

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 14, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT, ROBERT L. PROUD, 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.

LET THE RECORD SHOW: The Board honored Brenda Gilreath, Deputy Director, Clermont County Job and Family Services, division of Child Support Enforcement Agency. Ms. Gilreath will be honored by The Ohio Child Support Enforcement Agency Directors' Association (OCDA) as the 2004 Director of the Year.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 150-04/PAYMENT OF BILLS...ADOPTED

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

Recommendation to adopt Resolution Number **150-04** 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:

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

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... AWARD OF BID FOR PROJECT NUMBER OH-2003-04 RELATIVE TO THE CITY OF MILFORD, HIGH STREET AREA IMPROVEMENT PROJECT IN CONCERT WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA PROGRAM FOR FISCAL YEAR 2003 AND EXECUTION OF CONTRACT RELATIVE THERETO...04-0719-001...RATIFIED

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

Recommendation of Ray Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of David L. Spinney, County Administrator, to award the bid for Project OH-2003-04 relative to the City of Milford, High Street Area Improvement Project in concert with the Community Development Block Grant Formula Program for Fiscal Year 2003, pursuant to the plans and specifications therefore, to John R. Jurgensen, 11641 Mosteller Road, Cincinnati, Ohio 45241 as lowest bid therefore received on 08/19/04, in the amount of \$46,083.00, 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:

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

IN RE: HUMAN RESOURCES DEPARTMENT... RECOMMENDATION TO AMEND APPENDIX 4.09 OF THE CLERMONT COUNTY PERSONNEL POLICY AND PROCEDURE MANUAL WITH RESPECT TO THE CLERMONT COUNTY CLASSIFICATION PLAN AND TO REVISE THE OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY TABLE OF ORGANIZATION FOR SAME...02-0618-003...AND 04-0910-002...ADOPTED

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

Recommendation of Cynthia DeWitt, Assistant County Administrator, with the concurrence of David L. Spinney, County Administrator, to amend Appendix 4.09 of the Clermont County Personnel Policy and Procedure Manual, with respect to the Classification Plan, to create a Grants Coordinator position, and to establish the rate of compensation at Pay Range 15, effective 09/14/04; and, to direct the Human Resources Department to update as necessary the internet links and appendices, and further to direct the Human Resources Department to reproduce and transmit the revisions to all Department Heads and Supervisors and the same are hereby instructed to incorporate said revisions into their copies of the Clermont County Personnel Policy; and subsequent thereto, to adopt a revised Table of Organization for the Office of Technology, Communications & Security, to include a Grants Coordinator position as outlined in the proposed Table attached hereto and made a part thereof.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...CHILD SUPPORT ENFORCEMENT DIVISION....TERMINATION OF CONTRACT FOR PROFESSIONAL SERVICES WITH RICHARD D. FEIL, III, FOR SAME...04-0130-008...APPROVED

Moved by Mr. Crosswell, 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 Cynthia DeWitt, Assistant County Administrator, to terminate the Contract for Professional Services by and between the County of Clermont, Ohio, and Richard D. Feil, III, 1029 Main Street, Cincinnati, Ohio, 45202, previously approved by the Board of Clermont County Commissioners on February 11, 2004, effective September 13, 2004, due to the full-time appointment of Janice Biederbeck to the position of Attorney 2 within the Department of Job and Family Services, Child Support Enforcement Division.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...AWARD OF BID FOR PROJECT NUMBER 621-0858 RELATIVE TO THE CONSTRUCTION OF THE LOWER EAST FORK WASTEWATER TREATMENT PLANT RENOVATION PROJECT LOCATED WITHIN MIAMI TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE THERETO...04-0420-004...RATIFIED

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

Recommendation of Moustafa Moteleb, P.E., Project Manager, with the concurrence of Lyle G. Bloom P.E., Sanitary Engineer, Clermont County Sewer District, to award the bid for Project Number 621-0858 relative to the construction of the Lower East Fork Wastewater Treatment Plant Renovation Project, located in Miami Township, pursuant to the plans and specifications therefore, to Building Crafts, Inc., 2 Rosewood Drive, Wilder, Kentucky 41076, for their lowest and best bid therefore received on 08/12/04, at the item prices as outlined therein, for a total amount not to exceed \$661,788.00 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:

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

IN RE: CLERMONT COUNTY SEWER DISTRICT...CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH SPARTAN CONSTRUCTION, INC. FOR PROJECT NUMBER 651-0127 RELATIVE TO THE SHAYLER G SEWER REPLACEMENT PROJECT LOCATED WITHIN UNION TOWNSHIP...03-0922-002...EXECUTED

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

Recommendation of Lyle 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 contract with Spartan Construction, Inc., 1619 Distribution Drive, Burlington, Kentucky 41005, previously ratified by the Board on 12/17/03, for Project Number 651-0127 relative to the Shayler G Sewer Replacement Project situated within Union Township, which represents an increase in the amount of \$44,940.00, for a total adjusted contract price to date of \$624,472.00 and an extension of time of 28 calendar days for a revised contract completion date of 7/16/04, for additions, deletions and/or modifications thereto as defined therein.

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

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

IN RE: CLERMONT COUNTY SEWER DISTRICT. . .COUNTY SEWER SYSTEM . . .GRANT OF SEWER EASEMENTS WITH RIGHTS OF RE-ENTRY FOR REPAIRS AND REPLACEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, RELATIVE TO PROJECT NUMBER 651-0710 FOR THE CONSTRUCTION OF THE HALL RUN SANITARY FLOW EQUALIZATION PROJECT LOCATED WITHIN UNION TOWNSHIP....04-0910-001...ACCEPTED

Moved by Mr. Proud, seconded by Mr. Crosswell, 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 Grants of Sewer Easements 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, and removing a sewer main and all incidental fixtures required for the transportation of sewage on, under, and across the properties of the grantors relative to Project Number 651-0710 for the construction of the Hall Run Sanitary Flow Equalization Project, and to authorize payment as compensation for the Permanent Easements and Right-of-Ways granted thereby and repairs relative thereto:

Owner	Parcel No.	Compensation
Barry Kenneth Barnes 583 Old State Route 74 Cincinnati, Ohio 45244	41-32-13D-119	Permanent \$4,000.00
MKA Construction & Service, Inc. 851 Cannes Court Loveland, Ohio 45140	41-32-13D-102	Permanent \$1,075.00

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

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

IN RE: COUNTY ENGINEER...RELEASE OF PERFORMANCE BONDS AS SURETY FOR SIDEWALKS FOR VARIOUS SUBDIVISIONS LOCATED WITHIN MIAMI TOWNSHIP...APPROVED

Moved by Mr. Croswell, 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 release the Three Year Performance bond for sidewalks in the amounts as follows for the following Subdivision located within Miami Township:

Subdivision/Location	Three Year Performance Bond
Oasis Golf Club Community Section 4 Miami Township DC# 96-1203-003	\$39,260.00
Weber Oaks Section 4 Miami Township DC# 00-0815-001	\$56,600.00

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

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

IN RE: COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO THROUGH TRAFFIC ON TWELVE MILE ROAD IN OHIO TOWNSHIP...04-0908-002...APPROVED

Moved by Mr. Proud, 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 authorize a temporary detour to through traffic on Twelve Mile Road in Ohio Township for the period of Monday, 09/27/04, through Friday, 11/26/04, for a bridge replacement, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the

appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 151-04/ RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING SAME TO THE COUNTY AUDITOR FOR FISCAL YEAR 2005...04-0909-004...ADOPTED

