

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 10, 2012 WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, AND EDWIN H. HUMPHREY, VICE PRESIDENT. LET THE RECORD SHOW THAT COMMISSIONER DAVID H. UIBLE WAS NOT PRESENT. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 10:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW THAT THE OCTOBER 10, 2012 REGULAR SESSION WAS VIDEOTAPED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. IN ADDITION, THE REGULAR SESSION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <http://www.clermontcountyohio.gov/videos-bcc.aspx>.

LET THE RECORD SHOW: The Board of County Commissioners presented **SPC Dillan Farmer** and **PFC Joseph Mattingly** of the United States Army with Certificates of Appreciation honoring them for their courageous commitment to our country while supporting Operation Enduring Freedom. The Board commended their bravery and dedication to the cause of freedom. SPC Dillan Farmer and PFC Joseph Mattingly each provided a brief overview of their background, responsibilities and experience during their service in the United States Army.

SPC Dillan Farmer and PFC Joseph Mattingly were presented with letters of appreciation and Congressional Proclamations from Barrett Brunsman, on behalf of Congresswoman Jean Schmidt, honoring them for their service to our country.

Sherri Carbo, the Southwest Ohio Regional Liaison for Governor Kasich's Office, presented Certificates of Recognition to the servicemen on behalf of the Governor of Ohio and the Lt. Governor of Ohio and thanked them for their commitment to freedom in the United States of America.

Certificates of Appreciation were presented to the servicemen from Tracy Braden on behalf of The Thank You Foundation.

Clermont County Sheriff Tim Rodenberg presented Certificates of Recognition, as well as, challenge coins to each of the servicemen.

In addition, Howard Daugherty presented challenge coins and gift certificates for Texas Roadhouse in the amount of \$40.00 to each of the servicemen on behalf of the Veterans' Service Commission.

LET THE RECORD SHOW: Annette Meagher introduced herself as the new Communications Director of the Clermont County Office of Public Information. Ms. Meagher provided a brief overview of her background and experience and expressed her enthusiasm to be working in Clermont County.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 152-12/PAYMENT OF BILLS...APPROVED

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 152-12** resolving to approve payment to vendors **in the total amount of \$1,426,763.23** as set forth in the BCC Approval Invoice Report(s) For Checks Dated **October 10, 2012**, Vendor Invoice List

Report(s), Items paid by Fund and Check Date Range Report and/or Procurement Card Transaction Report presented by the County Auditor on **10/08/2012**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...RESOLUTION TO CORRECT THE TERMS AND CONDITIONS RELATIVE TO THE RENTAL AGREEMENT WITH PITNEY BOWES FOR THE LEASE OF A MAILING SYSTEM AND POSTAGE EQUIPMENT FOR SAME...07-0803-003...RATIFIED

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

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of Stephen H. Rabolt, County Administrator, to resolve to correct the terms and conditions relative to the total not to exceed amount for the Rental Agreement by and between the County of Clermont, Ohio, and Pitney Bowes, 1895 Airport Exchange Blvd., Suite 120, Erlanger, Kentucky 41018-3174, remittance address P.O. Box 856179, Louisville, Kentucky 40285-6179, for the lease of a Mailing System and Postage Equipment for the Department of Job and Family Services, as outlined below, for the period of 09/30/07 through 09/30/12, previously ratified by the Board of County Commissioners on 08/15/07, from \$51,312.00 to \$52,080.00, which reflects the rate of \$868.00 per month for a period of sixty (60) months, pursuant to and in compliance to the terms and conditions specified therein:

Mailing System/Postage Equipment	Quantity
DM900 System – WOW (Base Package)	1
IntelliLink Interface/PSD	1
30lb Interfaced Weighing	1
Differential Weighing	1
VBS Postage Pass	1
Basic Accounting (25 Dept) Software	1
15/30lb Scale Platform	1
Differential Weighing for 30lb Scale	1
1E08 Laser Printer for Reports (DM Series)	1
Console for DM1000	1
Power Stacker for DM900, DM1000	1
IntelliLink Inspection	1

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...ANNUAL SUPPORT CONTRACT FOR END USER LICENSE AND SERVICES WITH SWORD SOLUTIONS, INC. FOR THE FRAUD RECOVERY & OVERPAYMENT SYSTEM TRACKING (FROST) FOR SAME...12-1001-001...EXECUTED

