

Summary of Discussion with AOS 9-14-20:

The Village Fiscal Officer confirmed the 2nd half of real estate property taxes (TY 2019 payable in 2020) were received. The Fiscal Officer and AOS staff prepared a Summary of Cash Activity by Fund with a fund balance as of August 31, 2020. There currently appears to be sufficient cash on hand to resolve all known debts and liabilities and the final step needed to resolve the Village's debts and liabilities is formal approval from Village council to authorize payment by the fiscal officer.

AOS staff confirmed that the audit for 2018 and 2019 is complete, however staff has not begun the 2020 audit.

AOS discussed the basic steps remaining to conclude the dissolution of the Village. These steps include: 1) the village conducting one or two council meetings to address the following: approval of payment of known debts and liabilities, approve the termination of the Village income tax, approval of the resolution of the employee lawsuit (which could include negotiation authority and any settlement terms; 2) AOS completing the final audit of the Village per ORC 703.21; and 3) any remaining cash to be divided between the two townships per ORC 703.21.

AOS also presented several options the Village has to move forward with concluding the dissolution before the next court date for the DEC lawsuit to determine the composition of council and the mayor in October. Regardless of who occupies the Office of Mayor and the Village Council seats, the village has to approve the payment of the outstanding debts and liabilities. There is no other option in order for the dissolution to be concluded. Three options were presented.

- 1) Per the Amelia Village Charter, approve all needed actions in one or two meetings, where the four uncontested members cast their votes and the contested members (2 seats) abstain from participating;
- 2) Per the procedures outlined in the Amelia Village Charter, the holdover mayor and contested village council members could resign their positions and allow the election winners to takeover those roles. Then Village Council could proceed with a vote to approve all needed actions; or
- 3) Utilize the court's mediation/settlement mechanisms to resolve the mayor and village council dispute amicably between the contesting parties with the knowledge that there are no discretionary decisions left to be made about the dissolution, regardless of who occupies what office/role in the village.

Discussion ensued about different possibilities with the three options presented and other possible ramifications from those actions based on discussions between all the attorneys involved. It is impossible to name all future possible parties regarding the issue before the court, the only way to prevent future possible parties from relitigating the same issues is by having the court make a determination via declaratory judgment action. The mediation/settlement approach lacks the same preclusive effect and would not bring the finality

The status of the Premier facility and ESID were briefly discussed.

It was confirmed to keep our next previously scheduled meeting of Friday, October 9th, which will be after the October 6th pre-trial conference regarding the Declaratory Judgement.