

RESOLUTION NO. 195-18

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 12th day of December 2018, with the following members present:

Edwin H. Humphrey, President

David L. Painter, Vice President

David H. Uible, Member

Mr. Painter moved for the adoption of the following

Resolution:

**RESOLUTION ACCEPTING RECOMMENDATION OF ENGINEER;
TERMINATING PERFORMANCE BOND AND ACTIVATING
MAINTENANCE BOND OF COMBINED PERFORMANCE AND
MAINTENANCE BOND DOCUMENTS FOR PINE BLUFFS
SUBDIVISION, SECTION 1, BLOCK B, IN MIAMI TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated June 27, 2016 as appears in Commissioners' Journal 313, accepted a Combined Performance and Maintenance Bond of Pine Bluffs Development, LLC. as principal and a Cashier's Check drawn on PNC Bank as surety for the development and construction of Hollybrook Lane and Vista Run Court and related improvements of Pine Bluffs Subdivision, Section 1, Block B and

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

vote was as follows:

Mr. Humphrey aye; Mr. Painter yes; Mr. Uible yes;

DATED: December 12, 2018

ATTEST:

Judith Kocica
JUDITH KOCICA, CLERK
Board of County Commissioners

RESOLUTION NO. 196-18

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 12th day of December 2018, with the following members present:

Edwin H. Humphrey, President

David L. Painter, Vice President

David H. Uible, Member

Mr. Painter moved for the adoption of the following

Resolution:

**RESOLUTION ACCEPTING RECOMMENDATION OF ENGINEER;
TERMINATING PERFORMANCE BOND AND ACTIVATING
MAINTENANCE BOND OF COMBINED PERFORMANCE AND
MAINTENANCE BOND DOCUMENTS FOR PINE BLUFFS
SUBDIVISION, SECTION 1, BLOCK C, IN MIAMI TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated November 30, 2016 as appears in Commissioners' Journal 313, accepted a Combined Performance and Maintenance Bond of Pine Bluffs Development, LLC. as principal and a Cashier's Check drawn on PNC Bank as surety for the development and construction of Spruce Meadows Court and Vista Run Court and related improvements of Pine Bluffs Subdivision, Section 1, Block C and

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

vote was as follows:

Mr. Humphrey aye; Mr. Painter yes; Mr. Uible yes;

DATED: September 12, 2018

ATTEST:

Judith Kocica

JUDITH KOCICA, CLERK
Board of County Commissioners

RESOLUTION NO. 197-18

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 12th day of December 2018, with the following members present:

Edwin H. Humphrey, President

David L. Painter, Vice President

David H. Uible, Member

Mr. Painter moved for the adoption of the following

Resolution:

**RESOLUTION ACCEPTING RECOMMENDATION OF ENGINEER;
TERMINATING PERFORMANCE BOND AND ACTIVATING
MAINTENANCE BOND OF COMBINED PERFORMANCE AND
MAINTENANCE BOND DOCUMENTS FOR PINE BLUFFS
SUBDIVISION, SECTION 2, BLOCK A, IN MIAMI TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated June 7, 2017 as appears in Commissioners' Journal 314, accepted a Combined Performance and Maintenance Bond of Pine Bluffs Development, LLC. as principal and a Cashier's Check drawn on PNC Bank as surety for the development and construction of Spruce Meadows Court and Norway Knoll Court and related improvements of Pine Bluffs Subdivision, Section 2, Block A and

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

vote was as follows:

Mr. Humphrey aye; Mr. Painter yes; Mr. Uible yes;

DATED: November 12, 2018

ATTEST:

Judith Kocica
JUDITH KOCICA, CLERK
Board of County Commissioners

Moved by Mr. Uible, seconded by Mr. Painter

Recommendation that the Board of County Commissioners adopt Resolution Number 198-18 resolving to approve payment to vendors in the total amount of \$2,249,129.80 as set forth in the BCC Approval Invoice Report(s) For **Checks Dated December 12, 2018**, BCC Directed Pre-Paid Invoices Report(s), Vendor Invoice List Report(s), Items paid by Fund and Check Date Range report and/or Procurement Card Transaction Report presented by the County Auditor 12/10/2018, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

