



RESOLUTION 16- 2026 OF THE VILLAGE OF ASHVILLE



A RESOLUTION REPEALING RESOLUTION 06-2026, WHICH APPROVED A DEVELOPMENT AND SUPPLY AGREEMENT TERM SUMMARY WITH EDGECONNEX, INC.

WHEREAS, on April 6, 2026, the Council of the Village of Ashville, Ohio (the “Village”) adopted Resolution 06-2026, thereby approving a Development and Supply Agreement Term Summary with EdgeConneX, Inc. (“Resolution 06-2026”); and

WHEREAS, following the adoption of Resolution 06-2026, a committee circulated a petition for referendum to place Resolution 06-2026 on the November 3, 2026 ballot and gathered 875 signatures; and

WHEREAS, by letter dated May 22, 2026, the Pickaway County Board of Elections verified 669 of the signatures as being from registered voters of the Village; and

WHEREAS, by letter dated June 26, 2026, the Village Fiscal Officer determined the referendum petition to be invalid and insufficient, and the Pickaway County Board of Elections thereafter advised that it considered the matter closed; and

WHEREAS, Laura McNamara-Smith, Brian Thomas Meyers, and Allison Meade filed an original action in mandamus in the Supreme Court of Ohio (Case No. 2026-0906), and in *State ex rel. McNamara-Smith v. Grube*, 2026-Ohio-3035, the Court ordered the Village Fiscal Officer to certify the sufficiency and validity of the referendum petition to the Pickaway County Board of Elections; and

WHEREAS, the Village Fiscal Officer certified the referendum petition to the Pickaway County Board of Elections, and the Board of Elections, at a special meeting on August 24, 2026, determined that the referendum on Resolution 06-2026 would be placed on the November 3, 2026 ballot; and

WHEREAS, the framework contemplated by the Development and Supply Agreement Term Summary is no longer necessary and should be repealed; and

WHEREAS, R.C. 731.34 provides that if, after a verified referendum petition has been filed against any ordinance or measure, the legislative authority of the municipal corporation repeals such ordinance or measure, the board of elections shall not submit such ordinance or measure to a vote of the electors; and

Resolution 16-2026

WHEREAS, by this resolution this Council intends solely to repeal Resolution 06-2026, and does not intend to enact any new legislation, to approve or authorize any agreement, or to affect any permit, approval, application, or proceeding, including any matter within the jurisdiction of the Ohio Power Siting Board; and

WHEREAS, nothing in this resolution repealing Resolution 06-2026 shall be construed to limit, expand, or otherwise affect the existing and inherent authority of the Village and its officers, which authority is and shall remain independent of Resolution 06-2026;

WHEREAS, this Resolution carries out the result sought by the referendum petition.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Ashville, County of Pickaway, State of Ohio:

SECTION ONE

Resolution 06-2026, adopted on April 6, 2026, is hereby repealed and rescinded.

SECTION TWO

The Clerk-Fiscal Officer is directed to transmit a certified copy of this Resolution to the Pickaway County Board of Elections and to provide written notice to the Board of Elections, pursuant to R.C. 731.34, that Resolution 06-2026 has been repealed. The notice shall advise the Board of Elections that, by reason of the repeal of Resolution 06-2026 and as provided in R.C. 731.34, Resolution 06-2026 is not to be submitted to the electors, and shall request that the Board of Elections take the steps necessary to withdraw the referendum on Resolution 06-2026 from the November 3, 2026 ballot.

SECTION THREE

This Resolution effects only the repeal of Resolution 06-2026. It enacts no new law, approves or authorizes no agreement, and affects no permit, approval, application, or proceeding, including any matter within the jurisdiction of the Ohio Power Siting Board. This Resolution is limited and specific in effect, operating only upon Resolution 06-2026, and neither establishes nor alters any continuing rule, policy, or scheme of the Village. The Village reserves all of its existing and inherent authority, which authority is and shall remain independent of Resolution 06-2026.

SECTION FOUR

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and all deliberations of Council and any of the decision-making bodies of the Village of Ashville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION FIVE

Resolution 16-2026

This resolution shall take effect at the earliest date permitted by law.

Motion offered by: Seconded by:

Upon roll call on the adoption of the legislation, the vote was as follow:

Jesse Burke-; Ron Teeters-; Jeremey Scoby-; Dave Rainey-; Darryl Glick-; Jeff Martin-

Adopted this _____ day of _____ 2026

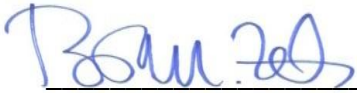
ATTEST:

April Grube, Clerk-Fiscal Officer DATE: _____

APPROVED:

Roger Clark, Mayor DATE: _____

Approved as to form this 28th day of August 2026:



Brian M. Zets, Village Solicitor