



## **COUNCIL AGENDA**

**Monday, July 17, 2023 – 7:00 pm**  
**Waynesville Municipal Building, 1400 Lytle Road**

- I. Roll Call
- II. Pledge of Allegiance
- III. Public Hearing for the rezoning of 407 High Street from R-4 (Medium Density Residential) to SO (Suburban Office)
- IV. Mayor (for purposes of acknowledgments)
- V. Disposition of Minutes of Previous Meetings  
Council, June 20, 2023 at 7:00 p.m.
- VI. Public Recognition/Visitor's Comments (A five minute per person time limit will be allowed for each speaker unless more time is requested and approved by a majority of the council)
- VII. Old Business
- VIII. Reports
  - Standing Council Committees
    - a) Finance Committee
    - b) Public Works Committee
    - c) Special Committees
  - Village Manager's Report
  - Police Report
  - Finance Director's Report
  - Law Directors Report
- IX. New Business:
  - How to promote Police Levy

**Legislation:**

**Reading of Ordinances and Resolutions:**

## **First Reading of Ordinances and Resolutions:**

### **ORDINANCE NO. 2023 - 029**

AMENDING THE ZONING CODE AND ZONING MAP OF THE VILLAGE OF WAYNESVILLE, OHIO TO PROVIDE FOR THE REZONING OF CERTAIN PROPERTY IDENTIFIED AS 407 HIGH STREET FROM MEDIUM DENSITY RESIDENTIAL (R-4) TO SUBURBAN OFFICE (SO)

### **ORDINANCE NO. 2023-30**

DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 7, 2023, GENERAL ELECTION, A CHARTER REVISION TO THE VILLAGE CHARTER (VARIOUS PROVISIONS)

### **ORDINANCE NO. 2023-031**

DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 7, 2023, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTION 3.07(A) OF THE VILLAGE CHARTER (COUNCIL MEETING FREQUENCY)

### **ORDINANCE NO. 2023-032**

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH SMITHCORP, INC. IN AN AMOUNT NOT TO EXCEED \$925,171.40 FOR THE 3rd STREET WATER MAIN REPLACEMENT AND RESURFACING PROJECT

### **ORDINANCE NO. 2023-033**

ACCEPTING A UTILITY EASEMENT FOR A WATER LINE ON THE HARVEST BAPTIST CHURCH PROPERTY AND DECLARING AN EMERGENCY

## **Second Reading of Ordinances and Resolutions:**

None

## **Tabled:**

X. Executive Session

XI. Adjournment

*Next Regular Council Meeting:*

**August 7, 2023 at 7:00 pm**

*Upcoming Meetings and Events:*

Finance Meeting, June 22, 2023 @ 5:00 p.m.

Public Works, August 7, 2023 @ 6:00 p.m.

Special Meeting of Council to

**Village of Waynesville  
Council Meeting Minutes  
June 20, 2023 at 7:00 pm**

Present: Mr. Brian Blankenship  
Ms. Joette Dedden  
Mr. Zack Gallagher  
Mayor Earl Isaacs  
Mr. Troy Lauffer  
Mrs. Connie Miller

Absent: Mr. Chris Colvin

Village Staff Present: Jeff Forbes, Law Director; Chief Gary Copeland, Village Manager and Safety Director; Jamie Morley, Clerk of Council

*CLERK’S NOTE- This is a summary of the Village Council Meeting held on Tuesday, June 20, 2023.*

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Mayor Isaacs called the meeting to order at 7:00 p.m.

Ms. Dedden made a motion to excuse Mr. Colvin and Mr. Gallagher seconded the motion.

Motion – Dedden

Second – Gallagher

**Roll Call – 6 yeas**

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**Public Hearing of Council**

At 7:03 p.m. Mayor Isaacs opened the public hearing for the 2024 Village of Waynesville’s Tax Budget. With no input or questions, the public hearing was closed at 7:05 p.m.

Ms. Dedden made a motion to close the public hearing and Mr. Blankenship seconded the motion.

Motion – Dedden

Second – Blankenship

**Roll Call – 6 yeas**

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**Mayor Acknowledgements**

It was a very nice weekend downtown with the Saturday Stroll. A nice crowd turned out and they looked to have a good time.

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**Disposition of Previous Minutes**

Mrs. Miller made a motion to approve the minutes as written for the Council meeting on June 5, 2023, and Mr. Blankenship seconded the motion.

Motion – Miller  
Second – Blankenship

**Roll Call – 6 yeas**

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**Public Recognition/Visitor’s Comments**

None

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**Old Business**

None

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**Reports**

**Finance**

The Finance Committee will meet this Thursday, June 22, 2023, at 5:00 p.m. The Committee will be discussing the Police Replacement Levy under New Business. The public is invited.

**Public Works Report**

The Public Works meeting is canceled on July 3, 2023. The next meeting will be on August 7 and the public is encouraged to attend.

**Special Committee Reports**

None



## **Village Manager Report**

- There were two large water breaks in the past couple of weeks. One was at 5565 Lytle Road and the other was in the 900 block of Franklin. This was a good learning experience for the Water Department to understand what valves need to be shut down during breaks. Once the rain stops, they will restore the areas.
- Council will be voting tonight to approve the 2024 tax budget.
- There is also an ordinance to enter into a cooperative agreement with Wayne Township for an OPWC grant application for the repaving of Corwin Road. Part of this road is within Village limits.
- The Little Miami Leadership Float sponsored by Warren County Soil and Water is on July 26<sup>th</sup>, Council will need to RSVP by July 14<sup>th</sup> to participate.
- Michael Spicer of Moody's should begin digging Well 10 on July 5. The preliminary drawings for the easement with Harvest Baptist Church for the water line from the new well to connect to the lines from Wells 6 & 7 have been completed.
- Fed Excavating has completed the road from Bowman Park to Well 10 and they did a great job.
- Details for the OPWC projects have been provided in the Village Manager's report for Third, Franklin Phase I and II. Planning to apply for Fourth Street to be the next OPWC project for 2025.
- Strawser will begin the micro-surfacing project on June 28. They will put up no parking signs and hand out letters to residents two days before the project begins. A list of streets has been provided in the report.
- The Maintenance Department cleaned up brush and debris behind the Government Building.
- A Public Hearing of Council is scheduled for July 17 for Council to consider the rezoning of 407 High Street from R4 to SO.

## **Police Report**

- Officers are prepared and scheduled for the parade, bike rodeo, and fireworks.
- The Warren County Victim Advocates has recently created and implemented a new portal system to report crimes against victims. This is in collaboration with the Ohio Attorney General's Office. This will allow officers to enter reports to help victims maintain privacy, provide safety, and offer assistance with any legal proceedings. Waynesville Police Department was the first agency in Warren County to use the new system. Officer Jim Walker did a great job inputting the

report into the new portal and has received accolades for his exemplary execution of the new system.

- Everything has been ordered to get the new cruiser into service.
- The firing range has been scheduled for August 20 for the officers to qualify for the required state-certified qualification.

Chief Copeland explained that back in 2021, the Village of Waynesville was not approved to receive funding for the Third Street project from the OPWC Board for PY35. The Village did not receive enough points. Chief Copeland stated he then applied for several other grants to fund the project of repaving and new water lines on Third Street. He related that he had just received word that the Village was awarded an Ohio Department of Development grant in the amount of \$499,750. The State DOD grant will be combined with the Ohio Public Works PY36 grant to replace the waterlines and repave Third Street. The two grants combined total \$999,243.00 and the entire project will be funded with little to no cost to the residents of Waynesville.

Chief Copeland also stated that he just received word from Warren County that they will be donating a cage to Waynesville Police Department for the new cruiser. Additionally, the radio that came with the vehicle can be reprogrammed and reused. Further saving the taxpayers money.

### **Financial Director Report**

None

### **Law Report**

- Council met in July and finalized two charter amendment issues to be placed on the ballot. Ordinances for these will have the first reading on July 17 and possible adoption on August 7. This will leave plenty of time to get these to the Board of Elections in time to be placed on the November 2023 ballot.

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### **New Business**

Ms. Dedden stated that the Finance Committee has discussed the best way for Council to promote the replacement police levy that will be on the ballot in November. She read from the May 18, 2023, Finance Committee minutes “The Police Levy Fund is lessening after adding an extra officer and raises. In 2021 the fund started with a balance of 463K and 2024 is projected to start off with a 256K balance. There was a buildup from previous years and that is slowly being depleted. Currently, two officers and part of Chief’s salary are being taken out of the General Fund. The Levy needs to pass to be able to maintain the Police Levy Fund.” Ms. Dedden said this sums up why it is so important to the Village finances to have a replacement levy pass.

Ms. Dedden asked Mr. Forbes what Council can and cannot do to promote a levy. Mr. Forbes stated that Council is not allowed to spend public funds or take any position on ballot issues. The Village can provide factual and educational information on ballot issues but cannot advocate one way or the other. All funding will have to come from an independent Political Action Committee, of which Ron James is currently the Finance Director. Chief Copeland suggested putting an article together for the Township Newsletter providing information about the levy and the importance of the Police Department. He asked if there were any Council members that would be willing to write the article for the fall newsletter. Ms. Dedden and Mrs. Miller volunteered to write the article.

It was stated that it would cost the residents \$245 per \$100,000 of the estimated home value for the replacement levy. Ms. Dedden suggested Council have a special meeting and invite the community to inform them of upcoming ballot issues which include the Police Levy Replacement and the proposed charter amendments. Council decided to cancel the Public Works meeting on October 2, 2023, at 6:00 p.m. and schedule the Special Council Meeting for October 2, 2023, at 6:00 p.m. Ms. Dedden asked that the information for the ballot issue informational meeting be placed on the September and October water bills.

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**Legislation**

**First Reading of Ordinances and Resolutions**

**Resolution No. 2023-028**

A Resolution Authorizing the Village Manager to Enter into a Multijurisdictional Agreement with Wayne Township Related to the Corwin Avenue Repaving Project and Declaring an Emergency

Mrs. Miller made a motion to waive the two-reading rule for Ordinance 2023-028 and Mr. Gallagher seconded the motion.

Motion – Miller  
Second – Gallagher

**Roll Call – 6 yeas**

Mr. Gallagher made a motion to adopt Ordinance 2023-028 as an emergency and Ms. Dedden seconded the motion.

Motion – Gallagher  
Second – Dedden

**Roll Call – 6 yeas**

**Second Reading of Ordinances and Resolutions**

**Resolution No. 2023-024**

A Resolution Approving the 2024 Annual Tax Budget for the Village of Waynesville and Declaring an Emergency

Mr. Gallagher made a motion to adopt Resolution 2023-024 as an emergency and Ms. Dedden seconded the motion.

Motion – Gallagher  
Second – Dedden

**Roll Call – 6 yeas**

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**Tabled Ordinances and Resolutions**

None

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**Executive Session**

None

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All were in favor of adjourning at 7:45 pm.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jamie Morley, Clerk of Council

**ORDINANCE NO. 2023 - 029**

**AMENDING THE ZONING CODE AND ZONING MAP OF THE VILLAGE OF WAYNESVILLE, OHIO TO PROVIDE FOR THE REZONING OF CERTAIN PROPERTY IDENTIFIED AS 407 HIGH STREET FROM MEDIUM DENSITY RESIDENTIAL (R-4) TO SUBURBAN OFFICE (SO)**

WHEREAS, the Planning Commission has reviewed a request to amend the Zoning Code and Zoning Map of the Village of Waynesville to provide for the rezoning of certain property to Suburban Office; and

WHEREAS, the Planning Commission has recommended approval of the rezoning ; and

WHEREAS, a Public Hearing was held pursuant to the requirements of the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the Zoning Code and Zoning Map of the Village of Waynesville, Ohio, are hereby amended to provide for the rezoning of certain property identified as 407 High Street from Medium Density Residential (R-4) to Suburban Office (SO).

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk of Council

ORDINANCE NO. 2023-030

**DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 7, 2023, GENERAL ELECTION, A CHARTER REVISION TO THE VILLAGE CHARTER (VARIOUS PROVISIONS)**

WHEREAS, the Council for the Village of Waynesville has the authority to submit proposed amendments to the Charter of the Village of Waynesville to the electorate; and

WHEREAS, it is the intent of the Village Council to submit such amendments to the electors of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the following revision to the Charter of the Village of Waynesville, attached hereto as Exhibit A and incorporated herein by reference, shall be submitted to the electors of the Village of Waynesville at the general election to be held on the 7<sup>th</sup> day of November, 2023, at the regular places of voting in said Village as established by the Board of Elections:

Section 2. That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Board of Elections of Warren County, Ohio, and the Clerk is directed to provide notice of the proposed Charter revision to the electors of the Village as required by law.

Section 3. That this Ordinance provides for the submission of a question to the electorate and shall be effective immediately upon its passage pursuant to Section 4.08 of the Village of Waynesville Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

CERTIFICATE

The undersigned, Clerk of Council of the Village of Waynesville, hereby certifies this to be a true and exact copy of Ordinance No. 2023-30, adopted by the Council of the Village of Waynesville on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Clerk of Council

EXHIBIT A

**PROPOSED CHARTER REVISION**

**VILLAGE OF WAYNESVILLE**

A majority affirmative vote is necessary for passage.

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Shall various sections of the Village of Waynesville Charter be revised to read as follows:

SECTION 3.01 MAYOR.

