

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 2, 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 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.**

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 27-05/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 **27-05** 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: HUMAN RESOURCES DEPARTMENT...AGREEMENT WITH BETHESDA HEALTHCARE, INC., DBA CONCERN SERVICES FOR THE PROVISION OF A CONCERN EMPLOYEE ASSISTANCE PROGRAM FOR ALL CLERMONT COUNTY EMPLOYEES...05-0124-009...EXECUTED**

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

Recommendation of Robert Sander, Administrator, Human Resources Department, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to execute an Agreement by and between the County of Clermont, Ohio, and Bethesda Healthcare, Inc., dba Concern Services, 8280 Montgomery Road, Suite 101, Cincinnati, Ohio 45236, for the provision of a Concern Employee Assistance Program for all Clermont County employees, at the rate of \$14.79 per county employee, as well as, provide other services on an as needed basis, for an estimated annual amount of \$25,000.00, effective for the period of 02/01/05 through 01/31/06, pursuant to the terms and conditions set forth therein, and contingent upon the issuance of a purchase order therefore.

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

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

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH GEAC PUBLIC SAFETY RELATIVE TO MAINTENANCE SERVICES FOR THE COMPUTER-AIDED DISPATCH SYSTEM SOFTWARE...04-0302-001...EXECUTED**

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

Recommendation of Ralph H. Justus, Systems Manager, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute an Amendment to the Agreement by and between the County of Clermont, Ohio, and GEAC Public Safety, 5509 West Gray Street, Tampa, Florida 33609, previously ratified by the Board on 03/17/04, relative to

maintenance services for the computer-aided dispatch system software, effective for the period of 01/01/05 through 12/31/05, for a total amount of \$88,575.00, pursuant to the terms and conditions set forth therein, with all other terms and conditions of the original Agreement to remain in full force and effect.

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

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

**IN RE: FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR PROFESSIONAL SERVICES WITH HARLEY ASSOCIATES ARCHITECTS FOR THE PROVISION OF ARCHITECTURAL SERVICES AS IT RELATES TO THE DESIGN OF THE CLERMONT COUNTY ONE-STOP AUTO TITLE/DEPUTY REGISTRAR/DRIVERS LICENSE EXAMINATION FACILITY...05-0128-010...EXECUTED**

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

Recommendation of Wade Gradowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute the Contract for Professional Services by and between the Board of Clermont County Commissioners and Harley Associates Architects, 665 N. Second Street, Suite 300, Batavia, Ohio 45103, for architectural services relative to the remodeling of the structure at 457 W. Main Street, Batavia, Ohio 45103, for use by the Clermont County One-Stop Auto Title/Deputy Registrar Drivers License Examination Facility, with the scope of services as identified in Exhibit A, attached thereto and made a part thereof, for a total sum not to exceed \$11,000.00, including all charges and expenses therefore, pursuant to 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: COURT OF COMMON PLEAS/DIVISION OF JUVENILE COURT...SUB-GRANT AWARD FOR FISCAL YEAR 2004 OFFICE OF CRIMINAL JUSTICE SERVICES GRANT FUNDS THROUGH THE JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM FOR CONTINUATION OF THE PROJECT ENTITLED DETENTION/CORRECTIONS PERSONNEL...04-1026-002YEXECUTED**

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

Recommendation of Judge Stephanie Wyler, Court of Common Pleas/Division of Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to execute Sub-Grant Award Number 2004-JB-016-A1033 for Fiscal Year 2004 Office of Criminal Justice Services Grant funds through the Juvenile Accountability Block Grant (JABG) Program for continuation of the project entitled Detention/Corrections Personnel, in the amount of \$19,168.00, with a local match in the amount of \$2,130.00 from State Reclaim Funds, for a total Program Budget of \$21,298.00, effective for the period of 01/01/05 through 12/31/05, 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: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION NUMBER 28-05/RESOLUTION AUTHORIZING CLERMONT TRANSPORTATION CONNECTION, IN THE NAME OF THE BOARD OF CLERMONT COUNTY COMMISSIONERS, TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM PURSUANT TO SECTION 5513.01 (B) OF THE OHIO REVISED CODE...05-0127-003...ADOPTED**

