

RESOLUTION # 21-11  
NEW MADISON WASTEWATER TREATMENT PLANT EXPANSION  
DARKE COUNTY, OHIO

A RESOLUTION AUTHORIZING PARTICIPATION AND RATIFYING PRIOR PARTICIPATION OF THE VILLAGE OF NEW MADISON, DARKE COUNTY, OHIO, WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, FOR THE DESIGN AND CONSTRUCTION OF THE NEW MADISON WASTEWATER TREATMENT PLANT EXPANSION PROJECT, AND AUTHORIZING THE MAYOR OF THE VILLAGE OF NEW MADISON, AND OTHER APPROPRIATE VILLAGE OFFICIALS, TO ACT FOR AND ON BEHALF OF THE VILLAGE OF NEW MADISON, IN EXECUTING, ACCEPTING OR OTHERWISE APPROVING ALL DOCUMENTS, AGREEMENTS, INSTRUMENTS, OR OTHER NECESSARY PAPERS REQUIRED BY THE DEPARTMENT OF THE ARMY TO IMPLEMENT SAID PARTICIPATION IN THE PROJECT.

**BE IT RESOLVED** by the Village of New Madison, Darke County, Ohio, that:

Section 1: The Village of New Madison authorizes its Mayor, by and through its authorized officers and officials, to participate with the Department of the Army, Corps of Engineers, in the design and construction of the New Madison Wastewater Treatment Plant Expansion Project, Section 594, Ohio Environmental Restoration Infrastructure and Resource Protection and Development Program authorized by Section 594 of the Water Resources Development Act of 1999, which project is located in Darke County, Ohio.

Section 2: The Mayor, and other appropriate Village officials, including the Village's Attorney, are authorized to execute on behalf of the Village of New Madison, Ohio, all documents necessary to implement participation by the Village of New Madison, Darke County, Ohio, in the design and construction of an Environmental Restoration Infrastructure and Resource Protection Project, being a wastewater treatment plant expansion project, throughout the Village of New Madison, the Department of the Army, Corps of Engineers, including but not limited to the Agreement for Design and Construction between the Department of the Army and the Village of New Madison, Darke County, Ohio, for the design and construction of the New Madison Wastewater Treatment Plant Expansion Project, that provides, among other things, that the Village of New Madison shall:

a. Provide without cost to the United States Government all lands, easements, and rights-of-way including suitable borrow and dredge material disposal areas, all modifications, relocations and alterations of structures including but not limited to buildings, utilities, including relocations of on-site underground utilities, roads, bridges, sewers and water supply facilities and repair or replacement of all intakes, drains, and appurtenant facilities necessary for the construction, operation and maintenance of the Project;

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

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

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

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

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

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

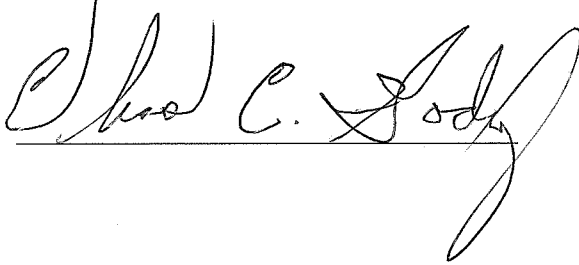
Section 4: The Mayor of the Village of New Madison and other appropriate Village officials are hereby authorized to purchase, or otherwise acquire from private property owners, in the name of the Village of New Madison, and in accordance with said Agreement, any and all interests in real property necessary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

Duly passed in accordance with the laws of the State of Ohio,  
this 8<sup>th</sup> day of July, 2021.

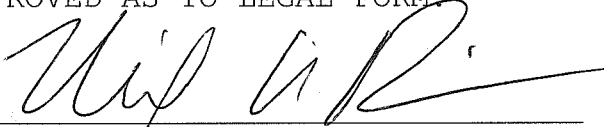
THE VILLAGE OF NEW MADISON, OHIO

Passed: 

ATTEST:

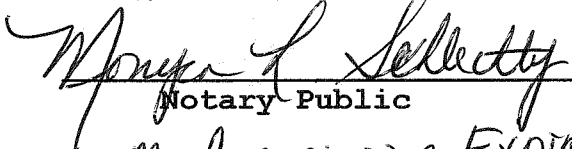


APPROVED AS TO LEGAL FORM:



Name of Attorney  
Village of New Madison Attorney

ATTESTED AND CERTIFIED AS TRUE AND CORRECT:

  
Notary Public  
My Commission Expires  
4-19-2024



NON-FEDERAL SPONSOR'S

SELF-CERTIFICATION OF FINANCIAL CAPABILITY

FOR DECISION DOCUMENTS AND AGREEMENTS

I, Roberta Hocker, do hereby certify that I am the Financial Officer of the Village of New Madison, Ohio (the "Non-Federal Sponsor"); that I am aware of the financial obligations of the Non-Federal Sponsor for the New Madison Wastewater Treatment Plant Expansion Project; and that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations for the project and to satisfy the Non-Federal Sponsor's obligations under the New Madison Wastewater Treatment Plant Expansion Project Partnership Agreement (PPA). I understand that the Government's acceptance of this self-certification shall not be construed as obligating either the Government or the Non-Federal Sponsor to implement a project.

IN WITNESS WHEREOF, I have made and executed this certification this 12<sup>th</sup> day of July, 2021.

BY: Roberta Hocker

Title: Fiscal Officer

