



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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PAT ARNOLD SOUTH

DAVID G. YOUNG

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – February 24, 2015

The Board met in regular session pursuant to adjournment of the February 10, 2015, meeting.

David G. Young – absent

Pat Arnold South – present

Tom Grossmann – present

Laura Lander, Deputy Clerk – present

Minutes of the February 10, 2015 meetings were read and approved.

- 15-0221 A resolution was adopted to approve end of 180-day Probationary Period and approve a Pay Increase for Connor Davis, Sewer System Maintenance worker I, within the Water and Sewer Department. Vote: Unanimous
- 15-0222 A resolution was adopted to approve end of 240-day Probationary Period and approve a Pay increase for Katie Baker, Protective services Caseworker, within the Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 15-0223 A resolution was adopted to approve end of 240-day Probationary Period and approve a Pay Increase for Elizabeth O’Harra, Protective Services Caseworker, within the Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 15-0224 A resolution was adopted to hire Melanie Hornung as unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 15-0225 A resolution was adopted to accept Resignation of Shawn Hogsten, Emergency Communications Call Taker, within the Warren County Emergency Services Department, effective February 9, 2015. Vote: Unanimous

- 15-0226 A resolution was adopted to approve Reappointments to the Warren County Port Authority. Vote: Unanimous
- 15-0227 A resolution was adopted to extend the Request for Proposals for the Warren County Data Processing Assessment. Vote: Unanimous
- 15-0228 A resolution was adopted to Set and Advertise Public hearing #2 to designate projects Warren County intends to fund for the FY 2015 Community Development Block Grant (CDBG) Urban Entitlement Program. Vote: Unanimous
- 15-0229 A resolution was adopted to approve Continuation of Current Maintenance and service Agreement with Hobart Service for various Jail Kitchen Equipment. Vote: Unanimous
- 15-0230 A resolution was adopted to approve Annual Equitable Sharing Agreement and Certification Report with the US Department of Justice for the Warren County Sheriff's Office. Vote: Unanimous
- 15-0231 A resolution was adopted to approve and authorize the President of the Board to enter into a Classroom Training Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 15-0232 A resolution was adopted to authorize the Vice President of the Board to sign a Purchase Agreement with Dennis M. Schnurr, Archbishop of Cincinnati, Trustee for the members of the congregation of St. Philip the Apostle Roman Catholic Church, Morrow, Warren County, Ohio. Vote: Unanimous
- 15-0233 A resolution was adopted for Certification of Delinquent Water and/or Sewer accounts - Warren County Water and Sewer Department. Vote: Unanimous
- 15-0234 A resolution was adopted to acknowledge approval of Affirmation of "Then and Now" requests pursuant to Ohio Revised Code 5705.41 (D) (1) by the County Administrator pursuant to Resolution #10-0948. Vote: Unanimous
- 15-0235 A resolution was adopted to approve Replacement of Bridge WA 12-6.37 under Force Account. Vote: Unanimous
- 15-0236 A resolution was adopted to approve Replacement of Culvert WA 172-1.43 under Force Account. Vote: Unanimous
- 15-0237 A resolution was adopted to approve Replacement of Culvert WA 35-0.60 under Force Account. Vote: Unanimous

