$90,000    State Street \$45,000
01/24/07	\$180,000 Agreement through 12/31/07 mCapitol \$120,000    Carpenter & Lipps \$55,000
03/05/08	\$180,000 Agreement through 01/31/09 mCapitol \$120,000    Carpenter & Lipps \$55,000
02/09/09	\$162,000 Agreement through 01/31/10 mCapitol \$120,000    Carpenter & Lipps \$55,000    FCS \$12,000
12/08/09	\$120,000 Agreement through 12/31/10 mCapitol \$120,000

The Clermont County Transportation Improvement District (CCTID) was established in June 2006, pursuant to O.R.C. 5540, by the Board of Clermont County Commissioners to foster increased collaboration with local partner jurisdictions, and other county, regional, state and federal agencies to implement a regional approach to transportation improvements in support of economic development in Clermont County.

CCTID is structured to provide combined technical, legal and financial capability to link transportation investments that foster economic development in Clermont County. The CCTID performs a strategic capital investment and management function and serves as "bank" for pooled revenues and joint funding to manage implementation of the Clermont County's strategic corridor economic development.

A key element of the CCTID regional transportation improvement program is to pool funds and resources available to the County, its local jurisdictions and private sector investment partners to leverage available non-federal match for federal funding purposes. This approach will allow local funding jurisdictions to contribute to a pooled local match based on the timing and availability of their local funds and resources.

CCTID is moving forward with developing new concepts for implementing transportation and infrastructure improvement projects that combine and develop the resources available to our public and private sector partners to advance economic development in Clermont County while maximizing the value of taxpayer dollars.

CCTID seeks and builds alliances and partnerships that harness private sector innovation and resources, encourages competition, and optimizes the assignment of risk. This approach requires, along with traditional methods, joint development partnerships with the private sector and other public interests to bring about cost-effective and environmentally compatible approaches and techniques for transportation infrastructure project development and delivery.

