

ORDINANCE 24 -06

ADOPTED JUNE 6, 2024

AN ORDINANCE APPOINTING CHRIS KERBY TO SERVE AS INTERIM FISCAL OFFICER FOR THE VILLAGE OF THORNVILLE AND DECLARING AN EMERGENCY

WHEREAS, the Village of Thornville is a statutory municipal corporation organized and governed by the laws of the State of Ohio; and

WHEREAS, on May 15, 2024, the Village of Thornville Fiscal Officer resigned. Consequently, there is a vacancy in the position of fiscal officer; and

WHEREAS, Council for the Village of Thornville understands the importance of the position and needs to hire an individual, who has the education, experience, and background, to serve on a temporary basis as Interim Fiscal Officer, until a new fiscal officer can be appointed by the mayor and approved by a majority vote of Council; and

WHEREAS, Chris Kerby has been serving as the Village of South Zanesville Fiscal Officer for the past seventeen years. He also has served as a visiting clerk or visiting fiscal officer through the State Auditor's Office and entities that request fiscal assistance. He even helped municipalities which were in Fiscal Emergency, Fiscal Watch, or Fiscal Distress status. As such, Chris Kerby has the knowledge and experience to help the Village of Thornville and is willing to work as the Interim Village of Thornville Fiscal Officer until a new, permanent fiscal officer can be hired.

NOW, **THEREFORE, BE IT ORDAINED** by the Council for the Village of Thornville, Perry County, State of Ohio:

SECTION 1: Council for the Village of Thornville hereby appoints Chris Kerby to serve on a temporary basis as Interim Fiscal Officer for the Village of Thornville until a new, permanent fiscal officer can be hired.

SECTION 2: As Interim Fiscal Officer for the Village of Thornville, Chris Kerby shall:

- a. Work no more than 20 hours per month, unless directed otherwise by Council or the Village Administrator. It is understood this work may be performed at times that are not considered "normal" business hours (i.e., 8 a.m. to 5 p.m.).
- b. Be paid \$45.00 per hour, which also will be paid for travel time to and from the Village. However, the Village will not reimburse Chris Kerby for mileage.
- c. Not earn, or be entitled to, any vacation leave, sick leave, or any other Village employee benefit.
- d. Be an at-will independent contractor, who will not be subject to OPERS and can be removed by Council at any time, for any reason or no reason at all.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent part thereof.

SECTION 4: It is hereby 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 laws of the State of Ohio.

SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the Village needs to hire someone as soon as possible to work as the Interim Fiscal Officer. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

Passed in Council this 10 day of June, 2024.

Amanda Lackey  
Amanda Lackey, Mayor

ATTEST: Amanda Lackey  
Clerk of Council

APPROVED:

Approved as to form this 5<sup>th</sup> day of June 2024:

Brian M. Zets  
Brian M. Zets, Esq.  
Village Solicitor