

Resolution

Number 17-1251

Adopted Date August 15, 2017

HIRE LISA DULANEY, PROTECTIVE SERVICES SUPERVISOR, WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, CHILDREN SERVICES DIVISION

BE IT RESOLVED, to hire Lisa Dulaney as Protective Services Supervisor, in the Warren County Department of Job and Family Services, Children Services Division, classified, full-time permanent, non-exempt status (40 hours per week), Pay Grade #A, \$1,929.71 bi-weekly, under the Warren County Job and Family Services compensation plan, effective September 5, 2017, subject to a background check, negative drug screen and a 365-day probationary period: and

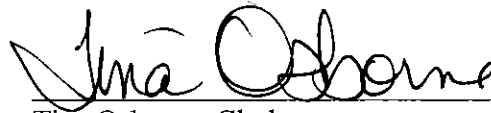
BE FURTHER RESOLVED, Ms. Dulaney will not receive the typical three percent (3%) increase upon completion of probation.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

H/R

cc: Children Services (file)
L. Dulaney's Personnel file
OMB – Sue Spencer

Resolution

Number 17-1252

Adopted Date August 15, 2017

HIRE JACQUELINE HANKINS AS AN ADMINISTRATIVE SUPPORT WITHIN THE WARREN COUNTY BUILDING AND ZONING DEPARTMENT


BE IT RESOLVED, to hire Jacqueline Hankins as an Administrative Support within the Warren County Building and Zoning Department, classified, permanent status, full-time (40 hours per week), Pay Range #10, \$12.91 per hour, effective August 21, 2017, subject to a negative drug screen and a 365-day probationary period.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Building and Zoning (file)
J. Hankins' Personnel file
OMB-Sue Spencer

Resolution

Number 17-1253

Adopted Date August 15, 2017

APPROVE PERMANENT EMPLOYMENT AS A CUSTODIAL WORKER I FOR BRENDAN POTTORF WITHIN THE FACILITIES MANAGEMENT DEPARTMENT

WHEREAS, pursuant to resolution 17-0545 approved on April 4, 2017, Mr. Pottorf was approved for hire as a temporary summer worker; and

WHEREAS, the Director of Facilities Management desires to permanently employ Mr. Pottorf as a Custodial Worker I; and

WHEREAS, this Board desires to permanently employ Brendan Pottorf in said position; and

NOW THEREFORE BE IT RESOLVED, to approve permanent employment for Brendon Pottorf as Custodial Worker I, classified, non-exempt, full time (40 hours per week), permanent pay grade #3, \$10.56 per hour, effective pay period beginning August 19, 2017; and

BE IT FURTHER RESOLVED, the time Mr. Pottorf has worked as a summer worker will count towards his probationary time. His probationary period will end May 1, 2018.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Facilities Management (file)
Brendan Pottorf's Personnel file
OMB – Sue Spencer
OMB – Tammy Whitaker

Resolution

Number 17-1254

Adopted Date August 15, 2017

DESIGNATE FAMILY AND MEDICAL LEAVE OF ABSENCE TO BRANDON COLDIRON, CUSTODIAL WORKER I, WITHIN THE FACILITIES MANAGEMENT DEPARTMENT OF WARREN COUNTY

WHEREAS, it is necessary to designate a Family and Medical Leave of Absence for Brandon Coldiron, Custodial Worker I; and

NOW THEREFORE BE IT RESOLVED, to designate Family and Medical Leave of Absence for Brandon Coldiron not to exceed twelve (12) weeks; pending further documentation from Mr. Coldiron's physician.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Facilities Management (file)
B. Coldiron's FMLA file
OMB – Sue Spencer

Resolution

Number 17-1255

Adopted Date August 15, 2017

APPROVE LEAVE DONATION FOR BRANDON COLDIRON, CUSTODIAL WORKER I
WITHIN THE WARREN COUNTY FACILITIES MANAGEMENT DEPARTMENT

WHEREAS, the director of the Facilities Management Department has requested that, due to the employee's serious health condition, approve leave donation for Brandon Coliron; and

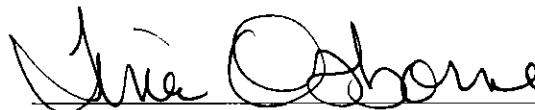
NOW THEREFORE BE IT RESOLVED, to approve leave donation for Brandon Coldiron, Custodial Worker I, within the Facilities Management Department, effective immediately.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

cc: Facilities Management (file)
B. Coldiron's FMLA File
OMB – Sue Spencer
Tammy Whitaker

Resolution

Number 17-1256

Adopted Date August 15, 2017

APPROVE PROMOTION OF ADAM OSTERDAY TO THE POSITION OF SEWER COLLECTIONS WORKER II WITHIN THE WATER AND SEWER DEPARTMENT

WHEREAS, Adam Osterday obtained a CDL license with an N endorsement; and

WHEREAS, the Sanitary Engineer recommends the promotion of Mr. Osterday, to the position of Sewer Collections Worker II; and

WHEREAS, it is the desire of the Board to promote Adam Osterday to said position in accordance with the Sanitary Engineer's staffing plan; and


NOW THEREFORE BE IT RESOLVED, to approve the promotion of Adam Osterday to the position of Sewer Collections Worker II within the Water and Sewer Department, classified, full-time permanent, non-exempt status, Pay Range #15, \$16.69, effective pay period starting August 19, 2017.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

HR:

cc: Water/Sewer (file)
A. Osterday's personnel file
OMB – Sue Spencer
T. Reier

Resolution

Number 17-1257

Adopted Date August 15, 2017

DETERMINING REAL PROPERTIES TITLED IN THE NAME OF BOARD OF COUNTY COMMISSIONERS BEING HELD FOR THE BENEFIT OF THE BOARD OF DEVELOPMENTAL DISABILITIES ARE NOT NEEDED FOR PUBLIC USE BY THE BOARD OF COUNTY COMMISSIONERS, AND FURTHER APPROVING THE TRANSFER AND AUTHORIZING THE PRESIDENT OR VICE-PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A DEED OF CONVEYANCE, AND FURTHER AUTHORIZING THE COUNTY ADMINISTRATOR TO NOTIFY THE COUNTY AUDITOR AND C.O.R.S.A.

WHEREAS, pursuant to 307.10 (B) of the Revised Code, a board of county commissioners, by resolution, may transfer real property in fee simple belonging to the county and not needed for public use to the county board of developmental disabilities for public purposes upon the terms and in the manner that it may determine to be in the best interests of the county, without advertising for bids; the board shall execute a deed or other proper instrument when such a transfer is approved; and,

WHEREAS, this Board holds title to the following inventory of real properties in Warren County as a result of prior law not providing authority for title to real estate to be held by the Board of Developmental Disabilities in transactions involving the acquisition of real property in an arms-length transaction:

Title Owner	Reference/Mailing Address	Parcel #	Auditor Acct. #
Warren County Commissioners	Production Services Workshop 575 Columbus Ave., Lebanon	13-36-178-018	6111068
Warren County Commissioners	Production Services Workshop 585 Columbus Ave., Lebanon	13-36-178-019	6107532
Warren County Commissioners for the #169 Board	BDD Group Home 315 W. Silver St., Lebanon	12-06-461-001	6121616
The Board of County Commissioners of Warren County, Ohio	Hopewell Home 887 North Main St., Franklin	04-33-451-009	2145073
Board of Commissioners of Warren County, Ohio	BDD Workshop 801 Drake Rd., Lebanon	09-31-486-029	6145132
Warren County Board of County Commissioners	BDD Administrative Bldg 107 Oregonia Rd., Lebanon	13-36-477-005	6146104

Warren County Board of County Commissioners	BDD Administrative Offices 42 Kings Way, Lebanon	13-33-301-013	6307345
Warren County Board of County Commissioners	BDD Workshop 125 W Forest Ave., South Lebanon	12-01-229-007	6800084

and,

WHEREAS, current law allows title to real estate to be held by the Board of Developmental Disabilities, and the Board of Developmental Disabilities has requested title to all of the parcels included on the listed inventory to be transferred into its name; and,

WHEREAS, this Board finds that none of the parcels of real property included on the listed inventory titled in its name is needed for public use by the County, and desires to transfer all of the parcels to the Board of Development Disabilities for public use.

NOW THEREFORE BE IT RESOLVED, by at least a majority of the Board of Commissioners of Warren County, Ohio, concurring:

Section 1. That the Board does hereby determine that none of the parcels of real property included on the listed inventory are needed for public use by the Board of County Commissioners.

Section 2. Approve the transfer of title to all of the parcels of real property included on the listed inventory to the Board of Developmental Disabilities for public use.

Section 3. Authorize the President or Vice-President to execute the attached Quit-claim deed containing terms to be in the best interests of Warren County and conveying title to the Board of Developmental Disabilities to all of the parcels of real property included on the listed inventory.

Section 4. Authorize the County Administrator to deliver the attached deed to the Board of Developmental Disabilities for recording no later than October 1, 2017, and after recording of the deed, for the County Administrator to notify the County Auditor to remove the parcels from the County's C.A.F.R. as titled to this Board, and to notify C.OR.S.A. to remove such parcels from the County Risk Sharing Authority's Memorandum of Coverage.

Section 5. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 6. That it is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were in an open meeting of this Board in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. That the Board is acting in its administrative capacity in adopting this Resolution.

Section 8. This Resolution shall become effective on the earliest date permitted by law.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS

A handwritten signature in cursive script that reads "Tina Osborne". The signature is written in black ink and is positioned above a horizontal line.

Tina Osborne, Clerk

cc: Megan Manuel
Pete Mason
Tiffany Zindel
Martin Russell
Bruce McGary
Developmental Disabilities (file)
Auditor's Office – B. Quillen
Deed file

Quit-claim deed
(R.C. §5302.11)

Know All Men by These Presents,

That the WARREN COUNTY BOARD OF COUNTY COMMISSIONERS, (aka BOARD OF COMMISSIONERS OF WARREN COUNTY, OHIO or THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO or WARREN COUNTY COMMISSIONERS or WARREN COUNTY COMMISSIONERS FOR THE #169 BOARD), for valuable consideration paid, the receipt and sufficiency of which are hereby stipulated, *grants* to the WARREN COUNTY BOARD OF DEVELOPMENTAL DISABILITIES, its successors and assigns forever, whose tax mailing address is 42 King Way, Lebanon, OH 45036, the Real Estate particularly described in Exhibits A-G attached hereto and made a part hereof.

IN EXECUTION WHEREOF, the WARREN COUNTY BOARD OF COUNTY COMMISSIONERS, the Grantor herein, has caused this instrument to be executed by its President or Vice-President, on the date stated below, pursuant to Resolution Number 17-1257, dated 8/15/17.

GRANTOR:

WARREN COUNTY
BOARD OF COUNTY COMMISSIONERS

SIGNATURE: [Signature]

NAME: Tom Grossmann

TITLE: President

DATE: 8/15/17

STATE OF OHIO, WARREN COUNTY, ss.

BE IT REMEMBERED, that on the 15th day of August, 2017, before me, the subscriber, a Notary Public, in and for said County and State, personally appeared the person known or proven to me to be Tom Grossmann, President or Vice-President of the **Warren County Board of County Commissioners**, whose name is subscribed hereto, and acknowledged the signing and execution of said instrument is his free and voluntary act and deed, and the free and voluntary act and deed of the **Warren County Board of County Commissioners** pursuant to aforementioned



LAURA K. LANDER
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Warren County
My Comm. Exp. 12/26/17

NOTARY PUBLIC: [Signature]

MY COMMISSION EXPIRES: 12/26/17

This instrument was prepared by: Bruce A. McGary

Assistant Prosecutor
Warren County Prosecutor's Office
500 Justice Drive
Lebanon, OH 45036
Ph. 513.695.1325
Fx. 513.695.2962
Email: mcgaba@co.warren.oh.us

Exhibit "A"

PARCEL I:

Parcel # 13-36-178-019

Auditor's Acct. # 6107532

Desc. 0.1540 ac.

Address: 585 Columbus Ave., Lebanon, OH 45036

Situated in the City of Lebanon in the County of Warren and the State of Ohio and being a part of Section #36, Town #5, Range #3 M.R.S. and in the City of Lebanon and bounded and described as follows: Beginning at a point in the center of State Route #42 and the northeast corner of Phillip C. Zink lands as per Deed Book 144, page 513 and the corner of the lands of Claude Amburgy, witness an iron rod bears N. 58° 40' W. 30.64 feet; running thence with the center line of Route #42 S. 43° 17' W. 60 feet to a point, witness an iron rod bears N. 58° 40' W. 30.64 feet; running thence by the new division lines: (1) N. 58° 40' W. 150 feet to an iron rod; (2) N. 43° 17' E. 60 feet to an iron rod in the lands of Claude Amburgy; thence with said Claude Amburgy's line S. 58° 40' E. 150 feet to the place of beginning, containing 0.20 of an acre of land.

EXCEPTING THEREFROM, HOWEVER, the following described real estate which was conveyed to the State of Ohio by Julius DeFosset and Helen DeFosset by deed dated January 30, 1973 and recorded in Volume 447 at page 534 of the Warren County, Ohio, Deed Records and more particularly described as follows: Situated in the Township of Turtlecreek in the County of Warren and the State of Ohio and being a part of Section #36, Town #5, Range #3 M.R.S. and in the City of Lebanon and bounded and described as follows: Being a parcel of land lying on the left side of the center line of a survey made by the Department of Highways and recorded in Book _____, page _____ of the records of Warren County and being located within the following described points in the boundary thereof and known as Parcel #17-WD: Commencing at the intersection of the existing center lines of Ridge Road and U.S.R. #42; thence southwestwardly along the aforementioned U.S.R. #42 for a distance of 156.14, more or less, to the grantors' easterly property corner, said point being the true place of beginning; thence S. 44° 52' 18" W. along the grantors' southeasterly property line, along and near the existing center line of U.S.R. #42 for a distance of 59.94 feet to the grantors' southerly property corner; thence N. 56° 47' 4" W. along the grantors' southwesterly property line for a distance of 34.31 feet to a point on the proposed northwesterly right of way line of U.S.R. #42; thence N. 45° 17' 9" E. along said right of way line for a distance of 60.03 feet to a point on the grantors' northeasterly property line; thence S. 56° 47' 4" E. along said property line for a distance of 33.86 feet to the place of beginning. The grantors, Julius DeFosset and Helen DeFosset reserve the right of ingress and egress to and from any residual area. The description for this parcel is based on a center line survey made by the Department of Highways under the direction of Robert T. Elliott,

Registered Surveyor No. 3405. It is understood that the strip of land above described contains 0.046 acre, more or less, inclusive of the present road which occupies 0.041 acre, more or less.

Leaving a remainder of 0.154 acre.

PARCEL II:

Parcel # 13-36-178-018

Auditor's Acct. # 6111068

Desc. 2.0770 ac.

Address: 575 Columbus Ave., Lebanon, OH 45036

Situated in the City of Lebanon, Warren County, Ohio, and being a part of Section 30, Town 5, Range 3, M.R.S., and bounded and described as follows: Beginning at a point in the centerline of State Route 42, said point bears S. 43° 17' W. 60.00 feet from the Northeast corner of grantor Phillip C. Zink lands as per deed in Deed Book 144, page 513; running thence with the centerline of said State Route 42, S. 43° 17' W., 217.32 feet to a point; thence by new division lines: (1) N. 46° 51' W. (passing an iron pin at 30.00 feet) a distance of 430.00 feet to an iron pin; (2) N. 43° 09' E. (passing an iron pin at 120.00 feet) a distance of 188.70 feet to a point in the south line of Sharon Acre Subdivision; thence with the South line of said Subdivision S. 58° 26' E. 289.88 feet to an iron pin at the Northwest corner of a 0.20 acre tract; thence with the West line of said 0.20 acre tract S. 43° 17' W. 60.00 feet to an iron pin; thence with the South line of said 0.20 acre tract S. 58° 34' E. (passing an iron pin at 119.15 feet) a distance of 149.80 feet to the place of beginning, containing 2.098 acres; subject to all legal highways.

Subject to easements and restrictions of record and all taxes and assessments, if any, due and payable in December 1982 and thereafter, all of which the grantee herein assumes and agrees to pay.

Also subject to (1) a lease dated October 16, 1979, between R. Charles Ginn, Trustee, as Lessor and the Warren County Commissioners as Lessee, and (2) a lease dated September 8, 1979, between R. Charles Ginn, Trustee, as Lessor and Martin Stolz as Lessee.

SAVE AND EXCEPT: That real estate granted to the State of Ohio by R. Charles Ginn, Trustee, et al., as recorded in Warren County Deed Records Volume 473, Page 425. Containing 0.168 acre.

Leaving a remainder of 1.930 acres.

Exhibit "B"

Parcel No. 12-06-461-001

Auditor's Acct. # 6121616

Desc. Pt. Lot 249, Lots 251 & 253

Address: 315 W. Silver Street, Lebanon, OH 45036

Situate in the City of Lebanon in the County of Warren and State of Ohio, and more particularly described as follows:

Being all of Lot No. 251, all of Lot No. 253, a 12 foot strip off the West side of Lot No. 249, and a tract of land 33 feet in width and 165 feet in length which was formerly a dedicated alley between Lots No. 249 and No. 251, which alley was vacated by the Court of Common Pleas in Warren County, Ohio, in the year 1849. All of the above property lying in what was formerly known as Matthias Ross Addition to the Village of Lebanon. As recorded in D.B. 4, Pg. 623.

Being part of the same property conveyed to Georgetta Stubbs under will of George Glosser, dated June 17, 1929, and recorded in Volume 121, page 389, of the Deed Records of Warren County, Ohio.

Exhibit "C"

Parcel No. 04-33-451-009

Auditor's Acct. # 2145073

Desc. 2.9160 ac.

Address: 887 N. Main St., Franklin, OH 45005

Situated in the City of Franklin and in Sections 32 and 33, T2, R5N of Franklin Township, Warren County, Ohio and also being the Northeast part of Lot No. 13 of C.M. Andersons addition to the City of Franklin and being a part of a 7.204 Acres Tract as conveyed to the Grantors and recorded in Vol. 414, Page 435 of the Deed Records of Warren County, Ohio.

Beginning at a point in the center line of N. Main Street (Old State Route No. 25) and being the Southeast corner of said 7.204 Acres Tract; thence with the South line of tract N 67° 41' W passing a R.R. spike at 30 feet and with the North line of Sunny Motel property a total distance of 605.8 feet to an iron pipe in the West line of property; thence with the West line and the East line of St. Regis Paper Co., property N 36° 45' E 337.29 feet to an iron pipe; thence with a former Survey property line S 67° 29' E 200 feet to an iron pipe; thence with a new division line S 22° 31' W 167.85 feet to an iron pipe; thence continuing with new division line S. 67° 41' E 322.79 feet to a point in the centerline of said N. Main Street, witness an iron pipe at 30 feet; thence with the center line of N. Main Street S 22° 31' W 160.27 feet to the place of beginning and containing a total of 3.005 Acres of which 0.313 Acre is in the triangular portion of Lot No. 13. (Section 32)

The above description is according to a New Survey made by Roy S. Burroughs, Registered Surveyor.

Save and except 0.089 acre conveyed to State of Ohio in O.R. 334, Pg. 917.

Leaving a remainder of 2.916 acres.

Exhibit "D"

Parcel No. 09-31-486-029
Auditor's Acct. # 6145132
Dec. 3.8842 ac.
Address: 801 Drake Rd., Lebanon, OH 45036

Situated in the City of Lebanon, Warren County, Ohio, and being a part of Section 31, Town 4, Range 4, and bounded and described as follows:

Beginning at a point in Drake Road at the Northeasterly corner of a 34.609 Acre Tract recorded in Deed Book 478, Page 45 of the Deed Records of said County; thence, with the boundary of said 34.609 Acre Tract, on the following courses: (1) with said Drake Road S. 2° 45' 10" W. 438.08 feet to a point; (2) N. 88° 53' 40" W. 19.75 feet to a point; (3) S. 21° 03' 16" W. 31.81 feet to a point; thence, by new division lines, on the following courses: (1) N. 64° 28' 35" W. 605.62 feet to a point; (2) N. 41° 39' 40" E. 300.00 feet to a point in the Northerly line of said 34.609 Acre Tract; thence, with the Northerly line of said 34.609 Acre Tract, S. 87° 23' 30" E. 399.73 feet to the place of beginning, containing Four and Two Hundred Ninety-seven Thousandths (4.297) Acres, subject to all legal highways and easements of record.

Save and Except: 0.4128 acres dedicated by Urbancrest Southern Missionary Baptist Church, a non-profit Ohio Corporation, to the City of Lebanon which is recorded in Watson Crossing in Plat Book 45, Page 97 of the office of the Warren County, Ohio Recorder.

Leaving a remainder of 3.8842 acres.

Exhibit "E"

Parcel No. 13-36-477-005

Auditor's Acct. # 6146104

Desc. Office Park East Lot 4138-Pt. (1.4490 ac.)

Address: 107 Oregonia Rd., Lebanon, OH 45036

Being a part of Lot 4138 as the same is known and designated on the recorded Plat of Office Park East, a subdivision of land, recorded in Plat Book 10, Page 62, of the Plat Records of said County, and located in Section 36, Town 5, Range 3, City of Lebanon, Warren County, Ohio, and bounded and described as follows:

Beginning at an iron pin in the Easterly limited access right-of-way line of State Route No. 48 at the Northwesterly corner of said Lot 4138; thence, with the boundary of said Lot 4138 on the following courses:

(1) S. 62° 48' 40" E. 249.90 feet to an iron pin; (2) S. 27° 12' 40" W. 188.53 feet to an iron pin; (3) S. 62° 47' 20" E. 160.00 feet to a point in the Westerly right-of-way line of Oregonia Road; (4) with said right-of-way line, S. 27° 12' 40" W. 80.00 feet to a point; (5) N. 62° 47' 20" W. 160.00 feet to a point; thence, by new division lines on the following courses:

(1) N. 17° 44' 09" W. 112.99 feet to a point; (2) N. 62° 48' 40" W. 170.00 feet to a point in the limited access right-of-way line of State Route No. 48; thence, with said limited access right-of-way line, N. 27° 11' 20" E. 188.53 feet to the point of beginning, containing One and Four Hundred Forty-nine Thousandths (1.449) acres, subject to all easements and restrictions of record.

Exhibit "F"

Parcel No. 13-33-301-013

Auditor's Acct. # 6307345

Desc. Kings Acres 1, Rev. 1, Lot 5A (1.7547 ac.)

Address: 42 Kings Way, Lebanon, OH 45036

Situate in Range 3, Town 5, Section 33, Union Township, Warren County, Ohio, and being Lot Number 5A of Kings Acres, Section One, Revision One, a subdivision of lands and lots as more particularly described in Plat Book 85, Page 67, Warren County Plat Records, subject to all highways, easements and restrictions of record.

Exhibit "G"

Parcel No. 12-01-229-007
Auditor's Acct. # 6800084
Desc. Lot Pt. 102-104 (0.9630 ac.)
Address: 125 W. Forest Ave., South Lebanon, OH 45065

Situated in Union Township, Warren County, Ohio, in the Village of South Lebanon, and being part of Lots 102 and 104 and all of Lot 103 as designated on the recorded Plat of said South Lebanon (Original Town) formerly Deerfield, Hamilton County Territory (Transcribed Book 1, Page 313) and being more particularly described as follows:

Beginning at the intersection of north line of West Forest Avenue and the east line of Main Street;

Thence in and along said north line of said West Forest Avenue S 84° 34' 00" E a distance of 120.00 feet to an iron pin set and real Point-of-Beginning for this description;

Thence leaving said north line of said West Forest Avenue N 05° 02' 53" E a distance of 169.60 feet to an iron pin set;

Thence S 84° 34' 00" E a distance of 277.20 feet to an iron pin set;

Thence S 24° 31' 00" W a distance of 179.46 feet to an iron pin set in said north line of said West Forest Avenue;

Thence in and along said north line of said West Forest Avenue N 84° 34' 00" W a distance of 217.39 feet to the real Point-of-Beginning for this description.

Being all of the same premises as described in OR 3917, Page 887 of the Warren County Recorder's Office.

Containing in all 0.963 acres more or less subject to all legal highways and easements of record. Of this total acreage 0.398 acre is in Lot 102, 0.516 acre is in Lot 103 and 0.049 acre is in Lot 104.

This description was prepared from a survey by King-Hasselbring and Associates, Civil Engineers and Land Surveyors, dated December 14, 2010, and written by J. Timothy King, PE-PS, Professional Land Surveyor, State of Ohio Registration No. 6549, S.R. 136-97.

Resolution

Number 17-1258

Adopted Date August 15, 2017

AUTHORIZE TRANSFER OF PERSONAL PROPERTY (MOTOR VEHICLES) TITLED IN THE NAME OF BOARD OF COUNTY COMMISSIONERS BEING HELD FOR THE BENEFIT OF THE BOARD OF DEVELOPMENTAL DISABILITIES AS PERMITTED PURSUANT TO 307.12(D) OF THE OHIO REVISED CODE AND FURTHER AUTHORIZE THE CLERK TO THE BOARD OF COMMISSIONERS TO EXECUTE CONVEYANCE AND FURTHER AUTHORIZING THE COUNTY ADMINISTRATOR TO NOTIFY C.O.R.S.A.

WHEREAS, pursuant to 307.12 (D) of the Revised Code, a board of county commissioners, by resolution, may sell or donate county personal property, including motor vehicles, to the federal government, the state, any political subdivision of the state, or a county land reutilization corporation without advertisement or public notification; and

WHEREAS, this Board holds title to the following inventory of personal property (motor vehicles) on behalf of the Board of Developmental Disabilities;

1998 Ford Truck	1FTSS34L6WHB67191	OG2251
2008 Ford Truck	1FDNF21598EB43520	OF5511
2006 Ford Cargo Van	1FTNE24L36DB21551	OF8669
2007 Ford 500	1FAFP24137G107829	OG2250
2007 Ford E350 Van	1FBNE31LX7DA75068	OF8683
2007 Ford E-350 Van	1FBNE31L57DA75060	OF8725
2010 Ford Bus	1FD4E4FS3ADA65751	890YDR
2010 Ford Bus	1FD4E4FS3ADA65748	887YDR
2010 Ford Bus	1FD4E4FS5ADA65735	885YDR
2010 Ford Bus	1FD4E4FS4ADA65743	880YDR
2010 Ford Bus	1FD4E4FSXADA65746	873YDR
2007 Ford Van	1FTNE24L27DA78015	886YHY
2010 Ford Fusion	3FAHPOHA7AR394986	778YLLW
2011 Ford Van	1FTNE1EW0BDA23610	780YLLW
2007 Ford Van	1FDSE35L27DA09621	181YMA
2012 Ford Van	1FBNE3BL5CDA29673	337YMB
2012 Ford Van	1FBNE3BL6CDA32100	336YMB
2011 Ford Fusion	3FAHPOJA2BR180421	686YMB
2012 Ford Van	1FTNE1EW7CDA01752	677YMB
2013 United Trailer	56JTE121XDA132840	587YMZ
2013 Sure Trac Trailer	5JW1U1212D1069769	589YMZ
2012 Ford Van	1FBNE3BL6CDA76503	430YNG
2012 Ford Van	1FBNE3BL4CDA97074	272YNL

RESOLUTION #17-1258

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2011 Ford Fusion	3FAHPOHA9BR311494	842YNR
2010 Ford Fusion	3FAHPOHA4AR394976	855YNR
2010 Dodge Caravan	2D4RN4DE1AR331878	919YOL
2010 Ford Fusion	3FAHP0KC1AR106857	754YPE
2012 Ford Fusion	3FAHP0GA2CR142843	175YPQ
2013 Dodge Van	2C4RDGCG6DR523581	174YPQ
2013 Dodge Caravan	2C4RDGCG3DR527586	892YQA
2013 Dodge Caravan	2C4RDGCG2DR503117	893YQA
2012 Dodge Caravan	2C4RDGBG6CR203712	966YRJ
2011 Dodge Caravan	2D4RN4DG3BR680074	968YRJ
2012 Dodge Caravan	2C4RDGBG7CR225752	624YTG
2013 Dodge Caravan	2C4RDGBG6DR740033	568YVG
2014 Ford Van	1FTNE1EW7EDA76907	641YVK
2012 Ford Fusion	3FAHP0HA7CR103826	657YVK
2013 Ford Van	NM0LS7BN9DT154622	636YVN
2012 Ford Fusion	3FAHP0HA8CR440473	888YDR
2014 Ford Explorer	1FM5K8D83EGA37181	874YDR
2014 Dodge Caravan	2C4RDGBG8ER392687	882YDR
2016 Ford Transit	1FBZX2ZM0GKA33281	OF8724
2011 Ford F-350	1FDRF3H65BEB47111	OF8682
2017 Ford Transit	1FMZK1CM1HKA57728	767YZM
2012 Ford Fusion	3FAHP0HA6CR440522	889YDR

WHEREAS, the Board of Developmental Disabilities, in an effort to consolidate property and casualty insurance policies has requested that this Board transfer ownership of said motor vehicles its name; and,

WHEREAS, this Board finds no objection to said request; and

NOW THEREFORE BE IT RESOLVED, by at least a majority of the Board of Commissioners of Warren County, Ohio, concurring:

Section 1. Approve the transfer of title to all personal property (motor vehicles) included on the listed inventory to the Board of Developmental Disabilities for public use.

