

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 15, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.**

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 214-04/PAYMENT OF BILLS...ADOPTED**

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

Recommendation to adopt Resolution Number **214-04** resolving to sign all Recap Sheets covering all bills presented this date and authorizing payment of same except as noted.

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

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

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF BATAVIA TOWNSHIP, CLERMONT COUNTY, OHIO, THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY, OHIO, CONCEPTS, INC., AND BLETCHLEY PARK LLC, FOR THE EXEMPTION OF REAL AND PERSONAL PROPERTY TAXES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ENTERPRISE ZONE IN THE COUNTY OF CLERMONT, OHIO...04-1210-007...RATIFIED**

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

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Enterprise Zone Agreement by and between the Board of Trustees of Batavia Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Concepts, Inc., an Ohio Corporation with its main offices located at 9309 Montgomery Road, Cincinnati, Ohio 45242, and Bletchley Park LLC, an Ohio Corporation with its main offices located at 9309 Montgomery Road, Cincinnati, Ohio 45242, for the granting of a sixty (60) percent tax exemption for five (5) years on real property improvements, and a sixty (60) percent tax exemption for five (5) years on all machinery and equipment made as part of the PROJECT as identified in the referenced agreement, said exemptions commencing no later than Tax Year 2007 and not extending beyond Tax Year 2011, pursuant to Section 5709.61 through 5709.69 inclusive of the Ohio Revised Code and in compliance with the terms and conditions set forth therein in consideration of the investment to be made by Concepts, Inc. and Bletchley Park LLC, for the expansion and retention of economic development, as well as, the preservation and creation of employment opportunities within the designated boundaries of the Rural Jobs and Enterprise Zone in the County of Clermont, Ohio, and to direct the Clerk of the Board to forward the aforementioned Agreement by and between the Board of Trustees of Batavia Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Concepts, Inc., and Bletchley Park LLC, to the Ohio Department of Development, the Ohio Department of Taxation, and the Clermont County Auditor.

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

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

**IN RE: COUNTY SHERIFF...SUB-GRANT AWARD AGREEMENT FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES FOR GRANT NUMBER 2004-DG-A01-7126 ENTITLED CLERMONT COUNTY DRUG UNIT FOR SAME...04-0507-009...EXECUTED**

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

Recommendation of Allan L. Edwards, Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to accept the Sub-Grant Award from the Office of Criminal Justice Services for Grant Number 2004-DG-A01-7126 entitled Clermont County Drug Unit in the amount of \$173,014.00, with a local match in the amount of \$92,598.55 (\$50,000.00 from the General Fund and the balance from forfeitures and mandatory fine accounts) for a total project budget of \$265,612.55, for the period of 01/01/05 through 12/31/05, pursuant to the terms and conditions set forth therein, for and on behalf of the County Sheriff of the County of Clermont, Ohio, as the designated agency for the administration and implementation thereof, and further to authorize the execution of the Sub-Grant Award Agreement relative thereto.

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

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

**IN RE: COMMON PLEAS COURT/ADULT PROBATION... ACKNOWLEDGMENT OF THE SUBMISSION OF THE GRANT APPLICATION AND EXECUTION OF THE SUB-GRANT AWARD AGREEMENT FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES FOR GRANT NUMBER 2004-DG-C01-7084 ENTITLED INTENSIVE TREATMENT PROGRAM FOR SAME...04-1215-002...RATIFIED**

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

Recommendation of Bruce Gibson, Director, Common Pleas Court/Adult Probation, with the concurrence of David L. Spinney, County Administrator, to acknowledge the submission of a Grant Application filed with the Office of Criminal Justice Services for second year funding through the Byrne Memorial Grant Program for Grant Number 2004-DG-C01-7084 entitled Intensive Treatment Program and to accept the Sub-Grant Award in the amount of \$37,203.00 therefore, with a local match in the amount of \$12,401.00 from the Mental Health and Recovery Board, for a total project budget of \$49,604.00, for the period of 01/01/05 through 12/31/05, pursuant to the terms and conditions set forth therein, for and on behalf of the Common Pleas Court/Adult Probation of the County of Clermont, Ohio, as the designated agency for the administration and implementation thereof, and further to authorize the execution of the Sub-Grant Award Agreement relative thereto.

