

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON APRIL 23, 2008, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT AND MARY C. WALKER, VICE PRESIDENT. LET THE RECORD SHOW THAT COMMISSIONER CROSWELL WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATIONS... "SMALL BUSINESS RECOGNITION WEEK" IN CLERMONT COUNTY, OHIO...08-0417-001...ADOPTED

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

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to designate the week of April 21, 2008, through April 25, 2008, to be "Small Business Recognition Week" in Clermont County, Ohio, and to issue Proclamations in recognition of the following outstanding small businesses for the valuable contribution they make to our community: Bachman's Inc. for building trade business, Buffalo Wings and Rings for retail business, Dualite, Inc. for manufacturing business, HarvestINFO, Inc. for professional services business, and Telema and Berger Resistors, Inc. for family business.

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

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

IN RE: CLERMONT TRANSPORTATION CONNECTION...AGREEMENT WITH SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY (SORTA) FOR TRANSPORTATION SERVICES WITHIN CLERMONT COUNTY, OHIO...08-0415-001...EXECUTED

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

Recommendation of Ben Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the County of Clermont, Ohio, and the Southwest Ohio Regional Transit Authority (SORTA), 1014 Vine Street, Suite 2000, Cincinnati, Ohio 45202 for the provision of transportation services within Clermont County, Ohio, by SORTA for the period of 10/01/07 through 09/30/08, for the current level of service on METRO Routes 82, 28 and 75, with service on Route 75 to be eliminated on 08/17/08, for a total amount not to exceed \$573,276.00, and to authorize SORTA to draw down Clermont County's Federal Transit Administration Funds relative thereto in the amount of \$954,292.00 and to refund Clermont County the balance of \$381,016.00 in SORTA Local Funds, 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. Proud Yea; Mr. Crosswell, Absent.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/FLEET MAINTENANCE DIVISION...RECOMMENDATION TO FIND THAT A DAMAGED VEHICLE IS A TOTAL LOSS AND OF NO FURTHER VALUE FOR PUBLIC PURPOSES; ACCEPTANCE OF INSURANCE SETTLEMENT OFFER FROM PROGRESSIVE INSURANCE

**COMPANY RELATIVE THERETO; AND AUTHORIZATION OF THE
RELEASE OF SAID VEHICLE TO PROGRESSIVE INSURANCE
COMPANY...08-0416-001...RATIFIED**

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

Recommendation of J. Mickam, Director, Fleet Maintenance Division, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, that the Board of County Commissioners, Clermont County, Ohio, find that a certain vehicle described as a 1997 Ford F150 Pickup Truck, Serial Number 1FTDF1729VND22725, is a total loss due to a collision with an at-fault private motor vehicle and of no further value for public purposes; to accept the settlement offer from Progressive Insurance Company in the amount of \$5,371.68 as fair market value for the damaged vehicle; and further, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Power of Attorney for the transfer of title for the release of said vehicle to Progressive Insurance Company for salvage purposes.

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

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

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
RECORDS MANAGEMENT DIVISION...AUTOMATIC SOFTWARE
UPGRADE AGREEMENT WITH KNOWLEDGEONE CORPORATION,
INC. FOR THE PROVISION OF ANNUAL PRODUCT UPDATES
RELATIVE TO THE KNOWLEDGEONE (K1) INFORMATION
MANAGEMENT SYSTEM FOR SAME...08-0410-003...EXECUTED**

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

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to execute an Automatic Software Upgrade Agreement by and between the County of Clermont, Ohio, and Knowledgeone Corporation, Inc., 3570 Camino Del Rio North, Suite 103, San Diego, California 92108 for the provision of two (2) annual product updates relative to the maintenance of the Knowledgeone (K1) Information Management System utilized by the Records Management Division, for a total amount not to exceed \$7,214.00, effective 04/27/08 through 04/26/09, pursuant to the terms and conditions specified therein.