## Clermont County TID Regional Transportation Improvement Program - June 2010

<u>CAPITAL IMPROVEMENT PROJECTS</u>	<u>PID NO.</u>	<u>Eng. &amp; Env.</u>	<u>R/W Utilities</u>	<u>Construction</u>	<u>Total Cost</u>	<u>Const Year</u>
<b>Intelligent Transportation System (ITS)</b>	<b>90100</b>	\$ 187,540	\$ -	\$ 2,710,000	\$ 2,897,540	2010-13
<b>Eastgate Local Network Improvements</b>						
Eastgate North Frontage Road	82555	\$ 300,000	\$ 2,000,000	\$ 2,600,000	\$ 4,900,000	2012
Tina Drive Extension	82558	\$ 300,000	\$ 600,000	\$ 1,400,000	\$ 2,300,000	2012
Aicholtz Connector	82553	\$ 500,000	\$ 4,000,000	\$ 5,500,000	\$ 10,000,000	2013
Aicholtz Road Widening	82554	\$ 750,000	\$ 5,000,000	\$ 6,250,000	\$ 12,000,000	2013
Clough Pike Widening	84731	\$ 565,000	\$ 1,000,000	\$ 6,208,000	\$ 7,773,000	2013
Old SR 74 - Phase 1 (Eastgate to Bach-Buxton)	82557	\$ 750,000	\$ 2,000,000	\$ 6,750,000	\$ 9,500,000	2015
Eastgate South Improvements	82559	\$ 200,000	\$ 300,000	\$ 2,000,000	\$ 2,500,000	TBD
Ivy Pointe Blvd Ext to Aicholtz Rd.	90110	\$ 150,000	\$ 300,000	\$ 1,750,000	\$ 2,200,000	TBD
<b>EASTERN CORRIDOR - SR 32 WEST</b>						
Eastern Corridor - Tier 2 PE/EIS	82370	\$ 2,000,000	TBD	TBD	\$ 2,000,000	N/A
Glen Este-Withamsville Overpass	82370	\$ 600,000	\$ 2,000,000	\$ 6,000,000	\$ 8,600,000	2015
Bach-Buxton Interchange	82370	\$ 2,000,000	\$ 5,000,000	\$ 38,000,000	\$ 45,000,000	2015
Aicholtz Road Extension	82552	\$ 500,000	\$ 8,000,000	\$ 4,500,000	\$ 13,000,000	2015
Old SR 74 Extension to OBS	82561	\$ 400,000	\$ 1,250,000	\$ 4,700,000	\$ 6,350,000	2015
Old 74 Widening OBS Ext to Armstrong Blvd.	82582	\$ 350,000	\$ 650,000	\$ 2,500,000	\$ 3,500,000	TBD
Amelia-Olive Branch Relocation	82581	\$ 300,000	\$ 150,000	\$ 4,000,000	\$ 4,450,000	TBD
<b>SR 32 CORRIDOR EAST</b>						
SR 32 Frontage Road - Bauer to Half Acre	82586	\$ 1,000,000	\$ 1,000,000	\$ 10,000,000	\$ 12,000,000	TBD
Bauer/Herold Rd. Interchange	82587	\$ 1,200,000	\$ 1,780,000	\$ 13,377,000	\$ 16,357,000	TBD
Batavia Rd. Interchange	82588	\$ 1,120,000	\$ 1,447,000	\$ 12,594,400	\$ 15,161,400	TBD
McKeever/Dela Palma	82589	\$ 1,130,000	\$ 1,319,000	\$ 12,612,600	\$ 15,061,600	TBD
Bauer/SR 32 Intersection	82590	\$ 500,000	\$ 500,000	\$ 6,000,000	\$ 7,000,000	TBD
Afton Intermodal Development	TBD	\$ 204,800	\$ 255,000	\$ 1,890,200	\$ 2,350,000	TBD
<b>SR 28 CORRIDOR</b>						
Business 28 - Phase 1	79111	\$ 837,000	\$ 2,000,000	\$ 7,959,000	\$ 10,796,000	2011
Wolfpen - Pleasant Hill Improvements	82139	\$ 544,000	\$ 750,000	\$ 3,662,000	\$ 4,956,000	2011
SR 28 Improvements - I-275 to Castleberry	82140	\$ 444,000	\$ 500,000	\$ 2,000,000	\$ 2,944,000	2011
Business 28 - Phase 2	TBD	\$ 500,000	\$ 1,500,000	\$ 4,000,000	\$ 6,000,000	TBD
SR 28 Improvements (BHG Rd to Goshen Rd)	82563	\$ 750,000	\$ 750,000	\$ 7,500,000	\$ 9,000,000	TBD
SR 28 /BHG Intersection Improvements	90060	\$ 400,000	\$ 1,837,755	\$ 1,837,755	\$ 4,075,510	2012
I-275/SR 28 WB/SB Loop Ramp - CCTID Share	83537	ODOT	ODOT	\$ -	\$ -	2013
SR 28 - Charles-Snyder Road	TBD	TBD	\$ 167,100	\$ 1,900,000	\$ 2,067,100	TBD
SR 28 - Estates of Goshen Park	TBD	TBD	TBD	\$ 405,000	\$ 405,000	TBD
<b>SR 131 CORRIDOR</b>						
SR 131 at McCormick Trail Widening	90010	CCEO	\$68,960	\$ 250,000	\$ 318,960	TBD
US50/SR131/Milford Parkway/Chamber Drive	90070	\$ 210,000	\$ 150,000	\$ 1,800,000	\$ 2,160,000	2013
<b>US 50 CORRIDOR</b>						
Stonelick-Williams Corner Covered Bridge	83661	\$ 123,000	\$ -	\$ 1,135,000	\$ 1,258,000	2012
US 50 - WPH to Round Bottom	90030	CCEO	\$ 50,000	\$ 550,000	\$ 600,000	2010
US 50 - SR 450/Eastman - I/II	90080	\$ 34,500	\$ 100,000	\$ 629,000	\$ 763,500	2010
US 50 - SR 450/Eastman to Techne Center - III	TBD	\$ 100,000	\$ 100,000	\$ 1,799,000	\$ 1,999,000	TBD
SR 450/Union Gateway	90040	\$ 194,200	\$ -	\$ 3,150,700	\$ 3,344,900	2012
<b>Program Management Task Orders</b>						
Environmental Services	82577	\$ 400,000			\$ 400,000	
Integrated Traffic Modeling and Simulation	82578	\$ 800,000			\$ 800,000	
Real Estate and ROW Acquisition	82579		\$ 600,000		\$ 600,000	
Geotech Services	82580	\$ 200,000			\$ 200,000	
Surveying Services	90050	\$ 400,000			\$ 400,000	
<b>Total</b>		\$ 20,944,040	\$ 47,124,815	\$ 189,919,655	\$ 257,988,510	