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

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of Stephen H. Rabolt, County Administrator, to execute the Annual Support Contract for End User License and Services by and between the County of Clermont, Ohio, and Sword Solutions, Inc., P. O. Box 278, DeWitt, Michigan 48820, for the Fraud Recovery &

Overpayment System Tracking (FROST) utilized by the Clermont County Department of Job and Family Services, Fraud Division, at a cost not to exceed \$855.00, for the period of 01/01/13 through 12/31/13, pursuant to and in compliance with the terms and conditions specified therein **and contingent upon the adoption of the Annual Appropriations for 2013 and the issuance and receipt of a purchase order therefore.**

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/WORKFORCE ONE DIVISION...AMENDMENT NUMBER ONE (1) TO THE SUBGRANT AGREEMENT WITH EASTER SEALS WORK RESOURCE CENTER FOR THE PROVISION OF WORKFORCE INVESTMENT ACT (WIA) YOUTH SERVICES TO ELIGIBLE YOUTH IN CLERMONT COUNTY FOR SAME...12-0314-001...EXECUTED

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

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of Stephen H. Rabolt, County Administrator, to execute Amendment Number One (1) to the Subgrant Agreement by and between the County of Clermont, Ohio, and Easter Seals Work Resource Center, 2901 Gilbert Avenue, Cincinnati, Ohio 45206, previously ratified by the Board of County Commissioners on 06/13/12, for the provision of Workforce Investment Act (WIA) Youth Services to eligible youth in Clermont County for the Clermont County Department of Job and Family Services, Workforce One Division, **to revise the budget to transfer \$11,500.10 from the WIA Admin Budget to the WIA Program Budget**, as outlined in Exhibit 1, attached thereto and made a part thereof, effective upon execution through 06/30/2013, with all other terms and conditions of the original Subgrant Agreement to remain in full force and effect.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ...EXTENSIONS NUMBER 1 TO THE GRANT AGREEMENTS AND ADDENDUMS THERETO WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, FOR GRANT NUMBERS B-C-10-1AM-1 AND B-C-10-1AM-2 RELATIVE TO THE CLERMONT COUNTY COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) FOR FISCAL YEAR 2010...10-0308-001...EXECUTED

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

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of Stephen H. Rabolt, County Administrator, to authorize the President of the Board of County Commissioners, or in his absence any other member of the Board of County Commissioners, to execute Extensions Number 1 to the Grant Agreements and Addendums thereto 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, previously ratified by the Board of County Commissioners on 10/25/10, for Grant Numbers B-C-10-1AM-1 and B-C-10-1AM-2 relative to the Clermont County Community Housing Improvement Program (CHIP) for Fiscal Year 2010, which represent extensions of the grant periods from 12/31/12 through 06/30/13, with all other terms and conditions of the original

Agreements and Addendums thereto to remain in full force and effect.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

**IN RE: CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT...
CONTRACT FOR SERVICES WITH VERTICAL SYSTEMS ELEVATOR
CORPORATION FOR ROUTINE AND EMERGENCY MAINTENANCE
SERVICE OF ELEVATORS LOCATED IN VARIOUS COUNTY
BUILDINGS...12-1003-002...EXECUTED**

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

Recommendation of Wade Grabowski, Director, Clermont County Facilities Management Department, with the concurrence of Stephen H. Rabolt, County Administrator, to execute a Contract for Services by and between the Board of County Commissioners, Clermont County, Ohio, and Vertical Systems Elevator Corporation, 4784 River Road, Cincinnati, Ohio 45233 for routine and emergency maintenance service of elevators located in various County buildings, in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, in an amount not to exceed \$24,456.00, with said services to be completed within 365 days of company's receipt of signed contract and Notice to Proceed from the Clermont County Facilities Management Department, pursuant to and in compliance with the terms and conditions set forth.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
REQUEST TO ADVERTISE FOR BIDS FOR THE FURNISHING AND
DELIVERY OF POLYMER FOR SAME...12-0928-001...APPROVED**

