

Moved by Mr(s). Humphrey, seconded by Mr(s). Corcoran

Recommendation that the Board of County Commissioners adopt Resolution Number 098-20 resolving to approve payment to vendors in the total amount of \$985,082.01 as set forth in the BCC Approval Invoice Report(s) for Checks Dated April 29, 2020, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 4/27/2020, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

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

David L. Painter, YES
Edwin H. Humphrey, AYE
Claire B. Corcoran, YEA

Date Adopted: April 29, 2020

David L. Painter
David L. Painter, President

pursuant to and in compliance with House Bill 197 of the 133rd Ohio General Assembly effective 03/27/20 through 12/01/20.

Edwin H. Humphrey
Edwin H. Humphrey, Vice-President

Claire B. Corcoran
Claire B. Corcoran, Member

OR

Thomas J. Eigel
Thomas J. Eigel, County Administrator

29th The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the day of April, 2020, at its regular place of meeting, with the following members present:

David L. Painter, President
Edwin H. Humphrey, Vice President
Claire B. Corcoran, Member

Mrs. Corcoran introduced the following resolution and moved its passage:

RESOLUTION NUMBER 059-20

RESOLUTION ACCEPTING A PETITION FOR WATER SERVICE FOR PROJECT NUMBER 6401-60180 RELATIVE TO THE WEAVER ROAD WATER PETITION PROJECT LOCATED WITHIN STONELICK TOWNSHIP; ACCEPTING REQUESTS TO PARTICIPATE IN BENEFIT AND ASSESSMENT BY 100% OF THE PROPERTY OWNERS AND WAIVING PUBLIC HEARING THEREOF; AUTHORIZING, APPROVING, AND RATIFYING DETAILED PLANS, SPECIFICATIONS, ESTIMATES OF COST AND FINANCING, AND TENTATIVE ASSESSMENT ROLL RELATIVE THERETO; DECLARING THE NECESSITY THEREFORE; AND FURTHER, DETERMINING TO MAKE IMPROVEMENTS AND TO PROCEED WITH SAID PROJECT PURSUANT TO AND IN COMPLIANCE WITH CHAPTER 6103 OF THE OHIO REVISED CODE

WHEREAS, the Board of County Commissioners of Clermont County, Ohio, has heretofore established the County Waterworks System in the Clermont County Water Resources Department by consolidation of previously existing districts in the County; and

WHEREAS, a petition for water service dated 10/17/2018, as identified in Exhibit "C", attached hereto and made a part hereof, was signed and submitted by one (1) property owner along Weaver Road in Stonelick Township, requesting a water main extension improvement be constructed to serve a portion of Weaver Road and to assess the cost of the extension against the benefited properties; and

WHEREAS, it was determined by the Clermont County Water Resources Department that the water main extension improvement would benefit two (2) properties along Weaver Road, starting at an existing water main located on Weaver Road and extending northeasterly approximately 180 linear feet along Weaver Road, and estimated costs were distributed to the property owners on 11/21/2018, with both property owners responding in support thereof; and

WHEREAS, the Board has been advised by the Clermont County Water Resources Department that the Weaver Road Water Petition Project, as described in Exhibit "A", attached hereto and made a part hereof, is necessary for the preservation and promotion of the public health and welfare and to improve fire protection services to the petitioning property owners and the Board adopted Resolution Number 103-19 on 07/10/2019 approving the revised General Plans of the County Waterworks System, within the Clermont County Water Resources Department, Clermont County, Ohio, to include said water main extension improvement; and

WHEREAS, the Clermont County Water Resources Department has made a detailed examination in order to delineate the work necessary for the Project and has prepared plans, specifications and bid documents along with an estimate of cost and financing, as outlined in Exhibit "A", and a tentative assessment roll, as outlined in Exhibit "B", attached hereto and made a part hereof, relative to the water main extension improvement; and

WHEREAS, on 11/14/2019 information was sent to the property owners informing them of the proposed alignment of the water main, estimated costs involved, and the tentative assessments for those properties benefited and to be assessed, both benefited property owners responded in support of the Project proceeding, and on 12/26/2019 information was sent to the property owners advising them of the accelerated process of constructing the Project by obtaining 100% of the property owners benefited and to be assessed sign a Request to Participate/Waiver of Public Hearing form, and subsequent thereto both property owners signed the Request to Participate/Waiver of Public Hearing forms waiving the public hearing/legal notice requirements under the standard assessment proceedings as outlined in Exhibits "D-1" thru "D-2", attached hereto and made a part hereof, and have requested the Clermont County Water Resources Department to proceed immediately and bid said Project as soon as possible.

