

RUSHCREEK TOWNSHIP TRUSTEES  
BOARD MEETING  
06/17/15

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.

Visitors  
Todd Beery & Tracy Shahan

Oath of Office

Newly appointed Captain Todd Beery was administered his Oath of Office by Fire Chief Will Duvall. Chief Duvall then pinned Captain Beery with the Trustees and Fiscal Officer giving their congratulations.

Will reported to the Trustees that he had a personnel issue that he wished to go into Executive Session for guidance.

At 7:06pm Hart made a motion to enter into Executive Session under ORC 121.22 (G) (1) to discuss discipline and/or investigation into a complaint against a Township employee and invited Chief Duvall to attend. Will stated that since Todd Beery was present he would like to have him involved in the Executive Session. Permission was granted by all Trustees. Dave then seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Executive Session ended: 8:01pm.  
Regular meeting was reconvened at 8:02pm.

Minutes

The minutes of the June 3rd meeting were presented to the Trustees for approval. Dave 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. Bill seconded the motion. Roll Call: Dave, yes; Bill, yes; Hart, abstain. Bill reminded everyone that the minutes are available upon request at the Fiscal Officer's office and the township website [www.rushcreek-twp.org](http://www.rushcreek-twp.org).

Treasurer's Report

EFT #331-2015 – 357-2015 and Warrants #39928 - 39943 in the amounts of \$30,237.73 were presented to the Trustees for signatures. Dave made a motion to pay the bills and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

\*\*Appropriation Change: \$2,035.00 from 2192-330-360 to 2192-760-740 to purchase a riding mower.

Old Business

Resolution #2008-06 states that all full-time employees hired prior to December 1, 2004 are provided a health insurance policy. After December 1, 2004 new hired employees would be entitled to a reimbursement of up to \$10,000 per year for private health insurance. Due to the IRS eliminating this benefit the reimbursement will cease at the end of June for elected officials, fire chief and road superintendent. Discussion was held and it was noted that this will make additional funds available for wages. A proposed increase for the Fire Chief would result in a semi-monthly payment of 944.80 and an addendum to his work agreement was made to reflect these changes. A proposed increase for the Road Superintendent would result in an hourly wage of 18.15. Hart Van Horn moved to make these changes as presented and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

## Business

Chief Will Duvall reported the following:

- Currently the department borrows a hose tester from a neighboring department in order to complete required annual tests. Comparative prices and features were obtained from various suppliers. Will recommended purchasing a Rice Hydro model EL-FHT fire hose tester 3gpm up to 500 psi from Finley Fire in the amount of \$2,038.00 which includes shipping. He believes that this is most suitable for the needs of our fire department and the most competitive price. After discussion, Hart made a motion to purchase the Rice Hydro hose tester in the amount of \$2,038.00 and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- Rescue 541 was taken to Triad Fire Apparatus Service Inc. to evaluate the pump and make the necessary repairs. The price to repair the unit was \$4,888.00 which included a certified pump test. While inspecting the unit, the Chief was advised that the impeller in the pump had been improperly installed during an earlier repair. Repair files indicate this was done by Big Sky Fire Engine Refurbishing in 2012. Triad will provide in writing that the repairs were previously done improperly. The Trustees were questioned on whether they wished to seek recovery. The Trustees agreed on pursuing recovery and Hart agreed to meet with the Chief to prepare a letter to Big Sky Fire Engine Refurbishing.
- The following individuals are being considered for employment contingent upon passing the pre-employment requirements: Annette Bell EMTP, Zach Gompf EMTP, Jeremiah Gompf EMTP, Eric North EMTB. All are level II firefighters. Since we are currently having staffing problems due to the summer season, Will requested permission to hire these individuals upon completion of the physical and drug screen. Bill made a motion to hire Annette Bell, Zach Gompf, Jeremiah Gompf, and Eric North upon completion of the pre-employment requirements and Hart seconded the motion. Roll Call: Hart, aye; Bill, aye; Dave, aye.

Will presented the Trustees with a list of expenditures for the next period in the amount of \$3,700.00. 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 which includes 9 transports and 4 fire.

Road Superintendent Bob Suer reported the following:

- Seven different prices were presented to the Trustees to purchase a new 42" riding lawnmower ranging from \$998.00 to \$3,600.00. His recommendation was to purchase Simplicity 22HP from Dittmar Sales & Service with a three year warranty at a cost of \$1895.00. This is State Purchasing price down from \$2,695.00. He also suggested purchasing tractor tires in lieu of lawn tires at an additional cost of \$140.00 because of the rough terrain at the cemeteries. Dave made a motion to approve the purchase of the Simplicity Riding Mower at a cost of \$2,035.00 and Hart seconded the motion. Roll Call: Hart, aye; Bill, aye; Dave, aye. \*\*\*Appropriation Change see above at Treasurer's Report. The Trustees approved proper disposal of the old lawn mower by taking it to an upcoming public auction or other means while remaining compliant with Township guidelines.
- Spring road mowing has been completed.
- Purchasing the lightweight snow blades is being researched. The lightweight blades are not made for rural usage as the heavy snow removal can bend the blades. Compatible blades with what we currently have are only approximately 100 pounds lighter. At this time, Bob felt we should not change the blades.
- Still getting complaints from Rod Shultz and Ed Pool on semi's with the name Swift Transportation running Marietta and Zion Roads. The trucks are trying to get to the old Ralston factory and GPS is leading them past the factory to Marietta & Zion Roads. In past years, Ed Pool spoke with the transportation supervisor at Ralston and Conley Trucking. Several calls have been made to Tim at Swift Transportation to no avail. The "No Thru Trucks" sign has been stolen. Another sign has been ordered.
- The Board needs to come to a conclusion on disposing of the 1980 Brown 4X4 Chevy. After discussing it was decided to place an ad in the Towne Crier that we are accepting sealed bids with a minimum amount of \$800.00 with the bid opening being held at the July 15<sup>th</sup> board meeting. Bob will prepare an ad for Connie to place in the Eastern & Fairfield Editions.

