



Budget Commission – Special Meeting – 12-29-2022

Meeting Details: The Geauga County Budget Commission met in Special Session on Thursday, December 29, 2022 at 10:00 a.m. in the Auditor's Conference Room at 215 Main Street, Chardon, Ohio. This meeting was in person with a virtual option via MS Teams. This observer attended in-person.

Meeting Attendance: Auditor Chuck Walder, Prosecutor Jim Flaiz and Treasurer Chris Hitchcock

Staff Attendance: Chief Deputy Auditor Ron Leyde, Deputy Auditors Tammy Most and Kristen Sinatra, ADP Chief Deputy Administrator Frank Antenucci, Pam McMahan

County/School/Township/Village Representatives: none

Action Items: reviewed Newbury Township Amendment #3, which proposed changes to previously approved revenue certifications as follows:

- Adjust General Fund amounts by a net of \$74,700.48 to reflect increases in tax revenue and other source revenue.
- Adjust Special Revenue Fund amounts by a net of \$97,128.52 to reflect increases in Road & Bridge Tax Revenue, Cemetery Revenue, Fire Tax Levy/Property Tax, Road Improvement Tax Levy, ARPA Fund other source revenue and a small decrease in Road Improvement Levy Property Tax.
- Adjust Capital Projects Fund by \$140,000 to reflect an increase in Ohio Public Works other source revenue.

As originally submitted, Amendment #3 included a \$500,000 transfer from the America Rescue Plan Act (ARPA) Special Revenue Fund to the Fire Levy Special Revenue Fund and a \$83,163.49 transfer from the ARPA Special Revenue Fund to the Road Improvement Other Source Revenue Fund. Mr. Walder recommended that the funds remain in the ARPA Special Revenue Fund for compliance purposes. Mr. Flaiz and Mr. Hitchcock agreed with that recommendation.

Staff was able to contact Newbury Township Fiscal Officer Beverly Sustar who agreed to follow the Budget Commission's recommendation. Amendment #3 was adjusted accordingly and approved.

Public comment:

This observer asked Mr. Flaiz to clarify his comment, made during the Dec 22, 2022 Budget Commission meeting, that the Board of County Commissioners (BOCC) may have violated the Open Meeting Act. Mr. Flaiz stated that his comment referred to two recent BOCC actions that in his opinion, were not discussed during an open, public session as required by the Open Meeting Act.

- The first instance was for a \$4 million request that included debt service payments that the Budget Commissioners felt were questionable. **Observer Comment: Mr. Flaiz appears to be**

referring to the Nov 21, 2022 Budget Commission meeting, during which BOCC Amendment #18 was denied. For more information see [LWV Geauga Observer Report for the Nov 21 Budget Commission meeting](#).

- The second instance was for a \$240,000 decrease to the ADP payroll budget. BOCC Finance Director Adrian Gorton asserted during the Dec 22 Budget Commission meeting that the adjustment was presented and approved during BOCC's Dec 6, 2022 meeting. **Observer Note: During the Sep 29, 2022 Department Budget Hearings, our Observer noted Mr. Lennon's concerns about ADP staffing levels. Our Observer concluded, "This observer had no clear idea at the end of this session which requests from the Auditor/ADP would be funded." No further discussion is noted during subsequent BOCC meetings although Mr. Walder appeared in person before the BOCC during the Nov 15, 2022 BOCC meeting.** For more information see the LWV Geauga Observer Reports for the [Sep 29 BOCC Department Budget Hearings](#), [Dec 22 Budget Commission meeting](#) and the [Dec 6 BOCC meeting](#).

Mr. Walder said his office received no notice of a change in their budget and commented that they only knew about the reduction because Chief Deputy Auditor Ron Leyde noted the change to ADP's payroll budget in the accounting system. Per Mr. Walder, the accounting system indicates an adjustment to the ADP salaries line item was initiated on or around Nov 18, 2022 by BOCC's Adrian Gorton and was approved the same day by BOCC Administrator Gerard Morgan.

Mr. Flaiz noted that the date of adjustment in the accounting system precedes the Dec 6, 2022 BOCC meeting during which Mr. Gorton asserted the budget reduction was approved by the County Commissioners.

This Observer inquired whether there was a process to appeal the budget decision and Mr. Walder stated Departments could take legal action to compel funding of required department expenditures. He commented further that the BOCC's action to reduce the ADP salaries may be attached to the existing legal action between ADP and BOCC as a possible retaliatory act. **Observer Note: resolution of the referenced action is currently being sought through [Government Conflict Resolution](#), a mediation service available at no cost through the Ohio Supreme Court.**

More Information and Posted Minutes: [Available on Auditor website](#)

Next Meeting: January 6th at 10 am

Name of Observers: Shelly Lewis

Name of Reviewer: Gail Roussey

Submitted 12/29/2022

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