

# RECORD OF RESOLUTION

Resolution No. 2020-R-16 Passed December 21, 2020  
YEAR

VILLAGE COUNCIL OF NORTH FAIRFIELD, OHIO  
RESOLUTION NO. 2020-R-16

OPERATOR OF RECORD  
WATER SYSTEM  
OAC 3745-7-02

A RESOLUTION DESIGNATING AN OPERATOR OF RECORD TO OVERSEE THE TECHNICAL OPERATION OF THE PUBLIC WATER SYSTEM AND AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO CONTRACT AND DECLARING AN EMERGENCY

WHEREAS, the Village owns and operates a public water system provided by RC 715.08; and

WHEREAS, Section 3745-7-02 of the Ohio Administrative Code requires that the owner or operator of a public water and/or sewerage system shall designate one or more operator of record to oversee the technical operation of the works, systems, plants and facilities; and

WHEREAS, the Fiscal Officer has informed Council that the contract/agreement for the previously designated licensed water/sewerage Operator of Record will expire on December 31, 2020.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NORTH FAIRFIELD, STATE OF OHIO: (RC 731.18)

SECTION 1. That Village Council hereby determines it is necessary to retain the services of a licensed Operator of Record to oversee the technical operation of the public water system and comply with Ohio Environmental Protection Agency rules and regulations.

SECTION 2. DESIGNATION OF OPERATOR OF RECORD. That as required by Sections 3745-7-02(A) (1) and (2), the following is hereby designated as Operator of Record for the Village public water and sewerage systems:

**BRETT DUNCAN**  
**#WS3-1102050-10**  
**#WW2-1102050-13**

SECTION 3. That the Village Administrator is hereby authorized and directed to enter into a contract/agreement ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, by and between the Village and the designated licensed Operator of Record.

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SECTION 4. AUTHORIZE AGREEMENT. That the contract shall be executed in the name of the village and signed on its behalf by the Village Administrator. [Section 731.141 of the Ohio Revised Code]

SECTION 5. DURATION. That the term of the contract/agreement authorized herein shall begin on January 1, 2021 and expire on December 31, 2021.

SECTION 6. SCHEDULE OF PAYMENT. That Council hereby authorizes a monthly retainer of One Thousand Dollars (\$1,000.00) as an independent contractor / 1099.

SECTION 7. NOTIFICATION. That pursuant to Section 3745-7-02(A)(1)(a) and (2)(b) the Village shall notify the director of the Ohio Environmental Protection Agency of the identity of an operator of record upon initiation or termination of service or upon request by the director.

SECTION 8. That this Resolution shall supersede any and all other previous Resolutions/Ordinances relating to the designation of the licensed Operator of Record.

SECTION 9. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 731.17(A)(2)]

SECTION 10. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): *The immediate effectiveness is necessary to assure uninterrupted service. The current contract expires 12/31/20.*

SECTION 11. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this Ordinance/Resolution shall take effect at the earliest period allowed by law.

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PASSED AND ADOPTED on this 21 day of December, 2020.

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: 0 ABSTAIN: 0

## AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

[Signature]  
MAYOR

[Signature]  
FISCAL OFFICER

First Reading: December 21, 2020  
Second Reading: Dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))  
Third Reading: Dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

APPROVED AS TO FORM,

[Signature]  
VILLAGE SOLICITOR, Steve Palmer

## CERTIFICATE OF POSTING

(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority (See Ord 2019-O-12) for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Fiscal Officer Office, 3 East Main St., North Fairfield, Ohio; and
- 2) North Fairfield Village Hall, 3 East Main St., North Fairfield, Ohio; and
- 3) North Fairfield Public Library, 5 East Main St., North Fairfield, Ohio; and
- 4) North Fairfield Post Office, 1 North Main St., North Fairfield, Ohio; and
- 5) Electronically online at official Village website

[Signature]  
FISCAL OFFICER

ATTACHMENT