

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 12, 2018, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, DAVID L. PAINTER, VICE PRESIDENT, AND, DAVID H. UIBLE, MEMBER. 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 DECEMBER 12, 2018 REGULAR SESSION WAS VIDEO RECORDED 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 <https://www.youtube.com/user/clermontcounty/playlists>.

IN RE: MINUTES OF REGULAR SESSION...APPROVED

Moved by Mr. Painter, seconded by Mr. Uible,

To approve and sign the minutes of the Regular Session of **12/05/2018**.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

LET THE RECORD SHOW: John Hemmings, Executive Director, Ohio Valley Regional Development Commission (OVRDC) provided a handout (attached) to the Board of County Commissioners outlining the current Full Commission Membership of the OVRDC Clermont County Caucus. He stated that a Caucus meeting will be held in late January or in February of 2019 and there are vacancies that will be discussed. He indicated that the vacant positions are for the Township Trustee representative and the Member-at-Large County Minority representative. Mr. Hemmings further stated that other current filled positions can also be changed and that he wanted to provide the information to the Board of County Commissioners for their consideration prior to the Causus meeting.

Mr. Hemmings provided a report to the Board of County Commissioners entitled "2017 Ohio State & Federal Appalachian Return on Investment Report" (attached). Mr. Hemmings stated that the report outlines the investments of the region for 2017 and what projects have been completed. Mr. Hemmings indicated that page 18 of the report outlines the projects which OVRDC provided funding for in 2017, including the construction of the access road to serve the South Afton Commerce Park. In closing, he stated that OVRDC hopes to provide further assistance with County projects in the future.

CONSENT AGENDA

LET THE RECORD SHOW: COMMISSIONER HUMPHREY STATED THAT A CONSENT AGENDA HAS BEEN PREPARED FOR THE BOARD OF COUNTY COMMISSIONERS AND REQUESTED WHETHER ANY BOARD MEMBER WANTED ANY ITEMS REMOVED FOR FURTHER DISCUSSION AND CONSIDERATION AND UPON HEARING NONE:

Moved by Mr. Painter, seconded by Mr. Uible, that the Board of County Commissioners approve the following recommendations:

1. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) TITLE IV-E CHILD PLACEMENT AGREEMENT AND ADDENDUM THERETO, CONSISTING OF AMENDMENT NUMBERS 1 THROUGH 3, WITH AGAPE FOR YOUTH, INC. FOR THE PROVISION OF FOSTER CARE SERVICES FOR SAME...18-1128-005...RATIFIED

Recommendation of Judy Eschmann, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Judy Eschmann, Director, Department of Job and Family Services, to execute an Ohio Department of Job and Family Services (ODJFS) Title IV-E Child Placement Agreement and Addendum thereto, consisting of Amendment Numbers 1 through 3, by and between the County of Clermont, Ohio, and Agape for Youth, Inc., 2300 South Edwin C. Moses Blvd., Suite 140, Dayton, Ohio 45417, for the provision of foster care services for children referred by the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates identified therein, effective 01/01/2019 through 12/31/2019, pursuant to and in compliance with the terms and conditions specified therein, *and contingent upon the issuance and receipt of a purchase order therefore.*

2. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) TITLE IV-E CHILD PLACEMENT AGREEMENT AND ADDENDUM THERETO, CONSISTING OF AMENDMENT NUMBERS 1 THROUGH 4, WITH OHIO MENTOR, INC. FOR THE PROVISION OF FOSTER CARE SERVICES AND PLACEMENT WITH BABY SERVICES FOR SAME...18-1126-001...RATIFIED

Recommendation of Judy Eschmann, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Judy Eschmann, Director, Department of Job and Family Services, to execute an Ohio Department of Job and Family Services (ODJFS) Title IV-E Child Placement Agreement and Addendum thereto, consisting of Amendment Numbers 1 through 4, by and between the County of Clermont, Ohio, and Ohio Mentor, Inc., 6200 Rockside Woods Blvd. North, Suite 305, Independence, Ohio 44131, for the provision of foster care services and placement with baby services for children referred by the Department of Job and Family Services and/or Clermont County Juvenile Court or in their parent(s)/guardian(s) custody, at the rates identified therein, effective 01/01/2019 through 12/31/2019, pursuant to and in compliance with the terms and conditions specified therein, *and contingent upon the issuance and receipt of a purchase order therefore.*

3. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) TITLE IV-E CHILD PLACEMENT AGREEMENT AND ADDENDUM THERETO, CONSISTING OF AMENDMENT NUMBERS 1 THROUGH 4, WITH SPECIALIZED ALTERNATIVES FOR FAMILIES AND YOUTH OF OHIO, INC. FOR THE PROVISION OF FOSTER CARE SERVICES AND PLACEMENT WITH BABY SERVICES FOR SAME...18-1121-005...RATIFIED

Recommendation of Judy Eschmann, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Judy Eschmann, Director, Department of Job and Family Services, to execute an Ohio Department of Job and Family Services (ODJFS) Title IV-E Child Placement Agreement and Addendum Thereto, Consisting of Amendment Numbers 1 through 4, by and between the County of Clermont, Ohio, and Specialized Alternatives for Families and Youth of Ohio, Inc., 10100 Elida Road, Delphos, Ohio 45833, for the provision of foster care services and placement with baby services for children referred by the Department of Job and Family Services and/or Clermont County Juvenile Court or in their parent(s)/guardian(s) custody, at the rates identified therein, effective 01/01/2019

through 12/31/2019, pursuant to and in compliance with the terms and conditions specified therein, and contingent upon the issuance and receipt of a purchase order therefore.

4. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) TITLE IV-E CHILD PLACEMENT AGREEMENT AND ADDENDUM THERETO, CONSISTING OF AMENDMENT NUMBERS 1 THROUGH 3, WITH CORNELL ABRAXAS GROUP, INC. FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...18-1119-001...RATIFIED

Recommendation of Judy Eschmann, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Judy Eschmann, Director, Department of Job and Family Services, to execute an Ohio Department of Job and Family Services (ODJFS) Title IV-E Child Placement Agreement and Addendum thereto, consisting of Amendment Numbers 1 through 3, by and between the County of Clermont, Ohio, and Cornell Abraxas Group, Inc., 2775 State Route 39, Shelby, Ohio 44875, for the provision of Residential Treatment Services for children referred by the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates as defined therein, effective 01/01/2019 through 12/31/2019, pursuant to and in compliance with the terms and conditions specified therein, and contingent upon the receipt of a current License to Operate, as well as, the issuance and receipt of a purchase order therefore.

5. IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ...ANNUAL ELECTRONIC SUBSCRIPTION MEMBERSHIP REQUESTS WITH VARIOUS VENDORS FOR SAME...18-1127-006...APPROVED

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of Sukie Scheetz, Assistant County Administrator, to approve the following Electronic Subscription Membership requests for the provision of online software programs and databases, by and between the County of Clermont, Ohio, and various vendors, at the not to exceed rates and terms outlined below and to authorize the County Auditor to remit the payment(s) accordingly relative thereto.

| Vendor | Subscription | Not to Exceed Rate | Term |
|---|--|--------------------|-------------------------------------|
| Cincinnati Enquirer P.O. Box 742513 Cincinnati, Ohio 45274-2513 | Newspaper - Digital Edition Only | \$150.00 | 07/30/2019 through 07/29/2020 |
| Environmental Systems Research Institute (ESRI) File 54630 Los Angeles, California 90074-4630 | ArcGIS Desktop Basic, Standard and Advanced, Spatial Analyst, 3D Analyst, Network Analyst, ArcGIS Publisher, ArcEDN, ArcGIS Server Basic Enterprise, ArcGIS Server Standard Enterprise, Business Analyst Online, App Studio for Mobile | \$35,000.00 | 12/04/2019 through 12/03/2020 |
| Adobe Creative Cloud 345 Park Avenue San Jose, California 95110-2704 | Web-Based Design, Video and Marketing Applications for the Office of Public Information (2 users) | \$700.00 | 06/03/2019 through 06/02/2020 |
| Cincinnati Business Courier 101 West Seventh Street Cincinnati, Ohio 45202 | Newspaper-Print and Digital Editions | \$115.00 | 01/01/2019 through 12/31/2019 |
| Clermont Sun Publishing Co., Inc. 456 East Main Street Batavia, Ohio 45103 | Newspaper-Print and Digital Editions | \$20.00 | 03/31/2019 through 03/30/2020 |
| ArchiveSocial P.O. Box 3330 Durham, North Carolina 27702 | Social Media Records Archiving System | \$2,500.00 | 01/01/2019 through 12/31/2019 |

| | | | |
|---|-------------------------------|----------|-------------------------------------|
| Constant Contact 1601 Trapelo Road Waltham, Massachusetts 05451 | County Newsletter Design Tool | \$600.00 | 01/01/2019 through 12/31/2019 |
| ImagineIT Technologies Division of Rand Worldwide 304 Inverness Way South, Suite 240 Englewood, Colorado 80112 | AutoCAD Architecture | \$800.00 | 07/19/2019 through 07/18/2020 |

6. IN RE: COUNTY ENGINEER...NOTIFICATION OF EXTENSION OF ROAD CLOSURE AND TEMPORARY DETOUR TO THROUGH TRAFFIC ON BRANCH HILL-MIAMIVILLE ROAD LOCATED IN MIAMI TOWNSHIP...18-1108-004...ACKNOWLEDGED

Recommendation of Thomas J. Eigel, County Administrator, to acknowledge the receipt of a notification from Patrick J. Manger, County Engineer, on 11/30/2018, of his determination to extend the road closure on the following road to through traffic, with the understanding that all advanced warning and detour signs will be erected and maintained accordingly, pursuant to and in compliance with Section 5543.17 of the Ohio Revised Code:

Branch Hill-Miamiville Road, North of 6548 Branch Hill-Miamiville Road, located in Miami Township, for a utility extension, previously scheduled for Monday, November 26, 2018, through Friday, November 30, 2018, and subsequently extended through Tuesday, December 4, 2018, as depicted on the Branch Hill-Miamiville Road Utility Extension Detour Map included therewith

7. IN RE: COUNTY ENGINEER...PINE BLUFFS SUBDIVISION/SECTION 1/BLOCK B AND BLOCK C AND SECTION 2/BLOCK A/MIAMI TOWNSHIP...RESOLUTION NUMBERS 195-18 THROUGH 197-18/RESOLUTIONS AUTHORIZING THE CONVERSION OF PERFORMANCE AND MAINTENANCE BONDS AS SURETY FOR SAME...ADOPTED

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to adopt **Resolution Numbers 195-18 through 197-18** resolving to convert the Performance and Maintenance Bonds in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Miami Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

| Subdivision | Performance and Maintenance Bond | Street/Length (miles) |
|--|--|---|
| Pine Bluffs Subdivision Section 1, Block B Miami Township Resolution Number 195-18 DC# 16-0621-001 | \$28,000.00/\$10,000.00* *Secured by Cashier's Check Number 2194024 drawn on PNC Bank, National Association Ohio for Pine Bluffs Development, LLC, 7800 Cooper Road, Suite 204, Cincinnati, Ohio 45242 | Hollybrook Lane (0.108) Vista Run Court (0.033) |
| Pine Bluffs Subdivision Section 1, Block C Miami Township Resolution Number 196-18 DC# 16-1114-002 | \$22,000.00/\$10,000.00* *Secured by Cashier's Check Number 2332867 issued on 11/02/16 by PNC Bank, National Association Ohio on behalf of Pine Bluffs Development, LLC, 7800 Cooper Road, Suite #204, Cincinnati, Ohio 45242 | Spruce Meadows Court (0.026) Vista Run Court (0.090) |

| | | |
|--|--|--|
| Pine Bluffs Subdivision Section 2, Block A Miami Township Resolution Number 197-18 DC# 17-0522-008 | \$44,000.00/\$10,000.00* *Secured by Cashier's Check Number 2625001 issued on 05/03/2017 by PNC Bank, National Association Ohio on behalf of Pine Bluffs Development, LLC, 9091 Montgomery Road, Cincinnati, Ohio 45242 | Spruce Meadows Court (0.109) Norway Knoll Court (0.138) |
|--|--|--|

8. IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE ISSUANCE OF PROCUREMENT CARDS FOR EMPLOYEES OF THE CLERMONT TRANSPORTATION CONNECTION AND THE CLERMONT COUNTY SHERIFF AND EXECUTION OF THE REQUESTS FOR THE ISSUANCE OF PROCUREMENT CARDS RELATIVE THERETO PURSUANT TO THE CLERMONT COUNTY PROCUREMENT CARD POLICY AND PROCEDURES FOR SAME...18-0202-001...RATIFIED

Recommendation of Thomas J. Eigel, County Administrator, to authorize the issuance of Procurement Cards for Sandra Moell, an employee of the Clermont Transportation Connection and Dominic DeRose, an employee of the Clermont County Sheriff, and to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute the Requests for the Issuance of Procurement Cards relative thereto, pursuant to and in compliance with the Clermont County Procurement Card Policy and Procedures adopted by the Board of County Commissioners on 06/22/05 and subsequently amended on 03/28/07 and 09/24/14.

9. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2018...APPROVED

Recommendation of the Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation (**Resolution Number 185-17**) for Fiscal Year 2018, including legal level of control, and/or interfund transactions pursuant to Sections 5705.13 through 5705.14 of the Ohio Revised Code as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

BUDGET TRANSFER OF FUNDS FOR FISCAL YEAR 2018

| FUND | FROM: ORGANIZATION - OBJECT - ACCOUNT | TO: ORGANIZATION - OBJECT - ACCOUNT | AMOUNT |
|----------------------------------|---|--|-------------|
| MUNI CT PROBATION SERVICE | Muni Court Probation Services REGULAR SALARY 2212 - 04 - 12 - 365000 - 511200 - | Muni Court Probation Services FRINGE BENEFITS 2212 - 04 - 12 - 365000 - 520000 - | \$ 1,540.00 |
| GENERAL FUND | Treasurer REGULAR SALARY 1000 - 01 - 03 - 471000 - 511200 - | Treasurer FRINGE BENEFITS 1000 - 01 - 03 - 471000 - 520000 - | \$ 3,200.00 |
| GENERAL FUND | SW OH Regional Training Center OTHER EXPENSES 1000 - 06 - 01 - 088329 - 530000 - | SW OH Regional Training Center FRINGE BENEFITS 1000 - 06 - 01 - 088329 - 520000 - | \$ 1,400.00 |
| TREASURER DELIQU TAX & ASSESS | Treasurer Delinquent Tax Dept REGULAR SALARY 2041 - 01 - 03 - 472000 - 511200 - | Treasurer Delinquent Tax Dept FRINGE BENEFITS 2041 - 01 - 03 - 472000 - 520000 - | \$ 450.00 |
| GENERAL FUND | Building Inspection Department REGULAR SALARY 1000 - 04 - 01 - 122000 - 511200 - | Building Inspection Department FRINGE BENEFITS 1000 - 04 - 01 - 122000 - 520000 - | \$ 500.00 |