~~(D) In the event of a vacancy in the office of Mayor whereby the President pro tempore is required to serve as Mayor.~~

SECTION 3.05 VACANCIES, FORFEITURE OF OFFICE, AND FILLING OF VACANCIES.

(D) Filling of Vacancies. Vacancies in the office of Council member shall be filled within forty-five days by an affirmative vote of at least four of the remaining members of Council. If a vacancy occurs in one or more positions among Council members, Council of the new term shall appoint, by an affirmative vote of at least four members, an eligible citizen of the Municipality of Waynesville. ~~Unsuccessful candidates for Council from the previous election, who are interested in the vacancy, should be given first consideration before any other applicants are considered. If none of these unsuccessful candidates is selected Council shall then make the appointment from the other qualified applicants.~~ If the Council fails to do so within forty-five days following the occurrence of the vacancy, the power of Council to fill the vacancy shall lapse and the Mayor shall fill the vacancy by appointment at the next regularly scheduled Council meeting following the expiration of the said forty-five days. ~~Unsuccessful candidates for Council from the previous election, who are interested in the vacancy, should be given first consideration before any other applicants are considered. If none of these unsuccessful candidates is selected then the Mayor shall make the appointment from the other qualified applicants.~~ The person so appointed shall serve until the next Municipal election occurring not less than ninety days thereafter at which time a successor shall be elected for the remainder of the unexpired term.

SECTION 3.07 ORGANIZATION AND MEETINGS.

(A) Following each regular municipal election, the Council shall meet not later than the seventh day of January for the purpose of organizing. At such meeting, the newly elected members of Council shall take the oath of office and the Council may transact such other business as may come before it. Thereafter, regular meetings shall be held as prescribed by ordinance, but not less frequently than twice each month.



(B) All meetings of Council shall be open to the public, except, that the Council may by a majority vote of the members present enter into an executive session only for those purposes allowed by the general laws of the State of Ohio. ~~Except as provided under the laws of the State of Ohio, Section 121.22 and commonly referred to as the "Sunshine Law," all meetings of the Council shall be open to the public.~~ A majority of the members of Council shall constitute a quorum at all meetings.

~~(C) Exceptions to the open meeting requirement are:~~

~~— (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee or regulated individual.~~

~~— (2) To consider the purchase of property for public purposes, or the sale of property for public purposes or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest.~~

~~— (3) To confer with an attorney for the public body, concerning disputes involving the public body that are the subject of pending or imminent court action.~~

~~— (4) To prepare for, conduct, or review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.~~

~~— (5) To consider matters required to be kept confidential by federal law or rules or state statutes.~~

~~— (6) To review specialized details of security arrangements where disclosure of matters discussed might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of the law.~~

#### SECTION 4.16 POSTING AND PUBLICATION OF ORDINANCES AND RESOLUTIONS.

(A) The Clerk of Council shall cause each ordinance and resolution adopted to be published by posting a copy of the ordinance or resolution in the place in the Municipality as determined by the Council, for a period of fifteen days at the Municipal building and ~~four other conspicuous places frequented by the public.~~

#### SECTION 5.01 APPOINTMENT, QUALIFICATIONS AND COMPENSATION.

(A) The Manager shall be appointed by an affirmative vote of at least five members of Council. The Manager shall be appointed solely on the basis of executive and administrative qualifications. ~~The Manager need not be a resident of the Municipality at the time of the appointment, but must reside within the Municipality while in office or within a twenty minute drive time with approval by an affirmative vote of at least four members of Council.~~

SECTION 5.04 POWERS AND DUTIES OF THE MANAGER.

(E) The Manager shall prepare and submit the annual budget, appropriation ordinance and capital program to the Council.

(1) Capital program submission to Council. The Manager shall prepare and submit to the Council a five year capital program at least one month prior to the final date for submission of the budget to the Council.

(2) Contents. The capital program shall include the following:

(a) A clear, general summary of its contents.

(b) A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.

(c) The cost estimates, methods of financing and recommended time schedules for each improvement.

(d) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised by the Manager and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

(3) Adoption by Council. The Council by resolution, shall adopt the capital program with or without amendment prior to adoption of the budget.

(4) Council shall be responsible for organizing the special notification of Village residents of a hearing at which Council shall advise the village residents of the scope and detail of any and all capital projects in excess of ~~\$250,000.00~~ \$2,000,000.00. The purchase of real estate is exempted from the above hearing. The hearing shall be held in a timely manner relative to the planning of the above capital projects. The purpose of this hearing is to better inform the Village residents regarding any suggested or planned major capital projects and to inform Council of the "Opinion of the Village" on the matter. Council shall be prepared to cover the following in this meeting.

(a) General scope and detail of the project.

(b) Total estimated cost.

(c) Time frame for completion.

(d) Funding plans and impact on taxes.

The hearing shall be advertised at four prominent locations around the village at least forty eight hours prior to the meeting. ~~It shall in addition be advertised in a short presentation to be included with a Waynesville water bill.~~ This short presentation shall cover points 1-4 above.

SECTION 7.07 PARKS AND RECREATION BOARD — MEMBERSHIP.

There shall be a Board of Parks and Recreation consisting of five members, three of whom are appointed by Council, two of whom shall be members of Council appointed for a term of one year, ~~and two citizen members, as well as one member appointed by the Board of Education to serve four year overlapping terms of office.~~

SECTION 8.01 NOMINATIONS.

(A) Nominations for members of Council shall be made only by petition signed by at least twenty-five qualified electors of the Municipality. Such a petition shall be accompanied by a declaration of candidacy and shall be filed with the election authorities no later than 4:00 pm of the ~~seventy-fifth~~ ninetieth day before the date of the regular Municipal election.

*All other provisions of the Charter not specifically revised herein shall remain in full force and effect.*

ORDINANCE NO. 2023-030

**DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 7, 2023, GENERAL ELECTION, A CHARTER REVISION TO THE VILLAGE CHARTER (VARIOUS PROVISIONS)**

WHEREAS, the Council for the Village of Waynesville has the authority to submit proposed amendments to the Charter of the Village of Waynesville to the electorate; and

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NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, \_\_\_\_\_ members elected thereto concurring:

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Section 2. That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Board of Elections of Warren County, Ohio, and the Clerk is directed to provide notice of the proposed Charter revision to the electors of the Village as required by law.

Section 3. That this Ordinance provides for the submission of a question to the electorate and shall be effective immediately upon its passage pursuant to Section 4.08 of the Village of Waynesville Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

CERTIFICATE

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~~— (2) To consider the purchase of property for public purposes, or the sale of property for public purposes or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest.~~

~~— (3) To confer with an attorney for the public body, concerning disputes involving the public body that are the subject of pending or imminent court action.~~

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(1) Capital program submission to Council. The Manager shall prepare and submit to the Council a five year capital program at least one month prior to the final date for submission of the budget to the Council.

(2) Contents. The capital program shall include the following:

(a) A clear, general summary of its contents.

(b) A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.

(c) The cost estimates, methods of financing and recommended time schedules for each improvement.

(d) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised by the Manager and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

(3) Adoption by Council. The Council by resolution, shall adopt the capital program with or without amendment prior to adoption of the budget.

(4) Council shall be responsible for organizing the special notification of Village residents of a hearing at which Council shall advise the village residents of the scope and detail of any and all capital projects in excess of ~~\$250,000.00~~ \$2,000,000.00. The purchase of real estate is exempted from the above hearing. The hearing shall be held in a timely manner relative to the planning of the above capital projects. The purpose of this hearing is to better inform the Village residents regarding any suggested or planned major capital projects and to inform Council of the "Opinion of the Village" on the matter. Council shall be prepared to cover the following in this meeting.

(a) General scope and detail of the project.

(b) Total estimated cost.

(c) Time frame for completion.

(d) Funding plans and impact on taxes.

The hearing shall be advertised at four prominent locations around the village at least forty eight hours prior to the meeting. ~~It shall in addition be advertised in a short presentation to be included with a Waynesville water bill.~~ This short presentation shall cover points 1-4 above.



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(A) Nominations for members of Council shall be made only by petition signed by at least twenty-five qualified electors of the Municipality. Such a petition shall be accompanied by a declaration of candidacy and shall be filed with the election authorities no later than 4:00 pm of the ~~seventy-fifth~~ ninetieth day before the date of the regular Municipal election.

*All other provisions of the Charter not specifically revised herein shall remain in full force and effect.*

ORDINANCE NO. 2023-031

DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 7, 2023, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTION 3.07(A) OF THE VILLAGE CHARTER (COUNCIL MEETING FREQUENCY)

WHEREAS, the Council for the Village of Waynesville has the authority to submit proposed amendments to the Charter of the Village of Waynesville to the electorate; and

WHEREAS, it is the intent of the Village Council to submit such amendment to the electors of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the following amendment to the Charter of the Village of Waynesville, attached hereto as Exhibit A and incorporated herein by reference, shall be submitted to the electors of the Village of Waynesville at the general election to be held on the 7<sup>th</sup> day of November, 2023, at the regular places of voting in said Village as established by the Board of Elections.

Section 2. That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Board of Elections of Warren County, Ohio, and the Clerk is directed to provide notice of the proposed Charter amendments to the electors of the Village as required by law.

Section 3. That this Ordinance provides for the submission of a question to the electorate and shall be effective immediately upon its passage pursuant to Section 4.08 of the Village of Waynesville Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

CERTIFICATE

The undersigned, Clerk of Council of the Village of Waynesville, hereby certifies this to be a true and exact copy of Ordinance No. 2023-031, adopted by the Council of the Village of Waynesville on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Clerk of Council

3702013.1

EXHIBIT A

**PROPOSED CHARTER AMENDMENT**

**VILLAGE OF WAYNESVILLE**

A majority affirmative vote is necessary for passage.

---

Shall section 3.07(A) of the Village of Waynesville Charter be amended to read as follows:

**SECTION 3.07 ORGANIZATION AND MEETINGS.**

(A) Following each regular municipal election, the Council shall meet not later than the seventh day of January for the purpose of organizing. At such meeting, the newly elected members of Council shall take the oath of office and the Council may transact such other business as may come before it. Thereafter, regular meetings shall be held as prescribed by ordinance, but not less frequently than twice once each month.

**ORDINANCE NO. 2023-032**

**AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH SMITHCORP, INC. IN AN AMOUNT NOT TO EXCEED \$925,171.40 FOR THE 3rd STREET WATER MAIN REPLACEMENT AND RESURFACING PROJECT**

WHEREAS, the Village of Waynesville has sought bids for the 3rd Street Water Main Replacement and Resurfacing Project; and

WHEREAS, the Village Engineer has determined SmithCorp, Inc. to be the lowest and best bidder.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the Village Manager is hereby authorized to enter into a contract with SmithCorp, Inc for the 3rd Street Water Main Replacement and Resurfacing Project, and to execute all necessary and related documents, substantially in the form attached hereto as Exhibit A and incorporated herein by reference.

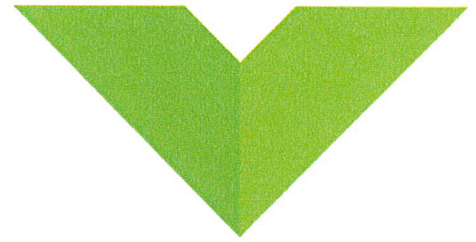
Section 2. That the Finance Director is hereby authorized to pay a sum not to exceed \$925,171.40 for said work in accordance with the contract terms.

Section 3. That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor



**Date**

June 23, 2023

**Attention**

Chief Gary Copeland

**Address**

Village of Waynesville  
1400 Lytle Road  
Waynesville, Ohio 45068

**Subject**

3rd Street Water Main Replacement and Street Resurfacing  
WAR-WAY-2106

## Dear Chief Copeland:

Enclosed are the bid tabulation, bid analysis, and the original bidding documents for the 3rd Street Water Main Replacement and Street Resurfacing.

Through our evaluation of all bid documents submitted, Smith Corp Inc., of Cincinnati, Ohio, appears to be the lowest, responsible bidder.

Please execute and return the enclosed Notice of Award, at which time we will forward Contract Documents, along with the executed Notice of Award, to Smith Corp Inc.

If you should have any questions or concerns, please feel free to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jacob L. Bertke".

Jacob L. Bertke  
Project Manager

**W. Central Ohio/E. Indiana**

440 E. Hoewisher Rd.  
Sidney, OH 45365  
937.497.0200 Phone

**S. Ohio/N. Kentucky**

8956 Glendale Milford Rd., Suite 1  
Loveland, OH 45140  
513.239.8554 Phone





**Bid Tabulation**  
Village of Waynesville  
3rd Street Water Main Replacement and Street Resurfacing  
June 23, 2023

3rd Street Water Main Replacement and Street Resurfacing  
June 23, 2023

REF. NO.	ITEM NO.	DESCRIPTION	UNIT	APPROX. QTY.	UNIT COST	TOTAL COST
1	202	REMOVED AS PER PLAN	LUMP	1	\$8,000.00	\$8,000.00
2	202	WALK REMOVED	S.F.	3700	\$2.50	\$9,250.00
3	202	CURB REMOVED	FT.	422	\$5.00	\$2,110.00
4	202	VALVE BOX REMOVED	EACH	6	\$200.00	\$1,200.00
5	253	FULL DEPTH PAVEMENT REPAIR	S.Y.	300	\$100.00	\$30,000.00
6	253	1-1/2" PAVEMENT PLANNING, ASPHALT CONCRETE	S.Y.	7640	\$5.00	\$38,200.00
7	301	ASPHALT CONCRETE BASE, PG. 64-22 (449)	C.Y.	218	\$230.00	\$50,140.00
8	304	AGGREGATE BASE, AS PER PLAN	C.Y.	232	\$80.00	\$18,560.00
9	407	NON-TRACKING TACK COAT	GAL.	690	\$6.00	\$4,140.00
10	411	STABILIZED CRUSHED AGGREGATE	C.Y.	45	\$120.00	\$5,400.00
11	441	1-1/2" ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22 (449)	C.Y.	323	\$275.00	\$88,825.00
12	452	6" NON-REINFORCED CONCRETE PAVEMENT	S.Y.	9	\$200.00	\$1,800.00
13	608	4" CONCRETE WALK	S.F.	1250	\$9.00	\$11,250.00
14	608	CURB RAMP, AS PER PLAN	S.F.	2492	\$15.00	\$37,380.00
15	609	CURB AND GUTTER REPLACED, IN KIND	FT.	385	\$35.00	\$13,475.00
16	609	BARRIER CURB REPLACED, IN KIND	FT.	37	\$35.00	\$1,295.00
17	609	CURB, ODOT TYPE 6	FT.	15	\$30.00	\$450.00
18	609	CURB, ODOT TYPE 7	FT.	20	\$35.00	\$700.00
19	611	4" CONDUIT, TYPE B, 707.65, STORM REPAIR	FT.	50	\$25.00	\$1,250.00
20	611	6" CONDUIT, TYPE B, 707.65, STORM REPAIR	FT.	50	\$25.00	\$1,250.00
21	611	8" CONDUIT, TYPE B, 707.65, STORM REPAIR	FT.	50	\$25.00	\$1,250.00
22	611	12" CONDUIT, TYPE B, 706.02, STORM REPAIR	FT.	20	\$100.00	\$2,000.00
23	611	4" SANITARY LATERAL REPAIR, AS PER PLAN	FT.	50	\$60.00	\$3,000.00
24	611	MANHOLE ADJUSTED TO GRADE	EACH	9	\$900.00	\$8,100.00
25	613	LOW STRENGTH MORTAR BACKFILL, AS PER PLAN	CY	20	\$140.00	\$2,800.00
26	614	MAINTAINING TRAFFIC	LUMP	1	\$6,000.00	\$6,000.00
27	623	CONSTRUCTION LAYOUT STAKES AND SURVEYING, AS PER PLAN	LUMP	1	\$4,000.00	\$4,000.00
28	630	REMOVAL OF GROUND MOUNTED SIGN AND REERCTION	EACH	3	\$50.00	\$150.00
29	630	REMOVAL OF GROUND MOUNTED POST AND REERCTION	EACH	3	\$50.00	\$150.00
30	638	6" D.I.P. CL-52 WATER MAIN, AS PER PLAN	FT.	49	\$200.00	\$9,800.00
31	638	8" D.I.P. CL-52 WATER MAIN, AS PER PLAN	FT.	2130	\$145.00	\$308,850.00
32	638	6" GATE VALVE	EACH	4	\$1,800.00	\$7,200.00
33	638	8" GATE VALVE	EACH	10	\$2,000.00	\$20,000.00
34	638	6" INSERTION VALVE, AS PER PLAN	EACH	4	\$9,000.00	\$36,000.00
35	638	8" INSERTION VALVE, AS PER PLAN	EACH	1	\$12,000.00	\$12,000.00
36	638	FIRE HYDRANT REMOVED	EACH	3	\$600.00	\$1,800.00
37	638	6" FIRE HYDRANT ASSEMBLY, AS PER PLAN	EACH	5	\$8,600.00	\$43,000.00
38	638	1" TYPE K COPPER WATER SERVICE BRANCH, AS PER PLAN	FT.	1620	\$100.00	\$162,000.00
39	638	METER PIT, INCLUDING METER, SETTING, AND VALVES, AS PER PLAN	EACH	57	\$57,000.00	\$3,249,000.00
40	638	WATER SAMPLING STATION, AS PER PLAN	EACH	1	\$4,500.00	\$4,500.00
41	644	24" STOP LINE	FT.	128	\$10.00	\$1,280.00
42	644	12" CROSSWALK LINE	FT.	470	\$6.00	\$2,820.00
43	644	24" HIGH-VISIBILITY CROSSWALK LONGITUDINAL LINE	FT.	400	\$8.00	\$3,200.00
44	659	SEEDING AND MULCHING, TYPE 1, AS PER PLAN	S.Y.	700	\$2,800.00	\$1,960,000.00
BASE BID TOTAL						\$1,024,375.00

ALTERNATE #1: REPLACE REF. NO. 11 TO INCLUDE REINFORCING ASPHALT SURFACE COURSE W/ FIBERS	UNIT	APPROX. QTY.	UNIT COST	TOTAL COST		
11A	441	1-1/2" ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG 64-22 (449), REINFORCED WITH PRE-TREATED ARAMID FIBERS	C.Y.	323	\$300.00	\$96,900.00
TOTAL WITH ALTERNATE #1					\$1,024,375.00	

\*1 Total given was \$2,559.15  
\*2 Total given was \$3,489.20  
\*3 Total given was \$13,300.00

Performance Site Development Fairborn, Ohio	UNIT	COST	TOTAL COST
		\$7,275.00	\$7,275.00
		\$1,170.00	\$6,290.00
		\$8.75	\$3,692.50
		\$995.00	\$1,770.00
		\$110.00	\$33,000.00
		\$6.70	\$51,186.00
		\$292.00	\$63,956.00
		\$73.00	\$16,936.00
		\$31.50	\$2,415.00
		\$82.00	\$3,690.00
		\$286.20	\$92,442.60
		\$185.00	\$1,665.00
		\$11.00	\$13,750.00
		\$25.00	\$62,300.00
		\$32.25	\$12,416.25
		\$49.00	\$1,813.00
		\$49.00	\$735.00
		\$70.00	\$1,400.00
		\$35.00	\$700.00
		\$6.00	\$1,250.00
		\$8.00	\$1,250.00
		\$25.00	\$1,250.00
		\$10.00	\$500.00
		\$25.00	\$2,500.00
		\$13.00	\$2,500.00
		\$17.00	\$1,250.00
		\$75.00	\$3,750.00
		\$100.00	\$2,000.00
		\$14,000.00	\$14,000.00
		\$15,000.00	\$15,000.00
		\$8,000.00	\$8,000.00
		\$45.00	\$45.00
		\$60.00	\$60.00
		\$270.00	\$13,230.00
		\$285.00	\$607,050.00
		\$990.00	\$3,800.00
		\$1,475.00	\$14,750.00
		\$40,000.00	\$40,000.00
		\$10,750.00	\$10,750.00
		\$150.00	\$450.00
		\$5,500.00	\$27,500.00
		\$13.00	\$21,060.00
		\$500.00	\$500.00
		\$6.00	\$768.00
		\$5.00	\$2,350.00
		\$6.00	\$2,400.00
		\$1.00	\$700.00
			\$1,118,241.00

Ford Development Corp. Cincinnati, Ohio	UNIT	COST	TOTAL COST
		\$500.00	\$500.00
		\$1.00	\$1,700.00
		\$0.50	\$211.00
		\$2.00	\$12.00
		\$95.00	\$28,500.00
		\$3.00	\$22,920.00
		\$115.00	\$25,070.00
		\$50.00	\$11,600.00
		\$70.00	\$2,070.00
		\$2.00	\$4,500.00
		\$60.00	\$83,980.00
		\$1,000.00	\$900.00
		\$8.00	\$10,000.00
		\$15.00	\$37,380.00
		\$60.00	\$23,100.00
		\$75.00	\$925.00
		\$75.00	\$1,125.00
		\$75.00	\$700.00
		\$75.00	\$1,000.00
		\$75.00	\$1,000.00
		\$40.00	\$500.00
		\$50.00	\$1,000.00
		\$50.00	\$2,500.00
		\$17.00	\$850.00
		\$100.00	\$6,750.00
		\$110.00	\$2,200.00
		\$14,000.00	\$14,000.00
		\$15,000.00	\$15,000.00
		\$8,000.00	\$8,000.00
		\$15.00	\$45.00
		\$20.00	\$60.00
		\$270.00	\$13,230.00
		\$285.00	\$607,050.00
		\$990.00	\$3,800.00
		\$1,475.00	\$14,750.00
		\$40,000.00	\$40,000.00
		\$10,750.00	\$10,750.00
		\$150.00	\$450.00
		\$5,500.00	\$27,500.00
		\$13.00	\$21,060.00
		\$500.00	\$500.00
		\$6.00	\$768.00
		\$5.00	\$2,350.00
		\$6.00	\$2,400.00
		\$1.00	\$700.00
			\$1,118,241.00

Fillmore Construction LLC Leeburg, Ohio	UNIT	COST	TOTAL COST
		\$2,250.00	\$2,250.00
		\$5.00	\$18,500.00
		\$10.00	\$4,220.00
		\$50.00	\$3,000.00
		\$100.00	\$30,000.00
		\$3.00	\$22,920.00
		\$200.00	\$43,600.00
		\$5.00	\$11,600.00
		\$4.00	\$2,400.00
		\$100.00	\$4,500.00
		\$220.00	\$71,060.00
		\$100.00	\$900.00
		\$10.00	\$12,500.00
		\$20.00	\$49,840.00
		\$60.00	\$23,100.00
		\$100.00	\$1,700.00
		\$100.00	\$1,500.00
		\$30.00	\$600.00
		\$40.00	\$1,250.00
		\$50.00	\$1,250.00
		\$100.00	\$1,250.00
		\$100.00	\$1,000.00
		\$1,000.00	\$10,000.00
		\$300.00	\$3,000.00
		\$20.00	\$200.00
		\$145.00	\$308,850.00
		\$1,235.00	\$4,940.00
		\$1,800.00	\$18,000.00
		\$2,555.00	\$25,550.00
		\$49,000.00	\$49,000.00
		\$13,250.00	\$13,250.00
		\$995.00	\$2,985.00
		\$11,750.00	\$58,750.00
		\$77.75	\$125,955.00
		\$1,069.00	\$60,333.00
		\$3,140.00	\$3,140.00
		\$7.50	\$960.00
		\$6.40	\$3,008.00
		\$7.50	\$3,000.00
		\$13.00	\$9,100.00
			\$1,059,771.35

KT Holden Construction LLC Lebanon, Ohio	UNIT	COST	TOTAL COST
		\$500.00	\$500.00
		\$2.00	\$7,400.00
		\$11.00	\$4,642.00
		\$155.00	\$930.00
		\$85.00	\$25,500.00
		\$2.75	\$21,010.00
		\$280.00	\$61,040.00
		\$30.00	\$11,600.00
		\$2.00	\$1,380.00
		\$5.00	\$2,250.00
		\$235.00	\$75,905.00
		\$150.00	\$1,350.00
		\$11.60	\$14,500.00
		\$20.50	\$51,086.00
		\$62.00	\$23,870.00
		\$99.00	\$885.00
		\$62.00	\$1,240.00
		\$8.00	\$400.00
		\$10.00	\$500.00
		\$18.00	\$900.00
		\$75.00	\$3,750.00
		\$550.00	\$4,950.00
		\$140.00	\$2,800.00
		\$37,000.00	\$37,000.00
		\$3,000.00	\$3,000.00
		\$20.00	\$200.00
		\$60.00	\$600.00
		\$249.00	\$12,201.00
		\$128.00	\$722,640.00
		\$1,235.00	\$4,940.00
		\$1,800.00	\$18,000.00
		\$2,555.00	\$25,550.00
		\$49,000.00	\$49,000.00
		\$15,300.00	\$15,300.00
		\$600.00	\$3,000.00
		\$6,850.00	\$34,250.00
		\$77.00	\$124,740.00
		\$1,050.00	\$59,850.00
		\$4,000.00	\$4,000.00
		\$5.75	\$736.00
		\$5.00	\$2,350.00
		\$5.65	\$2,260.00
		\$5.00	\$2,500.00
			\$967,168.00

Ford Development Corp. Cincinnati, Ohio	UNIT	COST	TOTAL COST
		\$100.00	\$100.00
		\$18,500.00	\$18,500.00
		\$2,110.00	\$2,110.00
		\$600.00	\$600.00
		\$37,500.00	\$37,500.00
		\$22,156.00	\$22,156.00
		\$54,300.00	\$54,300.00
		\$10,440.00	\$10,440.00
		\$2.00	\$1,380.00
		\$2,475.00	\$2,475.00
		\$246.75	\$79,700.25
		\$765.00	\$7,650.00
		\$13,750.00	\$13,750.00
		\$37,380.00	\$37,380.00
		\$25,925.00	\$25,925.00
		\$1,665.00	\$1,665.00
		\$875.00	\$8,750.00
		\$1,100.00	\$1,100.00
		\$500.00	\$500.00
		\$500.00	\$500.00
		\$1,000.00	\$1,000.00
		\$400.00	\$400.00
		\$3,750.00	\$3,750.00
		\$6,750.00	\$6,750.00
		\$2,300.00	\$2,300.00
		\$15,986.48	\$15,986.48
		\$5,000.00	\$5,000.00
		\$150.00	\$150.00
		\$450.00	\$450.00
		\$8,750.00	\$8,750.00
		\$260,935.00	\$260,935.00
		\$10,000.00	\$10,000.00
		\$35,000.00	\$35,000.00
		\$48,000.00	\$48,000.00
		\$13,000.00	\$13,000.00



	Smith Corp Inc.	KT Holden Construction LLC	Fillmore Construction LLC	Performance Site Development	Ford Development Corp.	Majors Enterprises Inc.
Unit & Total Bid Correspond	*1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	*1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Receipt of Addenda	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Signature Page	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bid Security	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Personal Property Tax	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
State of Ohio EEO Requirements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

\*1 Total did not correspond.



