

EDINBURG TOWNSHIP TRUSTEES REGULAR MEETING

Edinburg Townhall

September 11, 2014

Diane Austin called the regular meeting of the Edinburg Township Trustees to order at 7:30 p.m. with the Pledge of Allegiance. Roll call shows: Diane Austin, present; Sandra Templeton, present; John Hayes, present; Judy Repcik, present; Chris Diehl, absent; Tim Paulus, absent; Julie Bearss, present.

Sandra was temporarily excused at this time.

**RESOLUTION 2014-174:** A motion was made by Diane Austin to approve the Agenda as presented; this was seconded by John Hayes. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, excused.

**RESOLUTION 2014-175:** A motion was made by John Hayes to approve the minutes of the August 28, 2014 Regular Meeting as presented; this was seconded by Diane Austin. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, excused.

**RESOLUTION 2014-176:** A motion was made by John Hayes to approve the minutes of the September 4, 2014 Special Meeting as presented; this was seconded by Diane Austin. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, excused.

**COMMENTS OR QUESTIONS FROM PERSON(S) IN ATTENDANCE:**

David Starcher, Farmer/Resident	Thomas Repcik, Employee/Resident
Joe Corbin, Employee	Gary Stewart, Employee/Resident
Janet Esposito, County Auditor	Chris McCormack, Fire Dept. Candidate

**CORRESPONDENCE**

The following correspondence was received and presented:

- OTARMA Letter for Board of Directors Nomination
- OTARMA Quarterly Newsletter

Sandra is now present.

**OLD BUSINESS**

--Giddings Road Issue, Prosecutor's mail regarding calling County Engineer

**Diane Austin:** State your name, please.

**David Starcher:** Dave Starcher, Stroup Road. I'd like to know if you're going to do anything about that culvert I complained about last week and I also found out 7 people on Giddings Road has told me that's the second time they put a pipe across the road. I wanted to ask Chris Diehl, if he would tell the truth, if he put it in or of Dillons put it in? But the one next to this one going west, same kind of a grade, in the yard going across the street on me was put in by the Dillons. Now I've had more than one person on Giddings Road, three people, actually, tell me that Dillons put that one in but they didn't get caught. I'd like to find out if I don't know if Chris would tell me the truth or not I know Dillons won't.

**Diane Austin:** I honestly don't know, I have heard the same thing and I believe—were we told that they put that culvert in there earlier several years ago or what was—I don't remember the conversation.

**John Hayes:** All I repeated was that Chris Diehl told me that the Dillons had done work for the Township in the past and so then in regards to a culvert or anything else, I don't know, David.

**David Starcher:** I've had three different people tell me that they remember driving over that before somebody went down and put black top on top of it but they put it in themselves. I can't verify that.

**Diane Austin:** I can't either but let's talk about the matter at hand.

**David Starcher:** Ok. I'd like to know what you're gonna do about that culvert.

**Diane Austin:** I have some thoughts that I've put together and I had hoped Chris would be here tonight but I'm going to go ahead and state my thoughts to that it's part of the record.

**David Starcher:** Sure go ahead.

**Diane Austin:** Chris Diehl did not have permission to grant the Dillons the right to close, cut and install culvert on Giddings Road. We, as a Board, have been in contact with Chris Meduri in the Prosecutor's office asking for direction on the best way to take this. This situation has opened up the Township for a law suit and the Board of Trustees were not made aware this action before it took place. We found out when you contacted John Hayes. Chris Meduri has agreed and basically suggested that we should contact the Portage County Engineer to come out and inspect the road and the installation of the new culvert and also project any problem with the abbreviation of the water which the installation of the new culvert now dumps into your [Dave's] field. I wanted to state to Chris that I do not believe that he did it maliciously but he did overstep his authority and I want that to be part of the record. I did not speak to him before that -- based on what John and Sandy have stated he didn't speak to any of us. If in the future Mr. Starcher decides to take legal action against the Township and the Dillons, it should also include Mr. Diehl. The Board of Trustees is responsible for the roads. This matter should have been presented for discussion and the Board of Trustees should have made this decision.

