

RUSHCREEK TOWNSHIP TRUSTEES  
BOARD MEETING  
02/19/2014

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 Joe Westenbarger, Fire Chief. Bill asked that all cell phones be muted along with all fire radios except the Chief's.

Visitors

Rick & Mary Hoffman, Alexander Vogel, Brian & Zack Irwin, Joel Denny, Rob Theado

Bid Opening

The following bid was placed in the Eastern Edition of the Towne Crier on January 17<sup>th</sup>: Rushcreek Township Trustees is accepting sealed bids for various sizes & amounts of stone delivered to 213 Marietta Street, Bremen. Stone & trucking priced separately. Bid opening will be held February 19, 2014 @ 7pm. Inquiries: 740-569-7181 Ext.#11. Rushcreek Township Trustees reserve the right to reject any or all bids. The mailbox was checked for bids and one bid was submitted from Shelly(copy attached). After reviewing, Dave made a motion to accept the stone quote from Shelly and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Minutes

The minutes of the February 5th meeting were presented to the Trustees for approval. Hart 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. Dave 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.

Treasurer's Report

EFT #64-2014 - #92-2014 and Warrants #39386-39401 in the amounts of \$81,951.43 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.

Business

The Trustees held a work session on Thursday, February 13<sup>th</sup> from 6:30pm – 8pm at the Township office. Attending in addition to the Trustees & Fiscal Officer; Brian Irwin, Jordan Irwin, Zack Irwin, Joe Westenbarger, Chip Pritsel, Alexander Vogel, Tanner Kline, Rusty Conrad, Denise Beery, and Kristen Fetty. The purpose of the work session was to review time formulas and policies for unscheduled work hours in the fire department.

Hart presented the board with the following policy:  
Part-time Employee, Hours of Work\* (Part-time)

The workday for the Part-time Fire Department is scheduled by the Fire Chief. Fire Department personnel are hired as part-time employees.

Federal law under the Fair Labor Standards Act for Employees of State and Local Governments (Section 553.201) states that fire protection employees must work less than 212 hours in 28 days if overtime pay is not to be offered.

There is no offer or pay for Fire Department overtime. Part-time employees must not work over the stated Federal standard. It is the employee's and Fire Department officers' responsibility to ensure that part-time employees do not work over this established limit.

Officers and part-time employees must monitor accumulated time - employee's allowable 1500 hours per year cannot be surpassed.

When Fire personnel is not previously scheduled or already on duty, the following time record will apply:

- 1) When called/paged to be on station or actively participate on a run, each personnel will be paid a minimum of two hours.

- a) If called for additional run(s) within the first two hours of the first call, the time for subsequent run(s) will start time corresponding to the call and time will be tracked as scheduled time until the duties for that last run are complete.
- b) Minimum two hour paid call cannot overlap with other two hour minimum periods, start time may not be earlier than the last stop time.
- c) Personnel with driving restrictions may not have a start time that would include driving any department or personal vehicle.
- d) Records of calls may be required.

\*\*The Trustees reserve the right to change the hours of work for any employee. In such an instance the employee will be given as much advanced notice as possible.

After discussion, Hart made a motion to adopt the policy as presented with an effective date of March 1, 2014 and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. The employee handbook will be sent to the printing company.

Chief Westenbarger requested that the record show he did not totally approve of this policy.

Representing the fire department Bill reported the following:

- Blue Coat Award will be held at the Knights of Columbus, 343 E. Walnut St., Lancaster on March 10<sup>th</sup> at 7pm. Representing our dep't Tanner Kline will be the recipient.
- Ohio Weekend in Emmitsburg, MD on June 20<sup>th</sup>-22<sup>nd</sup> at a cost of \$200.00 each. Names will be supplied at the next meeting.
- A contract from Big Sky Fire Engine Refurbishing was presented to review prior to the next meeting.
- Dave asked if the Ladies Auxiliary had obtained proof of insurance for the craft show. Joe responded that he was not sure but would check with President, Debbie Molisee.

Joe presented the Trustees with a list of expenditures for the next period in the amount of \$3,850.00. 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: 8 squad and 3 fire.

Representing the road department Dave reported the following:

- Plowing and treating roads as needed.
- The crew and Dave attended a class at the County on spraying of weeds which did not count towards required continuing education.

The Durapatcher is ready for delivery and weather permitting the machine will be delivered this week. An in-service training will be scheduled in early spring. At prior meetings, discussion was held on purchasing a reconditioned/new emulsion storage tank. To make this purchase will entail additional expenses; electric, concrete pad, fence, and air system. Therefore, Bob recommended for 2014 we purchase emulsion from the City of Baltimore in order to evaluate future needs. Bob requested Hart and Connie prepare a written contract between the Township and Baltimore for signatures to be obtained.