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

Recommendation of Mike Salamone, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **28-05** to authorize Clermont Transportation Connection, in the name of the Board of Clermont County Commissioners, to participate in contracts relative to the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program for the purchase of machinery, material, supplies, or other articles which ODOT has entered into, to be bound by all terms and conditions as the Director of Transportation prescribes, and to directly pay the vendor for items received under each such contract, pursuant to Section 5513.01 (B) 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...AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) RELATIVE TO THE RELOCATION OF WATER MAINS IN CONJUNCTION WITH ODOT PROJECT NUMBER CLE-222-27.77, PID NUMBER 18408, LOCATED IN BATAVIA TOWNSHIP...05-0124-005...EXECUTED**

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

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute the Agreement by and between the County of Clermont, Ohio, and the State of Ohio Department of Transportation (ODOT), P.O. Box 899, Columbus, Ohio 43216-0899, relative to the relocation of water mains in conjunction with ODOT Project Number CLE-222-27.77, PID Number 18408, for realigning a portion of SR 222 south of Possum Hollow Road located in Batavia Township, for an estimated amount of \$208,330.00, 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: CLERMONT COUNTY SEWER DISTRICT...AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) RELATIVE TO THE RELOCATION OF SEWER AND WATER MAINS IN CONJUNCTION WITH ODOT PROJECT NUMBER CLE-131-1.71, PID NUMBER 7606, LOCATED IN MIAMI TOWNSHIP...05-0124-004...EXECUTED**

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

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute the Agreement by and between the County of Clermont, Ohio, and the State of Ohio Department of Transportation (ODOT), P.O. Box 899, Columbus, Ohio 43216-0899, relative to the relocation of sewer and water mains in conjunction with ODOT Project Number CLE-131-1.71, PID Number 7606, for the widening of SR 131 from Sherwood Drive to Mt. Vernon Drive located in Miami Township, for an estimated amount of \$16,190.00 and \$155,850.00, respectively, pursuant to the terms and conditions set forth therein.

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH DONALD W. MAY CONSTRUCTION, INC. FOR PROJECT NUMBER 621-0950 RELATIVE TO THE 16-INCH WATER MAIN EXTENSION WOLFPEN-PLEASANT HILL ROAD AND 24-INCH WATER MAIN EXTENSION U.S. 50 PROJECT SITUATED WITHIN MIAMI TOWNSHIP...04-0604-001...EXECUTED**

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

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute Change Order Number 1 to the Contract with Donald W. May Construction, Inc., 10375 Burton Road, Leesburg, Ohio 45135, previously ratified by the Board on 08/10/04, for Project Number 621-0950 relative to the 16-inch Water Main Extension Wolfpen-Pleasant Hill Road and 24-inch Water Main Extension U.S. 50 Project situated within Miami Township, which represents an increase in the amount of \$41,183.40, for a total adjusted contract price to date of \$656,184.40, for additions, deletions and/or modifications thereto as defined therein.

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...RELEASE OF MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF WATER OR SANITARY SEWER MAIN EXTENSIONS AND ACCEPTANCE OF SAME INTO THE COUNTY WATERWORKS/ SEWER SYSTEMS...APPROVED**

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

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to authorize the release of Maintenance Bonds which provided surety for the installation of water or sanitary sewer main extensions to serve the following locations within Miami, Goshen and Batavia Townships, and to accept said water or sanitary sewer main extensions into the County Waterworks/Sewer Systems, pursuant to the Clermont County Sewer District Rules and Regulations:

Subdivision	Township/Village	Water	Sewer
Ashton Woods Section 2 DC# 03-0606-001	Miami	\$2,200.00	
Timber Ridge Section 5 DC# 03-1114-003  *Secured by Irrevocable Standby Letter of Credit Number 344 issued by National Bank & Trust Company, 48 N. South Street, P.O. Box 711, Wilmington, Ohio 45177.	Goshen		\$5,100.00*
Batavia Heights Storage DC# 03-0916-002  *Secured by Cashier's Check Number 226567 issued by National Bank & Trust, P.O. Box 711, Wilmington, Ohio 45177, in the amount of \$1,000.00	Batavia	\$1,000.00*	

