

Minutes
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
Special Meeting
Wednesday, February 10, 2010

Meeting called to order: 10:37 a.m.

Members Present: Trustee Lynda Bowers, Trustee Donald Butler, Trustee Nanci Shanley, Fiscal Officer Shirley Bailey.

L. Bowers – Nanci, this is, this is your show. Why don't you take it over?

N. Shanley – I think Don has a resolution.

D. Butler – Yeah, **I move to recess into Executive Session pursuant to Ohio Revised Code Section 121.22 for the purpose of reviewing applications for the employment of a township secretary.**

L. Bowers – And the public purpose for going into Executive Session would be, Mr. Butler?

D. Butler – Common sense. We're going to review personal information of many people that should not be...

N. Shanley – It would be the appointment of, the appointment of pers..., I don't have the wording in front of me, but Mrs. Bowers does. It would be the appointing and consideration of personnel or something to that effect.

L. Bowers – Actually, what we're here to do today, what was published and what was requested, is to review the applications to decide who would be interviewed. Every one of these applications is public record. I don't think this is something that we are permitted to go into an Executive Session on, and even if we are, I don't know that there's a public purpose to do it. If you want to vote to go into Executive Session, I will attend and watch but I will be voting no.

N. Shanley – Well I think they're public record if anyone wants to view them. But as in any other discussion about any other appointment that I have been aware of and a part of, this would be no different.

L. Bowers – I disagree. But, you can second the motion if you'd like.

N. Shanley – I will second the motion.

L. Bowers – Moved by Mr. Butler, seconded by Mrs. Shanley to go into Executive Session. Roll call vote: Mr. Butler?

D. Butler – Yes.

L. Bowers – Bowers – no. Mrs. Shanley?

N. Shanley – Yes.

L. Bowers – I would like to note for the record that we are not discussing a specific employee, which I believe is required.

N. Shanley – Can you elaborate on that please?

L. Bowers – We're not discussing a specific employee. You've got the same Sunshine Law book that I've got.

N. Shanley – We will discuss all applications that have been submitted, one may be from an employee.

L. Bowers – And I disagree. But I'll go watch.

Executive Session convened at 10:40 a.m.

Special Meeting reconvened at 10:45 a.m.

L. Bowers – I reconvene the meeting at 10:45. Mr. Butler and Mrs. Shanley, do you have a motion?

N. Shanley – I will move that we set a date for interviews. The two individuals that we have selected for interview, which are Joy Turpin and Kimberly Ferencz.

L. Bowers – Mr. Butler, you have a second?

D. Butler – I'll second that motion.

L. Bowers – Moved by Mrs. Shanley, seconded by Mr. Butler to set interviews for Joy Turpin and Kim Ferencz. All in favor, aye?

D. Butler, L. Bowers, N. Shanley – Aye.

L. Bowers – And opposed, same sign. Got your calendars?

D. Butler – Well, I think it's basically at their availability too.

L. Bowers – Well, we can set a couple of times. We already have an Appropriations Meeting set for Monday the 15th, at 7:00 p.m. You want to try to put them in then?

N. Shanley – I think it's a pretty full agenda. Because Fire is going to be ready.

D. Butler – Yeah.

N. Shanley – To talk about their budget.

L. Bowers – Up to you. We can start at 6:00. Or pick a second date and see if they're both available.

S. Bailey – You have a Regular Meeting on the 16th.

L. Bowers – That way, yeah, we can start that one early too, if you'd like. Shirley, do you have an extra pen? I left mine in the car. That's alright. Nanci has one. Thank you.

N. Shanley – Um, I would, let's, we can do Monday, if they're both...Joy, are you available Monday at 6:00? Okay. So we have to see if the other, if Kimberly is available Monday at 6:00.

John Meliher – Can I ask a question?

L. Bowers – In, in just a second, okay? Sorry. Got to finish our stuff first.

N. Shanley – I will call Kimberly, see if she's available, and we will advertise based on whether or not she is. If not, we'll have to go with a plan B. Do we want to come up with a back-up date?

L. Bowers – Will the 6:00 for Monday work for you, Don?

D. Butler – 6:00 on Monday works, yeah.

L. Bowers – Okay. If not 6:00 on Monday, could we try 6:00 on Tuesday?

N. Shanley – Yes.

D. Butler – If not 6:00 on Monday, what?

L. Bowers – 6:00 on...

N. Shanley – 6:00 on Tuesday.

D. Butler – Okay. Tuesday doesn't work for me. I have a meeting in Cleveland in the afternoon.

L. Bowers – How about Thursday at 7:00, the 18th?

N. Shanley – The rest of the evenings that week are shot for me. I can do day. Wednesday during the day?

D. Butler – Fine with me.

L. Bowers – Fine with me.

N. Shanley – What about Wednesday at 10:30 if Monday does not work?

L. Bowers – Can we do 11:00?

N. Shanley – Yes.

L. Bowers – I make a hospital run every morning and every evening.

N. Shanley – Yes, yes.

L. Bowers – Thank you.

D. Butler – 11:00 on the 17th?

N. Shanley – Wednesday at 10:30 if Monday doesn't work.

L. Bowers – We have Monday at 6:00, Tuesday at 6:00...

N. Shanley – I'm sorry, 6:00.

L. Bowers – Wednesday at 11:00 to choose from. And, Nanci you'll follow up on those and let us know.

N. Shanley – Okay.

D. Butler – Monday at 6:00 I can do. Tuesday, I cannot do – 6:00.

N. Shanley – The second, the back-up date is Wednesday at 11:00 a.m.

D. Butler – Correct.

N. Shanley – Okay. And you can do that?

D. Butler – That I can do.

N. Shanley – Okay.

Sheriff Lease Vehicles -

L. Bowers – And I'm handing each one of the Trustees a copy of the lease proposal that the Sheriff received from Scott Miller. I will note right up front that the twenty-three hundred two...\$23,296.00 figure that he based his cost on is about \$1700 short from the numbers that the Sheriff gave me that should have been worked with. So, but it's still close enough that it's, gives us a good bit of information to go on.

N. Shanley – What number were you given by the Sheriff?

L. Bowers – The set-up cost was \$4700 not \$3200. Although I've been doing some work on that myself and I think I can get it less than thirty-two, so. But,

N. Shanley – What's the difference attributable to?

L. Bowers – I do not know. Scott was using information that he pulled out, information that he pulled out of his budget. I believe, which is, kind of what his narrative indicates. But I saw the actual paperwork that the Sheriff had and I'm getting a copy of that. And it was \$4700 on the set-up. I know that for a fact.

D. Butler – The only comment I will make is when I talked to the Sheriff a year or two ago, he was talking about leasing existing cars from him out of the pool at a set cost.

L. Bowers – These...

D. Butler – This is, we're back into buying our cars.

L. Bowers – No, these are his existing cars. That's what his cost was and that's what the lease is based on and the County put it together.

D. Butler – But, again we're leasing a car and it says here we'd still be invoiced for maintenance, repairs, cost of insurance, and all other costs.

L. Bowers – That is the proposal, Mr. Butler.

N. Shanley – Are they no longer willing to do a fleet lease?

L. Bowers – This is their fleet lease. That's how they arrive at the number. That is their fleet lease.

N. Shanley – So we would have to purchase the car? We couldn't just go onto using a car that's already in their...

L. Bowers – No, this is...no. This is an existing car that they have. One of the proposals that I have is for a purchase and this leasing, leasing an existing car that the Sheriff has. He just put new, nine new vehicles into service. And this is the lease proposal that they have presented. I do not know what Mr. Butler's conversation was with the Sheriff. The conversation that the Sheriff related to me is very different. So...

D. Butler – Well, I'll, I'll be happy to call Neil and ask him.

L. Bowers – That'd be fine. Any other business to come before the Board before I ask Mr. Meliher what his question is?

Electric Aggregation Resolution -

S. Bailey – Yes, when you, you agreed...on now?

L. Bowers – Mrs. Bailey.

S. Bailey – When you agreed on the electric aggregation we have a resolution that has to be signed. The county has asked for this.

L. Bowers – Do you have copies that we can look at?

S. Bailey – They don't have any place for you to sign them. I guess you'll have to sign at the bottom because they want this faxed to them today that you have agreed to go with it.

N. Shanley – Do we all understand that the County will bear the cost of placing us on the ballot? Is that the understanding that we have?

L. Bowers – That's not the understanding that I was left with from the, when Mr. Hambley appeared. He talked about what the cost would likely be, but I don't recall him ever saying that it would be borne by the County unless there was a grant that would pay it back. That's my understanding.

N. Shanley – See my initial conversations with him were that the County would pick up the cost and that would be paid...

L. Bowers – If it was successful.

N. Shanley – Yeah. If it was successful the cost would then come out of the funds that become available to the County as a result of this going through.

L. Bowers – Correct. But, but there's no guarantee it'll be successful.

N. Shanley – Okay.

L. Bowers – Is that the only copy you have, Shirley?

S. Bailey – No, I have a couple of copies but they're...

L. Bowers – Just one for Don to look at before we...I'd like to see it too, so.

N. Shanley – Can I, can I just make a request? It's not a big deal this time. If we get something like this, if we can send it around ahead of time – it'd give us a change to look it over.

S. Bailey – This was given to you ahead of time. It was given to you on 12/28/09.

N. Shanley – This resolution?

S. Bailey – Yes. The whole thing. All the information.

L. Bowers – Can I see it? Please?(whispered) Not seeing it, I can't tell you whether I've seen it or not.

N. Shanley – I've seen that. Not seen that.

L. Bowers – Oh yeah, we've seen that.

S. Bailey – Yeah, this one?

L. Bowers – Yeah, we’ve seen that. That was a package.

S. Bailey – This whole, whole package. Cause then they give the breakdown.

N. Shanley – You know, I’m wondering.

S. Bailey – In fact...

N. Shanley – Was it two-sided initially?

S. Bailey – Yes. Yes.

N. Shanley – Okay. Is it possible that maybe the flip sides didn’t go?

S. Bailey – No, because when we copied them out, we copied them out singularly.

N. Shanley – Cause I don’t remember seeing that...That’s fine. I mean we voted on it.

L. Bowers – This would be **A RESOLUTION SUPPORTING THE EFFORTS OF THE BOARD OF MEDINA COUNTY COMMISSIONERS TO AFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM FOR LAFAYETTE TOWNSHIP AND OTHER UNINCORPORATED AREAS OF THE COUNTY.** Is there a motion?

N. Shanley – I’ll move.

L. Bowers – Moved by Mrs. Shanley. I’ll second. All in favor, aye?

L. Bowers, N. Shanley – Aye.

L. Bowers – And opposed, same sign?

D. Butler – Aye.

L. Bowers – Mr. Butler opposes. Motion passes. Shirley, do you know the resolution number?

S. Bailey – Twelve, I believe it is.

L. Bowers – Resolution 12-2010 passes.

N. Shanley – Shirley, I just want to make a note. 12/28 I wasn’t getting copies of things, so no, I didn’t see it. Because I’m seeing my email where I put the agenda together for the meeting where I was asking for that resolution.

S. Bailey – Okay. I apologize for that.

N. Shanley – Okay. It's not a big deal. It's just, it's just a request, you know. And if you're doing it already, that you're getting them in advance, getting them on an advance, that's all I'm asking.

Public Participation -

L. Bowers – Mr. Meliher, you wanted to address the Board, sir?

J. Meliher – You want me to speak into the mic?

L. Bowers – Here, you can, I was going to give you mine, but...

J. Meliher – Just a couple of questions. John Meliher, 7227 Coon Club. First, how many applications did you have for the specific position that you're looking to fill?

N. Shanley – I did not count them, but I'd be happy to. A lot. It's a big pile.

J. Meliher – Approximately?

S. Bailey – Sixty-four.

J. Meliher – Sixty-four? Did you take those sixty-four applications and review them and make a decision on who you were going to hire or interview in Executive Session?

N. Shanley – Actually, I looked at them at home, before I came here, because there were some that were quite clearly were not suitable, they didn't have clerical experience or so forth. And yes, and I want to make note also that I did call Bill Thorne. I'm going to send the Trustees a letter once again and I followed up with him in a letter asking him what the proper method was to do this – if we were permitted to go into Executive Session. And he did indicate that we were and for that reason that is what I would have proposed to do even if Mr. Butler had not. And I will make that letter available; I did send it around to the Trustees. Mrs. Bowers said she did not receive it, but I will send it again.

J. Meliher – My question is, did you make a decision on who you were going to interview in Executive Session?

N. Shanley – We made a decision on who we were going to make a motion about which we came out into open session and made a motion.

J. Meliher – Okay. Thank you.

N. Shanley – Yes, um-hum.

J. Meliher – Thank you.

L. Bowers – Mr. Catlin?

Pat Catlin – Pat Catlin, Carsten Road. Were you in, in on this thing, Lynda? Did you help...

L. Bowers – On what?

P. Catlin - I know you're against it, but did you help pick the ones?

L. Bowers – No, no. I did not. The only discussion that I was involved in in the Executive Session was there was further discussion on why I believed we shouldn't. Or I was concerned that we shouldn't.

P. Catlin – Well, I think what I'm trying to get at is, if there was about sixty-four applications here, then when did these two do this?

N. Shanley – I did it independently...

L. Bowers – We all got, we all got...

N. Shanley – I can speak for myself, thank you. I did it independently at home. Some of these people have no clerical experience what so ever. I'll be happy to share my criteria.

P. Catlin – Well shouldn't this be a decision that's made in front of the Board? And the Board being all three?

L. Bowers – Pat, we all got copies of the applications.

P. Catlin – Oh, you did?

L. Bowers – Oh, yeah.

N. Shanley – Yeah.

L. Bowers – I got copies of all the applications as well. Everyone did. And I had just as much...

P. Catlin – This was just your decision, Nanci, on these two here?

N. Shanley – No, it was not.

P. Catlin – Then, was Mr. Butler involved in this?

D. Butler – I, as I said, I went through these three times. Each one, each one in the three times and picked out the people that I felt had qualifications that we should consider. That's all we're doing is considering some people.

