

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 11, 2005, 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 11:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.

LET THE RECORD SHOW: Craig Stephenson, Deputy Engineer, Clermont County Engineer's Office, provided the Board with an overview of the process for the release of Maintenance Bonds and acceptance of streets for placement into the respective township public road systems. He further addressed the bond status for the Weber Oaks Subdivision, Section 4, located within Miami Township. He advised after M/I Schottenstein Homes, Inc., the developer, completes the repairs needed to four sections of the curb, the Maintenance Bond will be released and the streets turned over to Miami Township for maintenance. (DC# 00-0815-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 09-05/PAYMENT OF BILLS...ADOPTED

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

Recommendation to adopt Resolution Number **09-05** resolving to sign all Recap Sheets covering all bills presented this date and authorizing payment of same except as noted.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...AMENDMENT TO THE CLERMONT COUNTY PREVENTION, RETENTION & CONTINGENCY (PRC) PLAN FOR SAME...97-0912-004...APPROVED

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

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to approve the Amendment to the Clermont County Department of Job and Family Services Prevention, Retention & Contingency (PRC) Plan, previously ratified by the Board on 10/15/97 and subsequently amended on 02/18/98, 08/12/98, 01/12/99, 07/07/99, 01/05/00, 04/04/00, 06/14/00, 12/19/00, 03/27/01, 06/26/02, 10/22/02 (effective 10/07/02), 03/19/03, 05/19/04 (effective 06/01/04) and 09/22/04, to include, within the Family Disaster Assistance category, the 2004 Winter Ice Storm Assistance, providing up to \$1,500.00 in Temporary Assistance for Needy Families (TANF) disaster assistance for families consisting of a child(ren) or pregnant woman and having evidence of economic need, with said plan changes to be effective 01/10/05.

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

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

IN RE: BUILDING INSPECTION DEPARTMENT...REQUEST FOR A WAIVER OF BUILDING INSPECTION FEES FOR DAMAGES CAUSED AS A RESULT OF FLOODING RELATIVE TO THE STATE OF EMERGENCY

**DECLARED BY THE BOARD OF COUNTY COMMISSIONERS ON
01/07/05...05-0110-011...APPROVED**

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

Recommendation of Raymond Sebastian, Director, Building Inspection Department, with the concurrence of David L. Spinney, County Administrator, to request that the Board of County Commissioners waive applicable Building Inspection and Permit Central Department fees for inspection of structures damaged as a direct result of flooding relative to the State of Emergency declared by the Board of County Commissioners on 01/07/05.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE CONTRACT WITH TOPS IN TECHNOLOGY LLC THROUGH THEIR SURETY, AMERICAN CONTRACTORS INDEMNITY COMPANY, FOR PROJECT NUMBER 621-0801 RELATIVE TO THE OLD STATE ROUTE 74 WATER TRANSMISSION MAIN PROJECT LOCATED IN UNION TOWNSHIP AS COMPLETE AND EXECUTION OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 8, FINAL, FOR THE RELEASE OF RETAINAGE TO THE SURETY, PURSUANT TO THE ASSIGNMENT THEREOF BY TOPS IN TECHNOLOGY LLC, RELATIVE THERETO...01-0906-001...TABLED

Recommendation of Sukie Scheetz, Controller, Clermont County Sewer District, as requested by Allan Edwards, Assistant Prosecuting Attorney, to accept the Contract by and between the County of Clermont, Ohio, and Tops in Technology LLC, P.O. Box 519, West Union, Ohio 45693, through their Surety, American Contractors Indemnity Company, 9841 Airport Boulevard, 9th Floor, Los Angeles, California 90045, which Tops in Technology LLC abandoned the contract completion closeout performance, after physically completing the construction, for Project Number 621-0801 relative to the Old State Route 74 Water Transmission Main Project located in Union Township, as complete as of 08/24/02, and to execute the Estimate for Partial Payment Number 8, Final, which represents the release of retainage in the principal amount of \$8,656.76, plus accrued interest earned thereon relative thereto, and to further authorize the release of these monies to the Surety, American Contractors Indemnity Company, pursuant with the terms of the Assignment of contract funds to them by Tops in Technology LLC.

IN RE: CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE CONTRACT WITH H.D. WATER SERVICES FOR PROJECT NUMBER 621-0740 RELATIVE TO THE PUB WELLFIELD PITLESS ADAPTOR INSTALLATION, WELL TESTING/REDEVELOPMENT/REPAIR PROJECT LOCATED IN PIERCE TOWNSHIP AS COMPLETE AND EXECUTION OF THE ESTIMATE FOR PARIAL PAYMENT NUMBER 7, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...02-0206-002...RATIFIED

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

Recommendation of Sukie Scheetz, Controller, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the Contract by and between the County of Clermont, Ohio, and H.D. Water Services, P.O. Box 369, 5650-2 Groveport Road,

Groveport, Ohio 43125-0369, for Project Number 621-0740 relative to the PUB Wellfield Pitless Adaptor Installation, Well Testing/Redevelopment/Repair Project located in Pierce Township, as complete as of 05/09/03, and to execute the Estimate for Partial Payment Number 7, Final, which represents the release of retainage in the principal amount of \$10,467.20, plus accrued interest earned thereon relative thereto.

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 SEWER DISTRICT...OFFICE OF MANAGEMENT AND BUDGET...RESOLUTION NUMBER 10-05/RESOLUTION TO CERTIFY DELINQUENT SEWER CHARGES TO THE CLERMONT COUNTY AUDITOR FOR PLACEMENT ON REAL PROPERTY TAX LIST AND DUPLICATE...05-0103-005...ADOPTED

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

Recommendation of Sukie Scheetz, Controller, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **10-05** to certify delinquent sewer charges to the County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibit "A" pursuant to Section 6117.02 of the Ohio Revised Code.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...OFFICE OF MANAGEMENT AND BUDGET...RESOLUTION NUMBER 11-05/RESOLUTION TO CERTIFY DELINQUENT WATER CHARGES TO THE CLERMONT COUNTY AUDITOR FOR PLACEMENT ON REAL PROPERTY TAX LIST AND DUPLICATE...05-0103-006...ADOPTED

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

Recommendation of Sukie Scheetz, Controller, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **11-05** to certify delinquent water charges to the County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibit "A" pursuant to Section 6103.02 of the Ohio Revised Code.

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 SEWER DISTRICT...OFFICE OF MANAGEMENT AND BUDGET...RESOLUTION NUMBER 12-05/RESOLUTION TO CERTIFY DELINQUENT MISCELLANEOUS UTILITY CHARGES TO THE CLERMONT COUNTY AUDITOR FOR PLACEMENT ON REAL PROPERTY TAX LIST AND DUPLICATE...05-0103-007...ADOPTED

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

Recommendation of Sukie Scheetz, Controller, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **12-05** to certify delinquent miscellaneous utility charges to the County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibit "A" pursuant to Sections 6103.02 and 6117.02 of the Ohio Revised Code.

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

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

IN RE: COUNTY ENGINEER...ANNUAL COUNTY HIGHWAY SYSTEM MILEAGE CERTIFICATION FOR THE COUNTY OF CLERMONT, OHIO FOR FISCAL YEAR 2004...04-0104-001...ACCEPTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the Annual County Highway System Mileage Certification for the County of Clermont, Ohio, for Fiscal Year 2004, certifying the total eligible number of miles for Clermont County to be 382.08 as of 01/03/05, pursuant to Section 4501.04 of the Ohio Revised Code.