CASH TRANSFER OF FUNDS FOR FISCAL YEAR 2018

| FROM: FUND - OBJECT - ACCOUNT | TO: FUND - OBJECT - ACCOUNT | AMOUNT |
|--|---|---------------------|
| GENERAL FUND TRANSFERS OUT TO SPEC REV 1000 - 06 - 01 - 035328 - 700200 - | PUBLIC ASSISTANCE OPERATING TRF IN FROM GEN FUND 2401 - 06 - 01 - 081000 - 480100 - | \$ 98,762.50 |
| GENERAL FUND TRANSFERS OUT TO SPEC REV 1000 - 06 - 01 - 035328 - 700200 - | CHILDRENS SERVICES OPERATING TRF IN FROM GEN FUND 2402 - 06 - 01 - 085000 - 480100 - | \$ 50,000.00 |
| GENERAL FUND TRANSFERS OUT TO SPEC REV 1000 - 06 - 01 - 035328 - 700200 - | PUBLIC ASSISTANCE OPERATING TRF IN FROM GEN FUND 2401 - 06 - 01 - 081000 - 480100 - | \$ 35,000.00 |

REIMBURSEMENT OF FUNDS FOR FISCAL YEAR 2018

| FROM: FUND - OBJECT - ACCOUNT | TO: FUND - OBJECT - ACCOUNT | AMOUNT |
|---|--|----------------------|
| PUBLIC ASSISTANCE REIMBURSEMENTS OUT SPEC REV 2401 - 06 - 01 - 081000 - 703200 - | CHILDRENS SERVICES REIMBURSEMENTS IN FROM SP REV 2402 - 06 - 01 - 085000 - 483200 - | \$ 53,207.53 |
| CHILDRENS SERVICES REIMBURSEMENTS OUT SPEC REV 2402 - 06 - 01 - 085000 - 703200 - | PUBLIC ASSISTANCE REIMBURSEMENTS IN FROM SP REV 2401 - 06 - 01 - 081000 - 483200 - | \$ 620,065.12 |
| WORKFORCE DEVELOPMENT REIMBURSEMENTS OUT SPEC REV 2404 - 06 - 01 - 087000 - 703200 - | PUBLIC ASSISTANCE REIMBURSEMENTS IN FROM SP REV 2401 - 06 - 01 - 081000 - 483200 - | \$ 32,632.02 |
| PUBLIC ASSISTANCE REIMBURSEMENTS OUT SPEC REV 2401 - 06 - 01 - 081000 - 703200 - | CHILDRENS SERVICES REIMBURSEMENTS IN FROM SP REV 2402 - 06 - 01 - 085000 - 483200 - | \$ 3,476.42 |
| CHILD SUPPORT ENFORCEMENT REIMBURSEMENTS OUT SPEC REV 2403 - 06 - 01 - 086000 - 703200 - | PUBLIC ASSISTANCE REIMBURSEMENTS IN FROM SP REV 2401 - 06 - 01 - 081000 - 483200 - | \$ 121,638.57 |
| PUBLIC ASSISTANCE REIMBURSEMENTS OUT SPEC REV 2401 - 06 - 01 - 081000 - 703200 - | CHILDRENS SERVICES REIMBURSEMENTS IN FROM SP REV 2402 - 06 - 01 - 085000 - 483200 - | \$ 169,263.69 |

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

Recommendation of Thomas J. Eigel, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Fiscal Year 2019 and any and all amendments subsequent thereto:

CLERMONT COUNTY PUBLIC DEFENDER

Ronald Mason - Two (2) days – Columbus, Ohio – Ohio Association of Criminal Defense Lawyers Seminar entitled: “Hot Topics in Criminal Law” - Total expenses for lodging (\$155.10), meals (\$41.00), registration (\$90.00), mileage (\$116.63) and other (\$35.00) estimated not to exceed \$437.73.

DEPARTMENT OF JOB AND FAMILY SERVICES

Sara Faison and Jennifer Binder – Two (2) days – Columbus, Ohio – Statewide Automated Child Welfare Information System (SACWIS) Provider Technical Assistance Session - Total expenses for lodging (\$244.00) and meals (\$183.00) estimated not to exceed \$427.00.

11. IN RE: PERSONNEL ACTIONS...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.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

NON-CONSENT AGENDA

12. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 198-18/PAYMENT OF BILLS...ADOPTED

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

Recommendation that the Board of County Commissioners adopt **Resolution Number 198-18** resolving to approve payment to vendors **in the total amount of \$2,249,129.80** as set forth in the BCC Approval Invoice Report(s) For Checks Dated **December 12, 2018**, BCC Directed Pre-Paid Invoices Report(s), 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 **12/10/2018**, 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. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

13. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... AWARD OF BID AND EXECUTION OF CONTRACT FOR THE FURNISHING AND DELIVERY OF POLYMER FOR SAME...18-0830-003...RATIFIED

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

Recommendation of Randy Davis, Assistant Director of Operations, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to award the bid for the **Furnishing and Delivery of Polymer for the Clermont County Water Resources Department**, pursuant to the specifications, to Tidewater Products, Inc., P.O. Box 23181, Toledo, Ohio 43623, for the lowest and best bid received on 10/18/2018, as outlined therein, for a total annualized estimated amount of \$149,480.00, and to execute the Contract for the Furnishing and Delivery of Polymer relative thereto, effective for the period of 01/01/2019 through 12/31/2021, with the option to renew for an additional one year period upon the same terms and conditions, pursuant to and in compliance with the terms and conditions set forth therein and the afore stated award of bid **and contingent upon the issuance and receipt of a revised Certificate of Liability Insurance and the purchase order required therefore.**

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

14. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... CONTRACT FOR PROFESSIONAL SERVICES WITH LJB, INC. FOR PROJECT NUMBER 6401-60165 RELATIVE TO THE MIAMIVILLE AREA WATER MAIN REPLACEMENT PROJECT LOCATED WITHIN MIAMI TOWNSHIP...18-1127-003...EXECUTED

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

Recommendation of Chris Rowland, P.E., Assistant Sanitary Engineer, with the concurrence of Lyle G. Bloom, Director of Utilities, Clermont County Water Resources Department, to execute a *Contract for Professional Services* by and between the Board of County Commissioners of Clermont County, Ohio, and LJB, Inc., 2500 Newmark Drive, Miamisburg, Ohio 45342 for Project Number 6401-60165 relative to the design of the Miamiville Area Water Main Replacement Project located within Miami Township, in accordance with the Consultant's Proposal dated 10/23/2018 as identified in Exhibit A, attached thereto and made part thereof, for a total amount not to exceed \$88,269.00, with said services to be completed within 126 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, pursuant to and in compliance with the terms and conditions set forth therein *and contingent upon the release and receipt of the Purchase Order required therefore in concert with Requisition Number 00006175-00 dated 11/20/2018 relative thereto.*

DISCUSSION: Commissioner Humphrey questioned what the pressure in this area was and Mr. Bloom responded that it is approximately 160 to 180 pounds per square inch. Commissioner Painter asked if they were changing material types for the project and Mr. Bloom said yes, the old material is cast iron and they will be replacing it with ductile iron and wrapping it.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

