

1 RESOLUTION NO. 2017-008

2
3 SPONSOR Ms. Shapiro

4
5 DATE January 30, 2017 COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute the Second Supplemental**
8 **Agreement with the Stark County Board of Commissioners for Stark County to contribute**
9 **to the cost of the Upper Tuscarawas Waste Water Treatment Plant Improvement Project**
10 **Q-949 in the amount of \$1,402,687.90, for the Executive's Department of Sanitary Sewer**
11 **Services, and declaring an emergency.**

12
13 WHEREAS, on September 3, 1993, the County of Summit ("Summit County") and the
14 Stark County Board of Commissioners ("Stark County") entered into an Agreement which relates
15 to the Upper Tuscarawas Wastewater Treatment Plant ("Original Agreement"); and

16
17 WHEREAS, in Section 1.05 of the Original Agreement, Stark agreed to contribute
18 financially to the certain capital costs to improve the Upper Tuscarawas Waste Water Treatment
19 Plant in an amount equal to its proportionate share of its current capacity; and

20
21 WHEREAS, on October 8, 2004, Stark County and Summit County entered into a First
22 Amendment to the Summit/Stark County Sanitary Sewer Service Agreement Upper Tuscarawas
23 Waste Water Treatment Plant Improvement to provide for capital contributions to the Upper
24 Tuscarawas Waste Water Treatment Plant Improvement (Q-908 Phase 1 and 2); and

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26 WHEREAS, the parties now desire to supplement the Original Agreement in order to pay
27 for certain improvements known as the Upper Tuscarawas Wastewater Treatment Plant
28 Improvement Project No. Q-949 ("Project Q-949"), which is now completed; and

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30 WHEREAS, construction costs for Project Q-949 totaled \$5,610,751.57 and Stark County
31 will pay twenty-five percent (25%) of said construction costs based upon its commitment to
32 contribute to the improvements to the Upper Tuscarawas Wastewater Treatment Plant, which is in
33 the amount of \$1,402,687.90; and

34
35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
36 that it is necessary and in the best interest of the County of Summit to authorize the County
37 Executive to execute the Second Supplemental Agreement with the Stark County Board of
38 Commissioners for Stark County to contribute to the cost of the Upper Tuscarawas Waste Water
39 Treatment Plant Improvement Project Q-949, in the amount of \$1,402,687.90;

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

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44 SECTION 1

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46 The County Executive is hereby authorized to execute the Second Supplemental
47 Agreement of the Summit/Stark County Sanitary Sewer Service Agreement Upper Tuscarawas
48 Waste Water Treatment Plant Improvement Q-949 ("Second Supplemental Agreement") with the
49 Stark County Board of Commissioners ("Stark County"), in which Stark County shall pay to the
50 County of Summit \$1,402,687.90 for its share of the costs for said project. The Executive is
51 hereby authorized to execute said Second Supplemental Agreement in substantially the form
52 attached hereto as Exhibit A.
53

1 RESOLUTION NO. 2017-008

2 PAGE TWO

3
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 citizens of the County of Summit, and for immediately authorizing the Executive
8 to execute the Second Supplemental Agreement to receive funds for Stark County's share of
9 construction of the Upper Tuscarawas Waste Water Treatment Plant Improvement Project Q-
10 949.

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12 SECTION 3

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

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18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating
21 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
22 deliberations of this Council and any of its committees that resulted in such formal action, were
23 in meetings open to the public, in compliance with all legal requirements, including Section
24 121.22 of the Ohio Revised Code.

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27 INTRODUCED January 9, 2017

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29 ADOPTED January 30, 2017

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34 CLERK OF COUNCIL

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43 PRESIDENT OF COUNCIL

APPROVED January 31, 2017

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Voice Vote: YES 11-0 Crawford, Dickinson, Donofrio, Feeman, Hamilton,
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