

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 5, 2008, 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 AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE LCPL MATT BRADEN AND LCPL ZACH KRAMER OF THE UNITED STATES MARINE CORPS TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: The Board of County Commissioners presented LCPL Matt Braden and LCPL Zach Kramer, United States Marine Corps, with certificates of appreciation honoring them for their courageous commitment to serving our country while supporting Operation Iraqi Freedom. Their bravery and dedication to the cause of freedom are to be commended as they begin their deployment this month. LCPL Matt Braden and LCPL Zach Kramer were also presented with medallion coins by Danny Bare, Director of Veterans' Service Commission, and congressional proclamations from Gertrude Fleig, on behalf of Congresswoman Jean Schmidt, honoring them for their service to our country. Clermont County salutes them and prays for their safe return home.

IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION... "MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AWARENESS MONTH" IN CLERMONT COUNTY, OHIO...08-0229-001...ADOPTED

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

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating the month of March 2008, to be "Mental Retardation and Developmental Disabilities Awareness Month" in Clermont County, Ohio.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 31-08/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt Resolution Number **31-08** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) and Procurement Card Transaction Report presented by the County Auditor 03/03/08 in the total amount of \$1,134,424.30, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 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...RESOLUTION NUMBER 32-08/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners

approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **32-08** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 03/03/08 in the total amount of \$10,039.45, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

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

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

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...GRANT AGREEMENT WITH THE GREATER CINCINNATI CHAMBER OF COMMERCE ON BEHALF OF THE CINCINNATI USA PARTNERSHIP RELATIVE TO ECONOMIC DEVELOPMENT, BUSINESS RETENTION, AND ATTRACTION SERVICES FOR SAME ...08-0227-001...EXECUTED

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

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute a Grant Agreement by and between the County of Clermont, Ohio, and the Greater Cincinnati Chamber of Commerce, on behalf of the Cincinnati USA Partnership, 300 Carew Tower, 441 Vine Street, Cincinnati, Ohio 45202-2812 for the provision of a variety of economic development marketing services relative to economic development, business retention and attraction services in Clermont County, Ohio, in the amount of \$25,000.00, effective for the period of 01/01/08 through 12/31/08, which represents the fifth year of the five year intent to participate, 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 ECONOMIC DEVELOPMENT...AGREEMENT WITH CLERMONT COUNTY CAPITOL INVESTORS, INC. (3CI) FOR LOBBYING/GOVERNMENTAL RELATIONS SERVICES IN AND AS IT RELATES TO ECONOMIC DEVELOPMENT FOR THE COUNTY OF CLERMONT, OHIO...08-0228-004...EXECUTED

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

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the Board of County Commissioners, Clermont County, Ohio, and the Clermont County Capitol Investors, Inc. (3CI), whose billing address is 175 East Main Street, Suite 150, Batavia, Ohio 45103, to enhance the County's economic development efforts through lobbying/governmental relations with federal, state and other governmental authorities, in the total amount of \$180,000.00, effective through 01/31/09, pursuant to the terms and conditions set forth therein and in compliance with Section 307.07 of the Ohio Revised Code.

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

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

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... AMENDMENT DOCUMENT D TO THE AGREEMENT WITH ENROUTE EMERGENCY SYSTEMS LLC, DBA ENROUTE 911, FOR THE PROVISION OF SOFTWARE MAINTENANCE SERVICES AS IT RELATES TO THE COMPUTER-AIDED DISPATCH SYSTEM FOR THE CLERMONT COUNTY COMMUNICATIONS CENTER...04-0302-001...EXECUTED

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

Recommendation of Elizabeth K. Nevel, Director, Department of Public Safety Services, with the concurrence of David L. Spinney, County Administrator, to approve and execute Amendment Document D to the Agreement by and between the County of Clermont, Ohio, and Enroute Emergency Systems LLC, dba Enroute 911, (fka GEAC Public Safety), Suntrust Financial Centre, Suite 1500, 401 East Jackson Street, Tampa, Florida 33602, previously ratified by the Board of County Commissioners on 03/17/04 and subsequently amended on 02/02/05 and 12/07/05, for the provision of software maintenance services as it relates to the Computer-Aided Dispatch System for the Clermont County Communications Center located at 2279 Clermont Center Drive, Batavia, Ohio 45103, for a total amount not to exceed \$63,620.00, effective through 12/31/08, pursuant to the terms and conditions set forth therein, and with all other terms and conditions of the original Agreement and Amendments 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: CLERMONT COUNTY SEWER DISTRICT...RESOLUTION NUMBER 33-08/RESOLUTION AUTHORIZING SETTLEMENT OF CASE NUMBER 2007-CVH-00344; ACCEPTING PERMANENT EASEMENT FROM RICKY DEAN BOWLING AND CYNTHIA GERALYN BOWLING INVOLVING PARCEL NUMBER 41-32-13D-010 IN AND AS IT RELATES TO PROJECT NUMBER 651-0710 RELATIVE TO THE HALL RUN SANITARY FLOW EQUALIZATION PROJECT LOCATED IN UNION TOWNSHIP, CLERMONT COUNTY, OHIO; AND AUTHORIZING PAYMENT FOR SAME...08-0221-001...RATIFIED