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

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

**IN RE: OFFICE OF ENVIRONMENTAL QUALITY...AGREEMENT WITH UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (US EPA)**

**FOR THE LEASE OF THE EXPERIMENTAL STREAM FACILITY (ESF)  
AT THE LOWER EAST FORK WASTEWATER TREATMENT PLANT...04-  
1210-009...EXECUTED**

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

Recommendation of Paul Braasch, Coordinator, Office of Environmental Quality, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the County of Clermont, Ohio, and the United States Environmental Protection Agency (US EPA), 26 W. Martin Luther King Drive, Cincinnati, Ohio 45268, for the Lease of the Experimental Stream Facility (ESF) at the Lower East Fork Wastewater Treatment Plant for the purposes of environmental testing and experimenting, for a total amount of \$8,500.00 per year, effective 12/15/04 through 12/15/09, pursuant to the terms and conditions set forth therein.

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

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

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT  
...CANCELLATION OF THE PROJECT ENTITLED 3M PRECISION LENS  
ACCESS ROAD AND TERMINATION OF AN OHIO DEPARTMENT OF  
DEVELOPMENT ROADWORK DEVELOPMENT FUND (629) GRANT  
AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF  
DEVELOPMENT, RELATIVE FOR SAME...03-0612-014...APPROVED**

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

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of David L. Spinney, County Administrator, to cancel the Project entitled 3M Precision Lens Access Road and to terminate a Grant Agreement by and between the County of Clermont, Ohio, and the State of Ohio, Department of Development, 77 South High Street, P.O. Box 1001, Columbus, Ohio 43216-1001, for the provision of funding relative to the Roadwork Development Fund (629) for the Project entitled 3M Precision Lens Access Road, previously approved by the Board on 06/17/03, and further to authorize Mary C. Walker, President of the Board, to sign a letter to the State of Ohio indicating the same.

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

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

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF  
SERVICE AGREEMENTS WITH VARIOUS PROVIDERS FOR THE  
PROVISION OF RESIDENTIAL TREATMENT, VARIOUS LEVELS OF  
FOSTER CARE, INDEPENDENT LIVING AND GROUP HOME SERVICES  
FOR SAME...EXECUTED**

Moved by Mr. Proud, 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 Cynthia DeWitt, Assistant County Administrator, to execute the Purchase of Service Agreements by and between the County of Clermont, Ohio, and the providers identified below, for

the provision of residential treatment, various levels of foster care, independent living, and group home 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 as identified therein, effective 01/01/05 through 12/31/05, pursuant to the terms and conditions specified therein, and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2005 and the issuance of purchase orders therefore.

<b>Provider</b>	<b>Services Provided</b>
Agape for Youth, Inc. 7755 Paragon Road, Suite 105 Centerville, Ohio 45459 DC# 04-1203-012	Treatment and Traditional Foster Care
Bellefaire Jewish Children's Bureau 22001 Fairmount Blvd. Shaker Heights, Ohio 45118 DC# 04-1203-013	Residential Treatment Foster Care Independent Living
The Presbyterian Child Welfare Agency Buckhorn Children's Center of Ohio P.O. Box 49, 7132 C.R. 121 Chesterville, Ohio 43317-0049 DC# 04-1207-002	Treatment Group Home
Children's Center of Ohio, Inc. 85 County Road 53, Kitts Hill, Ohio 45645 AND 55 Allison Road Patriot, Ohio 45658 DC# 04-1203-008	Residential Treatment
Focus on Youth, Inc. 8904 Brookside Avenue West Chester, Ohio 45069 DC# 04-1203-009	Standard and Treatment Foster Care
Indiana Developmental Training Center, Inc. 11075 N. Pennsylvania St. Indianapolis, Indiana 46280 (facility) AND 3700 Rome Dr., Lafayette Indiana 47905 (facility) Billing Address: P.O. Box 278 Dousman, Wisconsin 53118 DC# 04-1203-010	Residential Treatment
Mended Reeds, Inc. 4676 St. Rt. 93 Ironton, Ohio 45638 DC# 04-1207-003	Residential Treatment Family Foster Care
Ohio Youth Advocate Program, Inc. 6233 Riverside Drive, 2 South Dublin, Ohio 43017 DC# 04-1207-005	Treatment Foster Care Residential Treatment Independent Living
One Way Farm of Fairfield, Inc. 6131 River Road Fairfield, Ohio 45014 DC# 04-1203-011	Group Home Services
Options Treatment Center Acquisition Corporation 5602 Caito Drive Indianapolis, Indiana 46226 DC# 04-1207-004	Residential Treatment Group Home
Specialized Alternatives for Families & Youth of Ohio (SAFY) 10100 Elida Road Delphos, Ohio 45833 DC# 04-1203-007	Foster Care Independent Living Emergency Shelter/Receiving Center