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

Recommendation of J. Dwight Culbertson, Assistant Director of Operations, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to approve the request to advertise for bids for the furnishing and delivery of Polymer for the Clermont County Water Resources Department, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on **Thursday, 10/18/2012**, scheduling a non-mandatory Pre-Bid Meeting on Thursday, 10/25/12 at 10:00 A.M., with bids to be received until **2:00 P.M. Local Time on Thursday, 11/01/2012** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice will also be posted on Clermont County's website at the following URL link: www.clermontcountyohio.gov.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...THE
RESERVES AT LIBERTY CROSSING SUBDIVISION/SECTION
3/UNION TOWNSHIP...RESOLUTIONS NUMBER 153-12 AND 154-12/
RESOLUTIONS AUTHORIZING THE CONVERSION OF COMBINED**

PERFORMANCE AND MAINTENANCE BONDS FOR SAME...12-0622-004...ADOPTED

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

Recommendation of Heath Wilson, Engineer, with the concurrence of Lyle G. Bloom, P.E, Director of Utilities, Clermont County Water Resources Department, to adopt **Resolutions Number 153-12 and 154-12** resolving to convert the Combined Performance and Maintenance Bonds in the amounts listed below for the construction of water and sanitary sewer mains and related improvements within the following subdivision located in Union Township, from the performance bond phase to the maintenance bond phase, effective as of the date of conversion thereof:

Subdivision	Performance and Maintenance Bond for Water Main	Performance and Maintenance Bond for Sanitary Sewer Main
The Reserves at Liberty Crossing Subdivision Section 3 Union Township Resolution Number 153-12* Resolution Number 154-12**	\$65,220.00/\$3,260.00*	\$117,320.00/\$5,866.00**

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...THE WOODS AT MIAMI TRAILS SUBDIVISION /SECTION 11/BLOCK A/PHASE 2/MIAMI TOWNSHIP...RELEASE OF COMBINED PERFORMANCE AND MAINTENANCE BOND AND ACCEPTANCE OF STREETS AS PUBLIC ROADS FOR PLACEMENT INTO THE MIAMI TOWNSHIP PUBLIC ROAD SYSTEM...08-0502-001...APPROVED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to authorize the release of the Combined Performance and Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following subdivision within Miami Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Miami Township Public Road System:

Subdivision	Maintenance Bond	Street/Length (miles)
The Woods at Miami Trails Subdivision Section 11/Block A/Phase 2 Miami Township	\$18,000.00	Ridgewood Drive (0.12) Jenna Lane (0.22)

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...REQUEST TO DELAY THE START OF CONSTRUCTION FOR PROJECT NUMBER FDR-01-12 RELATIVE TO THE FULL DEPTH RECLAMATION PROGRAM LOCATED IN BATAVIA AND UNION TOWNSHIPS AND TO EXTEND THE COMPLETION DATE FOR THE TEMPORARY DETOUR TO THROUGH TRAFFIC ON BALDWIN ROAD LOCATED IN UNION TOWNSHIP...12-0919-001...RATIFIED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to approve the request to delay the start of construction for Project Number FDR-01-12 relative to the Full Depth Reclamation Program located in Batavia and Union Townships, in and as it relates to Baldwin Road, and to extend the completion date of the temporary detour to through traffic on Baldwin Road, between 1380 and 1450 Baldwin Road, located in Union Township, previously approved by the Board of County Commissioners on 09/26/12, from **Monday, 10/01/12 through Friday, 10/26/12, to Monday, 10/15/12 through Friday, 11/16/12**, for the referenced roadway construction project, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...OHIO PUBLIC WORKS COMMISSION (OPWC) PROJECT AGREEMENTS WITH THE STATE OF OHIO FOR OPWC PROJECT CONTROL NUMBERS CJX04, CJ25P, CJ12P, AND CJ07P FOR FILAGER ROAD RECONSTRUCTION, CLOUGH PIKE WIDENING PHASE II RIGHT-OF-WAY (ROW) & UTILITY RELOCATION, CLOUGH PIKE WIDENING PHASE III, AND FEMA LANDSLIDE REPAIRS, RESPECTIVELY, IN CONCERT WITH STATE ISSUE 2/THE AID TO LOCAL GOVERNMENT PROGRAM FOR 2012/PROGRAM YEAR 26...11-1021-003...EXECUTED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to authorize the President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute Ohio Public Works Commission (OPWC) Project Agreements by and between the County of Clermont, Ohio, and the State of Ohio, acting by and through the Director of the Ohio Public Works Commission, 65 East State Street, Suite 312, Columbus, Ohio 43215-4213 for projects entitled Filager Road Reconstruction (Project Control Number CJX04), Clough Pike Widening Phase II – Right-of-Way (ROW) & Utility Relocation (Project Control Number CJ25P), Clough Pike Widening Phase III (Project Control Number CJ12P) and FEMA Landslide Repairs (Project Control Number CJ07P), in concert with the State Issue 2/Aid to Local Government Program for 2012/Program Year 26, in the following amounts, pursuant to and in compliance with the terms and conditions specified therein:

Project	OPWC Project Control Number	Total Project Amount
Filager Road Reconstruction	CJX04	\$ 196,000.00 (OPWC Grant) \$ 184,000.00 (MVG Fund) <u>\$ 20,000.00 (Batavia Township)</u> \$ 400,000.00
Clough Pike Widening–Phase II Right-of-Way (ROW) & Utility Relocation	CJ25P	\$ 245,000.00 (OPWC Grant) <u>\$ 255,000.00 (MVG Fund)</u> \$ 500,000.00
Clough Pike Widening Phase III	CJ12P	\$ 1,241,800.00 (OPWC Grant) <u>\$ 4,966,200.00 (ODOT)</u> \$ 6,208,000.00
FEMA Landslide Repairs	CJ07P	\$ 120,755.00 (OPWC Grant) <u>\$ 845,283.00 (FEMA)</u> \$ 966,038.00

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 155-12/RESOLUTION FINDING THAT GARRY BRASCH CUSTOM HOMES, INC. FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE AND MAINTENANCE BOND DATED AUGUST 2, 2006, SECURED BY AN INSURANCE BOND NUMBER 1011620 OF LEXON INSURANCE COMPANY, MT. JULIET, TENNESSEE AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...06-0728-007...ADOPTED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to adopt **Resolution Number 155-12** resolving (1) to certify that Garry Brasch Custom Homes, Inc. has defaulted on the terms and conditions set forth in the Combined Performance and Maintenance Bond secured by Lexon Insurance Company, 12890 Lebanon Road, Mt. Juliet, Tennessee 37122 for Bond Number 1011620 in the amount of \$14,000.00 as Surety for Eagle's Watch Subdivision located in Miami Township, ratified by the Board of County Commissioners on 08/02/06, by failing to perform the completion, construction, repair and maintenance of Eagle's Watch Way as shown on Record Plat Number 629-2438 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Garry Brasch Custom Homes, Inc. is in the amount of \$14,000.00 and that the County Engineer is hereby authorized and directed to present to Garry Brasch Custom Homes, Inc. and Lexon Insurance Company a certified copy of this resolution together with a demand for payment in the amount of \$14,000.00 pursuant to the terms and conditions of Bond Number 1011620 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 156-12/RESOLUTION FINDING THAT GARRY BRASCH CUSTOM HOMES, INC. FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE BOND FOR SIDEWALKS DATED AUGUST 2, 2006, SECURED BY AN INSURANCE BOND NUMBER 1011619 OF LEXON INSURANCE COMPANY, MT. JULIET, TENNESSEE AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...06-0728-007...ADOPTED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to adopt **Resolution Number 156-12** resolving (1) to certify that Garry Brasch Custom Homes, Inc. has defaulted on the terms and conditions set forth in the Performance Bond for Sidewalks secured by Lexon Insurance Company, 12890 Lebanon Road, Mt. Juliet, Tennessee 37122 for Bond Number 1011619 in the amount of \$12,840.00 as Surety

