

YES

The Board of County Commissioners in and for Lake County, Ohio, met this day in regular adjourned session with the following members present:

Messrs: Coffey, Mastrangelo (Mr. Platz Excused)

Mr. Mastrangelo presented the following resolution and moved its adoption.

RESOLUTION ADOPTING THE ALTERNATE LOCAL GOVERNMENT FORMULA FOR LAKE COUNTY IN ACCORDANCE WITH SECTION 5747.53, OHIO REVISED CODE.

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners, and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code, and

WHEREAS, the Committee for Alternative Method of Apportioning The Local Government Fund recommends the Alternate Local Government Formula for Lake County, attached hereto as Exhibit "A" and made part of this resolution.

WHEREAS, the Lake County Budget Director recommends adoption of the Alternate Local Government Formula.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners in and for Lake County, Ohio, hereby adopts the Alternate Local Government Formula for Lake County, attached hereto as Exhibit "A" and made a part of this resolution, in accordance with Section 5747.53 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor, Budget Director, and the Budget Commission.

Mr. Coffey seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Messrs: Coffey, Mastrangelo (Mr. Platz Excused)


"NAYS": None

Resolution adopted,  
John S. Crocker, Clerk

CLERK'S CERTIFICATION

I, John S. Crocker, duly appointed Clerk of the Board of County Commissioners do hereby certify that this is a true and accurate copy of a resolution adopted by the said Board on July 6, 1982 and recorded in the Commissioners' Journal, Volume AA-E1.

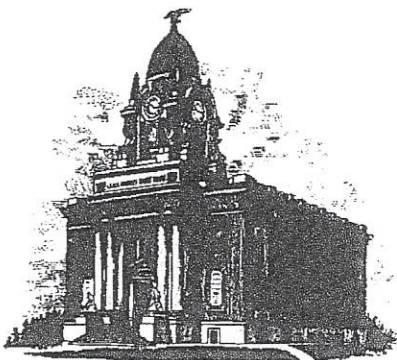
WITNESS my hand this 6th day of July, 1982 at Painesville, Ohio.

  
\_\_\_\_\_  
John S. Crocker, Clerk  
Board of Commissioners in  
and for Lake County, Ohio

RECEIVED

JUL 7 1982

*Daniel J. Supaniak*  
Clerk, County, Ohio



# COUNTY OF LAKE

**DANIEL J. SUPANICK**  
COUNTY AUDITOR

SECRETARY OF:  
BUDGET COMMISSION  
BOARD OF REVISION

ADMINISTRATOR  
DATA PROCESSING DEPT.

428-1194 (Madison)  
352-6281  
OR  
946-2829

LAKE COUNTY ADMINISTRATION CENTER  
105 MAIN ST.  
PAINESVILLE, OHIO 44077

July 1, 1982

To All Participants of the Local Government Fund:

The Committee for an alternative method of apportioning the Local Government Fund has requested me, the Secretary of the Budget Commission to forward to your taxing district a copy of their proposal.

The Budget Commission will need a certified copy of the minutes recording either a positive or a negative majority vote of the respective Counties, Board of Trustees, and Boards of all taxing authorities that participate in the local government fund distribution. As secretary of the Budget Commission, I will record all votes taken and received by my office by August 1, 1982. If an affirmative vote is received by the county and the largest city and a simple majority of all other municipalities, townships, villages and the Metropolitan Park Board, the alternative formula will be in affect beginning fiscal year 1983.

Should any questions arise, please contact:

Dave Miller

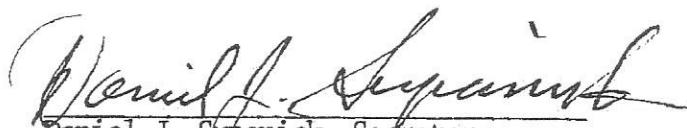
Helen Grubel

Dale Langbehn

352-1416

255-1100

352-6281

  
Daniel J. Supanick, Secretary  
Budget Commission

Encl.

