

RESOLUTION NO. 08-11

COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS AND ORDERING THE LETTING OF CONTRACTS FOR THE CHAS. BREUTKREITZ SINGLE COUNTY DITCH AS PETITIONED FOR BY CARL AND PHYLLIS BENSCH

The Board of Ottawa County Commissioners met in regular session on the 21st day of February 2008 with the following members present:

James M. Sass Steven M. Arndt Carl Koebel

It was moved by Mr. Koebel and seconded by Mr. Arndt to adopt the following resolution:

WHEREAS, This being the day fixed by said Board, in its order dated the 24th day of January 2008, for the final hearing on the Reports, Plans and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and

WHEREAS, The Board finds that due and legal notice of this final hearing has been given as required by law, and

WHEREAS, The Board has heard all the evidence offered in the proceedings and received and considered all the schedules, plans and reports filed by the County Engineer; therefore, be it

WHEREAS, That the Board hereby approve the maps, profiles, plans, schedules and reports prepared by the County Engineer, as amended in its order dated the 24th day of January 2008, and

WHEREAS, This Board has considered the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc; therefore, be it

RESOLVED, That the former order finding in favor of the improvement made at the first hearing on the 10th day of May 2007 is hereby affirmed; and

RESOLVED, Objections to the proposed assessment having been filed by Mona Thorbahn and the Board having heard the objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the County Engineer and any competent evidence on the question of benefits, and from an actual view of the premises; therefore, be it

RESOLVED, that final assessments shall not exceed \$30,305.61 for benefits to the general public by reason of the improvement being conducive to the public welfare and shall be paid by the public and assessed against the County and \$345.00 found to benefit County Roads or Highways is hereby assessed against the County, and \$365.00 found to benefit the Benton Township Roads or highways, and be it further

RESOLVED, that three years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement; and be it further

RESOLVED, that interest shall be added to said installments of assessments at the same rate as the county receives on investments in the quarter immediately proceeding final assessment notices; provided any owner may pay the assessment on his land in cash within thirty days after the final hearing, without paying any interest thereon; and be it further;


RESOLVED, the County Engineer is hereby directed to determine the appropriate bid dates, which shall not be less than twenty-five days after the date of this order and prepare the necessary bid documents and legal advertisements; and be it further

RESOLVED, that the County Engineer be and he is hereby directed to give at least two weeks' public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, or any part thereof, and in case manufactured material is required for the construction of the improvement, the County Engineer is hereby directed to send copies of the notice by mail to dealers and manufacturers, and all bids shall be received at 315 Madison Street, Room 106, Port Clinton, Ohio; and be it further

RESOLVED, That, whereas the estimated cost of the construction and material required in the improvement exceeds six thousand dollars, the notice of letting be given by posting and advertisement shall also be made for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the County.

Vote on motion: Mr. Sass, yes; Mr. Arndt, yes; Mr. Koebel, yes.

I, Rhonda Slauterbeck, Clerk of the Ottawa County Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Ottawa County Commissioners duly adopted on Thursday, February 21, 2008 and appearing upon the official records of the Ottawa County Commissioners.


Clerk/Assistant Administrator
Board of County Commissioners
Ottawa County, Ohio

c: County Engineer ✓