## **Clermont County Transportation Improvement District (CCTID) Program**

### *Federal Funding Received to Date:*

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\$ 82,700,000 - ODOT TRAC - Construction I275/SR32 Interchange Phase 1 (2008)

\$ 11,200,000 - Federal Surface Transportation Program (STP) (2009-2011)

\$ 6,608,000 - Federal Surface Transportation Program (STP) 2012-2013

\$ 4,960,000 - Federal Highway Safety Program Funding (HSP) (2008)

\$ 240,000 - FFY08 TCSP Federal Appropriation Funding (2008)

\$ 570,000 - FFY09 TCSP Federal Appropriation Funding (2009)

\$ 900,000 - FFY10 TCSP Federal Appropriation Funding (2010)

\$ 20,000,000 - ODOT TRAC - Eastern Corridor Tier 2 Funding (2009)

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\$ 127,178,000 - FEDERAL FUNDING COMMITMENTS TO DATE

\$ 2,916,000 - STATE OF OHIO FUNDING COMMITMENTS TO DATE (ODOD/OPWC)

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**\$ 130,094,000 - TOTAL FEDERAL/STATE FUNDING COMMITMENTS TO DATE**

### *Funding Requests Pending:*

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\$ 46,000,000 - ODOT TRAC Major New Construction I275/SR32 Interchange Phase 2

\$ 98,200,000 - Designation Eastern Corridor/Federal Transportation Reauthorization Bill

\$ 2,000,000 - FFY11 TCSP Federal Appropriation Funding Request

\$ 2,000,000 - FFY12 TCSP Federal Appropriation Funding Request

\$ 12,000,000 - Federal Surface Transportation Program (STP) (2014-2015)

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**\$ 160,200,000 - TOTAL FEDERAL FUNDING REQUESTS PENDING:**

**\$ 290,294,000 TOTAL FEDERAL/STATE FUNDING PROGRAM COMBINED**

# Payments to Clermont County TID by County Funding Source

thru 12/27/10

Sum of AMT	2006	2007	2008	2009	2010	Grand Total
<b>CLERMONT COUNTY T I D</b>	<b>\$ 157,000.00</b>	<b>\$ 2,263,000.00</b>	<b>\$ 2,886,000.00</b>	<b>\$ 2,547,195.25</b>	<b>\$ 2,405,000.00</b>	<b>\$ 10,258,195.25</b>
Co Cap		\$ 2,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 5,000,000.00
Engineer			\$ 1,336,000.00	\$ 1,126,754.05	\$ 1,000,000.00	\$ 3,462,754.05
General		\$ 263,000.00				\$ 263,000.00
Plan/Devel	\$ 157,000.00		\$ 200,000.00			\$ 357,000.00
RID			\$ 350,000.00	\$ 350,000.00	\$ 405,000.00	\$ 1,105,000.00
Water				\$ 70,441.20		\$ 70,441.20
<b>Grand Total</b>	<b>\$ 157,000.00</b>	<b>\$ 2,263,000.00</b>	<b>\$ 2,886,000.00</b>	<b>\$ 2,547,195.25</b>	<b>\$ 2,405,000.00</b>	<b>\$ 10,258,195.25</b>

