

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

Recommendation that the Board of County Commissioners adopt Resolution Number 169-20 resolving to approve payment to vendors in the total amount of \$1,384,773.66 as set forth in the BCC Approval Invoice Report(s) for **Checks Dated November 04, 2020**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 11/02/2020, 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: November 4, 2020

David L. Painter  
David L. Painter, President

Edwin H. Humphrey  
Edwin H. Humphrey, Vice-President  
pursuant to and in compliance with House  
Bill 197 of the 133rd Ohio General Assembly  
effective 03/27/20 through 12/31/20

Claire B. Corcoran  
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 4th day of November, 2020, at the Office of said Board 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 170-20**

**RESOLUTION AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE FOR AID TO LOCAL GOVERNMENT FOR INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZING THE EXECUTION, CERTIFICATION, AND SUBMISSION OF SAID APPLICATION FOR PROJECT SUPPORT TO THE OHIO PUBLIC WORKS COMMISSION PURSUANT TO CHAPTER 164 OF THE OHIO REVISED CODE**

**WHEREAS**, the State of Ohio in enacting House Bill 704 and related amendments to the Ohio Constitution, has provided for financial aid to local governments for infrastructure improvements acting through the Ohio Public Works Commission pursuant to the authority of Chapter 164 of the Ohio Revised Code, and rules promulgated thereunder by the Director of the Ohio Public Works Commission; and

**WHEREAS**, the Board of County Commissioners, Clermont County, Ohio, has previously conducted a study of its existing capital improvements; the condition of those improvements and the projected capital needs of the county in the ensuing five-year period, and has, after completing such study, compiled a report that included an inventory of the existing capital improvements of the county, a plan detailing the capital improvement needs of the county in the ensuing five-year period and a list of the county's priorities with respect to addressing those needs; and

**WHEREAS**, the Board of County Commissioners, Clermont County, Ohio, desires to submit an Application for project support and financial assistance in the implementation of an infrastructure improvement for grant and/or loan funding consideration in 2021 for OPWC Program Year 35, as a qualified project under the OPWC Programs, pursuant to and in compliance with the provisions of Chapter 164 of the Ohio Revised Code.

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

**SECTION 1.** That the Board of County Commissioners authorize final Application for aid to local government for the following infrastructure improvement project for Program Year 35 as follows:

<u>Project</u>	<u>Project Amount</u>	<u>Grant Amount</u>
McPicken Road & Menno Drive Water Main Replacement Project Miami Township Waterworks System Improvement	\$855,143.00	\$419,020.00

**SECTION 2.** That David L. Painter, President of the Board of County Commissioners, or in his absence any member of the Board of County Commissioners, is hereby authorized and directed to certify and submit the Application for project support to the Ohio Public Works Commission, including all understandings and assurances therein required, and to act in accordance with the application and to provide such additional information as may be required.

**SECTION 3.** That the Project Manager (identified as the Director of Utilities) and the Chief Financial Officer (identified as the Water Resources Department Fiscal Administrator) are authorized to make any appropriate revisions to the funding Application, in order to accommodate any variation in the amount of grant or loan monies available and designated for said Project, as may be required.

**SECTION 4.** That this Board declares that it reasonably expects that the capital expenditures in connection with the McPicken Road and Menno Drive Water Main Replacement Project, which will be paid from the water construction funds prior to the issuance of any revenue bonds, general obligation bonds or certificates of indebtedness, or prior to the receipt of the above referenced Ohio Public Works Commission monies and will possibly be reimbursed with the proceeds of tax exempt debt of the State of Ohio in the principal amount for such reimbursement of \$419,020.00 (Grant) and/or such additional grant or loan amount as may be awarded. This declaration is being made in order to ensure compliance with Treasury Regulations Section 1.150-2.

**SECTION 5.** That the President of the Board of Clermont County Commissioners, whichever member may be designated as such Chief Executive Officer during the life of the Grant or Loan Project, is further authorized to enter into any agreement as may be necessary and appropriate for obtaining this financial assistance and any disbursements/reimbursements thereunder.

**SECTION 6.** That this Board 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.

The Resolution was seconded by Mr. Humphrey and upon call of the roll; the vote thereon was as follows:

Mr. Painter yes ;

Mr. Humphrey Aye ;

Mrs. Corcoran yes .

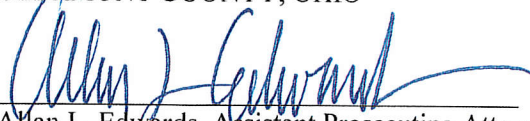
PASSED: November 4, 2020.

