

## RECORD OF PROCEEDINGS

Minutes of the Educational Service Center of Central Ohio Governing Board's Special Meeting held on August 28, 2014 at the 2080 Citygate Drive, Columbus, Ohio.

**Call to Order:** Meeting called to order by Mrs. Joyce Galbraith, Board President, at 10:07 a.m.

**Roll Call:**

Mr. Edward Bischoff	Present
Mrs. Joyce Galbraith	Present
Mrs. Jeannie Henkel	Present
Mrs. Robin Reid-Pleasnick	Present
Mr. W. Gregory Spencer	Present

**Staff Present:**

- Dr. Tom Goodney – Superintendent
- Mr. Alan Hutchinson – Treasurer/CFO
- Ms. Carly Glick – Communications Consultant

**Guests Present:**

- Mr. Nicholas Pittner, Esq. – Law Firm of Bricker & Eckler, LLP
- Ms. Lisa Hinson, President – Hinson Public Relations, LTD.
- Ms. Jennifer Smith Richards – Reporter, The Columbus Dispatch

### 14-08.01 **APPROVE ADOPTION OF AGENDA AND ADDENDUM**

It was moved by Mr. Bischoff and seconded by Mr. Spencer the Educational Service Center of Central Ohio Governing Board approve the adoption of the agenda of the August 28, 2014 special Board meeting.

**Roll Call:** Mr. Bischoff, yea; Mrs. Henkel, yea; Mrs. Reid- Pleasnick, yea; Mr. Spencer, yea; Mrs. Galbraith, yea  
Motion passed.

### **PUBLIC PARTICIPATION**

Ms. Jennifer Smith Richards expressed The Columbus Dispatch's objection to an Executive Session stating the Board has no legal action pending or imminent with respect to the Audit Report at this time.

On behalf of the Governing Board, attorney Nicholas Pittner responded that Audit reports containing findings for the recovery of public funds trigger an obligation on the part of the audited public agency to either commence legal action for the recovery of those funds or provide the Attorney General with the reason for not doing so. The Statute provides the audited agency, in this case, the Educational Service Center of Central Ohio, a period of 120 days from the filing of the Audit Report to take the required actions. Litigation for the recovery of public finds is civil in nature and, in this case, impending.

**14.08.02 ADJOURN TO EXECUTIVE SESSION**

It was moved by Mrs. Reid-Pleasnick and seconded by Mrs. Henkel to adjourn to Executive Session at 10:10 a.m. in accordance with ORC 121.22 to confer with an attorney for the public body concerning disputes involving the Governing Board that are the subject of pending or imminent court action.

**Roll Call:** Mr. Bischoff, yea; Mrs. Henkel, yea; Ms. Reid-Pleasnick, yea; Mr. Spencer, yea; Mrs. Galbraith, yea  
Motion passed.

*Attendees Released for a Break at 10:50 a.m.*

**RECONVENE IN OPEN SESSION**

Mrs. Galbraith called the meeting back to order into regular session at 11:03 a.m.

**Roll Call:**

Mr. Edward Bischoff	Present
Mrs. Joyce Galbraith	Present
Mrs. Jeannie Henkel	Present
Mrs. Robin Reid-Pleasnick	Present
Mr. W. Gregory Spencer	Present

**14-08.03 APPROVE RESOLUTION TO TAKE LEGAL ACTION**

It was moved by Mr. Bischoff and seconded by Mrs. Henkel the Educational Service Center of Central Ohio Governing Board approve the following resolution:

BE IT RESOLVED THAT:

1. The Governing Board of the Educational Service Center of Central Ohio hereby ratifies, authorizes and directs Bricker & Eckler, LLP as Board legal counsel to take such action as may be necessary and appropriate, including the commencement and prosecution of litigation, to secure payment for the Board funds owed to the Board by Dr. Bart Anderson pursuant to findings for recovery as indicated in the audit report issued by the Auditor of State.
2. The Board hereby finds and determines that all formal actions related to the adoption of this resolution were taken in open meetings of this Board as required by and in full compliance with applicable law.

**Roll Call:** Mr. Bischoff, yea; Mrs. Henkel, yea; Mrs. Reid-Pleasnick, yea; Mr. Spencer, yea; Mrs. Galbraith, yea  
Motion passed.

**14-08.04 APPROVE ADJOURNMENT**

It was moved by Mrs. Reid-Pleasnick and seconded by Mr. Spencer the Educational Service Center of Central Ohio Governing Board adjourn the meeting at 11:10 a.m.

**Roll Call:** Mr. Bischoff, yea; Mrs. Henkel, yea; Mrs. Reid-Pleasnick, yea; Mr. Spencer, yea; Mrs. Galbraith, yea  
Motion passed.



Joyce Galbraith  
Governing Board President  
Educational Service Center of Central Ohio

**ATTEST:**

Alan Hutchinson  
Treasurer/CFO  
Educational Service Center of Central Ohio

