

Butler Metropolitan Housing Authority dba OneCanopi
4110 Hamilton Middletown Road, Hamilton, OH 45011
Special Board Meeting
October 22, 2026, 6:00pm

AGENDA

Roll call

- A) Approval of minutes of 10-20-2026 special meeting.
- B) EXECUTIVE SESSION 1 - pursuant to O.R.C. 121.22(G)(1) "...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...." and O.R.C. 121.22(G)(3), "Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action..."
- C) EXECUTIVE SESSION 2 - pursuant to O.R.C. 121.22(G)(1) "...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...." and O.R.C. 121.22(G)(4), "preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment..."
- D) RESOLUTIONS

2617

RESOLUTION TERMINATING THE EMPLOYMENT OF TIMOTHY BUTLER, EXECUTIVE DIRECTOR OF BUTLER METROPOLITAN HOUSING AUTHORITY

2618

RESOLUTION OF BUTLER METROPOLITAN HOUSING AUTHORITY OF BUTLER COUNTY, OHIO APPOINTING TIM AYRES AS INTERIM EXECUTIVE DIRECTOR EFFECTIVE IMMEDIATELY, AND SETTING COMPENSATION

2619

RESOLUTION OF BUTLER METROPOLITAN HOUSING AUTHORITY OF BUTLER COUNTY, OHIO ACKNOWLEDGING THE ALLEGED MISAPPROPRIATION OF FUNDS, AUTHORIZING

AN IMMEDIATE INVESTIGATION, DECLARING THE IMMEDIATE REDUCTION IN
EXPENDITURES TO THOSE NECESSARY FOR OPERATION OF THE ORGANIZATION.

Minutes DRAFT

Special Meeting of the Board of Buler Metropolitan Housing Authority, d/b/a OncCanopi

October 20, 2026

Meeting Called to order at 6:02 PM. Roll call vote: John Kirsch, Kathleen Batliner, Marylee Jones, Felicia Duncan.

Present: Legal Counsel Kathy Farro and Matthew Dooley via Teams, Executive Director Timothy Butler, Board Members Felicia Duncan, John Kirsch, Kathleen Batliner, and Marylee Jones.

John Kirsch made a 1st Motion to go into executive session under R.C. 121.22(G)(1), "...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....."

Marylee Jones made a second to that motion.

Roll call vote, all present voted aye. Motion passes.

Executive session convened at 6:03 p.m.

Note: Timothy Butler was not present for the executive session

Board returned from executive session and John Kirsch made a 1st Motion to end executive session and return to open session. Marylee Jones seconded that motion. Roll call vote, all present voted aye. Motion passes. The Board ended executive session and reconvened into open session at 6:58 p.m.

John Kirsch moved to pass a verbal resolution to place Timothy Butler on paid administrative leave effective immediately, and Marylee Jones seconded that motion. Roll call vote, all present voted aye. Motion passes. The Board provided a letter to Mr. Butler outlining the terms of paid administrative leave, and arranged for him to be escorted from the building and premises per the terms of the letter.

The Board discussed the need to proceed with the elimination of certain professional arrangements with contractors and other third parties due to the immediate need to restrict organization spending, and to eliminate possible risks to the organization due to Mr. Butler's relationships. John Kirsch made a motion for a verbal resolution to allow the acting CEO to make recommendations to the board within two (2) weeks as to necessary cuts needed that will minimize impact to the agency. Kathleen Batliner seconded the motion. Roll call vote. All voted aye. Motion passes.

The Board discussed the need to immediately restrict all travel and conference related spending in light of the recent allegations discovered. John Kirsch moved to pass a verbal resolution

directing that no immediate travel for conferences until finances are assessed. Marylee Jones seconded the motion. Roll call vote, all present voted aye. Motion passes.