- 15-0238 A resolution was adopted to enter into an Engineering Agreement with URS Corporation, Inc. Vote: Unanimous
- 15-0239 A resolution was adopted to Rescind Resolution #14-1642 adopted October 28, 2014, and Amend Personnel Policy Manual by adding Section 7.23, Social Media Policy. Vote: Unanimous
- 15-0240 A resolution was adopted to authorize Disclosure of Protected Health Information between Horan Securities, Inc and OptumRX. Vote: Unanimous
- 15-0241 A resolution was adopted to acknowledge and accept Consulting Agreement with Horan Associates. Vote: Unanimous
- 15-0242 A resolution was adopted to approve Amendment to Agreement with Rumpke of Ohio, Inc. for Hauling and Disposal of sludge at the Lower Little Miami Wastewater Treatment Plant. Vote: Unanimous
- 15-0243 A resolution was adopted to declare various items within Common Pleas Court as surplus and authorize the disposal of said items. Vote: Unanimous
- 15-0244 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 15-0245 A resolution was adopted to acknowledge approval of various Financial Resolutions by the County Administrator pursuant to Resolution #10-0948. Vote: Unanimous
- 15-0246 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 15-0247 A resolution was adopted to approve Bond Release for Grand Communities, Ltd for completion of improvements in Shaker Run, Section 4A situated in Turtlecreek Township. Vote: Unanimous
- 15-0248 A resolution was adopted to enter into a Street and Appurtenances (including sidewalks) Security Agreement with the Drees Company for installation of certain improvements in Heritage at Miami Bluffs, Phase 4, Block "B" situated in Hamilton Township. Vote: Unanimous
- 15-0249 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with the Drees Company for installation of certain improvements in Heritage at Miami Bluffs, Phase 4, Block "B" situated in Hamilton Township. Vote: Unanimous

- 15-0250 A resolution was adopted to enter into a Street and Appurtenances (including sidewalks) Security Agreement with Fischer Development Company for installation of certain improvements in Miami Bluffs, Section Fifteen situated in Hamilton Township. Vote: Unanimous
- 15-0251 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Fischer Development Company for installation of certain improvements in Miami Bluffs Subdivision, Section Fifteen situated in Hamilton Township. Vote: Unanimous
- 15-0252 A resolution was adopted to enter into Street and Appurtenances (including sidewalks) Security Agreement with M/I Homes of Cincinnati, LLC for installation of certain improvements in Rivercrest, Section One situated in Hamilton Township. Vote: Unanimous
- 15-0253 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with M/I Homes of Cincinnati, LLC for installation of certain improvements in Rivercrest, Section One, situated in Hamilton Township. Vote: Unanimous
- 15-0254 A resolution was adopted to approve the following Record Plats.
Vote: Unanimous
- 15-0255 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 15-0256 A resolution was adopted to approve Supplemental Appropriations into Common Pleas Court Probation Improvement & Incentive Fund #289. Vote: Unanimous
- 15-0257 A resolution was adopted to approve a Supplemental Appropriation into Fund #484 (P&G TIF). Vote: Unanimous
- 15-0258 A resolution was adopted to approve Supplemental Appropriation Adjustment within Juvenile Court Clerk Computer Fund #278. Vote: Unanimous
- 15-0259 A resolution was adopted to approve Appropriation Adjustment within Emergency Services / EMA Fund #264. Vote: Unanimous
- 15-0260 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 15-0261 A resolution was adopted to approve Amendment to the Work Rules Relative to the Warren County Water and Sewer Department. Vote: Unanimous

- 15-0262 A resolution was adopted to Designate Family and Medical Leave of Absence to James Brewer, Water and Sewer Repair Worker II, within the Water and Sewer Department. Vote: Unanimous
- 15-0263 A resolution was adopted to approve the Transfer of Jacquelyn Brody to the position of Administrative Assistant within the Water and Sewer Department from the position of Administrative Support within the Office of Management and Budget. Vote: Unanimous
- 15-0264 A resolution was adopted to end Temporary Reclassification for Amy Hensley, within the Water and Sewer Department. Vote: Unanimous
- 15-0265 A resolution was adopted to authorize the posting of the "Administrative Clerk" position, within the Office of Management and Budget, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous
- 15-0266 A resolution was adopted to approve the Lateral Transfer of Kevin Curran from Water Sewer Repair Worker III position to the position of Water Repair Worker III/Mechanic position within the Water and Sewer Department. Vote: Unanimous
- 15-0267 A resolution was adopted to approve the Reclassification of Rodney Wheelen, Warehouse Utility Worker to the position of Water/Sewer Repair Worker II within the Warren County Water and Sewer Department. Vote: Unanimous
- 15-0268 A resolution was adopted to authorize the posting of the "Warehouse Utility Worker" position, within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous
- 15-0269 A resolution was adopted to authorize the posting of the "Water Sewer System Repair Worker I, II or III" positions, within the Water and Sewer Department, in accordance with the Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 15-0270 A resolution was adopted to authorize the posting of the "Maintenance Foreman" position within the Water and Sewer Department, in accordance with the Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