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Any alteration of Township roads should've been done by Township employees using Township equipment. Chris is retiring we didn't force him to retire; we didn't ask him to retire; he chose to retire. He has allowed the Board to be in the middle of a neighborhood dispute and opened us up to possible legal action. We remain here to deal with the issue that was created and he's retiring. I do believe that to—disciplinary action is a little bit tough at this point because he is retiring. However, he is still the Road Supervisor until the last day of September. So I would like to open up right now for discussion if the two of you would like to discuss if there's disciplinary action you want to take but I would like to make a motion that we contact the County Engineer to come out to determine the best course of action to correct the current problem. There are statutes allowing assessment for road improvements but this situation does not fall within those statutes and as mentioned above the most viable option for the Township is to have the Board consider passing a resolution to have a law suit filed on behalf of the Township against the land owner who is responsible for having the culvert installed under the road seeking judgment for the amount that will have to be paid to correct the problem.

**RESOLUTION 2014-176: A motion was made by Diane Austin that the Board contact the County Engineer who will determine the best course of action and give an estimate to correct the problem with the culvert on Giddings Road. The Board will then talk to legal counsel about the next step; this was seconded by Sandra Templeton. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.**

As Board Chairman, Diane will contact the County Engineer.

**John Hayes:** If you ask for an inspection, would they inspect that?

**Sandra Templeton:** Have you looked at the finished product of it?

**John Hayes:** You know, I did and I'm not an inspector Sandy, I don't know.

**Sandra Templeton:** I'm not an inspector but I can tell you it's a shoddy job. I'm totally disappointed in him. He's never done anything like this in 35 years. I don't know what possessed him to do anything like this. I guess maybe leaving us to handle his last mess is what he likes. I don't know. I'm not happy -- at all. I'm not happy with him—

**Diane Austin:** I believe the proper way to handle this instead of calling, though, is to send a letter to the engineer requesting them to come out. I will get the address. Tom, who should I speak to at the engineer's office on this one—would you recommend a certain person?

**Thomas Repcik:** Anthony Zumba is the Assistant Engineer to Mickey.

**Diane Austin:** Ok. I will put the letter together we will send it—I'll email it to both of you to look at it first. I'll sign it and send it requesting them to come out, do an inspection and give us an estimate.

**John Hayes:** And will they be able to determine whether the flow of the direction of the flow was interrupted? Because that's an issue there.

**Diane Austin:** I can't answer that but if they can't, Soil & Water will and maybe at the same time we should go ahead and send a letter to Soil & Water and ask them to come out.

**Sandra Templeton:** I would.

**John Hayes:** I agree.

**David Starcher:** The whole point of the matter is that they went across the road—it's not legal. It's not just the water where it's going but the fact that they cut the road open.

**Sandra Templeton:** Now there was no culvert there prior to that.

**David Starcher:** No. What happens if the Township comes out—I mean the Portage County Engineer—says, "Well that's just fine" and "everything's ok"?

**Sandra Templeton:** It's not.

**David Starcher:** Will it be a done deal?

**Sandra Templeton:** No.

**David Starcher:** I'm still gonna get the mess and the water?

**Sandra Templeton:** No. No, you're not. I can guarantee you that. You're not going to. If I have to close it myself, you're not going to.

**David Starcher:** Well I hope not. I hope you're right.

**Sandra Templeton:** I'm gonna make that part of the record so they'll know who done it when it happens.

**David Starcher:** I'd like to be informed a.s.a.p. when they make a decision on that since I'm the land owner that's involved in that.

**Sandra Templeton:** Well we can let you know when they're gonna come out.

**David Starcher:** As soon as you find out what they recommend I'd like to know too.

**Diane Austin:** Ok

**Sandra Templeton:** Yeah we'll let you know.

**David Starcher:** And if they go out there and do any work out there, as being the land owner there, I'd like to be there when they do it.

