

**RESOLUTION NO. 2022-03
VILLAGE OF BUCKEYE LAKE, OHIO**

A RESOLUTION TO PROCEED WITH A REPLACEMENT LEVY ON PROPERTY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES OF THE VILLAGE AND TO SUBMIT THE QUESTION OF THE REPLACEMENT TAX TO THE ELECTORS OF THE VILLAGE AT THE MAY 3, 2022 ELECTION AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, on January 24, 2022, this Council, by Resolution 2022-01, determined the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Village, and it is necessary to continue and replace the five-mill (5.0) levy, which expired in 2021 and is last collected in 2022, with a five-mill (5.0) tax levy, for five (5) years, to be first collected in 2023, for the same purpose of current expenses and continued operations, said tax being in excess of the ten-mill limitation, and said levy replacing the expired tax, pursuant to Ohio Revised Code 5705.192; and

WHEREAS, this Council, in compliance with Ohio Revised Code Section 5705.03, did certify to the Auditors of Fairfield and Licking Counties Resolution 2022-01, requesting the Auditors to certify the total current tax valuation of the Village of Buckeye Lake in said respective counties, and the dollar amount of revenue that would be generated by the continuation and replacement of five mills (5.0 mills); and

WHEREAS, the Auditor of Licking County has certified to this Council that the total replacement tax valuation is Seventy Six Million Five Hundred Fifty Thousand Six Hundred Twenty Two Dollars and no cents (\$76,550,622.00) and that the dollar amount of revenue that would be generated by the replacement five-mill (5.0) tax is Three Hundred Eight Two Thousand Seven Hundred Fifty Three Dollars and no cents (\$382,753.00), annually during the life of the levy assuming the total current tax valuation remains the same throughout the life of the levy, for all properties within the Village from in both Fairfield and Licking counties, (attached hereto as Exhibit A); and

WHEREAS, pursuant to Section 5705.03 and 5705.192 of the Ohio Revised Code, the taxing authority of the Village of Buckeye Lake, is authorized by law to place a replacement tax levy before the electors residing within the Village's boundaries; and

WHEREAS, this Resolution to place the replacement levy on the May 3, 2022 ballot must be filed with the Board of Election before 4:00PM on February 2, 2022;

NOW THEREFORE, BE IT RESOLVED BY A TWO-THIRDS (2/3) MAJORITY OF THE LEGISLATIVE AUTHORITY OF THE VILLAGE OF BUCKEYE LAKE THAT FOLLOWING AN AFFIRMATIVE VOTE OF AT TWO-THIRDS (2/3) OF THE COUNCIL TO DISPENSE WITH THE REQUIREMENT OF THE BUCKEYE LAKE VILLAGE CHARTER TO READ A RESOLUTION ON THREE SEPARATE DAYS,

Section 1: The Village of Buckeye Lake hereby declares it will proceed with placing the issue on the ballot, May 3, 2022 election, for a five-mill (5.0) replacement levy for current expenses and continued operations for a period of five (5) years, commencing January 1, 2022, to be first collected in 2023.

Section 2: It is hereby declared the form of the ballot to be used at said regular election shall be substantially as follows, with the proposed language on the question of the replacement levy reading as follows, or in a similar manner as follows:

PROPOSED TAX LEVY (REPLACEMENT)
VILLAGE OF BUCKEYE LAKE

A majority affirmative vote is necessary for passage

A replacement of a tax for the benefit of the Village of Buckeye Lake for the purpose of providing funds for the current expenses and continued operations of the Village at a rate not exceeding five mills (5.0 mills) for each one dollar of valuation, which amounts to Fifty Cents (\$0.50) for each One Hundred Dollars of valuation, for a term of five (5) years, beginning in tax year 2022, to first be collected in calendar year 2023.

For the Tax Levy _____

Against the Tax Levy _____

Section 3: The question approving the replacement levy as set forth in Section 2 shall be submitted to the electors of the Village of Buckeye Lake, Ohio, at the election on May 3, 2022.

Section 4: The Village Clerk is hereby authorized and directed to certify a copy of this Resolution, with the attached Exhibit A, and a copy of Resolution 2022-01, passed on January 24, 2022, to the Board of Elections in both Fairfield and Licking Counties, no later than 4:00PM on February 2, 2022.

Section 5: It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: For the reasons in the preamble, and pursuant to Ohio Revised Code 5705, this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and general welfare of the citizens of Buckeye Lake, Ohio. Therefore, this resolution shall become effective immediately upon its passage by Council.

ADOPTED this 27th day of January, 2022

Attest: Samantha Torres
Council Clerk, Samantha Torres

Linda L. Goodman
Council President, Linda Goodman

Date filed with Mayor: January 27, 2022

Date Approved by Mayor: January 27, 2022

Jeryne Peterson
Mayor, Jeryne Peterson

APPROVED:

Approved as to form on this day, 1/26/2022.

Bradley S. Nicodemus, Esq.
Solicitor, Village of Buckeye Lake