

RESOLUTION NO. R-2013-39

**A RESOLUTION AUTHORIZING PAYMENT FROM THE WATER
OPERATING FUND TO THE DRUG LAW ENFORCEMENT FUND AND
DECLARING AN EMERGENCY**

WHEREAS, prior to the spring of this year the Village of Windham Police Department was awarded a 1999 Chrysler Four Door CIX as the result of drug law enforcement activities; and

WHEREAS, in spring of this year the Village Police Department no longer had use for the 1999 Chrysler and had advertised the car for sale on GovDeals.com; and

WHEREAS, in the spring of this year the Utility Department had need of an automobile and requested that the 1999 Chrysler automobile be provided for the use of the utility department; and

WHEREAS, since the 1999 Chrysler came into the possession of the Village through drug law enforcement activity the value of the 1999 Chrysler Four Door CIX must be provided to the Police Department for use in drug law enforcement activities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, Portage County, State of Ohio, two thirds (2/3) or more of the members thereto concurring that:

SECTION 1. The actions in transferring the 1999 Chrysler Four Door CIX automobile, VIN # 2C3CHG46J9XH651796 from the Police Department to the Utility Department are ratified, confirmed and approved.

SECTION 2. At the time the Utility Department requested use of the 1999 Chrysler the the highest offer bid on the vehicle on GovDeals.com was Two Thousand Dollars (\$2,000.00).

SECTION 3: Payment from the Utility Department to the Police Department for the 1999 Chrysler Four Door CIX automobile, VIN # 2C3CHG46J9XH651796 is authorized in the amount of Two Thousand Dollars (\$2,000.00) from the Water Operating Fund (5101) to the Drug Law Enforcement Fund (2081) is hereby authorized.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 5: The Village Council finds that this Resolution is declared to be an emergency measure, effective immediately upon its passage in order to promote the health, safety and general welfare of the Village. The specific nature of the emergency is the need to correct the financial records of the Village, to reflect the transfer of the vehicle and to reimburse the Drug Law Enforcement Fund, so that funds obtained as the

result of drug seizures are actually used for drug law enforcement purposes in compliance with drug seizure law.

PASSED IN COUNCIL this 17th day of December, 2013.

Vote of Council: Ayes: Mr. Garrett, Mrs. Prem, Mr. Snyder, Mrs. Barrett, Ms. Blewitt,
Mrs. Miranda Nsys: None.

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Robert W. Donham, Mayor

APPROVED AS TO FORM:

Thomas Reitz, Solicitor