

RECORD OF PROCEEDINGS
Waterville Township Trustees' Meeting

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

OFFICIALS:

Chairman – Brett Warner – present
Vice Chairman - Kyle J. Hertzfeld – absent
Trustee – Duke Wheeler - present
Fiscal Officer Jennifer Bingham – present
Chief of Police – Richard Bingham - present
Zoning Inspector – Eric Gay – present
Assistant County Prosecutor – John Borell – present
Assistant County Prosecutor - Elaine Szuch - 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: Karen Gerhardinger, Toby Miller, Bill Walborn, Kay Gifford, Charles Gifford, Martha Wheeler, Christy Geha, Joe Yeager, Dawn Sanderson, Karen Schneider, James Fischer, Eileen Sullivan, Larry Myers

MINUTES

Mr. Warner made a motion to approve the minutes of the March 14, 2018 meeting with no additions, deletions, and/or corrections. Seconded by **Duke Wheeler**. Motion Carried.

PUBLIC COMMENTS

Mr. Warner stated that he has received positive feedback on the availability of the recordings; however, he stated that it is difficult for individuals to know who is making the comments, so he asked that individuals identify themselves each time they speak.

There were no public comments.

AGENDA

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

FISCAL OFFICER'S REPORT

Purchase Orders

Ms. Bingham presented new Purchase Orders for signature. These were set up based on the Township Permanent Appropriations

Payment of Warrants

Ms. Bingham requested the Board's approval for the payment of the following vouchers and warrants:

No.	Post Date	Payee	Amount	Purpose
46-2018	3/26/18	Lucas County Auditor	\$0.01	- Tax Collection Fees
47-2018	3/24/18	Lucas County Auditor	\$13,246.04	- Tax Collection Fees
22-2018	3/24/18	Fifth Third Bank	\$489.70	- Operating Expenses
39230	4/1/18	Ricardo A. Artiaga, Jr	\$576.39	- Payroll
39231	4/1/18	Brian B. Biegajski	\$1,199.02	- Payroll
39232	4/1/18	Richard E. Bingham	\$1,771.49	- Payroll
39233	4/1/18	Harry Richard Kellett, III	\$996.67	- Payroll
39234	4/1/18	Richard Allan Ludwig	\$947.22	- Payroll
39235	4/1/18	Michelle L. McDevitt	\$168.03	- Payroll
39236	4/1/18	Jerry Robinson Jr.	\$999.71	- Payroll
39237	4/1/18	Daniel Martin Stuber	\$1,181.46	- Payroll
39238	4/1/18	Shaun Edward Wittmer	\$1,173.99	- Payroll
39239	3/21/18	Century Link	\$42.35	- Utilities - Telephone
39240	3/21/18	Toledo Edison	\$1,871.39	- Utilities - Electric
39241	3/21/18	Verizon Wireless	\$130.48	- Utilities - Cell Phone
39242	3/21/18	Cintas Corporation	\$111.33	- Office Maintenance
39243	3/21/18	Steve Rogers Ford	\$175.63	- Vehicle Maintenance
39244	3/24/18	Medical Mutual of Ohio	\$8,651.95	- Health Insurance Premiums
39245	3/26/18	Voided	\$0.00	- Voided
39246	3/26/18	Voided	\$0.00	- Voided
39247	3/26/18	Kenn-Feld Group	\$73.72	- Vehicle Maintenance
39248	3/26/18	Hanifan-Obenauf-Robinson, Inc.	\$1,300.00	- Office Lease
39249	3/26/18	Steve Rogers Ford	\$168.18	- Vehicle Maintenance
39250	3/26/18	Voided	\$0.00	- Voided
39251	3/26/18	Voided	\$0.00	- Voided
39252	3/26/18	SuperFleet MasterCard Program	\$1,003.27	- Fuel - Township Vehicles
39253	3/26/18	The Mirror	\$104.50	- Advertisting
39254	3/28/18	Jennifer L. Bingham	\$1,387.48	- Payroll
39255	3/28/18	Eric H. Gay	\$375.11	- Payroll
39256	3/28/18	Kyle James Hertzfeld	\$749.04	- Payroll
39257	3/28/18	Richard Allan Ludwig	\$1,234.96	- Payroll
39258	3/28/18	Robert Long	\$87.99	- Payroll
39259	4/15/18	Ricardo A. Artiaga, Jr	\$692.59	- Payroll
39260	4/15/18	Brian B. Biegajski	\$1,299.77	- Payroll
39261	4/15/18	Richard E. Bingham	\$1,940.43	- Payroll
39262	4/15/18	Harry Richard Kellett, III	\$1,115.60	- Payroll
39263	4/15/18	Michelle L. McDevitt	\$393.82	- Payroll
39264	4/15/18	Jerry Robinson Jr.	\$1,078.71	- Payroll
39265	4/15/18	Daniel Martin Stuber	\$1,204.82	- Payroll
39266	4/15/18	Shaun Edward Wittmer	\$1,131.65	- Payroll
39267	3/27/18	U.S. Bank Equipment Finance	\$156.49	- Copier Lease
39268	3/27/18	Spectrum Business	\$155.08	- Utility - Phone/Internet
39269	3/27/18	Vance Outdoors, Inc.	\$284.20	- Operating Supplies
39270	3/27/18	Traffic Stop Uniform Supply	\$670.00	- Operating Supplies

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

Update on Transfer of Miscellaneous Capital Project Funds to the General Fund

Ms. Bingham advised the Trustees that she received a request for additional information from the Tax Commissioner regarding the Township's request to Transfer Funds. The information was provided to the Tax Commissioner on March 20th. An email was received late this afternoon for

additional information on the timing of the purchase of the vehicles and land and question on the source of funds in the Roads and Bridges Fund. A response will be sent by the end of the week.

Audit Statements

Mrs. Bingham shared that a link to the Ohio Auditor's Audit Search website has been posted on the Township's Website under Community Links.

OTARMA Risk Review

Mrs. Bingham shared that she and Chief Bingham met with a representative from OTARMA to complete the Township's Annual Risk Management Review. The OTARMA consultant provided some recommended job descriptions for the Roads and Cemetery staff.

NEXUS UPDATE

Mr. Wheeler attended the Nexus update. A construction plan was shared and safety topics were discussed. A history of the company and pipelines were given and **Mr. Wheeler** believes that Nexus will do a good job and construction is anticipated to start in the first week of April weather permitting. **Mr. Wheeler** stated there is an 800 number that has been made available for resident complaints.

Mr. Warner stated that he has noticed haul route signs posted along the main roads heading towards the work area. **Chief Bingham** stated that the posted signs are for heavy haul vehicles and he would try to provide the map handed out at the Nexus meeting. **Chief Bingham** also stated that the posted routes apply to heavy haul vehicles and that other construction related vehicles might be seen traveling on other roads in the Township.

OLD BUSINESS

Township Financial Update

Mr. Warner shared that he met with Brenda Miller and Cynthia McCafferty from the State Auditor's Office to review various township financial matters. He was provided a copy of the compensation law and the payroll certification should reflect closely the work the Trustees have done during the month. **Mr. Wheeler** stated that he spoke with four other townships and none of them complete the Payroll Certification forms. **Mr. Wheeler** presented the 2017 Payroll Certifications for Waterville Township Trustees, Karen Schneider, Keith Moosman and Kyle Hertzfeld and asked Ms. Bingham to explain what is presented on the forms. Ms. Bingham stated that she was not fiscal officer during the time in questions, but the forms reflect an approach by the prior Board of Trustees to report time across various funds. It was Ms. Bingham's understanding that this was done to help preserve the General Fund, and that she recalled Mr. Hertzfeld stating at a prior meeting that the Trustees were "on-call" to cover all areas of the township. **Mr. Wheeler** stated that all Trustees reported the same allocation of time, and believes that not having documentation to support that could potentially cause the Township to have to return funds and allocate past reported time to the General Fund.

Mr. Warner stated that in his meeting Ms. Miller stated if the Township meets the criteria for Fiscal Emergency, the State becomes the fiscal supervisor, and would appoint a commission to oversee the a planning and supervision plan for financial recovery. The Commission would include an appointee of the Governor, representatives from Lucas County government, and a trustee. Fiscal emergency can last from two years or more. The Township can request the Auditor complete a

financial analysis or we can wait until we reach a point where they will complete the analysis because of the Township's financials.

Mr. Warner shared that options were discussed on how to begin recovery. One option, which **Mr. Warner** was not in favor of, would be to propose a new tax levy. Another possible option would be to reallocate inside millage. Currently the Township's inside millage is 0.2 for the General Fund, 1.4 mills for the Roads/Bridges, and 2.1 mills for Police. The revenue from the inside millage is \$32,308 to the General Fund, \$79,156 to Roads/Bridges and \$123,588 for Police. When the funds are set to anything other than the General Fund, those funds cannot be used to pay expenses incurred by the General Fund, however, if the Funds were reallocated to the General Fund, the General Fund could pay expenses for any of the Township's funds. In addition to the inside millage, **Mr. Warner** shared the outside, voter approved, millage which included three additional levies for the police, two for the fire district, and two for refuse.

Mr. Warner stated that Ms. Miller provided him with the statute supporting the audit adjustment to move the funds from the sale of the Noward Road property into a Miscellaneous Capital Fund and share that Ms. Miller stated she would be surprised if the Tax Commissioner approved the request to move those funds back to the Township's General Fund.

