

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 15, 2006, 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 OUR FLAG.

LET THE RECORD SHOW: The Board presented Sherry L. Cooper, Clermont County Building Inspection employee, with a Certificate of Recognition for her dedication of seventeen years of service to Clermont County. They further expressed their appreciation and commended her efforts over the years.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 215-06/PAYMENT OF BILLS...ADOPTED

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

Recommendation to adopt Resolution Number **215-06** 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. Crosswell, Yes; Mrs. Walker, Yes.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...ENTERPRISE ZONE AGREEMENT ASSIGNMENT AND FIRST AMENDMENT THERETO BY AND BETWEEN THE BOARD OF TRUSTEES OF WILLIAMSBURG TOWNSHIP, CLERMONT COUNTY, OHIO, THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY, OHIO, CORE COMPOSITES CINCINNATI, LLC, AND DIVERSIFIED GLASS, INC., SUCCESSOR IN INTEREST TO CINCINNATI FIBERGLASS, INC., FOR ABATEMENT OF PERSONAL PROPERTY WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ENTERPRISE ZONE IN THE COUNTY OF CLERMONT, OHIO...99-0622-015...RATIFIED

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

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Enterprise Zone Agreement Assignment and First Amendment thereto by and between the Board of Trustees of Williamsburg Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Core Composites Cincinnati, LLC, a division of Core Molding Technologies, an Ohio Limited Liability Company with its main offices located at 4174 Half Acre Road, Batavia, Ohio 45103, and Diversified Glass, Inc., an Ohio Corporation with its main offices located at 4174 Half Acre Road, Batavia, Ohio 45103, on behalf of itself and as successor in interest to Cincinnati Fiberglass, Inc., **for the assumption of the personal property portion and revised employment commitments** relative to the Rural Enterprise Zone Agreement ratified by the Board of County Commissioners on 06/23/99, granting a sixty percent (60%) tax exemption for seven (7) years on real and personal property improvements made as part of the project as identified in the referenced Agreement, said exemptions commencing no later than December 2002 and not extending beyond 2008, 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 Core Composites Cincinnati, LLC, and Diversified Glass, Inc., successor in interest to Cincinnati

Fiberglass, 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 Williamsburg Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Core Composites Cincinnati, LLC, and Diversified Glass, Inc., successor in interest to Cincinnati Fiberglass, Inc., 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. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...ENTERPRISE ZONE AGREEMENT FIRST AMENDMENT THERETO BY AND BETWEEN THE BOARD OF TRUSTEES OF BATAVIA TOWNSHIP, CLERMONT COUNTY, OHIO, THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY, OHIO, RECORD EXPRESS, LLC, AND NADINE ALBENZE SMITH PROPERTIES, LLC, FOR ABATEMENT OF REAL PROPERTY WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ENTERPRISE ZONE IN THE COUNTY OF CLERMONT, OHIO...06-0612-002...RATIFIED

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

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Enterprise Zone Agreement First Amendment thereto by and between the Board of Trustees of Batavia Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Record Express, LLC, an Ohio Limited Liability Company with its main offices located at 400 Techne Center Drive, Suite 101, Milford, Ohio 45150, and Nadine Albenze Smith Properties, LLC, an Ohio Limited Liability Company with its main offices located at 2101 Dean Road, Bethel, Ohio 45106 **to change the project site from Parcel Number 01-20-11B-094 to Parcel Number 01-20-07D-116** relative to the Enterprise Zone Agreement ratified by the Board of County Commissioners on 06/14/06 granting a fifty percent (50%) tax exemption for seven (7) years on real property improvements made as part of the project as identified in the referenced Agreement, said exemptions commencing no later than Tax Year 2009 and not extending beyond Tax Year 2015, 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 Record Express, LLC, and Nadine Albenze Smith Properties, 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, Record Express, LLC, and Nadine Albenze Smith Properties, 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: OFFICE OF ECONOMIC DEVELOPMENT...APPLICATION HOSTING SERVICES AGREEMENT WITH GIS PLANNING, INC. FOR THE USE OF A WEB-BASED GEOGRAPHIC INFORMATION SYSTEM FOR BUSINESS ATTRACTION AND RETENTION IN CLERMONT COUNTY...06-1128-005...EXECUTED

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

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to authorize Andrew T. Kuchta, Director, Office of Economic Development, to execute an Application Hosting Services Agreement by and between the County of Clermont, Ohio, and GIS Planning, Inc., 330 Townsend Street, Suite 207, San Francisco, California, 94107 for the use of a web-based geographic information system to provide a property database and demographic mapping system for business attraction and retention in Clermont County, in the amount of \$15,600.00, effective 12/15/06 through 12/14/07, pursuant to the terms and conditions set forth therein and in compliance with Section 307.07 (B)(2) 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: DEPARTMENT OF JOB AND FAMILY SERVICES...CONTRACT FOR PROFESSIONAL SERVICES WITH SHEREE LYNCH, R.N., M.Ed., FOR THE PROVISION OF OMBUDSMAN SERVICES FOR SAME...06-1201-017...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 David L. Spinney, County Administrator, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and Sheree Lynch, R.N., M.Ed., for the provision of ombudsman services relative to the Children's Protective Services Division of the Department of Job and Family Services, at the rate of \$50.00 per hour plus mileage at the standard reimbursement rate as set by the Internal Revenue Service, and an amount of \$400.00 for expenses incurred for insurance required exclusively for the performance of duties under said Contract, for a total amount not to exceed \$10,000.00, effective 12/15/06 through 12/14/07, pursuant to the terms and conditions specified therein, contingent upon the receipt and approval of stated insurance requirements per the terms and conditions set forth therein.

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 VARIOUS LEVELS OF FOSTER CARE, INDEPENDENT LIVING, INDIVIDUAL COUNSELING, RESIDENTIAL TREATMENT, AND ADOPTION 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 David L. Spinney, County Administrator, to execute Purchase of Service Agreements by and between the County of Clermont, Ohio, and the providers identified below for the provision of various levels of foster care, independent living, individual counseling, residential treatment, and adoption 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, contingent upon

the issuance of purchase orders therefore.