Section 2. Authorize the Clerk of the Board of County Commissioners to execute all titles for conveyance of said personal property and deliver to deliver to the Board of Developmental Disabilities so that new certificates of title may be obtained by the Board of Developmental Disabilities and for the County Administrator to notify C.OR.S.A. to remove such motor vehicles from the County Risk Sharing Authority's Memorandum of Coverage, effective October 1, 2017.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were in an open meeting of this Board in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That the Board is acting in its administrative capacity in adopting this Resolution.


Section 6. This Resolution shall become effective on the earliest date permitted by law.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

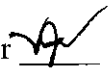
Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

Tz/

cc: Auditor  (D. Gray)
Board of Developmental Disabilities (file)
Megan Manuel
Pete Mason
Tiffany Zindel
Martin Russell
Bruce McGary
Tammy Whitaker

Resolution

Number 17-1259

Adopted Date August 15, 2017

WAIVE WATER TAP-IN AND SEWER CONNECTION FEES FOR A REDUNDANT WATER SERVICE TO THE OHIO RENAISSANCE FESTIVAL PROPERTY AT 10542 EAST STATE ROUTE 73

WHEREAS, the Ohio Renaissance Festival is an existing Warren County Water and Sewer Department customer receiving water and sewer service from an existing 2-inch water meter under account No. 903549; and

WHEREAS, the owner of the festival reports that the private water service lateral serving the development has been in continuous operation since the opening of the festival and that the property has no redundant water service to the property; and

WHEREAS, the owner requests that the County install a second redundant 2-inch metered water service to the property from the County's newly constructed waterline along East State Route 73, for the purposes of reliability; and

WHEREAS, the purpose of the second connection is to improve reliability should the existing private service fail during operation of the festival and that the proposed connection is not being installed to increase water consumption; and

WHEREAS, the owner has requested the Water Tap-In and Sewer Connection Fees be waived, as additional capacity is not being requested by the owner; and

NOW THEREFORE BE IT RESOLVED:

1. That the water Tap-In Fee and Sewer Connection Fee for a redundant 2-inch water service connection to the Renaissance Festival property at 10542 East State Route 73 is waived.
2. That the property owner shall pay the Service Connection Fee for the 2-inch meter, nonparticipant fee, and lateral inspection fees.
3. That the property owner will be responsible for all costs associated with the connection to the meter pit to serve the property and the construction of the water service lateral to the development.
4. That the water connection shall be for redundancy only and that any future expansion or redevelopment shall be subject to additional water tap-in and sewer connection fees.
5. That all work must be inspected by a representative of the Warren County Water and Sewer Department.
6. That the property owner shall comply with all backflow prevention requirements of Warren County.

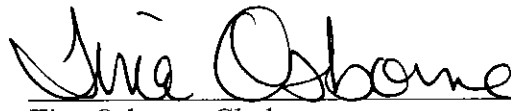
RESOLUTION #17-1259
AUGUST 15, 2017
PAGE 2

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Water/Sewer (file)

Resolution

Number 17-1260

Adopted Date August 15, 2017

APPROVE CHANGE OF TOWNSHIP BOUNDARIES OF MASON TOWNSHIP TO MAKE THEM, IN PART, IDENTICAL TO THOSE OF THE CITY OF MASON

WHEREAS, this Board of County Commissioners is in receipt of a petition by the City of Mason, Ohio to change the boundaries of Mason Township to make them identical, in part, with the boundaries of the City of Mason; and

WHEREAS, pursuant to Ohio Revised Code Section 503.07, the Board of County Commissioners, upon presentation of such petition, with the proceedings of the legislative authority authenticated, shall upon petition of a City change the boundaries of the township when the limits of such corporation include territory lying in more than one township; and

NOW THEREFORE BE IT RESOLVED, that the prayer of the City of Mason be granted for such changes in and extensions of the boundary lines of Mason Township as may be necessary so that it may include therein, those portions of Union Township, Warren County, Ohio, which has, by successive orders of the Warren County Board of Commissioners, been annexed to the City of Mason, said territory having been accepted by the City pursuant to ordinance number 2017-76 to make the boundary lines of Mason Township co-extensive with the corporate limits of the City of Mason; copy of petition attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

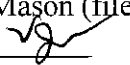
Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

/tao

cc: City of Mason (file)
Auditor 
RPC (file)
Dispatch

Union Township
Map Room
GIS
Board of Elections

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

RECEIVED

2017 JUL 21 AM 11:09

**WARREN COUNTY
COMMISSIONERS**

IN RE: PETITION FOR CHANGE IN TOWNSHIP LINES OF 5.306 ACRES LOCATED IN UNION TOWNSHIP AND THE CITY OF MASON IN ORDER TO REMOVE THE 5.306 ACRES FROM UNION TOWNSHIP, PLACE IT IN MASON TOWNSHIP AND MAKE THE TOWNSHIP LINES IDENTICAL, IN PART, WITH THE LIMITS OF THE CITY OF MASON, OHIO.

Now comes the City of Mason, Ohio, by and through Eric Hansen, its City Manager and the duly authorized representative of the city, and hereby petitions the Board of County Commissioners of Warren County, Ohio, pursuant to Ohio Revised Code Sections 503.07 and 709.192 for an order changing and reducing in size the boundaries of Union Township, Warren County by 5.306 acres, more or less, and annexing that portion of Union Township to Mason Township, the township in which the greater part of the City of Mason is located, and increasing Mason Township's size by said 5.306 acres. The territory was annexed to the City following the Ohio Revised Code Section 709.022 Expedited Type 1 annexation process and the City of Mason and Union Township have entered into an Annexation Agreement providing that this 5.306 acre territory be removed from Union Township, no longer be subject to Union Township taxes and that Union Township receive payment from Charles W. Thornton, Trustee, for the annexed territory to compensate it for lost tax revenue as provided in that Annexation Agreement.

The City of Mason also requests any such other action as may be proper. Portions of the City of Mason not now included within the limits of Mason Township include those portions of Union Township annexed by the City of Mason by Ordinance No. 2017 - 76. Mason Township is co-terminus with the City of Mason in Warren County, Ohio.

The seven member Council of the City of Mason is the legislative authority of the city. Mason City Council, by a vote of the majority of its members, authorized the undersigned to petition this Board of County Commissioners for a change of the Union Township lines in Warren County in order to make them identical, in part, with the limits of the City of Mason, situated in Warren County, Ohio. A certified copy of the City of Mason Ordinance No. 2017 - 77 authorizing the filing of this petition is attached hereto and incorporated by reference herein.

A certified copy of the Record of the Proceedings of Mason City Council at which the Ordinance was adopted, indicating the vote thereon, is attached hereto and incorporated by reference herein.

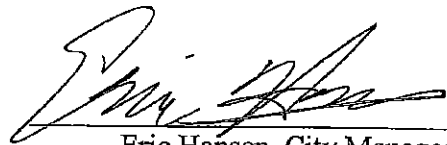
A complete and accurate description of the 5.306 acres of Union Township, Warren County located within the City of Mason for which a boundary change is sought is set forth in

attached Mason Ordinance No. 2017 - 77 Exhibit A and the area is shown on the map or plat as Exhibit B. All attached exhibits are incorporated by reference as though fully rewritten herein.

The City of Mason requests that the board accept this Petition and change the boundaries of Union Township and Mason Township in Warren County, Ohio to remove 5.306 acres from Union Township, Warren County located within the City of Mason, Ohio as described in Exhibits A and B attached to the Mason Ordinance attached hereto, and place it in Mason Township, Warren County, as provided by law.

This Board's action upon the city's Petition is ministerial in nature for which there is no notice or hearing.

Date: 6/13/2017



Eric Hansen, City Manager
City of Mason
6000 Mason Montgomery Road
Mason, Ohio 45040
e-mail: ehansen@masonoh.org
Telephone: (513) 229-8510

ORDINANCE 2017 - 77

AN ORDINANCE AUTHORIZING THE FILING OF A PETITION WITH THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO TO CHANGE THE UNION TOWNSHIP LINES OF 5.306 ACRES LOCATED IN UNION TOWNSHIP AND THE CITY OF MASON IN ORDER TO REMOVE THE TERRITORY FROM UNION TOWNSHIP, PLACE IT IN MASON TOWNSHIP AND MAKE THE TOWNSHIP LINES IDENTICAL WITH THE LIMITS OF THE CITY OF MASON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, on March 20, 2017 by Ordinance No. 2017-34 and on March 20, 2017 by Resolution No. 032017-01, the City of Mason and Union Township, Warren County, Ohio, respectively, authorized and entered an Annexation Agreement relating to the annexation of a territory from Union Township to the City of Mason; and

WHEREAS, that Agreement provides for the annexation of the 5.306 acre territory to the city of Mason and when the annexation becomes effective, the exclusion of the annexation territory from Union Township pursuant to R.C. Chapter 503 including R.C. Section 503.07; and

WHEREAS, on March 27, 2017, a petition for the annexation of a 5.306 acre territory in Union Township with the consent of all parties, was duly filed by Jeffrey D. Forbes, agent for the petitioners, utilizing the special annexation procedure of Ohio Revised Code Section 709.022, *et seq.* commonly referred to as an "Expedited Type 1" annexation, which petition was approved by the Warren County Commissioners on April 4, 2017 by Resolution No. 17-0538 and accepted by the City of Mason on June 12, 2017 by Ordinance No. 2017 - 76; and

WHEREAS, the Annexation Agreement also provides that, upon exclusion of the 5.306 acre territory from Union Township, the City of Mason compensation payments, if any, shall be made pursuant to the terms of the Annexation Agreement and the 5.306 acres annexed shall no longer be subject to Union Township's real property taxes, which Agreement is binding upon the county auditor by law, including R.C. 709.19(B); and

WHEREAS, Ohio Revised Code Section 503.07 authorizes the legislative authority of the city, by a vote of a majority of its members, to petition a board of county commissioners to change the township boundaries within the limits of the municipal corporation in order to make them identical; and

WHEREAS, the City of Mason is primarily located within and is co-extensive with Mason Township in Warren County and the City of Mason desires to change the township boundaries of 5.306 acres in Union Township in Warren County within the City of Mason to make them a part of Mason Township and exclude them from Union Township.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Mason, Ohio, five members elected thereto concurring:

Section 1. That the City Manager or his authorized representative is hereby authorized and directed, on behalf of this Council, to prepare and present to the Board of County Commissioners of Warren County, Ohio a petition praying for a change in the boundary lines of Union Township and Mason Township as are necessary to accomplish the removal of the recently annexed 5.306 acres of

**CITY OF MASON
COUNCIL MEETING
JUNE 12, 2017**

The meeting was called to order at 7:06 p.m. Chaplain Tom Moll opened the meeting in prayer. All those present recited the Pledge of Allegiance.

ATTENDANCE

The following members of Council were present: Diana K. Nelson, Ashley Chance, Kathy Grossmann and Victor Kidd. Charlene Pelfrey joined the meeting at 7:38 p.m. Barbara Berry-Spaeth and Don Prince were absent.

APPROVAL OF MINUTES

A motion to approve the May 15, 2017 Council Meeting Minutes was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The next regularly scheduled Council meeting is Monday, July 10 at 7:00 p.m. with a work session beginning at 5:30 p.m.

Music in Mason's Downtown Block Party continues this Friday, June 16 beginning at 6:00 p.m. on the Downtown Plaza and sponsored by Two Cities Pizza Co. providing a variety of additional activities. The Brothers Smith Band will begin at 6:30 p.m. U.S. 42 will be closed at 3:00 p.m. between Mason-Montgomery Road and Second Avenue for this event. Detours will be provided.

The City continues to prepare for the annual Red Rhythm and Boom event taking place on Monday, July 3 at the Mason Municipal Campus. The event will begin at 4:00 p.m. with access to kids' zone activities and attractions as well as food and non-food vendors. At 5:45 p.m. stage entertainment will kick off with the national anthem and a skydiving exhibit presented by Team Fastrax. At 6:00 p.m., the concert will begin with opening act Ben Rector followed by headlining artist Phillip Phillips at 8:30 p.m. The event will conclude with a fireworks display by Rozzi's Famous fireworks at 10:00 p.m. Mason-Montgomery Road from Foxfield Road to Lakeside Drive will close at 4:00 p.m. The event is free to the community. City offices on Monday, July 3, will be closed and employees will be shifting schedules to accommodate logistics for the evening. On Tuesday, July 4, City offices will be closed in observance of Independence Day.

City Council has discussed preserving local self-government. City Council passed legislation last fall to allow for regulating small cell facilities to provide wireless technology and balancing it with the statics of the community. The state passed legislation nullifying the ability for all municipalities in the City. The City joined together with 50 other communities challenging the attack on local self-government and with resident support, the court overturned a state statute resulting in a victory for local self-government and for the City of Mason. As part of the state

budget, a proposal was made to collect locally generated income taxes in Columbus. The state would determine how to divide those revenues back to the cities where they were generated and charge an administrative fee for that service. A modified version of that centralized collection remains in the state budget and is still a concern for the City of Mason. Councilmember Nelson testified at the state on behalf of the City of Mason and local self-government bringing a unique perspective and is now representing local self-government and the City of Mason on the Board of the Ohio Municipal League.

Mayor Kidd encouraged the community to be aware of trends towards the state taking more control of local governments and encouraged the community to get involved and contact state representative's about concerns.

The City of Mason continues to generate job growth. Over the last 15 years, the City of Mason has spent \$2.5 million in one-time spent tax incentives. These one-time tax incentives have resulted in \$425 million dollars in annual payroll. In addition, City Council has spent \$770,000 in one-time payments to generate another anticipated \$216 million in annual payroll. Combining realized and anticipated tax incentives at \$3.3 million, the City of Mason is helping businesses generate \$641 million in annual payroll realized every year. Reviewing a typical Mason household compared to a household outside of Mason, Mason residents have a total tax burden of about \$600 per year less than a typical household living outside the City of Mason. These figures will continue to evolve as we continue to have economic development success.

COMMITTEE REPORTS

Councilmember Nelson testified at the Senate against centralized collection. She advised it's important to the City to maintain the ability to collect income taxes from Mason residents and encouraged residents to write a letter opposing centralized collection. The bill will be signed June 30th. Councilmember Nelson said to contact her or the Ohio Municipal League website at www.omlohio.org for more information.

Councilmember Grossmann reviewed specific notes from Councilmember Nelson's centralized collection testimony. As a tax practitioner, Councilmember Nelson recognized the inefficiencies of the system the state would use, including a redistribution of wealth. Councilmember Grossmann said the outcome of the Music in Mason concerts have been a success towards the sense of community brought to the Downtown Plaza. On Sundays in July, Music in Mason will continue at the City of Mason Golf Center.

Councilmember Chance thanked staff for their efforts towards Red, Rhythm and Boom and advised some of the proceeds from the event will benefit the Mason Parks Foundation Common Ground Playground project.

RECOGNITION OF VISITORS

Richard Cox of 3425 Broken Ridge Drive reviewed economic development concerns including not having a small business coordinator, business professionals leaving downtown Mason, and the need for incentives to entice businesses to move downtown. He then introduced Shawn

Brabant of 3443 Broken Ridge Drive who expressed concerns of pollution in a creek believed to be from the developers in the area.

Jonathan Sams of 5155 Financial Way represented the Crooked Tree Community Association to address development concerns of the United Dairy Farmers at the corner of Bethany Road and Mason-Montgomery Road. He addressed two concerns from conditions in Ordinance 2011-13, visual buffers and smells/fumes. He advised the 3-foot berm does not meet the opaque standard and the families are exposed to fumes and vapors which also reduces the value of homes in Crooked Tree. Kurt Seiler advised United Dairy Farmers is in compliance with the California Air Research Board and with stage 1 emission control. Stage 2 is no longer allowed to be installed in the State of Ohio. Jonathan requested the visual buffer berm be clarified and enforced. Jeff Forbes said Planning Commission determines if the landscaping plan presented satisfies the conditions in the Ordinance. By approving the 2016 landscape plan, Planning Commission reached a decision that the plan satisfied the visual buffer condition. Jonathan Sams advised the community is not satisfied with the essentially opaque visual buffer and would like the berms to be taller. Jeff Forbes offered to continue this discussion with Mr. Sams and a representative from United Dairy Farmers at another time; UDF does not have a representative at this meeting. Councilmember Pelfrey said honeysuckle does not provide essential opaqueness year round and is interested in helping bring this concern to a conclusion. Mayor Kidd advised Council will address this concern with prompt attention.

Andre Dunkirk of 5130 Spire Oaks Drive expressed concerns and provided visual references in regards to the visual buffer between his neighborhood and United Dairy Farmers. He also has concerns with compliance of the construction hours. The developers have begun before 7:00 a.m. and extended past 7:00 p.m.

Debbie Harbatkin of 5126 Spire Oaks Drive has concerns that a Planning Commission member stated in 2011 and someone again stated in 2015 at a United Dairy Farmers meeting that there would be a fence on top of the berm, but this has not happened. She stated she met with the construction manager and felt she was not able to provide feedback about their concerns about the berm.

Scott Stevens of 5127 Spire Oaks Drive provided visual references about the visual buffer concern to his neighborhood and stated his concerns about trespassing from United Dairy Farmers to his neighborhood.

Mayor Kidd addressed the Crooked Tree residents in attendance advising council will review the information and reach out to Jonathan Sams to assist in finding a solution to resolve the concerns.

Michele Blair introduced President and CEO of REDI (Regional Economic Development Initiative) Cincinnati, Johnna Reeder. Johnna stated REDI was created three years ago representing five counties in southwest Ohio, seven in northern Kentucky and three in southeastern Indiana. She explained REDI travels to other countries and markets the region then local economic development teams promote locally to get companies to land in the City of Mason. In the past three years, REDI has created almost 15,000 new jobs in southwest Ohio and

\$1.8 billion in capital investment. She requested the City to continue to invest in REDI and increase that amount from \$10,000 to \$50,000. Councilmember Nelson asked how many of the jobs created were in the City of Mason and why the increased amount of investment is needed. Michele advised 20% of the total job creation and 12% of the total capital investment is in the City of Mason, not including Procter and Gamble and only including new capital investment. Johnna advised the City previously invested \$50,000 prior to REDI Cincinnati becoming an independent organization and over the past three years they have had effective outcomes. Councilmember Grossmann expressed concerns of Cincinnati being able to keep up with Smart City development in the future in comparison to Columbus. Johnna explained additional opportunities will be available. Councilmember Nelson and Johnna discussed local cities and counties investing at different levels. Councilmember Nelson expressed concern to be able to justify to tax payers the large jump in cost. Councilmember Chance asked how many years the City gave at the \$50,000 level. Eric Hansen replied with six to nine years and the City continued to budget for this investment waiting to see how the organization would succeed after branching from the Chamber three years ago.

RESOLUTION 2017-12 ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2018 THROUGH DECEMBER 31, 2018

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Public Hearing was opened at 8:50 p.m.

Eric Hansen stated this is a process required by the state to justify the receipt of local government monies and the mechanism to allocate property tax revenues.

The Tax Budget is the mechanism through which Council can annually adjust the property tax rate. Eric stated in 2013, the Finance Committee and Safety Committee met to review projected cost of services, revenues, capital needs, and fund balances for Fire and Emergency Medical Services and recommended the Safety Services millage be set at 4.40 mills for 2014. This rate took into consideration amounts received from a SAFR grant as committed to as part of the Charter amendment. The City was successful in obtaining a grant of approximately \$1.2 million that was paid out in 2014. The Charter amendment and the proposed tax budget provided a mechanism to directly pass this benefit to taxpayers by reducing their tax millage.

He said while operating expenses needed are growing, staff feels that the 4.4 mills can be maintained for 2018. The 4.40 millage is below the 5-mills allowed by Charter, below the previous 5-mill levy amount, less than the prior effective rate of 4.5 mills, and less than amounts levied by neighboring jurisdictions for similar services. Mason's proposed 4.40 millage is both less than neighboring municipal jurisdictions and the Township.

Public Hearing was closed at 8:53 p.m.

A motion to adopt Resolution 2017-12 was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

RESOLUTION 2017-13 PROCLAIMING JULY AS NATIONAL PARKS & RECREATION MONTH

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Eric Hansen said July is chosen by the National Parks and Recreation Association to recognize the importance of parks and recreation facilities. Mason City Council has committed significant financial resources to improve and increase recreational facilities and programs for Mason residents. As a result, the City maintains over 300 acres of parkland in seven parks, facilities for many active sports, playgrounds, picnic areas, natural areas, fishing, the Lou Eves Municipal Pool, Mason Community Center, and the Golf Center. Volunteers, Eagle Scouts, and Community Concepts, Inc., have been instrumental in assisting with maintenance and special projects in the parks.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to adopt Resolution 2017-13 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-64 AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT 1 CONTRACT TO ADD CERTAIN PROPERTIES TO THE LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT 1

Eric Hansen stated there were some small changes to the JEDD paperwork requiring a 30-day open document period and would like to open the Public Hearing and vote to extend the Public Hearing to July 10, 2017.

Public Hearing was opened at 8:50 p.m.

A motion to continue the Public Hearing to July 10, 2017 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann.

ORDINANCE 2017-76 AN ORDINANCE ACCEPTING THE APPLICATION FOR THE ANNEXATION OF 5.306 ACRES, MORE OR LESS, IN UNION TOWNSHIP, WARREN COUNTY, OHIO TO THE CITY OF MASON, OHIO FILED UNDER THE SPECIAL PROCEDURE OF ANNEXING LAND WITH CONSENT OF ALL PARTIES (OHIO REVISED CODE SECTION 709.022, ET SEQ.), AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

Kurt Seiler addressed Ordinance 2017-76, Ordinance 2017-77 and Ordinance 2017-65. He said Ordinance 2017-76 addresses the annexation of 5.306 acres located on Cox-Smith Road and is currently in Union Township. Ordinance 2017-76 would put the property in the City of Mason and Union Township. Ordinance 2017-77 authorizes the City Manager to file a petition to detach the territory from Union Township and place into Mason Township to eliminate double taxation on the property. Ordinance 2017-65 includes a parcel of land containing a single family residence. He stated that the property is currently in Union Township and is zoned R-1 with the property below it zoned B-3, Road Service Commercial. The single family residence would be rezoned to R-2 and the B-3 property would be rezoned to R-PUD, Residential Planned Unit Development. The R-PUD parcel would include 224 multi-family units in 17 buildings are proposed for the PUD section. There are a total of 513 parking spaces provided which includes one garage space for each unit along with one surface parking space. An additional 65 guest spaces are provided. The development includes a clubhouse, pool, dog park, garden and hiking path. Open space of 42.8% is provided throughout the project area which includes a stream and significant existing vegetation. Planning commission did approve the rezoning and concept plan.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-76 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-77 AN ORDINANCE AUTHORIZING THE FILING OF A PETITION WITH THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO TO CHANGE THE UNION TOWNSHIP LINES OF 5.306 ACRES LOCATED IN UNION TOWNSHIP AND THE CITY OF MASON IN ORDER TO REMOVE THE TERRITORY FROM UNION TOWNSHIP, PLACE IT IN MASON TOWNSHIP AND MAKE THE TOWNSHIP LINES IDENTICAL WITH THE LIMITS OF THE CITY OF MASON, OHIO, AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-77 was made by Councilmember Grossmann, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-65 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 36.5 ACRES FROM R-1 RESIDENTIAL (UNION TOWNSHIP) &

B-3 ROAD SERVICE COMMERCIAL TO R-2 (SINGLE FAMILY RESIDENTIAL) & R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED NORTH AND WEST OF BEACH BOULEVARD, EAST OF THE MASON GRAND SUBDIVISION (VILLAGES OF MASON)

Public Hearing was opened at 9:05 p.m.

Jeff Forbes read Ordinance 2017-65.

Chuck Garlock with Bayer Becker of 6900 Tylersville Road, Chuck Thornton, representing the development team, Joe Kraimer, representing the owners of the property, and Steve Hunt, the attorney for the developer, were available to answer any questions.

Public Hearing was closed at 9:08 p.m.

A motion to adopt Ordinance 2017-65 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-78 APPROVAL OF THE REPLAT FOR LOT 6 IN FALLING BROOK PHASE A-8

A motion to read by title only was made by Councilmember Pelfrey, seconded by Councilmember Nelson. VOTE: ALL YEAS.

Kurt Seiler stated on April 3, 2007 Planning Commission completed a blanket approval for the Falling Brook project. This replat provides the individual building lots for Lot 6.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-78 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-79 APPROVAL OF THE REPLAT FOR CASTLE PARK 2728

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Kurt Seiler stated this replat will consolidate the four existing lots into two lots. The existing facility will be located on Lot 27 (2.448 acre). Lot 28 will be a 14.223 acre lot which will include the regional basin. Planning Commission recommends approval of the replat contingent upon showing the existing 30-foot drainage easement and railroad easement extending to the southern property line, providing documentation to support that existing building/parking on Lot 27 meets minimum side yard setback requirements, and correcting the name of north/south roadway to Easy Street.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-79 was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2017-80 APPROVAL OF THE RECORD PLAT FOR MALICH ACRES SUBDIVISION

A motion to read by title only was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Kurt Seiler stated the replat will consolidate the two lots into one 1.11 acre lot to be known as the Malich Acres Subdivision. The City recently completed widening of this section of Mason Road to address future traffic needs.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-80 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-81 APPROVAL OF THE FINAL PLAT FOR CROOKED TREE PRESERVE SUBDIVISION PHASE 1C

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Kurt Seiler stated this is the third phase of the Crooked Tree Preserves Subdivision. This plat will dedicate the right of way, utilities, storm, and sewer easements necessary for this development. Planning Commission recommended approval of the final plat contingent upon the submittal of the performance bond and subdivider's contract.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-81 was made by Councilmember Grossmann, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-82 APPROVAL OF THE FINAL PLAT FOR KINGS MILLS PLAZA

A motion to read by title only was made by Councilmember Grossmann, seconded by Councilmember Chance. VOTE: ALL YEAS.

Kurt Seiler discussed Ordinance 2017-82 and Ordinance 2017-83. He stated Ordinance 2017-82 is approval of a final plat for a 13.45 acre development located on the southeast corner of Kings Mill Road and State Route 741. The property is zoned B-3, Road Service District, and contains 5 buildable lots. Access to the development includes a proposed public roadway to be constructed at the existing traffic signal for the Kroger/Mason Grand development private drive. A right-in/right-out is also planned off of State Route 741 between lots 4 and 5. Planning Commission recommended approval of the final plat contingent upon submission of the performance bond and subdivider's contract, providing an alternate name for the new public roadway, and providing a signage easement at the southeast corner of the new public roadway & State Route 741. As part of this project, the existing span wire traffic signal at the Kroger access point will be upgraded to Mason standard mast arm poles. In addition, staff and Planning Commission worked with the developer to increase the width of the proposed roadway to accommodate a potential future connection to the Tennis Center, Golf Center, and Sinclair Campus. Kurt said this 4-lane roadway is part of an overall corridor strategy to better manage daily traffic as well as provide alternate options for management of event traffic. With this enhanced infrastructure advantage, as part of the agreement the developer will dedicate signage easements on each side of the new roadway to provide future options for the City to partner on gateway entrances at this important node of activity. Kurt stated Ordinance 2017 – 83 is an economic participation agreement authorizing up to \$75,000 towards the signal and roadway improvements to ensure they are configured appropriately to meet future development demands.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-82 was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-83 AUTHORIZING THE CITY MANAGER TO EXPEND AN AMOUNT NOT TO EXCEED \$75,000 AND TO THE TERMS OF A JOINT ECONOMIC STIMULUS AGREEMENT RELATED TO THE KINGS MILLS RETAIL PROJECT

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-83 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-84 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Eric Hansen stated the City has reviewed projects that meet the Ohio Public Works Commission Issue 1 grants requirements. A pre-application is requested for Program Year 33 (2019) for the Snider Road Roundabouts Project. He stated this project involves the improvement of two intersections, Mason Road and Thornberry Drive, at Snider Road from stop controlled intersections to roundabouts. Traffic has increased dramatically in the past decade and both intersections experience very high delays during the AM and PM peak hours. In 2014, Council authorized a grant submittal for the Snider Road Roundabouts Project to the Ohio Statewide Urban CMAQ grant program, which is a federally funded, OKI administered program through ODOT. The grant was approved for \$1,558,544 in funding toward the overall project cost. The OPWC grant request is for \$767,767 to cover the remaining 33% of the estimated \$2,326,311 total project cost.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

Councilmember Pelfrey expressed gratitude for the changes.