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...ACCEPTANCE OF THE CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR PROJECT NUMBER BA-08-01 RELATIVE TO THE STATE ROUTE 222 TURN LANE PROJECT LOCATED IN BATAVIA TOWNSHIP AS COMPLETE AND TO APPROVE THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 2, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...04-0225-002...APPROVED**

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

Recommendation of Sukie Scheetz, Controller, Office of Management and Budget, with the concurrence of Patrick J. Manger, County Engineer, to accept the Contract by and between the County of Clermont, Ohio, and John R. Jurgensen Company, 11641 Mosteller Road, Cincinnati, Ohio 45241, for Project Number BA-08-01 relative to the State Route 222 Turn Lane Project located in Batavia Township, as complete as of 07/27/04 and to approve the Estimate for Partial Payment Number 2, Final, which represents the release of retainage in the principal amount of \$9,525.96 relative thereto.

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...REQUEST TO ADVERTISE FOR BIDS FOR PROJECT NUMBER BX-01-05 FOR THE PURCHASE OF PRECAST BOX CULVERT MATERIAL RELATIVE TO THE NINEMILE ROAD BRIDGE REPLACEMENT LOCATED IN PIERCE TOWNSHIP...05-0124-**

**007...APPROVED**

Moved by Mr. Crosswell, 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 approve the request to advertise for bids for Project Number BX-01-05 for the Purchase of Precast Box Culvert Material relative to the Ninemile Road Bridge Replacement located in Pierce Township, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 02/10/05, with bids to be received until **2:00 P.M. Local Time on Thursday, 02/24/05**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

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

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

**IN RE: COUNTY ENGINEER...PERMANENT AND TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER MI-13-03 RELATIVE TO THE WOLFPEN PLEASANT HILL ROAD CULVERT REPLACEMENT PROJECT LOCATED WITHIN MIAMI TOWNSHIP...05-0125-003...ACCEPTED**

Moved by Mrs. Walker, seconded by Mr. Crosswell, 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 following Permanent and Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes necessary for Project Number MI-13-03 relative to the Wolfpen Pleasant Hill Road Culvert Replacement Project located within Miami Township, and to authorize the County Auditor to remit payment in the amounts outlined below and as indicated on the settlement sheet attached thereto as compensation for the Permanent and Temporary Easements and Right-of-Way granted thereby and repairs relative thereto, as outlined below:

<b>Owner</b>	<b>Parcel Number</b>	<b>Compensation</b>	
Susan Radabaugh and Roberta Ann Thies 5278 Wolfpen-Pleasant Hill Road Milford, Ohio 45150 Miami Township	19-24-07E-017	Perm	\$ 407.00
		Temp	\$ 20.00
		Repairs	\$ 1,573.00

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

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

**IN RE: COUNTY ENGINEER...PERMANENT AND TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER TA-19-03 RELATIVE TO THE MT. OLIVE POINT ISABEL ROAD BRIDGE REPLACEMENT PROJECT LOCATED WITHIN TATE TOWNSHIP...05-0125-001...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 following Permanent and Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes necessary for Project Number TA-19-03 relative to the Mt. Olive Point Isabel Road Bridge Replacement Project located within Tate Township, and further to authorize the County Auditor to remit payment in the amounts outlined below and as indicated on the settlement sheets attached thereto as compensation for the Permanent and Temporary Easements and Right-of-Ways granted thereby, as outlined below:

Owner	Parcel Number	Compensation	
James H. and Melanie Hauserman 3155 Mt. Olive Point Isabel Road Bethel, Ohio 45106 Tate Township	32-30-02E-001	Perm	\$300.00
		Temp	\$200.00
Nicole L. Shannon 3165 Mt. Olive Point Isabel Road Bethel, Ohio 45106 Tate Township	32-30-06A-010	Perm	\$300.00
		Temp	\$200.00
Larry J. and Amy G. Hughes 3116 Mt. Olive Point Isabel Road Bethel, Ohio 45106 Tate Township	32-30-02E-002	Perm	\$300.00
		Temp	\$200.00
William J. Jr. and Patricia W. Kuehnhold 3178 Mt. Olive Point Isabel Road Bethel, Ohio 45106 Tate Township	32-30-06C-051	Perm	\$300.00
		Temp	\$200.00