Provider Name/Address	Service(s) Provided	Effective Date
Specialized Alternatives for Families and Youth of Ohio, Inc. 10100 Elida Road Delphos, Ohio 45833 DC# 06-1204-001	Foster Care Independent Living Emergency Shelter/Receiving Center Foster Care Residential Treatment Adoption Services	01/01/07 through 12/31/07
Indiana Developmental Training Center, Inc. 11075 N. Pennsylvania Street Indianapolis, Indiana 46280 (facility) and 3700 Rome Drive Lafayette, Indiana 47905 (facility) and P.O. Box 278 Dousman, Wisconsin 53118 (billing address) DC# 06-1201-016	Residential Treatment	01/01/07 through 12/31/07
Ohio Youth Advocate Program, Inc. 6233 Riverside Drive, 2 South Dublin, Ohio 43017 (facility) and 3780 Ridge Mill Drive Hillard, Ohio 43026 (facility) DC# 06-1201-015	Treatment Foster Care Independent Living Individual Counseling	01/01/07 through 12/31/07

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...SOFTWARE MAINTENANCE AGREEMENT WITH MAXIMUS, INC. FOR THE PROGRAM EXPENDITURE TRACKING (PET) SYSTEM FOR SAME...06-1201-006...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 David L. Spinney, County Administrator, to authorize Mary C. Walker, President of the Board of County Commissioners, to execute a Software Maintenance Agreement by and between the County of Clermont, Ohio, and Maximus, Inc., 700 Ackerman Road, Suite 150, Columbus, Ohio 43202, remittance address: P.O. Box 79118, Baltimore, Maryland 21279-1188 for the Program Expenditure Tracking (PET) System for the Department of Job and Family Services, at a cost not to exceed \$2,050.00, effective 01/01/07 through 12/31/07, pursuant to the terms and conditions specified therein, contingent upon the issuance of a purchase order therefore.

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

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

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... AUTHORIZATION TO EXECUTE 800 MHZ FREQUENCY RECONFIGURATION AGREEMENTS WITH NEXTEL OPERATIONS, INC. AND SPRINT NEXTEL CORPORATION FOR 800 MHZ BAND RECONFIGURATION OF THE EMERGENCY COMMUNICATIONS SYSTEM...06-1211-002...APPROVED

Moved by Mr. Proud, 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 authorize the County Administrator to execute 800MHz Frequency Reconfiguration Agreements and all documents relative thereto, on behalf of the Board of Clermont County Commissioners, with Nextel Operations, Inc. and Sprint Nextel Corporation for 800 MHz Band Reconfiguration of the Emergency Communications System, to assure compliance with FCC Orders issued 08/06/04 and 12/22/04.

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 TECHNOLOGY, COMMUNICATIONS, AND SECURITY... AGREEMENT WITH MOBILCOMM, INC. FOR AN UPGRADE MODIFICATION OF THE PUBLIC SAFETY PAGING SYSTEM IN CONCERT WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, OFFICE FOR DOMESTIC PREPAREDNESS FISCAL YEAR 2005, STATE HOMELAND SECURITY GRANT PROGRAM...06-1201-013...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, 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 authorize Mary C. Walker, President of the Board of County Commissioners, to execute an Agreement by and between the County of Clermont, Ohio, and Mobilcomm, Inc., 1211 West Sharon Road, Cincinnati, Ohio 45240, the assigned local authorized service provider for Clermont County's Communications System, for installation services for an upgrade modification of the Public Safety Paging System, for an amount not to exceed \$41,180.80, to be paid from a combination of the U.S. Department of Homeland Security, Office for Domestic Preparedness Fiscal Year 2005 State Homeland Security Grant Program Funds and local General and Emergency Management Agency Funds, 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: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY... CONTRACTS FOR PUBLIC IMPROVEMENT MINOR PROJECTS WITH VARIOUS VENDORS FOR THE PROVISION OF LIMITED WORK SERVICES FOR SAME...RATIFIED

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

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to ratify the Contracts for Public Improvement Minor Projects by and between the Board of Clermont County Commissioners and the following vendors, previously executed by the County Administrator, for the provision of limited work services for the Office of Technology, Communications and Security/Facilities Management Department in accordance with the scope of services as identified in Exhibits A, attached thereto and made part thereof, at the amounts as outlined below, including all charges and expenses therefore, pursuant to the terms and conditions set forth therein:

Vendor	Project	Amount
Comtek Interiors, Inc. 11630 Rockfield Court Cincinnati, Ohio 45241 DC# 06-1213-002	Board of Elections Renovation	\$1,804.55
Comtek Interiors, Inc. 11830 Rockfield Court Cincinnati, Ohio 4241 DC# 06-1213-003	Corcoran West Project	\$8,383.00
The Handy Window Shade Company 905 Vine Street Cincinnati, Ohio 45202 DC# 06-1213-004	Corcoran West Project	\$1,968.00
Midwest Painting & Decorating 2850 Dryden Road Dayton, Ohio 45439 DC# 06-1213-005	Corcoran West Project	\$13,800.00
Professional Furniture Service, Inc. 95 West Main Street Amelia, Ohio 45102 DC# 06-1213-006	Clermont County Old Courthouse Remodel Project	\$5,000.00
Schindler Elevator Corporation 2210 Reading Road Cincinnati, Ohio 45202 DC# 06-1213-008	Clermont County Old Courthouse Remodel Project	\$3,892.00
Schindler Elevator Corporation 2210 Reading Road Cincinnati, Ohio 45202 DC# 06-1213-009	Clermont County Old Courthouse Remodel Project	\$9,314.00
Timerk & Associates, Inc. 1259 U.S. Route 50 Milford, Ohio 45150 DC# 06-1213-010	Clermont County Old Courthouse Remodel Project	\$2,065.00
Singleton Roofing P.O. Box 68 New Richmond, Ohio 45157 DC# 06-1213-011	Permit Center Roof Ballast Improvements	\$11,517.00
Anderson Hills Woodworking, Inc. P.O. Box 44178 Cincinnati, Ohio 45244 DC# 06-1213-012	Medical Social Services Board of Education Renovation	\$3,815.00
The Handy Window Shade Company 905 Vine Street Cincinnati, Ohio 45202 DC# 06-1213-013	Medical Social Services Board of Education Renovation	\$1,923.22
Anderson Hills Woodworking, Inc. P.O. Box 44178 Cincinnati, Ohio 45244 DC# 06-1213-014	Medical Social Services Nursing Division Renovation	\$2,000.00
Comtek Interiors 11830 Rockfield Court Cincinnati, Ohio 45241 DC# 06-1213-015	Medical Social Services Nursing Division Renovation	\$21,215.83
The Handy Window Shade Company 905 Vine Street Cincinnati, Ohio 45202 DC# 06-1213-016	Medical Social Services Nursing Division Renovation	\$2,438.78
Timerk & Associates, Inc. 1259 U.S. Route 50 Milford, Ohio 45150 DC# 06-1213-018	Medical Social Services Nursing Division Renovation	\$457.00
TSI, LLC P.O. Box 764 Franklin, Ohio 45005 DC# 06-1213-019	Medical Social Services Nursing Division Renovation	\$3,665.00
A&A Safety, Inc. 1126 Ferris Road Amelia, Ohio 45102 DC# 06-1213-020	Medical Social Services Building Facility Parking Lot Repairs	\$18,186.75