**Clermont County Economic Development Strategy**

October 18, 2010 Town Meeting Millford High School

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**Economic Development Strategy**

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graph TD; A((Job Creation & Economic Growth)) --- B((Coordinated Planning)); A --- C((Transportation Improvement)); A --- D((Workforce Development)); A --- E((Business Retention)); A --- F((Business Attraction)); B --- C; C --- D; D --- E; E --- F; F --- B;
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**Office of Economic Development (2004)**

- Reorganized as stand alone department
- Marketing
- Business Retention and Expansion
- Integrated countywide planning
- Reorganize Community Improvement Corporation

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**Economic Development Corporation of Clermont County (ED3C)**

- 501(c)(3) tax exempt non-profit corporation created in 2004
- Mission - build public private partnerships linking business, government, and education to advance strategic economic development
- Early Initiatives
- Analysis
  - Office and Industrial Development Market Study
  - Marketplace Housing and Commercial Assessment
  - Targeted Industry Analysis
  - Workforce Development
- Develop Strategic Economic Development Plan

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**Transportation Improvement District**

- Created June 2006 - 7 Member Board
- Access and congestion mitigation as key to economic prosperity
- Link Transportation Investments to economic development
- Pooled Funding Approach to leverage state and local funds (\$33.8M)
- Key Partners – County Commissioners, County Engineer, Miami and Union Townships, Milford, ODOT

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**Clermont County Capital Investors (3CI)**

- Established in April 2006
- Shared Political Agenda –affiliated with ED3C
- Government Relations – Lobbying effort in Columbus and Washington
- Linked to TID Pooled Funding Concept
- \$887,000 Budget to date
- \$130,094,000 Total Federal/ State funding commitments to date
- \$160,200,000 Total Federal Funding Requests Pending

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Tax Increment Financing  
TIFs & RIDs

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TIFs- Tax Increment Financing

- An Economic Development Tool
- Full or partial exemption granted for the *increase* in property value
- No governmental unit forfeits existing taxes
- Payments in Lieu of Taxes (PILOTS)
- Property owners do not receive a tax break
- RID – Residential Incentive District a special type of TIF

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TIFs- Con't.

- Statewide – 1088 active districts
- County Wide – 68 TIF Districts
- Clermont County 16 TIF districts (15 RIDs)
  - 6 in Batavia Township (RIDs)
  - 7 in Goshen Township (RIDs)
  - 2 in Jackson Township (RIDs)
  - 1 in Miami Township (TIF)
  - 8 Active

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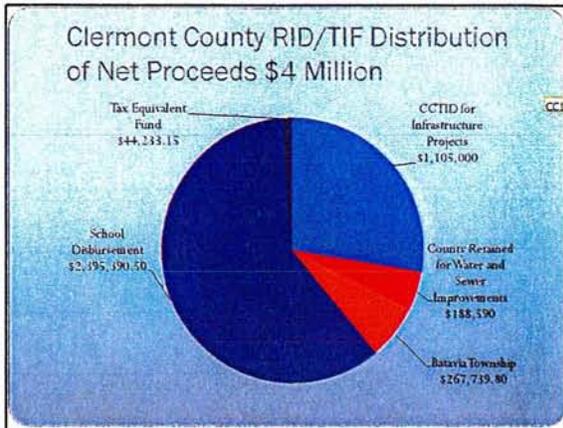
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### County Website

- <http://bcc.clermontcountyohio.gov/>

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### Transportation Improvement District Activity

- Link to Economic Development
  - Ivy Pointe
  - UIC Clermont/UIC East
  - Eastgate Area Investment
- 3CI government Relations Effort
- Benefit to County Engineer Responsibilities
- Pooled Resources