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

Recommendation of Thomas L. Blust, Assistant Prosecuting Attorney, with the concurrence of Lyle G. Bloom, P. E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution **33-08** resolving (1) to authorize settlement of Case Number 2007-CVH-00344/Ricky Dean and Cynthia Geralyn Bowling vs. Clermont County Board of Commissioners and Ford Development Corporation (Trend Construction) filed in the Clermont County Court of Common Pleas in and as it relates to Project Number 651-0710 relative to the Hall Run Sanitary Flow Equalization Project located in Union Township, Clermont County, Ohio; (2) to authorize Robert L. Proud, President of the Board of County Commissioners, to execute the Release and Settlement Agreement relative thereto in the total amount as shown therein, with the County paying \$15,000.00; (3) to accept a Permanent Easement from Ricky Dean and Cynthia Geralyn Bowling for a portion of Parcel Number 41-32-13D-010 in and as it relates thereto; (4) to authorize the County Auditor to remit payment to Ricky Dean and Cynthia Geralyn Bowling in the amount of \$15,000.00 as compensation for said Permanent Easement and Right-of-Way and Repairs and to remit payment payable to J. Robert True, County Treasurer, in the amount of \$44.00 for the recording fees required relative thereto, 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...REQUEST TO ADVERTISE FOR BIDS FOR CONTRACTED SERVICES FOR YARD RESTORATION TO PROPERTY NECESSITATED BY UTILIZATION OF COUNTY WATER AND/OR SEWER EASEMENTS AND RIGHTS-OF-WAY FOR SAME...08-0118-003...APPROVED

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

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to approve the request to advertise for bids for Contracted Services for the Furnishing of All Labor, Tools, Transportation, Special Equipment and Materials necessary to perform Yard Restoration to property necessitated by utilization of County water and/or sewer easements and rights-of-way pursuant to the specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 03/13/08, with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 03/27/08**, 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 will also be posted on Clermont County's internet site.

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...CHANGE ORDER NUMBER 1 TO THE GENERAL CONTRACT WITH KERRY SMITH CONTRACTORS, INC. FOR PROJECT NUMBER 651-0122 RELATIVE TO THE SHAYLER RUN SEGMENT "C" FLOW EQUALIZATION FACILITY PROJECT SITUATED WITHIN UNION TOWNSHIP...05-1020-002...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, 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 execute Change Order Number 1 to the General Contract (Contract Number 651-01221) with Kerry Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, Kentucky 40342, previously ratified by the Board of County Commissioners on 01/19/06, for Project Number 651-0122 relative to the construction of the Shayler Run Segment "C" Flow Equalization Facility Project situated within Union Township, which represents an increase in the amount of \$51,222.64 for a total adjusted contract price to date of \$6,436,222.64 and an extension of time of 203 calendar days for a revised contract completion date of 09/25/07 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: CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE ELECTRICAL CONTRACT WITH QUEEN CITY ELECTRIC, INC. FOR PROJECT NUMBER 651-0845 RELATIVE TO THE O'BANNON CREEK WASTEWATER TREATMENT PLANT RENOVATIONS PROJECT LOCATED WITHIN GOSHEN TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 6, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...06-0216-006...RATIFIED

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

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the Electrical Contract (Contract Number 651-08454) by and between the County of Clermont, Ohio, and Queen City Electric, Inc., 4015 Cherry Street, Cincinnati, Ohio 45223 for Project Number 651-0845 relative to the O'Bannon Creek Wastewater Treatment Plant Renovations Project located within Goshen Township as Complete as of 10/05/07; and to approve the Estimate for Partial Payment Number 6, Final, which represents the release of retainage in the principal amount of \$7,894.72, 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: OFFICE OF PUBLIC INFORMATION...REVISED REQUEST TO JOIN A PROFESSIONAL ORGANIZATION AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...07-1213-005...APPROVED

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

Recommendation of Kathy Lehr, Director, Office of Public Information, with the concurrence of David L. Spinney, County Administrator, to approve a Revised request for Kathy Lehr and/or Staff of the Office of Public Information to join the City County Communications and Marketing Association, previously approved by the Board of County Commissioners on 01/08/08, which represents an increase in the amount of dues from \$350.00 to \$375.00, and to authorize payment of the annual dues for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2008 and any and all amendments subsequent thereto.

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

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

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...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 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 2008 and any and all amendments subsequent thereto:

BUILDING INSPECTION DEPARTMENT

Raymond Sebastian: One (1) day – Peebles, Ohio - Ohio Valley Regional Development Commission Full Commission Meeting and Election of Officers – Total expenses not to exceed \$20.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Karen Fishback: One (1) day – Cincinnati, Ohio – National Seminars Group Training Course entitled “Strengthening Your People Skills in the Workplace” - Total expenses not to exceed \$179.00.

Brenda Gilreath: Two (2) days – Columbus, Ohio – Ohio Child Support Directors Association General Membership Meeting - Total expenses not to exceed \$397.44.

CLERMONT COUNTY COURT OF COMMON PLEAS

Judge Jerry McBride: Three (3) days – Columbus, Ohio – 2008 State Mock Competition - Total expenses not to exceed \$212.00.

CLERMONT COUNTY COURT OF COMMON PLEAS/ADULT PROBATION DEPARTMENT

Bruce Gibson: Two (2) days *Revised* – Columbus, Ohio – Ohio Chief Probation Officers Association First Quarterly Training - Total expenses not to exceed \$212.00.

Bruce Gibson: Three (3) days *Revised* – Columbus, Ohio – Ohio Chief Probation Officers Association Second Quarterly Training - Total expenses not to exceed \$354.00.

Bruce Gibson: One (1) day – Columbus, Ohio – Ohio Community Corrections Association Seventh Annual Conference - Total expenses not to exceed \$145.00.

Ann Kruse: Two (2) days – Cincinnati, Ohio – Health Foundation of Greater Cincinnati Course entitled “Client Recruitment and Retention” - Total expenses not to exceed \$50.00.

COUNTY SHERIFF

John Van Camp and Rick Lawson: One (1) day – Cincinnati, Ohio – Tracer Summit Users Group Alarms and User Security Workshop - Total expenses not to exceed \$0.00.

Stephen Leahy: Four (4) days – Atlantic City, New Jersey – Magloclen Association Conference entitled “Combating Community and School Violence” - Total expenses not to exceed \$287.00.

PROSECUTING ATTORNEY

Ashley Morris and Lisa Vetter: Three (3) days – Cincinnati, Ohio – Domestic Violence Advocacy Fundamentals Training - Total expenses not to exceed \$216.36.

OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY

Dusty Kiser and Dennis Shiveley: Eight (8) days – Cincinnati, Ohio – Kentucky Ohio Indiana (KOI) 2008 Professional Technical Training Seminars - Total expenses not to exceed \$329.00.

CLERMONT COUNTY MUNICIPAL COURT

Kathleen Rodenberg: One (1) day – Dayton, Ohio – Ohio Judicial College Seminar entitled “Small Claims in Municipal and County Courts” - Total expenses not to exceed \$120.60.

CLERMONT COUNTY SEWER DISTRICT

John McManus: Four (4) days – Asheville, North Carolina – North Carolina State University/Department of Biological and Agricultural Engineering Workshop entitled “River Course I- Stream Classification and Assessment” - Total expenses not to exceed \$1,045.00.

John McManus: One (1) day – Moraine, Ohio - Ohio Environmental Protection Agency Seminar

entitled "Storm Water Management Plans and Expectations for MS4 (Municipal Separate Storm Sewer System) Communities - Total expenses not to exceed \$20.00.

OFFICE OF MANAGEMENT AND BUDGET

Judy Moore: One (1) day – Lebanon, Ohio – Workforce One Prevailing Wage Seminar - Total expenses not to exceed \$10.00.

BOARD OF COUNTY COMMISSIONERS

Scot Lahrmer: One (1) day – Peebles, Ohio - Ohio Valley Regional Development Commission Full Commission Meeting and Election of Officers – Total expenses not to exceed \$20.00.

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 REQUEST(S)...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

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

Recommendation of David L. Spinney, County Administrator, to approve the following request(s) 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 2008 and any and all amendments subsequent thereto:

CLERMONT COUNTY JUVENILE COURT

Judge Stephanie Wyler: One (1) day – Columbus, Ohio – Supreme Court of Ohio Course entitled "Schools and the Courts" - Total expenses not to exceed \$50.00.

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

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

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 Mrs. Walker, seconded by Mr. Croswell, to approve the minutes of Work Session of **01/30/08** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **03/05/08** 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 at 1:40 P.M. 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**

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

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 03/05/08