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

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

Date Adopted: December 12, 2018

Edwin H. Humphrey
Edwin H. Humphrey, President
David L. Painter
David L. Painter, Vice-President
DU
David H. Uible, Member

OR

Thomas J. Eigel, County Administrator

RESOLUTION NO. 199-18

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 12th day of December 2018, with the following members present:

Edwin H. Humphrey, President

David L. Painter, Vice-President

David H. Uible, Member

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

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE COUNTY COMMISSIONERS; ANY COUNTY DEPARTMENT, BOARD, COMMISSION, OFFICE OR AGENCY; OR ANY ELECTED COUNTY OFFICIAL OR HIS OR HER EMPLOYEES

WHEREAS, the Board of County Commissioners of Clermont County, Ohio are required by Ohio Revised Code §307.41, to find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of motor vehicles to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees, and

WHEREAS, the Board of County Commissioners of Clermont, County, Ohio has before it a recommendation to expend county monies for the lease of new replacement vehicles in 2019 for use of the Clermont County Department of Jobs and Family Services, and

WHEREAS, the acquisition of these vehicles will be made from monies legally appropriated to the proper fund(s) by the Board of County Commissioners,

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 the Board of County Commissioners of Clermont County, Ohio, does hereby declare that a necessity exists to lease vehicles as detailed in Section III as replacements for existing county vehicles.

SECTION II

That the Board of County Commissioners of Clermont County, Ohio, does hereby declare that the number of motor vehicles required to be leased is six (6).

SECTION III

That the Board of County Commissioners of Clermont County, Ohio, does hereby declare that the make, model and estimated annual lease price of such motor vehicles is as follows:

MAKE	MODEL	QTY	OFFICE	TOTAL EST. COST
Chrysler	Pacifica	2	Department of Jobs and Family Services	\$13,128.96
Nissan	Rogue	2	Department of Jobs and Family Services	\$11,472.00
Nissan	Altima	2	Department of Jobs and Family Services	\$10,615.44
		6	Total Department of Jobs and Family Services Fund	\$35,216.40

SECTION IV

That the Board of County Commissioners of Clermont County, Ohio, does hereby declare that the lease of said vehicle(s) will be in conformity with the public bidding requirements of Ohio Revised Code §§307.86 through 307.92.

SECTION V

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 §121.22 of the Ohio Revised Code.

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

Mr. Humphrey	<u>aye</u>
Mr. Painter	<u>yes</u>
Mr. Uible	<u>yes</u>

This Resolution was duly passed on the 12th day of December 2018.

ATTEST:

Judith Kocich
Judith Kocich, Clerk
Board of County Commissioners

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

By: Allen J. Edmund
Assistant Prosecuting Attorney

Date: 11-19-18

Vehicle	Qty	Monthly Fee	Annual Cost
2019 Chrysler Pacifica	2	\$ 547.04	\$ 13,128.96
2019 Nissan Rogue	2	\$ 478.00	\$ 11,472.00
2019 Nissan Altima	2	\$ 442.31	\$ 10,615.44
			<u>\$ 35,216.40</u>

RESOLUTION NO. 200 -18

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 12th day of December, 2018, with the following members present:

Edwin H. Humphrey, President

David L. Painter, Vice President

David H. Uible, Member

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

RESOLUTION DENYING ANNEXATION OF 96.7449 ACRES OF LAND OWNED BY CLERMONT SAVINGS ASSOCIATION, JUDY DUNN ANSTAETT, CINCINNATI GAS & ELECTRIC CO, 5075 STATE ROUTE 276 LLC, 5069 STATE ROUTE 276 LLC, 5055 STATE ROUTE 276 REALTY LLC, ARTHUR STRICKER, RANDY CLEM & SHAWNA KAY CLEM, RANDALL L. WORKMAN, SARAH J ROSSELOT TRUSTEE, WILLIAM J & SARAH JO ANN ROSSELOT TO THE VILLAGE OF OWENSVILLE IN CLERMONT COUNTY, OHIO

