

**VILLAGE OF NEW RICHMOND, OHIO
RESOLUTION NO. 2021-12**

Council for the Village of New Richmond, Ohio met in regular session the 25th day of May 2021.

Councilperson Skeene moved for adoption of the following:

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR, VILLAGE OF NEW RICHMOND, TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE VILLAGE OF NEW RICHMOND FOR PLANNING, DESIGN OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN:

WHEREAS, the Village of New Richmond seek to upgrade its existing water facilities; and

WHEREAS, the Village of New Richmond intends to apply for Water Supply Revolving Loan Account (WSRLA) for the planning, design and construction of the water facilities; and

WHEREAS, the Ohio Water Supply Revolving Loan Account (WSRLA) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED by a majority of the Village Council of the Village of New Richmond, Ohio:

Section I. That the Village Administrator be and is hereby authorized to apply for a WSRLA loan, sign all documents for and water into a Water Supply Revolving Loan Account (WSRLA) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of water facilities on behalf of the Village of New Richmond, Ohio;

Section II. That the dedicated source of repayment will be User Fees;

Section III. That the Village Council by a $\frac{3}{4}$ majority vote hereby dispenses with the requirement that the Resolution be read on three separate days and hereby authorizes the adoption of the Resolution upon its first reading.

Section IV. That Council finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Resolution were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code. That Resolution shall take effect and be in force from and after the earliest period allowed by law.

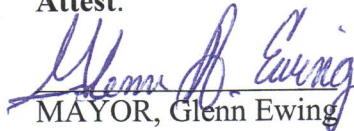
Councilperson Slade seconded the motion to adopt the foregoing Resolution and upon roll call the vote was as follows:

Gary Skeene	<u>Yes</u>
Larry Prues	<u>Yes</u>
Melanie Slade	<u>Yes</u>
Richard Feldkamp	<u>Yes</u>
Mary Allen	<u>Yes</u>
Becky Ploucha	<u>Yes</u>

First Reading: 5/25/21
Second Reading: _____
Third Reading: _____

Adopted this 25th day of May, 2021.

Attest:


MAYOR, Glenn Ewing


CLERK OF COUNCIL, Kathy Fuchs

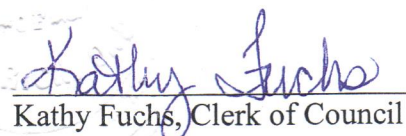
Approved as to form:



SOLICITOR, Scott Sollmann

CERTIFICATE OF RECORDING OFFICER

I the undersigned, hereby certify that the foregoing is a true and exact reproduction/copy of the Resolution No. 2021-12 adopted by the Legislative Authority for the Village of New Richmond on the 25th day of May, 2021, and that I am duly authorized to execute this certificate.


Kathy Fuchs, Clerk of Council

May 25, 2021
Date Certified



Division of Environmental & Financial Assistance (DEFA)
Office of Financial Assistance (OFA)

50 West Town Street, Suite 700, Columbus, Ohio 43215

Ph: 614.644.2798

www.epa.ohio.gov/defa/ofa

This application must be completed in its entirety. Incomplete forms may result in delay of loan approval.

1.0 Program Funding Selection

Please indicate what type of project funding is needed. *A selection must be made for the loan application to be reviewed.*

- ☐ Wastewater Water Pollution Control Loan Fund (WPCLF)
☒ Drinking Water Water Supply Revolving Loan Account (WSRLA)

2.0 Borrower's Information

Borrower (County, City, Village, or District): Village of New Richmond
Borrower's Population: 2,700 County: Clermont DUNS#: _____
Borrower's American Community Survey (ACS) Median Household Income: 53,889 Date of Application: 5/31/21

3.0 Project Name and Description

Project Name: Water System Upgrades and EPA Compliance

In the box below, please provide a brief description of the project requesting Ohio EPA funding.

(1) New Water Meters; (2) AMP; (3) Water System Hydraulic Modeling

**** Will land and/or easement acquisitions be required for this project?**

- ☐ Yes, please indicate acquisition commencement date(s). _____
☒ No additional land and/or easements are needed for the project.

* **Note:** If the site title opinion letter is not able to be sent with the loan application, it can be sent at a later date. However, this opinion **MUST** be submitted with the bid package for review.

