

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 31, 2007, 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 WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: Sharon Woodrow, Superintendent, Clermont County Board of Mental Retardation and Developmental Disabilities (MRDD), addressed the Board of County Commissioners in regards to the upcoming MRDD renewal tax levy in the amount of 0.75 mills to be voted upon at the General Election on 11/06/07. She advised this is a renewal tax levy and represents no increase in the dollar amount from the current levy. Ms. Woodrow advised that MRDD's mission is to work with individuals with mental retardation and other developmental disabilities and their families in order to identify and support the choices they make. Mille Cravens, whose daughter benefits from residential services, and David Pursley, a recipient of various MRDD services, spoke in support of the tax levy. Ms. Woodrow asked residents to vote "yes" for the tax levy to enable MRDD to continue their mission and to support their vision for those individuals and families in need. (DC# 07-0727-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 180-07/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 **180-07** resolving to sign the General Ledger Distribution Report(s) dated 10/26/07 allowing for payment of County obligations included in same, in the total amount of \$2,039,619.43, 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 181-07/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 **181-07** resolving to sign the General Ledger Distribution Report dated 10/30/07 allowing for payment of County obligations included in same, in the total amount of \$34,722.50, 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: HUMAN RESOURCES DEPARTMENT...WORKERS' COMPENSATION SERVICE AGENCY AGREEMENT WITH COMPANAGEMENT, INC. FOR RECEIVING, PROCESSING, ANALYZING, AND EXAMINING CLAIMS FILED AGAINST THE COUNTY'S RISK WITH THE OHIO

BUREAU OF WORKERS' COMPENSATION...07-1022-001...EXECUTED

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

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute the Workers' Compensation Service Agency Agreement by and between the Board of County Commissioners of Clermont County, Ohio, and CompManagement, Inc., P.O. Box 884, Dublin, Ohio 43017, designating CompManagement, Inc. as the Exclusive Agent of the County of Clermont, Ohio, to receive, process, analyze, and examine claims filed against the County's risk with the Ohio Bureau of Workers' Compensation, at a cost not to exceed \$8,250.00, effective 11/01/07 through 10/31/08, 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: DEPARTMENT OF PUBLIC SAFETY SERVICES...DESIGNATION OF AUTHORITY TO SUBMIT A GRANT APPLICATION TO THE OHIO EMERGENCY MANAGEMENT AGENCY FOR THE 2007 STATE HOMELAND SECURITY PROGRAM...07-1023-001...APPROVED

Moved by Mr. Croswell, seconded by Mrs. Walker, 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 authorize Elizabeth K. Nevel, Director, Department of Public Safety Services, to submit a Grant Application to the Ohio Emergency Management Agency (OEMA), 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2206 for the 2007 State Homeland Security Program from the U.S. Department of Homeland Security, Office for Domestic Preparedness, for the prevention, planning, response and recovery from a possible terrorism incident, in the amount of \$175,120.00, with an effective period of 07/01/07 through 03/31/10.

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

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

IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES...SERVICE AGREEMENT EQUIPMENT SCHEDULE WITH M.C.S. TECHNICAL FOR MAINTENANCE OF THE UNINTERRUPTIBLE POWER SUPPLY SYSTEM AND BATTERIES FOR SAME...07-1018-006...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, 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 Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Service Agreement Equipment Schedule by and between the County of Clermont, Ohio, and M.C.S. Technical, 5314 Warren Avenue, Cincinnati, Ohio, 45212 for maintenance of the Uninterruptible Power Supply System, Serial Number 19425-01, and Batteries for the Clermont County Department of Public Safety Services, at a cost not to exceed \$1,350.00, effective upon execution for a period of one year thereafter, pursuant to the terms and conditions specified therein.