DJS;pat



PROPOSED ALTERNATE  
LOCAL GOVERNMENT FORMULA  
FOR LAKE COUNTY

In accordance with Section 5747.53 R.C. (copy attached), the following alternate method of apportioning Local Government Funds is proposed for Lake County if adopted by the County of Lake, the City of Mentor, and a majority of the other municipal corporations, townships and Metropolitan Park.

Period: To be applied to allocations for years 1983 to 1987, inclusive, if adopted prior to August 1, 1982. If adopted later than August 1, 1982, it would apply to years 1984 to 1988, inclusive.

Reduction of Estimated Revenues: If in any year, the total amount certified by the Board of Tax Appeals is less than the total 1982 allocation, all shares will be reduced on a pro rata basis, but subject to the formula adopted.

Sunset Clause: The alternate formula shall continue for successive periods of five years unless either the County, or the largest city or 50% of the remaining participants by motion of their legislative bodies prior to January 31st of each fifth year of distribution request that the alternate formula be amended or abolished. When such action is certified to the Budget Commission, the Budget Commission shall appoint a committee to recommend an alternate formula to be adopted by the same procedure as specified in present Section 5747.53 R.C. If approval of an amended alternate formula is not possible, the provisions of present Section 5747.53 R.C. shall apply to the allocation and distribution of the Local Government Fund.

Population Data: In the event population figures are no longer available from the U.S. Office of Revenue Sharing, a majority of the legislative bodies of all of the participants must agree by motion on what alternate source to use. If a majority consensus is not agreed upon, the final decision shall be made by the Budget Commission.

Notices to Budget Commission: Certified copies of minutes containing all motions passed by the various legislative bodies of the participants shall be forwarded to the Budget Commission within ten (10) days after passage.

Formula to be used each year by the Lake County Budget Commission to allocate the Local Government Fund:

- Step 1: Determine percentage (.000000) of each participant of the Lake County Local Government Fund allocated by the Budget Commission for the year 1982.
- Step 2: Using the above determined percentages, calculate the shares of the County of Lake and the Metropolitan Park of the amount certified by the Board of Tax Appeals as Lake County's estimated allocation of the Local Government Fund to be allocated to and among the local subdivisions of Lake County. These shares become the total allocation for the County of Lake and the Metropolitan Park Board.
- Step 3: Subtract the shares of the County of Lake and the Metropolitan Park as determined above from the total estimated Lake County allocation and calculate ninety-five per cent (95%) of the balance.
- Step 4: Determine percentage (.000000) of each participant of the Lake County Local Government Fund allocated by the Budget Commission for the year 1982, excluding the County of Lake and the Metropolitan Park.
- Step 5: Using the above determined percentages, calculate the shares of the individual participants of the 95% amount determined in Step 3.
- Step 6: Calculate five per cent (5%) of the balance determined in Step 3.
- Step 7: Using the latest population figures furnished by the U.S. Office of Revenue Sharing, determine percentage (.000000) of each participant, excluding the County of Lake and the Metropolitan Park.
- Step 8: Using the above determined percentages, calculate the shares of the individual participants of the 5% amount determined in Step 6.
- Step 9: Add the individual shares of each participant as determined in Steps 5 and 8 to produce the total allocation of each participant. These totals plus the shares of the County of Lake and the Metropolitan Park shares equal the total Lake County Local Government Fund certified by the Board of Tax Appeals.

Distribution of Local Government Fund moneys: The Budget Commission shall determine the percentage (.000000) of each participant of the final allocation as determined in Step 9 of the alternate formula and distribute all funds received by applying these percentages to each distribution.

	STEP 1	STEP 4	STEP 5	STEP 7	STEP 8	STEP 9
	1982	%	95% of	Pop. %	\$215,475.54	Total
	Alloc.	Alloc.	\$4,309,510.87	Pop.	5%	% Alloc.
Madison Twp.	92,613.28	.018763	87,982.61	.15378	15,571.28	103,553.89
Madison Village	37,820.10	.007662	35,929.10	.2291	2,319.79	38,248.89
Perry Twp.	70,502.44	.014283	66,977.32	.5126	5,190.43	72,167.75
Perry Village	59,042.86	.011962	56,090.72	.961	973.08	57,063.80
North Perry Village	61,826.38	.008474	39,735.06	.897	908.27	40,643.33
Leroy Twp.	20,009.16	.004054	19,008.70	.2505	2,536.48	21,545.18
Concord Twp.	46,911.03	.009504	44,565.48	.10335	10,464.89	55,030.37
Painesville Twp.	80,767.80	.016363	76,729.41	.12348	12,503.19	89,232.60
Grand River Village	23,788.85	.004820	22,599.41	.412	417.18	23,016.59
Fairport Harbor	92,925.14	.018826	88,278.88	.3357	3,399.19	91,678.07
Painesville City	357,724.29	.072473	339,838.07	.16391	16,597.01	356,435.08
Mentor City	786,268.91	.159294	746,955.46	.42065	42,593.69	789,549.15
Mentor-Lake	136,360.48	.027626	129,542.46	.7919	8,018.53	137,560.99
Kirtland City	112,343.68	.022760	106,726.50	.5969	6,044.02	112,770.52
Kirtland Hills	61,143.21	.012387	58,086.05	.506	512.36	58,598.41
White Hill Village	65,825.47	.013336	62,534.20	.529	535.65	63,069.85
Willoughby City	560,683.85	.113592	532,649.66	.19329	19,571.93	552,221.59
Willowick City	444,506.52	.090054	422,279.29	.17834	18,058.14	440,337.43
Wickliffe City	471,334.64	.095490	447,767.91	.16790	17,001.02	464,768.93
Lakeline	8,019.50	.001625	7,618.52	.258	261.24	7,879.76
Willoughby Hills	194,322.86	.039369	184,606.72	.8612	8,720.24	193,326.96
Timberlake	16,790.22	.003402	15,950.71	.885	896.12	16,846.83
Eastlake City	527,982.20	.106967	501,583.09	.22104	22,381.81	523,964.90
County of Lake	544,682.86	.110350				544,682.86
Metro Park	81,758.27	.016564				81,758.27
Total	4,935,952.00	1.000000	4,094,035.33	212801	215,475.54	4,935,952.00

-544,682.86

- 81,758.27

4,309,510.87 STEP 3

95% = 4,094,035.33 STEP 3 5% = \$ 215,475.54 STEP 6



- the tax budget
- 12. Revenue, including transfers, shown in the general fund or any special funds other than special funds established for road and bridge, street construction, maintenance, and repair, and state highway improvement, and for gas, water, sewer, and electric public utilities, from all other sources except those from additional taxes or service charges voted by electorate as defined in division (E) (4) of section 5747.51 of the Revised Code, and except revenue from special assessment and revenue bond collections
- 13. Total
- Calculation of subdivision share
- 14. Relative need of subdivision (line 4 less line 13)
- 15. Relative need factor for county (total estimate of undivided local government fund divided by total relative need of all participating subdivisions)
- 16. Proportionate share of subdivision (relative need of subdivision multiplied by relative need factor)
- 17. After any adjustments necessary to comply with statutory maximum share allowable to county
- 18. After any adjustments necessary to comply with statutory minimum share allowable to townships
- 19. After any adjustments necessary to comply with minimum guarantee in division (I) of section 5747.51 of the Revised Code
- 20. Proportionate share of subdivision (line 16, 17, 18, or 19, whichever is appropriate)

