

**BOARD OF TOWNSHIP TRUSTEES
PRAIRIE TOWNSHIP
FRANKLIN COUNTY, OHIO**

The Board of Township Trustees (the "Board") of Prairie Township (the "Township"), Franklin County, Ohio met in regular session on September 9, 2009, at 7:00 p.m. at 23 Maple Drive, Columbus, Ohio 43228, with the following members present:

Doug Stormont

Steve Kennedy

Nicole Schlosser

Mr. Kennedy introduced the following resolution:

RESOLUTION NO. HR-01-09

A RESOLUTION OBJECTING TO AND OPPOSING THE PROPOSED WATER AND SEWER RATE INCREASES FILED BY OHIO AMERICAN WATER WITH THE OHIO PUBLIC UTILITIES COMMISSION AND RETAINING THE FIRM OF WATERHOUSE PUBLIC RELATIONS TO ASSIST THE BOARD IN SUCH OPPOSITION, DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY

PREAMBLE

WHEREAS, Prairie Township, Franklin County, Ohio (the "Township") has adopted a limited home rule form of government pursuant to Ohio Revised Code Chapter 504; and

WHEREAS, certain residents of the Township receive water and sewer services from Ohio American Water ("OAW"); and

WHEREAS, in June of 2009, OAW filed a request with the Ohio Public Utilities Commission of Ohio ("PUCO") to substantially increase rates for all of its residential customers in Ohio, including numerous residents of the Township, over a four year period as follows: 24.63% increase in April 2010; 22.30% increase in April of 2011; 6.82% in April of 2012; and 5.77% increase in 2013, resulting in a total increase of approximately 60%; and

WHEREAS, the request by OAW is their third rate increase request in four years and, if granted, will result in approximate increases of 240% in water rates and 300% in sewer rates since 1999 to these Township residents; and

WHEREAS, the PUCO mission is to "assure all residential and business consumers access to adequate, safe and reliable utility services at fair prices, while facilitating an environment that provides competitive choices;" and

WHEREAS, Township residents receiving OAW water and sewer services already pay a substantially higher and unfair rate for such services when compared with both other Township residents and residents of surrounding jurisdictions that receive such services from other utility providers; and

WHEREAS, due to the current difficult economic times and previous rate increases granted to OAW, the Board of Trustees of the Township believes a rate increase of 60% for water and sewer services is unjustified and will result in many Township residents not being able to afford water and sewer services; and

WHEREAS, the Board of Trustees believes it is in the best interests of the Township and its residents to oppose the proposed OAW water and sewer rate increase filed with the PUCO and to further urge the Commissioners of the PUCO to reject OAW's proposed rate increase; and

WHEREAS, the Board of Trustees believes that due to the timing of OAW's request and the effort required in order to mount an effective objection to said request, there is a need to take immediate action authorizing and organizing opposition to the proposed increase.

RESOLUTION

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Prairie Township, Franklin County, Ohio (the "Board") that the following Resolution be, and it hereby is, adopted:

Section 1. The Board hereby objects to and opposes the proposed OAW water and sewer rate increase as filed with the PUCO in June of 2009. The Board believes that OAW's requested increases are unfair, excessive and incapable of justification. The Board further agrees to support, assist and work with other governmental jurisdictions affected by the proposed OAW water and sewer rate increase in opposing such increases.

Section 2. The Board hereby requests that the Commissioners of the PUCO reject the proposed water and sewer rate increases as filed by OAW and secondarily requests that should PUCO grant an increase to OAW, that any increase be equitable to the consumer and be based upon fair and responsible calculations.

Section 3. The Board hereby authorizes and directs the Township Fiscal Officer to file and/or forward a copy of this Resolution to the Docketing Division of the PUCO, the Ohio Consumers' Counsel ("OCC"), Franklin County Commissioners, and each of the respective state legislators whose legislative districts encompasses the Township.

Section 4. The Board authorizes and appoints each of the following persons to appear and speak on behalf of the Board at any meeting and/or hearing to be held by the PUCO in its review of OAW's water and sewer rate increase proposal: each member of the Board; the Township Fiscal Officer; and/or such other Township employee(s) as each Trustee may deem necessary or desirable.

Section 5. The Board encourages all Township residents to contact the PUCO, the OCC, and their state legislators through letters and phone calls voicing their opinion on OAW's proposed water and sewer rate increases.

Section 6. The Board hereby retains the firm of Waterhouse Public Relations for the purpose of assisting the Board in its opposition to OAW's proposed rate increases. The total compensation for such services shall not exceed \$ 24,999.00 without further action by this Board. The Chairman, Don Stormont, is appointed, authorized and empowered to execute a contract with Waterhouse Public Relations on substantially the terms authorized herein.

Section 7. All formal actions of this Board, concerning and relating to the adoption of this Resolution, were adopted in an open meeting of this Board, and all deliberations of the Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8. This Resolution is hereby determined and declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of the Township and its residents and for the further reason that it is immediately necessary, without undue delay, to commence opposition to Ohio American Water's proposed water and sewer rate increases currently pending before the PUCO in order to preserve environmentally acceptable, fair and equitable water and sewer services and/or rates. This Resolution shall be in full force and effect immediately upon its adoption by the Board.

Following its introduction, the Resolution was read by the Township Fiscal Officer by title only.

Mr. Stormont moved to dispense with the second reading of the resolution and authorize the adoption of Resolution HR-01-09 upon it first reading. Ms. Schlosser seconded the motion and, after discussion, a roll call was taken and the results were:

Vote Record:	Yea	Nay
Ms. Schlosser	<u>X</u>	_____
Mr. Kennedy	<u>X</u>	_____
Mr. Stormont	<u>X</u>	_____

The second reading of Resolution HR-01-09 was dispensed with by a majority vote of the trustees.

Mr. Stormont moved the adoption of Resolution HR-01-09, and Mr. Kennedy seconded the motion and, after discussion, a roll call was taken and the results were:

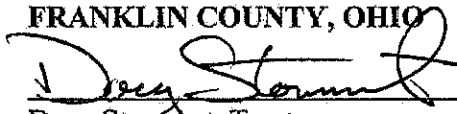
Vote Record:	Yea	Nay
Ms. Schlosser	<u>X</u>	_____
Mr. Kennedy	<u>X</u>	_____
Mr. Stormont	<u>X</u>	_____

Having received a unanimous affirmative vote of all the trustees, the resolution was adopted as an emergency measure, to become effective immediately.

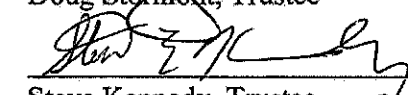
First Reading: September 9, 2009
Second Reading: Dispensed with
Effective: September 9, 2009

Adopted: September 9, 2009

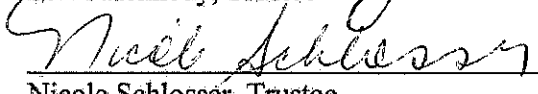
**PRAIRIE TOWNSHIP
BOARD OF TRUSTEES,
FRANKLIN COUNTY, OHIO**



 Doug Stormont, Trustee



 Steve Kennedy, Trustee




 Nicole Schlosser, Trustee

Attest and Certified

F. Dan McCardle, Township Fiscal Officer

APPROVED AS TO FORM:


 _____ 9-9-09
 Ron O'Brien, Township Law Director