

**WAYNE COUNTY
PRIMARY ELECTION - NOVEMBER 6, 2012
LIST OF ISSUES**

State Issue 1

Question presented pursuant to Article XVI, Section 3 of the Constitution of the State of Ohio

A majority yes vote is necessary for passage.

Article XVI, Section 3 of the Constitution of the State of Ohio reads as follows:

“At the general election to be held in the year one thousand nine hundred and thirty-two, and in each twentieth year thereafter, the question: ‘Shall there be a convention to revise, alter, or amend the constitution[,]’ shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon.”

Shall there be a convention to revise, alter, or amend the Ohio Constitution?

State Issue 2

To create a state-funded commission to draw legislative and congressional districts

Proposed Constitutional Amendment

Proposed by Initiative Petition

To add and repeal language in Sections 1, 3, 4, 6, 7, 9 and 13 of Article XI, repeal Sections 8 and 14 of Article XI, and add a new Section 16 to Article XI of the Constitution of the State of Ohio

A majority yes vote is necessary for the amendment to pass.

The proposed amendment would:

1. Remove the authority of elected representatives and grant new authority to appointed officials to establish congressional and state legislative district lines.
2. Create a state funded commission of appointed officials from a limited pool of applicants to replace

the aforementioned. The Commission will consist of 12 members (4 affiliated with the largest political party, 4 affiliated with the second largest political party, and 4 not affiliated with either of the two largest political parties) who will be chosen as follows:

A. On or before January 1 of the year that the decennial census is conducted, the Chief Justice of the Supreme Court of Ohio shall select by lot a panel consisting of eight judges of the courts of appeals of Ohio, no more than four of whom may be members of the same political party. This panel of judges shall be responsible for selecting potential members of the Commission. On or before April 1 of the year that the decennial census is conducted, this panel of judges shall appoint an independent auditor who shall assist the judges in determining the eligibility of potential members of the Commission.

B. Eligible persons may submit applications for membership on the Commission to the Secretary of State by May 1 of the year that the decennial census is conducted. The Secretary of State shall make available an appropriate application form designed to help determine the eligibility and qualifications of applicants and shall publicize the application process. The Secretary of State shall provide the panel of judges with the applications and any other records necessary to determine eligibility of the applicants.

C. On or before August 1 of the year that the decennial census is conducted, the panel of eight judges described in subparagraph A shall select from the applicants forty-two individuals to serve as potential members of the Commission. The judges, after adopting a selection procedure, shall select applicants who have the relevant skills and abilities, including a capacity for impartiality, and who reflect the diversity of Ohio. These shall include the fourteen most qualified applicants affiliated with each of the two largest political parties, and the fourteen most qualified applicants who have been unaffiliated with either of these political parties during the prior five years. The selection of potential members shall require the affirmative vote of at least five of the eight judges. The two largest political parties shall be determined based on the votes received by the candidates for Governor in the most recent gubernatorial election.

D. On or before August 15 of the year that the decennial census is conducted, the speaker of the Ohio House of Representatives and the highest ranking member of the House not of the same political party as the speaker may each respectively eliminate up to three of the fourteen potential members affiliated with the largest political party, up to three of the fourteen potential members affiliated with the second largest political party, and up to three of the fourteen potential members not affiliated with either of these parties. This shall result in a final pool of not less than twenty-four potential members of the Commission.

E. From the final pool of potential members, the panel of eight judges, or their designee, shall choose by lot, and in public, three individuals affiliated with each of the two largest political parties and three individuals not affiliated with either of these parties to serve as members of the Commission. On or before October 1 of the year that the decennial census is conducted, these

nine members shall meet to select from the final pool of potential members three additional members, which shall include one member affiliated with the largest political party, one member affiliated with the second largest political party, and one member not affiliated with either of these parties. In selecting the final three members, the members of the Commission shall seek a total commission membership that reflects the diversity of Ohio and that has the relevant skills and abilities, including a capacity for impartiality, which will allow the Commission to fulfill its responsibilities. The nine members selected by lot and the three additional members selected by the original nine members shall comprise the full Commission.

F. No member of the Commission shall be subject to removal by the general assembly or any member of the executive branch.