**Sandra Templeton:** Absolutely.

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**David Starcher:** Also, I'd like to make a point on record -- Denny works at that Portage County area over there—

**Diane Austin:** Denny works for the Ravenna City not the engineer's office.

**David Starcher:** Ok. Alright. Cause I wouldn't want him coming out with his crew to fix it.

**Sandra Templeton:** We'll make sure you know everything when we know it.

**David Starcher:** Thank you very much.

**Diane Austin:** Anything else?

**David Starcher:** That's it.

**Diane Austin:** Ok. Janet Esposito it's your turn.

Janet gave everyone a note pad stating that her numbers are on there if they need to call her.

Diane said she always returns the calls and emails.

**Janet Esposito:** I have the best staff in the county. I handle 800 million of your tax dollars so you need to be aware of that. You know we distribute to the townships continuously we send money to Judy for you guys.

**Diane Austin:** Could you send us a little bit more, we just need a little?

**Janet Esposito:** But just to give you an idea, we have eighteen elected officials. I pay bills for all of them—they're audited, checked, make sure it's the proper public purpose, sometimes we find some that aren't—we kick 'em back or we ask for the prosecutor's opinion and generally my staff is right. I'm not always right because some things might be lawful but I think they're awful, you know, but that's a different issue. So anyway, 2,700 bills to 3,500 a month; twelve months out of the year so there's a lot of money coming out you know. We send checks to your townships, to your schools, to the cities, to the villages; Budget Commission meets and certifies everybody's monies that's coming in for all those entities. Before any money can be budgeted and spent they have went through that procedure, your township has, so have the other ones. We have eighteen townships, seven villages and four cities. We have part of one, Tallmadge, but we don't recognize them 'cause they annexed in there—so don't do that.

I have consumer protection. Do you know what your consumer protection is? Weights and measures. Every gas pump is checked if you call us and tell us it doesn't look right we check again. He's certified to do that. Previously, twenty some years ago, they had one that was never certified. This guy is and he's good. Everything's done every year and checks are made. Every weighing device—if it stores in sand and gravel, propane, those are all checked by our technicians. Scanners are checked. Also if a grocery store wraps meat, they're not allowed to put the packages in the poundage—it can only be the meat or whatever is in there, pork, chicken you know. You're welcome to call me and ask questions anytime. If you don't like you're value on your home that's good but don't tell me you don't like your taxes because we don't do taxes but we do the values, every six years and then three years in between we do a triangle update based on sales and you can file a complaint on your values between January 1st and March 31<sup>st</sup> it's called a Board of Revision complaint and if you get a letter saying that you could save \$200 in taxes don't believe that - come in I'll help you do it for free. You don't have to pay somebody to do that for you because they're not doing it right anyway. There's different reasons. We never go in your house, remember that and if you're 65 and over and you haven't been on Homestead, you need to take care of that now. If you turn 65 this year you should take care of it. You guys will get older later. What else would you like to know?

**Diane Austin:** About the government money.

**Janet Esposito:** You know, I'll be surprised if you get that. Maybe some of it. We're not getting the lottery money they said we were getting either. We were cut 50%, you were too -- but you know part of me says, "good, state you keep your money just don't ask us for any more and don't tell us what we have to do." The state bids the salt, they get it a little bit cheaper than you do and I don't know how people are doing with grit some of them are getting high prices on grits.

**Diane Austin:** Yeah I know, Tom's pricing it but I don't know what we found out yet.

**Janet Esposito:** Somebody in Marlboro is selling it cheaper. Call Randolph and ask 'm who it is 'cause there's another one who isn't selling it cheaper but I remember which one it was.

**Diane Austin:** Thank you, Janet. Anybody else have any questions for Janet? You can call her. She will call you back.

**Janet Esposito:** You can email me too. You should look at our mapping system on the website.

**Diane Austin:** It is great and I know that it's helpful for zoning.

--Fire Department budget carryover for 2016

Plan to increase carryover?

**Diane Austin:** I've spent hours going over these budget numbers. I've met with Judy in the office up here -- we've gone over things. The Fire Department carryover projected for the end of 2015 to begin 2016 is a serious shortfall and I know that Tim has been working diligently trying to find money. I have looked and looked and looked and my opinion is we have three options and it's going to be a very tough job if this is one of the decisions—I mean we're going to need to make one -- a cut.