for Eagles Watch Subdivision located in Miami Township, ratified by the Board of County Commissioners on 08/02/06, by failing to perform the completion, construction, repair and maintenance of sidewalks as shown on Record Plat Number 629-2438 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Garry Brasch Custom Homes, Inc. is in the amount of \$16,750.15 and that the County Engineer is hereby authorized and directed to present to Garry Brasch Custom Homes, Inc. and Lexon Insurance Company a certified copy of this resolution together with a demand for payment in the amount of \$12,840.00 pursuant to the terms and conditions of Bond Number 1011619 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 157-12/RESOLUTION FINDING THAT THE PHILCON GROUP FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE AND MAINTENANCE BOND DATED JUNE 28, 2006, SECURED BY AN INSURANCE BOND NUMBER 1011590 OF LEXON INSURANCE COMPANY, MT. JULIET, TENNESSEE AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...06-0623-009...ADOPTED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to adopt **Resolution Number 157-12** resolving (1) to certify that The PhilCon Group has defaulted on the terms and conditions set forth in the Combined Performance and Maintenance Bond secured by Lexon Insurance Company, 12890 Lebanon Road, Mt. Juliet, Tennessee 37122 for Bond Number 1011590 in the amount of \$18,000.00 as Surety for Middleton Oaks Subdivision located in Miami Township, ratified by the Board of County Commissioners on 06/28/06, by failing to perform the completion, construction, repair and maintenance of Middleton Way as shown on Record Plat Number 629-2430 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by The PhilCon Group is in the amount of \$19,411.87 and that the County Engineer is hereby authorized and directed to present to The PhilCon Group and Lexon Insurance Company a certified copy of this resolution together with a demand for payment in the amount of \$18,000.00 pursuant to the terms and conditions of Bond Number 1011590 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 158-12/RESOLUTION FINDING THAT THE PHILCON GROUP FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE BOND FOR SIDEWALKS DATED JUNE 28, 2006, SECURED BY AN INSURANCE BOND NUMBER 1011591 OF LEXON INSURANCE COMPANY, MT. JULIET, TENNESSEE AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...06-0623-009...ADOPTED

Moved by Mr. Humphrey, 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 Stephen H. Rabolt, County Administrator, to adopt **Resolution Number 158-12** resolving (1) to certify that The PhilCon Group has defaulted on the terms and conditions set forth in the Performance Bond for Sidewalks secured by Lexon Insurance Company, 12890 Lebanon Road, Mt. Juliet, Tennessee 37122 for Bond Number 1011591 in the amount of \$15,080.00 as Surety for Middleton Oaks Subdivision located in Miami Township, ratified by the Board of County Commissioners on 06/28/06, by failing to perform the completion, construction, repair and maintenance of sidewalks as shown on Record Plat Number 629-2430 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by The PhilCon Group is in the amount of \$16,600.00 and that the County Engineer is hereby authorized and directed to present to The PhilCon Group and Lexon Insurance Company a certified copy of this resolution together with a demand for payment in the amount of \$15,080.00 pursuant to the terms and conditions of Bond Number 1011591 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: COUNTY CORONER...RESOLUTION TO AUTHORIZE PAYMENT OF THE INVOICE FOR A YEARLY SUBSCRIPTION FEE FOR SOFTWARE RELATIVE TO DATA SHARING WITH THE OHIO STATE CORONERS ASSOCIATION AND THE OHIO DEPARTMENT OF HEALTH...12-0920-001...APPROVED

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

Recommendation of Brian Treon, M.D., County Coroner, with the concurrence of Stephen H. Rabolt, County Administrator, to authorize payment of Invoice Number 6278 in the amount of \$625.00 to Douglas & Associates, Inc., P.O. Box 67250, Cuyahoga Falls, Ohio 44222, for the yearly subscription fee for ForensicFiler.net, pursuant to the terms and conditions set forth in the Hosted Software Services Agreement attached thereto, and in concert with the Memorandum of Understanding with the Ohio State Coroners Association, dated 08/31/2011, in and as it relates to data sharing of violent deaths that occur in Clermont County and meet the case definition of the National Violent Death Reporting System (NVDRS), effective for the period 10/15/2012 through 10/14/2013, and to authorize the execution of the Clermont County Rider for Software Maintenance Agreements relative thereto.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...CONTRACTS FOR PUBLIC IMPROVEMENT FOR HOME SEWAGE SYSTEM IMPROVEMENTS WITH VARIOUS VENDORS FOR THE PROVISION OF REPAIRS AND/OR REPLACEMENT OF THE HOME SEWAGE TREATMENT SYSTEMS LOCATED AT VARIOUS PROPERTIES IN CLERMONT COUNTY, OHIO, IN CONJUNCTION WITH THE OHIO WATER POLLUTION CONTROL LOAN FUND (WPCLF) ASSISTANCE AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR HOME SEWAGE TREATMENT SYSTEM IMPROVEMENTS IN CLERMONT COUNTY, OHIO, AND EXECUTION OF ASSIGNMENTS OF SAID CONTRACTS TO THE OWNERS OF REAL PROPERTY IN ACCORDANCE THEREWITH...EXECUTED