3. Require new legislative and congressional districts be immediately established by the Commission to replace the most recent districts adopted by elected representatives, which districts shall not be challenged except by court order until the next federal decennial census and apportionment. Affirmative votes of 7 of 12 Commission members are needed to select a plan. In the event the Commission is not able to determine a plan by October 1, the Ohio Supreme Court would need to adopt a plan from all the plans submitted to the Commission.

4. Repeals current constitutional requirements for drawing legislative districts that avoid splits to counties, townships, municipalities and city wards where possible, and when not possible, limiting such divisions to only one division per governmental unit, and also repeals requirements to form as many whole legislative districts solely within a county as possible. The foregoing would be replaced and require the Commission to adopt a plan that complies with all applicable federal and state constitutional provisions, federal statutory provisions, and the contiguity requirement and that most closely meets the factors of community preservation, competitiveness, representational fairness, and compactness. The Commission would also be required not to draw or adopt a plan with an intent to favor or disfavor a political party, incumbent, or potential candidate.

5. Mandate the General Assembly to appropriate all funds necessary to adequately fund the activities of the Commission including, but not be limited to, compensating:

- A. Staff
- B. Consultants
- C. Legal counsel
- D. Commission members

If approved, the amendment will be effective thirty days after the election.

Shall the amendment be approved?

YES

NO

**3) PROPOSED TAX LEVY
(RENEWAL)**

The Village of Fredericksburg

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of the Village of Fredericksburg for the purpose of current expenses at a rate not exceeding 3 mills for each one dollar of valuation, which amounts to thirty cents (\$0.30) for each one hundred dollars of valuation, for three (3) years, commencing in 2013, first due in calendar year 2014.

**4) PROPOSED TAX LEVY
(ADDITIONAL)**

City of Norton

A majority affirmative vote is necessary for passage.

An additional tax for the benefit of the City of Norton for the purpose of providing and maintaining fire apparatus, appliances, buildings and sites therefor, sources of water supply and materials therefor, the payment of permanent, part-time or volunteer firefighting, emergency medical service, administrative and communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, and the provision of ambulance, paramedic and other emergency medical services operated by the fire department at a rate not exceeding 4.6 mills for each one dollar of valuation, which amounts to 46 cents for each one hundred dollars of valuation, for 4 years, commencing in 2012, first due in calendar year 2013.

**5) PROPOSED CHARTER AMENDMENT
(By Petition)**

City of Norton

A majority affirmative vote is necessary for passage.

A proposal to amend Article III Section 3.06 of the Charter of the City of Norton, Ohio to read as follows:

SECTION 3.06 VACANCIES.

~~Whenever the office of a Councilperson shall become vacant for any reason, the vacancy shall be filled for the remainder of the term by a majority vote of the members elected and appointed to Council of all remaining members of the Council after the effective date of the vacancy. If the vacancy is in an office of a Councilperson representing a ward, such vacancy must be filled from that ward. If the vacancy occurs in the office of a Council at large, such vacancy can be filled from any ward within the Municipality.~~

~~(Amended on November 8, 2011)- and the unexpired term of office of the vacant Councilperson shall be greater than or equal to nine calendar months, the vacancy shall be filled for the remainder of the term by a special municipal election. The special election required under this section shall be called for by the Council and otherwise administered at the nearest available time. The Council shall remain vacant until the result of the special election shall be certified by the Summit County Board of Elections.~~

Whenever the office of a Councilperson shall become vacant for any reason, and the unexpired term of office of the vacant Councilperson shall be less than nine calendar months, the vacancy shall be filled for the remainder of the term by a majority vote of the members elected and appointed to Council of all remaining members of the Council after the effective date of the vacancy. If the vacancy is in an office of a Councilperson representing a ward, such vacancy must be filled from that ward. If the vacancy occurs in the office of a Council-at-large, such vacancy can be filled from any ward within the Municipality.

If the office of President becomes vacant because of the succession of the President of Council to the office of Mayor or for any other reason, the Vice-President of Council shall become President of Council and Council shall elect by a majority vote of the members elected and appointed to Council a new Vice-President from its members. If the President of Council declines to serve as Mayor, he or she may remain as President of Council and Council shall then appoint one of its remaining members to the office of Mayor.

