

**ADDENDUM NUMBER ONE (1) TO THE CONTRACT DATED FEBRUARY 17, 1981
BETWEEN THE VILLAGE OF BELLVILLE, OHIO
AND
THE BOARD OF COMMISSIONERS, RICHLAND COUNTY OHIO
PROVIDING FOR THE DISPOSAL AND TREATMENT OF SEWAGE**

THIS ADDENDUM made and entered into as of the date of the last signature below by and between the Board of Commissioners, Richland County, Ohio (“COUNTY”), with its principal place of business located at 50 Park Ave. East, Mansfield, Ohio 44902 under the authority of Resolution adopted September 27, 2022, and the Village of Bellville (“VILLAGE”), with its principal place of business located at 142 Park Place, Bellville, Ohio 44813 under the authority of Village Ordinance No. 34-2022 adopted September 20, 2022.

WHEREAS, on February 17, 1981, the VILLAGE and the COUNTY entered into a contract (“CONTRACT”) providing for the disposal and treatment of sewage originating in the COUNTY through the use of the VILLAGE sewer treatment system, and

WHEREAS, in addition to paying the established VILLAGE rates, the CONTRACT also provides that the COUNTY pay a Capital Cost Equalization Charge (“CCEC”) to the VILLAGE in an amount of forty percent (40%) of the current rate per thousand gallons for the purpose of equalization of the VILLAGE’s previous capital cost expenditures for wastewater treatment facilities, and

WHEREAS, the CONTRACT also provides that the COUNTY pay the CCEC as a penalty in addition to the 100% penalty for specified excess flows, and

WHEREAS, the CCEC was to be renegotiated 15 years from the date of CONTRACT execution to account for any remaining necessary capital cost equalization for capital cost expenditures of the VILLAGE prior to February 17, 1981, and

WHEREAS, the COUNTY’s share of all VILLAGE capital cost obligations pre-dating February 17, 1981, for wastewater treatment facilities has since been satisfied, and

WHEREAS, because of VILLAGE annexation in 1995, Richland County Sewer District No. 5 is now located entirely within the incorporated area of the VILLAGE in the general area of the State Route 97 and Interstate 71 Interchange, and

WHEREAS, Ohio Revised Code Section 6117.05(B) authorizes a board of commissioners to convey, by mutual agreement, to a municipal corporation any completed sanitary facilities located in a county sewer district when said facilities are also located in an area annexed to the municipal corporation, and

WHEREAS, the legislative authorities of the VILLAGE and COUNTY deem it to be in the best interests of the health, safety, and welfare of their respective inhabitants to upgrade Richland County Sewer District No. 5 and convey ownership and control of the entirety of these sanitary facilities from the COUNTY to the VILLAGE.

NOW THEREFORE, the parties hereto acting through their duly authorized representatives and in consideration of the mutual covenants, promises, conditions and terms to be kept and performed, it is agreed between the parties to amend the CONTRACT as follows:

ARTICLE 1: TERM

1. Except as provided in Section 2 of this Article, the term of the CONTRACT shall be extended for an additional twenty (20) year period commencing on October 1, 2022 and shall automatically be renewed for terms of ten (10) years subject to termination upon written notice of one (1) year prior to commencement of each renewal period.
2. The CONTRACT shall automatically terminate upon the completion of the conveyance of the COUNTY sanitary facilities to the VILLAGE pursuant to Article 3 of this Addendum.

ARTICLE 2: CAPITAL COST EQUALIZATION CHARGE

1. All CCEC obligations of the COUNTY in the CONTRACT are hereby deemed fulfilled and no further CCEC payments or CCEC penalties are due from the COUNTY to the VILLAGE.