On motion bids were closed at 9:05 a.m. this 24th day of February and the following bids were received, opened and read aloud for the Columbia Road Bridge Rehab for the Warren County Engineer's Office:

Advanced Contractor's & Estimators Cincinnati, Ohio	\$ 515,147.50
Barrett Paving - Cincinnati Middletown, Ohio	\$ 505,657.20
Double Z Construction Columbus, Ohio	\$ 505,961.45
DDK Construction Cincinnati, Ohio	\$428,254.45
Ford Development Cincinnati, Ohio	\$ 436,058.00
Eagle Bridge Sidney, Ohio	\$ 461,057.20
RB Jergens - Vandalia Vandalia, Ohio	\$473,194.92
John R. Jurgenson Co Cincinnati, Ohio	\$ 524,788.00
Fred A. Nemann Company Cincinnati, Ohio	\$ 490,118.32
Rack & Ballauer Excavating Hamilton, Ohio	\$ 455,540.15
Smith Construction Fairfield, Ohio	\$ 455,565.90
Sunesis Construction West Chester, Ohio	\$ 453,502.28

Neil Tunison, Warren County Engineer will review bids for a recommendation at a later date.

Students from Lebanon High School's Government Class were in attendance as part of their Job Shadowing project.

Chris Brausch, Sanitary Engineer, was present along with Chris Wojnicz, Assistant Sanitary Engineer, for a work session to discuss the following matters:

1. ODOT (Ohio Department of Transportation) Utility Relocation Agreement—Mr. Wojnicz stated that the Ohio Department of Transportation is improving a portion of US 22/3 at Hopkins Road. Warren County's watermain lies within the Right of Way and needs to be moved for ODOT's project to move forward. The Water and Sewer department has already moved the majority of the watermain, but a small portion was unable to be moved, prior to the start of ODOT's project due to the area needing further grading.

Mr. Wojnicz stated that ODOT will move the remaining portion of the waterline as part of their project. He then stated that they are requesting that Warren County enter into an agreement to deposit the funds with the State of Ohio prior to the project start.

Mr. Wojnicz explained that the cost would be approximately \$39,000 and that ODOT also would charge a 4% fee to cover administrative costs.

Mr. Wojnicz stated that on similar past projects, an agreement has not been necessary and that a purchase order has been issued for the expected costs and expenses paid as they were incurred.

Commissioner South questioned why ODOT has changed their policy requiring an agreement instead of a purchase order.

Mr. Wojnicz stated that when he questioned ODOT about the change that they stated that it has always been their policy to require an agreement and they didn't have an explanation as to why they have not asked us for one in the past.

Mrs. South expressed her concern regarding the 4% administrative fee. She stated that while 4% of the current project is a relatively trivial amount, the same 4% on a future, much larger, project could cost the County a significant amount of money.

Commissioner Grossmann inquired whether the County was legally obligated to move the waterline and if the amount requested by ODOT is a reasonable amount for the work to be completed.

Mr. Brausch stated that the County is obligated to move the waterline and that if it is not moved the State could revoke the Right of Way.

Mr. Wojnicz explained that while the Water and Sewer Department could have done the project for less, if they had the ability and that the cost was fair.

Commissioner Grossmann asked if an inquiry could be made of ODOT as to why we cannot continue to proceed with a purchase order instead of an agreement as we have done in the past.

Upon further discussion, the Board requested that Mr. Brausch have further discussion with ODOT to clarify their change of procedure.

2. Letter received from Mike Williams of High Pointe Custom Homes—Mr. Brausch stated that Mr. Williams is requesting reimbursement for expenses he incurred in the construction of a home due to a waterline being located outside of the easement.

Mr. Brausch stated that when River's Bend Subdivision was developed, the developer was responsible for the construction of the waterline. He then stated that all drawings submitted showed the waterlines within the established easements.

