

Wayne Township Board of Trustees

Regular Meeting

Thursday, May 2, 2013

Call to order: Chairman Harold Grosnickle @ 7:00 P.M.

Roll Call: Harold Grosnickle, Jason Ritter, Don Wilson, Sandy Borchers

Guests: Dave Moulden, Stan & Linda Custer, Dennis Elchlinger, Eric & Bev Thomas, Joy Bierman, Theresa Hinnners, John Fisher, Sue Allen, Chris Williams

Prayer & Pledge: Harold Grosnickle

050213-01 Don Wilson Moved to pay all bills. 2nd. C. Jason Ritter

Vote: HG, DW, CJR – All Aye Motion Carried

Public:

Mrs. Joy Bierman-Tells that she had been the Administrative Assistant to the Fiscal Officer. On 4-16-13 a motion was made to do away with the position. What was the reason to do away with the position? Jason Ritter replied to save the Township money and the position itself. It was discussed with the Fiscal Officer in Executive Session at prior meeting. Sandy was asked by Mrs. Bierman as duties she stated duties done but was put on the spot. Jason Ritter said to save the General Fund monies. Mr. Ritter stated that the Road Maintenance Department painted the Hall and was paid from the Road Fund monies. Mr. Ritter stated that Adm. Assistant hours were cut and the Fiscal Officer raised them back up. Fiscal Officer had no right to do that and is not over the Adm. Assistant. The trustees are! Mrs. Bierman was hired to assist the Fiscal Officer and the Board when needed. Appropriations were set aside in the Budget at the beginning of the year and to date 18.4% at the end of the First Quarter of 2013 Mrs. Bierman states. Harold Grosnickle states that all trustees salaries are being split into other funds, due to that the General Fund monies are not coming as much as needed. Board lowered hours due to what the Board felt as though would be sufficient to do the job by resolution. Then the Fiscal Officer defied the Board which is a violation. That incident caused the Board to research it further. Legal Council was contacted and that is reason the decision was made. Fiscal Officer stated that she was not at the meeting on the 4-16-13 and was not confronted as what the Board wished to do. It states in the minutes that past Clerk F/O Noreen Dawson never had an Assistant. WRONG! She had an Assistant hired in December 1994 and took the job in January 1995. This was prior to her getting sick. There has been Assistant here since. Fiscal Officer stated that it has been her choice to choose the number of assistant(s) as needed. The only thing the Board has the so is to set the wages. She would like to feel as an equal to the Board, communication is a must. Harold Grosnickle says moved the meeting from the 18th to the 16th so the Board could attend the County trustees Banquet. He was

unaware and somewhat unaware as to Mr. Ritter's bringing it up issue of Administrative Assistant. Sandy Borchers clarified it was a Bond issue brought up in the minutes of 4-5-12 for the Administrative Assistant and only a portion of the minutes were sent to Mr. Ramos to review to give the total clarification, not meaning that the Administrative Assistant does not work for the Fiscal Officer. The question in the April 5, 2012 minutes regarded the amount of Bond needed for the Administrative Assistant. The Administrative Assistant is covered under the blanket bond on our Property & Casualty Insurance. Bonding for a Deputy Fiscal Officer, one who could do the job in the Fiscal Officer's absence, would have to be the same as the Fiscal Officer per legal Council – Dave Frey March 2012. Fiscal Officer read a portion of the 4-16-13 Minutes. Harold Grosnickle – the bottom line is that the Board made a decision, it can be disputed but we, the Board, took a legal action on it and if you wish to do so you may. No copies of any correspondence were given to the Fiscal Officer about the issue. Are we an equal Board? – Asked 3 times by the F/O, – Board hesitates that fiscal Officer is an equal portion of the Board. It is what it is per Mr. Grosnickle. Don Wilson was in favor, due to that the Administrative Assistant was being over-loaded. The Fiscal Officer should have been doing more of the Adm. Assistant's job. Paperwork was not dropped of by Mr. Ritter until 4-19-13 regarding Mrs. Bierman's job loss. How was Mrs. Bierman to know until she listened to the recording? Mrs. Bierman left on 4-18-13. Mr. Grosnickle states that minutes have not been posted via public. That is the F/O/ responsibility and should have been notifying you. Mrs. Bierman would like a copy of all correspondence between Mr. Ramos and Mr. Ritter. Jason Ritter feels that he handled it appropriately – for the record. Mrs. Bierman waves her right to go into Executive Session. Mr. Grosnickle does not wish to discuss it out in Public. Mrs. Bierman states that the issue was handled in a cowardly manner. Mrs. Bierman asks Are you sure that this is not a personal issue against the Fiscal Officer to set her up for failure? Mr. Ritter states that duties given to the Adm. Assistant were the duties of the Fiscal Officer and should have been done by her. Fiscal Officer is to make sure that they are done right. Mrs. Bierman asked Mr. Ritter if he did or did not state that there were other employees that needed to be gone in his eyes. He replied no. Mrs. Bierman states that she is not a liar or a thief.

Dennis Elchlinger- read what an Assistant to the Fiscal Officer is from ORC 507.021 to the Board, directs to Mr. Grosnickle that compensation and approval. The assistant to the Fiscal Officer is an approval of the Board to hire an Administrative Assistant. Harold Grosnickle – if you want to challenge the issue then go ahead and seek legal Council. This matter should have been tabled and discussed since the Fiscal Officer was not here. Mr. Grosnickle- It had to be voted on, it had a second and was discussed. The Fiscal Officer has the duty of taking the minutes and no voting right. Mrs. Thomas- has been at every meeting and states that this is confusing. The Board cuts the hours, Sandy raised the hours. Did not see that

Fiscal Officer broke any rules. Administrative Asst. as over burdened but cut hours – confusing. Mr. Grosnickle states that Zoning needs an Assistant due that residents can become hostile. It is a totally different job.