** A Site Title Opinion Letter must be submitted and signed by the Borrower's Solicitor/Law Director, to insure legal vested interest in all real property for the project. *(Example see ATTACHMENT B)*

4.0 Funding Type and Proposed Loan Terms

Estimated Loan Amount: \$25,000.00 *This field autofills from Tab 4*
An estimated loan award date must be entered. This date should be the 1st of Month in which the loan would be awarded. This date is dependent on the type of loan that is requested, the estimated loan date will autofill on to TAB 3-Project Schedule.
Estimated Loan Award Date: 7/1/2021

Please consider my application for the following interest rate discount (construction loans only):

Wastewater Discounts:

- ☐ Facility Sludge Upgrade
☐ Septage Facilities
☐ Water Resource Restoration Sponsor Program (WRRSP)
☐ Other: (Specify) _____

Water Discounts:

- ☐ Auxiliary Power Program **Construction projects are eligible to receive 50 percent of the auxiliary power cost up to \$10,000 in principal forgiveness.**
☐ Other: (Specify) _____

**** Please select only ONE loan type****

The Borrower's interest rate will be determined based on the current year's Program Management Plan requirements. The first payment date must occur no later than 12 months after the project completion date. If you would like the repayment to begin earlier, please indicate a date. Payments are due semiannually: **January 1 and July 1.**

- ☒ **Planning Loan** Planning loans have a maximum 5-year term.
First Payment Date: 7/1/2022
☐ **Design Loan** Design loans have a maximum 5-year term.

(Previous incurred project costs for Planning may be included in the design loan.)

First Payment Date: _____

- ☐ **Construction Loan** Minimum 5-year term. Maximum 30-year term.
(Previous incurred project costs for Planning & Design may be included in the construction loan.) **Requested Term:** _____ Years
First Payment Date: _____

- ☐ **Supplemental Loan** **Loan Number:** _____

**** Please complete the appropriate schedule on Tab 3 "Project Schedule" that correlates with the selected loan type.**

5.0 Contact Information

Authorized Representative to Execute Contracts

Name	Greg Roberts	Title	Village Administrator
Address	102 Willow Street		
City	New Richmond	, Ohio	Zip 45157
Telephone	(513) 553-4146	Cell	
Email	groberts@newrichmond.org		

Address to Mail Loan Agreement (If different than Authorized Representative)

Name		Title	
Address			
City		, Ohio	Zip
Telephone		Cell	
Email			

Billing Notices

Name	Lynn Baird	Title	Fiscal Officer
Address	102 Willow Street		
City	New Richmond	, Ohio	Zip 45157
Telephone	(513) 553-4146	Cell	
Email	lbaird@newrichmond.org		

Disbursements - Borrower's representative to contact regarding disbursement

Name	Steve Canter, P.E.	Title	President, EES
Address	3575 Columbia Rd.		
City	Lebanon	, Ohio	Zip 45036
Telephone	(513) 934-1512	Cell	
Email	scanter@enveng.com		

Borrower's Wiring Information - Wires to the borrower should be sent to:

BANK WIRING

Bank Name	
Address	
City, State, Zip	
Federal Wire ABA	
Account #	

CHECK MAILING

Address	102 Willow Street
City, State, Zip	New Richmond, OH 45157

Consulting Engineer

Name	Steve Canter, P.E.	Title	President
Firm	Environmental Engineering Service		
Address	3575 Columbia Rd.		
City	Lebanon	State, Zip	OH 45036
Telephone	(513) 934-1512	Cell	
Email	scanter@enveng.com		

6.0 Project Schedules for Planning, Design & Construction

PLANNING SCHEDULE

1. Submit complete Loan Application with dedicated source of repayment and draft engineering agreement with scope of planning activities to be funded through this loan (no later than 60 days prior to task 3)	5/13/2021
2. Sign loan documents and return to DEFA (no later than 15 days prior to task 3)	6/15/2021
3. We request a Planning Loan by (indicate the 1st of the Month in which Loan is requested) (<i>Loan awards can be scheduled for January through October and December – no November scheduled awards</i>)	7/1/2021
4. Project Completion Date (The date funded planning activities will be completed and submitted to Ohio EPA)	12/31/2021
5. Initial Payment due to Ohio EPA program (January 1 or July 1 - within one year after the Project Completion)	7/1/2022

DESIGN SCHEDULE

1. Submit approvable Facilities Planning information, including complete I/I Analysis (generally 120 days prior to task 4)	
2. Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA and OWDA (Example: see ATTACHMENT A) , a copy of the utility's User Charge System & Use ordinance and the engineering agreements. (90 days prior to task 4)	
3. Sign loan documents and return to DEFA (no later than 15 days prior to task 4)	
4. We request a Design Loan by (1st of Month in which Loan is Awarded)	
5. Project Completion Date (The date funded design will be completed and submitted to Ohio EPA)	
6. Initial Payment due to Ohio EPA program (January 1 or July 1 - within one year after Project Completion)	

CONSTRUCTION SCHEDULE

1. Submit approvable Facilities Planning information, including complete I/I Analysis (generally 200 days prior to task 9)	
2. Submit complete Permit-to-Install application (if applicable) , including application, review fee, detail plans, contract documents, and specifications (170 days prior to task 9)	
3. Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the Borrower to enter into a Loan Agreement with Ohio EPA and OWDA (Example: see ATTACHMENT A) , a copy of the utility's User Charge System & Use ordinance and the engineering agreements. (150 days prior to task 9)	
4. Submit Site Title Opinion Letter signed by Solicitor/Law Director (no later than 60 days prior to task 9) (Example: see ATTACHMENT B)	
5. Advertise for construction bids (no later than 60 days prior to task 9)	
6. Open construction bids (no later than 30 days prior to task 9) <u>Be sure to allow for a minimum of 60 days to award contracts</u>	
7. Submit bid information to DEFA (no later than 21 days prior to task 9)	
8. Sign loan documents and return to DEFA (no later than 7 days prior to task 9)	
9. We request a Construction Loan by (1st of Month in which Loan is Awarded)	
10. Estimated Initiation of Operation date (The date funded facilities will be in full operation as planned and designed)	
11. Estimated Initial payment due to the Ohio EPA loan program (January 1 or July 1 - within one year after the Initiation of Operation)	

