

RESOLUTION 2022-22
VILLAGE OF CHAUNCEY, OHIO
CHAUNCEY SEWER REPLACEMENT PROJECT
DESIGN AND CONSTRUCTION PROJECT
ATHENS COUNTY, OHIO

A RESOLUTION AUTHORIZING PARTICIPATION AND RATIFYING PRIOR PARTICIPATION OF THE VILLAGE OF CHAUNCEY, ATHENS COUNTY, OHIO, WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, FOR THE DESIGN AND CONSTRUCTION OF THE CHAUNCEY SEWER REPLACEMENT PROJECT, AND AUTHORIZING THE MAYOR OF THE VILLAGE OF CHAUNCEY AND OTHER VILLAGE OF CHAUNCEY OFFICIALS, TO ACT FOR AND ON BEHALF OF THE VILLAGE OF CHAUNCEY IN EXECUTING, ACCEPTING, OR OTHERWISE APPROVING ALL DOCUMENTS, AGREEMENTS, INSTRUMENTS, OR OTHER NECESSARY PAPERS REQUIRED BY THE DEPARTMENT OF THE ARMY TO IMPLEMENT SAID PARTICIPATION IN THE PROJECT.

BE IT RESOLVED by the Village of Chauncey, Athens County, Ohio, that:

Section 1: The Village of Chauncey authorizes its Mayor, by and through its authorized officers and officials, to participate with the Department of the Army, Corps of Engineers, in the design and construction of the Chauncey Sewer Replacement Project, Section 594 of the Water Resources Development Act of 1999, as amended, which project is located in the Village of Chauncey, Athens County, Ohio.

Section 2: The Mayor of the Village of Chauncey, and other appropriate Village of Chauncey officials, including the Village of Chauncey's Attorney, are authorized to execute on behalf of the Village of Chauncey, Athens County, Ohio, all documents necessary to implement participation by the Village of Chauncey in the design and construction of the Chauncey Sewer Replacement Project, being the design and construction of a replacement gravity sewer system in the Village of Chauncey, Athens County, Ohio, in conjunction with the Department of the Army, Corps of Engineers, including but not limited to the Project Partnership Agreement between the Department of the Army and the Village of Chauncey, for the design and construction of the Chauncey Sewer Replacement Project, that provides, among other things, that the Village of Chauncey shall:

- a. Provide without cost to the United States Government all

lands, easements, and rights-of-way, including suitable borrow and dredge material disposal areas, all modifications, relocations, and alterations of structures, including but not limited to buildings, utilities, including relocations of on-site underground utilities, roads, bridges, sewers, and water supply facilities, and repair or replacement of all intakes, drains, and appurtenant facilities necessary for the construction, operation, and maintenance of the Project;

b. Hold and save the United States Government free from damages due to the construction, operation, and maintenance of the Project, exclusive of damages due to the fault or negligence of the United States Government or its contractors;

c. Operate, maintain, replace, and rehabilitate the Project upon completion, and as constructed, in accordance with the regulations or directions by the Secretary of the Army and all without cost to the United States Government;

d. Pay its percentage share of total project costs as required by The Water Resources Development Act of 1986, (Public Law 99-662), as amended, and by the Project Partnership Agreement;

e. Prevent obstruction of or encroachment on the Project that would reduce the level of protection it affords or that would hinder operation and maintenance thereof; AND

f. Comply with the provisions of the Uniform Relocations Assistance and Real Property Acquisitions Policies Act of 1970, Public Law 91-646, approved 2 January 1971; and Section 221, Public Law 91-611, approved 31 December 1970, as amended.

Section 3: The Village of Chauncey hereby approves and ratifies all prior participation and acts of the Village of Chauncey, by and through its officials, with the Department of the Army, Corps of Engineers, in relationship to said Project.

Section 4: The Mayor of the Village of Chauncey and other appropriate Village of Chauncey officials are hereby authorized to purchase, or otherwise acquire from private property owners, in the name of the Village of Chauncey, and in accordance with said Agreement, any and all interests in real property necessary for the construction, operation, and maintenance of the property.

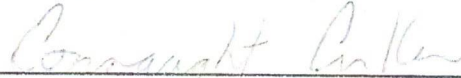
Section 5: It is the purpose of this Resolution to preserve and protect the finances of the Village and to receive funds for the Village for maintaining and improving its sewer system, therefore

this Resolution is deemed an emergency measure necessary to protect the health, safety, and well-being of the Village's residents and shall take effect immediately upon passage.

This Resolution is passed on suspension of the three readings requirement set forth in ORC 731.17 by vote of three-fourths of Council members and shall take effect immediately upon passage.

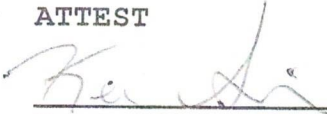
RESOLVED THIS 14th day of July, 2022

ATTEST



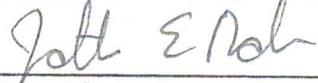
Connaught Cullen
President of Council

ATTEST



Kevin Simons
Village Fiscal Officer

APPROVED AS TO FORM



Jonathan E. Robe
Solicitor

ACKNOWLEDGED



Amy Renner
Mayor

ATTESTED AND CERTIFIED AS TRUE AND CORRECT:


Notary Public

CERTIFICATION OF POSTING/PUBLICATION

The foregoing is a true copy of RESOLUTION 2022-22.

Publication of this RESOLUTION was made by posting this copy at five public locations within the Village as follows:

Village Hall	Date <u>7/22/22</u>
Chauncey Foodmart	Date <u>7/22/22</u>
CeeDee Carryout	Date <u>7/22/22</u>
Post Office	Date <u>7/22/22</u>
Library	Date <u>7/22/22</u>
Other	Date _____

Attest: 
Kevin Simons
Fiscal Officer

Date 7/22/22