

RUSHCREEK TOWNSHIP TRUSTEES
BOARD MEETING
04/01/15

Bill Myers, Chairman called the Rushcreek Township Trustees Board meeting to order at 7:00pm leading with the Pledge of Allegiance. Those in attendance in addition to Bill were: Dave Myers, Trustee; Hart Van Horn, Trustee; Connie Moyer, Fiscal Officer; Bob Suer, Road Superintendent; and Will Duvall, Fire Chief. Bill asked that all cell phones be muted along with all fire radios except the Chief and Road Superintendent.

Visitor
Tracy Shahan, Chuck Vickroy

Agenda

Chuck Vickroy of 200½ Marietta Street addressed his questions to Trustee Hart Van Horn with reference to the Ladies Auxiliary. 1) Why is there no longer a Ladies Auxiliary 2) Were the Ladies Auxiliary offered an option to go ahead with the craft show until they were operating "legal" 3) Why was there such a short notice given to the Ladies Auxiliary to cancel the craft show 4) If the reason for cancelling the craft show was due to insurance purposes, why is there still parties going on at the firehouse 5) Since the Ladies Auxiliary has disbanded and the money has been confiscated, where is the money going.

Trustee Van Horn replied by reading a letter that was addressed to Ruth Duvall and Debbie Molisee dated March 23, 2015. The Internal Revenue Service provides the rule of law that any charity must follow. These laws were established in 1999, specifically ORC 1716.02. The Trustees asked for documentation; by-laws were presented that referred to "funding private enterprise and slush fund". In August of 2012, Mr. Vickroy had contacted the media regarding misuse of the ladder truck by former Fire Chief Westenbarger. In comparison, this "group" of individuals were misusing tax payers resources in much the same way by not following the rule of law. The Trustees will not allow the use of tax dollars to support private interest at the detriment to the taxpayers. The money that was turned over to the Trustees was placed in the Fire Fund until such time all debts are cleared and proper authorities authorize release of funds.

Mr. Vickroy indicated he was clearly not happy with the response so he placed a public record request of all minutes from January 1, 2015 to present. He was informed that the minutes are available online however he responded that he did not have internet access (Mr. Vickroy was reminded later that the Bremen public library is available to everyone, whereby internet access is provided). Connie noted the record request and will handle accordingly.

Minutes

The minutes of the March 18th meeting were presented to the Trustees for approval. Bill made a motion to dispense with the reading of the minutes because the Trustees had reviewed them prior to the meeting and approve the minutes. Hart seconded the motion. Roll Call: Dave, yes; Bill, yes; Hart, aye. Bill reminded everyone that the minutes are available upon request at the Fiscal Officer's office and the township website www.rushcreek-twp.org.

Treasurer's Report

EFT # 163-2015 – 199-2015 and Warrants #39851-39864 in the amounts of \$29,718.97 were presented to the Trustees for signatures with posting dates April 2nd. Unfortunately since the EMS billing company MBI has some missing deposits, the March bank reconciliation will be available at the April 15th board meeting. Hopefully the new company Medicount will be better organized, if not we will be seeking alternative methods of billing. Also, it was noted that \$7,447.99 was a loan payment for the squad. Dave made a motion to pay the bills and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Hart raised question on some of the bills.

- Konica Minolta - He asked that we check with a local company like Heimberger Office Supply to see if they could provide a contract for the copier.
- Boehm - Will responded was for accountability tags for fire fighters while they are in a fire.
- Bob Suer - Reimbursed for postage to mail the line locator to the company for repairs.

- Dave Myers - Reimbursement for mileage. - Hart stated he did not feel it was right for Dave to ask for mileage reimbursement when we have a station car available. It was Dave's choice to attend some of the meetings and to use his own vehicle instead of the township vehicle. The paperwork was not completed in full and many of the reimbursed mileage included trips that other members attended without asking for reimbursement. Also, several were not mandatory attendance. Hart continued that he will not sign any checks in the future when a company owned vehicle could be used. He further stated for the record that Dave's actions cost the taxpayers double, since the township vehicle is maintained with taxpayer money and Dave took taxpayer money to operate his own vehicle.

