RESOLUTION NO. 2012-063

SPONSOR Mr. Pry

DATE March 5, 2012

COMMITTEE Public Works

A Resolution authorizing the County Executive to enter into a Water Pollution Control Loan Fund loan agreement in an amount not to exceed $2,000,000.00 to finance the design and construction of the Columbine Service Area Sanitary Sewer Improvements Project Q-948, located in Council District 8, for the Executive's Department of Environmental Services, and declaring an emergency.

WHEREAS, the Executive has signed the Ohio Environmental Protection Agency ("EPA") Director's Findings and Orders as authorized in Resolution No. 2010-002, which commits the County to install sanitary sewer in specified areas in Springfield Township and the Village of Mogadore, known as the Columbine neighborhood, to abate pollution from failing septic systems; and

WHEREAS, the Columbine Service Area Sanitary Sewer Improvements Project Q-948 ("Project") will install sanitary sewer in the Columbine neighborhood, as contemplated in the Ohio EPA Director's Findings and Orders; and

WHEREAS, the County intends to apply for a Water Pollution Control Loan Fund ("WPCLF") loan to finance the design and construction of the Project; and

WHEREAS, the WPCLF requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to authorize the Executive to enter into aforementioned WPCLF loan agreement;

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

SECTION 1

That the County Executive be and is hereby authorized to apply for a Water Pollution Control Loan Fund ("WPCLF") loan agreement, sign all documents for and enter into a Water Pollution Control Loan Fund loan with the Ohio Environmental Protection Agency ("EPA") and the Ohio Water Development Authority ("OWDA") in an amount not to exceed $2,000,000.00 to finance the design and construction of the Columbine Service Area Sanitary Sewer Improvements Project Q-948 ("Project"), located in Council District 8.

SECTION 2

It is estimated that the total cost of Project will not exceed $2,000,000.00. The interest rate for the 20-year loan shall not exceed 3.4 percent per year. The dedicated source of repayment will be the Sanitary Sewer Enterprise Fund.
SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason that it will immediately allow the County to obtain funds for the design and construction of the Project and to abate pollution from failing septic systems.

SECTION 4

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 5

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 all legal requirements, including Section 121.22 of the Ohio Revised Code.

INTRODUCED__February 13, 2012__

ADOPTED__March 5, 2012__

CLERK OF COUNCIL

APPROVED__March 5, 2012__

EXECUTIVE

ENACTED EFFECTIVE__March 5, 2012__

Voice Vote: 8-0 YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Rodgers, Roemer, Schmidt ABSENT:Lee, Prentice, Shapiro