

RESOLUTION NO. 066-20

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 27th day of May 2020, with the following members present:

David L. Painter, President

Edwin H. Humphrey, Vice President

Claire B. Corcoran, Member

Mr. Corcoran 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 LAMORNA COVE
SUBDIVISION, IN MIAMI TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated September 26, 2018 as appears in Commissioners' Journal 315, accepted a Combined Performance and Maintenance Bond of M/I Homes of Cincinnati, Inc. as principal and The Berkley Insurance Company as surety for the development and construction of Geneva Court and Valencia Drive and related improvements of Lamorna Cove subdivision, 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 \$11,000.00 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. Humphrey seconded the motion and upon roll call, the vote was as follows:

Mr. Painter yes; Mr. Humphrey aye; Mrs. Corcoran yes

DATED: May 27, 2020

ATTEST:

Judith Kocica

JUDITH KOCICA, CLERK
Board of County Commissioners

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

Recommendation that the Board of County Commissioners adopt Resolution Number 067-20 resolving to approve payment to vendors **in the total amount of \$1,531,175.20** as set forth in the BCC Approval Invoice Report(s) for **Checks Dated May 27, 2020**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 5/26/2020, 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,	<u>YES</u>
Edwin H. Humphrey,	<u>aye</u>
Claire B. Corcoran,	<u>YES</u>

Date Adopted: May 27, 2020

David L. Painter
David L. Painter, President

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

Claire B. Corcoran
Claire B. Corcoran, Member

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

OR

Thomas J. Eigel, County Administrator

27th The Board of County Commissioners of Clermont County, Ohio, met in regular session on the day of May, 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

Mr. Humphrey introduced the following resolution and moved its passage:

RESOLUTION NO. 068 -20

RESOLUTION AMENDING RESOLUTION NUMBER 041-20 WHICH DETERMINED TO MAKE IMPROVEMENTS FOR PROJECT NUMBER 6402-62008 KNOWN AS THE COLLECTION SYSTEM REHABILITATION - 2019 PROJECT LOCATED WITHIN MIAMI TOWNSHIP AND HEREBY DETERMINING TO MAKE IMPROVEMENTS AND PROCEED IN ACCORDANCE WITH THE REVISED DETAILED PLANS, SPECIFICATIONS, AND ESTIMATES OF COST AND FINANCING FOR SAID PROJECT

WHEREAS, this Board of County Commissioners of Clermont County, Ohio, has heretofore established the Clermont County Water Resources Department by consolidation of previously existing subsewer districts in the County and provided for a combined County Wastewater System which is presently being operated and maintained therein; and

WHEREAS, this Board of County Commissioners adopted Resolution Number 041-20 on March 25, 2020, which determined that the Collection System Rehabilitation - 2019 Project was necessary improvements for the preservation and promotion of the public health and welfare, as well as, ratified and declared the necessity for the detailed plans, specifications and estimates of cost and financing for the Project, and determined to proceed with said improvements in accordance with the detailed plans, specifications and estimates of cost and financing; and

WHEREAS, bids were received by the Board of County Commissioners on April 23, 2020, for said Project and only one bid was received of which exceeded the engineer's estimate of construction by more than ten percent; therefore, on May 27th, 2020, the Board rejected the sole bid received, pursuant to and in compliance with Section 153.12 of the Ohio Revised Code; and

WHEREAS, the Clermont County Water Resources Department has reevaluated the scope of the Project and made minor design changes relative thereto and made a detailed examination in order to delineate the work necessary for the improvements as described in Exhibits "A", attached hereto and made a part hereof, and has prepared revised plans and specifications, along with an increased cost estimate relative to the revised Project scope; and

WHEREAS, it is now necessary to ratify the revised detailed plans, specifications and estimates of cost and financing for the improvements described in Exhibit "A" and to proceed in accordance therewith as valid improvements and expenses attributable to the County Wastewater System within the Clermont County Water Resources Department, Clermont County, Ohio.

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. By this Resolution which amends Resolution Number 041-20 and hereby ratifies and declares the necessity for the revised detailed plans, specifications and estimates of cost and financing for the Project as described in the attached Exhibit "A", which exhibit is hereby made a part hereof, in said County, is hereby approved, ratified and confirmed.

SECTION 2. That this Board of County Commissioners hereby declares it necessary for the preservation and promotion of the public health and welfare to construct said Project as revised in accordance with Exhibit "A", which exhibit is hereby made a part hereof.

SECTION 3. That it is hereby determining to proceed with the Project, in accordance with the revised detailed plans, specifications, and estimates of cost and financing, 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 4. 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 Clermont County Wastewater System.

SECTION 5. Said construction of certain improvements set forth in Exhibit "A" are more particularly described and set out in the revised plans, specifications, and estimates of cost and financing, which are on file in the Office of the Clermont County Water Resources Department, 4400 Haskell Lane, Batavia, Ohio 45103, where they may be examined.

SECTION 6. That the entire cost of the Project, including engineering fees, legal fees, and all necessary and incidental expenses in connection therewith shall be paid from one or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System.

SECTION 7. 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 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 8. That a copy of this resolution be certified to (a) the County Auditor of Clermont County, Ohio within fifteen (15) days after passage hereof, as provided in Section 319.61 of the Ohio Revised Code, and (b) the County Sanitary Engineer for information.

Mrs. Corcoran seconded the motion and the vote thereon resulted as follows:

Mr. Painter, Yes; Mr. Humphrey, Aye; Mrs. Corcoran, Yes.

PASSED: MAY 27, 2020

Judith Kocica

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

APPROVED AS TO FORM ONLY:
D. VINCENT FARIS, PROSECUTOR
CLERMONT COUNTY, OHIO

By: Allan L. Edwards
Allan L. Edwards, Assistant Prosecutor

Dated: 5-11-20

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 No. 068 -20 passed by the Board of County Commissioners of Clermont County, Ohio on MAY 27, 2020, and that a copy thereof was certified to the County Auditor and the Clermont County Water Resources Department.

Attest:

Judith Kocica

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

EXHIBIT "A"

Resolution No. 068-20

Adopted MAY 27, 2020

COLLECTION SYSTEM REHABILITATION - 2019
PROJECT NO. 6402-62008

This project consists of the rehabilitation of approximately 1,405 LF of gravity sewer using cured-in-place pipe on 8-inch diameter sewer main, approximately 1,196 LF of gravity sewer using cured-in-place pipe on 12-inch diameter sewer main; reinstatement and rehabilitation of approximately seven (7) 6-inch diameter sewer laterals using cured-in-place lining; rehabilitation of approximately fourteen (14) 4-foot diameter manholes, including application of approximately 190 VF of polymeric coating, replacement of approximately 100 LF of 8-inch PVC gravity sewer main and replacement of one (1) 4-foot diameter sewer manhole. This work will take place in an existing 20' sewer easement located along the rear of Boyd E. Smith Elementary School and residential properties from David Court to Cook Road in Miami Township.

Estimated Annual Operation & Maintenance Cost.....\$ 0.00

Estimated Impact of Project on Operation & Maintenance Cost.....\$ 0.00

Estimated Total Project Cost.....\$ 728,515.00

Source of Funds: One or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System.

RESOLUTION NO. 069-20

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 27th day of May, 2020, with the following members present:

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

Mr(s). Corcoran moved for the adoption of the following Resolution:

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2021 URBAN TRANSIT PROGRAM.

WHEREAS, the State of Ohio through its Fiscal Year 2021 Programs has made available funds to assist public transportation systems in Ohio; and

WHEREAS, the Clermont Transportation Connection is the transit operator for the Board of County Commissioners of Clermont County, Ohio; and

WHEREAS, the Clermont Transportation Connection is presently providing transit service and observing all federal and state rules regarding these programs;

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 Director of Clermont Transportation Connection, or designee, is hereby authorized to file an Application with the Ohio Department of Transportation for the Fiscal Year 2021 Urban Transit Program, on behalf of the Board of County Commissioners of Clermont County, Ohio for the sum of \$203,810.00

SECTION II

That the Director of Clermont Transportation Connection, or designee, is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with this Application.

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

Mr. Painter yes
Mr. Humphrey aye
Mrs. Corcoran yes

This Resolution was duly passed on the 27th day of May 2020.

ATTEST:
Judith Kocica
Judith Kocica, Clerk
Board of County Commissioners

Approved as to form:

Assistant Prosecuting Attorney
Clermont County Prosecutor's Office

Approved as to form:

Allen J. Edward

Assistant Prosecuting Attorney

RESOLUTION NO. 070-20

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 27th day of May, 2020, with the following members present:

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

Mr(s). Humphrey moved for the adoption of the following Resolution:

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2021 OHIO TRANSIT PARTNERSHIP PROGRAM.

WHEREAS, the State of Ohio through its Fiscal Year 2021 Programs has made available funds to assist public transportation systems in Ohio; and

WHEREAS, the Clermont Transportation Connection is the transit operator for the Board of County Commissioners of Clermont County, Ohio; and

WHEREAS, the Clermont Transportation Connection is presently providing transit service and observing all federal and state rules regarding these programs; 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 the Director of Clermont Transportation Connection. is hereby authorized to file an Application with the Ohio Department of Transportation for the Fiscal Year 2021 Ohio Transit Partnership Program, on behalf of the Board of County Commissioners of Clermont County, Ohio for the sum of \$173,215.00 to be used for capital..

