

RESOLUTION NO: 2024-0401-01

To the fill the Vacancy in the Office of the Smith Township Fiscal Officer

Moved by **TRUSTEE BARNETT**

RESOLUTION TO FILL VACANCY OF TOWNSHIP OFFICE (RC§503.24)
(FISCAL OFFICER)

Whereas Audrey Fox, Smith Township elector was previously elected to fill the Office of the Fiscal Officer, and

Whereas no Elector of Smith Township successfully petitioned the Mahoning County Board of Election, to be placed on the Ballot of the 2023 General Election for the Term of Office of Smith Township Fiscal Officer commencing April 1st, 2024: and

Whereas the Mahoning County Board of Election has failed to certify a Smith Township Elector duly elected by the elector-voters of Smith Township to serve the Fiscal Officer's term in office commencing April 1, 2024; now therefore.

BE IT RESOLVED the Board of Trustees deems the Township Office of Fiscal Officer Vacant as of April 1, 2024, at 00:01 AM O'clock, by reason of the lack of certification of the Mahoning County Board of Elections of a duly elected Smith Township Candidate - Elector to the Office of Fiscal Officer commencing April 1, 2024.

BE IT FURTHER RESOLVED that the former serving Fiscal Officer Audrey Fox, having notified the Board Members of her interest as continuing in Office as the Smith Township Fiscal Officer by appointment to fill the vacancy for the unexpired term; that the Board of Trustees hereby appoint Smith Township Elector Audrey Fox to the Office of Smith Township Fiscal Officer, Mahoning County, Ohio, to fill the unexpired term of office of such vacancy, and to hold such Office until a successor is duly elected and qualified; and

BE IT FURTHER RESOLVED, that said appointment is effective immediately and by compliance with the following legal requirements to hold office.

As the appointed Fiscal Officer said appointee Audrey Fox is to appear before the Chairman of the Smith Township Board of Trustees or other official authorized to administer oaths, to take the oath of office (by swearing or affirming) as prescribed by Sections 3.22 and 3.23 of the Ohio Revised Code and Section 7 of Article XV, Ohio Constitution, and to post bond or in the alternative give proof of a Dishonesty and Faithful Performance of Duty Insurance Policy as provided in RC§3.061, the Bond issued by a surety or Insurance Policy issued by a licensed insurance provider/underwriter approved by the Board of Trustees as required by Section 507.03 of the Ohio Revised Code.¹ The Bond or Dishonesty and Faithful Performance

¹ Bonds or Faithful Performance Insurance Certificates for Elected Township Trustees must be approved by the Municipal Court or County Court Judge of Jurisdiction over the Township and must be filed with the Fiscal Officer

Duty Insurance Certificate or certified copy thereof must be delivered to the Mahoning County Treasurer who is responsible for maintaining and safeguarding the Bond or Insurance Certificate.

Seconded by Trustee Criss

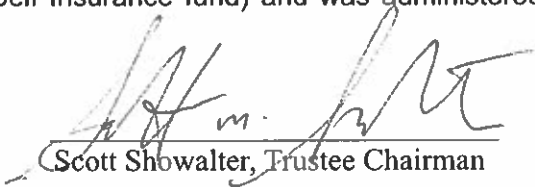
Moved by Trustee Barnett, Seconded by Trustee Criss.

ROLL CALL: TRUSTEE BARNETT	<u>X</u> . yes	___ no
TRUSTEE CRISS	<u>X</u> . yes	___ no
TRUSTEE SHOWALTER	<u>X</u> . yes	___ no

Motion Carried

** Note – The appointed Fiscal Officer upon her appointment, submitted her bond and or Faithful Performance Insurance Certificate, issued by the Ohio Township Association Risk Management Agency (OTARMA-Self Insurance fund) and was administered the Oath of Office.

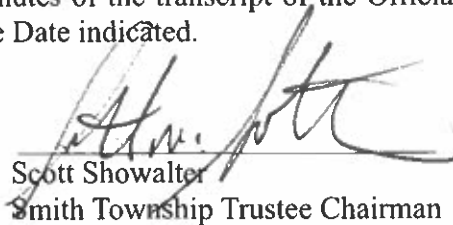
Approved and Adopted April 1, 2024



Scott Showalter, Trustee Chairman

CERTIFICATION

I the undersigned Chairman of the Smith Township Board of Trustees certify that the foregoing Resolution passed by the Smith Township Board of Trustees is a true and accurate copy of the resolution as appears in the minutes of the transcript of the Official Proceedings of the Smith Township Board of trustees on the Date indicated.



Scott Showalter
Smith Township Trustee Chairman

for safe keeping. However, the Bond or Faithful Performance Insurance Certificate for the Fiscal Officer is not required to be approved by the Judge of the Municipal or County Court of Jurisdiction over Township, it is required to be approved by the Township Trustees and must be delivered to the County Treasurers office to be safe guarded by the County Treasure. *Failure to comply with these requires of proper approval and filling of the bond or insurance certificate is an automatic disqualification for holding office resulting in removal from office.