

CASE NO. CV 10 714945

ASSIGNED JUDGE THOMAS J. POKORNY
(by assignment)

NORTHEAST OHIO REGIONAL SEWER
DISTRICT

VS BATH TOWNSHIP, OHIO, et al.

<input type="checkbox"/> 02 REASSIGNED <input type="checkbox"/> 03 REINSTATED (C/A) <input type="checkbox"/> 04 REINSTATED <input type="checkbox"/> 20 MAGISTRATE <input type="checkbox"/> 40 ARBITRATION <input type="checkbox"/> 65 STAY <input type="checkbox"/> 69 SUBMITTED	D I S P O S I T I O N	<input type="checkbox"/> 81 JURY TRIAL <input type="checkbox"/> 82 ARBITRATION DECREE <input type="checkbox"/> 83 COURT TRIAL <input type="checkbox"/> 85 PRETRIAL <input type="checkbox"/> 86 FOREIGN JUDGMENT <input type="checkbox"/> 87 DIS. W/O PREJ <input type="checkbox"/> 88 BANKRUPTCY/APPEAL STAY	<input checked="" type="checkbox"/> 81 DIS. W/PREJ <input type="checkbox"/> 91 COGNOVITS <input type="checkbox"/> 92 DEFAULT <input type="checkbox"/> 93 TRANS TO COURT <input type="checkbox"/> 95 TRANS TO JUDGE <input type="checkbox"/> 96 OTHER
NO. JURORS _____ START DATE ____/____/____ END DATE ____/____/____	COURT REPORTER _____ START DATE ____/____/____ END DATE ____/____/____		<input type="checkbox"/> PARTIAL <input checked="" type="checkbox"/> FINAL <input checked="" type="checkbox"/> POST CARD
DATE <u>06/18/2012</u> (NUNC PRO TUNC ENTRY AS OF & FOR ____/____/____)		CLERK OF COURTS	
SUPPLEMENTAL JOURNAL ENTRY O.S.J. CLERK ORDERED TO SEND A TIME-STAMPED COPY OF THE JOURNAL ENTRY TO ALL COUNSEL SO ORDERED		<div style="text-align: center;"> <p>_____</p> <p>JUDGE</p> </div>	

CV10714945
74442894



IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

NORTHEAST OHIO REGIONAL SEWER)
DISTRICT,)

Plaintiff)

v.)

BATH TOWNSHIP, OHIO, et al.,)

Defendants)

CASE NO. CV – 714945

JUDGE THOMAS J. POKORNY

SUPPLEMENTAL JOURNAL ENTRY
(Final Order, No Just Cause for Delay)

This matter came before the Court upon a Post Trial Hearing held on the 30th day of May, 2012. Pursuant to the Court's prior order of February 15, 2012, the Court adopts the following language of Title V, Section 5.0804(c):

“The District shall develop and provide stormwater-related curricula for grades 3, 5, 7 and 10. Delivering these curricula across these grades shall meet the requirements of the Stormwater Education Credit. The District shall also develop and provide student workbooks and teacher manuals for grades 3, 5, 7, and 10 to interested applicants. The successful completion of these workbooks by the students of interested applicants shall also meet the requirements of the Stormwater Education Credit.”

The Court further adopts the following language regarding crediting costs relating to credit applications:

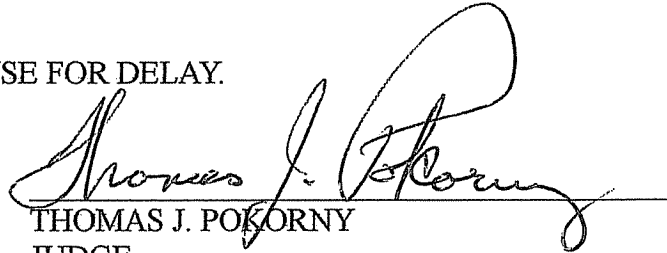
“An applicant's stormwater fee shall be reduced by the cost of engaging a licensed engineer to complete approved applications for Stormwater Fee Credits. The adjustment may be claimed one time only and shall be applicable only for the year the application is submitted. The reduction shall not exceed 10% of the annual pre-credit Stormwater Fee Adjustment. This reduction shall only be available to non-residential account holders.”

The Court further finds that the Plaintiff's Proposal IV providing for a declining block rate for non-residential property owners would satisfy equal protection requirements and eliminate disparate treatment of property owners. The Court does not, however, adopt the proposal at this time without further argument.

All other portions of the Court's Opinion shall remain.

All claims involving Richard G. Lennon, Bishop of the Diocese of Cleveland, the Catholic Cemeteries Association of the Diocese of Cleveland and the Cleveland Municipal School District Board of Education are settled and dismissed.

IT IS SO ORDERED. FINAL. NO JUST CAUSE FOR DELAY.


THOMAS J. POKORNY
JUDGE

RECEIVED FOR FILING

JUN 28 2012

GERALD E. FURST, CLERK
By  Deputy