

SPONSOR: _____

RESOLUTION NO. 15-D

A RESOLUTION AUTHORIZING A THEN AND NOW CERTIFICATE, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D), the issuance of a then and now certificate is permitted; and

WHEREAS, the Jackson City Council now desires to approve the then and now certificate.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section 1. The Jackson City Council hereby authorizes and approves the Then and Now Certificate, in accordance with the material attached hereto as Exhibit "A", and made a part hereof.

Section 2. This Resolution is hereby declared to be an emergency Resolution necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, and for the further reason that the Jackson City Council must act promptly in approving the Then and Now Certificate. Therefore, this Resolution shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section 3. In the event this Resolution receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Resolution shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

Section 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Date: _____

2/26/07

PRESIDENT OF COUNCIL

[Signature]

CLERK OF COUNCIL

[Signature]

Approved:

Date: _____

2/27/07

MAYOR

[Signature]

MEMO

Date: 2/22/2007
To: Jack Getty, Law Director
From: Wendy Sexton, Deputy Auditor
RE: Resolution Approving a Then and Now Certificate

Please prepare a Resolution for the next City Council meeting that approves a Then and Now Certificate for payment to the Bulk Plant. See attached for copy of invoice.

This should have the emergency clause attached if possible as this invoice needs to be paid.

THAN AND NOW CERTIFICATE

It is hereby certified that, pursuant to Ohio Revised Code Section 5705.41(D), that at the time of the making of such contract or order and at the time of the execution of this certificate, a sufficient sum was appropriated for the purpose of such contract and in the Treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

The taxing authority has 30 days from the receipt of this certificate to approve payment by resolution; otherwise this certificate becomes null and void and there is no legal liability on the part of the City or the taxing authority.

Date of Certificate July 22, 2007

Warrant # _____

Line Item # ~~50~~ 701-7510-53036

PO # 70673

Invoice # 389678

Invoice Date 2-12-07

Amount \$ 2433.59

Vendor Name Buck Plant

Resolution # _____

Date & Page In City Council Minutes _____

City Auditor

Date Certified

CITY OF JACKSON

PT. 1-WHITE - VENDOR
PT. 2-YELLOW - FILE

PT. 3-PINK - AUDITOR

NO. 000071873
APPENDIX B

145 BROADWAY STREET
JACKSON, OHIO 43640-1858

DELIVERABLE
SHIP TO
THIS DEPT.
AND DIVISION

DELIVERABLE
SHIP TO
THIS DEPT.
AND DIVISION

PURCHASE ORDER DATE
02/21/2007
GUARANTEED DELIVERY DATE

EXCISE OR SALES TAX DO NOT APPLY TO CITY

TERMS:
CASH DISCOUNTS WILL BE FIGURED FROM DATE
ACCOUNTING OFFICE RECEIVES VENDOR'S INVOICE

NAME
AND ADDRESS
OF VENDOR

BILL PLANTS INC . 5004833
478 FRONT ST
JACKSON OH 43675

By shipping the goods below or by acknowledging receipt of this order or by performing the work below you agree to the terms and conditions of sale which appear on the face. Any different or additional terms in your acceptance of this offer are hereby objected to.

LINE NO.	DESCRIPTION	ACCOUNT CODE	QUANTITY		UNIT PRICE	AMOUNT
001	FUEL FOR MOTOR & GENERATOR	701-7510-53034	1206.00	EA	2.01	2428.00
002	ENV. FEE	701-7510-53034	1.00	EA	4.95	4.95

**TOTAL AMOUNT
NOT TO EXCEED** 2433.59

- INSTRUCTIONS TO VENDORS**
1. THIS ORDER IS NOT VALID UNLESS SIGNED BY THE CITY AUDITOR FOR AVAILABILITY OF FUNDS.
 2. MAIL INVOICES IN DUPLICATE TO THE ACCOUNTS PAYABLE OFFICE.
 3. DELIVERY MUST BE PREPAID TO DESTINATION SHOWN ABOVE. THE CITY WILL NOT PAY FREIGHT OR EXPRESS FEES.
 4. NO CHANGE MAY BE MADE IN THIS ORDER WITHOUT WRITTEN CONSENT OF THE FINANCE DIRECTOR.

AUDITOR'S CERTIFICATE

It is hereby certified that the amount of \$ _____ required to meet the contract, agreement, obligation, payment of expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in process of collection to the credit of the _____ fund free from any obligation or certification now outstanding.