15. IN RE: BUILDING INSPECTION DEPARTMENT...AMENDMENT NUMBER TWO TO THE LICENSE, HOSTING AND SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. RELATIVE TO THE ACQUISITION AND IMPLEMENTATION OF THE ENERGOV PERMIT AND LAND MANAGEMENT (PLM) SOLUTION SOFTWARE PROGRAM FOR THE COUNTY OF CLERMONT, OHIO...16-0926-002...EXECUTED

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

Recommendation of Carl Lamping, Chief Building Official, Building Inspection Department, with the concurrence of Sukie Scheetz, Assistant County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute *Amendment Number Two to the License, Hosting and Services Agreement* by and between the County of Clermont, Ohio, and Tyler Technologies, Inc., 1 Tyler Drive, Yarmouth, Maine 04096, for the implementation of the Energov Permit and Land Management (PLM) Solution Software Program for the County of Clermont, Ohio, previously ratified by the Board of County Commissioners on 10/19/2016, and subsequently amended on 08/09/2017, *to (1) change the name in Agreement from Clermont County, Ohio, to Board of Commissioners for Clermont County, Ohio (2) allow Clermont County read access to Clermont County EnerGov Database Replication (3) to provide clarification regarding integration (4) allow utilization of Tyler Software by Affiliated Organizations and (5) allow for additional products, licenses and services at the rates as defined therein,* with said rates to remain in effect for a period of three

(3) years commencing upon the execution of Amendment Number Two, and further, to acknowledge Tyler Technologies Sales Quote Number 2018-61222, dated 11/15/2018, for the purchase of up to 20 EnerGov Software Additional User Licenses and up to 10 Additional iG Workforce User Licenses, and Maintenance thereof, on a as needed basis, which represents an estimated cost not to exceed \$63,440.00, for a total revised contract amount not to exceed \$473,526.00, pursuant to and compliance with the terms and conditions set forth therein, with all other terms and conditions of the referenced Agreement and Amendment thereto to remain in full force and effect, and contingent upon the issuance and receipt of a purchase order therefore.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

16. IN RE: OFFICE OF MANAGEMENT AND BUDGET...RESOLUTION NUMBER 199-18/RESOLUTION OF NECESSITY FOR LEASE OF MOTOR VEHICLES FOR THE USE OF THE CLERMONT COUNTY DEPARTMENT OF JOBS AND FAMILY SERVICES...18-1119-006...ADOPTED

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

Recommendation of Sukie Scheetz, Assistant County Administrator, to adopt **Resolution Number 199-18** resolving to declare the necessity to lease six (6) new motor vehicles as replacement vehicles for the use of the Clermont County Department of Jobs and Family Services, at an estimated annual cost of \$35,216.40, effective for a period of four (4) years, from funds appropriated for Calendar Years 2019 through 2022, pursuant to Section 307.41 of the Ohio Revised Code, the Master Equity Lease Agreement, Amendment(s) to Master Equity Lease Agreement, Self-Insurance Addendum to Master Equity Lease Agreement, and an Unlimited Guaranty executed on 12/06/2017 by and between Clermont County, Ohio, (*Lessee*) and Enterprise FM Trust (*Lessor*), and the Maintenance Agreement and an Amendment to Maintenance Agreement executed on 12/06/2017 by and between Clermont County, Ohio, (*Lessee*) and Enterprise Fleet Management, Inc., and in compliance with Sections 307.86 through 307.92 of the Ohio Revised Code and to authorize Thomas J. Eigel, County Administrator, to execute and deliver, for and on behalf of the Board of County Commissioners, the afore stated individual vehicle lease schedules, together with any other necessary documents in concert therewith, and contingent upon the issuance and receipt of a purchase order therefore.

DISCUSSION: Commissioner Uible questioned when the leased cars are being replaced and Ms. Scheetz responded that the cars are replaced after the first four year term. She explained that it is possible to replace the cars earlier if so desired and start a new term thereafter. Commissioner Painter stated that the original cost analysis for this program showed that there would be a cost savings to the County by leasing the vehicles. Ms. Scheetz explained that the leased vehicles for the Department of Job and Family Services will not necessarily be a cost reduction in the long-term. However, there are intangible issues that impact this department such as the fact that they take the vehicles out of state (for transporting children in the custody of Children's Protective Services) and security is an important factor.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

17. IN RE: INFORMATION SYSTEMS DEPARTMENT...ENTERPRISE ENROLLMENT CONTRACT AND AMENDMENT THERETO WITH MICROSOFT CORPORATION, IN CONCERT WITH THE MICROSOFT ENTERPRISE AGREEMENT PROGRAM THROUGH THE STATE OF

**OHIO, AND EXECUTION OF THE PROGRAM SIGNATURE FORM
RELATIVE THERETO FOR SAME...18-1105-009...RATIFIED**

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

Recommendation of Brandon V. Hoepfner, Director, Information Systems Department, with the concurrence of Thomas J. Eigel, County Administrator, to approve the Enterprise Enrollment Contract and Amendment thereto, by and between the County of Clermont, Ohio, and Microsoft Corporation, 6100 Neil Road, Suite 210, Reno, Nevada 89511-1137, in concert with the Microsoft Enterprise Agreement Program through the State of Ohio, to continue the County's enrollment of Microsoft Windows, CoreCal, Exchange Server Enterprise and MSDN Licenses with Software Assurance, as well as, to add an additional 100 Windows Licenses with Software Assurance, and further, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute the Program Signature Form relative thereto, effective for the period 01/01/2019 through 12/31/2021, at an annual cost of \$129,090.57, for a total amount not to exceed \$387,271.71, pursuant to and in compliance with the terms and conditions set forth therein, **and contingent upon the issuance and receipt of a purchase order therefore.**

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

**18. IN RE: COUNTY ENGINEER...DERBY PLACE SUBDIVISION/SECTION
1/BLOCK A/BATAVIA TOWNSHIP...RECORD PLAT NUMBER 629-3101
AND PERFORMANCE AND MAINTENANCE BOND, AS WELL AS,
PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR
SAME...18-1115-008...EXECUTED**

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

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute **Record Plat Number 629-3101** for the following subdivision located within Batavia Township, and further to execute the Performance and Maintenance Bond, as well as, the Performance Bond for Sidewalks as Surety for same relative to the construction of the below listed streets:

| Subdivision | Performance and Maintenance Bond | Performance Bond for Sidewalks | Street/Length (miles) |
|---|----------------------------------|--------------------------------|---|
| Derby Place Subdivision Section 1 Block A Batavia Township | \$66,000.00/\$15,000.00 | \$76,320.00 | Roses Run (0.039) Derby Place Road (0.130) Paddock Crossing (0.154) |

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

**19. IN RE: COUNTY ENGINEER...REQUEST TO REDUCE THE WEIGHT
LIMITATION ON COUNTY BRIDGE NUMBER C75-175 LOCATED ON
LOVELAND MIAMIVILLE ROAD IN MIAMI TOWNSHIP...18-1127-
002...APPROVED**

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

Recommendation of Craig M. Stephenson, Deputy County Engineer, with the concurrence of Thomas J Eigel, County Administrator, to reduce the weight limitation on County Bridge Number C75-175, located on Loveland Miami Road in Miami Township, from 30 tons to 18 tons, subsequent to the annual inspection therefore and due to the noted deterioration thereof.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

