

Lucas County Board of DD

Special Board Meeting

April 13, 2026

Place of Meeting: Administration Building
1154 Larc Lane, Toledo, Ohio

Time: 12:30 P.M.

Members Present: Ms. Cheryl Tyler-Folsom, President, presided
Mr. Bill Axe, Ms. Karen Kerr, Dr. Eileen
Quinn and Mr. Ron Volk

Members Absent: Ms. Megan DeSloover and Mr. Conor Smenner

I. **Call to Order:**

Ms. Cheryl Tyler-Folsom, President, called the meeting to order at 12:33 p.m. Following roll call, the Board excused the absences of Ms. Megan DeSloover and Mr. Conor Smenner.

II. **Executive Session:**

Mr. Volk made a motion to go into Executive Session at 12:34 p.m. to discuss employment of a public employee. Seconded by Mr. Axe. Motion carried unanimously by roll call vote:

Mr. Bill Axe voted - yes
Ms. Megan DeSloover - absent
Ms. Karen Kerr voted - yes
Dr. Eileen Quinn voted - yes
Mr. Conor Smenner - absent
Ms. Cheryl Tyler-Folsom voted - yes
Mr. Ron Volk voted - yes

Motion by Ms. Kerr to return to regular session at 1:40 p.m. following discussion of the above. Seconded by Mr. Volk. Motion carried unanimously by roll call vote:

Mr. Bill Axe voted - yes
Ms. Megan DeSloover - absent
Ms. Karen Kerr voted - yes
Dr. Eileen Quinn voted - yes
Mr. Conor Smenner - absent
Ms. Cheryl Tyler-Folsom voted - yes
Mr. Ron Volk voted - yes

III. Discussion Topics Requiring Board Action:

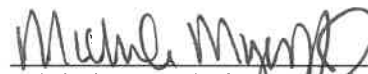
Motion by Mr. Axe to adopt Resolution #26-04 (attached), Authorizing the Legal Department to request and coordinate referee selection, if necessary, pursuant to O.R.C. 5126.23. Seconded by Mr. Volk. Motion carried unanimously by roll call vote:

Mr. Bill Axe voted - yes
Ms. Megan DeSloover - absent
Ms. Karen Kerr voted - yes
Dr. Eileen Quinn voted - yes
Mr. Conor Smenner - absent
Ms. Cheryl Tyler-Folsom voted - yes
Mr. Ron Volk voted - yes

IV. Adjournment:

Motion by Ms. Kerr to adjourn the meeting at 1:45 p.m. Seconded by Dr. Quinn. Motion carried unanimously.

Respectfully submitted,



Michele Myerholtz, Superintendent/CEO



Attest:

Bill Axe, Recording Secretary

Approved by:

Cheryl Tyler-Folsom, President

AUTHORIZING THE LEGAL DEPARTMENT TO REQUEST AND COORDINATE REFEREE SELECTION, IF NECESSARY, PURSUANT TO O.R.C. 5126.23

RESOLUTION NO. 26-04

April 13, 2026

WHEREAS, Ohio Revised Code section 5126.23 sets forth the process by which a management employee of a county board of developmental disabilities may appeal removal, suspension, or demotion, including by filing a written demand for a hearing before the board or before a referee; and

WHEREAS, Ohio Revised Code section 5126.23(E) provides that, if a referee is demanded by an employee or by a county board, the hearing shall be conducted by a referee selected in accordance with Ohio Revised Code section 5126.23(F); and

WHEREAS, Ohio Revised Code section 5126.23(F) provides that referees shall be selected from the list compiled by the Director of Education and Workforce pursuant to Ohio Revised Code section 3319.161, and that, upon receipt of notice that a referee has been demanded by an employee or a county board, the Director shall immediately designate three persons from that list, from whom the referee shall be chosen; and

WHEREAS, on April 7, 2026, a written decision following pre-disciplinary conference was issued to A.D., a management employee, following proceedings conducted pursuant to Ohio Revised Code section 5126.23; and

WHEREAS, under Ohio Revised Code section 5126.23(D), a management employee may file with the Board a written demand for a hearing within fifteen days after receiving notification of the results of the pre-disciplinary conference; and

WHEREAS, the Lucas County Board of Developmental Disabilities does not have a regularly scheduled board meeting in April 2026 before the relevant statutory deadlines may arise; and

WHEREAS, the Board desires to act proactively and lawfully to ensure that, if a hearing before a referee is timely demanded by the employee, the Board's Legal Department is authorized to take the necessary administrative and coordinating actions on the Board's behalf, in consultation with the Superintendent, to facilitate compliance with Ohio Revised Code section 5126.23, including requesting a list of referees or otherwise communicating with the Director of Education and Workforce or other appropriate officials regarding referee selection and scheduling; and

WHEREAS, this Resolution is intended solely to authorize preparatory and contingent action if needed to comply with Ohio Revised Code section 5126.23 and is not itself a demand for a referee hearing unless and until such demand is made by the employee or separately authorized by the Board;

THEREFORE, BE IT RESOLVED, by the Lucas County Board of Developmental Disabilities:

Section 1. The Board hereby authorizes the Legal Department, on behalf of the Board and in consultation with the Superintendent, to take such ministerial, administrative, and coordinating actions as may be necessary to comply with Ohio Revised Code section 5126.23 if A.D. timely files a written demand for a hearing before a referee, including requesting or facilitating the request for a list of referees, communicating with the Director of Education and Workforce or the Director's office, corresponding with opposing counsel or the employee, and coordinating scheduling and related procedural matters.

Section 2. If a referee hearing is timely demanded by the employee, the Legal Department is further authorized, on behalf of the Board and in consultation with the Superintendent, to proceed with the statutory referee-selection process under Ohio Revised Code section 5126.23(F), subject to later entry of any required appointment or hearing-related action in the Board's minutes.

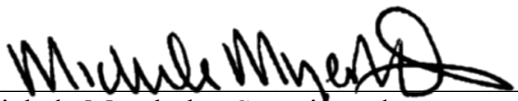
Section 3. Nothing in this Resolution shall be construed as a waiver of any rights, defenses, objections, or procedural options available to the Board under Ohio Revised Code section 5126.23, nor as a present election by the Board to demand a referee hearing absent further action or necessity under the statute.

Section 4. The Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were held in meetings open to the public, in compliance with law.

Section 5. This Resolution shall take effect immediately upon its adoption.

Action Taken:

Cheryl Tyler-Folsom – President voted - yes
Karen Kerr – Vice President voted - yes
Bill Axe – Recording Secretary voted - yes
Megan DeSloover – Board Member - absent
Dr. Eileen Quinn – Board Member voted - yes
Conor Smenner – Board Member - absent
Ron Volk – Board Member voted - yes



Michele Myerholtz, Superintendent