

Record of Resolution

Resolution No.: 2022-56

Passed: September 12, 2022

**AN EMERGENCY RESOLUTION DECLARING THE NECESSITY FOR AND
AUTHORIZING THE TRANSFER OF FUNDS BY THE VILLAGE OF WEST LAFAYETTE
FROM THE 608 PEARL VALLEY FRESNO FUND TO THE 602 SEWER FUND, PURSUANT
TO OHIO REVISED CODE SECTIONS 5705.15 AND 5705.16**

WHEREAS, the 608 Pearl Valley Fresno Fund was established in 2018 for the purpose of tracking Village spending on the County owned sewer system;

WHEREAS, the Village provided maintenance and the billing services to the County for the sewer system and the County in-turn paid the Village for those services, such payments being the source of funding for the 608 Fund;

WHEREAS, the moneys in the 608 Fund were used to facilitate the services the Village provided to the County;

WHEREAS, in 2021 the Village purchased the County sewer system;

WHEREAS, as a result of that purchase, funds in the amount of \$30,356.86 remain in the 608 Pearl Valley Fresno Fund are no longer needed to be tracked in this manner and the Village desires to transfer these excess funds back to the 602 Sewer Fund in order to streamline its bookkeeping for this service;

WHEREAS, the transfer of the excess funds in the amount of \$30,356.86 from the 608 Pearl Valley Fresno Fund to the 602 Sewer Fund will not adversely affect the financial stability of the Village nor have any other negative impact as the excess funds are no longer needed in the 608 Pearl Valley Fresno Fund;

WHEREAS, pursuant to Ohio Revised Code Sections 5705.15 and 5705.16, this Council, as the taxing authority of the Village, may adopt, by a majority vote, a resolution declaring the necessity of transferring the excess funds in the 608 Pearl Valley Fresno Fund to the 602 Sewer Fund;

WHEREAS, pursuant to Ohio Revised Code Sections 5705.15 and 5705.16, upon the adoption of this Resolution, the Village must petition the Ohio Tax Commissioner for review and approval of such transfer from the 608 Pearl Valley Fresno Fund to the 602 Sewer Fund; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the Village of West Lafayette to declare the necessity of transferring the excess funds in the amount of \$30,356.86 from the 608 Pearl Valley Fresno Fund to the 602 Sewer Fund and to petition the Ohio Tax Commissioner for the approval of said transfer.

BE IT RESOLVED BY THE COUNCIL OF WEST LAFAYETTE VILLAGE, OHIO, the majority of all members elected thereto concurring, that:

SECTION 1. This Council finds, determines, and declares that it is necessary to transfer the excess funds in the amount of \$30,356.86 from the 608 Pearl Valley Fresno Fund to the 602

Sewer Fund. Further, this Council finds that such necessity exists due to the fact that the excess funds in the amount of \$30,356.86 in the 608 Pearl Valley Fresno Fund are no longer needed for the 608 Pearl Valley Fresno Fund and the Village desires to transfer these excess funds to the 602 Sewer Fund in order to streamline its bookkeeping for this service.

SECTION 2. The Fiscal Officer is hereby authorized and directed to submit a Petition/Funds Transfer Request Form, as required by Section 5705.16 of the Ohio Revised Code, to the Tax Commissioner of Ohio requesting review and approval of the transfer of the excess funds in the amount of \$30,356.86 from the 608 Pearl Valley Fresno Fund to the 602 Sewer Fund, together with a certified copy of this Resolution and a full statement of proceedings of West Lafayette Village Council related to passage of this Resolution.

SECTION 3. Upon approval of said transfer by the Tax Commissioner of Ohio, the Fiscal Officer is hereby authorized to transfer \$30,356.86 from the 608 Pearl Valley Fresno Fund to the 602 Sewer Fund and is further authorized and directed to take any and all actions as may be necessary to carry out the purposes of this Resolution to effectuate the transfer of funds.

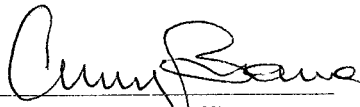
SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meeting of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This resolution is hereby declared to be an emergency measure immediately necessary for the preservation of health, safety and welfare of the residents of West Lafayette Village, Ohio, for the reason that it will expedite the process for approval of the transfer of funds necessary in order to streamline its bookkeeping for this service. It shall, therefore, take effect immediately upon the passage by the affirmative vote of not less than five (5) members elected to Council and approved by the Mayor or otherwise at the earliest time allowed by law.

PASSED IN COUNCIL THIS 12 day of September 2022.


Stephen R. Bordenkircher, Mayor

ATTEST:


Amy Bourne, Fiscal Officer