

SWANCREEK TOWNSHIP  
BOARD OF TRUSTEE  
**REGULAR MEETING**  
Monday, February 22 , 2016

Call to Order 10:00 a.m.

Prayer

Pledge

Board members present: Rick Kazmierczak, Chairman, Ron Holdeman, Vice Chairman, and Phil Wiland, Trustee.

Employees: Chris Lauch, Administrative Assistant

Fiscal Officer: Absent

Chairman Kazmierczak called the meeting to order.

Prayer

Pledge of allegiance

Roll call attendance of Trustees: Rick Kazmierczak, Ronald Holdeman, Phil Wiland

Approval of minutes:

**38-16** Trustee Holdeman motioned to approve the January 25, 2016 Regular Meeting Minutes, 2<sup>nd</sup> by Trustee Wiland

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

**39-16** Trustee Holdeman motioned to approve the February, 1 2016 Regular Meeting Minutes, 2<sup>nd</sup> by Trustee Wiland

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

**40-16** Trustee Holdeman motioned to approve the February 15, 2016 Special Meeting Minutes, 2<sup>nd</sup> by Trustee Wiland

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

In the future the Trustees will make one resolution to approve all of the minutes.

**41-16** Trustee Wiland motioned to approve the expenditures in the amount of \$52932.72, 2<sup>nd</sup> by Trustee Holdeman

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

Trustee Holdeman inquired about a past due bill. Dawn Wheatley is working on it.

Trustee Wiland asked if the drainage work was put out for bid. No formal bid package was done.

**GUEST: Scott Haselman, Fulton County Prosecutor**

Mr. Haselman was here for his annual visit to ensure his office does not have anything pending and to make sure the township is getting everything they need. The Trustees expressed that nothing is pending; his office always replies in a timely manner and is very helpful.

Chris will be sending him a few things regarding a recent public record request.

- Possible legal opinion regarding an email dated 1-9-16 that the Trustees received:

Mr. Haselman reviewed reasons the Trustees are able to go into executive session and recited ORC 121.22 (G).

**42-16** Trustee Wiland motioned to go into Executive Session at 10:11 a.m. for the purpose of investigation of charges or complaints against a public employee, 2<sup>nd</sup> by Trustee Kazmierczak. The Trustees invited Mr. Scott Haselman, Fulton County Prosecuting Attorney, in for this discussion.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

**43-16** Trustee Kazmierczak motioned to return to Regular Session at 10:24 a.m., 2<sup>nd</sup> by Trustee Holdeman

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

No action to be taken at this time.

**Public Forum:**

Citizens voiced their concerns about a gas transmission pipeline possibly effecting clean breathing air, water, and illnesses that may be caused by the construction of a compressor station. Trustee Kazmierczak referred him to Waterville Township where this is to occur.

Citizen inquired as to if Trustee Kazmierczak was acting as a township trustee or private individual during a recent news report that aired on television where his title of Swancreek Township Trustee was aired.

Discussed FERC, proposed position of pipeline and reroutes. The Trustees cannot stop the pipeline, nor are they experts in this field.

Trustee Kazmierczak expressed he is acting as a resident and citizen of Swancreek Township to educated residents. Trustee Wiland expressed that he took issue with Trustee Kazmierczak doing the interview under the guides of his title of Trustee and putting his efforts in Waterville Township in the interview. Trustee Holdeman voiced he was of the same opinion.

**Fiscal Officer:**

- Review Reports: Reports were signed by the Trustees
- Sign B.C. & P.O.: None

Time Clocks: Dawn Wheatley asked that the minutes reflect that she switched the office time clock with the maintenance time clock because the maintenance one did not convert time to decimal. She expressed that it would be easier to do the maintenance payroll, because there is one more employee in that department.

Discussed manually calculating time for payroll. There has been errors made in payroll in the past. That is the reason for purchasing the office time clock. Due to past errors from manually calculating time, Chris will create an excel sheet for the two office payrolls. Chris and Josie will look into seeing if the time clock that was put in the office has a setting to convert to decimals. It was thought that both time clocks were fairly new, so there is a

question of why one machine will not convert time and one will.

- Trustee Kazmierczak reviewed the current fund balance amounts and comparisons from 2015.

Discussed making Josie Stultz, Fiscal Officer elect, Deputy Fiscal Officer now and if Dawn Wheatley is receptive to this. Josie will have the ability to sign checks and take care of financials.

**44-16** Trustee Kazmierczak motioned to appoint Josie Stultz Deputy Fiscal Officer, 2<sup>nd</sup> by Trustee Wiland.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

Josie does not need anything further to have the ability to do this position. She is already bonded and sworn in. She will check into getting a signature card from the bank.

**New Business**

- Revisit Employment Applications – SS# & DL #:

The applications will be separated into two different applications. Pages 4, 5 & 6 will be removed for applicants for board appointments, which is the drug testing information, social security numbers and drivers license numbers. Chris will make the changes and give it to the Trustees for their review. Put on next agenda under old business.

