

RESOLUTION 2022-02

A RESOLUTION DECLARING THE NECESSITY FOR AND AUTHORIZING THE TRANSFER OF FUNDS FROM THE WATER FUND TO THE SEWER FUND AND DIRECTING THE FISCAL OFFICER TO PREPARE AND FORWARD A PETITION FOR SAID TRANSFER TO THE OHIO TAX COMMISSIONER PURSUANT TO OHIO REVISED CODE SECTIONS 5705.15 AND 5705.16.

WHEREAS, the Village of Centerburg no longer manages or maintains a Water Department and thus, has no need for the remaining balance of \$ 440,373.69 in the Water Fund, Fund 5101; and

WHEREAS, this Council would like to transfer the remaining balance of the Water Fund to the Village's Sewer Fund, Fund 5201; and

WHEREAS, pursuant to Ohio Revised Code Sections 5705.15 and 5705.16, the Village Council, by a majority vote, may adopt a resolution declaring the necessity of transferring the remaining balance in the Water Fund to the Sewer Fund; and

WHEREAS, pursuant to Ohio Revised Code Sections 5705.15 and 5705.16, upon the adoption of this Resolution, the Fiscal Officer shall send a petition to the Tax Commissioner of Ohio for review and approval of such transfer from the Water Fund to the Sewer Fund; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the Village of Centerburg to declare the necessity of transferring the remaining balance of \$ 440,373.69 in the Water Fund to the Sewer Fund and to petition the Tax Commissioner of Ohio for the approval of said transfer.

NOW THEREFORE BE IT RESOLVED by Council for the Village of Centerburg, Knox County, Ohio, that:

SECTION 1. This Council finds, determines, and declares that it is necessary to transfer the remaining balance of the Water Fund to the Sewer Fund because the Village of Centerburg no longer manages or maintains an active Water Department, nor are there any remaining debts or obligations for which the remaining funds could be used.

SECTION 2. The Fiscal Officer is hereby authorized and directed to submit a Petition as is described in Section 5705.16 of the Ohio Revised Code, to the Tax Commissioner of Ohio requesting review and approval of the transfer of the remaining balance of the Water Fund, totaling \$ 440,373.69 to the Sewer Fund, together with a certified copy of this Resolution and a full statement of proceedings of this Council related to the passage of this Resolution.

SECTION 3. Upon approval of said transfer by the Tax Commissioner of Ohio, the Fiscal Officer is hereby authorized to transfer the \$ 440,373.69 in the Water Fund, Fund 5101 to the Sewer

Fund, Fund 5201 and is further authorized and directed to take any and all actions as may be necessary to carry out the purposes of this Resolution to effectuate the transfer of funds.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor on the earliest date allowed by law.

DATE PASSED 01/03/2022

Signature on file

PRESIDENT OF COUNCIL

ATTEST Signature on file
CLERK OF COUNCIL

Signature on file
MAYOR

APPROVED AS TO FORM:

DATE APPROVED: 01/03/2022

Signature on file
LEGAL COUNSEL

I hereby certify that the Resolution or a summary of the Resolution was published once a week for two consecutive weeks on 01/12/, 2022 and 01/19, 2022 in the *Mount Vernon News* in conformance with the Ohio Revised Code.

Signature on file
FISCAL OFFICER