

1 RESOLUTION NO. 2011-484

First Reading Passage Requested  
(J. Dodson)

2  
3 SPONSOR Mr. Pry

4  
5 DATE November 21, 2011

COMMITTEE Public Works

6  
7 **A Resolution authorizing the County Executive to execute an amendment to the existing**  
8 **sanitary sewer service agreement between the County and the Northeast Ohio Regional**  
9 **Sewer District dated October 22, 1987, to revise the method of charging the County for**  
10 **sanitary sewer service, for the Executive's Department of Environmental Services, and**  
11 **declaring an emergency.**

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13 WHEREAS, on or about July 5, 1984, the County entered into an agreement with the  
14 Northeast Ohio Regional Sewer District ("NEORS") under which NEORS provided sanitary  
15 sewer services on a master meter basis to the County, including a requirement that the County  
16 pay for all charges based on eighty percent (80%) of the metered flow to NEORS; and

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18 WHEREAS, on or about October 22, 1987, the County entered into an agreement with  
19 NEORS in order to expand the service area within Summit County under which NEORS  
20 provides sanitary sewer services to the County, continuing the master meter requirement that the  
21 County pay for all charges based on eighty percent (80%) of the metered flow to NEORS; and

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23 WHEREAS, for the past several months, the County Executive and representatives of  
24 NEORS have been in negotiations to reduce the percentage of the metered flow upon which  
25 charges are based and to migrate away from a master meter billing model to a billing model  
26 based on water consumption by the County's customers; and

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28 WHEREAS, as a result of those negotiations, the County Executive has recommended,  
29 and has requested authorization to sign, an amendment to the existing agreement with NEORS  
30 to reduce the percentage of the metered flow upon which charges are based over the period of  
31 2012 to 2016 and to provide for a migration from master meter billing to a billing model based  
32 on water consumption by the County's customers; and

33  
34 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
35 that it is necessary and in the best interest of the County of Summit to authorize the Executive to  
36 execute an amendment to the existing sanitary sewer service agreement to provide for the  
37 changes set forth above;

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

41  
42 SECTION 1

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44 The County Executive is hereby authorized to execute an amendment to the existing  
45 sanitary sewer service agreement between the County and the Northeast Ohio Regional Sewer  
46 District dated October 22, 1987, whereby said amendment will reduce the percentage of the  
47 metered flow upon which charges are based over the period of 2012 to 2016 and to provide for a  
48 migration from master meter billing to a billing model based on water consumption by the  
49 County's customers. A copy of said amendment is attached hereto as Exhibit A and incorporated  
50 herein by reference. The County Executive is further authorized to make any changes to the  
51 amendment attached hereto, provided that the same are not adverse to the County, which shall be  
52 conclusively evidenced upon signature by the Executive.

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SECTION 2

This Resolution is hereby declared to be an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further reason to immediately authorize the execution of the aforementioned agreement so that it may be executed and effective prior to the beginning of the 2012 calendar year.

SECTION 3

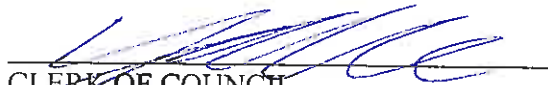
Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect and be in force at the earliest time provided by law.

SECTION 4

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

INTRODUCED November 21, 2011

ADOPTED November 21, 2011

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

APPROVED November 22, 2011  
~~November 22, 2011~~

  
EXECUTIVE

ENACTED EFFECTIVE November 22, 2011

Voice Vote:11-0: YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro