

**RECORD OF PROCEEDINGS**  
Waterville Township Trustees' Meeting

Held at: 7:00 p.m. at the Waterville Township Hall on February 28, 2018.

**OFFICIALS:**

Chairman – Brett Warner – present  
Vice Chairman - Kyle J. Hertzfeld – present  
Trustee – Duke Wheeler - present  
Fiscal Officer Jennifer Bingham – present  
Chief of Police – Richard Bingham - present  
Zoning Inspector – Eric Gay – absent  
John Borrell, Lucas County Assistant Prosecutor - present

**PLEDGE OF ALLEGIANCE:**

**Brett Warner** called the meeting to order at 7:00 p.m. All those present were asked to join **Mr. Warner** in reciting the Pledge of Allegiance.

**GUESTS:** William Walborn, Eileen Sullivan, Kay Gifford, Ray Sidener, Charles Gifford, Christy Geha, Jim Bagdonas, Mike Pniewski, Jim Fischer, Joshua Hartbarger, Patrick Wambo, Jim May, Ryan Belkofer, Julie Theroux, Karen Schneider, Mary Pat Yeager, Joe Yeager, Scott Saneholtz, Mary Duncan, Laura Adams, Gary Adams, Karen Gerhardinger, Toby Miller

**AUDIO RECORDING OF TOWNSHIP MEETINGS**

**Mr. Warner** indicated that Toby Miller had set up the equipment to record the Township Meetings. The recordings will be posted on the Township Website within a few days of the meeting so residents can listing to the meetings. Minutes will be continue to be posted following approval at the Trustees' meeting.

**Mr. Warner** motioned that Waterville Township Board of Trustees begin recording Trustee meetings on 2/28/18 unless technical/equipment problems prevent it and that all recordings be placed on the Waterville Township Website for complete public access. This motion is not intended to eliminate usual means of taking and keeping minutes for meetings but meant to enhance our ability to share information with residents in an accurate and timely manner. This motion is not intended to include other township meetings at this time. **Mr. Wheeler** seconded. Motion carried.

**Mr. Miller** explained the equipment and how to operate the equipment. The audio recording of the meeting began following **Mr. Miller's** brief presentation.

**AGENDA**

**Mr. Warner** made a motion to approve the Agenda for the February 28, 2018 meeting. Seconded by **Mr. Hertzfeld**. Motion Carried.

## MINUTES

**Mr. Warner** made a motion to approve the minutes of the January 24, 2018 meeting with no additions, deletions, and/or corrections. Seconded by **Mr. Wheeler**. Motion Carried.

## PUBLIC COMMENTS

**Jim May** of Steven's Disposal and Recycling introduced himself to the Trustees. He stated the current contract for waste disposal and recycling with the Township will expire in May of 2019 and he is looking forward to working with the Trustees on a proposal for services after that date.

**Karen Schneider** stated that at the last Township Trustees' meeting the Trustees stated they would be evaluating Health Care Plan options. **Ms. Schneider** asked who this change was better for, the full-time employees or the Trustees. **Ms. Schneider** stated a proposed switch away from the current plan would hurt the employees and requested the Trustees' not opt into the insurance offerings. **Ms. Schneider** stated elected official in the City of Waterville pay their own premiums, the Village of Whitehouse does not offer, Spencer Township do not offer and Swan Creek Township Trustees opt out. **Ms. Schneider** asked how transparent is it for Trustees to use Township funds for their own benefit.

**Julie Theroux** stated that the Lucas County Prosecutor stated in the last meeting that the action of the prior Board of Trustees violated state law and thus the current Trustees' action to rescind the resolution requiring Trustees to pay their health care premiums. **Ms. Theroux** stated that two of the three prior Trustees had opted on to the insurance coverage and she finds hypocrisy for those opposing coverage now. **Ms. Theroux** stated as a small employer she cannot afford to provide insurance to her employees and that if the Township's insurance representative states the Township can save money by changing plans, the Township should evaluate those options. **Ms. Theroux** stated that **Ms. Schneider's** flyer is full of lies.

**Eileen Sullivan** stated that she has attended to the Township meetings held between November 29, 2017 and December 29, 2017 in which the prior Township Trustees passed a Resolution to no longer reimburse Township Trustees for health insurance premiums. **Ms. Sullivan** stated that only two of the three Trustees were in attendance at the December 29, 2017 meeting. **Ms. Sullivan** stated that **Ms. Schneider's** flyer states the Board of Trustees voted for taxpayer benefits for themselves, which is not true. **Ms. Sullivan** believes the flyer is motivated by personal interest. **Ms. Sullivan** cited a recent Ohio Attorney General opinion, which confirmed the Trustees are entitled to health care premiums paid for by the Township. **Ms. Sullivan** commended the Trustees for looking at this matter.

**Mary Pat Yeager** asked how the Township is going to pay for the Trustees' benefits. **Ms. Bingham** explained that until the review of health insurance options is completed and permanent allocation set, she would not have an answer. Premiums are allocated based on the Trustees' monthly payroll certifications **Ms. Bingham** stated that the health care premium is for all elected officials, including the Fiscal Officer and that at this time only one Trustee has opted for the insurance coverage. **Mr. Warner** stated that all eligible individuals in the Township were required to complete a questionnaire for the insurance quote, he stated that he and Mr. Hertzfeld will decline the coverage.

