

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

Held at: 7:00 p.m. at the Waterville Township Hall on March 14, 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 – excused

**PLEDGE OF ALLEGIENCE:**

**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:** Scott Saneholtz, Bill Walborn, Kathy Gifford, Charles Gifford, Toby Miller, Karen Gerhardinger, Julie Theroux, Shaun Wittmer, Roy Sidener

**AGENDA**

**Mr. Warner** made a motion to approve the Agenda for the March 14, 2018 meeting. Seconded by **Mr. Hertzfeld**. Motion Carried.

**MINUTES**

**Mr. Wheeler** made a motion to approve the minutes of the February 28, 2018 meeting with no additions, deletions, and/or corrections. Seconded by **Mr. Hertzfeld**. Motion Carried.

**PUBLIC COMMENTS**

**Roy Sidener** stated that he appreciated the addition of audio recordings of the meeting. He inquired if a fast-forward feature could be added so an individual could jump to an area of interest. **Toby Miller** stated we would need to talk with the Township's webmaster to see if that is possible. **Mr. Miller** also recommended a download option if possible.

**Mr. Miller** presented a receipt for the donated audio recording equipment.

**Mr. Warner** thanked those who spoke for their comments.

**FISCAL OFFICER'S REPORT**

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

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

**Purchase Orders**

**Ms. Bingham** presented new Purchase Orders for signature. These were necessitated because the Township is currently working off Temporary Appropriations

**Payment of Warrants**

**Ms. Bingham** requested the Board’s approval for the payment of the following warrants:

No.	Post Date	Payee	Amount	Purpose
15-2018	3/10/18	OPERS	\$8,699.94	- Withholding
18-2018	3/14/18	Bureau of Workers' Compensation	\$381.05	- Withholding
19-2018	03/14/18	Treasurer State of Ohio	\$446.63	- Withholding
39205	3/08/18	Vance Outdoors, Inc.	\$170.00	- Operating Supplies
39206	3/15/18	Ricardo A. Artiaga, Jr.	\$547.71	- Payroll
39207	3/15/18	Richard Allan Ludwig	\$960.94	- Payroll
39208	3/15/18	Brian B Biegajski	\$1,025.12	- Payroll
39209	3/15/18	Richard E Bingham	\$1,771.49	- Payroll
39210	3/15/18	Harry Richard Kellett, III	\$972.89	- Payroll
39211	3/15/18	Michelle L. McDevitt	\$105.59	- Payroll
39212	3/15/18	Jerry Robinson Jr.	\$820.63	- Payroll
39213	3/15/18	Daniel Martin Stuber	\$863.99	- Payroll
39214	3/15/18	Shaun Edward Wittmer	\$970.60	- Payroll
39215	3/15/18	Sanderson Law Offices LLC	\$1,350.00	- Contracted Legal Svcs
39216	3/13/18	The Waterville Gas Company	\$419.53	- Utilities - Gas
39217	3/13/18	General Pro Hardward	\$44.44	- Operating Supplies
39218	3/15/18	Lucas County Coroner Toxicology Lab	\$105.00	- Other Operating Exp
39219	3/15/18	Impact Printing Services LLC	\$61.00	- Operating Supplies
39220	3/15/18	Steve Rogers Ford	\$40.76	- Repairs/Maintenance
39221	3/15/18	Spectrum Business	\$152.78	- Other Operating Exp
39222	3/15/18	Kalida Truck Equipment, LLC	\$114.07	- Repairs/Maintenance
39223	3/15/18	Treasurer State of Ohio - Audit	\$82.00	- Auditing Fees
39224	3/15/18	Anthony Want Board of Education	\$734.17	- Fuel (Roads/Police)
39225	3/15/18	Espresso Car Wash	\$4.00	- Repairs/Maintenance
39226	3/15/18	Moosman Bros. Property Services LLC	\$193.05	- Contracted Service
39227	3/15/18	Collins Reporting Service Inc	\$154.65	- Contracted Service
39228	3/15/18	Ohio Association of Chiefs of Police, Inc.	\$630.00	- Training
39229	3/14/18	Crest Line Paving & Excavating	\$24,259.73	- Noward Road

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

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

**Ms. Bingham** advised the Trustees that she has not received any notification from John Borrell, Assistant Lucas County Prosecutor on the Township’s request to the Ohio Tax Commissioner.