The Board discussed the need to proceed with an investigation into spending and other relevant activity arising out of Mr. Butler's tenure as director. Dooley discussed the engagement of a forensic accountant who would be able to proceed immediately on a focused review of Mr. Butler's spending specifically, allowing the Board to obtain clarity on Mr. Butler's spending and conduct as soon as possible, understanding that additional and follow-up review and investigations may be needed. The Board discussed scope of reporting needed to be done to additional relevant authorities. John Kirsch moved to pass a verbal resolution directing and authorizing corporate counsel Matt Dooley to hire a forensic accountant with input from the board, at an initial fee of \$10,000, for the purposes of evaluating Mr. Butler's financial activity within the organization, with the option to increase it if needed to properly complete the investigation. Marylee Jones seconded the motion. All present voted aye, motion passes.

John Kirsch moved to cancel the October 21, 2026 board meeting in light of recent events. Kathleen Batliner seconded the motion. All present voted aye, motion passes.

Marylee Jones left the meeting around 7:20 p.m.

John Kirsch made a 1st Motion to go into executive session under R.C. 121.22(G)(1), "...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....."

Kathleen Batliner made a second to that motion.

Roll call vote, all present voted aye. Motion passes.

Executive session convened at 7:26 p.m.

Board returned from executive session and John Kirsch made a 1st Motion to end executive session and return to open session. Kathleen Batliner seconded that motion. Roll call vote, all present voted aye. Motion passes. The Board ended executive session and reconvened into open session at 8:05 p.m.

John Kirsch made a motion to pass a verbal resolution appointing Tim Ayers to be the acting CEO of day-to-day operations of OneCanopi. Kathleen Batliner seconded the motion. Roll call vote, all present voted aye. Motion passes.

John Kirsch moved to adjourn the special board meeting, Kathleen Batliner made a second. Roll call vote, all present voted aye. Motion passes.

Meeting adjourned at 8:07 PM

Under Item D-1, the following Resolution was introduced by _____ who moved for adoption:

RESOLUTION NO. 2617

**TERMINATING THE EMPLOYMENT OF TIMOTHY BUTLER,
EXECUTIVE DIRECTOR OF BUTLER METROPOLITAN HOUSING
AUTHORITY**

WHEREAS, the Board adopted Resolution 2587 on July 30, 2025, whereby it appointed Timothy Butler as the Executive Director for Butler Metropolitan Housing Authority (“BMHA”) subject to the terms of the Employment Agreement (“Agreement”) attached thereto; and

WHEREAS, said Agreement became effective August 25, 2025; and

WHEREAS, BMHA is a public housing authority and political subdivision that acts through its Board, pursuant to Chapter 3735 of the Ohio Revised Code, with all the rights and obligations thereunder; and

WHEREAS, the Board is empowered to hire and fire its Executive Director, pursuant to the laws under which BMHA is established, and the Board is further empowered to terminate Mr. Butler’s employment pursuant to the provisions of Section 4 of the Agreement; and

WHEREAS, the Agreement provides that the Board may terminate Mr. Butler’s employment for cause pursuant to Section 4; and

WHEREAS, the Agreement Section 4(a)(i) defines, “for cause” as, “1) Employee's being indicted or charged with a felony under United States or applicable state law; 2) Employee's conviction of, or plea of guilty or nolo contendere to, or confession to, a misdemeanor carrying a possible sentence of 60 or more days of incarceration (other than a traffic offense); 3) the willful and continued failure by Employee to materially perform his duties under this Agreement (other than any such failure resulting from Employee's disability as more fully set forth below); 4) fraud, misappropriation, embezzlement or intentional and material damage to property or reputation of the Employer; or 5) Employee's willful breach of the terms of this Agreement”; and

WHEREAS, the Board was notified on October 20, 2026 of serious allegations concerning BMHA funds constituting immediate grounds for an investigation of said conduct; and

WHEREAS, following the immediate suspension of Mr. Butler at that meeting on October 20, 2026, BMHA served Mr. Butler a letter the following day on October 21, 2026, both by courier service and to his personal email, indicating

BMHA's intent to terminate his employment, subject to the required Board action; and

WHEREAS, later that day on October 21, 2026, BMHA received an email from Mr. Butler alleging to tender his resignation from the position of Executive Director of BMHA; and