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

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

IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES...CONTRACT WITH LANGUAGE LINE SERVICES FOR THE PROVISION OF INTERPRETATION SERVICES FROM TELEPHONE CALLS OF NON-ENGLISH SPEAKING CITIZENS REQUESTING EMERGENCY SERVICES THROUGH CLERMONT COUNTY'S EMERGENCY DISPATCH CENTER...07-1018-005...EXECUTED

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

Recommendation of Brenda Durham, Emergency Resource Supervisor, with the concurrence of David L. Spinney, County Administrator, to execute a Contract by and between the County of Clermont, Ohio, and Language Line Services, 1 Lower Ragsdale Drive, Building 2, Monterey, California 93940 for the provision of interpretation services from telephone calls of non-English speaking citizens requesting emergency services through Clermont County's Emergency Dispatch Center, at the cost of \$1.50 per minute for each call, effective upon execution for a period of one year thereafter, 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, Yea.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... AGREEMENT WITH BIO-KEY INTERNATIONAL, INC. TO PROVIDE SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE 800 MHZ MOBILE DATA SYSTEM MESSAGE SWITCH FOR SAME...07-1025-001...EXECUTED

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

Recommendation of Ralph H. Justus, Systems Manager, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute an Agreement by and between the County of Clermont, Ohio, and Bio-Key International, Inc., 300 Nickerson Road, Marlborough, Massachusetts 01752 to provide software maintenance and support services for the 800 MHz Mobile Data System Message Switch in the amount of \$28,627.40, effective 10/01/07 through 09/30/08, 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 TECHNOLOGY, COMMUNICATIONS AND SECURITY/FLEET MAINTENANCE DIVISION...EXTENSION OF CONTRACTS FOR THE PURCHASE OF CONSIGNED REPAIR PARTS TO BE USED FOR MAINTENANCE AND REPAIR OF COUNTY VEHICLES...06-0713-002 AND 06-1115-008...APPROVED

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

Recommendation of J. Mickam, Manager, Fleet Maintenance Division, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to authorize the first extension of the Contracts with KOI Auto Parts, DBA Hamlet Auto Parts, Inc., 3218 Marshall Drive, Amelia, Ohio 45102 and Smyth Automotive, Inc., 4275 Mt. Carmel-Tobasco Road, Cincinnati, Ohio 45244, previously ratified by the Board of County Commissioners on 11/08/06, for the Purchase of Consigned Repair Parts to be used for the maintenance and repair of County vehicles, to extend the Contracts for an additional one year period through 11/07/08, pursuant to Article Seven (7) of said Contracts, with all other terms and conditions of the original Contracts 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: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/FLEET MAINTENANCE DIVISION...ACCEPTANCE OF INSURANCE SETTLEMENT OFFER FOR VEHICLE DAMAGE FROM STATE FARM INSURANCE COMPANY AND TO FURTHER AUTHORIZE THE CHANGE IN TITLE TO DENOTE THAT THE VEHICLE IS A SALVAGE REPAIR...07-1022-002...RATIFIED

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

Recommendation of J. Mickam, Manager, Fleet Maintenance Division, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to accept the insurance settlement offer for vehicle damage from State Farm Insurance Company for a 2003 Ford Crown Victoria, Serial Number 2FAFP73W23X114365, in the amount of \$8,930.00 less salvage value of \$1,716.28 for a total settlement amount of \$7,213.72; to execute a certificate of salvage retention from State Farm Insurance Company, indicating that the vehicle will remain titled to the Clermont County Board of Commissioners and will be changed to a "salvage" title; and further, to authorize application with the Clermont County Title Office to have the vehicle title properly updated to indicate that it is a salvage repair.

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/COUNTY WASTEWATER SYSTEM...RESOLUTION NUMBER 182-07/RESOLUTION DECLARING THE NECESSITY FOR PROJECT NUMBER 651-0310 RELATIVE TO THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE ARBORCREST/WINDFIELD HILLS SUBDIVISION/WINDING WOODS SUBDIVISION SEWER ASSESSMENT PROJECT SITUATED WITHIN MIAMI TOWNSHIP AND AUTHORIZING PUBLICATION OF NOTICE OF PUBLIC HEARING RELATIVE TO ENDORSEMENTS OF AND/OR OBJECTIONS THERETO...07-1022-004...ADOPTED

