

RESOLUTION 2018-66

A RESOLUTION DETERMINING TO INTERVENE IN LITIGATION BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO AND THE CITY OF CINCINNATI, OHIO OVER WATER RATES, AND DISPENSING WITH A SECOND READING

WHEREAS, the Board of County Commissioners of Hamilton County, Ohio has instituted litigation against the City of Cincinnati, Ohio in the Court of Common Pleas of Hamilton County, Ohio case number A 1804690 over the rates for water services that citizens of townships in Hamilton County, Ohio will pay in the future; and

WHEREAS, such litigation is of vital importance to the water rate payers in Symmes Township as such litigation could establish the rates to be paid for water services by Symmes Township residents and business; and

WHEREAS, the Board of Township Trustees wishes to intervene in the litigation in order to ensure that the interests of Symmes Township and its residents and businesses are protected; and

NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Symmes Township, State of Ohio:

SECTION 1. The Board hereby approves the intervention by the Board of Township Trustees of Symmes Township, Hamilton County, Ohio in the litigation captioned Board of County Commissioners of Hamilton County, Ohio vs. the City of Cincinnati, Ohio in Hamilton County, Ohio Common Pleas Court Case Number A 1804690. Such intervention is necessary in order to protect the interests of Symmes Township and its residents and businesses. This approval extends to any other litigation that has or may be filed which could affect the rates paid for water services by Symmes Township, its residents and businesses.

SECTION 2. The Symmes Township Law Director is hereby authorized to file any such intervention set forth in Section 1 of this Resolution and to take any other action deemed necessary in order to protect the interests of Symmes Township and its residents and businesses with regard to the rates paid for water services.

SECTION 3. The Board of Township Trustees of Symmes Township, by at least two-third vote of all of its members, dispenses with any requirement that this Resolution be read on two separate days and authorizes its passage upon one reading.

SECTION 4.

It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5.

This Resolution shall take effect on the earliest date allowed by law.

ADOPTED: SEPTEMBER 10, 2018 – RESOLUTION G2018-66

Vote Record: Mr. Bryant _____ Mr. Beck _____ Ms. Leis _____

PASSED at the meeting of the Board of Trustees this 10th day of September, 2018.

Kenneth N. Bryant, President

Philip J. Beck, Vice President

Jodie L. Leis, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 10th day of September, 2018.

Carol A. Sims
Symmes Township Fiscal Officer

APPROVED AS TO FORM:

Kevin C. McDonough, Law Director