

RUSHCREEK TOWNSHIP TRUSTEES
BOARD MEETING
03/02/2016

Hart Van Horn, Chairman called the Rushcreek Township Trustees Board meeting to order at 7:12pm leading with the Pledge of Allegiance. Those in attendance in addition to Hart were: Dave Myers, Trustee; Bill Myers, Trustee; Connie Moyer, Fiscal Officer; Richard Campbell, Zoning Inspector; and Will Duvall, Fire Chief. Hart asked that all cell phones be muted along with all fire radios except the Chief's.

Copies of the agenda, payment listing, and draft copies of the February 17th & 26th minutes were made available to those in attendance.

As a matter of record, Hart advised that Robert Suer was not present as he was taken to the hospital and we are waiting on an update on his progress.

Visitors

Jim Van Horn, Mary Kunkler, Lonnie Kosch, Jeff Herman, Chad Ashbaugh, Earl Lehman, Loren Young, Trace & Anthony Taylor, Renee Huffer, Bruce Duck, Tim Thomas, George Shreyer, Tracy Shahan, Lisa & Doug Burnworth.

Work Session

The following notice was sent to the Eagle Gazette and placed on the website. *Rushcreek Township Board of Trustees will hold a work session on Wednesday, March 2nd from 6:00pm till 6:45pm to keep from impacting the Regular Meeting beginning at 7pm. The purpose of the meeting is to discuss Regular meeting procedures. If time allows, the Recycling Program will be reviewed. The meeting will be held at the Township, 213 Marietta Street.* At 6:00pm the work session began with the following people in attendance: Trustee Hart Van Horn, Trustee Bill Myers, Trustee Dave Myers, Fiscal Officer Connie Moyer, Chief Duvall, Tom Hockman, Rita Conkle, Barb Hockman, Jeff Herman, Chad Ashbaugh, Earl Lehman, Loren Young, Trace & Anthony Taylor, Bruck Duck, Tim Thomas, George Shreyer, Tracy Shahan, Lisa & Doug Burnworth, Mary Kunkler, Renee Huffer, and Jim Van Horn.

Chairman Van Horn opened the work session explaining the purpose of the session was to give the residents an opportunity to understand the administrative procedure policy that Rushcreek Township has operated for the last year and nine months. A work session still operates like a regular business meeting with a more relaxed setting. However, order will be kept. Trustee Dave Myers read the current meeting procedures. Each person present was given an opportunity to provide their input. Tracy Shahan suggested a sign-up sheet at each meeting where an individual can request to address the board with a possible 15 minute limitation. She supports the township to "strive for continuous improvement". Doug Burnworth - Likes the way things used to be when he was Trustee, more open meetings instead of behind closed doors, does not want to be a "mother may I" environment. He felt that the discussion of the fire house usage should've been done in regular session instead of a work session. Lisa Burnworth - citizens have a right to be heard, it is counter-productive to stifle communications, feels the public should stand when they address the board, limit each person to three minutes, when having private conversations it is not on record so there is no protection on what was decided.

Hart explained that the Trustees are often not avoiding conversation, they are simply avoiding violation.

An example would be a "meeting in series". There are no private meetings by this board, except when required or within the parameters of the law. The township is a three member board that must be careful to not go outside of these parameters established by precedent in the court of law. One-on-one conversations may be private or open, regardless; no decisions can be made except in open meetings. Once two trustees engage, it can then become a violation. Hart again reminded people that Rushcreek Township provides what no other township has provided before now; over 100 hours of one on one opportunities, work sessions and open forums for people to bring their comments directly to the trustees. This is something Hart has insisted upon since being in office. In addition, people can submit written comments for board review on record.

Dave Myers stated that prior to 2014, before the end of each meeting he went around the room and left everyone speak. He suggested the time frame be limited to three minutes and allow anyone to speak.

Bill Myers suggested a sign-in sheet at each meeting with an opportunity for the person to be able to address the board. He suggested a three minute limitation with no restrictions on the number of requests, even if it takes all night.