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

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

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF CLERMONT COUNTY COMMISSIONERS, ON BEHALF OF THE CLERMONT TRANSPORTATION CONNECTION FOR TRANSPORTATION SERVICES FOR SAME...04-1203-006...EXECUTED**

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

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to execute a Memorandum of Understanding by and between the Clermont County Department of Job and Family Services and the Board of Clermont County Commissioners, on behalf of the Clermont Transportation Connection, for the purchase of transportation services for participants in the Enhanced Medicaid and At-Risk Pregnancy Transportation programs, at the rate of \$24.98 per trip, including no shows, late cancels and for each additional person requiring transportation, and \$0.14 per mile (capital reimbursement, based on percentage of total miles traveled per month), effective 12/01/04 through 11/30/05, pursuant to the terms and conditions specified therein.

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT WITH CENTRAL LOCATING SERVICE, LTD. FOR WATER AND SEWER UTILITY LOCATING AND MARKING SERVICES...04-1213-004...EXECUTED**

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

Recommendation of Stephen L. Knipp, Assistant Director of Utilities, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute the Contract by and between the County of Clermont, Ohio, and Central Locating Service, Ltd., 708 Blair Mill Road, Willow Grove, Pennsylvania 19090, for locating and marking water and sewer lines at a per unit cost of \$10.00 per utility per locate, if both water and sewer utilities are located, and \$13.00 per single utility locate, for a total amount not to exceed \$25,000.00, effective 01/01/05 through 12/31/05, pursuant to the terms and conditions set forth therein, and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2005 and the issuance of a purchase order therefore.

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...RESOLUTION NUMBER 215-04/RESOLUTION DETERMINING TO PROCEED WITH PROJECT NUMBER 621-0890 RELATIVE TO THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE KLONDYKE ROAD, BAILEY DRIVE, OVERLOOK DRIVE WATER ASSESSMENT PROJECT SITUATED WITHIN MIAMI TOWNSHIP...04-1210-003...ADOPTED**

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

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G.

Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **215-04** determining to proceed with the construction, operation and maintenance of the water petition project known as the Klondyke Road, Bailey Drive, Overlook Drive Water Assessment Project, as set forth in Exhibit "A", attached thereto and made a part thereof, situated within Miami Township and designated as Project Number 621-0890, in conformance with the detailed plans, specifications, estimates of cost and financing, and tentative assessment roll as herein ratified and confirmed, all of which shall be paid from special assessment of benefited properties as identified in Exhibit "B", attached thereto and made a part thereof, and/or special assessment bonds in anticipation of the collection thereof, and a portion of the project costs paid by the County Waterworks System Capital Improvements Fund, in full compliance with 6117.06 of the Ohio Revised Code.

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...AWARD OF BID FOR PROJECT NUMBER 651-0861 RELATIVE TO THE FELICITY WASTEWATER TREATMENT PLANT GENERATOR PROJECT LOCATED IN FRANKLIN TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE THERETO...04-0930-002...RATIFIED**

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

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to award the bid for Project Number 651-0861 relative to the purchase and delivery of the Felicity Wastewater Treatment Plant Generator, located in Franklin Township, pursuant to the plans and specifications therefore, to Buckeye Power Sales, 7782 Service Center Drive, West Chester, Ohio 45069, for their lowest and best bid therefore received on 10/28/04, at the item price as outlined therein, for a total amount not to exceed \$68,824.00, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and the award of bid therefore.

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT FOR PROFESSIONAL SERVICES WITH BLACK & VEATCH CORPORATION FOR THE PROVISION OF ENGINEERING, ARCHITECTURAL AND/OR CONSULTING SERVICES FOR PROJECT NUMBER 621-0989 RELATIVE TO AN ENGINEERING STUDY FOR THE DISINFECTION BY-PRODUCTS AND LONG TERM TO ENHANCED SURFACE WATER TREATMENT RULE (DBP&LT2ESWTR)...04-1203-002...EXECUTED**

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

Recommendation of Moustafa Moteleb, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and Black & Veatch Corporation, 8400 Ward Parkway, Kansas City, Missouri 64114, for the provision of engineering, architectural and/or consulting services for Project Number 621-0989 relative to an engineering study for the Disinfection By-Products and Long Term to Enhanced Surface Water Treatment Rule,

for a total amount not to exceed \$45,695.00, with said services to be completed within 180 consecutive calendar days upon issuance of written Notice to Proceed from the Office of the Sanitary Engineer, pursuant to the terms and conditions set forth therein.

