

ORDINANCE NO. 10 – 1043
AN ORDINANCE ELIMINATING THE ELECTED OFFICE OF VILLAGE
CLERK-TREASURER AND ESTABLISHING THE OFFICE OF VILLAGE
FISCAL OFFICER AS AN APPOINTED POSITION, IN THE VILLAGE OF
RUSSELLS POINT, OHIO

WHEREAS, the Legislative Authority of the Village of Russells Point, Ohio, hereby declares that good cause exists and it is in the best interest of the said Village to eliminate the elected office of Village Clerk-Treasurer; and

WHEREAS, the Village, under the Revised Code, may eliminate the above office and replace it with an appointed position of Village Fiscal Officer; and

WHEREAS, this Council wishes to combine all of the duties of the office of the Clerk-Treasurer into an appointed office of the Village Fiscal Officer; and

WHEREAS, the legislative authority of the Village of Russells Point, Ohio, hereby declares that good cause exists and it is in the best interest of the said Village to convert the office of Village Clerk-Treasurer into the office of Village Fiscal Officer; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Russells Point, Logan County, Ohio, that:

SECTION I: Elimination of Office

Ordinance #852 establishing the elected office of village clerk treasurer and fully contained herein is hereby repealed and shall no longer have the effect and force of law in the Village of Russells Point.

ORDINANCE NO. 852

AN ORDINANCE COMBINING THE OFFICES OF TREASURER AND CLERK
FOR THE VILLAGE OF RUSSELLS POINT, OHIO, AND CREATING THE
OFFICE OF CLERK-TREASURER AND DECLARING AN EMERGENCY

WHEREAS, the Treasurer for the Village of Russells Point, Cheryl Fogle, has tendered her resignation to the legislative authority of the Village of Russells, point; and

WHEREAS, the Clerk for the Village of Russells Point begins a new term on April 1, 1996; and

WHEREAS, there is a vacancy in the office of the Village Treasurer and the Village Clerk has expressed interest and possesses the required skills; and

WHEREAS, the legislative authority of the Village of Russells Point has determined that the duties of the Clerk and the Treasurer would be most effectively carried out by combining the duties of the two offices into one office, to be known as the Clerk-Treasurer; and

WHEREAS, this legislation has been determined to be an emergency, the passage of which has been determined to be in the best interests of the health, safety and welfare of the resident of the Village of Russells Point.

BE IT THEREFORE ORDAINED that the office of the Clerk for the Village of Russells Point and office of the Treasurer for the Village of Russells Point be and are hereby combined into one office to be known henceforth as the Clerk-Treasurer.

BE IT FURTHER ORDAINED that the duties of the former Clerk and the Former Treasurer be combined and that the Clerk-Treasurer be empowered to perform the duties of both former offices.

BE IT FURTHER ORDAINED that this emergency legislation be effective immediately to preserve the health, safety and welfare of the residents of the Village of Russells Point.

Passed: March 18, 1996

Carol McKinnon
Clerk

John T Gauder
Mayor

SECTION II: Creation of Office

A new office is created in the Village of Russells Point of Village Fiscal Officer. The position of Village Fiscal Officer shall be an appointed position.

SECTION III: Appointment and Removal of Officer

The village fiscal officer shall be appointed by the mayor, but that appointment shall not become effective until it is approved by a majority vote of the village council. The village fiscal officer need not be an elector of the village or reside in the village at the time of appointment; however, the fiscal officer shall become a resident of the village within six months after the appointment takes effect, unless this council passes an ordinance approving the fiscal officer's residence outside of the village.

The village fiscal officer may be removed without cause either by the mayor with the consent of a majority of the members of the village council or by a three-fourths vote of the village council with or without the consent of the mayor.

SECTION IV: Term of Office

The village fiscal officer shall be appointed for a term of four years subject to removal in accordance with Section III.

SECTION V: Duties of Fiscal Officer

The village fiscal officer shall do all of the following:

A. Attend all meetings of the legislative authority of the village, and keep a record of its proceedings and of all rules, bylaws, resolutions, and ordinances passed or adopted, which shall be subject to the inspection of all persons interested. In case of the absence of the village fiscal officer, Council shall appoint one of its members to temporarily perform the fiscal officer's duties.

B. Attend training programs for new village clerks and annual training programs of continuing education for village clerks that are provided by the auditor of state pursuant to section 117.44 of the Revised Code.

C. Keep an accurate account of:

(1) All moneys received by him, showing the amount thereof, the time received, from whom, and on what account received;

(2) All disbursements made by him, showing the amount thereof, the time made, to whom, and on what account paid.

(3) Arrange the books of the village so that the amount received and paid on account of separate funds, or specified appropriations, shall be exhibited in separate accounts.

D. Demand and receive, from the county treasurer, taxes levied and assessments made and certified to the county auditor by the Village council of this village and placed on the tax list by such auditor for collection, moneys, from persons authorized to collect or required to pay them, accruing to the village from any judgments, fines, penalties, forfeitures, licenses, and costs taxed in mayor's court, and debts due the village. Such funds shall be disbursed by the village fiscal officer on the order of any person authorized by law or ordinance to issue orders therefor.

E. In addition to the ordinary duties of such village fiscal officer, the officer shall have such powers and perform such duties as are required by any ordinance of the village, not inconsistent with Title VII [7] of the Revised Code, and not incompatible with the nature of the office.

SECTION VI: Effective Date

The effective date of this change to village fiscal officer shall be the first day of January following the next regular municipal election at which the village clerk or village clerk-treasurer is to be elected.

SECTION VII: Each section and each part of each section of this ordinance is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provision to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby, and it is hereby declared to be the legislative intent that the other provisions of this ordinance would have been adopted independently of such section, sections, or parts or a section so held to be invalid.

SECTION VIII: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this council and that all deliberations of this Council, and any of its committees that resulted in such

formal action, were in meetings open to the public in compliance with all legal requirements of the Ohio Revised Code.

SECTION IX: That this ordinance shall, therefore, be in force and take effect on the effective date referenced in section VI and upon its passage and signature by the Mayor.

Passed: _____, 2010

President Pro Tem of Council

Attested: _____
Clerk/Treasurer Mary Sue Leonard

Mayor Greg Iiams

Approved as to Form:

Robert N. Eshenbaugh Jr.
Village Solicitor