

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 7, 2005, 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: Kevin Fink of Arthur J. Gallagher and Company provided a brief overview of the County's proposed Property, Casualty and Liability Insurance for Fiscal Year 2006. (DC# 05-1202-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 250-05/PAYMENT OF BILLS...ADOPTED

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

Recommendation to adopt Resolution Number **250-05** 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:

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

IN RE: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF PROPOSAL FROM ARTHUR J. GALLAGHER & COMPANY RELATIVE TO PROPERTY, CASUALTY, AND LIABILITY INSURANCE FOR THE COUNTY OF CLERMONT, OHIO...05-1202-001...ACCEPTED

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, and Thomas L. Blust, Chief Assistant Prosecuting Attorney, to accept the proposal identified as St. Paul's and Traveler's Insurance Companies as it relates to the purchase of property, casualty, and liability insurance for the County of Clermont, Ohio, for the period of 01/01/06 through 12/31/06, as indicated and entitled *Property & Liability Insurance Risk Management Program Renewal* submitted by Arthur J. Gallagher and Company, MK Ferguson Plaza, 1500 West Third Street, Suite 405, Cleveland, Ohio 44113, at an annual premium of \$610,775.00 and further to authorize David L. Spinney, County Administrator, to execute any and all documents 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: COUNTY TREASURER...EXTENSION OF PROFESSIONAL SERVICES CONTRACT WITH EUGENE W. JACOBS RELATIVE TO FISCAL MANAGEMENT AND TRAINING SERVICES FOR CLERMONT COUNTY, OHIO...02-1030-001...EXECUTED

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

Recommendation of J. Robert True, County Treasurer, with the concurrence of David L. Spinney, County Administrator, to execute the Extension of the Professional Services Contract by and between the County of Clermont, Ohio, and Eugene W. Jacobs, 13 Pinewild Drive, Pinehurst, North Carolina 28374, previously ratified by the Board on 11/13/02, and subsequently extended on 12/10/03, and 12/02/04, for fiscal management and training services, at a total cost not to exceed \$28,500.00, effective 01/01/06 through 12/31/06, with this Contract superseding all prior agreements between the parties for consulting services, pursuant to the terms and conditions specified therein, and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2006 and the issuance of a purchase order therefore.

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

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

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...
AMENDMENT TO THE AGREEMENT WITH GEAC PUBLIC SAFETY
FOR THE PROVISION OF MAINTENANCE SERVICES FOR THE
COMPUTER-AIDED DISPATCH SYSTEM SOFTWARE FOR SAME...04-
0302-001...EXECUTED**

Moved by Mr. Crowell, seconded by Mrs. Walker, 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 Amendment to the Agreement by and between the County of Clermont, Ohio, and GEAC Public Safety, 5509 West Gray Street, Tampa, Florida 33609, previously ratified by the Board of County Commissioners on 03/17/04 and subsequently amended on 02/02/05, for the provision of maintenance services for the Computer-Aided Dispatch System Software, for a total amount not to exceed \$97,432.50, effective 01/01/06 through 12/31/06, pursuant to the terms and conditions set forth therein, and with all other terms and conditions of the original Agreement and initial Amendment to remain in full force and effect, contingent upon the adoption of the Annual Appropriations for Fiscal Year 2006 and the issuance of a purchase order therefore.

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

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

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/THE
TELECOMMUNICATIONS DIVISION...STATEMENT OF WORK WITH
CINCINNATI BELL TECHNOLOGY SOLUTIONS INC. FOR THE
PROVISION OF UPGRADING THE BAUER ROAD CAMPUS PBX
TELEPHONE SYSTEM FOR SAME...05-1129-002...EXECUTED**

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

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security/The Telecommunications Division, with the concurrence of David L. Spinney, County Administrator, to execute a Statement of Work by and between the County of Clermont, Ohio, and Cincinnati Bell Technology Solutions Inc., 4850 Smith Road, Suite 100, Cincinnati, Ohio 45212 for the provision of upgrading the Bauer Road Campus PBX Telephone System, for a total amount of \$80,281.40, effective upon execution, pursuant to the Purchase Agreement ratified by the Board of County Commissioners on 01/25/05 and in compliance with the terms and conditions set forth therein.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...SOFTWARE MAINTENANCE AGREEMENTS WITH MAXIMUS, INC. FOR THE PROGRAM EXPENDITURE TRACKING SYSTEM (PET) AND THE PROJECT ACCOUNTING FOR CONTRACTS SYSTEM (PAC) FOR SAME...05-1123-003 AND 05-1123-005...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Crowell, 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 execute the Software Maintenance Agreements by and between the County of Clermont, Ohio, and Maximus, Inc., 700 Ackerman Road, Suite 150, Columbus, Ohio 43202, Remittance Address: Post Office Box 791188, Baltimore, Maryland 21279-1188, for the Program Expenditure Tracking System (PET) and the Project Accounting for Contracts System (PAC) for the Clermont County Department of Job and Family Services, at a cost not to exceed \$1,950.00 and \$1,700.00, respectively, effective 01/01/06 through 12/31/06, pursuant to the terms and conditions specified therein, and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2006 and the issuance of purchase orders therefore.

