

**RESOLUTION NO. 006 -21**

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 11<sup>th</sup> day of January 2021, with the following members present:

David L. Painter,

Claire Corcoran,

Bonnie Batchler,

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

**RESOLUTION AUTHORIZING THE COUNTY ENGINEER DURING YEAR 2021 TO PROCEED BY FORCE ACCOUNT IN THE CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, MAINTENANCE, OR REPAIR, OF ROADS, BRIDGES, CULVERTS AND DITCHES IN CLERMONT COUNTY, STATE OF OHIO**

WHEREAS, it has been determined by the Clermont County Commissioners, in accordance with Ohio Revised Code §5543.19 or 6137.05, that the health, welfare and safety of the people of Clermont County can best and most efficiently be served by utilizing county employees, equipment (owned or leased), tools and materials necessary in the construction, reconstruction, improvement, maintenance, or repair, of Clermont County roads, bridges, culverts and ditches for which the work does not require competitive bidding;

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 County Engineer be authorized to employ laborers and vehicles, use county employees and property, lease tools and equipment, purchase materials and proceed by force account to maintain, repair, construct or reconstruct (including widening or resurfacing) roads, bridges, culverts and ditches in Clermont County during the year 2021. The expenditures hereby authorized are to be within the limits of the Budget approved for year 2021 and are not applicable to the Capital Improvement Program that is implemented by competitive bidding (ORC §307.86 and 153.12).

## **SECTION II**

Before proceeding to employ labor, purchase materials and proceed by force account to maintain, repair, construct or reconstruct roads, bridges and culverts in Clermont County, Ohio, the County Engineer shall prepare the estimates of cost of each project using the force account assessment form developed by the Auditor of State, and in carrying out the project, the Engineer shall comply with all requirements of Ohio Revised Code §5543.19 .

## **SECTION III**

Before proceeding to employ labor, purchase materials and proceed by force account to maintain or repair ditches in Clermont County, Ohio, the County Engineer shall prepare the estimates of cost of each project and, if the work is determined by the County Engineer to be more economically and expeditiously done by force account, the Engineer is authorized to proceed by force account in carrying out the project, the Engineer shall comply with all requirements of Ohio Revised Code §6137.05.

SECTION IV

When the construction, reconstruction, widening, resurfacing, repair or improvement of a **road** is accomplished by force account, and the estimated cost of the work exceeds \$3,000.00 per mile, the County Engineer will provide an itemized statement of the actual cost of the work and provide it to the Board of County Commissioners within 90 days after completion of any such work where it will be kept on file for two years in accordance with ORC §5555.72.

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

Mr. Painter	<u>Yes</u>
Mrs. Corcoran	<u>Yes</u>
Mrs. Batchler	<u>Yes</u>

This Resolution was duly passed on the 11th day of January 2021.

ATTEST:

Shelly Cruey, Clerk  
Board of County Commissioners

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

By: Allan L. Edwards  
Allan Edwards  
Assistant Prosecuting Attorney

Date: 12-29-20

RESOLUTION NO. 007-21

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 11th day of January 2021 with the following members present:

David L. Painter, President

Claire B. Corcoran

Bonnie J. Batchler

Mrs. Batchler 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 TWIN GATES  
SUBDIVISION, SECTION 6, IN BATAVIA TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated March 7, 2019 as appears in Commissioners' Journal 316, accepted a Combined Performance and Maintenance Bond of Developers of Clermont, LLC. as principal and LCNB National Bank Cashier's Check no. 371377 as surety for the development and construction of Indigo Court and Windsong Court and related improvements of Twin Gates Subdivision, Section 6, 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. Painter seconded the motion and upon roll call, the vote was as follows:

Mr. Painter Yes; Mrs. Batchler Yes; Mrs. Corcoran Yes;

DATED: January 11, 2021

ATTEST:

Holly Cruey  
HOLLY CRUEY, CLERK  
Board of County Commissioners