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

Recommendation to adopt Resolution Number **151-04** resolving to accept the amounts and rates of each tax necessary to be levied on the tax duplicate of Clermont County within and without the ten mill limitation for Fiscal Year 2005 as determined by the Clermont County Budget Commission; to authorize the amounts and rates of each tax necessary to be levied on the tax duplicate of Clermont County within and without the ten mill limitation for Fiscal Year 2005 as determined by the Clermont County Budget Commission; and to certify the amounts and rates of each tax necessary to be levied on the tax duplicate of Clermont County within and without the ten mill limitation for Fiscal Year 2005 as determined by the Clermont County Budget Commission to Linda L. Fraley, County Auditor, effective 01/01/05, pursuant to Section 5705.34 of the Ohio Revised Code.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 152-04/RESOLUTION GRANTING ANNEXATION OF 5.5681 ACRES OF LAND OWNED BY JOHN W. KILCOYNE TO THE CITY OF LOVELAND IN CLERMONT COUNTY, OHIO....04-0527-001...ADOPTED

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

Pursuant to Section 709.033 of the Ohio Revised Code, the Board of County Commissioners adopt Resolution Number **152-04** resolving to grant the Petition for Annexation of 5.5681 Acres of Land situated within Miami Township to the City of Loveland, Clermont County, Ohio, filed in the Office of the Board of County Commissioners at 10:18 A.M. on Thursday, May 27, 2004, by Michael Minniear, Attorney at Law, 626 Main Street, Milford, Ohio 45150, for and on behalf of Thomas C. Kilcoyne, 250 E. Fifth Street, Cincinnati, Ohio 45202, the designated Agent for the Petitioner, John W. Kilcoyne, 250 E. Fifth Street, Cincinnati, Ohio 45202, who is the sole owner of the real estate sought to be annexed.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...PETITION FOR ANNEXATION OF 37.069 ACRES FROM PIERCE TOWNSHIP TO THE VILLAGE OF AMELIA, CLERMONT COUNTY, OHIO, PURSUANT TO SECTION 709.023 OF THE OHIO REVISED CODE...04-0913-009...ACCEPTED

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

Recommendation to accept the Petition for Annexation of 37.069 Acres from the unincorporated area of Pierce Township, Clermont County, Ohio, to the Village of Amelia, Clermont County, Ohio, filed in the Office of the Board of County Commissioners on Monday, September 13, 2004, at 1:48 P.M., by Richard P. Ferenc, Attorney at Law, 332 East Main Street, Batavia, Ohio 45103, for and on behalf of Ron Gibbs, 1252 Goshen Pike, Milford. Ohio 45150, the designated Agent for the Petitioner, Alma J. Sutton, whose mailing address is 3298 Jenny Lind Road, Amelia, Ohio 45102, pursuant to Section 709.023 of the Ohio Revised Code.

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

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

IN RE: MAINTENANCE AGREEMENTS FOR VARIOUS DEPARTMENTS FOR THE PROVISION OF MAINTENANCE ON OFFICE EQUIPMENT...EXECUTED

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

Requests from various departments to execute Maintenance Agreements with various vendors for the provision of maintenance on the following equipment at the rates and the terms outlined below, pursuant to the terms and conditions set forth therein:

Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Office of Public Information DC #04-0903-003	Peter Paul Office Equipment, Inc. 711 Carr Street Cincinnati, Ohio 45203	Gestetner Model 1802D Copier S/N: H6826101597	\$400.00 plus \$0.02 per copy over 20,000 copies	09/17/04 through 09/18/05 or 20,000 copies (whichever comes first)
County Sheriff DC #04-0903-002	Peter Paul Office Equipment, Inc. 711 Carr Street Cincinnati, Ohio 45203	Ricoh FT 3513 Copier S/N: 8850117	\$400.00 plus \$0.02 per copy over 20,000 copies	09/06/04 through 09/05/05
County Sheriff DC #04-0903-001	Peter Paul Office Equipment, Inc. 711 Carr Street Cincinnati, Ohio 45203	Hewlett Packard 330 Fax Machine S/N: SG94MFA538	\$150.00	09/01/04 through 08/31/05

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF

APPOINTMENTS FOR THE SOUTHERN OHIO AGRICULTURAL AND COMMUNITY DEVELOPMENT REVIEW COMMITTEE FOR CLERMONT COUNTY...02-1209-009...APPOINTED

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

Recommendation of David L. Spinney, County Administrator, to designate appointments and/or reappointments for the Southern Ohio Agricultural and Community Development Review Committee for Clermont County to serve on said County Review Committee:

Committee Member	Sector Represented
Andrew Kuchta	Economic Development
Mary Roenker	OSU Extension Community Development Agent
Lynn Baird	Financial Institution

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF REAPPOINTMENT TO SERVE ON THE CLERMONT COUNTY PLANNING COMMISSION...01-0808-004...APPOINTED

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

Recommendation to reappoint Mary Margaret Rochford, 5156 Monterey Maple Grove, Batavia, Ohio 45103, to serve on the Clermont County Planning Commission for a second full term, effective 08/08/04 to 08/08/07, pursuant to Section 713.22 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, Yes.

