

The Board of Liberty Township Trustees held a Special Meeting on March 26, 2018 at 12:00 p.m. at the Township Administration Building with the following members present: Mr. Greg Cizmar, Mrs. Jodi K. Stoyak, and Mr. Arnold Clebone, presiding.

18-65 Motion made by Mr. Clebone to accept letter of resignation of township law director Mark S. Finamore, Esq. effective April 1, 2018:

BE IT RESOLVED, that the Board of accept the letter of resignation of township law director Mark S. Finamore, Esq. effective April 1, 2018 with recognition of and thanks for his twenty-six years of service to Liberty Township.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, NO. Seconded by Mr. Cizmar. Motion carried.

18-66 Motion made by Mr. Cizmar to appoint Cherry Poteet, Esq. as township law director pursuant to Ohio Revised Code Section §504.15:

BE IT RESOLVED, that the Board appoints Cherry Poteet township law director pursuant to Ohio Revised Code Section §504.15 effective April 1, 2018; and

BE IT FURTHER RESOLVED, that the Board sets her compensation and terms of employment in accordance with the attached contract for legal services and the duties prescribed in Ohio Revised Code Section §504.15

Mr. Cizmar, Yes. Mr. Clebone, Yes. Mrs. Stoyak, NO. Seconded by Mr. Clebone. Motion carried.

Trustee Jodi K. Stoyak remarks:

At our Organizational Meeting in January our Board agreed to two Regular meetings each month. These meetings were scheduled for 6:30 PM on the third Monday of each month and 11:00 AM on the first Thursday of each month right after the Liberty Historical Society meeting. I thought this was a great compromise as it would allow for the widest demographic of Liberty residents to attend one or more of our meetings a month. This schedule did not last long. Soon, numerous Special Meetings or “caucuses” were scheduled including a Special Meeting on February 20th with the State Auditor. This was an important meeting as the Trustees and Fiscal Officer were brought up to date on our “fiscal watch” status.

I had recorded my planned vacation on the Township calendar several months ago noting that I would be out of the country from February 21 through February 28 inclusive. My plan was to be back in town in time to attend our Regular Meeting on March 1 after the Historical Society Meeting. Prior to the February 20th meeting with the Auditor, Mr. Clebone and Mr. Cizmar took it upon themselves to schedule a meeting with the Trumbull County Grants coordinator on February 21 knowing full well that I would be out of the country that day and unable to attend. When I challenged Mr. Clebone on this action after the February 20 meeting, he reacted in a fit of pique that he would “schedule meetings when he wanted to and in fact was going to schedule and hold meetings on the 22nd and 23rd as well”. True to his word, he scheduled and held those meetings knowing full well that I could not attend. And when I prepared to attend the Regular Meeting scheduled for March 1, I was informed that Mr. Clebone with Mr. Cizmar’s agreement had canceled that meeting citing “tension between the Trustees”.

On Tuesday, March 13th I received an email from Mr. Clebone stating that *“Greg and I are considering requesting Attorney Finamore for his resignation and name in his place Attorney Poteet at our next regular trustees meeting on Monday, March 19”*. This change would have been made in a vote for the meeting only four working days away! This was the first I had heard of this change! Included in the email was an attachment for an agreement with Attorney Poteet declaring a March start date and an annual retainer of \$36,000 with an additional \$100/hour for special circumstances or research. Atty. Finamore’s last four years on his W-2’s were, 2014, \$13050.00, 2015, \$15076.02, 2016, 15252.71 and 2017, \$25399.75 with an additional amount of \$11,900 to his law office totaling \$37,299.75 for the year 2017. The total over the past four years was \$80,678.46 which is an average of \$20,169.96 each year which I stated at our last Trustees Meeting. (I have provided copies of his W-2’s and the wages and overtime detail from the fiscal officer’s office to the Board and the press.) These figures are modest since most research does not have to be paid by the township due to Atty. Finamore’s expertise in township law. We could very well end up paying Atty. Poteet much more than \$36,000 per year. Were these issues researched or considered by Mr. Clebone and Mr. Cizmar when unilaterally making the decision to hire Atty. Poteet? Certainly if I had been involved in the discussion with Mr. Clebone and Mr. Cizmar, I would have questioned the retainer and negotiated it out of the contract, as we didn’t have a retainer with Atty. Finamore.

I would much rather see any extra money that the township has to be utilized to pave roads not to be used for unnecessary attorney fees. Additionally, I never heard anyone express any dissatisfaction with Attorney Finamore nor was I aware of any public solicitation for a new attorney or of any interviews conducted for a new attorney. I had been told by an employee that Mr. Clebone and Mr. Cizmar had been seen in their office meeting privately with a woman but that the identity of that woman was not known. This meeting was held while I was out of the country.

Now we meet here today to accept the resignation of Attorney Finamore and vote to install Attorney Poteet as our new Counsel. What is wrong with this picture? No evidence of poor performance by Mr. Finamore, a highly respected expert on Ohio Township law; no public bid for legal services even though not required by law, no interviews with other potential new candidates, a potential increase in cost to the Township based on figures offered earlier, complete exclusion of this **Trustee** in ANY discussion with regard to this issue and not even the courtesy of Mr. Clebone and Mr. Cizmar to sit down, man-to-man with Attorney Finamore to explain the need for his ouster and replacement! This whole process makes a mockery of representative government requiring open, transparent and informed debate and decision making and certainly unprofessional behavior with regards to dismissal of a 26 year employee.

Mr. Clebone explains this action as a mandate from the voters for him and Mr. Cizmar to effect "change" in the Township. But what the voters really wanted is not just change for the sake of change but real *improvement* in the way we conduct our business and the way we serve our residents. The residents want to see their roads resurfaced like you promised not to expend money frivolously on attorney fees. This is a huge step backward, not forward. This is why I am voting "NO" on these resolutions. I mean no disrespect to Attorney Poteet and am, in fact, sorry that she will become involved in such dysfunction. I pledge to work closely with her to the benefit all of our community and Board. It is only my hope that future Board actions are taken in full view of **ALL** trustees and full transparency to the public as required by law.

Thank You

Motion made by Mr. Clebone to end meeting at 12:15 p.m. Seconded by Mr. Cizmar. Motion carried.

STEVE SHELTON, FISCAL OFFICER

ARNOLD CLEBONE, CHAIRMAN