

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 8, 2007, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, MARY C. WALKER, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 12:30 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: HUMAN RESOURCES DEPARTMENT...CONTRACT WITH DENTAL CARE PLUS, INC. FOR THE PROVISION OF ADMINISTRATIVE FUNCTIONS AND CLAIM SERVICES FOR DENTAL CARE BENEFITS FOR ALL ELIGIBLE EMPLOYEES AND THEIR DEPENDENTS...06-1229-001...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Contract by and between the County of Clermont, Ohio, and Dental Care Plus, Inc., Corporate Woods, 100 Crowne Point Place, Cincinnati, Ohio 45241 for the provision of administrative functions and claim services for dental care benefits for all eligible employees and their dependents through the Dental Care Plus Plan, at an administrative fee of \$3.95 per participant per month, effective 01/01/07 through 12/31/07, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: HUMAN RESOURCES DEPARTMENT...CONTRACT WITH CHARD, SNYDER & ASSOCIATES, INC. FOR THE PROVISION OF ADMINISTRATIVE SERVICES RELATIVE TO THE 2007 SECTION 125 FLEXIBLE SPENDING ACCOUNTS FOR ALL ELIGIBLE EMPLOYEES AND THEIR DEPENDENTS...06-1229-002...EXECUTED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Contract by and between the County of Clermont, Ohio, and Chard, Snyder & Associates, Inc., 3510 Irwin-Simpson Road, Mason, Ohio 45040-9560 for the provision of administrative services relative to the Section 125 Flexible Spending Accounts for all eligible employees and their dependents, at an annual renewal rate of \$750.00 plus an administrative fee of \$4.75 per participant per month, effective 01/01/07 through 12/31/07, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY JUVENILE COURT...SUB-GRANT AWARD AGREEMENT FOR FISCAL YEAR 2006 OFFICE OF CRIMINAL JUSTICE SERVICES GRANT FUNDS THROUGH THE JUVENILE

ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM FOR CONTINUATION OF THE GRANT ENTITLED DETENTION/CORRECTIONS PERSONNEL FOR SAMEY06-1031-001...RATIFIED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Sub-Grant Award Agreement with the Ohio Department of Youth Services, Bureau of Subsidies and Grants, 51 North High Street, 6th Floor, Columbus, Ohio 43215 for the Fiscal Year 2006 Office of Criminal Justice Services Grant (Sub-Grant Number 2006-JB-016-A103) for funding through the Juvenile Accountability Block Grant (JABG) Program for continuation of the grant entitled Detention/Corrections Personnel, to be implemented by Clermont County Juvenile Court, in the amount of \$10,048.00, with a local match in the amount of \$1,117.00 from Reclaim Ohio Funds, for a total program budget of \$11,165.00, for the period of 01/01/07 through 12/31/07, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... MICROSOFT ENTERPRISE ENROLLMENT RENEWAL FORM THROUGH THE STATE OF OHIO FOR DESKTOP APPLICATION LICENSES FOR VARIOUS CLERMONT COUNTY OFFICES...03-1203-001...RATIFIED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute the Microsoft Enterprise Enrollment Renewal Form to continue the County's enrollment in the Microsoft Enterprise Agreement Program through the State of Ohio with a large account reseller, Software House International (SHI), 1408 Newell Court, Columbus, Ohio 43228 for Microsoft Enterprise Agreement Number 01E62121, previously ratified by the Board of County Commissioners on 12/17/03, for the provision of 1000 desktop application licenses with software assurance for various Clermont County Offices for an additional three years through 12/31/09, at pre-negotiated state term prices (Microsoft State Term Contract Number 0A-02011) at a cost of \$143,730.00 per year, for a total amount of \$431,190.00, with all other terms and conditions of the original Agreement Program to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 03-07/RESOLUTION ADOPTING CHANGE OF NAME FOR CERTAIN PROPERTY IN UNION TOWNSHIP, CLERMONT COUNTY, OHIO, FROM EASTGATE BUSINESS PARK TO IVY POINTE COMMERCE CENTER AND ADOPTING THE SECOND AMENDMENT TO THE DECLARATION OF DEVELOPMENT STANDARDS, CONVENANTS, AND RESTRICTIONS FOR EASTGATE BUSINESS PARK ...07-0105-009...ADOPTED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **03-07** resolving to change the name for certain property in Union Township, Clermont County, Ohio, from Eastgate Business Park to Ivy Pointe Commerce Center and to adopt the Second Amendment to the Declaration of Development Standards, Covenants, and Restrictions for Eastgate Business Park by and between the Board of County Commissioners of Clermont County, Ohio, and Clermont County CIC, Inc., 2379 Clermont Center Drive, Batavia, Ohio 45103 in and as it relates to certain real property as identified in Exhibit A, attached thereto and made a part thereof, effective immediately and shall remain in full force and effect upon ratification by the Clermont County CIC, Inc.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS AGAINST THE SURGERY CENTER OF CINCINNATI, LLC RELATIVE TO CLERMONT COUNTY COMMON PLEAS COURT CASE NUMBER 2005CVH01545, SURGERY CENTER OF CINCINNATI, LLC VS. DUANE FERGUSON, ET AL. AND DISMISSAL OF BOARD OF COUNTY COMMISSIONERS' CLAIMS AGAINST SAME...06-1130-003...RATIFIED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Earl K. Messer, with the law firm of Taft, Stettinius & Hollister, LLP, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202-3957, with the concurrence of David L. Spinney, County Administrator, to authorize the Board of County Commissioners to execute a Settlement Agreement and Release of All Claims against the Surgery Center of Cincinnati, LLC, 4415 Aicholtz Road, Cincinnati, Ohio 45245 relating to the disposition of Case Number 2005CVH01545 captioned Surgery Center of Cincinnati, LLC vs. Duane Ferguson, et al., (the "Action") as it relates to Parcel Number 41-32-15F-002 situated within Union Township and to direct the Board of County Commissioners' counsel to dismiss all the Boards' claims against the Surgery Center of Cincinnati, LLC relative thereto, on the condition that the Surgery Center of Cincinnati, LLC executes a release in recordable form releasing and dismissing any claim it might have to that same property and any claim it might have against the Board of County Commissioners and on the condition that the Surgery Center of Cincinnati, LLC dismiss all the claims, cross-claims and counterclaims with prejudice it has asserted in the Action.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS...APPROVED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21

