

Moved by Mr. Uible, seconded by Mr. Humphrey

Recommendation that the Board of County Commissioners adopt Resolution Number 105-10 resolving to approve payment to vendors in the total amount of \$1,601,458.83 as set forth in the BCC Approval Invoice Report(s) For **Checks Dated June 22, 2016**, 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 6/20/2016, 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:

Robert L. Proud,	<u>yes</u>
David H. Uible,	<u>yes</u>
Edwin H. Humphrey,	<u>aye</u>

Date Adopted: JUN 22, 2016

Robert L. Proud
Robert L. Proud, President

David H. Uible
David H. Uible, Vice-President

Edwin H. Humphrey
Edwin H. Humphrey, Member

RESOLUTION NO. 106-16

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 22nd day of June 2016, with the following members present:

Robert L. Proud, President

David H. Uible, Vice President

Edwin H. Humphrey, Member

Mr. Humphrey moved for the adoption of the following

Resolution:

**RESOLUTION ACCEPTING RECOMMENDATION OF ENGINEER;
TERMINATING PERFORMANCE BOND AND ACTIVATING
MAINTENANCE BOND OF COMBINED PERFORMANCE AND
MAINTENANCE BOND DOCUMENTS FOR THE RESERVES OF
WETHERBY FARMS SUBDIVISION, SECTION 8B, IN UNION
TOWNSHIP.**

WHEREAS; the Board has previously by Resolution dated January 8, 2014 as appears in Commissioners' Journal 310, accepted a Combined Performance and Maintenance Bond of M/I Homes of Cincinnati, LLC., as principal and The International Fidelity Insurance Company as surety for the development and construction of Ellson Road, and London Court and related improvements of The Reserves of Wetherby Farms, Section 8B, and

WHEREAS, the office of the County Engineer has inspected the right-of-way and related improvements, and approves they have been constructed according to the plans and specifications previously approved; and

WHEREAS, the Combined Performance and Maintenance Bond by its own terms requires a conversion to a Maintenance Bond for a period of one year to insure that the above-referenced principal maintain the improvements in accordance with the subdivision regulations of Clermont County, Ohio.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the performance provisions of the above referenced bond have been completed and the bond is released as to the performance aspects. The surety represented by the previously referenced bond shall continue as surety for the maintenance aspects of the bond.
2. That the Maintenance Bond provisions of the Combined Performance and Maintenance Bonds are hereby effective and activated and that the said principal and sureties shall remain firmly bound to Clermont County, Ohio in the penal sum of \$10,000.00 as previously provided and shall continue to be so responsible for a period of one year of use from the date of this conversion during which period the Maintenance Bond shall remain in full force and effect upon the terms previously specified in said Bond.
3. That the Clerk shall certify this Resolution to the County Engineer who shall notify the principal and sureties of this conversion of the bond pursuant to its terms.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of the Resolution were taken in an open meeting 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 the applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Uible seconded the motion and upon roll call, the

vote was as follows:

Mr. Proud yes; Mr. Uible yes; Mr. Humphrey aye;

DATED: June 22, 2016

ATTEST:

Judith Kocica
JUDITH KOCICA, CLERK
Board of County Commissioners

RESOLUTION NO. 107-16

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 22nd day of June 2016, with the following members present:

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

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

**RESOLUTION ACCEPTING RECOMMENDATION OF ENGINEER;
TERMINATING PERFORMANCE BOND AND ACTIVATING
MAINTENANCE BOND OF COMBINED PERFORMANCE AND
MAINTENANCE BOND DOCUMENTS FOR THE RESERVES OF
WETHERBY FARMS SUBDIVISION, SECTION 8C, IN UNION
TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated September 24, 2014 as appears in Commissioners' Journal 310, accepted a Combined Performance and Maintenance Bond of M/I Homes of Cincinnati, LLC., as principal and The Hanover Insurance Company as surety for the development and construction of London Court and related improvements of The Reserves of Wetherby Farms, Section 8C, and

WHEREAS, the office of the County Engineer has inspected the right-of-way and related improvements, and approves they have been constructed according to the plans and specifications previously approved; and

WHEREAS, the Combined Performance and Maintenance Bond by its own terms requires a conversion to a Maintenance Bond for a period of one year to insure that the above-referenced principal maintain the improvements in accordance with the subdivision regulations of Clermont County, Ohio.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the performance provisions of the above referenced bond have been completed and the bond is released as to the performance aspects. The surety represented by the previously referenced bond shall continue as surety for the maintenance aspects of the bond.
2. That the Maintenance Bond provisions of the Combined Performance and Maintenance Bonds are hereby effective and activated and that the said principal and sureties shall remain firmly bound to Clermont County, Ohio in the penal sum of \$10,000.00 as previously provided and shall continue to be so responsible for a period of one year of use from the date of this conversion during which period the Maintenance Bond shall remain in full force and effect upon the terms previously specified in said Bond.
3. That the Clerk shall certify this Resolution to the County Engineer who shall notify the principal and sureties of this conversion of the bond pursuant to its terms.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of the Resolution were taken in an open meeting 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 the applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Uible seconded the motion and upon roll call, the

vote was as follows:

Mr. Proud ya; Mr. Uible yes; Mr. Humphrey aye

DATED: June 22, 2016

ATTEST:

Judith Kocica
JUDITH KOCICA, CLERK
Board of County Commissioners

RESOLUTION NO. 108 -16

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 22nd day of June, 2016, with the following members present:

Robert L. Proud, President

David H. Uible, Vice President

Edwin H. Humphrey, Member

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

RESOLUTION GRANTING ANNEXATION OF 0.1963 ACRES OF LAND OWNED BY ALMA JEAN MILLER AND TERRY DYER TO THE VILLAGE OF AMELIA IN CLERMONT COUNTY, OHIO

WHEREAS, the Petition for Annexation of 0.1963 acres of land constituting territory contiguous to the Village of Amelia in Batavia Township, Clermont County, Ohio was filed by Todd Hart, agent for the Petitioners, Alma Jean Miller and Terry Dyer, which constitute the sole owners of the real estate sought to be annexed, with the Board of County Commissioners of Clermont County, Ohio on March 14, 2016 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 the sole 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 Amelia, has complied with division (D) of section 709.03 of the Revised Code by passing Ordinance O-2016-15 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 revised 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 June 8, 2016; 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, the street or highway that will be divided or segmented by the boundary line between a township and the municipal corporation will be maintained by the municipality as an agreed condition to the annexation,

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 Amelia, 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 Amelia.

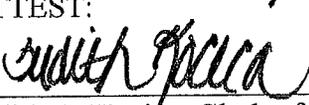
That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings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

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

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

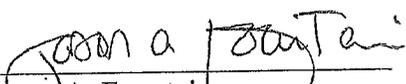
This Resolution was duly passed on the 22nd day of June, 2016.

ATTEST:



Judith A. Kocjca, 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: 

Jason A. Fountain
Assistant Prosecuting Attorney

Date: June 16, 2016