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

Recommendation of Marty Lambert, Health Commissioner, with the concurrence of Stephen H. Rabolt, County Administrator, to execute the following Contracts for Public Improvement for Home Sewage System Improvements by and between the Board of Commissioners of Clermont County, Ohio, and the below listed Contractors for the provision of repairs and/or replacements to the Home Sewage Treatment Systems at the following locations, in accordance with the Scopes of Services as identified in Exhibits A, attached thereto and made a part thereof, in the not to exceed amounts as specified, with said services to be completed by December 31, 2012, pursuant to and in compliance with the terms and conditions set forth therein and in conjunction with the Ohio Water Pollution Control Loan Fund (WPCLF) Assistance Agreement with the Ohio Environmental Protection Agency for home sewage treatment system improvements in Clermont County, Ohio, previously ratified by the Board of County Commissioners on 12/14/11, and further, to authorize Stephen H. Rabolt, County Administrator, to execute an Assignment for each of the afore stated Contracts for Public Improvement for Home Sewage System Improvements to the owners of the real property in accordance therewith:

CONTRACTOR	HOME SEWAGE SYSTEM LOCATION	CONTRACT AMOUNT
Green Excavating 1735 Swope Road Bethel, Ohio 45106 DC# 12-1004-001	6621 Goshen Road Goshen, Ohio 45122	\$15,095.00
Richard's Backhoe & Excavating, Inc. 5993 Woodview Lane Milford, Ohio 45150 DC# 12-1004-002	2484 State Route 131 Goshen, Ohio 45122	\$15,245.00
Green Excavating 1735 Swope Road Bethel, Ohio 45106 DC# 12-1004-003	1712 Lindale Nicholasville Road New Richmond, Ohio 45157	\$16,595.00

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

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

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

Requests from various departments to approve 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 and to authorize Stephen H. Rabolt, County Administrator, to execute the Maintenance Agreements and the Rider for Equipment Maintenance Agreements attached thereto:

Elected Official or Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Office of Technology, Communications, and Security/Division of Public Safety Services DC# 12-0926-001	ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241-4829	Sharp AR-450 Copier S/N: 26519343	\$520.80 plus \$0.0174 per copy in excess of 30,000 copies	11/04/12 through 11/03/13
Clermont County Municipal Clerk of Courts DC# 12-0925-003	Canon Business Solutions, Inc. 300 Commerce Square Boulevard Burlington, New Jersey 08016	Two Canon ImageRunner 3245 Copiers S/N: DHK05282 S/N: DHK05285	\$1,079.07 plus \$0.011233 per copy in excess of 96,000 copies	09/30/12 through 09/29/13
Department of Community and Economic Development DC# 12-0918-002	ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241-4829	Sharp AR-M450 Digital Copier/Printer S/N: 35040782	\$0.0156 per copy with no minimum charge	09/06/12 through 09/05/13
Department of Community and Economic Development DC# 12-0918-002	ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241-4829	Sharp AR-M455N Digital Copier S/N: 55026184	\$0.0156 per copy with no minimum charge	09/06/12 through 09/05/13

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2012...APPROVED

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

Recommendation of the Office of Management and Budget, with the concurrence of Stephen H. Rabolt, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2012 (Resolution Number 178-11), including legal level of control, and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2012:

AMOUNT	FUND NAME & CODE ORGANIZATION DESCRIPTION	FUNCTION -DIVISION- ORG CODE	OBJECT CODE	OBJECT DESCRIPTION	PROJECT CODE
\$ 2,000.00	Park District Fund 7200	21-27-891000	700000	Transfers Advances & Reimbursements	
\$ 2,500.00	Park District Fund 7200	21-27-891000	610000	Maintenance & Repair	
\$ 2,500.00	Park District Fund 7200	21-27-891000	570000	Materials & Supplies	
\$ 15,583.50	Narcotics Law Enforcement Trust Fund 2503	04-19-444000	660000	Capital Outlay	
\$ 8,091.11	Narcotics Law Enforcement Trust Fund 2503	04-19-444000	700000	Transfers Advances & Reimbursements	

BUDGET TRANSFER OF FUNDS:

AMOUNT	FUND NAME & CODE ORGANIZATION DESCRIPTION	FROM FUNCTION- DIVISION-ORG-OBJECT OBJECT DESCRIPTION	TO FUNCTION-DIVISION-ORG- OBJECT (optional ORG DESC.) OBJECT DESCRIPTION
\$ 15,000.00	General Fund 1000 Board of County Commissioners	01-01-031000-511200 Regular Salary	04-01-111000-512100 Communications Center Overtime

