

VILLAGE OF WINDHAM  
RESOLUTION NO. R-2010-19

A RESOLUTION DETERMINING THAT A 2.0 MILL TAX LEVY FOR FIRE DEPARTMENT EQUIPMENT AND OPERATING EXPENSES UNDER SECTION 5705.19(I) OF THE OHIO REVISED CODE IS NO LONGER NECESSARY, AND TERMINATING THE LEVY

WHEREAS, the electors of the Village of Windham approved a 2.0 mill tax levy for purposes of fire department equipment and operating expenses on May 15, 2009; and

WHEREAS, subsequent to the passage of the levy, the Village of Windham and the Windham Township trustees passed a joint Resolution establishing the WVFD Joint Fire District, which fire district provides fire fighting services to citizens located within both the Village of Windham and within Windham Township; and

WHEREAS, the WVFD Joint Fire District is responsible for obtaining its own fire department equipment and paying its own operating expenses; and

WHEREAS, the WVFD Joint Fire District passed a levy at the election held on May 4, 2010 which levy will attach to real estate within the District beginning in 2010 but will be first due and payable in 2011; and

WHEREAS, the Village Council is granted the authority under Ohio Revised Code section 5705.19 to determine by resolution that the continuance of the levy is unnecessary and the levy shall be terminated; and

WHEREAS, as a result of the successful formation of the WVFD Joint Fire District and the passage of the WVFD Joint Fire District levy, the Council of the Village of Windham has determined that the continuance of the levy passed by the electors of the Village of Windham for fire department equipment and operating expenses under Ohio Revised Code section 5705.19(I) is unnecessary, and that the levy shall be terminated.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Windham, Portage County, Ohio, a majority of the members elected thereto concurring;

SECTION 1: That the levy passed by the voters of the Village of Windham on May 15, 2009, as authorized under 5705.19(I) of the Ohio Revised Code for the purpose of obtaining fire department equipment and operating expenses is, as of January 1, 2010 no longer needed and unnecessary.

SECTION 2: That the levy passed on May 15, 2009 as authorized by Section 5705.19(I) of the Ohio Revised Code and by the electors of the Village of Windham for fire department equipment and operating expenses shall be terminated as of January 1, 2010 with the collection of the levy proceeds terminating with the tax bill due in January 2011.

SECTION 3: That 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 this Council and that 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 Section 121.22 of the Ohio Revised Code.

Passed in Council this 24<sup>th</sup> day of June, 2010.

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

ATTEST:

APPROVED:

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Lloyd Billman, Fiscal Officer

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Mayor Robert Donham, II

Approved as to form:

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Solicitor Thomas Reitz