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

Recommendation of Glen Vonderembse, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **182-07** declaring the necessity to construct improvements to the Clermont County Wastewater System for Project Number 651-0310 consisting of constructing, maintaining, and operating the Arborcrest/Windfield Hills Subdivision/Winding Woods Subdivision Sewer Assessment Project situated within Miami Township, as set forth in Exhibits "A", "A-1", and "B", attached thereto and made a part thereof, and as more particularly described in the detailed plans, specifications, estimates of cost and financing, and tentative assessments which are on file in the Office of the Clermont County Sewer District, 2379 Clermont Center Drive, Batavia, Ohio 45103 where they may be examined by all persons interested therein, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation for two consecutive weeks commencing on 11/08/07, to publish the date, time, and place designated by the Board of County Commissioners where endorsements of and/or objections to the construction and financing of the aforesaid proposed improvements will be heard pursuant to Chapter 6117 of the Ohio Revised Code. **Public Hearing to be held at 6:00 P.M. Local Time on Wednesday, 12/12/07 in the cafeteria of the Live Oaks Career Center, 5956 Buckwheat Road, Milford, Ohio 45150.** This notice is also 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 MUNICIPAL COURT/ADULT PROBATION DEPARTMENT...CONTRACT FOR PROFESSIONAL SERVICES WITH CLERMONT RECOVERY CENTER, INC. FOR THE PROVISION OF INTENSIVE SUPERVISION PROBATION SERVICES FOR SAME...07-1018-007...EXECUTED

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

Recommendation of Joe Ellison, Chief Probation Officer, Clermont County Municipal Court/Adult Probation Department, with the concurrence of David L. Spinney, County Administrator, to execute a Contract for Professional Services by and between the Board of County Commissioners of Clermont County, Ohio, on behalf of the Clermont County Municipal Court/Adult Probation Department, and Clermont Recovery Center, Inc., 1088 Wasserman Way, Suite C, Batavia, Ohio 45103 for the provision of Intensive Supervision Probation Services for offenders in the Evidence Based Group, for an amount not to exceed \$40,546.00, effective 07/01/07 through 06/30/08, pursuant to the terms and conditions set forth therein and in concert with the Community-Based Corrections Act 408 Non-Residential Misdemeanant Grant relative to the Jail Diversion Program ratified by the Board of County Commissioners on 05/23/07.

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

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

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 183-07/RESOLUTION TERMINATING A CONTRACT FOR PROFESSIONAL SERVICES WITH CESO ENGINEERS & SURVEYORS FOR THE BUSINESS 28 ROADWAY IMPROVEMENTS PROJECT LOCATED IN MIAMI TOWNSHIP...05-1017-002...ADOPTED

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 adopt Resolution Number **183-07** resolving to authorize the County Engineer to terminate the Contract for Professional Services by and between the County of Clermont, Ohio, and CESO Engineers & Surveyors, 1700 Lyons Road, Dayton, Ohio 45458, previously ratified by the Board of County Commissioners on 10/26/05, for consulting engineering services relative to the Business 28 Roadway Improvements Project located within Miami Township, in as much as the entire design of the project was modified and the contractual performance contemplated by CESO Engineers & Surveyors was delayed as a result and due to the reassignment of the project to the Clermont County Transportation Improvement District.

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

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

IN RE: COUNTY ENGINEER...PERMANENT AND TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER UN-02-05 RELATIVE TO THE BEECHWOOD ROAD REALIGNMENT PROJECT LOCATED IN UNION TOWNSHIP...07-1018-003...RATIFIED

