

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

Recommendation that the Board of County Commissioners adopt Resolution Number 110-20 resolving to approve payment to vendors **in the total amount of \$2,722,636.83** as set forth in the BCC Approval Invoice Report(s) for **Checks Dated June 24, 2020**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 6/22/2020, 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: 06/24/2020

David L. Painter  
David L. Painter, President

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

Claire B. Corcoran  
pursuant to and in compliance with House Bill 28 of the 137th Ohio General Assembly effective 03/27/20 through 12/01/20.  
Claire B. Corcoran, Member

OR

\_\_\_\_\_  
Thomas J. Eigel, County Administrator

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 24th day of June, 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. 111-20**

**DETERMINING TO MAKE IMPROVEMENTS KNOWN AS THE MIAMIVILLE AREA WATER MAIN REPLACEMENT PROJECT AND IDENTIFIED AS PROJECT NUMBER 6401-60165, AS DESCRIBED IN THE ATTACHED EXHIBIT "A" FOR THE COUNTY WATERWORKS SYSTEM, IN THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT, CLERMONT COUNTY, OHIO.**

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

**WHEREAS**, this Board of County Commissioners has been advised by the Clermont County Water Resources Department that the improvements described in Exhibit "A" are necessary for the preservation and promotion of the public health and welfare and to provide an adequate water supply for consumption and fire protection; and

**WHEREAS**, the Clermont County Water Resources Department has made a detailed examination in order to delineate the work necessary for the improvements described in Exhibit "A" and has prepared plans, specifications and bid documents relative to the improvements along with a cost estimate; and

**WHEREAS**, improvements described in Exhibit "A" are valid improvements and expenses attributable to the County Waterworks System in 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 ratifies and declares necessity for the 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 and to provide an adequate water supply for consumption and fire protection to construct Project as described in the attached Exhibit "A" which exhibit is hereby made a part hereof.

**SECTION 3.** That it is hereby determined to proceed with the Project, in accordance with the 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 Waterworks System.

**SECTION 5.** Said construction of certain improvements set forth in Exhibit "A" are more particularly described and set out in the 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 Waterworks 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 water rates and charges levied for the operation of the Clermont County Waterworks 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: Yes

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

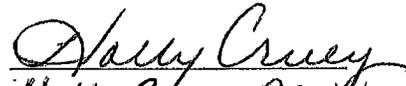
APPROVED AS TO FORM ONLY:  
D. VINCENT FARIS, PROSECUTOR  
CLERMONT COUNTY, OHIO

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

Dated: 5-26-20

**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. 111-20 passed by the Board of County Commissioners of Clermont County, Ohio on June 24, 2020 and that a copy thereof was certified to the County Auditor and the Clermont County Water Resources Department.

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

**EXHIBIT "A"**

Resolution No. 111-20

Adopted June 24, 2020

**MIAMIVILLE AREA WATER MAIN REPLACEMENT PROJECT  
PROJECT NO. 6401-60165**

This project consists of replacement of approximately 2,984 feet of existing 12" and 6" cast iron water main installed in 1959 with new 6", 8", 12" and 16" ductile iron water main and appurtenances along SR 126, Center Street, Front Street, and Second Street located within Miami Township.

Estimated Annual Operation & Maintenance Cost.....\$ 600.00  
Estimated Impact of Project on Operation & Maintenance Cost.....\$ 0.00  
Estimated Total Project Cost.....\$ 890,300.00

Source of Funds: One or more of any combination of the Waterworks 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 water rates and charges levied for the operation of the Clermont County Waterworks System.

RESOLUTION NO. 112-20

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 24<sup>th</sup> day of June, 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:

**RESOLUTION FULFILLING THE REQUIREMENTS OF OHIO HOUSE BILL 481 FOR THE PASSAGE OF A RESOLUTION IN ORDER TO RECEIVE AND EXPEND FEDERAL FUNDS UNDER SECTION 5001 OF THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT**

**WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

**WHEREAS**, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in Amended Substitute House Bill 481 of the 133<sup>rd</sup> General Assembly (H.B. 481); and

**WHEREAS**, H.B. 481 requires subdivisions receiving funds, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, the Clermont County Board of Commissioners is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

**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 all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in Clermont County's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**SECTION II**

That in compliance with H.B. 481, the Clermont County Auditor shall take the following actions :

- (1) Not later than October 15, 2020, pay any unencumbered balance of money in the county's local coronavirus relief fund to the county treasurer, who shall then deposit this revenue in the county's coronavirus relief distribution fund;
- (2) Not later than December 28, 2020, pay the balance of any money in the county's local coronavirus relief fund that remains unexpended to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- (3) Provide any information related to any payments made pursuant to H.B. 481 or their expenditure to the Director of the Ohio Office of Budget and Management as requested.

**SECTION III**

That the Clerk to the Board is hereby authorized and instructed to transmit a certified copy of this resolution to the county auditor and to the Director of the Ohio Office of Budget and Management.

**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. 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 24th day of June, 2020.

ATTEST:

Holly Cruey  
Holly Cruey, Assistant Clerk  
Board of County Commissioners

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

By: J. A. S. Guntai  
Date: June 15, 2020

**RESOLUTION NO. 113 -20**

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 24<sup>th</sup> day of June, 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 GRANTING ANNEXATION OF 157.2561 ACRES OF LAND OWNED BY CHARLES J. KUBICKI, LLC, TO THE VILLAGE OF BATAVIA IN CLERMONT COUNTY, OHIO**

**WHEREAS**, the Petition for Annexation of 157.2561 acres of land constituting territory adjacent to the Village of Batavia in Batavia Township, Clermont County, Ohio was filed by Dennis Nichols, Agent for the Petitioner, Charles J. Kubicki, LLC, who constitutes 100% of the owners of the real estate sought to be annexed, with the Board of County Commissioners of Clermont County, Ohio on March 6, 2020 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 Batavia on March 17, 2020 and the Fiscal Officer of Batavia Township, by personal service on March 17, 2020 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 March 20,

2020, 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 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 not unreasonably large.

- E. On balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will 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 been met, the Petition for Annexation of territory described therein to the Village of Batavia, Clermont County, Ohio, be and hereby is granted; and the Clerk of the Board of County Commissioners of Clermont County, Ohio, is hereby directed to enter on the journal the resolution granting 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 Batavia, and the Batavia 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./Mrs~~ Corcoran seconded the motion and on roll call, the vote resulted as follows:

Mr. Painter	<u>Yes</u>
Mr. Humphrey	<u>Aye</u>
Mrs. Corcoran	<u>Yes</u>

This Resolution was duly passed on the 24<sup>th</sup> day of June, 2020.

ATTEST:

Holly Crucey  
Holly Crucey, Assistant 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: 6-19-20