

RESOLUTION () CONVEYING TUSCARAWAS COUNTY PORT AUTHORITY  
DISTRIBUTION AND OTHER PROJECT POWERS TO THE  
TUSCARAWAS VALLEY PORT AUTHORITY  
(Draft 11-22-2006)

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It was moved by Commissioner \_\_\_\_\_, seconded by Commissioner  
\_\_\_\_\_, to approve the following:

WHEREAS, under authority of Sections 4582.21 et seq. of the Ohio Revised Code (the “Act”), this board has previously adopted Resolution No. 696-2000 to create the Tuscarawas County Port Authority (the “Port Authority”); and

WHEREAS, this Board previously granted the Port Authority the powers and jurisdiction then and after permitted by the Act, except as permitted by Section 4582.22(B) restricted the Port Authority’s sole purpose to the development, construction, and operation of a recreational facility; and

WHEREAS, this Board thereafter adopted Resolution No. 691-2001 as permitted by Section 4582.22(B) to grant the Port Authority all powers and jurisdiction permitted by the Act; and

WHEREAS, the Tuscarawas Valley Port Authority (the “TVPA”) is being proposed by the Village of Mineral City, Tuscarawas County, State of Ohio for the purposes of acquisition, restoration, and administration of various telecommunication and transportation modes of distribution and for other beneficial uses of their rights-of-way; and

WHEREAS, it is this Board’s desire that the two port authorities’ powers and jurisdictions do not conflict with each other or interfere with their attempts to attain their stated goals; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Tuscarawas County, Ohio, that:

Section 1. Hereafter as permitted by Section 4582.22(B) the Port Authority is willingly released from its powers and jurisdictions regarding any acquisition, restoration, or administration of various telecommunication and transportation modes of distribution and for

other beneficial uses of their rights-of-way, and those powers and jurisdictions are hereby reserved to the TVPA.

Section 2. Any future questions or conflicts regarding powers, jurisdictions, or other issues shall be settled by a joint resolution among the Port Authority, the Board of Commissioners, the TVPA, and the Village of Mineral City.

Section 3. If the TVPA willingly relinquishes its powers and jurisdictions regarding any acquisition, restoration, or administration of various telecommunication and transportation modes of distribution and for other beneficial uses of their rights-of-way, the Board as permitted by Section 4582.22(B) may reassign those powers and jurisdictions to the Port Authority.

Section 4. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption pending creation of the TVPA by the Village of Mineral City.

The foregoing motion having been put to a vote, the result of the roll call was as follows:

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