

RESOLUTION NO. 2022-09-01-001

VILLAGE OF WAYNE LAKES  
DARKE COUNTY, OHIO

A RESOLUTION OF NECESSITY FOR RENEWAL OF A PREVIOUSLY-  
VOTED TAX LEVY OF 1.0 MILL FOR THE PURPOSE OF CURRENT  
EXPENSES FOR THE VILLAGE OF WAYNE LAKES, OHIO AND  
DECLARING AN EMERGENCY FOR THE SAME.

The Council for the Village of Wayne Lakes, Darke County, Ohio ("Council") met in session on August 1<sup>st</sup>, 2022, with the following members present:

Rita Robinette

Danny Saunders

John Swindler

Troy Stewart

Jacob Butsch

Robert Ewry, Jr.

Troy Stewart moved the adoption of the following Resolution:

**PREAMBLE**

WHEREAS, by Resolution 4-2016, and subsequent approval by the voters, the Village of Wayne Lakes, Ohio ("Village") renewed a 1.0 Mill levy for additional funds for current expenses pursuant to ORC 5705.19(A).

WHEREAS, the amount that will be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of current expenses of the Village of Wayne Lakes, Darke County, Ohio; and

WHEREAS, it is necessary to levy (renew) a tax in excess of the ten-mill limitation; and

WHEREAS, the levy would be for the purpose of providing additional funds for the current expenses of the Village of Wayne Lakes, said purpose being authorized by ORC 5705.19(A); and

WHEREAS, a resolution declaring the necessity of levying said tax, pursuant to ORC 5705.03 and ORC 5705.19(A), outside the ten-mill limitation must be approved and certified to the Darke County Auditor ("Auditor") in order to permit Council to consider the levy of such a tax and must request that the Auditor certify to Council the total current tax valuation of the Village, and the number of mills required to generate a specific amount of revenue, or the dollar amount of revenue that would be generated by a specific number of mills.

## RESOLUTION

NOW THEREFORE, BE IT RESLOVED, by the Council, at least two-thirds (2/3) of all of the members of the council concurring, as follows:

1. The amount of taxes that will be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the Village.
2. It is necessary to levy (renew) a tax in excess of the ten-mill limitation.
3. Pursuant to ORC 5705.03(B)(1):
  - a. The purpose of the tax is to provide for the current expenses of the Village;
  - b. The levy is a renewal levy with no increase and no decrease;
  - c. The sections of the Ohio Revised Code authorizing submission of the question of the tax are ORC 5705.03, 5705.191, 5705.25, and 5705.19(A),
  - d. The term of the tax is five (5) years;
  - e. The territory where the tax is to be levied is the Village of Wayne Lakes, Ohio;
  - f. The date of the election at which the question of the tax shall appear on the ballot is November 8, 2022;
  - g. The territory where the ballot measure is to be submitted is the Village of Wayne Lakes, Ohio.
  - h. The renewal tax will be first levied and collected as follows:
    - i. Said tax will be levied for the duplicate year beginning with the 2023 duplicate year, and continuing thereafter for five (5) years (2023, 2024, 2025, 2026, 2027),
    - ii. Said tax is a renewal of existing levy and will be collected during calendar years 2024, 2025, 2026, 2027, and 2028;
  - i. The Village has territory solely in Darke County, Ohio.
4. Pursuant to ORC 5705.03(8)(1), the Clerk of Council is hereby directed to certify a copy of this Resolution to the Auditor. The Council hereby requests that the Auditor certify to Council the following:
  - a. The total current tax valuation of the Village;

b. The dollar amount of revenue that would be generated by the levy of 1.0 mill.

5. All formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22

6. This Resolution shall be and the same hereby is declared to be an emergency measure, necessary for the continued health, safety and general welfare of the residents of the Village of Wayne Lakes, Ohio, in that the same is required to promote timely submission of the issue of this tax levy to the electorate of the Village of Wayne Lakes, Ohio, and, to ensure the orderly continuation of necessary services to the residents of said Village;

7. This Resolution shall be in full force and effect immediately upon adoption.

John Swindler seconded the motion.

The roll being called upon its adoption, the vote resulted as follows:

<u>Rita Robinett</u>	<u>yea</u>	<u>Troy Stewart</u>	<u>yea</u>
<u>John Swindler</u>	<u>yea</u>	<u>Robert Ewry, Jr.</u>	<u>yea</u>
<u>Danny Saunders</u>	<u>yea</u>	_____	_____

Voted on and signed this 1<sup>ST</sup> day of August, 2022 in the Village of Wayne Lakes, Darke County, Ohio.

Linda Clark  
LINDA CLARK, Mayor of Wayne Lakes

Attest:

Diana Pethel


Approved as to form:

Paul Wagner  
PAUL WAGNER, Village Solicitor

STATE OF OHIO :  
 :SS  
COUNTY OF DARKE :

I, Diana Pethtel, Fiscal Officer of the Village of Wayne Lakes, Darke County, Ohio, do hereby certify that the foregoing Resolution No. ~~2022-01~~<sup>2022-01</sup> is taken and copied from the Record of Proceedings of said Village; that the same has been compared by me with the Resolution on said record, and that it is a true and correct copy thereof. Further, I certify that the adoption of such resolution occurred in an open meeting held in compliance with R.C. § 121.22.

Witness my signature this 1st day of August, 2022.



DIANA PETHTEL, Fiscal Officer  
Village of Wayne Lakes