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

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

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...TERMINATION OF THE AGREEMENT WITH JOSEPH V. CRESCI, JR., M.D. FOR THE PROVISION OF PSYCHIATRIC ASSESSMENTS AND MEDICATION MONITORING SERVICES FOR SAME...05-0624-002...APPROVED

Moved by Mr. Crowell, 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 Cynthia DeWitt, Assistant County Administrator, to terminate the Agreement by and between the County of Clermont, Ohio, and Joseph V. Cresci, Jr., M.D., 4422 Carver Woods Drive, Cincinnati, Ohio 45242, previously ratified by the Board of County Commissioners on 07/06/05, for the provision of psychiatric assessments and medication monitoring services, effective 01/01/06, pursuant to Article 11 of said Agreement.

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

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

IN RE: COUNTY ENGINEER...AWARD OF BID FOR PROJECT NUMBER MI-33-95 RELATIVE TO THE BRANCH HILL GUINEA PIKE AND WARDS CORNER ROAD INTERSECTION IMPROVEMENTS PROJECT LOCATED IN MIAMI TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE THERETO...05-0902-010...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 award the bid for Project Number MI-33-95 relative to the Branch Hill Guinea Pike and Wards Corner Road Intersection Improvements Project located in Miami Township, pursuant to the plans and specifications therefore, to John R. Jurgensen Company, 11641 Mosteller Road, Cincinnati, Ohio 45241 for their lowest and best bid received therefore on 10/13/05, in the amount of \$1,194,296.65, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and the award of bid therefore.

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

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

IN RE: COUNTY ENGINEER...ESTATES AT STONE OAK SUBBDIVISION/ UNION TOWNSHIP...RELEASE OF COMBINED PERFORMANCE- MAINTENANCE BOND AND IN LIEU THEREOF ACCEPTANCE OF ONE YEAR MAINTENANCE BOND FOR SAME...01-0619-006...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 authorize the release of a Combined Performance-Maintenance Bond previously converted to the Maintenance Bond Phase for the following subdivision located within Union Township, and in lieu thereof, accept a One Year Maintenance Bond in the amount as follows:

Subdivision	Combined Performance-Maintenance	One Year Maintenance	Street/Length (miles)
Estates at Stone Oak Subdivision Union Township *Secured by Irrevocable Standby Letter of Credit Number CIS401082 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, Cincinnati, Ohio 45263	13,000.00*	\$13,000.00	Stone Oak Boulevard (0.135) English Oaks Court (0.282)

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...APPLE ROAD/BATAVIA TOWNSHIP... ACCEPTANCE OF AMENDMENT NUMBER 2 TO IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER CIS404208 ISSUED BY FIFTH THIRD BANK, CINCINNATI, OHIO, AS SURETY FOR COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...05-0902-012...ACCEPTED

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 Amendment Number 2 to Irrevocable Standby Letter of Credit Number CIS404208 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD10903C, Cincinnati, Ohio 45263 for the dedication of Apple Road located in Batavia Township, which only changes the number of the Irrevocable Standby Letter of Credit from CIS404208 to CIS404485 as surety for the Combined Performance-Maintenance Bond 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...FOREST GLEN SUBDIVISION/SECTION 1/BATAVIA TOWNSHIP...ACCEPTANCE OF AMENDMENTS NUMBER 1 AND 2 TO IRREVOCABLE STANDBY LETTERS OF CREDIT NUMBER CIS404212 AND CIS404211 ISSUED BY FIFTH THIRD BANK, CINCINNATI, OHIO, AS SURETY FOR COMBINED PERFORMANCE-MAINTENANCE BOND AND PERFORMANCE BOND FOR SIDEWALKS FOR SAME...05-1005-003...ACCEPTED

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 accept Amendments Number 1 and 2 to Irrevocable Standby Letters of Credit Number CIS404212 and CIS404211 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD10903C, Cincinnati, Ohio 45263 for Forest Glen Subdivision, Section 1, located in Batavia Township, which only changes the numbers of the Irrevocable Standby Letters of Credit from CIS404212 and CIS404211 to CIS404488 and CIS404487, respectively, as surety for the Combined Performance-Maintenance Bond and Performance Bond for Sidewalks relative thereto.

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...RENTAL AGREEMENT WITH PITNEY BOWES FOR THE RENTAL OF A DIGITAL METER AND DIGITAL MAIL MACHINE FOR SAME...05-1129-003...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute a Rental Agreement by and between the County of Clermont, Ohio, and Pitney Bowes, 27 Waterview Drive, Shelton, Connecticut 06484-4361 for the rental of a Digital Meter and Digital Mail Machine, Model Number DM300L, for the County Engineer, at an annual amount of \$1,248.00, with a total amount not to exceed \$6,240.00, effective 01/01/06 through 12/31/10, pursuant to the terms and conditions specified therein, and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2006 and the issuance of a purchase order therefore.