## NOTICE OF AWARD

---

Owner: Village of Waynesville  
Project: 3rd Street Water Main Replacement and Street Resurfacing  
Bidder: Smith Corp Inc.  
Bidder's Address: 130 Novner Drive, Cincinnati, Ohio 45215

### TO BIDDER:

You are notified that Owner has accepted your Bid dated 6/22/2023 for the above Project, and that you are the Successful Bidder and are awarded a Contract for:

Replacing the existing water main, resurfacing the street and replacing curb ramps along Third Street between High Street and Franklin Road in the Village of Waynesville, Ohio. Including Alternate 1.

The Contract Price of the awarded Contract is: \$925,171.40

One unexecuted counterparts of the Agreement accompany this Notice of Award, and a copy of the Contract Documents has been made available to Bidder electronically. The Drawings will be delivered separately from the Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner the Agreement, fully executed by Bidder.
2. Deliver with the executed Agreement the Contract security and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Agreement.

---

Owner: Village of Waynesville  
  
Authorized Signature  
By: Chief Gary Copeland  
Title: Village Manager  
Date of Issuance: \_\_\_\_\_

**ORDINANCE NO. 2023-033**

**ACCEPTING A UTILITY EASEMENT FOR A WATER LINE ON THE HARVEST BAPTIST CHURCH PROPERTY AND DECLARING AN EMERGENCY**

WHEREAS, as part of a necessary municipal project, it has become necessary for the Village of Waynesville to accept a utility easement; and

WHEREAS, the owner of the affected property has agreed to donate said easement.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the utility easement set forth in Exhibit "A," incorporated herein by reference, is hereby accepted by the Village of Waynesville.

Section 2. That the Village Manager is hereby authorized to execute any necessary documents to further the acceptance of said easement.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare and shall be effective immediately upon its adoption. The reason for said declaration of emergency is the need to accept the easement at the earliest possible date in order to timely proceed with the project.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

**ORDINANCE NO. 2023-033**

**ACCEPTING A UTILITY EASEMENT FOR A WATER LINE ON THE HARVEST BAPTIST CHURCH PROPERTY AND DECLARING AN EMERGENCY**

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Section 2. That the Village Manager is hereby authorized to execute any necessary documents to further the acceptance of said easement.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare and shall be effective immediately upon its adoption. The reason for said declaration of emergency is the need to accept the easement at the earliest possible date in order to timely proceed with the project.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

**Auditor's Parcel ID # 06-31-351-011**

**DEED/GRANT OF WATER MAIN EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

That Harvest Baptist Church of Warren County, an Ohio non-profit corporation, hereafter, Grantor, the Fee Simple owner of the real estate (the "Property"), located at N. Route 42, Waynesville, Warren County, Ohio 45068 within the Village of Waynesville, Ohio, Warren County, Ohio, identified in Instrument No. 2016-003288 and 2021-004157, of the Records of Warren County, Ohio, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, do hereby grant, bargain, sell, convey and release to the **Village of Waynesville, Ohio** an Ohio municipal corporation, whose tax mailing address is 1400 Lytle Road, Waynesville, Ohio 45068, its successors and assigns, hereafter, Grantee, and to their agents, employees, successors and assigns forever, **a non-exclusive, perpetual water line easement for the construction, operation, repair and/or replacement of water line** on, above, under and through that portion of the aforementioned Property, as described on Exhibit "A" (the "Easement Area") and with the easement area being generally depicted on Exhibit "B", attached hereto and made a part hereof.

Included in the Easement Area shall be additional area granted by **Grantor to Grantee** for a temporary construction easement, approximately 50 feet in width and as more specifically set forth in Exhibit A.

All costs and expenses associated with the **Grantee's** construction, operation, maintenance, repair, replacement and restoration activities within the Easement Area described on Exhibit A shall be borne solely by the **Grantee**.

**Grantor** shall not construct any improvements within or upon the Easement Area or otherwise use the Easement Area in a manner that would materially interfere with the exercise by **Grantee** of its rights provided by this document.

The consideration mentioned herein includes total compensation for all damages caused by said construction, repair, maintenance, operation and inspection within the above described easement. **Grantee** shall, as soon as practical after the completion of any construction, maintenance, repair or replacement activities, restore the surface of the Easement Area to the same condition or better as existed immediately prior to the commencement of such activities by **Grantee** or its agents, employees or contractors.

The terms and agreement set forth herein shall be deemed to be covenants running with the land and shall inure to the benefit of and be binding upon, as the case may be, the parties and their respective successors and assigns.

**Grantor**, for itself and for its successors and assigns, does hereby **COVENANT** with the said **Grantee**, its successors and assigns, that it is the true and lawful owner of the said premises, and has full power to convey said easement, unencumbered.

It is agreed that wherever a party is named in this instrument there shall be intended and included, in each case, that party, its successors, and assigns.

Executed by \_\_\_\_\_, as \_\_\_\_\_ of Harvest Baptist Church of Warren County, on this \_\_\_\_ day of \_\_\_\_\_, 2023.

OWNER:

Witness:

HARVEST BAPTIST CHURCH OF WARREN  
COUNTY

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

STATE OF OHIO, COUNTY OF WARREN ss:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_ as \_\_\_\_\_ of Harvest Baptist Church of Warren County, an Ohio non-profit corporation, as duly authorized.

\_\_\_\_\_  
Notary Public  
My commission expires:

Executed by **Gary Copeland, Village Manager of the Village of Waynesville, Ohio,**  
\_\_\_\_\_, on this \_\_\_\_ day of \_\_\_\_\_, 2023.

**Village of Waynesville, Ohio**

ACCEPTED BY:

\_\_\_\_\_  
Gary Copeland, Village Manager

STATE OF OHIO, COUNTY OF WARREN SS:

The foregoing instrument was acknowledged before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by **Gary Copeland, Village Manager of the Village  
of Waynesville, Ohio**, an Ohio municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeffrey D. Forbes, Law Director

This instrument was prepared by: Wood & Lamping, LLP.



CIVIL ENGINEERING  
LAND PLANNING  
SURVEILING  
63 Rhoads Center Drive  
Centerville, OH 45458  
www.ReinkeGroup.com  
937.434.4810 phone  
937.434.3978 fax

**PRELIMINARY LEGAL DESCRIPTION OF A WATER LINE EASEMENT**  
**FROM: HARVEST BAPTIST CHURCH OF WARREN COUNTY**  
**TO: VILLAGE OF WAYNESVILLE OHIO**  
**WARREN COUNTY, OHIO**  
**JUNE 14, 2023**

Located in Section 31, Town 4, Range 5, MRS. County of Warren, Village of Waynesville, State of Ohio, located on 26.9116 acres of the 41.868 acres to Harvest Baptist Church of Warren County, an Ohio non-profit corporation by deed recorded at D.N. 2016-003288 of the Official Records of Warren County, Ohio, being more particularly described as follows;

Being a permanent easement for the installation, maintenance and use of an 8" diameter water line to be constructed from a new Village well to be located on Village land, and connecting to an existing water supply line located on Village land. Said permanent easement to be 20.00 feet in width, 10.00 feet on each side of the centerline described as follows:

Beginning at the easternmost corner of said Harvest Baptist Church land, said POINT OF BEGINNING also being at an angle in the north line of 87.6495 acres conveyed to the Village of Waynesville by deed recorded in D.N. 2016-003288 of the Official Records of Warren County, Ohio; Thence in a westerly direction with the south line of said Harvest Baptist Church land and the north line of said Village of Waynesville 87.6495 acres, South 68°21'27" West a distance of approximately 456 feet to the TRUE POINT OF BEGINNING and the centerline of this easement;

Thence crossing said Harvest Baptist Church land in a northerly direction North 04°10' West a distance of approximately 188.49 feet to the north line of said Harvest Baptist Church Land and the south line of 13.43 acres conveyed to Village of Waynesville by deed recorded in O.R. Vol.1049, Page 843 of the Official Records of Warren County, Ohio, (said point being approximately 438 feet west of the POINT OF BEGINNING), and there terminate.

**NOTES:**

1. Said 20.00 Feet wide easement contains approximately 3,770 SF or 0.087 acres
2. There is to also be a "temporary construction easement" 50.00 feet in width, 25.00 feet each side of the centerline described above.
3. After completion of the installation of the said 8" water line, the as-built location will be used to more precisely define the location of the above "Preliminary Easement" for recording.
4. The above legal description is **NOT FOR RECORDING**, preliminary use only.

This legal description was prepared by the Reinke Group, Inc., 63 Rhoads Center Drive, Centerville Ohio, 45458, phone #937-434-4810.

The Reinke Group, Inc.  
George E. Reinke  
Ohio Reg. Surveyor 6207









# Council Report

July 17, 2023

Chief Copeland

## Manager

- The 2023 Independence Day Parade was another success and had a great turnout. I have provided photos of the event for your review.





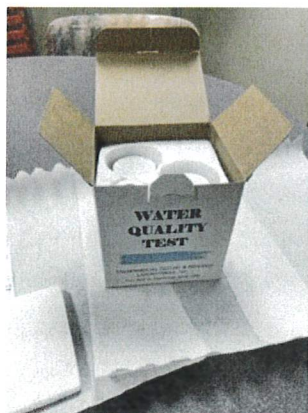


Jamie Gabbard helped arm Rob Ramby with a hose to retaliate against the B&B truck.





- In 2021, I submitted a BUILDS (Broadband, Utilities, and Infrastructure for Local Development Success) grant application to the Ohio Governor’s Office which is for water infrastructure improvements in the amount of \$500,000.00 for the 3<sup>rd</sup> Street waterline and repaving project. This project was already awarded an OPWC (Ohio Public Works Commission) grant that I submitted in 2022 in the amount of \$499,243.00. The OPWC grant was a Village match grant of 41%. On June 16<sup>th</sup>, Ohio Governor Mike DeWine approved the BUILDS grant and the Village was awarded the \$500,000.00 grant funds. The combination of the OPWC and BUILDS grants will cover 100% of the 3<sup>rd</sup> Street waterline replacement and repaving project estimated at \$999,243.00 and should create no cost to the Village or taxpayers. I have included a copy of the press release that I submitted to the Dayton Daily News for your review.
- After the East Palestine, Ohio train derailment and contaminant spill, the Village took immediate action to ensure that our water quality was not affected. We have always done bacteria sampling and water quality testing as required by the EPA (Environmental Protection Agency). The Village took additional measures to guarantee the public that our water quality was not compromised. In March following the East Palestine event, the EPA required all water distribution agencies to do a UCMR5 test twice a year. We completed the UCMR5 test on March 14<sup>th</sup>, which includes a PFAS and lithium testing. What is UCMR5? The fifth Unregulated Contaminant Monitoring Rule (UCMR5) requires monitoring for 29 polyfluoroalkyl substances (PFAS) compounds and a single metal analyte, Lithium. PFAS are a group of man-made chemicals that includes PFOA, PFOS, GenX and many others. These substances have been manufactured and used in a variety of industries across the globe, including the United States, since the 1940s. In addition, we did an independent test on March 13<sup>th</sup> with ETR Laboratories that included a vinyl chloride scan which is the contaminant chemical at the East Palestine, Ohio spill along with several other types of VOC’s. On July 6<sup>th</sup>, we received the results of the UCMR 5 tests, which stated that the Village water supply was not affected by the East Palestine spill and is of high-quality drinking water. I have provided a copy of all the results for your review.





- On June 14<sup>th</sup> the Water Department located a valve that was leaking on North Street near Main Street. They changed the valve while the line was still active, so they would not have to shut off the water for the merchants and residents in the area. The valve has been repaired and is working properly with no leaks. Below are photos of the live waterline valve being repaired.



- Brian and Greg of the Maintenance Department have started to paint curbs with the new paint machine. Weather permitting, they will be painting curbs around the Village over the next few weeks. The photos below are the curbs in the school zone.



- The Council will be voting on an ordinance to accept the utility easement from well #10 across Harvest Baptist property to our water feed line at the Village wellfield.



- A subsequent investigation of the old meters at the bulk water distribution station (Sawyer Building) revealed that the meters were inaccurate. Below you will see Brian and Steven of the Water Department changed meters, which now show accurate readings.



- The streets listed below received a microsurface on June 28<sup>th</sup> - 30<sup>th</sup>. The microsurface can best be described by saying it is like the spray lining of a truck bed. The microsurface is a lining on the street to prolong the life of the street from cracks and potholes.