Terry Asphalt Materials, Inc. 8600 Berk Boulevard Hamilton, Ohio 45015 DC# 06-1213-021	Clermont County Airport Resurfacing	\$14,465.00
Jeter Systems Corporation P.O. Box 44134 Cincinnati, Ohio 45244 DC# 06-1213-022	Domestic Relations Court Clerks Mobile File System Floor Reinforcement Project	\$9,750.00
Skeets Humphries Construction, LLC P.O. Box 151 Milford, Ohio 45150 DC# 06-1213-023	Clermont County Juvenile Court Office Addition	\$6,475.86
Bell Consulting Group, Inc. 5801 Mariemont Avenue Cincinnati, Ohio 45227 DC# 06-1213-024	Office of Technology, Communications and Security Temporary Service Technician	\$12,000.00

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 OR SEWER EASEMENTS WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR VARIOUS WATER/SEWER PROJECTS LOCATED IN UNION OR MIAMI TOWNSHIPS...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 or Sewer Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, removing, replacing, or reinstalling water or sewer utility lines and all incidental appurtenances required for the transportation of water or sewage in, on, under, and across the properties of the Grantors for various water/sewer projects located in Union or Miami Townships and to authorize the County Auditor to remit payment in the amounts as 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:

Project	Grantor	Parcel Number(s)	Compensation
Gleneste-Withamsville Road/Old St. Rt. 74 Water Replacement Project Project Number 621-0955 Union Township DC# 06-1201-010	Henry F. Williams 4323 Gleneste-Withamsville Road Cincinnati, Ohio 45245	41-31-04A-072	Perm \$563.00 Repairs \$600.00
Bramblewood Sewer Trunk Line Project Project Number 651-0841 Miami Township DC# 06-1201-011	The Board of Trustees of Miami Township 5900 McPicken Drive Milford, Ohio 45150 Property Location: Price Road	18-40-29D-084 18-25-15G-065 18-25-15G-064 18-25-20I-059	Perm \$6,000.00
Montclair Boulevard Sewer Line Miami Township DC# 06-1201-012	Imbus Enterprises Limited Partnership 874 State Route 28 Milford, Ohio 45150	18-25-16A-044	Perm \$0.00 Repairs \$1,650.00

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...CHANGE ORDER NUMBER 3 TO THE CONTRACT (CONTRACT NUMBER 651-07113) WITH LANGDON, INC. FOR PROJECT NUMBER 651-0710 RELATIVE TO THE HALL RUN SANITARY FLOW EQUALIZATION PROJECT LOCATED WITHIN UNION TOWNSHIP...05-0506-012...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, 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 Change Order Number 3 to the Contract (Contract Number 651-07113) with Langdon, Inc., 9865 Wayne Avenue, Cincinnati, Ohio 45215, previously ratified by the Board of County Commissioners on 05/18/05 and subsequently amended on 01/19/06 and 5/17/06, for Project Number 651-0710 relative to the Hall Run Sanitary Flow Equalization Project situated within Union Township, which represents an increase in the amount of \$10,709.68 for a total adjusted contract price to date of \$654,577.68 and an extension of time of 98 calendar days for a revised completion date of 09/26/06, for additions, deletions and/or modifications thereto as defined therein.

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...MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF WATER AND/OR SANITARY SEWER MAIN EXTENSIONS LOCATED IN PIERCE, UNION OR BATAVIA TOWNSHIPS...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, 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 within Pierce, Union or Batavia Townships:

Subdivision	Township	Water	Sewer
Merwin Farms Subdivision Phase 1 and 2 DC# 06-1201-009 *Secured by Cashier's Check Number 10668970 issued on 11/27/06 by Fifth Third Bank on behalf of Merwin Farms, LLC, 2712 Eric Avenue, Cincinnati, Ohio 45208	Pierce	\$4,700.00*	
Aspen Glen Subdivision Phase II DC# 06-1204-004 *Secured by Cashier's Check Numbers 10672132 and 10672193 issued on 11/28/06 by Fifth Third Bank on behalf of Aspen Property Development, LLC, P.O. Box 662, Loveland, Ohio 45140	Union	\$3,900.00*	\$5,550.00*
Forest Glen Subdivision Section II/Block B Batavia Township DC# 06-1211-001	Batavia	\$3,300.00*	\$6,500.00*

*Secured by Irrevocable Standby Letter of Credit Numbers CIS405882 and CIS405885 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD10903C, Cincinnati, Ohio 45202			
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

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 216-06/RESOLUTION AUTHORIZING THE CERTIFICATION OF SYSTEM CAPACITY CHARGES AND/OR METER AND INSTALLATION COSTS FOR CERTAIN RESIDENTIAL PROPERTY CONNECTIONS TO THE CLERMONT COUNTY WATERWORKS OR WASTEWATER SYSTEMS TO THE CLERMONT COUNTY AUDITOR FOR PLACEMENT ON THE REAL PROPERTY TAX LIST AND DUPLICATE FOR INSTALLMENT COLLECTION THEREOF AND TO ALLOW CERTIFICATION ON AN ANNUAL BASIS UPON ADDITIONAL REQUESTS BY PROPERTY OWNERS AND APPROVAL THEREOF BY THE CLERMONT COUNTY SEWER DISTRICT...06-1128-001...ADOPTED

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 David L. Spinney, County Administrator, to adopt Resolution Number **216-06** resolving to authorize the Clermont County Sewer District/Office of Management and Budget to certify system capacity charges and/or meter and installation costs for certain residential property connections to the Clermont County Waterworks and/or Wastewater Systems as identified in Exhibits A and B, attached thereto and made a part thereof, to the Clermont County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, for installment collection over a period of ten years in twenty equal installments, along with a certification fee of \$50.00 per year per connected residential property; and further, to allow certification on an annual basis for same upon additional requests by residential property owners in the future and approval thereof by the Clermont County Sewer District, pursuant to Sections 6103.02F and 6117.02B 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...DATAMATIC LICENSE AND MAINTENANCE AGREEMENT WITH DATAMATIC, LTD. RELATIVE TO SYSTEM SUPPORT AND MAINTENANCE OF THE ROADRUNNER HANDHELD COMPUTERS AND CRADLES FOR SAME...06-1201-008...EXECUTED

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

Recommendation of Sukie Scheetz, Controller, Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to execute a Datamatic License and Maintenance Agreement by and between County of Clermont, Ohio, and Datamatic, Ltd., 3600 K