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 accept the following Permanent and Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes necessary for Project Number UN-02-05 relative to the Beechwood Road Realignment Project located within Union Township, and to authorize the execution of any Plat(s) of Easement(s) as designated, in and as it relates thereto, and to authorize the County Auditor to remit payment and to issue warrants from the referenced fund account in the amounts as outlined below and as indicated on the Settlement Sheets attached thereto, as compensation for the Permanent and Temporary Easements and Right-of-Ways granted thereby and Repairs relative thereto:

| Grantor | Parcel Number | Fund Account | Compensation |
|---|---------------|--------------------|--|
| Heather Blair Collins and Steven D. Collins 4665 Beechwood Road Cincinnati, Ohio 45244 Record Plat Number 629-2553 | 41-41-39-011 | 206-3092-6731-5779 | Perm \$ 211.00 Temp \$ 195.00 Repairs \$ 344.00 |
| Clyde Boehm 4662 Beechwood Road Cincinnati, Ohio 45244 | 41-31-11A-023 | 206-3092-6731-5779 | Perm \$ 2,310.00 Temp \$ 30.00 Repairs \$ 3,250.00 |

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

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

IN RE: COUNTY ENGINEER...ACCEPTANCE OF THE CONTRACT WITH CJ&L COMPANY FOR PROJECT NUMBER BA-05-05 RELATIVE TO THE CLOUGH PIKE RELOCATION PROJECT LOCATED WITHIN THE VILLAGE OF BATAVIA AS COMPLETE AND TO APPROVE THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 10, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...06-0721-003...RATIFIED

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 accept the Contract by and between the County of Clermont, Ohio, and CJ&L Company, 11980 Runyan Drive, Cincinnati, Ohio 45241, for Project Number BA-05-05 relative to the Clough Pike Relocation Project located in the Village of Batavia as Complete as of 07/14/07 and to approve the Estimate for Partial Payment Number 10, Final, which represents the release of retainage in the principal amount of \$35,443.00, 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, Yea.

IN RE: COUNTY ENGINEER...REAL ESTATE PURCHASE CONTRACT WITH DOROTHY J. MILLER FOR THE PURCHASE OF 0.012 ACRES OF LAND IDENTIFIED AS A PORTION OF PARCEL NUMBER 41-32-19-069 FOR RIGHT-OF-WAY ACQUISITION IN CONCERT WITH PROJECT NUMBER UN-13-01 RELATIVE TO THE SR 125 AND GLENESTE-WITHAMSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT LOCATED IN UNION TOWNSHIP...07-1018-004...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 a Real Estate Purchase Contract by and between the Board of County Commissioners of Clermont County, Ohio, and Dorothy J. Miller, 3983 Gleneste-Withamsville Road, Cincinnati, Ohio 45245 for the purchase of 0.012 acres of land identified as a portion of Parcel Number 41-32-19-069 for a total amount of \$12,500.00, pursuant to the terms and conditions set forth therein and in concert with Project Number UN-13-01 relative to the SR 125 and Gleneste-Withamsville Road Intersection Improvements Project located in Union Township, and further to authorize the County Auditor to issue the referenced payment therefore.

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

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

IN RE: COUNTY ENGINEER...RELEASE OF COMBINED PERFORMANCE-MAINTENANCE BONDS AND ACCEPTANCE OF STREETS INTO THE UNION OR BATAVIA TOWNSHIP PUBLIC ROAD SYSTEMS...APPROVED

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 authorize the release of Combined Performance-Maintenance Bonds, previously converted to the Maintenance Bond Phase, for the following subdivisions within Union or Batavia Townships, and to accept the streets in the lengths stated situated therein as public roads for placement into the Union or Batavia Township Public Road Systems:

| Subdivision | Maintenance Bond | Streets/Lengths (miles) |
|--|------------------|-------------------------|
| Park Place Subdivision Section 3 Union Township DC# 03-0616-006 | \$8,000.00* | Park Place (0.15) |

| | | |
|---|------------|---|
| *Secured by Irrevocable Standby Letter of Credit CIS401502 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD 10903C, Cincinnati, Ohio 45263. | | |
| Braxton Parke Subdivision Section Seven Batavia Township DC# 05-0603-009 | \$8,000.00 | Golden Meadow Court (0.11) Laurel Oak Drive (0.06) |

