



## C.O.D.E GENERAL MEETING MINUTES

Date: July 25, 2012  
Time: 6:00 P.M.  
Place: Eagles Lodge St. Bernard

### Attendance

President: Jeff Harmon (X)  
VP1: Steve Kallay (X)  
VP2: Roger Schuster (X)  
Secretary: Chadrian Johnson (X)  
Treasurer: David Kuntz (X)  
Trustees: Don Stiens (-)  
Waleia Jackson (-)  
Attorney: Chris Jenkins (X)  
Niro Wijesooriya (X)

Meeting called to order by President Jeff Harmon.

### 1. Officer Reports

#### a. President

##### i. Diana Frey

1. Sentenced to 51 months instead of the recommended 33 months

**Q:** Where do we stand with forensic accountant's research?

**A:** Research is complete and he did not find any hidden accounts or assets. There are a few properties, one of which Frey has agreed to sign over to the courts. Fed is going after properties owned by the LLC. There is also a property in FL owned by Mr. Frey that attorneys are researching FL law to determine if we can go after.

**Q:** Can we access her pension funds?

**A:** Federal court would have to pursue obtaining the full dollar amt(approx. \$65K) She offered us 50% and we turned it down with a counter offer. We are negotiating to get the largest amount possible.

##### ii. Civil Case

1. Summary judgment concerning liability for same amount that was awarded in the criminal case.

##### iii. Residency Case

1. Unanimous decision in our favor per appellate court. City has 45 days to petition OH Supreme Court to hear the case. If no petition is filed it will be ok to live wherever you like unless you are emergency first responder



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**Q:** If the OH Supreme Court decided to hear the residency case how long will it take to make a decision?

**A:** That court has an unlimited timeframe to make a decision, but it should be within 6-12 months.

**Q:** Is the definition of an emergency responder spelled out somewhere specific?

**A:** No, it is not defined. May potentially have to look at essential vs emergency for a concrete definition.

### iv. Pension Case

1. Filed case in April and meeting was held with judge and City in May. There is an ongoing discussion- court requires that the conversations remain confidential. There will be a conference next week to set the calendar for the case which should put the resolution timeframe at 12-18 months.

**Q:** Would the membership be interested in holding a forum with Council members to discuss fund managers, how they are paid, what they are paid, and if performance can be linked to compensation?

**A:** Meeting with them will not affect the lawsuit, however, we should consider how it will affect our working relationship with the City. We can invite them to a meeting or choose to we can wait until after contract negotiations.

- v. **CODE LMC** – Board attended training and has had 2 LMC meetings with City management. Form forthcoming on CODE website for meeting discussion suggestions- cannot take issues that would require contract changes, however, we can potentially create MOU's. Co-chair is Chadrian Johnson- please submit forms to her

### vi. Grievances

1. For 2012- 9 grievances filed and 6/9 completed. 3 currently pending

### vii. Pre-Disciplinary Hearings

- a. 14 hearings and 1 arbitration which is pending

viii. Please check your vacation, sick and pay amounts to make sure they are at the correct rate. If you have not received an evaluation in the past 18 months please inform Board.

### b. Secretary

- i. Total Voting members=674 and Fair share=176. Any members that do not have voting rights are encouraged to sign up to have that ability

### c. Treasurer

- i. Current balance \$86,037.10 including outstanding checks and rent for Eagles Hall for this meeting. To date have received \$17,013.23 from Frey paid from her ICMA account

**Q:** Does the expenses incurred fall within the annual budget that CODE has created?

**A:** Annual budget has not been completed. There were expenses at the beginning of the yr that shouldn't recur such as SERB decertification, IRS filing, and forensic accountant. We will continue to have books audited for the next few yrs.



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### 2. Committees

- a. By-Laws Committee
  - i. Proposed changes posted on CODE website under Important Files
  
- b. Forming Committees
  - i. Nominations Committee
    1. For upcoming election on October 3.
    2. 3 seats open
    3. Future elections will be bi-annually
    4. Send nominations to Waleia Jackson
  
- c. Contract Committee
  - i. Will consist of 9 members- 3 from Board and 6 from general membership
  - ii. Negotiation committee will form as a sub-committee of these 9 people
  - iii. Send requests for consideration to Jeff Harmon

**Q:** Will Chris Jenkins be present at contract negotiations?

**A:** Negotiation Committee will determine whether or not they feel an attorney is necessary. He will be there prior to closing out negotiations to make sure everything is in order.

**Q:** What is the City suggesting that they want from us in our next contract?

**A:** They have not said anything concrete, however, we anticipate them asking for an extension of no cost of living increase. Police and Fire have already signed contract extensions with no COLA.

### 3. Old Business

- a. **IRS non-profit Status**
  - i. Chris Jenkins firm trying to get in contact with IRS in regards to status of application. We will conduct ourselves as a non-profit unless informed otherwise

### 4. New Business

- a. **American Income Life**
  - i. Anna- insurance rep discusses free \$3000 accidental death and dismemberment coverage. Blanket coverage so every mbr will have automatic coverage
  - ii. No cost involved unless mbr chooses to purchase additional coverage
  - iii. Renewal due in Aug- occurs every 18 months. Board must vote to continue services

5. **Adjourn**-Motion to adjourn by JH and 2<sup>nd</sup> by CJ, unanimous carry