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

Moved by Mr. Proud, seconded by Mr. Croswell, 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:

\$ 15,000.00	From General Fund 100-4018-7000 to 100-4018-5300 (Public Safety Grants Reimb/Transfers/Adv to Purchased Services)
\$ 50,000.00	From Municipal Court Computerization Fund 259-2252-6600 to 259-2252-5700 (Capital Outlay to Materials & Supplies)

\$ 3,000.00	From Sewer Revenue Fund 602-8530-5700 to 602-8530-5300 (Administration Materials & Supplies to Purchased Services)
\$ 1,000.00	From Sewer Revenue Fund 602-8530-6100 to 602-8530-5300 (Administration Maintenance & Repair to Purchased Services)
\$ 10,000.00	From Sewer Revenue Fund 602-8530-6300 to 602-8530-5300 (Administration Utilities to Purchased Services)
\$ 18,500.00	From Sewer Revenue Fund 602-8535-5300 to 602-8530-5300 (Sewer Collections Purchased Services to Administration Purchased Services)
\$ 6,500.00	From Fleet Maintenance Fund 811-8610-5112 to 811-8610-5200 (Regular Salary to Fringe Benefits)
\$ 2,000.00	From Fleet Maintenance Fund 811-8610-5112 to 811-8610-5700 (Regular Salary to Materials & Supplies)
\$ 15,000.00	From Fleet Maintenance Fund 811-8610-5112 to 811-8610-6100 (Regular Salary to Maintenance & Repair)
\$ 8,655.00	From Fleet Maintenance Fund 811-8610-6600 to 811-8610-5700 (Capital Outlay to Materials & Supplies)

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004:

\$ 1,190.04	General Fund	100-4300-5700	Materials & Supplies
\$ 3,620.58	General Fund	100-4300-6100	Maintenance & Repair
\$ 1,000.00	Fleet Maintenance Fund	811-8610-5300	Purchased Services
\$ 536.50	Fleet Maintenance Fund	811-8610-5700	Materials & Supplies
\$ 365.58	Fleet Maintenance Fund	811-8610-6300	Utilities

CASH TRANSFER OF FUNDS:

\$ 123,900.00	From Children Services Levy Fund 213-6243-7220 to Children Services Fund 208-0208-4821
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REIMBURSEMENT OF FUNDS:

\$ 1,450.16	From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7003
\$ 1,895.58	From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7004

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

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

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

Moved by Mr. Croswell, 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 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 2004 and any and all amendments subsequent thereto:

DEPARTMENT OF JOB AND FAMILY SERVICES

Brenda Gilreath: Two (2) days – Columbus, Ohio – Ohio Child Support Directors Association Executive Board Meeting - Total expenses not to exceed \$214.00.

COMMON PLEAS COURT

Patricia Schwartz: Three (3) days – Columbus, Ohio – Ohio Association for Court Administration Fall Conference - Total expenses not to exceed \$508.00.

Judge Jerry McBride: One (1) day – Columbus, Ohio – Administration and Court Reform Committee Meeting – Total expenses not to exceed \$111.00.

COMMON PLEAS COURT/DOMESTIC RELATIONS DIVISION

Deborah Cadwallader: Two (2) days – Columbus, Ohio – Ohio Association of Court Administration Fall Conference - Total expenses not to exceed \$414.38.

COMMON PLEAS CLERK OF COURTS

Alice Fricke and Beth Garr: Two (2) days – Columbus, Ohio – Supreme Court Super Meeting for Court Personnel – Total expenses not to exceed \$326.00.