A motion to adopt Ordinance 2017-84 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-85 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JACKSON CONSTRUCTION, INC., IN THE AMOUNT OF \$75,000, FOR THE 2017 SIDEWALK REPLACEMENT PROGRAM

A motion to read by title only was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Kurt Seiler stated three quotes were received based upon a square-foot price for the removal, replacement, and restoration of sidewalk as funds allow. Staff requested quotes from several other contractors but due to their current workload they were unable to perform the work this year. Jackson Construction, Inc. provided the lowest per-square-foot price for the project. Similar to last year, the 2017 Budget includes \$75,000 for the annual program and an additional \$25,000 for materials for City crews to do spot repairs city-wide. The full \$75,000 budgeted amount will allow for the replacement of approximately 1,800 linear feet of 4' wide sidewalk.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-85 was made by Councilmember Grossmann, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-86 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PARTICIPATION IN THE REGIONAL ECONOMIC DEVELOPMENT INITIATIVE (REDI) CINCINNATI IN AN AMOUNT NOT TO EXCEED \$50,000 PER YEAR FOR THREE YEARS

A motion to read by title only was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Eric Hansen stated Johnna Reeder with REDI spoke earlier and Michele Blair is available for questions. Councilmember Nelson requested additional data to confirm the additional \$40,000 is a good choice for the City.

A motion to table Ordinance 2017-86 until July 10, 2017 was made by Councilmember Nelson, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-87 AUTHORIZING THE CITY OF MASON TO REIMBURSE AMBLESIDE DEVELOPMENT, LLC FOR DESIGN AND ENGINEERING FEES FOR CERTAIN PUBLIC IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED \$72,606

A motion to read by title only was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Eric Hansen requested a first reading on Ordinance 2017-87 and Ordinance 2017-88.

ORDINANCE 2017-88 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,100,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR ROAD AND UTILITY IMPROVEMENT SPECIAL ASSESSMENTS IN THE CITY

Jeff Forbes read Ordinance 2017-88.

OLD AND NEW BUSINESS - None

RECOGNITION OF VISITORS

Deidra King of 3809 Hanover Drive inquired about updates to the proposed changes to Cox-Smith and Parkside Drive. Kurt Seiler advised the final applications for the Cox-Smith project are due at the end of July for the 2018 funding year. He stated the State Route 741 realignment project is still in the stages of reviewing options for Parkside Drive and possible relocation behind CVS. After looking at all options, the City will then bring those options to a federal public meeting in late 2017 or 2018. The State Route 741 realignment project is funded for 2020. Deidra inquired about a public hearing for the Cox-Smith project. Kurt advised it is not a federally funded project and will not require a public hearing meeting. However, Eric Hansen advised an informational meeting can be held for the Cox-Smith project if any residents would like to organize.

Eliot Bastian of 3812 Hanover Drive questioned which meeting would be best to attend prior to making a budget decision for the Cox-Smith project. Eric Hansen advised budget discussions

usually cover capital in November. The next step would be funding discussed in February 2018 and funding would occur in July 2018. Eliot also inquired about what's happening with construction at the City of Mason Golf Course. Eric Hansen advised The Bruin, owned by Tennis for Charity, is closed and rehabbed for parking. Eliot asked if something else is being built next to Panera Bread on Mason Grand Drive. Kurt Seiler advised there are lots available, but nothing is planned to be built yet.

EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Councilmember Nelson, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 9:33 p.m.

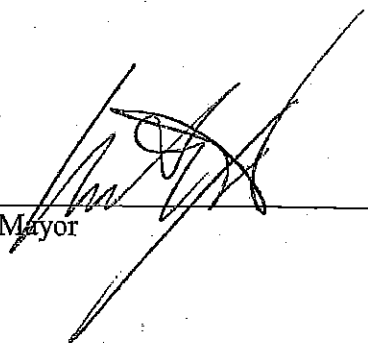
A motion to reconvene into Regular Session was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 10:11 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 10:13 p.m.



Clerk of Council



Mayor

Certification

The undersigned, Clerk of Council of the City of Mason, hereby certifies this to be a true and exact copy of June 12, 2017 Council Meeting Minutes adopted by the Council of the City of Mason on July 10, 2017.



Clerk of Council

Date: March 28, 2017
Description: Charles W. Thornton, Tr.
4960 Cox-Smith Road
Annexation~ 5.306 Acres
Location: Union Township, Warren County, Ohio



Situated in Section 13, Town 4, Range 3 Between the Miamis, Union Township, Warren County, Ohio and being part of 5.421 acre parcel as conveyed to Charles W. Thornton, Tr. as recorded in Document #2017-003512 containing a total of 5.306 acres to be Annexed into the City of Mason being further described as follows:

Begin at the northwest corner of Section 18, Town 4, Range 2, said corner being on the south line of said Section 13 and being the northeast corner of Lot 1 of Mason Grand Subdivision as recorded in Plat Book 91, Page 69 and being the True Point of Beginning;

thence, from the True Point of Beginning, departing said Section 18 and with the south line of Section 13, North 84° 32' 40" West, 98.71 to the east right of way of Cox-Smith Road;

thence, departing said Section line, and with the east right of way of said Cox-Smith Road, North 06° 02' 40" East, 307.15 feet;

thence, departing the east right of way of said Cox-Smith Road, North 72° 13' 16" East, 391.09 feet;

thence, South 35° 33' 26" East, 611.36 feet to the north line of said Section 18;

thence, with said section line, North 84° 33' 13" West, 665.02 feet to the true Point of Beginning containing 5.306 acres subject to all easements and rights of way of record.

The above description is a complete, proper, and legal description of the property.



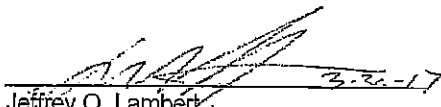
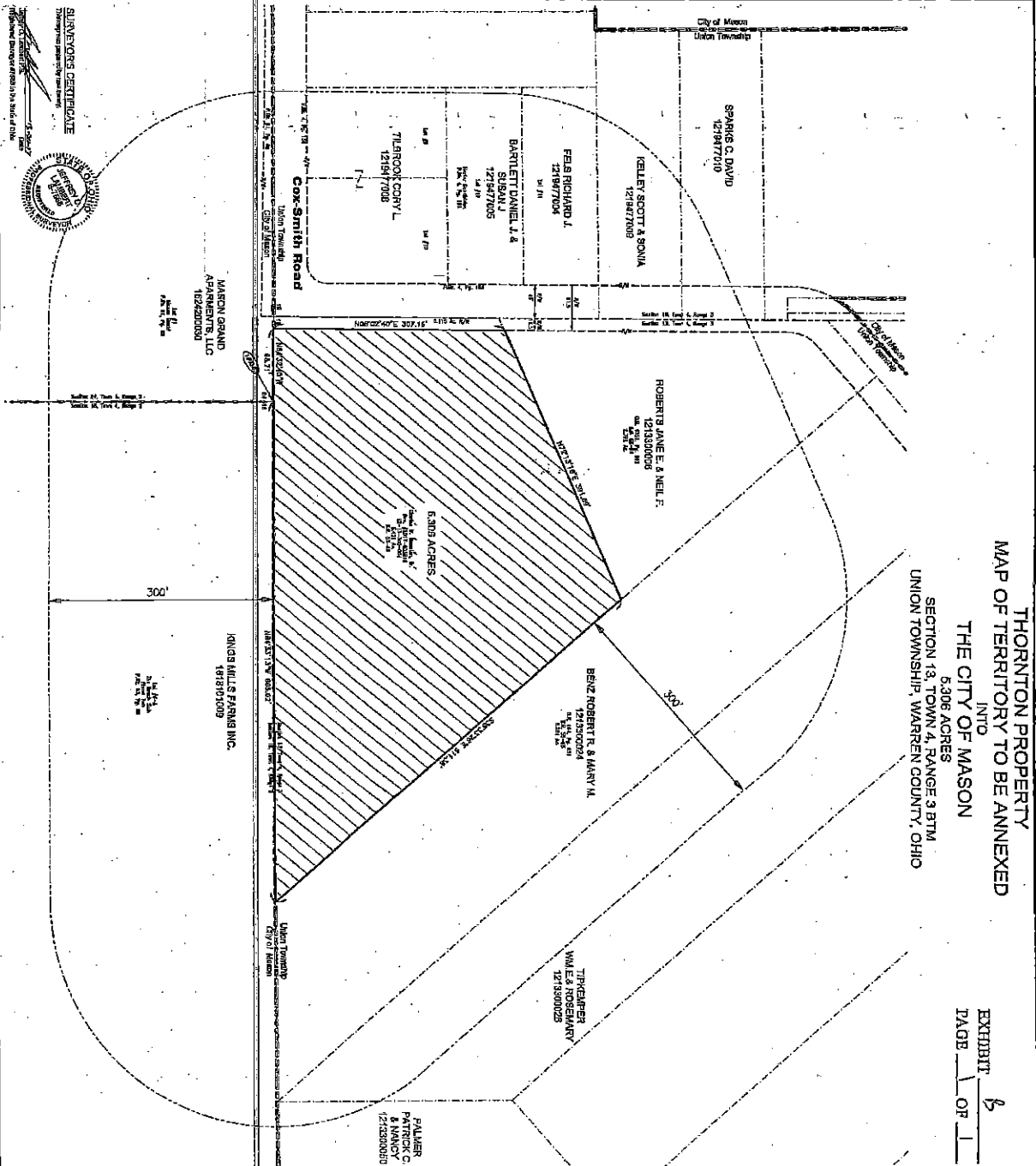
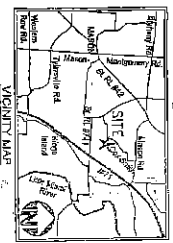

Jeffrey O. Lambert
Registered Surveyor #7568 in the State of Ohio

EXHIBIT A
PAGE 1 OF 1



THORNTON PROPERTY
MAP OF TERRITORY TO BE ANNEXED
 INTO
THE CITY OF MASON
 5.306 ACRES
 SECTION 13, TOWN 4, RANGE 3 BTM
 UNION TOWNSHIP, WARREN COUNTY, OHIO

EXHIBIT **5**
 PAGE **1** OF **1**



COUNTY COMMISSIONERS
 THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO
 HAS HEREBY APPROVED THE ANNEXATION OF THE ABOVE PROPERTY TO THE CITY OF MASON, OHIO.

CITY COUNCIL
 THE BOARD OF CITY COUNCIL MEMBERS OF THE CITY OF MASON, OHIO
 HAS HEREBY APPROVED THE ANNEXATION OF THE ABOVE PROPERTY TO THE CITY OF MASON, OHIO.

COUNTY AUDITOR
 THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO
 HAS HEREBY APPROVED THE ANNEXATION OF THE ABOVE PROPERTY TO THE CITY OF MASON, OHIO.

COUNTY RECORDER
 THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO
 HAS HEREBY APPROVED THE ANNEXATION OF THE ABOVE PROPERTY TO THE CITY OF MASON, OHIO.

OWNER
 CHARLES W. THORNTON, TR.
 4860 COX-SMITH ROAD
 MASON, OHIO 45040

PARCEL OWNERS
 MARCH GROND APARTMENTS, LLC
 INGOS HILLS FARMS INC.
 ROBERTS WALTER E. & NEIL F.
 BENZ ROBERT R. & MARY M.
 TRINGAPPA W. M. & ROSEMARY
 PAULIER PATRICK C. & NANCY

LENGTH OF ROAD
 0 FEET
AREA TO BE ANNEXED
 5.306 ACRES

bayer becker
 www.bayerbecker.com
 4800 W. STATE ST., SUITE 200
 CINCINNATI, OH 45236-1111

CHARLES W. THORNTON, TR.
 4860 COX-SMITH ROAD
 SECTION 13, TOWN 4, RANGE 3 BTM
 UNION TOWNSHIP
 WARREN COUNTY, OHIO
 ANNEXATION PLAT

Lot	Area (Acres)	Owner
1	0.10	SPARKS C. DAVID
2	0.10	KELLEY SCOTT & SONIA
3	0.10	FELIS RICHARD J.
4	0.10	BRANTLEY DANIEL A. & SIBBAN J.
5	0.10	TILBROOK CORY L.
6	0.10	ROBERTS WALTER E. & NEIL F.
7	0.10	BENZ ROBERT R. & MARY M.
8	0.10	TRINGAPPA W. M. & ROSEMARY
9	0.10	PAULIER PATRICK C. & NANCY
10	0.10	MARCH GROND APARTMENTS, LLC
11	0.10	INGOS HILLS FARMS INC.

AX1.0
 1/4" = 100' - 11/16" x 11/16" (1/4" = 100' - 11/16" x 11/16")
 Drawing Name: 23271618-022340000114-000 AX1.0 - Layout Map - Approved

Resolution

Number 17-1261

Adopted Date August 15, 2017

ACCEPT THE DRUG AND ALCOHOL TESTING POLICY UPDATE OF UNIVERSAL TRANSPORTATION SYSTEMS, LLC AS OPERATORS OF THE WARREN COUNTY TRANSIT SERVICE

WHEREAS, the Federal Transit Administration (FTA) requires that each transit system receiving FTA funds adopt a drug and alcohol testing policy in accordance with 49 CFR Part 655, as amended, and 49 CFR Part 40, as amended; and

WHEREAS, the Ohio Department of Transportation (ODOT) requires pre-employment alcohol testing; and

WHEREAS, Universal Transportation Systems, LLC., the current service provider for the Warren County Transit Service, has submitted an update to their company's drug and alcohol testing policy; and

NOW THEREFORE IT RESOLVED, to accept the Drug and Alcohol Testing Policy Update of MV Transportation, Inc. as operators of the Warren County Transit Service; as attached hereto and made a part hereof,

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

sm/

cc: Transit (file)
ODOT

D.O.T. Zero Tolerance Drug and Alcohol Workplace

Policy Statement

Universal Transportation Systems, LLC dba UTS has a zero tolerance for drugs and alcohol use. We have established guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

We abide by our D.O.T. mandates for all our D.O.T. and non-D.O.T. positions although we use different custody and control forms for each.

In the event that an employee fails a random drug and alcohol test (tests positive for drugs or alcohol), a list of substance abuse professionals and treatment centers will be given to the employee and documented in his personnel file at the termination meeting in Human Resources.

To review the mandated policies from D.O.T., please visit the Transit Offices or Human Resource Department.

Zero Tolerance Drug and Alcohol Testing Policy

Adopted as of December 21, 2010

Purpose

Universal Transportation Systems, LLC dba UTS provides public transit and paratransit services for the residents of *Butler, Clermont, Clinton, Franklin, Hamilton, Montgomery, Preble, Sandusky, Summit, Warren, Greene, Clark, Highland, Fayette, Brown, Adams, Ross, Pickaway, Hocking Counties*. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Universal Transportation Systems, LLC dba UTS declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

Any provisions set forth in this policy that are included under the sole authority of Universal Transportation Systems, LLC dba UTS and are not provided under the authority of the above named Federal regulations are underlined.

Applicability

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties Universal Transportation Systems, LLC dba UTS employees that do not perform safety-sensitive functions are also covered under this policy under the sole authority of Universal Transportation Systems, LLC dba UTS. A safety-sensitive function is operation of mass transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any employee who operates a non-revenue service vehicle when the operation of such vehicle requires a Commercial Driver's License (CDL) . Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

Definitions

See Appendix C for applicable definitions.

Education and Training

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

Prohibited Substances

Prohibited substances addressed by this policy include the following.

Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines (including methamphetamine and ecstasy), opiates (including heroin), phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the

medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds remains unacceptable for any safety-sensitive employee subject to drug testing under the Department of Transportation's drug testing regulations to use marijuana.

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all covered employees be tested for marijuana, cocaine, amphetamines (including methamphetamine and ecstasy), opiates (including heroin), and phencyclidine as described in Section H of this policy. Illegal use of these six drugs is prohibited at all times and thus, covered employees may be randomly tested for these drugs anytime that they are on duty.

Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be

reported to a Universal Transportation Systems, LLC dba UTS supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited. An alcohol test can be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety-sensitive job functions. Under Universal Transportation Systems, LLC dba UTS authority, an alcohol test can be performed any time a covered employee is on duty.

Prohibited Conduct

All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR PART 40, as amended.

Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.

UTS management shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol

Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed. Although an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is greater.

No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.

No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

Universal Transportation Systems, LLC dba UTS, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.

Consistent with the Drug-free Workplace Act of 1988, all Universal Transportation Systems, LLC dba UTS employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

Drug Statute Conviction

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify Universal Transportation Systems, LLC dba UTS management of any criminal drug statute conviction for a violation within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

Testing Requirements

Analytical urine drug testing and breathe testing for alcohol will be conducted as required by 49CFR part 40 as amended. All covered employees shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up.

A drug test may only be performed any time a covered employee is on duty. A reasonable suspicion and random alcohol test may be performed just before, during, or after the performance of a safety-sensitive job function. Under Universal Transportation Systems, LLC dba UTS authority and on non-DOT testing form, an alcohol test can be performed any time a covered employee is on duty.

All covered employees will be subject to DOT urine drug testing and breath alcohol testing as a condition of ongoing employment with Universal Transportation Systems, LLC dba UTS. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

Drug Testing Procedures

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS).

All DOT testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.

The drugs that will be tested for include marijuana, cocaine, opiates (including heroin), amphetamines (including methamphetamine and ecstasy), and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Chain of Custody and Control Form and identified using a unique identification number that attributes the

specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

Non-covered employees will be tested under the sole authority of Universal Transportation Systems, LLC dba UTS and on non-DOT testing forms.

The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the Universal Transportation Systems, LLC dba UTS Drug and Alcohol Program Manager (DAPM). If a legitimate explanation is found, the MRO will report the test result as negative to the DAPM and no further action will be taken.

If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

Any covered employee who questions the results of a required drug test under paragraphs L through P of this policy may request that the split sample be tested.

The split sample test must be conducted at a second HHS-certified laboratory other than the laboratory that analyzed the primary specimen. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended for DOT test. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond

the control of the employee. Universal Transportation Systems, LLC dba UTS will ensure that the cost for the split specimen are covered in order for a timely analysis of the sample, however Universal Transportation Systems, LLC dba UTS may seek reimbursement for the split sample test from the employee to the full extent permitted.

If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled. If the split specimen is not available to analyze the MRO will direct Universal Transportation Systems, LLC dba UTS to retest the employee under direct observation.

The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary is positive, the split will be retained for testing if so requested by the employee through the Medical Review Officer. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year.

Observed collections

Consistent with 49 CFR part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:

The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Universal Transportation Systems, LLC dba UTS that there was not an adequate medical explanation for the result;

The MRO reports to Universal Transportation Systems, LLC dba UTS that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;

The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen to you as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;

The temperature on the original specimen was out of range;

Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.

All follow-up-tests; or

All return-to-duty tests

The above observed collection procedures apply to non-DOT employees under the sole authority Universal Transportation Systems LLC dba UTS.

Alcohol Testing Procedures

DOT tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). Alcohol screening tests may be performed using a non-evidential testing device which is also approved by NHSTA. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted at least fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner

as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q. of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.

Universal Transportation Systems, LLC dba UTS affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

Alcohol testing for non-DOT employees will be conducted as described above under Universal Transportation Systems LLC dba UTS authority on non-DOT testing forms.

Pre-Employment Testing

All applicants applying for non-covered driving positions shall undergo urine and alcohol drug testing as specified below but under the authority of Universal Transportation Systems LLC dba UTS .

All applicants for covered UTS driving positions shall undergo DOT urine and alcohol drug testing prior to performance of a safety-sensitive function.

All offers of employment for covered positions shall be extended conditional upon the applicant passing a DOT drug and alcohol test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a DOT drug and alcohol test with verified negative results.

A non-covered employee shall not be placed, transferred or promoted into a covered position until the employee takes a DOT drug and alcohol test with verified negative results.

If an applicant fails a DOT pre-employment drug and alcohol test, the conditional offer of employment shall be rescinded. Failure of a DOT pre-employment drug and alcohol test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

When an employee being placed, transferred, or promoted from a non-covered position to a covered position submits a DOT drug and alcohol test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.

If a pre-employment/pre-transfer test is canceled, Universal Transportation Systems, LLC dba UTS will require the applicant to take and pass another DOT pre-employment drug and alcohol test.

In instances where a covered employee is on extended leave for a period of 90 consecutive days or more regardless of reason, and is not in the random testing pool the employee will be required to take a DOT pre-employment drug and alcohol test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

Applicants are required to report previous DOT covered employer drug and alcohol test results—Failure to do so will result in the employment offer being rescinded. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant

must provide Universal Transportation Systems, LLC dba UTS proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

Reasonable Suspicion Testing

All Universal Transportation Systems, LLC dba UTS covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Universal Transportation Systems, LLC dba UTS's authority, a reasonable suspicion alcohol test on non-DOT testing form may be performed any time the covered employee is on duty. A reasonable suspicion drug test may only be performed any time the covered employee is on duty.

Universal Transportation Systems, LLC dba UTS shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as policy or the associated consequences as specified in Section Q of this policy.

A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to Universal Transportation Systems, LLC dba UTS.

When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred to a counseling professional for an assessment. Universal Transportation Systems, LLC dba UTS shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of Universal

Transportation Systems, LLC dba UTS. Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

Post-Accident Testing

All covered employees will be required to undergo urine and breath testing if they are involved in an accident with a UTS operated vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance cannot be completely discounted as a contributing factor to the accident.

In addition, a post-accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage, unless the operators performance can be completely discounted as a contributing factor to the accident.

As soon as practicable following an accident, as defined in this policy, the Safety Director or designee investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The Safety Director or designee will make the determination using the best information available at the time of the decision.

Post-accident testing for "accidents" that do not meet the definition of an accident under Part 655 will be done under sole authority of Universal Transportation Systems LLC dba UTS and must be reported on non-DOT custody and control forms and alcohol testing forms.

The appropriate Safety Director or designee shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Safety Director or designee will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Universal Transportation Systems, LLC dba UTS is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency),

Universal Transportation Systems, LLC dba UTS may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement

officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

All non-covered employees will be subject to the above practice however conducted under the sole authority of Universal Transportation Systems LLC dba UTS on non-DOT custody and control forms and alcohol testing forms.

Random Testing

All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees.

The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.

The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates established by Federal regulations for those safety-sensitive employees subject to random testing by Federal regulations. The current random testing rate for drugs established by FTA equals twenty-five percent of the number of covered employees in the pool and the random testing rate for alcohol established by FTA equals ten percent of the number of covered employees in the pool.

Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.

Covered safety-sensitive employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of employees that are included solely under Universal Transportation Systems, LLC dba UTS authority.

Random tests may only be conducted at any time during an employee's shift for drug testing. Alcohol random tests may be performed just before, during, or just after the performance of a safety sensitive duty. However, under Universal Transportation Systems, LLC dba UTS's authority, a random alcohol test may be performed any time the covered employee is on duty. Testing on non-DOT testing form can occur during the beginning, middle, or end of an employee's shift.

Employees are required to proceed immediately to the collection site upon notification of their random selection.

Return-To-Duty Testing

Universal Transportation Systems, LLC dba UTS will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of UTS, the employee must have completed the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a DOT drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. For an initial positive drug test a DOT Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol test a DOT

Return-to-Duty alcohol test is required and a drug test is allowed. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undo concerns for public safety.

Follow-Up Testing

Covered employees that have returned to duty following a positive or refused a test will be required to undergo frequent, unannounced DOT drug and/or alcohol testing following their return-to-duty test. The DOT follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

Result of Drug/Alcohol Test

Any covered employee that has a verified positive drug or alcohol test will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, referred to a Substance Abuse Professional (SAP) for assessment, and will be terminated.

Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

A positive drug and/or alcohol test will also result in disciplinary action as specified herein.

After receiving notice of a verified positive drug test result, a confirmed alcohol test result, or a test refusal, the Universal Transportation Systems, LLC dba UTS Drug and Alcohol Program Manager will contact the employee's supervisor to have the employee cease performing any safety-sensitive function.

The covered employee shall be referred to a Substance Abuse Professional and will be terminated.

Refusal to submit to a drug/alcohol test shall be considered a positive test result and shall result in termination. A test refusal includes the following circumstances:

- A covered employee who leaves the scene of an accident without a legitimate explanation prior to submission to drug/alcohol tests.
- A covered employee who provides an insufficient volume of urine specimen or breath sample without a valid medical explanation. The medical evaluation shall take place within 5 days of the initial test attempt.
- A verbal or written declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test within the specified time frame.
- A covered employee whose urine sample has been verified by the MRO as substitute or adulterated.
- A covered employee fails to appear for any test within a reasonable time, as determined by the employer, after being directed to do so by the employer.
- A covered employee fails to remain at the testing site until the testing process is complete;

- A covered employee fails to provide an adequate amount for urine specimen for any drug test or an adequate amount of breath for an alcohol test required by Part 40 or DOT agency regulations;
- A covered employee fails to permit the observation or monitoring of a specimen collection
- A covered employee fails or declines to take a second test the employer or collector has directed you to take;
- A covered employee fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the "shy bladder" or "shy lung" procedures
- A covered employee fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).
- Failure to sign Step 2 of the Alcohol Testing form
- Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- Admit to the collector or MRO that you adulterated or substituted the specimen.

An alcohol test result of 0.02 to 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to an alcohol test with a result of less than 0.02 BAC. If the employee has an alcohol test result of 0.02 to 0.039 two or more times within a six month period, the employee will be removed from duty and referred to the SAP for assessment and treatment consistent with Section Q of this policy.

In the instance of a self-referral or a management referral, disciplinary action against the employee shall include, at minimum:

Mandatory referral to a Substance Abuse Professional for assessment, formulation of a treatment plan, and execution of a return to work agreement for safety sensitive employees;

Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Universal Transportation Systems, LLC dba UTS employment.

Compliance with the return-to-work agreement means that the employee has submitted to a DOT drug/alcohol test immediately prior to returning

to work; the result of that test is negative; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.

Refusal to submit to a periodic unannounced follow-up DOT drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.

A self-referral or management referral to the SAP that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.

Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.

A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Universal Transportation Systems, LLC dba UTS.

A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.

Failure of an employee to report within five days a criminal drug statute conviction shall result in termination.

Grievance and Appeal

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

Proper Application of The Policy

Universal Transportation Systems, LLC dba UTS is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

Information Disclosure

Drug/alcohol testing records shall be maintained by the Universal Transportation Systems, LLC dba UTS Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.

The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP referrals and follow-up testing plans.

Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.

Records will be released to a subsequent employer only upon receipt of a written request from the employee.

Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the preceding. The information

to only be released with binding stipulation from the decision maker will make it available only to parties in the proceeding.

Records will be released to the National Transportation Safety Board during an accident investigation.

Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and Issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.

Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.

Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Universal Transportation Systems, LLC dba UTS or the employee.

If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken

In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

Drug and Alcohol Policy Updates

This policy was adopted by Universal Transportations Systems LLC dba UTS on December 21, 2010

Version Number	Dated Updated	Date Reviewed	Date Approved
1.	1/23/10	12/1/10	12/21/10

Applicable Signatures

Attachment A: Safety – Sensitive Positions

Universal Transportation Systems LLC dba UTS

Safety Sensitive Positions and Testing Authority

Testing Authority Functions	Test Types Board Class Title	<u>Safety Sensitive</u>
DOT	Post-Accident Drug and/or Alcohol, Pre-Employment Drug and/or Alcohol, Random Drug and/or Alcohol, Reasonable Suspicion	Revenue Operation (whether or not in revenue service)
DOT	Post-Accident Drug and/or Alcohol, Pre-Employment Drug and/or Alcohol, Random Drug and /or Alcohol, Reasonable Suspicion	Revenue Vehicle Control and Dispatch/ Scheduler
DOT	Post –Accident Drug and/or Alcohol, Pre-Employment Drug and/or Alcohol, Random Drug and/or Alcohol, Reasonable Suspicion	Revenue Vehicle Equipment Maintenance and Repair

Attachment B: Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

Universal Transportation Systems, LLC dba UTS

Drug and Alcohol Program Manager

Name: Brenda Hodges

Title: Drug & Alcohol Program Manager

Address: 5284 Winton Road, Fairfield, Ohio 45014

Telephone Number: 1-800-339-0323

Medical Review Officer

Name: Roderick MacGregor, MD, Excel Corporate Care

Title: Physician

Address: 4220 Grand Ave, Middletown, OH 45044

Telephone Number: 513-420-4700

HHS Certified Laboratory Primary Specimen

Name: Clinical Reference Laboratory
Address: 8433 Quivira Rd Lenexa, KS 66215
Telephone Number: 800-445-6917

HHS Certified Laboratory Split Specimen

Name: Clinical Reference Laboratory
Address: 8433 Quivira Rd Lenexa, KS 66215

Attachment C: Definitions

Accident: An occurrence associated with the operation of a revenue service vehicle even when not in revenue service, if as a result:

An individual dies;

An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,

One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, mirrors or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.

Aliquot: A fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

Canceled Test: A drug test that has been declared invalid by a Medical Review Officer. A canceled test is neither positive nor negative.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees), and other employees, applicants, or transferee that will not perform a safety-sensitive function but falls under the policy of the company's own authority.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

Department of Transportation (DOT): Department of the federal government which includes the, Federal Transit Administration, Federal Railroad Administration, Federal Highway Administration, Federal Motor Carriers' Safety Administration, Research and Special Programs, and the Office of the Secretary of Transportation.

Dilute specimen: A urine specimen with creatine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, mirrors or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A Device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on the National Highway Traffic Safety Administration (NHTSA) conforming products list.

