

RUSHCREEK TOWNSHIP TRUSTEES  
BOARD MEETING  
05/21/2014

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; Richard Campbell, Zoning Inspector; Bob Suer, Road Superintendent; and Will Duvall, Acting Fire Chief. Bill asked that all cell phones be muted along with all fire radios except the Chief's.

Visitors

Rob Theado, Tracy Shahan, Maxwell Shahan, Alicia Conrad, Acting Assistant Fire Chief Brian Irwin, Coleby Axe, Blake Williams, Joe Westenbarger - (CM)

Agenda

Alicia Conrad presented the Board with questions regarding the status of Rick Hoffman's employment and the Lancaster Eagle Gazette Article dated April 10, 2014. Bill thanked Alicia for her concerns and advised that a report will be forthcoming later in the meeting.

Minutes

The minutes of the May 7th and May 14<sup>th</sup> meetings 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. Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. Bill made a motion to approve the minutes and 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.

Treasurer's Report

EFT #249-2014 – 273-2014 and Warrants #39502-39512 in the amounts of \$25,353.61 were presented to the Trustees for signatures. Bill made a motion to pay the bills and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Purchase Orders #37-2014 & 38-2014 were presented for signatures.

Hart made a motion to request an amended certificate to increase appropriations in the fire fund from \$371,150 to \$384,150 which is an additional \$13,000.00. EMS Supplies – an additional \$3,000; Insurance premiums – an additional \$6,000; and Operating Supplies - an additional \$4,000. Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Business

Representing the fire department Bill reported the following:

- A citizen's complaint was received and distributed to the Trustees. On April 25<sup>th</sup> an employee, while on duty at the fire station, transported two children from a school bus to a childcare facility utilizing a township owned vehicle. The employee was given a verbal reprimand. After seeking council from the Prosecuting Attorney, the owner of the childcare facility was invoiced \$500.00 as the taxpayers of this community will not bear the burden of misuse of public resources.
- Training begins today at no cost on the new equipment purchased with the FEMA grant.
- The employees are cleaning out the firehouse and legally disposing of unnecessary items.
- The roster is being reviewed and personnel evaluated with new applications being accepted.
- The drug inventory and new protocol is being reviewed by the Assistant Fire Chief Irwin.
- Big Sky repaired the charging system and removed the small air pump in Rescue 541. Engine 541 had the internal relief valve repaired. Additional repairs will be forthcoming on Tanker 541's coolant system.
- The building air conditioning system had spring maintenance completed with the assistance of Joe Westenbarger. Bill thanked Joe for his help.

Fire Chief Will Duvall requested permission from the Board to have a squad at Grandview Cemetery during the Memorial Day celebration stating he was not aware of proper protocol on requesting permission. Past practice has been that the Trustees are made aware of things of this nature as a courtesy.

The Trustees were presented with a list of expenditures for the next period in the amount of 6,700.00. Bill made a motion to approve the list of expenses and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. Runs reported during the pay period: 15 squad and 6 fire.

Discussion was held on the Rushcreek Township Trustees' Handbook policy concerning the position of an interim fire chief. Current policy states that there will be an interim Fire Chief for a six month term when a new chief is needed. Any change to this policy requires a unanimous vote of the Board of Trustees. Hart made a motion to waive this policy **ONE** time for the appointment to fill the current Fire Chief position. Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Representing the road department Dave reported the following:

- Ninety-five percent of the gravel roads have been graded and restoned.
- One-third of the township roads have been sprayed at the signs and guardrails.
- Mowing completed on all township cemeteries.
- The highway diesel pump on the fuel island had the pulsar replaced.

Bob presented the Trustees with a list of expenditures for the next period in the amount of \$2,000.00. Dave made a motion to approve the list of expenses and Hart seconded the motion. Roll Call Dave, aye; Bill, aye; Hart, aye.

Richard reported two permits were issued since the last meeting both for new homes: Dan Crawford, 1871 Teton Lane; Jason Wolf, 6170 Tent Church Road.

Connie reported the following:

- The fire chief job posting was sent to the following; Towne Crier Eastern edition, Lancaster Eagle Gazette, Fairfield County Township Association, Job & Family Services website, and Fairfield County Firefighters Association. The cost of the ad in the Towne Crier was \$32 and to run the same in the Eagle Gazette was \$184. Therefore, the ad for the Eagle Gazette was shortened bringing the cost to \$72.30.
- Dr. Grilliot sent a thank you for the fire department participating at his open house on May 3<sup>rd</sup>. Copies were distributed.
- A letter was read from Troy Tripp, Den Leader of Boy Scouts Pack 95 and distributed to the Trustees. The letter thanked the Trustees for the help during the May 10<sup>th</sup> creek clean-up.
- Assistant Chief Brian Irwin presented a quote from the laptop vendor for EMS billing in the amount of \$9,687.00. Copies were distributed to the Trustees.
- Due to the Trustees needing to review the EMS billing contracts a work session was scheduled for May 29<sup>th</sup> at 6pm. A work session will follow to review the candidates for the fire chief position.
- A work session was scheduled at 6pm on June 3<sup>rd</sup> to review the budget with department supervisors.
- The Ohio Department of Taxation sent notice that House Bill 59, Section 4703.76 of the ORC was amended to require political sub-division's receive electronic funds. Therefore, both State and County forms were submitted establishing direct deposit into Rushcreek Township's checking account.
- Amended Certificate #4 was received from the County Auditor.
- Fairfield County Transportation Improvement District will hold a meeting at 9am on June 2, 2014 at the Fairfield County Engineer's Office at the Liberty Center. Notice was distributed.

