

## **RESOLUTION NO. 29-2020**

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### **Statutory Resolution of the Board of Township Trustees of West Chester Township, Butler County, Ohio, determining to proceed with submitting the question of a tax levy for fire protection and emergency medical services**

**WHEREAS**, on July 14, 2020, the Board of Township Trustees of West Chester Township, Butler County, Ohio, passed a resolution declaring the necessity to levy an additional tax of two (2.0) mills to constitute a tax in excess of the ten-mill limitation for the benefit of the West Chester Township Fire District (the unincorporated areas of West Chester Township, Butler County, Ohio); and

**WHEREAS**, the Board of Township Trustees of West Chester Township, Butler County, Ohio previously passed Statutory Resolution No. 27-2020, a copy of which is attached hereto as Exhibit A, determining to proceed with the levy of an additional tax in the amount of 2.0 mills; and

**WHEREAS**, the Board of Township Trustees of West Chester Township, Butler County, Ohio desires to rescind and repeal Statutory Resolution 27-2020; and

**WHEREAS**, by a certificate of estimated property tax revenue dated July 21, 2020, the Butler County Auditor has certified to the Board the dollar amount of revenue that would be generated by the tax levy, based on the current assessed valuation of the West Chester Township Fire District, Butler County, Ohio;

**THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of West Chester Township, Butler County, Ohio, at least two-thirds of all members elected thereto concurring, that Statutory Resolution No. 27-2020 is hereby rescinded and repealed in its entirety; and

**BE IT FURTHER RESOLVED**, that the Board desires to proceed with submitting to the electors the question of an additional tax of two (2.0) mills upon the entire territory within the West Chester Township Fire District, constituting a tax in excess of the ten-mill limitation for the benefit of the West Chester Township Fire District, for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites

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therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, as authorized by Ohio Revised Code Section 5705.19(I), at a rate not exceeding two (2.0) mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation; and

**BE IT FURTHER RESOLVED**, that the tax levy will be for a continuing period of time, commencing in tax year 2020, first due in calendar year 2021, if approved by a majority of the electors voting thereon; and

**BE IT FURTHER RESOLVED**, that the question of such tax levy shall be submitted to the electors of the entire territory within the West Chester Township Fire District, which includes the unincorporated areas of West Chester Township, Butler County, Ohio, at the election to be held on November 3, 2020; and

**BE IT FURTHER RESOLVED**, that the form and content of the ballot upon which the question of such tax levy shall be submitted to the electors shall be substantially as shown in the attached Exhibit B; and


**BE IT FURTHER RESOLVED**, that the Fiscal Officer is hereby directed to certify to the Butler County Board of Elections, not less than 90 days prior the election, a copy of the resolution declaring necessity passed July 14, 2020, and a copy of this resolution, together with the certification of the Butler County Auditor dated July 21, 2020; and

**BE IT FURTHER RESOLVED**, that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board 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; and

**BE IT FURTHER RESOLVED**, that the Board hereby requests that the Butler County Board of Elections cause notice of election on the question of levying the tax to be given as required by law.


Adopted this 4<sup>th</sup> day of August, 2020.


  
\_\_\_\_\_  
Ann Becker, Chair

  
\_\_\_\_\_  
Yes/No

  
\_\_\_\_\_  
Lee Wong

  
\_\_\_\_\_  
Yes/No

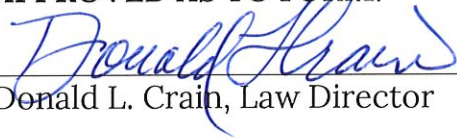
  
\_\_\_\_\_  
Mark S. Welch

  
\_\_\_\_\_  
Yes/No

**ATTEST:**

  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer


**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Donald L. Crain, Law Director

CERTIFICATE

IT IS HEREBY CERTIFIED that the foregoing Resolution No. 29-2020, which includes an Exhibit A and Exhibit B, is taken and copied from the record of proceedings of West Chester Township, Butler County, Ohio, and that it has been compared by me with the resolution on the record and is a true copy.

IN WITNESS WHEREOF, I have hereunto set my hand, this 4<sup>th</sup> day of August, 2020.

  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer  
West Chester Township  
Butler County, Ohio

**EXHIBIT A**

[Copy of Statutory Resolution 27-2020 Follows.]

