

## RESOLUTION NO. 7-2015

Offered by All of Council

**A RESOLUTION TO AUTHORIZE WARRANTS FOR PAYMENT BASED ON THEN AND NOW CERTIFICATES FOR PURCHASES, AND DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Revised Code Section 5705.41 (d) provides a process for a Village Council, as a political subdivision of the state and a taxing unit, to authorize Then and Now Certificates to cover financial commitments made to vendors or other parties by the Village prior to a Fiscal Officer Certification, through formal purchase order or otherwise; and

**WHEREAS**, this Council has received from the village Finance Director within the prior thirty (30) days a certification, with respect to the items listed in Section 1 of this Resolution, 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; and

**WHEREAS**, Council now desires to authorize the drawing of a warrant in payment of the amounts due upon such contract or order.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the village of Richfield, State of Ohio:

Section 1. That the drawing of a warrant in payment of the following amounts due is hereby authorized:

| <u>Vendor</u>                                  | <u>Description</u>                     | <u>Amount</u> | <u>Fund Account Number</u> |
|--|--|---------------|----------------------------|
| Bath Township                                  | School Resource Officer support        | \$35,000.00   | A01-01A-235.16             |
| City of Cleveland Division<br>Of Water         | Fire Hydrant Charge                    | \$ 8,784.10   | B09-05C-231.05             |
| Ohio Public Employees                          | December's Pension (various)           | \$ 26,227.26  | 212.01                     |
| Ohio Police & Fire Pension                     | December's Pension (various)           | \$18,144.96   | A01-01A-212.01             |
|  |  | \$13,753.44   | A01-01B-212.01             |
| Lincoln National Life Ins.                     | January Dental/Vision/Life (various)   | \$4,802.72    | 212.02                     |
| Windstream                                     | Telephone to 12/28/14 (various)        | \$5,548.62    | 232.01                     |
| Cuyahoga Landmark                              | December Fuel (various)                | \$10,712.32   | 242.04                     |
| Center for Medicare/Medicaid<br>Services (CMS) | Re-Insurance Tax for healthcare (var.) | \$4,347.00    | 212.02                     |
| Ohio Edison                                    | Electric to January 5, 2015 (various)  | \$12,672.27   | 212.02                     |

Section 2. It is found and determined 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 and of any of its committees


that resulted in such 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 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason for the need to authorize the above payments; wherefore, provided this receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: 1-20-15

  
\_\_\_\_\_  
President of Council

ATTEST:  
  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor

Date: 1/20/15

**TO: Village Council  
Mayor Bobbie Beshara**

**CC: Carolyn Sullivan  
Bill Hanna**

**FROM: Sandy Turk, Finance Director**

**RE: Resolution No. 7-2015 to authorize payments based on "Then and Now Certificates"**

**Date: January 16, 2015**

| <b>ACTION BEING REQUESTED</b>   | <b>TYPE OF REQUEST</b>           |
|---------------------------------|----------------------------------|
| <b>Authorization Resolution</b> | <b>Then and Now Certificates</b> |

The Finance Department requests that the attached Resolution No. 7-2015 authorizing warrants for payment based on then and now certificates for purchases and declaring an emergency. If possible, I respectfully ask that the second and third readings be suspended and approval of the resolution be granted at the January 20<sup>th</sup> meeting since these certifications are for December bills that will be paid in January.

There are nine vendor payments: Bath Township for the Resource Officer, City of Cleveland Division of Water for the fire hydrant charge, OPERS and OP&F for December's pension payments, Lincoln National Life Insurance for January's dental, vision, life premium, Windstream for December telephone; Cuyahoga Landmark for December's fuel, CMS for a reinsurance tax for healthcare, and Ohio Edison for electric to January 5, 2015.

ORC 5705.41 (D) states that no taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached a certificate of the fiscal officer stating the amount required to meet the obligation has been lawfully appropriated. The certification must be obtained prior to entering into a contract or order involving the expenditure of funds. The items listed in the resolution were ordered or purchased prior to the certification taking place. If this occurs, instead of utilizing a standard certification through a purchase order, a "then and now certificate" must be utilized. This is a certification that states both at the time the contract or order was made ("then") and at the time the fiscal officer is completing the certification ("now") sufficient funds were available or in the process of collection, to the credit of a proper fund.

Amounts of less than \$3,000 may be paid by the fiscal officer without a resolution upon completion of the "then and now" certificate, provided the expenditure is otherwise lawful. If the amounts are \$3,000 or more a resolution must be obtained.

Attachment

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