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

- Rushcreek Township received an award and was placed on the Business Honor Roll from the Ohio School Boards Association after being nominated by the Fairfield Union Local School District. The Trustees and Road Superintendent, Bob Suer attended the school district's board meeting on Monday, May 19<sup>th</sup> and they were presented with a certificate by the board president, Kevin Kemmerer and school superintendent, Jan Broughton. Special thanks was extended to Bob, Richard, and Dave who did the hard work.
- The Township was recognized for its contribution to keeping the roads of the school district passable and safe for the district buses and the children to get to and from school during the harsh weather of this past winter.
- Details of a work agreement are being finalized with the help of property owner, Mr. Chuck Elick, to reconfigure the intersection of Pleasantview Rd and Durbin Run Rd to eliminate some of the site problems and improve the safety of that area of roads.
- A response to Bremen Village Administrator with regard to his statements in the Village Voice back in April and his email was prepared. Copies will be distributed to the Trustees and sent to each Council member and the Mayor.

The following is the report on the Investigative Status in Rushcreek Township.

There have been several calls for information about internal investigations conducted in the township and fire department. We are now prepared to update the public.

Since the beginning of this year, there have been several reviews of the operations of the Township and Bremen-Rushcreek Fire Department. Some of these have resulted in internal investigations; some are still on-going. Each step in the process of these investigations has been initiated to seek out problems and to make corrections in the best interest of the citizens and taxpayers of this township. There are also those that have taken contrary and derogatory positions against these efforts.

The subjects of much of these investigations have been directed to the manner in which the township operates, and also focused on those that would do harm, initiate foul play and misconduct.

Several personnel from the Fire Department have conducted themselves in unprofessional ways. Before I go on, I will read a listing of websites that have been used by Fire Department personnel on the department's training room computer and large flat screen monitor: (attached list was read indicating pornographic video websites accessed through the training room computer).

This list is just one example of the pervasive misconduct that has brought us to this point in time. The Trustees are committed to identifying and holding accountable those responsible. All persons should understand that at the moment these actions take place – these and other abuses of township property become public record. There is no protection from exposure.

In addition, we have found misuse of department vehicles, resources and misuse of funds, going back over a decade. The date and times of access to these pornographic materials and other abuses will be matched to personnel time records as the investigations continue.

There are a greater number of people who fulfill their duty to the community with integrity and uphold the standards that were established in this township many years ago. However, there is a

core of a few people who are responsible for behavior that shames the township, its citizens and the fire service because they chose to put their individual desires before sworn duty.

The management and supervision during this time period is equally responsible for having allowed an unhealthy attitude of entitlement to be fostered within the operations and ranks of the fire department that furthers the disservice to the community.

People in these positions are generally regarded with the highest respect and wearing a uniform of any fire service are role models for generations that follow, and those few who have disregarded that privilege should be ashamed of themselves for the tainted image that they leave for the children of our community.

To the Taxpayers: These abuses can be considered corrupt taxes – which means that financial burdens are imposed on the taxpayers by a select few without authority and in essence, theft in office. These and other abuses will not be tolerated.

The investigations will continue as long as is necessary until we have identified all who are responsible for these actions of misconduct. Everything that is found is being turned over to legal counsel and the Ohio Ethics Commission will be apprised respective to its authority.

In the course of these investigations, there have been terminations of employment –

Mr. Ricky Hoffman has been involuntarily terminated from employment with Rushcreek Township and the Bremen-Rushcreek Fire Department for misconduct, breaching procedures according to HIPAA laws and including, but not limited to the misuse of township funds.

To avoid confusion on status without regard to misconduct at this time, recent voluntary terminations include, Joe Westenbarger, Rusty Conrad and Pete Hines.

The Board of Trustees advises any other perpetrators of misconduct in the Fire Department, to present themselves to Chief Duvall for consideration of reprimand or voluntary termination and their resignations will gladly be accepted without the required two week notice. Should these people otherwise be identified from the investigative process, they will be subject to immediate termination.

In every case, the Board of Trustees reserves the right to seek and demand restitution from all individuals to recover monies taken, misused and the associated costs through civil or criminal court.

Rushcreek Township will continue to pursue a course of action to make things right and proper in its operations, personnel and service its citizens.

Following Hart's statement Alicia stated she was not opposed to a fire department employee, while on duty, transporting a child from a school bus to a childcare facility for personal purposes. Hart responded that it is not open for discussion and it is wrong by policy and law.

Dave reported he is still working on the lighting project to get details of the costs for upgrades of all lighting fixtures.

Connie requested the Trustees go into executive session to discuss personnel issue with regards to the 2015 budget. At 7:40pm, Dave made a motion to go into Executive Session under ORC 121.22 (G)(1) to discuss a personnel matters concerning public employees and Hart seconded the motion. Roll Call: Bill, aye; Dave, aye; Hart, aye.

Executive Session ended with no regular business to be conducted afterwards: 8:35pm.

Meeting Adjourned: 8:36pm.

David Myers

Bill Myers

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