

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 23, 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 38-05/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 **38-05** 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 COMMUNITY PLANNING AND DEVELOPMENT... SUB-GRANT RECIPIENT CONTRACT WITH THE VILLAGE OF OWENSVILLE RELATIVE TO THE VILLAGE OF OWENSVILLE, GAUCHE PARK IMPROVEMENTS, PHASE 2 PROJECT, IN CONCERT WITH THE CLERMONT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2004...05-0217-001...EXECUTED

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

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of David L. Spinney, County Administrator, to execute a Sub-Grant Recipient Contract by and between the Board of Clermont County Commissioners and the Village of Owensville, P.O. Box 184, 202 Apgar Lane, Owensville, Ohio 45160, for funding in the amount of \$166,000.00 relative to the Village of Owensville, Gauche Park Improvements, Phase 2 Project, in concert with the Clermont County Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2004, 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: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... SUB-GRANT RECIPIENT CONTRACT WITH THE CITY OF MILFORD RELATIVE TO THE CITY OF MILFORD, BROOKLYN AVENUE SIDEWALK PROJECT, IN CONCERT WITH THE CLERMONT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2004...05-0217-002...EXECUTED

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

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of David L. Spinney, County Administrator, to execute a Sub-Grant Recipient Contract by and between the Board of Clermont County Commissioners and the City of Milford, 745 Center Street, Suite 200, Milford, Ohio 45150, for funding in the amount of \$29,000.00 relative to the City of Milford, Brooklyn Avenue Sidewalk Project, in concert with the Clermont County Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2004, 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. Crowell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT...COUNTY WATERWORKS SYSTEM...RESOLUTION NUMBER 39-05/RESOLUTION APPROVING REVISED GENERAL PLANS FOR THE COUNTY WATERWORKS SYSTEM WITHIN THE CLERMONT COUNTY SEWER DISTRICT FOR PROPOSED IMPROVEMENTS AND EXPANSION PROJECTS AT VARIOUS LOCATIONS SITUATED WITHIN VARIOUS TOWNSHIPS IN THE COUNTY OF CLERMONT, OHIO...05-0209-002...ADOPTED

Moved by Mrs. Walker, seconded by Mr. Crowell, 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 adopt Resolution Number **39-05** resolving to approve revised general plans for the County Waterworks System within the Clermont County Sewer District for proposed improvements and expansion projects at various locations situated within various townships in the County of Clermont, Ohio, and as more particularly described in the 5 Year Waterworks Capital Improvement Plan (2005-2009) attached thereto as Exhibit A and made a part thereof; resolving to authorize and direct the Clermont County Sewer District to perform or have performed preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost for proposed improvements and expansion projects; and further, resolving to authorize the Clermont County Sewer District, its employees or agents, to enter onto private and/or public properties to be affected by the proposed improvements and expansion projects after sufficient notice to owners and/or persons in possession or control of such properties, to perform soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize said preliminary or design engineering, contract documents, acquisition of necessary rights-of-way, and estimates of cost pursuant to Section 6103.02 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: CLERMONT COUNTY SEWER DISTRICT...COUNTY WASTEWATER SYSTEM...RESOLUTION NUMBER 40-05/RESOLUTION APPROVING REVISED GENERAL PLANS FOR THE COUNTY WASTEWATER SYSTEM WITHIN THE CLERMONT COUNTY SEWER DISTRICT FOR PROPOSED IMPROVEMENTS AND EXPANSION PROJECTS AT VARIOUS LOCATIONS SITUATED WITHIN VARIOUS TOWNSHIPS IN THE COUNTY OF CLERMONT, OHIO...05-0209-001...ADOPTED

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 adopt Resolution Number **40-05** resolving to approve revised general plans for the County Wastewater System within the Clermont County Sewer District for proposed improvements and expansion projects at various locations situated within various townships in the County of Clermont, Ohio, and as more particularly described in the 5 Year Wastewater Capital Improvement Plan (2005-2009) attached thereto as Exhibit A and made a part thereof; resolving to authorize and direct the Clermont County Sewer District to perform or have performed preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost for proposed improvements and expansion projects; and further, resolving to authorize the Clermont County Sewer District, its employees or agents, to enter onto private and/or public properties to be affected by the proposed improvements and expansion projects after sufficient notice to owners and/or persons in possession or control of such properties, to perform soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize said preliminary or design engineering, contract documents, acquisition of necessary rights-of-way, and estimates of cost pursuant to Section 6117.01 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...GRANT OF WATER EASEMENT WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 621-0930 RELATIVE TO THE CONSTRUCTION OF THE DEERFIELD ROAD WATER TRANSMISSION MAIN PROJECT LOCATED WITHIN GOSHEN TOWNSHIP...05-0211-005...ACCEPTED

