

Moved by Mr. Humphrey, seconded by Mr. Proud,

Recommendation that the Board of County Commissioners adopt Resolution Number 57-14 resolving to approve payment to vendors in the revised total amount of \$1,712,136.64 as set forth in the BCC Approval Invoice Reports For Checks Dated May 28, 2014, 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 05/27/2014, 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:

David H. Uible,	<u>YES</u>
Robert L. Proud,	<u>YES</u>
Edwin H. Humphrey,	<u>AYE</u>

Date Adopted: May 28, 2014

David H. Uible  
David H. Uible

Robert L. Proud  
Robert L. Proud

Edwin H. Humphrey  
Edwin H. Humphrey

Moved by

Mr. Proud

, seconded by

Mr. Uible

Recommendation that the Board of County Commissioners adopt Resolution Number 50-14 resolving to approve payment to vendors included on the BCC Approval Invoice Report For Checks Dated **May 28, 2014** presented by the County Auditor 05/27/2014 as reflected on the Vendor Excerpt Report prepared by OMB, **in the amount of \$1,104.80** 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:

David H. Uible,

Yes

Robert L. Proud,

Yes

Edwin H. Humphrey,

Abstain

Date Adopted:

May 28, 2014



David H. Uible



Robert L. Proud

abstain

Edwin H. Humphrey

**RESOLUTION NO. 59 -14**

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 28<sup>th</sup> day of May, 2014, with the following members present:

David H. Uible, President

Robert L. Proud, Vice President

Edwin H. Humphrey, Member

Mr. Humphrey moved for the adoption of the following Resolution:

**RESOLUTION GRANTING ANNEXATION OF 11.431 ACRES OF LAND OWNED BY JOSEPH MINDORFF, SUSAN CLOSTERMAN, EDWARD C. CLOSTERMAN, JR., AND THE VILLAGE OF NEW RICHMOND TO THE VILLAGE OF NEW RICHMOND IN CLERMONT COUNTY, OHIO**

**WHEREAS**, the Petition for Annexation of 11.431 acres of land constituting territory adjacent to the Village of New Richmond in Ohio Township, Clermont County, Ohio was filed by Matthew V. Faris, agent for the Petitioners, who constitute all of the owners of the real estate sought to be annexed, with the Board of County Commissioners of Clermont County, Ohio on February 4, 2014 pursuant to Ohio Revised Code **Section 709.02**; and

**WHEREAS**, said Petition meets all the requirements set forth in, and was filed in the manner provided in Section 709.02 of the Revised Code; and

**WHEREAS**, the persons who signed the petition are owners of real estate located in the territory proposed to be annexed in the petition, and, as of the time the petition was filed with the board of county commissioners, the number of valid signatures on the petition constituted a majority of the owners of real estate in that territory; and

**WHEREAS**, the municipal corporation to which the territory is proposed to be annexed, the Village of New Richmond, has complied with division (D) of section 709.03 of the Revised Code by passing Ordinance 2014-8 in compliance with said section and filing the Ordinance with the board of county commissioners more than twenty days before the date of the public hearing on the annexation petition; and

**WHEREAS**, we find, based on the arguments of the agent for petitioners as well as the opinion of the Clermont County Engineer's Office that the plat and legal description are acceptable for annexation purposes, that the territory proposed to be annexed is not unreasonably large; and

**WHEREAS**, this board received no correspondence evidencing any detriment to be caused by the proposed annexation, nor did any person speak against the proposed annexation at the public hearing held pursuant to notice on April 30, 2014; and

**WHEREAS**, following the public hearing and based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, this board finds that, on balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted; and

**WHEREAS**, no street or highway will be divided or segmented by the boundary line between a township and the municipal corporation as to create a road maintenance problem,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Clermont County, Ohio,

That, pursuant to Ohio Revised Code Section 709.033(A), we find, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that each of the six (6) conditions of this statute have been met and the Petition for Annexation of territory described therein to the Village of New Richmond, Clermont County, Ohio, be and hereby is granted; and the Clerk of the Board of County Commissioners of Clermont County, Ohio, is hereby directed to enter on the journal all of the orders of and relating to the annexation and to deliver a certified copy of the entire record of the annexation proceedings, including resolution of the Board, signed by a majority of the members of the Board, the Petition, map, and all other papers on file to the Clerk of the Village of New Richmond.

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken

in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Proud seconded the motion and on roll call, the vote resulted as follows:

Mr. Uible	<u>Yes</u>
Mr. Proud	<u>Yea</u>
Mr. Humphrey	<u>Aye</u>

This Resolution was duly passed on the 28<sup>th</sup> day of MAY, 2014.

