

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON NOVEMBER 14, 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: THE BOARD OF COUNTY COMMISSIONERS PRESENTED A CERTIFICATE OF RECOGNITION TO PAUL TIEMAN IN RECOGNITION OF 50 YEARS OF SERVICE PROVIDING FIRE PROTECTION TO THE CITIZENS OF CLERMONT COUNTY, OHIO.

LET THE RECORD SHOW: THE BOARD OF COUNTY COMMISSIONERS PRESENTED A PLAQUE FROM THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION TO DAVID L. SPINNEY, CLERMONT COUNTY ADMINISTRATOR, IN HONOR OF HIS 30 YEARS OF SERVICE TO LOCAL GOVERNMENT. MR. SPINNEY WAS RECOGNIZED FOR SIGNIFICANT CONTRIBUTIONS AND ACHIEVEMENTS IN THE ADVANCEMENT OF LOCAL GOVERNMENT ADMINISTRATION.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 191-07/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt Resolution Number **191-07** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) and Procurement Card Transaction Report presented by the County Auditor 11/13/07 in the total amount of \$2,546,167.25, 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; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION NUMBER 192-07/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION FOR THE PURCHASE OF FIVE (5) REPLACEMENT TRANSIT VEHICLES USING CONGESTION MITIGATION & AIR QUALITY (CMAQ) FUNDING FOR FEDERAL FISCAL YEAR 2008...07-1105-002...ADOPTED

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

Recommendation of Benjamin S. Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **192-07** resolving to authorize the Director of Clermont Transportation Connection to file an Application on behalf of the Clermont County Board of Commissioners with the Federal Transit Administration, District 5, 200 West Adams Street, Suite 320, Chicago, Illinois 60606 for the purchase of five (5) replacement transit vehicles using Congestion Mitigation & Air Quality (CMAQ) Funding in the amount of \$249,600.00, with a local match in the amount of \$62,400.00 to be provided from the CTC Capital Fund and/or General Fund, for a total program amount of \$312,000.00.

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

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

IN RE: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION NUMBER 193-07/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION THROUGH THE OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS FOR THE PURCHASE OF ONE (1) REPLACEMENT TRANSIT VEHICLE USING FEDERAL NEW FREEDOM FUNDING FOR FEDERAL FISCAL YEAR 2008...07-1114-003...ADOPTED

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

Recommendation of Benjamin S. Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **193-07** resolving to authorize the Director of Clermont Transportation Connection to file an Application on behalf of the Clermont County Board of Commissioners with the Federal Transit Administration, District 5, 200 West Adams Street, Suite 320, Chicago, Illinois, 60606 through the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, 720 East Pete Rose Way, Cincinnati, Ohio 45202 for the purchase of one (1) replacement transit vehicle using Federal New Freedom Funding, in the amount of \$86,400.00, with a local match in the amount of \$21,600.00 to be provided from the CTC Capital Fund and/or General Fund, for a total program amount of \$108,000.00, and further to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Letter of Availability of Matching Funds 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, Yea.

IN RE: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION NUMBER 194-07/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION THROUGH THE OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS FOR THE CREATION OF A NEW BUS ROUTE IN THE MILFORD AND GOSHEN AREAS USING JOB ACCESS/REVERSE COMMUTE FUNDING FOR FEDERAL FISCAL YEARS 2008 THROUGH 2010...07-1114-002...ADOPTED

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

Recommendation of Benjamin S. Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **194-07** resolving to authorize the Director of Clermont Transportation Connection to file an Application on behalf of the Clermont County Board of Commissioners with the Federal Transit Administration, District 5, 200 West Adams Street, Suite 320, Chicago, Illinois, 60606 through the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, 720 East Pete Rose Way, Cincinnati, Ohio 45202 for the creation of a new bus route in the Milford and Goshen areas using Job Access/Reverse Commute Funding for Federal Fiscal Years 2008 through 2010, in the amount of \$290,577.08, with a local match in the amount of \$290,577.08 to be provided from the CTC Capital Fund and/or General Fund over the three (3) year period, for a total program amount of \$581,154.16, and further to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Letter of Availability of Matching Funds in and as it relates thereto.

