

Resolution authorizing the acceptance of the emergency transfer of Cordell Regional Public Utilities, Inc. Water distribution system

(Sanitary Engineering)

WHEREAS, the Franklin County Department of Sanitary Engineer, on behalf of the Franklin County Board of Commissioners, owns and operates a water distribution and sanitary sewer system servicing certain areas near its Darbydale Waste Water Treatment Plant in Franklin County, Ohio; and

WHEREAS, Cordell Regional Public Utilities currently owns and operates a water distribution and sewerage treatment system providing service to Timberlake Subdivision; and

WHEREAS, the parties herein have been negotiating the transfer of the Cordell Assets to Franklin County, on terms which both parties, the Public Utilities Commission of Ohio, the Ohio Environmental Protection Agency, and the Ohio Attorney General's Office do not object to, and which will abate certain water pollution issues caused by the operation of the existing Cordell waste water treatment system; and

WHEREAS, the Cordell water distribution system suffered a catastrophic failure on Tuesday June 14, 2011, and currently they have no ability to deliver potable water to their customers; and

WHEREAS, in anticipation of the transfer of the system, Franklin County has been working to connect the Cordell system into Franklin County's water distribution system, and has the current ability to provide such service; and

WHEREAS, The Public Utilities Commission of Ohio passed an emergency resolution on June 15, 2011 authorizing Franklin County to provide water services to the Cordell customers; and

WHEREAS, Cordell has proposed the emergency transfer of its water distribution assets, as set forth in the attached Exhibit A; now, therefore,

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BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

1. That, in accordance with the preamble, which is incorporated herein, the Franklin County Board of Commissioners of Franklin County, Ohio, hereby approves the acceptance on an emergency basis, the transfer of the Cordell Regional Public Utilities water distribution system, pending final approval of documents which will permanently transfer the water distribution and sewerage treatment systems of Cordell Regional Public Utilities on terms and conditions approved by Franklin County, and further authorizes the Sanitary Engineer to execute the letter agreement attached hereto as Exhibit A.

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