

Village of Bolivar, Ohio

Ordinance Number: O-23-2024

TITLE: AN ORDINANCE TO AUTHORIZE THE MAYOR OF THE VILLAGE OF BOLIVAR TO EXECUTE AN AMENDMENT NO. 1 TO A METER READING AGREEMENT WITH THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

WHEREAS, the Legislative Authority for the Village of Bolivar previously entered into an agreement with the Tuscarawas County Metropolitan Sewer District (“TCMSD”), which is formed under the administration, authority, and control of the Board of Commissioners of Tuscarawas County, Ohio (the “County”), to allow TCMSD to supply adequate amounts of water to the Village (the “Water Agreement”); and

WHEREAS, on or about November 25, 2024, TCMSD and the County informed the Village of Bolivar of a need to enter into Amendment No. 1 to the Water Agreement and a copy of Amendment No. 1 is attached hereto as Exhibit A; and

WHEREAS, the Legislative Authority for the Village of Bolivar desires to authorize the Mayor to sign Amendment No. 1 to the Water Agreement to allow TCMSD to continue to supply water to the Village of Bolivar.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BOLIVAR, COUNTY OF TUSCARAWAS, STATE OF OHIO, A MAJORITY OF ITS MEMBERS ELECTED THERETO CONCURRING, THAT:

SECTION 1. The Legislative Authority for the Village of Bolivar authorizes the Mayor to execute Amendment No. 1 to the Water Agreement with TCMSD and the County to allow TCMSD to continue to supply for adequate amounts of water to the Village.

SECTION 2. A copy of Amendment No. 1 is attached hereto as Exhibit A.

SECTION 3. The Legislative Authority for the Village of Bolivar Authorizes the Fiscal Officer to pay any and all sums due under the terms of Amendment No. 1 and the Water Agreement.

SECTION 4. This Ordinance repeals all previous Ordinances, Resolutions, or parts thereof in conflict herewith.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any its committees that resulted in such formal action were in

meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is hereby declared to be an emergency measure in accordance with R.C. 731.30 for the immediate preservation of the public peace, health, safety, and general welfare for the reason that it is necessary for the Village to have access to adequate and necessary amounts of water; and, this Resolution shall be in full force and effective immediately upon its passage.

PASSED IN COUNCIL this 5 day of December, 2024.

Attest:

Robert Lloyd, Mayor

Maria App, Fiscal Officer

Approved as to Legal Form by:

Stephan P. Babik, Village Solicitor