



**PROJECT DESCRIPTION** *(cont.)*

A citizen's petition initiated this project. Property owners representing 6 properties expressed support for the petition during the polling process (86% level of support), meeting MSD's Rules and Regulations' requirements for majority endorsement from benefited properties. The petition is therefore valid under Board policy.

In 2008, the Hamilton County Park District purchased three of the seven properties within the petition area: 5106, 5118 and 5130 Batavia Road. In preparation for construction of a bike trail, the Park District removed the 3 dwellings and consolidated the parcels; therefore, the sewer alignment terminates at 5090 Batavia Road.

At the time of the petition, 2 parcels at 5060 Batavia Road were slated to be in the assessment roll. One of the parcels would have been benefitted by this project and the other parcel would have been assessed as the result of a local sewer waiver signed by the property owner when the property was permitted to connect to an existing sewer. Subsequent to the petition, the two lots were consolidated, leaving one lot with sewer service. As a result of Hamilton County Park District's purchase of a portion of 5060 Batavia Road, the final alignment of the proposed local sewer is not adjacent to the remaining parcel at 5060 Batavia Road. Therefore, MSD legal counsel has determined assessment of the remaining parcel at 5060 Batavia Road is not appropriate.

As a result of the Park District's purchases and parcel consolidation described above, three properties will be benefitted by the project. All three of the benefited parcels supported the project petition. However, one of the 3 property owners has not agreed to waive his right to a public hearing. Therefore, per statute, the County Commissioners must hold a public hearing on the project scheduled for a date no sooner than the 24-day time period as specified in Ohio Law Section 6117.06 Revised Code of Ohio. Should the Commissioners adopt the subject resolutions, MSD will file legal notice for a public hearing within ten working days thereafter.

Total project cost is estimated at \$162,900. Cost per-benefited parcel is \$54,300. Based upon MSD Rules and Regulations' assessment credit policy, the net tentative assessment per benefited property is \$12,000; \$36,000 for all three benefited parcels (22% of estimated total project cost). The assessment credits funded by MSD total an estimated \$42,300 per benefited parcel, or \$126,900 (78% of estimated total project cost). Project final assessment amount will be based on actual project expenditures after the construction is complete and all expenses paid.

Per statute, the County Commissioners must hold a public hearing on the project no sooner than the 24-day time period specified in 6117.06 R.C.

Completion of this project will generate no equivalent residential connections or 'credits' based on the MSD credit program.

**PROPOSED CONSTRUCTION SCHEDULE:**

START: October 2012  
END: December 2012

**PRIOR PROJECT LEGISLATION:**

<u>ACTION</u>	<u>DATE</u>	<u>NOTE</u>
Petition Entered for Record	6/27/2007	For the Record
Design Services	8/29/2007	Authorized/Funded

**Proposed Adoption Date: TBD by County**

**PROJECT FUNDING:**

Total Estimated Cost: **\$162,900**  
 Current Request: **\$0** (for setting public hearing)

ITEM	PRIOR APPROVAL	CURRENT REQUEST	FUTURE REQUEST
Planning	\$0	\$0	\$0
Design	\$16,400	\$0	\$0
Project Administration	\$3,200	\$0	\$1,900
Miscellaneous Expense	\$3,300	\$0	\$0
Right of Way	\$38,400	\$0	\$0
Construction	\$0	\$0	\$83,800
Contingency	\$0	\$0	\$0
Field Engineering & Inspection	\$0	\$0	\$14,800
Interest / Financing	\$0	\$0	\$1,100
<b>TOTALS</b>	<b>\$61,300</b>	<b>\$ 0</b>	<b>\$101,600</b>
Total Estimated Project Cost:			\$162,900

**REMAINING FUTURE LEGISLATION:**

- Approving detailed plans, specifications, estimate of cost and tentative assessments
- Declaring necessity to construct
- Holding / Concluding Public Hearing
- Disposing of Objections (if any)
- Resolution to Proceed with construction
- Appropriating funds
- Advertise and bid
- Other: NONE