

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 19, 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 SGT BRADLEY J. OBERKLAUS II OF THE UNITED STATES ARMY 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 Sgt. Bradley J. Oberklaus II, United States Army, with a certificate of appreciation honoring him for his courageous commitment to serving our country while supporting Operation Iraqi Freedom. His bravery and dedication to the cause of freedom are to be commended as he begins his deployment very shortly. Sgt. Oberklaus was also presented with a certificate of recognition and a medallion coin by Sheriff A. J. Rodenberg, Jr., and a congressional proclamation from Stephen Caraway, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country. Clermont County salutes him and prays for his safe return home.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 38-08/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 **38-08** 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 03/17/08 in the total amount of \$2,404,288.73, 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 39-08/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 **39-08** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 03/17/08 in the total amount of \$11,570.46, 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: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 40-08/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt Resolution Number **40-08** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 03/17/08 in the total amount of \$45,000.00, 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. Proud Yea; Mr. Croswell, Abstained.

IN RE: BOARD OF COUNTY COMMISSIONERS...AMENDMENT NUMBER 2 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH BENNETT & WILLIAMS, ENVIRONMENTAL CONSULTANTS, INC. FOR PROFESSIONAL CONSULTING, HYDROGEOLOGIC AND ENGINEERING SERVICES RELATIVE TO THE INVESTIGATION AND POTENTIAL LITIGATION OF ISSUES RELATING TO THE ABER ROAD FACILITY OF CECOS INTERNATIONAL, IN CONCERT WITH THE CONTRACT FOR EMPLOYMENT OF LEGAL COUNSEL WITH SCHOTTENSTEIN, ZOX & DUNN, LPA...05-0705-006...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 Amendment Number 2 to the Contract for Professional Services by and between the County of Clermont, Ohio, and Bennett & Williams, Environmental Consultants, Inc., 2700 E. Dublin-Granville Road, Suite 400, Columbus, Ohio 43231, previously ratified by the Board of County Commissioners on 07/06/05 and subsequently amended on 09/05/07, for the provision of professional consulting, hydrogeologic and engineering services relative to the investigation and potential litigation of issues relating to the past, present and future operations of and conditions at and emanating from the Aber Road facility of CECOS International, located at 5092 Aber Road, Williamsburg, Ohio 45176, in concert with the Contract for Employment of Legal Counsel with Schottenstein, Zox & Dunn, LPA, The Huntington Center, 41 South High Street, Suite 2600, Columbus, Ohio 43215, which represents an increase in the amount of \$250,00.00 for a total revised contract amount not to exceed \$752,520.00, with all other terms and conditions of the original Contract and Amendment 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.

LET THE RECORD SHOW: A MOTION BY MRS. WALKER, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 1:15 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LEGAL MATTERS, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 2:06 P.M. WITH NO ACTION TAKEN.

IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING REGARDING THE PROPOSED ANNEXATION OF 4.33 ACRES FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG, OHIO...07-1231-001

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS HELD THIS DATE AT 2:00 P.M. LOCAL TIME IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE PROPOSED ANNEXATION OF 4.33 ACRES FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG, PURSUANT TO CHAPTER 709 OF THE OHIO REVISED CODE.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. A COURT REPORTER, EMPLOYED BY TRI-COUNTY COURT REPORTING AND VIDEOTAPE SERVICE, WAS PRESENT TO RECORD AND PREPARE AN OFFICIAL TRANSCRIPT OF THIS HEARING AND THE TRANSCRIPT WILL BE AVAILABLE FOR REVIEW UPON RECEIPT THEREOF DURING THE AFORESTATED DAYS AND HOURS OF OPERATION. A SIGN-IN SHEET OF ALL THOSE IN ATTENDANCE IS BEING MADE A PART OF THE OFFICIAL RECORD.

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS AND PRESENTED AN OVERVIEW OF THE AREA PROPOSED TO BE ANNEXED FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG. MR. RISNER PROVIDED A RECAP OF HIS REPORT DATED JANUARY 7, 2008, AND STATED HIS CONCERNS RELATIVE TO THE ACCURACIES OF THE LEGAL DESCRIPTION AND THE PLAT PROVIDED WITH THIS PETITION FOR ANNEXATION.

T. DAVID BURGESS, 110 NORTH THIRD STREET, WILLIAMSBURG, OHIO 45176, THE DESIGNATED AGENT AND ATTORNEY FOR THE PETITIONERS, DAVID R. AND JODY ANN BOHL, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS IN SUPPORT OF THE PROPOSED ANNEXATION. MR. BURGESS INDICATED THAT HE WAS NOT AWARE OF THE DISCREPANCIES IN THE PETITION FOR ANNEXATION AND ASKED THAT THIS PUBLIC HEARING BE CONTINUED TO ALLOW HIM THE TIME TO OBTAIN A NEW SURVEY OF THE PROPERTY PROPOSED TO BE ANNEXED.

KYLE HANIGOSKY, PLANNER, CLERMONT COUNTY DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS AND PROVIDED A BRIEF SYNOPSIS OF THEIR REVIEW OF THE PETITION FOR ANNEXATION IN AND AS IT RELATES TO CURRENT ZONING AND CURRENT LAND USE AS SET FORTH IN THEIR MEMORANDUM DATED JANUARY 14, 2008, RELATIVE THERETO.

NO ONE APPEARED IN OPPOSITION TO THE PROPOSED ANNEXATION, NOR WERE ANY WRITTEN COMMENTS RECEIVED EITHER IN FAVOR OF, OR IN OPPOSITION THERETO.

A MOTION BY COMMISSIONER CROSWELL AND SECONDED BY COMMISSIONER WALKER TO CONTINUE THIS PUBLIC HEARING TO WEDNESDAY, APRIL 30, 2008, AT 2:00 P.M. LOCAL TIME IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960 CARRIED WITH ALL MEMBERS VOTING AYE THEREON.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 2:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: Elizabeth Nevel, Director, Department of Public Safety Services, addressed the Board of County Commissioners and provided a status update of the current conditions in Clermont County as a result of the recent rain event. This status update was enhanced by the utilization and application of our WebEoc Software Program. (DC# 08-0321-001)

LET THE RECORD SHOW: That a motion by Mrs. Walker , seconded by Mr.Croswell , to approve the minutes of Regular Session of **03/19/08** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

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 at 2:45 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:

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

03/19/08

DATE APPROVED