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

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

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...RESOLUTION
NUMBER 57-08/RESOLUTION AUTHORIZING THE EXECUTION OF A
SUBGRANT AGREEMENT WITH THE OHIO DEPARTMENT OF JOB
AND FAMILY SERVICES FOR THE PROVISION OF HUMAN SERVICES
FUNDING FOR SAME...08-0417-003...ADOPTED**

Moved by Mrs. Walker, seconded by Mr. Proud, 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 David L. Spinney, County Administrator, to adopt Resolution Number **57-08** resolving to execute a Subgrant Agreement by and between the Clermont County Board of

Commissioners and the Ohio Department of Job and Family Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215 for Clermont County to continue to receive human services funding through the State of Ohio, as required by Amended Substitute House Bill 119 of the 127th General Assembly, the biennial budget bill, effective 07/01/08 through 06/30/09, 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. Proud Yea; Mr. Crosswell, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...IV-D SERVICE CONTRACT WITH CLERMONT COUNTY JUVENILE COURT FOR THE PURCHASE OF SERVICES FOR SAME...08-0414-004...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Proud, 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 David L. Spinney, County Administrator, to execute a IV-D Service Contract by and between the County of Clermont, Ohio, and Clermont County Juvenile Court, 2340 Clermont Center Drive, Batavia, Ohio 45103 for the provision of hearings heard by the Referee at Clermont County Juvenile Court on IV-D related cases on behalf of the Department of Job and Family Services/Child Support Enforcement Division, at the rate of \$90.35 per unit for 3,500 total units, for a total cost not to exceed \$316,225.00, effective 04/01/08 through 03/31/09, pursuant to the terms and conditions specified therein.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH THE BAIR FOUNDATION FOR THE PROVISION OF VARIOUS LEVELS OF FOSTER CARE SERVICES FOR SAME...08-0410-002...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Proud, 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 David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and The Bair Foundation, 275 Martinel Drive, Kent, Ohio 44240 for the provision of various levels of foster care services for children in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates as outlined therein, effective upon execution through 12/31/08, pursuant to the terms and conditions specified therein.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH MAYO HOME FOR YOUTH DEVELOPMENT FOR THE PROVISION OF GROUP HOME SERVICES FOR SAME...08-0410-001...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Proud, 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 David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Mayo Home for Youth Development, 129 Woolper Avenue, Cincinnati, Ohio 45220, Billing Address: 241 High Street, New Wilmington, Pennsylvania 16142, for the provision of group home services for children in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rate of \$95.00 per day, effective 05/01/08 through 04/30/09, pursuant to the terms and conditions specified therein.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...CHANGE ORDER NUMBER 2 TO THE CONTRACT WITH DONALD W. MAY CONTRACTING, INC. FOR PROJECT NUMBER 651-0853 RELATIVE TO THE HERITAGE GLEN RELIEF SEWERS PROJECT LOCATED IN UNION TOWNSHIP...06-0511-009...EXECUTED

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

Recommendation of Chris Rowland, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute Change Order Number 2 to the Contract with Donald W. May Contracting, Inc., 10375 Burton Road, Leesburg, Ohio 45135, previously ratified by the Board of County Commissioners on 08/15/06 and subsequently amended on 08/01/07, for Project Number 651-0853 relative to the Heritage Glen Relief Sewers Project located in Union Township, which represents an increase in the amount of \$263,219.83, for a total adjusted contract price to date of \$800,507.63 and an extension of time of 126 consecutive calendar days, for a revised contract completion date of 07/15/07, 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. Proud Yea; Mr. Crosswell, Absent.