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

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

IN RE: COUNTY ENGINEER...LEGEND OAKS SUBDIVISION/PIERCE TOWNSHIP...RELEASE OF PERFORMANCE BOND AS SURETY FOR SIDEWALKS...03-0903-001...APPROVED

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 release the Three Year Performance Bond for Sidewalks in the amount outlined below for the following subdivision within Pierce Township:

| Subdivision | Performance Bond |
|--|------------------|
| Legend Oaks Subdivision Pierce Township | \$53,860.00 |

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

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

IN RE: COUNTY ENGINEER...IVY POINTE BOULEVARD...ACCEPTANCE OF IVY POINTE BOULEVARD INTO THE CLERMONT COUNTY PUBLIC ROAD SYSTEM...07-1026-001...APPROVED

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 accept Ivy Pointe Boulevard, beginning at the intersection of Clough Pike and ending at the intersection of Ferguson Drive located within Union Township, in the total length of 0.58 miles, situated therein as a public road for placement into the Clermont County Public Road System.

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

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

IN RE: COUNTY ENGINEER...REQUEST TO CHANGE THE COMMENCEMENT DATE FOR THE TEMPORARY DETOUR TO THROUGH TRAFFIC ON CHAPEL ROAD IN BATAVIA TOWNSHIP...07-0928-002...APPROVED

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 approve the request to change the commencement date for the temporary detour to through traffic on Chapel Road in Batavia Township, previously ratified by the Board of County Commissioners on 10/03/07, from Tuesday, 10/09/07 through Wednesday, 10/31/07 to **Wednesday, 10/31/07 through Wednesday, 11/21/07**, for road improvements, 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. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...MEMORANDUM OF UNDERSTANDING WITH THE COUNTY ENGINEER RELATIVE TO THE CONTRIBUTION OF FUNDS AND PROJECT PLAN FOR THE 418-PLANNING & DEVELOPMENT FUND OF CLERMONT COUNTY...07-1030-010...EXECUTED

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

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to execute a Memorandum of Understanding relative to the Contribution of Funds by and between the Board of County Commissioners and the County Engineer, 2381 Clermont Center Drive, Batavia, Ohio 45103, establishing the projects and cost estimates, revenue sources, grant coordination responsibilities, and County Engineer reimbursements from the Motor Vehicle & Gas Tax Fund for roadway improvements that will be tracked through the 418-Planning & Development Fund of the County, 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: DEPARTMENT OF JOB AND FAMILY SERVICES...REQUEST TO JOIN A PROFESSIONAL ORGANIZATION...06-1201-005...APPROVED

Moved by Mr. Croswell, seconded by Mrs. Walker, 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 approve the request to join a professional organization and to authorize payment of the annual dues in the amount outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of routine expenses associated therewith, pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2007 and any and all amendments subsequent thereto:

| Elected Official or Department/Employee | Organization | Annual Dues | Term |
|--|--|-------------|---------------------------|
| Department of Job and Family Services Tim McCartney | American Society for Public Administration | \$121.00 | 10/01/07 through 09/30/08 |

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 JUVENILE COURT...MAINTENANCE AGREEMENT FOR THE PROVISION OF MAINTENANCE ON OFFICE EQUIPMENT FOR SAME...07-1022-003...EXECUTED

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

Recommendation of Carole Davidson, Administrative Assistant, Clermont County Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to execute a Maintenance Agreement 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:

| Elected Official or Department | Vendor | Equipment/Model #/ Serial Number(s) | Rate | Term |
|--------------------------------|---|--|---|---------------------------|
| Clermont County Juvenile Court | ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241-4829 | Two (2) Sharp Copiers S/N: 55007917 65011231 Two (2) Toshiba Copiers S/N: CTJ234709 CPH426324 | \$0.00972 per copy with no minimum charge | 10/17/07 through 10/16/08 |

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...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2007...APPROVED

Moved by Mrs. Walker, 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 2007 (Resolution Number 213-06) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

