

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2017-5

Passed 8-9, 2017

A RESOLUTION TERMINATING THE 2.5 MILL FIRE PROTECTION LEVY, APPROVED IN NOVEMBER 2009, BECAUSE CONTINUING TO COLLECT IT IS UNNECESSARY

WHEREAS, in March of 2007 the Village of Thurston entered into a joint agreement between the Board of Trustees of Walnut Township, Ohio, and the Village of Thurston, Ohio for Fire Protection and Emergency Medical Services in which Walnut Township would provide funding for the Walnut Township-Thurston Fire Department; and

WHEREAS, it was understood that if the Township passed a tax levy on May 2, 2017, Thurston would discontinue its own tax levied only for the residents of Thurston; and

WHEREAS, R.C. 5705.19(I) allowed Council for the Village of Thurston to “declare by resolution and certify the resolution to the board of elections not less than ninety days before the election upon which it will be voted that the amount of taxes that may be raised within the ten-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 . . . the following . . . providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs (fire protection services);” and

WHEREAS, with Ordinance 2009-18, adopted on August 12, 2009, Council for the Village of Thurston submitted the question of levying additional taxes (2.5 mill replacement tax) for fire protection services to the electorate of the Thurston-Walnut Township Fire Department; and

WHEREAS, on November 3, 2009, the electorate approved the additional 2.5 mill replacement tax for fire protection services; and

WHEREAS, on May 2, 2017, the electorate in Walnut Township approved a tax levy (3 mill continuing levy) for fire protection and EMS. This additional levy will supplement the Township’s existing 6 mill levy; and

WHEREAS, R.C. 5705.19(4) provides that “a levy for one of the purposes set forth in division (G), (I), (J), or (U) of this section may also be terminated or permanently reduced by the taxing authority if it adopts a resolution stating that the continuance of the levy is unnecessary and the levy shall be terminated or that the millage is excessive and the levy shall be decreased by a designated amount;” and

WHEREAS, because the electorate of Walnut Township approved a new 3 mill levy, Council for the Village of Thurston believes it is unnecessary to continue collecting the 2.5 mill levy for fire protection services that was approved in November 2009 by the electors of the Thurston-Walnut Township Fire Department. Council for the Village of Thurston believe this levy should be terminated, as allowed by R.C. 5705.09(4).

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE VILLAGE OF THURSTON, FAIRFIELD COUNTY, OHIO THAT:

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ Passed _____, 20____

SECTION 1: Because the electorate of Walnut Township approved, on May 2, 2017, a new 3 mill levy for fire protection and EMS services, Council for the Village of Thurston states it is unnecessary to continue collecting the 2.5 mill levy for fire protection services that was approved in November 2009 by the electors of the Thurston-Walnut Township Fire Department.

SECTION 2: The 2.5 mill replacement levy for fire protection services, which was approved on November 3, 2009 by the electors of the Thurston-Walnut Township Fire Department, is hereby terminated as of tax year 2017, payable in 2018.

SECTION 3: 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 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereto.

SECTION 5: This Resolution shall take effect at the earliest time allowed by law.

Passed in Council this 9 day of August 2017.

First Reading: June 13, 2017

Second Reading: July 12, 2017

Third Reading: August, 2017

Mary M Boring
Mary Boring, Mayor

ATTEST:

Aaron L. Reedy
Aaron L. Reedy, Clerk-Treasurer

APPROVED:

Approved as to form this 1st day of May 2017.

Brian M Zets

Brian M. Zets, Esq.
Village Solicitor