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

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

LET THE RECORD SHOW: MARTIN ELY, OF THE HUMAN RESOURCES DEPARTMENT, WAS PRESENT THIS DATE TO INTRODUCE NEW COUNTY EMPLOYEES TO THE BOARD OF COUNTY COMMISSIONERS.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... SERVICE AGREEMENT WITH MOTOROLA, INC. FOR THE PROVISION OF MAINTENANCE SERVICES FOR THE COUNTY'S 800 MHZ VOICE AND DATA RADIO USER DEVICES...07-1101-001...EXECUTED

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

Recommendation of Elizabeth 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 by and between the County of Clermont, Ohio, and Motorola, Inc., 1307 East Algonquin Road, Schaumburg, Illinois 60196 for the provision of maintenance services for the County's 800 MHz Voice and Data Radio User Devices, in the amount of \$22,500.00, effective 11/11/07 through 11/10/08, 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/THE TELECOMMUNICATIONS DIVISION...LOCAL GOVERNMENT PERMIT WITH CINCINNATI BELL TELEPHONE FOR FIBER CABLE ATTACHMENTS TO POLES AND FIXTURES ALONG FILAGER ROAD AND HASKELL LANE LOCATED WITHIN THE VILLAGE OF BATAVIA AND/OR BATAVIA TOWNSHIP ...07-1105-001...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, 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 the Local Government Permit (Permit Number 2007-NEC-04) by and between the Board of County Commissioners of Clermont County, Ohio, and Cincinnati Bell Telephone, P.O. Box 2301, 221 East 4th Street, Building 343, Cincinnati, Ohio 45201 for fiber cable attachments on eleven poles and fixtures owned by Cincinnati Bell Telephone along Filager Road and Haskell Lane located within the Village of Batavia and/or Batavia Township at no cost to the County, effective upon execution, and further to authorize the County Administrator to execute any Addendums to this Permit for additions and/or deletions of cable attachments relative thereto, 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: CLERMONT COUNTY SEWER DISTRICT...REJECTION OF ALL BIDS

**RELATIVE TO YARD RESTORATION CONTRACTED SERVICES
SUBSEQUENT TO THE CONCLUSION OF VARIOUS WATER AND
SEWER PROJECTS WITHIN CLERMONT COUNTY...07-0816-
005...APPROVED**

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

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to reject all bids received on 09/20/07 relative to Yard Restoration Contracted Services subsequent to the conclusion of various water and sewer projects located within Clermont County, pursuant to and in compliance with Section 307.86 of the Ohio Revised Code relative to the terms and conditions of public bidding.

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 SEWER DISTRICT...CHANGE ORDER NUMBER 2
TO THE CONTRACT WITH BUILDING CRAFTS, INC. FOR PROJECT
NUMBER 651-0845 RELATIVE TO THE CONSTRUCTION OF THE
O'BANNON CREEK WASTEWATER TREATMENT PLANT
RENOVATIONS PROJECT SITUATED WITHIN GOSHEN TOWNSHIP...05-
1007-004...EXECUTED**

