

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JANUARY 28, 2026, WITH THE FOLLOWING MEMBERS PRESENT: PRESIDENT BONNIE J. BATCHLER, VICE PRESIDENT DAVID L. PAINTER, AND MEMBER CLAIRE B. CORCORAN. 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.**

**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 AT <https://www.youtube.com/user/clermontcounty/playlists>.**

**IN RE: MINUTES OF REGULAR SESSION...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

To approve the Regular Session minutes of **01/21/2026**.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**PROCLAMATION:** Commissioner Painter presented a Proclamation designating Tuesday, February 3, 2026, as “Four Chaplains Day” in Clermont County.

Steve Balczo, Executive Director, Clermont County Veterans Services, provided an overview of the events for Four Chaplains Day. The Four Chaplains Ceremony will be held at Cranston Memorial Presbyterian Church in New Richmond on Sunday, February 1, 2026, at 2 p.m. The public is invited to attend.

**PRESENTATION:** Ralph Linne, Assistant County Administrator, presented an update on the Filager Phase II Project, which included the environmental site assessment, the estimated construction costs, the design, and the project manual.

Emily Akers, Director of the Office of Management and Budget, reviewed the Project's financial aspects.

Mandy Niekamp, Architect at Garmann Miller, presented design images for the Filager Phase II Project.

The Board approved moving forward with the Legal Notice to go out to Bid for the Filager Phase II Project.

**PUBLIC PARTICIPATION:** Citizens requested to address the Board.

Name	Township/City/Organization	Summary
Julie Toliver	Batavia Township, Ohio	Ms. Toliver quoted Abraham Lincoln and said she attended a Brown County Meeting last night regarding the potential Data Center in Mt. Orab. Ms. Toliver spoke about Batavia's development.
Jen Mazzuckelli	Union Township, Ohio	Ms. Mazzuckelli spoke regarding her volunteer time at One Way Church. She is concerned about affordable housing issues in Clermont County affecting low-income and elderly residents.
James Rose	Union Township, Ohio	Mr. Rose, a resident of One Way Church, gave a review of his struggles with homelessness.
Sue Yux	Union Township, Ohio	Ms. Yux volunteers at a food pantry, and demand is high. She stated she is here to speak

		regarding immigrants. She wants to know what will happen when ICE agents come to our community and the Board's rationale for signing the 287(g) agreement. Ms. Yux wants the agreement cancelled.
Jenny Sparks	Union Township, Ohio	Ms. Sparks spoke about the 287(g) agreement the Board signed in October 2025. She said she assumes the agreement was signed for financial reasons and that it is time to end it and disengage from the Clermont County Sheriff's Office.
Debbie Davidson	Batavia Township, Ohio	Ms. Davidson wants to know whether the agreement was made before the Board's knowledge and, if so, that it needs to be referred to the Attorney General's Office, as with the one for Butler County.
Bob Drake	Union Township, Ohio	Mr. Drake requests that the 287(g) agreement be cancelled. Clermont County is not overrun by immigrants. Mr. Drake also volunteers with Interparish Ministries and works with immigrants.
Tracy Jo Small	Union Township, Ohio	Ms. Small asked for prayer for wisdom with liberty and justice for all.
Jane Kammer-Habig	Union Township, Ohio	Ms. Kammer-Habig has held three positions in this community and talked about the immigration issue. She said she teaches English to international students with green cards and to those seeking them. She said she has heard horrendous stories regarding their former countries. She spoke with Sheriff Stratton, who firmly believes it is his job to detain on behalf of ICE agents.
William Albright	Batavia Township, Ohio	Mr. Albright said the Batavia Township fire levy failed, and the TIF funds were allocated to the SR 32 project in Eastgate. The fire department was supposed to be funded by the TIF money.

## CONSENT AGENDA

Commissioner Batchler 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 Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

**1. IN RE: BOARD OF COUNTY COMMISSIONERS...EXECUTION OF AND AUTHORIZATION FOR THE ISSUANCE OF PROCUREMENT CARDS...26-0102-003...EXECUTED**

Recommendation to authorize Bonnie J. Batchler, President of the Board of County Commissioners, or in her absence, any other member of the Board of County Commissioners, to *execute the Request for the Issuance of a Procurement Card form(s) and to authorize the issuance of Procurement Card(s)* in compliance with the Clermont County Procurement Card Policy and Procedures adopted by the Board of County Commissioners on 06/22/2005 and amended on 03/28/2007, 09/24/2014 and 05/25/2022, for the employee(s) listed below:

Employee Name	Department
Ashley Pelfrey	Juvenile Court
Lucas Braun	Engineer
Morgan Steinker	Juvenile Court
Sarah Anne Benedict	Emergency Management Agency

**2. IN RE: BOARD OF COUNTY COMMISSIONERS...MOTION TO APPROVE MASTER SERVICE AGREEMENT(S)...APPROVED**

Recommendation to authorize the County Administrator, or the Assistant County Administrator, to approve Master Service Agreement(s) for the terms and conditions specified in the agreement(s) and **contingent upon the release of the required purchase order** as outlined below:

Vendor	MSA Service	Term
PowerClean Equipment Company 5945 Dry Fork Road Cleves, Ohio 45002 DC# 26-0113-012	Equipment repair and maintenance	01/28/2026 through 01/27/2029

**3. IN RE: REQUEST(S) TO JOIN PROFESSIONAL ORGANIZATION(S) AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSE(S)...APPROVED**

Request(s) to join professional organization(s), to authorize payment of dues for membership(s), and to authorize reimbursement of routine travel expenses outlined below and pursuant to the policies and procedures of the Board of County Commissioners in compliance with the Annual Appropriations for Calendar Year 2026 and any amendments (excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and or transportation by common carrier) pursuant to and in compliance with Section 325.21 of the Ohio Revised Code:

Elected Official/Department Employee	Organization	Not to Exceed Annual Dues	Term
Board of County Commissioners Rebecca Goff DC# 26-0113-007	National Notary Association (State of Ohio), BCI, Filing Fee, and stamp (Renewal)	\$160.00	5 years
Department of Community & Economic Development Gretchen Willenbrink-Talley DC# 26-0120-002	National Notary Association (State of Ohio), BCI, Filing Fee, and stamp (New)	\$300.00	5 years
Clermont County Common Pleas Court DC# 26-0116-001	Ohio Clerks of Courts Association	\$3,620.36	1 year
Department of Job and Family Services DC# 26-0120-003	Public Children Services Association of Ohio	\$14,459.48	1 year
Department of Job and Family Services DC# 26-0120-004	Ohio Department of Job and Family Services Human Resource Association	\$100.00	1 year

**4. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF A SANITARY SEWER MAIN EXTENSIONS...25-1230-006...EXECUTED**

Recommendation **to execute Maintenance Bonds** in the amounts outlined below as surety for **the installation of a Sanitary Sewer Main Extensions** to serve the following subdivisions:

Subdivision	Township/Village	Sewer Bond
Redwood - Batavia Twp - Ohio Pike Development	Batavia Township	\$52,552.51

**5. IN RE: CLERMONT COUNTY SHERIFF...RESOLUTION DETERMINING THAT PERSONAL PROPERTY IS UNNEED, OBSOLETE, OR UNFIT AND NO LONGER NECESSARY FOR COUNTY USE AND AUTHORIZE SALE PURSUANT TO SECTION 307.12(G) OF THE OHIO REVISED CODE...26-0127-004...ADOPTED**

Recommendation to adopt **Resolution 013-26** resolving to determine that certain personal property is unneeded, obsolete, or unfit and no longer necessary for county use and that the board authorizes the Clermont County Sheriff to dispose of or authorize the sale of that property as described in the said resolution pursuant to and in compliance with Sections 307.12(G) of the Ohio Revised Code.

**6. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES...APPROVED**

Recommendation to approve the following requests for reimbursement of expenses for training and travel according to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2026 and any amendments:

**CLERMONT COUNTY COMMUNITY & ECONOMIC DEVELOPMENT**

**Scott Gafvert** – 180 days – Virtual – Ohio Economic Development Association Capstone Project – total expenses for registration (\$649.00), estimated not to exceed \$649.00

**CLERMONT COUNTY DEPARTMENT OF PUBLIC SAFETY & SERVICES**

**Jessie Bocks and Jessica Wiederhold** – 2 days – Cincinnati, Ohio – Women in Command – total expenses for meals (\$344.00), and registration (\$718.00), estimated not to exceed \$1,062.00

**CLERMONT COUNTY SHERIFF**

**Chad Popham** – 4 days – Maineville, Ohio – First Line Supervisor Training – total expenses for registration (\$380.00), estimated not to exceed \$380.00

**Jack Beineke** – 1 day – Maineville, Ohio – Advanced Search and Seizure Training – total expenses for registration (\$199.00), estimated not to exceed \$199.00

**Randy Mays** – 1 day – Westerville, Ohio – Advanced Criminal Investigations – total expenses for registration (\$225.00), estimated not to exceed \$225.00

**Robert Bailey** – 5 days – Maineville, Ohio – Command Leadership Institute Training – total expenses for registration (\$795.00), estimated not to exceed \$795.00

**7. IN RE: PERSONNEL ACTIONS...APPROVED**

Recommendation to approve the following personnel actions **contingent upon the successful completion of a background check and drug screen for new hires/rehires:**

\*The official record of personnel-related proceedings of the Clermont County, Ohio Board of County Commissioners is available for public inspection upon request, Monday through Friday, from 8:00 a.m. to 4:30 p.m. local time.

**8. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR CALENDAR YEAR 2026...APPROVED**

Recommendation to resolve to approve and authorize financial and budgetary actions pursuant to Ohio Revised Code Section 5705.40 relating to changes in the Annual Appropriation in **Resolution Number 186-25** for Calendar Year 2026, including the 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 L. Fraley, County Auditor, to record properly:

**BUDGET TRANSFER OF FUNDS FOR CALENDAR YEAR 2026**

FUND	FROM: ORGANIZATION - OBJECT - ACCOUNT	TO: ORGANIZATION - OBJECT - ACCOUNT	AMOUNT
GENERAL FUND	Building Inspection Division REGULAR SALARY 1000 - 04 - 01 - 122000 - 511200 -	Building Inspection Division OVERTIME 1000 - 04 - 01 - 122000 - 512100 -	\$ 25,000.00

**CASH TRANSFER OF FUNDS FOR CALENDAR YEAR 2026**

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
<b>GENERAL FUND</b>	<b>SOIL &amp; WATER DISTRICT</b>	<b>\$ 169,269.00</b>
TRANSFERS OUT TO SPEC REV	OPERATING TRF IN FROM GEN FUND	
1000 - 01 - 01 - 032328 - 700200 -	7500 - 21 - 25 - 911000 - 480100 -	
<b>MOTOR VEHICLE AND GAS</b>	<b>SLAVEN ROAD OPWC LOAN</b>	<b>\$ 40,000.00</b>
TRANSFERS OUT TO DEBT SERVICE	OPERATING TRF IN FR SPEC REV	
2601 - 03 - 09 - 514000 - 700400 -	3105 - 00 - 00 - 003105 - 480200 -	

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**NON-CONSENT AGENDA**

**9. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION FOR THE PAYMENT OF BILLS...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 014-26** to approve payment to vendors **in the total amount of \$3,951,356.87** as outlined in the BCC Approval Invoice Report for Checks dated **January 28, 2026**, BCC Directed Pre-Paid Invoices Report(s), and the Procurement Card Transaction Report as presented by the County Auditor on **01/27/2026**, and further authorizing the County Auditor to issue warrants pursuant to and in compliance with Section 319.16 of the Ohio Revised Code.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**10. IN RE: CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES...EXECUTION OF SUBGRANT AGREEMENT NUMBER G-2627-17-0097 WITH THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE TRAINING FOR ADULT PROTECTIVE SERVICES STAFF AND THEIR COMMUNITY PARTNERS...26-0121-001...EXECUTED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to authorize **execution of Subgrant Agreement No. G-2627-17-0097** between the Clermont County Department of Job and Family Services, as the Administrative Entity for the Southwest Ohio Regional Training Center (SWORTC), and the Ohio Department of Job and Family Services, 30 East Broad Street, 32nd Floor, Columbus, Ohio 43215, and further to authorize Dorothy M. Meier, Director, Clermont County Department of Job and Family Services, to execute the agreement for the **provision of Adult Protective Services funding** in an amount not to exceed \$162,809.83, effective from the date of execution through March 31, 2026, in accordance with all terms and conditions of the Subgrant Agreement.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**11. IN RE: CLERMONT COUNTY ENGINEER...SERVICE AGREEMENT WITH**

**DYNAMIC SURFACE APPLICATIONS, LTD. FOR APPLICATION OF POLYMER EXPANSION JOINT BINDER ON EIGHT CLERMONT COUNTY BRIDGES...26-0113-009...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation to execute a Service Agreement between the Board of County Commissioners of Clermont County, Ohio and Dynamic Surface Applications, LTD., 373 Village Road, Pennsdale, Pennsylvania 17756, for the application of polymer expansion joint binder on eight (8) Clermont County bridges, as described in the Scope of Services, in conjunction with the Ohio Department of Transportation 102-26 Purchasing Contract with Dynamic Surface Applications, Ltd., for an amount not to exceed \$149,180.56, with services to be completed within 365 days, in compliance with the terms and conditions and contingent upon the release of the required purchase order.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**12. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION ESTABLISHING AND CREATING THE KINSDALE STORMWATER DISTRICT PURSUANT TO THE OHIO REVISED CODE CHAPTER 6117...26-0115-002...ADOPTED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 015-26** resolving (1) to establish and create the Kinsdale Stormwater District to provide services related to the management of stormwater runoff in accordance with the General Plan of Drainage attached as Exhibit "A", (2) to appoint the Clermont County Engineer as the Director of the Kinsdale Stormwater District, pursuant to the Contract for Engineering Services pursuant to and in compliance with Section 315.14 of the Ohio Revised Code; and (3) that the boundary for the Kinsdale Stormwater District is defined as those parcels described in the attached Exhibit "B", with the understanding that the services will only be provided within the identified boundaries, pursuant to and in compliance with Chapter 6117 of the Ohio Revised Code.

**DISCUSSION:** Jeremy Evans, Clermont County Engineer, presented a PowerPoint overview of the Kinsdale Stormwater District and the cost for future residents.

