

RESOLUTION NO. 4-09-3

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO EXECUTE AND FILE FOR A COOPERATIVE AGREEMENT WITH OHIO ENVIRONMENTAL PROTECTION AGENCY WATER POLLUTION CONTROL LOAN FUND AND THE OHIO WATER DEVELOPMENT AUTHORITY FOR PLANNING, DESIGN AND CONSTRUCTION OF THE WEST END SEWER TRUNKLINE AND REPLACEMENT OF THE WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO PERFORM ALL ACTS AND EXECUTE ALL CONTRACTS AND DOCUMENTS TO FULFILL THE VILLAGE OF NEW CONCORD'S OBLIGATIONS UNDER SAID AGREEMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Village of New Concord (hereinafter referred to as the "LGA") has determined the need for the construction of certain sanitary sewer facilities as described in the exhibit to Exhibit A attached hereto and made a part hereof; and

WHEREAS, the LGA desires to cooperate with the Ohio EPA Water Pollution Control Loan Fund (hereinafter referred to as the WPCLF) and the Ohio Water Development Authority (hereinafter referred to as the "OWDA") in the construction of such facilities through the OWDA's Local Government Agency Program, instituted pursuant to Regulations adopted by the OWDA on December 6, 1979, as amended; and

WHEREAS, the WPCLF and OWDA have stated its desire to cooperate in the construction of such facilities under provisions, terms and conditions set forth in Exhibit A.

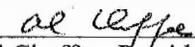
NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of New Concord, Ohio that:

Section 1. That the LGA hereby approves the conditions set forth in the "Cooperative Agreement for construction, maintenance and operations of State Sanitary Sewer Project" as set forth in Exhibit A and hereby authorize the Village Administrator on behalf of the LGA to execute such an agreement with the WPCLF and OWDA.

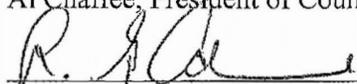
Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said Village for the reasons that the immediate construction of the sanitary sewer facilities at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing the adequate treatment of sanitary sewage; wherefore, this resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: April 13, 2009

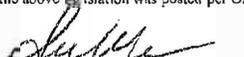

Al Chaffee, President of Council

APPROVED: April 13, 2008


R. Gregory Adams, Mayor

ATTEST: 
Sue Wilson, Fiscal Officer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.


Sue Wilson, Fiscal Officer