BUDGET TRANSFER OF FUNDS:

| | |
|-------------|---|
| \$ 1,000.00 | From Narcotics Law Enforcement Trust Fund 241-4192-6600 to 241-4192-5700 (Capital Outlay to Materials & Supplies) |
| \$ 4,600.00 | From Narcotics Law Enforcement Trust Fund 241-4192-6600 to 241-4192-6300 (Capital Outlay to Utilities) |
| \$ 5,000.00 | From TASC Fund 254-4112-5200 to 254-4112-5300 (Fringe Benefits to Purchased Services) |

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2007:

| | | | |
|--------------|---|---------------|--------------------------------------|
| \$ 230.00 | Sheriff's Concealed Handgun License Issuance Fund | 231-4407-6300 | Utilities |
| \$ 40,000.00 | Contract Trust Fund | 920-9990-7000 | Reimbursements/ Transfer/Advances |

| | | | |
|--------------|--|---------------|----------------------|
| \$ 20,000.00 | Community Transportation Connection Fund | 218-7016-5700 | Materials & Supplies |
|--------------|--|---------------|----------------------|

CASH TRANSFER:

| | |
|---------------|---|
| \$ 122,843.00 | From General Fund 100-6018-7220-0204 to Public Assistance Fund 204-0204-4811 |
| \$ 87,500.00 | From General Fund 100-6018-7220-0228 to Child Support Enforcement Administration Fund 228-0228-4811 |

REIMBURSEMENT OF FUNDS:

| | |
|--------------|--|
| \$ 91,373.36 | From Public Assistance Fund 204-6240-7220 to Children Services Fund 208-0208-4821 |
| \$ 2,150.18 | From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7003 |
| \$ 34,770.82 | 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:

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 2007 and any and all amendments subsequent thereto:

CLERMONT COUNTY COURT OF COMMON PLEAS

Judge William Walker: One (1) day – Columbus, Ohio – Ohio Judicial College Conference entitled “Ohio’s NEW Sex Offender Classification Law: The Adam Walsh Act” - Total expenses not to exceed \$142.00.

Arrianna Sacks: One (1) day – Cincinnati, Ohio – Cincinnati Bar Association Course entitled “Famous Political Trials: The Trial of the Scottsboro Boys” - Total expenses not to exceed \$88.00.

Arrianna Sacks: One (1) day – Cincinnati, Ohio – Cincinnati Bar Association Course entitled “Cybersleuth: Research Strategies for Legal Professionals” - Total expenses not to exceed \$268.00.

Judge Robert Ringland: One (1) day – Lebanon, Ohio – Warren County Bar Association Seminar entitled “Summary Judgment” - Total expenses not to exceed \$159.00.

CLERMONT COUNTY MUNICIPAL COURT/ADULT PROBATION DEPARTMENT

Daniel Malott: One (1) day – Batavia, Ohio – Lorman Educational Services Online Teleconference entitled “Liability Issues With the Use of Electronic Control” - Total expenses not to exceed \$129.00.

PROSECUTING ATTORNEY

Holly Cruey: One (1) day – Columbus, Ohio – Ohio Attorney Generals’ Training on Federal Civil Rights Requirements to Sub-Recipients of VOCA and SVAA Funding - Total expenses not to exceed \$110.58.

COUNTY TREASURER

J. Robert True, Connie Bare, Donna Stegall, Jeannie Zurmehly: Three (3) days – Dublin, Ohio – County Treasurers’ Association of Ohio Fall Conference - Total expenses not to exceed \$2,041.44.

OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY

Brenda Durham: Five (5) days – Columbus, Ohio – Ohio Emergency Management Association Courses entitled “Intermediate Incident Command” and “Advanced Incident Command” - Total expenses not to exceed \$650.00.

Sean Harmon and Jeanine Moore: Three (3) days – Loveland, Ohio – National Academies of Emergency Dispatch Advanced Course entitled “Advanced Emergency Medical Dispatch Certification” - Total expenses not to exceed \$590.00.