**RESOLUTION NO. 27-2020**

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**Statutory Resolution determining to proceed with the levy of an additional tax in the amount of 2.0 mills, in excess of the ten-mill limitation**

**WHEREAS**, on July 14, 2020 the Board of Township Trustees of West Chester Township, Butler County, Ohio passed a resolution declaring the necessity of levying an additional tax in excess of the ten-mill limitation in the total amount of 2.0 mills for the benefit of the West Chester Township Fire District (the unincorporated areas of West Chester Township, Butler County, Ohio); and,

**WHEREAS**, the County Auditor, upon request of this Board, has certified the total current tax valuation of this Township, and the dollar amount of revenue that would be generated by said 2.0 mill replacement and additional tax levy.

**NOW THEREFORE BE IT RESOLVED** by the Board of Township Trustees of West Chester Township, Butler County, Ohio:

**SECTION 1.** This Board hereby determines and declares that the amount of taxes that may be raised by levies on the current tax duplicate will be insufficient to provide an adequate amount of revenue to provide for the necessary requirements of West Chester Township, Butler County, Ohio and that it is therefore necessary to levy an additional tax in excess of the 10-mill limitation for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, as authorized by Ohio Revised Code Section 5705.19(I), at a rate not exceeding two (2.0) mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation; and

**SECTION 2.** That the question of such tax levy not exceeding 2.0 mills for a continuing period of time commencing in tax year of 2020 and collectible in 2021, if approved by a majority of the electors voting thereon; and


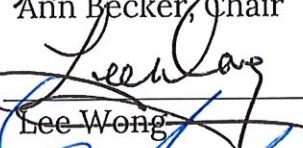
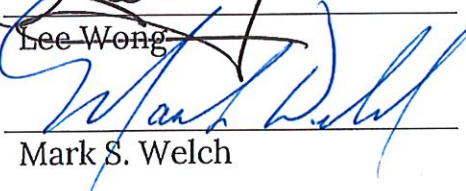
**SECTION 3.** The Fiscal Officer of this Board is hereby directed to certify a copy of this resolution to the Board of Elections of Butler County, together with the Auditor's certification of Resolution 20-2020, pursuant to O.R.C. 5705.03.

**SECTION 4.** It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board 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.

**SECTION 5.** In order to timely place the tax levy described in Section 1 hereof to be on the November 3, 2020 ballot and because the passage of the levy as soon as possible is necessary for the immediate preservation of the public peace, health, safety and welfare, this resolution shall be adopted as an emergency measure and shall become effective at the earliest date permitted by law.

**SECTION 6.** The form and content of the ballot upon which the question of such tax levy shall be submitted to the electors shall be substantially as shown in the attached Exhibit A.


Adopted this 28<sup>th</sup> day of July, 2020

 _____ Ann Becker, Chair	<u>Yes</u> _____ Yes/No
 _____ Lee Wong	<u>Yes</u> _____ Yes/No
 _____ Mark S. Welch	<u>Yes</u> _____ Yes/No

**ATTEST:**

  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer

**APPROVED AS TO FORM:**


  
\_\_\_\_\_  
Donald L. Crain, Law Director

**COPY**

CERTIFICATE

IT IS HEREBY CERTIFIED that the foregoing Resolution No. 27-2020, which includes an Exhibit A, is taken and copied from the record of proceedings of West Chester Township, Butler County, Ohio, and that it has been compared by me with the resolution on the record and is a true copy.

IN WITNESS WHEREOF, I have hereunto set my hand, this 28<sup>th</sup> day of July, 2020.

  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer  
West Chester Township  
Butler County, Ohio



# **EXHIBIT A**

## **WEST CHESTER TOWNSHIP PROPOSED TAX LEVY**

### **(ADDITIONAL LEVY)**

A majority affirmative vote is necessary for passage

An additional tax for the benefit of the West Chester Township Fire District for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, as authorized by Ohio Revised Code Section 5705.19(I), at a rate not exceeding two (2.0) mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation, commencing in 2020, first due in calendar year 2021.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

**EXHIBIT B**

**WEST CHESTER TOWNSHIP  
PROPOSED TAX LEVY**

**(ADDITIONAL LEVY)**

**WEST CHESTER TOWNSHIP FIRE DISTRICT**

A majority affirmative vote is necessary for passage

An additional tax for the benefit of the West Chester Township Fire District for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, as authorized by Ohio Revised Code Section 5705.19(1), at a rate not exceeding two (2.0) mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation, for a continuing period of time, commencing in 2020, first due in calendar year 2021.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY