

## Mayor's Report

### Village of Buckeye Lake

4-8-2019

1. Tonight, Virgil Weilbacher will take the Oath of Office to become a full-time Buckeye Lake police officer. Virgil has seven years of distinguished service with the military with an honorable discharge in February 2019. He's completed the police academy and has spent the last few weeks becoming familiar with our village. His first day of official duty will be April 13. Please welcome Virgil and his wife, Kayee and daughters Alexa and Raylynn.
2. I attended a retirement reception for Sue Spiker of the Licking County Planning Commission on March 30. Sue retired after 23 years of service to the county. Sue assisted our village on a number of Community Development Block Grants and Ohio Public Works Commission grants. She was an excellent resource and helped us leverage our limited funds. I thanked her for her help and support. Sue will be missed.
3. We have completed our new office arrangement except for a few finishing touches of door painting. The offices include a new space for the police chief, the clerk-treasurer, zoning and code enforcement and a lunch room for all employees. Council members are welcome to come and share lunch with the staff or access beverages from the refrigerator. A special thank you to volunteers Bill Collinson and Corby Hall for installing the trim molding in the offices. Thank you to the mayor's son, Andrew Snyder for the donation of a good portion of the trim mold. Several 12-foot pieces were taken down to the fire department so they could finish out the base mold in the front foyer.
4. We had two empty dumpsters after Spring Clean Up this past week. One of those dumpsters will be used for the street sweeping program funded through our collection of storm water fees. Another dumpster will be moved to a Seymour address to assist in the clean up a long-time problem property.
5. Recently, we learned the time frame to complete our 'Streetscape Project' has been extended until June 2020. The grant process will be managed by the Ohio Facilities Construction Commission. The funds available are \$125,000 and there is a 50 percent match UNLESS the project involves a property already owned by the village. 'Streetscape', the name of the grant, is a bit deceiving, because of the projects which can be included. The project must involve a cultural and/or historic element. To learn more, go to: <https://ofcc.ohio.gov/Services-Programs/Cultural-Facilities-Grants/How-Projects-Secure-Funding>. You can also reference ORC 123.28 for Ohio cultural facilities commission definitions. Last week, I met with Council Member Doug Poorman and several residents to discuss the requirements, limitations and funds available for the proposed project. A specific project has yet to be identified and we hope to create a process that will allow everyone's participation. If you have an interest or suggestion, please email me at [pwells@buckeyelakevillage.com](mailto:pwells@buckeyelakevillage.com).

6. We still don't have a definitive recommendation from our special OPEC-HC counsel on whether Jefferson Health Plan's offer to settle for less than 50¢ on the dollar actually represents a savings. In the meantime, the new judge handling OPEC-HC's receivership in Franklin County has allowed OPEC-HC founder Frank Harmon's brother-in-law's law firm intervenor status. Organ Cole is seeking to collect over \$363,500 in claimed unpaid legal fees and is asking the Court to force OPEC-HC to assess the former OPEC-HC members to pay the claimed debt since OPEC-HC's funds have been exhausted paying medical claims. Our special legal counsel will object to any assessment, particularly to Organ Cole since the firm's relationship to Harmon was not disclosed nor was the firm properly retained. Should Organ Cole be successful in obtaining member assessments, we can expect Claim Doc (claims \$695,000 owed) and other possible creditors to make similar claims for member assessment. Our total exposure to Organ Cole and others would be an additional \$3-5,000 which is in addition to the approximately \$18,000 (full sum) that JHP claims. Council has previously authorized me to approve a settlement with JHP once our legal counsel approves it.

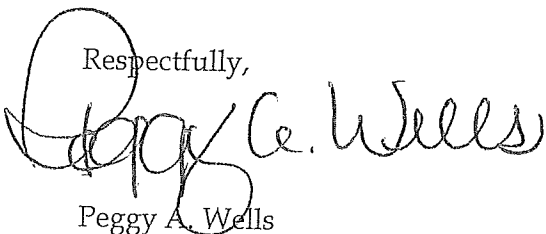
The Court granted Harmon's brother-in-law's firm intervenor status in OPEC-HC's receivership case to file the attached complaint seeking over \$363,500. Para. 35 and 42 of the complaint are notable:

*To the extent that OPEC-HC has insufficient funds to pay Organ Cole the Outstanding Balance, OPEC-HC must assess the OPEC-HC political subdivision membership to collect funds to pay the Outstanding Balance owed to Organ Cole pursuant to the terms of the OPEC-HC Agreement.*

*Based on documents we obtained in discovery elsewhere, Organ began advising Harmon as early as Feb. 2014 to review and supplement the template draft Member Agreement the JHP provided to Harmon. This contract revision process led, among things, to the change in the JHP's originally proposed OPEC-HC Board structure by making Harmon/OIS a permanent director, along with OPEC's Exec. Dir. Erin Patton and OPEC's Board Chairperson. Organ Cole regularly advised the OPEC-HC Board at its meetings from 2015 through Aug. 2017 as members were denied notice of public meetings and overall transparency. OPEC-HC Board Chair Martha Balyeat told me she was shocked to learn in May 2017 that Organ was Harmon's brother-in-law since neither disclosed the family connection when or ever after Harmon encouraged the Board to retain Organ as OPEC-HC's legal counsel in 2015. Organ continued to advise Harmon and Patton in the latter months of 2017 when the rest of the OPEC-HC Board had resigned.*

*We expect the Receiver, relying principally on its counsel Jerry Peer, will evaluate this claim for payment and make a recommendation to the Court about whether any, some, or all should be paid and whether former members should be assessed to pay it. I am not confident Peer has the knowledge or will to critically examine whether OPEC-HC (vs. Harmon) properly retained Organ for all the claimed services rendered, as public entities must do. Notable also, Mr. Peer for the last several months has been working closely with Organ since Peer recruited him last year to become Peer's co-counsel to help Peer with a hotly contested case Peer proved unable to continue handling without Organ's assistance.*

Respectfully,

A handwritten signature in black ink that reads "Peggy A. Wells". The signature is written in a cursive, flowing style. The first letter "P" is large and loops around the "eggy". The "A" is also large and loops around the "Wells".

Peggy A. Wells