- Windfield Way      Beaumont Ct      Brookfield Dr      Bayberry Dr
- Crimson Ct      White Rose Dr      Rosebud Ct      Rose Petal Ct
- Church St      Joycie Ln      Wayne Ct      Hickory Dr
- Anson Dr      Rhondavu Ct      Brentwood Ct      4<sup>th</sup> St



- The Council will be voting on an ordinance to accept SmithCorp's bid for the 3<sup>rd</sup> Street water main and resurface project. Choice One Engineering recommends to accept the bid.



- On July 5<sup>th</sup> Jerry Hoffmann dropped off a property exemption letter that he received from the United States Army Corps of Engineers regarding his property on the corner of SR42 and SR73. I am providing you with a copy and he advised that based on the Stantec Engineer study, he is moving forward on filling in the property for a future business.
- The Maintenance staff used the new hydrovac to clean out several storm water basins in the Village. In addition, the hydro jet powerwasher on the hydrovac was used to clear out several clogged stormwater lines, which opened up a better flow for storm water.



- Archer Energy was awarded the contract as the natural gas aggregate for the Village at a rate of \$0.5699 per Ccf. This agreement is from August 2023 – May 2025. Residents were mailed the information about the program and how to opt out of if they choose to. A copy of the mailer has been attached with this report.
- I have spoken with Michael Spicer of Moody's Construction and he advised that they will mobilize their equipment to the Well #10 site location on July 17<sup>th</sup> and begin drilling on July 18<sup>th</sup>. The project will be completed that week and they will be scheduling a date to run the connecting waterline when the easement is completed and filed with the County.



# Police

- I have provided the June dispatched calls for service and June Mayor's Court report for your review. Feel free to contact me or Ashley with any questions or concerns.
- Officer Mermann, Sgt Denlinger and I worked the bike rodeo at Bicentennial Park on Saturday, July 1<sup>st</sup> following the parade. The event went very well and 90 bike helmets were given out to children. The helmets were donated to the Police Department by the Dayton Children's Hospital. Photos of the event are shown below.



- I have attached Sgt. Denlinger's Code Enforcement report for your review. Please feel free to contact him or I with any questions or concerns.



- I am providing photos of Officer Walker and Officer Geyer providing police services during the entertainment at Bicentennial Park. The public relations they provided was a great hit for the people in attendance. The officers handed out over 200 badge stickers that evening. In addition, Officer Mermann, Officer Geyer, Sgt. Denlinger and I provided traffic control at the conclusion of the fireworks.



- The Police Department's Annual State Certified Firearms qualifications is scheduled for August 20<sup>th</sup> at the Franklin City firing range. I appreciate the donations received to this point for the lunch that will be provided to the troops during their training session.
- I want to thank everyone that participated and helped out during the July 1<sup>st</sup> events.
  - Council Members
    - Earl Isaacs, Chris Colvin, Joette Dedden, Connie Miller, Troy Lauffer, Brian Blankenship.
  - Staff
    - Lt. Bledsoe, Sgt. Denlinger, Officer Kirsch, School Resource Officer Mermann, Officer Geyer, Officer Walker, Reserve Officer Corporal Little, Reserve Officer Fickert, Maintenance Worker Brian Corn, Water Department Supervisor Brian Keith and Ashley Richardson.



## Waynesville Receives \$499,750.00 State Grant for Critical Water Infrastructure Upgrades

(COLUMBUS, Ohio) — Waynesville is one of 70 projects receiving state grants to address critical water and wastewater infrastructure projects in Ohio communities. In total, 58 counties will receive more than \$114 million.

The funding comes from Governor DeWine's Ohio BUILDS (Broadband, Utilities, and Infrastructure for Local Development Success) water infrastructure grant program, administered through the Ohio Department of Development.

Today's award will support Waynesville with the Third street waterline replacement and repaving project.

"Ohio is the heart of opportunity, and for our state to continue to thrive, we must ensure that more communities have steady access to reliable, clean water," said Governor DeWine. "My administration is committed to supporting as many local communities as possible with water projects that will improve quality of life and give residents more opportunities to live up to their God-given potential."

Today's announcement is the fourth round awarded through the program, which opened in July 2021. In total, more than \$360 million has been awarded to 253 critical infrastructure projects through the Ohio BUILDS water infrastructure grant program.

This State DOD grant will be combined with the Ohio Public Works PY36 grant to replace the waterlines and repave Third Street. The two grants combined total \$999,243.00 and the entire project will be funded with little to no cost to the residents of Waynesville.

"At Development, we're working to build strong communities so that when people come to our state, we have the infrastructure and amenities to support them," said Lydia Mihalik, director of Development. "We're grateful to the Ohio legislature for additional funding to make these critical investments and help prepare our communities for continued growth."

In total, the program received more than 1,200 grant applications requesting nearly \$1.4 billion in funding.

Funds awarded today will help reduce or eliminate the local financial burden associated with critical infrastructure needs such as the construction of new water systems, the replacement of aging water lines, and the installation of new water mains. Grants will also fund projects to prevent sewer system backups and replace failing household sewage treatment systems with new sewers.

This grant helps the Village achieve our goal of replacing all the older waterlines in the Village.



The Ohio BUILDS water infrastructure grants are a continuation of Governor DeWine's H2Ohio initiative, which launched in 2019 to focus on ensuring plentiful, clean, and safe water for communities across the state.

Ohio BUILDS focuses not only on strengthening Ohio's communities through water infrastructure upgrades, but also supports other necessary investments in targeted solutions that impact quality of life such as broadband expansion, brownfield redevelopment, the demolition of blighted buildings, and more.

Additional information on the Ohio BUILDS water infrastructure grant program can be found on the [program webpage](#).

The Ohio Department of Development empowers communities to succeed by investing in Ohio's people, places, and businesses. Learn more about our work at [development.ohio.gov](http://development.ohio.gov).

**For Immediate Release:** June 20, 2023

**For program information, contact:**

Sarah Wickham

[Sarah.Wickham@Development.ohio.gov](mailto:Sarah.Wickham@Development.ohio.gov)

**For Third Street project information, contact:**

Chief G.L. Copeland

Village Manager

[gcopeland@waynesville-ohio.org](mailto:gcopeland@waynesville-ohio.org)

**From:** ucmr@epacdx.net  
**Sent:** Thursday, July 6, 2023 8:07 AM  
**To:** Brian Keith  
**Subject:** UCMR 5 Sampling Results Available to View

RE: UCMR 5 Sampling Results Available to View

PWS ID: OH8302012  
PWS Name: WAYNESVILLE VILLAGE PWS

Dear Public Water System,

Sampling results for U.S. EPA's [Fifth Unregulated Contaminant Monitoring Rule \(UCMR 5\)](#) are available for your public water system (PWS) in the Safe Drinking Water Accession and Review System (SDWARS 5). You received this automated email notification because you are registered for a SDWARS 5 account for this PWS. You will receive a notification each time new results become available.

If your results show that an unregulated contaminant was found, please review the [Health-Based Reference Values for UCMR 5](#) document for context around UCMR 5 results in relation to EPA established minimum reporting levels (MRLs) and available health-based reference values. For example, the Agency established health advisory levels for four of the 29 per- and polyfluoroalkyl substances (PFAS) being monitored under UCMR 5. EPA's health advisories are non-enforceable and non-regulatory. EPA encourages early communications with your State and customers about results above an EPA health advisory and to determine if your PWS is subject to unique State requirements. When considering notification options for your customers, please be aware of the established Tier 3 Public Notification [40 CFR 141.207] and Consumer Confidence Report (CCR) [40 CFR 141.153(d)(7)] requirements (see **Next Steps** to learn more).

The new results are provided below. Resamples associated with this dataset may be in process. Results may not be available for a particular analyte or method if multiple resamples have been issued and the resample window has closed, or an issue at the laboratory precludes successful analysis.

Sample Event Code/Sample Schedule	SE1	Mar 2023
Facility ID/Name	Treatment Plant	8359500
Sample Point ID/Type/Name	EP001 EP	Plant Tap

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 200.7	lithium	3/14/2023 12:00:00 AM	<9

## How to view your results in SDWARS:

1. Log in to your [CDX account](#) and click on SDWARS 5.
2. Click the "Review Data" tab at the top of the screen.
3. To sort data, use the individual headers by clicking on them (e.g., Facility, Lab, Sample ID, etc.). To filter data, enter a specific identifier (e.g., Sample Point ID, Facility ID) in the Filter search box or enter a partial identifier.
  - a. Reported values equal to or greater than the UCMR 5 MRL are displayed in µg/L. Results less than the UCMR 5 MRL are displayed as "< MRL" in the Result Measure column.
4. Click on the **Analyte name** in [blue text](#) to view Quality Control (QC) data associated with the field sample result.
5. Click on the **Sample ID** in [blue text](#) to view comments from the laboratory.
6. To download or print the data, use the icons next to the Filter search box.

## Next Steps

The Public Notification Rule requires PWSs to notify their customers about the availability of all UCMR results no later than 12 months after they are known. Community water systems (CWSs) are also required to report UCMR results in their annual Consumer Confidence Report (CCR) when unregulated contaminants are found. CWSs may include their public notice within CCRs, also known as annual drinking water quality reports, which are to be delivered to all billing customers each year by July 1. CWSs must report the average and range of the year's monitoring results. PWSs are responsible for being aware of and complying with their State's requirements, if any.

Results in SDWARS will ultimately be released to the public (approximately quarterly) via EPA's [UCMR Occurrence Data webpage](#) and [National Contaminant Occurrence Database \(NCOD\)](#).

## Questions?

- For more information on SDWARS, please refer to the [SDWARS 5 tutorial \(video\)](#).
- For general questions about requirements or navigating SDWARS, contact the UCMR Message Center at [1-800-949-1581](tel:1-800-949-1581) or [UCMR5@glec.com](mailto:UCMR5@glec.com).
- To learn more, please review the [UCMR Meetings and Materials webpage](#) and the [UCMR 5 webpage](#).
- For information on EPA's proposed national primary drinking water regulation (NPDWR) for PFAS, visit [EPA's website](#). The proposed NPDWR does not require any actions until it is finalized.

We look forward to working with you to carry out the UCMR 5 monitoring and are prepared to assist as needed. Thank you in advance for your cooperation.



**From:** ucmr@epacdx.net  
**Sent:** Thursday, July 6, 2023 9:19 AM  
**To:** Brian Keith  
**Subject:** UCMR 5 Sampling Results Available to View

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PWS Name: WAYNESVILLE VILLAGE PWS

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Facility ID/Name	Treatment Plant	8359500
Sample Point ID/Type/Name	EP001 EP	Plant Tap

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 537.1	PFTA	3/14/2023 12:00:00 AM	<0.008

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 537.1	PFTTrDA	3/14/2023 12:00:00 AM	<0.007

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 537.1	NEtFOSAA	3/14/2023 12:00:00 AM	<0.005

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 537.1	NMeFOSAA	3/14/2023 12:00:00 AM	<0.006

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**Sent:** Thursday, July 6, 2023 8:31 AM  
**To:** Brian Keith  
**Subject:** UCMR 5 Sampling Results Available to View

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PWS Name: WAYNESVILLE VILLAGE PWS

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Sample Event Code/Sample Schedule	SE1	Mar 2023
Facility ID/Name	Treatment Plant	8359500
Sample Point ID/Type/Name	EP001 EP	Plant Tap

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	PFBS	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFHpA	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFHxS	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFNA	3/14/2023 12:00:00 AM	<0.004

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFOS	3/14/2023 12:00:00 AM	<0.004

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFOA	3/14/2023 12:00:00 AM	<0.004

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFDA	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFDoA	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFHxA	3/14/2023 12:00:00 AM	<0.003

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	PFUnA	3/14/2023 12:00:00 AM	<0.002

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	11Cl-PF3OUdS	3/14/2023 12:00:00 AM	<0.005

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	9Cl-PF3ONS	3/14/2023 12:00:00 AM	<0.002

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	ADONA	3/14/2023 12:00:00 AM	<0.003

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	HFPO-DA	3/14/2023 12:00:00 AM	<0.005

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	PFBA	3/14/2023 12:00:00 AM	<0.005

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	6:2 FTS	3/14/2023 12:00:00 AM	<0.005

Sample Kit ID	Method ID	Analyte Name	Collection Date	Reported Value(µg/L)
102387P	EPA 533	4:2 FTS	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	8:2 FTS	3/14/2023 12:00:00 AM	<0.005

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFMPA	3/14/2023 12:00:00 AM	<0.004

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFPeA	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFMBA	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFEESA	3/14/2023 12:00:00 AM	<0.003

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	NFDHA	3/14/2023 12:00:00 AM	<0.02

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFPeS	3/14/2023 12:00:00 AM	<0.004

<b>Sample Kit ID</b>	<b>Method ID</b>	<b>Analyte Name</b>	<b>Collection Date</b>	<b>Reported Value(µg/L)</b>
102387P	EPA 533	PFHpS	3/14/2023 12:00:00 AM	<0.003

## How to view your results in SDWARS:

1. Log in to your [CDX account](#) and click on SDWARS 5.
2. Click the "Review Data" tab at the top of the screen.
3. To sort data, use the individual headers by clicking on them (e.g., Facility, Lab, Sample ID, etc.). To filter data, enter a specific identifier (e.g., Sample Point ID, Facility ID) in the Filter search box or enter a partial identifier.
  - a. Reported values equal to or greater than the UCMR 5 MRL are displayed in µg/L. Results less than the UCMR 5 MRL are displayed as "< MRL" in the Result Measure column.
4. Click on the **Analyte name** in [blue text](#) to view Quality Control (QC) data associated with the field sample result.
5. Click on the **Sample ID** in [blue text](#) to view comments from the laboratory.
6. To download or print the data, use the icons next to the Filter search box.

