

RECORD OF RESOLUTION

Resolution No. 2024-R-15

Passed November 18, 2024
YEAR

VILLAGE COUNCIL OF NORTH FAIRFIELD, OHIO
RESOLUTION NO. 2024-R-15

RESOLUTION OF AUTHORIZATION

RCAP

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO MAKE A WRITTEN CONTRACT **(SERVICE AGREEMENT)** WITH THE **RURAL COMMUNITY ASSISTANCE PARTNERSHIP (RCAP)** IN AN EFFORT TO PROMOTE SAFE DRINKING WATER AND PROPERLY TREATED EFFLUENT OF AND BY WATER AND WASTEWATER TREATMENT FACILITIES; AND DECLARING AN EMERGENCY

WHEREAS, Great Lakes Community Action Partnership (GLCAP) operates the Rural Community Assistance Partnership (RCAP), a non-profit dedicated to developing strategies for small communities to build and improve infrastructure, secure and administer funding, achieve compliance, and increase sustainability; and

WHEREAS, the Village of North Fairfield is the owner of a water system; and

WHEREAS, RCAP has proposed a Service Agreement to assist the Village in addressing water regulatory issues, and general technical assistance at no costs; and

WHEREAS, Village Council previously authorized the Village Administrator to enter the Service Agreement with **RCAP** by Motion of Council on the 4th day of November, 2024; and

WHEREAS, the Village Administrator is now seeking authorization **by resolution** to enter into the proposed written service agreement to be effective retroactively back to the date of the approval by Motion of Council; and

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

SECTION 1. AUTHORIZATION. That the Village Administrator is hereby authorized and directed to execute an **(SERVICE)** Agreement consistent with the terms of the following proposal/quote/estimate ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE:

SERVICE AGREEMENT between GLCAP-RCAP & Village of North Fairfield

SECTION 2. EXECUTION. 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 3. EFFECT. That this legislation shall take effect **RETROACTIVELY** on: 11/04/2024.

SECTION 4. RETROACTIVE. That Village Council expressly intends this legislation to operate retrospectively pursuant to Section 1.48 of the Ohio Revised Code. Council further finds that the retroactive application does not takes away or impair vested rights acquired under current existing laws, nor does it create new obligations, nor imposes a new duty, nor attaches a new disability, in respect to transactions or considerations already passed and adopted.

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SECTION 5. CONTACTS. Village Council hereby identifies and designates the following contacts for the purpose of this RCAP Service Agreement:

PRIMARY CONTACT: *Village Administrator*
ALTERNATE CONTACT: *The Operator of Record*
SECOND ALTERNATE CONTACT: *Fiscal Officer*

SECTION 6. DURATION. The Service Agreement shall be operational for 24 months from the date of signing.

SECTION 7. 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 8. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this legislation 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):

To begin addressing water regulatory issues ASAP.

SECTION 9. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this legislation was 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 legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 18 day of November, 2024.

ATTESTATION (RC 731.20)

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


MAYOR


FISCAL OFFICER

LEGISLATION READINGS ORC 731.17(A)

- (1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 11/18/24 Second Reading: Dispensed Third Reading: Dispensed

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ROLL CALL VOTE ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

Yes
Adam Rouse

Yes
Sharleen Coy

Yes
Jeremy Antill

Yes
Cody Hasker

Yes
Trevor Arnold

Yes
Joshua Ratcliffe

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

[Signature]
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF PUBLICATION ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

[Signature]
FISCAL OFFICER

ATTACHMENT(S) TO FOLLOW