20. IN RE: BOARD OF COUNTY COMMISSIONERS...ADMINISTRATION AGREEMENT WITH RELIASTAR LIFE INSURANCE COMPANY/RELIASTAR LIFE INSURANCE COMPANY OF NEW YORK, MEMBERS OF THE VOYA FAMILY OF COMPANIES (THE "COMPANY"), FOR THE VOLUNTARY LIFE, BASIC LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT, AND LONG TERM DISABILITY INSURANCE FOR THE CLERMONT COUNTY GROUP HEALTHCARE BENEFITS PLAN FOR CALENDAR YEARS 2019, 2020 AND 2021, AND AUTHORIZATION TO OBTAIN THE INSURANCE POLICY(IES) AND CONTRACT RELATIVE THERETO...18-0928-004...EXECUTED

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

Recommendation of Yvonne Smith, Benefits Plan Coordinator with the concurrence of Thomas J. Eigel, County Administrator, to authorize Thomas J. Eigel to execute the Administration Agreement by and between the County of Clermont, Ohio, and ReliaStar Life Insurance Company/ReliaStar Life Insurance Company of New York, Members of the VOYA Family of Companies (the "Company"), 20 Washington Avenue South, Minneapolis, Minnesota 55401, as presented to the Board of County Commissioners by Horan Associates, Inc., on 11/07/2018, for the Voluntary Life, Basic Life, Accidental Death and Dismemberment, and Long Term Disability Insurance for the Clermont County Group Healthcare Benefits Plan for Calendar Years 2019, 2020 and 2021, effective 01/01/2019, and to authorize Yvonne Smith to obtain the necessary Insurance Policy(ies) to enter into a Contract with ReliaStar Life Insurance Company/ReliaStar Life Insurance Company of New York therefore, effective 01/01/2019 through 12/31/2019, with an option to renew for two (2) one-year periods, for submittal to the Board of County Commissioners for ratification thereof.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

21. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 200-18/RESOLUTION GRANTING ANNEXATION OF 96.7449 ACRES OF LAND FROM STONELICK TOWNSHIP TO THE VILLAGE OF OWENSVILLE IN CLERMONT COUNTY, OHIO...18-0820-005...ADOPTED

LET THE RECORD SHOW: Judie Kocica, Clerk of the Board, provided an overview of the actions taken to date with regard to the Petition for Annexation of 96.7449 Acres of Land situated within Stonelick Township to the Village of Owensville, Clermont County, Ohio. Tom Eigel, County Administrator, asked Allan Edwards, Clermont County Prosecutor's Office, if there has been any new additional information regarding the proposed annexation subsequent to the submission of his report to the Board of County Commissioners and Mr. Edwards responded no.

Moved by Mr. Uible that the Board of County Commissioners approve the following recommendation:

The Board of County Commissioners adopted **Resolution Number 200-18 *resolving to grant*** the Petition for Annexation of 96.7449 Acres of Land situated within Stonelick Township to the Village of Owensville, Clermont County, Ohio, filed in the Office of the Board of County Commissioners at 10:55 A.M. on Monday, August 20, 2018, by Michael Minniear, Attorney at Law, 626 Main Street, Milford, Ohio 45150, for and on behalf of Rick McEvoy, P.O. Box 438, Owensville, Ohio 45160, as the designated Agent for the Petitioners, and comprising eighteen (18) parcels of real property, who are the owners of the described real estate sought to be annexed, pursuant to and in compliance with Section 709.033 (A) of the Ohio Revised Code.

LET THE RECORD SHOW THAT THE MOTION DIED FOR A LACK OF A SECOND THEREOF.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 200-18/RESOLUTION DENYING ANNEXATION OF 96.7449 ACRES OF LAND FROM STONELICK TOWNSHIP TO THE VILLAGE OF OWENSVILLE IN CLERMONT COUNTY, OHIO...18-0820-005...ADOPTED

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

The Board of County Commissioners adopted **Resolution Number 200-18 *resolving to deny*** the Petition for Annexation of 96.7449 Acres of Land situated within Stonelick Township to the Village of Owensville, Clermont County, Ohio, filed in the Office of the Board of County Commissioners at 10:55 A.M. on Monday, August 20, 2018, by Michael Minniear, Attorney at Law, 626 Main Street, Milford, Ohio 45150, for and on behalf of Rick McEvoy, P.O. Box 438, Owensville, Ohio 45160, as the designated Agent for the Petitioners, and comprising eighteen (18) parcels of real property, who are the owners of the described real estate sought to be annexed, pursuant to and in compliance with Section 709.033 (A) of the Ohio Revised Code.

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

Mr. Painter, Yes; Mr. Humphrey, Aye; Mr. Uible, No.

22. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2018...APPROVED

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

Recommendation of the Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation (**Resolution Number 185-17**) for Fiscal Year 2018, including legal level of control, and/or interfund transactions pursuant to Sections 5705.13 through 5705.14 of the Ohio Revised Code as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

APPROPRIATION CHANGES FOR FISCAL YEAR 2018

| <u>FUND</u> | <u>ORGANIZATION - OBJECT - ACCOUNT</u> | <u>AMOUNT</u> |
|-------------------|--|----------------|
| FLEET MAINTENANCE | Fleet Maintenance REGULAR SALARY | \$ (51,000.00) |

| | | |
|--------------------------|--|----------------|
| FLEET MAINTENANCE | 8002 - 00 - 01 - 176000 - 511200 - Fleet Maintenance | \$ (12,500.00) |
| | OVERTIME | |
| FLEET MAINTENANCE | 8002 - 00 - 01 - 176000 - 512100 - Fleet Maintenance | \$ (27,000.00) |
| | FRINGE BENEFITS | |
| FLEET MAINTENANCE | 8002 - 00 - 01 - 176000 - 520000 - Fleet Maintenance | \$ 15,500.00 |
| | OTHER EXPENSES | |
| | 8002 - 00 - 01 - 176000 - 530000 - | |

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

LET THE RECORD SHOW: Subsequent to the approval of the appropriations changes relative to Fleet Maintenance, Tom Eigel, County Administrator, stated that the County is still in the process of searching for a Fleet Manager.

23. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR FISCAL YEAR 2018...APPROVED

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

Recommendation of the Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize changes in the Annual Appropriation Resolution Number 185-17 for Fiscal Year 2018 pursuant to Ohio Revised Code Section 5705.40 as outlined in the following table and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2018

| <u>FUND</u> | <u>ORGANIZATION - OBJECT - ACCOUNT</u> | <u>AMOUNT</u> |
|-----------------------------|--|------------------------|
| GENERAL FUND | Sheriff Fleet Maintenance | \$ 15,000.00 |
| | OTHER EXPENSES | |
| | 1000 - 04 - 19 - 436000 - 530000 - | |
| SENIOR SERVICES | Senior Services | \$ (36,202.89) |
| | OTHER EXPENSES | |
| | 2002 - 06 - 01 - 043000 - 530000 - | |
| COUNTY HOTEL LODGING | Hotel Lodging Tax | \$ 2,218.90 |
| | OTHER EXPENSES | |
| | 2022 - 01 - 02 - 023000 - 530000 - | |
| PUBLIC ASSISTANCE | Job & Family Service Admin | \$ (55,000.00) |
| | REGULAR SALARY | |
| | 2401 - 06 - 01 - 081000 - 511200 - | |
| PUBLIC ASSISTANCE | Job & Family Service Admin | \$ (5,000.00) |
| | OVERTIME | |
| | 2401 - 06 - 01 - 081000 - 512100 - | |
| PUBLIC ASSISTANCE | Job & Family Service Admin | \$ (35,000.00) |
| | FRINGE BENEFITS | |
| | 2401 - 06 - 01 - 081000 - 520000 - | |
| PUBLIC ASSISTANCE | Childrens Protective Services | \$ (250,000.00) |
| | BARGAINING UNIT - SALARY | |
| | 2401 - 06 - 01 - 082000 - 511700 - | |