## Next Steps

The Public Notification Rule requires PWSs to notify their customers about the availability of all UCMR results no later than 12 months after they are known. Community water systems (CWSs) are also required to report UCMR results in their annual Consumer Confidence Report (CCR) when unregulated contaminants are found. CWSs may include their public notice within CCRs, also known as annual drinking water quality reports, which are to be delivered to all billing customers each year by July 1. CWSs must report the average and range of the year's monitoring results. PWSs are responsible for being aware of and complying with their State's requirements, if any.

Results in SDWARS will ultimately be released to the public (approximately quarterly) via EPA's [UCMR Occurrence Data webpage](#) and [National Contaminant Occurrence Database \(NCOD\)](#).

## Questions?

- For more information on SDWARS, please refer to the [SDWARS 5 tutorial \(video\)](#).
- For general questions about requirements or navigating SDWARS, contact the UCMR Message Center at [1-800-949-1581](tel:1-800-949-1581) or [UCMR5@glec.com](mailto:UCMR5@glec.com).
- To learn more, please review the [UCMR Meetings and Materials webpage](#) and the [UCMR 5 webpage](#).
- For information on EPA's proposed national primary drinking water regulation (NPDWR) for PFAS, visit [EPA's website](#). The proposed NPDWR does not require any actions until it is finalized.

We look forward to working with you to carry out the UCMR 5 monitoring and are prepared to assist as needed. Thank you in advance for your cooperation.

# Review Data

> PWS Home / Review Data

To sort data, use the individual headers by clicking on them (e.g., Facility, Lab, Sample ID, etc.) or filter for data using the Filter search box. To filter, enter a specific identifier (e.g., sample point ID, Facility ID) in the Filter search box or enter a partial identifier. (e.g., Searching "ABC" will return all sample results that contain ABC in any field.) The Filter search box will filter data in all fields on the page.

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Click on the **analyte name** in blue text to view Quality Control (QC) data.

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Show  entries

MRL = MINIMUM REPORTING LIMIT

Filter:

PWS ID	Facility	Sample Point	Sampling Event	Lab	Sample ID	Collection Date	Method	Analyte	Result	Measure
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	lithium	< MRL	PWS/EPA Approved	µg/L
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	11CI-PF3OUdS	< MRL	PWS/EPA Approved	µg/L
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	4:2 FTS	< MRL	PWS/EPA Approved	µg/L



OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	6:2 FTS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	8:2 FTS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	9CI-PF3ONS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	ADONA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	HFPO-DA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	NFDHA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFBA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFBS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFDA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFDoA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFEESA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHpA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHpS	< MRL	PWS/EPA Approved

OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHxA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHxS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFMBA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFMPA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFNA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFOA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFOS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFPeA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFPeS	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFUnA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	NEtFOSAA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	NMeFOSAA	< MRL	PWS/EPA Approved
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	PFTA	< MRL	PWS/EPA Approved



OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	PFTTrDA	< MRL	PWS/EPA Approved
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SDWARS Version 5, release: 1.0.11 (SS-SPWS-1050)

# Review Data

> PWS Home / Review Data

**i** To sort data, use the individual headers by clicking on them (e.g., Facility, Lab, Sample ID, etc.) or filter for data using the Filter search box. To filter, enter a specific identifier (e.g., sample point ID, Facility ID) in the Filter search box or enter a partial identifier. (e.g., Searching "ABC" will return all sample results that contain ABC in any field.) The Filter search box will filter data in all fields on the page.

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If your laboratory has entered comments, you will be able to click on the **sample ID** in blue text to view comments.

Show  entries

Filter:   

PWS ID	Facility	Sample Point	Sampling Event	Lab	Sample ID	Collection Date	Method
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	200.7 lithium < MRL PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533 11Cl- < MRL PV PF3OUdS Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533 4:2 FTS < MRL PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533 6:2 FTS < MRL PV Ap

OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	8:2 FTS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	9Cl- PF3ONS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	ADONA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	HFPO-DA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	NFDHA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFBA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFBS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFDA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFDoA	< MRL	PV Ap

OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFEESA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHpA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHpS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHxA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFHxS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFMBA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFMPA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFNA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFOA	< MRL	PV Ap

OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFOS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFPeA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFPeS	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	533	PFUnA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	NEtFOSAA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	NMeFOSAA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	PFTA	< MRL	PV Ap
OH8302012	8359500	EP001	SE1	Eurofins Eaton Analytical, LLC	102387P	3/14/23	537.1	PFTrDA	< MRL	PV Ap

Showing 1 to 30 of 30 entries



DEPARTMENT OF THE ARMY  
HUNTINGTON DISTRICT, CORPS OF ENGINEERS  
502 EIGHTH STREET  
HUNTINGTON, WEST VIRGINIA 25701-2070

REPLY TO  
ATTENTION OF

February 3 2023

Regulatory Division  
North Branch  
LRH-2023-35-LMR-Mill Run

EXEMPTION

Mr. Jerry Hoffmann  
6900 Sate Route 48  
spring borough, Ohio 45066

Dear Mr. Hoffmann:

I refer to the information received in this office on January 6, 2023, concerning the *Jerry Hoffmann Farm Road Project*. You have requested the United States Army Corps of Engineers (Corps) review your proposal for possible Department of the Army (DA) permit requirements. The proposed project site is located in Waynesville, Warren County, Ohio (39.525882 latitude, -84.086219 longitude). Your request has been assigned the following file number; LRH-2023-35-LMR-Mill Run. Please reference this file number on all future correspondence related to the subject proposal.

The Corps' authority to regulate waters of the United States is based on the definitions and limits of jurisdiction contained in 33 CFR Part 328, and 33 CFR Part 329. Section 404 of the Clean Water Act (Section 404) requires a DA permit be obtained prior to discharging dredged and/or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 (Section 10) requires a DA permit be obtained for any work in, on, over or under a navigable water.

Based on a review of the information provided, the *Jerry Hoffmann Farm Road Project* will involve the construction of one (1) farm road to access an active agricultural field. The project will result in the discharge of fill material below the ordinary highwater mark of 20 linear feet of one (1) perennial stream (Mill Run) at one (1) location in association with the construction of one (1) stream crossing.

We have determined your proposal meets the exemption defined under 33 CFR § 323.4(a)(6). Therefore, no DA permit is required from this office for the proposed activity; however, the farm road must be constructed and maintained in accordance with best management practices (BMPs) to assure that flow and circulation patterns and chemical and biological characteristics of waters of the United States are not impaired, that the reach of the waters of the United States is not reduced, and that any adverse effect on the aquatic environment will be otherwise minimized. These BMPs which must be applied to satisfy this provision shall include those detailed BMPs described in the State's approved program description pursuant to the requirements of 40 CFR § 233.22(i), and shall also include the baseline provisions noted at 33 CFR § 323.4(a)6(i)-(xv) (See Enclosure 1). Additionally, the discharge of dredged or fill material must comply with 33 CFR § 323.4(b) and (c) (See Enclosure 1).

This letter does not excuse you from the obligation to obtain any other federal, state and/or local authorization, if required. You should not commence work until you receive the required authorizations. In addition, this letter does not grant any property rights or exclusive privileges, or authorize any injury to the property or rights of others. If you contemplate any changes or additional activities from those described in the information received on January 6, 2023, please submit them to this office for authorization review prior to construction.

We appreciate your concern for our nation's aquatic resources. If you have any questions concerning the above, please contact Zack Abbott of the North Branch at (304) 399-5336, by mail at the above address or by email at [jonathan.z.abbott@usace.army.mil](mailto:jonathan.z.abbott@usace.army.mil).

Sincerely,



Teresa D. Spagna  
Chief, North Branch

## Enclosure 1

(i) Permanent roads (for farming or forestry activities), temporary access roads (for mining, forestry, or farm purposes) and skid trails (for logging) in waters of the U.S. shall be held to the minimum feasible number, width, and total length consistent with the purpose of specific farming, silvicultural or mining operations, and local topographic and climatic conditions;

(ii) All roads, temporary or permanent, shall be located sufficiently far from streams or other water bodies (except for portions of such roads which must cross water bodies) to minimize discharges of dredged or fill material into waters of the U.S.;

(iii) The road fill shall be bridged, culverted, or otherwise designed to prevent the restriction of expected flood flows;

(iv) The fill shall be properly stabilized and maintained during and following construction to prevent erosion;

(v) Discharges of dredged or fill material into waters of the United States to construct a road fill shall be made in a manner that minimizes the encroachment of trucks, tractors, bulldozers, or other heavy equipment within waters of the United States (including adjacent wetlands) that lie outside the lateral boundaries of the fill itself;

(vi) In designing, constructing, and maintaining roads, vegetative disturbance in the waters of the U.S. shall be kept to a minimum;

(vii) The design, construction and maintenance of the road crossing shall not disrupt the migration or other movement of those species of aquatic life inhabiting the water body;

(viii) Borrow material shall be taken from upland sources whenever feasible;

(ix) The discharge shall not take, or jeopardize the continued existence of, a threatened or endangered species as defined under the Endangered Species Act, or adversely modify or destroy the critical habitat of such species;

(x) Discharges into breeding and nesting areas for migratory waterfowl, spawning areas, and wetlands shall be avoided if practical alternatives exist;

(xi) The discharge shall not be located in the proximity of a public water supply intake;

(xii) The discharge shall not occur in areas of concentrated shellfish production;

(xiii) The discharge shall not occur in a component of the National Wild and Scenic River System;

(xiv) The discharge of material shall consist of suitable material free from toxic pollutants in toxic amounts; and



(xv) All temporary fills shall be removed in their entirety and the area restored to its original elevation.

(b) If any discharge of dredged or fill material resulting from the activities listed in paragraphs (a) (1) through (6) of this section contains any toxic pollutant listed under section 307 of the CWA such discharge shall be subject to any applicable toxic effluent standard or prohibition, and shall require a section 404 permit.

(c) Any discharge of dredged or fill material into waters of the United States incidental to any of the activities identified in paragraphs (a) (1) through (6) of this section must have a permit if it is part of an activity whose purpose is to convert an area of the waters of the United States into a use to which it was not previously subject, where the flow or circulation of waters of the United States may be impaired or the reach of such waters reduced. Where the proposed discharge will result in significant discernible alterations to flow or circulation, the presumption is that flow or circulation may be impaired by such alteration. For example, a permit will be required for the conversion of a cypress swamp to some other use or the conversion of a wetland from silvicultural to agricultural use when there is a discharge of dredged or fill material into waters of the United States in conjunction with construction of dikes, drainage ditches or other works or structures used to effect such conversion. A conversion of a section 404 wetland to a non-wetland is a change in use of an area of waters of the United States. A discharge which elevates the bottom of waters of the United States without converting it to dry land does not thereby reduce the reach of, but may alter the flow or circulation of, waters of the United States.



Village of Waynesville  
Natural Gas Aggregation

Do Not Discard: Important Natural Gas Aggregation Information Enclosed

June 19, 2023

«Customer\_Name»  
«Mailing\_Address»  
«Mailing\_City», «Mailing\_State» «Mailing\_Zip»

Dear Customer,

The Village of Waynesville has selected Archer Energy as its retail supplier for its natural gas aggregation program. Village officials entered into an agreement with Archer Energy to provide a fixed rate program for the residents of the Village of Waynesville. The fixed rate will be \$0.5699 per Ccf from August 2023 through May 2025. This rate will protect residents from the unprecedented volatility in the energy markets. There is nothing that you need to do to take advantage of this program. CenterPoint Energy of Ohio is still your utility and will continue to bill and service your account. You will continue to be eligible for the same programs you are eligible for now through CenterPoint Energy of Ohio and they will continue to deliver gas safely and reliably to your home or business.

**Automatic Enrollment Process**

As a current participant in Village of Waynesville aggregation, you are automatically enrolled unless you decide to opt-out via one of the methods below. To learn more about the program please see the enclosed General Terms and Conditions.

**If you choose to Opt-Out**

You don't need to do anything to get this exclusive rate. However, if you decide not to participate in the program, we must receive your opt-out response through one of the methods below by July 10, 2023:

- **Mail:** Return the form below to Archer at 9777 Fairway Dr Powell, OH 43065:
- **Call:** Archer at 844-795-7491

We look forward to serving your natural gas needs.

Sincerely,

Village of Waynesville & Archer Energy

**VILLAGE OF WAYNESVILLE NATURAL GAS AGGREGATION OPT-OUT FORM**

I do not want to participate in the Village of Waynesville Natural Gas Aggregation Program and wish to be served under the CenterPoint Energy SCO

Customer Name: \_\_\_\_\_

Account Number: \_\_\_\_\_

Service Address: \_\_\_\_\_

Signature & Date: \_\_\_\_\_

Mail to:  
Village of Waynesville Opt-out  
9777 Fairway Dr  
Powell, OH 43065

## **Municipal Aggregation Commonly Asked Questions**

What is Municipal Aggregation?

Municipal Aggregations are when a group of customers or entire communities join together to combine their purchasing power. The process of aggregation can generate products for communities that are more favorable than an individual customer could achieve.