Renee Huffer expressed her concern that the board does not look at the public while the board is being addressed.

Hart responded that his approach to communications with people is eye to eye contact. In fact, during a work session, he often sits within the group to create a better level of exchange among participants, rather than having the boardroom table between him and others. Dissimilarly, during the regular business of the township, each Trustee has his own designated duties. As the Trustee overseeing Administration, he is responsible for a portion of every operation in the Township. Also during a business meeting, as he is intently listening, he is also taking notes. The Fiscal Officer takes charge of the minutes and when she is ready, the Trustee of Administration then looks at the notes for accuracy. This is a past practice of over ten years. It is expected that the other trustees individually take notes and support the recordkeeping within their own departmental duties.

In addition, Hart explained that there is a division of duties that are coordinated with compensation. His compensation comes from 80% General Fund, 10% Fire Fund, and 10% Road Fund. Bill oversees the fire department. He is responsible for taking notes at those meetings and then reports to the board. His compensation is from 90% Fire Fund and 10% General Fund. Dave oversees the Road Department. He is responsible for taking notes on that subject and then reports to the board. His compensation is from 90% Road Fund and 10% General Fund. Hart apologized for the "appearance" of not paying attention; however he assured the public that he is intently listening while multi-tasking.

Tracy Shahan stated she thought the meetings were being recorded on a laptop. Hart responded that the lap top was his personal device that experienced some technical difficulties. Hart is hoping to move the township into the 21st century with technology. It would be nice to get audio and video equipment possibly closed circuit meetings. We are considering security systems and looking aggressively for improvements including setting up email addresses for Trustees and educating them in the tech world.

Chief Duvall advised he has worked at several locations and attended governmental meetings as part of his positions in the fire service. Rushcreek Township's current procedure operates like every entity he has attended. During the business meeting no discussion is involved from the public. Rushcreek Board has public discussion fifteen minutes prior to the meeting and also a Trustee is there every Saturday from 8-10. He has personally witnessed the public taking advantage of these open sessions and the topics from those one on one discussion often appear at the regular meetings.

Bill had left an Administrative Procedure proposal on the boardroom table for a couple of days for the other board members to review. Hart was the only trustee who reviewed and made notes. Dave presented his proposal that evening. Hart advised he made written notes on Bill's proposal, but had not been given an opportunity to review Dave's proposal. Hart recommended the board review both proposals and the current policy to prepare the document for prosecuting attorney's direction.

Hart, Mr. Young, and Mr. Shreyer engaged in a discussion about parliamentary procedure and the ability of Suspension of Rules versus Rushcreek Township's current policy procedure. Mr. Young was offered an opportunity to see copies of the Ohio Sunshine Law Manual and the Township Policy Manual.

Bill introduced Lonnie Kosch, Greenfield Township Trustee, and thanked him for his attendance.

Work Session Ended: 7:12pm.

Minutes

The minutes of the February 17th meeting and the Special Meeting of February 26th 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 of February 17th and February 26th. Dave seconded the motion. Roll Call: Dave, yes; Bill, yes; Hart, aye. Hart reminded everyone that the minutes are available online at www.rushcreektwp.org or upon request at the Fiscal Officer's office.

Treasurer's Report

Appropriation Change:

\$56.00 from 2191-220-420 to 2191-220-222 to cover supplemental insurance increase.

Purchase Orders #9-2016 and #10-2016 were presented for signatures

EFT#130-2016 - #168-2016 and Warrants #40199 - #40213 in the amounts of 27,228.20 along with the February bank reconciliation were presented to the Trustees for signatures. Dave made a motion to pay the bills and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

A letter was received from Seifert Construction dated February 21st which was distributed to the Trustees and Zoning Inspector. The letter requested the demolition funds be released with documentation showing proof of disposal. Zoning Inspector Richard Campbell also presented a letter advising his recommendation to release the funds. Bill made a motion to release the monies being held in accordance to ORC 3929.86 (C) and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Bill made a motion to approve payment be issued on March 3rd and the Trustees will make arrangements to sign. Dave seconded the motion. Roll Call: Bill, aye; Dave, aye; Hart, aye. Hart asked Richard to explain this to the taxpayers who might not be aware. Richard advised that several years ago, the Township filed with the Ohio Department of Insurance in order to receive a portion of the insurance payout until the property has been cleaned. This keeps the township/taxpayers from being financially responsible.