~~In the event Council should fail to fill a vacancy in the office of Councilperson, or in the office of President or Vice-President, within thirty days from the date such vacancy occurs, then the power of Council to do so shall lapse and the Mayor shall fill it by appointment.~~

The person elected or appointed to fill a vacancy on the Council shall have the qualifications for the particular office specified in Section 3.03 of this Charter. (11-8-94)

Shall the proposed charter amendment be adopted?

6) PROPOSED CHARTER AMENDMENT

(By Petition)

City of Norton

A majority affirmative vote is necessary for passage.

A proposal to amend Article III of the Charter of the City of Norton, Ohio to read as follows:

Section 3.20 Televised Meetings

Effective upon passage by the electors, the Administration and Council shall have up to sixty days to arrange for and commence public airings of all Council meetings, work sessions, and workshops. All aforementioned Council meetings shall be televised "live", in their entirety, without censorship and/or editing. Such televised broadcasts shall further be offered twice weekly during repeat airings for public

accessibility. Additionally, Council shall arrange for copies of the recorded Council meetings to be available at minimum cost to the public upon request or at no cost to citizens supplying their own suitable medium for recording.

Shall the proposed charter amendment be adopted?

7) PROPOSED CHARTER AMENDMENT

(By Petition)

City of Norton

A majority affirmative vote is necessary for passage.

A proposal to amend Article V Section 5.03 of the Charter of the City of Norton, Ohio to read as follows:

SECTION 5.03 BOARD OF CONTROL.

A. COMPOSITION AND DUTIES.

The Mayor, President of Council, Vice-President of Council, Director of Finance and Administrative Officer shall constitute the Board of Control of the Municipality. Each member shall have a vote. The Mayor shall be the presiding officer.

B. APPROVAL OF CONTRACTS.

No contract involving an expenditure in excess of ~~the amount set by the Ohio Revised Code above which competitive bidding is required~~ fifteen thousand dollars shall be awarded without the approval of the Board of Control. ~~(Amended November 8, 2011)~~ and the approval of not less than two thirds of the elected and appointed members of Council.

C. INVESTMENTS.

The Board of Control shall direct the Director of Finance on the institution of the investments of the City.

Shall the proposed charter amendment be adopted?

9) PROPOSED RESOLUTION

Rittman City

A majority affirmative vote is necessary for passage.

“Shall the present .375 percent income tax allocated to the Water Fund be changed to distribute that revenue to the General Fund”?

10) PROPOSED TAX LEVY

(RENEWAL)

Canaan Township

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Canaan Township for the purpose of general construction, reconstruction, resurfacing, and repair of roads and bridges at a rate not exceeding 1 mill for each one dollar of valuation, which amounts to ten cents (\$0.10) for each one hundred dollars of valuation, for three (3) years, commencing in 2013, first due in calendar year 2014.

11) PROPOSED TAX LEVY

(RENEWAL)

Chester Township

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Chester Township for the purpose of fire and ambulance protection at a rate not exceeding 1 mill for each one dollar of valuation which amounts to ten cents (\$0.10) for each one hundred dollars of valuation, for five (5) years, commencing in 2012, first due in calendar year 2013.

12) PROPOSED ORDINANCE

Electric Aggregation

Green Township

A majority affirmative vote is necessary for passage.

Shall the Board of Trustees of the Township of Green have the authority to aggregate the retail electric customers located in the Township, and for that purpose, enter into service agreements to facilitate for those customers the sale and purchase of electricity, conversion to the aggregation program will occur automatically unless the customers choose to opt out of the program?

13) PROPOSED TAX LEVY

(RENEWAL)

Paint Township Road District

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Paint Township Road District for the purpose of construction, reconstruction, resurfacing and repair of streets, roads and bridges at a rate not exceeding 5 mills for each one dollar of valuation, which amounts to fifty cents (\$0.50) for each one hundred dollars of valuation, for five (5) years, commencing in 2012, first due in calendar year 2013.

