

MINUTES OF THE CIC BOARD OF DIRECTORS MEETING

December 7, 2021

The meeting was called to order at 6:45 p.m. Present for the meeting were President Jim LaBarbara, Vice-President Tom James, Secretary Tom Weidman, Treasurer Rob Porter, Executive Director Ray Warrick, Tracy Kellums and Skylor Miller.

Approval of the September 21, 2021 Board of Directors Meeting Minutes

Mr. Weidman made a motion, seconded by Mr. James, to approve the September 21, 2021 Board of Directors Meeting Minutes. Mr. Warrick called roll. Vote: All Aye.

Executive Director Report

Mr. Warrick reported the CIC was funded with \$100,000.00 in 2021 to fund grant requests from Sycamore Township residents working in a JEDZ district. He said \$95,631.00 in grants have been paid so far in 2021. He said the small balance left of \$4,369.00 should be sufficient to cover grant applications for the next few weeks until the end of the year.

Resolution Grant Program:

Mr. Warrick reported the resolution establishing the Grant Program for 2022 has been modified to clearly state the three-year rule for applying for grants.

Mr. Weidman stated when he arrived for the meeting, he found there was a check issued for a grant application for tax year 2017. He said refunds outside of the three years are in violation of the resolution the Township passed as well as State statute, ORC 715.691 which states that there is a three-year limit on refunds. He stated Debbie Campbell had told him grant money was paid going out six and seven years to two residents. Mr. Weidman noted the Township should not be going back six to seven years when paying grant money. He said he requested Ms. Campbell hold the check until the Board could have a discussion.

Mr. Warrick answered when this issue came to his attention, he consulted Law Director Desai who had a problem with the language and instructed him to honor the requests until the language could be clarified.

Mr. Weidman stated this sets a bad precedent and reiterated the three-year rule is noted in ORC 715-691. He said to suggest we were not following the rules or were not clear is incorrect.

Mr. James stated he went back and looked at the resolutions and they were not as clear after the initial ones.

Mr. Weidman stated the decision should not have been made by Mr. Desai; the issue should have been reviewed by this Board before any decision was made.

Mr. Warrick answered he understands.

The resolution “Establishing a Grant Program for Sycamore Township Residents Who Reside in Sycamore Township and Work in Sycamore Township Joint Economic Development Zones” was read by Mr. Warrick. Mr. Weidman made a motion to approve the resolution, seconded by Mr. James. Mr. Warrick called roll. Vote: All Aye.
Resolution 2021-01 adopted the 7th day of December, 2021.

Resolution Setting Meeting Dates and Times:

The resolution “Setting the Meeting Dates and Times of Sycamore Township CIC, Inc.” was read by Mr. Warrick. Mr. Weidman made a motion to approve the resolution, seconded by Mr. LaBarbara. Mr. Warrick called roll. Vote: All Aye.
Resolution 2021-02 adopted the 7th day of December, 2021.

Mr. James asked Mr. Weidman what resolution he referenced earlier.

Mr. Weidman answered it was a resolution passed in 2013 which references ORC 715.691.

Mr. James pointed out the statute refers to tax refunds and the CIC grants are not legally tax refunds.

Mr. Weidman answered that is correct, but we adopted the tax code of our partner municipalities and all three of those have a three-year limit. He said he would share that resolution number with Mr. James.

Mr. LaBarbara said he hopes the Township does a good job of letting people know about this.

Date of Next Meeting

The next meeting is scheduled for March 1, 2022 at 6:45 p.m.

Mr. James made a motion to adjourn, seconded by Mr. Warrick. All voted yes.

Adjournment

The meeting adjourned at 6:55 p.m.

Thomas J. Weidman, Secretary

Record of Proceedings 12/07/2021

MINUTES OF THE SPECIAL MEETING OF THE CIC BOARD OF DIRECTORS

December 9, 2021

The meeting was called to order at 4:16 p.m. Present for the meeting were President Jim LaBarbara, Vice-President Tom James, Secretary Tom Weidman, Treasurer Rob Porter, Executive Director Ray Warrick, and Tracy Kellums.

Reviewing the Status of Grants:

Mr. Weidman stated he wanted to discuss the CIC Grant Program for Sycamore Township residents who work in one of the JEDZ Districts. He stated Sycamore Township residents who have had JEDZ tax withheld from their income may apply for grants to have that money refunded to them with proof of residency. He noted at the inception of the CIC, there was discussion that the Township would adopt the partner municipalities tax codes for each JEDZ as it relates to refunds. Mr. Weidman stated all three partner municipalities have a three-year limit for refunds and that is also a statutory limit. He said he understands that the CIC is not a JEDZ and does not fall within that parameter.

Mr. Weidman reported there have been residents who applied for grants for taxes paid more than three years prior to the application year in the past. He stated those residents were told they cannot do that. He said recently two residents wanted grants issued for JEDZ taxes withheld six and seven years ago. Mr. Weidman reported Mr. Warrick, after a conversation with Mr. Desai, instructed Ms. Campbell to pay the grants to those two residents. Mr. Weidman said he finds this troubling. He said he had a conversation with Mr. Desai, and he understands the original CIC resolution says any and not three years. He said the original needs to be amended immediately and noted the 2022 Grant Program resolution was already amended to include a three-year limit.

Mr. Weidman said the issue is that no one in this building has the unilateral authority to pay the grant checks for those requests that were outside the usual parameters; it should have gone before the CIC Board. He said, unfortunately Mr. Desai is not here to address this, but he is troubled by the fact that Mr. Desai felt he had authority to do this without the CIC Board's approval. Mr. Weidman stated he, as a member of the CIC Board and Board of Trustees, did not know this was happening. He stated he found out about it when he went in to sign checks and found a 2021 grant application with 2021 scratched out and 2017 written in its place. He stated this issue should be addressed by the CIC Board.

Mr. James stated Mr. Desai said he spoke to Mr. Weidman last evening after he found out the special meeting had been scheduled and told him he had a conflict and asked him to reschedule this meeting.

Mr. Weidman said Mr. Desai told him he had a conflict but did not ask him to reschedule.

Mr. James said it is troubling that Mr. Weidman did not know about the grant payments. He said the grants are not governed by tax codes because they are not refunds; they are grants. Mr. James

stated he has researched CIC resolutions and minutes and cannot find a record that the Board ever approved a time limit for applying for the grants. He reported there was a discussion about time limits in the April 21, 2016 minutes in which there was a motion to approve a time limit with former Law Director Doug Miller saying there would be a document prepared for formal adoption at the next meeting. Mr. James noted the formal adoption of the time limits never happened because that is not mentioned in the following meeting's minutes.

Mr. James stated the resolutions establishing the grant program each year did not include a time limit. He stated the resolutions did state that the CIC Executive Director had authority to set the procedures for grant applications but from what he understands the applications never established a time limit either.

Mr. James said he agrees with Mr. Weidman there needs to be a time limit and we have now set one. He stated all future grant applications would be funded by the 2022 grant program, so it is now and moving forward that we need to attend to this.

Mr. Weidman said he spoke to Mr. Desai about possibly amending the original grant resolution and he thought it was a good idea. Mr. Weidman said he is not disagreeing with Mr. James but the process here is bad. He said he wanted to bring this out in the open because transparency is important.

Mr. James said Mr. Weidman suggested someone had deviated from procedures the Board had put in place, and actually the procedures were unclear, and we are fixing that moving forward.

Mr. Weidman said the Board should also clarify who has authority and who does not have authority to make decisions on behalf of the Board, noting the decision to pay the grants should not have been done unilaterally.

Mr. James said we also had a grant program that guaranteed a refund for those who apply.

Mr. Weidman stated it is a discrepancy in the policy that should come before the Board.

Mr. James agreed but stated if someone were denied the grant money and sued us, he thinks the Township would have lost.

Mr. James asked if there was any action to take noting the Board needs to hear from Mr. Desai. He said he had a discussion with Mr. Desai about putting the time limit in the 2022 grant program resolution passed December 7, 2021.

Mr. LaBarbara asked if the Board will pay the grant money for those in question.

Mr. Weidman said there was one check and yes, we have to sign the check. He said he thinks the other two people were already paid.

Mr. Warrick said two people had been paid and the check in question is for one of those two people.

Mr. LaBarbara made a motion to adjourn, seconded by Mr. Weidman. All voted yes.

Adjournment

The meeting adjourned at 4:30 p.m.

Thomas J. Weidman, Secretary
Special Meeting Record of Proceedings 12/09/2021

DRAFT

CIC 2022	JAN & FEB	CIC 2021		CIC 2020	
EAST	6,770.44	EAST	33,365.33	EAST	35,401.37
CENTRAL	5,476.34	CENTRAL	28,022.42	CENTRAL	29,553.68
SOUTHWEST	1,954.00	SOUTHWEST	7,193.89	SOUTHWEST	10,976.29
NORTHWEST	3,431.75	NORTHWEST	22,881.85	NORTHWEST	14,092.35
	17,632.53		91,463.49		90,023.69