

## RECORD OF PROCEEDINGS

Minutes of

Waterville Township Trustees'

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held at 7:30 p.m. at the Waterville Township Hall on May 29, 20 13

**OFFICIALS:**

Trustee Chairman A. Leslie Disher - Present  
 Trustee Vice-Chairman Kyle J. Hertzfeld - Present  
 Trustee Karen M. Schneider - Present  
 Acting Police Chief Rich Kellett - Present  
 Property Standards Officer James E. Fischer - Present  
 Zoning Inspector Eric H. Gay - Knee injury - Absent  
 Solicitor Dawn E. Sanderson - Present  
 Fiscal Officer/Zoning Secretary Kay Ann Robertson - Present

**GUESTS:**

Norm Witzler, 28 Mattatuck Way, Waterville, Ohio  
 Jared Ellison, 7943 Royal Hampton Lane, Waterville, Ohio  
 Jack Ellison, 7943 Royal Hampton Lane, Waterville, Ohio  
 Walt Celley, 2509 Broadway Street, Toledo, Ohio  
 William Imes, 8791 Noward Road, Waterville, Ohio  
 Karen Berger, Reporter for "The Mirror", Maumee, Ohio

**PLEDGE OF ALLEGIANCE:**

Chairman A. Leslie Disher called the meeting to order at 7:30 pm. All those who were present were asked to join Chairman Leslie Disher in reciting the Pledge of Allegiance.

**ROLL CALL:**

Roll was called and all three (3) trustees were present: A. Leslie Disher, Karen Schneider and Kyle J. Hertzfeld.

**AGENDA:**

The Agenda had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman A. Leslie Disher:

**Kyle J. Hertzfeld** made a motion to approve The Agenda for the May 29th meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman A. Leslie Disher. Seconded by **Karen M. Schneider**.

**MINUTES:**

Motion Carried.

The minutes for the May 8, 2013 meeting had been prepared by Fiscal Officer Kay Ann Robertson and sent to each trustee prior to the meeting:

**Karen M. Schneider** made a motion to dispense with the reading of the minutes for the May 8th meeting and to approve the minutes with no corrections, deletions and the following addition: It was discussed that before the next police officer is hired not only his wages but the whole police department wage scale be evaluated.

**Kyle J. Hertzfeld** seconded the motion as amended.

Motion Carried.

**RECEIPTS:**

075-13 - Ohio Public Works Commission - Final payment on Davis Road - Income/Expense of \$10,764.90	\$	0.00
076-13 - Catherine Hardman - Veterans marker base		10.00
077-13 - Lucas County Auditor - April gas tax		5,340.04
078-13 - Lexis Nexis - Police report		1.00
079-13 - Buckeye Cable System - 1st qtr franchise fees		538.12
080-13 - Lucas County Auditor - May local government payment		1,573.35
081-13 - Lucas County Auditor - May gasoline cents per gallon		2,570.97
	Total	\$ 10,033.48

**WARRANTS:**

#15-2013 - U S Treasury - May federal withholding payment	\$	2,415.11
#35550 - Ricardo A. Artiaga, Jr. - Road wages		576.02
#35551 - A. Leslie Disher - May trustee salary		736.46
#35552 - James E. Fischer - May property standards officer salary		174.90
#35553 - Eric H. Gay - May zoning inspector salary		715.34
#35554 - Jeffrey M. Graham - Police and D.A.R.E. wages		1,633.90
#35555 - Kyle J. Hertzfeld - May trustee salary		681.60
#35556 - Harry R. Kellett III - Police wages		1,135.35
#35557 - Richard A. Ludwig - Supt. wages		1,030.87
#35558 - Norbert J. Miller - Police wages		548.75

continued.....

