

*Village of Crooksville*

**RESOLUTION NO. 2022-122**

**RESOLUTION**

- (1) ACKNOWLEDGING PAYMENT AND BALANCE REMAINING DUE UPON  
PREVIOUS ASSESSMENTS FOR WHEELER/OLD SCHOOL DRIVE;  
(2) DIRECTING ZERO BALANCE, CLOSURE AND TERMINATION OF ACCOUNT  
FOR WHEELER/101 OLD SCHOOL DRIVE;  
(3) ASSESSING COST OF WATER AND SEWER CHARGES FOR  
WHEELER/109, 111, 113 OLD SCHOOL DRIVE;  
AND DECLARING EMERGENCY**

**Whereas**, the Village of Crooksville, its Administrator, and its Water Department have acted in accordance with Ohio Revised Code §743.04 and the laws of the State of Ohio in assessing and billing water charges for water within the Village of Crooksville water supply system; and

**Whereas**, the Village of Crooksville, its Administrator, and its Water Department have acted in accordance with Ohio Revised Code §729.49 and the laws of the State of Ohio in assessing and billing sewer charges for sewerage with the Village of Crooksville sewer system; and

**Whereas**, the Village of Crooksville, its Administrator, and its Water Department have acted in accordance with Ordinance # 2588, Ohio Revised Code §729.49 and the laws of the State of Ohio in assessing and billing sewer charges for stormwater with the Village of Crooksville stormwater drainage utility system; and

**Whereas**, in accordance with §734.04 and §729.49 and pursuant to Resolutions 11-71 and 2015-47, of the Village Council, assessments were previously made, reported to the County Auditor, and placed as liens against the property of Ronald Wheeler at 101, 109, 111, and 113 Old School Drive, Crooksville, Parcel # 110015060000, in the amounts of \$1,061.24 (November 2011) and \$5,585.24 (July 2015); and

**Whereas**, payments to the County Auditor were thereafter received and applied against said assessments in the amounts of \$290.00 (March 2013); \$237.50 (March 2014); \$332.50 (July 2015); and \$500.00 (March 2017), for a total in payments of \$1,360.00; and

**Whereas**, as a result of the aforesaid payments, the lien placed pursuant to Resolution 11-71 is paid in full, and the lien placed pursuant to Resolution 2015-47 has a balance remaining of \$5,286.48 (\$1,061.24 plus \$5,585.24 equals \$6,646.48 in assessments less \$1,360.00 in payments equals \$5,286.48 assessment balance remaining due); and

**Whereas**, as a result of an ongoing inquiry, dispute and efforts to determine and resolve the charges, liens and assessments by and among Ronald Wheeler and the Village of Crooksville

and regarding the Old School Drive Accounts, Ronald Wheeler ceased and refused to pay monthly water, sewer and storm charges that continued to accrue and accumulate on his Old School Drive Property and the Village of Crooksville temporarily refrained from annual assessments and other collection alternatives; and

**Whereas**, on February 23, 2022, Perry County did initiate an action in Foreclosure for delinquent taxes against Ronald Wheeler and his Old School Drive Property, upon which Judgment in Default was rendered on April 27, 2022; and

**Whereas**, the County’s action in Foreclosure prompted renewed interest by and among Ronald Wheeler and the Village of Crooksville in finalizing inquiry and reaching resolution as to the Old School Drive Property; and

**Whereas**, an account numbered 101-02205-00 exists with the Village of Crooksville in the name of Ronald Wheeler for the property commonly known as 101 Old School Drive and often referenced as “the old band room” upon which water, sewer and storm water charges have accumulated in the total amount of \$7,466.96 as of March 14, 2022; and

**Whereas**, said accumulated charges as they pertain to the Ronald Wheeler Property commonly known as 101 Old School Drive, Crooksville, and commonly referenced as “the old band room,” have been determined appropriate for removal from the Village’s records due to that portion of the Ronald Wheeler Property known as 101 Old School Drive having been determined a non-serviced building; and

**Whereas**, upon those portions of the Ronald Wheeler Property commonly known as 109, 111 and 113 Old School Drive, from the period of time encompassing 01/1/2011 through 03/14/2022:

- certain water charges have not been paid when due; and
- said certain unpaid water charges have arisen pursuant to a service contract made directly with an owner who occupies the property served; and
- certain sewer charges have not been paid when due; and
- certain stormwater drainage utility charges have not been paid when due;

all in the following amounts:

<b>Address</b>	<b>Water</b>	<b>Sewer</b>	<b>Storm</b>	<b>Total</b>
109 Old School	4,733.77	2,976.60	105.77	7,816.14
111 Old School	4,008.99	2,638.70	105.77	6,753.46
113 Old School	3,797.65	2,499.00	105.77	6,402.42
<b>TOTAL</b>				<b>\$20,972.02</b>

and

**Whereas**, given that the total accumulated amount due for the 109, 111, and 113 Old School Drive Property in the period of time set forth above encompasses and includes that period of time also covered by Resolution 2015-47, upon which a balance remains of \$5,286.48, the

actual assessment made by this Resolution should be in the amount of \$15,685.54 (\$20,972.02 less \$5,286.48 equals \$15,685.54).