Theresa Hinnners questioned equal Board? The Fiscal Officer has no voting right, must execute and pay bills, no other input at meetings than to give the Administrative report, the Fiscal Officer has no speaking part of Board Mr. Grosnickle explained to Mrs. Hinnners. Mr. Grosnickle explained the hiring, appointing of an Assistant to Mrs. Hinnners, the Board and Public. Mr. Custer questioned the need for 2 people in Zoning. Harold Grosnickle – sometimes personnel are met with guns when going to residences—Mr. Custer then call the law. It doesn't matter if it is a man or woman, anyone can get shot. Zoning has cut its budget. It used to be a \$21,000 year and self sufficient now the Budget is \$13,000/yr. Mrs. Cromer we of Zoning do not claim mileage as the Fiscal Officer does.

Department Reports

Zoning- Mrs. Cromer & Frank Koutny reported the ZBA hearing , monthly revenue \$626.00. Frank gave the Road report - 2 follow ups-- 1 on Garrison Spurling Rd. 6884 cleaned up, Mediation – clean up. Cedarville Rd property being cleaned up 6573- junk and debris, 6728 Garrison Spurling Rd. - fire cleaning up. Loubenthal properties – working with.

Fire/EMS- Chief Dave Moulden

050213-02 Harold Grosnickle moved to accept Tony Schwab resignation effective 4-25-13 2nd. Don Wilson Vote: HG<DW<JR – All Aye Motion Carried

050213-03 Jason Ritter moved to hire David Manning as FF in Training. Currently taking Level I* FF class. Rate of pay at Paid on Call rate when he becomes state certified. 2nd. Don Wilson.

Vote: HG. DW. JR- All Aye Motion Carried.

Mr. Moulden met with Mel Brown, Public Risk Insurance-- found no conditions of concern.

The mini-pumper is in. I gave the F/O the invoice, just need a check now. Then it can be picked up.

050213-04 Mr. Grosnickle moved to go into Executive Session under ORC: 121.22G (1) at 8:10 p.m. for a pending Litigation. 2nd. Don Wilson Vote: HG, DW, and JR- All Aye Motion Carried

050213-05 Harold Grosnickle moved to return to Regular session @ 8:20p.m. 2nd. Don Wilson Vote: HG, DW, JR- All aye Motion Carried

**Overlay of Executive session - Discussing actions relating to a squad run where a complaint was filed.

Roads –Jason Ritter- currently working on Long Gladly and No. 9 Rd. replacing with #304 gravel – culverts ordered for road replacement culverts. Will get money from residents if their culvert needs to be replaced before culvert installed.

Cemetery-Mr. Grosnickle reported that the cremation of unclaimed resident of Twp., we received a bill from /Tufts Schlidmyer for \$503.00 for the cremation, I will have to get in touch with my sister for we have an extra lot available that the ashes could be placed in that grave site.

050213-06 Harold Grosnickle moved to pay for the cremation of the unclaimed resident out of the General Fund, to establish a line item in the general fund for such needs. 2nd. Don Wilson Vote: HG.DW.JR – All Aye Motion Carried.

Mr. Grosnickle did talk with the mowing contractor today. Jason Browning straightened 25-30 stones, the contractor will go over this weekend. The flowers have been removed. The cemeteries will be ready for Memorial Day. The first good day we have with the weather forecast being dry for 7-10 days, we will be pouring foundations. Year to date Revenue-\$13,430.00. I will be getting prices to remove some trees in the back section of Plainview Cemetery due needing larger equipment to remove, this could give us an additional 30-40 grave sites when leveled off.

2 acre property- Taxes accrued=\$1467.45, \$36.00 for Recording Fees, Attorney Fees= \$2559.25.

050213-07 Mr. Grosnickle moved to authorize payment with 3 checks to be paid from the General Fund. F/O to establish new line item. 2nd. Don Wilson.

Vote: HG, DW, JR – All Aye Motion Carried.

050213-08 Don Wilson moved to go into Executive Session @8:40p.m.

For the purpose to discuss the possible sale of property 2nd. Mr. Ritter

Vote: HG, DW, JR – All Aye Motion Carried

050213-09 Mr. Grosnickle moved to call the meeting back to Regular Session @ 8:45 p.m. 2nd. Don Wilson Vote: All Aye Motion Carried.

***Overlay- purchase and possible sale of acquired property. There is a person interested – need Legal Council for process.

Jason Browning stated that the monument is missing from the Buckskin Trail on State Route 133. Mrs. Thomas says check on the website for information about the Buckskin Trail. Mrs. Hinnners- check the Library or internet for monument.

Mrs. Allen stated that Edenton Cemetery has sink holes in it - Harold Grosnickle replied that wooden caskets were used without vaults back years ago and that is causing the sink holes. We will try to fill them in. Especially Evelyn Martin's grave.

The Board reviewed the minutes of April 4. The following corrections noted:

040413-5 Carol Jason Ritter ZBA cancelled 4-23-13 instead of 4-20-13, page 3 spelling in first paragraph.

050213-10 Harold Grosnickle moved to accept the minutes with corrections. 2nd. Jason Ritter. Vote: HG DW JR- All Aye Motion Carried.

050213-11 Harold Grosnickle moved to approve the minutes of 4-16-13 with one correction. 2nd. Don Wilson. Vote: HG DW JR – All Aye Motion Carried

050213-12 Harold Grosnickle moved to adjourn the meeting @9:00p.m. 2nd. Jason Ritter Vote: DW JR HG – All Aye Motion Carried.

Harold Grosnickle, Chairman

Jason Ritter, Vice Chairman

Don Wilson, Trustee

Sandra Borchers Fiscal Officer