14) PROPOSED TAX LEVY

(RENEWAL)

Sugar Creek Township

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Sugar Creek Township for the purpose of general construction, reconstruction, resurfacing and repair of roads and bridges at a rate not exceeding 2 mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation, for four (4) years, commencing in 2013, first due in calendar year 2014.

15) PROPOSED TAX LEVY (RENEWAL)

Wooster Township

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Wooster Township for the purpose of fire and ambulance protection at a rate not exceeding 2 mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation, for five (5) years, commencing in 2013, first due in calendar year 2014.

16) PROPOSED ORDINANCE

Electric Aggregation

Wooster Township

A majority affirmative vote is necessary for passage.

Shall the Township of Wooster have the authority to aggregate the retail electric loads located in the Township, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?

17) PROPOSED TAX LEVY (RENEWAL)

Ashland County-West Holmes Joint Vocational School District

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Ashland County-West Holmes Joint Vocational School District for the purpose of **permanent improvements** at a rate not exceeding 0.5 mill for each one dollar of valuation, which amounts to \$0.05 for each one hundred dollars of valuation, for 5 years, commencing in 2013, first due in calendar year 2014.

18) PROPOSED TAX LEVY (RENEWAL)

Ashland County-West Holmes Joint Vocational School District

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Ashland County-West Holmes Joint Vocational School District for the purpose of **current expenses** at a rate not exceeding 1 mill for each one dollar of valuation, which

amounts to \$0.10 for each one hundred dollars of valuation, for 3 years, commencing in 2013, first due in calendar year 2014.

19) PROPOSED TAX LEVY (REPLACEMENT)

Buckeye Joint Vocational School District

A majority affirmative vote is necessary for passage.

A replacement of a tax for the benefit of Buckeye Joint Vocational School District for the purpose of providing for current expenses at a rate not exceeding 1.8 mills for each one dollar of valuation, which amounts to 18 cents for each one hundred dollars of valuation, for 10 years, commencing in 2013, first due in calendar year 2014.

20) PROPOSED INCOME AND PROPERTY TAX

Hillsdale Local School District

A majority affirmation vote is necessary for passage.

Shall the Hillsdale Local School District be authorized to do both of the following:

- 1) Impose an annual income tax of 1.25% on the earned income of individuals residing in the school district, for 5 years, beginning Jan. 1, 2013, for the purpose of **current expenses**?
- 2) Impose a property tax levy outside of the ten-mill limitation for the purpose of **providing for the necessary requirements** in the sum of \$1,147,925 estimated by the county auditor to average 7.9 mills for each one dollar of valuation, which amounts to \$0.79 for each one hundred dollars of valuation, for 2 years, commencing in 2012, first due in calendar year 2013?

21) PROPOSED INCOME TAX AND PROPERTY TAX

Orrville City School District

A majority affirmative vote is necessary for passage.

Shall the Orrville City School District be authorized to do both of the following:

- 1) Impose an annual income tax of one-half of one percent (0.5%) on the earned income of individuals residing in the school district, for a continuing period of time, beginning January 1, 2013, for the purpose of providing for the current expenses of the school district?
- 2) Impose a property tax levy outside of the ten-mill limitation for the purpose of providing for the necessary requirements of the school district in the sum of Eight Hundred Nine Thousand and Seven Hundred dollars (\$809,700) estimated by the county auditor to average three and nine tenths (3.9) mills for each one dollar of valuation, which amounts to thirty-nine cents (\$0.39) for each one hundred dollars of valuation, for a continuing period of time, commencing in 2012, first due in calendar year 2013?

22) PROPOSED TAX LEVY (RENEWAL)

Triway Local School District

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Triway Local School District for the purpose of current operating expenses at a rate not exceeding 5.5 mills for each one dollar of valuation, which amounts to fifty-five cents (\$0.55) for each one hundred dollars of valuation, for five (5) years, commencing in 2012, first due in calendar year 2013.

23) PROPOSED TAX LEVY (RENEWAL)

Tuslaw Local School District

(Stark and Wayne Counties)

A Majority Affirmative Vote is Necessary for Passage.

A renewal of a tax for the benefit of Tuslaw Local School District for the purpose of current operating expenses at a rate not exceeding seven and five-tenths (7.5) mills for each one dollar of valuation, which amounts to seventy-five cents (\$0.75) for each one hundred dollars of valuation, for five (5) years, commencing in 2013, first due in calendar year 2014.

24) PROPOSED TAX LEVY (RENEWAL)

West Holmes Local School District

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of West Holmes Local School District for the purpose of general permanent improvements at a rate not exceeding 2.5 mills for each one dollar of valuation, which amounts to twenty-five cents (\$0.25) for each one hundred dollars of valuation, for five (5) years, commencing in 2013, first due in calendar year 2014.

25) SPECIAL ELECTION BY PETITION

Local Liquor Option for Particular Use

Green Township #3

A majority affirmative vote is necessary for passage.

Shall the sale of beer, wine and mixed beverages be permitted by Enken, Inc., dba Smithville Duchess an applicant for a C-1 and C-2 liquor permits, who is engaged in the business of operating a neighborhood convenience store at 265 W. Main St., Smithville, OH 44677, in this precinct?

26) SPECIAL ELECTION BY PETITION

Local Liquor Option for Particular Use

Green Township #5

A majority affirmative vote is necessary for passage.

Shall the sale of beer be permitted for sale on Sunday between the hours of eleven a.m. and midnight by Pines Golf Club, Inc., a holder of a D-1 liquor permit, who is engaged in the business of operating a restaurant/banquet facility at 1319 N. Millborne Road, Patio & 18 Hole, Orrville (Green Township), Ohio 44667 in this precinct?

27) SPECIAL ELECTION BY PETITION

Local Liquor Option for Particular Use

Green Township #5

A majority affirmative vote is necessary for passage.

Shall the sale of wine and mixed beverages be permitted for sale on Sunday between the hours of eleven a.m. and midnight by Pines Golf Club, Inc., an applicant for a D-6 liquor permit, who is engaged in the business of operating a restaurant/banquet facility at 1319 N. Millborne Road, Patio & 18 Hole, Orrville (Green Township), Ohio 44667 in this precinct?

28) SPECIAL ELECTION BY PETITION

Local Liquor Option for Particular Use

Rittman City 1

A majority affirmative vote is necessary for passage.

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday between the hours of eleven a.m. and midnight by Bg's Main Event, Inc., dba Bg's Main Event Basement & Patio an applicant for a D-6 liquor permit, who is engaged in the business of operating a restaurant/bar at 124 S. Main Street, 1st Floor, Basement & Patio, Rittman, Ohio 44270 in this precinct?

29) SPECIAL ELECTION BY PETITION

Local Liquor Option for Particular Use

Rittman City 1

A majority affirmative vote is necessary for passage.

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday between the hours of eleven a.m. and midnight by Bert's Unlimited, Inc., dba Rittman Beverage Center an applicant for a D-6 liquor permit/holder of a liquor agency store who is engaged in the business of operating a carry-out/liquor agency store at 163 E. Ohio Avenue & Drive Thru, Rittman, Ohio 44270 in this precinct?

30) PROPOSED TAX LEVY (RENEWAL)

Wayne County Care Center

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Wayne County for the purpose of operation, maintenance and repair of the Wayne County Care Center at a rate not exceeding 0.7 mill for each one dollar of valuation,

which amounts to seven cents (\$0.07) for each one hundred dollars of valuation, for five (5) years, commencing in 2013, first due in calendar year 2014.

31) PROPOSED TAX LEVY (RENEWAL)

Wayne County

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Wayne County for the purpose of providing the care and placement of abused, neglected and dependent children, and the support of the Wayne County Children Services Board at a rate not exceeding 1.6 mills for each one dollar of valuation, which amounts to sixteen cents (\$0.16) for each one hundred dollars of valuation, for ten (10) years, commencing in 2013, first due in calendar year 2014.

32) PROPOSED TAX LEVY (RENEWAL)

Wayne County Public Library

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of the Wayne County Public Library for the purpose of current expenses at a rate not exceeding 1 mill for each one dollar of valuation, which amounts to ten cents (\$0.10) for each one hundred dollars of valuation, for five (5) years, commencing in 2013, first due in calendar year 2014.