Avenue, Plano, Texas 75074 relative to system support and maintenance of the Roadrunner Handheld Computers and Cradles for the Clermont County Sewer District, at a cost not to exceed \$2,621.04 annually, effective 02/01/07 through 01/31/08, pursuant to the terms and conditions specified therein, contingent upon 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...ACCEPTANCE OF THE CONTRACT WITH ESI, INC. FOR PROJECT NUMBER 651-0690 RELATIVE TO THE SEWER SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) PROJECT AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 11, FINAL, FOR THE PROGRESS PAYMENT AND RELEASE OF RETAINAGE RELATIVE THERETO...03-1010-005...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 Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the Contract by and between the County of Clermont, Ohio, and ESI, Inc., 4696 Devitt Drive, Cincinnati, Ohio 45246, for Project Number 651-0690 relative to the Sewer Supervisory Control and Data Acquisition (SCADA) Project to be utilized Countywide as Complete as of 10/01/06, and approval of the Estimate for Partial Payment Number 11, Final, which represents a progress payment in the amount of \$5,326.91 and the release of retainage in the principal amount of \$51,308.00, plus accrued interest earned thereon relative thereto; and further, to authorize the Clermont County Auditor to issue the referenced progress payment subsequent thereto.

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...ACCEPTANCE OF THE CONTRACT WITH MIAMI WESTERN CONTRACTORS, INC. FOR PROJECT NUMBER 621-0890 RELATIVE TO THE KLONDYKE ROAD/BAILEY DRIVE/OVERLOOK DRIVE AND U.S. 50 WATER ASSESSMENT PROJECT LOCATED WITHIN MIAMI TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 6, FINAL, FOR THE PROGRESS PAYMENT AND RELEASE OF RETAINAGE RELATIVE THERETO...05-0729-011...RATIFIED

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

Recommendation of Sukie Scheetz, Controller, Office of Management and Budget, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the Contract by and between the County of Clermont, Ohio, and Miami Western Contractors, Inc., 115 North Avenue, Cincinnati, Ohio 45215 for Project Number 621-0890 relative to the Klondyke Road/Bailey Drive/Overlook Drive and U.S.50 Water Assessment Project located within Miami Township as Complete as of 07/24/06, and to approve the Estimate for Partial Payment Number 6, Final, which represents a progress payment in the amount of \$160.60 and the release of retainage in the principal amount of \$24,883.04, with the retainage principal released in two checks: (1) a check payable jointly to Miami Western Contractors, Inc. and J.R. Jurgensen Company in the amount of

\$19,738.00 with no accrued interest earned thereon, as J.R. Jurgensen Company is a subcontractor to Miami Western Contractors, Inc. for said project and is still owed money on the project, and (2) a check payable to Miami Western Contractors, Inc. in the amount of \$5,145.04 plus accrued interest earned thereon relative thereto; and further, to authorize the County Auditor to issue the referenced progress payment subsequent thereto.

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 H.V.A.C. CONTRACT WITH FELDKAMP ENTERPRISES, INC. RELATIVE TO THE CLERMONT COUNTY JAIL ADDITION PROJECT AS COMPLETE; EXECUTION OF THE CERTIFICATE OF SUBSTANTIAL COMPLETION; AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 16, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...04-1102-003...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 Wade Grabowski, Director, Facilities Management Department, to accept the H.V.A.C. Contract by and between the County of Clermont, Ohio, and Feldkamp Enterprises, Inc., 3642 Muddy Creek Drive, Cincinnati, Ohio 45238 relative to the Clermont County Jail Addition Project as Complete as of 02/15/06, to execute the Certificate of Substantial Completion therefore; and to approve the Estimate for Partial Payment Number 16, Final, which represents the release of retainage in the principal amount of \$48,020.00, plus accrued interest earned thereon 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: BOARD OF COUNTY COMMISSIONERS...AWARD OF BID FOR THE PROVISION OF SERVICES OR FACILITIES TO BE PROVIDED TO THE SENIOR CITIZENS OF CLERMONT COUNTY, OHIO, DURING CALENDAR YEAR 2007 IN CONJUNCTION WITH THE 1.3 MILL TAX LEVIED UPON REAL PROPERTY OF THE COUNTY OF CLERMONT, OHIO, AND EXECUTION OF CONTRACT RELATIVE THERETO...06-1103-001...RATIFIED

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

Recommendation of David L. Spinney, County Administrator, to award the bid for the provision of services or facilities to be provided to the senior citizens of Clermont County, Ohio, as those persons are defined in the "Older American's Act of 1965" 42 U.S.C., Sections 3001, et. seq., during Calendar Year 2007, in conjunction with the 1.3 mill tax levied upon real property of the County of Clermont, Ohio, pursuant to the specifications therefore, to Clermont Senior Services, Inc., P.O. Box 118, 2085-A Front Wheel Drive, Batavia, Ohio 45103, for their bid received on 11/30/06 for the full amount of the net proceeds of the 1.3 mill tax levy for senior citizens collected in 2007, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and the award of bid therefore, contingent upon the issuance of a purchase order therefore.

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 JUVENILE COURT...AMENDMENT NUMBER 1 TO THE OHIO DEPARTMENT OF YOUTH SERVICES JUVENILE COURT GRANT AGREEMENT AND FUNDING APPLICATION FOR THE PROVISION OF INTEGRATED FUNDING AND SERVICES FOR THE RECLAIM OHIO (401) GRANT SUBSIDY AND THE YOUTH SERVICES (510) GRANT SUBSIDY PROGRAMS...05-0729-010...EXECUTED

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

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to authorize Mary C. Walker, President of the Board of County Commissioners, to execute Amendment Number 1 to the Ohio Department of Youth Services Juvenile Court Grant Agreement and Funding Application by and between the County of Clermont, Ohio, and the State of Ohio, Department of Youth Services, 51 North High Street, Columbus, Ohio 43215, previously ratified by the Board of County Commissioners on 08/02/06, for the provision of integrated funding and services for the Reclaim Ohio (401) Grant Subsidy and the Youth Services (510) Grant Subsidy Programs for the Clermont County Juvenile Court, to reflect a decrease in the actual carryover of funds in the amount of \$14,420.49 for the Reclaim Ohio (410) Grant from \$1,600,000.00 to \$1,585,579.51 and an increase in the actual carryover of funds in the amount of \$3,354.52 for the Youth Services (510) Grant from \$158,000.00 to \$161,354.52 for Fiscal Year 2006; and further, to reflect adjustments to various program costs for Fiscal Year 2007 as outlined below for a total revised Program Budget of \$2,054,622.00:

