

1 RESOLUTION NO. 2012-255

2 SPONSOR Mr. Pry and Mrs. Shapiro and Council of the Whole

3 DATE June 18, 2012

4 COMMITTEE: Planning

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7 **A Resolution authorizing and designating an additional five percent of all collections of**
8 **delinquent real property, personal property, and manufactured and mobile home taxes and**
9 **assessments to be deposited in the delinquent tax and assessment collection fund for the use**
10 **of and appropriating such amount to the use of the Summit County Land Reutilization**
11 **Corporation, for the Executive, Fiscal Officer and Council, and declaring an emergency.**

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13 WHEREAS, this Council has heretofore authorized and directed the County Fiscal
14 Officer to file, and the County Fiscal Officer has filed, articles of incorporation, organizing the
15 Summit County Land Reutilization Corporation (the "Summit CLRC"); and

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17 WHEREAS, pursuant to Section 1724.10(B) of the Ohio Revised Code this Council has
18 heretofore authorized and directed the Summit CLRC to develop an agreement and plan for it to
19 act as agent for the County for the purpose of exercising the powers of Chapter 5722 of the Ohio
20 Revised Code; and

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22 WHEREAS, pursuant to of Section 321.261(B) of the Ohio Revised Code, the Council
23 has received a request from the County Fiscal Officer to authorize and designate an additional
24 5% of all collections of delinquent real property, personal property, manufactured and mobile
25 home taxes and assessments to be deposited into the County Fiscal Officer's delinquent tax and
26 assessment collection fund for use by the Summit CLRC ("Additional DTAC Fee") and to
27 appropriate and disburse the same upon its deposit for the exclusive use of the Corporation
28 subject to the terms and provisions of this Resolution; and

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30 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
31 that it is necessary and in the best interest of the County to designate and authorize the
32 Additional DTAC Fee, subject to the provisions of this Resolution.

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34 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
35 State of Ohio, that:

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37 SECTION 1

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39 Pursuant to, and in accordance with, Section 321.261(B) of the Ohio Revised Code, the
40 Additional DTAC Fee at the rate of 5% is hereby authorized and designated to be applied on all
41 collections of delinquent real property, personal property and manufactured and mobile home
42 taxes and assessments solely for the use of the Summit CLRC for so long as the Summit CLRC
43 serves as the agent of the County for the purpose of exercising the rights of the County under
44 Chapter 5722 of the Ohio Revised Code, subject to the limitation hereinafter provided.

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46 SECTION 2

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48 All amounts of the Additional DTAC Fee shall be deposited in the delinquent tax and
49 assessment collection fund of the County and such amounts upon their deposit in such fund are
50 hereby appropriated for the sole use of the Summit CLRC and shall be disbursed to the Summit
51 CLRC.
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4 SECTION 3

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6 This resolution is hereby declared an emergency measure necessary for the immediate
7 preservation of the public peace, health, and safety of the County, and for the further reason that this
8 Council must immediately take all steps necessary to create and duly empower the Summit CLRC
9 in order for the same to timely apply for and commit matching funds under the Ohio Attorney
10 General's Moving Ohio Forward Grant Program.

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12 SECTION 4

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14 Provided this resolution receives the affirmative vote of eight members, it shall take effect
15 immediately upon its passage and approval by the County Executive; otherwise it shall take effect
16 and be in force at the earliest time provided by law.


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18 SECTION 5

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20 This Council finds and determines that all formal actions of this Council concerning the
21 enactment of this resolution were taken in an open meeting of this Council, and all deliberations of
22 this Council and any of its committees that resulted in those formal actions, were in meetings open
23 to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio
24 Revised Code.

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27 INTRODUCED: June 4, 2012

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29 ADOPTED: June 18, 2012

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32 _____
33 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

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36 APPROVED June 18, 2012

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39 _____
40 EXECUTIVE

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43 ENACTED EFFECTIVE: June 18, 2012

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45 Voice Vote: 11-0. YES: Komunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro