

VILLAGE OF WINDHAM
OHIO
RESOLUTION NO. R-2009-20

A RESOLUTION ESTABLISHING A NEW FUND TO BE KNOWN AS THE FIRE AND
EMERGENCY MEDICAL SERVICE OPERATING FUND OF THE VILLAGE OF
WINDHAM AND DECLARING AN EMERGENCY

WHEREAS, the Village of Windham is a party to litigation known as the Village of Windham, et al., vs. Windham Township, et al., Case No. 2007 CV 1774, presently pending the Portage County Common Pleas court. The controversy involved in the pending litigation is the ownership of the Windham Village Fire Department; and

WHEREAS, barring an agreed upon settlement prior to July 1, 2009, the Village of Windham must be in the position to operate the Village of Windham Fire Department commencing on July 1, 2009; and

WHEREAS, in order to operate the Village of Windham Fire Department, it is necessary to establish a Fire and Emergency Medical Services operating fund in order to receive amounts which are to be apportioned between the Village of Windham and Windham Township by the Portage County Auditor and amounts which will be received in the future from a levy and from operation of the Fire Department; and

WHEREAS, the Village of Windham desires to be in compliance with Ohio Revised Code 5705.12 which requires the Auditor of the State of Ohio to approve all funds established by a local government.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Windham, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: The Fiscal Officer of the Village of Windham shall establish the following fund: 2911 - Fire and Emergency Medical Services Operating Fund.

Section 2: Exhibit "A" that is attached to this legislation, is the request for fund approval that will be sent to the state with a copy of the Resolution.

Section 3: This Ordinance is declared to be an emergency measure effective immediately upon its passage by Council and approval by the Mayor, for the reason that it is necessary to have a fund in place to receipt funds as are anticipated to be apportioned by the Portage County Auditor, as well as levy funds and payments for medical services rendered which shall be paid to the Village of Windham as the result of operation of the Fire Department, and to pay the costs of operating the Village Fire Department, all for the purpose of ensuring the health, safety and welfare of the citizens of Windham, Ohio, and to further ensure effective operation of the Village Fire Department.

Section 4: It is hereby found and determined that all actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in

such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed in Council as an emergency this the 23rd day of June, 2009.

Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None.

Adopted: June 23, 2009

Approved: _____

Effective: _____

By: _____

Robert W. Donham, II – Mayor

Attest:

Fiscal Officer - Lloyd Billman

Approved as to form:

Village Solicitor – Thomas Reitz

Amended Revenue Worksheet

FUND	Cash Balance as of 12/31/2008	Encumbrances as of 12/31/2008	Advances not Repaid	Carryover Balances Available for Appropriation	Total Amount from all Sources Available for Expenditures	AMENDED CERTIFICATE OF ESTIMATED RESOURCES	Council Amendment of Estimated Resources as of 06/23/09	REVISED AMENDED CERTIFICATE OF ESTIMATED RESOURCES
GENERAL FUND								
General	\$306,236.12	\$4,323.60		\$301,912.52	\$886,781.22	\$1,188,693.74		\$1,188,693.74
Total General Fund	<u>\$306,236.12</u>	<u>\$4,323.60</u>		<u>\$301,912.52</u>	<u>\$886,781.22</u>	<u>\$1,188,693.74</u>	0.00	<u>\$1,188,693.74</u>
SPECIAL REVENUE FUNDS								
2011 St Const/Maintenance	\$36,641.14	\$620.45		\$36,020.69	\$99,594.77	\$135,615.46		\$135,615.46
2021 State Highway	\$2,031.27	\$0.00		\$2,031.27	\$4,767.21	\$6,798.48		\$6,798.48
2081 Drug Law Enforcement	\$5,504.46	\$0.00		\$5,504.46	\$2,642.00	\$8,146.46		\$8,146.46
2082 Canine Unit	\$554.50	\$0.00		\$554.50	\$0.00	\$554.50		\$554.50
2101 Permissive License Tax	\$18,954.36	\$0.00		\$18,954.36	\$11,528.32	\$30,482.68		\$30,482.68
2123 Cops 97-PR-WX-0387	\$17.17	\$0.00		\$17.17	\$0.00	\$17.17		\$17.17
2124 School Resource Officer Grant	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	25,000.00	\$25,000.00
2901 Community Bldg Rentals	\$1,949.43	\$0.00		\$1,949.43	\$525.00	\$2,474.43		\$2,474.43
2902 Bldg Rental Inspection	\$7,236.95	\$0.00		\$7,236.95	\$14,553.00	\$21,789.95		\$21,789.95
2903 Revolving Loan	\$9,491.75	\$0.00	\$59,438.68	\$68,930.43	\$21,753.92	\$90,684.35		\$90,684.35
2904 Police DUI	\$3,898.07	\$0.00		\$3,898.07	\$69.00	\$3,967.07		\$3,967.07
2905 Crime Prevention	\$2,991.03	\$0.00		\$2,991.03	\$175.00	\$3,166.03		\$3,166.03
2911 Fire EMS Operating & Equip	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	100,000.00	\$100,000.00
Total Special Revenue Funds	<u>\$89,270.13</u>	<u>\$620.45</u>	<u>\$59,438.68</u>	<u>\$148,088.36</u>	<u>\$155,608.22</u>	<u>\$303,696.58</u>	<u>125,000.00</u>	<u>\$428,696.58</u>
DEBT SERVICE FUNDS								
Total Debt Service Funds	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	0.00	\$0.00
CAPITAL PROJECTS FUNDS								
4901 Permanent Improvement	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00		\$0.00
Total Capital Project Funds	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>	<u>\$0.00</u>
ENTERPRISE FUNDS								
5101 Water Operating	\$40,030.31	\$1,773.26		\$38,257.05	\$468,442.67	\$506,699.72		\$506,699.72
5201 Sewer Operating	\$56,204.17	\$5,337.26	(\$59,438.68)	(\$8,571.77)	\$559,423.36	\$550,851.59		\$550,851.59
5701 E. Center Street Sewer Project								\$0.00
5721 Water Debt Service	\$35,560.32	\$0.00		\$35,560.32	\$61,757.00	\$97,317.32		\$97,317.32
5741 Sewer Debt Service	\$18,852.70	\$0.00		\$18,852.70	\$192,896.70	\$211,749.40		\$211,749.40
5761 Water Debt Service Reserve	\$47,589.86	\$0.00		\$47,589.86	\$2,993.67	\$50,583.53		\$50,583.53
5762 Sewer Debt Service Reserve	\$3,309.05	\$0.00		\$3,309.05	\$1,877.73	\$5,186.78		\$5,186.78
5781 Deposit Fund	\$48,141.69	\$0.00		\$48,141.69	\$6,410.43	\$54,552.12		\$54,552.12
Total Enterprise Funds	<u>\$249,688.10</u>	<u>\$7,110.52</u>		<u>\$183,138.90</u>	<u>\$1,293,801.56</u>	<u>\$1,476,940.46</u>	<u>0.00</u>	<u>\$1,476,940.46</u>
INTERNAL SERVICE FUNDS								
Total Internal Service Funds	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	0.00	\$0.00
EXPENDABLE TRUST FUNDS								
Total Expendable Trust Funds	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	0.00	\$0.00
NON-EXPENDABLE TRUST FUNDS								
Total Nonexpendable Trust Funds	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	0.00	\$0.00
AGENCY FUNDS								
Total Agency Funds	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	0.00	\$0.00
FIDUCIARY FUNDS								
Total Fiduciary Funds	\$377.56	\$0.00		\$377.56	\$0.00	\$377.56	0.00	\$377.56
Total All Funds	<u>\$645,571.91</u>	<u>\$12,054.57</u>		<u>\$633,517.34</u>	<u>\$2,336,191.00</u>	<u>\$2,969,708.34</u>	<u>125,000.00</u>	<u>\$3,094,708.34</u>

Amended Appropriation

FUND	ANNUAL APPROPRIATION RESOLUTION AS PASSED	Council passed 06/23/09 Appropriation adjustment	REVISED ANNUAL APPROPRIATION RESOLUTION
GENERAL FUND			
General	\$757,348.50	\$39,203.82	\$796,552.32
Total General Fund	<u>\$757,348.50</u>	<u>\$39,203.82</u>	<u>\$796,552.32</u>
SPECIAL REVENUE FUNDS			
2011 St Const/Maintenance	\$77,265.00	\$7,615.59	\$84,880.59
2021 State Highway	\$4,555.10		\$4,555.10
2081 Drug Law Enforcement	\$404.00	\$2,096.00	\$2,500.00
2082 Canine Unit	\$0.00		\$0.00
2101 Permissive License Tax	\$25,250.00		\$25,250.00
2123 Cops 97-PR-WX-0387	\$0.00		\$0.00
2124 School Resource Officer Grant	\$0.00	\$25,000.00	\$25,000.00
2901 Community Bldg Rentals	\$1,010.00		\$1,010.00
2902 Bldg Rental Inspection	\$12,675.50	(\$10.00)	\$12,665.50
2903 Revolving Loan	\$18,180.00	(\$18,180.00)	\$0.00
2904 Police DUI	\$0.00		\$0.00
2905 Crime Prevention	\$0.00		\$0.00
2911 Fire EMS Operating & Equip	\$0.00	\$75,000.00	\$75,000.00
Total Special Revenue Funds	<u>\$139,339.60</u>	<u>\$91,521.59</u>	<u>\$230,861.19</u>
DEBT SERVICE FUNDS			
Total Debt Service Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
CAPITAL PROJECTS FUNDS			
4901 Permanent Improvement	\$0.00		\$0.00
Total Capital Project Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
ENTERPRISE FUNDS			
5101 Water Operating	\$436,825.00	\$10,451.15	\$447,276.15
5201 Sewer Operating	\$536,635.00	\$224.55	\$536,859.55
5701 E. Center Street Sewer Project	\$0.00		\$0.00
5721 Water Debt Service	\$62,620.00		\$62,620.00
5741 Sewer Debt Service	\$156,550.00		\$156,550.00
5761 Water Debt Service Reserve	\$0.00		\$0.00
5762 Sewer Debt Service Reserve	\$0.00		\$0.00
5781 Deposit Fund	\$48,480.00		\$48,480.00
Total Enterprise Funds	<u>\$1,241,110.00</u>	<u>\$10,675.70</u>	<u>\$1,251,785.70</u>
INTERNAL SERVICE FUNDS			
Total Internal Service Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
EXPENDABLE TRUST FUNDS			
Total Expendable Trust Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
NON-EXPENDABLE TRUST FUNDS			
Total Nonexpendable Trust Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
AGENCY FUNDS			
Total Agency Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
FIDUCIARY FUNDS			
Total Fiduciary Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total All Funds	<u>\$2,137,798.10</u>	<u>\$141,401.11</u>	<u>\$2,279,199.21</u>