WHEREAS, the Petition for Annexation of 96.7449 acres of land constituting territory adjacent to the Village of Owensville in Stonelick Township, Clermont County, Ohio was filed by Rick McEvoy, Agent for the Petitioners, William J. Rosselot, Sarah Jo Rosselot, Sarah Jo Rosselot, Trustee, Arthur Stricker, Randall L. Workman, Randy Clem and Shawna Clem, who constitute seven of the thirteen or 53.84% of the owners of the real estate sought to be annexed, with the Board of County Commissioners of Clermont County, Ohio on August 20, 2018 pursuant to Ohio Revised Code Section 709.02; and

WHEREAS, Notice of the filing of the petition with the Board of County Commissioners, the date and time of the filing, and the date, time and place of the hearing was delivered to the Fiscal Officer of the Village of Owensville on August 30, 2018 and the Fiscal Officer of Stonelick Township, by personal service on August 28, 2018 within 5 days of the

filing of the petition and upon being notified of the date of the hearing pursuant to Ohio Revised Code Section, Section 709.03(B)(1); and

WHEREAS, Michael Minnear, Attorney for Agent for the petitioners has indicated by affidavit of service of notice that a copy of the petition for annexation of territory with all Exhibits was mailed by first class mail to the owners of all adjoining property on September 4, 2018, within 10 days of filing the petition pursuant to Section 709.03(B)(2) of the Ohio Revised Code; and

WHEREAS, The map or plat and legal description of the perimeter of the territory proposed for annexation is accurate;

WHEREAS, any procedure defect in the annexation process is deemed to be cured pursuant to section 709.015 of the Ohio Revised Code;

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

SECTION I

In accordance with Ohio Revised Code Section 709.033(A), The Board of County Commissioners, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record finds that all of the 6 conditions in that section have not been met as follows:

- A. The petition meets all requirements set forth in and was filed in the matter provided in Section 709.02 of the Revised Code.
- B. The persons who signed the petitions are the owners of the real estate located in the territory proposed to be annexed in the petition, and as of the time the petition was filed with the Board of County Commissioners, the number of valid

signatures on the petition constituted a majority of the owners of the real estate in that territory.

- C. The Municipal Corporation to which the territory is proposed to be annexed has complied with the division (D) of Section 709.03 of the Ohio Revised Code.
- D. The territory proposed to be annexed is unreasonably large.
- E. On balance, the general good of the territory proposed to be annexed will not be served, and the benefits to the territory proposed to be annexed and the surrounding area will not outweigh the detriments to the territory proposed to be annexed and the surrounding area.
- F. No street or highway will be divided or segmented by the boundary line between a township and the Municipal Corporation as to create a road maintenance problem.

SECTION II

That the Board of County Commissioners having found that based upon a preponderance of a substantial, reliable, and probative evidence on the whole record, that each of the six conditions in 709.033(A) have not been met, the Petition for Annexation of territory described therein to the Village of Owensville, Clermont County, Ohio, be and hereby is denied; and the Clerk of the Board of County Commissioners of Clermont County, Ohio, is hereby directed to enter on the journal the resolution denying annexation and to deliver a certified copy of the Resolution of the Board, to the agent of the Petitioners, the Clerk of the Village of Owensville, and the Stonelick Township Fiscal Officer.

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 the Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

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

Mr. Humphrey	<u>Aye</u>
Mr. Painter	<u>Yes</u>
Mr. Uible	<u>No</u>

This Resolution was duly passed on the 12th day of December, 2018.

ATTEST:

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

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

By: Allan L. Edwards
Allan L. Edwards
Assistant Prosecuting Attorney

Date: 12-7-18