

Moved by Mr. Uible, seconded by Mr. Proud,

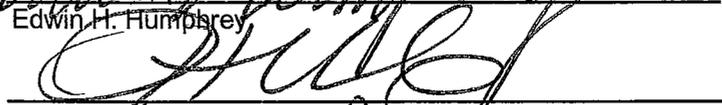
Recommendation that the Board of County Commissioners adopt Resolution Number 146-13 resolving to approve payment to vendors in the total amount of **\$1,508,883.66** as set forth in the BCC Approval Invoice Report(s) For Checks Dated **September 24, 2013**, Vendor Invoice List Report(s), Items paid by Fund and Check Date Range report and/or Procurement Card Transaction Report presented by the County Auditor September 23, 2013 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:

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

Date Adopted: September 24, 2013


Edwin H. Humphrey


David H. Uible


Robert L. Proud

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 24th day of September, 2013, at the Office of said Board with the following members present:

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

Mr. Proud introduced the following Resolution and moved its passage:

RESOLUTION NUMBER 147-13

RESOLUTION AUTHORIZING APPLICATION FOR AID TO LOCAL GOVERNMENT FOR INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZING THE PRESIDENT OF THE BOARD OF CLERMONT COUNTY COMMISSIONERS, OR IN HIS ABSENCE ANY MEMBER OF THE BOARD OF CLERMONT COUNTY COMMISSIONERS, TO CERTIFY AND SUBMIT AN APPLICATION FOR PROJECT SUPPORT TO THE OHIO PUBLIC WORKS COMMISSION PURSUANT TO CHAPTER 164 OF THE OHIO REVISED CODE.

WHEREAS, the State of Ohio in enacting House Bill 704 and related amendments to the Ohio Constitution, has provided for financial aid to local governments for infrastructure improvements acting through the Ohio Public Works Commission pursuant to the authority of Chapter 164 of the Ohio Revised Code, and rules promulgated thereunder by the Director of the Ohio Public Works Commission; and

WHEREAS, the Board of County Commissioners, Clermont County, Ohio, has previously conducted a study of its existing capital improvements; the condition of those improvements and the projected capital needs of the county in the ensuing five-year period, and has, after completing such study, compiled a report that included an inventory of the existing capital improvements of the county, a plan detailing the capital improvement needs of the county in the ensuing five-year period and a list of the county's priorities with respect to addressing those needs; and

WHEREAS, the Board of County Commissioners, Clermont County, Ohio, desires to submit an Application for project support and financial assistance in the implementation of an infrastructure improvement for grant and/or loan funding consideration in 2014 for OPWC Program Year 28, as a qualified project under the OPWC Programs, pursuant to and in compliance with the provisions of Chapter 164 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Clermont County, Ohio, to authorize a final Application for aid to local government for the following infrastructure improvement project for Program Year 28:

<u>Project</u>	<u>Project Amount</u>	<u>Grant Amount</u>
Woodville Pike Water Main Replacement Project Goshen Township Waterworks System Improvement	\$1,537,500.00	\$753,375.00

BE IT FURTHER RESOLVED by the Board of County Commissioners, Clermont County, Ohio, that Edwin H. Humphrey, President of the Board of County Commissioners, or in his absence any member of the Board of County Commissioners, is hereby authorized and directed to certify and submit this Application for project support to the Ohio Public Works Commission, including all understandings and assurances therein required, and to act in accordance with the application and to provide such additional information as may be required.

BE IT FURTHER RESOLVED by the Board of County Commissioners, Clermont County, Ohio, that the Project Manager (identified as the Director of Utilities) and the Chief Financial Officer (identified as the Controller of the Clermont County Water Resources Department/Director of the Office of Management and Budget) are authorized to make any appropriate revisions to the funding Application, in order to accommodate any variation in the amount of grant or loan monies available and designated for said Project, as may be required.

BE IT FURTHER RESOLVED by the Board of County Commissioners, Clermont County, Ohio, that this Board declares that it reasonably expects that the capital expenditures in connection with the Woodville Pike Water Main Replacement Project, which will be paid from the water construction funds prior to the issuance of any revenue bonds, general obligation bonds or certificates of indebtedness, or prior to the receipt of the above referenced Ohio Public Works Commission monies and will possibly be reimbursed with the proceeds of tax exempt debt of the State of Ohio in the principal amount for such reimbursement of \$753,375.00 (Grant) and/or such additional grant or loan amount as may be awarded. This declaration is being made in order to ensure compliance with Treasury Regulations Section 1.150-2.

BE IT FURTHER RESOLVED by the Board of County Commissioners, Clermont County, Ohio, that the President of the Board of Clermont County Commissioners, whichever member may be designated as such Chief Executive Officer during the life of the Grant or Loan Project, is further authorized to enter into any agreement as may be necessary and appropriate for obtaining this financial assistance and any disbursements/reimbursements thereunder.

BE IT FURTHER RESOLVED by the Board of County Commissioners, Clermont County, Ohio, that this Board 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.

The Resolution was seconded by Mr. Uible and upon call of the roll; the vote thereon was as follows:

Mr. Humphrey Aye;

Mr. Uible Yes;

Mr. Proud Yea.

PASSED: September 24, 2013.