Will presented the Trustees with a list of expenditures for the next period in the amount of \$3,950.00. Bill 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: 13 squad which includes 8 transports and 10 fire.

A list of Bob's expenditures was presented the Trustees for the next period in the amount of \$4,760.00. Dave made a motion to approve the list of expenses and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye.

Business

Fire Chief Duvall reported the following:

- Both he and Trustee Bill Myers attended the safety class at the Eagles on March 1st.
- Trustee Dave Myers was thanked for removing the snow off of the fire department lot during the last couple snow storms.

Zoning Inspector Richard Campbell reported that no zoning permits had been issued since the last meeting.

Road Superintendent Robert Suer was unable to attend so his report is as follows:

- The Freightliner truck was repaired. A technician from Allison came to the Township and programmed the new computer. The Allison tech took a copy of the Fleetmaster invoice to see if a partial refund can be obtained.
- Five ton of cold mix was hand shoveled in pot holes around the township.
- Additional trees and brush have been removed from Rutter Hill Road.
- The crew cleaned up debris on all roads after high wind storms.

- Bob & Richard recently attended the spray recertification class with David attending a class to receive his certification. Hart responded that the Township only needs one certification but the Township wanted everyone to receive proper training.
- LTAP will be conducting a class on gravel road maintenance along with new methods of dust control. The class lasts the entire day and is in Columbus on April 7th. Registration is \$60 per person which does not include lunch. Bob recommended that all road crew members attend. Hart asked Richard if the LTAP classes he has taken in the past were educational with Richard responding that they were indeed beneficial. Dave made a motion to approve the LTAP class for the Township employees at a cost of \$60.00 per person and to reimburse the cost of lunch not to exceed \$15.00 per person. Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Connie reported the following:

- On December 2, 2015 as previously reported Connie attended a UAN year-end training course. On December 21st Auditor of State issued Bulletin #2015-007 regarding required annual financial report filing by public offices. Providing notes for the Annual Financial reports had always been the responsibility of the auditor auditing the books. UAN provided a 25 shell for our use without the ability to pull directly from the UAN system. Fiscal Officers within our County have been communicating back and forth trying to establish how this was to be completed since we were not given the necessary training. Hocking Township Fiscal Officer spoke with Rhonda Kline at the OTA Winter Conference who had advised that it was not mandatory for 2015 however would be in 2016. On February 18th Brian Bibler, AOS Auditor Manager was emailed for him to provide this in writing so that it could be distributed to all of the Fiscal Officers in Fairfield County. Brian had responded that there was a miscommunication and the notes were mandatory for 2015 which are due February 29, 2016. Connie met with each Trustee on February 19th & 20th who granted permission to hire Kathy Thimmes, a Fiscal Officer for Urbana and a visiting clerk for UAN. This was completed on Sunday February 21st with submission to the State on February 22nd.
- Madison Township will be hosting the County OTA meeting at 6pm on March 19th @ the Amanda Firehouse, 211 N. John Street. Connie was instructed to make 3 reservations.
- The March Grassroots Clippings was distributed to all members.
- Anne Riddiough from Medicount requested to have an annual review with all parties. She gave the following dates for the Trustees and Fire Chief to choose from: March 10, 17, 22, or 23. After discussion a work session was scheduled on 22nd at 4:30pm to meet with Medicount for an annual review. Hart advised the public that Medicount is the company that the Township uses for handling the data and soft billing of all EMS transports. This meeting should take approximately 60-90 minutes.
- A hard copy of the 2016 Fairfield County Emergency Operations Plan was picked up from the county office. The Trustees need to look over the plan and focus on the annexes in which we may have responsibilities and review. Connie suggested a work session be scheduled and to include the Fire Chief and Road Superintendent. The Trustees agreed to schedule at a later date.
- Recently after a posting on Facebook Mr. Anthony Taylor, an employee at Fairfield County Recycling Center, during a weekend, went to the bin and picked up the debris. A thank you note will be sent acknowledging the outstanding effort of an employee.

Trustee Reports

Bill reported that he ran his roads and they looked good. He spoke with Greenfield Township regarding an assistant clerk and was advised that Connie is responsible for filling the position however he did not obtain a job description. After reviewing the recycling program it was his recommendation that the cement blocks be removed and replaced with a privacy fence. He recommended that gravel be replaced on the gravel portion of the lot. He expressed concern about the alley and its ownership that runs north and south.

Dave advised that he appreciated Bob's efforts on tree trimming on Rutter Hill, and Pumpkin Vine. Last Saturday during his scheduled time at the Township George Shreyer came by and discussed the Dust Mat repair plan. Also Raymond McCandlish stopped in and offered to rent to the Township ground to

place the recycle bin at the old cheese factory location. It was agreed that Dave would take his and Bill's proposal of the Administrative along with the existing policy to legal counsel for an opinion.

Hart reported the following:

- Both he and Chief Duvall have been working on the proposal on renovations to the firehouse. There was a need to revise the Request for Proposal. Once details are finished he will report to the Board.
- Received information from a grant writer with regards to the Air Supply and Cascade System that Chief Duvall has reported is in need of replacement. It appears there are demographics and other supporting qualifications that will enable grant sponsors for this request. It is estimated that the cost for the entire system is \$40,000.00. There are also other grants out there that Rushcreek Township could qualify for. Connie cautioned that many of the grants are cost shared and would require a commitment from a financial standpoint and to please keep that in mind during the filing process.

Update on the recycle program: Rushcreek Township is the site host property and the contract is written with the site host. Changes in arrangements are limited by contract parameters. Currently the Township is in negotiations for purchasing some land that would be useful in many ways including ancillary services. For now, the current location is best suited. There have been some problems reported and being addressed: 1) An unusual amount of children playing basketball. The Fire Chief has removed the basketball hoop that was loosely attached to the building and has brought the portable hoop inside for the firefighter's use only. 2) Traffic flow from firehouse property onto the alley. The County has been contacted to evaluate a traffic pattern that could possibly have a "left turn only" onto the alley. At this time some research needs completed on the status of the vacated property.

Renee Huffer contested the Township's actions and opined that the actions were simply directed against certain people. Ms. Huffer further challenged the operation of the fire department as being ineffective. She claimed that on no one wants to work at the fire department and it was being run poorly. These comments created heated debate and disruption in the room. Chief Duvall defended the department's operation and responded, that the thirty-eight people that are now on staff ARE qualified and do want to work at Bremen-Rushcreek Fire Department. He continued that Ms. Huffer's statements are unsubstantiated and simply false. Hart added that this fire department has experienced the greatest improvements in over 20 years. Several people continued to talk out of order.

Order was called by Chairman Van Horn.

Hart then stated he had an official announcement regarding the Hoffman family.

He reported that Mary Hoffman initiated settlement discussion and negotiations for her husband with Trustee Bill Myers, contrary to agreed-upon-procedure by the respective parties.

Hart was told by the Township's legal counsel that the claims of suit are false. There have been no suits filed. There has been no failure by the Township to be in compliance. Hart was instructed by counsel to make the following statement – "Here is what happened:

Rushcreek Township settled with Mr. Ricky Hoffman. The terms are; Mr. Hoffman agreed not to work for Rushcreek Township again. Rushcreek Township is to pay Mr. Hoffman 4,000 dollars.

Mr. Hoffman refused to sign the agreement and his attorney withdrew from representing Mr. Hoffman

Rushcreek Township has an enforceable settlement. Mr. Hoffman can't sue Rushcreek Township. Mr. Hoffman can have the 4,000 dollars whenever he wants, as long as he signs the settlement agreement."

Meeting Adjourned: 8:34pm