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

SECTION 1. A petition for water service submitted by one (1) property owner to be benefited and assessed for a portion of the costs of the Project along Weaver Road in Stonelick Township, along with signed requests to participate in the benefit and assessment and waivers of the public hearing/legal notice requirements by all the benefited property owners as identified in Exhibits "C" and "D-1" thru "D-2", and are hereby formally accepted.

SECTION 2. This Resolution authorizes, approves and accepts the detailed plans, specifications, estimates of cost and financing, and tentative assessment roll for the Project as described in Exhibits "A" and "B" and are hereby approved, ratified and confirmed.

SECTION 3. That the Board hereby declares it necessary to construct the Project consisting of the installation of an 8" water main and appurtenances along a portion of Weaver Road as described in Exhibit "A" for the preservation and promotion of the public health and welfare and to improve fire protection services to the petitioning property owners.

SECTION 4. That the Board hereby determines to make these improvements and determines to proceed with the Project, in accordance with the detailed plans, specifications, estimates of cost and financing, and tentative assessment roll as herein ratified and confirmed, and to provide for the receipt of bids for the Project pursuant to public advertisement therefore in the manner prescribed by law.

SECTION 5. That the work or improvements as described herein shall proceed in accordance with the priority of need and as may be accomplished in conjunction with continued operation of the County Waterworks System within the Clermont County Water Resources Department.

SECTION 6. Said construction of certain improvements set forth in Exhibit "A" are more particularly described and set out in the plans, specifications, estimates of cost and financing, and tentative assessment roll which are on file in the Office of the Board of County Commissioners, 101 East Main Street, Batavia Ohio 45103, and the Office of the Director or Utilities/Sanitary Engineer, 4400 Haskell Lane, Batavia, Ohio 45103, where they may be examined.

SECTION 7. That the entire cost of the Project, including construction costs, engineering fees, legal and administrative fees, and all necessary and incidental expenses in connection therewith, is currently estimated at \$40,003.00, shall be paid from the following sources:

- A. The levy and collection of special assessments of the benefited properties abutting on the water main extension or the right-of-way in which it is constructed currently estimated at \$35,525.00, as identified in Exhibit "B", and/or the proceeds of general obligation bonds and/or certificates of indebtedness (notes) in anticipation thereof, pursuant to and in compliance with Chapters 6103 and 133 of the Ohio Revised Code, and payable from the special assessments certified for collection to the real estate tax bill, computed as follows:
 - 1. Basic Benefit Assessment of an amount per benefited parcel calculated based upon 100% of the assessable project costs at \$14,865.50, as identified in Exhibit "B", with the total assessable project cost currently estimated at \$29,731.00; and
 - 2. A supplemental unit Improvement Benefit Assessment based on ¾" meter and installation costs at \$927.00 per connected improved or unimproved property, representing two (2) properties, for a total amount of \$1,854.00 and a water system capacity charge at \$1,970.00 per single family residential unit connected to the County Waterworks System, representing two (2) improved property parcels, for a total amount of \$3,940.00. The total estimated Improvement Benefit Assessment for said Project is \$5,794.00. The Improvement Benefit Assessment is at the option of the property owners desiring to have these costs incorporated herein. A charge at least equal to said supplemental Improvement Benefit Assessment costs shall be paid, in addition to other fees and expenses, at the time unimproved abutting property is improved and makes connection to the County Waterworks System or at the time a property is connected that has not immediately connected and has not desired these costs to be incorporated herein.
- B. A contribution of the Clermont County Water Resources Department's County Waterworks System Capital Improvement Fund in the estimated amount of \$4,478.00 representing engineering performance and 100% of legal, administrative, and miscellaneous fees associated therewith.

SECTION 8. That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. That a copy of this Resolution be certified to (a) the County Auditor of Clermont County, Ohio, within fifteen (15) days after the passage hereof, as provided in Section 319.61 of the Ohio Revised Code, and (b) the County Sanitary Engineer for information, and (c) Locke Lord LLP, Bond Counsel.

The motion was seconded by Mr. Humphrey and, upon call of the roll, the vote was as follows:

Mr. Painter Yes;

Mr. Humphrey Aye;

Mrs. Corcoran Yes.

PASSED: April 29th, 2020.