CASH TRANSFER OF FUNDS:

AMOUNT	FROM	TO
\$ 95,201.00	General Fund 1000-06-01-035328-700200	Public Assistance Fund 2401-06-01-081000-480100
\$ 96,714.25	General Fund 1000-06-01-035328-700200	Child Support Enforcement Fund 2403-06-01-086000-480100

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

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

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

Recommendation of Stephen H. Rabolt, 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 2012 and any and all amendments subsequent thereto:

PROSECUTING ATTORNEY

Mary Lynne Birck: One (1) day – Cincinnati, Ohio – University of Cincinnati College of Law Training entitled “Constitution Day Lecture 2012” – Total expenses for mileage (\$29.97) and parking (\$10.00) estimated not to exceed \$39.97.

Mary Lynne Birck: One (1) day – West Chester, Ohio – Dinsmore & Shohl LLP Workers’ Compensation Seminar – Total expenses for registration (\$25.00) and mileage (\$33.30) estimated not to exceed \$58.30.

COUNTY AUDITOR

Amanda Alamo, Ken Carrier, Cindy Hawk and Jacqueline Lyttle: Five (5) days – Rochester, New York – 7th Annual Pictometry User Conference entitled “FutureView 2012” – Total expenses for lodging (\$248.52), meals (\$153.00), mileage (\$83.46) and other (\$200.00) estimated not to exceed \$684.98.

COUNTY ENGINEER

Rob Alfieri: Two (2) days – Dayton, Ohio – Ohio Chapter American Public Works Association Ohio Expo – Total estimated expenses not to exceed \$0.00.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Andrew Kuchta: Three (3) days – Newark, Ohio – Ohio Economic Development Association 2012 Board of Directors Planning Retreat – Total expenses for lodging (\$252.28) estimated not to exceed \$252.28. (*revised/previously approved on 08/27/12*)

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: HUMAN RESOURCES DEPARTMENT...AMENDMENT TO THE MOTION RELATIVE TO THE ACCEPTANCE OF PROPOSALS AND/OR ACKNOWLEDGEMENT OF RENEWALS OF THE MEDICAL AND GROUP HEALTH BENEFITS FOR THE 2013 HEALTH INSURANCE BENEFIT YEAR AND AUTHORIZATION TO OBTAIN THE AGREEMENTS THEREFORE FOR RATIFICATION THEREOF...12-0924-001...

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

Recommendation of Robert E. Sander, Director, Human Resources Department, with the concurrence of Stephen H. Rabolt, County Administrator, to amend the motion relative to the acceptance of proposals and/or acknowledgement of renewals of the medical and group health benefits for the 2013 Health Insurance Benefits Year and authorization to obtain the agreements therefore for ratification thereof, previously ratified by the Board of Commissioners on 09/26/12, to modify the services to be provided by Chard, Snyder and Associates, Inc. and to add Park National Bank as an additional carrier for the 2013 Health Insurance Benefits Year for services as outlined below, with all other actions approved in the original motion to remain in full force and effect:

CARRIER	SERVICE
Chard, Snyder and Associates, Inc.* 3510 Irwin-Simpson Road Mason, Ohio 45040-9744 (No change in Admin. Rate) DC #12-0926-002 *New Contract	Administrative services for Section 125 premium conversion and the flexible benefits plan, as well as, the preparation of the annual Premium Only Plan Document for the Health Savings Account (HSA).
Park National Bank* 4550 Eastgate Blvd. Cincinnati, Ohio 45245 DC #12-1010-001 *New Contract	Administration services for the Health Savings Account (HSA).

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: EXECUTIVE SESSION...APPROVED

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

Recommendation to go into Executive Session at 11:15 A.M. pursuant to Section 121.22(G)(1) of the Ohio Revised Code to consider the discipline of a public employee.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 11:43 A.M. WITH NO ACTION TAKEN.

IN RE: PERSONNEL ACTION FORMS...APPROVED*

- * THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

IN RE: MINUTES OF REGULAR SESSION...APPROVED

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

Recommendation to approve the minutes of Regular Session of 10/10/12.

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

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Humphrey, 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 at 11:47 A.M. 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. Humphrey, Aye; Mr. Proud Yea; Mr. Uible, Absent.

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

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, VICE PRESIDENT
DAVID H. UIBLE, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

**10/10/12
DATE APPROVED**