**Ms. Bingham** reminded the Trustees that we continue to be monitored for the Ohio Auditor’s Office. Monthly reports are provided as required. **Ms. Bingham** stated that she spoke with our monitor today and there is a request to meet with the Fiscal Officer and one Trustee before the end of the month.

**2018 Permanent Appropriations**

**Ms. Bingham** presented to the Trustees proposed 2018 Permanent Appropriations for their review. **Ms. Bingham** after consulting with the monitor is presenting the appropriations based on the current status of the Township’s financial status, that is the General Fund without the transfer request processed. At the recommendation of the monitor, **Ms. Bingham** asked the Trustees to review two options. The only difference in the appropriations presented is the funds from which the Trustee Salary, pension, withholdings and insurance premiums are paid. Option 1 shows 100% of the funds for these expenses paid from the General Fund. Option 2 reflects a split of these expenses 40% to the General Fund, 25% to the Roads and Cemetery Funds, 5% to the Cemetery Funds and 30% to the Police District. While the funds are not currently in the General Fund, the monitor’s recommendation is to proceed with making the final appropriations as we work through the transfer request process. The funds are available in the pooled totals, for the appropriations as presented in both options, however, the County Auditor’s office will not be able to certify the General Funds balance. Nothing will significantly change between now and month end and by law permanent appropriations are to be set before month end. The Township can make adjustments as we find options to reduce expenses. The primary focus of the Trustees will need to be protecting the General Fund. The monitor will be expecting the Trustees to begin showing actionable efforts to help shore up the General Fund. It should be noted that even if the transfer is approved the sustainability of the General Fund would not outlive current revenue and expenses beyond 2 years at the current rate. Options for consideration would be to introduce a levy to increase revenue and adopting other cost cutting measures. Failure to address shortfalls will inevitably result in the Township heading into a state of Fiscal Distress. The Trustees discussed the process for allocating their time across the departments of the Township. Trustee Wheeler asked if there was additional time to consider the options. **Ms. Bingham** stated that it would need be decided at this evenings meeting in order to permit time for her to process the appropriations in the Uniform Accounting Network system and to provide required notification to the County Auditor’s Office.

**RESOLUTION #2018-03 ADJUSTMENT TO THE WATERVILLE  
2018 PERMANENT APPROPRIATIONS.**

**Mr. Warner** moved the adoption of the following Resolution #2018-09:

Be it resolved, by the Board of The Board of Trustees of Waterville Township, Lucas County, Ohio, adopted the following Permanent Appropriations for the fiscal year ending December 31, during its regularly scheduled meeting on March 24, 2018. The Permanent Appropriation Resolution is approved and to be forwarded to the Lucas County Auditor’s Office; and

	Option 1
1000 - General Fund	197,117
Special Revenue Funds	
2011 - Motor Vehicle License Tax	2,500
2021 - Gasoline Tax	70,650
2031 - Road and Bridge	59,500
2041 - Cemetery	28,240
2071 - Garbage & Waste Disposal	71,250
2081 - Police	491,205



**Bingham** stated that by law the Township has met the requirement to advertise in a local newspaper, as well as our posting on the Township website and Town Hall the required annual filing notice for the 2017 Annual Financial Statements. This is a rather large document which may not be able to be hosted on the website, but if the Trustees wished to post it they could certainly do that. With respect to the Ohio Auditor's report, **Ms. Bingham** stated that this easily searchable on the Internet. **Ms. Bingham** stated again perhaps a link to the Ohio Auditor's website could be placed as a link on the Township's website.

