

REGULAR SESSION  
December 23, 2008

Mr. Dwelle called the meeting to order at 6:00 p.m.

Roll call was answered by Trustees Timothy Coleman, Jeffrey Ferrell, and William Dwelle.

Mr. Coleman moved to accept the agenda as presented. Mr. Ferrell seconded the motion. All were in favor.

Mr. Coleman moved to accept the minutes from the Special Session of December 2, 2008 and the Regular Session of December 9, 2008. Mr. Ferrell seconded the motion. All were in favor.

Mr. Coleman moved to accept the Financial Statements for the period ending December 23, 2008. Mr. Ferrell seconded the motion. Mr. Coleman asked if we had the date that they would have the rollover numbers in order to do the final budget. Ms. Schaefer said that numbers would not be available until the bank reconciliations have been done; all 2008 bills are turned in; and 2008 purchase orders are closed. Mr. Coleman asked if the department heads were aware of this. Ms. Schaefer said that they had just paid bills today. They are going to run the open purchase orders tomorrow so that the department heads can note those that still need to be open and the amount. All were in favor.

**Resolution #2008-0152 (Corrected)**  
**ADOPT SUPPLEMENTAL APPROPRIATIONS**

Mr. Coleman moved to adopt the following Supplemental appropriations:

General Fund		
1000-210-190-0001	Salaries – Full time	\$5,000.00
1000-210-190-0074	Salaries – Retro Pay	(5,000.00)
1000-910-910-0000	Transfer – Out	2,794.82
Gasoline Tax Fund		
2021-330-360-0000	Contracted Services	1,500.00
Cemetery Fund		
2041-410-190-0001	Salaries	(2,350.00)
Permissive Motor Vehicle Fund		
2231-330-323-0000	Repairs & Maintenance	(347.24)
2231-330-420-0000	Operating Supplies	(359.41)
2231-330-420-0031	Supplies - Drainage	(2,423.02)
2231-330-360-0000	Contract Services	(75.00)
2231-330-420-0016	Supplies - Patch	(66.91)
2231-330-420-0030	Supplies - Concrete	(792.89)
2231-330-599-0033	Paving Trust	(6,200.00)
2231-330-420-0013	Supplies – Fuel	(126.00)
Fire & EMS Fund		
2192-220-190-0066	Salaries – Shift/OIC	\$320.00
2192-220-190-0001	Salaries – Full time	(1,066.00)
2192-220-190-0067	Salaries - Longevity	1,621.00
2192-220-323-0000	Repairs & Maintenance	1,050.00
2192-220-353-0000	Natural Gas	2,450.00
2192-230-190-0002	Salaries – Part time	(875.00)
Building – Commercial Fund		
2903-130-360-0000	Contracted Services	(40,000.00)
Building – Residential Fund		
2905-130-360-0000	Contracted Services	(42,000.00)
Building – Agency Fund		
9003-130-510-0043	3% Fee	(700.00)
9003-130-510-0061	1% Fee	(700.00)

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Mr. Ferrell seconded the motion. Ms. Schaefer explained that the salary account adjustments were based on the final payroll of the year. The other accounts are to adjust the approved appropriations to be in alignment with the available resources.

Cheryl Best Wilke, Pennsylvania Avenue, asked if there would be as many adjustments next year. Ms. Schaefer said that the Budgets that were prepared in July were in this format so the Appropriations will be as good as those estimates are.

Chief Hodges wanted to know if the amounts were in stone or could they be adjusted. He wants to be certain that their Salary accounts are correct. The final Appropriations will be adopted by March 31<sup>st</sup>. The Board will be starting to work on this as soon as the carryover numbers are available.

Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

**Resolution #2008-0153**

**APPROVE ADVANCE TO FEMA FUND**

Mr. Coleman moved to approve an advance from the General Fund to the Emergency Preparedness (FEMA) Fund in the amount of \$16,000. Mr. Ferrell seconded the motion. Ms. Schaefer explained this would allow the invoice from Breathing Systems to be paid. The advance would be repaid as soon as the draw request was received from FEMA. Chief Myosky asked if the advance could be made from the Fire & EMS Fund. Ms. Schaefer said that according to the State Auditors the advance could only be from the General Fund. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

**Resolution #2008-0154 (Corrected)**

**TRANSFER TO PUBLIC WORKS FUND**

Mr. Coleman moved to transfer \$25,615.80 from the General Fund to Public Works Fund. Mr. Ferrell seconded the motion. Mr. Coleman asked is this would be the final payment to Erie Blacktop. Ms. Schaefer said no. There still is the amount from Issue II. In addition there will be the retainage in the amount of \$11,333. The Highway Superintendent is checking with the County to see when we are to make this payment. This is, however, the final transfer that needs to be made from the General Fund for the Issue II project. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

**Resolution #2008-0155**

**REPAY ADVANCES MADE FROM GENERAL FUND**

Mr. Coleman moved to repay the following advances made from the General Fund:

Cemetery Fund	\$1,000
Permissive Motor Vehicle Fund	\$2,000
Street Lighting Fund	\$9,250

Mr. Ferrell seconded the motion. Mr. Ferrell asked if the Street Lighting Fund is not an in & out type of fund. Ms. Schaefer said yes, but previous collections were 18 months after the fact. Next year's collection will be for a 18 month period with payments to Ohio Edison for 12 months. Ms. Schaefer reported that she has asked the State Auditors is the assessments can be processed for future expenditures so the income and expenditures are for the same period of time. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

**Resolution #2008-0156**

**REPAY ADVANCES (TRANFERS) FROM GENERAL FUND**

Mr. Coleman moved to repay the following advances made from the General Fund that were recorded in UAN as transfers, pending approval of the State Auditors:

Motor Vehicle Fund	\$7,000
Cemetery Fund	\$6,000
Permissive Fund	\$3,500

Mr. Ferrell seconded the motion. Ms. Schaefer said that according to the minutes these were advances. But they were recorded on the UAN system as transfers. Mr. Coleman asked how they would handle the resolution if the Auditors do not approve it. Ms. Schaefer said that they would

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note it in the minutes. But in order to repay the money, they need to have the resolution approved this year. Mr. Ferrell asked where the Motor Vehicle Funds were coming from to repay the General Fund. He thought they had taken most of the available funds for the Issue II project. Ms. Schaefer said that they had at that time, but additional monies have been received since then. Mr. Ferrell asked if it wouldn't be better to leave the funds there so that they would not have to do the same thing next year. Ms. Schaefer explained that advances are meant to be repaid within the year. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

**Resolution #2008-0157**

**ADOPT SALARY METHOD OF PAYMENT FOR 2009**

Mr. Coleman moved to adopt the salary method of payment for Trustees for the year of 2009. Payment is to be made monthly at the end of each month. Mr. Ferrell seconded the motion. Mr. Dwelle explained that the Trustees have the option of payment. They can keep a log and charge the log to the department they work for. The other option is to elect to be paid by salary. The resolution needs to be done before the start of the year. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

**Resolution #2008-0158**

**ADOPT TEMPORARY APPROPRIATIONS FOR 2009**

Mr. Coleman moved to adopt the following temporary appropriations for 2009:

General Fund	\$3,363,726
Motor Vehicle Tax Fund	8,552
Gasoline Tax Fund	134,057
Road & Bridge Fund	498,301
Cemetery Fund	7,326
Fire & EMS Fund	2,651,577
Motor Vehicle Accident Fund	
Drug Law Enforcement Fund	9,653
Permissive Motor Vehicle Fund	70,804
Law Enforcement Trust Fund	
Enforcement & Education Fund	5,302
Street Lighting Fund	41,743
Building (Commercial) Fund	164,800
Emergency Preparedness Fund	
Building (Residential) Fund	53,045
Park Development Fund	
Property Acquisition Fund	88,485
Public Works Commission Fund	175,000
Building Agency Fund	7,534
Total	\$7,289,904

Based on the 2009 Line Item Appropriations attached. Mr. Ferrell seconded the motion.

Ms. Schaefer explained that the amounts were based on new money expected to be received in 2009 plus very conservative estimates of carryover amounts. Mr. Coleman explained that this was the temporary appropriation. They will finalize the amounts in the Permanent Appropriations. Mr. Ferrell said that he would have preferred to use a percentage to reduce those funds that needed to be reduced.

Cheryl Best Wilke asked why some of the funds were blank. Ms. Schaefer said there was probably nothing requested in the July Budget. Ms. Wilke also asked about the Building Funds. Ms. Schaefer explained they were funds collected by either the Zoning Inspector (Residential) or Ken Klingshirn (Commercial). The amounts received include a fee to the State, a portion to the General Fund, a fee for the Fiscal Officer, and the balance to Ken Klingshirn. She also asked for an explanation of the Property Acquisition Fund and the Building Agency Fund. Ms. Schaefer said the Property Acquisition was for the Debt Repayment on property purchased. The Building Agency Fund is the fee collected on the Building permits that goes to the State.

Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

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Chief Hodges presented a Drug Free Workplace Policy that was the accumulation of a number of policies. It has been reviewed by our legal advisor. It meets the requirements of the BWC level 2 program. The next thing to be done is the submission to BWC for approval. MR. Dwelle thanked Chief Hodges on his work on compiling the policy. The policy is Township wide and will lower the amount payable to the BWC by 15%.

Mr. Ferrell explained that the Unions had agreed in principle to the policy.