Reclaim Ohio and Youth Services Grant Subsidy Programs	Original Budget	Adjustment	Revised Grant Amount
Program Administration	\$ 146,299.00	\$ 8,885.00	\$ 155,184.00
Probation	\$ 255,124.00	-\$14,384.00	\$ 240,740.00
Residential Treatment	\$ 151,370.00		\$ 151,370.00
Wrap Around Services	\$ 225,689.00		\$ 225,689.00
Family Preservation/HBS	\$ 709,610.00		\$ 709,610.00
Conflict Mediation	\$ 27,000.00		\$ 27,000.00
Youth Intervention Groups	\$ 9,000.00		\$ 9,000.00
Monitoring/Surveillance	\$ 16,200.00		\$ 16,200.00
Work Detail	\$ 114,156.00		\$ 114,156.00
Law Enforcement Services	\$ 6,000.00		\$ 6,000.00
Prevention	\$ 162,019.00		\$ 162,019.00
Volunteers	\$ 67,834.00		\$ 67,834.00
Clinical Assessments	\$ 162,320.00		\$ 162,320.00
Drug Testing	\$ 7,500.00		\$ 7,500.00
Total Program Costs	\$2,060,121.00	-\$5,499.00	\$2,054,622.00

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

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

IN RE: COUNTY ENGINEER...AGREEMENT WITH THE VILLAGE OF BATAVIA FOR PROJECT NUMBER BA-05-05 RELATIVE TO THE CLOUGH PIKE RELOCATION PROJECT LOCATED WITHIN THE VILLAGE OF BATAVIA...06-1130-002...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the County of Clermont, Ohio, and

the Village of Batavia, 389 East Main Street, Batavia, Ohio 45103 for Project Number BA-05-05 relative to the Clough Pike Relocation Project located within the Village of Batavia, with the County Engineer having already secured funding from the Ohio Public Works Commission (OPWC) in the amount of \$434,200.00, which requires local matching funds to be paid to the County Engineer by the Village of Batavia in an amount not to exceed \$364,326.00, pursuant to the terms and conditions set forth therein.

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

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

IN RE: COUNTY ENGINEER...CONTRACT FOR PROFESSIONAL SERVICES WITH URS CORPORATION OF OHIO FOR PROJECT NUMBER BA-02-01 RELATIVE TO THE OLD STATE ROUTE 32/NORFOLK SOUTHERN RAILROAD BRIDGE REPLACEMENT PROJECT LOCATED WITHIN BATAVIA TOWNSHIP...06-1208-005...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and URS Corporation of Ohio, 36 East 7th Street, Suite 2300, Cincinnati, Ohio 45202 for consulting engineering services relative to the Old State Route 32/Norfolk Southern Railroad Bridge Replacement Project located within Batavia Township, at a cost not to exceed \$34,206.07, with said services to be completed by 12/31/06 upon issuance of a written Notice to Proceed from the Office of the County 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: COUNTY ENGINEER...CHANGE ORDER NUMBER 1 TO 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 IN UNION TOWNSHIP...05-1017-001...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 1 to the Contract with R.B. Jergens Contractors, Inc., P.O. Box 309, Vandalia, Ohio 45377, previously ratified by the Board of County Commissioners on 03/01/06, for Project Number UN-52-97 relative to the Clough Pike and Shayler/McMann Road Intersection Improvements Project located in Union Township, which represents a decrease in the amount of \$31,943.53, for a total adjusted contract price to date of \$1,604,056.47 and an extension of time of 306 calendar days for a revised completion date of 06/01/07, for additions, deletions and/or modifications thereto as defined therein.

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

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

IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH D.D.K. CONSTRUCTION, INC. FOR PROJECT NUMBER PI-10-06 RELATIVE TO THE NORDYKE ROAD LANDSLIDE STABILIZATION PROJECT PHASE II LOCATED IN PIERCE TOWNSHIP...06-0706-002...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 1 to the Contract with D.D.K. Construction Inc., 7259 Dog Trot Road, Cincinnati, Ohio 45248, previously ratified by the Board of County Commissioners on 09/01/06, for Project Number PI-10-06 relative to the Nordyke Road Landslide Stabilization Project Phase II located in Pierce Township, which represents an increase in the amount of \$35,677.50, for a total adjusted contract price to date of \$264,447.50, 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; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...ACCEPTANCE OF THE CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR PROJECT NUMBER UN-33-96 RELATIVE TO THE ELICK LANE ROADWAY IMPROVEMENTS PROJECT LOCATED IN UNION TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 4, FINAL, FOR THE RELEASE OF RETAINAGE RELATIVE THERETO...05-1209-021...RATIFIED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the Contract by and between the County of Clermont, Ohio, and John R. Jurgensen Company, 11641 Mosteller Road, Cincinnati, Ohio 45241 for Project Number UN-33-96 relative to the Elick Lane Roadway Improvements Project located in Union Township as Complete as of 06/30/06 and to approve the Estimate for Partial Payment Number 4, Final, which represents the release of retainage in the principal amount of \$20,301.91, plus accrued interest earned thereon 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: COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2478 AND 629-2479 AND COMBINED PERFORMANCE-MAINTENANCE BONDS, AND/OR PERFORMANCE BONDS FOR SIDEWALKS AS SURETY FOR SAME...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2478 and 629-2479** for the following

Subdivisions within Batavia Township, and further 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 Bond	Sidewalk	Street/Length (miles)
Pine Run Subdivision Phase II Batavia Township Record Plat Number 629-2478 DC# 06-1201-014 *Secured by Cashier's Check Number 4703331 issued on 11/09/06 by PNC Bank, National Association, Cincinnati, Ohio, on behalf of Kapital Properties, LLC, 5991 Meijer Drive #14 Milford, Ohio 45150	\$10,000.00/\$10,000.00*		Pine Run Lane (0.06)
Forest Glen Subdivision Section II/Block B Batavia Township Record Plat Number 629-2479 DC# 06-1213-001 *Secured by Irrevocable Standby Letter of Credit Numbers CIS405883 and CIS405884 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD10903C, Cincinnati, Ohio 45202	\$38,000.00/\$10,000.00*	\$29,420.00*	Autumnview Drive (0.19) Millstream Drive (0.10)

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

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

IN RE: COUNTY ENGINEER...MEESE SUBDIVISION NO. 2/UNION TOWNSHIP...RECORD PLAT NUMBER 629-2480 FOR THE REPLAT OF LOTS WITHIN SAME...06-1208-004...EXECUTED

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2480** for the Replat of Lots in the following Subdivision within Union Township:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lots 117 and 118 of Replat of Lot 33 Meese Subdivision No. 2 Union Township	629-2480	To create new Lots 119 and 120

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

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

IN RE: HUMAN RESOURCES DEPARTMENT...APPROVAL OF AN AMENDMENT TO THE 2007 CLERMONT COUNTY EMPLOYEE MEDICAL BENEFIT PLAN...06-1004-001...APPROVED

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

Recommendation of David L. Spinney, County Administrator, to approve an Amendment to the 2007 Clermont County Employee Medical Benefit Plan, previously approved by the Board of County Commissioners on 10/11/06, to include bariatric procedures for the surgical treatment of morbid obesity as outlined below, effective 01/01/07 through 12/31/07, pursuant to and in compliance with the pre-certification process outlined therein:

In-Network Provider	80% or 90% after applicable deductible, limited to \$20,000 per lifetime.*
Out-of-Network Provider	Not covered.