Amended Revenue

FUND	AMENDED CERTIFICATE OF ESTIMATED RESOURCES	Council Amendment as of 6/23/09	REVISED AMENDED CERTIFICATE OF ESTIMATED RESOURCES
GENERAL FUND			
General	\$1,188,693.74		\$1,188,693.74
Total General Fund	<u>\$1,188,693.74</u>	0.00	<u>\$1,188,693.74</u>
SPECIAL REVENUE FUNDS			
2011 St Const/Maintenance	\$135,615.46		\$135,615.46
2021 State Highway	\$6,798.48		\$6,798.48
	\$0.00		\$0.00
2081 Drug Law Enforcement	\$8,146.46		\$8,146.46
2082 Canine Unit	\$554.50		\$554.50
2101 Permissive License Tax	\$30,482.68		\$30,482.68
2123 Cops 97-PR-WX-0387	\$17.17		\$17.17
2124 School Resource Officer Grant	\$0.00	25,000.00	\$25,000.00
2901 Community Bldg Rentals	\$2,474.43		\$2,474.43
2902 Bldg Rental Inspection	\$21,789.95		\$21,789.95
2903 Revolving Loan	\$90,684.35		\$90,684.35
2904 Police DUI	\$3,967.07		\$3,967.07
2905 Crime Prevention	\$3,166.03		\$3,166.03
2911 Fire EMS Operating & Equip	\$0.00	100,000.00	\$100,000.00
Total Special Revenue Funds	<u>\$303,696.58</u>	<u>125,000.00</u>	<u>\$428,696.58</u>
DEBT SERVICE FUNDS			
Total Debt Service Funds	<u>\$0.00</u>	0.00	<u>\$0.00</u>
CAPITAL PROJECTS FUNDS			
4901 Permanent Improvement	\$0.00		\$0.00
Total Capital Project Funds	<u>\$0.00</u>	0.00	<u>\$0.00</u>
ENTERPRISE FUNDS			
5101 Water Operating	\$506,699.72		\$506,699.72
5201 Sewer Operating	\$550,851.59		\$550,851.59
5701 E. Center Street Sewer Project	\$0.00		\$0.00
5721 Water Debt Service	\$97,317.32		\$97,317.32
5741 Sewer Debt Service	\$211,749.40		\$211,749.40
5761 Water Debt Service Reserve	\$50,583.53		\$50,583.53
5762 Sewer Debt Service Reserve	\$5,186.78		\$5,186.78
5781 Deposit Fund	\$54,552.12		\$54,552.12
Total Enterprise Funds	<u>\$1,476,940.46</u>	0.00	<u>\$1,476,940.46</u>
INTERNAL SERVICE FUNDS			
Total Internal Service Funds	<u>\$0.00</u>	0.00	<u>\$0.00</u>
EXPENDABLE TRUST FUNDS			
Total Expendable Trust Funds	<u>\$0.00</u>	0.00	<u>\$0.00</u>
NON-EXPENDABLE TRUST FUNDS			
Total Nonexpendable Trust Funds	<u>\$0.00</u>	0.00	<u>\$0.00</u>
AGENCY FUNDS			
Total Agency Funds	<u>\$0.00</u>	0.00	<u>\$0.00</u>
FIDUCIARY FUNDS			
Total Fiduciary Funds	<u>\$377.56</u>	0.00	<u>\$377.56</u>
Total All Funds	<u>\$2,969,708.34</u>	<u>125,000.00</u>	<u>\$3,094,708.34</u>