7.0 Estimated Cost Data

Select Funding Sources From Dropdown Box Below					
Estimated Costs				OEPA / WSRLA	Total Project Cost
Technical Services					
Administration					
Engineering Services					
Planning				\$24,600.00	\$24,600.00
Design					
Force Account					
Planning Loan Pay-off					
Design Loan Pay-off					
Construction					
<i>(Please enter number of anticipated contractors below)</i>					
Contract "A"					
Contract "B"					
Contract "C"					
Equipment					
Other Costs					
Contingency					
Subtotal				\$24,600.00	\$24,600.00
Application Fee	<i>There is a 0.35% OWDA fee on WPLCF loans and a 1.35% fee on WSRLA loans (0.35% OWDA and 1.00% Ohio EPA/WSRLA). Fees are based on total loan amount. Both program have a minimum fee of \$400. Please see application instructions for more information.</i>			\$400.00	
Total Estimated Costs				\$25,000.00	\$24,600.00

For construction loan request, please indicate below if the project has an *Ohio EPA or **OWDA planning/design loan affiliated with the project. The planning/design loans will be closed once the construction loan is approved. If funds have been disbursed from the planning/design loans, the payoff balance will be rolled into the construction loan. If no funds have been disbursed and planning funds are needed, please include a line item for planning and/or design in the construction loan.

*Ohio EPA Planning Loan #	_____	Planning Loan Payoff Amount	_____
*Ohio EPA Design Loan #	_____	Design Loan Payoff Amount	_____
**OWDA Planning Loan #	_____	Planning Loan Payoff Amount	_____

8.0 Contractor Payment

Please indicate below if the Borrower would like the contractors paid directly. Reimbursement requests for Technical Services line items will be made directly to the Borrower. ☐

Pay contractors directly

9.0 Source of Pledged Revenues

To obtain a loan from Ohio EPA, the Borrower is required to pledge the user revenues derived from the ownership and operation of their system as a security instrument (i.e. collateral) for the repayment of the loan. It can also be used as the dedicated source of repayment. The user revenues, after deductions for the operating and maintenance and previous debt obligations, must be able to support the repayment of the loan. However, unless prohibited by law, the Borrower can also choose any of the following as a dedicated source of loan repayment, with the user rates remaining the collateral. **(Reference Article IV in the WPCLF and the WSRLA Standard Loan Agreement).**

Please indicate the intended source of loan repayment below. More than one source can be used.

Revenue from:

- ☒ User Charges
☐ Assessments - Provide authorizing legislation
☐ General Taxes
☐ Other: Indicate source _____
☐ Other: Indicate source _____

10.0 Revenue Analysis

Current Revenues (Last Audit Year):

YEAR:

2020

User Classes	Total Revenue	Total Number of Users	Annual Revenue Per User
Residential	\$305,548.00	810	\$377.22
Commercial	\$10,186.00	27	\$377.26
Industry / Gov.			
Other			
TOTAL	\$315,734.00	837	

Total Revenue should reconcile to the "Revenues to System" column on the Projection of Revenues (TAB 7) for the associated year.

Current Average Monthly Residential User Rate

\$31.43

Projected Revenues for first year following project completion

YEAR:

2022

User Classes	Projected Total Revenue	Projected Total Number of Users	Projected Annual Revenue Per User
Residential	\$305,548.00	810	\$377.22
Commercial	\$10,186.00	27	\$377.26
Industry / Gov.			
Other			
TOTAL	\$315,734.00	837	

Total Revenue should reconcile to the "Revenues to System" column on the Projection of Revenues (TAB 7) for the associated year.

Projected Average Monthly Residential User Rate

\$31.43

Ten Largest Users

Customer	% of Revenue

11.0 Revenue Analysis Continued**3-Year Revenue Allocation**

Please provide the revenue allocation for 3 years ending with most recent audit.