*Charges in excess of \$20,000 are not covered.

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

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

IN RE: HUMAN RESOURCES DEPARTMENT...SETTLEMENT OF LEASE AGREEMENT WITH PITNEY BOWES, INC. FOR THE LEASE OF POSTAGE EQUIPMENT AND MAIL MANAGEMENT SOFTWARE SYSTEM FOR SAME...01-0830-003...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, 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 resolve to settle the Lease Agreement by and between the County of Clermont, Ohio, and Pitney Bowes, Inc., 1305 Executive Blvd., Suite 200, Chesapeake, Virginia 23320-3671, previously ratified by the Board of County Commissioners on 09/05/01, in the amount of \$9,838.08 for the lease of postage equipment and mail management software system, effective 12/15/06, pursuant to Pitney Bowes Settlement Letter dated 11/29/06; and further, to authorize the County Auditor to remit the settlement payment subsequent thereto.

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

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

IN RE: HUMAN RESOURCES DEPARTMENT...LEASE AGREEMENT AND ADDENDUM A WITH NEOPOST INC. FOR THE LEASE OF A NEOPOST DIGITAL MAILING AND ACCOUNTING SYSTEM FOR SAME...06-1208-010...EXECUTED

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

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to authorize Mary C. Walker, President of the Board of County Commissioners, to execute a Lease Agreement and Addendum A thereto by and between the County of Clermont, Ohio, and Neopost, Inc., 10300 Alliance Road, Suite 107, Cincinnati, Ohio 45245 for the lease of a Neopost IJ110 Digital Mailing and Accounting System at the quarterly rate of \$2,703.00, for a total amount not to exceed \$56,763.00 which includes a lease buy out option in the amount of \$9,838.08, effective 12/15/06 through 03/14/12, pursuant to the terms and conditions

specified therein, contingent upon the issuance of a purchase order therefore.

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

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

IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF TUITION ASSISTANCE APPLICATIONS FROM CLERMONT COUNTY EMPLOYEES...EXECUTED

Moved by Mr. Proud, seconded by Mr. Crowell, 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 Tuition Assistance Applications submitted by the following employees for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name
Department of Job and Family Services Melisa Gilliam DC# 06-0608-004	Cognition and Thought Social Work Practice with Individuals and Families
Office of Technology, Communications and Security Becky Ober DC# 02-0206-004	Ethics Principles of Economics I and II College Algebra I and II Introduction to Business Principles of Administration Business Law II: Contracts Business Statistics I, II and III Human Relations in Management Managing Diversity Principles of Marketing II

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

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

IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF A TUITION ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY EMPLOYEE...06-0919-001...EXECUTED

Moved by Mr. Crowell, seconded by Mr. Proud, 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, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name	Reimbursement Amount
Clermont County Sewer District Joshua Keith	Hazardous Waste Management	\$156.39

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

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

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS...APPROVED

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

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of routine expenses associated therewith, pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2007 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
County Engineer Patrick J. Manger Rob Alfieri DC# 06-1120-001	Clermont County Township Association	\$20.00	01/01/07 through 12/31/07
Department of Job and Family Services Tim McCartney and/or Staff DC# 06-1201-005	Ohio Child Support Enforcement Director's Association	\$2,565.49	01/01/07 through 12/31/07
	Public Children Services Association of Ohio	\$5,059.23	
Office of Economic Development Andrew Kuchta DC# 06-1204-008	International Economic Development Council	\$325.00	01/01/07 through 12/31/07
	Commercial Real Estate Council of Greater Cincinnati	\$134.00	01/01/07 through 06/30/07
Office of Economic Development Jennifer Fedorov DC# 06-1204-008	Commercial Real Estate for Women, Inc. of Greater Cincinnati	\$275.00	01/01/07 through 12/31/07
Clermont County Common Pleas Clerk of Courts Barbara A. Wiedenbein DC# 06-1208-002	International Association of Clerks, Recorders, Election Officials and Treasurers	\$145.00	01/01/07 through 12/31/07
	National Association County Recorders, Election Officials and Clerks	\$180.00	
	National Conference of Appellate Court Clerks	\$125.00	
	Ohio Clerk of Courts Association	\$1,540.00	

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

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

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

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

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

Elected Official or Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Department of Community Planning and Development DC# 06-1204-005	ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241-4829	Sharp ARM455NB Digital Copier S/N: 55026184	\$0.0108 per copy with no minimum charge	09/05/06 through 09/04/07
Department of Community Planning and Development DC# 06-1204-006	ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241-4829	Sharp AR-450 Digital Copier/Printer S/N: 35040782 Sharp ARNS2 Scanner/Software S/N: 26519343	\$0.0108 per copy with no minimum charge	09/05/06 through 09/04/07
County Treasurer DC# 06-1207-001	Millennium Business Systems 5143 Kennedy Avenue Cincinnati, Ohio 45213	Sharp P-350 Printer S/N: 56004703	\$360.00 plus \$0.015 per copy in excess of 24,000 copies	11/14/06 through 11/13/07

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

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

LET THE RECORD SHOW: COMMISSIONER PROUD LEFT SESSION AT THIS TIME.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2006...APPROVED

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

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2006 (Resolution Number 270-05) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

TRANSFER OF FUNDS:

\$ 1,000.00	From General Fund 100-1011-5112 to 100-1302-5112 (Human Resources Department Regular Salary to Administration Building Mailroom Regular Salary)
\$ 9,800.00	From General Fund 100-1018-7000 to 100-1302-5300 (L&E Grants/Transfers/Advances Reimb/Transfers/Adv to Administration Building Mailroom Purchased Services)
\$ 300.00	From General Fund 100-1044-5200 to 100-1043-5200 (Prosecutor's Common Pleas Criminal Appellate Fringe Benefits to Prosecutor's Municipal Criminal Division Fringe Benefits)
\$ 4,000.00	From General Fund 100-1301-5300 to 100-1013-5300 (Information Systems Division Purchased Services to Facilities Management Purchased Services)
\$ 7,000.00	From General Fund 100-1301-6100 to 100-1013-6100 (Information Systems Division Maintenance & Repair to Facilities Management Maintenance & Repair)
\$ 372.00	From General Fund 100-2170-5200 to 100-2170-5118 (Public Defender Fringe Benefits to Temporary Salaries)
\$ 8,700.00	From General Fund 100-2170-5200 to 100-2170-5132 (Public Defender Fringe Benefits to Retirement Payout)
\$ 730.00	From General Fund 100-4015-5700 to 100-1014-5700 (Permit Central Materials & Supplies to Capital Expenditures – General Fund Materials & Supplies)
\$ 3,700.00	From General Fund 100-4250-5200 to 100-4250-6300 (Municipal Court Adult Probation Fringe Benefits – Utilities Budget)
\$ 20,000.00	From General Fund 100-4403-5112 to 100-4404-5200 (Clermont County Sheriff's Office Investigation Regular Salary to Clermont County Sheriff's Office Road Patrol Fringe Benefits)