- Due to the excessive rain in the last few days, the gravel roads are washing and full of potholes. These roads will be graded as quickly as possible.
- Due to the recent storms the crew has removed trees off of Marietta, Fairview, and Thomas roads.
- David Campbell has been working part-time at the Township since August 11, 2014 and has been an asset to the road department. The Trustees met on April 24, 2015 to discuss scheduling manpower. At that meeting both short term and long term goals were set and since then, a review of the finances have been completed. A meeting was held with David to discuss hiring him as a full-time employee without health insurance benefits. David agreed to an offer of \$15.00 per hour. Bob recommended that the Trustees change David's employment status from part-time to full-time. After discussing, Hart made a motion to change David Campbell's employment status with Rushcreek Township from part-time to full-time at an hourly rate of \$15.00 effective July 1, 2015. Dave seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye.

In order to cover the change of employment with David Campbell, Hart made a motion to request an Amended Certificate from the County Auditor with the following changes in the Gasoline Tax Fund and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

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|---|--------------------|
| 2021-330-190 Salary to increase by.....   | \$14,000.00        |
| 2021-330-211 OPERS to increase by.....    | \$ 2,000.00        |
| 2021-330-213 Medicare to increase by..... | \$ 250.00          |
|   | <u>\$16,250.00</u> |

Bob presented the Trustees with a list of expenditures for the next period in the amount of \$25,900.00. 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:

- Two zoning permits were issued since the last meeting: Samuel Bell, 11835 Heyd Rd., accessory building; Merle Sanders, 9551 Webb Summit Rd., two handicap approaches.
- The road crew received a Thank You note from Pete & Irene Kunkler for the work that is done on the roads with a copy distributed to Trustees.
- The fire department received a Thank You note from Connie Boyer expressing their gratitude for use of the firehouse for the Rich Boyer family's meal after the funeral.
- A letter was received from Insurance Service Office, Inc. and distributed to the Trustees. This company periodically evaluates all communities and areas that have public fire protection to assure that existing fire protection is available to individual property owners. On July 6, 2015 at 9am representative Thomas Young will be surveying Bremen-Rushcreek Fire Department to gather information needed to determine a fire insurance classification that may be used in the calculation of property insurance premiums. Chief Duvall will assist Mr. Young in his evaluation.

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

- A meeting was held on June 2<sup>nd</sup> with Fairfield County Engineer Jeremiah Upp, Jeff Baird, Bob Suer, and himself to go over the engineer's recommendation for the Avalon Road project. Hart stated that he was not clear why Dave did not report on this meeting since Jeremiah informed both he and Bob that Dave wanted Jeremiah to call him after the June 2<sup>nd</sup> meeting. Dave stated he did not talk with Jeremiah. Discussion was then held on the different scenarios however, Hart reminded the Myers' that this is a decision for the Road Superintendent to handle and a Township meeting is not the place to handle committee work. Hart further stated that the Board had already approved the repairs and the objective to seek and follow the recommendations of the county engineer. Bob was instructed to proceed in phases and continue working with the County Engineer or his representative.
- Bob and Hart attended a meeting on June 3<sup>rd</sup> where Deputy Mead presented some insight with Road Use Limits & Enforcement. One of the main topics was that the Township has a right and obligation to issue permits and charge for permits. This will need researched and moved on. Hart

spoke with Deputy Mead who agreed to attend a work session with Rushcreek Township Trustees to provide guidance for implementing the program.

- A meeting was held with Norma Waites regarding her request for dust mats on Pleasantview Place. She feels there is more use of the road than in previous years. Hart suggested a road counter be placed on Pleasantview like previously done on Fairview. The Trustees instructed Bob to place the counter there after the first of the week. Hart advised that while he was there Norma gave him a Complaint Form on Noxious Weeds that Dave had passed out to her and neighbors. She also indicated to Hart that Dave Myers discussed his possible upcoming re-election. Hart asked Dave if he was running for another term and reminded him that he cannot appear to be soliciting complaints for political gain or soliciting votes while doing Township business. Hart also emphasized that the Township should never appear to be soliciting complaints at all and such information cannot be arbitrarily given to a select few, but must be provided equally to all residents of the Township.

Hart Van Horn moved the adoption of Resolution #2015-08 which designates Todd Beery to conduct an investigation of claims of improper conduct and misconduct in office against Kristen Fetty and to prepare the necessary charges, if any, against Fetty. Bill Myers seconded the adoption. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Hart Van Horn moved the adoption of Resolution #2015-09 which suspends Kristen Fetty until the next board meeting on July 1, 2015 during which time any charges that result from the investigation shall be heard pursuant to ORC733.36. Dave Myers seconded the adoption. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Connie was instructed to copy the Resolutions tonight and send both through electronic email (using the email address that Kristen Fetty provided in to the Chief regarding the reprimand) and US Postal regular mail.

Meeting Adjourned: 9:55pm

## **SIGNATURES ON FILE**