Revised Amended Certificate

FUND	REVISED AMENDED CERTIFICATE OF ESTIMATED RESOURCES	REVISED ANNUAL APPROPRIATION RESOLUTION	UNAPPROPRIATED CERTIFICATION
GENERAL FUND			
General	\$1,188,693.74	\$796,552.32	\$392,141.42
Total General Fund	<u>\$1,188,693.74</u>	<u>\$796,552.32</u>	<u>\$392,141.42</u>
SPECIAL REVENUE FUNDS			
2011 St Const/Maintenance	\$135,615.46	\$84,880.59	\$50,734.87
2021 State Highway	\$6,798.48	\$4,555.10	\$2,243.38
2081 Drug Law Enforcement	\$8,146.46	\$2,500.00	\$5,646.46
2082 Canine Unit	\$554.50	\$0.00	\$554.50
2101 Permissive License Tax	\$30,482.68	\$25,250.00	\$5,232.68
2123 Cops 97-PR-WX-0387	\$17.17	\$0.00	\$17.17
2124 School Resource Officer Grant	\$25,000.00	\$25,000.00	\$0.00
2901 Community Bldg Rentals	\$2,474.43	\$1,010.00	\$1,464.43
2902 Bldg Rental Inspection	\$21,789.95	\$12,665.50	\$9,124.45
2903 Revolving Loan	\$90,684.35	\$0.00	\$90,684.35
2904 Police DUI	\$3,967.07	\$0.00	\$3,967.07
2905 Crime Prevention	\$3,166.03	\$0.00	\$3,166.03
2911 Fire EMS Operating & Equip	\$100,000.00	\$75,000.00	\$25,000.00
Total Special Revenue Funds	<u>\$428,696.58</u>	<u>\$230,861.19</u>	<u>\$197,835.39</u>
DEBT SERVICE FUNDS			
Total Debt Service Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
CAPITAL PROJECTS FUNDS			
4901 Permanent Improvement	\$0.00	\$0.00	\$0.00
Total Capital Project Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
ENTERPRISE FUNDS			
5101 Water Operating	\$506,699.72	\$447,276.15	\$59,423.57
5201 Sewer Operating	\$550,851.59	\$536,859.55	\$13,992.04
5701 E. Center Street Sewer Project	\$0.00	\$0.00	\$0.00
5721 Water Debt Service	\$97,317.32	\$62,620.00	\$34,697.32
5741 Sewer Debt Service	\$211,749.40	\$156,550.00	\$55,199.40
5761 Water Debt Service Reserve	\$50,583.53	\$0.00	\$50,583.53
5762 Sewer Debt Service Reserve	\$5,186.78	\$0.00	\$5,186.78
5781 Deposit Fund	\$54,552.12	\$48,480.00	\$6,072.12
Total Enterprise Funds	<u>\$1,476,940.46</u>	<u>\$1,251,785.70</u>	<u>\$225,154.76</u>
INTERNAL SERVICE FUNDS			
Total Internal Service Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
EXPENDABLE TRUST FUNDS			
Total Expendable Trust Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
NON-EXPENDABLE TRUST FUNDS			
Total Nonexpendable Trust Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
AGENCY FUNDS			
Total Agency Funds	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
FIDUCIARY FUNDS			
Total Fiduciary Funds	<u>\$377.56</u>	<u>\$0.00</u>	<u>\$377.56</u>
Total All Funds	<u>\$3,094,708.34</u>	<u>\$2,279,199.21</u>	<u>\$815,509.13</u>

**2009 APPROPRIATIONS
WINDHAM VILLAGE, PORTAGE COUNTY**

FUND NUMBER	FUND NAME	AMOUNT
1000	General Fund	796,552.32
2011	Street Construction / Maintenance	84,880.59
2021	State Highway	4,555.10
2081	Drug Law Enforcement	2,500.00
2082	Canine Unit	0.00
2101	Permissive License Tax	25,250.00
2123	Cops 97	0.00
2124	School Resource Officer Grant Fund	25,000.00
2901	Community Building Rentals	1,010.00
2902	Building Rental Inspection	12,665.50
2903	Revolving Loan	0.00
2904	Police DUI	0.00
2905	Crime Prevention	0.00
2911	Fire EMS Operating & Equipment	75,000.00
4901	Permanent Improvement	0.00
5101	Water Operating	447,276.15
5201	Sewer Operating	536,859.55
5701	E. Center Street Sewer Project	0.00
5721	Water Debt Service	62,620.00
5741	Sewer Debt Service	156,550.00
5761	Water Debt Service Reserve	0.00
5762	Sewer Debt Service Reserve	0.00
5781	Deposit Fund	48,480.00

TOTAL 2009 APPROPRIATIONS	\$2,279,199.21
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