

**VILLAGE OF BLANCHESTER,
ORDINANCE NO. 2024.006**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH THE DEPARTMENT OF THE ARMY FOR DESIGN AND
CONSTRUCTION ASSISTANCE FOR THE VILLAGE OF BLANCHESTER,
RESERVOIR NO. 3 DAM IMPROVEMENTS**

WHEREAS, the Department of the Army (the "Government") is authorized to provide design and construction assistance for publicly owned, non-Federal water-related environmental infrastructure and resource protection and development projects in Ohio or North Dakota, including projects for wastewater treatment and related facilities, combined sewer overflow, water supply, storage, treatment, and related facilities, mine drainage, and surface water resource protection and development pursuant to Section 594 of the Water Resources Development Act of 1999, Public Law 106-53, as amended (hereinafter "Section 594");

WHEREAS, Section 594(d)(3) provides that the Federal share of project costs under each agreement entered into under Section 594 shall be 75 percent, which may be in the form of reimbursements;

WHEREAS, as of the effective date of the Agreement, attached hereto as Attachment A, the total amount of Federal funds available for the Federal share of project costs under the Agreement is \$2,000,000; and

WHEREAS, the Government and the Village of Blanchester have the full authority and capability to perform in accordance with the terms of the Agreement and acknowledge that the Agreement shall be enforceable in the appropriate district court of the United States; and

WHEREAS, the Village of Blanchester finds it to be in the best interests of the health, safety, and welfare of the Village of Blanchester to enter into an Agreement with the Government for assistance with dam improvements to Reservoir No. 3.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Blanchester, Clinton County, Ohio:

Section 1. The Mayor and the Village of Blanchester are authorized and directed to execute, on behalf of the Village of Blanchester, an Agreement with the Department of the Army for design and construction assistance for the Village of Blanchester's Reservoir No.3.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety, and it shall be effective upon its passage. The reason for the emergency is that it is necessary to ensure the Village of Blanchester enters into the Agreement before the funds are awarded elsewhere.

Motion made by Mr Hopkins and seconded by Mrs. Lewis on this date 4/25/24

The following members of council voted:

- Mr. Garner-
- Mr. Gephart-
- Mr. Hill-
- Mr. Hopkins-
- Mrs. Lewis-
- Mr. Parks-

Adopted 25 of April, 2024.

John M. Carman
Mayor John M. Carman

Attest: Regina Johnson, Fiscal Officer

I, Regina Johnson, Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the law of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with the said original and that the same is a true and correct copy therefor, and has been posted as required by law.

Witness my signature, this 25 day of April, 2024.

Regina Johnson

Fiscal Officer of the Village of Blanchester, Clinton County, Ohio