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...PERMANENT EASEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, ON ROUND BOTTOM ROAD RELATIVE TO THE TERRACE RIDGE SUBDIVISION, SECTION ONE, BLOCK B, LOCATED WITHIN UNION TOWNSHIP...05-0125-002...ACCEPTED**

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 accept the following Permanent Easement heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes, necessary for a sight easement on Round Bottom Road relative to the Terrace Ridge Subdivision, Section One, Block B, located within Union Township, and further to authorize the County Auditor to remit payment in the amounts outlined below and as indicated on the settlement sheet attached thereto as compensation for the Permanent Easement and Right-of-Way granted thereby and damages relative thereto, as outlined below:

Owner	Parcel Number	Compensation	
Marvin L. & Barbara A. White 1043 David Court Milford, Ohio 45150 Union Township	39-31-09C-032	Perm	\$ 700.00
		Damages	\$ 3,300.00

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...LEGENDARY RUN SUBDIVISION/SECTION SIX-B/PIERCE TOWNSHIP...RECORD PLAT NUMBER 629-2273 FOR THE REPLAT OF LOT 477 WITHIN SAME...05-0131-004...EXECUTED**

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 execute Record Plat Number **629-2273** for the Replat of Lot 477 in the following Subdivision within Pierce Township:

Subdivision/Location	Record Plat Number	Reason for Replat
Replat of Lot 477 Legendary Run Section Six-B Pierce Township	629-2273	To change the number of existing Lot 477 to 516

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...UNION STATION SUBDIVISION/SECTION 3/UNION TOWNSHIP...ACCEPTANCE OF TRACK LANE INTO THE UNION TOWNSHIP PUBLIC ROAD SYSTEM...01-0807-002...ACCEPTED**

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 accept Track Lane, located within Union Station Subdivision, Section 3, Union Township, with a total length of 0.02 miles, situated therein as a public road for placement into the Union Township Public Road System.

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...RESOLUTION NUMBER 29-05/RESOLUTION AUTHORIZING THE CREATION OF THREE (3) UNCLASSIFIED POSITIONS IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO SECTION 124.11 (A) (9) OF THE OHIO REVISED CODE AND THREE (3) UNCLASSIFIED POSITIONS PURSUANT TO SECTION 124.11 (A) (8) OF THE OHIO REVISED CODE AND FURTHER ADOPTING A REVISED TABLE OF ORGANIZATION REFLECTING SAME...05-0127-004...ADOPTED**

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

Recommendation of Robert Sander, Administrator, Human Resources Department, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to adopt Resolution Number **29-05** authorizing the creation of three (3) unclassified positions, titled Commissioner Aide, pursuant to Section 124.11 (A) (9) of the Ohio Revised Code and three (3) unclassified positions titled Administrative Assistant, pursuant to Section 124.11 (A) (8) of the Ohio Revised Code; and further, five (5) of the six (6) positions will remain vacant and to adopt a revised Table of Organization for the Board of Clermont County Commissioners reflecting same and to execute a letter to the State of Ohio Department of Administrative Services notifying of the formal creation and status of said positions, pursuant to the Statute.

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...RESOLUTION NUMBER 30-05/RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE MINOR PUBLIC IMPROVEMENT CONTRACTS...05-0202-001...ADOPTED**

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

Recommendation of Thomas L. Blust, Assistant Prosecuting Attorney, to adopt Resolution **30-05** authorizing the County Administrator to execute, on behalf of the Board of County Commissioners, minor public improvement contracts with qualified contractors as selected and recommended by the Facilities Management Department to perform limited work services for costs less than \$25,000.00, directly under the supervision of the Facilities Management Department; and further, that the County Administrator shall insure that all contractual documents are complete and the Scope of Services outlined is consistent with the appropriations for the project and the plans and specifications developed with regard to the project and shall cause all such contracts to be brought before the Board of Commissioners in a timely manner for ratification after execution by the County Administrator.