Commissioner Painter asked about the participation agreement. Mr. Evans said there is no participation agreement. The developer still owns the development and reviewed how future subdivisions can establish a stormwater district.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**13. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION ESTABLISHING STORMWATER UTILITY FEES AND COST ALLOCATION PLAN FOR THE KINSDALE STORMWATER DISTRICT...26-0115-001...ADOPTED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 016-26** resolving to establish the Stormwater Utility Fees and Cost Allocation Plan for the Kinsdale Stormwater District established and created to provide services related to the management of stormwater runoff in accordance with the General

Plan of Drainage within the established boundaries pursuant to and in compliance with Chapter 6117 of the Ohio Revised Code, with the fees and plan fully described in Attachments “A” and “B”, for which fees and costs shall be charged to any and all property in the Kinsdale Stormwater District effective 01/28/2026.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**14. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... CONTRACT FOR PROFESSIONAL SERVICES WITH CHOICE ONE ENGINEERING CORPORATION FOR PROJECT NUMBER 6401-60258 FOR THE GARRETT DRIVE & BETTY LANE AREA WATER MAIN REPLACEMENT PROJECT LOCATED IN MIAMI TOWNSHIP...26-0116-002...EXECUTED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to execute a Contract for Professional Services between the Board of County Commissioners of Clermont County, Ohio, and Choice One Engineering Corporation, 6279 Tri-Ridge Blvd., Suite 100, Loveland, Ohio 45140, for engineering design services for the Garrett Drive & Betty Lane Area Water Main Replacement Project Number 6401-60258 located in Miami Township, as outlined in Exhibit A from their proposal dated January 8, 2026, for a total amount not to exceed \$267,800.00, with said services to be completed within 252 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, and contingent upon the release of the required purchase order.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**15. IN RE: CLERMONT COUNTY DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...EXECUTION OF CLOSEOUT DOCUMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE COUNTY OF CLERMONT, OHIO, FOR VARIOUS FISCAL YEARS...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation to authorize Bonnie J. Batchler, President of the Board of County Commissioners, or, in her absence, any other member of the Board of County Commissioners, to execute the CDBG Grant Closeout Certifications and all related closeout documents, including all understandings and assurances relative thereto, required by the U.S. Department of Housing and Urban Development, Columbus Field Office, Office of Community Planning and Development, 200 North High Street, Columbus, Ohio 43215-2499, for the purpose of formally closing out the following Community Development Block Grant (CDBG) Program grant years for the County of Clermont, Ohio:

Program	Grant Year	Grant #	Grant Amount
CDBG DC# 26-0108-004	2016	B-16-UC-39-0010	\$900,466.00
CDBG DC# 26-0108-005	2017	B-17-UC-39-0010	\$852,696.00
CDBG DC# 26-0108-006	2018	B-18-UC-39-0010	\$988,727.00

This action is taken pursuant to and in compliance with HUD closeout requirements and the terms and conditions applicable to the referenced grant years, and upon confirmation by the Department of Community and Economic Development that all activities, expenditures, and reporting obligations for these grant years have been satisfactorily completed.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**16. IN RE: BOARD OF COUNTY COMMISSIONERS...REAPPOINTMENT OF COUNTY APIARY INSPECTOR FOR THE COUNTY OF CLERMONT, OHIO, FOR FISCAL YEAR 2026...25-1106-017...APPROVED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to reappoint Robin Sizemore to serve as the County Apiary Inspector for the County of Clermont, Ohio, for Fiscal Year 2026, and to establish the rate of compensation at \$20.00 per hour, with reimbursement for mileage at the maximum current rate established by the Internal Revenue Service in accordance with the current Travel Policy adopted by the Board of County Commissioners, and in compliance with Section 909.07 of the Ohio Revised Code.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**17. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR CALENDAR YEAR 2026...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation to resolve to approve and authorize changes in the Annual Appropriation **Resolution Number 186-25** for Calendar Year 2026 pursuant to Ohio Revised Code Section 5705.40 as outlined in the following table, and to authorize Linda L. Fraley, County Auditor, to record properly:

**SUPPLEMENTAL APPROPRIATIONS FOR CALENDAR YEAR 2026**

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
<b>GENERAL FUND</b>	<b>Sheriff Civil Division</b>	<b>\$ 36,917.32</b>
	<b>RETIREMENT PAYOUT</b>	
	1000 - 04 - 19 - 433000 - 513200 -	

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**LET THE RECORD SHOW:** Commissioner Batchler requested a minute recess.

Moved by Commissioner Painter and seconded by Commissioner Corcoran, the Board of County Commissioners entered into a brief recess at 11:16 a.m.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**LET THE RECORD SHOW:** Regular Session resumed shortly after 11:17 a.m.

**18. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO PROCEED WITH SUBMISSION OF THE QUESTION OF LEVYING AN ADDITIONAL .75 MILL CONTINUOUS TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE OPERATION OF COMMUNITY PROGRAMS AND SERVICES AUTHORIZED BY COUNTY BOARD OF DEVELOPMENTAL DISABILITIES, FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, FINANCING, MAINTENANCE, AND OPERATION OF DEVELOPMENTAL DISABILITIES FACILITIES, OR FOR BOTH SUCH PURPOSES....26-0114-006...ADOPTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 017-026** to proceed with the submission of the question of levying an additional .75 mill continuous tax levy in excess of the ten-mill limitation for **County Developmental Disabilities Programs** which is seventy-five hundredths (0.75) mill for each One Dollar (\$1.00) of taxable value or an effective rate of Twenty Six Dollars (\$26.00) for each One Hundred Thousand Dollars (\$100,00.00) of the County Auditor's appraised value. The levy shall be placed on the 2026 tax duplicate for first collection in 2027 and thereafter for a continuing period of time, for the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, as it relates to the submission of the question of the tax to the electorate of the entire territory of Clermont County, Ohio, at the Primary Election to be held on Tuesday, 05/05/2026, pursuant to and in compliance with Sections 5705.222 and 5705.03 of the Ohio Revised Code.

**DISCUSSION:** Commissioner Painter requested clarification on the levy, including whether it is a continuous new levy of \$26.00 for \$100,000.00 and the total amount the levy will accrue.

Dan Ottke, Superintendent at Clermont County Developmental Disabilities, said the services they provide are lifelong, which is why this is a continuous levy. Mr. Ottke said there are currently three continuous levies and an operating 5-year levy. Developmental Disabilities has reviewed all its operations and made changes accordingly to save money. The Developmental Disabilities Board did not take this decision lightly and thoroughly reviewed the matter before bringing their request to the Commissioners.

Commissioner Batchler thanked the Developmental Disabilities workers and deferred the levy decision to the citizens.

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

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, No.

**19. IN RE: DISPOSITION OF LEVY...CLERMONT COUNTY CHILDRENS PROTECTIVE SERVICES, RENEWAL OR RENEWAL + INCREASE DECISION (RESOLUTION 018-26 or 019-26)**

**DISCUSSION:** Dottie Meier, Director, Clermont County Job and Family Services, said there are two options: a renewal and a renewal with an increase. Ms. Meier provided an overview of placement costs. Commissioner Batchler said she would prefer to proceed with the renewal and increase rather than return to the voters later. Ms. Meier said that if the renewal and increase fail, she will proceed with a renewal in November. Commissioner Painter said he will proceed with the renewal and increase.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION DETERMINING TO PROCEED TO LEVY A RENEWAL AND AN**

**ADDITIONAL TAX IN EXCESS OF TEN-MILL FOR THE SUPPORT OF CHILDREN SERVICES AND THE CARE AND PLACEMENT OF CHILDREN...26-0114-005...ADOPTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 019-26** to proceed with the submission of the question of levying a renewal tax levy with an increase in excess of the ten-mill limitation for children services and the care and placement of children in the renewal amount which is eighty hundredths (0.80) mill for each One Dollar (\$1.00) of taxable value, and an increase of twenty hundredths (0.20) mill for each One Dollar (\$1.00) of taxable value or an effective rate of Twenty-Three Dollars (\$23.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five years, to be placed on the 2026 tax duplicate for first collection in 2027 and four years thereafter ending in 2031, for purposes of providing for the necessary requirements for the support of children services and the care and placement of children in and as it relates to the submission of the question of the tax to the electorate of the entire territory of Clermont County, Ohio, at the Primary Election to be held on Tuesday, 05/05/2026, pursuant to Section 5705.24 and in compliance with Section 5705.03(B) of the Ohio Revised Code.

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

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, No.

**20. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO PROCEED WITH SUBMISSION OF THE QUESTION OF LEVYING A 1.30 MILL RENEWAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR PROVIDING OR MAINTAINING SENIOR CITIZENS' SERVICES OR FACILITIES AS AUTHORIZED BY SECTION 307.694, 307.85, 505.70, OR 505.706 OR DIVISION (EE) OF SECTION 717.01 OF THE REVISED CODE...26-0114-004...ADOPTED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 020-026** to proceed with the submission of the question of levying a renewal tax levy in excess of the ten-mill limitation for providing or maintaining senior citizens' services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code in the renewal amount, which is one and three-tenths (1.30) mill for each One Dollar (\$1.00) of taxable value, or an effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five years, to be placed on the 2026 tax duplicate for collection beginning in 2027 through 2031, for providing or maintaining senior citizens' services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code, as it relates to the submission of the question of the tax to the electorate of the entire territory of Clermont County, Ohio, at the Primary Election to be held on Tuesday, 05/05/2026, in accordance with Sections 5705.19(Y) and 5705.03(B) of the Ohio Revised Code.

**DISCUSSION:** Bill DeHass, Chief Executive Officer, Clermont Senior Services, said this renewal generates approximately \$5.8 million. The baby boomer generation is aging in Clermont County, and Senior Services is preparing for those needs.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**ADDITIONAL AGENDA ITEMS:** Commissioner Batchler asked if there were any additions to the agenda.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF AGENDA ITEM TO REGULAR SESSION...26-0102-002...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Thomas J. Eigel, County Administrator, asked the Board to consider adding a Facilities Agreement to Regular Session.

Commissioner Batchler requested a motion to approve the addition to today's Regular Session agenda.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**IN RE: CLERMONT COUNTY FACILITIES MANAGEMENT DEPARTMENT...EXECUTION OF SERVICE AGREEMENT BETWEEN FACILITIES MANAGEMENT AND CLERMONT COUNTY MENTAL HEALTH AND RECOVERY BOARD...26-0123-006...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation to execute the Facilities Management Service Agreement between the Board of County Commissioners, Clermont County, Ohio, and the Clermont County Mental Health and Recovery Board, 2337 Clermont Center Drive, Batavia, Ohio 45103, for a total amount of \$781.27, effective for the period of January 1, 2026 to January 30, 2026, in compliance with the terms and conditions of the agreement.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**EXECUTIVE SESSION:** A motion by Commissioner Corcoran and seconded by Commissioner Painter, to go into Executive Session at 11:45 a.m. pursuant to section 121.22 (G)(1) and (G)(3) of the Ohio Revised Code to 1) consider the employment, discipline, dismissal, or compensation of a public employee or more public employees, and 2) confer with the attorney for the board concerning disputes involving the public body that are the subject of pending or imminent court action.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**EXECUTIVE SESSION:** The Board of County Commissioners returned from Executive Session and resumed Regular Session at 1:01 p.m. after 1) considering the employment, discipline, dismissal, or compensation of a public employee or more public employees, and 2) conferring with the attorney for the board concerning disputes involving the public body that are the subject of pending or imminent court action, with no action taken and no decisions made.

**ADDITIONAL AGENDA ITEMS:** Commissioner Batchler asked if there were any additions to the agenda.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF AGENDA ITEM TO REGULAR SESSION...26-0102-002...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County

Commissioners approve the following recommendation:

Thomas J. Eigel, County Administrator, asked the Board to consider adding a Personnel Action to Regular Session.

Commissioner Batchler requested a motion to approve the addition to today's Regular Session agenda.

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

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

**IN RE: PERSONNEL ACTIONS...APPROVED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the following personnel actions:

\*The official record of personnel-related proceedings of the Clermont County, Ohio Board of County Commissioners is available for public inspection upon request, Monday through Friday, from 8:00 a.m. to 4:30 p.m. local time.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**ADDITIONAL AGENDA ITEMS:** Commissioner Batchler asked if there were any additions to the agenda.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF AGENDA ITEM TO REGULAR SESSION...26-0102-002...APPROVED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Thomas J. Eigel, County Administrator, asked the Board to consider adding a Resolution to Regular Session.

Commissioner Batchler requested a motion to approve the addition to today's Regular Session agenda.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION DESIGNATING MEDIATION CONFERENCE REPRESENTATIVE RELATIVE TO CASE NO. 26-3031 PENDING IN THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT...26-0127-003...ADOPTED**

Moved by Commissioner Batchler, seconded by Commissioner Corcoran, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 021-26** resolving to designate County Commissioner Painter as the Representative of the Board of County Commissioners of Clermont County, Ohio and the County Defendants, to (1) attend the Mediation Conference that is scheduled in the United States Court of Appeals for the Sixth Circuit in and as it relates to Case No. 26-3031;

and (2) authorize County Commissioner Painter as its Representative to enter into a Settlement Agreement on behalf of the Board of County Commissioners of Clermont County, Ohio and the County Defendants, wherein, United States Court of Appeals for the Six Circuit Case No. 26-3031 is settled such that the relevant litigation will be concluded.

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

Commissioner Batchler, Yes; Commissioner Corcoran, Yes; Commissioner Painter, Abstain.

**IN RE: BOARD OF COUNTY COMMISSIONERS...CHANGE TIME OF REGULAR SESSION ON FEBRUARY 4, 2026...APPROVED**

Moved by Commissioner Corcoran, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Gael Fawley, Clerk of the Board, said there has been a request to move the Regular Session of February 4, 2026, from 10 a.m. to 8 a.m. to accommodate the mediation conference with the United States Court of Appeals.

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

Commissioner Corcoran, Yes; Commissioner Painter, Yes; Commissioner Batchler, Yes.

**COUNTY STAFF/ELECTED OFFICIALS DISCUSSION:** No one requested to address the Board.

**MEMBER COMMENTS:** Commissioner Painter had an open discussion with citizens who participated in the public participation section regarding homelessness and the 287(g) agreement.

Commissioner Batchler commented on her involvement with the Clermont County Community Services and its director, Ms. Kuntz.

**IN RE: ADJOURNMENT...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Corcoran, that the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:21 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:

Commissioner Painter, Yes; Commissioner Corcoran, Yes; Commissioner Batchler, Yes.

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

---

**BONNIE J. BATCHLER, PRESIDENT**

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**DAVID L. PAINTER, VICE PRESIDENT**

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**CLAIRE B. CORCORAN, MEMBER**

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**GAEL FAWLEY, CLERK OF THE BOARD**

02/04/2026  
**DATE APPROVED**

RESOLUTION NO. 015-26

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 28<sup>th</sup> day of Jan., 2026, with the following members present:

Bonnie J. Batchler, President

David L. Painter, Vice President

Claire B. Corcoran, Member

*Mrs. Corcoran* moved for the adoption of the following Resolution:

**A RESOLUTION ESTABLISHING AND CREATING THE KINSDALE STORMWATER DISTRICT PURSUANT TO OHIO REVISED CODE CHAPTER 6117**

**WHEREAS**, flooding and damage from stormwater accumulation and runoff has a direct impact on the health, safety and welfare of the citizens of Clermont County; and

**WHEREAS**, for the purposes of preserving and promoting the public health and welfare, under Ohio Revised Code Chapter 6117, a Board of County Commissioners may establish one or more sewer districts within a county to control the drainage facilities within the county, including the establishing of rules and regulations and the setting of rates and charges; and

**WHEREAS**, the owner and developer of the properties in the Kinsdale Subdivision located in Batavia Township, Clermont County, Ohio have requested the Clermont County Board of Commissioners to establish a Stormwater District pursuant to Ohio Revised Code Chapter 6117, to conduct services related to the management of stormwater conveyance systems; and

**WHEREAS**, in accordance with Ohio Revised Code Chapter 6117, a "General Plan of Drainage" attached hereto as Exhibit "A" and made part hereof, has been prepared

and this plan provides the framework for the formation of the Kinsdale Stormwater District;

**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 as follows:

#### **SECTION I**

That in accordance with Ohio Revised Code Chapter 6117, the Board of County Commissioners does hereby effective the date of the passage of this resolution establish and create the Kinsdale Stormwater District to provide services related to the management of the stormwater runoff in accordance with the "General Plan of Drainage" attached hereto as Exhibit "A" and made a part hereof.

