

RESOLUTION NO. 17-41

A RESOLUTION TO APPROVE A "THEN & NOW"
CERTIFICATION BY THE VILLAGES FISCAL OFFICER
PURSUANT TO ORC §5705.41(D)(2) FOR THE PAYMENT
MADE TO OHIO EDISON, AND DECLARING AN EMERGENCY.

WHEREAS, the Village's Fiscal Officer received an invoice from Ohio Edison for normal village electrical consumption for Street Lighting, however the entire amount was paid out of the Harvest Festival account in error, and

WHEREAS, , Ohio Revised Code (ORC) §5705.41(D)(1) provides, in part, that no subdivision or taxing unit shall "make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation or, in the case of a continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances. This certificate need be signed only by the subdivision's fiscal officer. Every such contract made without such a certificate shall be void, and no warrant shall be issued in payment of any amount due thereon. If no certificate is furnished as required, upon receipt by the taxing authority of the subdivision or taxing unit of a certificate of the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, such taxing authority may authorize the drawing of a warrant hi payment of amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days after the taxing authority receives such certificate; provided that, if the amount involved is less than one hundred dollars in the case of counties or *three thousand dollars* in the case of all other subdivisions or taxing units, the fiscal officer may authorize it to be paid without such affirmation of the taxing authority of the subdivision or taxing unit, if such expenditure is otherwise valid."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CRESTLINE, OHIO:

SECTION 1. Pursuant to ORC §5705.41 (D)(1), Village Council hereby approves the fiscal officer's certificate, issued to Ohio Edison and the account that was used to make

the necessary payout, "Harvest Festival" was paid in error and therefore such payment shall be reversed and paid out of the required account known as Street Lighting.

SECTION 2. The Village of Crestline finds and determines that all formal actions of this Village concerning and relating to the adoption of this Resolution were taken in an open meeting of the Village of Crestline and that all deliberations of this Village and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. That this resolution being for the appropriation for current expenses shall go into immediate effect pursuant to Revised Code 731.30.

DATE: _____

Aye_____ Nay_____ Abstain_____

Clayton Herold, Mayor

Attest:

Annette Johnston, Clerk of Council

Approved as to form:

Jon K. Burton, Law Director