

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 12, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. COMMISSIONER PROUD IS NOT AVAILABLE TODAY. 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...PROCLAMATION...
FOSTER CARE AWARENESS MONTH IN CLERMONT COUNTY...04-
0507-008...ADOPTED**

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

LET THE RECORD SHOW: Mindy King, Department of Job and Family Services, thanked the Board for their continued support of the Foster Care Program in Clermont County.

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating May, 2004, to be "Foster Care Awareness Month" in Clermont County.

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

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

**IN RE: COUNTY SHERIFF...RENEWAL APPLICATION FOR THE
OFFICE OF CRIMINAL JUSTICE SERVICES GRANT FUNDS
THROUGH THE BYRNE MEMORIAL STATE AND LOCAL LAW
ENFORCEMENT ASSISTANCE FORMULA GRANT PROGRAM FOR
THE CONTINUATION OF PROJECT ENTITLED CLERMONT
COUNTY DRUG UNIT FOR THE COUNTY SHERIFF...04-0507-
009...RATIFIED**

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

Recommendation of A. J. Rodenberg, Jr., County Sheriff, with the concurrence of David L. Spinney, County Administrator, to execute and file the Renewal Application for the Office of Criminal Justice Services Grant Funds (electronically) through the Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program for the continuation of the project entitled Clermont County Drug Unit implemented by the County Sheriff in the amount of \$173,014.00, with a local match in the amount of \$92,598.55 (\$50,000.00 from the General Fund and the balance from forfeitures and mandatory fine accounts) for a revised total project budget of \$265,612.55, for the period 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:

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

IN RE: BUILDING INSPECTION DEPARTMENT...RESOLUTION NUMBER 65-03/RESOLUTION AUTHORIZING EXECUTION OF CONTRACT DOCUMENTS WITH THE VILLAGE OF SARDINIA, OHIO, FOR THE BUILDING INSPECTION DEPARTMENT TO PROVIDE BUILDING INSPECTION SERVICES FOR THE INCORPORATED AREAS OF SARDINIA...04-0430-001...

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

Recommendation of Raymond Sebastian, Building Director, Building Inspection Department, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **65-04** resolving to execute a Contract for Inspection Services by and between the County of Clermont, Ohio, and the Village of Sardinia, P. O. Box 27, Sardinia, Ohio 45171, granting Clermont County, Ohio, full authority to do all things necessary to exercise all enforcement authority, accept and approve plans and specifications, make inspections, and establish and retain inspection fees for all construction activities within the said area as regulated by the Ohio Building Code (exclusive of one, two and three family dwellings or their accessory buildings), with all costs associated with said Contract to be offset with the permit fees generated thereby, effective for a period of twelve months from the date of certification by the State of Ohio, with an automatic annual twelve months renewal until termination by notice by either party, pursuant to the terms and conditions specified therein and in accordance with Chapter 3781 of the Ohio Revised Code and as granted by the Ohio Board of Building Standards.

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

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

IN RE: FACILITIES MANAGEMENT DEPARTMENT...ACCEPTANCE OF THE ASBESTOS REMOVAL CONTRACT WITH RAINBOW ENVIRONMENTAL SERVICES, INC. RELATIVE TO THE OLD COURTHOUSE REMODELING AND UPGRADE PROJECT LOCATED IN THE VILLAGE OF BATAVIA, AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 3, FINAL, AND RELEASE OF RETAINAGE RELATIVE THERETO...03-0116-002...ACCEPTED

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

Recommendation of Sukie Scheetz, Controller, with the concurrence of Wade Grabowski, Director of Facilities Management, to accept the Asbestos Removal Contract by and between the County of Clermont, Ohio, and Rainbow Environmental Services, Inc., P. O. Box 54863, Cincinnati, Ohio 45254, relative to the Old Courthouse Remodeling and Upgrade Project located in the Village of Batavia, as complete as of 04/15/04, and to approve the Estimate for Partial Payment Number 3, Final, which represents the final payment of \$9,890.00 and release of retainage in the amount of \$858.84 plus accrued interest earned thereon relative thereto and further to authorize the release of the Irrevocable Standby Letter of Credit Number S009749 and Amendment No. 001, dated 01/09/04 and 02/25/04, respectively, as issued by Provident Bank, 309 Vine Street, 205D, Cincinnati, Ohio 45202, as requested by Rainbow Environmental Services Inc. and Provident Bank in and as it relates thereto.