### **Resolution #2008-0159**

#### **ADOPT DRUG FREE WORKPLACE POLICY**

Mr. Coleman moved to adopt a Drug Fee Workplace Policy to submit to the BWC for applying for Level 2 status. Mr. Ferrell seconded the motion. Mr. Ferrell explained that the implementation of the program would not be effective until approved by the Unions. Chief Hodges also noted that there were several steps that still needed to be taken such as training before the program would be effective. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

#### **Notices & Reminders**

- UAW is scheduled to vote on the 2007-2010 Highway contract on January 5, 2009

#### **Correspondence & Reports**

- Motel Tax Report through November 2008 – YTD Collection \$661,385.86; Down \$36,663.99 or 5.3% for the same period last year. Maui Sands Resort & Family Suites were open part of November, but nothing has been received for that month. Mr. Dwelle questioned if we should change the period of this report to match the actual collections.
- Received minutes of the County Highway annual meeting with the Townships held on Dec. 11<sup>th</sup>
- Notice of receivership of Maui Sands Resort. This is to be sent to our legal advisor to protect our interests.
- Received a Resolution from Erie County Commissioners accepting extension of Windamere Lane, 0.145 Miles, and Windrift Lane, 0.052 miles

#### **Department Reports –**

##### **Zoning**

- Received minutes of Zoning Commission hearing on property located at 3908 Hayes Avenue. The public hearing by the Trustees is tentatively scheduled for January 27<sup>th</sup>.

##### **Fire Department**

- Huron still has the third squad.

##### **Police Department**

- Lt. Matthews and Lt. Parthemore have completed the FEMA 300 certification.
- The police and Trustees have no objection to the request from Ohio Department of Liquor Control – Heidi Cochran & Eric Geason dba The Sands Beach House, 2903 Milan Road.

##### **Highway Department**

- They are still attempting to pick up leaves.
- They are using #9 stone in with the salt for county roads.
- Mr. Ferrell asked that they look at Marshall Avenue by Columbus Avenue. It is very slick.
- Mr. Dwelle reported that he had received calls about the road by Briar School. Kevin Boos reported that they salt from Matthes Avenue to the west side of South Avenue.
- Mr. Dwelle asked if they had gotten the truck back yet. Mr. Boos said that they would possibly get it on Monday.
- Ms. Wilke asked if there was any enforcement for people who put their leaves in the streets rather than in their yards. Mr. Boos said they could only push the leaves back onto the property.

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**Trustees Discussion –**

Mr. Coleman asked if we had received anything from the State on the NatureWorks grant. Ms. Schaefer explained that she was still receiving invoices for this project. It will be submitted before the end of the month. Mr. Coleman asked how long we are going to wait to request reimbursement. Ms. Schaefer said that she needed the paid invoices in order to submit. Mr. Coleman said that he was told by the State that we could submit the invoices as we received them. He was concerned that we were at the end of the year and the invoices had not been sent in. Ms. Schaefer explained that it was the completion of the project that needed to be done by the end of the year. Invoices could be submitted later. Ms. Schaefer assured Mr. Coleman that the amounts would be submitted before the end of the year.

Mr. Dwelle gave an update on the adjustment amount for the Issue II project. He has been in contact with Mr. Coppeler who has reported that Erie Blacktop, Inc. will not adjust this any further. Mr. Coleman said that the next time they need to review the contract to be sure that the multiplier is not in the contract.

**Resolution #2008-0160**

**APPROVE PAYMENT OF ADDITIONAL AMOUNT TO ERIE BLACKTOP, INC.**

Mr. Coleman moved to approve the payment of the additional \$36,201.53 to Erie Blacktop, Inc. Mr. Ferrell seconded the motion. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

Ms. Schaefer advised that the Records Commission needs to have a meeting before the end of the year. The Records Commission consists of the Chairman, the Fiscal Officer, and Records Clerk Kathy Niehm.

Mr. Dwelle corrected a comment that was reported by the news media regarding the Firearms investigation. To correct the statement made – Dawson Foster's possession of the firearms was not unauthorized.

Chief Hodges asked if the VFIS insurance form had been completed. Ms. Schaefer said that it would be done at the Organizational Meeting, Monday January 5<sup>th</sup>.

**Public Forum:**

A student, who is doing a project on school security, wanted to know if she needed to come to the Board of Trustees. Mr. Dwelle said that if she wanted to secure money through the Township, she would need to have it approved by the Trustees. Mr. Coleman and Lt. Parthemore said that there were probably federal monies available. Lt. Parthemore suggested that she contact him for more information.

Mr. Coleman moved to go into executive session for personnel with the Police Department. Mr. Ferrell seconded the motion. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes.

Mr. Coleman moved to return to regular session. Mr. Ferrell seconded the motion. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes.

**Resolution #2008-161**

**HIRE JAMES GREENHAM, FULL-TIME POLICE OFFICER**

Mr. Coleman moved to hire James Greenham as a Class C full-time police officer with a 5% educational benefit for a Bachelor degree in Criminal Justice from Tiffin University, effective January 3, 2009, subject to the school funding the SRO position, with a probationary period of one year, base hourly rate of \$18.34 per hour. Mr. Ferrell seconded the motion. Roll call: Mr. Coleman, yes; Mr. Ferrell, yes; Mr. Dwelle, yes. Resolution adopted.

With no further business to be conducted, the meeting was adjourned at 8:00 pm.

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William Dwelle, Chairman

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Diane Schaefer, Fiscal Officer