

**Village of Clinton
Special Council Meeting
Wednesday, March 23, 2016**

Councilman Bud McDaniel called the special meeting to order on Wednesday, March 23, 2016 at 5:00 p.m. in the Clinton Village Hall. The purpose of this meeting was to determine whether or not the application to extend the audit date is warranted.

Council Members present (roll call): Janice Godwin, Joe Baiera, Bud McDaniel, and Marissa Gensimore – present. Absent were Sharley Greer, Phyllis Mayberry, Council President, Mayor Knack, and the fiscal officer.

Marissa Gensimore, in the absence of the Mayor and president of council, she nominated Bud McDaniel to be the procedural presiding officer, seconded by Joe Baiera. Roll call by Bud McDaniel: Marissa Gensimore, Bud McDaniel, Joe Baiera, and Janice Godwin all voted yes. 4 Yes, 0 no, motion passed.

New Business

Marissa Gensimore stated that the purpose of calling this meeting was to determine whether or not the application to extend the audit is warranted. She said that all those present received the information regarding this issue and it is possible, in this situation, and she made a motion to direct an authorized agent to submit a request that the Village of Clinton audit be postponed. Second by Joe Baiera.

Janice Godwin asked that the information in the emails be reviewed. Marissa Gensimore said that after Mrs. Murgatroyd announced that she would not be fulfilling her commitment to stay until the end of April, at the March 14th Council meeting she indicated she would be done the 31st of March. Marissa Gensimore went to the auditor's website where you can query an issue. Her inquiry was, due to the situation, can the president of council and the finance chair sign checks or pay bills until the position was filled. She indicated that this question was never quite answered. Also, if it would be possible to postpone the audit in April due to not having a fiscal officer present or having a new one not familiar with what has transpired in the Village thus far. The answer from Joey Jones from the auditor's office – and in citing code – she said it is a possible given the circumstances and copied John J. Phillips with Charles Harris, part of the 2014/2015 audit team. He said that he could submit a form requesting our audit be postponed until July 31 deadline or even August 31, 2016. It requires two signatures, one from them, and one from our Village. Marissa Gensimore indicated that she responded back, not asking for a postponement, but just the possibility of it happening.

Jan Godwin said that's asking a lot of us as we don't know for sure what was going on after that meeting, as far as decisions. A lot of things were said, but we don't really know what's happening. The fiscal officer was not in the office on Tuesday – we are really in kind of a pickle. And we have no input from the Mayor who has been kept appraised.

Marissa Gensimore said if we take Mrs. Murgatroyd her at her word – and why wouldn't we. Janice Godwin said many comments were made, "if," "and," "I might do," – no one has told us. Mrs. Gensimore said with the audit scheduled in April, we don't have the luxury of the "ifs" and "ands" – her statement was that she was done the 31st. We have to do what is best for the Village. Janice Godwin said if we do this and go forward, then where are we? Better or worse if they say let's do it first of August. Marissa Gensimore said at least by then we would have somebody in

place that would have had time to look at what's going on and sit with the auditors and go through the audit with them.

Marissa Gensimore added that according to the ORC, the Mayor, in an emergency can appoint a temporary fiscal officer without council approval. We have that emergency. However, permanent appointment requests Council's approval by a majority vote. Joni Murgatroyd is still considered the temporary fiscal officer as that's how she signs everything. Janice Godwin said that's what she is writing but she was appointed the fiscal officer in January. Bud McDaniel said yes she was.

Joe Baiera said Joni Murgatroyd is very good at her job and hopefully she has everything completed, but to be really nice to the auditor, it would be to our best interest to have someone in that position at least for a month to find the information needed and have prepared so when the auditor comes the audit will go well. It's only fair to a new temporary person or hire a new one ample time to get the information together.

This is just the application, we have no guarantee it will be granted. Marissa Gensimore said say we pass this and to try to do the best for the Village that we can, I would send an email to Joni that we passed this - before we actually go forward with this, is there any circumstances in which she would honor your previous commitment and stay till the end of April to go through the audit. If she says no, then we go forward. Janice Godwin asked if the Mayor would be the spokesman to do that. Marissa Gensimore said he won't be back until the 31st and we need to this application in "yesterday."

Bud McDaniel asked when the deadline was for applying for this extension. Ms. Gensimore said it didn't say.

Mr. McDaniel said how late we can wait to apply for this. He would like to be sure Joni won't stay for the audit. I would like to know how the meeting with Joni and guy from Wadsworth went. It wasn't known if the meeting ever happened. There is so much we don't know here. If we apply for this now, can we back out if we get things in place?

Joe Baiera said all we are asking in this proposal is to authorize agent submit a request for postponement. If we pass tonight, and we ask Marissa to be the agent, by our next council meeting, the mayor will be back, and he can actually tell us what is going on. Having an extension won't hurt us.

Mr. McDaniel said applying for an extension won't have any negative affects – the only negative affect is not applying for it.

Marissa Gensimore stated that we don't even know exacting when the audit will be – nothing is on the calendar. and it could be in the beginning of April. Janice Godwin said there isn't a schedule - we have never been told have we? Marissa Gensimore said no – all we know is that it's in April – what if it's the beginning of April.

All members were in agreement to apply for this extension. They have a quorum. Janice Godwin said it should be 4 votes. Mr. Baiera moved to the previous question which is the proposal that we move forward. Mr. Baiera said this is very important and without knowing a full understanding of when the dates are and how prepared or not prepared we could be, and not being able to get a hold of Joni to ask her proper questions it's only fair we move forward, vote on this and ask for an extension. Marissa Gensimore will go forward with this. She said before she contacts the gentleman she will email Joni Murgatroyd first for clarification. An amendment on the wording of the motion was discussed and worked on.

Mayor Knack called in and they put him on speaker phone. Mr. Baiera asked the mayor if he has spoken with Joni Murgatroyd about the audit. The mayor indicated he has not nor has he spoken with anyone since he left on vacation. Mayor Knack did advise that he believed the audit was to be done the second week in April – the 17th? Janice Godwin said they never were told. Joe Baiera said they were not notified of when the audit was and they tried to get a hold of Joni, but she was not here on Tuesday. Mrs. Gensimore indicated her father was ill. Joe Baiera brought the Mayor up to speed on what was going on at the meeting. He indicated they wanted to request a postponement. Mr. Baiera read the motion made earlier in the meeting regarding the postponement of the audit and feels we should move to that end. He asked the mayor if he had a person that he was going to appoint to be a temp or full time fiscal officer as of yet.

The mayor said he has not heard from anyone interested in the job. He got an email from Bud McDaniel about the firm from Wadsworth and I spoke with him. He was going to talk to Joni and see what the job entailed and I asked him about if he had been asked or given anyone prices for his services and he told me no. He was going to call me after he met with Joni and he has not done that. Members present discussed what this person would cost the Village – comments were that what we are currently paying, would they accept this amount. There are a lot of unknowns. Sue Mayberry was going to be set up to fill in and then Joni was going to come back after two months at the same pay as before she left – it was budgeted. The gentleman Mayor Knack spoke to said he would be the designated person or someone else. He said his firm has done many audits and he may not even have to be there. But Mayor Knack said he has not heard back from him. So Mayor Knack can't advise the members of council at this time.

Ms. Murgatroyd has had a health issue arise in her immediate family and that's probably why no one has been made aware of the meeting outcome that was to have taken place. It may not have happened yet. Mayor Knack advised that this man seemed pretty confident his firm could handle our issue – it appears he knows what he is doing. They train fiscal officers. The amount of time he would spend or not spend with us was not a concern of his.

Joe Baiera said even if we have this man who is so experienced he can do it in July just as well as in April. To me I say we move to the previous question and vote to postpone till July or August.

The previous motion was restated: A motion was made to direct an authorized agent to submit a request that the Village of Clinton April audit be postponed.

Due to Mayor Knack's concerns in doing this right away because of the circumstances, they will wait until Friday the 25th to send on just in case we hear from the applicant from Wadsworth.

Roll call: Bud McDaniel, Marissa Gensimore, Janice Godwin, and Joe Baiera voted "Yes." Motion passed. 4 yes, 0 no.

Joe Baiera motioned to adjourn at 6:34 PM.



Mayor Allen Knack



President of Council



Fiscal Officer