Year autofills from TAB 5	2018	2019	2020
Revenue	\$315,734.00	\$448,750.00	\$315,734.00
Expenditures			
Operating Expenses	\$268,271.00	\$248,507.00	\$268,271.00
Debt Service Payments	\$24,399.00	\$24,269.00	\$24,399.00
Other:			
Total Expenditures	\$292,670.00	\$272,776.00	\$292,670.00
Surplus or Loss	\$23,064.00	\$175,974.00	\$23,064.00

Outstanding System Debt (do not include loan being applied for):

Debt Type	Debt Balance	Annual Payment	Final Payment Date
Ohio EPA Loans			
OWDA	\$286,312.00	\$24,399.00	2035
OPWC			
GO bonds			
Revenue Bonds			
USDA-RD Loans			
Other			
TOTAL	\$286,312.00	\$24,399.00	

The annual payment total will autofill in the current year debt service column on TAB 7 "Projection of Revenues" sheet.

12.0 Borrowers Credit Rating (If applicable)

	Moody's	S&P
General Obligation		
Water and Sewer Revenues		

13.0 Rate Schedule

Indicate the year of the last rate increase: _____

What was the % of the last rate increase? _____

Please describe the planned rate increases for the next 2 years:

14.0 Capital Improvement Plan

Brief Description of Major Projects:

To be determined at completion of Planning Loan

Ten Year Capital Improvement Plan:

Years	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
\$ in 000's										

15.0 Projection of Revenues and Expenses of the System

Borrower: Village of New Richmond

Project Name: Water System Upgrades and EPA Compliance

Year	Revenues to System Only	Operations, Maintenance & Replacement (O,M & R) Expenses	DEBT SERVICE paid from Revenue to the System (i.e. OPWC, USDA, etc.)	NEW Ohio EPA Loan Repayment	Total Expense to the System	Annual Surplus	Cumulative Surplus
The first Year and Current User Revenues autofills from Section 10.0 on Tab 5. The first year of O, M & R and debt service will autofill from Section 11.0 on Tab 6.				***Indicate previous year carryover surplus in the yellow Cumulative Surplus box***		\$175,974.00	
2020	\$315,734.00	\$268,271.00	\$24,399.00		\$292,670.00	\$23,064.00	\$199,038.00
2021	\$315,734.00	\$296,470.00	\$24,469.00		\$320,939.00	-\$5,205.00	\$193,833.00
2022	\$315,734.00	\$282,370.00	\$24,609.00	\$2,460.00	\$309,439.00	\$6,295.00	\$200,128.00
2023	\$315,734.00	\$282,370.00	\$24,757.00	\$4,920.00	\$312,047.00	\$3,687.00	\$203,815.00
2024	\$315,734.00	\$282,370.00	\$24,913.00	\$4,920.00	\$312,203.00	\$3,531.00	\$207,346.00
2025	\$315,734.00	\$282,370.00	\$25,077.00	\$4,920.00	\$312,367.00	\$3,367.00	\$210,713.00
2026	\$315,734.00	\$282,370.00	\$25,249.00	\$4,920.00	\$312,539.00	\$3,195.00	\$213,908.00
2027	\$315,734.00	\$282,370.00	\$25,430.00	\$2,460.00	\$310,260.00	\$5,474.00	\$219,382.00
2028							\$219,382.00
2029							\$219,382.00
2030							\$219,382.00
2031							\$219,382.00
2032							\$219,382.00
2033							\$219,382.00
2034							\$219,382.00
2035							\$219,382.00
2036							\$219,382.00
2037							\$219,382.00
2038							\$219,382.00
2039							\$219,382.00
2040							\$219,382.00
2041							\$219,382.00
2042							\$219,382.00
2043							\$219,382.00
2044							\$219,382.00
2045							\$219,382.00
2046							\$219,382.00
2047							\$219,382.00
2048							\$219,382.00
2049							\$219,382.00
2050							\$219,382.00
2051							\$219,382.00
2052							\$219,382.00
2053							\$219,382.00
2054							\$219,382.00
2055							\$219,382.00
2056							\$219,382.00
2057							\$219,382.00
2058							\$219,382.00
2059							\$219,382.00
2060							\$219,382.00

Preparer Signature: _____

Date: _____

Authorized Representative Signature: _____

Date: 6/08/2021

NOTES:

16.0 Equipment & Replacement Schedule

The Equipment & Replacement Schedule should include equipment necessary to maintain the capacity and performance of the treatment plant(s) during its useful life. The schedule should include those components intended to maintain the current and future capacity and performance of facilities.

**** An example of an Equipment & Material Replacement would be:**

Equipment / Parts	Funding Accts.		# of Items	Date Purchased	Useful Life	Original Cost	Est. Repl. Cost	Est. Repl. Yr.
	Capital Improve.	O, M & R						
Clarifier		X	2	2008	15	\$80,000.00	\$85,000.00	2023
Pumps		X	10	2007	10	\$30,000.00	\$33,000.00	2017
Replacement Pipe	X		200	1999	30+	\$100,000.00	\$110,000.00	2019

[illegible]



EPA Project Control Number _____

United States Environmental Protection Agency
Washington, DC 20460

Certification Regarding
Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Greg Roberts, Village Administrator

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

06/04/2021

Date

☐ I am unable to certify to the above statements. My explanation is attached.