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...JOINT APPLICATION WITH THE PROSECUTING ATTORNEY FOR EMPLOYMENT OF LEGAL COUNSEL FOR MATTERS RELATIVE TO THE PREPARATION OF ALL DOCUMENTATION IN SUPPORT OF THE UNDERWRITING OF BONDS AND FINANCIAL OBLIGATIONS OF THE COUNTY OF CLERMONT, OHIO...05-0127-001...EXECUTED**

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 execute a Joint Application with the Prosecuting Attorney for employment of Legal Counsel with Peck, Shaffer & Williams, 201 East 5<sup>th</sup> Street, Cincinnati, Ohio 45202, as Special Counsel to represent the Board of County Commissioners in its official capacity and to advise it on legal matters relative to the preparation of all documentation in support of the underwriting of bonds and financial obligations of the County of Clermont, Ohio, with compensation for said representation not to exceed \$25,000.00 for Calendar Year 2005, pursuant to Section 305.14(A) 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: BOARD OF COUNTY COMMISSIONERS...JOINT APPLICATION WITH THE PROSECUTING ATTORNEY FOR EMPLOYMENT OF LEGAL COUNSEL FOR MATTERS RELATIVE TO THE CECOS FACILITY AND OTHER ENVIRONMENTAL MATTERS AS NEEDED...05-0127-002...EXECUTED**

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 execute a Joint Application with the Prosecuting Attorney for the employment of Legal Counsel of Stephen P. Samuels and the law firm of Schottenstein, Zox & Dunn, L.P.A., Huntington Center, 41 South High Street, Suite 2600, Columbus, Ohio 43215, as Special Counsel to represent the Board of County Commissioners in its official capacity and to advise it on legal matters relative to the CECOS Facility on Aber Road, Williamsburg, Ohio, and the defense of the litigation brought by the State of Ohio involving the County's alleged violation of its NPDES permits, the recovery of damages from all parties responsible for the negligent design, installation, or other aspects of the treatment works at the Lower East Fork sewage treatment plant, the Harsha Lake Water supply, and such other environmental matters as the Board of County Commissioners may from time to time designate, with compensation therefore at the per hour rates as defined therein, for an amount not to exceed \$125,000.00 for Calendar Year 2005, pursuant to Section 305.14(A) 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: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF THE ELECTRICAL CONTRACT WITH LUCE ELECTRIC COMPANY, INC. RELATIVE TO THE CLERMONT COUNTY JUVENILE DETENTION FACILITY PROJECT AS COMPLETE, AND FURTHER AUTHORIZE THE EXECUTION OF THE CERTIFICATE OF SUBSTANTIAL COMPLETION AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 17, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...03-0612-011...RATIFIED**

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

Recommendation of Sukie Scheetz, Controller, Office of Management and Budget, with the concurrence of Wade Grabowski, Director, Facilities Management Department, to accept the Contract by and between the County of Clermont, Ohio, and Luce Electric Company, Inc., 237 West Main Street, Williamsburg, Ohio 45176, relative to the Clermont County Juvenile Detention Facility Project as complete as of 10/08/04, and further to execute the Certificate of Substantial Completion and to approve the Estimate for Partial Payment Number 17, Final, which represents the release of retainage in the principal amount of \$19,456.19, plus any accrued interest earned thereon relative thereto.

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

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

**IN RE: PERSONNEL ACTION FORMS...APPROVED**

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

**DEPARTMENT OF JOB AND FAMILY SERVICES**

**Vicky S Stegg:** PA #13594 - Income Maintenance Aide 2 - Change/Other/Correction to PA #13551 - Effective 01/10/2005.

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 Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Work Session of **01/18/05 and 01/20/05** carried with all members present voting.

**IN RE: COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION...  
REQUEST FOR FUNDING THE POSITION TITLED COMPLIANCE  
OFFICER...04-1208-004...DISCUSSION**

Judge Michael Voris, Court of Common Pleas, provided the Board with information relative to the request from the Court of Common Pleas, Domestic Relations Division, for funding the position titled Compliance Officer. Judge Voris also addressed the overall caseload of the Court for Fiscal Year 2003. Magistrate Michael Finney outlined the responsibilities of the Magistrates and the need for a Compliance Officer. General consensus of the Board to further review the proposed request and provide a response to the Court.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **02/02/04** carried with all members present voting.

**IN RE: ADJOURNMENT...**

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**

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**ROBERT L. PROUD, PRESIDENT**

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**MARY C. WALKER, VICE PRESIDENT**

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**R. SCOTT CROSWELL III, MEMBER**

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**JUDITH KOCICA, CLERK OF THE BOARD**

**02/02/05**  

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**DATE APPROVED**