Mr. Brausch then explained that in the fall of 2013, while digging a basement, the builder exposed a waterline which was subsequently found to be three feet outside of the easement. He stated that the builder contacted the Water and Sewer Department and it was determined to be outside of the easement. He then stated that the Water and Sewer Department moved the waterline to its proper location within a week and a half of the notification.

Commissioner Grossmann asked Mr. Brausch if he had reviewed the letter and statement and if the costs listed were accurate.

Mr. Brausch stated that the facts in the letter were accurate but the developer has no documentation to back up the costs.

Mr. Grossmann expressed his concern that a private individual would be responsible for costs incurred due an error on the part of the developer.

Mr. Brausch explained that the developer went out of business several years ago. He then stated that during the cost of home construction, any additional costs incurred are generally passed along to the homeowner. He stated there is no way of knowing if that was done or not.

Mr. Grossmann expressed his desire to see further documentation to back up the numbers listed on the invoice, in the form of original contracts and change orders.

Upon further discussion, the Board directed Mr. Brausch to contact Mr. Williams of High Pointe Custom homes to obtain the requested documentation.

3. Proposed amendment to the Water and Sewer work rules—Mr. Brausch presented a proposed amendment to the work rules as it pertains to cost/allowance of safety equipment and clothing for employees.

Mr. Brausch explained that the current annual reimbursement rate of \$275 was established in 1997, and that the cost of boots has risen considerably since that time. The proposed amendment would raise the annual reimbursement rate to \$400.

Upon discussion, the Board resolved (Resolution #15-0261) to approve amendment to the Work Rules Relative to the Warren County Water and Sewer Department as follows:

Section 5. Uniforms

- 5.1 Safety Apparel - All employees working in Water Maintenance, Sewer Maintenance, Treatment Operations and any employees/supervisors working in an area where safety is a concern as deemed by the supervisor shall be issued and wear safety apparel at their respective job sites.

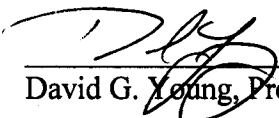
Safety Green Shirts & Sweatshirts - The County shall purchase and issue safety green shirts and sweatshirts to employees in the Water Maintenance, Sewer Maintenance Treatment Operations, and any employees/supervisors working in and area where safety is a concern. All safety shirt requests shall be reviewed and approved by the employee's supervisor. The uniforms shall be distributed and tracked by the employee supervisors and shall not qualify as taxable fringe income. Employees shall return all safety green shirts and sweatshirts upon the end of their employment with the County.

Safety Shoes & Boots - Water Maintenance, Sewer Maintenance, Treatment Operation and any employees/supervisors working in the field shall purchase and wear steel-toed and/or safety shoes or boots as directed by their supervisors. The County shall reimburse employees a maximum of \$400.00 per year for the purchase of safety shoes/boots. . All safety boot and shoe requests shall be reviewed, approved, and tracked by the employee's supervisor and shall qualify as taxable fringe income (steel toe safety boots/shoes excluded from fringe income). Employee must request a purchase order from their supervisor prior to the purchase of any clothing.

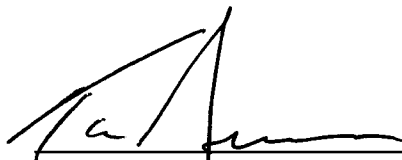
Pants, Coveralls, Coats & Jackets - Water Maintenance, Sewer Maintenance, Treatment Operation, and any employees/supervisors working in the field are eligible for a maximum \$450.00 per year allowance for uniforms including pants, coveralls, coats, and jackets. All uniform requests shall be reviewed, approved, and tracked by the employee's supervisor and shall qualify as taxable fringe income. Employee must request a purchase order from their supervisor prior to the purchase of any clothing.

On motion, upon unanimous call of the roll, the Board entered into executive session at 10:52 a.m. to discuss personnel matters relative to hiring within the Water and Sewer Department pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 11:17 a.m.

Upon motion the meeting was adjourned.



David G. Young, President




Tom Grossmann



Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on February 24, 2015, in compliance with Section 121.22 O.R.C.



Laura Lander, Deputy Clerk
Board of County Commissioners
Warren County, Ohio