

DANIEL M. HERRIGAN

IN THE COURT OF COMMON PLEAS  
SUMMIT COUNTY, OHIO

2012 JUL 26 PM 3: 22

|                              |   |                              |                 |
|------------------------------|---|------------------------------|-----------------|
| IN SUMMIT COUNTY             | ) | CASE NO.:                    | MS 2012-00-0042 |
| CLERK OF COURTS              | ) | (PREVIOUS CASE NOS. 259872,  |                 |
| TWIN-KEYSTONE WATER DISTRICT | ) | MISCELLANEOUS DOCKET, MISC.  |                 |
| FORMERLY KNOWN AS            | ) | NO. 450, AND MS2008-00-0040, |                 |
| TWINSBURG TOWNSHIP           | ) | JUDGE COSGROVE)              |                 |
| WATER & SEWER DISTRICT,      | ) |                              |                 |
|                              | ) | JUDGE STORMER                |                 |
|                              | ) |                              |                 |
|                              | ) | <u>ORDER</u>                 |                 |

The Court, based on the Petition from the Twin-Keystone Water District, formerly known as the Twinsburg Township Water & Sewer District, and having held a hearing, hereby approves the Petition of Water District for changes, and hereby Orders as follows:

(1) The Court's Order changing the District mandate relative to the filling of vacancies in the District Board of Trustees by authorizing the Twinsburg Township Board of Trustees to fill any vacancy by appointment as specified and set forth as follows:

| Current Member Name   | Curr. Term Ends | Successor To Be Appointed | Successor Appointed No Later Than | Successor Term Ends | 5-Year Term Begins |
|-----------------------|-----------------|---------------------------|-----------------------------------|---------------------|--------------------|
| <u>(representing)</u> | <u>12/31</u>    | <u>(representing)</u>     | <u>Than 01/01</u>                 | <u>12/31</u>        | <u>01/01</u>       |
| Bissell (AL)          | 2013            | Member (AL)               | 2014                              | 2016                | 2017               |
| Baxter (A)            | 2015            | Member (AL)               | 2016                              | 2018                | 2019               |
| Richner (A)           | 2013            | Member (AL)               | 2014                              | 2015                | 2016               |
| Marshall (A)          | 2013            | Alternate (AL)            | 2014                              | 2014                | N/A (Alt.)         |
| Baker (B)             | 2015            | Member (AL)               | 2016                              | 2017                | 2018               |
| G. Glover (B)         | 2013            | Member (AL)               | 2014                              | 2014                | 2015               |
| J. Glover (B)         | 2013            | Alternate (AL)            | 2014                              | 2014                | N/A (Alt.)         |

(Representation Key: AL = At-Large; A = Precinct A; and B = Precinct B)

(2) To reduce the current seven (7) member elected Board to a five (5) member Board appointed to five (5) staggered terms by the Twinsburg Township Board of Trustees, with two (2) alternate members appointed by the Twinsburg Township Board of Trustees to one (1) year terms.

(3) Due to annexation and border changes between Twinsburg Township and its surrounding municipalities, that the Court clarify Condition 3 of the 1966 Court Order to state as follows:

"The area of the proposed District shall include all of the unincorporated area of Twinsburg Township existing as of November 9, 1966. All areas located as of November 9, 1966, in the Village (now City) of Twinsburg shall be excluded from this District. All areas annexed subsequent to November 9, 1966, from the unincorporated area of Twinsburg Township to any neighboring municipality may be removed from this District by joint vote and agreement of the District Board (Water Board) and the respective municipal council, subject to the terms mutually agreeable to both applicable parties."

(4) That the 1968 Court Order be modified to state that on the date of journalization of the final Order in this matter, and subject to all transitional and exceptional provisions outlined below, the District Board of Trustees shall be changed from a seven (7) member elected Board to a five (5) member Board with two (2) alternates, all of whom shall be appointed by the Board of Twinsburg Township Trustees in the manner outlined herein. Each member and alternate shall be an adult and reside in the District from and after his or her date of appointment to the District Board of Trustees. There shall be no other

qualifications for appointment and no limit on the amount of time or number of terms that can be served as a member or alternate. The intent of the appointment process is to seek a broad range of District residents as members, along with relevant experience and interest. The Board of Township Trustees shall be guided by that intent in making such appointments, and shall follow the same general administrative procedures used in making appointments to Township Boards, Commissions, and Committees.

Member terms hereafter shall be five (5) years in length and staggered such that one (1) member term expires each year, and alternate terms hereafter shall be one (1) year in length, all as outlined in the table below:

| Current Member Name (representing) | Curr. Term Ends | Successor To Be Appointed (representing) | Successor Appointed No-Later Than | Successor Term Ends | 5-Year Term Begins |
|------------------------------------|-----------------|--|-----------------------------------|---------------------|--------------------|
|                                    | <u>12/31</u>    |  | <u>01/01</u>                      | <u>12/31</u>        | <u>01/01</u>       |
| Bissell (AL)                       | 2013            | Member (AL)                              | 2014                              | 2016                | 2017               |
| Baxter (A)                         | 2015            | Member (AL)                              | 2016                              | 2018                | 2019               |
| Richner (A)                        | 2013            | Member (AL)                              | 2014                              | 2015                | 2016               |
| Marshall (A)                       | 2013            | Alternate (AL)                           | 2014                              | 2014                | N/A (Alt.)         |
| Baker (B)                          | 2015            | Member (AL)                              | 2016                              | 2017                | 2018               |
| G. Glover (B)                      | 2013            | Member (AL)                              | 2014                              | 2014                | 2015               |
| J. Glover (B)                      | 2013            | Alternate (AL)                           | 2014                              | 2014                | N/A (Alt.)         |

(Representation Key: AL = At-Large; A = Precinct A; and B = Precinct B)

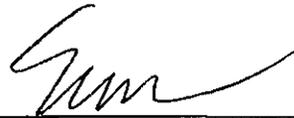
Current members shall be entitled to serve until either the end of their current elected terms or the appointment of their successors, whichever is later.

Should a current member's position become vacant for any reason prior to the applicable "Successor to be Appointed No Later Than . . ." date referenced in the table above, said vacancy shall be filled by appointment of the Board of Township Trustees to serve until the applicable new term ends date referenced in the table above.

Should a successor member or alternate position become vacant for any reason, that vacancy shall be filled by appointment of the Board of Township Trustees to serve for the unexpired successor (member or alternate) term.

(5). Costs to the Water District.

IT IS SO ORDERED.



JUDGE STORMER

APPROVED:



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