

# Bob Mollette

## 3<sup>rd</sup> Ward Councilman

1705 Franklin Blvd.  
Portsmouth, Ohio 45662

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website: [www.mollette.info](http://www.mollette.info)

Correspondence#: 08-017

May 2, 2008

Ohio Auditor of State Mary Taylor, CPA  
88 East Broad Street, 5<sup>th</sup> Floor  
Columbus, Ohio 43215

### **Re: Request Assistance to Confirm Compliance of Financial Reporting –City of Portsmouth**

As a result of recent actions and inactions by elected officials for the City of Portsmouth, I feel your assistance is needed to assure compliance with the legislative criteria, as reflected by the Ohio Constitution, Revised Code, policies, procedures and guidelines of the Auditor of State.

I requested pertinent documentation with the enclosed correspondence (#08-015) dated April 21, 2008 related to approval of expenditures (\$49,500 minimum) associated with a new roof currently being installed on the Marting Building Annex. The request for documentation was directed to the Advisory Building Committee (ABC) which consists of the Mayor, Auditor, Solicitor, 1<sup>st</sup> Ward Council member and copied to Council members. ABC makes recommendations to City Council concerning construction and refurbishment of City buildings to house various Portsmouth City Governmental Offices. The City intends to sell the Marting Building Annex and was reported to be more marketable with a new roof. As a member of City Council I am not aware on any ordinance establishing an appropriation for the Marting Building Annex roof replacement. To date, no documentation of expenditures has been forthcoming to justify or establish the decision making method.

Also at the April 28, 2008 City Council Meeting I expressed a growing concern that expenditures must not exceed the approved 2008 Operating Budget without prior approval. An example I used to demonstrate this concern was the Municipal Court Fund (Line Item No. 101.111.5299) Sheriff (court security) was approved for \$8,000. The April 22, 2008 Monthly Expense Report, supplied to Council, indicated a current year to date expense of \$20,373.16. The Ohio Revised Code (ORC) Section 5705.39 states that an appropriation from each fund shall not exceed the total estimated revenue. ORC Section 5705.41 (B) states that no subdivision or taxing unit is to expend money unless it has been appropriated. To date, no documentation has been provided to the legislative authority for approval or certification of available funds.

As an elected official I am requesting an investigation and appropriate actions be taken. If you have any additional suggestions or questions contact me.

Respectfully,



Bob Mollette, 3<sup>rd</sup> Ward Advocate and Representative on City Council

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Enclosure

cc: Jim Kalb, Mayor  
Trent Williams, Auditor  
Michael Jones, Solicitor  
Michael Mearan, 1<sup>st</sup> Ward Council Member  
Honorable Council Members  
Jo Ann Aeh, Clerk (Record)

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Correspondence#: 08-015

April 21, 2008

Jim Kalb, Mayor  
Trent Williams, Auditor  
Michael Jones, Solicitor  
Michael Mearan, 1<sup>st</sup> Ward Council Member  
728 Second Street  
Portsmouth, Ohio 45662

### **Re: New Roof on the Marting Building Annex**

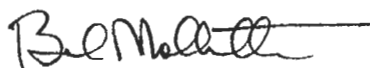
In the April 15, 2008, Portsmouth Daily Times (PDT) it was reported the City decided to replace the existing roof on the former Marting's Building Annex to make it more marketable. It was stated the Marting Building Annex is not a part of the City's plans to develop a City Center housing city offices in the main building. It was reported the lowest bid for roof replacement was \$49,500, but the final price will depend on the substructure condition. The Auditor stated the money to pay for the project was coming from the Capital Improvement Fund. Please provide me with the documentation as to whom and when the City decided to replace the roof on the Marting's Building Annex; the documentation that approved this Capital Improvement Fund (CIP) expenditure; the documentation to justify spending taxpayer dollars for a new roof on a building the City intends to sell; and documents pertaining to any marketing performed for the Marting's Building Annex to date.

City Council did accept the December 11, 2006, City Building Committee (CBC) Final Report that recommended requesting the Richard D. Marting Foundation to release appropriate funds (amount to be determined by bid process) towards the repair of the Marting Building Annex roof and the repair of the roof and HVAC of the Marting's Building; with other minor repairs identified as needed. The report also recommended marketing the Marting's Building Annex for sale. Please provide me with documentation of all correspondence with the Richard D. Marting Foundation requesting release of funds for the roof repairs.

The referendum passed in May 2006, clearly stated, suspend any further spending on the former Marting's Building until viable alternates for City Facilities are presented for a vote of the electors of the City. Please provide justification to ignore the May 2006 referendum petitions.

If you should have questions contact me.

Respectfully,



Bob Mollette, 3<sup>rd</sup> Ward Advocate and Representative on City Council

rwm

cc: Honorable Council Members  
Jo Ann Aeh, Clerk (Record)