P. Catlin – And you didn't have no vote on this at all, you didn't want to do it, right? Lynda?

L. Bowers – Well, I think I was pretty clear on the record when this issue first came up. We've already got someone doing that job and I, I have reservations for a number of reasons. Number one, I think that the employee that we have is probably experiencing some turmoil over this and I hate to put her through that, especially since she's been an employee that we've had no

problems with, does an excellent job and everyone agrees that she does. Second of all, as you just heard today, there were sixty-four people who applied for this position. And when we already have someone doing the job, who I believe is doing a good job and everyone agrees is doing a good job, I think that it is a horrible thing to put people in this economic situation or in this economic environment through the, through the gymnastics of making an application for a job that they likely won't get. I just, I just didn't agree with it in any shape or form. And other reasons, but those are two of the big ones.

P. Catlin – Well we don't agree with it either. Because the economic times and everything, it's a waste of our taxpayer's dollars. You got a person here that can do the job and let them take care of it, you know?

L. Bowers – Well Pat, I think that's a discussion that I think the Board's gonna have to have and that discussion will be in open meeting as far as I know.

P. Catlin – Oh. Well good.

L. Bowers – Okay?

P. Catlin – Because, you know, you're not going to be cost cutting on some other things, like service and everything else, or like, I know Mr. Butler didn't want the Clean-Up, and neither did Ms. Nanci. But these are things that come through with our taxpayer dollars.

L. Bowers – Well, Mrs. Shanley did agree to that. And we are having that.

P. Catlin – And if you're going to ahead, if you're going to go ahead and, pardon?

L. Bowers – Mrs. Shanley actually did agree to the Clean-Up Day and we are having it, just so, you know.

P. Catlin – Oh, I know.

L. Bowers – Okay.

N. Shanley - If I...

P. Catlin – But there was, they weren't for it at the very beginning.

N. Shanley – If I may – when we appoint individuals for zoning boards, we receive multiple letters. Those letters are not discussed in open meeting. Those are narrowed down and discussed in Executive Session, similar to what we did today. We come out of Executive Session, just as we did in the Organizational Meeting this year, and we appoint those people. When we appointed, when the Trustees appointed the Fire Chief, it was done in Executive Session, discussions were held in Executive Session, and the motion to appoint Jeff Hall as Fire Chief was done in open meeting. The process we followed here today is very much the same as the process that has been followed for those individuals. The difference is, this is a sensitive topic. But I don't think you can treat it any differently because it's a sensitive topic for some people.

L. Bowers – Actually Nanci, the difference is, is we had a meeting to decide who we were going to interview and make a decision on. The other meetings were specific people that decisions had already been made to consider them. A decision to consider specific employees and to discuss specific employees or potential employees is quite different than reviewing public record resumes and making a decision on simply who will be interviewed.

N. Shanley – I don't see a difference between taking letters of intent for a zoning board, which is a paid position, and done in Executive Session...can you explain to me what the difference is? I would really like to know what your understanding is. Obviously, there's been some discussion here.

L. Bowers – Mr. Meliher, have I had a discussion with you about this? No, sir. No.

N. Shanley – Well, somewhere there's been a discussion. The point I'm trying to make is, if...

J. Meliher – No.

N. Shanley – we receive five letters, well actually we received three letters requesting to be appointed to a board, for which there were only two positions open. Okay.

L. Bowers – Did we schedule interviews? No.

N. Shanley – We, we actually did something even worse. We jumped right to a decision without an interview process.

L. Bowers – We all knew those people.

D. Butler – So that makes it right?

N. Shanley – That makes it okay?

L. Bowers – Yeah, yeah.

D. Butler – Oh, I don't ...

N. Shanley – I don't, I don't agree with that.

L. Bowers – I don't have to, I don't have to interview people that I already know what their interaction is with the township. If you made that decision without that information,

D. Butler – Let me clarify

N. Shanley – I did not know, excuse, okay

L. Bowers - then it's your problem.

N. Shanley – Okay. I did not know the people on, not all three of them. There was one individual that applied for Zoning Board that I do not know. He was not chosen, I do not know him.

D. Butler – The other thing is I just can't image the misconceptions of what's going on here. This, this position is a new position. It's not an existing position. It's under a completely different governing board than the, than it whatever there is now. And I think we're doing the taxpayers a great injustice to take a person who was never even interviewed competitively in the first place, just put in that position, to simply say, well we'll just flip it over. This is an opportunity to do things right, it's an opportunity to see if we do have the best person. If we have the best person, it'll come to the surface. I got a feeling that we're trying to cover something up because all of a sudden we're all rallying around something that was never done right in the first place.

L. Bowers – And it will come as no great surprise to anyone in this room that I have vehemently disagreed with just about every statement you just made.

D. Butler – That's right. That's your (indistinguishable).

L. Bowers – But we're not going to have an argument about it.

D. Butler – Correct.

L. Bowers - We'll just move forward and go through with this, whatever it is.

P. Catlin – One more thing before I go, Lynda.

L. Bowers – Mr. Catlin.

P. Catlin – If Mr. Butler and Ms. Nanci would do their job that they elected by some of the people in this township, you wouldn't have to have somebody else come in. You're double dipping. We are paying your salaries plus another person to come in to do the work that you two were elected to do.

N. Shanley – Pat, I have no intention on having this person do any of my work for me.

P. Catlin – Well then what are you hiring her for, Nanci?

N. Shanley – It's no, if you, did you look at the job description by any chance?

P. Catlin – No. I haven't.

N. Shanley – Okay. If you did, if you did, excuse me, let me finish. If you did, you would see that these are many things that already being done under the direction of the Fiscal Officer, but yet they are programs that are administered by the Trustees. The reason why I advocate that this position report to the Trustees is not so that they do work for the Trustees that the Trustees should be doing for themselves, it's because the tasks that are performed under this position are

things that are programs that are administered by the Trustees, not the Fiscal Officer. Shirley's job is very different and it's a very important job.

P. Catlin – I don't know what you're talking about any ...

N. Shanley – Then I would suggest that you read the job description. You will see that there are many things that are already being done. They just need to fall under the Trustees. And that's that simple.

P. Catlin – All I know is you are hiring somebody to do both your jobs that you should be doing. Now you caught flack before because Mr. Butler and Mr. Kehoe brought you in and nobody knew what was going on and all of a sudden we got a secretary to do the job that Mr. Butler and Mr. Kehoe should've been doing.

N. Shanley – Again, Pat...

P. Catlin – Now you're going to catch flack on this again and you're gonna get it because you're spending our money unwisely.

L. Bowers – Pat?

P. Catlin – And that's all I'm gonna say on this.

N. Shanley – Mr. Catlin?

L. Bowers – Excuse me, we're not gonna settle this issue here. I think, you know, I think one thing that we can all agree on is sometimes in politics things get a little out of hand. So, we'll just, we'll just move on.

N. Shanley – And, again, if I could just clarify. I, I'll be happy to give you a copy of the job description if you care to read it. It's on the website. These are tasks that are already being performed. With the exception of the website.

L. Bowers – That would be the point.

N. Shanley – But the point is, that these are being currently managed under the Fiscal Officer. Excuse me. The Fiscal Officer has a very important and specific job.

L. Bowers – And Nanci, I think everyone is in agree...

N. Shanley – May I finish?

L. Bowers – No.

N. Shanley – May I finish, please?

L. Bowers – I want to stop that sentence. I think everyone agrees, Nanci, that we're , we're happy to shift it underneath the Trustees if that's the only reason.

N. Shanley – But that is not a proper process.

S. Bailey – Yes, it is.

L. Bowers – Says who?

N. Shanley – No, it is not. It is not a proper process.

L. Bowers – Oh that's ridiculous.

N. Shanley – I, you know, I, if you look back to when we were working on the police levy, I got to know Joy, you needed, you needed help, I suggested to Joy that she talk to you, it happened. I'm not happy with the way I was hired when I was hired as Administrative Assistant to the Trustees. I would not do the same thing myself. Anybody that I hire or appoint in my time as a Trustee, whether it's a Fire Chief, whether it's a, a Township Secretary, whether it's any job that becomes open, is going to be done via a public process. It's not going to be done as sliding somebody in or I know somebody or that sort of thing.

S. Bailey – No, when I hired Joy she did interview with me, however, as the Fiscal Officer, and it is written right in the Sunshine...

N. Shanley – You do, you have that ability.

S. Bailey – I have that ability.

N. Shanley – You do.

S. Bailey – I can appoint whoever I want. I do not have to advertise. I do not have to interview. I can appoint. And it's the same with the Trustees, as far as the Board, they can appoint.

L. Bowers – There...

S. Bailey – And that's what they did with you.

L. Bowers – Any insinuation that there was anything illegal or inappropriate done when Joy was hired or when Mrs. Shanley was hired is not accurate. Just because we didn't agree with it, I didn't agree with it either, but no one has ever said that it was not accurate. Currently we have an employee who is doing the job and doing it well and what we have done is put her and her family through a horrible time. Because she's standing here thinking that there's a good possibility she's going to lose her job. And that is the effect. Slashing it to \$3,000.00 a year, only doing minutes, does mean she will lose her job. And I think that that is a terribly unfair and outrageous thing to put an employee through. And if we intend to seriously consider her, then it's a terrible and outrageous thing that we've done to the other sixty-three applicants.