#### **SECTION II**

The Clermont County Engineer is appointed the Director of the Kinsdale Stormwater District by Agreement entered into pursuant to Ohio Revised Code Section 315.14.

#### **SECTION III**

That the boundary for the Kinsdale Stormwater District is defined as those parcels described in the attached Exhibit "B".

#### **SECTION IV**

That the "General Plan of Drainage" incorporated herein by reference as Exhibit "A", is hereby approved and adopted for the Kinsdale Stormwater District.

#### **SECTION V**

That the District will provide services only within the boundaries as defined in the attached Exhibit "B".

#### **SECTION VI**

That the Clerk of the Board is hereby directed to certify a copy of this Resolution to the Clermont County Engineer, Clermont County Auditor, and the County Recorder.

**SECTION VII**

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. *Painter* seconded the Resolution and on roll the vote resulted as follows:

Mrs. Batchler *yes*

Mr. Painter *yes*

Mrs. Corcoran *yes*

This Resolution was duly passed on the *28<sup>th</sup>* day of *January*, 2026.

ATTEST:

*Gael Fawley*  
GAEL FAWLEY, 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: *[Signature]*

Assistant Prosecuting Attorney

Date: January 22, 2026

# EXHIBIT A KINSDALE STORMWATER DISTRICT GENERAL PLAN OF DRAINAGE

## I. Overview

This is the General Plan of Drainage for the Kinsdale Stormwater District under Ohio Revised Code (ORC) Chapter 6117.

The District will perform inspection, maintenance and capital improvement projects to improve drainage and reduce flooding problems within the Kinsdale Stormwater District.

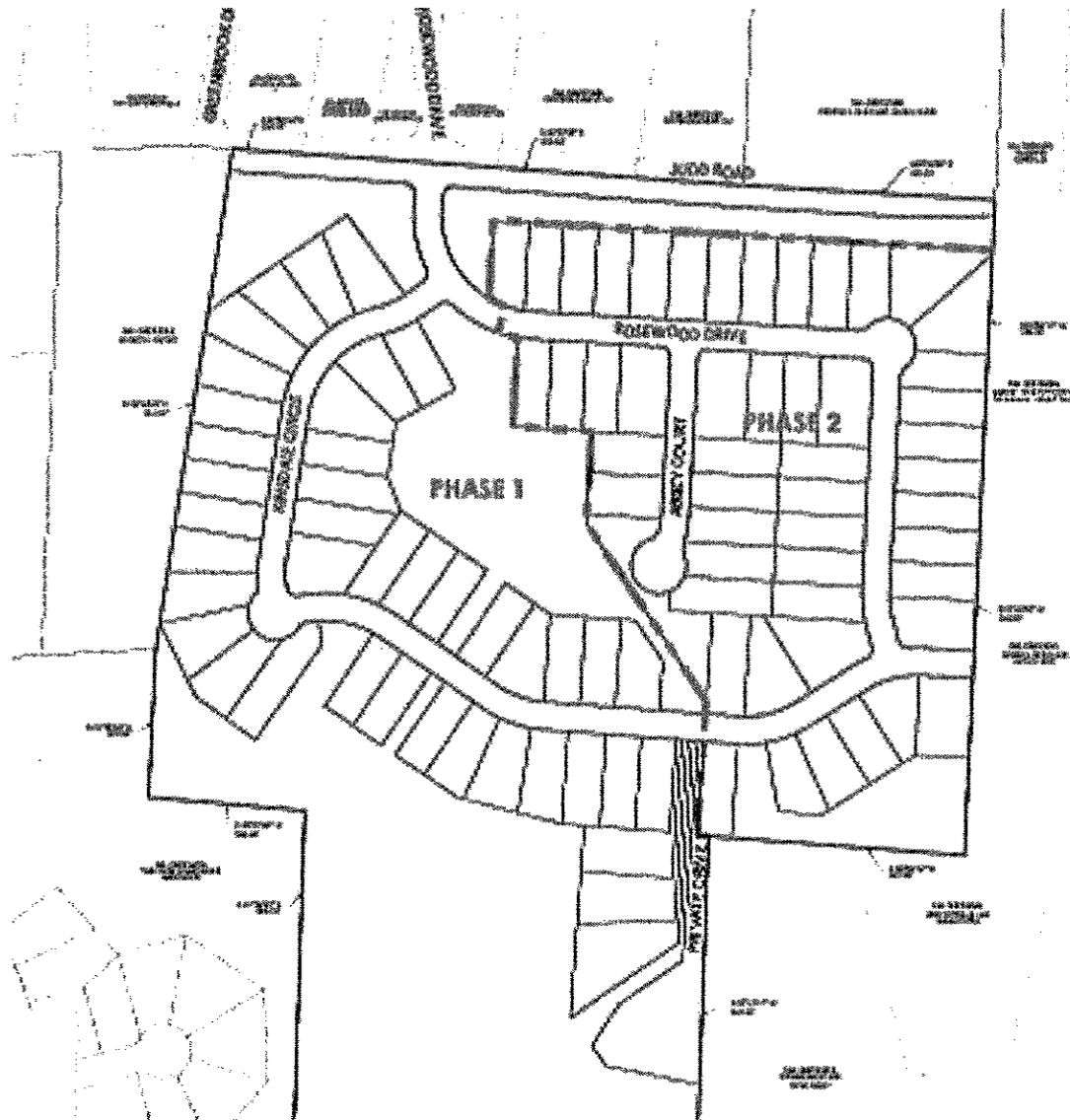


Figure 1 - Map of Kinsdale Stormwater District boundaries and the proposed storm sewer infrastructure for which the District will be responsible.

## II. Kinsdale Stormwater District

Property owners from the area generally described as the Kinsdale subdivision have met with representatives from the Clermont County Engineer's Office to request the formation of a stormwater district specifically for the Kinsdale subdivision, under which the ownership and maintenance responsibilities for the storm sewer infrastructure, located within the Kinsdale subdivision, would be transferred to the County, and a fee levied to the property owners to implement capital improvement projects and for the future management of the system. The basis for this request is to provide:

1. Improved Management of Drainage and Flooding Problems: The District is more capable of correcting existing drainage and flooding problems than individual homeowners or the homeowners association.
2. Improved Management of Stormwater Conveyance System: The District is more capable of managing the interconnected stormwater conveyance infrastructure, thus making the District better suited to conduct long-term planning to ensure that the stormwater infrastructure is properly operated and maintained.

## III. Mission Statement

The mission statement of the Kinsdale Stormwater District is as follows:

***The Kinsdale Stormwater District strives to enhance the stormwater management system within the Kinsdale subdivision by reducing problems associated with drainage, flooding and infrastructure, through construction and maintenance of the stormwater system, and through the promotion and implementation of effective stormwater management practices.***

## IV. District Boundary

The boundary for the Kinsdale Stormwater District is generally described as the lots located within the boundaries shown in Figure 1 above. Additionally, Attachment A, the Schedule of Stormwater Utility Fees and Billing Policies and Attachment B, the Cost Allocation Plan provide more detailed information regarding the organization and structure of the District.

## V. Roles and Responsibilities of the District

### 1. System Inventory and Condition Assessment

Prior to the date of resolution establishing the Kinsdale Stormwater District, an initial comprehensive inventory and condition assessment of the stormwater conveyance system located within the District boundaries, including inlets/catch basins, pipes and structures, has been performed.

The results of the system inventory and condition assessment are summarized in Exhibit A.

The District will manage and continually update the geodatabase and the inventory shown in Exhibit A of the stormwater conveyance system as new components are added or upgraded over time. Any additional infrastructure added to the District in the future shall be approved by the Clermont County Engineer. Any changes to Exhibit A will be filed with the County Commissioners.

## **2. Inspection Activities**

The District will conduct inspection activities on the components of the stormwater conveyance system that are located within the defined service area, have been transferred to and accepted by the County, and are located within established easements, including catch basins/inlets, pipes greater than 12" in diameter, manholes, outlet control structures in detention/retention basins, and outfalls. A map of the County owned and maintained stormwater infrastructure is illustrated in Exhibit B.

Catch basins, catch basin laterals, roof drains, underdrains, stormwater laterals or any other structure associated with a pipe of less than 12 inches in diameter are not considered part of the District's stormwater conveyance system.

The District will not inspect any portions of the stormwater conveyance system for which another entity has statutory responsibility (e.g., storm sewers within the road right-of-way); the responsible entity will continue to inspect these systems.

If an inspection conducted by the District reveals the need for maintenance, repair, replacement or other action needed on portions of the storm sewer system not maintained by the District to ensure the item in question operates or functions properly, an inspection report will be provided to the responsible party.

## **3. Maintenance and Capital Improvement Activities**

The District may perform maintenance or capital improvements on components of the stormwater conveyance system for which the District is responsible, as defined above. Catch basins, catch basin laterals, roof drains, underdrains, stormwater laterals or any other structure associated with pipes less than 12 inches in diameter are not considered part of the District's stormwater conveyance system.

The District will not perform improvements on any portions of the stormwater conveyance system for which another entity has statutory responsibility (e.g., storm sewers within the road right-of-way currently maintained by Pierce Township); the entity responsible will continue to perform any improvements that may be necessary.

Detention ponds transferred to and accepted by the District will be maintained for the purpose of managing peak flow rates from the facility including mowing as needed to maintain pond

functionality. The District will not be responsible for other routine maintenance such as vegetation management or other aesthetic related issues.

Retention ponds, constructed to manage storm water runoff, that are transferred to and accepted by the District will only be maintained for the purpose of achieving the desired peak discharge flow rates from the pond; the District will not be responsible for routine maintenance such as mowing, vegetation management, other aesthetic related issues, or for recreational purposes.

To determine the maintenance activities to be conducted and the schedule of activities, the District will follow a prioritization process that considers such factors as the degree of risk to human health and safety, the magnitude and extent of structural flooding, the magnitude and extent of drainage problems, potential water quality improvements, the area affected, and the ability to mitigate the problem.

A similar process will be used to prioritize the schedule of capital improvements to be conducted. Each request will be reviewed on a case by case basis.

When conducting improvements, the District will consider using strategies or best management practices that serve to improve drainage as well as to improve the quality of stormwater runoff so impacts on watercourses such as streams, rivers and lakes are minimized. Where possible, the District will emphasize practices that encourage infiltration.

## **VI. Transfer of Ownership to District**

Before the District performs maintenance or other improvements on any part of the storm sewer system, ownership of the infrastructure must be formally transferred to and accepted by the County and easements established to allow for the necessary inspection and repair of the system to be performed.

All legal documents regarding access to private property, including permanent easements, must be in place before the County assumes ownership.

## **VII. Organization and Staffing**

The Kinsdale Stormwater District is established by the Board of County Commissioners under the authority of Ohio Revised Code (ORC) Section 6117.01 (B), which states:

“For the purpose of preserving and promoting the public health and welfare, a board of county commissioners may lay out, establish, consolidate, or otherwise modify the boundaries of, and maintain, one or more sewer Districts within the county and outside municipal corporations and may have a registered professional engineer make the surveys necessary for the determination of the proper boundaries of each District, which shall be designated by an appropriate name or number. The board may acquire, construct, maintain, and operate within any District sanitary or drainage facilities that it determines to be necessary or appropriate for the collection of sewage and other wastes originating in or entering the District, to comply with the provisions of a contract

entered into for the purposes described in sections 6117.41 to 6117.44 of the Revised Code and pursuant to those sections or other applicable provisions of law, or for the collection, control, or abatement of waters originating or accumulating in, or flowing in, into, or through, the District, and other sanitary or drainage facilities, within or outside of the District, that it determines to be necessary or appropriate to conduct the wastes and waters to a proper outlet and to provide for their proper treatment, disposal, and disposition.”

The Clermont County Engineer shall serve as the Director of the Kinsdale Stormwater District and shall have responsibility for the operation and maintenance of the District. The County Engineer’s Office staff will be responsible for carrying out the day-to-day duties of the District utilizing District funds.

## **VIII. Finance**

### **1. Stormwater User Fee Fund**

A Kinsdale Stormwater District Fund shall be established for the deposit of all fees and charges collected by the Kinsdale Stormwater District. These funds shall be for the exclusive use of the District’s stormwater management programs, including, but not limited to the following:

- Costs associated with conducting an inventory and condition assessment of the stormwater conveyance system.
- Inspection of the stormwater conveyance system and stormwater best management practices.
- Operation and Maintenance of the stormwater conveyance system. Operation and maintenance activities may include, but not be limited to complaint management, system related erosion control/protection, storm sewer structure cleaning and repair, etc.
- Costs of construction incurred in connection with providing capital improvements and replacements to the stormwater conveyance system. As part of the improvements, the District may authorize the construction of channels, drainage swales, catch basins, storm sewers, culverts, detention or retention basins, as well as other stormwater related facilities.
- Administrative costs associated with the management of the Stormwater User Fee Fund.
- Any other stormwater-related program or expense established by the Director of the Stormwater District

### **2. Rate Structure**

The Kinsdale Stormwater District will use a rate structure based on the impervious area method.

Using aerial photography, the impervious area of a representative sample of single-family residential (SFR) parcels within the Kinsdale District has been measured to determine the average

impervious area. This value, 4,700 square feet (rounded), will serve as the Equivalent Residential Unit (ERU) within the District boundaries.

All parcels classified as Single Family Residences have been assigned a flat fee equal to one ERU. This one ERU is multiplied by the rate derived in the comprehensive rate study analysis and results in the utility fee charge. (For example, 1 ERU x rate = the utility fee charge.)

Stormwater utility fees for non-SFR parcels located within the District boundaries are based upon direct measurements of impervious area on each parcel. The impervious area for all non-SFR parcels within the service area is measured directly either through design plans, aerial photography, or on-site field measurements. The number of ERUs for each of these non-SFR parcels is determined by dividing the measured impervious area in square feet by 4,700 square feet (which represents 1 ERU for the District). The resulting ERU value is then rounded to the nearest whole number. This is shown by:

$$\text{Non-SFR parcel ERUs} = (\text{IA} / 4,700 \text{ square feet per ERU}), \text{ rounded}$$

where:

$$\begin{aligned} \text{IA} &= \text{Impervious Area, measured;} \\ \text{ERU} &= \text{Equivalent Residential Unit} = 4,700 \text{ square feet} \end{aligned}$$

To calculate the stormwater utility fee for a non-SFR parcel, the number of ERUs (in whole numbers) taken from the above calculation is then multiplied by the rate per ERU derived in the Cost Allocation Plan (Attachment B) analysis for the utility fee. The utility fee calculation for non-SFR parcels is shown as:

$$\text{Utility Fee} = \text{No. of ERUs per parcel} \times \text{Rate derived from cost allocation plan analysis}$$

For example, if the ERU for the District is 4,400 square feet, and the rate per ERU is \$9.00 and a non-SFR property contains 27,500 square-feet of impervious area, the following would apply:

$$\begin{aligned} \text{Non-residential ERUs} &= (\text{IA} / 1 \text{ ERU}), \text{ rounded} \\ &= (27,500/4,400) = 6.25 = 6 \text{ ERUs, rounded} \\ \\ \text{Utility Fee} &= \text{No. of ERUs} \times \text{Rate} \\ &= 6 \text{ ERUs} \times \$9.00 \text{ per ERU per month} \\ &= \$54.00 \text{ per month} \end{aligned}$$

By definition, undeveloped property will not be charged because impervious areas do not exist on undeveloped property.

### 3. Cost of Service Analysis

A comprehensive Cost of Service analysis was conducted to identify all expenditures associated with the stormwater services to be provided by the District. The elements in the Cost of Service analysis include the following:

- Inventory and condition assessments of stormwater conveyance systems within the District
- Inspection of components of the stormwater conveyance system and stormwater best management practices
- Operation and maintenance of structural components of the stormwater conveyance system
- Capital improvements, including any financing costs, to components of the stormwater conveyance system
- Costs to administer the program
- Staffing

The details of the five-year cost of service analysis are provided in the Kinsdale Stormwater District Cost Allocation Plan (Attachment B).

The average monthly cost to provide the services outlined in this General Plan of Drainage over a five-year period was determined to be **\$21.90**.

#### **4. Billing Mechanism**

The Kinsdale Stormwater District will utilize the Clermont County Water Resources Department utility billing system as the mechanism for billing stormwater service charges.

#### **5. Handling of Stormwater District Policy Disagreements**

When a dispute occurs, the party raising the question should submit the issue in writing to the Director of the Kinsdale Stormwater District clearly describing the issue and asking for resolution. The Director should review the issue based on the existing policies of the Kinsdale Stormwater District and reach some conclusion to resolve the problem. Once a solution has been developed, all parties should be notified, in writing, of the decision and the parties should proceed with the disputed issue based upon that decision.

Should the Director and the conflicting party fail to reach agreement on this matter, and there appears to be no possibility of reaching agreement, the customer may appeal the decision to Clermont County Court of Common Pleas, in accordance with the provisions of Ohio Revised Code Chapter 2506.

Every effort should be made to resolve conflicts at the lowest possible level to ensure that resolution occurs in a timely manner.

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## ATTACHMENT A

### KINSDALE STORMWATER DISTRICT SCHEDULE OF STORMWATER UTILITY FEES AND BILLING POLICIES

Section 1: As used in this schedule, the following words shall apply for properties within the District; words used in the singular shall include the plural, and the plural, the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

"Kinsdale Stormwater District" or "District" means the stormwater district formed by the properties located within the Kinsdale subdivision and specified in the Service Area within the Cost Allocation Plan in accordance with Ohio Revised Code (ORC) Section 6117.

"Cost Allocation Plan" means the plan prepared pursuant to ORC Section 6117.02(E) that establishes the stormwater utility fee methodology and defines the District activities and their anticipated costs that will be funded through the stormwater utility fee.

"Equivalent Residential Unit" or "ERU" means the average Impervious Area of a Single Family Residence within the District, established to be 4,700 square feet.

"Impervious Area" means areas that either prevent or retard the infiltration of water into the soil as it entered under natural conditions of the Undisturbed Property.

"Municipal Separate Storm Sewer System" means "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body" as stated in CFR 122.26(b)(8).

"Policies of the District" means the combination of the policies relating to the operations of the District as set forth in the "Cost Allocation Plan" and the "General Plan of Drainage" as attached to the resolution establishing and creating the Kinsdale Stormwater District.

"Single Family Residences" means developed property that is utilized for dwelling units, and specific definitions for the following categories are pursuant to and in accordance with the Clermont County Auditor's Land Use Codes:

- "Single Family Dwelling"
- "Two Family Dwelling"
- "Double Dwelling"
- "Mobile Home on Real Estate"
- "Titled Manufactured Home"
- "Town Home Inner"
- "Town Home Outer"

"Condominium" (where a parcel ID number and tax billing account exists with the County Auditor).

"Stormwater Utility Fee" means a fee authorized by resolution of the Clermont County Board of Commissioners to pay for operations and services of the District.

"Undisturbed Property" means real property that has not been altered from its natural state and contains no Impervious Area.

"Vacant Property" means all property with one of the following Land Use Codes in the Auditors database: 100, 110, 300, 400, or 500.

Section 2: Effective on the date the Kinsdale Stormwater District is created and subject to the policies for the District established under a separate resolution, each and every property in the District, unless classified as vacant property or contains less than 200 square feet of impervious surface, shall be charged a minimum 1 ERU Stormwater Utility Fee.

Section 3: The Stormwater Utility Fee for the District is established according to the methodology described in the Cost Allocation Plan (Attachment B) and determined as follows:

1. As described in the Cost Allocation Plan (Attachment B), an Equivalent Residential Unit (ERU) has been defined as 4,700 square feet of impervious area.
2. Single Family Residences (SFR) shall be assigned one (1) ERU.
3. For non-SFR property, the number of ERUs shall be determined by dividing the area of impervious surface on the property by one ERU, namely, 4,700 square feet.
4. The total annual charge for each property shall be determined by multiplying the number of ERUs determined for the property times the utility fee per ERU per year established for the District.
5. The Utility Fee per month shall be established based upon the specific extent and levels of service provided by the District, as described in the Cost Allocation Plan (Attachment B), and is determined to be **\$21.90** per ERU.

Section 6: All bills for fees established under this resolution shall become due and payable in accordance with the billing procedures of the Clermont County Water Resources Department.

Section 7: The Director of the Stormwater District, or his duly authorized representative, is hereby authorized and directed to cause the rates and charges set forth herein to be billed to all properties subject thereto and to keep and maintain records relating thereto.

Section 8: As established by the Policies of the District, no free service of any kind shall be rendered to any user, including any public or private corporation, any public or private school, any governmental body or agency, or any institution, charitable or otherwise.

## ATTACHMENT B

### KINSDALE STORMWATER DISTRICT COST ALLOCATION PLAN

#### I. Outline of Process

The purpose of this paper is to review, discuss and make recommendations regarding all aspects of a stormwater district, including the district's service area, the levels of service to be provided, the costs of these services, and the rate required to generate the revenue needed to perform the services.

This document first provides information about the service area and the various maintenance services to be provided by the District. Section IV discusses the costs of providing these services, which in turn directly determines the rate of charge. The final sections of this report review the rate methodology, billing policies, billing adjustments and the determination of the rate of charge.

#### II. Service Area

The boundary for the Kinsdale Stormwater District is generally described as the lots located within and platted as a part of the Kinsdale subdivision as shown in Figure 1, attached. Figure 1 also includes the relevant infrastructure that will be transferred from the individual property owners within the District service area and accepted by the County. Exhibit C attached is a list of the lots included within the shown boundary with Parcel ID numbers.

#### III. Level of Service Analysis

The Kinsdale Stormwater District will provide the following services for the customers located within the service area:

- Storm sewer system inventory and condition assessment
- Inspection and maintenance
- Lifecycle replacement
- Administration
- Staffing

Specific services that will be provided under each program element are detailed below.

##### 1. Storm Sewer System Inventory and Condition Assessment

A comprehensive inventory of the stormwater conveyance system, including pipes and structures that will be owned and maintained by the District is attached as Exhibit A. This inventory is based

on the available information as of the date of this report. Available information includes scanned images of record drawings with information about the stormwater conveyance system, a GIS geodatabase of the storm sewer system, and a condition assessment of the storm sewer infrastructure being transferred to the County.

The Director of the Kinsdale Stormwater District may, at his sole discretion, agree to accept additional storm sewer infrastructure components to the infrastructure shown in Exhibit A for the District to own and maintain if the additional storm sewer infrastructure is located within the established District boundaries and will not impact the established rate. In such instances, the Director will update Exhibits A and B to reflect the changes and file the updated documents with the Board for their records.

If the Director of the District identifies a need to revise the extent of the infrastructure that is owned and maintained by the District and this change will impact the established District boundary or the established rate, the Director will obtain approval from the Board of County Commissioners prior to acceptance of the additional infrastructure.

The District will manage and continually update the geodatabase of the stormwater conveyance system for the District as changes or upgrades to the system occur.

## **2. Inspection and Maintenance**

The Stormwater District will conduct inspection activities on components of the stormwater conveyance system that have been transferred to and accepted by the County and are listed in Exhibit A and shown in Exhibit B as being part of the Kinsdale District.

Catch basins, catch basin laterals, roof drains, underdrains, drainage ditches, stormwater laterals or any other structures serving an individual property are not considered part of the District's infrastructure.

The District will not inspect or maintain any portions of the stormwater conveyance system for which another entity has statutory responsibility (e.g., storm sewers within the road right-of-way owned by a township); the responsible entity will continue to inspect and maintain these systems.

The District will not inspect or maintain public watercourses accepted by the Clermont County Engineer (i.e., systems accepted by the County Engineer under the "ditch petition" program). The responsibility of inspecting and maintaining these will remain the responsibility of the Engineer's Office utilizing District funds.

If an inspection conducted by the District reveals the need for maintenance, repair, replacement or other action needed to ensure the item in question operates or functions properly, an inspection report will be provided to the entity that has statutory responsibility.

Types of maintenance activities that would be considered the District's responsibility include, but are not necessarily limited to:

- Complaint management
- System related erosion control / protection
- Cleaning of District storm sewer structures, including catch basins, manholes, pipes and other structures,
- Storm sewer structure repairs (e.g. headwalls, manholes , catch basins , pipes, and outlet control structures)
- Repair of storm sewer cave-ins
- General system maintenance
- Engineering support
- Contract management
- Equipment replacement

The District will either utilize crews from the County Engineer's Office, or hire contractors to conduct the necessary inspection and maintenance.

### **3. Lifecycle Replacement**

The District will conduct capital improvement projects (CIPs) and replacements on components of the District's stormwater conveyance system, including catch basins/inlets, pipes, manholes, outlet control structures for retention/detention basins, and outfalls, in accordance with the General Plan of Drainage.

Capital Improvement Program activities may include, but are not limited to:

- Engineering and design analysis
- Acquisition of easements
- Construction of capital improvements
- Installation of oversized storm sewers
- Contractor bid review/selection process
- Preparation of contract documents
- Contract management

### **4. Administration**

As with any operation, there are general administrative activities and services that must be provided. Such activities may include, but are not necessarily limited to:

- Customer service
- Billing
- Database management
- Purchase of supplies and equipment
- Other overhead

### **5. Staffing**

The Clermont County Engineer's Office will provide the above services on behalf of the District including maintenance and capital improvements if personnel are available and it is cost effective. Otherwise, the District will contract for services. Consultants will also be hired to provide engineering services beyond those provided by the County Engineer.

#### IV. Cost of Service

Once the levels of service to be provided under each program element were determined, the costs to provide these services over a five-year period were estimated based on the lifecycle cost of the existing infrastructure, an evaluation of immediate CIP needs, the expected annual maintenance cost, debt service, and administration costs. Debt service will include the inventory and condition assessment, as well as any other CIPs that are considered upfront costs to the District. The detailed cost of service study is provided in Exhibit D.

Table 1 below includes the annual cost for each of the program elements described above. The results of the cost allocation study indicate that an average annual amount of **\$24,172** is needed to provide the services detailed above over a period of five years.

**Table 1. Annual Costs to Provide Stormwater District Services**

Program Element	Year One Costs	Year Two Costs	Year Three Costs	Year Four Costs	Year Five Costs
Inspection & Maintenance	\$3,652	\$3,780	\$3,912	\$4,049	\$4,191
Lifecycle Replacement	\$16,588	\$17,168	\$17,769	\$18,391	\$19,035
Administration	\$1,012	\$1,047	\$1,084	\$1,122	\$1,161
Staffing/Engineering	\$1,380	\$1,380	\$1,380	\$1,380	\$1,380
<b>TOTALS</b>	<b>\$22,632</b>	<b>\$23,375</b>	<b>\$24,145</b>	<b>\$24,942</b>	<b>\$25,767</b>
<b>Five-Year Average Annual Cost: \$24,172</b>					

#### V. Rate Methodology and Billing Policies

Before a Stormwater Utility Fee can be calculated, the rate methodology and associated billing policies must be set in order to determine the number of billing units in the District's service area.

##### 1. Rate Methodology

The Kinsdale Stormwater District will use an impervious area method for establishing stormwater utility fees.

Under the Impervious Area Method, the impervious area (e.g., roof areas, parking areas, driveways, sidewalks, etc.) is the only parameter used to measure the contribution to runoff. The impervious area is usually determined by measurements from field surveys or plotted aerial photographs. The charge for each property is determined by multiplying the impervious area of each parcel by a rate derived in a rate study analysis.

The next step in the process involves the determination of the impervious area for non-residential properties. Aerial photography and/or field measurements are used to extract the impervious areas of each non-residential parcel. The measured impervious area for each parcel is then divided by 4,700 square feet (which equals 1 ERU for the District). The number of ERUs derived from this calculation is then multiplied by the rate derived in the comprehensive rate study analysis to determine the utility fee for each parcel.

## 2. Equivalent Residential Unit Determination

The first step involves determining the average impervious area in square feet for a single-family residential (SFR) parcel by measuring the impervious area of a representative sample of SFR parcels. This average impervious area represents one Equivalent Residential Unit, or ERU. Once the ERU is determined, all of the SFR parcels are assigned a flat rate equal to one ERU. This one ERU is multiplied by the rate derived in the comprehensive rate study analysis and results in the utility fee (i.e., 1 ERU x rate = the utility fee for parcels classified as SFR). The Equivalent Residential Unit within the District's boundaries was determined to be 4,700 square feet.

All other parcels will be treated as non-SFR parcels. Utility fees for non-SFR parcels are based upon direct measurements of impervious area for each non-residential parcel. The impervious area for all non-residential parcels within the service area is measured directly either through design plans, aerial photography, or on-site field measurements. The measured impervious area for each parcel is then divided by 4,700 square feet (which equals 1 ERU for the District) to determine the number of ERUs on that parcel. This is shown by:

$$\text{Non-residential ERUs} = (\text{IA} / 4,700 \text{ square feet per ERU}), \text{ rounded}$$

where:

$$\begin{aligned} \text{IA} &= \text{Impervious Area, measured;} \\ \text{ERU} &= \text{Equivalent Residential Unit} = 4,700 \text{ square feet} \end{aligned}$$

To calculate the utility fee, the number of non-residential ERUs (in whole numbers) taken from the above calculation is then multiplied by the rate derived in the comprehensive rate study analysis to determine the utility fee for a particular parcel. The utility fee calculation for non-residential parcels is shown as:

$$\text{Utility Fee} = \text{No. of ERUs} \times \text{Rate (derived from rate study analysis)}$$

By definition, undeveloped property is not charged because impervious areas do not exist on undeveloped property.

The District will implement an ERU and rate system that only recognizes complete or whole ERUs. Partial ERUs will not be calculated, but rather rounded to the nearest whole ERU. All properties in the district, unless classified as vacant property as defined in the Schedule of Stormwater Utility Fees or contain less than 200 square feet of impervious surface, should be charged a minimum 1 ERU Stormwater Utility Fee.

### **3. Definition of Single Family Residence**

As all parcels classified as Single Family Residences (SFRs) are to be assigned a flat rate equal to one ERU, it is necessary to define what a single family residence is. Single-family residential properties are defined as follows:

- All single-family residential
- All two-family or duplex properties
- Condominiums with individual Parcel ID numbers and tax billing accounts

The number of ERUs for a non-SFR parcel will be determined by directly measuring the amount of impervious area on the parcel in square feet and dividing this area by 4,700 square feet (one ERU as defined above) to determine the number of ERUs on the non-SFR parcel. Non-SFR properties shall be defined as all multi-family and commercial properties not encompassed by the definition of single-family residential, including:

- Apartments property;
- Condominium property where individual parcel ID numbers and tax billing accounts do not exist;
- Commercial property;
- Industrial property;
- Institutional property;
- Governmental property;
- Churches;
- Schools;
- Federal, State and Locals property; and
- Any other property not mentioned in this or the above single-family list.

### **4. Definition of Impervious Area**

Because the rate methodology is directly based upon the amount of impervious area on a parcel of land, impervious area must also be defined. Impervious area is herein defined as "areas that either prevent or retard the infiltration of water into the soil as it entered under natural conditions of the undisturbed property."

Impervious surfaces include, but are not limited to, rooftops, roof extensions, patios, porches, driveways, sidewalks, athletic courts, paved parking lots and gravel surfaces on which motorized vehicles may travel, or have otherwise become compacted.

## **5. Public Roadways**

Public roadways have been defined by the U.S. Environmental Protection Agency as part of the stormwater conveyance system. According to the Code of Federal Regulations (CFR), a municipal separate storm sewer means "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body" (CFR 122.26(b)(8)).

Because public roadways are considered part of the stormwater conveyance system and not sources to the system, public roadways, including sidewalks, driveway aprons and bike paths/trails within the public right-of-way, will not be billed.

## **6. Condominiums**

The Clermont County Auditor's Office can provide a Parcel ID Number (PIN) for each condominium unit located within the County. Where a parcel ID number and tax billing account exists with the County Auditor, each condominium unit will be treated as a single-family residence and each condominium owner will be charged one ERU per month. Otherwise, the condominium complex will be categorized as multi-family and commercial, and the impervious area for the entire complex will be measured and the utility fee will be assigned to a single entity (e.g., complex owner, management association/homeowner association).

## **7. Apartments**

All apartment complexes will be treated as multi-family and commercial properties. As such, the impervious area for the entire complex will be measured and the utility fee will be assigned to the owner of the complex.

## **8. Manufactured Homes**

A manufactured home located on land owned by the property owner (clearly defined property boundary), or on leased land (clearly defined property boundary) will be considered a single-family residential property.

If a manufactured home park exists where the home resides within the park and on land with a clearly defined boundary for each unit, each property has separate parcel ID numbers, each property is owned separately, and each property receives a property tax bill from the Auditor's office, these manufactured home properties will be treated as single-family residential properties and billed one ERU per month.

In manufactured home parks where property boundaries do not exist for each unit, the manufactured home park will be considered a multi-family and commercial property. As such, the impervious area for the entire complex will be measured and billed to the property owner.

## **9. Strip Malls/Office Parks/Malls**

Strip malls, office parks and mall properties represent a category of commercial property that may encompass multiple retail oriented units (tenants) normally located within the boundary of a single property. In some instances, a clearly defined property boundary may exist for one of the owners of the retail units. In this case, the impervious area within that property boundary will be charged to that property owner. When there are no clearly defined property boundaries for the individual retail units within the strip mall, office park or mall property, the remaining impervious area for the entire property will be measured and charged to the owner.

#### **10. Recipient of the Bill**

The Kinsdale Stormwater District customers will receive a stormwater utility fee billing every other month reflected as a separate line item on the Clermont County Water Resources water and sewer bill. No stormwater fees will be collected from unimproved properties. In instances where a customer account has been set inactive for water and sewer purposes, any unbilled stormwater fees will be billed when the account is reactivated or when final bill is created. Each property will receive stormwater billings that will annually total the charges as set forth in Section VII.

#### **11. Exemptions**

Because stormwater fees associated with the District are not taxes but rather "utility fee" or "user fee" rates similar to water or sewer utility fee rates, all property owners receiving such services must pay for that service provided. The Kinsdale Stormwater District provides no exemptions from the stormwater utility fee.

#### **12. Multiple Parcels**

In residential cases where the main structure is located on two contiguous and adjacent parcels (land-hooked), only one ERU will be charged for these two parcels.

#### **13. Special Situations**

The District has adopted the policies below for the following situations:

- In a situation where the only non-SFR parcels in a District include private roads and/or parking areas and/or clubhouse/common areas for use by the property owners within the District, the utility fee will be derived by dividing the total cost of service for the District by the number of SFR parcels within the District. This policy does not impact the overall costs to the individual users, but rather is intended to simplify the billing process and reduce the administrative burden of the Utility on the District.
- Railroad lines will be treated as pervious and not measured in an impervious area calculation. However, any railroad yards will be measured and charged.

- Properties used for auto storage (a.k.a. junkyards) should have the areas used for auto storage determined. If the autos are stored on gravel or paved surfaces, these areas will be measured and treated as impervious area.
- Properties used to store old auto and truck tires should have the surface beneath areas of stored tires determined. If the tires are stored on gravel or paved surfaces, these areas should be measured and treated as impervious area. If the tires are stored on open, permeable ground, this area will not be included in the impervious area calculation.
- Manufacturing properties that use outside and uncovered storage of raw materials should have the surface beneath the areas of materials determined. If the raw materials are being stored on gravel or paved surfaces, these areas will be measured and treated as impervious area. If the raw materials are stored on open, permeable ground, this area will not be included in the impervious area calculation
- All campgrounds will be considered as multi-family and commercial property types. The entire impervious area will be measured and billed to the campground property owner.
- Dog or animal kennels will be treated as commercial property types. The entire impervious area will be measured and billed to the property owner.

## VI. ERU / Number of ERUs

Based on the Impervious Area Rate Methodology and the billing policies listed above, the total number of billing units, or ERUs, for the District's service area is 92.

## VII. Rate Determination

As stated above, the Kinsdale Stormwater District will need to generate, on average, annual revenue in the amount of \$24,172/year or \$120,860 over a five year period to perform the services specified in Section III (Level of Service Analysis) within the service area described in Section II. Clermont County has identified a total of 92 Equivalent Residential Units (i.e., the District's billing unit) in the service area.

The rate of charge is determined to be the rate that would generate the revenue needed to perform the District's stated services. Thus, the annual rate is calculated by dividing the five year average annual cost of services by the number of billing units (i.e., ERUs). This is shown as:

$$\text{Annual Rate} = \text{Average Annual Cost of Service} / \text{Number of ERUs}$$

where:

Annual Cost of Service	=	\$24,172
Number of ERUs	=	92

The annual fee is therefore calculated as:

$$\begin{aligned}\text{Annual Fee} &= \$ 24,172 \text{ per year /92 ERUs} \\ &= \$ 262.74 \text{ per ERU per year.}\end{aligned}$$

The monthly fee is calculated as:

$$\begin{aligned}\text{Monthly Fee} &= \$ 262.74 \text{ per ERU per year / 12 months} \\ &= \$21.90 \text{ per ERU per month.}\end{aligned}$$

Each property located within the Kinsdale Stormwater District will be billed bi-monthly.

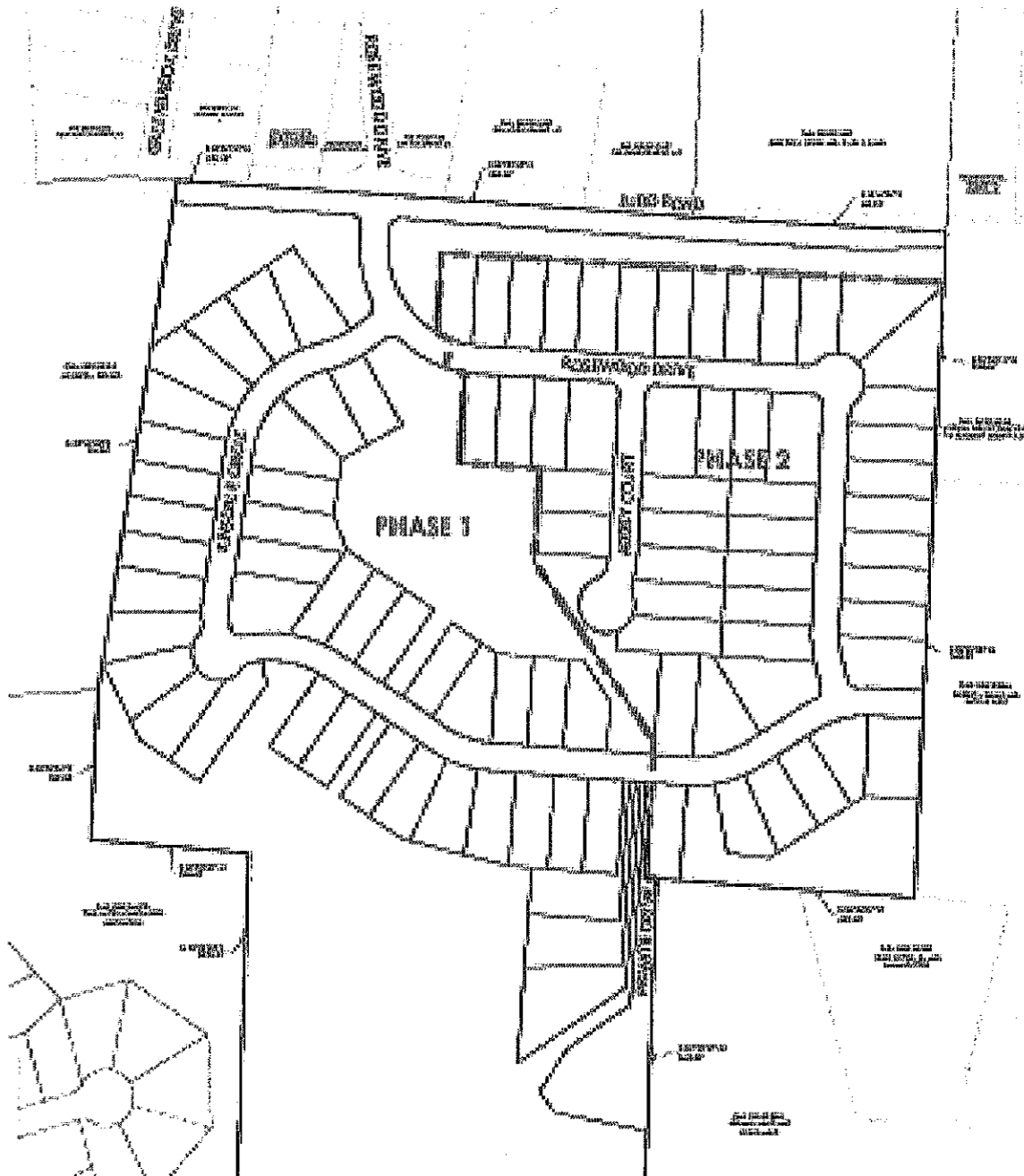


Figure 1 - Map of Kinsdale Subdivision and the proposed storm sewer infrastructure for which the District will be responsible.

**RESOLUTION NO. OK26**

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 28<sup>th</sup> day of Jan., 2026, with the following members present:

Bonnie J. Batchler, President

David L. Painter, Vice President

Claire B. Corcoran, Member

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

**A RESOLUTION ESTABLISHING STORMWATER UTILITY FEES AND COST ALLOCATION PLAN FOR THE KINSDALE STORMWATER DISTRICT**

**WHEREAS**, by previous Resolution No. OIS -26, adopted in a regularly scheduled meeting on Jan. 28, 2026, the Board of Clermont County Commissioners has established the Kinsdale Stormwater District for purposes of implementing Stormwater Management and the General Plan of Drainage; and

**WHEREAS**, Section 6117.02(D) of the Ohio Revised Code authorizes the Board to fix "Reasonable Rates and Charges" to fund district activities and services for drainage facilities owned or operated by or under the jurisdiction of the county, including, but not limited, to properties requiring or lying within an area of the District, requiring, in the judgment of the Board, the collection, control, or abatement of waters originating or accumulating in, or flowing in, into or through the District; and

**WHEREAS**, the Clermont County Engineer as the appointed director of the District has submitted a proposed schedule of stormwater utility fees, included as Attachment "A", for these services to be provided by the District, and this Board finds those rates and charges to be proper and reasonable; and

**WHEREAS**, Section 6117.02(E) of the Ohio Revised Code allows this Board to adopt a Cost Allocation Plan that identifies, accumulates, and distributes allowable direct and indirect costs that may be paid from the funds of the District created pursuant to (C) and (D) of this section, and that prescribes method for allocating these costs;

**WHEREAS**, the Clermont County Engineer as the appointed director of the District has submitted a Cost Allocation Plan included as Attachment "B" for services to be provided by the District and this Board finds this plan to be proper and reasonable.

**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 as follows:

#### **SECTION I**

Effective the 28<sup>th</sup> day of January, 2026, the attached Cost Allocation Plan (Attachment "B") and the schedule of Stormwater Utility Fees (Attachment "A") are hereby adopted for the Kinsdale Stormwater District pursuant to Chapter 6117 of the Ohio Revised Code and such fees and costs shall be charged to any and all property in the Kinsdale Stormwater District.

#### **SECTION II**

That both Attachments "A" and "B" by reference are hereby incorporated into this resolution.

#### **SECTION III**

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. *Corcoran* seconded the Resolution and on roll the vote resulted as follows:

Mrs. Batchler *yes*

Mr. Painter *yes*

Mrs. Corcoran *yes*

This Resolution was duly passed on the *25<sup>th</sup>* day of *Jan.*, 2026.

ATTEST:

*Gael Fawley*  
GAEL FAWLEY, 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: *[Signature]*

Assistant Prosecuting Attorney

Date: January 22, 2026

## ATTACHMENT A

### KINSDALE STORMWATER DISTRICT SCHEDULE OF STORMWATER UTILITY FEES AND BILLING POLICIES

Section 1: As used in this schedule, the following words shall apply for properties within the District; words used in the singular shall include the plural, and the plural, the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

"Kinsdale Stormwater District" or "District" means the stormwater district formed by the properties located within the Kinsdale subdivision and specified in the Service Area within the Cost Allocation Plan in accordance with Ohio Revised Code (ORC) Section 6117.

"Cost Allocation Plan" means the plan prepared pursuant to ORC Section 6117.02(E) that establishes the stormwater utility fee methodology and defines the District activities and their anticipated costs that will be funded through the stormwater utility fee.

"Equivalent Residential Unit" or "ERU" means the average Impervious Area of a Single Family Residence within the District, established to be 4,700 square feet.

"Impervious Area" means areas that either prevent or retard the infiltration of water into the soil as it entered under natural conditions of the Undisturbed Property.

"Municipal Separate Storm Sewer System" means "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body" as stated in CFR 122.26(b)(8).

"Policies of the District" means the combination of the policies relating to the operations of the District as set forth in the "Cost Allocation Plan" and the "General Plan of Drainage" as attached to the resolution establishing and creating the Kinsdale Stormwater District.

"Single Family Residences" means developed property that is utilized for dwelling units, and specific definitions for the following categories are pursuant to and in accordance with the Clermont County Auditor's Land Use Codes:

- "Single Family Dwelling"
- "Two Family Dwelling"
- "Double Dwelling"
- "Mobile Home on Real Estate"
- "Titled Manufactured Home"
- "Town Home Inner"
- "Town Home Outer"

"Condominium" (where a parcel ID number and tax billing account exists with the County Auditor).

"Stormwater Utility Fee" means a fee authorized by resolution of the Clermont County Board of Commissioners to pay for operations and services of the District.

"Undisturbed Property" means real property that has not been altered from its natural state and contains no Impervious Area.

"Vacant Property" means all property with one of the following Land Use Codes in the Auditors database: 100, 110, 300, 400, or 500.

Section 2: Effective on the date the Kinsdale Stormwater District is created and subject to the policies for the District established under a separate resolution, each and every property in the District, unless classified as vacant property or contains less than 200 square feet of impervious surface, shall be charged a minimum 1 ERU Stormwater Utility Fee.

Section 3: The Stormwater Utility Fee for the District is established according to the methodology described in the Cost Allocation Plan (Attachment B) and determined as follows:

1. As described in the Cost Allocation Plan (Attachment B), an Equivalent Residential Unit (ERU) has been defined as 4,700 square feet of impervious area.
2. Single Family Residences (SFR) shall be assigned one (1) ERU.
3. For non-SFR property, the number of ERUs shall be determined by dividing the area of impervious surface on the property by one ERU, namely, 4,700 square feet.
4. The total annual charge for each property shall be determined by multiplying the number of ERUs determined for the property times the utility fee per ERU per year established for the District.
5. The Utility Fee per month shall be established based upon the specific extent and levels of service provided by the District, as described in the Cost Allocation Plan (Attachment B), and is determined to be **\$21.90** per ERU.

Section 6: All bills for fees established under this resolution shall become due and payable in accordance with the billing procedures of the Clermont County Water Resources Department.

Section 7: The Director of the Stormwater District, or his duly authorized representative, is hereby authorized and directed to cause the rates and charges set forth herein to be billed to all properties subject thereto and to keep and maintain records relating thereto.

Section 8: As established by the Policies of the District, no free service of any kind shall be rendered to any user, including any public or private corporation, any public or private school, any governmental body or agency, or any institution, charitable or otherwise.

## ATTACHMENT B

### KINSDALE STORMWATER DISTRICT COST ALLOCATION PLAN

#### I. Outline of Process

The purpose of this paper is to review, discuss and make recommendations regarding all aspects of a stormwater district, including the district's service area, the levels of service to be provided, the costs of these services, and the rate required to generate the revenue needed to perform the services.

This document first provides information about the service area and the various maintenance services to be provided by the District. Section IV discusses the costs of providing these services, which in turn directly determines the rate of charge. The final sections of this report review the rate methodology, billing policies, billing adjustments and the determination of the rate of charge.

#### II. Service Area

The boundary for the Kinsdale Stormwater District is generally described as the lots located within and platted as a part of the Kinsdale subdivision as shown in Figure 1, attached. Figure 1 also includes the relevant infrastructure that will be transferred from the individual property owners within the District service area and accepted by the County. Exhibit C attached is a list of the lots included within the shown boundary with Parcel ID numbers.

#### III. Level of Service Analysis

The Kinsdale Stormwater District will provide the following services for the customers located within the service area:

- Storm sewer system inventory and condition assessment
- Inspection and maintenance
- Lifecycle replacement
- Administration
- Staffing

Specific services that will be provided under each program element are detailed below.

##### 1. Storm Sewer System Inventory and Condition Assessment

A comprehensive inventory of the stormwater conveyance system, including pipes and structures that will be owned and maintained by the District is attached as Exhibit A. This inventory is based

on the available information as of the date of this report. Available information includes scanned images of record drawings with information about the stormwater conveyance system, a GIS geodatabase of the storm sewer system, and a condition assessment of the storm sewer infrastructure being transferred to the County.

The Director of the Kinsdale Stormwater District may, at his sole discretion, agree to accept additional storm sewer infrastructure components to the infrastructure shown in Exhibit A for the District to own and maintain if the additional storm sewer infrastructure is located within the established District boundaries and will not impact the established rate. In such instances, the Director will update Exhibits A and B to reflect the changes and file the updated documents with the Board for their records.

If the Director of the District identifies a need to revise the extent of the infrastructure that is owned and maintained by the District and this change will impact the established District boundary or the established rate, the Director will obtain approval from the Board of County Commissioners prior to acceptance of the additional infrastructure.

The District will manage and continually update the geodatabase of the stormwater conveyance system for the District as changes or upgrades to the system occur.

## **2. Inspection and Maintenance**

The Stormwater District will conduct inspection activities on components of the stormwater conveyance system that have been transferred to and accepted by the County and are listed in Exhibit A and shown in Exhibit B as being part of the Kinsdale District.

Catch basins, catch basin laterals, roof drains, underdrains, drainage ditches, stormwater laterals or any other structures serving an individual property are not considered part of the District's infrastructure.

The District will not inspect or maintain any portions of the stormwater conveyance system for which another entity has statutory responsibility (e.g., storm sewers within the road right-of-way owned by a township); the responsible entity will continue to inspect and maintain these systems.

The District will not inspect or maintain public watercourses accepted by the Clermont County Engineer (i.e., systems accepted by the County Engineer under the "ditch petition" program). The responsibility of inspecting and maintaining these will remain the responsibility of the Engineer's Office utilizing District funds.

If an inspection conducted by the District reveals the need for maintenance, repair, replacement or other action needed to ensure the item in question operates or functions properly, an inspection report will be provided to the entity that has statutory responsibility.

Types of maintenance activities that would be considered the District's responsibility include, but are not necessarily limited to:

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- Storm sewer structure repairs (e.g. headwalls, manholes , catch basins , pipes, and outlet control structures)
- Repair of storm sewer cave-ins
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The District will either utilize crews from the County Engineer's Office, or hire contractors to conduct the necessary inspection and maintenance.

### **3. Lifecycle Replacement**

The District will conduct capital improvement projects (CIPs) and replacements on components of the District's stormwater conveyance system, including catch basins/inlets, pipes, manholes, outlet control structures for retention/detention basins, and outfalls, in accordance with the General Plan of Drainage.

Capital Improvement Program activities may include, but are not limited to:

- Engineering and design analysis
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### **5. Staffing**

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Table 1 below includes the annual cost for each of the program elements described above. The results of the cost allocation study indicate that an average annual amount of **\$24,172** is needed to provide the services detailed above over a period of five years.

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<b>Five-Year Average Annual Cost: \$24,172</b>					

#### V. Rate Methodology and Billing Policies

Before a Stormwater Utility Fee can be calculated, the rate methodology and associated billing policies must be set in order to determine the number of billing units in the District's service area.

##### 1. Rate Methodology

The Kinsdale Stormwater District will use an impervious area method for establishing stormwater utility fees.

Under the Impervious Area Method, the impervious area (e.g., roof areas, parking areas, driveways, sidewalks, etc.) is the only parameter used to measure the contribution to runoff. The impervious area is usually determined by measurements from field surveys or plotted aerial photographs. The charge for each property is determined by multiplying the impervious area of each parcel by a rate derived in a rate study analysis.

The next step in the process involves the determination of the impervious area for non-residential properties. Aerial photography and/or field measurements are used to extract the impervious areas of each non-residential parcel. The measured impervious area for each parcel is then divided by 4,700 square feet (which equals 1 ERU for the District). The number of ERUs derived from this calculation is then multiplied by the rate derived in the comprehensive rate study analysis to determine the utility fee for each parcel.

## 2. Equivalent Residential Unit Determination

The first step involves determining the average impervious area in square feet for a single-family residential (SFR) parcel by measuring the impervious area of a representative sample of SFR parcels. This average impervious area represents one Equivalent Residential Unit, or ERU. Once the ERU is determined, all of the SFR parcels are assigned a flat rate equal to one ERU. This one ERU is multiplied by the rate derived in the comprehensive rate study analysis and results in the utility fee (i.e., 1 ERU x rate = the utility fee for parcels classified as SFR). The Equivalent Residential Unit within the District's boundaries was determined to be 4,700 square feet.

All other parcels will be treated as non-SFR parcels. Utility fees for non-SFR parcels are based upon direct measurements of impervious area for each non-residential parcel. The impervious area for all non-residential parcels within the service area is measured directly either through design plans, aerial photography, or on-site field measurements. The measured impervious area for each parcel is then divided by 4,700 square feet (which equals 1 ERU for the District) to determine the number of ERUs on that parcel. This is shown by:

$$\text{Non-residential ERUs} = (\text{IA} / 4,700 \text{ square feet per ERU}), \text{ rounded}$$

where:

$$\begin{aligned} \text{IA} &= \text{Impervious Area, measured;} \\ \text{ERU} &= \text{Equivalent Residential Unit} = 4,700 \text{ square feet} \end{aligned}$$

To calculate the utility fee, the number of non-residential ERUs (in whole numbers) taken from the above calculation is then multiplied by the rate derived in the comprehensive rate study analysis to determine the utility fee for a particular parcel. The utility fee calculation for non-residential parcels is shown as:

$$\text{Utility Fee} = \text{No. of ERUs} \times \text{Rate (derived from rate study analysis)}$$

By definition, undeveloped property is not charged because impervious areas do not exist on undeveloped property.

The District will implement an ERU and rate system that only recognizes complete or whole ERUs. Partial ERUs will not be calculated, but rather rounded to the nearest whole ERU. All properties in the district, unless classified as vacant property as defined in the Schedule of Stormwater Utility Fees or contain less than 200 square feet of impervious surface, should be charged a minimum 1 ERU Stormwater Utility Fee.

### **3. Definition of Single Family Residence**

As all parcels classified as Single Family Residences (SFRs) are to be assigned a flat rate equal to one ERU, it is necessary to define what a single family residence is. Single-family residential properties are defined as follows:

- All single-family residential
- All two-family or duplex properties
- Condominiums with individual Parcel ID numbers and tax billing accounts

The number of ERUs for a non-SFR parcel will be determined by directly measuring the amount of impervious area on the parcel in square feet and dividing this area by 4,700 square feet (one ERU as defined above) to determine the number of ERUs on the non-SFR parcel. Non-SFR properties shall be defined as all multi-family and commercial properties not encompassed by the definition of single-family residential, including:

- Apartments property;
- Condominium property where individual parcel ID numbers and tax billing accounts do not exist;
- Commercial property;
- Industrial property;
- Institutional property;
- Governmental property;
- Churches;
- Schools;
- Federal, State and Locals property; and
- Any other property not mentioned in this or the above single-family list.

### **4. Definition of Impervious Area**

Because the rate methodology is directly based upon the amount of impervious area on a parcel of land, impervious area must also be defined. Impervious area is herein defined as "areas that either prevent or retard the infiltration of water into the soil as it entered under natural conditions of the undisturbed property."

Impervious surfaces include, but are not limited to, rooftops, roof extensions, patios, porches, driveways, sidewalks, athletic courts, paved parking lots and gravel surfaces on which motorized vehicles may travel, or have otherwise become compacted.

## **5. Public Roadways**

Public roadways have been defined by the U.S. Environmental Protection Agency as part of the stormwater conveyance system. According to the Code of Federal Regulations (CFR), a municipal separate storm sewer means "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body" (CFR 122.26(b)(8)).

Because public roadways are considered part of the stormwater conveyance system and not sources to the system, public roadways, including sidewalks, driveway aprons and bike paths/trails within the public right-of-way, will not be billed.

## **6. Condominiums**

The Clermont County Auditor's Office can provide a Parcel ID Number (PIN) for each condominium unit located within the County. Where a parcel ID number and tax billing account exists with the County Auditor, each condominium unit will be treated as a single-family residence and each condominium owner will be charged one ERU per month. Otherwise, the condominium complex will be categorized as multi-family and commercial, and the impervious area for the entire complex will be measured and the utility fee will be assigned to a single entity (e.g., complex owner, management association/homeowner association).

## **7. Apartments**

All apartment complexes will be treated as multi-family and commercial properties. As such, the impervious area for the entire complex will be measured and the utility fee will be assigned to the owner of the complex.

## **8. Manufactured Homes**

A manufactured home located on land owned by the property owner (clearly defined property boundary), or on leased land (clearly defined property boundary) will be considered a single-family residential property.

If a manufactured home park exists where the home resides within the park and on land with a clearly defined boundary for each unit, each property has separate parcel ID numbers, each property is owned separately, and each property receives a property tax bill from the Auditor's office, these manufactured home properties will be treated as single-family residential properties and billed one ERU per month.

In manufactured home parks where property boundaries do not exist for each unit, the manufactured home park will be considered a multi-family and commercial property. As such, the impervious area for the entire complex will be measured and billed to the property owner.

## **9. Strip Malls/Office Parks/Malls**

Strip malls, office parks and mall properties represent a category of commercial property that may encompass multiple retail oriented units (tenants) normally located within the boundary of a single property. In some instances, a clearly defined property boundary may exist for one of the owners of the retail units. In this case, the impervious area within that property boundary will be charged to that property owner. When there are no clearly defined property boundaries for the individual retail units within the strip mall, office park or mall property, the remaining impervious area for the entire property will be measured and charged to the owner.

#### **10. Recipient of the Bill**

The Kinsdale Stormwater District customers will receive a stormwater utility fee billing every other month reflected as a separate line item on the Clermont County Water Resources water and sewer bill. No stormwater fees will be collected from unimproved properties. In instances where a customer account has been set inactive for water and sewer purposes, any unbilled stormwater fees will be billed when the account is reactivated or when final bill is created. Each property will receive stormwater billings that will annually total the charges as set forth in Section VII.

#### **11. Exemptions**

Because stormwater fees associated with the District are not taxes but rather "utility fee" or "user fee" rates similar to water or sewer utility fee rates, all property owners receiving such services must pay for that service provided. The Kinsdale Stormwater District provides no exemptions from the stormwater utility fee.

#### **12. Multiple Parcels**

In residential cases where the main structure is located on two contiguous and adjacent parcels (land-hooked), only one ERU will be charged for these two parcels.