SECTION II

That the Director of Clermont Transportation Connection is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with this Application.

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

Mr. Painter yes
Mr. Humphrey aye
Mrs. Corcoran yes

This Resolution was duly passed on the 27th day of May 2020.

ATTEST:

Judith Kocica
Judith Kocica, Clerk
Board of County Commissioners

Approved as to form:

Assistant Prosecuting Attorney
Clermont County Prosecutor's Office

RESOLUTION NUMBER 071-20

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 27th day of May, 2020, with the following members present:

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

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

**RESOLUTION DETERMINING TO VACATE A PORTION OF FISCHER
LANE (T-851) SITUATED WITHIN FISCHER SUBDIVISION LOCATED IN
UNION TOWNSHIP, CLERMONT COUNTY, OHIO**

WHEREAS, the Board of County Commissioners has been petitioned by the Board of Union Township Trustees to vacate a portion of Fischer Lane (T-851) situated within Fischer Subdivision pursuant to Section 5553.045 (B) of the Ohio Revised Code; and

WHEREAS, pursuant to Section 5553.045 of the Ohio Revised Code, the County Engineer has reviewed the legal description submitted therewith and prepared by Cardinal Engineering under the direction of Daniel K. York, Professional Surveyor No. 8729, of the subject area to be vacated and has issued a written report therefore; and,

WHEREAS, the Board of County Commissioners has held a public hearing concerning the vacation of a portion of Fischer Lane (T-851) situated within Fischer Subdivision, Union Township, Clermont County, Ohio, on Wednesday, May 27, 2020, and is recorded in Commissioners' Journal Number 317; and,

WHEREAS, all appropriate statutory procedures have been followed according to the Ohio Revised Code;

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

SECTION I

That the Board of County Commissioners hereby determines that the public convenience and welfare would be best served by the vacation of a portion of Fischer Lane (T-851) situated within Fischer Subdivision located in Union Township, Clermont County, Ohio, and that the portion thereof as described is hereby vacated pursuant to Section 5553.045(D) of the Ohio Revised Code, to wit:

FISCHER LANE

Situated in Morow's Virginia Military Survey Number 666, Union Township, Clermont County, Ohio, and being part of the right of way of Fischer Lane as recorded in Fischer Subdivision in P.B. G Pg. 35 the boundary of which is more particularly described as follows:

BEGINNING at a 5/8" iron pin set at the southwest corner of Lot 17 of said Fischer Subdivision and northerly corner of Lot 20A of a Replat of Lots 19 & 20 of Fischer Subdivision as recorded in P.B. ___Pg. ___;

Thence along the lines of said Lot 20A the following three (3) courses:

1. South 06°54'43" West a distance of 100.00 feet to a 5/8" iron pin set;
2. North 82°50'47" West a distance of 50.00 feet to a 5/8" iron pin set;
3. North 06°54'43" East a distance of 100.00 feet to a 5/8" iron pin set at the southeast corner of Lot 18 of said Fischer Subdivision;

Thence through the existing right of way of Fischer Lane, South 82°50'47" East a distance of 50.00 feet to the POINT OF BEGINNING;

Containing 0.115 acres of land more or less, and being subject to all right of ways, easements and restrictions of record.

Bearings are based on the Ohio State Plane Coordinate System, South Zone (NAD83').

All 5/8" iron pins set are 30" in length and have an ID cap stamped "D.K.Y. #S-8729"

This description is the result of a survey performed by Cardinal Engineering under the direct supervision of Daniel K. York, Professional Surveyor No. 8729, filed in Survey Record Volume _____ Page _____ of the Clermont County Engineer's Record of Land Surveys.

SECTION II

That the Board of County Commissioners further finds that as to the issue of compensation and damages pursuant to Section 5553.09 of the Ohio Revised Code, no compensation and damages are necessary in this proceeding and none are awarded at this final hearing.

SECTION III

That the Clerk of the Board shall certify a copy of these proceedings to the Board of Union Township Trustees, the County Recorder and the County Engineer, and shall request the Board of Union Township Trustees to adopt their resolution required by Section 5553.045 (E) of the Ohio Revised Code.

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

Mrs. Corcoran seconded the foregoing Resolution and upon roll call the vote was as follows:

Mr. Humphrey, Aye; Mrs. Corcoran, Yes; Mr. Painter, Yes.

ATTEST:


Holly Cruet, Assistant Clerk
Board of County Commissioners
Clermont County, Ohio

Adopted: May 27, 2020