**Joe Yeager** asked what the allocations were last year. **Ms. Bingham** stated she did not have the information in front of her but recalled perhaps 40% from the general fund, 35% came from the

police department funds and the remaining portion was split between the Roads and Cemetery Fund.

**Roy Sidener** stated, as he understands it the payment for the police departments health insurance is paid for from the levy related to the police department. He also stated that he has heard the police department employees are covered by a plan that is grandfathered and if changed the Township could not get back on that plan. **Mr. Sidener** stated the police officers are not paid enough and that offering better benefits is of primary importance and diminishing the Township's ability to provide a compensation package is a big mistake. **Mr. Sidener** asked the Trustees to consider his comments.

**Kathy Gifford** stated that her driveway has not been returned to its original state since the Noward Road Improvement Project and requested a timeline on that repair. She reported heavy truck traffic including semi's carrying heavy-duty equipment. **Ms. Gifford** stated that a "No Thru Truck" sign is posted on Noward Road. **Police Chief, Richard Bingham** stated that the sign is not legal, as it does not state a tonnage limit. There was discussion on what the interpretation of a truck meant and the tonnage limit. The Police Department is working with the County and the State to see if the sign can be changed. **Mike Pniewski**, Chief Deputy Engineer with Lucas County stated a truck includes 18-wheelers and that currently in the county only roads with a bridge would constitute a lower weight requirement. **Mr. Pniewski** stated all county roads are built to hold-up to truck traffic. Mr. Hertzfeld stated that Nexus's route for its compressor station construction process includes State Route 295, Waterville Neapolis Road to the compressor station or any road that they are working on. **Sergeant Shaun Wittmer** stated that only Federal Motor Carrier verified enforcement can inspect truck because they are equipped with scales. **Mr. Wheeler** stated that he had spoken with a representative for Nexus and that if there are concerns residents can contact him at 419-350-9640 and provide to him the name on the side of the truck, as they may be contractor's and he will share the information with Nexus.

**Toby Miller** stated that there is misinformation being distributed in the township about the health insurance coverage, and if it was such a problem, it should have been addressed sooner perhaps in 2014. **Mr. Miller** stated that offering insurance is legal and that since only one Trustee is taking the cost to the Township should be less. **Mr. Miller** stated that he has reviewed the last five years of Township minutes and he is willing share the facts he has.

**William Walborn** stated the accounting problems started years ago and the Trustees did not adjust the budget then. **Mr. Walborn** stated the current Trustees are facing tough issues and when times are tough perhaps getting rid of one care, one phone or changing health plans should be considered. **Mr. Walborn** also stated that the Trustees should examine having the employees contribute toward their health insurance premiums. **Mr. Walborn** stated there is no good cash management and that the fund accounting is complicated and not like a regular checkbook.

**Ryan Belkofer** asked what the current timeline is for the Nexus Project. **Mr. Wheeler** stated that the stone is being laid beginning next week and construction is expected to begin within the next 30 days. **Chief Bingham** stated he is to attend a security meeting on March 1<sup>st</sup>. **Mr. Pniewski** stated that Nexus has filed for Overweight Permits with the County.

**Mr. Warner** stated that this would conclude the Public Comments portion of the meeting and advised that attendees could request future agenda items at the end of the meeting.

## **FISCAL OFFICER'S REPORT**

Fiscal Office, **Ms. Bingham**, presented the following documents for the Board

- Signature page and reports for February
- Payroll Certifications
- Minute book updated and ready for signatures

### **2015-2016 Audit Update**

**Ms. Bingham** reported that all correction in fund balances as adjusted by the Auditor of State has been made in the Township's Uniform Accounting Network (UAN) system. The Auditor of State has sent confirmation today that the Audit of the 2015-2016 Financial Statements has been completed. The report is available on the Auditor's Website. **Ms. Bingham** stated she has contacted Local Government Services, a division of the Auditor of State's Office, and the Township has been assigned a monitor who has authorized the Township to continue to pay bills from the General Fund pending the resolution of our appeal to the Ohio Department of Taxation.

### **Transfer of Miscellaneous Capital Project Funds to the General Fund**

**Ms. Bingham** advised that John Borrell, with the Lucas County Prosecutor's office advised that a recent change in law will no longer require a protracted process to request and seek approval to transfer of the \$335,778 which are currently in the Miscellaneous Capital Project Fund, as adjusted by the Auditor of State, to the General Fund. **Ms. Bingham** presented for the review and approval of the Trustees the following:

#### **RESOLUTION #2018-06 NECESSITY FOR TRANSFER OF ALL FUNDS IN THE MISCELLANEOUS CAPITAL PROJECTS FUND TO THE GENERAL FUND**

**Ms. Warner** moved the adoption of the following Resolution 2018-06

A. Resolution declaring the necessity for the transfer of all funds in the Miscellaneous Capital Projects Fund, Fund No. 4901, in the amount of \$335,778 to the General Fund, directing the County Prosecutor to prepare and forward a petition concerning the transfer of said funds to the State of Ohio Tax Commissioner for review and approval, pursuant to Sections 5705.15 and 5705.16 of the Ohio Revised Code.

