

# **Bond Case Briefs**

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## **MUNICIPAL CORPORATIONS - OHIO**

### **State ex rel. Beavercreek Township Fiscal Officer v. Graff**

**Supreme Court of Ohio - September 20, 2018 - N.E.3d - 2018 WL 4501590 - 2018 -Ohio-3749**

Township fiscal officer sought writ of mandamus compelling township board of trustees to approve salaries proposed by officer for two assistants.

The Supreme Court of Ohio held that:

- Statute governing compensation for assistants to fiscal officer required board's approval;
- Board lacked authority to set salaries for such assistants; but
- Fiscal officer failed to show that board abused its discretion in denying the proposed salaries.

Statute governing compensation for assistants to township fiscal officer required that the officer obtain approval of township's board of trustees for officer's salary proposals for assistants; fiscal officer's authority to set compensation for assistants under the statute was "subject to the prior approval of the board," and any interpretation of the statute as granting officer primary authority would have rendered the board approval language meaningless.

Township board of trustees lacked authority to set salaries for assistants to township's fiscal officer under statute governing compensation for such assistants.

Township fiscal officer failed to demonstrate that township board of trustees abused its discretion in denying officer's proposed salaries for two assistants; survey of comparable township positions lacked information about the townships, the assistant positions did not entail all of the same duties of prior positions that previously had been funded, and the board reasonably took into account the township's fiscal condition when reviewing the proposed salaries.