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

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

IN RE: COUNTY ENGINEER...THE ESTATES AT SHAYLER RIDGE AT WETHERBY FARMS/SECTION 1/UNION TOWNSHIP...RECORD PLAT NUMBER 629-2268 AND COMBINED PERFORMANCE-MAINTENANCE BOND AS WELL AS PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...05-0110-001...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2268** for the following Subdivision and further to execute the Combined Performance-Maintenance Bond as well as the Performance Bond for Sidewalks as surety for the same relative to the construction of the below listed streets:

Subdivision/Location	Perf./Maint.	Sidewalk	Streets/Lengths (miles)
The Estates at Shayler Ridge at Wetherby Farms Section 1 Union Township	\$33,000.00/ \$23,000.00	\$60,080.00	Roland Creek Drive (0.24) Burgess Court (0.06) East Applegate (0.07) South Applegate (0.13) Hallfield Lane (0.03)

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

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

IN RE: COUNTY ENGINEER...RESOLUTION NUMBERS 13-05 THROUGH 15-05/CONVERSION OF COMBINED PERFORMANCE-MAINTENANCE BONDS FOR VARIOUS SUBDIVISIONS IN BATAVIA TOWNSHIP...ADOPTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Numbers **13-05 through 15-05** to convert the Combined Performance-Maintenance Bonds in the amounts listed below, for the construction of streets in the stated lengths within the following Subdivisions in Batavia Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision/Location	Performance-Maintenance	Street/Length (miles)
Crosspointe Section 2A Batavia Township Resolution Number 13-05 DC# 02-1104-002	\$10,000.00/ \$8,000.00	Picketside Drive (0.156)
Crosspointe Section Two Block B Batavia Township Resolution Number 14-05 DC# 03-1027-013	\$8,000.00/ \$8,000.00	Picketside Drive (0.111)
Whispering Trees Section II Batavia Township Resolution Number 15-05 DC# 02-1129-001	\$22,000.00/ \$10,000.00	Whispering Trees Drive (0.117) Whispering Wind Lane (0.113) River Birch Drive (0.182)

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

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

IN RE: COUNTY ENGINEER...PONDER WOODS/UNION TOWNSHIP...RELEASE OF LETTER OF CREDIT RELATIVE TO COMBINED PERFORMANCE-MAINTENANCE BOND AS SURETY AND IN LIEU THEREOF ACCEPTANCE OF OFFICIAL CHECK AS SURETY FOR SAME...02-0731-005...APPROVED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a previously accepted Letter of Credit as surety for Combined Performance-Maintenance Bond and in lieu thereof, acceptance of an Official Check as surety for Combined Performance-Maintenance Bond for the following Subdivision located within Union Township in the amounts as follows:

Subdivision/Location	Letter of Credit	Official Check
Ponder Woods Union Township	\$8,000.00* *Release of Letter of Credit Number	\$8,000.00* *Acceptance of Official Check

	602005361 issued by Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249-3701.	Number 351608 issued by Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249-3701, dated 12/20/04.
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Upon roll call on the foregoing motion, the vote was as follows:

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

IN RE: COUNTY ENGINEER...PONDER WOODS/UNION TOWNSHIP...RELEASE OF THREE YEAR PERFORMANCE BOND FOR SIDEWALKS AND IN LIEU THEREOF ACCEPTANCE OF ONE YEAR PERFORMANCE BOND FOR SIDEWALKS FOR SAME...02-0731-005...APPROVED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Three Year Performance Bond for Sidewalks for the following Subdivision located within Union Township, and in lieu thereof accept a One Year Performance Bond for Sidewalks in the amount as follows:

Subdivision/Location	Three Year Performance Bond	One Year Performance Bond
Ponder Woods Union Township	\$35,720.00* *Secured by Irrevocable Standby Letter of Credit Number 602005361-A issued by Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249-3701.	\$3,230.00* *Secured by Official Check Number 351606 issued by Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249-3701.

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

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

IN RE: COUNTY ENGINEER...RELEASE OF COMBINED PERFORMANCE-MAINTENANCE BONDS AND ACCEPTANCE OF STREETS INTO THE BATAVIA, UNION AND WILLIAMSBURG TOWNSHIP PUBLIC ROAD SYSTEMS...APPROVED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of Combined Performance-Maintenance Bonds previously converted to the Maintenance Bond Phase for the following Subdivisions located within Batavia, Union and Williamsburg Townships, and to accept the streets in the lengths stated situated therein as public roads for placement into the Batavia, Union and Williamsburg Township Public Road Systems:

Subdivision/Location	Maintenance	Street/Length (miles)
Union Station Section 1 Union Township DC# 01-0214-003	\$7,500.00	Track Lane (0.066)