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### TID Current Activity

- 30+ Projects actively in planning and design
  - Eastgate Local Network
  - Eastern Corridor SR32 West
  - SR32 East
  - SR28 Corridor
  - SR131 Corridor
  - US50 Corridor
  - ITS

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### TID 2010 Construction Activity

- US 50 – WPH to Roundbottom \$600,000
- US 50 – SR 450/ Eastman Dr Ph I/II \$ 65,000

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### TID 2011 Construction Activity

- Business 28 Phase I \$10,815,679
- Wolfpen-Pleasant Hill \$ 5,317,867
- SR28 – I-275 to Castleberry \$ 2,954,155
- SR28 Branch Hill Guinea Pike \$ 2,263,992
  
- SR28 Loop ramp (ODOT 2012) \$ 6,500,000

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TID 2012 Construction Activity

- Eastgate North Frontage Road \$4,915,788
- Tina Drive Extension \$2,292,392
- Covered Bridge \$1,256,690

• Link - <http://tid.clermontcountyohio.gov/>

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## Ivy Pointe Status

### BACKGROUND

- In September of 2005 the Clermont County Board of County Commissioners was approached by Union Township and Cincinnati United Contractors (CUC) to assist in acquiring property for a proposed new headquarters for TQL, a local, rapidly expanding transportation logistics company. Negotiations were initiated with two property owners ultimately leading to the acquisition of the 100 acres that is now Ivy Pointe.
- TQL, which was located within Park 50 approached CUC about building a headquarters building for TQL in Butler County because they had outgrown their existing Clermont County facility. CUC introduced the idea that TQL consider what is now Ivy Pointe.
- The Board of County Commissioners was at the time considering investment of funds to begin to acquire undeveloped land and potentially utilize Tax Increment Financing (TIF) in order to provide initial infrastructure required to entice developers and/or end users with reasonably priced "site ready" land for development. The Property Advisors' report prepared for the Clermont County Community Improvement Corporation (CIC) identified Ivy Pointe as the highest ranked site within the county for an office park.
- Neither Union Township nor the private sector was able to successfully negotiate the necessary assembly of land and provide the needed infrastructure improvements.
- Significant conceptual work had been undertaken by the Township prior to the BCC entering the picture, including discussions about a Joint Economic Development District, use of tax increment financing, and Union Township's willingness to provide improved ROW back to the county.

### BASIS TO PROCEED

- Preparing "Shovel Ready" sites identified as a priority of the economic development program.
- Highest rated site for office park in the county by Property Advisors study.
- Opportunity to retain/add 700+ jobs in Clermont County.
- Minimize risk to any county funds

- Commissioners decide to pursue all 100 acres independent of CUC involvement
- Cooperation of experienced developer
- Cooperation of Union Township

#### LAND PURCHASE

- County Commissioners agreed to negotiate and assemble the land necessary.
- County Commissioners agreed to use fund balance in lieu of issuing debt to fund the land acquisition.
- County Administrator began negotiations on behalf of the County to acquire multiple parcels from Duane and Norma Ferguson, The Scottish Rite, and Donald and Deborah Smith. With the exception of the Smith parcel, which included a residence, it was all vacant land.
- Entered into an agreement for purchase of 30 acre parcel with the "Scottish Rite" 10/26/05. Closed on the property 1/25/06 for \$2,370,000.
- Entered into an agreement for purchase of 0.57 acre parcel with the Smiths 12/15/06. Closed on the property 1/27/06 for \$180,000.
- Entered into an agreement for purchase of .64 acre parcel with Duane Ferguson 10/14/05. Closed on the property 2/16/06 for \$75,000.
- Entered into an agreement for purchase of 68.53 acres included in multiple parcels from Duane and Norma Ferguson on 10/19/05. Closed on property 6/15/06 for \$5,482,400

