

**VILLAGE OF NEW LEBANON
MONTGOMERY COUNTY, OHIO**

**RESOLUTION NO: 2025-08
BY
MAYOR DAVID NICKERSON**

A RESOLUTION AUTHORIZING THE ACTING VILLAGE MANAGER TO EXECUTE A CONTRACT WITH PUBLIC FINANCIAL SOLUTIONS, LLC TO PROVIDE ONGOING FINANCIAL CONSULTING AND ADVISORY SERVICES TO THE VILLAGE OF NEW LEBANON.

WHEREAS, the Village has been working with Public Financial Solutions (PFS) to strengthen its financial practices and remedying budget deficiencies; and

WHEREAS, the Village wishes to continue its relationship with PFS on an as-needed advisory basis and to assist with the transition of the new Finance Director when hired; and

WHEREAS, the Village Manager proposes entering into a contract with PFS for the remainder of the 2025 calendar year—a copy of the proposed agreement is attached hereto.

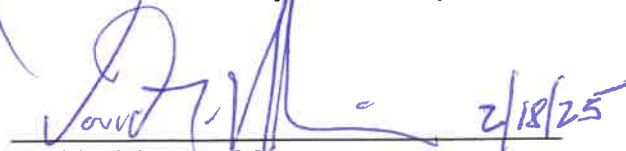
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I That Acting Village Manager be, and hereby is, authorized to enter into a contract with PFS for financial consulting and advisory services.

SECTION II It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III That this Resolution shall take effect immediately upon adoption.

PASSED this 18th day of February 2025.


David Nickerson, Mayor

Attest:


Robert Anderson II
Acting Clerk of Council

Date: 2/18/25

**NEW LEBANON, OHIO
RECORD COPY
DO NOT REMOVE FROM FILE**

PROFESSIONAL SERVICES CONTRACT

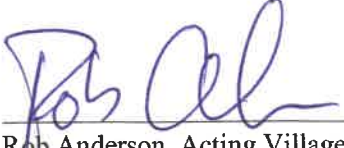
This Professional Services Contract ("Contract") is made and entered into on this 19th day of February 2025, between Public Financial Solutions, LLC ("PFS"), located at 369 Camelot Drive, Urbana, Ohio, and Village of New Lebanon ("the Village").

1. Scope of Work: PFS agrees to provide professional services as indicated in Exhibit A.
2. Compensation: The Village agrees to compensate PFS for services at a rate of \$105 per hour. Compensation shall not exceed \$10,500 (100 hours) in any calendar month without prior written approval of the Village Manager or designee. PFS will invoice the Village monthly.
3. Travel and related expenses: PFS will seek no reimbursement from the Village for expenses related to travel to and from the Village's offices for the performance of the work described in the scope of services.
4. Independent Contractors: It is expressly understood that PFS personnel who provide services under this Agreement are independent contractors and are not employees of the Village.
5. Professional Liability Insurance: PFS shall provide professional liability insurance coverage against claims and suits alleging professional errors and omissions of PFS personnel.
6. Term and Termination: This Contract shall be effective March 1, 2025 and terminate on December 31, 2025 unless extended by mutual agreement of the contracting parties. The Contract may be terminated earlier by either party upon written notice. In the event of termination, the Village agrees to compensate PFS for services rendered up to the date of termination.
7. Governing Law: This Contract shall be governed by and construed in accordance with the laws of Ohio.
8. Complete Understanding: PFS and the Village each represent and warrant to the other party that they possess all necessary rights, power, and authority to enter into this Agreement and to fully perform each and all their respective obligations hereunder. This Agreement expresses and contains the entire agreement between the parties, and supersedes and replaces any prior or contemporaneous agreements, understandings, or arrangements between the parties, whether verbal or written. This Agreement may be modified by a written instrument signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the date first above written.

Thomas Judy, Partner
Public Financial Solutions, LLC

Date



Rob Anderson, Acting Village Manager
Village of New Lebanon, Ohio

2/19/25

Date

Exhibit A

PFS

Public Financial Solutions, LLC

Public Financial Solutions, LLC (PFS) proposes to provide the following consulting and advisory services to the Village of New Lebanon effective March 1, 2025.