| | | | |
|---|--------------------------------------|-----------------|------------------------|
| COMMISSIONERS' JOURNAL #315 | CLERMONT COUNTY | REGULAR SESSION | 12/12/18 |
| PUBLIC ASSISTANCE | Childrens Protective Services | | \$ (150,000.00) |
| | FRINGE BENEFITS | | |
| | 2401 - 06 - 01 - 082000 - 520000 - | | |
| PUBLIC ASSISTANCE | DJFS Income Maintenance | | \$ (100,000.00) |
| | BARGAINING UNIT - SALARY | | |
| | 2401 - 06 - 01 - 083000 - 511700 - | | |
| PUBLIC ASSISTANCE | DJFS Income Maintenance | | \$ (170,000.00) |
| | FRINGE BENEFITS | | |
| | 2401 - 06 - 01 - 083000 - 520000 - | | |
| PUBLIC ASSISTANCE | Workforce Development | | \$ (5,000.00) |
| | OVERTIME | | |
| | 2401 - 06 - 01 - 084000 - 512100 - | | |
| PUBLIC ASSISTANCE | Workforce Development | | \$ (30,000.00) |
| | FRINGE BENEFITS | | |
| | 2401 - 06 - 01 - 084000 - 520000 - | | |
| CHILD SUPPORT ENFORCEMENT | Child Support Enforcement | | \$ (45,000.00) |
| | REGULAR SALARY | | |
| | 2403 - 06 - 01 - 086000 - 511200 - | | |
| CHILD SUPPORT ENFORCEMENT | Child Support Enforcement | | \$ (95,000.00) |
| | BARGAINING UNIT - SALARY | | |
| | 2403 - 06 - 01 - 086000 - 511700 - | | |
| CHILD SUPPORT ENFORCEMENT | Child Support Enforcement | | \$ (20,000.00) |
| | OVERTIME | | |
| | 2403 - 06 - 01 - 086000 - 512100 - | | |
| CHILD SUPPORT ENFORCEMENT | Child Support Enforcement | | \$ (135,000.00) |
| | FRINGE BENEFITS | | |
| | 2403 - 06 - 01 - 086000 - 520000 - | | |
| LAW ENFORCEMENT DIVERSION PROG | Law Enf Diversion Program | | \$ (15,172.00) |
| | OTHER EXPENSES | | |
| | 2513 - 04 - 19 - 455000 - 530000 - | | |

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

24. IN RE: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF PROPOSAL FROM ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC. RELATIVE TO PROPERTY, CASUALTY AND LIABILITY INSURANCE FOR THE COUNTY OF CLERMONT, OHIO...18-1207-002...RATIFIED

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

Recommendation of Sukie Scheetz, Assistant County Administrator, to accept the Proposal submitted by Arthur J. Gallagher Risk Management Services, Inc., 3 Summit Park Drive, Suite 530, Independence, Ohio 44131 entitled Insurance Program Renewal Proposal dated 11/07/2018, as it relates to the purchase of property, casualty and liability, including cyber liability insurance, for the County of Clermont, Ohio, for the period of 12/31/2018 through 12/31/2019, at an annual premium of \$583,351.00, and further to authorize Edwin H. Humphrey, President of the Board of County Commissioners and/or Thomas J. Eigel, County Administrator, to execute any and all documents in and as it relates thereto.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

LET THE RECORD SHOW: Patrick J. Manger, County Engineer, addressed the Board of County Commissioners with regard to the Clermont County Transportation Improvement District

(TID) Project known as the Clepper Lane Extension Project located in Union Township. Tom Eigel, County Administrator, explained that Mr. Manger is here in response to a letter received by Commissioner Humphrey, dated 09/17/2018, from Matthew Fellerhoff of the law firm of Strauss Troy (attached). The letter was sent on behalf of the property owners of Kennedy's Landing and the Shoppes at Kennedy's Landing inasmuch as both companies are in the proposed Clepper Lane Extension Project area. The letter requests that the Board of County Commissioners veto the TID project that includes the appropriation of portions of their property.

Mr. Manger stated that this project is part of a much larger scope of projects known as the Eastern Corridor Program of Projects which has been in process for many years. He stated that Charlie Rowe from the Ohio Department of Transportation (ODOT) is present this date. Mr. Rowe is the designated ODOT representative for the collaborative effort that has been in existence for decades for the Eastern Corridor Program of Projects, with the major investment study completed for the corridor in the early 1990's. The TID was formed in 2006, and over the last decade the TID has combined efforts with ODOT, Hamilton County, the City of Cincinnati, Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, as well as, other federal agencies for the implementation of the Eastern Corridor Program of Projects.

A map of the Eastern Corridor Program Study Areas was displayed and reviewed (attached). Mr. Manger explained that the major investment study divided the program into four and a half segments (Segment I through Segment IVa) as outlined in the map displayed.

A second map was displayed outlining the SR 32 Corridor Improvements (attached). The map represented Segments IV and IVa of the overall Eastern Corridor Program of Projects. The map contained eight components or improvement projects to be completed in separate stages due to funding and other restrictions. Mr. Manger explained that the Clepper Lane Extension Project is part of Segment IVa (Eastgate area to Batavia). He further explained that ODOT designed the eight components as one project and the detailed plans for components one and two (which includes the Clepper Lane Extension Project) were given to the TID to implement. The TID is now in the process of acquiring the necessary right-of-way to proceed with the project (as part of the overall regional plan).

Mr. Manger stated there have been concerns raised relative to the impact of the project which have been successfully addressed including the driveway on the Kennedy's Landing property, an Ohio Environmental Protection Agency (EPA) mandated stormwater pond, vegetation issues, and an open drainage way.

Mr. Manger indicated they are in the final development stages of the project and construction is planned to begin next year. He further stated that there has been a lot of state and federal collaboration on this project and it needs to move forward.

Mr. Manger indicated that a fair market value has been established for the property acquisition. An appraisal has been completed and reviewed by a third party, resulting in an appraised value in excess of \$300,000. The property needs to be acquired so that the needed easements can be obtained and the Clepper Lane Extension Project can move forward, as well as, all of the other components tied to this project relative to the overall regional Eastern Corridor Program of Projects.

Commissioner Painter questioned the outcome of the previously discussed issue of potentially adjusting the radius of the route of the project impacting Kennedy's Landing. Charlie Rowe, ODOT, responded that they discussed tightening up the radius in this area with a consultant, but the benefit was minimal based on the design speed and safety aspects of the road. It was noted that the project is impacting approximately 1.15 acres of land, which represents a reduced area based on the stormwater changes that were made. Mr. Rowe stressed the need for the east and west corridors parallel to SR 32 in order to reduce traffic.

In response to Commissioner Uible's request, Mr. Manger reviewed the timeline for the eight local network improvements of the Eastern Corridor Segment IVa. He stated that the Eastern

Corridor, in his opinion, may be ODOT's most important project in the District. He further stated that hopefully this interchange will be one of the three selected projects that ODOT submits for funding/for approval to Washington D.C. this year.

Discussion was held with regard to elimination of traffic lights at Bach Buxton and Glen Este-Withamsville, which is part of the planned road improvements. Mr. Manger indicated that the removal of the traffic lights will help resolve the congestion issues and improve traffic safety on SR 32.