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**Diane Austin:** I think that at the next meeting we need to be prepared to make this decision because I don't believe that it's fair to our employees who have been waiting for the decision to that they know how to plan. We need to take care of this. The three things that I look at, and maybe you all have other options, one of them would be to cut family insurance coverage. We have been searching for more affordable insurance coverage so far the quotes that we have received are the same or higher. Chris Boring did call me, he's looking at individual plans but the numbers won't be in until November because he felt that we could probably save the most money if our employees did that but, as we discussed we can't reimburse them for their insurance without taxing them isn't that--

**Judy Repcik:** It's after tax dollars and it's kind of a --it has to be now.

**Diane Austin:** But he does have group numbers together so he said he could meet on Monday, October 16<sup>th</sup> [6<sup>th</sup>] or the 13<sup>th</sup>. The 13<sup>th</sup> is Columbus Day though but the 6<sup>th</sup> if we want to have a special Meeting to just go over insurance policy and answer questions and he can answer questions. If we want to pursue individual numbers then he would have those in November but the group numbers he has he said it may save a little but there's no big savings. I don't want to do that if we don't have to because that would be like a pay cut. But I don't believe that we're probably going to be able to find a policy that would be cheap enough that's going to save enough money to cover our shortfalls. If we stay at the current rate we're at and we didn't pay for the family coverage we would save approximately \$20,000 a year. Now, the second thing which isn't gonna be popular either, is to cut the full time Fire Chief's position to a part time position. It does not mean we cut our Fire Chief, it would mean we move the full time Fire Chief's position to a part time position as it was in the past. This Township cannot afford a full time Fire Chief. When we agreed to try it, it was my understanding that we agreed to do it as long as we could afford it. It is clear from what I am reading that we cannot afford it. It would not eliminate Tim's—I'm just saying Tim because he's our full time Fire Chief—but if we do this he would be a part time chief with a full time position on the duty crew making the paramedic rate.

**Sandra Templeton:** So that's not been discussed with Tim?

**Diane Austin:** No, these are just—I'm only bringing up to the table what I think that we need to look at and discuss with Tim. I don't want to discuss anything without him being here but I want to talk about this at the next meeting. The third thing, which is the very last option that I personally am interested in taking is to cut weekend staffing. I don't want to cut services to our residents unless we have to. As the chief stated cutting our weekend staffing would reduce our response times for our residents. This cut would save approximately \$35,000 a year. We have worked on this [for] hours. I know the Fire Chief has spent hours working on this budget. I believe that we owe it to the employees and to the residents and to ourselves, at the next meeting we have to come to a decision. We cannot afford further staffing without asking for additional money from our residents and I will not do that at this time. I believe with the proper changes we will not need to ask for more money and I would personally want to exhaust every avenue before we ask for additional taxes. Now, this is my personal opinion from what I have looked at. I don't want to do any of the three but unless we come up with a miracle and find some other big chunk of money somewhere I don't know what else we're gonna do.

**Sandra Templeton:** Do we have the amount of carryover—are we still at—because we had found monies and—

**Diane Austin:** Right but we haven't finalized any of that. We—

**Sandra Templeton:** Ok so we don't really have a carryover amount at this time.

**Diane Austin:** Yes, what we turned over was \$14,000—I don't remember the number—right around \$15,000 is what we turned in. Isn't that what -- when we had to turn that into the Budget Commission, those were the numbers that he gave -- that's what we went with.

**Judy Repcik:** You mean what we're projecting?

**Diane Austin:** What we projected.

**Judy Repcik:** Yes, between 13 [thousand] and 15 [thousand]. I thought you meant we found that.

**Diane Austin:** No no no, that's what we projected—

**Judy Repcik:** --that we would have

**Diane Austin:** And we need 52 [thousand] to get through March 2016 so we know that we can change the numbers but we've been working on it, working on it, working in it we don't have to change 'em until—

**Judy Repcik:** Well, by the first—I'm hoping in December we can finalize it but I won't have the ending number of this year until probably January 5<sup>th</sup> or 6<sup>th</sup>.