J. Meliher – Absolutely.

L. Bowers – That simple.

N. Shanley – Are you suggesting that we should interview all sixty-three of those people?

L. Bowers – I'm suggesting we should have never started this process in the first place.

N. Shanley – I don't agree. Again, I firmly...

D. Butler – I don't, I don't agree with that.

J. Meliher – I would concur with that. Nanci, I just ask you a question. Can you define what the process is for hiring within the township? Do you have it in writing a document stating what the proper process is...

N. Shanley – No, but I intend to work on one.

J. Meliher – for hiring... Okay, well

N. Shanley – Because we need one.

J. Meliher – See, we're making it up as we go. And unfortunately, I'm not going to criticize what you're doing. I'm not here to do that. However, I think you're doing an injustice to somebody that works well within this Township, that knows the people of this Township, that has worked faithfully for this Township and I think there's, there's something going on that doesn't smell right. It, as far as, I'm new here. I'm new within this Township. I'm here to be a part of it. To help move it forward collectively. Because we're here to help the people.

N. Shanley – I would agree with that.

J. Meliher – Okay. And I hope so.

N. Shanley – Yeah.

J. Meliher – And ah, so my heart is to take care of the people that are working faithfully for this Township, one. Two is to reach out beyond the walls to help those that are need and I think that's all of our, I think that is all of our responsibility as leaders of this community. Now, I am a little frustrated.

N. Shanley – As am I.

J. Meliher – Because of this process that I'm watching. I came to the January meeting thinking that I'm going to see something fresh, okay? Something new. And I, you know, and the meeting started out very, very well. I saw a resolution come across to, about transparency.

N. Shanley – Um-hum.

J. Meliher – Which is, I said great! Alright! We're, we're gonna do something transparent now. And then, the next thing I see is a resolution to redocument a position. And then an explanation that really wasn't a very good explanation at all of why we were doing that. Let me finish. And I'm thinking, you know, I've been in business, I've worked in the military for x

amount of years and then in business and our practices, which were in writing, for hiring, were you look inside to see what you have inside before you go out to hire somebody. So, and if you have a good employee you want, you want to make sure that they have the ability and the opportunity to move up, to move in, to do.

N. Shanley – And no one has said that that isn't happening.

J. Meliher – Well...

N. Shanley – I also come from a corporate background...

J. Meliher – You got, you got sixty-four applications that says otherwise. Your, the plausibility of your argument is not very solidified, is not grounded. Simply because, one, you're making up this process as you go. There's nothing in writing that states other than the Ohio Revised Code on how your practices of hiring should go. So, if you're trying to write your policy as you go, then maybe the consideration need to be collective on how we hire within, within this Township.

N. Shanley – I agree.

J. Meliher – And, unfortunately, I would think you would want to get input, recommendations, suggestions on how you're going to proceed. Not making it up in a position that you're trying to fill, which I have no idea why you're doing it the way you're doing. Because there's not really a good justification for it.

N. Shanley – Again, if I could address a couple of those points. You may or may not know my background. I have a corporate background and I've hired lots of people off and on over the years and have also worked for other people and been involved in being hired over the years, okay? Yes, you look from within, you also look from without, to see what is available to you because you have to make the best decision possible for that particular situation. One of the things I would like to implement in the time that I am here is to develop a personnel policy. We have something in place, I'm not very sure what it says, if it says something, I don't know if we're following it, I'm going to familiarize with it, myself with it and I'm going to make suggestions to the Trustees on how to make it a better policy and hopefully we will end up with something that is very concrete. What I am following are practices I have learned over the course of my career. I have written criteria for what I was looking for in these resumes based on that, those, that job description. As to why that job, why I proposed that job, and I will try to explain, I'm obviously not doing a very good job of explaining it. The tasks are very similar to what have been done all along. The difference is, who does this person report to? When you're administering a snow plow program, when you're administering the rental of the Town Hall, these are tasks that fall under the Trustees. They do not fall under the Fiscal Officer. The Fiscal Officer has a very distinct and very important set of responsibilities under the Ohio Revised Code. She needs to be permitted to do that job and not worry about having the person who reports to her doing all these other things that really fall under the Trustees. It's really that simple. If you look at the things that are in this job description, they are not new. They're not doing research for Don Butler, doing research for Nanci Shanley, although, if we need public records pulled, just like they're being pulled now by Joy sometimes, I'm sure Lynda might call, I'm sure I might email Shirley, can I have a copy...those things are still going to happen.

That's not shirking your responsibility. The, the primary focus here is where does this position make sense. Look at other townships. This is nothing new. Other townships have a Township Secretary. I have the job descriptions in this folder. They fall under the Trustees. This is not a reinvention of anything, this is nothing sinister, it just makes sense. It happened to fall under Shirley just by the way it all developed. And now it's time to realign it. Shirley needs to be allowed to do her job. If she's asked by anyone, Mr. Butler, a member of the public, where's our money, what's it earning, she should have the ability to have, to go and keep tabs on that and invest our money wisely. That's her job. She shouldn't have to be worrying about, you know, managing the Township Secretary. It doesn't make any sense because most of what that Township Secretary does doesn't fall under the Fiscal Officer anyway.

