

RESOLUTION NO. 15-18

COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS AND ORDERING THE LETTING OF CONTRACTS FOR THE DEHRING SINGLE COUNTY DITCH AS PETITIONED FOR BY FREDERICK E. KOHLMAN

The Board of Ottawa County Commissioners met in regular session on the 9th day of April, 2015 with the following members present:

Jo Ellen Regal James M. Sass Steven M. Arndt

It was moved by Commissioner Sass and seconded by Commissioner Arndt to adopt the following resolution:

WHEREAS, This being the day fixed by said Board, in its action dated the 2nd day of April 2015, for the discussion on the Engineer's reports, on the estimated assessments, and on the proceedings for the improvement, and on request to evaluate the removal of the main branch of the Dehring Ditch and to work with the Rail Road to resolve any possible issues and to put a necessary effort toward the issues at the downstream terminus of this project to alleviate potential flooding of Mr. LaFountain's property , 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; and

WHEREAS, That the Board reviewed and reconsidered its former order made and dated the 18th day of September 2012, in favor of the improvement; and be it further

RESOLVED, Objections to the proposed assessment having been filed by Timothy A. Konieczny 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, 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 Board hereby approves the maps, profiles, plans, schedules and reports prepared by the County Engineer, as amended in its order dated the 27th day of January 2015, and

RESOLVED, That the former order finding in favor of the improvement made at the first hearing on the 18th day of September 2012 is hereby affirmed; and

RESOLVED, that the final assessments shall not exceed \$236,986.44 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 \$19,817.05 found to benefit County Roads or Highways is hereby assessed against the County, and \$2,895.11 found to benefit the Benton Township Roads or highways, and be it further

RESOLVED, that the County Engineer's assessments as so amended and corrected are hereby approved and confirmed; and be it further

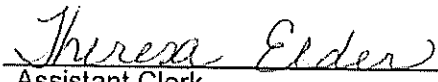
RESOLVED, that five years shall be the period of time, in semiannual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement; and be it further

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 preceding final assessment 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, 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; 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 advertising 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: Jo Ellen Regal, yes; James M. Sass, yes; Steven M. Arndt, yes.


Assistant Clerk
Board of County Commissioners
Ottawa County, Ohio

c: County Engineer

¹ Not less than 25 days after the date of this order.