IN RE: CLERMONT COUNTY SEWER DISTRICT...AWARD OF BID FOR PROJECT NUMBER 621-0983 RELATIVE TO THE CONSTRUCTION OF THE BERGEN/BELFAST-OWENSVILLE WATER TRANSMISSION MAIN PROJECT SITUATED WITHIN STONELICK TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE THERETO...08-0125-003...RATIFIED

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

Recommendation of Matthew S. Smith, P.E., P.S., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to award the bid for Project Number 621-0983 relative to the construction of the Bergen/Belfast-Owensville Water Transmission Main Project situated within Stonelick Township, pursuant to the plans and specifications therefore, to G.M. Pipeline, Inc., 6633 Lake Drive, West Chester, Ohio 45069, for their lowest and best bid received therefore on 03/13/08, at the item prices as outlined therein, for a total mathematically corrected amount not to exceed \$1,659,688.05 and to execute the Contract relative thereto, pursuant

to the terms and conditions set forth therein and the award of bid therefore.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...AWARD OF BID FOR FURNISHING, DELIVERY AND INSTALLATION OF ALGAE SWEEP SYSTEMS FOR CLARIFIERS AT THE LOWER EAST FORK AND O'BANNON CREEK WASTEWATER TREATMENT PLANTS...08-0201-001...RATIFIED

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

Recommendation of Bill Beyer, WSD Supervisor, with the concurrence of Stephen L. Knipp, WSD Assistant Director, Clermont County Sewer District, to award the bid for furnishing, delivery and installation of Algae Sweep Systems for Clarifiers at the Lower East Fork and O'Bannon Creek Wastewater Treatment Plants, pursuant to the specifications therefore, to Ford Hall Company, Inc., P.O. Box 2110, Richmond, Kentucky 40476 for their lowest and best bid received therefore on 03/06/08, in the total amount not to exceed \$31,338.00.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...EXTENSION OF CONTRACT WITH RACK AND BALLAUER EXCAVATING COMPANY, INC. FOR MAINTENANCE AND REPAIR OF WASTEWATER COLLECTION SYSTEM AND APPURTENANCES FOR SAME...07-0206-001...EXECUTED

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

Recommendation of Randy Davis, Collection System Supervisor, with the concurrence of Stephen L. Knipp, WSD Assistant Director, Clermont County Sewer District, to execute an Extension of the Contract by and between the County of Clermont, Ohio, and Rack and Ballauer Excavating Company, Inc., 11321 Paddy's Run Road, Hamilton, Ohio 45013, previously ratified by the Board of County Commissioners on 05/02/07 and subsequently amended on 07/11/07, for the furnishing of all labor, materials, tools and equipment necessary to perform Maintenance and Repair of Wastewater Collection System and Appurtenances on an as needed basis as determined by the Clermont County Sewer District, for an additional one year period through 05/01/09, pursuant to Article Eleven (11) of the original Contract, with all other terms and conditions to remain in full force and effect.

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

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

IN RE: COUNTY ENGINEER...AWARD OF BID FOR PROJECT NUMBER BX-01-08 RELATIVE TO THE ALUMINUM BOX CULVERT MATERIAL PURCHASE PROJECT FOR USE IN MIAMI, WAYNE AND STONELICK TOWNSHIPS AND EXECUTION OF CONTRACT RELATIVE THERETO...08-0128-005...RATIFIED

Moved by Mrs. Walker, seconded by Mr. Proud, 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 award the bid for Project Number BX-01-08 relative to the Aluminum Box Culvert Material Purchase Project for use in Miami, Wayne and Stonelick Townships, pursuant to the specifications therefore, to Edwards Sheet Metal Works, Inc., dba Edwards Culvert Company, 10439 Sparta Road, Fredericktown, Ohio 43019 for the sole bid received therefore on 02/28/08, at the item prices as outlined therein, for a total amount not to exceed \$138,700.00, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and the award of bid therefore.

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

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

IN RE: CLERMONT COUNTY JUVENILE COURT...SERVICE AGREEMENT WITH STERICYCLE, INC. FOR THE PROVISION OF THE REMOVAL AND DISPOSAL OF REGULATED MEDICAL WASTE FOR SAME...08-0408-002...EXECUTED