- Maintenance Cell Phone Plan, Yearly Advancement, Employee Allowances:

The Trustees discussed reimbursements wanted by the maintenance employees. Currently, Matt Stout and Damon Mattimore, as well as Walt Hallett, are receiving a \$25.00 monthly reimbursement. Discussed adding a reimbursement for John Simon. Trustee Kazmierczak got a quote from Verizon in Wauseon. It would cost more to get three phones verses three reimbursements.

Discussed going over minutes of personal phones and the township reimbursing only overage by way of the employee submitting a statement showing what the employee's out of pocket costs of provable township business. Verizon to Verizon calls are free. The Trustees are waiting for a reply from Walt Hallett as to if he receives a reimbursement from Swanton Township for his cell phone costs.

The Trustees will keep it the same for now and review it at their next meeting.

- Citizen Complaint of Co. Rd. C – in un-zoned area:

The Trustees have taken a look at these properties. Discussed regulating the complaint under ORC 505.87, properties being cleaned up when the weather breaks and the township spring clean up day. The Trustees will take another look at these properties due to nicer weather approaching, to see if there are any changes or issues have been rectified and do another follow up site inspection prior to their 3-1-16 Special meeting. They will discuss it further then. Put on 3-1-16 Special Meeting Agenda.

Sally Wylie inquired about a property on Forrest Lane. This property has an open violation. She also inquired about a citizen complaint she submitted on Co. Rd. 2. She gave the Trustees current pictures of these properties. The Trustees will put together a summary of these properties and ask Walt Hallett for an update.

- Paid Time for trainings & mileage within Twp. Limits:

This is to be changed in the employee handbook to state mileage reimbursement starts from the township address, duty station. Mileage from the township to Fulton County is to be reimbursed.

Discussed paid time for trainings. The employee will still be paid for time while in sessions. No change.

- Survey of Twp property:

Joe, from the Fulton County Engineers office will do it for free. He needs a resolution to do so. The Trustees will see if there is already stakes and will revisit this.

**Old Business**

- Water District Appointment:

There are two different legal opinions. Due to this, the Trustees held a Special meeting on 2-15-16 and made a resolution to get a legal opinion from the Ohio Attorney General. They will wait for his opinion to get an idea of how to proceed. The 120 day deadline for the Trustees to make this appointment is past. It could go to the Water District.

- Maintenance Building/ Architect to design possible new building:

Brad Hammon is getting a quote to the Trustees.

Discussed maintenance equipment; past equipment and amount of employees that was used to do projects and current equipment and employees being used to complete projects.

Discussed eliminating equipment/truck that is not being used and if storage would be needed.

Discussed shared equipment, cost of hiring out services, and maintenance on equipment.

Trustee Wiland does not feel there is a need for a new maintenance building.

Put on the next agenda for 3-7-16 for further discussion, after getting some information from Matt Stout.

Trustee Kazmierczak asked Chris if she or Dawn have received the list for Beck Insurance from Matt Stout.

Chris has not received anything back.

Discussed Beck Insurance additional offers/quote details. Trustee Kazmierczak will email him to ask him what he recommends and carbon copy the Trustees. Ohio Plan also submitted a quote. Trustees will discuss further after they get information from Conrad Beck.

Chris is to post a Special meeting notice with Kim Bradford for 3-1-16 at 8:30 a.m. to discuss insurance: health, dental, vision and life, HRA.

**Zoning**

- 2016 Rates - Referred to ZC (Mtg. on 2/10/16) - Update After Mtg.:

Cleared up confusion on Zoning Commission and Board of Trustee meeting dates and times for zoning amendments.

The Trustees public meeting notice on zoning amendments at their 3-21-16 at 10:00 a.m. is tentative until Chris gets notification from the Zoning Commission of a quorum for a meeting on 3-9-16, to approve their minutes

and signed certification to the Board of Trustees. She will have everything put together for the Trustees review prior to their public meeting and publish a legal ad in the newspaper.

- Compensation for BZA/ZC (Mtg. on 2/10/16) - Update After Mtg.: The Zoning Commission has no recommendation for this. They do not feel compensation is needed. The Trustees will discuss this when they discuss the Zoning Commission suggestions.

Junk Motor Vehicle zoning article was discussed at the Zoning Commission meeting. The Trustees have a policy for this for the un-zoned areas. This needs to be amended per Jon Whitmore. Chris will put a copy of Jon's email in the Trustees bin for their review. Put on next agenda.

- Mailbox installation:

Trustee Wiland questioned the need. Discussed transparency and public records. The mailboxes were purchased for security for bins. Discussed the number of mailboxes that were purchased and the purchase for the Water District. Trustee Wiland asked if the Water District paid for their mailboxes. He stated that the Water District is a separate entity than the township, the township cannot give them anything. The township received a quote for installation, but decided to install them themselves, due to the cost. Trustee Wiland motioned to not pay for the installation; however, after further discussion, they will hold off to check to see if it was possible to return the mailboxes. No motion was made.

#### **Fire/Rescue**

- Contracts: York Township's contract renews every year. Trustee Wiland found the 2008 contract that had the information that was missing on the recent one that was sent. Chris had emailed Karen Miller. She will make a copy for each Trustee once she receives this information.