Moved by Mrs. Walker, seconded by Mr. Croswell, 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 (Contract Number 651-08451) with Building Crafts, Inc., 2 Rosewood Drive, Wilder, Kentucky 41076, previously ratified by the Board of County Commissioners on 02/28/06 and subsequently amended on 09/05/07, for Project Number 651-0845 relative to the O'Bannon Creek Wastewater Treatment Plant Renovations Project situated within Goshen Township, which represents an increase in the amount of \$21,245.00 for a total adjusted contract price to date of \$2,382,768.00 and an extension of time of 200 consecutive calendar days for a revised contract completion date of 10/05/07, 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. Croswell, Yes; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...
CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH JERRY ALLEN
AND ASSOCIATES FOR PROJECT NUMBER 2006-01 RELATIVE TO THE
BATAVIA TOWNSHIP COMMUNITY PARK PICNIC SHELTER PROJECT
IN CONCERT WITH THE COMMUNITY DEVELOPMENT BLOCK
GRANT FORMULA PROGRAM FOR FISCAL YEAR 2006...07-0612-
001...EXECUTED**

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

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute Change Order Number 1 to the Contract with Jerry Allen and Associates, 6940 Stringtown Road, Cable, Ohio

43009, previously ratified by the Board of County Commissioners on 09/26/07, for Project Number 2006-01 relative to the Batavia Township Community Park Picnic Shelter Project, in concert with the Community Development Block Grant Formula Program for Fiscal Year 2006, which represents an increase in the amount of \$1,909.00, for a total adjusted contract price to date of \$49,200.00 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, Yea.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...
CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH COOPER'S
EXCAVATING, LLC FOR PROJECT NUMBER 2006-02 RELATIVE TO
THE VILLAGE OF NEWTONSVILLE STORM WATER AND ROADWAY
SYSTEMS PROJECT IN CONCERT WITH THE COMMUNITY
DEVELOPMENT BLOCK GRANT FORMULA PROGRAM FOR FISCAL
YEAR 2006...07-0622-001...EXECUTED**

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

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute Change Order Number 1 to the Contract with Cooper's Excavating, LLC, 7251 Bethlehem Road, Winchester, Ohio 45697, previously ratified by the Board of County Commissioners on 08/15/07, for Project Number 2006-02 relative to the Village of Newtonsville Storm Water and Roadway Systems Project, in concert with the Community Development Block Grant Formula Program for Fiscal Year 2006, which represents an increase in the amount of \$21,525.00, for a total adjusted contract price to date of \$79,934.00 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. Croswell, Yes; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...CONTRACT WITH
NEW RICHMOND FIRE AND EMS DEPARTMENT FOR THE PROVISION
OF CPR AND FIRST AID TRAINING FOR TYPE B AND PARENT
PROVIDER INSPECTED (PPI) IN-HOME CERTIFIED CHILD CARE
PROVIDERS FOR SAME...07-1105-004...EXECUTED**

Moved by Mrs. Walker, seconded by Mr. Croswell, 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 an Agreement by and between the County of Clermont, Ohio, and the New Richmond Fire and EMS Department, 300 Hamilton Street, New Richmond, Ohio 45157 for the provision of CPR and First Aid Training to Type B and Parent Provider Inspected (PPI) In-Home Certified Child Care Providers as defined therein, for a total amount not to exceed \$1,128.00, effective 11/17/07 through 5/17/08, pursuant to the terms and conditions specified therein.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILD SUPPORT ENFORCEMENT DIVISION...AMENDMENT NUMBER ONE TO THE IV-D SERVICE CONTRACT WITH THE CLERMONT COUNTY PROSECUTING ATTORNEY FOR THE PROVISION OF SERVICES FOR SAME...07-0316-005...EXECUTED