Union Station Section 2 Union Township DC# 01-0418-002	\$8,000.00	Track Lane (0.022) Roundhouse Drive (0.100)
Union Station Section 3 Union Township DC# 01-0807-002	\$8,000.00	Silver Streak Drive (0.193)
Braxton Parke Section Three Batavia Township DC# 01-1011-002 *Secured by Irrevocable Standby Letter of Credit Number 18-000093 issued by Peoples Community Bank, 6100 West Chester Road, West Chester, Ohio 45069.	\$8,000.00*	Bach Grove Court (0.040) Golden Meadow Court (0.196)
Commons of East Fork Williamsburg Township DC# 01-0130-005	\$12,000.00	West Fork Ridge Drive (0.478) Rhodes Drive (0.010) East Fork Hills Drive (0.025) East Fork Valley Drive (0.025)

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...DESIGNATION OF ALTERNATE FOR COMMISSIONER MARY C. WALKER TO THE CLERMONT COUNTY PLANNING COMMISSION...05-0106-002

LET THE RECORD SHOW: The Board acknowledged the designation by Commissioner Mary C. Walker, of Richard Hoffman, 1160 State Route 28, Milford, Ohio 45150, to serve as her alternate on the Clermont County Planning Commissioner pursuant to Section 713.22 of the Ohio Revised Code.

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF MARY C. WALKER TO SERVE ON THE INVESTMENT ADVISORY COMMITTEE FOR CALENDAR YEAR 2005...05-0110-009

LET THE RECORD SHOW: Recommendation of Commissioner Robert L. Proud to designate Commissioner Mary C. Walker, to serve on the Investment Advisory Committee for Calendar Year 2005, pursuant to Section 135.34 of the Ohio Revised Code.

IN RE: BUILDING INSPECTION DEPARTMENT...BLANKET TRAVEL REQUEST FOR REIMBURSEMENT OF ALL ELIGIBLE EXPENSES FOR PARTICIAPATION IN MEETINGS, ORGANIZATIONS AND/OR PROGRAMS DURING CALENDAR YEAR 2005...05-0106-003...APPROVED

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

Recommendation of Raymond Sebastian, Director, Building Inspection Department, with the concurrence of David L. Spinney, County Administrator, to approve the following blanket travel request for reimbursement of all eligible expenses for participation by the Building Inspection

Department and/or members of their staff, in and as it relates to all meetings, organizations and/or programs during Calendar Year 2005, pursuant to the current Policy for Reimbursement of Travel Expenses adopted by the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2005 and any and all amendments subsequent thereto as outlined below:

Department	Meetings, Organizations and/or Programs
Building Inspection Department Ray Sebastian and Carl Lamping	Building Inspection Department Meetings and Seminars

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. Proud, 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 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 2005 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Office of Economic Development Andrew Kuchta DC# 05-0104-005	International Economic Development Council (IEDC)	\$325.00	01/01/05 through 12/31/05
	Ohio Economic Development Association (OEDA)	\$225.00	
Juvenile Court Judge Stephanie Wyler DC# 05-0106-001	Ohio Association of Juvenile Court Judges (State)	\$555.00	01/01/05 through 12/31/05
	Ohio Association of Juvenile Court Judges (National)	\$150.00	
	Ohio Association of Probate Judges (State)	\$120.00	
	Ohio Association of Probate Judges (National)	\$85.00	
	Ohio Judicial Conference	\$100.00	
County Engineer Patrick J. Manger DC# 04-1215-003	County Engineers Association of Ohio	\$4,420.00	01/01/05 through 12/31/05

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2005...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 2005 (Resolution Number 217-04) and/or interfund transactions as outlined in the following table(s) and authorize Linda Fraley, County Auditor, to properly record same:

TRANSFER OF FUNDS:

\$ 3,459.04	From General Fund 100-1012-5200 to 100-2170-5200 (Insurance/Health/Judgments Fringe Benefits to Public Defender Fringe Benefits)
\$ 6,054.96	From General Fund 100-1018-7139 to 100-2170-5112 (Contingencies to Public Defender Regular Salary)
\$ 1,400.00	From Motor Vehicle & Gas Tax Fund 206-3091-5300 to 206-3091-6600 (Engineer Purchased Services to Capital Outlay)