#### LAND SALE

- Use CIC as land transaction vehicle. ORC Section 1724.10(B) specifically provides for a CIC to sell or lease property owned by the county for the purposes of stabilizing the economy, providing employment, and assisting in the development of industrial, commercial, distribution, and research activities. Prior to the closing on the properties a sales agreement was executed between the CIC and a limited liability company that eliminated the risk to the county in the transaction. The agreement:
  - Guarantees that property will be acquired in at least a 10 year horizon by requiring a minimum of 10 acres to be acquired per year.
  - Total cost of transaction to be included in purchase price, including CAUV recoupment, closing costs, tax proration, etc. This ensures that the county /CIC is not responsible for additional land transaction costs.
  - Carrying cost to include foregone interest from investment based upon annual average of 10 year Treasury bonds plus 50 basis points to be billed to future purchaser annually. This is necessary for the county to capture the interest it otherwise would have received if the cash to purchase the property would have remained in the county fund balance and continued to be invested.
  - All carrying cost to be billed to future purchaser annually.
  - Total purchase agreement also guaranteed personally by Chuck Kubicki. If the LLC defaulted on the agreement there was an additional guarantee provided.

- Basis of Land Sale Agreement
  - If the development does not occur as anticipated the LLC is required to acquire the property over time but also pay all carrying costs accruing to the county while the land is held.
  - The property is transferred to the CIC by the Board of County Commissioners. Proceeds from the sale of the property are required to be returned to the Board of County Commissioners.
  - An indexed interest rate is charged as part of the holding costs to replace investment earnings that otherwise would have been gained by the county. The index selected has historically been at or above the rate the county earns on its investments, plus an additional 50 basis points is added to the indexed rate.
  - Chuck Kubicki provides a personal guarantee to provide an additional layer of protection to the county should the LLC default on the agreement.
  - CUC agrees to prepare the entire site for development including grading, road improvements, storm drainage, water, sewer, and other utilities at no cost to the county, anticipating that CUC will recoup the investment at the time they sell the property for development purposes.

#### STATUS OF PROJECT AS of 1/2011

##### Status of Original purchase by BCC

- Total original purchase by county \$8,408,879 (includes CAUV)
- Reimbursed to county as of 12/31/10 - \$3,871,993
- Reimbursed to CIC and due to county - \$ 424,717
- Total - \$4,296,710

##### Taxes

- Union Township has placed the area in a TIF district to pay for some of the site improvements and provide other revenues to the Township for improvements here and elsewhere in the area. As a result, the increase in property taxes accrues to the Township in the form of service payments.
- CAUV recoupment is not included in the TIF payments and accrues to all taxing authorities
  - CAUV Recoupment brought \$275,000 to taxing jurisdictions
- Additional Taxes
  - Prior annual tax \$7,607
  - Annual additional taxes of \$73,563.40 to all taxing jurisdictions

## Interest Payments

YEAR	Interest rate %	Earned	Interest Rate % In Pool	Interest Earned In Pool	Increased Earnings
2006	4.86	\$34,518	3.56	\$25,263	\$9,255
2007	5.32	\$351,870	4.22	\$305,171	\$46,699
2008	4.88	\$317,651	4.13	\$269,872	\$47,779
2009	3.94	\$210,439	2.87	\$153,503	\$56,963
2010	4.02	\$202,291	1.62	\$81,877	\$120,414

## Public Infrastructure Improvements

- Completion of Ivy Pointe Blvd. (fka Ferguson Drive) including light at Clough Pike by CUC
- Completion of utility infrastructure for entire Ivy Pointe Commerce Park by CUC
- Partial cost of reconstruction of old Ferguson Drive

## Site Development

- Completion of grading of site by CUC

## Office Construction

- 100,000 sq. ft. TQL Headquarters - 725 employees
- 100,000 sq. ft. Sencorp Headquarters - 100 employees
- Inside Media – 15 employees (Leasing space inside the Sencorp building.)