#### **Cemetery**

Discussed an issue at Shiloh Cemetery. The family of Michael Neuenschwander expressed that his grave is being driven over by vehicles.

The Trustees inspected this grave site.

The Trustees discussed sending a letter to the family to let them know they will move the road back further and place posts there, so the truck being used to remove snow and vehicles will not be driving on the grave site to rectify this issue.

The family was present. They were not given the grave they were showed at the time of sale.

Trustee Holdeman discussed how the cemetery was plotted and the road that was installed.

The Mother of Michael Neuenschwander stated she was invited to this meeting by Matt Stout, she was told he would be here and that the Prosecuting Attorney, Scott Haselman would also be here to discuss this.

Trustee Kazmierczak will get with Matt Stout to let him know what needs to be placed there.

The Trustees will discuss this with Dawn Wheatley so she is not selling the wrong graves and make sure she is using an up-to-date map, so this does not happen again.

- Fence (Update):

Trustee Kazmierczak talked to North Branch Nursery to get some estimates for fast growing shrubs in Swanton Cemetery.

Will be getting prices for chain link fence.

Discussed trees, rose bushes, distance of area that needs covered, and concerns of that area. The township has lost sales in this area due to issues with the abutting neighborhood.

Funds of approximately \$12,500.00 was budgeted for improvements.

Water lines need to be replaced.

Quotes will be gotten and the Trustees will review them.

- OPWC: Trustee Kazmierczak maps with names and addresses of property owners of roads that will be paved and potential drainage projects. Discussed sending letters to property owners. Bids opening in May. Keep on agenda.

- Columbarium/pavers (Update): No update.

#### **Maintenance:**

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#### **Employee Reports:**

- Chris Lauch, Administrative Assistant: Already discussed in Zoning on agenda.

#### **Trustee Meeting Reports**

- **Trustee Holdeman:**

- **Trustee Kazmierczak:**

- Would like the Trustees to consider if any money is saved on insurance premiums, that money be put in capital improvement fund to put towards equipment needed. Will revisit after the insurance meeting.

- **Trustee Wiland:**

- Asked when the salt contract stated the township had to take the salt by. Discussed the details of the contract, the township has to take 90% of the order. Discussed storage of salt. Just received 100 ton. It is sitting out in the open. Needs a date of when it needs to be taken by. Dawn has the original contract. Josie will get the Detroit Salt contract for the Trustees.
- Asked if the township dura patched part of Harding Drive that belongs to the Village of Swanton. Trustee Kazmierczak stated yes.
- Discussed administration office security, and past incidents of safety concerns, possible slider window and buzzer to open the door. Will do some research and discuss further. Put on 3/21/16 meeting agenda.
- Recommend starting a new capital improvement fund for the fire fund. Have to pay for equipment by contract and split the open fund up. Will make a resolution when needed.

- Inquired about cemetery bequests: No flowers have been purchased, this has been forgotten. The principal can be used now.
- Discussed a new local innovating grant. It is primarily for safety issues. He would like to check into this to see if roads can be done with the funds. Would like to see Co. Rd. C, East of Co. Rd. 4 as well as West of Co. Rd. 4 for some deep repair. Trustee Kazmierczak will email Frank Onweller and Haley Dockery to see what their recommendations are because it is getting worse.
- Executive Session to discuss employee compensations/ employee reviews:

**45-16** Trustee Kazmierczak motioned to go into Executive Session for the purpose of employee compensation at 12:02 p.m. to discuss employee compensations, 2<sup>nd</sup> by Trustee Wiland. Invited Josie Stultz in.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

**46-16** Trustee Holdeman motioned to go back into Regular Session at 12: 33, 2<sup>nd</sup> by Trustee Wiland.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

**47-16** Trustee Kazmierczak motioned to give Damon Mattimore and John Simon a 2% increase in pay, not retroactive, starting this pay period, Trustee Holdeman 2<sup>nd</sup>.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea Trustee Wiland-Yea**

The 2% pay increases are based on their current pay rate. Damon Mattimore's pay will be \$17.98.

John Simon's pay will be \$15.30.

Chris was approached by Mrs. Iving, the Mother of Michael Neuenschwander , who stated that Matt Stout told her that she would receive the resident fee for two graves on each side of her son's grave.

There was no decision made by the Trustees prior to their meeting. There was only a discussion that if the township was in fact in error and this caused her son to be disinterred, the township would honor the resident grave fee of \$200.00 each, instead of the non-resident fee of \$1000.00 each. Chris is to type a letter to her explaining this, informing her these graves will be \$1000.00 each and put the Trustees signature line on the letter.

Trustee Kazmierczak motioned to adjourn, 2<sup>nd</sup> by Trustee Holdeman

**Adjournment:** 12:31 p.m.

### Swanecreek Township Board of Trustees

\_\_\_\_\_  
**Attest:** Dawn Wheatley, Fiscal Officer  
 Swanecreek Township March 7, 2016

\_\_\_\_\_  
 Trustee Rick Kazmierczak, Chairman

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 Trustee Ron Holdeman, Vice Chairman

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 Trustee Phil Wiland