RESOLUTION NO. 2012-464

SPONSOR ________ Mr. Pry ________

DATE December 10, 2012 COMMITTEE ________ Public Safety ________

A Resolution authorizing the County Executive to execute a cooperative agreement with Diamond Towers II, LLC, on behalf of FirstEnergy Corp., subject to the approval of the Board of Control, for land use and the construction of a communications tower in Twinsburg Township, in Council District 1, supporting the 800 MHz Regional Radio System, to be funded through the Fiscal Year 2010 State Homeland Security Program grant, for a total cost not to exceed $360,000.00 for the Executive's Department of Law, Insurance and Risk Management – Division of Public Safety, and declaring an emergency.

WHEREAS, the County of Summit wishes to relocate its 800 MHz communications equipment from the existing location to a new location in Twinsburg Township, in Council District 1, as a cost savings measure; and

WHEREAS, the Summit County Domestic Preparedness Steering Committee has approved the use of Fiscal Year 2010 State Homeland Security Program grant funds, in an amount not to exceed $360,000.00, to aid in this effort; and

WHEREAS, FirstEnergy Corp. is seeking to relocate its communications equipment and has land available which it is willing to contribute to the project in exchange for the right to co-locate its equipment on the tower; and

WHEREAS, Diamond Towers II, LLC, as the exclusive agent for FirstEnergy Corp., will construct a 300-foot tower on the FirstEnergy Corp. property for use by First Energy Corp. and the County of Summit; 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 County Executive to execute the aforementioned cooperative agreement with Diamond Towers II, LLC, on behalf of FirstEnergy Corp., subject to the approval of the Board of Control.

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

SECTION 1

The County Executive is authorized to execute a cooperative agreement with Diamond Towers II, LLC, on behalf of FirstEnergy Corp., subject to the approval of the Board of Control, for land use and construction of a communications tower in Twinsburg Township, in Council District 1, supporting the 800 MHz Regional Radio System, to be funded through the Fiscal Year 2010 State Homeland Security Program grant, for a total cost not to exceed $360,000.00.
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SECTION 2

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 authorizes the Executive to immediately execute the aforementioned cooperative agreement with Diamond Towers II, LLC, on behalf of FirstEnergy Corp., so that the aforementioned grant funds may be expended within the applicable grant period.

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 of 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 November 26, 2012

ADOPTED December 10, 2012

CLERK OF COUNCIL

APPROVED December 11, 2012

EXECUTIVE

ENACTED EFFECTIVE December 11, 2012

Voice Vote: 9-0. YES: Comunale, Crawford, Feeman, Kurt, Lee, Prentice, Roemer Schmidt, Shapiro. Absent: Kostandaras, Rodgers