ATTEST:



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

Approved as to form:



Allan Edwards
Assistant Prosecuting Attorney

RESOLUTION NO. 148-13

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 24th day of September, 2013, with the following members present:

Edwin H. Humphrey, President

David H. Uible, Vice President

Robert L. Proud, Member

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

RESOLUTION AMENDING THE MANAGEMENT AGREEMENT BETWEEN FIRST TRANSIT, INC. AND THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO.

WHEREAS, First Transit, Inc. (First Transit) and the Board of County Commissioners of Clermont County, Ohio (Clermont County) have entered into a Management Agreement effective January 20, 2012 for the management of the Transit System and County Fleet Maintenance; and

WHEREAS, First Transit and Clermont County desire to amend the Management Agreement as set forth herein;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring that the Management Agreement shall be amended as follows:

SECTION I

In reference to Item 3 of the Management Agreement, effective September 30, 2013 the management services of County Fleet Maintenance is eliminated from the scope of services of First Transit.

SECTION II

In reference to Item 7 Compensation:

1. All specific information relating to dates of service, monthly management fees, and yearly management fees is eliminated. The language relating to the manner of payment shall remain.
2. For the management services of County Fleet Maintenance, for the period of September 20, 2013 through September 30, 2013, the fee shall be \$878.17.
3. The monthly fee for management services of the Transit System, for the period beginning September 1, 2013 through January 19, 2014, shall be \$7,916.67.
4. Commencing on January 20, 2014, the annual fee for management services for the Transit System shall be increased by an amount equal to 2.5% of the fee paid for management services for the period January 20, 2013 to January 19, 2014. Thereafter, on the 20th day of January, each and every year for the duration of the Agreement, the annual fee for management services of the Transit System shall be increased by an amount equal to 2.5% of the fee paid for management services for the immediate previous 1 year term of the Agreement.

SECTION III

Except as expressly modified herein, the Management Agreement is hereby reaffirmed and ratified by First Transit and Clermont County in its entirety.

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 this 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 all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Uible seconded the Resolution and on roll the vote resulted as follows:

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

This Resolution was duly passed on the 24th day of September, 2013.

ATTEST:

Judith Kooica
JUDITH KOOICA, CLERK
Clermont County Board of
Commissioners

This Resolution was prepared and approved as to form by the
Office of Prosecuting Attorney of Clermont County, Ohio
By: *G. Ernie Ramos, Jr.*
G. Ernie Ramos, Jr.
Chief Assistant Prosecuting
Attorney
Date: August 26, 2013

AMENDMENT TO THE MANAGEMENT AGREEMENT BETWEEN
FIRST TRANSIT, INC.
AND
THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY

This Amendment to the Management Agreement between First Transit, Inc. (First Transit) and the Board of Commissioners of Clermont County (Clermont County) is dated this 4th day of September, 2013.
24th day of September, 2013.

Whereas, First Transit and Clermont County have entered into a Management Agreement effective January 20, 2012 for the management of the Transit System and County Fleet Maintenance, and;

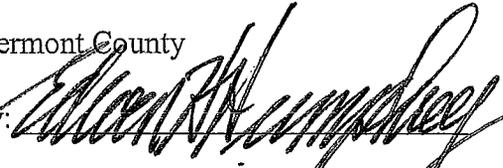
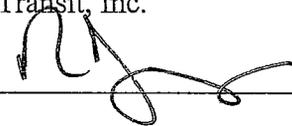
Whereas, First Transit and Clermont County desire to amend the Management Agreement as set forth herein;

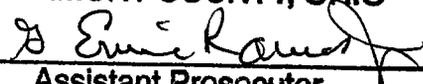
Now, therefore, it is agreed by and between the parties that the Management Agreement shall be amended as follows:

- A. In reference to Item 3 of the Management Agreement, effective September 30, 2013 the management services of County Fleet Maintenance is eliminated from the scope of services of First Transit.
- B. In reference to Item 7 Compensation:
 1. All specific information relating to dates of service, monthly management fees, and yearly management fees is eliminated. The language relating to the manner of payment shall remain.
 2. For the management services of County Fleet Maintenance, for the period of September 20, 2013 through September 30, 2013, the fee shall be \$878.17.
 3. The monthly fee for management services of the Transit System, for the period beginning September 1, 2013 through January 19, 2014, shall be \$7,916.67.
 4. Commencing on January 20, 2014, the annual fee for management services for the Transit System shall be increased by an amount equal to 2.5% of the fee paid for management services for the period January 20, 2013 to January 19, 2014. Thereafter, on the 20th day of January, each and every year for the duration of the Agreement, the annual fee for management services of the Transit System shall be increased by an amount equal to 2.5% of the fee paid for management services for the immediate previous 1 year term of the Agreement.

Except as expressly modified herein, the Management Agreement is hereby reaffirmed and ratified by First Transit and Clermont County in its entirety.

IN WITNESS WHEREFORE, First Transit and Clermont County have affixed their respective signatures as of the dates indicated below:

Clermont County	First Transit, Inc.
By: <u></u>	By: <u></u>
Title: <u>Commissioner/President</u>	Title: <u>Senior Vice President</u>
Date: <u>September 24, 2013</u>	Date: <u>9/4/13</u>

APPROVED AS TO FORM:
D. VINCENT FARIS, PROSECUTOR
CLERMONT COUNTY, OHIO
BY: 
Assistant Prosecutor
DATE: 9-10-13