HISTORY: 1971 H 475, eff. 12-20-71

CROSS REFERENCES

See Gotherman's Revision of Crowley, Ohio Municipal Law, Text 19.94

47 OS(2d) 19, 350 NE(2d) 919 (BTA 1976), Russell Twp v Geauga County. With respect to county budget proceedings, (1) failure to file a complete budget does not justify invoking the sanctions of 5705.30; (2) board of tax appeals erred in excluding the special fund information from its recomputation determining needs for the purpose of allocating the local government fund, to the extent that its order was affected by the omission; (3) presenting a deficit budget does not violate any statute or case law; (4) those who are entitled to participate in any appropriation or revenues of a subdivision or taxing unit are not required by 5705.28, or by any form prescribed by the bureau of supervision of public offices, to include revenue sharing funds in estimates to be filed under that statute; (5) the board of tax appeals in a de novo hearing may receive estimates or actual year-end figures, and, as in all other cases, fashion therefrom a decision both reasonable and lawful.

5747.53 Alternative method of apportioning fund by county budget commission

(A) In lieu of the method of apportionment of the undivided local government fund of the county provided by section 5747.51 of the Revised Code, the county budget commission may provide for the apportionment of such fund under an alternative method or on a formula basis as authorized by this section. Such alternative method of apportionment shall have first been approved by all of the following governmental units: the board of county commissioners; the legislative authority of the city, located wholly or partially in the county, with the greatest population; and a majority of the boards of township trustees and legislative authorities of municipal corporations, located wholly or partially in the county, excluding the legislative authority of the city with the greatest population. In granting or denying such approval, the board of

county commissioners, boards of township trustees, and legislative authorities of municipal corporations shall act by motion. A motion to approve shall be passed upon a majority vote of the members of a board of county commissioners, board of township trustees, or legislative authority of a municipal corporation, shall take effect immediately, and need not be published. Any method of apportionment adopted and approved under this section may be revised, amended, or repealed in the same manner as it may be adopted and approved. In the event a method of apportionment adopted and approved under this section is repealed, the undivided local government fund of the county shall be apportioned among the subdivisions eligible to participate therein, commencing in the ensuing calendar year, under the apportionment provided in section 5747.52 of the Revised Code, unless a new method for apportionment of such fund is provided in the action of repeal.

(B) In determining the alternative method of apportionment authorized by this section, the county budget commission may include in such method any factor deemed to be appropriate and reliable, in the sole discretion of the county budget commission.

(C) The limitations set forth in section 5747.51 of the Revised Code, stating the maximum amount that the county may receive from such fund, the minimum amount the townships in counties having a population of less than one hundred thousand may receive from such fund, and the additional amounts which may be apportioned to the counties due to the counties' expenditures under Chapters 5107. and 5113. of the Revised Code, are applicable to any alternate apportionment authorized under this section.

(D) On the basis of any alternative apportionment adopted and approved as authorized by this section, as certified by the auditor to the county treasurer, the county treasurer shall make distribution of the money in the undivided local government fund to each subdivision eligible to participate in such fund, and the auditor, when the amount of such shares is in the custody of the treasurer in the amounts so computed to be due the respective subdivisions, shall at the same time certify to the auditor of state the percentage share of the county as a subdivision. All money received into the treasury of a subdivision from the undivided local government fund in a county treasury shall be paid into the general fund and used for the current operating expenses of the subdivision. If a municipal corporation maintains a municipal university, such municipal university, when the board of directors so requests the legislative authority of the municipal corporation, shall participate in the money apportioned to such municipal corporation from the total local government fund, however created and constituted, in such amount as requested by the board of directors, provided such sum does not exceed nine per cent of the total amount paid to said municipal corporation.

(E) The actions of the budget commission taken pursuant to this section are final, and may not be appealed to the board of tax appeals, except on the issues of abuse of discretion and failure to comply with the formula.

HISTORY: 1975 H 1, eff. 6-13-75  
1971 H 475

CROSS REFERENCES

See Gotherman's Revision of Crowley, Ohio Municipal Law, Text 19.94