**RESOLUTION NO: 011-2016**

**AN AMENDED RESOLUTION TO PROCEED WITH PLACING THE ISSUE ON THE BALLOT FOR A TWO AND THREE-TENTHS (2.30) MILL, FIVE (5) YEAR REPLACEMENT TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND DECLARING AN EMERGENCY**

WHEREAS, with Resolution 002-2016, adopted April 5, 2016, Council for the Village of Glenford, Ohio determined the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Village for current operating expenses, and it is necessary to replace a two and three-tenths (2.30) mill, five (5) year tax levy, in excess of said ten-mill limitation, for the purpose of paying current operating expenses for the Village of Glenford, pursuant to R.C. 5705.03, 5705.19(A) and R.C. 5705.192; and

WHEREAS, with Resolution 002-2016, adopted April 5, 2016, Council for the Village of Glenford, Ohio requested from the Perry County Auditor a Certificate of Estimated Property Tax Revenue indicating how much revenue will be provided by the two and three-tenths (2.30) mill replacement tax levy; and

WHEREAS, on April 6, 2016, the Perry County Auditor certified that the dollar amount of revenue that would be generated by the two and three-tenths (2.30) mill replacement tax levy is $3,410.00 annually during the life of the levy, assuming the total tax valuation ($1,746,130) remains the same throughout the life of the levy; and

WHEREAS, on May 3, 2016, Council for the Village of Glenford adopted a resolution to place this replacement levy on the ballot. However, soon after adopting this legislation and forwarding it to the Board of Elections, the Board of Elections contact the Village Solicitor and inquired about the ballot language, and in particular, the amount identified per one hundred thousand dollars in valuation; and

WHEREAS, although the Perry County Auditor was consulted when the original resolution was drafted, Council for the Village of Glenford now understands the original resolution contained a miscalculation; and

WHEREAS, after further consulting with the Perry County Auditor and the Board of Elections, Council for the Village of Glenford now wants to amend the ballot language so it accurately reflects the amount that each resident will pay per one hundred thousand dollars in valuation.

NOW, **THEREFORE, BE IT RESOLVED** by the Council for the Village of Glenford, Perry County, Ohio that

SECTION 1: The Village of Glenford hereby declares it will proceed with placing the issue on the ballot for a two and three-tenths (2.30) mill replacement levy for the purpose of providing for the current expenses of the Village for a period of five (5) years, commencing with tax year 2016. This proposed rate is the same as the rate of the existing levy.

SECTION 2: The proposed language on the question of the replacement levy on the ballot shall read as follows or in a manner similar to the following:

A replacement of a tax for the benefit of the Village of Glenford for the purpose of current expenses of the Village at a rate not exceeding two and three-tenths (2.30) mills for each one dollar of valuation, which amounts to $.23
for each one hundred dollars in valuation, for five (5) years.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

SECTION 3: The question approving the replacement levy as set forth in Section 2 shall be submitted to the electors of the Village of Glenford, Ohio at the election on November 8, 2016.

SECTION 4: The Fiscal Officer of the Village of Glenford is hereby authorized and directed to certify a copy of this Resolution to the Board of Elections of Perry County, accompanied by a copy of the Perry County Auditor’s certification, and shall include with this certification the rate of the tax levy, expressed in mills for each one dollar in tax valuation as estimated by the County Auditor.

SECTION 5: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 6: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 7: Pursuant to R.C. Chapter 5705, this Resolution shall take effect immediately. In the alternative, Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the Village needs this Resolution certified to the County Board of Election as soon as possible to make certain the replacement levy is placed correctly on the November 8th ballot. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council.

Passed in Council this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2016.

 Leonard Sheppard, Mayor

ATTEST:

Linda Nicodemus, Fiscal Officer

APPROVED:

Approved as to form this24th day of May 2016:



Brian M. Zets, Esq.

Village Solicitor