Alice Fricke, Shirley Williamson, and Linda Malone: Two (2) days – Columbus, Ohio – Auto Title Seminar, Clerk of Courts Association - Total expenses not to exceed \$348.00.

TREATMENT ALTERNATIVES TO STREET CRIME

Dee Hargitt and David Levine: One (1) day – Columbus, Ohio – Ohio Department of Alcohol and Drug Addiction Services Fall Directors’ Meeting - Total expenses not to exceed \$190.00.

CLERMONT TRANSPORTATION CONNECTION

Melissa O’Farrell: One (1) day – Columbus, Ohio – Ohio Department of Transportation Public Transit Index, Program Roll-out Meeting - Total expenses not to exceed \$86.25.

COUNTY SHERIFF

Sean Zint and Sean Mahan: Four (4) days – Indianapolis, Indiana – Undercover Drug/Narcotic Investigations Training Seminar - Total expenses not to exceed \$1,188.80.

PROSECUTING ATTORNEY

Scott Smith: One (1) day – Cincinnati, Ohio – Cincinnati Bar Association Video Replay: “Professionalism, Ethics, Substance Abuse” - Total expenses not to exceed \$130.00.

Elizabeth Mason: One (1) day – Cincinnati, Ohio – Lorman Education Services Seminar: Substance Abuse and Professionalism in Ohio - Total expenses not to exceed \$307.00.

OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY

Becky Ober: One (1) day – Cincinnati, Ohio – Microsoft Outlook 2003 Certification Training - Total expenses not to exceed \$157.85.

Patty McKinley: One (1) day – Cincinnati, Ohio – Cincinnati Avaya Users Group Meeting - Total expenses not to exceed \$30.00.

Rachel Lefker: One (1) day – Cincinnati, Ohio – Landslide Workshop - Total expenses not to exceed \$49.00.

DEPARTMENT OF HUMAN RESOURCES

Martin Ely: One (1) day – Cincinnati, Ohio – State and Federal Personnel Laws in Ohio - Total expenses not to exceed \$359.00.

Rebecca S. Davidson: One (1) day – Columbus, Ohio – Ohio Workers’ Comp Update 2004 - Total expenses not to exceed \$476.50.

Carole Davidson: Two (2) days – Columbus, Ohio – Ohio Public Employee Relations Association Fall Seminar – Total expenses not to exceed \$379.00.

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Cindy DeWitt: Two (2) days – Columbus, Ohio – Ohio Public Employee Relations Association Fall Seminar – Total expenses not to exceed \$379.00.

Mary C. Walker, Robert L. Proud and David L. Spinney: Two (2) days – Geneva-on-the-Lake, Ohio – Site visit to Geneva-on-the-Lake Lodge & Conference Center at Geneva State Park - Total expenses not to exceed \$491.55. (Revised from original travel submitted and approved in Regular Session on 08/25/04)

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

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

IN RE: PERSONNEL ACTION FORMS...APPROVED AND SIGNED

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

Recommendation of the Department of Human Resources, with the concurrence of David L. Spinney, County Administrator, to approve the following personnel actions:

DEPARTMENT OF JOB AND FAMILY SERVICES

Rebecca Stowell: PA #13396 – Account Clerk 2 – Separation/Resigned – Effective 09/20/2004.

Sandra Mack: PA #13397 – Income Maintenance Worker 3 – Separation/Resigned – Effective 08/27/2004.

Joyce A. Selby: PA #13398 – Income Maintenance Aide 2 – Change/End of Probation – Effective 10/04/2004.

Susan M. Bellville: PA #13399 – Income Maintenance Aide 2 – Change/End of Probation – Effective 09/27/2004.

Deanna Clark: PA #13400 – Income Maintenance Aide 2 – Change/End of Probation – Effective 09/27/2004.

CLERMONT COUNTY SEWER DISTRICT

Robert J. Catron: PA #13401 – WSD Maintenance Technician – Change/Extend Probationary Period 60 days – Effective 09/14/2004.