WHEREAS, during the 2015 fiscal year the Waterville Township Board of Trustees' authorized the sale of Township owned property inclusive of land located at 7315 Noward Road, Waterville, OH referred to as Parcel No. 91-29801; and

WHEREAS, during the 2015 fiscal year the Waterville Township Board of Trustees' authorized the sale of Township owned vehicles no longer used in the day to day operations of the Township;

WHEREAS, the sale of said the parcel and vehicles was intended to relieve Township from further responsibility or liability and provide cash to the Township's General Fund so that the Township could carryout its statutory responsibilities;

WHEREAS, during the 2015 fiscal year the proceeds from the sale of said parcel and used vehicles and equipment totaling \$335,778 were recorded as miscellaneous revenue to the General Fund;

WHEREAS, the Auditor of the State of Ohio determined that the proceeds from the sale of the above described property should have been put in the Miscellaneous Capital Fund instead of the General Fund;

WHEREAS, as a result of the findings of the State Auditor, the Township does not have a sufficient balance in its general fund to carry out the statutory duties of the Township and without the transfer the citizens of the Township will be harmed;

WHEREAS, pursuant to section 5705.15 and 5705.16, subsequent to the adoption of this Resolution, it is necessary to prepare a petition for filing with the State of Ohio Tax Commissioner, setting forth the name and amount of the Miscellaneous Capital Project Fund, the General Fund to which moneys from the Miscellaneous Capital Fund will be transferred and the reason or necessity for the transfer along with copies of this Resolution and full statement pertaining to its passage; and

WHEREAS, the current economic crisis has negatively impacted revenues received by the Township; and

WHEREAS due to the economic crisis, this Board of Trustees has determined reviewing all pertinent information that it is necessary and in the best interest of Waterville Township to declare the necessity for the transfer of all Funds in the Miscellaneous Capital Projects Fund to the General Fund, to direct the County Prosecutor to prepare and forward a petition concerning the transfer of said funds to the Ohio Tax Commissioner for review and approval, , as provided in Section 5705.15 and 5706.16.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees' of Waterville Township, Lucas County, State of Ohio

SECTION 1

The Waterville Township Board of Trustees hereby declares that an economic crisis makes it necessary to transfer all funds in the Miscellaneous Capital Projects Funds No. 4901 "Miscellaneous Capital Project Fund"), in the amount of \$335,778, to the General Fund, pursuant to Sections 5705.15 and 5706.16 of the Ohio Revised Code.

SECTION 2

The County Prosecutor is hereby directed to prepare a petition and is further directed to forward copy of said petition to the Ohio Tax Commissioner for review and approval.

SECTION 3

This Resolution is hereby declared and emergency in the interest of the operating interest of the Township and its citizens and for the further purposes of immediately declaring the necessity for the transfer of all funds in the Miscellaneous Capital Project Fund, in the amount of \$335,778 to the General Fund.

SECTION 4

Provided this Resolution receives the affirmative vote of three members it shall take effective immediately upon its adoption and approval; otherwise, it shall take effect and be in force at the earliest possible time provided by law.

SECTION 5

It is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Resolution were adopted in an open meeting of this Board were in meetings were open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

**Mr. Hertzfeld** seconded Resolution #2018-06 and the roll being called upon its adoption, the vote resulted as follows:

Kyle Hertzfeld, Aye  
Brett Warner, Aye  
Richard Wheeler, Aye

Adopted February 28, 2018    Attest:              s/s/Jennifer Bingham            
Jennifer Bingham, Fiscal Officer  
Waterville Township

**2017 Annual Financial Statements**

Ms. Bingham reported that Township’s 2017 Annual Financial Statements have been filed. A notice has been posted on the Township’s website and hall as to their availability. An advertisement will be run in the Mirror next week.

**RESOLUTION #2018-07 APPROPRIATION OF FUNDS FOR THE FINAL  
PAYMENT OF THE NOWARD ROAD IMPROVEMENT PROJECT**

The Board of Trustees of Waterville Township, Lucas County, Ohio met at a regular meeting of the Board, on February 28, 2018; whereupon the following resolution came on for consideration on the approved agenda of the Board:

WHEREAS, the Lucas County Engineer’s Office presented to the Township the final payments for the Noward Road Improvement. The final payments represent the Township’s share of payment to Crestline Paving in the amount of \$24,259.79 and the



No.	Post Date	Payee	Amount	Purpose
7-2018	2/4/18	Fifth Third Bank	\$937.60	- Operating Supplies
8-2018	2/14/18	Treasurer of State of Ohio	\$596.73	- Withholding
9-2018	2/14/18	U.S. Treasury	\$3,016.17	- Withholding
10-2018	2/14/18	Ohio Deferred Compensation	\$400.00	- Withholding
12-2018	2/26/18	Bureau of Workers' Compensation	\$809.16	- Withholding
13-2018	2/26/18	Fifth Third Bank	\$869.94	- Operating Supplies
39129	2/2/18	Jennifer L Bingham	\$1,348.09	- Payroll
39130	2/2/18	Eric H. Gay	\$375.11	- Payroll
39131	2/2/18	Kyle James Hertzfeld	\$735.10	- Payroll
39132	2/2/18	Robert Long	\$87.99	- Payroll
39133	2/2/18	Brett T Warner	\$912.84	- Payroll
39134	2/2/18	Richard C Wheeler	\$910.43	- Payroll
39135	2/4/18	Delta Dental Plan of Ohio	\$44.05	- Withholding
39136	2/4/18	Medical Mutual of Ohio	\$6,917.80	- Health Care Premium
39137	2/14/18	Ricardo A. Artiaga Jr.	\$662.78	- Payroll
39138	2/14/18	Brian B Biegajski	\$1,191.81	- Payroll
39139	2/14/18	Richard E. Bingham	\$1,771.49	- Payroll
39140	2/14/18	Harry Richard Kellett III	\$1,139.40	- Payroll
39141	2/14/18	Richard Allan Ludwig	\$1,221.37	- Payroll
39142	2/14/18	Michelle L. Mc Devitt	\$179.71	- Payroll
39143	2/14/18	Jerry Robinson Jr.	\$1,115.59	- Payroll
39144	2/14/18	Daniel Martin Stuber	\$1,143.06	- Payroll
39145	2/14/18	Shaun Edward Wittmer	\$1,175.20	- Payroll
39146	2/4/18	Treasurer of State of Ohio - Audit	\$1,045.50	- Audit Fees
39147	2/4/18	The Waterville Gas Company	\$293.52	- Utilities - Gas
39148	2/4/18	G & N Alarm Service LLC	\$288.00	- Contracted Service
39149	2/4/18	General Pro Hardward	\$15.25	- Operating Supplies
39150	2/4/18	B & L Auto Service Inc	\$725.25	- Repair & Maintenance
39151	2/4/18	Spectrum Business	\$155.12	- Utilities - Internet
39152	2/4/18	Vance Outdoors, Inc	\$372.40	- Operating Supplies
39153	2/4/18	Lucas County Coroner Toxicology Lab	\$270.00	- Operating Supplies
39154	2/4/18	The Lawft	\$96.99	- Uniform
39155	2/4/18	Expresso Car Wash	\$4.00	- Repair & Maintenance
39156	2/4/18	Anthony Wayne Board of Education	\$400.69	- Fuel
39157	2/7/18	The Waterville Gas Company	\$371.28	- Utilities - Gas
39158	2/7/18	City of Waterville - Water Dept.	\$59.84	- Utilities - Water
39159	2/7/18	Treasurer of Lucas County - Taxes	\$15.53	- Taxes
39160	2/7/18	Toledo Edison	\$689.55	- Utilities - Electric
39161	2/7/18	The Mirror	\$60.00	- Advertising
39162	2/7/18	Ohio Compost and Recycling LLC	\$9,000.00	- Contracted Service
39163	2/7/18	Toledo Edison	\$228.96	- Utilities - Electric
39164	2/7/18	Century Link	\$53.09	- Utilities - Telephone
39165	2/8/18	City of Waterville - Fire	\$27,976.50	- Contracted Service
39166	2/18/18	Lisa L. Cole	\$150.00	- Contracted Service
39167	2/18/18	Renee Hertzfeld	\$106.25	- Contracted Service
39168	2/18/18	Toledo Edison	\$1,312.36	- Utilities - Electric
39169	2/18/18	Sanderson Law Office, LLC	\$216.00	- Contracted Service
39170	2/18/18	Anthony Wayne Board of Education	\$493.78	- Fuel
39171	2/18/18	Stevens Disposal & Recycling Service	\$4,658.35	- Contracted Service
39172	2/19/18	Hanifan-Obenauf-Robinson, Inc.	\$1,300.00	- Lease

