

RESOLUTION NO. 02 - 2005

RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF BUTLER COUNTY, OHIO TO PLACE THE REFERENDUM OF RESOLUTION NO. 40-2004 ON THE MAY 3, 2005, ELECTION BALLOT AS AUTHORIZED BY OHIO REVISED CODE § 504.14, AS AMENDED BY H.B. 256; AUTHORIZING WEST CHESTER TOWNSHIP TO INCUR THE COSTS ASSOCIATED WITH PLACING SUCH REFERENDUM ON THE MAY 3, 2005, ELECTION BALLOT AS SPECIFIED BY OHIO REVISED CODE § 504.14, AS AMENDED BY H.B. 256; AND DECLARING AN EMERGENCY AND DISPENSING WITH THE SECOND READING

WHEREAS, West Chester Township Board of Trustees approved Resolution No. 40-2004 authorizing the purchase of land, letting of bids and execution of contracts for the development and construction of a community center; and,

WHEREAS, citizens, acting pursuant to their constitutional authority obtained sufficient signatures to place a referendum of Resolution No. 40-2004 on the November, 2005, general election ballot; and,

WHEREAS, since the certification of the referendum of Resolution No. 40-2004 by the Butler County Board of Elections, Ohio State law governing the placement of referendum issues on the election ballot has been amended, and such amendment shall become law on April 7, 2005; and,

WHEREAS, the Board of West Chester Township Trustees, pursuant to the amendment, is authorized to request that a referendum be placed on any election ballot, provided that West Chester incur all costs associated with such referendum election; and,

WHEREAS, the Board of West Chester Township Trustees has determined that it is in the best interest of the residents of the Township that the referendum of Resolution No. 40-2004 be brought to a vote of the residents as soon as possible.

NOW THEREFORE, BE IT RESOLVED that the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Authorize the West Chester Township Clerk / Treasurer to notify the Butler County Board of Elections of the West Chester Township Board of Trustees' election to have the referendum of Resolution No. 40-2004 placed on the May 3, 2005, election ballot.

SECTION 2. Authorize the West Chester Township Clerk / Treasurer to reimburse the Butler County Board of Elections for all costs incurred by said Board of Elections in placing the referendum of Resolution No. 40-2004 on the May 3, 2005, election ballot.

SECTION 3. Adopt this resolution as an emergency measure to satisfy State of Ohio filing deadlines for the placement of a referendum petition on the May 3, 2005, election ballot, and provided that this Resolution received

unanimous consent of the elected Trustees of West Chester Township, shall take effect and shall be in full force and effect ten (10) days after the passage hereof; otherwise it shall take effect at the earliest time allowed by law.

This resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community and shall become effective at the earliest date permitted by law.

Adopted this 11th day of January, 2005.

<u>Catherine Stoker</u> Catherine Stoker	<u>YES</u> Yes / No
<u>Jose Alvarez</u> Jose Alvarez	<u>yes</u> Yes / No
<u>George Lang</u> George Lang	<u>YES</u> Yes / No

ATTEST:

Patricia Williams
Patricia Williams, Township Clerk

APPROVED AS TO FORM:

Donald L. Crain
Donald L. Crain, Law Director