Initial Drug Test: (Screening Drug Test) The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

Non-negative test result: A urine specimen that is reported as adulterated, substitute, invalid, or positive for drug/drug metabolites.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opiates, amphetamines (including ecstasy), or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service or that require a CDL to operate. Include all ancillary vehicles used in support of the transit system.

Safety-sensitive functions: Employee duties identified as:

The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.

The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).

Maintaining a revenue service vehicle or equipment used in revenue service.

Controlling the movement of a revenue service vehicle and

Carrying a firearm for security purposes.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders, or licensed marriage and family counselors if SAP qualified.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

- Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
- Fails to remain at the testing site until the testing process is complete
- Fails to provide an adequate amount of urine for drug testing or breath for alcohol testing required by **Part 40** or DOT agency **regulations**
- In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen
- Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
- Fails or declines to take a second test the employer or collector has directed you to take
- Fails to undergo a medical examination or evaluation, as directed by the MRO as **part** of the verification process, or as directed by the DER as **part** of the "shy bladder" or "shy lung" procedures
- Fails to cooperate with any **part** of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
- If the MRO reports that there is verified adulterated or substituted test result
- Failure or refusal to sign Step 2 of the alcohol testing form
- Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process
- Admit to the collector or MRO that you adulterated or substituted the specimen.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted

Resolution

Number 17-1262

Adopted Date August 15, 2017

AUTHORIZE THE FILING OF APPLICATIONS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FY 2018 TRANSPORTATION ASSISTANCE GRANTS. THESE GRANTS MAY INCLUDE THE OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM AND THE URBAN TRANSIT PROGRAM

WHEREAS, the State of Ohio through its FY 2018 programs has made available funds to assist public transportation systems in Ohio; and

WHEREAS, the Warren County Transit Service is the transit operator for Warren County Board of County Commissioners; and

WHEREAS, the Warren County Transit Service is presently providing transit service and observing all federal and state rules regarding these programs; and

NOW THEREFORE BE IT RESOLVED, that Warren County Office of Grants Administration is hereby authorized to file an application and execute contracts for the FY 2017 Ohio Elderly and Disabled Transit Fare Assistance Program and the FY 2018 Urban Transit Program, on behalf of the Warren County Board of County Commissioner; and

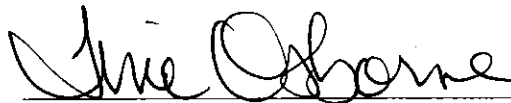
BE IT FURTHER RESOLVED that the Warren County Office of Grants Administration is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with these applications.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

sm

cc: Transit (file)
OGA (file)

Warren County Office of Grants Administration

406 Justice Drive
Lebanon, Ohio 45036
(513) 695-1259

August 15, 2017

Ms. Marianne Freed
Administrator, Office of Transit
Ohio Department of Transportation
1980 West Broad Street, Mail Stop 3110
Columbus, Ohio 43223

Dear Ms. Freed:

RE: URBAN TRANSIT PROGRAM (UTP)

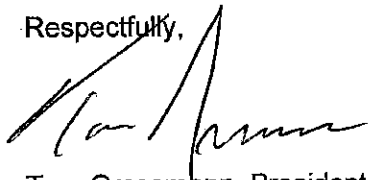
The **Warren County Transit Service** hereby applies for \$65,506 (UTP allocation) in formula funds under the Urban Transit Program.

The following items are enclosed:

1. A copy of a resolution from our governing body authorizing the submittal of this application.
2. Request for Waiver of Federal Grant Match.
3. A purchase order is not applicable because we are not applying for capital funding.
4. Schedule A - Financial Breakdown.
5. Schedule B - Project Description is not applicable because we are not applying for capital funding.
6. Schedule C - Proposed Service Changes
7. CY 2018 Operating and Capital Budget.
8. Standard State Assurances.
9. A copy of the final Federal Transit Administration triennial review report is not included because we have not yet received a review.

If you have any questions or need further information, please contact Susanne Mason at 513.695.1210 or masosu@co.warren.oh.us

Respectfully,



Tom Grossmann, President
Board of County Commissioners

EXHIBIT C

Because Warren County is applying for operating funds, a purchase order is not applicable.

**SCHEDULE A
CONTRACT PREPARATION SHEET**

FY []

GRANTEE NAME	Warren County Board of Commissioners
TRANSIT SYSTEM	Warren County Transit Service

Award Letter and Contract To:		Copy of Award Letter To:
Name, Title	Warren County Board of Commissioners	Susanne Mason
Agency	Warren County Transit Service	Warren County Transit Service
Address	406 Justice Drive	406 Justice Drive
City, State, Zip	Lebanon, OH 45036	Lebanon, OH 45036
Phone & Fax	513.695.1250	513.695.1210, Fax: 513.695.2980
E-Mail	tina.osborne@co.warren.oh.us	masosu@co.warren.oh.us

Operating Assistance:	From: 1/1/2018	To: 12/31/2018
Federal Grant No.	n.a.	
State Grant No.		

(A) FTA Code	(B) Description	(C) Eligible Operating Expenses	(D) *Total Eligible Expenses	(E) *Federal Funds Approved	(F) Non-Federal Share (D-E)	(G) Eligible State Share (D-E * 50)	(H) Requested State Share
n.a.	operating assistance		\$131,012.00		\$131,012.00	\$65,506.00	\$65,506.00

Capitalized Maintenance:	From:	To:
Federal Grant No.		
State Grant No.		

(A) FTA Code	(B) Description	(C) *Total Project Cost	(D) *Federal Funds Approved	(E) Non-Federal Share (C-D)	(F) Eligible State Share (C*.80)	(G) Requested State Share	(H) State % (G/C)
				\$0.00	\$0.00		#DIV/0!

Capital Assistance:	From:	To:
State Grant No.		

(A) FTA Code	(B) Description	(C) Quantity	(D) *Total Project Cost	(E) *Federal Funds Approved	(F) Non-Federal Share (E-F)	(G) # Maximum Eligible State Share	(H) Requested State Share
					\$0.00	\$0.00	
					\$0.00	\$0.00	
					\$0.00	\$0.00	
					\$0.00	\$0.00	
Totals for Columns D, E, F, G & H			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

UTP Formula Allocation	Total Formula Funds Requested	Formula Allocation Not Requested
	\$65,506.00	-\$65,506.00

Notations: * The information supplied correspond with the federal grant application
The Maximum Eligible State Share is the lesser of (D - E) or (D x 80%)

EXHIBIT E

Because Warren County is applying for operating funds rather than capital, a capital project description is not applicable.

**SCHEDULE C
PROPOSED SERVICE CHANGES**

Current Routes:

Demand Repsonse Only with one flex route

Proposed Route Changes:

No proposed changes

Expected Implementation Date:

2018

Current Service Hours:

6:00 AM - 6:30 PM

Proposed Service Hours:

Same

Expected Implementation Date:

n/a

Current Fares:

\$3.00 per trip / \$1.50 for E&D

Proposed Fares:

Same

Expected Implementation Date:

n/a

Miscellaneous:

2018

Anticipated Expenses

Object Code	Description	Expenses
210	Fuel & Office Supplies, General	\$ 120,000.00
400	Purchased Services	\$ 950,000.00
910	Other Expense (transferred for Admin)	\$ 40,000.00
912	Admin Costs	\$ 300.00
		\$ 1,110,300.00

Anticipated Receipts

Source (Received From)	Anticipated Revenue as of Sept 2016
Farebox	\$ 55,000.00
Contract Revenue (DD)	\$ 110,000.00
Job & Family Services	\$ 5,000.00
County Commissioner Contribution	\$ 400,000.00
ODOT - Operating	\$ 38,000.00
Federal (thru ODOT) Operating	
Metro	\$ 386,250.00
ODOT - Capital Maint, E&D, etc.	\$ 120,000.00
Federal (thru ODOT) - Capital Assistance	\$ -
Tax Refund	\$ 20,000.00
	\$ 1,134,250.00

STANDARD STATE ASSURANCES

Pursuant to the Urban Transit Program Criteria for FY **2018**, the undersigned **Warren County Board of County Commissioners** hereby assures the Ohio Department of Transportation (ODOT) that:

1. The grant funds will be used to provide all or part of the funding for the eligible project as described in Schedule A of the application.
2. The grant funds will be used for public transportation services provided by the undersigned or a pass-through recipient with its own equipment and facilities or by a project contractor.
3. The OKI Regional Council of Governments has certified that a comprehensive integrated regional transportation plan has been developed for the area and that the eligible project for which the grant funds are sought is consistent with and is justified by said plan.
4. The undersigned will comply with all Federal and State of Ohio laws, rules, executive orders and other legal requirements as they apply to public transportation.
5. The undersigned will submit to ODOT a copy of:
 - a. All planning support documents, including but not limited to the short range transit plan, ridership surveys, and long range transit plans at the time they are prepared;
 - c. Each audit no later than 30 days after its completion;
 - d. Each approved matching US DOT Grant Contract's budget;
 - e. The Certification of Data no later than February 15;
 - f. PTMS data by February 28;
 - g. A copy of the final FTA triennial review report; and
 - h. All other information ODOT requests.

By: 
(Signature of Authorized Official)

Title Executive Director

Date: 8/15/17

The following counter-signature is required for Pass-Through Recipients

Name of Pass-Through Recipient:

By: 
(Signature of Authorized Official)

President
(Title)

Date: 8/15/17

Resolution

Number 17-1263

Adopted Date August 15, 2017

APPROVE COUNTY MOTOR VEHICLE TAX (CVT-356) FOR THE VILLAGE OF SOUTH LEBANON IN THE AMOUNT OF \$39,183.60

BE IT RESOLVED, to approve the following County Motor Vehicle Tax (CVT-356) for the Village of South Lebanon.


<u>Project No.</u>	<u>Description</u>	<u>Total Cost</u>	<u>CVT Funds</u>	<u>Other Funds</u>
CVT - 356	Mill and repave a portion of Stone Brook Way and Stoney Path Court in Stone Brook Sub.		\$39,183.60	

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

cc: Engineer (file)
Village of South Lebanon (file)

Resolution

Number 17-1264

Adopted Date August 15, 2017

APPROVE EMERGENCY REPAIRS CAUSED BY PRESSURE REDUCING VALVE FAILURE IN MAIN WATER LINE WHICH SERVES BEAL ROAD

WHEREAS, a Pressure Reducing Valve malfunctioned on main water line serving Beal Rd causing extreme high pressure which caused property damages to customers; and

WHEREAS, it is imperative to repair the damages caused by high pressure and restore water service to customers;

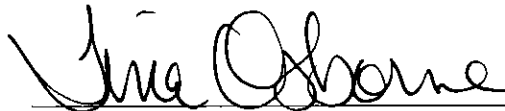
NOW THEREFORE BE IT RESOLVED, to declare an emergency and approve Purchase Order No. 22526 for customer reimbursement in the amount of \$10,000.00 for the estimated costs of damage repairs.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Water/Sewer (File)
OMB

Resolution

Number 17-1265

Adopted Date August 15, 2017

DECLARE AN EMERGENCY AND WAIVE COMPETITIVE BIDDING FOR THE IMMEDIATE REPLACEMENT OF FIVE (5) ROOF FANS AT THE WARREN COUNTY JAIL, 822 MEMORIAL DRIVE

WHEREAS, it was brought to the attention of Facilities Management that five (5) roof fans at the Warren County Jail were inoperable and in need of immediate replacement; and

WHEREAS, the roof fans are vital to the efficient operation of the HVAC system serving the County Jail which is a secure 24/7 public facility; and

NOW THEREFORE BE IT RESOLVED, to authorize the immediate purchase of five (5) replacement roof fans and approve purchase order #21700 to Controlled Air Inc. in the amount of \$2,725.00 for said purchase.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Facilities Management (file)
OMB

Resolution

Number 17-1266

Adopted Date August 15, 2017

ADVERTISE FOR BIDS FOR THE FY17 FRANKLIN TOWNSHIP HARRIET LIVE MENTZ ROAD RESURFACING CDBG PROJECT

BE IT RESOLVED, to advertise for bids for the FY17 Franklin Township Harriet Live Mentz Road Resurfacing CDBG Project to be funded under the County's Community Development Block Grant Program for the Warren County Office of Grants Administration; and

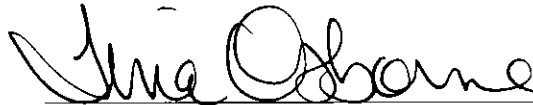
BE IT FURTHER RESOLVED, to advertise said bid for one (1) week in a newspaper of general circulation and for two consecutive weeks on the County Internet Web Site, beginning the week of August 20, 2017; bid opening to be September 5, 2017 @ 9:00 a.m.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

EHV

cc: OGA (file)
OMB Bid file

Resolution

Number 17-1267

Adopted Date August 15, 2017

AUTHORIZE PRESIDENT OF BOARD TO SIGN THE TASK COMPLETION REPORT WITH TRITECH SOFTWARE SYSTEMS ON BEHALF OF WARREN COUNTY TELECOMMUNICATIONS

WHEREAS, Paul Kindell, Director of Telecommunications, has reviewed, verified and recommended that the Board of County Commissioners sign the TriTech Software Systems Task Completion Report 42; and

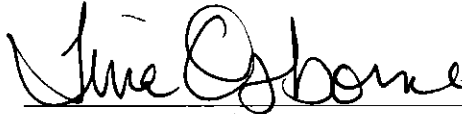
NOW THEREFORE BE IT RESOLVED, to authorize President of the Board to sign the TriTech Software Systems Task Completion Report 42 acknowledging completion AD CIS handoff SOW, as attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: C/A – TriTech Software Systems
Telecom (file)

**Warren County
Sales Order 6395
Task Completion Report 42**

Effective Date: 07/31/2017

The purpose of the Task Completion Report (this "Document") is to document the mutual agreement between TriTech and the Client on the items listed in this report, in reference to **CAD/Mobile/RMS/Jail Implementation Project for the Warren County – Sales Order 6395**.

Acknowledgement: CAD CIS handoff SOW 7.2.5.2 (7)

- 1) After completion of the initial installation and configuration of the Inform CAD server, a member of Technical Services team provides a technical hand-off to designated staff from the Client's Information Technology team via a conference call. The following major topics will be discussed during this technical hand-off:
 - i. Proper procedures for performing System Backups:
 - o File Structure – Inclusions and exclusions
 - o Databases
 - o Moving Backups to media
 - ii. Proper procedures for refreshing Test/Training system (and related documentation)
 - iii. Approved configuration and use of Virus Scan software
 - iv. Approved procedure for application of Windows updates
 - v. System Upgrade process and procedures
 - vi. Support Website and TriTech list server access
 - vii. Managing/Reviewing system logs (CAD, SQL and Event Logs)

Call occurred on 07/31/2017 with TriTech CIS, TriTech PM and Client.

The Client is responsible to approve this Task Completion Report within 10 business days, or provide a written notification to TriTech detailing the reason that this document cannot be approved. Lack of approval by the Client within this timeframe will not result in default or automatic approval of the document. However, any delays in approval process may have a cascading impact on project timelines.

Please sign, scan and return this document to TriTech via e-mail PDF attachment to Jameson Gartner (jameson.gartner@tritech.com)

Approvals

Client Project Manager

Print Name:

Tom Grossmann

Signature:

[Handwritten Signature]

Date:

8/5/17

TriTech Project Manager

Print Name: Jameson Gartner

Signature:

[Handwritten Signature]

Date: 07/31/2017

Resolution

Number 17-1268

Adopted Date August 15, 2017

DETERMINING THE NECESSITY FOR A CERTAIN ROAD AND BRIDGE IMPROVEMENT PROJECT FOR PUBLIC USE WITHOUT CHARGE WHERE SPECIAL ASSESSMENTS ARE NOT TO BE LEVIED OR COLLECTED, TO BE KNOWN AS THE KING AVENUE BRIDGE #282-0.97 OVER LITTLE MIAMI RIVER IMPROVEMENTS PROJECT IN DEERFIELD AND HAMILTON TOWNSHIPS, WARREN COUNTY, OHIO

WHEREAS, in accordance with Ohio Revised Code § 5555.02, et seq., a board of county commissioners may construct a public road by laying out and building a new road, or by improving, reconstructing, or repairing any public road or part of an existing public road; and,

WHEREAS, pursuant to Ohio Revised Code § 5555.03, et seq., by resolution adopted by a majority vote and acting without regard to or the necessity for a petition, may find that the public convenience and welfare require the improvement of any public road or roads, or parts thereof, identified in such resolution in a manner provided in 5555.06 of the Revised Code and may fix the route and termini of the improvement; and, if the board determines, in such resolution or a subsequent resolution, that special assessments are not to be levied or collected to pay any part of the county's costs of the improvement, the board, in that resolution or in a subsequent resolution (including a resolution authorizing the issuance or incurrence of public obligations for the improvement) may authorize the improvement and expenditure of funds required by the county for its construction and may proceed with the improvement without regard to any other procedures required by sections 5555.03 -.42; 5555.45-.47; 5555.50, and 5555.81-.83 of the Revised Code, except as otherwise provided; and,

WHEREAS, pursuant to Ohio Revised Code § 5555.09, et seq., if the surveys, plans, profiles, and cross sections prepared by the County Engineer and filed with the board of county commissioners show that lands will be required for the improvement, the board shall proceed in accordance with sections 163.01 to 163.22 of the Revised Code; and,

WHEREAS, in accordance with Am. Sub. S.B. 7 (127th General Assembly), certain changes to Chapter 163 of the Ohio Revised Code ["Appropriation of Property"] went into effect on October 10, 2007 that prescribes the procedural requirements by which public agencies must abide to appropriate real property for public use; and,

WHEREAS, specifically Ohio Rev. Code § 163.021 (A) provides as a prerequisite that no public agency shall appropriate real property except as necessary and for public use; and,

WHEREAS, Ohio Rev. Code § 163.021 (A) places the initial burden on the public agency to show by a preponderance of the evidence that the taking is necessary for the public use; however, in accordance with Ohio Rev. Code § 163.09 (B) (1) (a), a resolution of the public agency declaring the necessity for the appropriation creates a rebuttable presumption of the necessity for the appropriation if the public agency is not appropriating the property because it is a blighted parcel or part of a blighted area or slum; and,

WHEREAS, this Board is of the opinion that it is necessary to construct a safe, long term bridge crossing over the Little Miami River, upstream of the existing bridge while improving the safety of the adjacent roadway.

NOW THEREFORE BE IT RESOLVED, the Board does hereby determine that it is necessary for public safety, convenience and welfare to obtain or acquire Right-of-Way and easements for the following projects that do not include a blighted parcel or part of a blighted area or slum, for the construction of improvements to serve the public, without charge:

King Avenue Bridge #282-0.97 Over Little Miami River Improvements Project –

Construct a new bridge (Alternative 3) as displayed at a Public Involvement Meeting for the project on April 25, 2017. The new bridge would provide a safe, long term crossing over the Little Miami River upstream of the existing bridge while improving the safety of the adjacent roadway.

BE IT FURTHER RESOLVED, that the Board does hereby determine that special assessments are not to be levied or collected to pay any part of the county's costs of the said projects; and

BE IT FURTHER RESOLVED, if the surveys, plans, profiles, and cross sections prepared by the County Engineer and filed with this Board show that lands will be required for the said project, the Board may determine in a subsequent resolution to proceed in accordance with sections 163.01 to 163.22 of the Revised Code to acquire such lands if the County Engineer is unable to acquire such lands by voluntary conveyance.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Engineer (file)

Resolution

Number 17-1269

Adopted Date August 15, 2017

APPROVE SECOND AMENDMENT TO THE AGREEMENT WITH CALLYO TO PROVIDE SURVEILLANCE SERVICES, ON BEHALF OF THE WARREN COUNTY SHERIFF

BE IT RESOLVED, to approve and authorize the Board to sign the Second Amendment to the agreement by and between the Board of Commissioners, on behalf of the Warren County Sheriff, and Callyo for surveillance services; as attached hereto and made part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: c/a – Callyo
Sheriff (file)

Amendment No. 2 to Surveillance Services Agreement

THIS AMENDMENT NO. 1 is entered into this 2nd^{15th} day of August, 2017 by and between the Warren County Board of Commissioners ("County"), and Callyo, having its principal place of business located at 402 N Division Street, Carson City, NV 89703 ("Callyo")

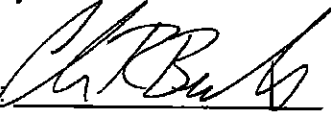
WHEREAS, the parties entered into an Agreement effective June 30, 2015 to provide surveillance services to Warren County Sheriff's Office; (as amended, the "Agreement"); and,

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as set forth below. Capitalized terms used by not defined in this Amendment.

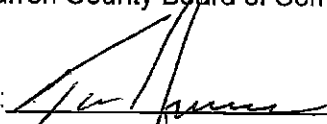
1. The Callyo Silver Package \$2,750.00, to include 6 unlimited lines, \$100 value of audio accessories, and web based training. This price shall be effective from August 1, 2017 through July 31, 2018, and shall supersede in all respects the price of the package set forth in Callyo's Proposal or in any other prior amendments between the parties.
2. Except as hereinabove provided, said Agreement is hereby in all other respects ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 2 to be signed by their duly authorized representatives the day and year first written above.

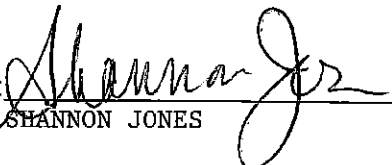
Callyo

By: 
Christopher Bennett
President

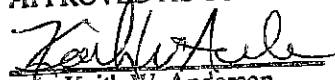
Warren County Board of Commissioners

By: 
TOM GROSSMANN
President

By: _____
DAVID G. YOUNG
Vice President

By: 
SHANNON JONES

APPROVED AS TO FORM


Keith W. Anderson
Asst. Prosecuting Attorney

Resolution

Number 17-1270

Adopted Date August 15, 2017

APPROVE NOTICE OF INTENT TO AWARD BID TO MILLER MASON PAVING COMPANY FOR THE 2017 CHIP SEAL PROJECT

WHEREAS, bids were closed at 9:15 a.m., August 8, 2017, and the bids received were opened and read aloud for the 2017 Chip Seal Project and the results are on file in the Commissioners' Office; and

WHEREAS, upon review of such bids by Neil F. Tunison, Warren County Engineer, Miller Mason Paving Company has been determined to be the lowest and best bidder;

NOW THEREFORE BE IT RESOLVED, upon recommendation of Neil F. Tunison that it is the intent of this Board to award the bid to Miller Mason Paving Company, 8591 Mad River Road, Hillsboro, Ohio, for a total bid price of \$443,002.00. The Warren County Engineer's portion of the total bid price is \$174,495.77. The remainder portion of the total bid will be the responsibility of Harlan, Massie, Wayne and Washington townships; and

BE IT FURTHER RESOLVED, that the President of the Board is hereby authorized to execute a "Notice of Intent to Award."

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

EH\

cc: Engineer (file)
OMB Bid file

Resolution

Number 17-1271

Adopted Date August 15, 2017

AFFIRM "THEN AND NOW" REQUESTS PURSUANT TO OHIO REVISED CODE
5705.41(D) (1)

BE IT RESOLVED, to affirm the following "Then and Now" requests pursuant to Ohio Revised
Code 5705.41(D) (1), as attached hereto and made a part hereof:


Veterans \$1,050.00


Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

cc: Auditor 
Veterans (file)
OMB

THEN & NOW REQUEST

To: Matt Nolan, Warren County Auditor

Date: 8/8/17

From: WC Veterans

Please complete a Then & Now Certification for the attached purchase.

A purchase order was not completed for this procurement because: cancelled blanket po in order to easily move appropriation from account 924 to 920.

FUND	SUB FUND	FUNCTION	OBJECT	AMOUNT
101		5220	920	\$ 1050.00

VENDOR NAME VFW 7596

DESCRIPTION OF SERVICES Military Funeral Honors

DATE OF OBLIGATION 7/2/17

THEN & NOW CERTIFICATION

CERTIFICATE OF FISCAL OFFICER IN LIEU OF PURCHASE ORDER

Pursuant to Sec. 5705.41 (D)(1) O.R.C.

The Warren County Auditor hereby certifies that even though there was not a Purchase Order executed prior to this obligation being incurred, there was at the time of the obligation, and there is now, sufficient appropriation for the purpose of such obligation and sufficient funds in the treasury to the credit of such fund free from any previous encumbrances to honor this payment.

UNENCUMBERED ACCOUNT BALANCE - THEN \$ 228,376.68 DATE 7/2/17

UNENCUMBERED ACCOUNT BALANCE - NOW \$ 216,510.98 DATE 8/11/17

FUND BALANCE NOW \$ 29,890,056.91

CERTIFIED BY: Matt Nolan

MATT NOLAN, WARREN COUNTY AUDITOR

Resolution

Number 17-1272

Adopted Date August 15, 2017

APPROVE VARIOUS REFUNDS

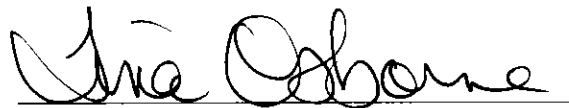
BE IT RESOLVED, to approve various refunds, as attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Refunds file

Resolution

Number 17-1273

Adopted Date August 15, 2017

ACKNOWLEDGE PAYMENT OF BILLS

BE IT RESOLVED, to acknowledge payment of bills as submitted on batches #08/10/2017 001, #08/10/2017 002, #08/10/2017 003, #08/10/2017 004, #08/10/2017 005, and #08/10/2017 006; said batches are attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea


Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

kh

cc: Auditor 

Resolution

Number 17-1274

Adopted Date August 15, 2017

APPROVE A STREET AND APPURTENANCES (INCLUDING SIDEWALKS) BOND REDUCTION FOR M/I HOMES OF CINCINNATI, LLC, FOR COMPLETION OF PERFORMANCE OF CONSTRUCTION OF IMPROVEMENTS AND ENTER INTO THE MAINTENANCE SECURITY FOR ESTATES AT HAWTHORNE MANOR, SECTION 5C SITUATED IN HAMILTON TOWNSHIP

WHEREAS, the Developer has completed the performance of the construction of improvements subject of the Bond referenced below, and upon recommendation of the County Engineer the bond amount for performance may be reduced to zero, but the bond shall remain in effect for maintenance security to secure the performance of all maintenance upon the completed Improvements;

NOW THEREFORE BE IT RESOLVED, upon recommendation of the Warren County Engineer, to approve the following street and appurtenances performance bond reduction and the two year maintenance period:

BOND REDUCTION

Bond Number	:	16-007 (P/S-M)
Development	:	Estates at Hawthorne Manor, Section 5C
Developer	:	M/I Homes of Cincinnati, LLC
Township	:	Hamilton
Reduction Amount	:	\$25,428.72
Surety Company	:	Berkley Ins. Co. (0198647)

BE IT FURTHER RESOLVED: the original amount of bond was \$148,538.59 and a previous bond reduction of \$93,999.04 and the above reduction, the new required bond amount is \$29,110.83.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young -- absent
Mr. Grossmann -- yea
Mrs. Jones -- yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: M/I. Homes of Cincinnati, LLC, 9349 Waterstone Blvd. #100, Cincinnati, OH 45249
Berkley Ins. Co. 475 Steamboat Road, Greenwich, CT 06830
Engineer (file)
Bond Agreement file

Resolution

Number 17-1275

Adopted Date August 15, 2017

APPROVE A STREET AND APPURTENANCES (INCLUDING SIDEWALKS) BOND REDUCTION FOR M/I HOMES OF CINCINNATI, LLC, FOR COMPLETION OF PERFORMANCE OF CONSTRUCTION OF IMPROVEMENTS AND ENTER INTO THE MAINTENANCE SECURITY FOR ESTATES AT HAWTHORNE MANOR, SECTION 5B SITUATED IN HAMILTON TOWNSHIP

WHEREAS, the Developer has completed the performance of the construction of improvements subject of the Bond referenced below, and upon recommendation of the County Engineer the bond amount for performance may be reduced to zero, but the bond shall remain in effect for maintenance security to secure the performance of all maintenance upon the completed Improvements;

NOW THEREFORE BE IT RESOLVED, upon recommendation of the Warren County Engineer, to approve the following street and appurtenances performance bond reduction and the two year maintenance period:

BOND REDUCTION

Bond Number	:	15-007 (P/S-M)
Development	:	Estates at Hawthorne Manor, Section 5B
Developer	:	M/I Homes of Cincinnati, LLC
Township	:	Hamilton
Reduction Amount	:	\$12,650.86
Surety Company	:	Berkley Ins. Co. (0190802)

BE IT FURTHER RESOLVED: the original amount of bond was \$55,340.43 and after the above reduction, the remaining bond amount is \$42,689.57.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

cc: M/I Homes of Cincinnati, LLC, 9349 Waterstone Blvd. #100, Cincinnati, OH 45249
Berkley Ins. Co. 475 Steamboat Road, Greenwich, CT 06830
Engineer (file)
Bond Agreement file

Resolution

Number 17-1276

Adopted Date August 15, 2017

APPROVE A STREET AND APPURTENANCES (INCLUDING SIDEWALKS) BOND REDUCTION FOR SF DUKE, LLC DBA VINTAGE OAKS FOR COMPLETION OF IMPROVEMENTS IN VINTAGE OAKS SITUATED IN DEERFIELD TOWNSHIP

BE IT RESOLVED, upon recommendation of the Warren County Engineer, to approve the following street and appurtenances bond reduction:

BOND REDUCTION

Bond Number	:	16-009 (P/S)
Development	:	Vintage Oaks
Developer	:	SF Duke, LLC, DBA Vintage Oaks
Township	:	Deerfield
Reduction Amount	:	\$29,423.77
Surety Company	:	Old Fort Banking Co. (10132405-2)

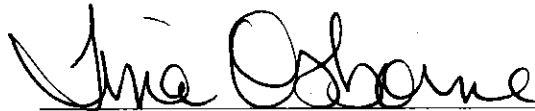
BE IT FURTHER RESOLVED, that the original amount of bond was \$675,422.02 and after a previous bond reduction of \$498,062.37 and the above reduction, the new required bond amount is \$147,935.88.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: SF Duke, dba Vintage Oaks, Attn: Michael Gates, P.O. Box 957, Mason, OH 45040
Old Fort Banking Co., 8034 Main St., Old Fort, Ohio 44861
Engineer (file)
Bond Agreement file

Resolution

Number 17-1277

Adopted Date August 15, 2017

APPROVE A SUBDIVISION PUBLIC IMPROVEMENT PERFORMANCE AND MAINTENANCE SECURITY AGREEMENT RELEASE FOR TRAILS OF SHAKER RUN HOLDINGS LLC FOR TRAILS OF SHAKER RUN - SECTION FOUR B IN TURTLECREEK TOWNSHIP

BE IT RESOLVED, upon recommendation of the Warren County Sanitary Engineer, to approve the following security release:

RELEASE

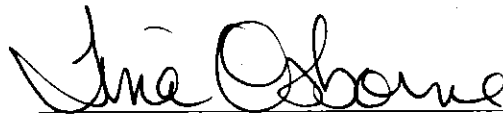
Bond Number	:	16-005 (W/S)
Development	:	Trails of Shaker Run - Section Four B
Developer	:	Trails of Shaker Run Holdings LLC
Township	:	Turtlecreek
Amount	:	\$6,517.50
Surety Company	:	North Side Bank & Trust Company (LOC No. 743)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cgb

cc: Trails of Shaker Run Holdings LLC, 5780 State Route 128, Cleves OH 45002
North Side Bank and Trust Company, 4125 Hamilton Ave., Cincinnati OH 45233
Water/Sewer (file)
Bond Agreement File

Resolution

Number 17-1278

Adopted Date August 15, 2017

APPROVE A STREET AND APPURTENANCES BOND RELEASE FOR STONERIDGE DEVELOPMENT, LTD FOR COMPLETION OF IMPROVEMENTS IN COUNTRY BROOK NORTH, SECTION EIGHT IN CLEARCREEK TOWNSHIP

WHEREAS, while the roadway improvements have now been completed, and the Erosion Control Bond remains in force under a separate bond agreement;

BE IT RESOLVED, upon recommendation of the Warren County Engineer, to approve the following street and appurtenances bond release:

BOND RELEASE

Bond Number	:	14-006 (P)
Development	:	Country Brook North, Section Eight
Developer	:	Stoneridge Development, LTD.
Township	:	Clearcreek
Amount	:	\$20,597.32
Surety Company	:	Citizens National Bank Cashier's Check #052023, \$20,597.32 and Cashier's Check #052036, \$14,825.73

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Stoneridge Dev., Ltd Attn: Robert D. Abernathy P.O. Box 757 Springboro, OH 45066
E.Hartmann
Engineer (file)
Bond Agreement file

Resolution

Number 17-1279

Adopted Date August 15, 2017

APPROVE GRAND WOOD COURT IN COUNTRY BROOK NORTH, SECTION EIGHT FOR PUBLIC MAINTENANCE BY CLEARCREEK TOWNSHIP

WHEREAS, the Warren County Engineer has verified that Grand Wood Court has been constructed in compliance with the approved plans and specifications; and

Street Number	Street Name	Street Width	Street Mileage
2183-T	Grand Wood Court	5'-24'-5"	0.141

NOW THEREFORE BE IT RESOLVED, to accept the above street name for public maintenance by Clearcreek Township; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Commissioners certify a copy of this resolution to the County Engineer, Warren County, Ohio.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Map Room (Certified copy)
Township Trustees
Ohio Department of Transportation
Engineer (file)
Developer
Bond Agreement file



Clearcreek TOWNSHIP

BOARD OF TRUSTEES

Ed Wade

Jason Gabbard

Steven A. Mulerspaw

FISCAL OFFICER

Linda A. Oda

August 4, 2017

Mr. Neil Tunison

Warren County Engineer

105 Markey Road

Lebanon, Ohio 45036

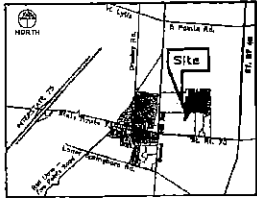
RE: Country Brook North, Section 7&8

The Clearcreek Township Road Maintenance Department has reviewed the completed work in the above referenced subdivision and found the required work to be satisfactory. The public road facilities in the subdivision will be accepted for Clearcreek Township maintenance when the County Commissioners accept the subdivision improvements. Please note that Clearcreek Township assumes no legal obligations or responsibilities to maintain or repair any drainage systems that are not located within the rights-of-way in this plat. Drainage improvements within the lots will be solely maintained continuously by the lot owner(s) so as not to obstruct, retard or divert the flow of storm water through the water course or drainage system.

Respectfully,

Scott Smith

Road Maintenance Superintendent



REFERENCES:
 RECORD 31,587 PLAT - STONERIDGE DEVELOPMENT, LTD.
 OFFICIAL RECORD 4816, PAGE 888
 WARREN COUNTY BOOK NORTH, SEC. 7, VOL. 132, PAGE 48
 PLAT: COUNTRY BROOK NORTH, SEC. 7, PLAT BOOK 70, PAGE 10
 COUNTRY BROOK NORTH, SEC. 10, PLAT BOOK 58, PAGE 18
 COUNTRY BROOK NORTH, SEC. 10, PLAT BOOK 57, PAGE 20-21
 COUNTRY BROOK NORTH, SEC. 10, PLAT BOOK 73, PAGE 29
 HORIZON HILLS, PLAT VOLUME 5, PAGE 122

EASEMENT NOTE:
 UNLESS NOTED OTHERWISE, EASEMENTS AS FOLLOWS:
 15' WIDE DRAINAGE & PUBLIC UTILITY EASEMENT ALONG RIGHT-OF-WAY LINES
 5' WIDE DRAINAGE EASEMENT ALONG REAR LOT LINES
 5' WIDE DRAINAGE EASEMENT ALONG SIDEWALK LINES

LINE DATA:

Course	Bearing	Distance
L1	N 89°12'00" W	255.34
L2	S 89°12'00" W	255.34
L3	N 89°12'00" W	255.34
L4	S 89°12'00" W	255.34
L5	N 89°12'00" W	255.34
L6	S 89°12'00" W	255.34
L7	N 89°12'00" W	255.34
L8	S 89°12'00" W	255.34
L9	N 89°12'00" W	255.34
L10	S 89°12'00" W	255.34
L11	N 89°12'00" W	255.34
L12	S 89°12'00" W	255.34
L13	N 89°12'00" W	255.34
L14	S 89°12'00" W	255.34
L15	N 89°12'00" W	255.34
L16	S 89°12'00" W	255.34
L17	N 89°12'00" W	255.34
L18	S 89°12'00" W	255.34

CURVE DATA:

Curve No.	Radius	Tangent Length	Chord	Chord Bear.
1	120.000'	42.539'	124.800'	84°42'18.800" W

SUBDIVIDER:
 STONERIDGE DEVELOPMENT, LTD.
 P.O. BOX 757
 SPRINGFIELD, OHIO 45506
 PHONE (937) 485-4363

Prepared by
McDougall - Marsh
 Land Surveyors
 4000 Woodloch, Xenia, Ohio 45386
 Tel: 937-847-8200 Fax: 937-847-8200
 www.mcdougall-marsh.com

WARREN COUNTY COMMISSIONERS
 BE THE SEALS OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO
 DO HEREBY APPROVE THIS PLAT OF THIS _____ DAY OF _____ 2013
 COMMISSIONERS: *[Signatures]*

Record Plan
Country Brook North
 Section Seven
 Section 31 & 32, Town 3, Range 5 M.R.s
 Clearcreek Township, Warren County, Ohio
 Sec.32 - 21.1544 Acres Lots 2.3986 Acres R/W
 Sec.31 - 7.5627 Acres Lots 0.1395 Acres R/W
 28,7226 Acres Lots / 2.5381 Acres R/W
 Containing 31,2587 Acres Total
 JANUARY 2013

DEDICATION:
 WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREIN PLATED, DO HEREBY VOLUNTARILY CONSENT TO THE DEDICATION OF THE SAID PLAT AND DO DEDICATE THE STREETS, PARKS OR PUBLIC GROUNDS AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

ANY "PUBLIC UTILITY EASEMENTS" AS SHOWN ON THIS PLAT ARE FOR THE PLACEMENT OF SIDEWALKS AND FOR THE MAINTENANCE AND REPAIR OF STREETS. THIS EASEMENT AND ALL OTHER EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR A SPECIFIC PURPOSE ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION OR OTHER UTILITY LINES OR CONDUITS, STRENGTHENING DISPOSAL AND FROM THE EXPRESS PRIVILEGE OF CUTTING, TRIMMING OR REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO THE FREE USE OF SAID EASEMENTS OR ADJACENT STREETS AND FOR PROMOTING BUSINESS AND ACCESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER. NO BUILDING OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR (4) CREATE A HAZARD.

THE ABOVE PUBLIC UTILITY EASEMENTS ARE FOR THE BENEFIT OF ALL PUBLIC UTILITY SERVICE PROVIDERS INCLUDING BUT NOT LIMITED TO: VERTEON, OUNKA ENERGY S.D.C., SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

STONERIDGE DEVELOPMENT, LTD.
 BY: *[Signature]*
 ROBERT D. ARBENWANT
 AGENT

STATE OF OHIO, S.S.
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 23RD DAY OF MAY, 2013, BY ROBERT D. ARBENWANT, AS AGENT OF STONERIDGE DEVELOPMENT, LTD., AS OBTAINERS.

NOTARY PUBLIC (MY COMMISSION EXPIRES: 8/17/15)



STATE OF OHIO, S.S.
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 1ST DAY OF MAY, 2013, BY ROBERT D. ARBENWANT, AS AGENT OF PNC BANK, ON BEHALF OF SAID ORGANIZATION, AS LIENHOLDER.
 CHRISTOPHER J. DEWITT
 NOTARY PUBLIC (MY COMMISSION EXPIRES: 2/17/2011)

APPROVALS AND RECORDING:
 WARREN COUNTY REGIONAL PLANNING COMMISSION
 THIS PLAT WAS APPROVED BY THE WARREN COUNTY REGIONAL PLANNING COMMISSION ON THIS 12TH DAY OF July 2013.
[Signature]
 EXECUTIVE DIRECTOR

CLEARCREEK TOWNSHIP ZONING INSPECTOR
 I HEREBY APPROVE THIS PLAT ON THIS 12TH DAY OF July 2013.

CLEARCREEK TOWNSHIP ZONING SUPERVISOR
 I HEREBY APPROVE THIS PLAT ON THIS 12TH DAY OF July 2013.

WARREN COUNTY ENGINEER
 I HEREBY APPROVE THIS PLAT ON THIS 12TH DAY OF August 2013.
[Signature]
 WARREN COUNTY ENGINEER

WARREN COUNTY SANITARY ENGINEER
 I HEREBY APPROVE THIS PLAT ON THIS 22ND DAY OF July 2013.
[Signature]
 WARREN COUNTY SANITARY ENGINEER

WARREN COUNTY HEALTH DISTRICT
 I HEREBY APPROVE THIS PLAT ON THIS 21ST DAY OF May 2013.
[Signature]
 WARREN COUNTY HEALTH COMMISSIONER

COUNTY AUDITOR
 TRANSMITTED ON THIS 12TH DAY OF August 2013.
[Signature]
 COUNTY AUDITOR

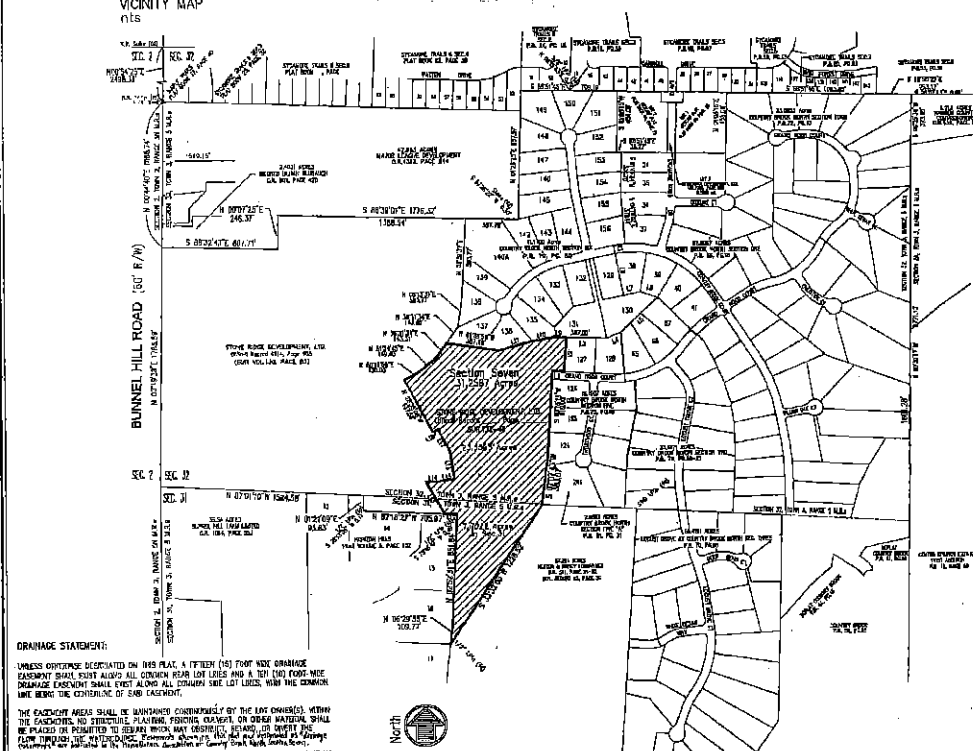
COUNTY RECORDER
 FILED ON THIS 12TH DAY OF August 2013 AT 10:00 AM.
 RECORDED ON THIS 12TH DAY OF August 2013 AT 10:00 AM.
 RECORDED IN PLAT BOOK NO. 88 PAGE 38, 39, 40
 REC. 4173 89
[Signature]
 WARREN COUNTY RECORDER

DEED REFERENCE:
 THE WITHIN PLAT IS SUBDIVISION OF 31,2587 ACRES, BEING PART OF 128,3384 ACRES AS CONVEYED TO STONERIDGE DEVELOPMENT, LTD. RECORDED IN O.R. 4614, PAGE 888 OF THE DEED RECORDS OF WARREN COUNTY, OHIO.

CERTIFICATION:
 THE COMMISSIONERS ARE CERTIFIED CORRECT AND MANDATORY SHALL BE SET AS SHOWN IN ACCORDANCE WITH NATIONAL STATE STANDARDS FOR BOUNDARY SURVEYS. CURED METERS ARE KEPT ON THE FILE.

McDougall - Marsh Land Surveyors
 BY: *[Signature]*
 DONALD K. MARSH, PLS. SURVEYOR
 DATE: 5/1/13

COMMENTS AND RESTRICTIONS:
 THE WITHIN PLAT IS SUBJECT TO COVENANTS AND RESTRICTIONS CONTAINED IN THE HOMEOWNERS ASSOCIATION COVENANTS FOR COUNTRY BROOK NORTH, SECTION 5 WHICH ARE FILED WITH THE WARREN COUNTY RECORDER AT OFFICIAL RECORD 6292, PAGE 5640



DRAINAGE STATEMENTS:
 UNLESS OTHERWISE SPECIFIED ON THIS PLAT, A FIFTY (50) FOOT WIDE DRAINAGE EASEMENT SHALL BE LOCATED ALONG REAR LOT LINES AND A TEN (10) FOOT WIDE DRAINAGE EASEMENT SHALL BE LOCATED ALONG SIDEWALK LINES, WITH THE CENTER LINE BEING THE CENTERLINE OF THE FACILITY.
 THE EASEMENT AREAS SHALL BE MAINTAINED CONFORMABLY BY THE LOT OWNERS WITHIN THE EASEMENT AREA. STRUCTURAL PLANTING, FENCING, OR OTHER MATERIAL SHALL BE PLACED OR MAINTAINED TO REMAIN WITHIN THE EASEMENT AREA AND NOT TO INTERFERE WITH THE MAINTENANCE OF THE FACILITY. EASEMENT AREAS SHALL BE MAINTAINED IN ACCORDANCE WITH SECTION 6303 OF THE OHIO REVISION CODE. ANY AREAS WITHIN THE EASEMENT AREA WHICH ARE NOT PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR (4) CREATE A HAZARD.

SUPER IMPOSED SURVEY
 Scale: 1" = 400'

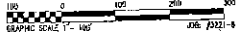
- SURVEY NOTES:**
1. ALL DEED, SURVEY AND PLAN RECORDS SHOWN ON THIS DRAWING WERE USED IN THE PERFORMANCE OF THIS SURVEY.
 2. LINES OF OCCUPATION (OTHER EXISTING) IN GENERAL, AGREE WITH PROPERTY LINES.
 3. ALL INFORMATION FOUND IN GOOD FAITH UNLESS NOTED OTHERWISE.
 4. NEW PINS SET ARE 3/4" x 1/8" REBAR WITH PLASTIC CAP STAMPED "TMS".
 5. SURVEY PREPARED IN THE PRESENCE OF A COMPLETE AND UP TO DATE TITLE REPORT.

WARREN COUNTY COMBINED HEALTH DEPARTMENT DEED COVENANTS AND RESTRICTIONS:
 1. ALL LOTS IN COUNTRY BROOK NORTH HAVE A SPECIFIC HOUSE LAYOUT APPROVED BY THE WARREN COUNTY HEALTH DEPARTMENT FOR THE MAXIMUM USE OF THE LOT FOR BUILDING AREA. 300 FEET OF LEASH LINES PER RESIDENT IS REQUIRED.
 2. NO ACCESSORY STRUCTURES INCLUDING POOLHouses OR CONCRETE SLABbed OR CONCRETE FOUNDATIONS WILL BE ALLOWED WITHOUT THE EXPRESS APPROVAL OF THE WARREN COUNTY HEALTH DEPARTMENT.
 3. THESE COVENANTS AND RESTRICTIONS WILL REMAIN IN EFFECT UNTIL SPECIFICALLY RELEASED BY THE WARREN COUNTY HEALTH DEPARTMENT.





BEARINGS BASED ON THE CENTERLINE OF GRAND WOOD COURT (S 61°24'52"W) AS RECORDED IN COUNTY BOOK NORTH, SEC. 36/18V IN P.B. 88, PAGE 33-34, OF THE PLAT RECORDS OF WARREN COUNTY, OHIO.



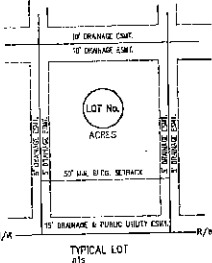
- Monument Legend**
- indicates 3/8" iron pin found (unless otherwise noted)
 - indicates 1/4" iron pin set
 - indicates iron pipe found
 - ▲ indicates iron nail found (unless otherwise noted)
 - ▲ indicates iron nail set
 - ▲ indicates 2" x 4" set
 - ▲ indicates 2" x 4" set
 - ▲ indicates 2" x 4" set
 - ▲ indicates 2" x 4" set
 - ▲ indicates 2" x 4" set

EASEMENT NOTES
UNLESS NOTED OTHERWISE, EASEMENTS AS FOLLOWS:
15' WIDE BURIAL & PUBLIC UTILITY ALONG ALL RIGHT-OF-WAY LINES
10' WIDE BURIAL & PUBLIC UTILITY ALONG ALL WIDE LOT LINES
5' WIDE BURIAL & PUBLIC UTILITY ALONG ALL OTHER LOT LINES

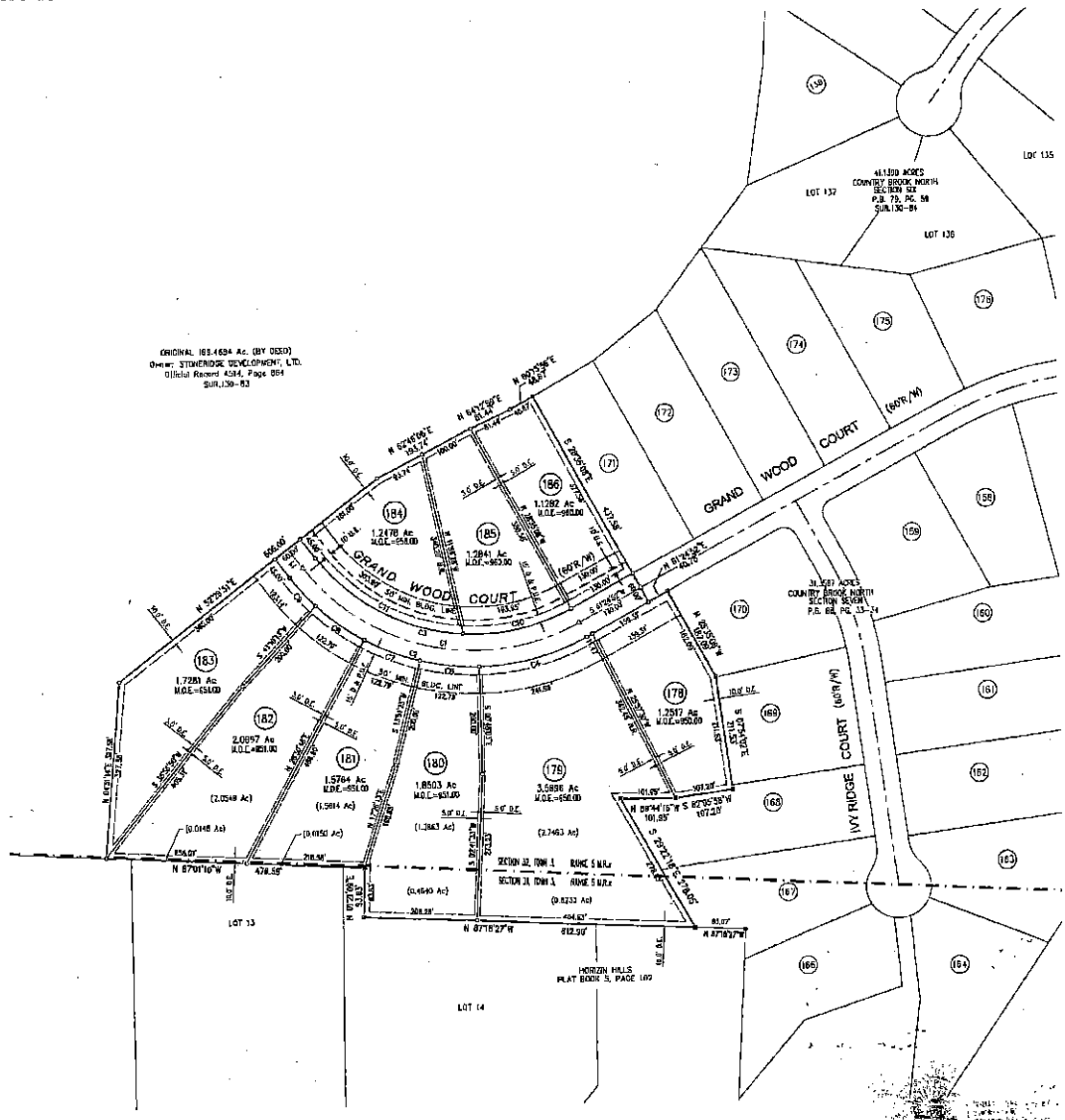
D.E. = STORMWATER DRAINAGE EASEMENT

D & P.U.E. = STORMWATER DRAINAGE AND PUBLIC UTILITY EASEMENT

M.C.E. = MINIMUM OPENING ELEVATION



ORIGINAL 168.4684 AC. (BY DEED)
OWNER: STEWENSON DEVELOPMENT, LTD.
Official Record 4334, Page 894
Sub. 130-83



LINE DATA

Course	Bearing	Distance
L1	N 37°30'00" W	15.00'

CURVE DATA

Curve	Radius	Tangent	Length	Delta	Chord	Chord Bear.
C1	466.00'	243.13'	548.07'	105.00°	325.00'	N 72°10'24" W
C2	132.00'	73.91'	178.50'	117.00°	104.00'	N 75°01'24" W
C3	375.00'	203.44'	523.61'	110.00°	342.00'	N 78°00'24" W
C4	350.00'	190.15'	461.20'	112.00°	300.00'	N 76°30'24" W
C5	450.00'	250.17'	580.00'	110.00°	375.00'	N 77°30'24" W
C6	275.00'	150.00'	340.00'	112.00°	210.00'	N 75°00'24" W
C7	300.00'	165.00'	370.00'	110.00°	230.00'	N 76°00'24" W
C8	400.00'	220.00'	480.00'	110.00°	320.00'	N 77°00'24" W
C9	350.00'	195.00'	410.00'	112.00°	280.00'	N 75°30'24" W
C10	500.00'	275.00'	600.00'	110.00°	400.00'	N 78°00'24" W
C11	550.00'	295.00'	650.00'	110.00°	430.00'	N 77°30'24" W
C12	600.00'	315.00'	700.00'	110.00°	460.00'	N 78°00'24" W

Old 05-22-2000-012 99-0899-01
 New 05-22-2000-013
 New 05-22-2000-014
 New 05-22-2000-015
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 New 05-22-2000-100

CENTERLINE DATA

ROAD NAME	ROAD LENGTH
GRAND WOOD COURT	TOTAL LENGTH = 741.07'

- SURVEY NOTES:**
1. ALL DEEDS, SURVEY AND PLAN RECORDS SHOWN ON THIS DRAWING WERE USED IN THE PERFORMANCE OF THIS SURVEY.
 2. NATURE OF OCCUPATION (WHERE COURTING) IN GENERAL ARISE WIDE PROPERTY LINES.
 3. ALL MEASUREMENTS TAKEN WERE IN GOOD CONDITION UNLESS NOTED OTHERWISE.
 4. IRON PINS SET ARE 3/8" x 5/8" REBAR WITH PLASTIC CAP STAMPED "72525".
 5. SURVEY PREPARED IN THE ABSENCE OF A COMPLETE AND UP TO DATE TITLE REPORT.

CIVIL ENGINEER - RFP
 SEAL & SIGNATURE

Resolution

Number 17-1280

Adopted Date August 15, 2017

APPROVE IVY RIDGE COURT AND GRAND WOOD COURT IN COUNTRY BROOK NORTH, SECTION SEVEN FOR PUBLIC MAINTENANCE BY CLEARCREEK TOWNSHIP

WHEREAS, the Warren County Engineer has verified that Ivy Ridge Court and Grand Wood Court has been constructed in compliance with the approved plans and specifications; and

Street Number	Street Name	Street Width	Street Mileage
1566-T	Ivy Ridge Court	5'-24'-5'	0.142
2183-T	Grand Wood Court	5'-24'-5'	0.187

NOW THEREFORE BE IT RESOLVED, to accept the above street name for public maintenance by Clearcreek Township; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Commissioners certify a copy of this resolution to the County Engineer, Warren County, Ohio.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

cc: Map Room (Certified copy)
Township Trustees
Ohio Department of Transportation
Engineer (file)
Developer
Bond Agreement file



Clearcreek TOWNSHIP

BOARD OF TRUSTEES

FISCAL OFFICER

Ed Wade

Jason Gabbard

Steven A. Muterspaw

Linda A. Oda

August 4, 2017

Mr. Neil Tunison

Warren County Engineer

105 Markey Road

Lebanon, Ohio 45036

RE: Country Brook North, Section 7&8

The Clearcreek Township Road Maintenance Department has reviewed the completed work in the above referenced subdivision and found the required work to be satisfactory. The public road facilities in the subdivision will be accepted for Clearcreek Township maintenance when the County Commissioners accept the subdivision improvements. Please note that Clearcreek Township assumes no legal obligations or responsibilities to maintain or repair any drainage systems that are not located within the rights-of-way in this plat. Drainage Improvements within the lots will be solely maintained continuously by the lot owner(s) so as not to obstruct, retard or divert the flow of storm water through the water course or drainage system.

