

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING THE CLERK TREASURER, PURSUANT TO R.C. 5705.41(D), TO ISSUE A WARRANT OF PAYMENT TO H.M. MILLER CONSTRUCTION, CO. IN THE AMOUNT OF \$190,221.34 AND DECLARING AN EMERGENCY

WHEREAS, be it ordained by the council of the Village of Mogadore, Summit/Portage County, Ohio.

SECTION ONE: Findings and Determinations. This Council finds and determines the following matters:

- (a) Pursuant to R.C. 5705.41(D), if a contract does not otherwise contain a certification at the time of entering into the order that sufficient funds have been appropriated for the payment of the same, the Clerk Treasurer shall provide certification that at the time of the order, and at the time of the presentation of the invoice from the vendor, sufficient funds exist or have been appropriated for the payment of the order (“Then and Now” Certificate”).
- (b) The Village Clerk Treasurer has issued a “Then and Now” Certificate attesting that at the time of the order of Miner’s Tractor Sales, Inc. (“Vendor”) and at the time of the issuance of the Certificate, sufficient funds exist and have been appropriated or are in the process of collection for the payment of the Vendor’s account, a copy of said Certificate is attached hereto and incorporated by reference as Exhibit A.
- (c) All formal actions of this Council relating to the enactment of this Resolution were taken in an open meeting of this Council and all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22, Ohio Revised Code.

SECTION TWO: Authorization for Payment of Funds. This Council authorizes and directs the Clerk Treasurer to issue a warrant of payment and to make the following payment consistent with the Certificate:

\$190,221.34 H.M. MILLER CONSTRUCTION CO.

SECTION THREE: Statement of Emergency. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village, and for the further reason that the immediate effectiveness of this Resolution is necessary to ensure the timely performance of Village operations and the timely payment of Village obligations.

SECTION FOUR: Effective Date. If this Resolution receives the affirmative vote of two-thirds of the members elected or appointed to Council, it will take effect and be in force immediately upon its enactment; otherwise, it will take effect and be in full force at the earliest time allowed by law.

President of Council

Date

Mayor

Date

Attest:

Clerk-Treasurer