L. Bowers – Two questions. Shirley, you having any trouble or worrying about getting your job done or having any problem? Just short answer, yes or no.

S. Bailey – No.

L. Bowers – You have any problem with Joy reporting to the Trustees instead of you?

S. Bailey – No.

L. Bowers – There you go.

J. Meliher – There it is. There's no question about it. No one's questioning about this position.

N. Shanley- Um-hum.

J. Meliher – It's the procedure and how you're going about doing it.

N. Shanley – And I have a difficult time understanding why, for the first time, trying to do things by looking at who is out there, making some decisions...instead of, I know so and so, let me introduce you.

J. Meliher – Does Joy have a performance evaluation accomplished on her?

N. Shanley – Not that I'm aware of. And that's something else I'm wanting to propose.

J. Meliher – Has she been, has she done her job effectively?

N. Shanley – I don't know.

J. Meliher – Has she been faithful to the position that does desc...that she has been doing in accordance with, in some regards, to your job description for the new position?

N. Shanley – We do not have a formal process. That's something else I'm going to address.

J. Meliher – Okay.

N. Shanley – Something else I'm, no, I'm not making it up as I go along.

J. Meliher – No, no, no. I understand.

N. Shanley – We don't have a good personnel policy. We should be...

J. Meliher – And I, I concur.

N. Shanley – We should be.

J. Meliher – I concur.

N. Shanley – We should be evaluating Joy, we should be evaluating our service people,

J. Meliher – Yes.

N. Shanley - we should be evaluating Jeff Hall our Fire Chief.

J. Meliher – So what I'm saying is this. If she has not had a derogatory evaluation, or has not had anyone tell you that she has not been faithful to her job, has not done her job faithfully, in doing the responsibilities for this township, for the Trustees, for this, the people of this Township, then I would say, then you have a great employee already capable of filling the position that you sent a resolution forward to, to reclassify, which is not, is not the issue here. The issue is, you have someone already in the position, or someone already in the Township that's working, doing a good job, that could be set right in and fill the position that you wanted, that you want from that particular position and it's job description. So, go ahead.

N. Shanley – Are you suggesting that we should never look outside? That we should not give another individual an opportunity?

J. Meliher – No, I'm not, no, I'm not saying that.

N. Shanley – Okay.

J. Meliher – But when you, I think the first look should be inside. And that is, you have somebody already there. You did not have to go through this process and waste your time doing this and then putting somebody...you know those sixty-three applicants have high hopes that maybe they might be employed here. That they might get out of an economic decline. That they might have some money to be, not necess...you know, you got a smirk on your face.

N. Shanley – No, I'm not.

J. Meliher – And I hope you're not thinking that this is funny.

N. Shanley – No, not at all.

J. Meliher – Because there's people out there hurting.

N. Shanley – I'm aware of that.

J. Meliher – Okay, and I'm sure those ...

N. Shanley- I am aware of that.

J. Meliher – sixty-three applications could use the money that would have been provided to them if they were hired in this position. So then we, we take this, well...

N. Shanley – I think any process where you advertise and you do try to look at the best qualified candidates from outside, always exposes people. There are people that will shoot a resume at any job they see in the paper. I think that this is actually being elevated to, it's being personalized, which I think is unfort...well unfortunate, in the terms of Joy. I think we need to look at the position.

J. Meliher – I, I am not personalizing. I'm looking at, look, I'm new here. I don't know all these folks, alright? I'm look at what you're doing as Trustees in this community. I'm seeing behaviors exhibited in this community that are inappropriate. I'm seeing, I'm seeing things that are, that are not, that, that you, that I was hoping, that with the change, it would bring some change. However, I've not seen that. And unfortunately, I can do no other than to, than to help bring forth some change. Now what that might look like, could be, I don't know. I think there's something called a recall? I don't know. I don't know. But it's come to my mind, see. It's come to my heart that I'm tired of seeing behaviors that are not working for the collective.

N. Shanley – And I would agree with you which is why I'm doing what I'm doing. We, we obviously have a disagreement of how we're looking at this.

J. Meliher – Well, we do. We do. And...

N. Shanley – And for me to, to just slide people into jobs

J. Meliher – Well, Nanci, how did, how did

N. Shanley – May I finish please?

J. Meliher – you get hired?

N. Shanley – The same way that Joy got hired.

J. Meliher – And what was that?

N. Shanley – People knew who I was.

J. Meliher – Wow. What a...What a...

N. Shanley – And that's not right.

J. Meliher – Well, who's opinion is that?

N. Shanley – Why does, why are there laws, why are there laws that require people to go through proper hiring processes so they do not discriminate against people.