Respectfully,

Scott Smith

Road Maintenance Superintendent

CLEARCREEK TOWNSHIP GOVERNMENT CENTER
7593 Bunnell Hill Road, Springboro, Ohio 45066
937-748-1267 1-800-824-5124 Fax: 937-748-3252
www.clearcreektownship.com

WARREN COUNTY COMMISSIONERS
 BE THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO
 DO HEREBY APPROVE THIS PLAN OF THIS DATE, DAY OF JANUARY 2014

COMMISSIONERS: *Delaney* *Johnston*

Country Brook North

Section Eight

Section 31 & 32, Town 3, Range 5 M.R.s
 Clearcreek Township, Warren County, Ohio
 Sec.32 - 14,368.8 Acres Lots 1.0307 Acres R/W
 Sec.31 - 1,317.1 Acres Lots

15,705.9 Acres Lots / 1,020.7 Acres R/W
 Containing 16,726.6 Acres Total
 JANUARY 2014

SUBDIVIDER:
 STONE RIDGE DEVELOPMENT, LTD.
 231 BENTLEY
 SPRINGFIELD, OHIO 45506
 PHONE: (513) 865-4393

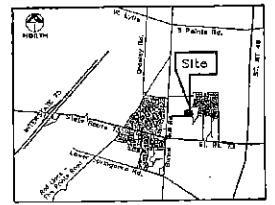
Prepared by
McDougal - Marsh
 Land Surveyors
 10000 W. Main Street, Suite 100
 Cincinnati, Ohio 45241
 Phone: (513) 533-2272
 www.mcdougal-marsh.com

LINE DATA:

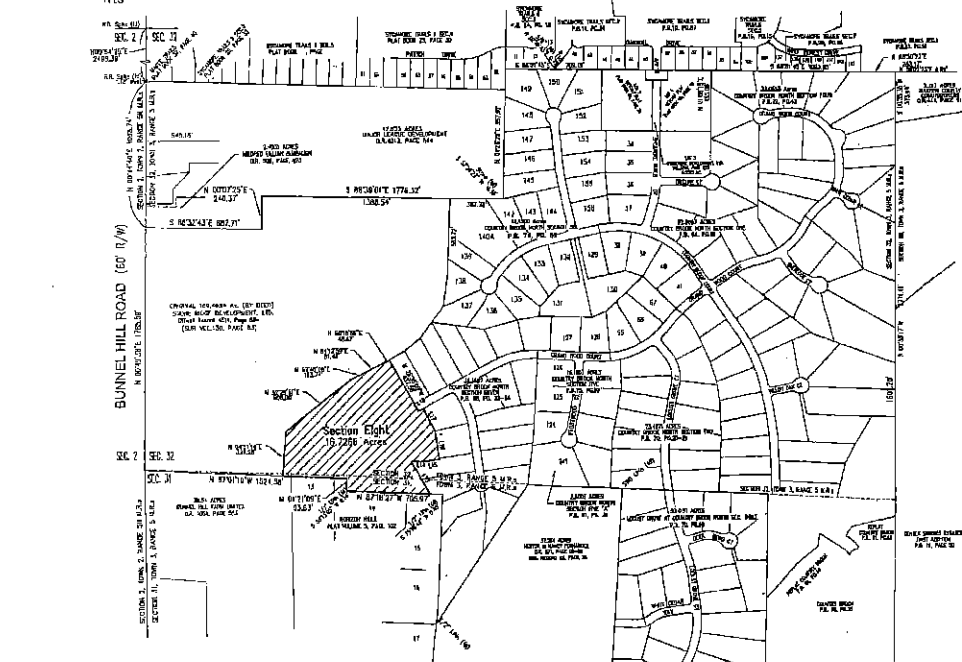
113	S 40° 21' 00" E	228.00
114	N 89° 45' 00" W	101.60
115	S 23° 00' 00" E	122.80
116	S 07° 15' 00" W	211.50
117	S 89° 00' 00" W	152.80
118	N 81° 22' 30" E	45.70

REFERENCES:
 DEEDS: STONERIDGE DEVELOPMENT, LTD.
 OFFICIAL RECORD #54, PAGE 884
 SURVEY: COUNTRY BROOK NORTH, SEC. 31, VOL. 132, PAGE 48
 COUNTRY BROOK NORTH, SEC. 32, PLAT BOOK 99, PAGES 33-34.
 COUNTRY BROOK NORTH, SEC. 32, PLAT BOOK 99, PAGES 35
 HORIZON HILLS, PLAT VOLUME 5, PAGE 162

EASEMENT NOTE:
 UNLESS NOTED OTHERWISE, EASEMENTS AS FOLLOWS:
 10' WIDE DRAINAGE & PUBLIC UTILITY EASEMENT ALONG ALL RIGHT-OF-WAY LINES (D. & P.M.E.)
 10' WIDE DRAINAGE EASEMENT ALONG ALL REAR LOT LINES
 5' WIDE DRAINAGE EASEMENT ALONG ALL SIDE LOT LINES



VICINITY MAP



APPROVALS AND RECORDING
 WARREN COUNTY REGIONAL PLANNING COMMISSION
 I HEREBY APPROVE THIS PLAN ON THIS 21st DAY OF January 2014.
John Johnston
 EXECUTIVE DIRECTOR

CLEARCREEK TOWNSHIP ZONING INSPECTOR
 I HEREBY APPROVE THIS PLAN ON THIS 21st DAY OF January 2014.
John Johnston
 ZONING INSPECTOR

CLEARCREEK TOWNSHIP ZONING INSPECTOR
 I HEREBY APPROVE THIS PLAN ON THIS 21st DAY OF January 2014.
John Johnston
 ZONING INSPECTOR

WARREN COUNTY ENGINEER
 I HEREBY APPROVE THIS PLAN ON THIS 21st DAY OF January 2014.
John Johnston
 WARREN COUNTY ENGINEER

WARREN COUNTY SANITARY ENGINEER
 I HEREBY APPROVE THIS PLAN ON THIS 21st DAY OF January 2014.
John Johnston
 WARREN COUNTY SANITARY ENGINEER

WARREN COUNTY HEALTH DISTRICT
 I HEREBY APPROVE THIS PLAN ON THIS 21st DAY OF January 2014.
John Johnston
 WARREN COUNTY HEALTH DISTRICT

COUNTY AUDITOR
 TRANSFERRED ON THIS 10th DAY OF June 2014.
John Johnston
 COUNTY AUDITOR

COUNTY RECORDER
 FILE NO. 2014-014407
 RECORDED ON THIS 16th DAY OF June 2014 AT 2:31 P.M.
 RECORDED IN THIS 16th DAY OF June 2014 AT 2:31 P.M.
 FILE NO. 36437
 FILE 36437
 COUNTY RECORDER

DEDICATION:
 WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE SAID PLAN AND DO DEDICATE THE STREETS, PARLS OR PUBLIC GROUNDS AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

ANY "PUBLIC UTILITY EASEMENTS" AS SHOWN ON THIS PLAN ARE FOR THE PLACEMENT OF SIDEWALKS AND FOR THE MAINTENANCE AND REPAIR OF STREETS, THIS EASEMENT AND ALL OTHER EASEMENTS SHOWN ON THIS PLAN, UNLESS DESIGNATED FOR A SPECIFIC PURPOSE ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION OR OTHER UTILITY LINES OR SERVICES, STORMWATER DISPOSAL AND FOR THE EXPRESS PURPOSES OF CUTTING, TRIMMING, OR REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO THE PRIOR USE OF SAID EASEMENTS OR ADJACENT STREETS AND FOR PROVIDING ACCESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER. NO BUILDING OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENT NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR (4) CREATE A HAZARD.

THE ABOVE PUBLIC UTILITY EASEMENTS ARE FOR THE BENEFIT OF ALL PUBLIC UTILITY SERVICE PROVIDERS INCLUDING BUT NOT LIMITED TO VECTRA, DUKE ENERGY, AND S.B.C.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:
 ROBERT D. ABERNATHY
 AGENT

STATE OF OHIO, S.S.
 THE FOREGOING INSTRUMENT WAS ADMONISHED BEFORE ME ON THIS 21st DAY OF January 2014 BY ROBERT D. ABERNATHY, AS AGENT OF STONERIDGE DEVELOPMENT, LTD., AS DEDICATOR(S).
Robert D. Abernathy
 NOTARY PUBLIC (MY COMMISSION EXPIRES: June 30, 2017)

DRAINAGE STATEMENT:
 UNLESS OTHERWISE DESIGNATED ON THIS PLAN, A FIFTYFOUR FOOT DRAINAGE AND PUBLIC UTILITY EASEMENT SHALL FIRST ALONG THE PUBLIC RIGHT-OF-WAY, A TEN (10) FOOT WIDE DRAINAGE EASEMENT SHALL FIRST ALONG ALL COMMON REAR LOT LINES AND A TEN (10) FOOT WIDE DRAINAGE EASEMENT SHALL FIRST ALONG ALL COMMON SIDE LOT LINES, WITH THE COMMON LINE BEING THE CENTERLINE OF SAID EASEMENT.

SUPER IMPOSED SURVEY
 Scale: 1" = 400'

DRAINAGE STATEMENT
 THE UNDERSIGNED ASSOCIATION IS RESPONSIBLE FOR MAINTAINING ALL STORM WATER FACILITIES LOCATED OUTSIDE THE PUBLIC RIGHT-OF-WAY INCLUDING SEWER STRUCTURES, DETENTION/RETENTION BASINS, AND SUMP BASINS.

WARREN COUNTY COMBINED HEALTH DEPARTMENT DEED COVENANTS AND RESTRICTIONS:
 1. ALL LOTS AT COUNTRY BROOK NORTH NEED A SPECIFIC HOUSE LAYOUT APPROVED BY THE WARREN COUNTY HEALTH DEPARTMENT FOR THE MAXIMUM USE OF THE LOT FOR BUILDING AREA. 300 FEET OF LEAKY LINES PER BEINGING IS REQUIRED.
 2. NO ACCESSORY STRUCTURES INCLUDING FOOTERS ON ELEVATED FLOORS OR EXCAVATION FOR FOUNDATIONS WILL BE ALLOWED WITHOUT THE SPECIFIC APPROVAL OF THE WARREN COUNTY HEALTH DEPARTMENT.
 3. THESE COVENANTS AND RESTRICTIONS WILL REMAIN IN EFFECT UNTIL SPECIFICALLY RELEASED BY THE WARREN COUNTY HEALTH DEPARTMENT.

DEED REFERENCE:
 THE WITHIN PLAN IS A SUBDIVISION OF 16,726.6 ACRES, EIGHTH PART OF ORIGINAL 158,459.4 ACRES AS CONVEYED TO STONERIDGE DEVELOPMENT, LTD. RECORDED IN O.R. #54, PAGE 884 OF THE DEED RECORDS OF WARREN COUNTY, OHIO.

CERTIFICATION
 THE MEASUREMENTS ARE CERTIFIED CORRECT AND MEASUREMENTS SHALL BE SET AS FOLLOWS IN ACCORDANCE WITH MINIMUM STATE STANDARDS FOR SURVEYING SURVEYS. CROWN DISTANCES ARE MEASURED ON THE AIR.

THE CITIZEN'S NATIONAL BANK OF CINCINNATI, OHIO
 BY KYLE SANDUSKY

NOTARY PUBLIC (MY COMMISSION EXPIRES: June 30, 2017)

STATE OF OHIO, S.S.
 THE FOREGOING INSTRUMENT WAS ADMONISHED BEFORE ME ON THIS 21st DAY OF January 2014 BY KYLE SANDUSKY, AS AGENT OF THE CITIZEN'S NATIONAL BANK OF CINCINNATI, OHIO.
Kyle Sandusky
 NOTARY PUBLIC (MY COMMISSION EXPIRES: June 30, 2017)

COVENANTS AND RESTRICTIONS
 THE WITHIN PLAN IS SUBJECT TO COVENANTS AND RESTRICTIONS CONTAINED IN THE HOMEOWNERS ASSOCIATION DOCUMENTS FOR COUNTRY BROOK NORTH, SECTION 8 WHICH ARE FILED WITH THE WARREN COUNTY RECORDER AT OFFICIAL RECORD #436, PAGE 846.

McDougal - Marsh Land Surveyors
 BY *Thomas R. Marsh*
 10000 W. Main Street, Suite 100
 Cincinnati, Ohio 45241
 DATE: 1/14





BEARINGS BASED ON THE WEST LINE OF COUNTRY BROOK NORTH, SEC. FIVE, AS RECORDED IN P.L.B.T.S. PAGE 10, OF THE PLAT RECORDS OF WARREN COUNTY, OHIO. (S 05°10'14" W)

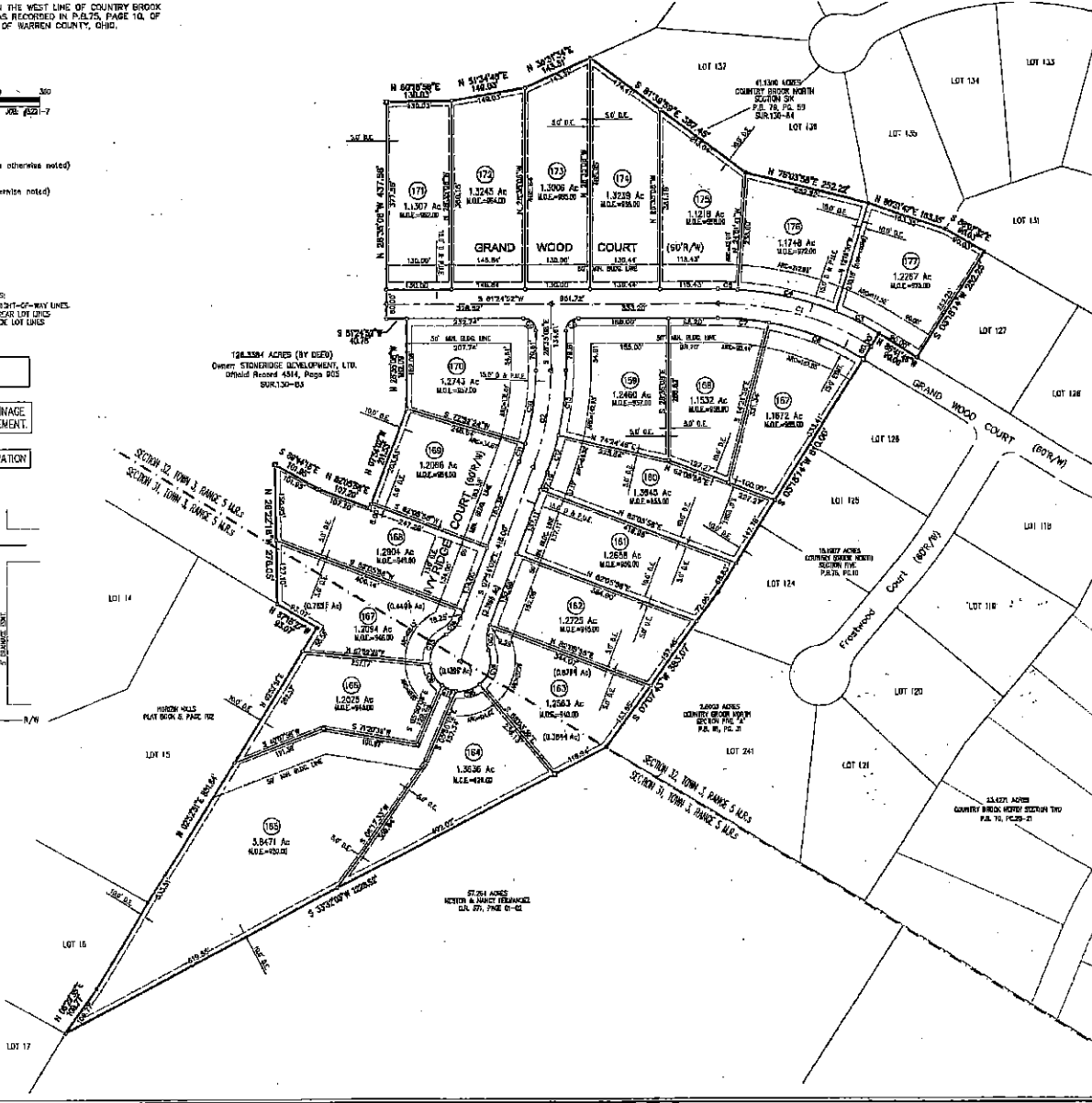
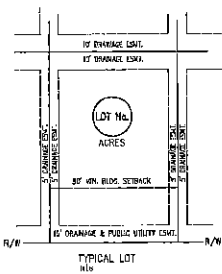


- Monument Legend**
- ⊙ Indicates 1/2" iron pin found (unless otherwise noted)
 - Indicates 3/8" iron pin set
 - ⊠ Indicates Iron Pipe found
 - ▲ Indicates L.P.C. not found (unless otherwise noted)
 - △ Indicates L.P.C. not set
 - ⊙ Indicates Stone found
 - ⊙ Indicates Concrete Monument not
 - ⊙ Indicates Railroad Spike found

EASEMENT NOTE:

UNLESS NOTED OTHERWISE, EASEMENTS AS FOLLOWS:
 15' WIDE DRAINAGE & PUBLIC UTILITY ALONG ALL RIGHT-OF-WAY LINES.
 15' WIDE DRAINAGE & PUBLIC UTILITY ALONG ALL REAR LOT LINES.
 3' WIDE DRAINAGE & PUBLIC UTILITY ALONG ALL SIDE LOT LINES.

- D.E.= STORMWATER DRAINAGE EASEMENT.
- D & P.U.C.= STORMWATER DRAINAGE AND PUBLIC UTILITY EASEMENT.
- M.O.E.= MINIMUM OPENING ELEVATION.



CURVE DATA:

Curve	Radius	Turn Angl.	Length	Delta	Chord	Chord B'pt.
C1	180.00'	150.00'	100.00'	132.70'	173.20'	N 72°51'47" W
C2	200.00'	120.00'	100.00'	141.42'	183.26'	N 72°51'47" W
C3	250.00'	90.00'	100.00'	167.36'	223.61'	N 72°51'47" W
C4	300.00'	60.00'	100.00'	216.51'	283.54'	N 72°51'47" W
C5	350.00'	30.00'	100.00'	283.54'	363.73'	N 72°51'47" W
C6	400.00'	0.00'	100.00'	363.73'	463.96'	N 72°51'47" W
C7	450.00'	-30.00'	100.00'	463.96'	583.99'	N 72°51'47" W
C8	500.00'	-60.00'	100.00'	583.99'	723.50'	N 72°51'47" W
C9	550.00'	-90.00'	100.00'	723.50'	883.19'	N 72°51'47" W
C10	600.00'	-120.00'	100.00'	883.19'	1062.66'	N 72°51'47" W
C11	650.00'	-150.00'	100.00'	1062.66'	1261.50'	N 72°51'47" W
C12	700.00'	-180.00'	100.00'	1261.50'	1489.31'	N 72°51'47" W
C13	750.00'	-210.00'	100.00'	1489.31'	1745.71'	N 72°51'47" W
C14	800.00'	-240.00'	100.00'	1745.71'	2030.31'	N 72°51'47" W
C15	850.00'	-270.00'	100.00'	2030.31'	2342.71'	N 72°51'47" W
C16	900.00'	-300.00'	100.00'	2342.71'	2682.50'	N 72°51'47" W
C17	950.00'	-330.00'	100.00'	2682.50'	3049.29'	N 72°51'47" W
C18	1000.00'	-360.00'	100.00'	3049.29'	3442.58'	N 72°51'47" W
C19	1050.00'	-390.00'	100.00'	3442.58'	3861.87'	N 72°51'47" W
C20	1100.00'	-420.00'	100.00'	3861.87'	4306.66'	N 72°51'47" W

Old 05-30-360-011 126-9364 ac.

Lot	Number	Shed Number
New	137	05-30-360-015
New	138	05-30-360-016
New	139	05-30-360-017
New	140	05-30-360-018
New	141	05-30-360-019
New	142	05-30-360-020
New	143	05-30-360-021
New	144	05-30-360-022
New	145	05-30-360-023
New	146	05-30-360-024
New	147	05-30-360-025
New	148	05-30-360-026
New	149	05-30-360-027
New	150	05-30-360-028
New	151	05-30-360-029
New	152	05-30-360-030
New	153	05-30-360-031
New	154	05-30-360-032
New	155	05-30-360-033
New	156	05-30-360-034
New	157	05-30-360-035
New	158	05-30-360-036
New	159	05-30-360-037
New	160	05-30-360-038
New	161	05-30-360-039
New	162	05-30-360-040
New	163	05-30-360-041
New	164	05-30-360-042
New	165	05-30-360-043
New	166	05-30-360-044
New	167	05-30-360-045
New	168	05-30-360-046
New	169	05-30-360-047
New	170	05-30-360-048
New	171	05-30-360-049
New	172	05-30-360-050
New	173	05-30-360-051
New	174	05-30-360-052
New	175	05-30-360-053
New	176	05-30-360-054
New	177	05-30-360-055

New 05-30-600-001 2.5364 ac. NW
 Dem 05-30-360-012 97.0797 ac.
 9/13 g

CENTRELINE DATA:

ROAD NAME	ROAD LENGTH
GRAND WOOD COURT	TOTAL LENGTH = 884.54'
FOXHOLLOW COURT	TOTAL LENGTH = 746.17'

Resolution

Number 17-1281

Adopted Date August 15, 2017

APPROVE A STREET AND APPURTENANCES BOND RELEASE FOR STONERIDGE DEVELOPMENT, LTD FOR COMPLETION OF IMPROVEMENTS IN COUNTRY BROOK NORTH, SECTION SEVEN IN CLEARCREEK TOWNSHIP

BE IT RESOLVED, upon recommendation of the Warren County Engineer, to approve the following street and appurtenances bond release:

BOND RELEASE

Bond Number	:	13-009 (P)
Development	:	Country Brook North, Section Seven
Developer	:	Stoneridge Development, LTD.
Township	:	Clearcreek
Amount	:	\$45,554.42
Surety Company	:	PNC Bank Cashier's Check #1108931

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Stoneridge Dev., Ltd Attn: Robert D. Abernathy P.O. Box 757 Springboro, OH 45066
E. Hartmann
Engineer (file)
Bond Agreement file

Resolution

Number 17-1282

Adopted Date August 15, 2017

APPROVE APPROPRIATION DECREASES WITHIN VARIOUS FUNDS

WHEREAS, various Departments have cancelled purchase orders that were encumbered and carried over from previous years; and

WHEREAS, the Auditor's Office has advised this Board that any time prior year purchase orders are cancelled an appropriation decrease is necessary; and

NOW THEREFORE BE IT RESOLVED, to approve the following appropriation decreases within various Department Funds:


\$ 1,546.98 from #632-0100-932 (Employee Benefits – Medical/Rx Claims)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Appropriation Decrease file
Employee Benefits (file)
OMB

Resolution

Number 17-1283

Adopted Date August 15, 2017

APPROVE SUPPLEMENTAL APPROPRIATIONS INTO COMMON PLEAS COURT COMMUNITY BASED CORRECTIONS FUND #289

BE IT RESOLVED, to approve the following supplemental appropriations:

\$ 15,000.00	into	#289-1225-850	(Training, Education)
\$100,000.00	into	#289-1226-400	(Purchased Services)
\$ 10,000.00	into	#289-1226-910	(Other Expense)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Supplemental Adjustment file
Common Pleas (file)
Community Corrections (file)
OMB

Resolution

Number 17-1284

Adopted Date August 15, 2017

APPROVE A SUPPLEMENTAL APPROPRIATION INTO FUND #485 MIAMI VALLEY GAMING TIF.

WHEREAS, a supplemental appropriation is necessary for Fund 485 for the cost of the issuance of the 2017 BAN; and

NOW THEREFORE BE IT RESOLVED, to approve the following supplemental appropriation:

\$ 10,523.25 into #485-3120-400 (Purchased Services)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Supplemental App. file
Engineer (file)
OMB

Resolution

Number 17-1285

Adopted Date August 15, 2017

APPROVE APPROPRIATION ADJUSTMENTS AND SUPPLEMENTAL APPROPRIATION ADJUSTMENT WITHIN SHERIFF'S OFFICE FUND #295

BE IT RESOLVED, to approve the following appropriation adjustments within Warren County Sheriff's Office Fund #295:

\$485.64	from #295-2200-220	(Operating Supplies, General)
	into #295-2200-317	(Capital Purchases Under \$10,000)
\$37.50	from #295-2200-400	(Purchased Services)
	into #295-2200-317	(Capital Purchases Under \$10,000)
\$70.00	from #295-2200-855	(Clothing-Personal Equip)
	into #295-2200-317	(Capital Purchases Under \$10,000)
\$350.00	from #295-2200-910	(Other Purchases)
	into #295-2200-317	(Capital Purchases Under \$10,000)
\$500.00	from #295-2200-940	(Travel)
	into #295-2200-317	(Capital Purchases Under \$10,000)

BE IT FURTHER RESOLVED, to approve the following supplemental appropriation adjustment into Warren County Sheriff's Office Fund #295:

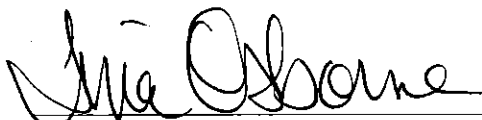
\$1195.23	into #295-2200-317	(Capital Purchases Under \$10,000)
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Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Appropriation Adj. File
Supplemental App. file
Sheriff (file)
OMB

Resolution

Number 17-1286

Adopted Date August 15, 2017

APPROVE APPROPRIATION ADJUSTMENT WITHIN SHERIFF'S OFFICE FUND #101-2200

BE IT RESOLVED, to approve the following appropriation adjustment:


\$5,000.00	from	#101-2200-317	(Capital Purchases Under \$10,000)
	into	#101-2200-400	(Purchased Services)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Appropriation Adjustment file
Sheriff's Office (file)
OMB

Resolution

Number 17-1287

Adopted Date August 15, 2017

APPROVE APPROPRIATION ADJUSTMENT WITHIN COUNTY COURT FUND #101-1283

BE IT RESOLVED, to approve the following appropriation adjustment:

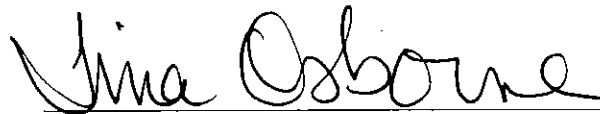
\$800.00 from #101-1283-102 (Regular Salaries)
 into #101-1283-940 (Travel)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

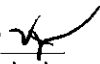
Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Appropriation Adj. file
County Court (file)
OMB

Resolution

Number 17-1288

Adopted Date August 15, 2017

APPROVE APPROPRIATION ADJUSTMENT WITHIN TELECOMMUNICATIONS
DEPARTMENT FUND #492

BE IT RESOLVED, to approve the following appropriation adjustment:


\$10,000.00 from #492-3819-371 (Comm Projects – Data-Hardware)
into #492-3819-334 (Comm Projects-Rehab/Maint)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:


Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Appropriation Adj. file
Telecom (file)
OMB

Resolution

Number 17-1289

Adopted Date August 15, 2017

APPROVE APPROPRIATION ADJUSTMENT WITHIN TREASURER'S OFFICE FUND
#101-1130

BE IT RESOLVED, to approve the following appropriation adjustment:

\$3,000.00 from #101-1130-820 (Health Insurance)
 into #101-1130-111 (Part-time employees)

\$2,000.00 from #101-1130-820 (Health Insurance)
 into #101-1130-210 (Office Supplies)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:

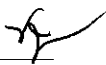
Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 
Appropriation Adj. file
Treasurer (file)
OMB

Resolution

Number 17-1290

Adopted Date August 15, 2017

AUTHORIZE PAYMENT OF BILLS

BE IT RESOLVED, to authorize payment of bills as submitted on Batches #08/15/2017 001, #08/15/2017 002, #08/15/2017 003, #08/15/2017 004, #08/15/2017 005, #08/15/2017 006, #08/15/2017 007, and #08/15/2017 008; said batches attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS


Tina Osborne, Clerk

cc: Auditor 

Resolution

Number 17-1291

Adopted Date August 15, 2017

SET PUBLIC HEARING FOR REZONING APPLICATION INITIATED BY THE RURAL ZONING COMMISSION (CASE #2017-04), TO REZONE APPROXIMATELY 1.023 ACRES FROM AGRICULTURE ZONE "A1" TO SINGLE FAMILY RESIDENTIAL "R1B" IN TURTLECREEK TOWNSHIP

BE IT RESOLVED, to set a public hearing for the rezoning application initiated by the Rural Zoning Commission, Mark Mann, owner of record (Case #2017-04), to rezone approximately 1.023 (Parcel Numbers 0931435010) located at 1435 Drake Road in Turtlecreek Township from Agricultural Zone "A1" to Single Family Residential "R1B"; said public hearing to be held September 12, 2017, at 9:00 a.m. in the County Commissioners Meeting Room; and

BE IT FURTHER RESOLVED, to advertise notice thereof in a newspaper of general circulation, at least ten (10) days prior to hearing.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

tao/

cc: RPC
RZC
Rezoning file
Property Owner
Township Trustees

Resolution

Number 17-1292

Adopted Date August 15, 2017

ENTER INTO AN ENGINEERING SERVICES CONTRACT WITH LJB INC. ON BEHALF OF THE WARREN COUNTY ENGINEER

BE IT RESOLVED, to enter into an engineering service contract with LJB Inc. 2500 Newmark Drive, Miamisburg, OH 45342 for final engineering services for the Mason Morrow Millgrove Road Relocation Project. Copy of agreement attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – absent
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 15th day of August 2017.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: c/a – LJB, Inc.
Engineer (file)

**ENGINEERING SERVICES CONTRACT
FOR
MASON-MORROW-MILLGROVE ROAD (CR 38) RELOCATION IN UNION TOWNSHIP**

THIS IS AN AGREEMENT made as of the date stated below, between The Warren County Board of County Commissioners, 406 Justice Drive, Lebanon, Ohio 45036 hereinafter referred to as the "OWNER," on behalf of the Warren County Engineer, hereinafter referred to as the "COUNTY ENGINEER" and LJB Inc., 2500 Newmark Drive, Miamisburg, Ohio 45342, a Corporation organized, duly licensed and existing under the laws of the State of Ohio for the practice of engineering, hereinafter referred to as the "ENGINEER."