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of the Ohio Revised Code and to authorize reimbursement of routine expenses associated therewith, pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2007 and any and all amendments subsequent thereto:

| Elected Official or Department/Employee | Organization | Annual Dues | Term |
|---|--|--------------------|---------------------------|
| Office of Economic Development Andrew Kuchta Jennifer Fedorov DC# 06-1204-008 | Ohio Economic Development Association | \$2,400.00 | 01/01/07 through 12/31/07 |
| Clermont County Court of Common Pleas/Domestic Relations Division Judge Michael Voris DC# 06-1228-005 | American Bar Association | \$307.50 | 01/01/07 through 12/31/07 |
| | Clermont County Bar Association | \$50.00 | |
| | Ohio Association of Domestic Relations Judges | \$185.00 | |
| | Ohio Judicial Conference | \$100.00 | |
| Clermont County Court of Common Pleas/Domestic Relations Division Michael Finney DC# 06-1228-005 | Ohio Association of Magistrates | \$175.00 | 01/01/07 through 12/31/07 |
| Clermont County Court of Common Pleas/Domestic Relations Division Deborah Cadwallader DC# 06-1228-005 | Ohio Association of Court Administrators | \$50.00 | 01/01/07 through 12/31/07 |
| Clermont County Court of Common Pleas/Domestic Relations Division Kelli Bailey DC# 06-1228-005 | Association of Family and Conciliation Courts | \$160.00 | 01/01/07 through 12/31/07 |
| Department of Community Planning and Development Timothy Hershner DC# 06-1228-001 | American Planning Association (includes Ohio Chapter APA and American Institute of Certified Planners) | \$354.00 | 01/01/07 through 12/31/07 |
| | Clermont County Township Association | \$10.00 | |
| | County Planning Directors' Association of Ohio | \$150.00 | |
| Department of Community Planning and Development Raymond Sebastian Timothy Hershner Mary Werner Julie Williams DC# 06-1228-001 | Ohio Conference of Community Development | \$275.00 | 01/01/07 through 12/31/07 |
| Department of Community Planning and Development Raymond Sebastian Timothy Hershner Mary Werner Julie Williams DC# 06-1228-001 | Affordable Housing Coalition | \$20.00 | 07/01/07 through 06/30/08 |
| Department of Community Planning and Development Clermont County Planning Commission Members Allen Freeman Richard Hoffman Roger J. Maham Gary Nichols Carolyn Potter | American Planning Association (includes Ohio Chapter APA) | \$869.00 | 01/01/07 through 12/31/07 |

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|---|---|--|---------------------------------|
| Mary Margaret Rochford Dan Rouster Karl Schultz Doug Thomson Tim L. Turton Gene Vanlandingham DC# 06-1228-001 | | | |
| Facilities Management Department Errol Lloyd, Sr. DC# 06-1227-003 | Associated Locksmiths of America, Inc. | \$155.00 | 01/01/07 through 12/31/07 |
| County Sheriff Albert J. Rodenberg, Jr. and/or Staff DC# 07-0103-001 | Buckeye State Sheriff's Association Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network Law Enforcement Executive Development Association Academy of Criminal Justice Sciences Clermont County Police Chief's and Sheriff's Association International Association of Chiefs of Police Ohio Association of Chiefs of Police International Conference of Police Chaplains International Association of Court Officers and Services, Inc. (Ohio) International Association of Court Officers and Services, Inc. (International) Court Officers' and Deputies Association International Association for Identification Police Intelligence Coordinating Agency Midwest Association of Certified Voice Stress Analysts National Association of School Resource Officers, Inc. Ohio School Resource Officers Association Hamilton County Police Association Miami Township Chamber of Commerce Southwestern Ohio Chapter of MADD North American Police Work Dog Association National Police Bloodhound Association Drug Abuse Resistance Education National Tactical Officers Association | \$3,489.00 \$350.00 \$50.00 \$85.00 \$100.00 \$300.00 \$120.00 \$125.00 \$50.00 \$35.00 \$35.00 \$60.00 \$150.00 \$300.00 \$30.00 \$70.00 \$175.00 \$95.00 \$150.00 \$35.00 | 01/01/07 through 12/31/07 |