Mr. Warner stated that even if those funds are moved back, that would only be a short-term fix, but by moving inside millage, all to the General Fund would alleviate the current situation. **Mr. Warner** did not recommend a vote at this time, as he would like for Mr. Hertzfeld to be available. **Mr. Warner** has already spoken with Lucas County Auditor, Anita Lopez and John Borell, Assistant Lucas County Prosecutor. Any changes made would not take effect until 2019. By taking some action, **Mr. Warner** believes it would show the State that the Township is taking action to remedy its financial situation. **Mr. Warner** stated that the staff at Local Government Services is available and willing to help.

Roads/Cemetery Overtime

Mr. Warner stated that he attempted to meet with Richard Ludwig, but he was not available. He will try to meet with him on Monday. **Mr. Wheeler** states he has seen the personnel policies for the Police Department and asks why we have none for the Road and Cemetery Departments. **Mr. Warner** stated that he has been unable to find any personnel policies, but he will ask Mr. Ludwig if he has copies of any.

Ms. Bingham asked if the Trustees wanted to know the source of the payroll information provided by Mr. Borell. Mr. Borell stated that the Federal Fair Labor Standards Law does not require the payment of overtime until 40 hours have been worked in a week. The Trustees can certainly offer to pay overtime. **Ms. Bingham** stated the currently approve overtime for the Roads and Cemetery personnel is after 40 hours worked Monday-Friday, time and a half on Weekends and time and a half on Holidays in addition to Holiday pay.

NEW BUSINESS

None

DEPARTMENT REPORTS

Police Department

Chief Bingham expressed concern over the possibility of cutting funds for the police. The Police Department works very hard to come in under budget. The Department is well regarded in northwest Ohio. **Chief Bingham** stated the department has had zero turnover in the last 4 years, they have been able to, with the help of grants, provide good equipment and he does not believe the residents of the Township would support decreasing funding for police.

Chief Bingham advised that the department received its provision certification for the 2017 Police Collaborative. In order to receive this certification the department meets state required standards for having policies and procedures up-to-date and in place as well as participation in Community Service events.

Chief Bingham provided a copy of a new Department policy on responding to Emergency Utility Service calls.

Chief Bingham requested permission to dispose of an old Brother Typewriter that is broken, and cannot be repaired. **Chief Bingham** stated it has a purchase value of less than 200 when it was original acquired. **Mr. Warner** made a motion to approve of the disposal of a Brother Typewriter. **Mr. Wheeler** seconded. Motion carried.

Mr. Warner clarified that he is not recommending cutting funding for the Police. He stated that most inside millage is not targeted for a particular agency or division of a Township. **Mr. Warner** stated that by moving inside millage to the General Fund, funds would be available to pay for expenses related to police operations.

Roads/Cemeteries

Nothing to report

Refuse

Mr. Wheeler stated that ARS had reached out to him about providing services, but that he informed them the contract is far enough away and the Township is focused on other issues at the moment.

Zoning

Mr. Gay reported he has issued 13 permits year to date, 2 for new residential construction. This compares to 10 permits issued for the same time period last year.

Mr. Gay stated that the Lucas County Planning Commission hearing for the rezoning request for the Telluride Development was held. **Mr. Wheeler** on behalf of Mr. Gay and advised the rezoning request was approved; however, the developer will need to utilize a construction route as requested by residents to ensure safety.

Mr. Warner stated that he attended the most recent Zoning Commission meeting and that the Property Standards Officer reported he was working on several matters.

Fiscal Officer's Correspondence

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

- Notice from the Lucas County Board of Commissioners about the FY2018 Allocation Program Application. Funds are for projects aimed at the elimination of slums and blight conditions or to benefit low and moderate-income individuals.
- Notice from the Department of Commerce regarding Liquor Permits expire June 2018 and holders must file renewal applications and the Township's right and process to object to a renewal.
- Invitation from the Area Office on Aging to attend an Educational and Informational Breakfast on the Opioid Crisis Impact on Older Adults.
- Notice of an Ohio EPA Meeting on Annual Toledo Harbor Dredging

TRUSTEE REPORTS

Duke Wheeler

Nothing

Brett Warner

Mr. Warner shared that he attending the Regional Fire District meeting. The City of Waterville, the Village of Whitehouse, Providence Township representatives were also in attendance. There is a possibility that Monclova Township may be interested in joining the proposed Regional Fire District. The presenter explained the process for establishing a Fire District and what each member's obligation for the feasibility study would be. **Mr. Warner** stated he believes a Regional Fire District would be beneficial to the Township. The Township Trustees would no longer need to negotiate for fire services and the current levies would be replaced by a single levy. **Mr. Warner** stated that there is a follow-up meeting during the first week of April that he will be attending.

PUBLIC COMMENTS

None

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

Adjourned at 7:46 p.m.

Attest: s/s Jennifer Bingham

Trustees:

 s/s/Brett Warner

 s/s/Duke Wheeler

Original on file