



OHIO AUDITOR OF STATE
KEITH FABER



CITY OF DOVER
TUSCARAWAS COUNTY

TABLE OF CONTENTS

TITLE	PAGE
Report.....	1
Appendix	
Schedule of Finding for Recovery.....	5

THIS PAGE INTENTIONALLY LEFT BLANK



OHIO AUDITOR OF STATE KEITH FABER



65 East State Street
Columbus, Ohio 43215
FraudOhio@ohioauditor.gov
(800) 282-0370
Report fraud: 866-Fraud-OH

City of Dover
Tuscarawas County
122 E. Third St.
Dover, OH 44622

To Mayor Shane Gunnoe, City Auditor Nicole Stoldt, Law Director Gina Space, and City Council Members:

Background

The Auditor of State, Special Investigations Unit (SIU) conducted a criminal investigation and special audit of the City of Dover (the City) predicated on information received regarding suspected theft and ethics violations by the City Mayor.

The investigation began in April 2021, after SIU received information from a concerned citizen regarding some issues at the City. It was alleged the City's Mayor, Richard Homrighausen, engaged in nepotism in the hiring and treatment of his son at the City and improperly kept fees for conducting weddings as the City's elected mayor.

After the information obtained from interviews and preliminary examination of wedding receipts, wedding licenses, and bank records were considered, a special audit was declared by the Auditor of State.

This engagement was conducted in accordance with the [Auditor of State Special Investigations Unit, Quality Standards](#).

Suspect

Richard Homrighausen became the City of Dover Mayor in 1992. Prior to being Mayor, he was a City Council member from 1990-1991. Mr. Homrighausen was suspended as Mayor in April 2022 by a Special Commission of three retired judges appointed by the Chief Justice of the Supreme Court under Ohio Rev. Code § 3.16(C)(2).

Schemes

Wedding Fees

During the period examined, January 1, 2014 through May 13, 2021 (Period), Mr. Homrighausen officiated weddings and maintained a wedding fee schedule. The wedding fee was based on the location and time of the wedding. Weddings were performed at the Mayor's Office at City Hall or at other requested outside locations. Mr. Homrighausen received payment directly for weddings or received the wedding fees collected in advance from the Administrative Assistant. The wedding fees collected during the Period, totaling \$11,315, were not deposited into the City's bank account.

Hiring of Mayor's Son

In 2012, the City of Dover Light and Power Plant (Plant) had several open positions. Mr. Homrighausen delivered the application of his son to the Plant Supervisors to be considered for one of the positions. Mr. Homrighausen's son was later hired by the City, a decision that was made by Mr. Homrighausen.

Employee Grievance

Mr. Homrighausen participated in a grievance hearing on February 8, 2016 filed by three City employees, one of whom was his son. Mr. Homrighausen ruled on that grievance on February 16, 2016 to the City's union representative.

Findings

Based on the special audit procedures and investigation, the Auditor of State confirmed the allegation that Richard Homrighausen misappropriated cash receipts collected from wedding fees over a span of at least seven years, and also gathered sufficient documentation for an unlawful interest in a public contract charge, regarding using his influence to secure the contract to hire his son as an employee of the City in 2013.

We issued a \$13,979 finding for recovery for misappropriated cash and audit costs during the Period.

The full details of the finding for recovery are located in the Appendix.

Prosecution

At the conclusion of the special audit and investigation, a prosecution packet was presented to the Auditor of State Special Prosecutors serving by appointment of the Tuscarawas County Prosecuting Attorney.

On March 10, 2022, Richard Homrighausen was indicted by the Tuscarawas County grand jury on 15 counts, including, one count of Theft in Office, one count of Having an Unlawful Interest in a Public Contract, four counts of Soliciting Improper Compensation, two counts of Dereliction of Duty, six counts of Filing Incomplete False and Fraudulent Returns, and one count of Representation by a Public Official or Employee.

On November 16, 2022, Mr. Homrighausen was found guilty following a four-day jury trial of the following:

- One count of Theft in Office, a felony of the fifth degree, in violation of Ohio Rev. Code § 2921.41(A)(1) and Ohio Rev. Code § 2921.41(B);
- Four counts of Soliciting Improper Compensation, a misdemeanor of the first degree, in violation of Ohio Rev. Code § 2921.43(A)(1) and Ohio Rev. Code § 2921.43(D); and
- One count of Dereliction of Duty, a misdemeanor of the second degree, Ohio Rev. Code § 2921.44(E) and Ohio Rev. Code § 2921.44(F).

Mr. Homrighausen was acquitted of one count of Representation by a Public Official or Employee, found not guilty of the one count of Having an Unlawful Interest in a Public Contract and one count of Dereliction of Duty. The six counts of Filing Incomplete False and Fraudulent Returns were dismissed.

On January 17, 2023, the Honorable Judge Elizabeth Lehigh Thomakos ordered Richard Homrighausen be forever disqualified from holding any public office, employment, or position of trust in this state, pursuant to Ohio Rev. Code § 2921.41(C)(1), and to pay restitution totaling \$10,258.50 to the City and \$1,701.50 to the Ohio Auditor of State.

Mr. Homrighausen appealed his Judgment of Sentencing of the Tuscarawas County Court of Common Pleas to the Fifth District Court of Appeals. On January 2, 2024, the Court of Appeals upheld the sentencing judgment noting, "The evidence established appellant solicited wedding fees from four separate individuals; the act of solicitation was complete when appellant requested the compensation for his official acts. We agree with appellee that the separate crime of theft in office was not complete until appellant kept the money for his own personal use. Moreover, the failure to deposit the money into the City treasury was a separate offense, dereliction of duty." The Appellate Court also concluded the trial court's restitution order of \$9,295 is "supported by competent, credible evidence and is not an abuse of discretion."

Additionally, Mr. Homrighausen filed a notice of appeal to the Supreme Court of Ohio, and on July 9, 2024, the appeal was denied.

On September 19, 2024, we held an exit conference with the following individuals representing the City:

Shane Gunnoe, Mayor
Gina Space, City Law Director

Nicole Stoldt, City Auditor
Justin Perkowski, City Council President

The attendees were informed they had five business days to respond to this special audit report. A response was not received from the City.



Keith Faber
Auditor of State
Columbus, Ohio

August 26, 2024

APPENDIX
SCHEDULE OF FINDING FOR RECOVERY



APPENDIX

FINDING FOR RECOVERY

Ohio Rev. Code § 733.40 states, in part, all fees collected by the mayor, for the use of the municipal corporation, shall be paid by the mayor into the treasury of the municipal corporation. During the Period, individuals would contact the City and request the former City Mayor, Richard Homrighausen, to officiate a wedding. The Mayor's Administrative Assistant would track the wedding appointments in a spreadsheet and complete the vows and license documents. Payment for the wedding service could be made at the City in advance of the wedding or made at the time of the wedding and paid directly to Mr. Homrighausen. However, only those who paid in-advance were provided a receipt. The Administrative Assistant turned over the wedding vows, license, and any wedding fees collected to Mr. Homrighausen. The City did not have any Ordinances or formal policies or procedures in place documenting the process to be followed for wedding fee collections.

Our analysis identified the following wedding fees were collected for weddings performed by Mr. Homrighausen during the Period, but were not posted to the City's accounting records and not deposited into the City's bank account:

- 231 wedding receipts, totaling \$9,295;
- 11 weddings where no receipt was maintained and/or provided, and the cost of the wedding was not tracked by the Administrative Assistant. However, a minimum of \$35 would have been collected for performing the ceremony, totaling \$385; and
- 28 weddings where no receipt was maintained and/or provided; however, the cost of the wedding was tracked by the Administrative Assistant, totaling \$1,635.

On January 17, 2023, Mr. Homrighausen was ordered to pay restitution totaling \$10,258.50 to the City, including \$963.50 in audit costs, and \$1,701.50 to the Ohio Auditor of State in the Tuscarawas County Common Pleas Court, Case No. 22CR030072.

In accordance with the foregoing facts and pursuant to Ohio Rev. Code § 117.28, a finding for recovery for public property converted or misappropriated is hereby issued against Richard Homrighausen, in the amount of \$13,979, with \$12,278 in favor of the City of Dover and \$1,701 in favor of the Auditor of State's Office.

OHIO AUDITOR OF STATE KEITH FABER



**CITY OF DOVER
SPECIAL AUDIT**

TUSCARAWAS COUNTY

AUDITOR OF STATE OF OHIO CERTIFICATION

This is a true and correct copy of the report, which is required to be filed pursuant to Section 117.26, Revised Code, and which is filed in the Office of the Ohio Auditor of State in Columbus, Ohio.



Certified for Release 10/8/2024

65 East State Street, Columbus, Ohio 43215
Phone: 614-466-4514 or 800-282-0370

This report is a matter of public record and is available online at
www.ohioauditor.gov