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# Expiring Terms - Quarterly Report

THROUGH 12/31/10

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Appointed By: CC Board of Commissioners

Board Name Alcohol, Drug Addiction and Mental Health Board

Length of Term: 4 Years

Member Name	End Term Date	Term Number
Vacant	9 /30/2010	0
Vacant	6 /30/2010	0

Board Name Investment Advisory Committee

Length of Term: 1 Year

Member Name	End Term Date	Term Number
Edwin H. Humphrey	12/31/2010	2
Robert L. Proud	12/31/2010	2

Board Name Planning Commission

Length of Term: 3 Years

Member Name	End Term Date	Term Number
Vacant - Alt. (AW)	12/31/2010	0

Board Name Septic System Rehabilitation Financing Committee

Length of Term: 1 Year

Member Name	End Term Date	Term Number
Greg Neisen	12/31/2010	5
R. Scott Croswell III	12/31/2010	7
Larry Cadwallader	12/31/2010	4

Board Name Transit Advisory Committee

Length of Term: 2 Years

Member Name	End Term Date	Term Number
Regina Campbell	5 /31/2010	3

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**Appointed By:** CC Board of Commissioners

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Vacant	5 /31/2008	0
Gary Kasarick	5 /31/2010	5
Rex Parsons	5 /31/2010	3
Joyce Weddle	5 /31/2010	5
Scott Brown	5 /31/2010	1
Suzanne Embry	5 /31/2010	1
Brenda Dotson	5 /31/2010	1
Al Thompson	5 /31/2010	5

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# Expiring Terms - Quarterly Report

JANUARY 2011 THROUGH DECEMBER 2011

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**Appointed By:** CC Board of Commissioners

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**Board Name** Adams-Clermont Solid Waste District Policy Committee

**Length of Term:** 1 Year

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
David Spinney - Designee	12/31/2011	18

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**Board Name** Airport Zoning Board of Appeals

**Length of Term:** 3 Years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Gary Nichols	4 /6 /2011	1
Dick Jasper	4 /6 /2011	1

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**Board Name** Alcohol, Drug Addiction and Mental Health Board

**Length of Term:** 4 Years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Glenn P. Petrosky	6 /30/2011	2

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**Board Name** Area 12 Workforce Investment Board

**Length of Term:** 2 Years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Karen Brandenburg	6 /30/2011	2
Melissa Blandford	6 /30/2011	1
Andrew McCreanor	6 /30/2011	2
Robert L. Proud	6 /30/2011	5
Jimmie McIntosh	6 /30/2011	5
Berta Velilla	6 /30/2011	3
John Nelson	6 /30/2011	3
Mike Mason	6 /30/2011	3

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**Appointed By:** CC Board of Commissioners

Tom Rocklin 6 /30/2011 1

**Board Name** Board of Building Appeals

**Length of Term:** 5 years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Rick Rack	9 /30/2011	1

**Board Name** Convention and Visitors Bureau, Inc. Board of Trustees

**Length of Term:** 3 Years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Chris Dauner	8 /31/2011	1
Chris Clingman	8 /31/2011	1

**Board Name** East Fork Little Miami River Watershed Collaborative Executive Council

**Length of Term:** 1 Year

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Paul Braasch	12/31/2011	9

**Board Name** Family Services Planning Committee

**Length of Term:** 2 Years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Tim McCartney	6 /30/2011	4
Sharon Woodrow	6 /30/2011	4
Jimmie McIntosh	12/31/2011	1
Tim Dick	6 /30/2011	1
Berta Velilla	6 /30/2011	4
Patty Stefanik	6 /30/2011	4
Gretchen Behimer	6 /30/2011	3
Matthew Van Sant	12/31/2011	3
Ben Capelle	12/31/2011	2
Regina Campbell	12/31/2011	5

