



## **Geauga County Mental Health and Recovery Board – June 6, 2022**

**Meeting Details:** Wednesday, June 6, 2022 at 6 pm at the Board Administrative Offices located at 13244 Ravenna Road, Chardon, Ohio 44024. This meeting began with both in-person and virtual options for Board members and was called to order at 6:00pm by Chair Malainey.

**Attendance:** Mrs. Chokshi called the roll. Attending in person were Chair Jennifer Malainey, Vice Chair Steven Oluic, Secretary Alberta Chokshi and board members Ann Bagley, Marty Fay, Dr. Vanessa Jensen, Kathy Johnson, Dr. Caroline Lesyk, Linda Miller and Mary Ruth Shumway. Attending virtually were Treasurer Michael Petruziello and board members Walter 'Skip' Claypool, Jimmy Lee Holden and Gregory J. O'Brien.

**Observer note:** *At this point 10 board members in-person and 4 virtual; all board members accounted for.*

Staff Members attending in person included Jim Mauser, Finance Director and Teresa Slater, Secretary/Receptionist. Interim Director Aimie Martin-D'Arienzo was not present in person and it is unclear whether she participated virtually.

**Agenda:** An agenda was available and included two action items:

- I. Call to Order, Roll Call, Pledge of Allegiance
- II. Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual pursuant to Ohio Revised Code Section 121.22(G)(1).

**Executive Session Attempt #1:** Following the roll call, Chair Malainey skipped the Pledge of Allegiance and informed those in attendance that she will make a motion to enter into Executive Session.

Prior to her motion, Mr. Fay inquired why members were participating virtually given that the Board voted 9-1 during its March 24, 2022 meeting to not allow board members to attend future meetings virtually?

Chair Malainey stated, "Per the bylaws I believe I'm allowed to change that - correct me if I'm wrong, anybody in the room. But as chair I'm allowed to do that."

Mr. Fay inquired further, "...if we take a vote and the vote is 9 for no Zoom and 1 for yes Zoom, you can overrule that vote and that decision?" Chair Malainy responded, "I believe for Zooms I can, yes." Mr. Fay pressed for a definitive answer and Mrs. Malainy turned to Secretary Chokshi for input. Mrs. Chokshi explained that the resolution to not allow Zoom meetings could be negated with another resolution but the Board had not taken that action.

Chair Malainy suggested taking the matter to County Prosecutor Jim Flaiz and Mrs. Bagley objected, pointing out that under the March 24th resolution she was unable to participate in meetings because she had COVID. Dr. Lesyk commented she too was not allowed to participate using Zoom following a recent surgery. **Observer note: Mrs. Bagley was not present at the May 4, 2022 meeting. Dr. Lesyk was not present at the April 20, 2022, May 4, 2022, and May 25, 2022 meetings. Notably, both members were absent when the Board voted on May 4, 2022 to place Director James Adams on leave.**

Chair Malainy again offered to call Mr. Flaiz. Mr. Fay and Dr. Jensen encouraged her to do so. Dr. Jensen stated that during the March 24th meeting Mr. Claypool informed the board the Prosecutor's Office advised him that the March 16th board action to allow virtual board participation was not valid. Dr. Jensen stated that based on Mr. Claypool's statement, the board voted 9-1 during the March 24th meeting to not allow virtual meetings. Per Dr. Jensen, in a follow up conversation with her, Mr. Flaiz denied ever making such a statement and questioned why the board wasn't using Zoom.

Dr. Lesyk again expressed strong opposition to allowing the Zoom meeting, calling the move hypocritical and inappropriate. Chair Malainy said, "you haven't been to a meeting in like, a month." To which Dr. Lesyk angrily replied, "right, because I couldn't!"

Chair Malainy asked whether the board wanted to cut the Zoom and Mr. Fay questioned her angry tone, reminding her that the board had already voted 9-1 not to have Zoom and that there was no reason for a heated debate.

Dr. Jensen inquired why the news reported Interim Director Martin-D'Arienzo had resigned before the board had been informed. **Observer note: [see Chagrin Valley Times reporting here.](#)** Mr. Fay noted that Chair Malainy was quoted in the newspaper story. Board members in general expressed anger at not being told about the resignation.

Mr. Fay asked to reach a decision about whether to include the Zoom participants. Per the Chair, the Zoom participants should be given an opportunity to speak. At that point, Dr. Lesyk loudly stated, "NO ZOOM!" and Malainy advised her to quiet down.

Mr. O'Brien interjected over Zoom, saying that he was only at home in order to run the Zoom Executive Session. He offered to drive to the meeting and participate in person. The board agreed. The Zoom session was closed, a female board member thanked the Chair, and Mrs. Malainy admonished Dr. Lesyk to "... keep it together, okay? Cause I don't wanna have to call the Sheriff." This comment visibly angered several board members.

*Observer note: At this point, 10 board members in-person with one more en route.*

**Executive Session Attempt #2:** Chair Malainy again attempted to move into Executive Session but Mr. Fay requested more information about the Interim Director's resignation. Chair Malainy responded that the resignation was sent via email to her, she believes on Friday. Mr. Fay asked why the Board is only learning of the resignation now and Chair Malainy responded, "because it has changed and that is what I am talking about in Executive Session but you won't give me a chance to do that." Mr. Fay again asked why the resignation was public record as of today and yet no one on the board had been informed.

Chair Malainy asserted there was a reason she didn't tell them and that she would share the reason in Executive Session. Linda Miller said, "it better be good," and Malainy angrily replied "and if it's not what are you gonna do Linda?" The conversation devolved further into assertions of who volunteers harder.

At this point it was 6:15pm and the board decided to take a break until Mr. O'Brien arrived. Several board members exited the meeting area, congregating just outside the building, near the entrance. Chair Malainy remained in the meeting room.

Around 6:23pm Chair Malainy suddenly stood up and angrily exited the room. Outside the building, she engaged with Mr. Fay, repeatedly yelling, "I'm not speaking with you! I want Flaiz on the line!" and finally, "I'M DONE!" With that, she got into her car and drove off.

*Observer note: At this point 9 board members in-person with one more en route.*

At 6:33 pm Mr. O'Brien arrived, the meeting reconvened and Vice Chair Oluic took charge.

*Observer note: At this point 10 board members in-person.*

**Executive Session Attempt #3:** Mr. O'Brien moved to enter Executive Session to "discuss pertinent matters." This reason was questioned and Mrs. Slater was asked to read aloud Agenda item II, which stated, "Executive Session to consider the appointment, employment, dismissal, discipline, promotion, or demotion of a public employee or official, or the investigation of charges of complaints against a public employee, official, licensee, or regulated individual pursuant to ORC Section 121.22(G)(1).

**Executive Session Attempt #4:** Mr. O'Brien referred to the statement just read aloud and moved to enter Executive Session without specifying which reason(s). Mrs. Shumway seconded the motion. Dr. Jensen inquired whether the Board was actually intending to discuss the topics specified in the motion, pointing out that in a previous meeting the Board stated a different reason for going into Executive Session even though Chair Malainy stated repeatedly that the purpose was to "discuss the succession plan." **Observer note: Dr. Jensen appears to be referring to the April 20, 2022 meeting.**

**Executive Session Attempt #5:** The purpose of Executive Session was then restated to be “employment and pay of a staff person.” No one seconded the restated motion. Motion passed via 8-2 roll call vote with Mrs. Miller and Dr. Jensen voting no.

The public was asked to wait in the adjacent office space and assurances were provided that we would be brought back in when the regular session resumed.

At 6:44pm Chair Malainy re-entered the lobby area with a man and several children (presumably family?). She entered the meeting room and her family exited the building.

*Observer note: At this point 11 board members in-person.*

At 7:40pm the public was invited to rejoin the meeting, which had exited Executive Session into open session. It was announced that no action would be taken. The meeting adjourned at 7:42pm.

**HUB Community Training Committee: June 13, 2022 at 1:30pm**

**Next Regular Board meeting: June 15, 2022 at 6pm**

**Special Board Meeting: June 21, 2022 at 6pm;** Executive Session to consider the appointment, employment, dismissal, discipline, promotion, or demotion of a public employee or official, or the investigation of charges of complaints against a public employee, official, licensee, or regulated individual pursuant to ORC Section 121.22(G)(1).

Additional Information available here: <https://www.geauga.org/about-us/>

Minutes available here: <https://www.geauga.org/board-minutes/>

Observer: Shelly Lewis

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