Middlebury Township Resolution 2016-06

OMESA - AMENDED ARTICLES OF INCORPORATION - WITHDRAWAL OF APPROVAL

WHEREAS, on May 11, 2016, the Middlebury Township Board, by resolution, voted to approve the proposed Amended Articles of Incorporation (Amended Articles) for the Ovid-Middlebury Emergency Services Authority (OMESA), of which Middlebury Township is an incorporating municipality along with the township of Ovid and the village* of Ovid under the current OMESA Articles of Incorporation (current Articles);

WHEREAS, the terms of the Amended Articles provide for an effective date of July 1, 2016, and whereas the current Articles provide that amendment of the current Articles requires and is expressly contingent upon the affirmative approval all three incorporating municipalities' governing bodies;

WHEREAS, the township of Ovid has not yet approved the Amended Articles and have indicated it will not be considering the Amended Articles for approval until some point after July 1, 2016, which is the effective date of the Amended Articles;

WHEREAS, at an OMESA board meeting on June 22, 2016, it was clear that both the township of Ovid and the city of Ovid were considering taking positions on the board of directors of another emergency services authority that provides ambulance services that are currently provided by OMESA, actions which will result in conflicts of interest, possible improper distribution of public funds, and may force either dissolution or fundamental reformation of OMESA; and

WHEREAS, discussion at this same June 22, 2016 OMESA meeting as well as at a June 15, 2016 work session revealed that provisions for determining the levels, methods, and processes involved in funding OMESA, among other items, needs to be addressed in any Amended Articles that the township might hereafter consider:

THEREFORE, BE IT RESOLVED that the Middlebury Township Board hereby withdraws its May 11, 2016 approval of the proposed OMESA Amended Articles of Incorporation.

Resolution moved by: Richard Semans Seconded by: Carolyn Stevens

Upon roll call, the following voted: Aye: Semans, Kiger, Stevens, Tomasek-Swan, Herendeen

Nay: None

The Supervisor declared the resolution adopted.

Date: June 29, 2016

Susan Tomasek-Swan
Middlebury Township Clerk

*The village of Ovid was reformed and incorporated as a city in late 2015.