

1 RESOLUTION NO 2010-532

LATE FILING

2  
3 SPONSOR Mr. Pry and Mr. Kostandaras

4  
5 DATE November 29, 2010

COMMITTEE Rules

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8 **A Resolution requesting and encouraging the Northeast Ohio Regional Sewer District**  
9 **("NEORSRD") to cease further acts toward the implementation of its proposed sewer rate**  
10 **increase until such time as NEORSRD has discussed the impact of its proposal with all**  
11 **affected communities, including the County of Summit, and received information and**  
12 **feedback from those communities on the impact of the proposal, for the Executive and**  
13 **County Council, and declaring an emergency.**

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15 WHEREAS, the County of Summit, through its Department of Environmental Services,  
16 discharges certain sewer flow from the northern part of Summit County to the Northeast Ohio  
17 Regional Sewer District ("NEORSRD"), and, by contract, pays NEORSRD for the treatment of said  
18 flow; and

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20 WHEREAS, NEORSRD has recently announced plans to significantly increase the rates it  
21 charges its customers over the next several years in order to pay for certain improvements within  
22 NEORSRD's territory for combined sanitary-storm sewer issues and related overflows; and

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24 WHERAS, it is this Council's belief that none of the flow discharging from the County's  
25 sewers for treatment by NEORSRD originates in combined sanitary-storm sewers within Summit  
26 County, and, as a result, the County does not contribute to the combined sanitary-storm sewer  
27 issues present in NEORSRD's territory in areas such as Cuyahoga County; and

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29 WHEREAS, the substantial rate increase proposed by NEORSRD threatens to significantly  
30 increase the rate that the County pays NEORSRD for the cost to treat the sewer flow discharged to  
31 NEORSRD by the County; and

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33 WHEREAS, any significant increase in treatment cost from NEORSRD would need to be  
34 passed on to the County's sewer customers through the Department of Environmental Services;  
35 and

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37 WHEREAS, given the size and nature of the rate increases, this Council believes it is  
38 necessary and proper for NEORSRD to take additional time in presenting and discussing its  
39 proposal with all affected communities, including the County of Summit, in order to provide  
40 sufficient time for those communities to evaluate the proposal and provide critical feedback and  
41 information; and

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43 WHEREAS, this Council finds and determines that it is necessary, and in the best interest  
44 of the County of Summit, to encourage NEORSRD to cease any further acts toward the  
45 implementation of its proposed rate increase until such time as NEORSRD has discussed the  
46 impact of its proposal with all affected communities, including the County of Summit, and  
47 received information and feedback from those communities on the impact of the proposal.

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

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SECTION 1

This Council hereby requests and encourages the Northeast Ohio Regional Sewer District ("NEORS") to cease any further acts toward the implementation of its proposed sewer rate increase until such time as NEORS has discussed the impact of its proposal with all affected communities, including the County of Summit, and received information and feedback from those communities on the impact of the proposal.

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 to request a cessation of any acts toward the implementation of a sewer rate increase before any additional acts are taken by NEORS.

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 29, 2010

ADOPTED November 29, 2010

Shirley P. Green  
CLERK OF COUNCIL

[Signature]  
PRESIDENT

APPROVED November 29, 2010

[Signature]  
EXECUTIVE

November 29, 2010  
ENACTED EFFECTIVE

VOICE VOTE: 9-2 Yes: Komunale, Feeman, Kostandaras, Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith NO: Crossland, Crawford

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