

RECORD OF RESOLUTION

Resolution No. 2025-P-27 Passed July 15, 2025
YEAR

VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO.: 2025-R-27

THEN & NOW ORC 5705.41(D)(1)

A RESOLUTION AUTHORIZING THE DRAWING OF A WARRANT IN PAYMENT OF AN AMOUNT DUE IN EXCESS OF THREE THOUSAND DOLLARS AND APPROVING A "THEN & NOW" CERTIFICATION BY THE FISCAL OFFICER PURSUANT TO SECTION §5705.41(D)(1) OF THE OHIO REVISED CODE

WHEREAS, the Fiscal Officer has received an invoice and/or receipt before the funds were encumbered and/or prior to the issuance date of an approved purchase order; and

WHEREAS, the amount involved exceeds three thousand dollars (\$3,000.00) requiring authorization from the taxing authority by resolution or ordinance; and

WHEREAS, the Fiscal Officer is requesting "Then and Now" authorization from Council; and

WHEREAS, Section 5705.41(D)(1) of the Ohio Revised Code 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 in 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."

WHEREAS, the Fiscal Officer has certified that there were appropriations available and resources in the treasury or in the process of collection at the time of the contract was made (THEN) and there are still sufficient appropriations and resources in the treasury or in the process of collection at the time the certificate is being issued (NOW). [See Ohio Village Officer's Handbook, Ohio Auditor of State, March 2019, Chapter Five: Uniform System of Accounting, Section VII(3) Purchase Orders, Then and Now, Page 5-50]

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (ORC 731.18)

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SECTION 1. That Village Council (Taxing Authority) hereby authorizes the drawing of a warrant in payment (Then & Now) of amounts due upon the following:

Vendor: -	Erie Blacktop
Date of Invoice:	10/09/2024
Invoice #:	24041
Amount -	\$88,936.37
Project:	Pavement of streets
Then and Now Purchase order #:	259-2025
Check #:	33309

SECTION 2: IMMEDIATE EFFECT. [ORC 731.30] That measures providing for the appropriations for the current expenses of the municipal corporation shall go into immediate effect.

SECTION 3. DISPENSE WITH THREE READINGS. [ORC 731.17(A)(2)] That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days.

SECTION 4. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this legislation is hereby declared to be an emergency measure pursuant to ORC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

The Village may authorize the drawing of a warrant in payment of amounts due, but such a resolution shall be passed within thirty days after the Village receives such certificate of a sufficient sum from the Fiscal Officer.

SECTION 5. PUBLIC MEETING. It is found and determined that all formal action of this public body concerning or relating to the passage of this legislation were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.


WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

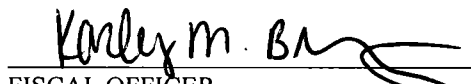
PASSED AND ADOPTED on this 15th day of July, 2025.

ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by ORC 731.17.


MAYOR


FISCAL OFFICER

LEGISLATION READINGS

ORC 731.17(A)

(1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.

(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 06/17/25 Second Reading: 07/01/25 Third Reading: 07/15/25

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ROLL CALL VOTE ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

yea
Mike King

yea
Randy Wilson

yea
Lynne Phillips

yea
Jason Hunter

yea
Regina Lueck

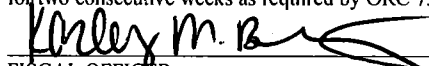
yea
Dorene Beverly

PREPARED BY AND APPROVED AS TO LEGAL FORM [See also ORC 731.21(B)]:


VILLAGE SOLICITOR Steve Palmer

CERTIFICATE OF PUBLICATION ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.


FISCAL OFFICER