

RESOLUTION #20-05

ADOPTED June 22, 2020

A RESOLUTION TO PROCEED WITH PLACING THE ISSUE ON THE BALLOT FOR A TWO AND FOUR TENTHS (2.4) MILL, FIVE (5) YEAR RENEWAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES OF THE VILLAGE AND DECLARING AN EMERGENCY

WHEREAS, Council for the Village of Thornville has determined a tax is necessary to fund current expenses; and

WHEREAS, with Resolution #20-02, adopted on March 23, 2020, Council for the Village of Thornville determined the amount of taxes which may be raised within the ten (10) mill limitation of the tax levy will be insufficient to provide an adequate amount of revenue for current expenses of the Village; and

WHEREAS, with Resolution #20-02, adopted on March 23, 2020, Council for the Village of Thornville requested the Perry County Auditor certify the total current tax valuation of the Village of Thornville and the dollar amount of revenue that will be generated by a renewal tax levied in the amount of two and four tenths (2.4) mill for five (5) years for current expenses of the Village; and

WHEREAS, on April 7, 2020, the Perry County Auditor certified that the dollar amount of revenue that would be generated by the two and four tenths mill renewal tax levy is \$250,210.00 annually during the life of the levy, assuming the total current tax valuation (\$23,548,080.00) remains consistent throughout the life of the levy.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Thornville, County of Perry, State of Ohio, two-thirds of all members elected thereto concurring that:

SECTION 1: In accordance with R.C. 5705.03(A), the taxing authority of each subdivision may levy taxes annually on the real and personal property within the subdivision for the purpose of paying the current operating expenses of the subdivision and acquiring or constructing permanent improvements.

SECTION 2: Pursuant to R.C. 5705.19(A), the taxing authority of any subdivision at any time and in any year, by vote of two-thirds of all the members of the taxing authority may declare by resolution and certify the resolution to the Board of Elections not less than ninety (90) days before the election upon which it will be voted that the amount of taxes that may be raised within the ten (10) mill limitation will be insufficient to provide for the necessary requirements of the subdivision, and that it is necessary to levy a tax in excess of that limitation for current expenses of the Village.

SECTION 3: Council for the Village of Thornville hereby declares the amount of taxes that may be raised within the ten (10) mill limitation is insufficient to provide for current expenses of the Village and that it is necessary to levy a tax in excess of the 10 (10) mill limitation for the benefit of the Village for the purposes set forth herein.

SECTION 4: The tax levy shall be a two and four tenths (2.4) mill renewal levy in excess of the ten (10) mill limitation for the purposes of generating revenue for current expenses of the Village as provided for in R.C. 5705.19(A), for an extended period of five (5) years beginning January 1, 2021 (tax year 2021). This tax is a renewal of a levy for current expenses of the Village which expires in tax year 2020.

SECTION 5: A copy of this Resolution shall be certified to the Perry County Board of Elections immediately after its passage in a manner provided for the R.C. 5705.25, and the Board of Elections will cause notice of the election on the question of levying the tax to be given as required by R.C. 5705.191. The Resolution certified to the Board of Elections shall be accompanied by a copy of the County Auditor's certification and shall include with the certification the rate of the tax levy, expressed in mills for each dollar in tax valuation as estimated by the Perry County Auditor.

SECTION 6: The question of levying the renewal tax shall be submitted to the electors of the Village of Thornville at the general election to be held at the usual voting place within said Village on November 3, 2020.

SECTION 7: If the majority of electors voting on the renewal tax levy vote in favor thereof, the first calendar year in which the levy will be due is 2021. The tax levy shall first apply to the tax and duplicate for the tax year 2021.

SECTION 8: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thornville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 9: 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 10: 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 Elections as soon as possible to make certain it will be accepted by the Board of Elections and placed on the November 3, 2020 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 22 day of June, 2020.

  
Dan Harmon, Mayor

ATTEST:

  
Stephanie Reyher, Clerk of Council

APPROVED:

Approved as to form this 16<sup>th</sup> day of April 2020:

  
Brian M. Zets, Esq.  
Village Solicitor

I, Stephanie Reyher Clerk of Council of the Village of Thornville, Ohio, do hereby certify that the forgoing Resolution/ Ordinance is a true and exact copy of Resolution Ordinance No. 20-05 passed by Village Council in an open meeting on the 22<sup>nd</sup> of June, 2020.

  
Stephanie Reyher  
Clerk of Council