Who is Archer Energy?

Archer Energy is a leading retail supplier of electricity and natural gas and is licensed by the Public Utilities Commission of Ohio and approved by the utility.

What is the aggregation program rate?

The aggregation rate and term can be found on the offering as well as the attached terms and conditions.

Will I receive a separate bill from Archer?

No, the utility will continue to bill you for its services as well as Archer's service. You will pay the utility and the utility will remit our portion to us.

How do I enroll?

Eligible residential or business customers will be automatically enrolled in the program subject to certain restrictions.

What does it mean to opt out of the program?

Opting out means that you do not want to participate in the program established by your community leaders. If you opt out you will not be enrolled in this program.

Who is eligible to participate?

Most businesses and residential customers located in the municipality are eligible.

Who would not be automatically eligible to participate?

Customers enrolled in the Percentage of Income Payment Program (PIPP), a customer who is under contract with another supplier or a mercantile customer are not automatically eligible to participate. If you would like to join the program, please contact our office to discuss.

Are there any additional fees for participating in the program?

No. There are no switching fees imposed by the utilities to participate in the program.

When will I see my new rate?

You can expect to see the new rate one to two billing cycles following your enrollment in the program.

Will my payments still be automatically deducted from my checking account as I do now?

Yes, how you pay the utility bill will not change.

Who do I call if I have a problem with my natural gas service and who will deliver my natural gas?

Your local utility will continue to be responsible for servicing your account and responding to any disruptions in service.

I already have a deregulated supplier; can I still join the aggregation?

The information provided by the utility indicated that you did not have a supplier. However, in some instances, there may be a delay in switching notices provided by the utility to suppliers. As such, you should check with your current supplier on your ability to terminate the agreement without incurring damages. You can always join the program at a later date, under the same terms and conditions.

Is there an early termination fee for leaving the program outside of the 21 day opt-out period?

No, there is no early termination fee for leaving the program at any point in time.

I am currently on budget billing, will that continue?

Yes, the utility will continue to provide you with a budget bill.

How do I contact Archer if I have any additional questions?

If you have additional questions about the program, please contact us toll free at 844-795-7491 from 9:00 am to 5:00 pm Monday through Friday.



**Service Agreement:** The terms of the opt-out governmental aggregation program (the "Program") shall be pursuant to this Natural Gas Supply Agreement (hereinafter the "Agreement") entered into by Archer Energy, LLC (hereinafter "Archer") and the natural gas account holder of record (hereinafter "Client") and shall be effective beginning with the successful enrollment of Client's natural gas account with the Local Distribution Company ("LDC"), and continue through the June 2025 meter read and billing cycle. Client shall remain responsible for all fees incurred related to the consumption of natural gas during the term of this Agreement or any renewal term(s) regardless of when invoiced and whether invoiced by the LDC or Archer directly. Upon successful enrollment LDC terms dictate it may take 30-60 days before you receive your first bill with Archer as your supplier.

**Price:** During the term of this Agreement Archer will supply Client with natural gas supply at a fixed rate of \$0.5699 per Ccf, plus applicable taxes and exclusive of any applicable LDC charges, third party fees, and applicable taxes.

**Eligibility:** Residential and small commercial accounts with annual consumption of 5,000 Ccf or less that are not enrolled in Percentage of Income Plan Program are eligible. Participation in the Program is subject to the rules and regulations of the LDC and the Public Utilities Commission of Ohio ("PUCO"). Clients are sometimes terminated from the Program by error or by being in arrears; Client may contact the LDC to resolve the problem and be reinstated to the Program. Should Client fall into arrears during the term of this Agreement and subsequently become current, Archer may re-enroll Client for the remaining term of this Agreement. This Agreement is subject to Client acceptance into the program by both Archer and your LDC and this Agreement is not binding until such acceptance has been granted.

**Renewal:** If the Program continues beyond the initial Term of service, Archer will send you a notice of renewal including, but not limited to, notice of the new Program, notice of your right to opt-out and how to opt out, and a new supply Agreement, reflecting any other changes to the Program for any renewal period.

**Opt-Out, Rescission, & Cancellation:** Client may decline this Agreement by opting-out the community aggregation. In order for Client to successfully opt-out, Archer must receive a valid opt-out notice during the opt-out period which shall be defined as twenty-one (21) days from the postmark date of the opt-out letter provided to Client. After the opt-out period expires, Client shall be enrolled with the LDC pursuant to the terms of this Agreement. After enrollment with the LDC, Client shall have a seven (7) day period whereby Client may Rescind the enrollment declining this Agreement by contacting the LDC within the rescission period. After the rescission period lapses, Client and Archer each shall have the right to terminate this Agreement at any time upon approximately 30 days advance notice which may be done so by either party without penalty or recourse except for any amounts for gas supply provided by Archer hereunder shall remain due in full regardless of when billed to Client. Upon Rescission or Cancellation, Client shall bear the responsibility of arranging Gas Supply with an alternative third-party supplier or shall be returned to LDC supply offering(s). Client may incur switching fee(s) and may not be eligible for the same rate(s) as prior to enrollment with Archer. Client shall indemnify Archer for any Cancellation processing delays, additional supply charges incurred, switching fees, or lost opportunity cost related to arranging Gas Supply following Cancellation. This Agreement will automatically terminate if Client relocates outside of the Community, or their service is terminated by the LDC.

**Billing & Payment:** Client shall continue to be billed by the LDC pursuant to their preferred billing method; LDC bills will contain charges for Gas Supply and applicable taxes from Archer pursuant to this Agreement, as well as all applicable LDC charges and taxes. Client's first bill with Archer via the Program should be approximately 30-60 days following successful enrollment with the LDC. Client agrees to make timely payments to LDC for the full amount due pursuant to the payment terms and conditions offered by LDC. Failure to make timely payments may result in the removal of Client's service locations from Archer's supply pool resulting in Cancellation and/or LDC disconnection of service. Archer reserves the right to bill Client directly for any applicable charges owed pursuant to this Agreement or in the event LDC billing is not available. If Archer bills Client directly, such amounts will be due in full by the date indicated on the invoice to Client and Client shall make all efforts to make payment directly to Archer in a timely manner.

**Amendment & Assignment:** This Agreement constitutes the entire understanding of Archer and Client with respect to the subject matter hereof and supersedes, replaces, and cancels any and all similar Agreements or verbal communications between the parties hereto. No modification or amendment of this Agreement shall be binding on the parties unless in writing. Archer reserves the right to amend this Agreement pursuant to any Regulatory Event as defined below. This Agreement is only assignable by Archer which may be done so without Client consent or notification and is only subject to applicable regulatory approvals.

**Regulatory:** Third party natural gas supply is subject to change by the LDC and/or regulatory bodies that govern the jurisdiction of the service locations served under by this Agreement. If there is a change in law, administrative regulation, rule, structure, order, judicial decision, statute, or a change in an interpretation or application of any of the foregoing (collectively, a "Regulatory Event") and such Regulatory Event causes Archer to directly or indirectly incur any capital, operating, commodity or other costs (including, but not limited to increased taxes) relating to the provision of services contemplated herein in excess to those existing prior to the date of the Regulatory Event, then Archer shall be permitted to pass through the economic effects of such Event pro rata to Client.

**Force Majeure:** Force Majeure shall be defined as causes beyond the reasonable control of Archer, Client, and/or LDC that prevents Archer from performing under this Agreement. Such events include but are not limited to: acts of god, fire, flood, war, terrorism, sabotage, the declaration of an emergency by a governmental entity or LDC, interruption of natural gas distribution & supply, or any action taken by a third party that would impede Archer's ability to serve Client under this Agreement. In the event of a Force Majeure situation, Archer shall be relieved from any performance obligations until the situation is resolved.

**Limitation of Liability:** Archer shall not assume liability or responsibility for any special, indirect, consequential or punitive damages related to the failure of the LDC or any other party to perform its duties. This includes but is not limited to interruptions of service, service outages, termination of service, failure to provide service, or damages arising as a result of negligence. Archer provides no warranty of merchantability or fitness for a particular purpose or use. Client acknowledges and agrees that no warranty, duty or remedy, whether expressed, implied or statutory, is given or intended to arise out of this Agreement. The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

**Miscellaneous:** This Agreement shall continue after Cancellation or expiration as necessary for billing and payments related to the terms of this Agreement, limitations of liability as defined below and all other relevant terms. Archer shall have the right to set-off and net any amounts owed to Customer against any amounts owed to it by Customer under this Agreement or any other agreement. This Agreement is a "forward contract" and Archer is a "forward contract merchant" under the U.S. Bankruptcy Code, as amended. If tax exempt, it shall be the responsibility of Client to provide Archer a copy of a valid exemption certificate from the applicable taxing authority.

**Resolution:** In the event of an emergency or if you smell gas, immediately contact the LDC at the number provided on your bill. In the event of a billing concern or dispute, Client is encouraged to first contact Archer's Customer Care Center to discuss the matter toll free at (844) 795-7491 M-F 9am-5pm. Concerns can also be provided via email to [info@ArcherEnergy.com](mailto:info@ArcherEnergy.com) or in writing to 9777 Fairway Dr., Powell, OH 43065. If Archer is unable to resolve a concern, Client should contact the LDC at the number listed on their most recent bill or refer their concern to the Public Utilities Commission (PUCO) for assistance at (800) 686-7826 (toll free) or for TTY at (800) 686-1570 (toll free) from 8:00 a.m. to 5:00p.m. weekdays, or at [www.puco.ohio.gov](http://www.puco.ohio.gov). Residential customers may also contact the Ohio Consumers' Counsel for assistance with disputes and/or utility issues at (877) 742-5622 (toll free) from 8:00 a.m. to 5:00p.m. weekdays, or at [www.pickocc.org](http://www.pickocc.org). If a suit is filed, any legal action involving this Agreement shall be brought only in a court of the State of Ohio and Client agrees not pursue any claims arising under this Agreement on a class or other representative basis and will not seek to coordinate or consolidate any legal actions arising under this Agreement with any other proceeding.

# CALLS FOR SERVICE

From Date: 06/01/2023 12:00:00am

To Date: 06/30/2023 11:59:59pm

Type Description	Count
911 Hangup / Silent	27
Alarm	3
Alarm - Hold Up Alarm	2
Animal Complaint	2
Burglary	2
Business Check	85
Citizen Assist	10
Civil Process	2
Criminal Damaging	2
Criminal Warrant Service	3
Disorderly Conduct/Intox Subj	6
Domestic Violence	9
Escort	5
Extra Patrol	124
Fire - Fire Alarm	2
Fire - Service Call	2
Follow Up Investigation	10
Harassment/Stalking/Threat	1
Juvenile Complaint	4
Lock Out	6
Medical	25
Narcotics Complaint	2
Noise Complaint	1
Notification Only	1
Open Door/Window	2
Parking Complaint	3
Phone Call	22
Prisoner Transport	2
Recovered Property	2
REPO	1
Road Closure	1
Road Hazard/Disabled Vehicle	7
Shots Fired	1
Solicitor Complaint	1
Suspicious Cir/Per/Veh-Past	2
Suspicious Circumstances	2
Suspicious Person	13
Suspicious Vehicle	7
Theft	1
Traffic Crash	4
Traffic Crash w/ Injuries	5
Traffic Offense	5
Traffic Stop	122
Utility Problem	2
Vacation House Check	6
Warrant Confirmation	1
Well Being Check	9
<b>TOTAL</b>	<b>557</b>

## Monthly Mayor's Court Report

WAYNESVILLE MAYOR'S COURT  
Cash Flow for June 2023

Page : 1  
Report Date : 07/05/2023  
Report Time : 14:31:17

	Current Period	Year-To-Date	Last Year-to-Date
<b>City Revenue From:</b>			
Court Costs			
COMPUTER FUND	\$756.00	\$4,572.00	\$3,060.00
LOCAL COSTS	\$3,243.00	\$19,486.00	\$13,360.00
Additional Costs	\$0.00	\$175.00	\$29.00
Fines			
Overpayment / Adjustment	\$0.00	\$0.00	\$0.00
City Revenue From Fines	\$8,405.00	\$47,382.14	\$33,258.35
Fees			
Fees	\$120.00	\$535.95	\$1,275.55
Miscellaneous/Other			
Miscellaneous/Other	\$0.00	\$-124.24	\$0.00
Bond Forfeits			
Bond Forfeits	\$0.00	\$0.00	\$390.00
Miscellaneous/Other			
Bond Administration Fees	\$0.00	\$0.00	\$0.00
<b>Total to City:</b>	<b>\$12,524.00</b>	<b>\$72,026.85</b>	<b>\$51,372.90</b>
<b>State Revenue From:</b>			
Court Costs			
VICTIMS OF CRIME	\$756.00	\$4,508.00	\$3,042.20
DRUG LAW ENFORCEMENT FUND	\$287.00	\$1,718.50	\$1,130.50
INDIGENT DEFENSE SUPPORT FUND	\$2,100.00	\$12,560.00	\$8,485.00
Fees			
Fees	\$30.00	\$60.00	\$60.00
<b>Total to State:</b>	<b>\$3,173.00</b>	<b>\$18,846.50</b>	<b>\$12,717.70</b>
<b>Other Revenue From:</b>			
Court Costs			
INDIGENT DRIVER ALC TREATMENT FUND	\$123.00	\$736.50	\$484.50
Restitution			
Restitution	\$0.00	\$597.27	\$65.00
<b>Total to Other:</b>	<b>\$123.00</b>	<b>\$1,333.77</b>	<b>\$549.50</b>
<b>TOTAL REVENUE *</b>	<b>\$15,820.00</b>	<b>\$92,207.12</b>	<b>\$64,640.10</b>
*Includes credit card receipts of	\$2,325.00	\$25,149.11	\$19,896.00