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#35559 - Kay Ann Robertson - Fiscal officer salary and zoning wages	\$ 709.46
#35560 - Karen M. Schneider - May trustee salary	736.46
#35561 - Daniel M. Stuber - Police wages	709.84
#35562 - B. Eric Varner - Police wages	94.06
#35563 - Michelle L. Vollmar - Police wages	81.80
#35564 - Edward T. Weideman, Jr. - Police wages	278.85
#35565 - Treasurer of State of Ohio - May state payroll tax	667.54
#35566 - Delta Dental Plan of Ohio - June dental insurance	216.15
#35567 - Ohio Treasurer Josh Mandel - Fiscal officer CPIM training	100.00
#35568 - Buckeye Cable System - May highspeed internet	49.99
#35569 - Fifth Third Bank - May charge purchases	681.56
#35570 - The Mirror - Meeting notice - Dates & time change	153.00
#35571 - Tomahawk Printing, Inc. - Print stamped envelopes	350.13
#35572 - Lisa L. Cole - May clean hall and police station	50.00
#35573 - Century Link - May township phone	87.96
#35574 - Toledo Edison - May electric	193.98
#35575 - Steve Rogers Ford - Ford truck repairs	100.75
#35576 - Mc Cabe equipment - Mower clutch kit	337.64
#35577 - Hanson Aggregates Inc. - Cemetery foundation stone	37.49
#35578 - Hanifan-Obenauf-Robinson Inc. - June police station rent	950.00
#35579 - Buckeye Telesystem - May police phone	104.86
#35580 - Anthony Wayne Board of Education - April township fuel	2,042.62
#35581 - Superior Uniform Sales - Police vest carrier	97.77

WARRANT APPROVAL:

Total \$ 18,480.21

A. Leslie Disher made a motion to pay the warrants that had been prepared by the Fiscal Officer Kay Ann Robertson and presented for payment. Karen M. Schneider seconded the motion.

Motion Carried.

PUBLIC COMMENTS:

Bill Imes: Mr. Imes lives at 8791 Noward Road and he asked when something was going to be done on his portion of Noward Road that was damaged during the construction of the US 24 bypass. Chairman Leslie Disher said he had heard it was to be done sometime in July.

Norm Witzler: Mr. Witzler was present to introduce Jared Ellison and his father, Jack Ellison, 7943 Royal Hampton, Jared is a boy scout and was attending a meeting as part of his merit badge process.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION:

None.

OLD BUSINESS:

None.

NEW BUSINESS - POLICE LEVY:

Karen Schneider: Trustee Schneider has been giving the possibility of putting a police levy on the ballot a lot of thought and has also discussed it with Former Solicitor Walt Celley and Current Solicitor Dawn Sanderson. She feels we need a motto (mission statement) and a pay schedule. Ms. Schneider would like to see the township hire a full-time police chief/part-time township administrator with the pay being divided between the police department and the general fund. The fiscal officer said she could not recommend administrator pay coming from the general fund. Property tax collections to the general fund are \$50,000 yearly. The fiscal officer salary is \$16,977 yearly and each trustee salary is \$10,288 totalling \$30,864 a year. Once Waterville withdraws from the township we will see property tax collections cut in half so she could not recommend hiring a part-time administrator and be able to sustain his/her salary. Ms. Schneider would like to see a full-time chief hired as soon as possible even though the salary could deplete the police fund before the end of the year. If we run out of police funds, then we would just not have officers covering some of the shifts. Maybe we could have Waterville or Whitehouse cover our calls on a per call basis. She feels we definitely need a full-time chief now and a pay structure and is not fully convinced we should put a levy on in the fall since the school is too.

continued.....

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Continued:

Ms. Schneider also stated she was not in favor of continuing the D.A.R.E. program.