39173	2/21/18	Kenneth E. Schondel	\$150.00	- Cemetery Lot
39174	2/21/18	David Robenstine	\$238.00	- Contracted Service
39175	2/21/18	The Mirror	\$80.00	- Advertising
39176	2/21/18	Century Link	\$49.31	- Utilities - Telephone
39177	3/1/18	Ricardo A. Artiaga Jr.	\$708.40	- Payroll
39178	3/1/18	Josh Arvay	\$137.27	- Payroll
39179	3/1/18	Brian B Biegajski	\$1,440.46	- Payroll
39180	3/1/18	Richard E. Bingham	\$1,771.49	- Payroll
39181	3/1/18	Harry Richard Kellett III	\$972.89	- Payroll
39182	3/1/18	Richard Allan Ludwig	\$1,332.82	- Payroll
39183	3/1/18	Michelle L. Mc Devitt	\$231.99	- Payroll
39184	3/1/18	Jerry Robinson Jr.	\$862.76	- Payroll
39185	3/1/18	Daniel Martin Stuber	\$1,092.40	- Payroll
39186	3/1/18	Shaun Edward Wittmer	\$1,091.37	- Payroll
39187	2/23/18	Delta Dental Plan of Ohio	\$176.19	- Withholding
39188	2/23/18	Medical Mutual of Ohio	\$12,546.62	- Health Care Premium
39189	2/23/18	Veriozon Wireless	\$130.48	- Utilities - Cell Phone
39190	2/23/18	Expresso Car Wash	\$4.00	- Repair & Maintenance
39191	2/26/18	Steve Rogers Ford	\$7.36	- Repair & Maintenance
39192	2/26/18	Kenn-Feld Group	\$79.71	- Operating Supplies
39193	2/26/18	SuperFleet MasterCard Program	\$1,722.50	- Fuel
39194	2/26/18	Cintas Corporation	\$103.33	- Contracted Service
39195	2/26/18	Kenn-Feld Group	\$118.20	- Repair & Maintenance
39196	2/28/18	Voided	\$0.00	- n/a
39197	2/28/18	Jennifer L Bingham	\$1,387.48	- Payroll
39198	2/28/18	Eric H .Gay	\$375.11	- Payroll
39199	2/28/18	Kyle James Hertzfeld	\$749.04	- Payroll
39200	2/28/18	Robert Long	\$87.99	- Payroll
39201	2/28/18	Brett T Warner	\$912.84	- Payroll
39202	2/28/18	Richard C Wheeler	\$910.43	- Payroll
39203	2/27/18	Lucas County Engineers	\$2,727.00	- Noward Road Project
39204	2/27/18	Lisa L. Cole	\$150.00	- Contracted Service

Moved to approve by **Mr. Wheeler** and seconded by **Mr. Hertzfeld**. Motion carried.

## **OLD BUSINESS**

### **Update on Health Insurance Plan**

**Mr. Warner** provided an update that all employees had completed the necessary questionnaire to begin the quoting process. **Mr. Warner** stated that the Township is seeking additional brokers to quote insurance options. Two brokers have declined to the small size of the Township. The current broker, Phillip Johnson and Ben Ottly, the broker for the Village of Whitehouse will be working on behalf of the Township. **Mr. Warner** hopes to have quotes by April 1<sup>st</sup>. **Mr. Warner** asked the Trustees if they felt there would be value in convening a Committee, to include township residents to review the quotes provided. **Mr. Wheeler** and **Mr. Hertzfeld** agreed there would be value. **Mr. Warner** made a motion to form a committee **Mr. Wheeler** seconded.

**Mr. Warner** asked the Fiscal Officer to post on the Township Website a request for interested residents to submit a letter of interest including their experience, knowledge and expertise to his attention by April 1<sup>st</sup>.

**Resolution Supporting Motor Vehicle Fee Increase for County Road Ways**

**Mr. Pniewski**, Chief Deputy Engineer, Lucas County stated that the proposed resolution would generate \$1.8 million annually for County roads. Costs for salt have increased 300% and paving materials have increased 200%. \$7 million dollars is needed annually to maintain the county roads. The County continues to work on extending the period of repaving from every 20 years to every 30 years. **Mr. Pniewski** stated the last increase to the Motor Vehicle License plate fee was in 1989. **Mr. Pniewski** stated Monclova, Springfield, Richfield, Providence and Jerusalem Townships have already passed resolutions in support of the increased fee and others are meeting and expected to pass the resolution in the coming days.

**RESOLUTION #2018-08 IN SUPPORT OF THE BOARD OF  
LUCAS COUNTY COMMISSIONERS TO ENACT A COUNTY MOTOR VEHICLE  
LICENSE FEE PURSUANT TO OHIO REVISED CODE CHAPTER 4504.24**

**Mr. Wheeler** moved the adoption of the following resolution:

**Be it resolved** by the Waterville Township Board of Trustees:

**WHEREAS**, this Board of Trustees recognizes the importance of maintaining county roads and that the funds available for road maintenance remain stagnant while the cost of road maintenance is increasing; and

**WHEREAS**, this Board of Trustees recognizes the importance of the county road system has on the orderly and efficient flow of traffic within and through the county including the Townships and Municipalities of Lucas County, Ohio; and,

**WHEREAS**, Ohio Revised Code Chapter 4504.24 allows the Board of Lucas County Commissioners to levy an additional annual license fee of \$5.00 upon the operation of motor vehicles on the public roads and highways in the county for any authorized purpose including paying for the construction, reconstruction, improvement, maintenance, and repair of highways, roads, and streets designated as necessary or conducive to the orderly and efficient flow of traffic within and through the county, repair of bridges and culverts, the costs and expenses of administering the license plate tax, for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment, and for planning, constructing, and maintaining suitable buildings to house road equipment;

**NOW THEREFORE, BE IT RESOLVED**, by the Waterville Township Board of Trustees, THAT, the Board of Trustees supports the Board of Lucas County Commissioners in the enactment of the additional annual motor vehicle license fee allowed under Ohio Revised Code Chapter 4504.24.