ARTICLE 3: CONVEYANCE OF SANITARY FACILITIES

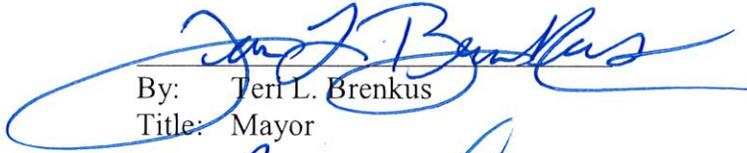
1. The COUNTY hereby agrees to convey to the VILLAGE, and the VILLAGE agrees to accept, the entirety of the county sanitary facilities known as Richland County Sewer District No. 5 as more particularly described in Exhibit A and including any additional assets not yet described in Exhibit A but that may be added to the system prior to completion of the conveyance.
2. Title to Richland County Sewer District No. 5 shall not vest in the VILLAGE and this conveyance shall not be complete until such time as the COUNTY completes an upgrade of main lines and the lift station (“UPGRADE”) as identified and described in Section 3, Article 3 of this Addendum.
3. The UPGRADE shall consist of replacing the COUNTY force main with a new force main, installing new cure in place pipe inside of all COUNTY vitrified clay gravity lines, and upgrading the COUNTY lift station to bring it above ground.
4. Upon the COUNTY completing the UPGRADE, the COUNTY shall so notify the VILLAGE via certified U.S. Mail of such completion. Upon the VILLAGE receiving this notice, all right, title and interests in the county sanitary facilities known as Richland County Sewer District No. 5, together with all appurtenant assets, shall fully vest in the VILLAGE as is and without further action by either party.
5. In the event that the COUNTY does not complete the UPGRADE prior to December 31, 2028, Article 3 of this Addendum shall then become null and void, but all other Articles in this Addendum shall remain in full force and effect. If the COUNTY does not begin and/or complete the UPGRADE by December 31, 2028, this shall not constitute default by the COUNTY under this Addendum.

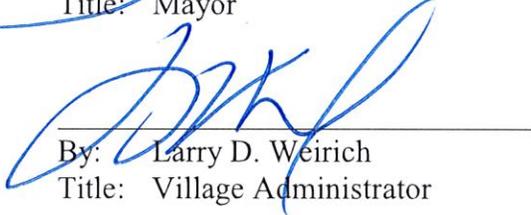
ALL sections, terms, conditions, and deadlines of the original Contract not in conflict with this Addendum shall remain in full force and effect.

The parties hereunto have caused this Addendum to be executed in duplicate on the date of the last signature below.

VILLAGE OF BELLVILLE

BOARD OF COMMISSIONERS,
RICHLAND COUNTY, OHIO


By: Teri L. Brenkus
Title: Mayor


By: Larry D. Weirich
Title: Village Administrator


Tony Vero


Cliff Mears


Darrell Banks

Date: 09/27/2022

EXHIBIT A

Richland County Sewer District Number 5 – Bellville

Richland County Wastewater Department owns and operates a sanitary sewer collection system, Sewer District Number 5 – Bellville. The system was built in 1980 and currently serves 27 customers.

The system consists of one (1) 7'6" Diameter Gorman-Rupp underground sewage Lift station with Duplex T3A3-6 Pumps that have been upgraded with Super T rotating sections. Additional District #5 Assets are listed below:

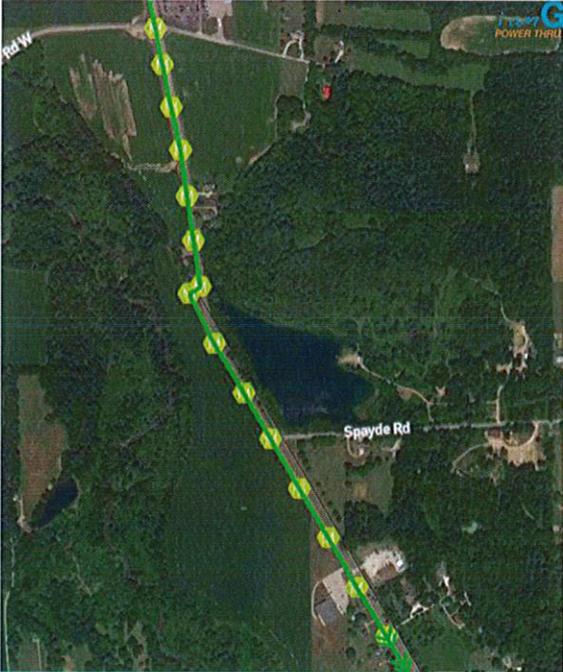
- 1 - 27ft Wet Well
- 60 - Sanitary Manholes
- 1 - Flow Meter Manhole - no Meter installed
- 1 - Air Release Manhole
- 1 - Air Release Valve

- 4,546.37 feet of 8" VCP Gravity Line (Vitrified Clay Pipe)
- 4,419.43 feet of 10" VCP Gravity Line
- 8,904 feet of 12" VCP Gravity Line
- 3,344.3 feet of 6" Ductile Iron Pipe - Force Main



Sewer District # 5 – Bellville SR 97 and I 71

Gravity lines and manholes to Underground Lift Station at the Corner of SR 97 and Bellville-Johnsville Rd



Gorman Rupp Underground Lift Station at the Corner of SR 97 and Bellville-Johnsville Rd



6" Force main from Lift Station to the former Bellville Wastewater Treatment Plant (Orange)
Air release manhole and valve (purple circle)