END OF REPORT

Code Enforcement

Date	Address	Violation (ORD)	Deadline	1st Notice	2nd Notice	Citation	Resolved
5/17/2021	599 Chapman St	Roofs and Drainage, Sidewalks and Driveways, Exterior of Premises, Exterior Walls		5/25/2021			
		Needs condemned.					
6/21/2021	103 N Third St	Overhang Extensions, Rotting deck boards, Windows and Door Frames, Rotting soffit, Brush, Roofs and Drainage		6/21/2021			
8/30/2021	264 N Main St	Home Occupations, Sanitation, Parking, Outdoor Storage, Accessory Structures, Storage of Junk, Disabled Vehicles and Rubbish on Premises, Exterior of Premises, Roofs and Drainage, Stairways, Decks, Porches and Balconies, Handrails and guards, Window and Door Frames, Accumulation of Rubbish or Garbage, Disposal of Rubbish or Garbage	10/5/2021	8/30/2021	9/2/2021	10/18/2021	
		Pre-trial scheduled for 3rd time on 02/16/2022					
		Plea and Sentencing scheduled for 04/21/2022					
		Plea and Sentencing rescheduled for 5/19/2022					
		Appears repairs have been started 05/02/2022					
10/4/2021	127 North St	Roofs and Drainage, Weeds, Exterior of Premises, Overhang Extensions		10/5/2021			
11/15/2021	575 Royston Dr	Outdoor Storage, Junk Motor Vehicles		11/16/2021			
2/2/2022	599 Chapman St	Roofs and Drainage, Sidewalks and Driveways, Exterior of Premises, Exterior Walls		2/4/2022	10/24/2022		
2/2/2022	88 S Third St	Front painted		2/4/2022			
		Windows and Doors, Roofs and Drainage, Exterior of Premises					
		Brian Blankenship called stating windows have been ordered					
3/21/2022	262 Edwards Dr	Junk Motor Vehicles, Outdoor Storage, Accumulation of Junk		3/22/2022			
3/21/2022	225 Edwards Dr	Outdoor Storage, Accumulation of Rubbish or Garbage		3/22/2022			
3/28/2022	120 N Main St	Accumulation of Rubbish or Garbage, Brush		3/29/2022			
4/4/2022	47 N Third St	Overhang extensions, Exterior of Premises		4/11/2022			
4/4/2022	39 W Ellis Dr	Boat parked in grass		4/11/2022			
4/4/2022	15 S Third St	Exterior of Premises		4/11/2022			
		Working on getting estimates for repairs 05/01/2022					
4/4/2022	168 High St	Outdoor Storage		4/11/2022			
4/4/2022	272 North St	Exterior of Premises, Exterior Walls, Roofs and Drainage, Window and Door Frames, Accumulation of Rubbish or Garbage, Storage of Junk, Disabled Vehicles and Rubbish on Premises, Weeds		4/11/2022			
6/6/2022	55 N US Rt 42	Accessory Structures		6/13/2022			
6/6/2022	83 N Third St	Siding		6/13/2022			
6/27/2022	825 Franklin Rd	Cut down tree needs removed		7/19/2022			
6/27/2022	35 N US Rt 42	Exterior of Premises, Outdoor Storage, Accumulation of Junk, Accessory Structures, Junk Motor Vehicle sidewalk		7/19/2022			
7/18/2022	552 North St	Parking in Grass, Junk Motor Vehicle, Front Steps,		7/19/2022			







# '13 Waynesville Feat Is Astonishing Now

BY BOB McNEILL  
Daily News State Editor

WAYNESVILLE, Feb. 21. — This writer was astonished when Charles B. (Uncle Charlie) Lewis told of building the concrete highway from Waynesville a mile east to Corwin in 1913 at a cost of \$5000.

Perhaps the astonishment sprang from the fact that replacement of the strip in 1952-'53 is costing the state \$648,098.

Times have changed, but that isn't all, of course.

The replacement involved relocation of the route and placing the new strip of concrete on top of a huge earthen fill across the Little Miami river valley, building bridges across the river and over the Pennsylvania railroad and O'Neill rd., and curving the road around the Miami cemetery hill. It extends some 2.245 miles.

Anyway, state highway department engineers point out that they estimated the work would cost \$772,830 or \$124,752 above the successful bid submitted by D. R. Smalley and Sons of Celina.

\* \* \*

"ROUTE 73 had to be closed so much because of high water in the winter and spring each year," said Julius R. Paxton of Middletown, division engineer, "that the project became a must. The detour route was 13 miles long."

Another difference in the two projects was the time needed to finish it.

"We got through (using eight men most of the time) in 40 days," said Lewis.

The contract on the relocation allows the present contractor from early 1952 until Nov. 31, 1953, to complete the work. He probably will get the job done in the latter part of May. Thus, he will be ahead of schedule despite a setback last fall on delivery of steel for the river bridge and delay this winter when weather would not permit concrete laying on the exposed deck of the bridge.

"The old road stood up for 40 years though we used only five sacks of cement to the yard and pit-run gravel," Lewis said. "Some of the present highway projects use seven sacks to the yard and washed gravel."

\* \* \*

PAXTON CONFIRMED that the old section of the present State Route 73 built by Lewis appears on the surface to be good.

"We built the old road 28 feet wide and 6 inches thick," Lewis said. "We 'caked it off' in sections about 30 feet long or made it a half-a-day's run." The new slab is 24 feet wide and 8 inches thick.



"UNCLE CHARLIE"  
... builds fence

en aprons with concrete in a period of continuous flooding about 1914," Lewis recalled. "I told Mr. Robitzer when we first saw the flood, 'Lucky we didn't have any more cement in.'"

Lewis and his crew worked against time and the flood waters putting up dirt embankments to protect a section of the dam at a time, finally getting 105 yards of concrete poured. The dam still stands.

"The biggest test of the Corwin road probably has come in the last four years since the highway was improved near Harveysburg eliminating the hairpin turn there," Lewis said. "Since then the big trucks between Middletown, Waynesville, Wilmington and Washington C. H. have really been rolling over it."

"I might add that we never would have gotten the road built if we had had to.

Lewis opined that if they had had to move 271,000 cubic yards of earth as has been done in the present project, it would have taken "a mighty long time."

A little history on  
Corwin Ave and the  
Mill Race Dam  
provided by  
Warren Sheehan



said he put in the first cement sidewalks and the first cement foundation for a building that he ever saw. He began concrete work in 1893 and hung up his shovel and trowel in 1930 to make a trip to the West.

"The first concrete foundation for a building that I ever saw was the one I built for the elevator at Corwin," Lewis said.

He does not contest Bellefontaine's claim to the first concrete road in the country, which was built in 1892. Lewis did a great deal of concrete work in the '90's, but didn't get to his first road, the Corwin pike, until a previous road had been ripped out by the 1913 flood.

\* \* \*  
"I'VE SEEN the water as high as five feet over the road and 22 inches over the floor of the mill race bridge," Lewis said. "But the road never washed out though it was covered several times every year."

He built a great many culverts and small bridges around Warren county in the early 1900's.

"Construction men have cussed me around here many a time," Lewis said. "Some of that old concrete was so tough they would have great difficulty breaking it. Just why it was so tough I don't know. There was no reinforcing."

A construction man explained that Lewis had good results with his work because we watched it very closely and knew the precise moment that it should be "worked." He said that he believed it was because "Uncle Charlie" took so much pride in his work.

\* \* \*  
ONE OF "UNCLE CHARLIE'S" favorite stories is how he built a concrete dam for the Wright mill at Waynesville.

"We built the concrete dam over a stone dam and replaced the wood-

## Bank Open House Scheduled Today

LEBANON, Feb. 21.—Open house will be held by officers and directors of the First National bank of Morrow at the bank tomorrow. The bank has been completely remodeled and redecorated. There will be favors for all who attend.

The First National bank was established in 1907 and has been in its present location since 1912. As of Jan. 1, it had total assets of \$1,273,543.

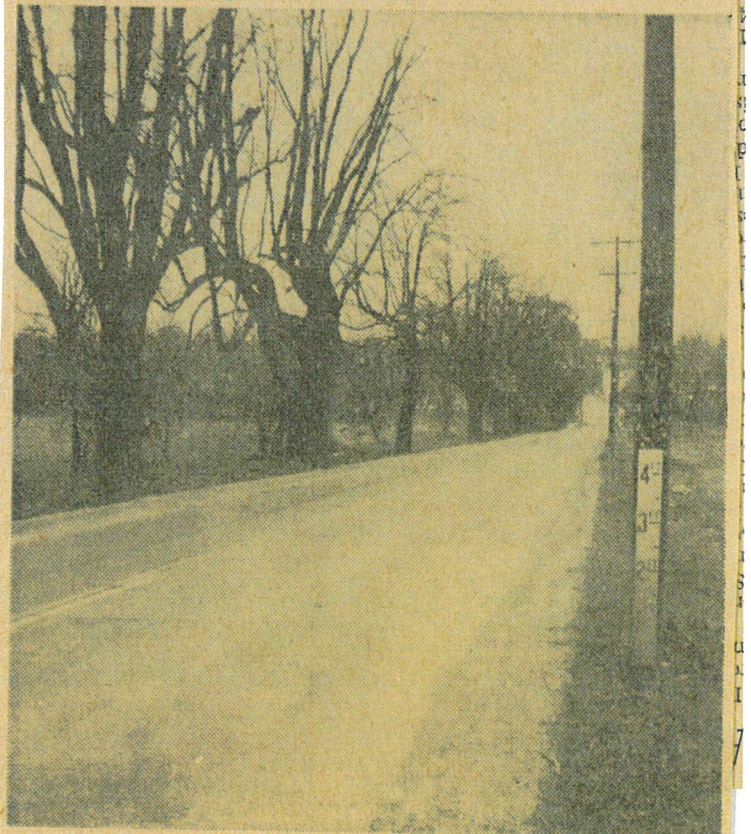
Officers of the bank include Judge Frank C. Anderson of Lebanon, president; Hubert T. Campbell, vice president; Roy M. Bradford, cashier; Clarence O. Bowman, assistant cashier. Directors include Howard Mosmiann, Charles Carroll, Corwin Cowgill, John F. Lewis, L. W. Smith, Richard S. Whitacre, Anderson, Campbell and Bradford. LaRose Amburgy is a teller and Edna M. Demitt, bookkeeper.

## Fourth Try Made For Traffic Lights

FLETCHER, Feb. 21.—Mayor Hall Runkle is again asking the state highway department to install two traffic lights on U. S. 36 within the village limits. It is his fourth request of this nature, he said.

On previous occasions when highway department inspectors arrived they found the flow of traffic heavy on U. S. 36, but too light on Walnut and North sts. to warrant the issuance of a permit, according to the mayor.

"They always seem to arrive on the wrong days," said Mayor Runkle.



SECTION OF ROUTE 73



FINANCE COMMITTEE MEETING

**DRAFT**

June 22, 2023 @ 5:00 p.m.

Members present: Joette Dedden, Connie Miller

Staff Present: Kitty Crockett, Finance Director; Jamie Morley, Clerk of Council

- 1) Mrs. Miller made a motion to excuse Mr. Colvin from tonight's meeting which was seconded by Ms. Dedden.  
2 Yeas
- 2) Mrs. Miller made a motion to approve the Finance Committee minutes for May 18, 2023 which was seconded by Ms. Dedden.  
2 Yeas
- 3) The Committee discussed the best ways to advertise and get community support for the replacement Police Levy.
  - At the last Council meeting it was decided to have a Special Council meeting on October 2 at 6:00 p.m. to inform the public on current ballot issues. This will be advertised on the October and September water bills, website, Facebook, and electronic sign.
  - Mrs. Miller stated she would like a large sign placed in her yard as it is on Main Street and very noticeable during the Sauerkraut Festival.
  - It was discussed walking door to door and handing out flyers.
- 4) Ms. Crockett went over the reports and offered to answer any questions.
  - Ms. Crockett stated she still could not find the \$153.00 discrepancy and LGS has not gotten back with her.
  - Ms. Crockett asked if the Committee's intention if the Police Levy passes, would they still like two officers taken out of the General Fund. She stated that if the replacement levy does pass the increase in funds would not be received until mid-2024 as property taxes are collected in arrears. The Committee decided to wait and see what happens with the vote.
  - Interest for the month of May was 22K.
  - Collections in May 2023 for RITA were higher than normal.
  - Chief Copeland received a grant to help fund the Village's portion of the Third Street OPWC project. This will help the water capital fund.
- 5) Ms. Dedden stated that she has not seen a Wood & Lamping invoice lately. Ms. Morley stated the additional fees over the retention have been minimal but will ensure she continues to send out the monthly invoice to Council.
- 6) Mrs. Miller made a motion to adjourn at 5:16 PM. Ms. Dedden seconded the motion, and all were in favor.