**Mr. Hertzfeld** seconded Resolution #2018-08 and the roll being called upon its adoption, the vote resulted as follows:

Kyle Hertzfeld, Aye  
Brett Warner, Aye  
Richard Wheeler, Aye

Adopted February 28, 2018      Attest:                              s/s/Jennifer Bingham            
Jennifer Bingham, Fiscal Officer  
Waterville Township

I certify that this is a true and accurate copy of a motion adopted at the February 28, 2018 meeting of the Waterville Township Board of Trustees.

**Bi-Monthly Township Board of Trustees Meetings**

**Mr. Warner** suggested that with the results from the recent audit that the Board of Trustees should meet on a bi-monthly basis. The focus of the additional meeting would be on financial matters and **Mr. Warner** stated that the Police Chief and Zoning Inspector would not need to attend.

**Mr. Warner** made a motion to change the frequency of the Waterville Township Board of Trustees meeting beginning in March from the fourth Wednesday of each month to the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of the month. The meetings will be held in the Township Hall located at 621 Farnsworth Road, Waterville, OH. The meetings will begin at 7:00 p.m. **Mr. Wheeler** seconded. Motion carried.

**NEW BUSINESS**

**Fire Service Boundaries** – James Bagdonas, City of Waterville Municipal Administrator presented an amendment to the current Fire Service Contract. Currently fire and emergency medical services are split between the fire departments of Waterville and the Village of Whitehouse. The amendment is a map that does not change response coverage, but rather seeks to clarify coverage. The amendment does not change any terms of the existing contract for fire services.

**Mr. Warner** moved to approve the amendment to the fire services contract. **Mr. Hertzfeld** seconded. Motion carried.

**DEPARTMENT REPORTS**

**Police Department**

**Chief Bingham** requested permission to dispose of a desk that is listed on the department’s inventory. The desk is broken and not worth selling. **Mr. Warner** moved to approve the disposal of the broken desk. **Mr. Wheeler** seconded. Motion carried.

**Chief Bingham** advised the Trustees that the department was awarded \$9,000 from the Edward Byrne Memorial Justice Assistance Grant (JAG). The grant requires a 10% match. The department intends to purchase new in car computers and keyboards with these funds.

**Chief Bingham** provided an update to the Trustees on recent seizures and forfeitures as the result of the Township Police Department’s activities. The department expects to receive \$785 from a drug case forfeiture and funds from the sale of a 2004 Toyota Camry. Also the Police Department’s

dog, Veda recently assisted the Ohio State Highway Patrol in a drug bust, successfully removing illegal substances from the area and the seizure of \$2,000 in cash, a portion of which will be awarded to the Township Police department. Veda also assigned the Lucas County Sherriff's office in the seizure of drugs and over \$1,000 of cash, a portion of which will be awarded to the Township Police Department.

**Chief Bingham** requested approval for the cost of sending Officer Kellett to Shot Gun Instructor School at a cost of \$595. These classes are offered infrequently and there is a need to have Officer Kellett certified. **Mr. Warner** moved to approve the payment of the registration fee for Officer Kellett to attend Shot Gun Instructor School. **Mr. Hertzfeld** seconded. Motion carried.

**Chief Bingham** requested approval for the cost of attending the Ohio Chief of Police In-Service at a cost of \$630. **Chief Bingham** stated that he has not attended an In-Service session for 2 years. **Mr. Warner** moved to approve the payment of the registration fee for Chief Bingham to attend the Ohio Chiefs of Police In-Service. **Mr. Hertzfeld** seconded. Motion carried.

**Chief Bingham** advised that Officer Brian Biegajski who provide information technology support to the Police Department has identified an alternative for providing internet service to the Township Garage. The employees at the garage currently do not have access to Township email or the ability to search for parts online. The one-time cost of installing an antennae to extend the current Township service to the garage would be \$400. **Mr. Warner** recommended tabling the topic until the next meeting.

**Chief Bingham** requested permission for the Police Department to enter into a one-year lease for a high speed, high capacity copier, printer and fax at a monthly cost of \$94. The department currently spends more than this on printer cartridges and paper. The lease includes the printing of 2,000 pagers per month, toner, and service as needed. Additional the machine would send any faxes to a pdf file, which will eliminate any unnecessary printing. **Mr. Warner** moved to approve the disposal of the broken desk. **Mr. Hertzfeld** seconded. Motion carried.

**Chief Bingham** stated he has been approached by Mr. McAfee from Anthony Wayne High School who was seeking a \$100 donation to a scholarship for students interested in pursuing a public safety degree. **Chief Bingham** stated he believe this was a good and requested permission to make a donation on behalf of the Township. **Mr. Warner** moved to approve the donation to the Anthony Wayne High School scholarship. **Mr. Hertzfeld** seconded. Motion carried. **Chief Bingham** thanked the Trustees and stated the he too had made a personal contribution. **Mr. Wheeler** stated that he would like to make a \$100 contribution as well.