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2005:

\$ 65,400.00	General Fund – Youth and Community Partnership	100-4144-5118	Temporary Salaries
\$ 18,473.00	General Fund – Youth and Community Partnership	100-4144-5200	Fringe Benefits
\$ 8,317.00	General Fund – Youth and Community Partnership	100-4144-5300	Purchased Services
\$ 4,280.00	General Fund – Youth and Community Partnership	100-4144-5700	Materials & Supplies
\$ 101,318.25	New Product Technologies Project Fund	223-7014-6600	Capital Outlay

CASH TRANSFER OF FUNDS:

\$ 19,716.00	From Clermont County Alcohol, Drug Addiction & Mental Health Services Board Fund 201-5200-7240 to Day Treatment Debt Service Fund 311-0311-4821
\$ 44,340.00	From Clermont County Alcohol, Drug Addiction & Mental Health Services Board Fund 201-5200-7240 to Child Day Treatment Facility Debt Service Fund 316-0316-4821
\$ 1,236.94	From Children Services Levy Fund 213-6243-7220 to Children Services Fund 208-0208-4821
\$ 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

REIMBURSEMENT OF FUNDS:

\$ 61,062.44	From Children Services Fund 208-6242-7220 to Public Assistance Fund 204-0204-4821
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, 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. Croswell, 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 and in compliance with the Annual Appropriations for Fiscal Year 2005 and any and all amendments subsequent thereto:

COMMON PLEAS COURT

Daniel E. Linneman: Two (2) days – Cincinnati, Ohio – New Lawyers Training - Total expenses not to exceed \$ 236.00.

Arrianna Sacks: Two (2) days – Cincinnati, Ohio – New Lawyers Training - Total expenses not to exceed \$ 195.00.

COMMON PLEAS COURT/DOMESTIC RELATIONS

Judge Michael J. Voris: One (1) day – Columbus, Ohio – Ohio Judicial College Domestic Relations Seminar - Total expenses not to exceed \$ 50.00.

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

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

IN RE: PERSONNEL ACTION FORMS...APPROVED

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

Recommendation of the Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to approve the following personnel actions:

CLERMONT COUNTY SEWER DISTRICT

Gregory J. Costello: PA #13555 – WSD Operations Supervisor – Change/Reassignment – Effective 01/17/2005.

HUMAN RESOURCES DEPARTMENT

Gerald L. Runnels: PA #13558 – Mail Clerk - Appointment/Intermittent/Part-Time - Effective 01/10/2005.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

Robert J. Bitzenhofer: PA #13559 - Planning Intern - Appointment/Full Time Temporary - Effective 01/18/2005.

BOARD OF COUNTY COMMISSIONERS

Karen Alsip: PA #13572 - Administrative Support Technician - Appointment/Full Time Permanent - Effective 01/18/2005.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE CONTRACT WITH TOPS IN TECHNOLOGY LLC THROUGH THEIR SURETY, AMERICAN CONTRACTORS INDEMNITY COMPANY, FOR PROJECT NUMBER 621-0801 RELATIVE TO THE OLD STATE ROUTE 74 WATER TRANSMISSION MAIN PROJECT LOCATED IN UNION TOWNSHIP AS COMPLETE AND EXECUTION OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 8, FINAL, FOR THE RELEASE OF RETAINAGE TO THE SURETY, PURSUANT TO THE ASSIGNMENT

THEREOF BY TOPS IN TECHNOLOGY LLC, RELATIVE THERETO...01-0906-001...RATIFIED

LET THE RECORD SHOW: Allan Edwards, Assistant Prosecuting Attorney, addressed the Board in regards to the acceptance of the Old State Route 74 Water Transmission Main Project as complete and release of the Estimate for Partial Payment Number 8, Final. He advised there is no justification to withhold the release of funds to the surety.