**Appointed By:** CC Board of Commissioners

Karen Scherra	6 /30/2011	7
Debra Gordon	6 /30/2011	2

**Board Name** Flood Damage Prevention Regulations Variance Board

**Length of Term:** 3 Years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Dick Jasper	4 /6 /2011	1
Gary Nichols	4 /6 /2011	1

**Board Name** Housing Advisory Committee

**Length of Term:** 1 Year

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
George Brown	8 /31/2011	8
Rita Hutchinson	8 /31/2011	8
O'Neal Johnston	8 /31/2011	8
Billie Kuntz	8 /31/2011	8
Sara Kincaid	8 /31/2011	6
Ed Rust	8 /31/2011	4
Stefan L. Olson	8 /31/2011	8
Edwin H. Humphrey	8 /31/2011	3
Raymond Sebastain	8 /31/2011	8
Marcheta Gillam	8 /31/2011	3
Jim Fuhrman	8 /31/2011	3
Rachel J. Kerr	8 /31/2011	4
Lee Cornett	8 /31/2011	1
Mike Pride	8 /31/2011	1
Chris Smith	8 /31/2011	1
Sharon Richmond	8 /31/2011	7
Marty Lambert	8 /31/2011	6

Appointed By: CC Board of Commissioners

Board Name Loan Review Committee - Ohio Valley Regional Development Commiss

Length of Term: 3 Years

Member Name	End Term Date	Term Number
Jim Huebner	3 /1 /2011	1

Board Name Local Emergency Planning Committee

Length of Term: 2 Years

Member Name	End Term Date	Term Number
David Doyle	8 /14/2011	1
Beth Nevel	8 /14/2011	5
Tom Peterson	8 /14/2011	2
Kevin Riley	8 /14/2011	2
Brad J. Gramke	8 /14/2011	1
Ralph Hyre	8 /14/2011	3
Hanna Lubbers	8 /14/2011	1
Eugene Langschwager	8 /14/2011	2
Thomas W. Patt	8 /14/2011	1
Randall Harvey	8 /14/2011	5
Carla Goodspeed	8 /14/2011	1
Connie Dall	8 /14/2011	2
Karen Blades	8 /14/2011	1
Edward Bridgeman	8 /14/2011	7
Paul Braasch	8 /14/2011	6
Bonna Bauer	8 /14/2011	3
Gary Auffart	8 /14/2011	2
Edwin Humphrey	8 /14/2011	7
Kathy Lehr	8 /14/2011	1
Robert Perry	8 /14/2011	7

Appointed By: CC Board of Commissioners

Board Name Ohio Valley Regional Development Commission (OVRDC) S.R. 32 Corr

Length of Term: Ongoing

Member Name	End Term Date	Term Number
Robert L. Proud	12/31/2011	
Patrick Manger	12/31/2011	
Andrew T. Kuchta	12/31/2011	

Board Name Ohio-Kentucky-Indiana (OKI) Regional Council of Governments Board

Length of Term: 1 Year

Member Name	End Term Date	Term Number
David Spinney - Alternate	12/31/2011	6
Edwin H. Humphrey	12/31/2011	2

Board Name Planning Commission

Length of Term: 3 Years

Member Name	End Term Date	Term Number
Allen M. Freeman	3 /30/2011	1
Richard Hoffman	3 /30/2011	1

Board Name Prevailing Wage Coordinator

Length of Term: Ongoing

Member Name	End Term Date	Term Number
Sukie Scheetz	12/31/2011	

Board Name Public Library Board of Trustees

Length of Term: 7 Years

Member Name	End Term Date	Term Number
Patricia Pryor	12/31/2011	1

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**Appointed By:** CC Board of Commissioners

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**Board Name** Water Management & Sediment Control Regulations Variance Appeals

**Length of Term:** 3 years

<b>Member Name</b>	<b>End Term Date</b>	<b>Term Number</b>
Dick Jasper	4 /6 /2011	1
Gary Nichols	4 /6 /2011	1