ATTEST:

Judith A. Kocica  
Judith A. Kocica, Clerk of the  
Board of County Commissioners

This Resolution was prepared and approved as to form by the Office of the Prosecuting Attorney of Clermont County, Ohio

By: Marshall McCachran  
Marshall McCachran  
Assistant Prosecuting Attorney  
Date: May 22, 2014

## RESOLUTION NUMBER 60-14

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 28<sup>th</sup> day of May, 2014, with the following members present:

**David H. Uible, President**  
**Robert L. Proud, Vice President**  
**Edwin H. Humphrey, Member**

Mr. Proud moved for the adoption of the following Resolution:

### **RESOLUTION DETERMINING TO VACATE A PORTION OF WINDING CREEK BOULEVARD (T-2705) IN UNION TOWNSHIP, CLERMONT COUNTY, OHIO**

**WHEREAS**, the Board of County Commissioners has determined pursuant to Section 5553.04 of the Ohio Revised Code to investigate whether the vacation of a portion of Winding Creek Boulevard (T2705) in Union Township, Clermont County, Ohio, would be for the public convenience and welfare subsequent to the receipt of the request of the Board of Trustees of Union Township, in and as it relates thereto; and,

**WHEREAS**, pursuant to Sections 5553.06 and 5553.07 of the Ohio Revised Code, the County Engineer has reviewed the area proposed to be vacated and has approved the appropriate legal description therefore; and,

**WHEREAS**, the Board of County Commissioners has viewed the proposed area to be vacated and has held a public hearing concerning the proposed vacation of a portion of Winding Creek Boulevard (T-2705) in Union Township, on May 28, 2014, which is recorded in Commissioners' Journal Number 310, and,

**WHEREAS**, all appropriate statutory procedures have been followed according to the Ohio Revised Code;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Clermont County, Ohio, at least two-thirds of its members thereto concurring as follows:

#### SECTION I

That the Board of County Commissioners hereby determines that the public convenience and welfare would be best served by the vacation of a portion of Winding Creek Boulevard (T-2705) in Union Township and in Darby Military Survey Number 2058, and as described, is hereby vacated, to wit:

**Commencing at a found 5/8" iron pin in the north line of Old State Route No. 74 at the westerly terminus of the south end of Winding Creek Boulevard, corner to W. Thomas Nickell;**

**Thence leaving said north line, with the lines of Nickell along the arc of a curve to the left for a distance of 32.29', said curve having a radius of 32.00', a central angle of 57°48'39", and a long chord bearing North 68°31'15" East for a distance of 30.94' to the POINT OF BEGINNING;**

**Thence continuing with the lines of Nickell, for the following five (5) courses, along the arc of a curve to the left for a distance of 17.88', said curve having a radius of 32.00', a central angle of 32°01'21", and a long chord bearing North 23°36'15" East for a distance of 17.65' to a found 5/8" iron pin;**

**thence North 7°35'34" East, a distance of 132.46' to a found 5/8" iron pin;**

**thence North 21°05'19" East, a distance of 51.42' to a found 5/8" iron pin;**

**thence North 7°35'34" East, a distance of 52.09' to a found 5/8" iron pin;**

**thence along the arc of a curve to the left for a distance of 372.91', said curve having a radius of 788.51', a central angle of 27°05'50" and a long chord bearing North 5°57'21" West for a distance of 369.45' to the south line of the relocated Winding Creek Boulevard (60' R/W);**

**thence with said south line for the following two (2) courses, South 19°24'47" East, a distance of 10.26'; thence with the arc of a curve to the left for a distance of 166.63', said curve having a radius of 333.89', a central angle of 28°35'37", and a long chord bearing South 34°35'24" East, for a distance of 164.91' to a found 5/8" iron pin, corner to Nickell;**

**thence with the lines of Nickell for the following three (3) courses, along the arc of a curve to the right for a distance of 230.66', said curve having a radius of 848.51', a central angle of 15°34'32", and a long chord bearing South 0°11'42" East for a distance of 229.95';**

**thence South 7°35'34" West, a distance of 234.16' to a found 5/8" iron pin;**

**thence along the arc of a curve to the left for a distance of 1.52', said curve having a radius of 32.00' and a central angle of 2°46'46" and a long chord bearing South 6°13'43" West for a distance of 1.52';**

**thence crossing said Winding Creek Blvd, South 85°57'15" West, a distance of 78.52' to the POINT OF BEGINNING;**

**containing 0.7552 acres, subject to all legal highways, easements and restrictions of record.**

*The above described parcel is a result of a field survey by Gary Phillip Nichols, Ohio Professional Surveyor No. 6657, as performed in July 2013.*

#### SECTION II

That the Board of County Commissioners further finds that as to the issue of compensation and damages pursuant to Section 5553.09 of the Ohio Revised Code, no compensation and damages are necessary in this proceeding and none are awarded at this final hearing.

**SECTION III**

That the Clerk of the Board shall certify a copy of these proceedings to the Board of Union Township Trustees, the County Engineer, and the County Auditor.

**SECTION IV**

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of the Board and that all deliberations of this Board and its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Humphrey seconded the foregoing Resolution and upon roll call the vote was as follows:

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

ATTEST:

  
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Judith Kocica, Clerk  
Board of County Commissioners  
Clermont County, Ohio

Adopted: May 28, 2014