

1 RESOLUTION NO. 2024-011

2

3 SPONSOR Executive Shapiro

4

5 DATE January 8, 2024

COMMITTEE Planning

6

7 **A Resolution to authorize the Executive to submit construction permit applications to the**
8 **Ohio Turnpike and Infrastructure Commission and to assume responsibility for the costs**
9 **and any liabilities arising from such construction on Turnpike property, located in the City**
10 **of Hudson, Village of Boston Heights, Boston Township, and Richfield Township, in**
11 **Council Districts 1 and 3, for the Executive, and declaring an emergency.**

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13 WHEREAS, this Council previously adopted Resolution 2022-192, which supported the
14 construction of a fiber optic ring throughout the County (the “Project”); and

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16 WHEREAS, in furtherance of the construction of the Project, permits to cross property
17 owned by the Ohio Turnpike and Infrastructure Commission (the “Commission”) located in the
18 City of Hudson, Village of Boston Heights, Boston Township, and Richfield Township, in
19 Council Districts 1 and 3, are required; and

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21 WHEREAS, the Commission, as a condition of issuing such permits, requires political
22 subdivisions to assume responsibility for all of the costs of construction, future maintenance of
23 the Project, and all liabilities and costs that may be incurred during the construction and life span
24 of the installation of any improvement crossing and located on Commission property; and

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26 WHEREAS, through this resolution, the County will assume responsibility for all of the
27 costs of construction, future maintenance of the Project, and all liabilities and costs that may be
28 incurred during the construction and life span of the Project which are constructed on
29 Commission property; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that it is necessary and in the best interest of the County of Summit to authorize the Executive to
33 submit permit applications and to enter into contracts with the Ohio Turnpike and Infrastructure
34 Commission as may be necessary to obtain permits to construct portions of the Project on
35 Commission property for the aforementioned reason;

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37 NOW THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
38 of Ohio, that:

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40 SECTION 1

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42 The County of Summit, with respect to work done on Commission property pursuant to
43 permits issued by the Commission to the County, assumes and shall be responsible for all related
44 costs of construction, including inspection, and for future maintenance of the Project, and it shall
45 relieve the Ohio Turnpike and Infrastructure Commission of all liabilities and costs that may be
46 incurred during and arising out of the construction and life span of the Project. The Executive is
47 hereby authorized on behalf of the County of Summit to submit permit applications and to enter
48 into contracts with the Ohio Turnpike and Infrastructure Commission as may be necessary to
49 obtain permits to construct portions of the Project on Commission property.

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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the residents of the County of Summit, and for the further reason that it immediately
8 facilitates construction of improvements located in the City of Hudson, Village of Boston
9 Heights, Boston Township, and Richfield Township, in Council Districts 1 and 3.

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11 SECTION 3

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13 Provided this Resolution receives the affirmative vote of eight members, it shall take
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
15 effect and be in force at the earliest time provided by law.

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17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
21 deliberations of this Council and of any of its committees that resulted in such formal action,
22 were in meetings open to the public, in compliance with all legal requirements, including Section
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED January 8, 2024

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28 ADOPTED January 29, 2024

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30 DocuSigned by:
Margie Willis
31 5500BEF400F5451...

32 CLERK OF COUNCIL

33

DocuSigned by:
Veronica R Sims
C85A940FE4BA42A...

PRESIDENT OF COUNCIL

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35 APPROVED January 29, 2024

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37 DocuSigned by:
Steve Shapiro
38 CBD33E40D267473...

39 EXECUTIVE

40

Voice Vote – YES: 10 – 0: Darrow,
Dickinson, Donofrio, McKenney,
Rodgers, Schmidt, Sims, Walters, Wiedie
Higham, Wilhite
Absent: DeVitis

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42 ENACTED EFFECTIVE January 30, 2024