\$ 1,500.00	From General Fund 100-4403-5112 to 100-4406-5112 (Clermont County Sheriff's Office Investigation Regular Salary to Clermont County Sheriff's Office Scales Program Regular Salary)
\$ 25,000.00	From General Fund 100-4403-5200 to 100-4404-5112 (Clermont County Sheriff's Office Investigation Fringe Benefits to Clermont County Sheriff's Office Road Patrol Regular Salary)
\$ 30,000.00	From General Fund 100-6018-7220-0204 to 100-6220-5300 (Human Services Grants Operating Transfer Out To Special Revenue Fund to Veterans Service Commission Purchased Services)
\$ 150.00	From General Fund 100-6220-5112 to 100-6220-5116 (Veterans Service Commission Regular Salary to Appointed Board Officials Salary)
\$ 150.00	From General Fund 100-6220-5112 to 100-6220-5118 (Veterans Service Commission Regular Salary to Temporary Salaries)
\$ 31,500.00	From General Fund 100-6220-6600 to 100-6220-7000 (Veterans Service Commission Capital Outlay to Reimb/Transfers/Advances)
\$ 730.00	From General Fund 100-7010-5300 to 100-1014-5700 (Department of Community Planning & Development Purchased Services to Capital Expenditures – General Fund Materials & Supplies)
\$ 1,250.00	From Common Pleas Mental Health Grant Fund 224-4115-5300 to 224-4115-7000 (Common Pleas Adult Probation Intensive Treatment Purchased Services to Reimb/Transfers/Advances)
\$ 2,150.00	From Common Pleas Mental Health Grant Fund 224-4115-5700 to 224-4115-7000 (Common Pleas Adult Probation Intensive Treatment Materials & Supplies to Reimb/Transfers/Advances)
\$ 2,000.00	From Soil & Water Conservation Fund 227-9800-5118 to 227-9800-5132 (Soil & Water Conservation District Temporary Salaries to Retirement Payout)
\$ 3,069.26	From Soil & Water Conservation Fund 227-9800-5200 to 227-9800-5132 (Soil & Water Conservation District Fringe Benefits to Retirement Payout)
\$ 5,000.00	From Water Revenue Fund 601-8551-5200 to 601-8551-5121 (Treatment Division Fringe Benefits to Overtime)
\$ 5,000.00	From Sewer Revenue Fund 602-8540-5200 to 602-8540-5121 (Sewer Treatment Fringe Benefits to Overtime)

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2006:

\$ 52,874.38	County Hotel Lodging Fund	225-1027-5300	Purchased Services
\$ 87,723.91	FEMA Fund	272-7015-5300	Purchased Services
\$ 5,000.00	Water & Sewer Combined Services Fund – Accounting	603-8520-7000	Reimb/Transfers/Adv
\$ 6,500.00	Water & Sewer Combined Services Fund – Water & Sewer Customer Service	603-8524-5112	Regular Salary

REIMBURSEMENT OF FUNDS:

\$ 257.20	From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7005
-----------	----------------------------------------------------------------------------------------------

CASH TRANSFER OF FUNDS:

\$ 2,431.00	From General Fund 100-2018-7220-0219 to Advocate Project Fund 219-0219-4811
\$ 9,000.00	From General Fund 100-2018-7220-0220 to Mediation Fund 220-0220-4811
\$ 1,195.00	From General Fund 100-4018-7220-0933 to Special Emergency Planning Fund 933-0933-4811
\$ 31,500.00	From General Fund 100-6220-7230-0426 to Heritage Building Capital Fund 426-0426-4811
\$ 1,327.92	From Water & Sewer Combined Services Fund 603-8520-7240-0533 to 2006 GO Special Assessment Fund 533-0533-4871

REPAYMENT OF ADVANCE OF FUNDS DATED 01/26/06:

\$ 3,400.00	From Common Pleas Mental Health Grant Fund 224-4115-7212 to General Fund 100-0100-4962-0224
-------------	---------------------------------------------------------------------------------------------

REPAYMENT OF ADVANCE OF FUNDS DATED 07/11/05:

\$ 19,000.00	From Pilot Probation Fund 239-4111-7212 to General Fund 100-0100-4962-0239
---------------------	-----------------------------------------------------------------------------------

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

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

LET THE RECORD SHOW: COMMISSIONER PROUD JOINED SESSION AT THIS TIME.

IN RE: BOARD OF COUNTY COMMISSIONERS...BLANKET TRAVEL REQUESTS FOR REIMBURSEMENT OF ALL ELIGIBLE EXPENSES FOR PARTICIPATION IN MEETINGS, ORGANIZATIONS AND/OR PROGRAMS DURING CALENDAR YEAR 2007...APPROVED

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

Recommendation of David L. Spinney, County Administrator, to approve the following blanket travel requests for reimbursement of all eligible expenses for participation by various departments and/or members of their staff, in and as it relates to all meetings, organizations and/or programs during Calendar Year 2007, pursuant to the current Policy and Reimbursement of Travel Expenses adopted by the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2007 and any and all amendments subsequent thereto as outlined below:

Department	Meetings, Organizations and/or Programs
Department of Job and Family Services Tim McCartney and/or Staff DC# 06-1201-004	Clermont County Chamber of Commerce Ohio Department of Job and Family Services Directors' Association Ohio Department of Job and Family Services Executive Leadership Committee Ohio Valley Regional Development Commission Public Children Services Association of Ohio Trustee Meetings Southwest Ohio Job and Family Services Directors' Association Workforce Development Meetings
Clermont County Common Pleas Clerk of Courts Barbara A. Wiedenbein and/or Staff DC# 06-1208-003	Ohio Clerk of Courts Association
Human Resources Department Robert Sander and/or Staff DC# 06-1208-001	Greater Cincinnati Safety Council County Commissioners Association of Ohio The Ohio Public Employer Labor Relations Association Workers' Compensation Consortium County Loss Control Coordinators Association Industrial Commission Hearings Bureau of Workers Compensation Bethesda Tri-Health Horan Associates Meetings Humana Meetings Dental Care Plus Meetings CIGNA Meetings MoGohan & Brabender Meetings State Employment Relations Board State Personnel Board of Review

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

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

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

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

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2006 or 2007 and any and all amendments subsequent thereto:

CLERMONT COUNTY SEWER DISTRICT

John Teeters: One (1) day – Columbus, Ohio – Operator Training Committee of Ohio, Inc. 4th Annual Procrastinator’s Workshop – Total expenses not to exceed \$130.00.