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

Recommendation of Carole S. Schulze, Negotiator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grant of Water Easement with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing and removing or reinstalling water utility lines, pumping equipment and all incidental appurtenances required for the transportation of water in, on, under, and across the property of the Grantor for Project Number 621-0930 relative to the construction of the Deerfield Road Water Transmission Main Project located within Goshen 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 repairs relative thereto, as outlined below:

Project	Grantor	Parcel Number	Compensation
Deerfield Road Water Transmission Main Project Project Number 621-0930 Goshen Township	Charles Turner Lanham, Jr. 520 Lake Louise Circle #4 Naples, Florida 34110	11-22-09C-186	Perm \$636.00 Repairs \$600.00

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...CHANGE ORDER NUMBER 2, FINAL, TO THE

CONTRACT WITH BARRETT PAVING MATERIALS FOR PROJECT NUMBER MI-17-02 RELATIVE TO THE PRICE ROAD AND LOVELAND MIAMIVILLE ROAD INTERSECTION IMPROVEMENTS, PHASE 3 AND 4 PROJECT LOCATED IN MIAMI TOWNSHIP...04-0622-005...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, to execute Change Order Number 2, Final, to the Contract with Barrett Paving Materials, 600 Shepherd Avenue, Cincinnati, Ohio 45215, previously ratified by the Board on 08/17/04, for Project Number MI-17-02 relative to the Price Road and Loveland Miami Road Intersection Improvements, Phase 3 and 4 Project, located in Miami Township, which represents an increase in the amount of \$49,476.23, for a total adjusted contract price to date of \$816,466.38, for additions, deletions and/or modifications thereto as defined therein.

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...RECORD PLAT NUMBERS 629-2281 AND 629-2282 FOR THE REPLAT OF LOTS FOR THE FOLLOWING SUBDIVISIONS/LOCATIONS WITHIN PIERCE AND MONROE TOWNSHIPS...EXECUTED

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 execute Record Plat Numbers **629-2281 and 629-2282** for the Replat of Lots in the following subdivisions/locations within Pierce and Monroe Townships:

Subdivision/Location	Record Plat Number	Reason for Replat
Replat of Lots 6 and 7 Skyridge Acres Subdivision Block 1 Pierce Township DC# 05-0211-002	629-2281	To turn old lot numbers 6 and 7 into new lot numbers 10 and 11.
Replat of Lots 2 through 9 Harry and Elsie Nort Subdivision Monroe Township DC# 05-0211-004	629-2282	To turn old lot numbers 2 through 8 into new lot numbers 46, 47 and 48 and to create a utility easement on lot 9.

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...RELEASE OF PERFORMANCE BONDS AS SURETY FOR SIDEWALKS FOR THE FOLLOWING SUBDIVISIONS/LOCATIONS WITHIN BATAVIA AND GOSHEN TOWNSHIPS... 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 release the Three Year Performance Bonds for Sidewalks in the amounts as follows for the following subdivisions/locations within Batavia and Goshen Townships:

Subdivision/Location	Three Year Performance Bond
Woodlands Subdivision Section 4/Block C Batavia Township DC# 00-0808-004	\$14,000.00
Timber Ridge Subdivision Section Three Goshen Township DC# 01-1011-003 *Secured by Irrevocable Standby Letter of Credit Number 305 issued by National Bank and Trust Company, P.O. Box 711, 48 N. South Street, Wilmington, Ohio 45177.	\$29,560.00*

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

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

**IN RE: COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION...
AMENDMENT TO THE LEASE AGREEMENT WITH XEROX
CORPORATION FOR THE PROVISION OF LEASING A WC354
COPIER/PRINTER SYSTEM...02-0115-007...EXECUTED**

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

Recommendation of Judge Michael J. Voris, Court of Common Pleas/Domestic Relations Division, with the concurrence of David L. Spinney, County Administrator, to execute an Amendment to the Lease Agreement by and between the County of Clermont, Ohio, and Xerox Corporation, 5555 Parkcenter Circle, Suite 300, Dublin, Ohio 43017, previously ratified by the Board on 02/12/02, for the provision of leasing a WC354 Copier/Printer System, at a cost of \$421.20 per month, plus \$0.0085 per copy in excess of 15,000 copies, effective for a term of 36 months, pursuant to the terms and conditions specified therein and the State of Ohio Lease Schedule Number 985-26-99-018-3 to the Master Lease Agreement under State Term Schedule Number 772096A.

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

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

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 41-
05/RESOLUTION ACCEPTING THE TERMS AND CONDITIONS OF A
GRANT OF EASEMENT FROM NORFOLK SOUTHERN RAILWAY
COMPANY RELATIVE TO THE ROADWAY IMPROVEMENT PROJECT
AT ROUNDBOTTOM ROAD AND BEECHWOOD ROAD LOCATED
WITHIN UNION TOWNSHIP...05-0218-005...ADOPTED**

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

Recommendation of David L. Spinney, County Administrator, with the concurrence of Thomas L. Blust, Assistant Prosecuting Attorney, to adopt Resolution Number **41-05** accepting the terms and conditions of a Grant of Easement from Norfolk Southern Railway Company relative to the roadway

improvement project involving Roundbottom Road at Beechwood Road and the creation of an at grade crossing of the Norfolk Southern Railway track into the City of Milford, which project is being undertaken with the cooperation of Union Township and the City of Milford; and further, to authorize the County Administrator to execute any documentation on behalf of the County to carry out the conditions of said Grant of Easement, acting in cooperation with the Office of the Prosecuting Attorney.

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...CHANGE ORDER NUMBER 1 TO THE SECURITY INTEGRATION CONTRACT WITH CUSTOM-FLO, INC. RELATIVE TO THE CONSTRUCTION OF THE JAIL ADDITION PROJECT LOCATED WITHIN BATAVIA TOWNSHIP...04-1102-006...EXECUTED

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

Recommendation of Robert G. Steinkamp, Jr., Steinkamp and Steinkamp Architects, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 1 to the Security Integration Contract with Custom-Flo, Inc., 11275 Sebring Drive, Cincinnati, Ohio 45240, previously ratified by the Board on 11/10/04, relative to the construction of the Jail Addition Project located within Batavia Township, which represents an increase in the amount of \$19,112.00, for a total adjusted contract price to date of \$739,603.00, 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. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF THE SECURITY INTEGRATION CONTRACT WITH CUSTOM-FLO, INC. RELATIVE TO THE CLERMONT COUNTY JUVENILE DETENTION FACILITY PROJECT AS COMPLETE; AUTHORIZATION TO EXECUTE THE CERTIFICATE OF SUBSTANTIAL COMPLETION; AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 13, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...03-0612-012...RATIFIED

Moved by Mr. Croswell, seconded by Mrs. Walker, 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 Security Integration Contract by and between the County of Clermont, Ohio, and Custom-Flo, Inc., 11275 Sebring Drive, Cincinnati, Ohio 45240, 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 13, Final, which represents the release of retainage in the principal amount of \$19,932.36, 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: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF THE DOOR AND HARDWARE REPLACEMENT CONTRACT WITH KLEINE AND SONS, INC. RELATIVE TO THE CLERMONT COUNTY OLD COURTHOUSE REMODELING AND UPGRADES PROJECT AS COMPLETE; AUTHORIZATION TO EXECUTE THE CERTIFICATE OF SUBSTANTIAL COMPLETION; AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 6, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...02-0918-001...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 Door and Hardware Replacement Contract by and between the County of Clermont, Ohio, and Kleine and Sons, Inc., 850 Redna Terrace, Cincinnati, Ohio 45215, relative to the Clermont County Old Courthouse Remodeling and Upgrades Project as complete as of 06/21/04; and further, to execute the Certificate of Substantial Completion and to approve the Estimate for Partial Payment Number 6, Final, which represents the release of retainage in the principal amount of \$1,312.00, plus 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.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Work Session of **01/19/05** carried with all members present voting.

LET THE RECORD SHOW: That a motion by Mr. , seconded by Mr. , to approve the minutes of Regular Session of **02/23/05** carried with all members present voting.

IN RE: ADJOURNMENT...APPROVED

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.

**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

02/23/05
DATE APPROVED