### **TRUSTEE REPORTS**

**Duke Wheeler** stated that there was nothing new with respect to the Nexus project. **Mr. Wheeler** stated that the Safety Meeting has been rescheduled for later this month. **Mr. Wheeler** stated he has spoke with two residents who live close to the project with experience in the area who have great ideas, but unfortunately there is not much the Township can do to change Nexus plans. **Mr. Wheeler** stated that construction should start soon. **Mr. Wheeler** stated that the construction road route has been distributed along with an 800 number for landowner complaints. **Mr. Wheeler** said he had inquired with the State Auditor's office on the possibility of completing a performance review of processes, which the State indicated was not needed at this time. **Mr. Wheeler** stated that there needs to be job descriptions. **Mr. Wheeler** also stated that he spoke with the Local Government Services office and they are requesting a meeting. Mr. Wheeler also suggested that the Trustees should look at employee benefits, performance appraisals to determine if there are any other problems.

**Kyle Hertzfeld** stated that he has received proposal for the driveway cement work needed on Noward Road to fix homeowner driveways damaged as a result of the Noward Road Improvement Project. This will be an expense paid by the Township. **Mr. Hertzfeld** also stated that he has received two quotes for the maintenance-building roof. These will be added to the March 28<sup>th</sup> agenda.

### **Brett Warner**

**Mr. Warner** spoke with the Lucas County Engineer's office about Nexus' plans for lines to the pump station. **Mr. Warner** stated that Nexus submitted its permit in November 2017 and it was approved in early 2018. The permit was submitted and approved based on Waterville Township Zoning Regulations at that time. The current Zoning Regulations do not prohibit aerial lines. **Mr. Warner** stated that he would be attending the Zoning Commission meeting and speaking with the members about including some language with the current work they are doing on the review of the Zoning Regulations. **Mr. Warner** stated that should another pipeline (which is possible as land is owned south and west of the planned Nexus line) or should Nexus which to pull another permit, the Regulations if changed could require the lines be buried. **Mr. Warner** stated that there is a need for another Zoning Board of Appeals to review the extension of a temporary construction trailer permit from John Manville. **Mr. Warner** stated four candidates have applied for the open Zoning Secretary position. **Mr. Warner** also shared that the City of Waterville and the Village of Whitehouse are continuing to explore the possibility of forming a Regional Fire District. There is a meeting in the near future in which speakers who have experience in forming a Regional Fire District will be presenting information.

### **PUBLIC COMMENTS**

**Charles Gifford** asked if there was anything in the Ohio Code that would supersede the Township's Zoning Regulation to require Nexus to bury their lines. **Mr. Miller** stated that the Township cannot make them bury the lines.

**Kathy Gifford** asked how it possible that the Township does not have an employee handbook. **Chief Bingham** stated that the Police Department does have a handbook. **Mr. Miller** stated that care should be used in the development of an employee handbook as it can be determined to be an implied contract.

**Kathy Gifford** also asked if there were regulations on public utilities that could be used to require Nexus to bury the lines. **Shaun Wittmer** stated that the location determines which regulations apply and that the Township cannot make Nexus bury the lines. **MR. Wheeler** stated that the federal government approved Nexus' ability to submit a permit for the pump station.

**Toby Miller** stated that the landowners near the Nexus site have heard nothing from Nexus. He stated that by federal regulations Nexus is required to provide education and safety information and failure to do so can result in a daily fine of \$50,000. He intends to file a complaint.

**Chief Bingham** shared information that was provided to him at the first Safety Meeting. The site is a potential target for terrorist. They are also anticipating protesters possible at the site or Farnsworth Metropark. **Mr. Wheeler** stated that Nexus will meet with the safety personnel first and then residents.

**Bill Walborn** asked what the \$390,000 cost in 2017 in the Gasoline Tax fund represented. **Ms. Bingham** stated that the expense was related to the Noward Road Improvement Project and some funds were provided by the Ohio Public Works Commission. **Mr. Walborn** asked if the Trustees are responsible for the operations of the Township couldn't their salaries be expensed to all of the funds. **Ms. Bingham** stated that funds that are sourced from tax levies can only be used for the purpose of the tax. Gasoline tax funds could be used to pay for the salaries of the roads crews, but that the funds should be preserved to pay for any future road improvements (filling potholes, striping) and should not be used to pay Trustee salaries.

**Mr. Warner** thanked everyone for their comments.

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

Adjourned at 8:01 p.m.

Attest: s/s/ Jennifer Bingham

Trustees: s/s/ Brett Warner

s/s/ Kyle Hertzfeld

s/s/ Duke Wheeler

*Original on file*