OFFICE OF ENVIRONMENTAL QUALITY

Dennis M. McMullen: Five (5) days –Bellevue, Washington – 2007 Water Environment Federation Conference - Total expenses not to exceed \$1,991.70.

CLERMONT COUNTY COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION

Gitte Shoemaker: One (1) day – Cincinnati, Ohio – Ohio Bar Association Continuing Legal Education Seminar - Total expenses not to exceed \$247.70.

COUNTY ENGINEER

Pat Manger, Craig Risner and Steve Case: Three (3) days – Cincinnati, Ohio – Professional Land Surveyors of Ohio 32nd Annual Conference - Total expenses not to exceed \$1,491.00.

HUMAN RESOURCES DEPARTMENT

Rebecca Davidson: One (1) day – Cincinnati, Ohio – Lorman Education Services Seminar entitled “Workers’ Compensation Update in Ohio” - Total expenses not to exceed \$323.25.

DEPARTMENT OF JOB AND FAMILY SERVICES

Brenda Gilreath and Theresa Ellison: One (1) day – Columbus, Ohio – Ohio Child Support Directors Association 2006 Statehouse Day - Total expenses not to exceed \$170.00.

Tim McCartney: Three (3) days – Columbus, Ohio – Public Children Services Association of Ohio 2006 Quarterly Trustees Meetings – Total expenses not to exceed \$90.00.

Brenda Gilreath and Theresa Ellison: One (1) day – Lebanon, Ohio – Ohio Child Support Directors Association Cincinnati District Meeting - Total expenses not to exceed \$40.00.

PUBLIC DEFENDER

R. Daniel Hannon, Gretta Herberth, Aaron Maus, Marshall McCachran and Lauri Viney: One (1) day – Columbus, Ohio – Ohio Association of Criminal Defense Lawyers Seminar entitled “Ohio’s Drugged Driving Law” - Total expenses not to exceed \$705.60.

PROSECUTING ATTORNEY

William J. Ferris: Two (2) days – Columbus, Ohio – Ohio State Bar Association Course entitled “New Lawyer Training” – Total expenses not to exceed \$426.00.

Darrell C. Hawkins: Fourteen (14) days – Emmitsburg, Maryland – U.S. Department of Homeland Security Training entitled “Fire Dynamics-Fire Modeling” - Total expenses not to exceed \$223.20.

COUNTY SHERIFF

John Van Camp and Rick Lawson: One (1) day – Cincinnati, Ohio - Tracer Summit Users Group System Overview - Total expenses not to exceed \$0.00.

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

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

IN RE: PERSONNEL ACTION FORMS...APPROVED

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

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

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

Megan E. Moore: PA #15333 - Planning Intern - Separation/Resigned - Effective 12/22/2006.

Chad Harris: PA #15330 - Planning Intern - Appointment/Full-Time Temporary - Effective 12/26/2006.

DEPARTMENT OF JOB AND FAMILY SERVICES

Stacy Kunkel: PA #15336 - Income Maintenance Worker 3 - Change/Rate/Step Increase - Effective 12/04/2006.

Tammie L. Armstrong: PA #15335 - CPS Case Manager Supervisor 2 - Change/Revision to PA#15294/Extension of Resignation Date - Effective 01/31/2007.

FLEET MAINTENANCE DIVISION

William D. Davis: PA #15332 - Fleet Program Manager 2 - Separation/Resigned - Effective 12/15/2006.

OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY

Casey R. Scott: PA #15331 - Systems Analyst 1 - Change/End of Probation - Effective 12/04/2006.

DEPARTMENT OF PUBLIC SAFETY SERVICES

David Specht : PA #15334 - Emergency Resource Technician - Change/Rate/Step Increase - Effective 12/03/2006.

CLERMONT COUNTY SEWER DISTRICT

Claud F. Combs: PA #15494 - WSD Maintenance Technician - Separation/Separation Disability - Effective 12/15/2006.

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: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Work Session of **09/26/06, 10/31/06, 11/14/06, 11/28/06 and 12/05/06** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mrs. Walker, to approve the minutes of Work Session of **11/08/06** carried with Commissioners Croswell and Walker voting affirmatively thereon. Commissioner Proud abstained.

LET THE RECORD SHOW: A MOTION BY MR. PROUD, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 2:20 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LEGAL MATTERS, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR

SESSION RESUMED AT 2:44 P.M. WITH NO ACTION TAKEN.

IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION TO EXECUTE A RELEASE OF ALL CLAIMS AGAINST THE SURGERY CENTER OF CINCINNATI, LLC RELATIVE TO CLERMONT COUNTY COMMON PLEAS COURT CASE NUMBER 2005CVH01545, SURGERY CENTER OF CINCINNATI, LLC VS. DUANE FERGUSON, ET AL. AND DISMISSAL OF BOARD OF COUNTY COMMISSIONERS' CLAIMS AGAINST SAME...06-1130-003...RATIFIED

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

Recommendation of Earl K. Messer, with the law firm of Taft, Stettinius & Hollister, LLP, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202-3957, with the concurrence of David L. Spinney, County Administrator, to authorize Mary C. Walker, President of the Board of County Commissioners, to execute a Release of All Claims against the Surgery Center of Cincinnati, LLC, 4415 Aicholtz Road, Cincinnati, Ohio 45245 relating to the disposition of Case Number 2005CVH01545 captioned Surgery Center of Cincinnati, LLC vs. Duane Ferguson, et al., (the "Action") as it relates to Parcel Number 41-32-15F-002 situated within Union Township and to direct the Board of County Commissioners' counsel to dismiss all the Boards' claims against the Surgery Center of Cincinnati, LLC relative thereto, on the condition that the Surgery Center of Cincinnati, LLC executes a release in recordable form releasing and dismissing any claim it might have to that same property and any claim it might have against the Board of County Commissioners and on the condition that the Surgery Center of Cincinnati, LLC dismiss all the claims, cross-claims and counterclaims with prejudice it has asserted in the Action.

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 **12/15/06** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Proud, seconded by Mr. Crowell, 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. Proud, Yea; Mr. Crowell, Yes; Mrs. Walker, Yes.

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

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

COMMISSIONERS= JOURNAL #299 CLERMONT COUNTY REGULAR SESSION 12/15/06

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 12/15/06