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 execute Amendment Number One to the IV-D Service Contract by and between the County of Clermont, Ohio, and the Clermont County Prosecuting Attorney, 123 N. Third Street, Batavia, Ohio 45103, previously ratified by the Board of County Commissioners on 03/28/07, for the provision of services relative to Child Support Enforcement, including legal services for criminal non-support cases on behalf of the Department of Job and Family Services/Child Support Enforcement Division, which represents an increase to the total number of operating unit/hours from 16,521 to 17,100, a decrease to the unit rate from \$79.80 to \$77.10, an increase to the number of IV-D units from 1,200 to 1,340, and an increase to the total amount of the contract from \$95,760.00 to \$103,314.00, effective 11/01/07, with all other terms and conditions of the original Contract 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: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH THE PRESSLEY RIDGE SCHOOLS FOR THE PROVISION OF TREATMENT FOSTER CARE AND INTENSIVE HOME BASED SERVICES FOR SAME...07-1105-003...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, 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 a Purchase of Service Agreement by and between the County of Clermont, Ohio, and The Pressley Ridge Schools, 2368 Victory Parkway, Suite 600, Cincinnati, Ohio 45206 for the provision of treatment foster care and intensive home based 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 of \$80.00 and \$40.00 a day, respectively, effective 10/01/07 through 09/30/08, pursuant to the terms and conditions specified therein.

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

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

IN RE: COUNTY ENGINEER...RESOLUTION NUMBERS 195-07 AND 196-07/RESOLUTIONS DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER UN-13-01 RELATIVE TO THE SR 125 AND GLENESTE-WITHAMSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT LOCATED IN UNION TOWNSHIP...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 Numbers **195-07 and 196-07** resolving to proceed to file Petitions for Appropriation of Real Property as identified in Exhibits 1 with Attachments thereto, and as outlined below, 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 resolving to authorize the Declarations of Intent to Take Possession to be filed and to authorize the following sums to be deposited with the Clerk of Courts, of Clermont County, Ohio, which represents the County Engineer's appraisals of the value of the real property to be appropriated and damages, if any, thereto as stated in the Declarations of Intent to Take Possession, as designated in Exhibit 2, attached thereto and made a part thereof, and contingent upon the issuance of purchase orders therefore:

Property Owners	Parcel Number	Amount
Pingree 2000 Real Estate Holdings, LLC 3670 Park 42 Drive Cincinnati, Ohio 45241 Property Location: 825 State Route 125, Union Township Resolution Number 195-07 DC# 07-1114-004	41-32-19.-038	\$9,904.00
Ethel M. Schroeder, Trustee Successor Trustee Under the Amended and Restated Trust Agreement Dated 07/03/96 as Amended 02/04/04 513 Overhill Lane Cincinnati, Ohio 45238 Property Location: 820 State Route 125 and 3978 Gleneste-Withamsville Road, Union Township Resolution Number 196-07 DC# 07-1114-005	41-32-19.-016 41-32-19.-017	\$225,300.00

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...ACCEPTANCE OF THE CONTRACT WITH R.B. JERGENS CONTRACTORS, INC. FOR PROJECT NUMBER UN-52-97 RELATIVE TO THE CLOUGH PIKE AND SHAYLER/MCMANN ROAD INTERSECTION IMPROVEMENTS PROJECT LOCATED WITHIN UNION TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 9, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...05-1017-001...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 R.B. Jergens Contractors, Inc., P.O. Box 309, Vandalia, Ohio, 45377, for Project Number UN-52-97, relative to the Clough Pike and Shayler/McMann Road Intersection Improvements Project located within Union Township as Complete as of 05/24/07 and to approve the Estimate for Partial Payment Number 9, Final, which represents the release of retainage in the principal amount of \$65,440.00, 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...ASHTON WOODS SUBDIVISION/SECTION TWO/BLOCK B/MIAMI TOWNSHIP...RELEASE OF PERFORMANCE BOND AS SURETY FOR SIDEWALKS FOR SAME...03-0718-006...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 One Year Performance Bond for Sidewalks in the amount as follows for the following subdivision within Miami Township:

Subdivision	Performance Bond
Ashton Woods Subdivision Section Two/Block B Miami Township	\$5,000.00

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...PARK PLACE SUBDIVISION/SECTION THREE/UNION TOWNSHIP...RELEASE OF PERFORMANCE BOND AS SURETY FOR SIDEWALKS FOR SAME...03-0616-006...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 release the Three Year Performance Bond for Sidewalks in the amount as follows for the following subdivision within Union Township:

Subdivision	Performance Bond
Park Place Subdivision Section Three Union Township	\$16,000.00*
*Secured by Irrevocable Standby Letter of Credit CIS401503 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD 10903C, Cincinnati, Ohio 45263	

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

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

IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF A TUITION ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY EMPLOYEE...07-0622-006...EXECUTED

Moved by Mr. Croswell, seconded by Mrs. Walker, 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 execute a Tuition Assistance Agreement submitted by the following employee for participation in the Clermont County Tuition Assistance Program and to authorize reimbursement in the amount as outlined below, pursuant to Section 4.12 of the

Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Program/Class Name(s)	Amount
Clermont County Sewer District Giles Thrift	Industrial Electrical Maintenance 1. Basic Shop Math 2. Basics of Industrial Electricity	\$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: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF APPOINTMENTS TO SERVE ON THE CLERMONT COUNTY CONVENTION AND VISITORS BUREAU, INC. BOARD OF TRUSTEES...APPOINTED

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

Recommendation to appoint the following individual(s) to serve on the Clermont County Convention and Visitors Bureau, Inc. Board of Trustees for the term(s) as outlined below:

Name/Address	Term
David Kennedy 2339 Franklin Laurel Road New Richmond, Ohio 45157 (Succeeds Barb Wiedenbein) DC# 07-1108-002	11/14/07 through 08/31/10
Patricia McCaw Hotel Industry Representative Comfort Inn & Suites 4421 Aicholtz Road Cincinnati, Ohio 45245 (Succeeds Terry Morgan) DC# 07-1108-001	11/14/07 through 08/31/10

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...RECISSION OF MOTION AUTHORIZING NOTIFICATION TO THE OHIO PUBLIC DEFENDER COMMISSION OF INTENT TO TERMINATE THE CLERMONT COUNTY PUBLIC DEFENDER COMMISSION AND AUTHORIZATION OF NOTIFICATION OF INTENT TO CONTINUE THE OPERATION OF THE CLERMONT COUNTY PUBLIC DEFENDER COMMISSION...07-1101-002...APPROVED

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

Resolves to rescind the motion previously approved by the Board of County Commissioners on 10/31/07 which directed 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, and further to authorize the County Administrator to notify the Ohio Public Defender Commission of their intent to continue operation of the Clermont County Public Defender Commission, pursuant to and in compliance with Section 120.13 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...RECISSION OF MOTION REDUCING THE 2007 ANNUAL APPROPRIATIONS FOR THE CLERMONT COUNTY PUBLIC DEFENDER...06-1129-002...APPROVED

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

Resolves to rescind the motion previously approved by the Board of County Commissioners on 10/31/07 directing 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:

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

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 197-07/RESOLUTION AUTHORIZING PLAN PARTICIPANTS TO BORROW FUNDS FROM THE COUNTY COMMISSIONERS ASSOCIATION OF OHIO DEFERRED COMPENSATION PROGRAM ADMINISTERED BY GREAT-WEST RETIREMENT SERVICES...07-1114-006...ADOPTED

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 adopt Resolution Number **197-07** resolving to amend the County Commissioners Association of Ohio Section 457 Deferred Compensation Plan as administered by Great-West under Plan Number 340001-01 heretofore adopted by the Board of County Commissioners pursuant to Resolution Number 6-77 on 10/13/77, and any related documentation be and the same hereby is amended to implement a loan program in order to allow employees to borrow money from their Section 457 Deferred Compensation Plan in accordance with the Loan Policy Administration Agreement, attached thereto and made a part thereof, and further that the President of the Board of County Commissioners is hereby authorized upon review by the Office of the Prosecuting Attorney to execute and implement a loan guide program, including a Loan Policy Agreement to the County Commissioners Association of Ohio CCAO/Great-West and to do all things necessary to implement the loan program for participants in the 457 Deferred Compensation Plan.

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...RESOLUTION NUMBER 198-07/RESOLUTION AUTHORIZING PLAN PARTICIPANTS TO BORROW FUNDS FROM THE ICMA RETIREMENT CORPORATION DEFERRED COMPENSATION PLAN AND TRUST...07-1114-007...ADOPTED

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

Recommendation of David L. Spinney, County Administrator, to adopt Resolution Number **198-07** resolving to amend the ICMA Retirement Corporation Deferred Compensation Plan and Trust heretofore adopted by the Board of County Commissioners pursuant to Resolution Number 168-01 on 09/12/01 and any related documentation be and the same hereby is amended to implement a loan program in order to allow employees to borrow money from their Section 457 Deferred Compensation Plan in accordance with the Loan Guidelines Agreement, attached thereto and made a part thereof, and further that the President of the Board of County Commissioners is hereby authorized upon review by the Office of the Prosecuting Attorney to execute and implement a loan guide program, including a Loan Guidelines Agreement to ICMA-RC and to do all things necessary to implement the loan program for participants in the 457 Deferred Compensation Plan.

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 ECONOMIC DEVELOPMENT...RESCISSION OF THE MOTIONS AUTHORIZING COUNTY CONTRIBUTIONS TO THE CLERMONT COUNTY CIC, INC. TO COVER A PORTION OF THE COST OF THE CORPORATION PURSUANT TO THE AGREEMENT BY AND BETWEEN CLERMONT COUNTY AND THE CLERMONT COUNTY CIC, INC...04-1112-004...APPROVED

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

Recommendation of Thomas L. Blust, Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, as a result of interpretation of Ohio Ethics Law by the Office of the Auditor of State involving payment under contract between the County and private, non-profit corporations, so as to avoid any appearance of impropriety, to rescind the motions authorizing four County contributions to the Clermont County CIC, Inc., 2379 Clermont Center Drive, Batavia, Ohio 45103, previously ratified by the Board of County Commissioners on 01/10/07, 04/18/07, 05/23/07 and 10/23/07, in the amounts of \$25,000.00, \$30,000.00, \$45,000.00 and \$125,000.00, respectively, toward the cost of the agency pursuant to Section 14 of the Agreement by and between Clermont County and Clermont County CIC, Inc., heretofore ratified by the Board of County Commissioners on 11/23/04.

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 ECONOMIC DEVELOPMENT...AUTHORIZATION OF COUNTY CONTRIBUTIONS TO THE CLERMONT COUNTY CIC, INC. TO COVER A PORTION OF THE COST OF THE CORPORATION PURSUANT TO THE AGREEMENT BY AND BETWEEN CLERMONT COUNTY AND THE CLERMONT COUNTY CIC, INC...04-1112-004...RATIFIED

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

Recommendation of Thomas L. Blust, Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to authorize four County contributions to the Clermont County CIC, Inc., 2379 Clermont Center Drive, Batavia, Ohio 45103, in the amounts of \$25,000.00, \$30,000.00, \$45,000.00 and \$125,000.00, respectively, toward the cost of the agency pursuant to Section 14 of the Agreement by and between Clermont County and Clermont County CIC, Inc., heretofore ratified by the Board of County Commissioners on 11/23/04; to acknowledge that the first

three contributions/payments made on 01/24/07, 04/25/07 and 06/04/07 for voucher numbers 693496, 707822 and 713491, respectively, pursuant to the Agreement, are hereby ratified and approved as legitimate expenditures of public funds for which the County received the full benefit of services rendered in fulfillment of the stated public purpose of said Agreement; and further, to authorize the County Auditor to issue a check for voucher number 735150 in the amount of \$125,000.00 for the fourth contribution amount relative thereto.

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

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

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Croswell, to approve the minutes of Regular Session of **11/14/07** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

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

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

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

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

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

**ROBERT L. PROUD, PRESIDENT
MARY C. WALKER, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 11/14/07