EPA Form 5700-49 (11-88)



Division of Environmental & Financial Assistance

50 West Town Street, Suite 700, Columbus, Ohio 43215

Ph: (614) 644-2798 Fx: (614) 644-3687

www.epa.ohio.gov/defa

**OHIO WATER SUPPLY REVOLVING LOAN ACCOUNT
COMPLIANCE CERTIFICATION**

BORROWER Village of New Richmond

PROJECT NAME Water System Upgrades and EPA Compliance

I certify that I am the duly authorized representative of the above-named legal entity (Borrower) and that the Borrower agrees to comply with all Federal and State laws, executive orders, regulations, policies and conditions relating to WSRLA assistance. I also certify that the Borrower:

- 1 Has the legal, institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the project facilities.
- 2 Will, if the project includes a new wastewater collection system, require all planned users to connect to the said system no later than one-year after the initiation of operation of the project facilities.
- 3 Does assure that the mitigative measures stated in the environmental assessment and detailed plans and specifications will be implemented in the construction of the project facilities.
- 4 Has not and will not violate any Federal, State or local law pertaining to fraud, bribery, graft, collusion or other unlawful or corrupt practices.
- 5 Will, during the construction of the project facilities, comply with the provisions of:
 - A. Federal Executive Order 11246 relating to Equal Employment Opportunity.
 - B. Federal Executive Orders 12432 relating to the use of Women's and Minority Business Enterprises.
 - C. Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition and Policies Act of 1970 (P.L. 91-646).
 - D. Federal Executive Order 11988 relating to evaluation of potential effects of any actions in a floodplain and Federal Executive Order 11990 relating to minimizing harm to wetlands.
 - E. The National Historic Preservation Act of 1966 (P.L. 89-665 as amended.)
 - F. State Executive Order 90-68 relating to construction impacts on wetland areas.
 - G. The Federal Davis-Bacon Act as codified at 40 U.S.C. 276a-276a-5 unless waived in writing by the State.
- 6 Will, when disbursements exceed \$750,000 in any year under this agreement, comply with:

The Single Audit Act of 1984, (SAA), as amended by the Single Audit Act of 1996. The Borrower will also have an audit of its use of Federal Financial Assistance, keep a copy of the SAA for review for the life of the loan.

I certify that I have read and understand these requirements and agree that WSRLA assistance is conditional upon the above-named Borrower maintaining compliance with these requirements.

Signature of Authorized Official

06/04/2021

Date

17.0 Application Check List

- ☐ Facilities Plan
- ☒ A copy of Legislation authorizing current rates/tap in fees
- ☒ A copy of Legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA & OWDA (Example: see **ATTACHMENT A**)
- ☒ **Planning & Design Loan Only:** Draft or Executed Copy of Engineering Agreement
- ☐ **Construction Loan Only:** Engineer's Estimate for project costs. Bid tabs are required to be submitted prior to project approval.
Detailed estimate for Equipment and Force Account
Draft or Executed Copy of the Engineering Agreement if engineering costs are included in the loan.
- ☐ If the borrower is using special assessments to cover any portion of the Ohio EPA loan payments, attach a certified statement from a Solicitor/Law Director stating the status of the assessment proceedings, resolutions or ordinances, and notices.
- ☐ Site Title Opinion Letter signed by Solicitor/Law Director (Example: see **ATTACHMENT B**)
*** Note:** If the site title opinion letter is not able to be sent with the loan application, it can be sent at a later date. However, this opinion **MUST** be submitted with the bid package for review.
- ☐ Intermunicipal Service Agreement (if applicable)
- ☐ Documentation of outstanding debt for planning and/or design costs, to be included in the Ohio EPA loan (if applicable)

*****ITEMS LISTED BELOW ARE NOT NEEDED WITH THE LOAN APPLICATION.*****

These are required after the Borrower has reviewed and SIGNED the Ohio EPA Loan Agreement and Exhibits.

- ☒ General Certificate (Example: see **ATTACHMENT C**)
- ☒ Legal procedural letter signed by the Solicitor/Law Director (Example: see **ATTACHMENT D**)

18.0 Preparer Information

This Application Submitted by (Name & Title) : Steve Canter P.E., President, Environmental Engineering Service

Signature: _____

Date: _____ Telephone Number: (513) 934-1512

19.0 Authorized Representative Approval

To the best of my knowledge and belief, the information contained in this application is true and correct. The application has been duly authorized by the governing body of the applicant and the applicant will maintain compliance with all the laws, rules, executive orders and policies pertaining to the Ohio EPA - Water Pollution Control Loan Fund (WPCLF) or the Water Supply Revolving Loan Account (WSRLA) programs.

