

RESOLUTION NUMBER 103 -21

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 16th day of June, 2021, with the following members Present:

Claire B. Corcoran, President

David L. Painter, Vice-President

Bonnie J. Batchler, Member

Mr./Mrs. Batchler moved for the adoption of the following resolution:

RESOLUTION REQUESTING AUTHORITY FOR THE COUNTY OF CLERMONT, OHIO TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION, COOPERATIVE PURCHASING PROGRAM PURSUANT TO SECTION 5513.01 OF THE OHIO REVISED CODE.

WHEREAS, Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Ohio Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

WHEREAS, The Board of County Commissioners of Clermont County, Ohio desires to utilize the state contracts which the Ohio Department of Transportation, Office of Contract Purchasing Services has entered into.

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

SECTION I

That the Board of County Commissioners of Clermont County, Ohio hereby requests authority to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

SECTION II

That the board of Commissioners of Clermont County, Ohio agrees to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION III

The Board of Commissioners of Clermont County, Ohio agrees to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the Clermont County Board of Commissioners participates, for items it receives pursuant to the contract.

SECTION IV

That the Board of Commissioners of Clermont County, Ohio agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01 (B) of the Ohio Revised Cods. The Board of Commissioners of Clermont County, Ohio releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses or other damages arising out of its participation in the cooperative purchasing program which The Clermont County Board of Commissioners may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

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 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.

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

Mrs. Corcoran, Yes
Mr. Painter, Yes
Mrs. Batchler, Yes

This resolution was duly passed on the 16th day of June, 2021.

ATTEST:

Holly Cruey

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

APPROVED BY:
The Office of the Prosecuting Attorney
Clermont County, Ohio

BY: J. Mooney
Joseph Mooney, Assistant Prosecutor

DATE: 6-7-21

Moved by Mr(s). Painter, seconded by Mr(s). Batchler

Recommendation that the Board of County Commissioners adopt Resolution Number 104-21 resolving to approve payment to vendors in the total amount of **\$1,534,784.88** as set forth in the BCC Approval Invoice Report(s) for **Checks Dated June 16, 2021**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 06/14/2021, 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:

Claire B. Corcoran,	<u>yes</u>
David L. Painter,	<u>yes</u>
Bonnie J. Batchler,	<u>yes</u>

Date Adopted: June 16, 2021

Claire B. Corcoran
Claire B. Corcoran, President
David L. Painter
David L. Painter, Vice-President
Bonnie J. Batchler
Bonnie J. Batchler, Member

OR

Thomas J. Eigel, County Administrator

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 16th day of June 2021, at the Office of said Board with the following members present:

Claire B. Corcoran, President
David L. Painter, Vice President
Bonnie J. Batchler, Member

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

RESOLUTION NUMBER 105-21

RESOLUTION AMENDING THE GENERAL PLANS FOR THE COUNTY WASTEWATER SYSTEM IN THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT, CLERMONT COUNTY, OHIO, TO INCLUDE CONSTRUCTION OF THE COUNTY WASTEWATER SYSTEM IMPROVEMENTS AS DESCRIBED IN THE ATTACHED EXHIBIT "A" WITHIN VARIOUS TOWNSHIPS, IN CLERMONT COUNTY, OHIO

WHEREAS, consultant engineering proposals have been obtained or need to be obtained for preliminary and design engineering, as well as, preparation of detailed plans, specifications, and estimates of cost for the proposed Wastewater System Improvement Projects as outlined in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, in order for the consultant engineers to finalize the aforementioned work performance, it may be necessary to enter upon private and/or public property to perform soil borings, surveys, appraisals for necessary right-of-way, and such other examinations as deemed necessary by the Clermont County Water Resources Department.

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. That the general plans as revised from time to time for the County Wastewater System in the Clermont County Water Resources Department be and are hereby revised to include the Wastewater System Improvement Projects as generally described in the attached Exhibit "A", which exhibit is hereby made a part hereof.

SECTION 2. That the Clermont County Water Resources Department has been authorized and directed or is hereby authorized and directed to perform or have performed preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost on the Wastewater System Improvement Projects as generally described in Exhibit "A" for submittal to the Clermont County Water Resources Department and this Board for consideration and approval.

SECTION 3. That pursuant to Section 6117.01 of the Ohio Revised Code, the Clermont County Water Resources Department, its employees or agents, are hereby authorized to enter onto private and/or public properties affected by the Wastewater System Improvement Projects listed in Exhibit "A" after sufficient notice to owners and/or persons in possession or control of such properties, to perform such soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize preliminary or design engineering, preparation of detailed plans, specifications, contract documents, acquisition of necessary right-of-way, and estimates of cost for the aforementioned improvement and expansion projects.

SECTION 4. That the Board of County Commissioners hereby resolves to authorize the Sanitary Engineer to make pre-application, nominate, and/or make application for various local, state, and federal grants or loans, should such become available, for funding of said improvement and expansion projects.

SECTION 5. 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.

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

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

PASSED: June 16, 2021.

ATTEST:

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


This Resolution was approved as to form by the
Office of the Clermont County Prosecutor's Office

Joseph Mooney
Joseph Mooney, Ass't Prosecuting Attorney

Date: 4-27-21

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 105 -21 as adopted at the meeting of said Board held on June 16, 2021.


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

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 16th day of June 2021, at the Office of said Board with the following members present:

Claire B. Corcoran, President
David L. Painter, Vice President
Bonnie J. Batchler, Member

Mrs. Batchler moved for the adoption of the following Resolution:

RESOLUTION NUMBER 106-21

RESOLUTION AMENDING THE GENERAL PLANS FOR THE COUNTY WATERWORKS SYSTEM IN THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT, CLERMONT COUNTY, OHIO, TO INCLUDE CONSTRUCTION OF THE COUNTY WATERWORKS SYSTEM IMPROVEMENTS AS DESCRIBED IN THE ATTACHED EXHIBIT "A" WITHIN VARIOUS TOWNSHIPS, IN CLERMONT COUNTY, OHIO

WHEREAS, consultant engineering proposals have been obtained or need to be obtained for preliminary and design engineering, as well as, preparation of detailed plans, specifications, and estimates of cost for the proposed Waterworks System Improvement Projects as outlined in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, in order for the consultant engineers to finalize the aforementioned work performance, it may be necessary to enter upon private and/or public property to perform soil borings, surveys, appraisals for necessary right-of-way, and such other examinations as deemed necessary by the Clermont County Water Resources Department.

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. That the general plans as revised from time to time for the County Waterworks System in the Clermont County Water Resources Department be and are hereby revised to include the Waterworks System Improvement Projects as generally described in the attached Exhibit "A", which exhibit is hereby made a part hereof.

SECTION 2. That the Clermont County Water Resources Department has been authorized and directed or is hereby authorized and directed to perform or have performed preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost on the Waterworks System Improvement Projects as generally described in Exhibit "A" for submittal to the Clermont County Water Resources Department and this Board for consideration and approval.

SECTION 3. That pursuant to Section 6103.02 of the Ohio Revised Code, the Clermont County Water Resources Department, its employees or agents, are hereby authorized to enter onto private and/or public properties affected by the Waterworks System Improvement Projects listed in Exhibit "A" after sufficient notice to owners and/or persons in possession or control of such properties, to perform such soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize preliminary or design engineering, preparation of detailed plans, specifications, contract documents, acquisition of necessary right-of-way, and estimates of cost for the aforementioned improvement and expansion projects.

SECTION 4. That the Board of County Commissioners hereby resolves to authorize the Sanitary Engineer to make pre-application, nominate, and/or make application for various local, state, and federal grants or loans, should such become available, for funding of said improvement and expansion projects.

SECTION 5. 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.

The motion was seconded by M.r. Painter and, upon call of the roll, the vote was as follows:

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

PASSED: June 16, 2021.

ATTEST:

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

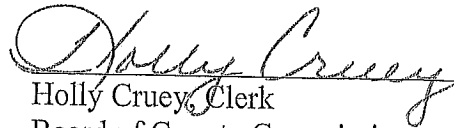
This Resolution was approved as to form by the
Office of the Clermont County Prosecutor's Office

Joseph Mooney
Joseph Mooney, Ass't Prosecuting Attorney

Date: 4-27-21

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 106 -21 as adopted at the meeting of said Board held on June 16, 2021.



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

RESOLUTION NO. 107-21

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 16th day of June, 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

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

**RESOLUTION DECLARING NECESSITY TO
APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES**

WHEREAS, this Board received a finding from the Director of the Ohio Environmental Protection Agency (“Director”), attached hereto as Exhibit “1”, pursuant to the authority vested in the Director under Ohio Revised Code §§ 6117.34, 6111.03, and 3745.01 that a public health nuisance exists and is caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions from on-site failing sewage systems and that such conditions create a public exigency and compel the immediate construction, maintenance, and operation of a sanitary sewer project in Wayne Township, Clermont County, Ohio (the “Project”) in order to protect the public health and welfare; and

WHEREAS, for the purpose of addressing this public exigency and protecting the public health and welfare, it is necessary to acquire real property for construction, maintenance, and operation of the Project in accordance with plans which are on file in the Water Resources Department, Clermont County, Ohio; and

WHEREAS, this Board has negotiated or caused to be negotiated with R. Scott

Smith, who is the owner of real estate located at Eckman Lane, Wayne Township, Clermont County Ohio, and more fully described in the attached Exhibit "2", for the purchase of real property in order to construct, operate, and maintain the Project, and said negotiations have been to no avail.

NOW THEREFORE, BE IT RESOLVED:

1. That the Board of County Commissioners, Clermont County, Ohio, proceed to file a Petition for Appropriation of said property, which property is more fully described in the Petition for Appropriation of Property, a copy of which is attached hereto as Exhibit "3", and which is hereby authorized to be filed pursuant to this Resolution.

2. That the Declaration of Intent to Take Possession, attached as Exhibit "4", is hereby authorized to be filed and that compensation for said property being appropriated together with damages, if any, to the residue shall be assessed at the value of **FIVE THOUSAND EIGHT HUNDRED AND THIRTY ONE DOLLARS AND FORTY SEVEN CENTS** (\$5,831.47) and that the Water Resources Department of Clermont County, Ohio, is hereby authorized and directed to issue a check in the amount of **FIVE THOUSAND EIGHT HUNDRED AND THIRTY ONE DOLLARS AND FORTY SEVEN CENTS** (\$5,831.47) made payable to the Clerk of Courts, Clermont County, Ohio, as and for deposit with the Clerk of said appraised sum in order that the County may proceed immediately to obtain possession and access to said property in order to proceed with the plans and specifications for the Project on Eckman Lane, Wayne Township, as same are on file with the Water Resource Department of Clermont County, Ohio.

3. That the Office of the Prosecuting Attorney upon issuance of said deposit shall immediately file an Application on behalf of the Board of Commissioners for a right of possession and pursue obtaining an immediate entry of possession as provided by the Ohio Revised Code.

4. That the Office of the Prosecuting Attorney shall undertake to represent the interest of

the Board of County Commissioners in said appropriation proceedings and shall pursue said appropriation proceedings to their conclusion.

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 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.

Mr. s. Batchler seconded the Resolution and on roll call the vote resulted as follows:

Claire B. Corcoran

Yes

David L. Painter

Yes

Bonnie J. Batchler

Yes

ATTEST:

Sherry Cruey, CLERK

Clermont County Board of Commissioners

DATED: 6/16/21

This Resolution prepared and approved
as to form by The Office of the
Clermont County Prosecuting Attorney,
Mark J. Tekulve, Prosecutor

Joe Mooney
JOSEPH T. MOONEY
Assistant Prosecuting Attorney

DATED: 5/28/2021