#### **13. Special Situations**

The District has adopted the policies below for the following situations:

- In a situation where the only non-SFR parcels in a District include private roads and/or parking areas and/or clubhouse/common areas for use by the property owners within the District, the utility fee will be derived by dividing the total cost of service for the District by the number of SFR parcels within the District. This policy does not impact the overall costs to the individual users, but rather is intended to simplify the billing process and reduce the administrative burden of the Utility on the District.
- Railroad lines will be treated as pervious and not measured in an impervious area calculation. However, any railroad yards will be measured and charged.

- Properties used for auto storage (a.k.a. junkyards) should have the areas used for auto storage determined. If the autos are stored on gravel or paved surfaces, these areas will be measured and treated as impervious area.
- Properties used to store old auto and truck tires should have the surface beneath areas of stored tires determined. If the tires are stored on gravel or paved surfaces, these areas should be measured and treated as impervious area. If the tires are stored on open, permeable ground, this area will not be included in the impervious area calculation.
- Manufacturing properties that use outside and uncovered storage of raw materials should have the surface beneath the areas of materials determined. If the raw materials are being stored on gravel or paved surfaces, these areas will be measured and treated as impervious area. If the raw materials are stored on open, permeable ground, this area will not be included in the impervious area calculation
- All campgrounds will be considered as multi-family and commercial property types. The entire impervious area will be measured and billed to the campground property owner.
- Dog or animal kennels will be treated as commercial property types. The entire impervious area will be measured and billed to the property owner.

## VI. ERU / Number of ERUs

Based on the Impervious Area Rate Methodology and the billing policies listed above, the total number of billing units, or ERUs, for the District's service area is 92.

## VII. Rate Determination

As stated above, the Kinsdale Stormwater District will need to generate, on average, annual revenue in the amount of \$24,172/year or \$120,860 over a five year period to perform the services specified in Section III (Level of Service Analysis) within the service area described in Section II. Clermont County has identified a total of 92 Equivalent Residential Units (i.e., the District's billing unit) in the service area.

The rate of charge is determined to be the rate that would generate the revenue needed to perform the District's stated services. Thus, the annual rate is calculated by dividing the five year average annual cost of services by the number of billing units (i.e., ERUs). This is shown as:

$$\text{Annual Rate} = \text{Average Annual Cost of Service} / \text{Number of ERUs}$$

where:

$$\begin{aligned} \text{Annual Cost of Service} &= \$24,172 \\ \text{Number of ERUs} &= 92 \end{aligned}$$

The annual fee is therefore calculated as:

Annual Fee = \$ 24,172 per year /92 ERUs  
= \$ 262.74 per ERU per year.

The monthly fee is calculated as:

Monthly Fee = \$ 262.74 per ERU per year / 12 months  
= \$21.90 per ERU per month.

Each property located within the Kinsdale Stormwater District will be billed bi-monthly.

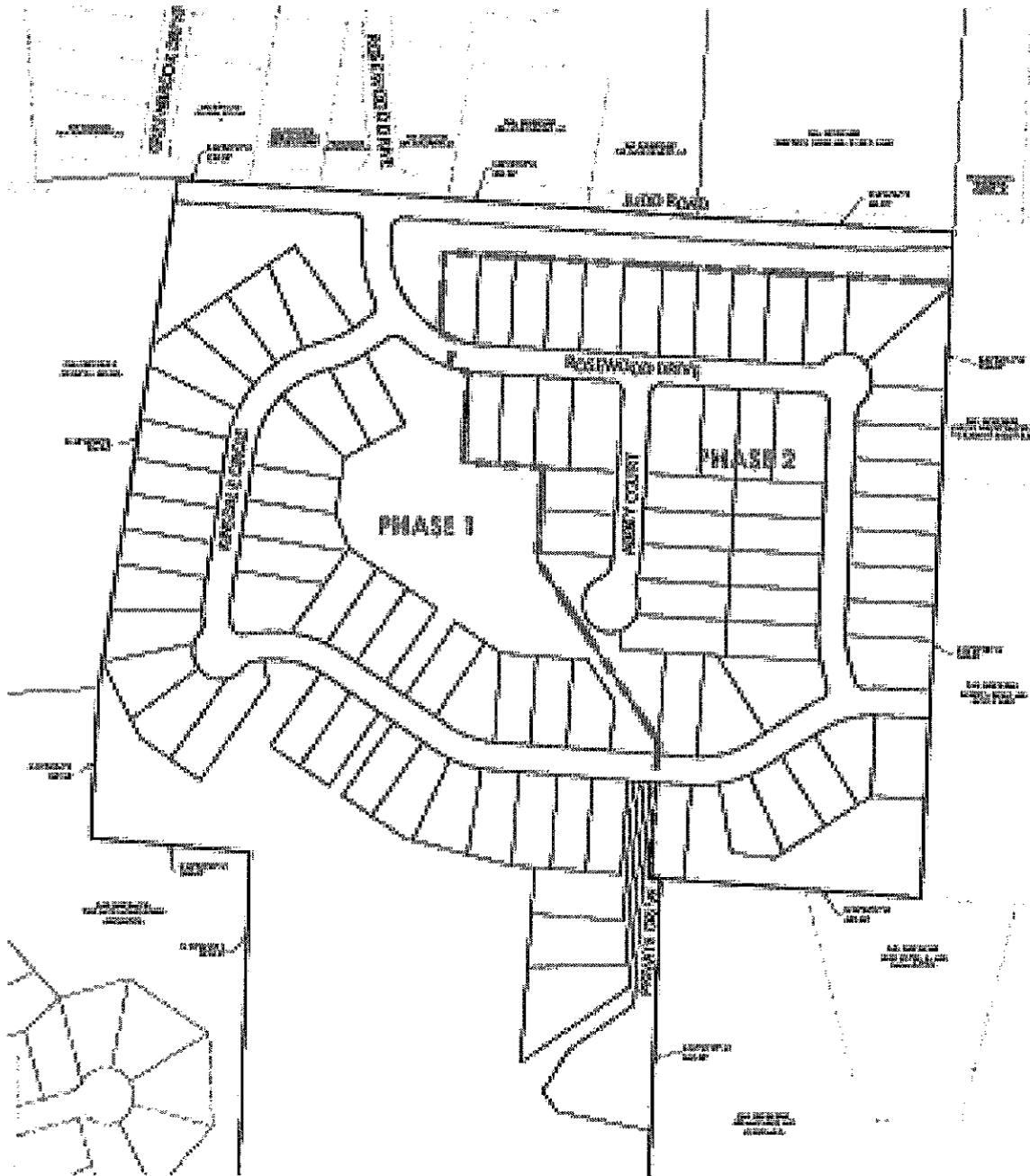


Figure 1 - Map of Kinsdale Subdivision and the proposed storm sewer infrastructure for which the District will be responsible.

RESOLUTION NUMBER 017 - 26

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 28th day of January, 2026, with the following members present:

**Bonnie J. Batchler, President**  
**David L. Painter, Vice-President**  
**Claire B. Corcoran, Member**

Commissioner Painter moved for the adoption of the following Resolution:

**RESOLUTION DETERMINING TO PROCEED TO LEVY AN ADDITIONAL CONTINUOUS TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR THE OPERATION OF COMMUNITY PROGRAMS AND SERVICES AUTHORIZED BY COUNTY BOARDS OF DEVELOPMENTAL DISABILITIES, FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, FINANCING, MAINTENANCE, AND OPERATION OF DEVELOPMENTAL DISABILITIES FACILITIES, OR FOR BOTH SUCH PURPOSES.**

**WHEREAS**, the Board of County Commissioners of Clermont County, Ohio, did in Resolution 008-26 most recently authorize the placement of an additional continuous tax levy in the amount of seventy-five hundredths (0.75) mill for each One Dollar (\$1.00) of taxable value, and the effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a continuous period, to be placed on the 2026 tax duplication for first collection in 2027, for purposes of the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purpose;

**WHEREAS**, the issue has not been previously submitted to the electorate of Clermont County, Ohio, and is instead an additional continuous tax in excess of the ten-mill limitation; and

**WHEREAS**, the additional tax will be levied for a continuing period of time; and

**WHEREAS**, the Board of County Commissioners of Clermont County, Ohio has therefore declared the necessity of levying a tax in excess of the Ten Mill limitation for the support of the county board of developmental disabilities pursuant to the provisions of Section 5705.222 of the

Ohio Revised Code for the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, beginning in calendar year 2027 and for a continuous period of time thereafter; and

**WHEREAS**, pursuant to Section 5705.03 of the Ohio Revised Code, the Board of County Commissioners of Clermont County, Ohio, has heretofore certified to the County Auditor a Resolution requesting the County Auditor certify to this Board of County Commissioners the total current tax valuation of Clermont County and the dollar amount of revenue that would be generated by seventy-five hundredths (0.75) mill for each One Dollar (\$1.00) of taxable value and the effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a continuing period of time, commencing in 2027 as specified in such Resolution, and this Board of County Commissioners has received the certification of the Clermont County Auditor that such current tax valuation is \$7,140,882,700.00, and that such dollar amount of revenue is \$5,335,662.00 per year, a copy of such certification is attached hereto as Exhibit A; and,

**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 as follows:

**SECTION I**

That is hereby declared that the amount of taxes which may be raised in Clermont County within the Ten Mill limitation by levies on the current tax duplicate of Clermont County will be insufficient for the Board of County Commissioners of Clermont County, Ohio to provide an adequate amount for the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, for calendar year 2027 and thereafter; and

**SECTION II**

The Board of County Commissioners of Clermont County, Ohio has determined that it is necessary to levy a tax in excess of the Ten Mill limitation for the operation of community programs and services authorized by county boards of developmental disabilities, for the

acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, for calendar year 2027 and thereafter; and

**SECTION III**

That Ohio Revised Code Section 5705.222 authorizes the Board of County Commissioners of Clermont County, Ohio, to place a levy on the ballot in order to collect taxes that can be expended for providing for the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes.

**SECTION IV**

The Board of County Commissioners of Clermont County, Ohio desire to levy an additional, continuous, tax for the county board of developmental disabilities for the operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities, or for both of such purposes, in the amount of seventy-five hundredths (0.75) mill for each One Dollar (\$1.00) of taxable value, and the effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a continuous period of time, to be placed on the 2026 tax duplicate for first collection and thereafter for a continuing period of time; and

**SECTION V**

That the question of the passage of said level shall be submitted to the electorate of Clermont County, Ohio, at the Primary Election to be held on May 5, 2026. If approved by the electors, said tax levy shall first be placed upon the 2026 tax list and duplicate, for first collection in calendar year 2027.

**SECTION VI**

That the Clerk of the Board of County Commissioners of Clermont County, Ohio hereby be directed to certify a copy of this Resolution to the Board of Elections of Clermont County, Ohio, at least ninety (90) days prior to the Primary Election to be held on May 5, 2026, in order that said Board of Elections may make arrangements to submit the issue to the electorate of Clermont

County, Ohio, at the Primary Election to be held on May 5, 2026, pursuant to Section 5705.25 of the Ohio Revised Code.

**SECTION VII**

That a copy of this Resolution be certified to the Clermont County Auditor.

**SECTION VIII**

That this 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(s). Batchler seconded the motion and on roll call, the vote resulted as follows:

Mrs. Batchler yes  
Mr. Painter yes  
Mrs. Corcoran no

This Resolution was duly passed on the 28th day of January, 2026.

ATTEST:

APPROVED AS TO FORM ONLY:

Gael Fawley  
Gael Fawley, Clerk  
Board of County Commissioners  
Clermont County, Ohio  
Date: 1/28/2026

Ryan C. Spitzer  
Ryan C. Spitzer, Outside Legal Counsel  
Isaac Wiles Burkholder & Miller, LLC  
Date: January 27, 2026

CLERMONT COUNTY  
**AUDITOR**

Linda L. Fraley, Clermont County Auditor

DTE 140R  
Rev. 01/26  
O.R.C. §5705.01, 5705.03

## Certificate of Estimated Property Tax Revenue

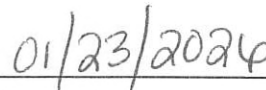
Use this form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.

The county auditor of Clermont County, Ohio, does hereby certify the following:

1. On **January 21, 2026**, the taxing authority of **Clermont County** certified a copy of its resolution or ordinance adopted **January 21, 2026**, requesting the county auditor to certify the current taxable value of the subdivision and the amount of revenue that would be produced by **0.75** mills, to levy a tax outside the 10-mill limitation for the **operation of community programs and services authorized by county boards of developmental disabilities, for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities** pursuant to Ohio Revised Code section **5705.222**, to be placed on the ballot at the **May 5, 2026**, election. The levy type is **Additional**.
2. The property tax revenue that will be produced by stated millage, assuming the taxable value of the subdivision remains constant throughout the life of the levy, is calculated to be: **\$5,335,662**.
3. The total taxable value used in calculating the estimated property tax revenue is **\$7,140,882,700**.
4. The millage for the requested levy is **0.75** mills per \$1 of taxable value, which amounts to **\$26** for each \$100,000 of the county auditor's market value.



Auditor's signature

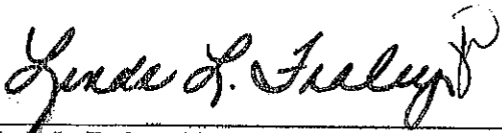


Date

PM 3:11 JAN 23 '24  
BOARD OF CLERMONT  
COUNTY COMMISSIONERS

RECEIPT OF COUNTY AUDITOR

Linda L. Fraley, Clermont County Auditor, hereby acknowledges that a copy of the attached Resolution was certified to me.