Authorized Representative Greg Roberts

Title Village Administrator

Signature:  Date: 06/04/2024



May 31, 2021

Division of Environmental and Financial Assistance
Ohio Environmental Protection Agency
P. O. Box 1049
Columbus, Ohio 43216-1049

and

Ohio Water Development Authority
480 South High Street
Columbus, Ohio 43215-3516

Executive Director:

The undersigned is the duly appointed and serving Solicitor for the Village of New Richmond and as such has examined the documents, or copies thereof certified to his/her satisfaction, referred to in the following paragraphs. As said Solicitor, the undersigned advises you that:

1. Resolution No. 2021-12 adopted on May 25, 2021, by the Council of the Village of New Richmond (the "Borrower") authorizing the execution and delivery of the Water Supply Revolving Loan Account (WSRLA) was duly and lawfully passed/adopted by the Legislative Authority on said date, is in full force and effect and has not been withdrawn or repealed as of this date.
2. All formal actions of the Borrower concerning or relating to the enactment of the legislation described in paragraph 1 were taken in an open meeting of the Borrower 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 including section 121.22 of the Ohio Revised Code.
3. The Water Supply Revolving Loan Account (WSRLA) has been duly executed and delivered and constitutes a valid, legal and binding obligation of the Legislative Authority enforceable in accordance with its terms, subject to the provisions of federal bankruptcy laws and other laws affecting creditor's rights.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Scott Sollmann", is written over a horizontal line.

Scott Sollmann, Solicitor

35 SOUTH CHILLICOTHE STREET, P.O. BOX X, SOUTH CHARLESTON, OHIO 45368
(937)462-8888, FAX (937) 462-8787


GENERAL CERTIFICATE
TO BE DELIVERED TO
OHIO ENVIRONMENTAL PROTECTION AGENCY
AND OHIO WATER DEVELOPMENT AUTHORITY

The undersigned, being the Clerk of Council of the Village of New Richmond, Ohio (the "Local Government"), hereby certifies that:

- I. At the times of the enactment of the Loan Legislation (as defined below) and the execution of the *Water Supply Revolving Loan Account (WSRLA)* Agreement (as defined below), the following were the incumbents of the listed offices:

	<u>Title</u>	<u>Name</u>
Chief Executive Officer:	<u>Village Administrator</u>	<u>Greg Roberts</u>
Chief Fiscal Officer:	<u>Fiscal Officer</u>	<u>Lynn Baird</u>
Chief Legal Officer:	<u>Solicitor</u>	<u>Scott Sollman</u>
Officer Responsible for Records:	<u>Clerk of Council</u>	<u>Kathy Fuchs</u>
Legislators:	<u>Glenn Ewing, Mayor; B. Ploucha; L. Prues; M. Allen; G. Skeene; M. Slade; R. Feldkamp</u>	

- II. The regular meetings of Village Council (the "Legislative Body") of the Borrower are held on the 2nd and 4th Tuesdays of each month.
- III. Attached hereto is (a) a true and exact copy of Resolution No. 2021-12 (the "Loan Legislation"), approved by the Legislative Body on May 25, 2021, authorizing the Borrower to enter into a *Water Supply Revolving Loan Account (WSRLA)* Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority in the form attached to the Legislation as Exhibit A (the *Water Supply Revolving Loan Account (WSRLA)* Agreement), including a description of the Project Facilities being financed under the *Water Supply Revolving Loan Account (WSRLA)* Agreement, and (b) a copy of the *Water Supply Revolving Loan Account (WSRLA)* Agreement executed by the official or officials of the Local Government authorized by the Loan Legislation to execute the *Water Supply Revolving Loan Account (WSRLA)* Agreement on behalf of the Local Government. The undersigned hereby certifies that the Legislation remains in full force and effect and has not been repealed, rescinded, amended or modified.
- IV. Attached hereto is a true and exact copy of Ordinance No. 2017-09 (the "Rate Legislation"), approved by the Legislative Body on April 11, 2017, authorizing the current rates or tap-in fees of the utility of the Local Government to which the *Water Supply Revolving Loan Account (WSRLA)* Agreement relates, and of any special assessment legislation related to any special assessments of the Local Government referred to in the *Water Supply Revolving Loan Account (WSRLA)* Agreement.
- V. All meetings of the Legislative Body and of its committees and any other public bodies, at which the formal actions referred to in Sections III or IV above were taken, or at which deliberations that resulted in such formal actions were held, were open meetings, and such formal actions were taken and any such deliberations took place while such meetings were open to the public, in compliance with all legal requirements including (if applicable) Section 121.22, Revised Code. Notice and notification of the aforementioned meetings were given Section 121.22, in compliance with all legal requirements including (if applicable) Section 121.22, Revised Code and the rules of the Legislative Body.


Kathy Fuchs
Clerk of Council

[Title]

(Date)

June 4, 2021

**VILLAGE OF NEW RICHMOND, OHIO
RESOLUTION NO. 2021-12**

Council for the Village of New Richmond, Ohio met in regular session the 25th day of May 2021.

Councilperson Skeene moved for adoption of the following:

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR, VILLAGE OF NEW RICHMOND, TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE VILLAGE OF NEW RICHMOND FOR PLANNING, DESIGN OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN:

WHEREAS, the Village of New Richmond seek to upgrade its existing water facilities; and

WHEREAS, the Village of New Richmond intends to apply for Water Supply Revolving Loan Account (WSRLA) for the planning, design and construction of the water facilities; and

WHEREAS, the Ohio Water Supply Revolving Loan Account (WSRLA) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED by a majority of the Village Council of the Village of New Richmond, Ohio:

Section I. That the Village Administrator be and is hereby authorized to apply for a WSRLA loan, sign all documents for and water into a Water Supply Revolving Loan Account (WSRLA) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of water facilities on behalf of the Village of New Richmond, Ohio;

Section II. That the dedicated source of repayment will be User Fees;

Section III. That the Village Council by a $\frac{3}{4}$ majority vote hereby dispenses with the requirement that the Resolution be read on three separate days and hereby authorizes the adoption of the Resolution upon its first reading.

Section IV. That Council finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Resolution were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code. That Resolution shall take effect and be in force from and after the earliest period allowed by law.

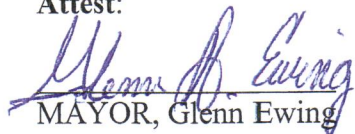
Councilperson Slade seconded the motion to adopt the foregoing Resolution and upon roll call the vote was as follows:

Gary Skeene Yes
Larry Prues Yes
Melanie Slade Yes
Richard Feldkamp Yes
Mary Allen Yes
Becky Ploucha Yes

First Reading: 5/25/21
Second Reading: _____
Third Reading: _____

Adopted this 25th day of May, 2021.

Attest:


MAYOR, Glenn Ewing


CLERK OF COUNCIL, Kathy Fuchs

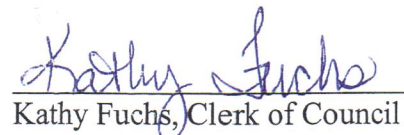
Approved as to form:

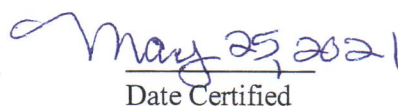


SOLICITOR, Scott Sollmann

CERTIFICATE OF RECORDING OFFICER

I the undersigned, hereby certify that the foregoing is a true and exact reproduction/copy of the Resolution No. 2021-12 adopted by the Legislative Authority for the Village of New Richmond on the 25th day of May, 2021, and that I am duly authorized to execute this certificate.


Kathy Fuchs, Clerk of Council


Date Certified

ORDINANCE 2017-09

VILLAGE OF NEW RICHMOND, OHIO

Council for the Village of New Richmond, Ohio met in regular session this 11th day of April, 2017 with the following members present:

Mary Allen,
Rodney Henry,

Paul Vanderbosch,
Amanda Davidson,

Richard Feldkamp,
Gary Skeene

Councilperson Feldkamp moved for adoption of the following:

**AN ORDINANCE AMENDING THE UTILITY DEPARTMENT FEE
SCHEDULE**

Whereas: The Village of New Richmond maintains waste collection and curbside recycling services, and

Whereas: Various fees are established for the utilization of these services, and

Whereas: Amendments to this fee schedule have been presented to Village Council for approval by the Fiscal Officer, and

Whereas: The waste collection and curbside recycling services will eminently be unable to meet its financial obligations without increasing rates and fees

Whereas: These amendments are formally attached hereto and shown as exhibit "A".

NOW THEREFORE BE IT ORDAINED, by the Council of the Village of New Richmond, State of Ohio a majority of its members concurring:

1. Amends the New Richmond Utility Department Fee Schedule as shown on Exhibit "A" to this legislation.
2. That Council finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Ordinance were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Councilperson Allen seconded the motion to adopt the foregoing Ordinance and upon roll call the vote was as follows:

Paul Vanderbosch	<u>yes</u>
Gary Skeene	<u>yes</u>
Richard Feldkamp	<u>yes</u>
Rodney Henry	<u>yes</u>
Amanda Davidson	<u>yes</u>
Mary Allen	<u>yes</u>

First Reading	<u>3/14/17</u>
Second Reading	<u>3/28/17</u>
Third Reading	<u>4/11/17</u>

Adopted:

4-11-17
Date

ATTEST:

Kelly Painter
CLERK OF COUNCIL, Kelly Painter

Ramona Carr
MAYOR, Ramona Carr

Approved as to form and content:

Matthew Faris
SOLICITOR, Matthew Faris

Village of New Richmond, Ohio

Utility Department Fee Schedule

Effective Date: 12-11-2007
 Adopted via Ordinance 2007-52
 Amended Via Ordinance 2009-11
 Amended Via Ordinance 2009-20
 Amended Via Ordinance 2013-22
 As Amended Via Ordinance 2014-13
 As Amended Via Ordinance 2015-17
 As Amended Via Ordinance 2017-09

Exhibit
"A"

Garbage and Curbside Recycling Rate: \$18.20 per unit

Water Rates:

Inside Village Corporation Limits:	\$0.0259: Per Cubic Foot: Minimum Cubic Feet: 300 Seasonal Customer Rate: \$0.0345
Outside Village Corporation Limits:	\$0.0388: Per Cubic Foot Minimum Cubic Feet: 300
Bulk Water:	\$0.0319: Per Cubic Foot (7.48 gallons per cubic foot)
Monthly Fee: (for all tapped meters)	\$6.00 per meter

Sewer Rates:

Inside Village Residency Required:	Per Cubic Foot: \$0.0464 Seasonal Customer Rate: \$0.0510
------------------------------------	--

Miscellaneous Fees:

Utilities Deposit	\$150.00
Disconnect/Reconnect (during regular business hours 8:00 am to 4:00 pm Mon-Fri)	\$50.00
Reconnection fees (during non-business hours)	\$100.00
Tampering of Meter	\$200.00 per offense
Resubmitted Check	\$10.00
Returned Check	\$25.00
Hydrant Meter (\$150 Deposit. \$50 non-refundable)	Billing based on usage
Residential Outdoor Faucet Meter	\$50.00
Late Charge	\$10.00 annual handling charge
Service Application Fee	10% minimum \$10.00
Service Call	\$25.00
Credit Card Processing	\$5.00
	As charged by provider

Sewer Connection Fees:

	<i>Meter Size</i>	<i>Capacity Fee</i>
Single Family Residence	3/4"	\$ 3,000.00
Single Family Residence	1"	\$ 5,300.00
Single Family Residence	1 Y2"	\$ 7,900.00
Commercial (non food service)	3/4"	\$ 3,200.00
Commercial (with food service)	3/4"	\$ 3,600.00
Commercial (non food service)	1"	\$ 7,400.00

Commercial (with food service)	1"	\$ 8,000.00
Commercial (non food service)	1 Y2"	\$14,800.00
Commercial (with food service)	1 Y2"	\$15,400.00
Commercial (non food service)	2"	\$23,700.00
Commercial (with food service)	2"	\$24,300.00
Commercial (non food service)	3"	\$47,400.00
Commercial (with food service)	3"	\$48,100.00
Commercial (with and without food)	4"	(Price negotiated according to usage service)

**Number of Capacity
Bedrooms Fee**

Multi Family Residence	One	\$ 1,200.00/ per unit
Multi Family Residence	Two	\$ 1,500.00/ per unit
Multi Family Residence	Three	\$ 1,800.00/ per unit

NOTES:

- #1 ANY REQUIRED ROAD BORING IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR AND ARE NOT INCLUDED IN THE ABOVE FEES.
- #2 COMMERCIAL UNITS ARE DEFINED AS ANY NON-INHABITED STRUCTURE.
- #3 CAPACITY FEE INCLUDES THE CONNECTION OF THE SEWER LATERAL TO VILLAGE MAIN BY VILLAGE THE FORCES IF DESIRED.

Water Capacity/Connection Fees

	<i>Meter Size</i>	<i>Capacity Fee</i>	<i>Installation Fee</i>
Single Family Residence	3/4"	\$ 2,200.00	\$ 00.00
Single Family Residence	1"	\$ 2,500.00	\$ 760.00
Single Family Residence	1 Y2"	\$ 3,400.00	\$ 1,300.00
Commercial	3/4"	\$ 2,300.00	\$ 680.00
Commercial	1"	\$ 4,800.00	\$ 760.00
Commercial	1 Y2"	\$10,000.00	\$ 1,365.00
Commercial	2"	\$15,100.00	Meter Only
Commercial	3"	\$28,000.00	Meter Only
Commercial	4"	Price negotiated according to usage	Meter Only
	<i>Number of Bedrooms</i>	<i>Capacity Fee</i>	<i>Installation Fee</i>
Multi Family Residence	One	\$ 900.00/ per unit	###
Multi Family Residence	Two	\$1000.00/ per unit	###
Multi Family Residence	Three	\$1100.00/ per unit	###

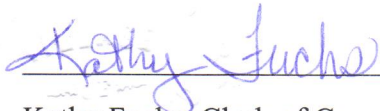
###: Refer to water installation charge by meter size for appropriate fee per meter size to be installed.

NOTES:

- #1 ANY REQUIRED ROAD BORING IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR AND ARE NOT INCLUDED IN THE ABOVE FEES.
- #2 COMMERCIAL UNITS ARE DEFINED AS ANY NON-INHABITED STRUCTURE.

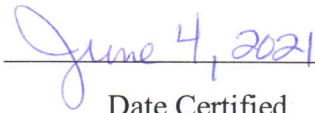
CERTIFICATE OF RECORDING OFFICER

I the undersigned, hereby certify that the foregoing is a true and exact reproduction/copy of the Ordinance 2017-07 adopted by the Legislative Authority for the Village of New Richmond on the 11th day of April, 2021, and that I am duly authorized to execute this certificate.



Kathy Fuchs

Kathy Fuchs, Clerk of Council



June 4, 2021

Date Certified