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

Recommendation of Sukie Scheetz, Controller, Clermont County Sewer District, as requested by Allan Edwards, Assistant Prosecuting Attorney, to accept the Contract by and between the County of Clermont, Ohio, and Tops in Technology LLC, P.O. Box 519, West Union, Ohio 45693, through their Surety, American Contractors Indemnity Company, 9841 Airport Boulevard, 9th Floor, Los Angeles, California 90045, which Tops in Technology LLC abandoned the contract completion closeout performance, after physically completing the construction, for Project Number 621-0801 relative to the Old State Route 74 Water Transmission Main Project located in Union Township, as complete as of 08/24/02, and to execute the Estimate for Partial Payment Number 8, Final, which represents the release of retainage in the principal amount of \$8,656.76, plus accrued interest earned thereon relative thereto, and to further authorize the release of these monies to the Surety, American Contractors Indemnity Company, pursuant with the terms of the Assignment of contract funds to them by Tops in Technology LLC.

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

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

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Proud, to approve the minutes of the Emergency Session of **01/07/05** carried with Commissioners Walker and Proud voting affirmatively thereon. Commissioner Croswell abstained.

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Croswell, to approve the minutes of the Reorganization Session of **01/10/05** carried with all members present voting.

LET THE RECORD SHOW: THAT A MOTION BY MRS. WALKER, SECONDED BY MR. CROSWELL, TO RECESS REGULAR SESSION AT 12:15 P.M. TO BE RECONVENED AT 2:00 P.M. THIS DATE FOR THE PUBLIC HEARING FOR THE PROPOSED VACATION OF PORTIONS OF HOPEWELL ROAD, SMYRNA ROAD AND HOPEWELL SPUR LOCATED IN FRANKLIN TOWNSHIP, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING RELATIVE TO THE PROPOSED VACATION OF PORTIONS OF HOPEWELL ROAD, SMYRNA ROAD AND HOPEWELL SPUR LOCATED IN FRANKLIN TOWNSHIP...04-1013-003, 04-1013-004 AND 04-1013-005

LET THE RECORD SHOW: THAT THE CONTINUATION OF THE PUBLIC HEARING FROM 12/14/04 WAS HELD THIS DATE AT 2:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE PROPOSED VACATION OF PORTIONS OF

HOPEWELL ROAD, SMYRNA ROAD AND HOPEWLL SPUR LOCATED IN FRANKLIN TOWNSHIP.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. A COURT REPORTER WAS PRESENT TO RECORD A TRANSCRIPT OF TODAY'S HEARING.

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, PROVIDED THE BOARD WITH AN OVERVIEW OF THE REVISED DESCRIPTIONS FOR THE PROPOSED VACATION OF PORTIONS OF HOPEWELL ROAD, SMYRNA ROAD AND HOPEWLL SPUR LOCATED IN FRANKLIN TOWNSHIP.

SEVERAL ABUTTING PROPERTY OWNERS WERE PRESENT AND ACKNOWLEDGED THEIR AFFIRMATION OF THE PROPOSED VACATION OF THE A FORE STATED ROADS IN ACCORDANCE WITH THE REVISED LEGAL DESCRIPTIONS THEREFORE.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS ADJOURNED.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:30 P.M.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 16-05/RESOLUTION DETERMING TO VACATE PORTIONS OF HOPEWELL ROAD, SMYRNA ROAD, AND HOPEWELL SPUR SITUATED IN FRANKLIN TOWNSHIP, CLERMONT COUNTY, OHIO...01-1013-003, 04-1013-004 AND 04-1013-005...ADOPTED

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

Recommendation to adopt Resolution Number 16-05 determining to vacate portions of Hopewell Road, Smyrna Road, and Hopewell Spur situated in Franklin Township, Clermont County, Ohio, as revised and as described therein, pursuant to and in compliance with Section 5553.045 (D) of the Ohio Revised Code.

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

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

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Croswell, to approve the minutes of Regular Session of **01/11/05** carried with all members present voting.

IN RE: ADJOURNMENT...

Moved by Mr. Croswell, seconded by Mrs. Walker, 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:

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

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

ROBERT L. PROUD, PRESIDENT

MARY C. WALKER, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 01/11/05