COUNTY ENGINEER intends to relocate a portion of Mason-Morrow-Millgrove Road beginning approximately 900 feet east of Shawhan Road and continuing approximately 2,100 feet to a point east of the entrance to Miami View Estates Mining Company, hereinafter referred to as the "PROJECT."

OWNER and ENGINEER in consideration of their mutual covenants herein agree in respect of the performance of professional engineering services by ENGINEER and the payment for those services by OWNER as set forth below.

ENGINEER shall provide professional engineering services for COUNTY ENGINEER in all phases of the Project to which this Agreement applies, serve as COUNTY ENGINEER'S professional engineering representative for the Project as set forth below and shall give professional engineering consultation and advice to COUNTY ENGINEER during the performance of services hereunder.

SECTION 1 - BASIC SERVICES OF ENGINEER

1.1 General

1.1.1

After written authorization to proceed with the Final Design Phase, ENGINEER shall:

- 1.3.1 On the basis of the accepted preliminary design documents and the revised opinion of probable Project Costs, prepare Contract Construction Drawings to show the character and extent of the PROJECT, hereinafter called "Drawings and Specifications."
- 1.3.2 Advise COUNTY ENGINEER of any adjustments to the latest opinion of probable Project Costs caused by changes in extent or design requirements of the Project or Construction Costs and furnish a revised opinion of probable Project Costs based on Drawings and Specifications.
- 1.3.3 Furnish to the COUNTY ENGINEER, one (1) set of 22" x 34" Construction Contract Plans, one (1) set of 11" x 17" (half-size) copy of the plans and copies of the files on a compact disk.

SECTION 2 - ADDITIONAL SERVICES OF ENGINEER

(None required)

SECTION 3 - COUNTY ENGINEER'S RESPONSIBILITIES

COUNTY ENGINEER shall:

- 3.1 Provide all criteria and full information as to COUNTY ENGINEER'S requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations.

- 3.2 Assist ENGINEER by placing at his/her disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.
- 3.3 Furnish ENGINEER, as required for performance of ENGINEER's Basic Services, data prepared by or services of others, including without limitation laboratory tests and inspections of samples, materials and equipment; appropriate professional interpretations of all of the foregoing; property, boundary, easement, right-of-way, topographic and utility surveys; property descriptions; zoning, deed and other land use restriction; and other special data or consultations not covered in Section 2; all of which ENGINEER may rely upon in performing his/her services.
- 3.4 Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform his/her services.
- 3.5 Examine all studies, reports, sketches, Drawings, Specifications, proposals and other documents presented by ENGINEER, obtain advice of an attorney, insurance counselor and other consultants as OWNER and COUNTY ENGINEER deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of ENGINEER.
- 3.6 Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- 3.7 Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as may be required for the Project, such legal services as OWNER and COUNTY ENGINEER may require or ENGINEER may reasonably request with regard to legal issues pertaining to the Project including any that may be raised by Contractor(s), such auditing service as OWNER and COUNTY ENGINEER may require to ascertain how or for what purpose any Contractor(s) are complying with any law, rule or regulation applicable to their performance of the work.
- 3.8 Designate in writing the person or persons to act as COUNTY ENGINEER's representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define the COUNTY ENGINEER's policies and decisions with respect to materials, equipment, elements and systems pertinent to ENGINEER's services.
- 3.9 Give prompt written notice to ENGINEER whenever COUNTY ENGINEER observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER's services, or any defect in the work of the Contractor(s).
- 3.10 Furnish, or direct ENGINEER to provide, upon approval of OWNER, necessary Additional Services as stipulated in Section 2 of this Agreement or other services as required.
- 3.11 Bear all costs incident to compliance with the requirements of this Section 3.

SECTION 4 - PERIOD OF SERVICE

- 4.1 The provisions of this Section 4 and the various rates of compensation for ENGINEER's services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the Preliminary Design (Stage 1) Phase. ENGINEER's obligation to render services hereunder will extend for a period which may reasonably be required for the Preliminary Design Phase of the Project including extra work and required extensions thereto.
- 4.2 Upon written authorization from COUNTY ENGINEER, ENGINEER shall proceed with the performance of the services called for in the Preliminary Design Phase, and shall submit

preliminary design documents and a revised opinion of probable Project Cost to the County Engineer.

- 4.3 After acceptance by COUNTY ENGINEER of the Preliminary Design Phase documents and opinion of probable Project Cost, indicating any specific modifications or changes in the extent of the Project desired by COUNTY ENGINEER, ENGINEER shall proceed only with a modification of this Contract.
- 4.4 ENGINEER's services under the Preliminary Design Phase shall each be considered complete at the earlier of (1) the date when the submissions for that phase have been accepted by COUNTY ENGINEER or (2) thirty days after the date when such submissions are delivered to COUNTY ENGINEER for final acceptance, plus such additional time as may be considered reasonable for obtaining approval of governmental authorities having jurisdiction over design criteria applicable to the Project, unless within such period COUNTY ENGINEER gives notice to ENGINEER that the COUNTY ENGINEER does not accept the submission for such phase along with the reasons for such non-acceptance. In such case, services for such phase shall not be complete until the date COUNTY ENGINEER accepts the submissions for such phase.
- 4.5 ENGINEER'S services to be rendered thereunto shall be considered complete upon acceptance by COUNTY ENGINEER of the ENGINEER's Drawings, Specifications and other Preliminary Design Phase documentation including the most recent opinion of probable Project Cost.
- 4.6 If COUNTY ENGINEER has requested significant modifications or changes in the extent of the Project, the time of performance of ENGINEER's services and his/her various rates of compensation shall be adjusted appropriately upon approval of OWNER.
- 4.7 If ENGINEER's services for design of the Project are delayed or suspended in whole or in part by COUNTY ENGINEER for more than three months for reasons beyond ENGINEER's control, ENGINEER shall on written demand to COUNTY ENGINEER (but without termination of this Agreement) be paid as provided in paragraph 5.3.2. If such delay or suspension extends for more than one year for reasons beyond ENGINEER's control, or if ENGINEER for any reason is required to render services more than one year after Substantial Completion, the various rates of compensation provided for elsewhere in this Agreement shall be subject to renegotiation.

SECTION 5 - PAYMENTS TO ENGINEER

5.1 Methods of Payment for Services and Expenses of ENGINEER

- 5.1.1 For Basic Services. OWNER shall pay ENGINEER for Basic Services rendered under Section 1 as follows:
 - 5.1.1.1 The ENGINEER agrees to provide the Basic Services for Project set forth in Section 1 hereof to the COUNTY ENGINEER for preliminary construction plans for the relocation of Mason-Morrow-Millgrove Road for a lump sum fee not to exceed \$38,806.00.

5.2 Times of Payments.

- 5.2.1 Engineer shall submit monthly statements for Basic Services rendered. The statements will be based upon ENGINEER's estimate of the proportion of the total services actually completed at the time of billing. OWNER shall make prompt monthly payments in response to ENGINEER'S monthly statements, EXCEPT as provided in Section 5.2.2.
- 5.2.2 The OWNER shall reimburse the ENGINEER for services included to a maximum of 90% of the total contract amount until such time as the completed preliminary documents have been

received and approved by the COUNTY ENGINEER. The Owner shall pay the final 10% of the contract amount upon final approval of the plans and documents.

5.3 Other Provisions Concerning Payments.

- 5.3.1 If OWNER fails to make any payment due ENGINEER for services and expenses within sixty days after receipt of ENGINEER's statement therefore, ENGINEER may, after giving seven days written notice to OWNER, suspend services under this Agreement until he/she has been paid in full all amounts due for services and expenses.
- 5.3.2 In the event of termination by OWNER under paragraph 6.1 upon the completion of any phase of the Basic Services, progress payments due ENGINEER for all services satisfactorily rendered through such phase shall constitute total payment for such services.
- 5.3.3 Records of ENGINEER'S Salary Costs pertinent to ENGINEER'S compensation under this Agreement will be kept in accordance with generally accepted accounting practices. Copies will be made available to OWNER and COUNTY ENGINEER upon request prior to final payment for ENGINEER'S services.

5.4 Definitions

- 5.4.1 The Payroll Costs used as a basis for payment mean salaries and wages (basic and incentive) paid to all personnel engaged directly on the Project, including, but not limited to the following; engineers, architects, surveyors, designers, draftsmen, specification writers, estimators, all other technical personnel, stenographers, typists and clerks; plus the cost of customary and statutory benefits including, but not limited to, social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, sick leave, vacation and holiday pay applicable thereto.

SECTION 6 - GENERAL CONSIDERATIONS

6.1 Termination.

The obligation to provide services under this Agreement may be terminated by OWNER for convenience upon seven days' written notice by certified mail, return receipt requested, and by either party upon seven days' written notice by certified mail, return receipt requested, in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

6.2 Reuse of Documents.

All documents including reports and maps prepared by Engineer pursuant to this Agreement are instruments of service as part of the Project. They are not intended or represented to be suitable for reuse by COUNTY ENGINEER or others on extensions of the Project or any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER or COUNTY ENGINEER's risk and without liability or legal exposure to ENGINEER. Any verification or adaptation requested by OWNER or COUNTY ENGINEER to be performed by ENGINEER will entitle ENGINEER to further compensation at rates to be agreed upon by OWNER, COUNTY ENGINEER and ENGINEER.

6.3 Controlling Law and Venue

This Agreement is to be governed by the law of the State of Ohio. The venue for any disputes hereunder shall be Warren County, Ohio Court of Common Pleas.

6.4 Successors and Assigns.

6.4.1 OWNER, COUNTY ENGINEER and ENGINEER each binds himself/herself and his/her partners, successors, executors, administrators, assigns and legal representatives to the other party, to this Agreement and to the partners, successors, executors, administrators, assigns and legal representatives of such other party, in respect to all covenants, agreements and obligations of this Agreement.

6.4.2 Neither OWNER nor ENGINEER nor COUNTY ENGINEER shall assign, sublet or transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this Agreement without the written consent of the other, except as stated in paragraph 6.4.1 and except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent ENGINEER from employing such independent consultants, associates and subcontractors, as he/she may deem appropriate to assist him/her in the performance of services hereunder.

6.4.3 Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than OWNER and ENGINEER.

6.5 Modification or Amendment

No modification or amendment of any provisions of this Contract shall be effective unless made by a written instrument, duly executed by the party to be bound thereby, which refers specifically to this Contract and states that an amendment or modification is being made in the respects as set forth in such amendment.

6.6 Construction

Should any portion of this Contract be deemed unenforceable by any administrative or judicial officer or tribunal of competent jurisdiction, the balance of this Contract shall remain in full force and effect unless revised or terminated pursuant to any other section of this Contract.

6.7 Waiver

No waiver by either party of any breach of any provision of this Contract shall be deemed to be a further or continuing waiver of any breach of any other provision of this Contract. The failure of either party at any time or times to require performance of any provision of this Contract shall in no manner affect such party's right to enforce the same at a later time.

6.8 Relationship of Parties

The parties shall be independent contractors to each other in connection with the performance of their respective obligations under this Contract.

6.9 Parties

Whenever the terms "OWNER," "COUNTY ENGINEER" or "ENGINEER" are used herein, these terms shall include without exception the employees, agents, successors, assigns, and/or authorized representatives of OWNER, COUNTY ENGINEER and ENGINEER.

6.10 Headings

Paragraph headings in this Contract are for the purposes of convenience and identification and shall not be used to interpret or construe this Contract.

6.11 Notices

All notices required to be given herein shall be in writing and shall be sent certified mail return receipt to the following respective addresses:

TO: Warren County Commissioners Attn. Tiffany Zindel, County Administrator 406 Justice Drive Lebanon, Ohio 45036 Ph. 513-695-1250	Warren County Engineer's Office Attn. Neil F. Tunison, County Engineer 210 W Main Street Lebanon, Ohio 45036 Ph. 513-695-3301
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LJB Inc.
Attn: Andy Shahan, P.E.
2500 Newmark Drive
Miamisburg, Ohio 45342
Ph. 937-259-5000

6.12 Insurance

ENGINEER shall carry comprehensive general or professional liability insurance with limits of \$1,000,000 per occurrence, \$2,000,000 per aggregate, with no interruption of coverage during the entire term of this Contract. ENGINEER further agrees that in the event that its comprehensive general or professional liability policy is maintained on a "claims made" basis, and in the event that this contract is terminated, ENGINEER shall continue such policy in effect for the period of any statute or statutes of limitation applicable to claims thereby insured, notwithstanding the termination of the Contract. ENGINEER shall provide COUNTY ENGINEER with a certificate of insurance evidencing such coverage, and shall provide thirty (30) days' notice of cancellation or non-renewal to COUNTY ENGINEER. Cancellation or non-renewal of insurance shall be grounds to terminate this Contract. Such insurance shall be primary coverage requiring no contribution or apportionment from OWNER or OWNER'S insurer(s). ENGINEER shall carry statutory worker's compensation insurance and statutory employer's liability insurance as required by law and shall provide COUNTY ENGINEER with certificates of insurance evidencing such coverage simultaneous with the execution of this Contract.

SECTION 7 - SPECIAL PROVISIONS, EXHIBITS and SCHEDULES

7.1 This Agreement is subject to the following special provisions:

7.1.1 ENGINEER shall furnish to COUNTY ENGINEER the required Contract Construction Drawing submittals per the attached schedule found on Page 9 of Exhibit 1. In the event that the ENGINEER fails to furnish the required drawing submittals according to the attached schedule, the Board of Commissioners shall have the right to assess the ENGINEER liquidated damages in the amount of \$50.00 per day for each calendar day that the ENGINEER exceeds the schedule deadlines. Liquidated damages shall not be assessed for any delay caused by the OWNER and COUNTY ENGINEER.

7.2 The following Exhibits are attached to and made a part of this Agreement:

Exhibit 1

7.3 In the event of any conflict or contradiction between any special provision, exhibits and schedules and the text of this Agreement, the terms, conditions and obligations of this Agreement shall be controlling.

SECTION 8 – ENTIRE AGREEMENT

This Agreement (consisting of pages 1 to 10 inclusive), together with the Exhibits and schedules identified above constitute the entire agreement between OWNER and ENGINEER and supersede all prior written or oral understandings. This Agreement and said Exhibits and schedules may only be amended, supplemented, modified or canceled by a duly executed written instrument signed by all parties.

SECTION 9 – INDEMNIFICATION

ENGINEER will defend, indemnify, protect, and save OWNER and COUNTY ENGINEER from any and all kinds of loss, claims, expenses, causes of action, costs, damages, and other obligations, including but not limited to OWNER and COUNTY ENGINEER'S reasonable attorney fees, financial or otherwise, arising from (a) negligent, reckless, or willful and wanton acts, errors or omissions by ENGINEER, its agents, employees, licensees, contractors, or subcontractors; (b) the failure of ENGINEER, its agents, employees, licensees, contractors, or subcontractors, to observe the applicable standard of care in providing services pursuant to this Contract; and (c) the intentional misconduct of ENGINEER, its agents, employees, licensees, contractor or subcontractors that result in in

[The remainder of this page was left blank intentionally]

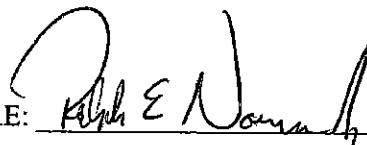
SECTION 10 – EXECUTION

ENGINEER:

IN EXECUTION WHEREOF, LJB INC. has caused this Agreement to be executed on the date stated below by RALPH NORMAN, its TRANSPORTATION PRACTICE LEADER, pursuant to a corporate Resolution authorizing such act.

LJB INC.

SIGNATURE:



PRINTED NAME: RALPH E. NORMAN JR.

TITLE: TRANSPORTATION PRACTICE LEADER

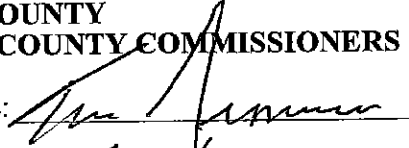
DATE: 8/11/2017

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OWNER:

IN EXECUTION WHEREOF, upon written recommendation of the Warren County Engineer, the Warren County Board of County Commissioners has caused this Agreement to be executed by Tom Grossmann, its President on the date stated below, pursuant to Resolution No. 17-1292 dated 8/5/17.

**WARREN COUNTY
BOARD OF COUNTY COMMISSIONERS**

SIGNATURE: 

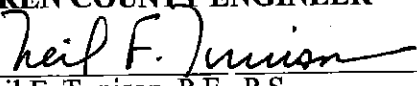
PRINTED NAME: Tom Grossmann

TITLE: President

DATE: 8/5/17

RECOMMENDED BY:

**NEIL F. TUNISON, P.E., P.S.
WARREN COUNTY ENGINEER**

By: 
Neil F. Tunison, P.E., P.S.

APPROVED AS TO FORM:

**DAVID P. FORNSHELL
PROSECUTING ATTORNEY
WARREN COUNTY, OHIO**

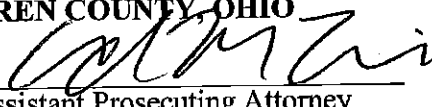
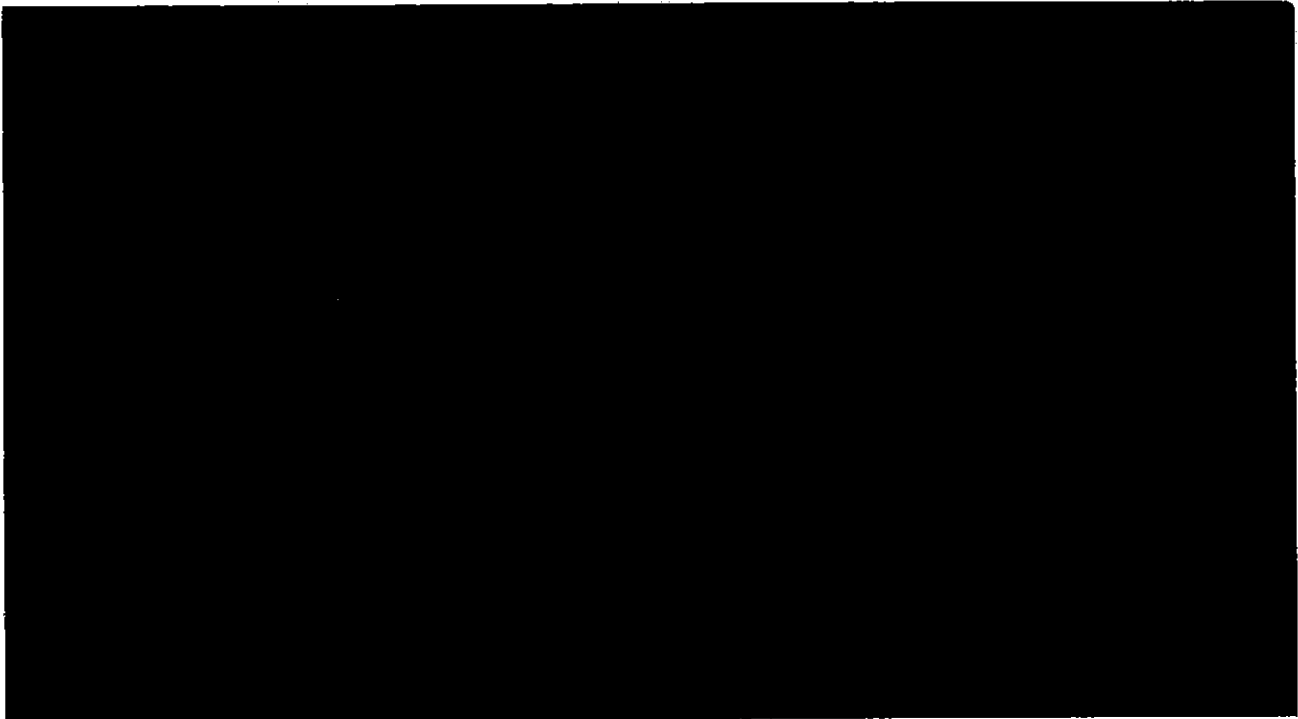
By: 
Assistant Prosecuting Attorney

EXHIBIT 1



**PRICE PROPOSAL FOR
MASON-MORROW-MILLGROVE ROAD
REALIGNMENT FINAL DESIGN**

August 4, 2017
Revised August 8, 2017



PREPARED FOR:

Warren County Engineer's Office

210 West Main St.
Lebanon, OH 45036

PREPARED BY:

LJB Inc.

2500 Newmark Drive
Miamisburg, OH 45342
(937) 259-5000

Andrew J. Shahan, P.E., P.S., PMP
ashahan@LJBinc.com



August 4, 2017

Mr. Neil Tunison, P.E., P.S.
Warren County Engineer
210 W. Main Street
Lebanon, Ohio 45036

Re: Cost Proposal for Mason-Morrow-Millgrove Realignment Final Design

Dear Neil:

Thank you for the opportunity to submit our proposal for survey and civil engineering services for the final design and construction plan preparation of the realignment of Mason-Morrow-Millgrove Road east of South Lebanon. Our understanding is that this proposal includes the development of final design that will support construction plans that Warren County TID can use to solicit proposals for construction in September 2017.

LJB proposes a lump sum fee of **\$38,806** for these services. See the Project Narrative for assumptions and exclusions.

Included is the following information:

- > Proposal Cost Summary
- > Proposed Overhead and Cost of Money Rates
- > Proposed Hours
- > Project Schedule
- > Appendix A – Scope of Services Documents (blue divider)
 - o Scope of Services

If you have any questions or require additional information, please contact me at (937) 259-5180 or ashahan@LJBinc.com.

We look forward to working with you to achieve a successful completion of this project.

Sincerely,
LJB Inc.

Andrew J. Shahan, P.E., P.S., PMP
Principal and Project Manager

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APPENDIX A – SCOPE OF SERVICES DOCUMENTS (BLUE DIVIDER)
Scope of Services



PROPOSAL COST SUMMARY

ENGINEERING AND TECHNICAL SERVICE COST PRICE PROPOSAL AND LABOR RATES FOR Mason Morrow Millgrove Road Realignment Design Build

Proposal Date: 5/4/2017
Revised Date: X

CONSULTANT: LJB Inc.

PROJECT DESCRIPTION: Relocate roadway away from Little Miami River

LEGEND: Highlighted tasks are by others or outside of this contract

Average Overhead Rate = 175.90% (Net Fee Calc.)
Overhead Percentage = 175.90%
Net Fee Percentage = 11.00%
Cost of Money = 0.18%

Task Description	Hourly Rate	Total Hours	Labor Costs	Overhead Costs	Cost of Money	Direct Costs	Subcon Costs	Net Fee	Total Cost
Task 4.1 Environmental Field Studies	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.2 Stage 1 Detailed Design									
4.2.1 Roadway									
4.2.1.1 Update Title Sheet	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.2 Schematic	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.3 General Notes	\$48.00	4	\$192	\$336	\$0	\$0	\$0	\$58	\$588
4.2.1.4 Update Typical Sections (2 anticipated)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.5 Update Plan and Profile - MMM Road (5 sheets)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.6 Update Plan and Profile - Ramps	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.7 Update Plan and Profile - Sideroads	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.8 Update Plan - Mainline	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.9 Update Plan - Crossroads	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.10 Update Plan - Ramps	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.11 Update Cross Sections	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.12 Super elevation Table	\$48.00	8	\$384	\$675	\$1	\$0	\$0	\$117	\$1,177
4.2.1.13 Intersection Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.14 Cross Section Transition Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.1.15 Driveway Details (3 anticipated)	\$48.00	12	\$576	\$1,013	\$1	\$0	\$0	\$175	\$1,765
4.2.1.16 Exaggerated Profiles for super elevation transition	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.1 Roadway		24	\$1,152	\$2,026	\$2	\$0	\$0	\$350	\$3,530
4.2.2 Drainage									
4.2.2.1 Storm Sewer Profiles	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.2.2 Culvert Design/Plan Details (1 roadway, 3 driveway)	\$48.00	15	\$720	\$1,351	\$1	\$0	\$0	\$235	\$2,353
4.2.2.3 Channel Relocation Details/Connect to existing ditches	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.2.4 Channel Section Sheets	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.2.5 Drainage Calculations	\$48.00	20	\$960	\$1,689	\$2	\$0	\$0	\$291	\$2,942
4.2.2.6 Post Construction BMP Design	\$48.00	8	\$384	\$675	\$1	\$0	\$0	\$117	\$1,177
Subtotal 4.2.2 Drainage		44	\$2,112	\$3,716	\$4	\$0	\$0	\$641	\$6,472
4.2.3 Traffic Control									
4.2.3.1 Preliminary Pavement Marking & Signing Plan	\$35.00	8	\$280	\$493	\$1	\$0	\$0	\$65	\$858
Subtotal 4.2.3 Traffic Control		8	\$280	\$493	\$1	\$0	\$0	\$65	\$858
4.2.4 Maintenance of Traffic									
4.2.4.1 Conceptual Maintenance of Traffic	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.4 MOT		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.5 Field Survey									
4.2.5.1 Basemap augmentation (utilities)	\$36.00	24	\$864	\$1,520	\$2	\$0	\$0	\$262	\$2,648
Subtotal 4.2.5 Field Survey		24	\$864	\$1,520	\$2	\$0	\$0	\$262	\$2,648
4.2.6 Utilities & Right-of-Way									
4.2.6.1 Utility Coordination and Documentation	\$48.00	4	\$192	\$336	\$0	\$0	\$0	\$58	\$588
4.2.6.2 Existing Property Lines & Title & Deed Research (if not done in PE)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.6.3 SUE Level (A and B)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.6 Utilities & R/W		4	\$192	\$336	\$0	\$0	\$0	\$58	\$588
4.2.7 Bridge Preliminary Design Report (itemize for each bridge)									
4.2.7.1 Final Structure Site Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.7.2 Preliminary Design Report Preparation (including final MOT Plan and F)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.7.3 Supplemental Site Plan for roadway crossings	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.7.4 Supplemental Site Plan for railway crossings	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.7 Bridge		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.8 Retaining Wall Details									
4.2.8.1 Wall Locations	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.8.2 Wall Elevations	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.8.2 Wall Type	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.8.2 Footing Depth and Foundation Type	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.8 Retaining Wall		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.9 Geotechnical									
4.2.9.1 Additional Geotechnical Investigation and Report (if needed)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.9 Geotechnical		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.10 Miscellaneous									
4.2.10.1 Service road justification	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.10.2 Railroad correspondence/coordination	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.10.3 Pedestrian Overpass Justification	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.10.4 Arroyo/Highway Clearance Analysis	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4.2.10.5 Design Exception Request	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 4.2.10 Miscellaneous		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.2 Stage 1 Detailed Design		\$44.23	104	\$4,600	\$8,091	\$8	\$0	\$1,356	\$14,096



Task 4.3 Property Owner Notification	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.4 Final Waterway Permit and Conceptual Mitigation Plan	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.5 Floodplain Coordination	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.6 Environmental Commitments Summary	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.7 Final Categorical Exclusion	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.8 Update Cost Estimate	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.9 Project Management for Step 4									
4.9.2 General Oversight	\$60.00	6	\$360	\$633	\$1	\$0	\$0	\$109	\$1,103
4.9.3 Project Meetings	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 4.9 Project Management for Step 4	\$60.00 (AVG.)	6	\$360	\$633	\$1	\$0	\$0	\$109	\$1,103
Subtotal Step 4		110	\$4,960	\$8,725	\$9	\$0	\$0	\$1,505	\$15,199