ATTEST:



Clerk of the Board  
Board of County Commissioners  
Clermont County, Ohio

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



Allan L. Edwards, Assistant Prosecuting Attorney

RESOLUTION NUMBER *171-20*

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the *4th* day of *November*, 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:

**AUTHORIZING THE CLERMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, IN COLLABORATION WITH THE CLERMONT COUNTY ENGINEER, TO MANAGE AND PROCEED WITH CONSTRUCTION FOR THE PROJECT PREVIOUSLY KNOWN AS CDBG 2014-04 VILLAGE OF FELICITY WALNUT STREET RECONSTRUCTION PROJECT**

**WHEREAS**, the County created the Clermont County Transportation Improvement District (the "CCTID"), which is authorized, by Ohio Revised Code ("ORC") Chapter 5540, to finance, construct, maintain, repair, and operate street, highway, and other transportation projects; and to construct, reconstruct, improve, alter, and repair roads, highways, public places, buildings, and other infrastructure and are essential governmental functions; and the exercise by the CCTID of the authority granted by ORC Chapter 5540 is necessary for the prosperity, health, safety, and welfare of the County, the State and their people; and

**WHEREAS**, the CCTID has established a Regional Transportation Improvement Program (the "RTIP"), in coordination and collaboration with the County, the Clermont County Engineer's Office ("CCEO"), and other local project sponsors, which has been amended and updated from time to time, consisting of certain corridor-level capital improvement projects and supporting program-level implementation strategies and activities, and

**WHEREAS**, there remains uncompleted a portion of a corridor-level infrastructure improvement project known as CDBG 2014-04 Village of Felicity Walnut Street Reconstruction Project due to default of the contractor (the "Project"), which Project the County is desirous to include within the CCTID's Regional Transportation Improvement Program, and which it is expected the CCTID Board of Trustees will agree to such inclusion within the RTIP, upon the terms and conditions set forth below; and

**WHEREAS**, the County has obtained funding from the JD Contracting Services, Inc. Performance Bond (\$45,000), Choice One Engineering repayment (\$15,000) and retainage (\$9,409.04) from the above named construction contract, and intends to provide to the CCTID the above amounts so as to facilitate and provide for the CCTID's commencement, management, and execution of the Project, with a total cost not to exceed \$69,409.04; and

**WHEREAS**, the County, the CCEO and CCTID recognizes that it is a priority to engage and cooperate to the greatest extent practical in the development of this Project, and as further set forth by their November 2006 Intergovernmental Agreement, as amended, on file with the County and CCTID, and in related efforts in coordination and cooperation with other county agencies; and

**WHEREAS**, the Board of County Commissioners and the County Engineer, with the concurrence of the Department of Community and Economic Development and CCTID Board of Trustees, believe it to be in the best interest of and important for advancing the construction of this Project to authorize and designate the CCTID, by and through the Project CEO and Project Manager, to oversee and contract for construction, and administer the construction contract, through completion and inspection of the work, in accordance with laws and regulations applicable to the CCTID; and

**WHEREAS**, the CCTID, pursuant to R.C. 5540.03 is authorized to take such actions, receive such funding, and enter into all agreements necessary or incidental to performance of its functions and the execution of its powers to effect its purposes and transportation projects and pursuant to R.C. 5540.02(F) the Board of County Commissioners may make appropriations from

moneys available to pay costs incurred by the CCTID in the exercise of its functions under R.C. Chapter 5540;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners, does hereby authorize, consent, and approve the CCTID, with Jeremy Evans, P.E./P.S. to be designated Chief Executive Officer (the "Project CEO"), and with Sukie Scheetz, as CFO and with a Project Manager (the "Project Manager") to be determined, to oversee and manage all necessary Project actions with all authority and responsibility; and, further, does hereby ratify and approve the Project and related actions thereto, as part of the CCTID and its RTIP and delegates to and authorizes the CCTID, by and through the Project CEO and Project Manager, with the grant of authority to proceed and take the appropriate and necessary steps to manage and advance the Project through completion and inspection, as determined by the Project CEO/Project Manager/CCTID, including entering into a contract for construction services, in an amount not to exceed \$69,409.04, and to administer said Project through completion and inspection of the Project work, all in accordance with laws and regulations applicable to the CCTID, as appropriate.

**BE IT FURTHER RESOLVED** by the Board of County Commissioners, Clermont County, Ohio that this Board 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.

**[REMAINDER OF PAGE LEFT BLANK]**

Mr(s) Humphrey 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 4<sup>th</sup> day of November, 2020.

ATTEST:

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

Date: 11/4/20

APPROVED AS TO FORM:

Rona J. Janta  
Assistant Prosecuting Attorney  
Clermont County, Ohio

Date: 10/21/20