### Roads/Cemeteries

**Mr. Warner** stated that the Trustees were in receipt of a letter from the employees questioning the current overtime payment policy. **Ms. Bingham** stated that she had met with **Richard Ludwig** and reviewed the current policy on the payment of overtime. In 2017 the Board of Trustees passed a motion to pay overtime Monday through Friday only after 40 hours were worked, if an employee took sick time as part of the week, this was factored into the payment calculation. The employees are paid time and a half on Saturdays and Sundays as well as holidays. **Mr. Wheeler** stated that he met with Mr. Ludwig and believes the policy should be reviewed, along with the health insurance benefits and the compensation paid to our police officers. **Mr. Wheeler** stated that another finding from the audit was incomplete employee files and that should be address. **Mr. Warner** stated that he would be meeting with maintenance department and would like to review matters at the next meeting.

**Mr. Hertzfeld** presented for review and approval the quotes to replace tires on the plow truck. The cost of new tires would be \$1,756.96. The department was also going to replace the light bar on the top of the plow as the salt is eating away at the bar. The cost to replace the light bar would be less than \$100. **Mr. Hertzfeld** motioned to approve the replacement of tires on the plow truck. **Mr. Wheeler** seconded. Motion carried.

### **Refuse**

**Mr. Hertzfeld** stated that he was working on obtaining quotes. **Mr. Wheeler** stated that both ARS and Republic Services were also interested in quoting their services for the Township.

### **Zoning**

**Mr. Gay** reported that five permits had been issued year-to-date including an appeal to the Board of Zoning Appeal, a rezone request and one permit that was completed in error for an update to a cell tower on old State Route 24. Mr. Bagdonas, Municipal Administrator, City of Waterville, reviewed the recent annexation of property, which included land east of the railroad. Mr. Gay indicated to an updated drawing of the Township, which was provide by the County and is hanging in the Town Hall.

**Mr. Gay** stated that he was approached by Clarence Hertzfeld about placing an accessory building on his property. The current zoning code requires accessory buildings to be placed on parcels with a residence. Mr. Hertzfeld's land residence is in Monclova Township and the land for the accessory building is in Waterville Township. This request was discussed at the Zoning Commission meeting in January, and the recommendation was for Mr. Hertzfeld to contact the planning commission and perhaps place a deed restriction on both parcels linking them in perpetuity. Once this has been completed, Mr. Hertzfeld can file the permit for the accessory building with Waterville Township.

**Mr. Gay** stated that the Board of Zoning Appeals met to approve the temporary trailer for living quarters while a home lost to fire is rebuilt on Whitehouse Spencer Road.

**Mr. Gay** stated there is a need for another Board of Zoning Appeals for a request from Johns Manville to extend the use of their temporary trailers, which are currently being used for a construction project.

**Mr. Gay** stated that the original Plats 9 and 10 from Crimson Hollow that is about 40 acres was recently sold and there is a request with the Planning Commission to rezone the land. There will be a hearing with the Planning Commission on the request then there will need to be a hearing of the Zoning Commission following by a hearing of the Trustees. The plan is to rezone from agricultural to residential zoning for one-acre parcels to meet the demand for larger lots for new residential construction

**James Fischer**, Vice Chair Zoning Commission stated that John Widmer, proposed consultant for the reorganization of the Township's Zoning Resolution met with the Zoning Commission at its last meeting to review the proposed scope of work.

**Mr. Fischer** stated that in light of the current financial status of the township, he was willing to forgo the monthly stipend he will receive as a member of the Zoning Commission. **Ms. Bingham** advised the Trustees that Zoning Commission members are paid at the end of the year. The Trustees felt it was not necessary at this time for Mr. Fischer to forgo the monthly stipend.

**Mr. Fischer** suggested that the Trustees secure a road improvement guarantee for work done on Noward Road. Additionally, he suggested that the Roads department examine the work one month prior to the guarantee's expiration to make sure it has held up and request any repairs that might be needed prior to the expiration of the guarantee.

**Ms. Sullivan**, Chair Board of Zoning Appeals thanked Trustee Wheeler for his prompt responses to the homeowners who recently filed the appeal for a temporary trailer while their home is rebuilt.

**Mr. Warner** stated that since the Zoning Secretary had resigned at the last meeting, there was no one available to take notes at the Board of Zoning Appeals meeting on February 26, 2018. He decided to hire a court reporting and requested approval for the payment of the invoice for those services. **Mr. Wheeler** motioned to approve the payment for the court reporter fees for the February 26, 2018 Board of Zoning Appeals Meeting. **Mr. Hertzfeld** seconded. Motion carried.

**Mr. Warner** thanked the Zoning Commission for the drafting of the Zoning Secretary's job description. He stated that four individuals has applied for the Zoning Secretary position. **Mr. Warner** asked if the Trustees felt there should be a residency requirement for the individual awarded the position. The Trustees felt that the position should be awarded to the most qualified candidate. **Mr. Warner** asked Mr. Fischer and Ms. Sullivan and Mr. Hertzfeld if they would form an Interview Committee. All three indicated their willingness to serve on an Interview Committee. **Ms. Bingham** asked it was ok to remove the posting for the position. **Mr. Warner** indicated that the posting could be removed from the website.

**Chief Bingham** stated that he received a letter that was sent to the Lucas County Sheriff's Office on a property. He has not been able to reach the Property Standards Officer to share the complaint.

