

RESOLUTION NO. 19-37

COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, AMENDING THE ASSESSMENTS AND ORDERING THE LETTING OF CONTRACTS FOR THE ROCKPORT SUBDIVISION SINGLE COUNTY DITCH PROJECT AS PETITIONED FOR BY ROCKPORT HOMEOWNERS ASSOCIATION

The Board of Ottawa County Commissioners met in regular session on the 20th day of August 2019 with the following members present:

Mark E. Coppeler Mark W. Stahl Donald A. Douglas

It was moved by Commissioner Douglas and seconded by Commissioner Stahl to adopt the following resolution:

WHEREAS, This being the day fixed by said Board, in its action dated the 8th day of August continuing the final hearing from their original action of the 9th day of July 2019, for the discussion on the Engineer's reports, on the estimated assessments, and on the proceedings for the improvement to maintain, reconstruct and/or install a storm sewer or open channel inclusive of an outlet protection device, to convey storm water runoff from North Shore Blvd. through Rockport Subdivision located in Danbury Township, 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

RESOLVED, That one objection to the proposed assessment has been filed in writing 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 further

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 further

RESOLVED, That the Board hereby accepts the maps, profiles, plans, schedules and reports prepared by the County Engineer, in its order dated the 9th day of July 2019 with amendments by the Commissioners; therefore, be it further

RESOLVED, That the former order finding in favor of the improvement made at the first hearing on the 30th day of October 2018 is hereby affirmed; therefore, be it

RESOLVED, that the final assessment sheet shall not exceed \$40,297.50 for the benefits to the property owners as attached. The developer will be assessed a flat amount of \$13,966.00 for future development of his lots in Phases 3 and 4, due to increased value of land resulting from the improvement; and be it further

RESOLVED, that the project amended assessments and 1st year maintenance shall be paid in full within 30 days of the completion of the project; 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 notices; provided any owner may pay the assessment on his or her land in cash within thirty days after the completion of construction; and be it further;

RESOLVED, that the estimated cost of the construction and material required in the improvement exceeds six thousand dollars and the County Engineer be and he is hereby directed to provide the notice of letting by posting and advertising not less than two nor more than four consecutive weeks in a newspaper of general circulation within the County.

Vote on Motion: Mark E. Coppeler, yes; Mark W. Stahl, yes; Donald A. Douglas, yes.

Rhonda Slauterbeck
County Administrator/Clerk
Board of County Commissioners
Ottawa County, Ohio

c: County Engineer

RESOLUTION NO. 18-49

COMMISSIONERS' FINDING FOR THE IMPROVEMENT
(Rev. Code, Sec 6131.12)

The Board of County Commissioners of the County of Ottawa, Ohio, met in regular session at the office of the Board of County Commissioners, Ottawa County Courthouse, Port Clinton, Ohio on the 30th day of October 2018, at the regular place of meeting with the following members present:

Mark E. Coppeler James M. Sass Mark W. Stahl

Commissioner Stahl moved the adoption of the following Resolution:

WHEREAS, the Board in its order dated the 25th day of September 2018, for the continued hearing on the single county ditch petition as petitioned for by Rockport Homeowners Association, the Board met at their office located at the Ottawa County Courthouse, 315 Madison Street, Port Clinton, Ohio, and conducted the hearing by causing the petition to be publicly read, together with all applications for and remonstrances against the improvement, and all applications for change or extension of the improvement, previously filed in writing; and

WHEREAS, after proper examination, the Board finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement, and

WHEREAS, the Board has made an actual view of the proposed improvement and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini or manner of construction described in the petition or any application therefore; and

WHEREAS, the Board has given consideration to the protection of environmentally significant areas when those areas could be adversely affected by the construction of the proposed improvement and has given consideration, where necessary to alternative plans providing for that protection as well as for construction of the proposed improvement; therefore, be it

RESOLVED, by the Board of County Commissioners that the Board hereby finds that the proposed improvement petitioned for is necessary and will be conducive to the public welfare and it is reasonably certain that the cost thereof will be less than the benefits, and the prayer of the petition is hereby granted; and it further finds that the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by the Board commencing at the ODOT standard 2-2B catch basin located near the North Right-of-Way line of North Shore Blvd and the West property line of Rockport Subdivision, then continues along the West property line of Rockport Subdivision to the ultimate outlet at Lake Erie. This course

¹ Amount not more than twenty-five percent of the Engineer's estimate 6131.12 R.C.

shall extend as far as necessary to ensure the proper cleaning, dredging and/or construction of devices to alleviate the accumulation of drift material, rock, sand, etc. at the outlet of said storm sewer conveyance system.

RESOLVED, that the County Engineer be and he is hereby directed to cause to be made the necessary survey for the proposed improvement, plans for the structures, maps showing the location of the land proposed to be assessed, and profiles showing the cuttings and gradient of the improvement, and make an estimate of the cost of the construction of the improvement; which shall include actual construction cost, the cost of engineering, and the cost of notices, publication and other incidental expenses; and set proper construction stakes, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio; and be it further

RESOLVED, that the 19th day of February, 2019, at 9:00 o'clock, a.m. is hereby fixed as the time for filing with the Clerk of the County Commissioners all of the plans, maps, profiles, schedules and reports prepared by the County Engineer; and be it further

RESOLVED, that further hearing on the improvement is hereby adjourned to the date above fixed for the filing of the reports, plans, and schedules by the County Engineer.

Commissioner Coppeler seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Vote on Motion: Mark E. Coppeler, yes; James M. Sass, yes; Mark W. Stahl, yes.



Rhonda Slauterbeck, Administrator/Clerk
Board of County Commissioners, Ottawa County, Ohio

Office of the Board of County Commissioners
October 30, 2018

To the County Engineer:

I hereby certify the foregoing to be a true and correct copy of the finding of the Board of County Commissioners in favor of the foregoing improvement.



Rhonda Slauterbeck, Administrator/Clerk
Board of County Commissioners, Ottawa County, Ohio

¹ Amount not more than twenty-five percent of the Engineer's estimate 6131.12 R.C.