**Diane Austin:** But if we have to make one of the three we need to do it because whatever has to be done, our employees deserve to know so that they know what they have to do and we know what we're gonna have to do. Now I just wanted to share that. I wanted to go on record as stating that. I don't think any of it's popular. It pains me to say any of it but I have to state this because I have to be done losing sleep over this.

**Julie Bearss:** Could you state the valuation for each one of those three? You did for the last one. Did you say what the savings would be or what Chris says—

**Diane Austin:** Yes we would save approximately \$20,000 a—Chris who?

**Julie Bearss:** Boring. Boring.

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**Diane Austin:** Oh no, I don't have the insurance numbers from Chris Boring yet.

**Julie Bearss:** Ok,

**Diane Austin:** This number that I have approximately \$20,000 is currently what we pay. What we would pay if we only paid for our employees, we would save \$20,000 at the rates we have right now. We would save between 20 and \$25,000 by reducing the Fire Chief's position to a part time position.

**John Hayes:** Diane, I think I would like to compliment you for saying what you said and I think that you're talking from your heart but you're also talking as a business owner and with experience if anyone owned a business, they have experience they know that if more goes out than what comes in you've got a business issue and if this board is responsible for the Township's business, and there's more going out than what's coming in then it's very obvious that some cuts [are] gonna have to be made and like you say, those things aren't the most popular in the world but sometimes you have to bring that to the table.

**Sandra Templeton:** What are we going to pay these new people we're hiring with then?

**Diane Austin:** Well exactly.

**Sandra Templeton:** You know we're hiring people. We've got a gentlemen setting out here tonight we're gonna hire, what we gonna pay 'em with? That's what I want to know.

**Diane Austin:** That's what I want to know because we need people because we don't have people to respond—

**Sandra Templeton:** Right we don't have any—we're saying we have no money we hired a lady last week, we're gonna hire this gentlemen here but we ain't got no money—I don't get it.

**Diane Austin:** Well, we have to have people. We have wages set. I know that--

**Sandra Templeton:** We got to have 'em but we got know money.

**Diane Austin:** You are right. You're absolutely right.

**Sandra Templeton:** I'm gettin' ticked.

**Diane Austin:** Well, I'm with you. I am tired of spending this kind of time and losing sleep over this. We have to come up with money and it is our job to work with the Fire Chief and we have to make a decision we can't keep going, "well what if we do this and what if we do that?" we have to make some very tough decisions and make cuts that are gonna upset people including me and but we have to answer to the tax payers. But when you save kind of money doing one of these three things, it helps with the carryover and, I mean, you know I don't know.

**Judy Replik:** Sandy, you have a quarter of a million dollars, it's how you spend it.

**Sandra Templeton:** I get that. I get that.

**Judy Replik:** It's not that you don't have money, it's how you spend it.

**Sandra Templeton:** You guys are all sittin' here saying we got no money but we're hiring people. I don't get that. Draw me a picture; do whatever you wanna do but I don't get it.

**Diane Austin:** Well, like I said, these are the things that I've been working on and thinking about—

**Sandra Templeton:** We'll be discussing it and working on it.

**Diane Austin:** Well, at the next meeting that's what I wanna try to do. We've got to finalize this and make our decision so that we know --so that if we have to make one of these cuts or whatever cut we make, I think that it's only fair that the people know about it.

[Per Agenda]

--Who will be in charge when Tim is off for six weeks?

**Diane Austin:** At the next meeting we'll go into executive session since the Chief is not here to discuss some employee issues.

### NEW BUSINESS

--One Cemetery Deed was signed.

### DEPARTMENT REPORTS

#### **Julie Bearss - Zoning Inspector**

--She made/received 17 phone calls.

--No permits were issued.

--She sent out site plan papers for the sign company on State Route 14.

--She asked if she would be allowed to attend a seminar in Cleveland. The subject matter is Land Use Law: Current Issues in Subdivision, Annexation and Zoning. The cost is \$359.00.

Diane said she would rather Julie did not attend this seminar because it would be dealing with subject matter for large cities.

--She reported that Heidi Fought is putting together another meeting for the OTA (the cost for the last one was \$60.) She asked if the hours from this training would be enough to cover her required hours of CE type training. Diane recommends this type of seminar because it deals more with township zoning.

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**Tim Paulus - Fire Department Report**

He was not present to give his report.

Sandra read his written report:

*Alarms*

--There were 17 EMS, 3 fire, 3 service and 3 false alarms for a total of 26.

--There were 0 M/A given, 0 received and 0 concurrent EMS alarm.

*Grants*

--The Township has received the \$10,000 check from CSX for the repeater. He recommends that the Township have Mitchell Communications apply for the two needed radio licenses at a cost of \$210 each for a total of \$420.00. [Sandra gave this check to Judy.]

*Employee*

--He recommends that the Township hire Chris McCormack to the Edinburg Township Fire Department.

Chris is a 240 Fire Fighter and a Paramedic.

**RESOLUTION 2014-178: A motion was made by Sandra Templeton to hire Christopher McCormack as a part time Fire Figher/Paramedic pending background check and drug and physical screening; this was seconded by John Hayes. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.**

Thomas brought the Trustees up to date on the following:

--The insurance renewal is coming due on 12/01 to cover next year. He's been going through it and talking with Burnham & Flowers and looking at ways to cut the cost. The Township currently pays around \$18,000 per year to cover a lot of heavy equipment. He has found that the Township could save about \$3,000 per year by deleting some coverage that is no longer necessary on some of the larger equipment that cannot be easily stolen nor would it burn up. Liability would remain on all equipment but comprehensive would be dropped. Diane asked him to proceed with looking into this and give further details at the next meeting.

He also said the insurance would go up with adding coverage for all of the new equipment that the Fire Department recently acquired through grants.

**Chris Diehl - Roads, Buildings, Cemetery and Park**

He was not present to give a report.

--John reported on the quotes he received from Chris for the road grits. 150 ton would need to be purchased.

Tim Patrick Trucking quoted \$14.75/ton for local grits & \$15.05/ton for other grits

Benjamin Trucking quoted \$15.75/ton

**RESOLUTION 2014-179: A motion was made by John Hayes to purchase 150 tons of grits from Tim Patrick Trucking at a rate of \$14.75 per ton; this was seconded by Diane Austin. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.**

John reported on an email that was sent to the Township's website by Steve Rogers. He said his drive way washed out. He tried to contact Mr. Rogers by phone and did not get an answer.

Sandra said she called him and left him a message that she would get the message to John for him to respond to as Road Liaison.

The Trustees asked Gary why some emails that originate on the Township website have to be forwarded by Tim and others do not. Gary said that his understanding is that it's the spam emails that Tim has to do that with. Julie said it happens when someone enters an email address wrong; they go to Tim to sort out and forward. Diane would like to know why the default is Tim's email address instead of the Trustees'. Sandra will contact Tim about this.

**Judy Repcik - Fiscal Officer Report**

She presented the following:

--Year-to-Date Cash Summary

--August Financial Report

--Departmental Year-to-Date Report

--Budget Commission

**RESOLUTION 2014-179: A motion was made by Diane Austin to rescind Resolution 2014-151 regarding the squad grant; this was seconded by John Hayes. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.**

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**TRUSTEE REPORTS**

**Sandra Templeton**

She had nothing further to report at this time.

**John Hayes**

He requested an executive session to discuss employee issues.

**Diane Austin**

She had nothing further to report at this time.

**RESOLUTION 2014-181:** A motion was made by Sandra Templeton to approve the payment of the bills; this was seconded by John Hayes. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.

**RESOLUTION 2014-182:** A motion was made by Diane Austin to enter into an executive session at 8:25 p.m. to discuss employee issues; this was seconded by Sandra Templeton. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.

**RESOLUTION 2014-183:** A motion was made by John Hayes to come out of executive session at 9:44 p.m.; this was seconded by Sandra Templeton. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.

**RESOLUTION 2014-184:** A motion was made by Sandra Templeton that the meeting be adjourned at 9:45 p.m. this was seconded by John Hayes. Roll call shows: Diane Austin, yes; John Hayes, yes; Sandra Templeton, yes.

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Diane Hargett Austin, Chairperson

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John Hayes, Trustee

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Sandra Templeton, Trustee

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Judy Repcik, Fiscal Officer