IMPORTANT PLEASE NOTE THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ON ALL CORRESPONDENCE

DATED _____
This order not valid unless City Auditor's Certificate is signed.

CITY OF JACKSON
 Memorial Building
 JACKSON, OHIO 43640
 286-2201

RECEIVING
 FORM
 63602

DATE 2-21-07		PURCHASE ORDER NO. OR RETURNED GOODS		
RECEIVED FROM Bank of America		PREPAID		
ADDRESS		COLLECT		
VIA		FREIGHT BILL NO.		
QUANTITY	ITEM NUMBER	DESCRIPTION		
1		Invoice # 389678		
2		\$ 2493.52		
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
REMARKS: CONDITIONS, ETC.				
NO. PACKAGES	WEIGHT	RECEIVED BY	CHECKED BY	DELIVERED BY
		<i>[Signature]</i>	<i>[Signature]</i>	

BE SURE TO
 MAKE THIS RECORD
 ACCURATE AND COMPLETE

389678

3107

BULK PLANTS INC.
P.O. BOX 2009
ASHLAND, KY 40005-2009

CUSTOMER'S

- RECEIVED ON A/C
- CASH SALE
- CHARGE SALE
- CREDIT MEMO
- TRANSFER

FACILITY / EPA REGISTRATION NO. THIS PRODUCT'S ADMITTED CERTIFICATION NO.

City of Jackson WTP

See NOTE A on Back

NOT TO BE USED IN AN INTERNAL COMBUSTION ENGINE

PLEASE MAIL PAYMENT OF THIS INVOICE TO THE BULK PLANT SERVING YOU

DELIVERED TO: ADDRESS ZIP CODE BULK PLANT AGENT NO. CUSTOMER ORDER NO. DATE

PRODUCT	SEE NOTES ON BACK	Stock Code	QUANTITY	BASE PRICE	FED. TAX	STATE TAX	OTHER TAX	TOTAL PRICE	AMOUNT
CONV 37		2							
CONV 36		1							
CONV 28		3							
ON ROAD USE ONLY									
KERO W/LSD		5							
LOW SULFUR DIESEL		4							
OFF ROAD USE ONLY									
K-1		6							
KEROSENE		6							
HIGH SULFUR DIESEL		10	13.06	2.0116	.0022			2.0138	2428.64
KERO W/HSD		7							

* DIESEL - Off-Highway Fuel, Not legal For Motor Vehicle Use. LOW SULFUR - .05% Max. Sulphur, 40 Cetane Min. Fuel

Heating Use	* HS DIESEL	10							
	* K1-KERO	6							

PRODUCT	CODE	PACKAGE		QUANTITY	BASE PRICE	MISC.
		NO.	SIZE			
Eng Fee						4.95

Settlement	CASH			SALES TAX	STATE	X	%
	CHECKS				COUNTY	X	%
	CREDITS				CITY	X	%
	TOTAL				RENT	gal. X	%
PAYMENT RECEIVED BY					CASH BOND	gal. X	%

DELIVERED BY	SHIPPING NAME		GALLONS	TOTAL
	Gasoline 3 UN 1203 PG II			2433.59
	Kerosene - Combustible Liquid UN 1223 PG III			
PRODUCT RECEIVED IN GOOD CONDITION AND IN THE QUANTITIES INDICATED		Fuel Oil - Combustible Liquid NA 1993 PG III	12.00	Bulk Plants Inc. has not assumed responsibility to pay any federal diesel fuel tax, any other federal tax, or any state or local tax except those taxes itemized on this invoice.

HAZARDOUS MATERIAL EMERGENCY CONTACT 1-800-274-5263

CUSTOMER AGREES TO PAY A LATE CHARGE ON PAST DUE BALANCE OF 1.5% PER MONTH, OR THE MAXIMUM RATE ALLOWED IN CUSTOMER'S STATE OF RESIDENCE, WHICHEVER IS LESS, CUSTOMER AGREES TO PAY ALL EXPENSE INCURRED IN COLLECTION OF THE INDEBTEDNESS AS A RESULT OF DEFAULT OF PAYMENT, INCLUDING COURT COST AND REASONABLE ATTORNEY'S FEES.

CHARGE SALE - Accounting. CASH SALE - Customer