

## **RESOLUTION 2025-13**

### **A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO PAY T&J EXCAVATING FOR WORK COMPLETED AND DECLARING AN EMERGENCY**

**WHEREAS**, T& J Excavating, dba/Thomas Heavener, repaired a damaged hydrant at 5332 East Shore Drive; and

**WHEREAS**, after services were rendered, the Village received an invoice for the repair which a purchase order, with prior certification of availability of appropriations and funds to pay the obligation by the Fiscal Officer was not obtained; and

**WHEREAS**, Section 5705.41(D)(1), Revised Code, provides that in certain circumstances a subdivision may authorize payment on a contract executed without prior certification by the Fiscal Officer; and

**WHEREAS**, the Village Council now has before it a certificate from the Fiscal Officer certifying there was at the time of the making of that 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 encumbrances (a “Then and Now certificate”), such taxing authority may authorize the drawing of a warrant in payment of amounts due upon such contract; and

**WHEREAS**, less than thirty days have passed since the Village Council’s receipt of the certificate from the Fiscal Officer: and

**WHEREAS**, the Village Council desires to satisfy the obligations on the contract.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, OHIO, THAT:**

**Section 1.** Village Council hereby acknowledges receipt of a “Then and Now Certificate” from the Fiscal Officer and authorizes and directs the fiscal officer to make payment not to exceed the amount of \$884.81 T&J Excavating, dba/Thomas Heavener.

**Section 2.** This resolution is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare, such emergency arising from the need to comply with statutory timelines concerning “then and now certificates”; wherefore, this resolution shall take effect and be in force from and after its passage.

First Reading: May 8, 2025  
Second Reading: Waived  
Third Reading: Waived  
Passed: May 8, 2025

---

Tiffany Southard, Mayor

**ATTEST**

**APPROVED AS TO FORM**

---

Jeffrey Wilcheck, Fiscal Officer

---

Jesse Shamp, Solicitor