WHEREAS, under Ohio law, a public official's resignation is not considered complete unless and until the relevant body has acted in an open meeting, pursuant to its requisite formalities, to formally adopt and accept said resignation; and

WHEREAS, this Board rejects Mr. Butler's resignation, and instead desires to move forward with termination of his employment as provided herein; and

WHEREAS, the Board finds that it has sufficient grounds for immediate termination "for cause" of Mr. Butler's employment by BMHA under the Agreement;

NOW, THEREFORE, BE IT RESOLVED: the Board hereby terminates the employment of Timothy Butler from BMHA and from his role as Executive Director, effective immediately, pursuant to Section 4 of the Agreement, finding that termination "for cause" is warranted; and

BE IT FURTHER RESOLVED that it is found and determined that all formal actions concerning and relating to the adoption of the foregoing resolution were taken in an open meeting, and deliberations which resulted in such formal action were in a meeting open to the public in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code; and

BE IT FURTHER RESOLVED by the Board of Commissioners of Butler Metropolitan Housing Authority that the above-described termination of Mr. Butler for cause is approved and certified.

_____ moved and _____ seconded the Resolution and upon roll call, the "AYES" and "NAYS" were as follows:

AYES:

NAYS:

Thereupon the Chairperson declared the motion carried and the Resolution adopted.

ADOPTED: October 22, 2026

Under Item D-2, the following Resolution was introduced by _____ who moved for adoption:

RESOLUTION NO. 2618

**OF BUTLER METROPOLITAN HOUSING AUTHORITY OF BUTLER COUNTY,
OHIO APPOINTING TIM AYRES AS INTERIM CEO/EXECUTIVE DIRECTOR
EFFECTIVE IMMEDIATELY, AND SETTING COMPENSATION**

WHEREAS, Executive Director Timothy Butler was terminated effective October 22, 2026, via Resolution 26____; and

WHEREAS, Tim Ayres has _____ years of service with BMHA, and most recently serves as the Vice President of Administration; and

WHEREAS, having collectively served BMHA for _____ years and having demonstrated competency and leadership qualities appropriate for the position of Interim CEO/Executive Director, the Board finds that Mr. Ayres is the ideal candidate to fill the role of Interim CEO/Executive Director at this time; and

WHEREAS, the Board will consider eligible candidates for the permanent appointment as CEO/Executive Director, which will subsequently be confirmed by passage of Resolution; and

WHEREAS, the interim assignment of Mr. Ayres will afford the necessary time to conduct that determination and to perform other tasks necessary to resolve outstanding issues and matters arising from the prior Executive Director's tenure; and

WHEREAS, the salary for Mr. Ayres' position as Vice President of Administration was set at \$180,000 per annum; and

WHEREAS, because Mr. Ayres will be serving in multiple roles for which a combined compensation package is not predetermined by BMHA's organizational structure, the Board desires to establish compensation for Mr. Ayres for his combined duties during this interim period serving dual roles; and

WHEREAS, should the Board find an eligible party to supplement Mr. Ayres' existing role as VP of Administration on an interim basis during his tenure serving dual roles, the Board shall consider and appropriately adjust said compensation by resolution thereafter;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the appointment of Tim Ayres as Interim Executive Director is hereby approved, effective October 22, 2026, in addition to his current role as Vice President of Administration, until such time as a permanent Executive Director is appointed by Resolution.

SECTION 2. Compensation for Ayres during his combined service as Vice President of Administration and and Interim Executive Director shall be temporarily set at \$ _____ per annum, divided equally among pay periods in which he serves in both roles.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions concerning and relating to the adoption of the foregoing resolution were taken in an open meeting, and deliberations which resulted in such formal action were in a meeting open to the public in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code; and

_____ moved and _____ seconded the Resolution and upon roll call, the “AYES” and “NAYS” were as follows:

AYES:

NAYS:

Thereupon the Chairperson declared the motion carried and the Resolution adopted.

ADOPTED: October 22, 2026

RESOLUTION NO. 2619

OF BUTLER METROPOLITAN HOUSING AUTHORITY OF BUTLER COUNTY, OHIO
ACKNOWLEDGING THE ALLEGED MISAPPROPRIATION OF FUNDS, AUTHORIZING AN
IMMEDIATE INVESTIGATION, DECLARING THE IMMEDIATE REDUCTION IN
EXPENDITURES TO THOSE NECESSARY FOR OPERATION OF THE ORGANIZATION.

WHEREAS, BMHA is a public housing authority and political subdivision that acts through its Board, pursuant to Chapter 3735 of the Ohio Revised Code, with all the rights and obligations thereunder; and

WHEREAS, BMHA and those officials empowered to operate it hold a sacred duty to the residents, community stakeholders, and employees of BMHA, as well as to the taxpayers and all members of our community, to ensure that all public and corporate funds are handled with absolute transparency, lawfulness, and fiscal responsibility; and

WHEREAS, credible evidence came to light on October 16, 2026 indicating that BMHA's former Executive Director Timothy Butler engaged in the unauthorized use, personal expenditure, or misappropriation of organizational funds; and

WHEREAS, Mr. Butler was immediately suspended and then terminated for cause this week in response to those allegations, by Resolution 26XX, and Tim Ayres was appointed Interim Executive Director via Resolution 26XX; and

WHEREAS, any unauthorized financial actions by Mr. Butler constitutes a direct breach of fiscal responsibility, organizational bylaws, and potentially applicable state or federal criminal statutes governing misuse of public funds; and

WHEREAS, in addition to those findings discovered this week, BMHA has credible evidence that there are additional instances of misappropriation or other malfeasance by Mr. Butler that it must investigate; and

WHEREAS, at its meeting on October 20, 2026, upon discovery of these concerning allegations, the Board passed a verbal resolution authorizing its legal counsel to retain an outside investigator specifically for the purpose of reviewing Mr. Butler's expenditures, activity, and other relationships relevant to his position as Executive Director; and

WHEREAS, BMHA is committed to protecting the financial integrity of the organization, securing assets, and ensuring a full, unhindered investigation into this matter; and

WHEREAS, BMHA is further committed to prioritizing the wellbeing of the individuals it serves, by focusing expenditures solely to those necessary to keep its facilities, housing, and labor force operational and effective to serve its residents, and to those required to meet its legal obligations and to fully investigate the allegations herein; and

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. FORMAL CONDEMNATION & CENSURE. BMHA, through its Board, hereby formally censures and condemns any and all unauthorized spending, theft, or misappropriation of funds by any official or employee; and

SECTION 2. REDUCTION AND LIMITATION ON ORGANIZATIONAL SPENDING PENDING OUTCOME OF ALL RELEVANT INVESTIGATIONS. BMHA through its Board, hereby authorizes and directs its Interim Executive Director to take the steps necessary to immediately reduce organization expenditures to those needed to adequately maintain its facilities and housing, to renumerate and support its labor force to the extent necessary for their compensation and to execute their duties, to minimize spending to that which will keep BMHA operational and allow it to effectively serve its residents, to limit those expenditures only to those otherwise required to meet its immediate legal obligations, and to those expenses needed to fully investigate the allegations herein, in the manner prescribed by law; and

SECTION 3. COOPERATION WITH LAW ENFORCEMENT. The Interim Executive Director is authorized and directed to turn over all relevant evidence, audit findings, and documentation to local, state, or federal law enforcement authorities and prosecutors to pursue criminal charges or restitution as necessary, and to take other actions needed to otherwise satisfy any mandatory reporting obligations under state and/or federal law, and/or to direct the appropriate BMHA officials to do so; and

BE IT FURTHER RESOLVED that it is found and determined that all formal actions concerning and relating to the adoption of the foregoing resolution were taken in an open meeting, and deliberations which resulted in such formal action were in a meeting open to the public in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code; and

_____ moved and _____ seconded the Resolution and upon roll call, the “AYES” and “NAYS” were as follows:

AYES:

NAYS:

Thereupon the Chairperson declared the motion carried and the Resolution adopted.

ADOPTED: October 22, 2026