COUNTY AUDITOR

Jack Trainor: Four (4) days – Orlando, Florida – Pictometry Future View 2007 User Conference and Trade Show - Total expenses not to exceed \$2,240.00

BUILDING INSPECTION DEPARTMENT

Crissy Rolph: One (1) day – Cincinnati, Ohio – Skillpath Seminar entitled “The Ohio Conference for Women” - Total expenses not to exceed \$159.00.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

Mary Werner: Four (4) days – Portland, Oregon – NeighborWorks Training Institute Course entitled “Credit Counseling for Maximum Results” - Total expenses not to exceed \$1,655.70.

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

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

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 MR. CROSWELL, SECONDED BY MRS. WALKER, TO RECESS REGULAR SESSION AT 1:59 P.M. TO ATTEND WORK SESSION WITH REGULAR SESSION TO BE RECONVENED AT 2:30 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:45 P.M.

IN RE: BOARD OF COUNTY COMMISSIONERS...NOTIFICATION TO THE OHIO PUBLIC DEFENDER COMMISSION OF INTENT TO TERMINATE THE CLERMONT COUNTY PUBLIC DEFENDER COMMISSION...07-1101-002...APPROVED

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

Resolves to direct the County Administrator to notify the Ohio Public Defender Commission of their intent to terminate the Clermont County Public Defender Commission within ninety (90) days of this date, pursuant to and in compliance with Section 120.13 (E) of the Ohio Revised Code.

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

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

IN RE: BOARD OF COUNTY COMMISSIONERS...ESTABLISHMENT OF SALARY FOR THE POSITION OF THE CLERMONT COUNTY PUBLIC DEFENDER...07-1101-003...APPROVED

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

Resolves to establish the salary for the position of the Clermont County Public Defender in the amount of \$58,581.12, pursuant to and in compliance with Section 120.40 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, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...REDUCTION OF 2007 ANNUAL APPROPRIATIONS FOR THE CLERMONT COUNTY PUBLIC DEFENDER...06-1129-002...APPROVED

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

Resolves to direct the County Administrator to proceed with the preparation of a reduction in the 2007 Annual Appropriations for the Clermont County Public Defender by pro-rating the regular salaries and fringe benefits for the positions of Director and one Assistant Public Defender, effective 11/01/07.

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

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

LET THE RECORD REFLECT: THAT COMMISSIONER CROSWELL STATED THAT IF THIS CONTINUES HE INTENDS BEFORE YEAR END TO AMEND THE 2008 ANNUAL APPROPRIATIONS TO REMOVE ALL FUNDING FOR THE OFFICE OF THE CLERMONT COUNTY PUBLIC DEFENDER.

IN ADDITION, COMMISSIONER CROSWELL STATED THAT HE WOULD LIKE THE ADMINISTRATION TO NOTIFY THE STATE AUDITOR, THE CLERMONT COUNTY PROSECUTING ATTORNEY, OR WHATEVER AGENCY WOULD BE RESPONSIBLE FOR AUDITING THE CLERMONT COUNTY PUBLIC DEFENDER COMMISSION TO DETERMINE WHETHER OR NOT THEY COMPLIED WITH THE SUNSHINE LAWS IN THE MEETINGS THEY HAD TO MAKE THESE DECISIONS. HE FURTHER STATED THAT HE IS PERSONALLY AWARE OF CORRESPONDENCE FROM MEMBERS OF THE CLERMONT COUNTY PUBLIC DEFENDER COMMISSION COMPLAINING TO OTHER MEMBERS OF THE CLERMONT COUNTY PUBLIC DEFENDER COMMISSION THAT THEY THEMSELVES WERE NOT PUT ON NOTICE OF MEETINGS AND THAT THE MEETINGS WERE NOT PUBLIC AND THAT THEY DON'T KNOW HOW OR WHEN THESE DECISIONS WERE MADE. HE STATED THAT IF IN FACT THESE DECISIONS WERE MADE IN VIOLATION OF THE SUNSHINE LAWS, IT IS A SERIOUS MATTER, AND HE WOULD LIKE IT INVESTIGATED.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **10/31/07** 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 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 – 10/31/07