**Appropriation Change: \$2,000.00 from 2192-330-360 to 2192-390-430

Certificate of Deposit #54156 in the amount of \$100,000.00 matures on April 3rd. The following interest rates were obtained: Citizens Bank – 18 month .410%; Bremen Bank – 18 month .400%. After discussing, Dave made a motion to reinvest the \$100,000.00 certificate of deposit with the Citizens Bank for an eighteen month term at an interest rate of .410% and Hart seconded the motion. Roll Call: Dave, aye; Hart, aye; Bill, aye.

Old Business

Bill – W-4's on Denise Beery, Dan Schultz, Erika Hedges, Rob Theado, and Scott Widener. - Bill stated he will make sure this is taken care of quickly.

All - Logger on McCullough Road damaging the road due to overweight limits. - Dave advised he received a copy of the citation from the Sheriff Dep't. Hart reported he sent the information to the Prosecuting Attorney office for recovery. Bill stated he took pictures of the activity and gave to the Deputy. Deputy Meade advised Bill the photos needed the date and time on them in order to be admissible in a court of law. After discussing, Bill agreed he will contact the landowner and notify the timber cutter to cease operating overloaded on our Township roads.

Business

Chief Will Duvall reported the following:

- SCBA inspection and annual maintenance was performed by Warren Fire Equipment which is covered under our annual service agreement.
- The Shriner's Grant was presented to the Board for approval to submit. The request was to replace the cardiac monitor on Medic-542 which will be outdated next year. Hart Van Horn made a motion to approve the grant for submission pending correction of address to read P.O. Box 88 and utilizing the original application form which Dee Mowry had signed for submission. Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- The mutual aide agreement that was distributed at the March 18th meeting is now ready for signatures. Included in the agreement was a letter from the Prosecuting Attorney approving the agreement. Dave made a motion to enter into a county-wide mutual aide agreement and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- On April 1st an employee was suspended from employment and activity from the fire department for an undetermined amount of time for falsification of payroll documents.

Hart reported that he sent a Press Release to the Towne Crier on the Rushcreek Township sponsored training of Bremen-Rushcreek Fire Department utilizing the old Superior Fibers site. The entire article has also been posted on the website. Hart commended Jordan Irwin for organizing the training session.

Will presented the Trustees with a list of expenditures for the next period in the amount of \$3,950.00. Hart made a motion to approve the list of expenses and Dave seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. Runs reported during the pay period: 15 squad of which 13 were transports and 4 fire.

Road Superintendent Bob Suer reported the following:

- The roads have developed soft spots throughout the Township due to trapped moisture between the road bed and frozen dirt below the road. Patching is being done however this will not be a permanent solution until warmer weather.

- As time allots brush is being cleared in preparation of chip/seal.
- Avalon Road has now been closed by stocking dirt in the center of the road.
- The underground line locator purchased in 2006 was sent to the company for repairs. Repair parts are not available however an update can be installed at a cost of \$1,000.00 with a six month warranty. To purchase a new unit the cost is \$2,188.00 which includes a three year warranty, Bob recommended the purchase of a new unit. Hart asked that Bob research the unit to see if it can be purchased utilizing State or Federal purchasing prices. Dave made a motion to purchase a XTPC-82 line locator for an amount up to \$2,188.00 plus shipping and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. A purchase order will be available for signatures at the next board meeting. **(refer to treasurer's report)
- Strawser Construction sponsored an non-compulsory seminar at the County Engineer's office that Dave, Bill, and Bob attended where different types of emulsion were discussed. After attending Bob felt that the cost of material was more expensive than the price of emulsion that we have locked in for this season at \$1.82 per gallon.
- Fairfield County Engineer office removed their materials from our salt bin earlier than planned per Dave Myers request.
- April 3rd is a paid holiday so the road department will be off.

Bill commended the road crew for the excellent job with the upkeep of the roads, especially on the secondary roads.

Bob presented the Trustees with a list of expenditures for the next period in the amount of \$5,148.00. Dave made a motion to approve the list of expenses and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye.

Connie reported the following:

- One zoning permit was issued since the last meeting to Sean Carpenter 1959 Bethel Rd., for a new porch and deck.
- Grassroots Clippings was distributed to all members.
- The District is purchasing a new tractor from Franklin Equipment and while there we were advised of a program called National Joint Powers Alliance. This program is a federal program with no annual membership fee. Currently the Township is members of State of Ohio Cooperative Purchasing Program at an annual membership fee of \$100.00. Vendors provide the membership fees for the federal program. Application was submitted for the National Joint Powers Alliance program.
- The County Engineer had our annual township meeting on March 23rd. Representing the County; Jeremiah Upp, Jeff Baird, and Cheryl Downard. Representing Rushcreek Township: Road Superintendent, all Trustees, and the Fiscal Officer. The culvert allocation was 2014 carry-over \$1,700.75; 2015 \$8,470.00 thus the total available for 2015 is \$10,170.75. Avalon Road was discussed in detail along with force account paperwork. The Engineer will provide measurements and guidance on this project. It may be possible to join force account with the County however this will be decided at a later date. The Engineer thanked the Township for the use of our salt bin which saved our taxpayers.
- On March 20th Kelly Austin from KLA Risk Management performed a risk audit of the Township. Involved in this meeting were Trustees Hart Van Horn and Dave Myers, Fire Chief Will Duvall, and Fiscal Officer Connie Moyer. A detailed report will be forthcoming from KLA Risk Management.
- On March 21 Greenfield Township hosted the Fairfield County OTA meeting. Representing Rushcreek Township; Bill Myers, Hart Van Horn, Connie Moyer, Richard Campbell, and Bob Suer. The speaker discussed upcoming legislation covering the red light cameras and a new hand held piece of equipment requiring an officer- on- scene. Neither of these items would benefit Rushcreek Township. Also discussed was road closure signage needed for high water issues. While attending the Engineer's meeting Jeremiah Upp advised he is working with the Prosecuting Attorney to get clarification on this issue before adopting changes.
- In response to Senate Bill 243 Section 6 (in part) the Township received a one-time disbursement of \$8,545.58 (undivided local government fund) which goes to the General Fund. As a reminder,

this is amount that the Ohio Township Association worked closely with the State representatives to be given back to the individual townships. Letters from Rushcreek Township Trustees & Fiscal Officer were sent after the December OTA meeting thanking all involved in this process.

- \$5,475.80 was received from the Ladies Auxiliary and placed in the Fire Fund.

As the Trustee in charge of Administration Hart reported the following:

- While maintaining office hours on Saturday, March 28th John Graham came by the office to address concerns on the condition of certain roads. While coming in the front entrance of the building Hart witnessed Mr. Graham trip and fall. An incident report was filled out and turned into the road superintendent. Hart believes if railing is added across the front of the building next to the current railing of the steps, this would provide additional safety. This matter was turned over to Richard Campbell to evaluate and report later.
- MBI/Medicount was behind on reconciliations as far back as March 24th and when Connie contacted them they responded that this was their first glitch. Hart became involved in the exchange and ended up speaking with Tim Newcomb, Vice President of Medicount. Due to problems that have arisen with MBI it is necessary to have a meeting with the new company and express our concerns in order to arrive at solutions. This will require a work session. The Trustees decided to give Medicount two options and then post the work session on the website April 6th. The options discussed were: April 9 @ 3:30pm or April 10 @ 9am.

Dave stated that Foltz Auction will be held on April 18th and he asked if the old light fixtures could be taken to the auction for disposal. After discussion, Hart made a motion to approve the miscellaneous used light fixtures from the Township be sold at Foltz Auction on April 18, 2015 for disposal and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

At 8:49pm Hart made a motion to go into Executive Session under ORC 121.22(G)(1) for a personnel discipline action and invited Chief Duvall to attend. Dave seconded the motion. Roll Call: Hart, aye; Bill, aye; Dave, aye. Bill advised the public that there would be no further business after executive session ended.

Executive Session Ended: 9:25pm

Meeting Adjourned: 9:26pm

SIGNATURES ON FILE