Since supplies are well-stocked Bob requested expenditures for the next period in the amount of \$1,500.00 which will be used for miscellaneous purchases. 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:

- No zoning permits were issued since the last meeting.
- Fairfield County Board of Elections sent a notice requesting verification to utilize the township garage as secure storage for the voting machines as we have done in the past. Road Superintendent Bob Suer signed with a copy to each of the Trustees. The Primary election is set for May 6, 2014 with the General scheduled for November 4<sup>th</sup>. The schedule for 2015 is May 5<sup>th</sup> - Primary, and November 3<sup>rd</sup> - General.

- The next Fairfield County Ohio Township Association meeting will be held on March 15<sup>th</sup> at 6pm and will be hosted by Walnut Township. The meeting will be held at the school, 11850 Lancaster Street. RSVP to Dianna Russell ASAP. Millersport Road turns into Lancaster Street.
- District Advisory Council will meet on March 3<sup>rd</sup> at 7pm in the Commissioner's Hearing Room to review the 2015 budget and other business. Copies of the budget and correspondence were given to the Trustees. Dave Myers is representing Rushcreek Township.
- Certificate of Deposit #3945528 in the amount of \$50,000 with Bremen Bank matures on February 28<sup>th</sup>. Citizens & Bremen Banks were contacted and the following quotes were received: Bremen Bank – 12 month .30%, 17 month .75%, 18 month .40%. Citizens – 12 month .26%, 18 month .41%. It was Connie's recommendation that we reinvest the \$50,000 with Bremen Bank for a 17 month time period. Dave made a motion to reinvest CD#3945528 with Bremen Bank for a 17 month term at an interest rate of .75% and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- The County Engineer was contacted since we have not received our mileage certification or notice on when the Trustee/Engineer Annual meeting is scheduled. Cheryl Downour advised that they are behind schedule and meeting information and mileage certification will be forthcoming. She stated that the meeting will be scheduled during the first couple weeks in March.

Joel Denny reported on the most recent Regional Planning meeting where he serves as the representative for Rushcreek Township.

Brian Irwin reported he is still obtaining additional information for presentation to the Board with regard to soft billing. Once completed, he will request a work session with the board to go over his findings. It is also time to submit the State EMS grant application. Rushcreek Township has received this grant yearly and it ranges from \$1,500 to \$4,500. Money received is based on the income from seat belt violations. He asked how the Trustees wanted him to proceed. The Trustees responded for Brian to proceed however prior to submission a *review from the Board is necessary*. It was also suggested that he meet with Bill prior to the next meeting to review the details to expedite the process.

Hart presented the Board with a quote from Finley Fire with regard to the FEMA grant. After carefully investigating the FEMA grant submission, it was found that the air cylinders and tracker locator chargers were not submitted in the original grant request. In order to be compliant, only quantities and requested items are permitted. Although it was reported earlier that only 2013 SCBA gear was approved, this was not true. The 2013 compliant approvals have not been released; therefore the 2007 compliant SCBA gear is acceptable. Other discrepancies were found in the original application and subsequent reports that indicated an approximate difference of \$23,000 that the Township had not budgeted for or been approved to use through the FEMA grant. These erroneous figures now require the Township to make the purchase without the necessary accessories (i.e. air cylinders and locator charging units) to make the equipment operable under the FEMA regulations or lose the grant. Hart advised that the township could still benefit if the additional items were purchased separately after executing the FEMA award as specified. After discussion, Bill made a motion to approve the purchase of the equipment to meet FEMA requirements which total cost is \$79,137.50. FEMA 95% cost share - \$75,180.63 and Township .05% cost share - \$3,956.87. Dave seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. - estimate attached - em

Questions were raised as to how a [FEMA] grant of such importance could be so much in error and who should be responsible. Hart reminded everyone that these submissions were executed without notice to the board and left dependent on only one individual which is contrary to the rules and regulations of the township. It is only with appropriate communications and the due diligence of the Township's management that this and other problems are identified and resolved before putting the taxpayers' money at risk. Hart also stated that future grant and application processes will include at least one trustee, the fiscal officer and the expertise of appointed individuals to prevent this from happening again. We should be pleased that this problem was caught and fixed before it caused harm to the township.

Hart advised he wished to enter Executive Session with regards to a personnel issue and requested Chief Westenbarger be included. At 9:15pm Hart made motion to enter into Executive Session under ORC 121.22(G) (1) for a personnel issue and Dave seconded the motion. Roll Call: Hart, yes; Bill, yes; Dave,

yes. Bill advised there would be no further business of Rushcreek Township after the Executive Session.  
Executive Session Ended: 10:45pm.

At 10:46pm, Hart made a motion to enter Executive Session under ORC 121.22(G)(1) for a personnel issue and requested Chief Westenbarger and Assistant Chief Rick Hoffman be included. Bill seconded the motion. Roll Call: Hart, aye; Bill, aye; Dave, aye. Executive Session Ended: 11:37pm

Meeting Adjourned: 11:38pm

Bill Myers  
Hart  
Dave Myers