The above was Trustee Schneider's first proposal. Her second is as follows: Put a 3.5 mill levy on the ballot. Keep Officer Kellett on as full-time and look for a full-time police chief even if it uses most of the money allotted for police wages/benefits (suggested starting salary \$55,000 benefits for just health ins. could run as high as \$27,000 if he/she is married with children and higher if an older person. She feels our structure is fractured and we need to get our house in order. The stronger the leader the better the organization. Chairman Disher is very concerned about getting through 2014 if we do not pass a levy this year. Ms. Schneider would like to see a full-time chief set up the police budget and do the hiring. Trustee Hertzfeld weighed in by saying he felt we should put a 3.5 mill levy on the ballot because that was what the levy committee had recommended last year. Chairman Disher said he has served on several school levy committees and he recommended a 2.9 mill levy just for the simple fact the school was doing a 4.9 mill levy this fall. Trustee Hertzfeld pointed out the difference between 2.9 mill and 3.5 mill is \$30,000 and that would buy a new car. He also pointed out that what some of our officers are making is barely above minimum wage. Officer Kellett said he overlooked a lesser wage since the township covered his health insurance 100%. Chairman Disher said we need to take a look at a wage adjustment tonight. We do not want to get ourselves backed into a corner. We need to plan for fuel increases and technology is advancing and we need to be prepared for that. Officer Kellett said what if the county sheriff started to charge for dispatching services. Former Solicitor Celley said that was not an issue - the whole structure of 9-1-1 would have to be changed for that to happen. He also said that in some of the smaller townships, the job of police chief and administrator have been combined. The fiscal officer pointed out that the township only has 550 homes with less than 2,000 residents. Trustee Schneider would like to tie everything together - full-time chief, motto, pay structure, etc. and 3.5 mill police levy. Solicitor Sanderson said it must be two separate resolutions. Chairman Disher said that above all, we must be honest with our residents - if we are hiring a full-time chief and if and how much we will be paying our officers. He has run numerous school levies and he knows the school levy will be competition.

RESOLUTION #2013-14 OF THE WATERVILLE TOWNSHIP TRUSTEES CONCERNING THE NECESSITY TO LEVY AN ADDITIONAL THREE AND FIVE-TENTHS (3.5) MILL CONTINUING TAX, EXCEEDING THE TEN MILL LIMITATION, FOR THE PURPOSES AUTHORIZED BY OHIO REVISED CODE §5705.19(J).

The Board of Trustees of Waterville Township, Lucas County, Ohio, met at a special meeting of the Board on May 29, 2013 at 7:30 p.m. whereupon the following was placed in consideration on the regular agenda of the Board:

**WHEREAS**, the amount of taxes which may be raised within the ten mill limitation is not sufficient to provide adequate funding for the purposes of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or payment of salaries and benefits of police personnel and for such other expenses as are necessary to the operation of a police department, collectively herein-after referred to as "police protection"; and,

**WHEREAS**, it is incumbent upon the Board of Trustees to declare the necessity of levying an additional continuing tax under ORC 5705.19(J) and 5705.25, outside the ten mill limitation, providing funds at a rate not exceeding three and five-tenths (3.5) mills for each one dollar (\$1.00) of valuation, and request that the Lucas County Auditor certify to the Board of Trustees the total current tax valuation of the Township and the dollar amount of revenue that would be generated by the tax, as will permit the Board of Trustees to consider the levy of such additional tax; and,

**WHEREAS**, the proceedings and hearings on this Resolution and any necessary notices of such proceedings and hearings have all been undertaken, conducted and given in accordance with applicable law; now therefore:

**BE IT RESOLVED**, by the Board of Waterville Township Trustees, who voted as

continued.....

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Continued:

certified below, that it is necessary to levy an additional tax, in compliance with O.R.C. §5705.19(J), not exceeding three and five-tenths (3.5) mills for each one dollar (\$1.00) of valuation, which is thirty-five cents (\$0.35) for each one hundred dollars (\$100.00) of valuation, in excess of the ten mill limitation, for the purpose of providing police protection as aforesaid, and that such additional tax shall be continuing; and,

**BE IT FURTHER RESOLVED**, that the additional tax levy shall be placed upon the property tax list and duplicate, commencing with the tax year 2013 and first due for collection in calendar year 2014, if a majority of the electors vote in favor thereof; and,

**BE IT FURTHER RESOLVED**, that the question of such tax levy shall be submitted to the electors of Waterville Township at the general election to be held on Tuesday, November 5, 2013; and,

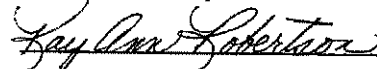
**BE IT FURTHER RESOLVED**, that the Township Fiscal Officer is hereby directed to certify this Resolution to the Lucas County Auditor and request the issuance of a Certificate of Estimated Property Tax Revenue.