Step 5 - Develop Stage 2 Design Plans

Task 5.1 Stage 2 Detailed Plans									
5.1.1 Roadway									
5.1.1.1 Update Title Sheet	\$48.00	1	\$48	\$84	\$0	\$0	\$0	\$15	\$147
5.1.1.2 Update Schematic	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.1.3 Update Typical Sections	\$48.00	4	\$192	\$338	\$0	\$0	\$0	\$58	\$588
5.1.1.4 Update Plan and Profile - MMM Rd (5 sheets)	\$48.00	50	\$2,400	\$4,222	\$4	\$0	\$0	\$728	\$7,354
5.1.1.5 Update Plan and Profile - Ramps	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.1.6 Update Plan and Profile - Slideroads	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.1.7 Update Plan - Mainline	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.1.8 Update Plan - Crossroads	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.1.9 Update Plan - Ramps	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.1.10 Update Cross Sections	\$48.00	50	\$2,400	\$4,222	\$4	\$0	\$0	\$728	\$7,354
5.1.1.11 Update Intersection Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.1 Roadway		105	\$5,040	\$8,865	\$9	\$0	\$0	\$1,530	\$15,444
5.1.2 Drainage									
5.1.2.1 Update Storm Sewer Profiles	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.2.2 Update Culvert Details including Headwall/Wingwall Sheets	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.2.3 Update Ditch Design & Plan Sheets	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.2.4 Underdrain Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.2 Drainage		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.3 Traffic Control									
5.1.3.1 Update Pavement Marking Plan (on Plan & Profile)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.3.2 Signing Plan (on Plan & Profile)	\$35.00	6	\$210	\$493	\$1	\$0	\$0	\$85	\$858
Subtotal 5.1.3 Traffic Control		6	\$210	\$493	\$1	\$0	\$0	\$85	\$858
5.1.4 Signal Plan									
5.1.4.1 Signal Plan Sheets	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.4.2 Interconnect Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.4 Signal		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.5 Maintenance of Traffic									
5.1.5.1 Final MOT Plans	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.5 MOT		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.6 Lighting Plan									
5.1.6.1 Lighting Analysis, Voltage Drop Calculations	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.6.2 Power Circuit Layout & Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.6.3 Lighting Plan and Details	#DIV/0!	3	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.6 Lighting		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.7 Landscape Plan									
5.1.7.1 Landscape Plan and Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.7.2 General Notes	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.7 Landscape		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.8 Mitigation Plan									
5.1.8.1 Mitigation Plan and Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.8 Mitigation Plan		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.9 Noise Wall Details									
5.1.9.1 Noise Wall Plan & Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.9.2 General Notes & Foundation Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.9 Noise		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0



5.1.10 Bridge Plans (Itemize for each bridge)									
5.1.10.1 Update Site Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.2 Supplemental Site Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.3 General Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.4 General Notes	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.5 Stage Construction Detail Sheets	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.6 Abutments Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.7 Pier Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.8 Super elevation Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9 Superstructure									
5.1.10.9.1 Transverse Section	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.2 Deck Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.3 Design & Analysis	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.4 Flaming Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.5 Balancing	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.6 Girder Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.7 End Dams	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.9.8 Chamber Diagrams	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.10 Reinforcing Steel Tables	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.10.11 Structure Rating & Analysis	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.10 Bridge		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.11 Utilities									
5.1.11.1 Utility Coordination and Documentation	\$48.00	4	\$192	\$338	\$0	\$0	\$0	\$58	\$588
5.1.11.2 Water Work Plans	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.11.3 Sanitary Sewer Plans	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.11 Utilities		4	\$192	\$338	\$0	\$0	\$0	\$58	\$588
5.1.12 Retaining Wall Plans									
5.1.12.1 Final Details	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.12 Retaining Wall		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.13 Subsurface Investigation (for Retaining Walls)									
5.1.13.1 Geotechnical Investigation and Report	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.13 Subsurface	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.1.14 Miscellaneous									
5.1.14.1 Service Road Justification	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 5.1.14 Miscellaneous		0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 5.1 Stage 2 Detailed Plans		117	\$5,512	\$9,698	\$10	\$0	\$0	\$1,073	\$16,890
Task 5.2 Second Constructability Review	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 5.3 Preliminary Right-of-Way Plans									
5.3.1 Legend Sheet	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.3.2 Centerline Survey Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.3.3 Property Map	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.3.4 Summary of Additional Right-of-Way	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.3.5 Detailed R/W Plan Sheets	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.3.6 Special Plat(s)	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5.3.7 Legal Descriptions for Partitioned Parcels	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 5.3 Preliminary Right-of-Way Plans	#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Task 5.4 Update Cost Estimates									
5.4.1 Update Construction, Right-of-Way Acquisition and Utility Costs	\$44.75	16	\$716	\$1,259	\$1	\$0	\$0	\$217	\$2,194
Task 5.4 Update Cost Estimates	\$44.75 (AVG.)	16	\$716	\$1,259	\$1	\$0	\$0	\$217	\$2,194
Task 5.5 Project Management for Step 5									
5.5.1 General Oversight	\$60.00	8	\$480	\$844	\$1	\$0	\$0	\$146	\$1,471
5.5.2 Project Meetings	\$41.50	8	\$332	\$584	\$1	\$0	\$0	\$101	\$1,017
Task 5.5 Project Management for Step 5	\$50.75 (AVG.)	16	\$812	\$1,428	\$1	\$0	\$0	\$246	\$2,488
Subtotal Step 5		149	\$7,040	\$12,363	\$13	\$0	\$0	\$2,137	\$21,573
Step 6 - Complete Right-of-Way Plan and Begin Acquisition									
Subtotal Step 6	(AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0



Step 7 - Develop Stage 3 Design

Task 7.1 Stage 3 Detailed Design Plans									
7.1.1 Quantities and Notes									
7.1.1.1	Pavement Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.2	Drainage Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.3	Roadway Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.4	Earthwork and seeding Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.5	Maintenance of Traffic Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.6	Pavement Marking Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.7	Signing Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.8	Signal Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.9	Noise Wall Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.10	Retaining Wall Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.11	Lighting Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.12	Landscape Subsumaries	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.13	General Summary Sheet	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.13	Bridge estimated quantities sheet	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.1.14	Update of General Notes	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 7.1.1 Quantities and Notes			0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.2 Traffic Signal Plans									
7.1.2.1	Wiring diagram & Pole Orientation chart	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.2.2	Timing Chart	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 7.1.2 Signal			0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.3 Signing Plans									
7.1.3.1	Elevation views of most sign poles and major signs	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 7.1.3 Signing			0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.4 Miscellaneous									
7.1.4.1	Obtain Railroad agreement	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.4.2	Prepare FAA Form 7460-1 for Airway/Highway Clearance	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
7.1.4.3	Prepare Project Site Plan	#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal 7.1.4 Miscellaneous			0	\$0	\$0	\$0	\$0	\$0	\$0
Task 7.1 Stage 3 Detailed Design Plans									
		#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0
Task 7.2 Update Cost Estimate									
		#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0
Task 7.3 Project Management Step 7									
		#DIV/0! (AVG.)	0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Step 7			0	\$0	\$0	\$0	\$0	\$0	\$0

Step 8 Prepare Final Plan Package

Task 8.1 Final Plan Package											
8.1.1	Final construction plan submittal	\$41.50	16	\$664	\$1,168	\$1	\$0	\$0	\$202	\$2,035	
Task 8.1 Final Plan Package				\$41.50 (AVG.)	16	\$664	\$1,168	\$1	\$0	\$202	\$2,035
Task 8.2 Update Cost Estimate											
		#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Task 8.3 Project Management Step 8											
		#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Subtotal Step 8			16	\$664	\$1,168	\$1	\$0	\$0	\$202	\$2,035	

Step 9 - Award Contract

Task 9.1 Pre-Bid Activities										
		#DIV/0!	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Step 9			0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Step 10 - Construct Project

Task 10.1 On-Going Services During Construction										
										\$0



INDIRECT COST RATE APPROVAL CERTIFICATE #060117-SK-03

Based on ODOT's audit risk assessment procedures, we have performed a limited review of your company's cost submission. ODOT hereby approves use of the following rate(s) on contracts that are partially or fully reimbursed using the Actual Costs Plus a Net Fee (cost-plus) method.

Company Name:	LJB, Inc.
Based on Actual Costs Submitted for Fiscal Year End:	December 31, 2016
Effective Date (Approval Date):	June 5, 2017
APPROVAL TYPE:	
<input checked="" type="checkbox"/> Approval granted based on a limited review of your company's cost submission. ODOT reserves the right to perform a more detailed review. (A revised approval certificate may be issued based on the results of such review.)	
Note: All invoices/billings submitted using the rates shown on the initial certificate must be adjusted to reflect the rates approved on this revised indirect cost rate certificate.	

CONCLUSION. The following rates were accepted as submitted.

Corporate Indirect Cost Rate:	175.90%
Facilities Capital Cost of Money (FCCM) Rate:	0.18%
Overtime Premium Eligible as Direct Cost? (†)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

Note 1: The approved rates should be used for billings and cost proposals on contracts funded by the State of Ohio and/or Federal sources, including projects for ODOT and Ohio Local Public Agencies (LPAs). The above rates are based on the most recent cost information your Company submitted to ODOT. As more current cost information becomes available, it must be electronically submitted to the ODOT Office of External Audits via email (ODOT.Cost.Submissions@dot.state.oh.us). Please note that the submission is due no later than **six months** after the close of your Company's fiscal year (July 1 for all companies with a December 31 fiscal year end). See detailed requirements at <http://www.dot.state.oh.us/Divisions/Finance/Auditing/Pages/Consultants.aspx>. Failure to submit timely may result in the loss of your ODOT prequalification.

(†) Note 2: Treatment of overtime premium is determined based on the company's policies. Overtime premium must be allocated consistently as either a direct or indirect cost on all contracts, regardless of type, reimbursement method, or individual contract terms. Companies that treat overtime premium as an indirect cost (overhead) must bill/invoice overtime hours at the straight-time pay rate.

Approval Status: This certificate serves as formal notice that ODOT has approved your company's indirect cost rate(s) (and FCCM rate, if applicable). ODOT reserves the right to perform a more detailed review or audit at any time. This could involve additional audit procedures through correspondence, audit fieldwork to verify the accuracy of the claimed indirect cost rate(s), and/or a project audit, at ODOT's discretion.

Please send a return message to confirm receipt of this certificate. Thank you for your assistance during this process.

Sarah Klepzig
 Auditor
 ODOT Office of External Audits
 1980 W. Broad St., Mail Stop 2140, Columbus, Ohio 43223
 614.466.3382
transportation.ohio.gov

For ODOT Use Only	
Posted to Master Schedule:	<input checked="" type="checkbox"/>
CSS database updated:	<input checked="" type="checkbox"/>
Final Approval by:	<input checked="" type="checkbox"/> SPG <input type="checkbox"/> GS
RA Tier:	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3

PROPOSED HOURS

DETAILED BREAKDOWN OF PROPOSED TOTAL HOURS, PERSONNEL CATEGORIES, AND LABOR RATES FOR											
Mason Morrow Millgrove Road Realignment Design Build											
CONSULTANT: L2B Inc.		PROPOSAL DATE: 4-Aug-17		REVISION DATE: X		HOURLY RATES					
PROJECT DESCRIPTION: Relocate roadway away from Little Miami River		Project Manager	\$80.00	PI Specialist	\$50.00						
LEGEND: (Highlighted tasks are performed outside of this contract)		CAD Design & Plans	\$48.00	Env Planning	\$50.00						
		Traffic Design & Plans	\$55.00								
		Structure Design & PI	\$0.00								
		Survey	\$30.00								
		ROW Design & Plans	\$55.00								
		Clerical	\$22.00								
Task Description	Project Mgr	Civil Design & Plans	Traffic Design & Plans	Bridge Design & Plans	Survey	ROW Design & Plans	Clerical	PI Specialist	Env Planning	Overall Total Hours	Labor Costs
Step 4 - Prepare Environmental Clearance and Develop Stage 1 Design											
Task 4.1 Environmental Field Studies											
4.1 Environmental Field Studies	0	0	0	0	0	0	0	0	0	0	\$0
Task 4.2 Stage 1 Detailed Design											
4.2.1 Roadway											
4.2.1.1 Update Title Sheet	0	0	0	0	0	0	0	16	0	0	\$0
4.2.1.2 General Notes	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.3 Update Typical Sections (2 embedded)	0	0	0	0	0	0	0	0	0	0	\$192
4.2.1.4 Update Plans and Profiles - Mill Road @ Shadel	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.5 Update Plans and Profiles - Nags	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.6 Update Plans and Profiles - Sidewalk	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.7 Update Plans - Manhole	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.8 Update Plans - Crosswalk	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.9 Update Plans - Ramp	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.10 Update Cross Sections	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.11 Update Cross Sections	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.12 Slope Protection Detail	0	0	0	0	0	0	0	0	0	0	\$364
4.2.1.13 Intersection Details	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.14 Cross Section Transition Details	0	0	0	0	0	0	0	0	0	0	\$0
4.2.1.15 Driveway Details (2 embedded)	0	0	18	0	0	0	0	0	0	12	\$576
4.2.1.16 Subsequent Review for substation transition	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.1 Roadway	0	0	24	0	0	0	0	0	0	24	\$1,152
4.2.2 Drainage											
4.2.2.1 System Sewer Profiles	0	0	0	0	0	0	0	0	0	0	\$0
4.2.2.2 Culvert Design (Plan Details) (1 roadway, 3 ditches)	0	0	18	0	0	0	0	0	0	16	\$768
4.2.2.3 Channel Retention Details (Connect to existing structure)	0	0	0	0	0	0	0	0	0	0	\$0
4.2.2.4 Channel Section Sheets	0	0	0	0	0	0	0	0	0	0	\$0
4.2.2.5 Drainage Calculations	0	0	20	0	0	0	0	0	0	20	\$900
4.2.2.6 Post Construction BMP Design	0	0	8	0	0	0	0	0	0	8	\$364
Subtotal 4.2.2 Drainage	0	0	46	0	0	0	0	0	0	44	\$2,112
4.2.3 Traffic Control											
4.2.3.1 Preliminary Planets Marking & Signing Plan	0	0	8	0	0	0	0	0	0	8	\$384
Subtotal 4.2.3 Traffic Control	0	0	8	0	0	0	0	0	0	8	\$384
4.2.4 Maintenance of Traffic											
4.2.4.1 Conceptual Maintenance of Traffic	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.4 MOT	0	0	0	0	0	0	0	0	0	0	\$0
4.2.5 Field Survey											
4.2.5.1 Basemap augmentation (utilities)	0	0	8	0	0	16	0	0	0	24	\$964
Subtotal 4.2.5 Field Survey	0	0	8	0	0	16	0	0	0	24	\$964
4.2.6 Utilities & Right-of-Way											
4.2.6.1 Utility Coordination and Documentation	0	4	0	0	0	0	0	0	0	4	\$192
4.2.6.2 Existing Property Lines & Title & Deed Research (if not done) (PE)	0	0	0	0	0	0	0	0	0	0	\$0
4.2.6.3 Site Level (A and B)	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.6 Utilities & ROW	0	4	0	0	0	0	0	0	0	4	\$192
4.2.7 Bridge Preliminary Design Report (Permits for each bridge)											
4.2.7.1 Final Structure Site Plan	0	0	0	0	0	0	0	0	0	0	\$0
4.2.7.2 Preliminary Design Report Preparation (including final MOT Plan and Traffic Control Report)	0	0	0	0	0	6	0	0	0	6	\$30
4.2.7.3 Supplemental Site Plan for roadway crossing	0	0	0	0	0	0	0	0	0	0	\$0
4.2.7.4 Supplemental Site Plan for railway crossing	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.7 Bridge	0	0	0	0	0	6	0	0	0	6	\$30
4.2.8 Retaining Wall Details											
4.2.8.1 Wall Locations	0	0	0	0	0	0	0	0	0	0	\$0
4.2.8.2 Wall Elevations	0	0	0	0	0	0	0	0	0	0	\$0
4.2.8.3 Wall Type	0	0	0	0	0	0	0	0	0	0	\$0
4.2.8.4 Footing Depth and Foundation Type	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.8 Retaining Wall	0	0	0	0	0	0	0	0	0	0	\$0
4.2.9 Geotechnical											
4.2.9.1 Additional Geotechnical Investigation and Report (if needed)	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.9 Geotechnical	0	0	0	0	0	0	0	0	0	0	\$0
4.2.10 Miscellaneous											
4.2.10.1 Service road justification	0	0	0	0	0	0	0	0	0	0	\$0
4.2.10.2 Railroad correspondence/coordination	0	0	0	0	0	0	0	0	0	0	\$0
4.2.10.3 Preliminary Clearance Justification	0	0	0	0	0	0	0	0	0	0	\$0
4.2.10.4 Right-of-Way Clearance Analysis	0	0	0	0	0	0	0	0	0	0	\$0
4.2.10.5 Design Exception Request	0	0	0	0	0	0	0	0	0	0	\$0
Subtotal 4.2.10 Miscellaneous	0	0	0	0	0	0	0	0	0	0	\$0
Task 4.2 Stage 1 Detailed Design	0	40	8	0	16	0	0	0	0	104	\$4,600



Task 5.2 Second Constructability Review	0	0	0	0	0	0	0	0	0	0	0	90
Task 6.3 Preliminary Right-of-Way Plans												
6.3.1 Layout Sheet	0	0	0	0	0	0	0	0	0	0	0	30
6.3.2 Confliction Survey Plan	0	0	0	0	0	0	0	0	0	0	0	30
6.3.3 Property Map	0	0	0	0	0	0	0	0	0	0	0	30
6.3.4 Summary of Accidental Right-of-Way	0	0	0	0	0	0	0	0	0	0	0	30
6.3.5 Detailed RW Plan Sheets	0	0	0	0	0	0	0	0	0	0	0	30
6.3.6 Special Plans	0	0	0	0	0	0	0	0	0	0	0	30
6.3.7 Legal Descriptions for Proposed Plans	0	0	0	0	0	0	0	0	0	0	0	30
Task 6.3 Preliminary Right-of-Way Plans	0	0	0	0	0	0	0	0	0	0	0	90
Task 6.4 Update Cost Estimates												
6.4.1 Update Construction, Right-of-Way Acquisition and Utility Costs	0	12	4	0	0	0	0	0	0	0	16	5716
Task 6.4 Update Cost Estimates	0	12	4	0	0	0	0	0	0	0	16	5716
Task 6.5 Project Management for Step 5												
6.5.1 General Oversight	8	0	0	0	0	0	0	0	0	0	8	568
6.5.2 Project Meetings	0	4	4	0	0	0	0	0	0	0	8	532
Task 6.5 Project Management for Step 5	8	4	4	0	0	0	0	0	0	0	16	5812
Subtotal Step 5	8	128	16	0	0	0	0	0	0	0	148	57,040
Step 6 - Complete Right-of-Way Plan and Begin Acquisition												
Subtotal Step 6	0	0	0	0	0	0	0	0	0	0	0	90
Step 7 - Develop Stage 3 Design												
Task 7.1 Stage 3 Detailed Design Plans												
7.1.1 Quantities and Notes												
7.1.1.1 Pavement Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.2 Drainage Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.3 Roadway Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.4 Earthwork and Utility Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.5 Retention of Trees Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.6 Permanent Mapping Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.7 Signing Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.8 Signal Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.9 Noise Wall Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.10 Retention Wall Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.11 Lighting Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.12 Landscaping Subsumptions	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.13 General Summary Sheet	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.14 Bridge extended quantities sheet	0	0	0	0	0	0	0	0	0	0	0	30
7.1.1.14 Update of General Notes	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal 7.1.1 Quantities and Notes	0	0	0	0	0	0	0	0	0	0	0	30
7.1.2 Traffic Signal Plans												
7.1.2.1 Wiring Diagram & Pole Orientation chart	0	0	0	0	0	0	0	0	0	0	0	30
7.1.2.2 Timing Chart	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal 7.1.2 Signal	0	0	0	0	0	0	0	0	0	0	0	30
7.1.3 Signing Plans												
7.1.3.1 Elevation views of major sign posts and major signs	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal 7.1.3 Signing	0	0	0	0	0	0	0	0	0	0	0	30
7.1.4 Miscellaneous												
7.1.4.1 Obtain Right-of-Way agreement	0	0	0	0	0	0	0	0	0	0	0	30
7.1.4.2 Prepare FNA Form 7480-1 for Ability/Highway Clearance	0	0	0	0	0	0	0	0	0	0	0	30
7.1.4.3 Release Project Sign Plan	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal 7.1.4 Miscellaneous	0	0	0	0	0	0	0	0	0	0	0	30
Task 7.1 Stage 3 Detailed Design Plans	0	0	0	0	0	0	0	0	0	0	0	90
Task 7.3 Update Cost Estimate												
7.3.1 Update Cost Estimate	0	0	0	0	0	0	0	0	0	0	0	30
Task 7.3 Project Management Step 7	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal Step 7	0	0	0	0	0	0	0	0	0	0	0	30
Step 8 Prepare Final Plan Package												
Task 8.1 Final Plan Package												
8.1.1 Final construction Plan submittal	0	0	0	0	0	0	0	0	0	0	16	5664
Task 8.1 Final Plan Package	0	0	0	0	0	0	0	0	0	0	16	5664
Task 8.2 Update Cost Estimate												
8.2.1 Update Cost Estimate	0	0	0	0	0	0	0	0	0	0	0	30
Task 8.3 Project Management Step 8	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal Step 8	0	0	0	0	0	0	0	0	0	0	16	3664
Step 9 - Award Contract												
Task 9.1 Pre-Bid Activities												
9.1.1 Pre-Bid Activities	0	0	0	0	0	0	0	0	0	0	0	30
Subtotal Step 9	0	0	0	0	0	0	0	0	0	0	0	30
Step 10 - Construct Project												
Task 10.1 On-Going Services During Construction												
10.1.1 On-Going Services During Construction	0	0	0	0	0	0	0	0	0	0	0	30
TOTAL	16	212	32	0	0	16	0	0	0	0	275	912,894

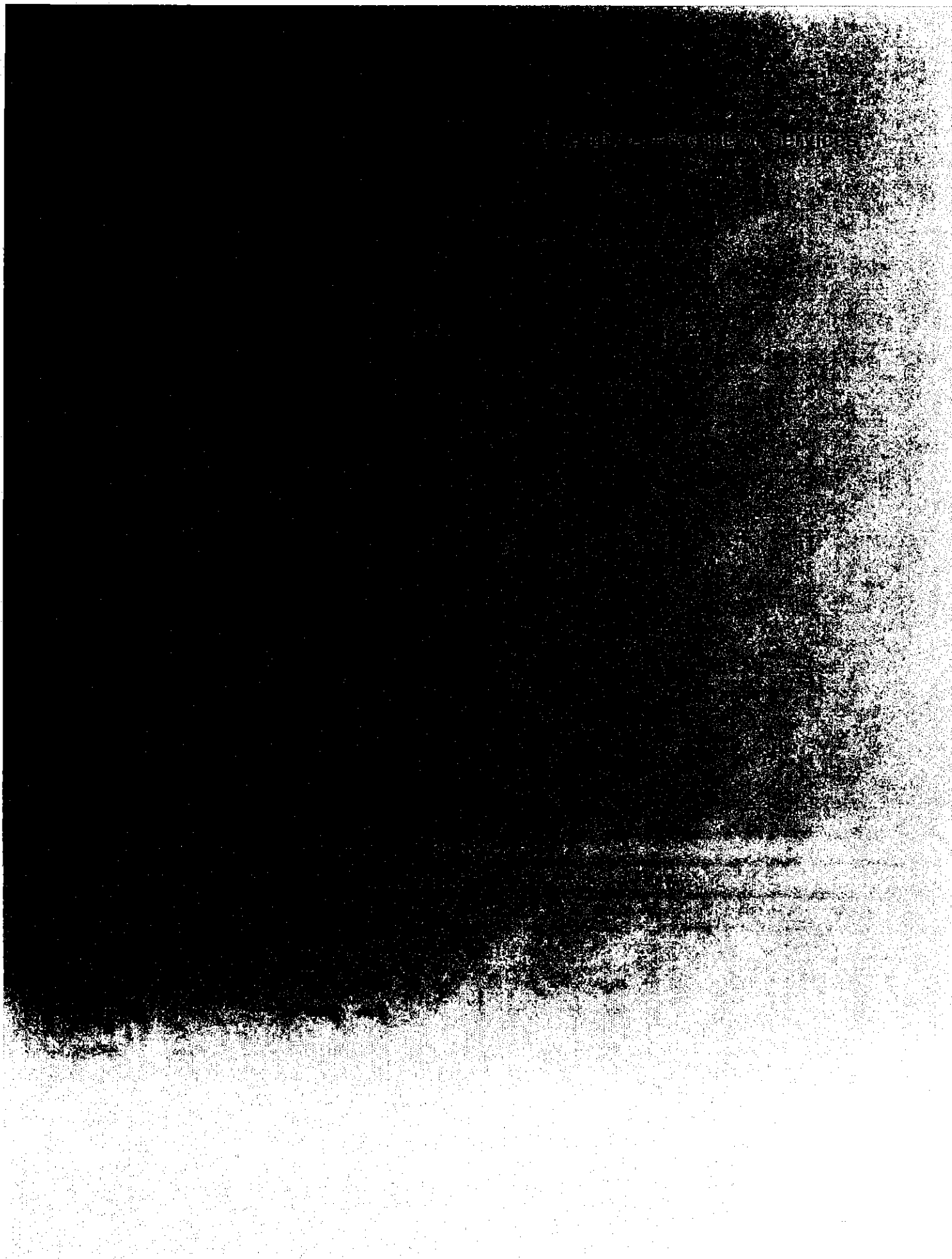


PROJECT SCHEDULE

The following schedule is based on an August 15, 2017 authorization to proceed.

STAGE REVIEW SUBMITTALS	DURATION	SCHEDULED SUBMITTAL	REVIEW TIME
Authorization to Proceed		8/15/2017	
60% Progress Review Meeting	2 weeks	8/23/2017	1 day
Final Engineering Submittal	1 week	9/01/2017	
Plat of Survey Submitted for Pre-Approval (Previous Scope of Services)		9/8/2017	1 week
Set R/W Pins (Previous Scope of Services)		9/22/2017	







**APPENDIX A –
SCOPE OF SERVICES**

Project Narrative

PROJECT NARRATIVE

Project name: Mason-Morrow-Millgrove Realignment Preliminary Engineering

Client name: Warren County Engineer's Office

Date: August 4, 2017

LJB Inc. has developed a detailed scope of services including project understanding, deliverables, exclusions, assumptions and project constraints. This document is based on the information known on the date of preparation and may be modified to reflect additional data received throughout the project process, if required.

PROJECT SCOPE OF SERVICES

Our understanding is that this scope of services includes the development of final design that will support construction plans that Warren County TID can use to solicit proposals for construction in September 2017. The purpose of this project is to realign approximately 2,100 feet of Mason-Morrow-Millgrove Road to the north to move it further from the Little Miami River which has threatened to undermine the integrity of the roadway. A detailed description of the phases and survey and design services tasks anticipated for the completion of this project follow as included in the attached fee proposal. This project will only have a single submittal at final plans with one project progress meeting at 60% design completion to gain concurrence on development of final construction plans.

Stage 1/Stage 2 Design (no formal submittal)

Completion of the final field survey and existing conditions basemap will support final design, confirming identification of project critical elements with the Warren County Engineer, and preparation of construction plans. A combined Stage ½ (60% design completion) review meeting are anticipated.

Survey

- > Basemap Augmentation – Final topography and utility basemapping will be completed consistent with the survey limits map in the Appendix.

Roadway

- > Title Sheet – One sheet is anticipated.
- > General Notes – One sheet is anticipated.
- > Typical Sections – Two typical sections are anticipated: proposed typical section and meet existing.
- > Plan Profile – Five sheets are anticipated.
- > Cross Sections – Twenty (20) cross sections are anticipated.
- > Superelevation Table – Pavement elevations for a reverse crown through the curves will be determined and tabulated in the plans. Cross section pavement transitions will be the responsibility of the contractor at the eastern and western project tie-ins.
- > Driveway Details – Driveway plan view and profile design will be completed for three (3) driveways.

Drainage

- > Culvert Designs/Plan Details – Layout and grade calculations for each culvert will be shown on the plan and profile sheets. Grading downstream of the culvert near the driveway at the west end of the project will be communicated to the property owner by recommending flowline grades. Construction details for this grading is not anticipated.
- > Drainage Calculations – LJB will prepare drainage calculations for culvert and ditch design.
- > Post-Construction BMP – Final recommendations will be included in the plan view.

Traffic Control

- > Preliminary Pavement Marking & Signing Plan – Pavement markings and minor signs will be shown on the plan and profile sheets.

Utilities

- > Utility coordination and documentation – Final design plans will be submitted to utilities in the project vicinity and coordination with Duke and CenturyLink affected by the project. Mitigating relocations and reducing project costs is anticipated.

Cost Estimate

- > Roadway Costs – a preliminary opinion of probable construction costs will be developed and included in the information submitted at the conclusion of this phase for the county's review and use in the development of project budgeting.

Project Management

- > Meetings – A project kickoff meeting, combined Stage ½ (60% design completion) review meeting are anticipated as part of this task.
- > General Oversight – Project management including the management of the design scope, schedule and budget, management of project risks and attainment of critical success factors.

Deliverables for this phase of the project include 60% design completion plans, results of utility coordination, and a preliminary construction cost estimate.

Final Construction Plans

After the Warren County Engineer approves proceeding with preparation of final construction plans after the 60% design completion review meeting, LJB will prepare construction plans that will support the Warren County Engineer requesting proposals from contractors.

EXCLUSIONS

LJB has excluded the following items in our scope of services:

- > Right of Way Plans
- > On-going services during construction
- > Soil borings and geotechnical engineering
- > Permits & ODNR coordination
- > Project site plan for contractor's use in preparing and maintaining a SWPPP
- > Support during cost proposal solicitation from contractors



**APPENDIX A –
SCOPE OF SERVICES
Survey Limits Map**