### ***Fiscal Officer's Correspondence***

**Ms. Bingham** stated the following correspondence was received during the month of February:

- Township responded to one request for Public Records during the month.
- Request received from the University of Toledo Athletic Department requesting a donation to their Spring Reverse Raffle and Auction.
- The Trustees and the Roads Superintendent are to meet with the Lucas County Engineer's Office on March 1<sup>st</sup> to discuss problems of mutual interest and County projects.
- The County Engineers Office sent a letter indicating their inspection of the Davis Road and Winslow Road bridges was completed. They reported the Davis Road bridge is in very good condition and the Winslow Road bridge is in excellent condition.
- Notice from Spectrum of upgrades in the area. Chief Bingham has advised that the Police Department will not need additional equipment as a result of the upgrade
- Invite to the Lucas County Farm Bureau Breakfast on March 23rd

### **TRUSTEE REPORTS**

#### ***Duke Wheeler***

**Mr. Wheeler** thanked Ms. Sullivan and Mr. Gay for the great job they did with the recent Board of Zoning Appeals application. **Mr. Wheeler** stated that he attended the TMACOG meeting for newly elected officials and that he attended the Ohio Township Association meeting last month and

attending session for both the Fiscal Officer and the Trustees. He had the opportunity to meet with the attorney representing Nexus. **Mr. Wheeler** stated that they discussed the burying of electrical lines to which he was told it would represent a \$390,000 cost rather than \$50,000 for above ground lines. He also stated that the attorney for Nexus stated that they were not required to bury the cables per zoning code. **Mr. Wheeler** stated he believed the Township should evaluate have the Audit of State perform a proficiency assessment which is a detailed review on the processes performed by the Fiscal Officer. He stated he would get more information. Mr. Wheeler recommended that the Township look into hiring a payroll company to assist with processing Township's payroll. **Ms. Bingham** stated that the prior Fiscal Officer utilized a payroll service and it resulted in more work, and that currently the cost for such service was not feasible and that the Uniform Accounting Network (UAN) currently provides the appropriate resources for processing payroll. Mr. Wheeler stated it is something that should be looked at and he believes that in the long run it would save time and money to the Township.

**Mr. Sidener** asked Mr. Wheeler if the electrical lines for the compressor station were going to be above ground. Mr. Sidener stated that he believes that puts the township at risk for possible terrorist threats. John Borrell, Lucas County Assistant Prosecutor advised that the Township does not have the authority to mandate that the lines be buried below ground. Ms. Gifford asked if there were a mandatory evacuation would she be required to leave her home against her wishes. Chief Bingham indicated mandatory would mean required evacuation and any charges would be referred to the Lucas County Prosecutor's Office. Mr. Borrell stated that the Zoning regulations can regulate the residents of the township, but not Nexus as they are subject to Federal law, which supersedes local laws. Mr. Miller stated that he wanted it on record that the Township residents wanted the lines buried. Ms. Gifford asked the Trustees if they had attended any of the prior meetings on Nexus. Scott Sanholz wanted to make sure the Trustees are doing the right thing whether that means burying the lines or having them above ground.

**Kyle Hertzfeld** no comments.

**Brett Warner** stated that he had attended the Lucas County Township Association Meeting in the past month. He stated he was going to meet with the Roads Department. Mr. Warner provided copies of the Township Officials Directory and provided maps to the Zoning Inspector. Mr. Warner stated that he spoke with Monclova Township Trustees and with officials from the Ohio Township Association. Mr. Warner stated that he attended the TMACOG meeting where regional water was the topic of discussion. Mr. Warner also attended the recent Board of Zoning Appeals Meeting. Mr. Warner stated that he did not attend the OTA Winter Conference and was able to cancel his registration and hotel at no cost to the Township. Mr. Warner asked if the Township Department's had completed their inventories. Ms. Bingham stated that the Police Department had completed theirs, but she did not receive one for the Roads Department. Mr. Warner is planning to attend a meeting next week with the Lucas County Engineers. Mr. Warner asked if any of the officials had received a request from Sensocensus. Ms. Schneider advised that Keith Moosman, prior Trustee had received the request. Mr. Warner stated that he would like to prepare a newsletter to be mailed at the end of the first quarter. He asked each Trustee to write a short article. He was writing an article on the recording of the Township meetings and was working to Dan Lawrence to provide a link to sign up using email to receive the newsletter. Mr. Warner suggested the newsletter could include an update on Nexus, something from the Police Department and a financial update.

**PUBLIC COMMENTS**

Ms. Sullivan asked if the agenda to the meetings could be posted to the website ahead of the meeting. Mr. Warner advised that at the moment the agendas are fluid, but that the Trustees could consider posting the agenda ahead of time in the future. Mr. Borrell advised the agenda could be posted with a notice that it was subject to change.

There being no further business to be brought before this Board **Mr. Hertzfeld** made a motion to adjourn. Seconded by **Mr. Wheeler**. Motion carried.

Adjourned at 9:13 p.m.

Attest: s/s/Jennifer Bingham

Trustees: s/s/Brett Warner

s/s/Kyle Hertzfeld

s/s/Duke Wheeler

*Original on file*