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

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to execute a Service Agreement by and between the County of Clermont, Ohio, and Stericycle, Inc., 28161 N. Keith Drive, Lake Forest, Illinois 60045 for the provision of the removal and disposal of regulated medical waste at the Clermont County Juvenile Detention Center at the monthly rate of \$70.23, for a total amount not to exceed \$842.76, effective 04/01/08 through 03/31/09, 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. Proud Yea; Mr. Croswell, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR USE OF THE BOAT RACE START DOCK SYSTEM LOCATED AT THE EAST FORK STATE PARK BY THE CLERMONT COUNTY ROWING CLUB AND CINCINNATI JUNIOR ROWING CLUB...08-0417-002...EXECUTED

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

Recommendation of Scot Lahrmer, Assistant County Administrator, with the concurrence of David L. Spinney, County Administrator, to execute a Lease Agreement by and between the County of Clermont, Ohio, and the Ohio Department of Natural Resources, 2045 Morse Road, C-3, Columbus, Ohio 43229-6693 for the use of the Boat Race Start Dock System located at East Fork State Park by the Clermont County Rowing Club and Cincinnati Junior Rowing Club, at no cost therefore, effective 06/01/08 through 05/31/23, with an option to renew for an additional three (3) year term, 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. Proud Yea; Mr. Croswell, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...CONSENT FOR THE PARTIAL ASSIGNMENT AND ASSUMPTION AND MODIFICATION OF AGREEMENT FOR SALE AND PURCHASE OF REAL ESTATE BY AND BETWEEN TOTAL QUALITY LOGISTICS, INC. (TQL), CHARLES J. KUBICKI, LLC (CJKLLC) AND CLERMONT COUNTY CIC, INC. (CIC)...08-0423-001...RATIFIED

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, that the Board of County Commissioners, Clermont County, Ohio, execute the Consent for the Partial Assignment and Assumption and Modification of Agreement for Sale and Purchase of Real Estate by and between Total Quality Logistics, Inc. (TQL), Charles J. Kubicki, LLC (CJKLLC) and Clermont County CIC, Inc. (CIC) in consideration of certain releases and other considerations outlined therein, and to agree to transfer the Property to CIC in advance of any closing requested by TQL or CJKLLC and grant and affirm its release and discharge as set forth in Section 6 thereof.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 58-08/RESOLUTION AUTHORIZING THE COUNTY OF CLERMONT, OHIO, TO EXECUTE AND DELIVER A PUBLIC HOSPITAL AGENCIES AGREEMENT IN CONNECTION WITH THE ISSUANCE OF HOSPITAL FACILITIES REVENUE BONDS OF THE COUNTY OF ALLEN, OHIO; APPROVING THE ISSUANCE OF SUCH BONDS; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS...08-0423-003...ADOPTED

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

Recommendation to adopt Resolution Number **58-08** resolving to authorize the execution of a Participating Public Hospital Agencies Agreement by and among the County of Allen, Ohio, County of Auglaize, Ohio, County of Butler, Ohio, County of Champaign, Ohio, County of Clark, Ohio, County of Clermont, Ohio, County of Crawford, Ohio, County of Hamilton, Ohio, County of Lorain, Ohio, County of Lucas, Ohio, County of Mahoning, Ohio, County of Montgomery, Ohio, County of Ottawa, Ohio, County of Putnam, Ohio, County of Seneca, Ohio, County of Summit, Ohio, County of Trumbull, Ohio, County of Warren, Ohio, County of Wood, Ohio, and Catholic Healthcare Partners in and as it relates to the issuance of Hospital Facilities Revenue Bonds of the County of Allen, Ohio, (Series 2008 Bonds) in the maximum principal amount not to exceed \$1,100,000,000 to finance, refinance, or reimburse the costs of the acquisition, construction and equipping of equipment, real property and improvements to hospital facilities as defined in Section 140.01 of the Ohio Revised Code and to finance certain costs associated with the issuance of the Series 2008 Bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, and in compliance with the terms and conditions as set forth therein.

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

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

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Croswell, to approve the minutes of Work Session of **03/11/08 AND 03/12/08** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Proud, to approve the minutes of Regular Session of **01/24/08** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mrs. Walker, seconded by Mr. Proud, 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 1:50 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. Proud Yea; Mr. Croswell, Absent.

**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 – 04/23/08