**NOW THEREFORE BE IT, AND IT IS HEREBY RESOLVED:**

1. **Previous Assessments:** The Village of Crooksville, by its Council, sets forth and acknowledges the following:
  - a. In accordance with Ohio Revised Code §734.04 and §729.49 and pursuant to Resolutions 11-71 and 2015-47 of the Village Council, assessments were previously made, reported to the County Auditor, and placed as liens against the property of Ronald Wheeler at 101, 109, 111, and 113 Old School Drive, Crooksville, Parcel # 110015060000, in the amounts of \$1,061.24 (November 2011) and \$5,585.24 (July 2015);
  - b. Payments to the County Auditor were thereafter received from Ronald Wheeler and applied by the County Auditor and the Village of Crooksville against said assessments in the amounts of \$290.00 (March 2013); \$237.50 (March 2014); \$332.50 (July 2015); and \$500.00 (March 2017), for a total in payments of \$1,360.00;
  - c. As a result of the aforesaid payments, the lien placed pursuant to Resolution 11-71 is paid in full; and
  - d. As a result of the aforesaid payments, the lien placed pursuant to Resolution 2015-47 has a balance remaining of \$5,286.48.
  
2. **Closure and Termination of Account:** The Village Council recognizes and determines that that portion of the Ronald Wheeler Property commonly known as 101 Old School Drive, Crooksville, and commonly referenced as “the old band room,” is a non-serviced building. The Utilities Billing Administrator is directed to zero out, close and terminate Village of Crooksville Utility Account Number 101-02205-00 in the name of Ronald Wheeler for the property at 101 Old School Drive upon which water, sewer and storm water charges have accumulated in the total amount of \$7,466.96 as of March 14, 2022. All charges upon said account through March 14, 2022, as well as after March 14, 2022, and through the date hereof shall be removed.
  
3. **Assessment:** The Village of Crooksville, by its Council finds that the Village of Crooksville, its Administrator, and its Water Department have assessed charges for water, have assessed charges for sewer, and have assessed charges for stormwater drainage utility, and after billing and notifying the owner, lessees, agents or tenants of the property on which each of said water and/or sewer and/or stormwater drainage utility charges originated, have reported those water charges and/or sewer charges and/or stormwater drainage utility charges not paid when due from and after January 1, 2011, through March 14, 2022, all as provided by law, as follows:

<i>Owner Name/Property Address</i>	<i>Auditor's Number</i>	<i>Assessment Basis</i>	<i>Amt.</i>
Ronald Wheeler	110015060000	Unpaid Water	See Below
109, 111, 113 Old School Drive		Unpaid Sewer	See Below
Crooksville	PERRY COUNTY	Unpaid Stormwater	See Below
Mailing: _____			
<b>TOTAL</b>			<b>See Below</b>
Mailing: 248 W. Brown Street, Crooksville, Ohio 43731			

Address	Water	Sewer	Storm	Total
109 Old School	4,733.77	2,976.60	105.77	7,816.14
111 Old School	4,008.99	2,638.70	105.77	6,753.46
113 Old School	3,797.65	2,499.00	105.77	6,402.42
<b>SUBTOTAL</b>				<b>\$20,972.02</b>

The Village of Crooksville, by its Council, further finds that the remaining balance of \$5,286.48 from the lien placed pursuant to its previous Resolution 2015-47 is encompassed within the Subtotal set forth above and should therefore offset the final Total to be assessed hereunder.

<b>SUBTOTAL</b>				<b>\$20,972.02</b>
Less Balance Remaining from 2015 Assessment				(5,286.48)
<b>TOTAL</b>				<b>\$15,685.54</b>

The amount of **15,685.54** shown above is hereby assessed on the property shown, and such assessment shall be a lien on the property served from the date placed on the list and duplicate, and shall be certified for collection on the 2022 tax year duplicate in the same manner as general taxes, except that, notwithstanding § 323.15 of the Revised Code, a county treasurer shall accept a payment in such amount when separately tendered as payment for the full amount of such unpaid water rents or charges and associated penalties, and the lien shall be released immediately upon payment in full of the certified amount, all as provided in the Ohio Revised Code.

Further, it is hereby certified that the above shown water assessments have arisen pursuant to a service contract for water made directly with an owner for the property served.

Emergency Clause: This resolution is hereby declared an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the Village of Crooksville and the members thereof, and for the purpose of paying the expenses of conducting and managing the Village's waterworks and sewer system and stormwater drainage utility, including operating expenses and the costs of compliance and improvements, as well as obligations for the Village of Crooksville debt maintenance, and for the efficient and timely submission of assessments to the County Auditor for certification for collection on the earliest possible tax year duplicate. Therefore, this Resolution shall go into immediate effect upon its passage.

Passed: 12/19/2022



**Chris Mohler**  
Mayor, Village of Crooksville

**ATTESTED:**



**Courtney Edwards**  
Fiscal Officer, Village of Crooksville

**SIGNED:**



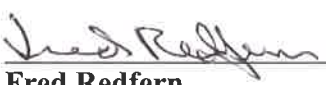
**Bill Hampton**  
President of Council, Village of Crooksville



**John Loomis**  
Councilman, Village of Crooksville




**R. Scott Locke**  
Councilman, Village of Crooksville



**Fred Redfern**  
Councilman, Village of Crooksville

**Billie Smith**  
Councilwoman, Village of Crooksville



**Rodney Walters**  
Councilman, Village of Crooksville

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