ATTEST:

Judith Kocica

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

APPROVED BY
LOCKE LORD LLP

By: *Todd Cooper*
Todd Cooper

Dated: *2/7/2020*

CERTIFICATE

The undersigned, Clerk of the Board of County Commissioners of Clermont County, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number *059* -20 Determining to Proceed adopted by the Board of County Commissioners of Clermont County, Ohio, on *April 24*, 2020, and that a copy thereof was certified to the County Auditor, the Clermont County Water Resources Department, and to Locke Lord LLP.

Judith Kocica

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

RECEIPT

The County Auditor, of Clermont County, Ohio, hereby acknowledges receipt of the foregoing Resolution Number *059* -20 Determining to Proceed certified in accordance with Section 319.61 of the Ohio Revised Code, passed *April 29*, 2020, by the Board of County Commissioners of said County.

Date: *May 4*, 2020

Linda S. Freely
County Auditor

EXHIBIT "A"

Resolution Number 059-20

Adopted April 29th, 2020

**WEAVER ROAD WATER PETITION PROJECT
PROJECT NO. 6401-60180
STONELICK TOWNSHIP**

This project consists of the installation of approximately 180 linear feet of 8" ductile iron water main and one (1) fire hydrant along Weaver Road located in Stonelick Township, starting at an existing water main located on Weaver Road and extending northeasterly 180 linear feet along Weaver Road.

Estimated Annual Operation & Maintenance Cost.....\$100.00 per yr.

Estimated Project Cost.....\$34,209.00

Source of Funds: Waterworks System Capital Improvement Fund and collection of Special Assessment of benefited properties in the form of a Basic Benefit Assessment and/or Improvement Assessment (cash payment or certification to tax bill) or General Obligation Bonds or Notes issued in anticipation thereof.

Waterworks System Contribution.....\$ 4,478.00
(Consists of engineering performance and 100% of legal, admin. & misc fees)

Basic Benefit Assessment\$29,731.00
(Consists of the remaining project costs after deducting Waterworks System contribution- includes construction, interest during construction, bond discount, and contingencies)

Estimated Project Cost Total.....\$34,209.00

Improvement Benefit Assessment (at owner's option).....\$ 1,854.00
(2 Improved PIN's @ \$927.00 each for 3/4" Meter & Meter Installation Charge)

Improvement Benefit Assessment (at owner's option).....\$ 3,940.00
(2 Improved PIN's @ \$1,970.00 each for System Capacity Charge)

Total Costs.....\$40,003.00

TENTATIVE ASSESSMENT ROLL
PER PARCEL ASSESSMENT METHOD

EXHIBIT "B"
WEAVER ROAD WATER PETITION, PROJECT NO. 6401-60180
Resolution -20 Determining to Proceed

Last Updated: 11/8/19

PIN	Property/Address	Owner	Mail/Address 1	Mail Address 2	Land Use Code	Basic Benefit Assessment	System Capacity Assessment	Meter & Installation Fee	Total Assessment	Comments
302904B060.	5809 WEAVER ROAD	JOHNSTONE DAVID L	5809 WEAVER RD	BATAVIA OH 45103	510	\$14,865.50	\$1,970.00	\$927.00	\$17,762.50	
302904B098.	2610 SUMNER RD	SHEPHERD RICHARD J & DONNA J	2610 SUMNER LN	BATAVIA OH 45103	510	\$0.00	\$0.00	\$0.00	\$0.00	ALREADY BENEFITTED
302904B079.	5800 WEAVER RD	TURKELSON DAVID N & SANDRA L TRUSTEES	5800 WEAVER ROAD	BATAVIA OH 45103	510	\$0.00	\$0.00	\$0.00	\$0.00	ALREADY BENEFITTED
302904B090.	5828 WEAVER RD	WELCH DONAVAN ANDREW & TOMMI LEANN	5828 WEAVER RD	BATAVIA OH 45103	510	\$14,865.50	\$1,970.00	\$927.00	\$17,762.50	
					Totals	\$29,731.00	\$3,940.00	\$1,854.00	\$35,525.00	

Construction	\$24,775.00
Engineering	\$2,000.00
R/W	\$0.00
Legal, Admin & Misc.	\$2,478.00
Interest During Construction	\$1,735.00
Bond Discount	\$743.00
Construction Contingencies	\$2,478.00
Total	\$34,209.00
Clermont County Contribution (Engineering & Legal, Admin & Misc.)	\$4,478.00
Total Basic Assessment Amount	\$29,731.00