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

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

IN RE: FACILITIES MANAGEMENT DEPARTMENT...ACCEPTANCE OF THE HVAC CONTRACT WITH B & J JACOBS COMPANY RELATIVE TO THE CLERMONT COUNTY ANIMAL SHELTER PROJECT LOCATED IN BATAVIA TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 8, FINAL, AND RELEASE OF RETAINAGE RELATIVE THERETO...02-1105-002...ACCEPTED

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

Recommendation of Sukie Scheetz, Controller, with the concurrence of Thomas Mantel, Project Manager, Office of Technology, Communications & Security, to accept the HVAC Contract by and between the County of Clermont, Ohio, and B & J Jacobs Company, 1366 Hopple Street, Cincinnati, Ohio 45225, relative to the Clermont County Animal Shelter Project located in Batavia Township, as complete as of 08/07/03, and to approve the Estimate for Partial Payment Number 8, Final, which represents the final payment of \$29.95 and release of retainage relative in the amount of \$3,380.04 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, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...DESIGNATION OF APPOINTMENT TO SERVE ON THE CLERMONT WORKFORCE POLICY BOARD...02-0805-001...APPROVED

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

Recommendation of Tim McCartney, Director of the Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, per the recommendation of the Clermont Workforce Policy Board, to nominate Patricia Donohoo, Director, e-Commerce Customer Service, Charming Shoppes, Inc., 1103 Allen Drive, Milford, Ohio 45103, to serve on the Clermont Workforce Policy Board as a retail business representative, to fill the unexpired term vacated by Rebecca Huesman, ending June 30, 2004, pursuant to Section 6301.06 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, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...DESIGNATION OF APPOINTMENT TO SERVE ON THE CLERMONT COUNTY YOUTH COUNCIL...02-0805-002...APPROVED

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

Recommendation of Tim McCartney, Director of the Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, per the recommendation of the Clermont Workforce Policy Board and Clermont County Youth Council, to nominate Nadine Albenze-Smith, CEO, Record Express, LLS, 400 TechneCenter Drive, Suite 101, Milford, Ohio

45150, to serve on the Clermont County Youth Council for a term ending June 30, 2004, pursuant to the Workforce Investment Act of 1998.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH BYRNES, INC. FOR PROJECT NUMBER 621-0781 RELATIVE TO THE MONTEREY ROAD WATER TRANSMISSION MAIN PROJECT LOCATED IN JACKSON AND STONELICK TOWNSHIPS...03-0505-003...EXECUTED

Moved by Mr. Croswell, 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, to execute Change Order Number 1 to the Contract with Byrnes, Inc., 11399 Grooms Road, Cincinnati, Ohio 45242, previously ratified by the Board on 07/15/03, for Project Number 621-0781 relative to the Monterey Road Water Transmission Main Project located within Jackson and Stonelick Townships, which represents a decrease in the amount of \$58,728.00, for a total adjusted contract price to date of \$526,034.00, and a time extension of 41 calendar days for a revised completion date of 01/12/04, 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, Absent.

IN RE: CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE CONTRACT WITH BYRNES, INC. FOR PROJECT NUMBER 621-0781 RELATIVE TO THE MONTEREY ROAD WATER TRANSMISSION MAIN PROJECT LOCATED IN JACKSON AND STONELICK TOWNSHIPS AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 6, FINAL FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...03-0505-003...ACCEPTED

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 & Budget, with the concurrence of Lyle Bloom, Sanitary Engineer, Clermont County Sewer District, to accept the Contract by and between the County of Clermont, Ohio, and Byrnes, Inc., 11399 Grooms Road, Cincinnati, Ohio 45242, for Project Number 621-0781 relative to the Monterey Road Water Transmission Main Project located in Jackson and Stonelick Townships, as complete as of 01/12/04 and to approve the Estimate for Partial Payment Number 6, Final, which represents the release of retainage relative thereto in the amount of \$23,390.48 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, Absent.

IN RE: CLERMONT COUNTY SEWER DISTRICT...RESOLUTION NUMBER

66-04/RESOLUTION AUTHORIZING ACCEPTANCE OF AN 18-INCH SEWER MAIN THROUGH BRAXTON PARKE, SECTION 6, SUBDIVISION LOCATED IN BATAVIA TOWNSHIP, AS PART OF THE COUNTY WASTEWATER SYSTEM AND AUTHORIZING PAYMENT OF TO CLASSIC PROPERTIES FOR OVERSIZING REQUIRED BY CLERMONT COUNTY SEWER DISTRICT...04-0430-003...ACCEPTED

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, to adopt Resolution Number **66-04** resolving to accept approximately 1786 feet of 18 inch sewer main constructed by Classic Properties through Braxton Parke, Section 6, Subdivision located in Batavia Township, as part of the County Wastewater System and to authorize payment in the amount of \$67,161.95 to Classic Properties, 11841 Mason-Montgomery Road Suite A, Cincinnati, Ohio 45249, for the value of the oversizing of said sewer main as required by the Clermont County Sewer District.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF SEWER MAIN EXTENSION FOR THE FOLLOWING LOCATION...04-0503-001...EXECUTED

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 execute a Maintenance Bond in the amount outlined below as surety for the installation of a Sewer Main Extension to serve the following:

Subdivision	Township	Sewer
Ashton Woods Subdivision Section 3 Block A	Miami	\$6,550.00

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

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

IN RE: COUNTY ENGINEER...RELEASE OF A ONE YEAR PERFORMANCE BOND AS SURETY FOR SIDEWALKS FOR THE WOODS AT SHAYLER CREEK, SECTION 1, LOCATED IN UNION TOWNSHIP...03-0529-004...APPROVED

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 release the One Year Performance Bond for Sidewalks for the following Subdivision located within Union Township:

Subdivision	1 Year Performance Bond
The Woods at Shayler Creek Section 1 Union Township	\$5,730.00

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

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

IN RE: COUNTY ENGINEER...RECORD PLAT NUMBER 629-2167 FOR ORCHARD VALLEY SUBDIVISION, SECTION SEVEN, LOCATED IN MIAMI TOWNSHIP AND COMBINED PERFORMANCE-MAINTENANCE BOND AS SURETY FOR SAME...04-0507-006...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 Number **629-2167** for the following subdivision and further to execute the Combined Performance-Maintenance Bond as surety for the construction of the below listed streets:

Subdivision	Perf./Maint.	Street/Length (miles)
Orchard Valley Section Seven Miami Township Record Plat #629-2167	\$33,000/\$8,000	Wild Cherry Drive (0.041) Hoffman Road (0.00)

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

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

IN RE: COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2168 THROUGH 629-2184 FOR THE REPLAT OF LOTS FOR VARIOUS SUBDIVISIONS LOCATED WITHIN MIAMI TOWNSHIP...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 Numbers **629-2168** through **629-2184** for the Replat of lots for the following subdivisions within Miami Township:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lots 3, 4, 19, 20 Lela Acres Subdivision Miami Township DC #04-0507-003	629-2168 629-2169 629-2170 629-2171	To create parcels for additional right of way on State Route 28
Replat of Lots 8, 9, 10, 11, 12, 21, 41 Al-Gor Acres Subdivision Miami Township	629-2172 629-2173 629-2174 629-2175	To create parcels for additional right of way on State Route 28

DC #04-0507-004	629-2176 629-2177 629-2178	
Replat of Lots 1A, 1C, 2A, 3, 5, 6 Clearview Acres Subdivision Miami Township DC #04-0507-005	629-2179 629-2180 629-2181 629-2182 629-2183 629-2184	To create parcels for additional right of way on State Route 28

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

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

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2004...APPROVED**

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

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2004 (Resolution Number 226-03) and/or interfund transactions as outlined in the following table(s) and authorize Linda Fraley, County Auditor, to properly record same:

TRANSFER OF FUNDS:

\$ 500.00	From Child Support Enforcement Administration Fund 228-6180-5300 to 228-6180-5700 (Purchased Services to Materials & Supplies)
\$ 3,500.00	From Sheriff's Concealed Handgun License Issuance Fund 231-4407-5700 to 231-4407-5121 (Materials & Supplies to Overtime)
\$ 500.00	From Sheriff's Concealed Handgun License Issuance Fund 231-4407-5700 to 231-4407-5200 (Materials & Supplies to Fringe Benefits)

CASH TRANSFER OF FUNDS:

\$ 263,500.00	From General Fund 100-4018-7240-0304 to Correctional Facility Debt Service Fund 304-0304-4811
\$ 202,000.00	From Motor Vehicle & Gasoline Tax Fund 206-3092-7240 to Road Improvement Debt Service Fund 308-0308-4821
\$ 80,000.00	From Water Revenue Fund 601-8550-7310 to Water & Sewer Combined Fund 603-0603-4871
\$ 80,000.00	From Sewer Revenue Fund 602-8530-7310 to Water & Sewer Combined Fund 603-0603-4871

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004:

\$ 659,098.00	Municipal Court Capital Fund	427-1019-6600	Capital Outlay
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Upon roll call on the foregoing motion, the vote was as follows:

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

IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO ESTABLISH CAPITAL PROJECTS FUND...04-0512-001...APPROVED

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

Recommendation of Mary K. Rains, Office of Management and Budget, with the concurrence of Dan Bare, Director, Board of Elections, to approve the request of Linda L. Fraley, County Auditor to establish a Capital Projects Fund entitled **Voter Registration System Replacement Fund** number 428 and department 1079, to account for the expenditures related to the Voter Registration System Replacement grant under the Help America Vote Act of 2002 (HAVA). The purpose of the grant is to provide funding for the Clermont County Board of Elections to replace computer systems and software associated with voter registration systems.

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

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

IN RE: TRAINING AND TRAVEL REQUEST...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

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

Recommendation to approve the following request 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 2004 and any and all amendments subsequent thereto:

BOARD OF COUNTY COMMISSIONERS

David L. Spinney: One (1) day – Amelia, Ohio – Fourth Annual Legislative Breakfast – Total expenses not to exceed \$15.00.

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

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

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Work Session of **04/28/04** carried with all members present voting affirmatively thereupon.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **05/12/04** carried with all members present voting affirmatively thereupon.

IN RE: ADJOURNMENT...

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

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

MARY C. WALKER, PRESIDENT

ABSENT

ROBERT L. PROUD, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

05/12/04

DATE APPROVED