LET THE RECORD SHOW: COMMISSIONER HUMPHREY STATED THAT THE BOARD HAD REACHED THE PUBLIC PARTICIPATION SECTION OF THE AGENDA. HE INQUIRED IF THERE WAS ANYONE IN THE AUDIENCE THAT WOULD LIKE TO ADDRESS THE BOARD.

LET THE RECORD SHOW: COMMISSIONER HUMPHREY STATED THAT DURING THIS TIME THE BOARD DOES NOT ANSWER QUESTIONS NOR ENGAGE IN A DEBATE. HE FURTHER STATED THAT NO MEMBER OF THE PUBLIC MAY COMMENT ABOUT A MATTER THAT IS NOT WITHIN THE PURVIEW OF THE COUNTY COMMISSIONER'S RESPONSIBILITIES AND THE COMMISSIONERS ARE NOT EXPECTED TO COMMENT ON MATTERS BROUGHT TO THE BOARD DURING THIS TIME. HE ADVISED THAT EACH SPEAKER SHALL ONLY SPEAK ONCE AND SHALL BE RECOGNIZED BY THE BOARD PRESIDENT BEFORE SPEAKING. COMMISSIONER HUMPHREY INDICATED THAT IN ACCORDANCE WITH THE BOARD'S RULES OF PROCEDURE THE COMMENTS ARE LIMITED TO 5 MINUTES.

LET THE RECORD SHOW: Matthew Fellerhoff, an Attorney with Strauss Troy, addressed the Board of County Commissioners on behalf of the property owners of Kennedy's Landing and the Shoppes at Kennedy's Landing. Mr. Fellerhoff stated that the owners of the properties in question, Drena Francis and Richard Martin, are both present this date. He further stated that they are here today to request that the Board of County Commissioners veto the Clepper Lane Extension Project due to the negative impacts that the project has on their properties. Mr. Fellerhoff explained that Ohio Revised Code, Section 163 (regarding eminent domain), allows for the Board of County Commissioners to veto the project.

Mr. Fellerhoff acknowledged that some positive changes have been made to the project, however, there are still issues remaining that have a negative impact on Kennedy's Landing and the Shoppes at Kennedy's Landing including the following:

- Apartments in the back of the property will no longer be secluded.
- The roadway has shifted significantly closer to the properties.
- A number of trees will be taken out.
- Drainage issues on the side of the road closest to the apartments - which could be eliminated if the drains were shifted to the other side of the road.

Mr. Fellerhoff further stated that they have received assurances that the removal of trees along Glen Este-Withamsville Road will be minimal and that the number of street lights on the roadway will be reduced. He stated that they are relying on the County Engineer's Office to implement these actions.

Drena Francis addressed the Board of County Commissioners with regard to her objection to the proposed project. She stated that her and her father's businesses, Kennedy's Landing and the Shoppes at Kennedy's Landing, represent years of hard work and is essentially their retirement plan. She stated that they have three parcels being affected by the project. Ms. Francis discussed additional negative impacts of the proposed project as follows:

- Elimination of the landscaping at Kennedy's Landing.
- Removal of 200 feet of trees at Kennedy's Landing.
- Removal of a canal going through the property which drained 18 acres.

- Excessive street lights (a total of 64).

Ms. Francis stated that she feels they are being railroaded. She indicated that the transfer of her private driveway (by ODOT) to Jeff Wyer's property is illegal. She further stated that she is willing to work with ODOT and the TID to get the road extension completed, but she wants reasonable and fair conditions to be put into place for her property and the Wyler property.

Commissioner Humphrey stated that the issue today is whether or not to veto the project, which would eradicate all of the work completed to date on the Eastern Corridor. The value of the land is an eminent domain issue and you have a right to go to Common Pleas Court to object to the value of your land.

LET THE RECORD SHOW: Chris Hicks of 444 Woodwick Court, Cincinnati, Ohio 45255, addressed the Board of County Commissioners with regard to two issues as follows:

- **FIRST AMENDMENT TO THE COOPERATIVE AGREEMENT**

Mr. Hicks expressed his appreciation for switching the order of the items on today's agenda. He stated that hopefully it is a good sign that Item Number 25 (First Amendment to the Cooperative Agreement by and among the City of Milford, Ohio, the County of Clermont County, Ohio, and the Clermont County Convention and Visitors Bureau, Inc. dated as of August 29, 2018) will not be approved by the Board of County Commissioners. He stated that he hopes people realize how unstable this issue is, with every agreement being amended and the fact that they are changing the Ohio Revised Code for this project. He further stated that there has never been a land purchase approved for this project and that the only reasonable thing to do at this time is to take no action. Mr. Hicks stated that the next action should be to suspend the hotel tax until this issues is resolved.

- **JOINT APPLICATION FOR THE EMPLOYMENT OF OUTSIDE LEGAL COUNSEL**

Mr. Hicks expressed his concerns with regard to Item Number 26 on today's agenda, the Joint Application for Employment of Outside Counsel with the Clermont County Prosecutor to represent Linda L. Fraley, Clermont County Auditor, in legal matters. Mr. Hicks stated that the proposed action is illegal and unnecessary, as the County should seek assistance from another County due to the conflict of interest. Mr. Hicks further expressed his concerns with the legal firm of Strauss Troy and recommended that the County not use this firm.

LET THE RECORD SHOW: Ernie Ramos, Clermont County Prosecutor's Office, addressed the Board of County Commissioners with regard to Ohio Revised Code 163.021 (discussed earlier relative to the Clepper Lane Extension Project). Mr. Ramos clarified that the discretion of the Board of County Commissioners in this case is to veto the subject appropriation of the property, not the entire project.

LET THE RECORD SHOW: Ed McCoy of 21 Bellwood Court, Amelia, Ohio 45102, addressed the Board of County Commissioners with regard to the Joint Application for Employment of Outside Counsel with the Clermont County Prosecutor to represent Linda L. Fraley, Clermont County Auditor, in legal matters (Item Number 26 on the Non-Consent Agenda of the Regular Session of 12/12/2018). Mr. McCoy expressed his concerns with the law firm of Strauss Troy including the fact that they are outside of Clermont County. He further stated that he has experience with this law firm and cited some actions by Strauss Troy which, in his opinion, are unethical.

LET THE RECORD SHOW THAT THE PUBLIC PARTICIPATION WAS VIDEO RECORDED 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 PUBLIC PARTICIPATION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <https://www.youtube.com/user/clermontcounty/playlists>.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER UIBLE AND SECONDED BY COMMISSIONER PAINTER TO GO INTO EXECUTIVE SESSION AT 11:19 A.M. PURSUANT TO SECTION 121.22 (G) (1) AND (G) (3) OF THE OHIO REVISED CODE TO (1) CONSIDER THE APPOINTMENT, EMPLOYMENT, PROMOTION OR COMPENSATION OF ONE OR MORE PUBLIC EMPLOYEES AND (2) CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING OR IMMINENT LITIGATION, RESPECTIVELY, WITH ALL MEMBERS VOTING THEREON AS FOLLOWS:

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 12:57 P.M. WITH NO ACTION TAKEN.

25. IN RE: BOARD OF COUNTY COMMISSIONERS...FIRST AMENDMENT TO THE COOPERATIVE AGREEMENT BY AND AMONG THE CITY OF MILFORD, OHIO, THE COUNTY OF CLERMONT, OHIO, AND THE CLERMONT COUNTY CONVENTION AND VISITORS BUREAU, INC. DATED AS OF AUGUST 29, 2018...18-0817-005...RATIFIED

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

Recommendation of Thomas J. Eigel, County Administrator, to amend the Cooperative Agreement made by and among the County of Clermont, Ohio, the City of Milford, Ohio, and the Clermont County Convention and Visitors Bureau, Inc., an Ohio non-profit corporation, dated and executed on August 29, 2018 by the County Administrator, on behalf of the Board of Clermont County Commissioners in accordance with Resolution Number 137-18 ratified by the Board of County Commissioners on 08/22/2018, by amending the timing of the County's obligation to remit all amounts that the County received from the imposition of the additional one percent (1%) excise tax (the "Incremental Lodging Tax") following the issuance of the City Securities, as outlined in Exhibit A and Exhibit B, attached hereto and made a part thereof, and further to authorize Thomas J. Eigel, County Administrator, to execute the First Amendment to the Cooperative Agreement effective 12-12-2018.

DISCUSSION: Commissioner Painter asked for conformation that this action will result in holding the monies collected for the "Increment Lodging Tax" in an account by the County Auditor and not be distributed to the Clermont County Convention and Visitor's Bureau, Inc. and Mr. Eigel responded yes. Commissioner Painter questioned what happens if the land is never purchased, will there be an additional Amendment to the Cooperative Agreement. Mr. Eigel explained that if the City of Milford does not issue the debt, they will be in default of the Cooperative Agreement. In that event, the County will issue a letter to the City of Milford requesting them to remedy that default. If they do not remedy the default, then the sunset provision, contained in the Resolution that authorized the "Increment Lodging Tax", would be triggered. The issue, at that time, would be what to do with the balance in the afore stated account. Mr. Eigel confirmed with Allan Edwards, County Prosecutor's Office, that amendments could be made at that time to the Cooperative Agreement and the Resolution.

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

Mr. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...JOINT APPLICATION WITH THE PROSECUTING ATTORNEY TO THE CLERMONT COUNTY COURT OF COMMON PLEAS FOR EMPLOYMENT OF OUTSIDE LEGAL COUNSEL TO REPRESENT CLERMONT COUNTY AUDITOR LINDA L. FRALEY AS IT RELATES TO ALL LITIGATION RESULTING FROM THE PROBABLE CAUSE AFFIDAVIT FILED BY CHRISTOPHER HICKS AND ASSIGNED IN THE CLERMONT COUNTY MUNICIPAL COURT AND DESIGNATED AS CASE NO. 2018 PC 00002....18-1129-001...REMOVED FROM THE TABLE

LET THE RECORD SHOW: Tom Eigel, County Administrator, asked the Board of County Commissioners to consider removing Item Number 24 contained in the Non-Consent Agenda of the Regular Session of 12/05/2018, which was tabled by the Board of County Commissioners, from the table.

Moved by Mr. Painter, seconded by Mr. Uible, that the Board of County Commissioners remove the following recommendation from the table:

Recommendation of Thomas J. Eigel, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute the Joint Application for Employment of Outside Legal Counsel with the Clermont County Prosecuting Attorney to the Clermont County Court of Common Pleas for the employment of the legal counsel, as outlined below, pursuant to and in compliance with Section 305.14 of the Ohio Revised Code.

| Law Firm | Legal Matters | Total Amount Not to Exceed |
|---|---|----------------------------|
| Strauss Troy Co., LPA 150 East Fourth Street 4 th Floor Cincinnati, Ohio 45202-4018 | To represent Linda L. Fraley, Clermont County Auditor, in all litigation resulting from the probable cause affidavit filed by Christopher Hicks, identified as State of Ohio vs. Linda L. Fraley and assigned in the Clermont County Municipal Court and designated as Case No. 2018 PC 0002. | \$525.00 per hour |

Upon roll call to remove Item Number 24 from the Non-Consent Agenda of the Regular Session of 12/05/2018 heretofore tabled, the vote was as follows:

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

26. IN RE: BOARD OF COUNTY COMMISSIONERS...JOINT APPLICATION WITH THE PROSECUTING ATTORNEY TO THE CLERMONT COUNTY COURT OF COMMON PLEAS FOR EMPLOYMENT OF OUTSIDE LEGAL COUNSEL TO REPRESENT CLERMONT COUNTY AUDITOR LINDA L. FRALEY AS IT RELATES TO ALL LITIGATION RESULTING FROM THE PROBABLE CAUSE AFFIDAVIT FILED BY CHRISTOPHER HICKS AND ASSIGNED IN THE CLERMONT COUNTY MUNICIPAL COURT AND DESIGNATED AS CASE NO. 2018 PC 00002....18-1207-009...NOT RATIFIED

LET THE RECORD SHOW: Tom Eigel, County Administrator, asked the Board of County Commissioners consider a motion to amend Item Number 24 contained in the Non-Consent Agenda of the Regular Session of 12/05/2018 and to substitute that motion with Item Number 26 contained in the Non-Consent Agenda of the Regular Session of 12/12/2018.

Moved by Mr. Uible, seconded by Mr. Painter, that the Board of County Commissioners consider the following recommendation as amended from the Non-Consent Agenda of the Regular Session of 12/05/2018:

Recommendation of Thomas J. Eigel, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute the Joint Application for Employment of Outside Legal Counsel with the Clermont County Prosecuting Attorney to the Clermont County Court of Common Pleas for the employment of the legal counsel, as outlined below, pursuant to and in compliance with Section 305.14 of the Ohio Revised Code.

| Law Firm | Legal Matters | Compensation |
|---|---|---|
| Strauss Troy Co., LPA 150 East Fourth Street 4 th Floor Cincinnati, Ohio 45202-4018 | To represent Linda L. Fraley, Clermont County Auditor, in all litigation resulting from the probable cause affidavit filed by Christopher Hicks, identified as State of Ohio vs. Linda L. Fraley and assigned in the Clermont County Municipal Court and designated as Case No. 2018 PC 0002. | Compensation will be at the range of \$135.00 per hour to \$350.00 per hour with a total amount not to exceed \$25,000.00 |

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

Mr. Uible, Yes; Mr. Painter, No; Mr. Humphrey, Abstain.

IN RE: CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT... REQUEST TO EXTEND THE EXPIRATION DATE FOR THE DISPOSITION OF THE REQUEST FOR STATEMENT OF QUALIFICATIONS FOR ARCHITECTURAL SERVICES IN AND AS IT RELATES TO THE DESIGN OF A NEW CLERMONT COUNTY SHERIFF'S SAFETY & TRAINING FACILITY...18-0905-001...APPROVED

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

Recommendation of Wade Grabowski, Director, Clermont County Facilities Management Department, with the concurrence of Thomas J. Eigel, County Administrator, to approve the request to extend the expiration date for the disposition of the Request for Statement of Qualifications heretofore received on 10/19/2018 for the provision of architectural services in and as it relates to design work necessary for a new Clermont County Sheriff's Safety & Training Facility, for an additional forty five (45) days, from Wednesday, December 19, 2018 through Friday, February 1, 2019, to provide additional time to continue the review thereof and the negotiation of a contract therefore.

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

Mr. Painter, Yes; Mr. Uible, Yes; Mr. Humphrey, Aye.

IN RE: ADJOURNMENT...RATIFIED

Moved by Mr. Uible, seconded by Mr. Painter,

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:07 P.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. Uible, Yes; Mr. Painter, Yes; Mr. Humphrey, Aye.

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

EDWIN H. HUMPHREY, PRESIDENT

DAVID L. PAINTER, VICE PRESIDENT

DAVID H. UIBLE, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED