

ORDINANCE #19-2010

**TO AUTHORIZE AND DIRECT THE EXECUTION OF A SCHEDULE BETWEEN THE
VILLAGE OF WOODVILLE, OHIO AND THE MUNICIPAL ENERGY SERVICES
AGENCY (MESA), A MUNICIPAL JOINT VENTURE**

WHEREAS, the Village of Woodville, Ohio (hereinafter "Municipality") owns and operates an electric utility system for the benefit of its citizens and taxpayers; and

WHEREAS, activities must be taken from time to time to maintain the Municipality's electric system such that it can be operated in an efficient manner for the benefit of the electric customers of the Municipality; and

WHEREAS, MESA is a municipal joint venture which provides services for the planning, management, engineering, construction, safety training, and other technical aspects of the operation and maintenance of municipal utility systems; and,

WHEREAS, the Municipality and MESA are parties to a Master Services Agreement dated November 13, 2006 and assigned AMP Contract No. C-11-2005-4443, which governs the provision of services by AMP and MESA to the Municipality; and

WHEREAS, the Municipality may from time to time have a need for assistance, guidance, and expertise in the maintenance and operation of its electric utility system; and,

WHEREAS, MESA can make available to Municipality, and to other similarly situated municipalities, qualified personnel (hereinafter called "Consultant") who can provide planning, management, engineering, construction, safety training, and other technical services to assist in the operation and maintenance of the Municipality's electricity utility system, and MESA has certain equipment, materials and supplies which the Municipality may wish to purchase to meet needs associated with the said electrical utility system; and,

NOW, THEREFORE, be it ordained by the Council of the Village of Woodville, Ohio:

SECTION 1. That the Schedule for Energy Services Consultant between the Municipality and MESA substantially in the form attached hereto, or on file with the Village Clerk-Treasurer's Office, is hereby approved.

SECTION 2. That the Village Administrator, James R. Rickard be, and hereby is, authorized to execute the Schedule for Energy Services Consultant and is authorized to execute and deliver the Schedule on behalf of the Municipality with such changes, if any, as the Village Administrator shall deem necessary and advisable, such Schedule to remain substantially in the form attached hereto, or on file with the Village Clerk-Treasurer's Office.

SECTION 3. That the Clerk of Council or other appropriate official is authorized and empowered to attest the Schedule so executed and to take whatever other actions are necessary to make the Schedule effective, legal, and binding upon the Municipality.

SECTION 4. That the Village Administrator is also authorized and directed to execute any consent or supplemental agreement necessary for MESA to assign the Schedule for Energy Services Consultant upon the reasonable request of MESA representatives.

SECTION 5. That it is found and determined that all formal actions of the Council of the Village, Sandusky County, Ohio concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action took place in meetings open to the public and in compliance with all legal requirements, including 121.22 of the Ohio Revised Code.

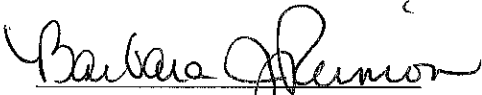
SECTION 6. That if any section, subsection, paragraph, clause or provision or any part thereof of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication and all the remaining provisions of this ordinance shall remain in full force and effect as though such section subsection, paragraph, clause, or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 7. That this Ordinance authorizing the execution of the Schedule for Energy Services Consultant shall take effect at the earliest date allowed by law.



Richard A. Harman, Mayor

ATTEST:



Barbara J. Runion, Clerk-Treasurer

Suspend the Rules: 7/26/2010
Yeas: 5
Nays: 0

Passage: 7/26/2010
Nays: 5
Yeas: 0