RESOLUTION NO. 130-21

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 4th day of August 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

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

RESOLUTION AUTHORIZING THE OHIO DEPARTMENT OF TRANSPORTATION TO PROCEED WITH ODOT PROJECT NO. CLE SR125-4.11, PID NO. 110992, SR 125 & BACH BUXTON INTERSECTION AND SIGNAL UPGRADES IN BATAVIA TOWNSHIP

WHEREAS, the Ohio Department of Transportation has identified the need for the following described project:

PID 110992 Intersection and signal upgrades at SR125 and Bach Buxton to include construction of a southbound right turn lane on Bach Buxton.

WHEREAS, the Board of County Commissioners of Clermont County, Ohio has determined that the above referenced project is in the public interest and desires to give consent to the Director of Transportation to complete the above described project; and

WHEREAS, the Board of County Commissioners of Clermont County, Ohio desires to cooperate with the Director of Transportation in the above described project as follows:

1. The Board of County Commissioners shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

2. The State shall assume and bear 100% of all of the costs of the improvement.
3. The Board of County Commissioners agree to pay 100% of the cost of those features requested by the County, which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

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 1

That the Board of County Commissioners of Clermont County, Ohio gives consent to the Director of Transportation to complete the project as described as:

PID 110992 Intersection and signal upgrades at SR125 and Bach Buxton to include construction of a southbound right turn land on Bach Buxton.

SECTION 2

That the Board of County Commissioners, Clermont County, Ohio shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the project.

The County further agrees that ODOT shall provide 100% of the eligible costs of the project.

The County further agrees to pay 100% of the costs of those features requested by the County that are not necessary for the State's project as determined by the State and Federal Highway Administration.

SECTION 3

The Board of County Commissioners hereby authorizes County Engineer, Jeremy P. Evans, P.E., P.S., to enter into and execute contracts with the Director of Transportation, which are necessary to develop plans for and to complete the above-described project; and to execute

contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the County Engineer is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the Board of County Commissioners to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION 4

The Board of County Commissioners agrees that all right of way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The Board of County Commissioners also understands that right-of-way costs include eligible utility costs and agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 5

That the Board of County Commissioners of Clermont County, Ohio, agrees that upon completion of the Project, and unless otherwise agreed, the County shall: (1) provide adequate maintenance for the portion of the Project on County roads in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of said portions of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6

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

Mrs. Corcoran Yes

Mr. Painter Absent

Mrs. Batchler Yes

This Resolution was duly passed on the 4th day of Aug. 2021.

ATTEST:

Holly Cruey

Holly 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: [signature]

Assistant Prosecuting Attorney

Date: 7-15-21