**WHEREUPON** Trustee Kyle J. Hertzfeld moved and Trustee Karen M. Schneider seconded the adoption of the Resolution and the roll was called on the question of adoption thereof; resulting as follows:

A. Leslie Disher, Aye. Kyle J. Hertzfeld, Aye. Karen M. Schneider, Aye.

ATTEST:

I certify that the foregoing is a true and accurate copy of Resolution No. 2013-14, passed in the special meeting of the Waterville Township Board of Trustees on May 8, 2013.



Kay Ann Robertson,  
Township Fiscal Officer.

In regards to Trustee Schneider's proposal to hire a full-time police chief, creating a motto and a pay schedule, Trustee Kyle Hertzfeld suggested they table the matter for now. Use this time to collect ideas and come up with suggestions. Trustee Disher said the concept has merit but he does not feel the time is right. Trustee Schneider said this needs to be considered whether the levy passes or fails. Trustee Disher said if we are hiring a full-time police chief the first step is to write a job description. He is also afraid of spending money for a full-time chief until we know the out come of the levy.

**FISCAL OFFICER - CORRESPONDENCE:**

- 1) From the Ohio EPA, a Citizen Advisory concerning hosting an EPA meeting about the BP-Husky Air Permit. The meeting will be held June 5th at 6:30 pm at the Lake Erie Center, 6200 Bayshore Road, Oregon, Ohio.
- 2) From the Ohio Department of Public Safety Bureau of Motor Vehicles, the April License Tax Statistics Report. Also from the Department, the April Permissive Tax Computation Report. Due the township is the sum of \$281.25.

**FISCAL OFFICER - OTHER FINANCIAL MATTERS:**

The Fiscal Officer Kay Robertson had sent a letter to the Lucas County Auditor requesting permission to appropriate two additional sources of funds that had not been available at the beginning of the year; namely a \$12,000 donation to the DARE Fund and a late payment on the OPWC Davis Road project in the amount of \$10,764.90. Since this is additional income, it cannot be spent until the auditor gives permission.

RESOLUTION #2013-15 AMENDING THE  
WATERVILLE TOWNSHIP ANNUAL 2013  
APPROPRIATIONS.

A. Leslie Disher made a motion to adopt the following Resolution #2013-15:

**BE IT RESOLVED**, by the Board of Trustees of the Township of Waterville, Lucas County, Ohio, that to provide for current expenses and other expenditures of

continued.....

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Continued:

said Board of Trustees, during the said fiscal year ending December 31, 2013, the following sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year, as follows:

2901 - D.A.R.E. FUND - 2901	
2901-290-190-0000 Other - Salaries	\$ 6,000.00
2901-290-420-0000 Operating Supplies	6,000.00
4401 - OHIO PUBLIC WORKS FUND - 4401	
4401-760-790-0000 Other - Capital Outlay	\$ 10,764.90

Ms. Karen M. Schneider seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

A. Leslie Disher,	Aye.
Kyle J. Hertzfeld,	Aye.
Karen M. Schneider,	Aye.

Adopted May 29, 2013.

Attest: Kay Ann Robertson  
 Kay Ann Robertson,  
 Township Fiscal Officer.

There was considerable discussion before and after the passage of the above Resolution #2013-15. Trustee Schneider had no problem allocating the OPWC funds but she objected to the \$12,000 for D.A.R.E. even though the money was a donation. When the D.A.R.E. program first started all of the entities in the school district donated funds: Waterville and Whitehouse both gave \$2,500 and Monclova Township donated \$1,000. As Waterville Township's share, we paid for the off days when the DARE officer fulfilled his required road hours and furnished use of a vehicle. Chairman Les Disher said he had offered the program to the Village of Whitehouse but they were not interested. He went on to say that if we are going to drop the D.A.R.E. program, we need to let the schools know as a courtesy. He also said we would have to contact Lial School because they have been interested in a program. Trustee Schneider suggested we look at the AWAKE group's data to see if our program is effective. Chairman Disher said it is unfortunate that only Waterville Township is funding a program that benefits youth from the other entities not just Township residents in the unincorporated area. He will contact AW School's Superintendent.