  
\_\_\_\_\_  
Linda L. Fraley, Clermont County Auditor

01/23/2024  
Dated

RESOLUTION NUMBER 019 - 26

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 28th day of January, 2026, with the following members present:

**Bonnie J. Batchler, President**  
**David L. Painter, Vice-President**  
**Claire B. Corcoran, Member**

Commissioner Painter moved for the adoption of the following Resolution:

**RESOLUTION DETERMINING TO PROCEED TO LEVY A RENEWAL AND AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR THE SUPPORT OF CHILDREN SERVICES AND THE CARE AND PLACEMENT OF CHILDREN**

**WHEREAS**, the Board of County Commissioners of Clermont County, Ohio, did in Resolution 012-26 most recently authorize the placement of a renewal tax levy with an increase for the support of children services and the care and placement of children in the amount of eighty hundredths (0.80) mill for each One Dollar (\$1.00) of taxable value, and an increase of twenty hundredths (0.20) mill for each One Dollar (\$1.00) of taxable value and the effective rate of Twenty-Three Dollars (\$23.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five years, to be placed on the 2026 tax duplication for first collection in 2027 and four years thereafter ending in 2031, for purposes of providing for the necessary requirements for the support of children services and the care and placement of children;

**WHEREAS**, the issue was previously submitted to the electorate at the General Election held on November 3, 2020, and was passed by a majority of the electorate voting at the election; and

**WHEREAS**, the issue was most recently submitted to the electorate at the General Election held on November 4, 2025, and was not passed by a majority of the electorate voting at the election; and

**WHEREAS**, the last year that the levy may be placed on the tax list and duplicate will be the calendar year 2026; and

**WHEREAS**, the Board of County Commissioners of Clermont County, Ohio has therefore

declared the necessity of levying a tax in excess of the Ten Mill limitation for the support of children services and the care and placement of children pursuant to the provisions of Section 5705.24 of the Ohio Revised Code for the purposes of providing for children services and the care and placement of children for calendar year 2027 and for four (4) years thereafter through 2031; and

**WHEREAS**, pursuant to Section 5705.03 of the Ohio Revised Code, the Board of County Commissioners of Clermont County, Ohio, has heretofore certified to the County Auditor a Resolution requesting the County Auditor certify to this Board of County Commissioners the total current tax valuation of Clermont County and the dollar amount of revenue that would be generated by eighty hundredths (0.80) mills with a twenty hundredths (0.20) mills increase for a total of 1.0 mills per year for each One Dollar (\$1.00) of taxable value and the effective rate of Twenty-Three Dollars (\$23.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five years, commencing in 2027 and ending in 2031, as specified in such Resolution, and this Board of County Commissioners has received the certification of the Clermont County Auditor that such current tax valuation is \$7,140,882,700.00, and that such dollar amount of revenue is \$5,072,133.00 per year, a copy of such certification is attached hereto as Exhibit A; and,

**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 as follows:

**SECTION I**

That is hereby declared that the amount of taxes which may be raised in Clermont County within the Ten Mill limitation by levies on the current tax duplicate of Clermont County will be insufficient for the Board of County Commissioners of Clermont County, Ohio to provide an adequate amount for providing the necessary requirements for the support of children services and the care and placement of children for calendar year 2027 and thereafter; and

**SECTION II**

The Board of County Commissioners of Clermont County, Ohio has determined that it is necessary to levy a tax in excess of the Ten Mill limitation for the purposes of providing the necessary requirements for the support of children services and the care and placement of children

within Clermont County for calendar year 2027 and thereafter; and

**SECTION III**

That Ohio Revised Code Section 5705.24 authorizes the Board of County Commissioners of Clermont County, Ohio, to place a levy on the ballot in order to collect taxes that can be expended for providing the necessary requirements for the support of children services and the care and placement of children; and

**SECTION IV**

The Board of County Commissioners of Clermont County, Ohio desire to renew the tax levy with an increase for children services and the care and placement of children in the renewal amount of eight tenths (0.80) mill for each One Dollar (\$1.00) of taxable value, and an increase of twenty hundredths (0.20) mill for each One Dollar (\$1.00) of taxable value, and the effective rate of Twenty-Three Dollars (\$23.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five (5) years to be placed on the 2026 tax duplicate for first collection in 2027 and for four (4) years thereafter through 2031.

**SECTION V**

That the question of the passage of said level shall be submitted to the electorate of Clermont County, Ohio, at the Primary Election to be held on May 5, 2026. If approved by the electors, said tax levy shall first be placed upon the 2026 tax list and duplicate, for first collection in calendar year 2027.

**SECTION VI**

That the Clerk of the Board of County Commissioners of Clermont County, Ohio hereby be directed to certify a copy of this Resolution to the Board of Elections of Clermont County, Ohio, at least ninety (90) days prior to the Primary Election to be held on May 5, 2026, in order that said Board of Elections may make arrangements to submit the issue to the electorate of Clermont County, Ohio, at the Primary Election to be held on May 5, 2026, pursuant to Section 5705.25 of the Ohio Revised Code.

**SECTION VII**

That a copy of this Resolution be certified to the Clermont County Auditor.

SECTION VIII

That this 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(s). Batchler seconded the motion and on roll call, the vote resulted as follows:

Mrs. Batchler yes

Mr. Painter yes

Mrs. Corcoran no

This Resolution was duly passed on the 28<sup>th</sup> day of January, 2026.

ATTEST:

APPROVED AS TO FORM ONLY:

Gael Fawley  
Gael Fawley, Clerk  
Board of County Commissioners  
Clermont County, Ohio  
Date: 1/28/2026

Ryan C. Spitzer  
Ryan C. Spitzer, Outside Legal Counsel  
Isaac Wiles Burkholder & Miller, LLC  
Date: January 27, 2026

CLERMONT COUNTY  
**AUDITOR**

Linda L. Fraley, Clermont County Auditor

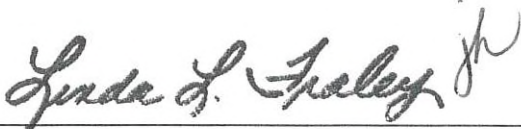
DTE 140R  
Rev. 01/26  
O.R.C. §5705.01, 5705.03

## Certificate of Estimated Property Tax Revenue

Use this form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.

The county auditor of Clermont County, Ohio, does hereby certify the following:

1. On **January 21, 2026**, the taxing authority of **Clermont County** certified a copy of its resolution or ordinance adopted **January 21, 2026**, requesting the county auditor to certify the current taxable value of the subdivision and the amount of revenue that would be produced by **1.0 mills**, to levy a tax outside the 10-mill limitation for the **support of children services and the care and placement of children** pursuant to Ohio Revised Code section **5705.24**, to be placed on the ballot at the **May 5, 2026**, election. The levy type is **Renewal with increase**.
2. The property tax revenue that will be produced by stated millage, assuming the taxable value of the subdivision remains constant throughout the life of the levy, is calculated to be: **\$5,072,133**.
3. The total taxable value used in calculating the estimated property tax revenue is **\$7,140,882,700**.
4. The millage for the requested levy is 1.0 mills (effective rate 0.66 mills) per \$1 of taxable value, which amounts to **\$23** for each \$100,000 of the county auditor's market value.



Auditor's signature

Date

01/23/2026

PM 3:11 JAN 23, 2026  
BOARD OF CLERMONT  
COUNTY COMMISSIONERS

RECEIPT OF COUNTY AUDITOR

Linda L. Fraley, Clermont County Auditor, hereby acknowledge that a copy of the attached Resolution was certified to me.

  
Linda L. Fraley, Clermont County Auditor

01/23/2024  
Dated

RESOLUTION NUMBER 020 - 26

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 28th day of January, 2026, with the following members present:

**Bonnie J. Batchler, President**  
**David L. Painter, Vice-President**  
**Claire B. Corcoran, Member**

Commissioner Corcoran moved for the adoption of the following Resolution:

**RESOLUTION DETERMINING TO PROCEED TO LEVY A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR PROVIDING OR MAINTAINING SENIOR CITIZENS' SERVICES OR FACILITIES AS AUTHORIZED BY SECTION 307.694, 307.85, 505.70, OR 505.706 OR DIVISION (EE) OF SECTION 717.01 OF THE REVISED CODE**

**WHEREAS**, the Board of County Commissioners of Clermont County, Ohio, did in Resolution 010-26 most recently authorize the placement of a renewal tax levy for providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code in the amount of one and three tenths (1.30) mill for each One Dollar (\$1.00) of taxable value, and the effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five years, to be placed on the 2026 tax duplication for first collection in 2027 and four years thereafter ending in 2031, for providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code. *See R.C. 5705.19(Y).*

**WHEREAS**, the issue was previously submitted to the electorate at the General Election held on November 3, 2020, and was passed by a majority of the electorate voting at the election; and

**WHEREAS**, the last year that the levy may be placed on the tax list and duplicate will be the calendar year 2026; and

**WHEREAS**, the Board of County Commissioners of Clermont County, Ohio has therefore declared the necessity of levying a tax in excess of the Ten Mill limitation for providing or

maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code pursuant to the provisions of Section 5705.19(Y) of the Ohio Revised Code for calendar year 2027 and for four (4) years thereafter through 20231; and

**WHEREAS**, pursuant to Section 5705.03 of the Ohio Revised Code, the Board of County Commissioners of Clermont County, Ohio, has heretofore certified to the County Auditor a Resolution requesting the County Auditor certify to this Board of County Commissioners the total current tax valuation of Clermont County and the dollar amount of revenue that would be generated by one and three tenths (1.30) mill for each One Dollar (\$1.00) of taxable value, and the effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five years, commencing in 2027 and ending in 2031, as specified in such Resolution, and this Board of County Commissioners has received the certification of the Clermont County Auditor that such current tax valuation is \$7,140,882,700.00, and that such dollar amount of revenue is \$5,921,431.00 per year, a copy of such certification is attached hereto as Exhibit A; and,

**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 as follows:

#### **SECTION I**

That is hereby declared that the amount of taxes which may be raised in Clermont County within the Ten Mill limitation by levies on the current tax duplicate of Clermont County will be insufficient for the Board of County Commissioners of Clermont County, Ohio for providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code for calendar year 2027 and thereafter; and

#### **SECTION II**

The Board of County Commissioners of Clermont County, Ohio has determined that it is necessary to levy a tax in excess of the Ten Mill limitation for providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code for calendar year 2027 and thereafter; and

**SECTION III**

That Ohio Revised Code Section 5705.19(Y) authorizes the Board of County Commissioners of Clermont County, Ohio, to place a levy on the ballot in order to collect taxes for providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code for calendar year 2027 and thereafter; and

**SECTION IV**

The Board of County Commissioners of Clermont County, Ohio desire to renew the tax levy for providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code in the renewal amount of one and three tenths (1.30) mill for each One Dollar (\$1.00) of taxable value, and the effective rate of Twenty Six Dollars (\$26.00) per One Hundred Thousand Dollars (\$100,000.00) of the county auditor's appraised value for a period of five (5) years to be placed on the 2026 tax duplicate for first collection in 2027 and for four (4) years thereafter through 2031.

**SECTION V**

That the question of the passage of said level shall be submitted to the electorate of Clermont County, Ohio, at the Primary Election to be held on May 5, 2026. If approved by the electors, said tax levy shall first be placed upon the 2026 tax list and duplicate, for first collection in calendar year 2027.

**SECTION VI**

That the Clerk of the Board of County Commissioners of Clermont County, Ohio hereby be directed to certify a copy of this Resolution to the Board of Elections of Clermont County, Ohio, at least ninety (90) days prior to the Primary Election to be held on May 5, 2026, in order that said Board of Elections may make arrangements to submit the issue to the electorate of Clermont County, Ohio, at the Primary Election to be held on May 5, 2026, pursuant to Section 5705.25 of the Ohio Revised Code.

**SECTION VII**

That a copy of this Resolution be certified to the Clermont County Auditor.

SECTION VIII

That this 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(s). Painter seconded the motion and on roll call, the vote resulted as follows:

Mrs. Batchler yes

Mr. Painter yes

Mrs. Corcoran yes

This Resolution was duly passed on the 28th day of January, 2026.

ATTEST:

APPROVED AS TO FORM ONLY:

Gael Fawley  
Gael Fawley, Clerk  
Board of County Commissioners  
Clermont County, Ohio  
Date: 1/28/2026

Ryan C. Spitzer  
Ryan C. Spitzer, Outside Legal Counsel  
Isaac Wiles Burkholder & Miller, LLC  
Date: January 27, 2026

**CLERMONT COUNTY**  
**AUDITOR**

Linda L. Fraley, Clermont County Auditor

DTE 140R  
Rev. 01/26  
O.R.C. §5705.01, 5705.03

## Certificate of Estimated Property Tax Revenue

Use this form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.

The county auditor of Clermont County, Ohio, does hereby certify the following:

1. On **January 21, 2026**, the taxing authority of **Clermont County** certified a copy of its resolution or ordinance adopted **January 21, 2026**, requesting the county auditor to certify the current taxable value of the subdivision and the amount of revenue that would be produced by **1.30** mills, to levy a tax outside the 10-mill limitation for the **purpose of providing or maintaining senior citizens' services or facilities** pursuant to Ohio Revised Code section **5705.19(A)**, to be placed on the ballot at the **May 5, 2026**, election. The levy type is **Renewal**.
2. The property tax revenue that will be produced by stated millage, assuming the taxable value of the subdivision remains constant throughout the life of the levy, is calculated to be: **\$5,921,431**.
3. The total taxable value used in calculating the estimated property tax revenue is **\$7,140,882,700**.
4. The millage for the requested levy is **1.30** mills (effective rate 0.76 mills) per \$1 of taxable value, which amounts to **\$26** for each \$100,000 of the county auditor's market value.



Auditor's signature

01/23/2026  
Date

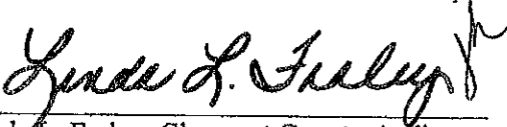
PM 8:11 JAN 23, '26

BOARD OF CLERMONT

COUNTY COMMISSIONERS

RECEIPT OF COUNTY AUDITOR

Linda L. Fraley, Clermont County Auditor, hereby acknowledges that a copy of the attached Resolution was certified to me.

  
Linda L. Fraley, Clermont County Auditor

01/23/2024  
Dated

RESOLUTION NO. 021-26

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 28<sup>th</sup> day of January 2026, with the following members present:

Bonnie J. Batchler, President

David L. Painter, Vice President

Claire B. Corcoran, Member

Mr. /Mrs. Batchler moved for the adoption of the following Resolution:

**RESOLUTION DESIGNATING MEDIATION CONFERENCE  
REPRESENTATIVE**

**WHEREAS**, current and former employees of the Clermont County Sheriff's Office are defendants (the "County Defendants") in a lawsuit pending in the United States Court of Appeals for the Sixth Circuit (the "Court") and designated with case number 26-3031 and captioned as Mark Lovell vs. Clermont County Sheriff's Office, et al.; and

**WHEREAS**, the Court has scheduled a video mediation conference for February 4, 2026 at 9:30 a.m. to address procedural issues, identify substantive issues and explore possibilities for settlement; and

**WHEREAS**, the Court has strongly encouraged and expects attendance by a representative with the authority to attend/participate in the mediation settlement discussions on behalf of the Board of County Commissioners and the County Defendants; and

**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 as follows:

**SECTION I**

That as it relates to the case pending in the United States Court of Appeals for the Sixth Circuit, Case No. 26-3031, the Board of County Commissioners does hereby designate

Commissioner Painter as its Representative to attend/participate in the mediation conference on February 4, 2026; and

## SECTION II

That the Board of County Commissioners does hereby authorize David L. Painter as its Representative to the said mediation conference, to enter into a settlement agreement on behalf of the Board of County Commissioners and the County Defendants, wherein United States Court of Appeals for the Sixth Circuit, Case No. 26-3031 is settled such that the relevant litigation will be concluded; and

## SECTION III

That the Board of County Commissioners does hereby direct that Commissioner Painter, as the said Representative of the Board of County Commissioners and the County Defendants at the said mediation conference, has no authority to enter into a settlement agreement with terms and conditions that exceed or are in any manner greater than the settlement terms and conditions as discussed by this Board in executive session with legal counsel; and

## 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. /Mrs. Cocoran seconded the Resolution and on roll call, the vote resulted as follows:

Mrs. Batchler yes  
Mr. Painter abstain  
Mrs. Corcoran yes

This Resolution was duly passed on the 20th day of January, 2026.

ATTEST:

Gael Fawley  
Gael Fawley, 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: [Signature]  
Brian C. Shrive  
Chief Assistant Prosecuting  
Attorney  
Date: 1/26/26