About Public Financial Solutions, LLC

Public Financial Solutions, LLC (PFS) provides financial advisory services to local governments. PFS' partners, Thomas Judy, CPA, MBA, and Bryan Thurman, MBA, combine for over 60 years' experience serving local governments in Ohio. Their experience encompasses virtually all facets of local government finance, including accounting and financial reporting, budgeting and financial planning, treasury management, municipal income tax administration, debt management, and risk management. Each of the partners have been leaders at the state level in advancing the local government finance profession. They utilize a top-down approach to local government finance that recognizes the value of a total organizational commitment to sound financial policies and best practices.

Finance Operational Support

We propose to provide oversight of finance department functions during the vacancy in the Finance Director position, to include:

- Provide guidance and direction to finance staff, as needed.
- Provide assistance with finance tasks, as necessary, to mitigate the impact on staff due to finance vacancies.
- Review a representative sample of transactions for accuracy.
- Perform a detailed review of monthly financial statements and follow-up on questionable items within financial statements such as significant/unexpected budget variances or suspected errors in account coding of transactions.
- Prepare a written analysis of significant and/or noteworthy transactions and trends reflected in monthly financial statements.
- Monitor budgetary legal compliance.
- Act as liaison, as needed, with the Village's auditing firm.

** PFS' relationship with the Village's staff will be advisory and not supervisory. PFS personnel who provide services under this Agreement are independent contractors and are not employees of the Village.*

When the Finance Director position is filled, we can transition our role to one of mentorship and consultation, depending upon the experience level of the incoming Finance Director.

Income Tax Advisory Services

Provide oversight and advisory services as the Village transitions from in-house income tax collection to the Regional Income Tax Agency (RITA) providing full tax administration. Due to the vacant Income Tax Administrator position, provide guidance to other Finance staff, answer questions concerning income tax rules and regulations and serve as the liaison to RITA, as needed.

Financial Policies and Procedures

The scope and timing of the operational services above may vary based on the filling of the Finance Director position; however, the services outlined below are independent of the timing of the new hire. Based on our observations to-date, there are some facets of the Finance Department's operations that need improvement; a more detailed evaluation is necessary to determine the extent to which improvements are needed.

Review Financial Policies:

Financial policies are foundational for a disciplined, highly-functioning organization, providing a roadmap for financial decision-making and planning. Such policies should be in written form and be understood by, and followed by, both the legislative body and administration. As new people come into the organization, they must be familiarized and trained on the organization's policies. In so doing, these policies and practices become part of the DNA of the organization and lead to financial decisions that are thoughtful, responsible, and consistent even as people come and go.

We propose to review the organization's current written, and unwritten, financial policies and make suggestions for improvement. Secondly, we will propose additional policies and practices that will promote greater financial efficiency and effectiveness. Thirdly, we will be available to conduct a Council workshop to discuss the proposed policies. Finally, we will train staff on compliance and assist with implementation.

Review Finance Procedures:

We will review the Village's financial procedures and make recommendations for improvement, if needed. Based upon our observations to date, areas that need reviewed include:

- Budget monitoring and compliance with applicable budgetary law and internal policies. This is a critical need.
- Purchasing processes. Specifically, we will assess the Village's level of compliance with ORC 5704.41 regarding prior certification of funds.
- Accounts payable/cash disbursements/electronic payments. We will review these processes for payment authority, efficiency, and timeliness, etc.
- Interfund allocations of payroll and other expenditures. We have observed that various expenditures are being allocated among the various funds without an apparent basis for the allocations.
- Allocations of debt service expenditures. To maintain fund integrity, all expenditures should be allocated to the fund(s) that benefited, and in the proper proportion. Based on our work with a few of the Village's debt issuances, further review is needed to ensure the proper funds are being charged for debt principal and interest.
- Cash management and investments. We will review whether there is proper oversight of the Village's investment activities and whether mechanisms are in place to ensure liquid funds are available when needed to meet the Village's payment obligations.

Training

Provide training sessions in Ohio budgetary/fiscal compliance and financial best practices to Administration and Finance staff and other key employees. Also, provide training to Village Council, if requested. The training will be tailored to these parties' unique roles.

Participants will benefit from the PFS partners' experience in highly-functioning local government organizations as well as their experience teaching these topics for the Ohio Government Finance Officers Association (OGFOA), Ohio City/County Management Association (OCMA), and the Center for Local Government (CLG).