



**Auditor of State
Betty Montgomery**

June 20, 2003

Chuck Osborne
307 Fairview St. SE
North Canton, Ohio 44720

Re: City of North Canton

Dear Mr. Osborne:

Thank you for contacting our office regarding the City of North Canton. We understand your concerns regarding the City's reimbursement of the City Law Director for his attendance at an Ohio Elections Commission hearing and appreciate the information you have provided.

We have reviewed all of the information you provided and have determined that the reimbursement of the City Law Director is a decision that lies with the City Council. We are not able to make such a decision on behalf of the City Council. In addition, should we encounter this matter during an audit, we would not issue a citation. It is common practice for an individual to be reimbursed for attendance at an official court proceeding or commission, board or agency hearing when subpoenaed. The City Law Director was subpoenaed and his attendance at the Elections Commission hearing was related to his position as City Law Director. In addition, based on the information you provided, it appears the City has a policy that provides if the venue changes from City Hall the City Law Director is paid at 80% of his private practice hourly rate.

Once again, we thank you for your concern and for bringing this matter to our attention. We hope this information is helpful to you.

Sincerely,

BETTY MONTGOMERY
AUDITOR OF STATE

A handwritten signature in cursive script that reads "Melissa L. Marotta".

Melissa L. Marotta
Assistant Chief Legal Counsel

cc: Craig Mayton, Chief Legal Counsel
Pamela Vest, Deputy Chief Legal Counsel
Valerie Harry, Acting Chief Auditor, Akron/Canton Region
Robert Murry, Senior Audit Manager, Akron/Canton Region
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