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...GRANT OF WATER EASEMENT WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO FOR PROJECT NUMBER 621-0782 RELATIVE TO THE STATE ROUTE 749 PUB TRANSMISSION MAIN PROJECT LOCATED IN PIERCE TOWNSHIP...04-1203-017...ACCEPTED**

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

Recommendation of Carole S. Schulze, Negotiator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grant of Water Easement with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing replacing and removing or reinstalling water utility lines and all incidental appurtenances required for the transportation of water in, on, under, and across the property of the Grantor for Project Number 621-0782 relative to the State Route 749 PUB Transmission Main Project located in Pierce Township, and to authorize execution of replat for same for the Permanent Easement and right-of-way granted thereby, as outlined below:

Project	Grantor	Parcel Number	Compensation
State Route 749 PUB Transmission Main Project Project Number 621-0782 Replat Number <b>629-2265</b>	Robert C. and Donna Kay Reynolds 3369 Derby Drive Cincinnati, Ohio 45245	27-28-12A-125	Perm Donated

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...GRANTS OF WATER EASEMENTS WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 621-0880 RELATIVE TO THE MT. CARMEL-TOBASCO ROAD 12" WATERLINE REPLACEMENT PROJECT LOCATED IN UNION TOWNSHIP...04-1210-010...ACCEPTED**

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

Recommendation of Carole S. Schulze, Negotiator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grants of Water Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing and removing or reinstalling water utility lines, pumping equipment and all incidental appurtenances required for the transportation of water in, on, under, and across the properties of the

Grantors for Project Number 621-0880 relative to the Mt. Carmel-Tobasco Road 12” Waterline Replacement Project located in Union Township, and to authorize execution of replat for same, and further to authorize the County Auditor to remit payment in the amounts outlined below and as indicated on the settlement sheets attached thereto as compensation for the Permanent Easements and Rights-of-Ways granted thereby and repairs relative thereto, as outlined below:

Project	Grantor	Parcel Number	Compensation
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880	Cecil C. and Lillian M. Cooper 4432 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-32-13E-048	Perm \$500.00 Repairs \$800.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880	Allen L. and Nena Naomi Campbell 4434 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-32-13E-049	Perm \$500.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880	McKee/Donovan Properties, LLC 539 Glenrose Lane Cincinnati, Ohio 45244	41-32-13E-047	Perm \$105.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Replat Number 629-2266	McKee/Donovan Properties, LLC 539 Glenrose Lane Cincinnati, Ohio 45244	41-41-01A-000A & 41-41-01A-000B	Perm \$1,007.00 Repairs \$500.00

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...GRANT OF SEWER EASEMENT WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, RELATIVE TO THE CONSTRUCTION OF A SEWER LINE EXTENSION FOR PAINTER SUBDIVISION IN THE VILLAGE OF BETHEL SITUATED IN TATE TOWNSHIP...04-1203-016...ACCEPTED**

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

Recommendation of Carole S. Schulze, Negotiator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grant of Sewer Easement with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing and removing or reinstalling, sewer collection lines, manholes and all incidental fixtures required for the transportation of sewage in, on, under, and across the property of the Grantor relative to the construction of a sewer line extension for Painter Subdivision in the Village of Bethel situated in Tate Township.

Grantor	Parcel Number	Compensation
Village of Bethel 120 N. Main Street Bethel, Ohio 45106	36-03-21.-048	Perm Donated

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

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

**IN RE: CLERMONT COUNTY SEWER DISTRICT...MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF WATER AND/OR SANITARY SEWER MAIN EXTENSIONS LOCATED IN MIAMI, STONELICK AND**

**BATAVIA TOWNSHIPS...EXECUTED**

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

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute Maintenance Bonds in the amounts outlined below as surety for the installation of Water and/or Sanitary Sewer Main Extensions to serve the following Subdivisions/Locations within Miami, Stonelick and Batavia Townships:

Subdivision/Location	Township	Water	Sewer
5813 Elwynn Drive Milford, Ohio 45150 DC# 04-1210-001	Miami		\$1,000.00
Presidential Estates* Section I Phase II DC# 04-1210-002  *Secured by Official Check Numbers 2669330 and 2669331 issued by Fifth Third Bank, Kentucky, Inc., Lexington, Kentucky, dated 12/07/04, in the amounts of \$2,250.00 and \$3,650.00.	Batavia	\$2,250.00	\$3,650.00
Sandy's Farm* Phase I DC# 04-1210-003  *Secured by Certified Check Number 5387 in the name of Harold Shevers, One Sporty's Drive, Batavia, Ohio 45103, dated 12/01/04, in the amount of \$2,000.00.	Batavia	\$2,000.00	
Sandy's Farm* Phase I and II DC# 04-1210-004  *Secured by Certified Check Number 5388 in the name of Harold Shevers, One Sporty's Drive, Batavia, Ohio 45103, dated 12/01/04, in the amount of \$2,000.00.	Batavia		\$2,000.00
Berger Drive* DC# 04-1210-006  *Secured by Official Check Number 387780964 issued by Provident Bank, Cincinnati, Ohio, dated 11/30/04, in the amount of \$1,000.00.	Stonelick	\$1,000.00	
Alpine Drive DC# 04-1210-006	Miami	\$2,000.00	

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

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

**IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 1 TO THE**

**CONTRACT WITH FRED A. NEMANN COMPANY FOR PROJECT NUMBER UN-09-02 RELATIVE TO THE BINNING ROAD BRIDGE REPLACEMENT PROJECT LOCATED IN UNION TOWNSHIP...04-0402-007...EXECUTED**

Moved by Mr. Crowell, 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 execute Change Order Number 1 to the Contract with Fred A. Nemann Company, 6480 Bender Road, Suite A, Cincinnati, Ohio 45233, previously ratified by the Board on 06/01/04, for Project Number UN-09-02 relative to the Binning Road Bridge Replacement Project located in Union Township, which represents an increase in the amount of \$333.16, for a total adjusted contract price to date of \$342,954.16, for additions, deletions and/or modifications thereto as defined therein.

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

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

**IN RE: COUNTY ENGINEER...MARION'S WAY SUBDIVISION/PIERCE TOWNSHIP...RECORD PLAT NUMBER 629-2267 AND COMBINED PERFORMANCE-MAINTENANCE BOND AS SURETY FOR SAME...04-1210-017...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Crowell, 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 **629-2267** for Marion's Way Subdivision located in Pierce Township, and further to execute the Combined Performance-Maintenance Bond as surety for same relative to the construction of the below listed streets:

Subdivision/Location	Performance/Maintenance	Streets/Lengths (miles)
Marion's Way* Pierce Township  *Secured by Irrevocable Standby Letter of Credit Number 60-201689-7C issued by Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249.	\$18,000.00/ \$ 8,000.00	Marion's Way (0.150)

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

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

**IN RE: COUNTY ENGINEER... WATERFORD ESTATES SUBDIVISION/BATAVIA TOWNSHIP...RESOLUTION NUMBER 216-04/CONVERSION OF COMBINED PERFORMANCE-MAINTENANCE BOND...02-0208-001...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Crowell, 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 **216-04** to convert the Combined Performance-Maintenance Bond in the amounts listed below as surety, for the construction of streets in the stated lengths within Waterford Estates Subdivision in Batavia Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision/Location	Performance/Maintenance	Streets/Lengths (miles)
Waterford Estates* Batavia Township Resolution Number <b>216-04</b> DC# 02-0208-001  *Secured by Irrevocable Standby Letter of Credit Number CIS40121, issued by Fifth Third Bank, International Department, 38 Fountain Square Plaza, Cincinnati, Ohio 45263.	\$177,000.00/\$16,000.00	Homewood Court (0.131) Waterstone (0.249)

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

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

**IN RE:            BOARD OF COUNTY COMMISSIONERS...PUBLIC OFFICIAL BOND FOR COUNTY CORONER...04-1213-006...RATIFIED**

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

Recommendation to approve and sign Public Official Bond Number 2-967-257-1 in the amount of \$5,000.00 for Brian M. Treon who was duly elected County Coroner for the County of Clermont, Ohio, for a term of four years commencing 01/03/05 and ending 01/04/09 and, subsequent thereto, to authorize payment of the premium therefore in the amount of \$325.00 to Charles J. Miller Insurance Agency, Inc., 191 Main Street, Batavia, Ohio 45103, pursuant to Section 313.03 of the Ohio Revised Code. Public Official Bond to be filed in the Office of the County Auditor.

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

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

**IN RE:            BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF RE-APPOINTMENT TO THE CLERMONT COUNTY BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES...96-1230-001...APPROVED**

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

Recommendation to re-appoint Thomas A. Wildey, 1843 Clermontville Laurel Road, New Richmond, Ohio 45140, to the Clermont County Board of Mental Retardation and Developmental Disabilities, for the term 01/01/05 through 12/31/08, pursuant to Section 5126.02 of the Ohio Revised Code.

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

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

**IN RE: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF THE ELECTRICAL CONTRACT WITH HILVERT AND POPE ELECTRIC INC., RELATIVE TO THE CONSTRUCTION OF THE CLERMONT COUNTY MUNICIPAL COURT PROJECT, AS COMPLETE, AND EXECUTION OF THE CERTIFICATE OF SUBSTANTIAL COMPLETION, AND FURTHER TO APPROVE THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 16, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...03-0314-010...RATIFIED**

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

Recommendation of Sukie Scheetz, Controller, Office of Management and Budget, with the concurrence of Thomas Mantel, Special Projects Coordinator, Facilities Management Department, to accept the Electrical Contract with Hilvert and Pope Electric Inc., 11070 Southland Road, Cincinnati, Ohio 45240, relative to the Construction of the Clermont County Municipal Court Project, as complete as of 08/24/04, and to execute the Certificate of Substantial Completion, and further to approve the Estimate for Partial Payment Number 16, Final, which represents the release of retainage in the principal amount of \$39,980.00, plus any accrued interest earned relative thereto.

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

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

**LET THE RECORD SHOW:** Sukie Scheetz, Controller, Office of Management and Budget, presented the Board with a summary of the changes to the Annual Appropriations for the County of Clermont, Ohio, for Fiscal Year 2005. Total appropriations for Fiscal Year 2005 are \$230.4 M, with \$51.7 M allotted for General Fund Appropriations.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 217-04/RESOLUTION ESTABLISHING THE LEGAL LEVEL OF CONTROL AND ADOPTION OF THE ANNUAL APPROPRIATIONS FOR THE COUNTY OF CLERMONT, OHIO, FOR FISCAL YEAR 2005...04-1208-004...ADOPTED**

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

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **217-04** establishing the legal level of control for the 2005 Annual Appropriations, authorizing the Office of Management and Budget to administer all transfer requests within the controlled groups and adopting the Annual Appropriations for the County of Clermont, Ohio, for Fiscal Year 2005, pursuant to and in compliance with Section 5705.38 of the Ohio Revised Code.

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

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

**IN RE: BOARD OF COUNTY COMMISSIONERS...PETITION FOR ANNEXATION OF 449.23 ACRES FROM WILLIAMSBURG TOWNSHIP TO THE VILLAGE OF WILLIAMSBURG, CLERMONT COUNTY, OHIO, PURSUANT TO SECTION 709.023 OF THE OHIO REVISED CODE...04-1103-003...WITHDRAWN**

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

Recommendation to approve the Petitioner's request to withdraw the Petition for Annexation of 449.23 Acres from the unincorporated area of Williamsburg Township, Clermont County, Ohio, to the Village of Williamsburg, Clermont County, Ohio, filed in the Office of the Board of County Commissioners on Wednesday, November 3, 2004, at 2:22 P.M., by Michael Minniear, Attorney at Law, 626 Main Street, Milford, Ohio 45150, for and on behalf of Lynn Tetley, 107 West Main Street, Williamsburg, Ohio 45176, the designated Agent for the Petitioners, Richard A. Fehrman, Trustee of the Richard A. Fehrman Revocable Trust dated 03/12/92 and William Randall Wade, Successor Trustee of the Charlene Hathorn Living Trust dated June 3, 1998, pursuant to Section 709.023 of the Ohio Revised Code received on December 2, 2004, at 9:18 A.M. .

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

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

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

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

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

**CASH TRANSFER OF FUNDS:**

\$ 43,111.00	From General Fund – Public Safety Grants 100-4018-7230-0427 to Municipal Court Capital Fund 427-0427-4811
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Upon roll call on the foregoing motion, the vote was as follows:

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

**LET THE RECORD SHOW:** That a motion by Mr. Crowell, seconded by Mr. Proud, to approve the minutes of Regular Session of 12/15/04 carried with all members present voting.

**IN RE: ADJOURNMENT...**

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

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

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

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



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

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**MARY C. WALKER, PRESIDENT**

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**ROBERT L. PROUD, VICE PRESIDENT**

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**R. SCOTT CROSWELL III, MEMBER**

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**JUDITH KOCICA, CLERK OF THE BOARD**

**12/15/04**

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**DATE APPROVED**