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|---|---|------------|---------------------------------|
| | American Correctional Association | \$35.00 | |
| | American Jail Association | \$70.00 | |
| | National Sheriff's Association | \$150.00 | |
| | American Correctional Food Service Association | \$300.00 | |
| | Dietary Managers Association | \$300.00 | |
| | Ohio Task Force Commanders Association | \$70.00 | |
| | Narcotics Association of Regional Coordinating Officers | \$125.00 | |
| | | \$122.00 | |
| | | \$300.00 | |
| | | \$20.00 | |
| County Treasurer J. Robert True and/or Staff DC# 07-0105-002 | County Treasurers Association of Ohio | \$2,383.16 | 01/01/07 through 12/31/07 |
| | National Association of County Treasurers and Finance Officers | \$175.00 | |
| | The Southwest District Treasurers Association | \$50.00 | |
| | The International Association of Clerks, Recorders, Election Officials and Treasurers | \$220.00 | |
| | Ohio Government Finance Officers Association | \$120.00 | |
| | Government Finance Officers Association | \$250.00 | |
| | National Association of Counties | \$0.00 | |
| Clermont County Municipal Clerk of Courts Timothy R. Rudd DC# 07-0105-003 | Ohio Association of Municipal Court Clerks | \$175.00 | 01/01/07 through 12/31/07 |
| | National Association for Court Management | \$150.00 | |

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2007...APPROVED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2007 (Resolution Number 213-06) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County

Auditor, to properly record same:

REIMBURSEMENT OF FUNDS:

| | |
|--------------|--|
| \$ 2,251.12 | From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7003 |
| \$ 28,712.72 | From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7004 |
| \$ 104.97 | From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7005 |

CASH TRANSFER OF FUNDS:

| | |
|---------------|---|
| \$ 19,716.00 | From CCADA & Mental Health Services Board Fund 201-5200-7240 to Day Treatment Debt Services Fund 311-0311-4821 |
| \$ 44,340.00 | From CCADA & Mental Health Services Board Fund 201-5200-7240 to Child Day Treatment Facility Fund 316-0316-4821 |
| \$ 110,000.00 | From Water Revenue Fund 601-8550-7310 to Water & Sewer Combined Services Fund 603-0603-4871 |
| \$ 110,000.00 | From Sewer Revenue Fund 602-8530-7310 to Water & Sewer Combined Services Fund 603-0603-4871 |

CASH ADVANCE OF FUNDS:

| | |
|--------------|--|
| \$ 50,000.00 | From General Fund 100-1308-7222-0229 to Community Development Block Grant Fund 229-0229-4961 |
|--------------|--|

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Crowell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mrs. Walker, seconded by Mr. Crowell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2007 and any and all amendments subsequent thereto:

CLERMONT COUNTY MUNICIPAL CLERK OF COURTS

Timothy R. Rudd: Three (3) days – Cincinnati, Ohio – Clermont Chamber of Commerce Legislative Luncheons - Total expenses not to exceed \$105.00.

CLERMONT COUNTY MUNICIPAL COURT

Judge James A. Shriver: Four (4) days – Dublin, Ohio – Association of Municipal/County Judges of Ohio Winter Conference - Total expenses not to exceed \$890.27.

COUNTY AUDITOR

Linda L. Fraley and Chuck Tilbury: One (1) day – Clermont Chamber of Commerce Legislative Luncheon – Total expenses not to exceed \$70.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Crowell, Yes; Mr. Proud, Yea.

IN RE: BLANKET TRAVEL REQUESTS FOR REIMBURSEMENT OF ALL ELIGIBLE EXPENSES FOR PARTICIPATION IN MEETINGS, ORGANIZATIONS AND/OR PROGRAMS DURING CALENDAR YEAR 2007...APPROVED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following blanket travel requests for reimbursement of all eligible expenses for participation by various departments and/or members of their staff, in and as it relates to all meetings, organizations and/or programs during Calendar Year 2007, pursuant to the current policy and procedures for reimbursement of travel expenses of the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2007 and any and all amendments subsequent thereto as outlined below:

| Department | Meetings, Organizations and/or Programs |
|--|---|
| County Sheriff Albert J. Rodenberg, Jr. and/or Staff DC# 07-0103-002 | Ohio Peace Officers Training Academy |
| County Treasurer J. Robert True Connie Bare DC# 07-0104-001 | County Treasurers' Association of Ohio |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: PERSONNEL ACTION FORMS...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **01/08/07** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**MARY C. WALKER, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 01/08/07