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

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

LET THE RECORD SHOW: A motion by Mr. Croswell, seconded by Mr. Proud, to go into Executive Session at 2:00 P.M. pursuant to section 121.22(G)(2) of the Ohio Revised Code regarding purchase of property for public use, carried with all members voting affirmatively thereon.

LET THE RECORD SHOW: The Executive Session concluded and Regular Session resumed at 2:25 pm. with no action taken.

IN RE: BOARD OF COUNTY COMMISSIONERS...REAL ESTATE PURCHASE CONTRACT FOR THE PURCHASE OF 29.88 ACRES OF REAL ESTATE (PIN # 06-02-18.-020.) LOCATED AT 457 WEST MAIN STREET, BATAVIA, OHIO...EXECUTED

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

Recommendation of David L. Spinney, County Administrator, to execute a Real Estate Purchase Contract offering to purchase from Auxier Holdings, LLC, 457 West Main Street, Batavia, Ohio 45103, 29.88 acres of real estate located at 457 West Main Street, Batavia, Ohio 45103 (PIN-# 06-02-18.-020.), as fully described in Exhibit A attached thereto, at the purchase price of \$800,000, with \$35,000.00 in earnest funds made payable to Seller and the total purchase price payable at closing which shall be scheduled no later than 2:00 p.m. Eastern Time on December 1, 2004, pursuant to the terms and conditions of the agreement.

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

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

LET THE RECORD SHOW: THAT A MOTION BY MR. PROUD, TO RECESS REGULAR SESSION AT 2:00 P.M. TO BE RECONVENED AT 3:00 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 3:00 P.M.

LET THE RECORD SHOW: Mr. Proud is not in attendance for the Public Hearing.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING
RELATIVE TO THE PROPOSED VACATION OF UNNAMED ALLEY
BETWEEN FIRST STREET AND DRAKE ALLEY SITUATED WITHIN
THE UNINCORPORATED VILLAGE OF MIAMIVILLE IN MIAMI
TOWNSHIP...04-0913-009...**

LET THE RECORD SHOW: THAT COMMISSIONERS ROBERT L. PROUD, MARY C. WALKER AND R. SCOTT CROSWELL, DAVID L. SPINNEY, COUNTY ADMINISTRATOR AND CRAIG RISNER, DEPUTY SURVEYOR, OFFICE OF THE CLERMONT COUNTY ENGINEER, VIEWED **UNNAMED ALLEY BETWEEN FIRST STREET AND DRAKE ALLEY SITUATED WITHIN THE UNINCORPORATED VILLAGE OF MIAMIVILLE IN MIAMI TOWNSHIP** PROPOSED TO BE VACATED ON 09/14/03.

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS HELD THIS DATE AT 3:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE PROPOSED VACATION OF **UNNAMED ALLEY BETWEEN FIRST STREET AND DRAKE ALLEY SITUATED WITHIN THE UNINCORPORATED VILLAGE OF MIAMIVILLE IN MIAMI TOWNSHIP.**

*****THIS PUBLIC HEARING WAS RECORDED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M.*****

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS ADJOURNED.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 153-04/VACATION OF AN UNNAMED ALLEY BETWEEN FIRST STREET AND DRAKE ALLEY SITUATED WITHIN THE UNINCORPORATED VILLAGE OF MIAMIVILLE IN MIAMI TOWNSHIP...98-0714-013...ADOPTED

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

Subsequent to the receipt of a request to vacate an Unnamed Alley between First Street and Drake Alley situated within the Unincorporated Village of Miamiville in Miami Township and the Viewing and Final Hearing on 09/14/04, which was in compliance with all statutory procedures required relative thereto, the Board of County Commissioners adopts Resolution Number **153-04** resolving to vacate an Unnamed Alley between First Street and Drake Alley situated within the Unincorporated Village of Miamiville in Miami Township as described therein pursuant to Section 5553.04 et al 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.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **09/14/04** carried with all members present voting affirmatively thereupon.

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

MARY C. WALKER, PRESIDENT

ROBERT L. PROUD, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

**9-14-04
DATE APPROVED**