**POLICE:**

1) Acting Chief Rich Kellett mentioned that there had been a homicide in the Township. It was suspected that the victim had been targeted for something he had done. It is an ongoing investigation with the Lucas County Sheriff's Dept. taking the lead. Chairman Disher complimented Acting Chief Kellett on how well he has handled the incident. The Chairman said several residents had commented favorably.

2) The Township contract with Workplace Resources is up for renewal on June 1, 2013. They provide a variety of services to the Township among which are pre-employment testing and fitness for duty evaluations:

Karen M. Schneider made a motion to renew the Workpkace Resources contract for a period of one (1) year beginning on June 1, 2013 and ending May 31, 2014 at a cost of \$1,050.00 to be paid from the Road and Police Funds. Seconded by A. Leslie Disher.

Motion Carried.

3) Chairman Disher reported that they have another parttime police officer lined up. He has met with the review committee and has passed his testing:

A. Leslie Disher made a motion to hire Paul J. Veres as a parttime police officer at an hourly wage of \$14.00. Wage to go to \$14.50 after completing a 90-day probationary period. There is no holiday pay, no sick time to accumulate and no vacation time to be paid. Seconded by Kyle J. Hertzfeld.

Motion Carried.

**FIRE:**

None. Newsletter due out soon.

continued.....

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Continued:

ROADS:

1) The Waterville Township Trustees had passed Resolution #2013-13 to approve plans to slurry seal several township roads. The date for the bid opening was May 22nd at 7:35 pm. The bids were opened and sent to the Lucas County Engineers office to be checked before awarding the final bid. The Engineer's estimate was \$37,186.75. Slurry Seal bid \$43,792.94 and Roadway Services bid \$71,448.98. The township was advised that both bids were more than the allowed 10% so they must be thrown out and the project must be re-bid:

A. Leslie Disher made a motion to reject the bids for the 2013 Emulsified Seal Coat Project in Waterville Township because they both exceeded the 10% allowed amount (Engineer's estimate \$37,186.75 - Bids: Slurry Seal \$43,792.94 and Roadway Services for \$71,448.98). Seconded by Karen S. Schneider.

RESOLUTION #2013-16 TO GRANT PERMISSION TO RE-ADVERTISE FOR BIDS FOR THE 2013 EMULSIFIED SEAL COAT PROJECT IN WATERVILLE TOWNSHIP. Motion Carried.

Mr. A. Leslie Disher moved to adopt the following Resolution #2013-16:

WHEREAS, the Waterville Township Trustees determined in Resolution #2013-13 that the following township roads are in need of an emulsified seal coat: Winslow Road, Janelynn Drive, Alscot Lane, Lakeview Drive and Springfield Court; now therefore,

BE IT RESOLVED, by the Board of Trustees for the Township of Waterville, Lucas County, Ohio, that:

Section 1: The trustees have received the project plans, specifications and cost estimate. The fiscal officer of this township has been directed to re-publish in the newspaper ("The Blade") of general circulation, a "Notice to Bidders", for the 2013 Emulsified Seal Coat Project.

Section 2: The Trustees have received the revised bid documents from the Lucas County Engineer's Office and a "Notice to Bidders" will be published in "The Blade" on Friday, June 7, 2013. Bid opening is set for Wednesday, June 26, 2013 at 7:35 p.m. at the Waterville Township Hall, 621 Farnsworth Road, Waterville, Ohio. Revised estimated cost for the project is \$44,055.70. The cost for the project will be paid from the Road and Bridge Fund.

Section 3: This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4: This Resolution #2013-16 shall be in full force and effect from and immediately upon its adoption.

Mr. Kyle J. Hertzfeld seconded the resolution and the vote being called upon its adoption, the vote resulted as follows:

A. Leslie Disher, Aye.
Kyle J. Hertzfeld, Aye.
Karen M. Schneider, Aye.

Adopted May 29, 2013.

I, Kay Ann Robertson, do certify that this a true and accurate copy of Resolution #2013-16 adopted at a regular meeting of the Board of Trustees for Waterville Township, Lucas County, Ohio, on May 29, 2013.

[Handwritten signature of Kay Ann Robertson]

Kay Ann Robertson, Fiscal Officer for Waterville Township, Lucas County, Ohio

2) Trustee Kyle Hertzfeld has made arrangements to meet with Don Bertke of Asphalt Systems concerning a possible need to seal the recently resurfaced Davis Road. Someone had heard that if you seal a recently resurfaced road you can extend the life of the resurfacing.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Continued:

CEMETERIES:

None.

ZONING:

Trustee Karen M. Schnieder asked if anyone heard why Yark Automotive is annexing to Whitehouse. No one had heard anything.

REFUSE:

No issues.

ZONING INSPECTORS REPORT:

The Zoning Inspector Eric Gay was not able to attend due to issues with his knee. He did call and tell the fiscal officer that it has been quiet and had nothing new to report.

PROPERTY STANDARDS OFFICER:

- 1) Property Standards Officer Jim Fischer said he has been working out of town and has not been able to check the progress at Lou Leasor's at 10020 Hertzfeld Road. Mr. Leasor has a problem with blighting.
- 2) Mr. Fischer recently met with Peggy Ross (Peggy's Ceramics), 9525 Waterville-Swanton Road, about her request for a sign permit. Ms. Ross was there, her sign man, Lynne Myerholtz and Mr. Fischer. Her business is in the Route 64 Overly District and any signs in that district must be approved by the Architectural Review Board (ARB). Mr. Fischer made copies of the zoning resolution that applied and went over them with both parties in great detail. Chairman Disher said he had been getting phone calls from people who knew him, and Ms. Ross was making derogatory remarks concerning the way her sign is being handled, the township officials and the township in general. Chairman Disher called on Ms. Ross personally. He explained that her first mistake was that before she rented her current location on SR 64, she should have come to the township first before she signed a three-year lease and see if what she wanted to do was allowed in that location. However, they were able to work out a plan for the sign and she seemed to understand but she was not entirely happy. Chairman Disher went to her sign man, Lynne Myerholts, the next morning and they determined a cement slab would be better for the sign rather than posts set in concrete. To date, Jim Fischer has not received any paperwork. He is more than willing to work with her. Trustee Schneider said that Ms. Ross was offered a temporary sign at no fee but she did not want one. She also pointed out that this is at least the fourth location Ms. Ross has been located at and the other two localities are much more strict than the township.

SOLICITOR:

Present. We have covered all of her topics under different categories.

BOARD CHAIRMAN:

- 1) Now that the trustees have decided to put a levy on the ballot for the police department, Chairman Les Disher asked the other trustees for the names of people they have contacted to be on the levy committee. So far we have: Former Police Chief Bonnie Hearndon (volunterred to be Treasurer), Duke Wheeler (owner of The Butterfly Farm on Obee Road), Bob Sautter (owner of Sautters Food Center) and a representative from the Springbrook Farms Association.
- 2) Solicitor Dawn Sanderson is going to request a certification of the amount a 3.5 mill levy will generate so we can get the paperwork ready to submit to the Board of Elections in a timely manner.

TRUSTEES:

None.

EXECUTIVE SESSION:

A. Leslie Disher made a motion to go into executive session to consider the compensation of a public employee(s). Seconded by Kyle J. Hertzfeld.

A. Leslie Disher, Aye. Kyle J. Hertzfeld, Aye. Karen M. Schneider, Aye.

continued.....

RECORD OF PROCEEDINGS

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Waterville Township Trustees'

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Continued:

A. Leslie Disher made a motion to go out of executive session and back into regular session. Seconded by Kyle J. Hertzfeld.

A. Leslie Disher, Aye. Kyle J. Hertzfeld, Aye. Karen M. Schneider, Aye.

A. Leslie Disher made a motion to grant the following parttime police officers a \$2.00 an hr wage raise: Michelle Vollmar, Dan Stuber and Edward Weideman. Seconded by Kyle J. Hertzfeld.

Motion Carried.

ADJOURNMENT:

There being no further business to come before this Board, Kyle J. Hertzfeld made a motion to adjourn. Seconded by Karen M. Schneider.

Motion Carried.

Adjourned at 10:13 p.m.

Attest: Kayla Robertson

Trustees: A. Leslie Disher  
Kyle Hertzfeld  
Karen Schneider