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...RECORD PLATS NUMBER 629-2382 THROUGH 629-2384 AND COMBINED PERFORMANCE-MAINTENANCE BONDS, AND/OR PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plats Number **629-2382 through 629-2384** for the following subdivisions and to execute the Combined Performance-Maintenance Bonds, and/or Performance Bonds for Sidewalks as surety for same relative to the construction of the below listed streets:

Subdivision	Performance-Maintenance	Sidewalk	Streets/Lengths (miles)
Woodland Streams Subdivision Section 2 and the Replat of Lot 106 located within Section 1, Block B Goshen Township Record Plat Number 629-2382 DC# 05-1202-012	\$570,000.00/\$19,000.00	\$52,700.00	Marsh Circle (0.34) Clemens Drive (0.13)
Mystic Woods Estates Subdivision Pierce Township Record Plat Number 629-2383 DC# 05-1202-014 Secured by Official Check Number 401478753, dated 11/08/05, issued by US Bank on behalf of James E. Donaldson	\$19,000.00/\$8,000.00*		Mystic Woods Drive (0.25)
Lexington Run Subdivision Twin Spires Phase 3 Batavia Township Record Plat Number 629-2384 DC# 05-1207-001 *Secured by Irrevocable Standby Letters of Credit Number SLCLSTL02081 and SLCLSTL02082 issued by US Bank National Association, International Dept. SL-MO-L2IL, 8 th and Locust Street, St. Louis, Missouri 63101	\$23,000.00/\$10,000.00*	\$20,500.00*	Citation Court (0.08) Secretariat Court (0.10)

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...RECORD PLATS NUMBER 629-2385 AND 629-2386 FOR THE REPLAT OF LOTS FOR THE FOLLOWING SUBDIVISIONS WITHIN UNION OR BATAVIA TOWNSHIPS...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plats Number **629-2385 and 629-2386** for the Replat of Lots in the following subdivisions within Union or Batavia Townships:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lot 25 Zagar Subdivision Union Township DC# 05-1202-011	629-2385	Sanitary Sewer Easement
Replat of Lots 15 & 16 MacFarland Subdivision Batavia Township DC# 05-1122-009	629-2386	To combine Lots 15 & 16 into new Lot 17

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...KELLY'S SUBDIVISION/STONELICK TOWNSHIP...RECORD PLAT NUMBER 629-2387 FOR SAME...05-1202-010...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2387** for Kelly's Subdivision, located within Stonelick Township, which includes Lot Numbers 1 through 7, with no Performance-Maintenance Bond for public improvements required.

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

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

LET THE RECORD SHOW: Rex Parson, Batavia Township Administrator, addressed the Board in regards to the Letter of Understanding relative to the establishment of Tax Increment Financing Districts in Batavia Township and advised it will benefit Batavia Township.

LET THE RECORD SHOW: Carol Snider, Legal Counsel for the Joint Fire District, addressed the Board regarding the financial impact the proposed establishment of Tax Increment Financing Districts will have on the Joint Fire District. Ms. Snider asked the Board to memorialize an agreement between the County and the Joint Fire District for the security of capital expenditures to be made for the District. The Board advised that due to changes in House Bill 66 less funds will be received and they can not promise the availability of funds to the District.

IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO EXECUTE A LETTER OF UNDERSTANDING WITH BATAVIA TOWNSHIP RELATIVE TO THE ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICTS IN BATAVIA TOWNSHIP, CLERMONT COUNTY, OHIO...

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

Recommendation for the Board of Clermont County Commissioners, to authorize David L. Spinney, County Administrator, to execute a Letter of Understanding by and between Clermont County, Ohio, and Batavia Township relative to the establishment of Tax Increment Financing Districts in Batavia Township, Clermont County, Ohio, with funds to be directed from service payments in lieu of taxes to eligible projects identified by Batavia Township for the Tax Increment Finance Districts as outlined in Exhibit A of the Letter of Understanding, 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.

LET THE RECORD SHOW: A MOTION BY MRS. WALKER, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 2:44 P.M. PURSUANT TO SECTION 121.22(G)(2) OF THE OHIO REVISED CODE TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 2:50 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: THAT A MOTION BY MRS. WALKER, SECONDED BY MR. PROUD, TO RECESS REGULAR SESSION AT 2:55 P.M. TO BE RECONVENED AT 3:30 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 4:23 P.M.

LET THE RECORD SHOW: A MOTION BY MRS. WALKER, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 4:24 P.M. PURSUANT TO SECTION 121.22(G)(2) OF THE OHIO REVISED CODE TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 5:30 P.M. WITH NO ACTION TAKEN. COMMISSIONER PROUD DID NOT REJOIN REGULAR SESSION.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Regular Session of **12/07/05** carried with all members present voting.

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

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

ROBERT L. PROUD, PRESIDENT

MARY C. WALKER, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

12/07/05
DATE APPROVED