J. Meliher – What's the Ohio Revised Code say as far as your...

N. Shanley – Anything else is cronyism. And I don't agree with it and I won't be a part to, a party to it. That's what it is. There a word for it.

J. Meliher – You have, there is a procedure that's, that's written, that you follow within this Township.

N. Shanley – I wish there were. But unfortunately this Township, in the years it's existed, and the Trustees that are here today have not seen fit to put one into place. I will.

L. Bowers – Nanci, that's not accurate. That is not accurate. I sent you when you were first hired, I sent you the Employee and Personnel Policy that I worked with the County Prosecutor's Office to put together and you were to bring in forward in an agenda through Mr. Butler, who was the President, and that was never done. For that reason, and I don't know whether it was you or whether it was Don or why it wasn't done, but that's one of the things that's hanging out on the list of things that did not get accomplished. The Prosecutor's Office worked for a very long time and very hard on putting that together. And consequently, we have an old policy in place. And the old policy has been that when we have access to people that we know can do jobs we use our best experience with these people and so on and so forth. I have many friends who I would love to see have a job, but Joy was hired. That was your recommendation, Nanci. That was your recommendation.

N. Shanley – I introduced her to Shirley, absolutely.

L. Bowers – That's right. That's absolutely...

N. Shanley – I was not a Trustee. I did not say that by introducing, excuse me.

L. Bowers – And, and the letter that you wrote said she would be an excellent employee for the Township. In fact, she could do the Fiscal Officer's job. Do you deny that?

N. Shanley – I, I would have to look and see. I don't deny it because I probably did. But, does that say that I say hire this person don't interview anyone else? Of course not. That would not be my expectation. If that's what was done, I didn't control that process. I did not hire her, I was not Trustee. I can make a recommendation of someone I know. Does that mean that I think that's the only person that should be looked at? No.

L. Bowers – And the argument was that you were hired the same way – on your background

N. Shanley – And I don't agree with that either.

L. Bowers – and qualifications.

N. Shanley – And I don't agree with that either. I would happily...

P. Catlin – Why did you stay in the job then if you...

N. Shanley – Why did Joy?

J. Meliher – Pat, Pat, Pat.

N. Shanley – Well, no. Excuse me. That doesn't mean I, if, I did not control the process, sir. And I will also say this.

L. Bowers – Nor did I. Thank you.

N. Shanley – And I was here to work for all three Trustees. If something that you wanted to see put in motion and carried through was not happening, you had the ability to say, you're Administrative Assistant to the Trustees, I would like to see you work on this. I did get hired by all three of the Trustees.

L. Bowers – And I did send it to you.

N. Shanley – You, I will look.

L. Bowers – Yes, Ma'am.

N. Shanley - I keep all my emails. I will look and see on what basis you sent it to me.

L. Bowers – Please.

N. Shanley – But if it was not happening and you felt it was a priority, I was here to do work for you as well as for Lee Kehoe and as well as for Don Butler.

L. Bowers – Well it's a priority now because I have it as an agenda item. So we'll see it next meeting.

J. Meliher – I just want to say one last thing. And this is not a threat. And I'm not here to threaten anybody. But, I will make this statement. That if Joy is not reconstituted in that position, I will do everything in my power, everything in my ability, to recall.

N. Shanley – Sir, you, if that's what you believe in your heart of hearts, I support that. I have to do what I think is right in my heart of hearts. And I will, you know, I hope you will respect my position. I respect your feelings and your position and I hope that you will find the ability to do the same.

D. Butler – You know John, you sound like the last person in Medina, and I've only been here forty-three years, and I don't consider myself a Medinian. Cause I moved in from out of the area. I've heard a lot of people say well now that I'm here, we ought to quit. And what I hear you saying is, you people need to get your act together, but not now. The next time you ought to get it together. This one decision should be very easy to do. That's what I hear you saying. You should look at people. When we look at people, you don't like that. You want it, well, you shouldn't be looking at anybody. It should be Joy only. Look, she's done what she's done.

Shirley said she interviewed her. You didn't hear her interview anyone else. This is not the Fiscal Officer's position. We are doing our job. Now if you want to threaten us, that's your prerogative.

J. Meliher – It's not a threat.

D. Butler – It's a threat. You know, you want to threaten us, that's your prerogative. But you don't stand there and say, this is what you ought to be doing...

J. Meliher – Don, no, you're not...

D. Butler – Let me finish. Let me,

J. Meliher – No, Don. Don't put words in my mouth. Don't, you're speaking for me, and that's not appropriate.

D. Butler – Well you're saying ...

J. Meliher – Do not speak for me. I already spoke what I spoke. So don't speak for me. You speak for a lot of other people on this Board, but you're not going to speak ... I've already stated my position. So don't put words in my mouth. Don't.

D. Butler- Isn't it true, Sir, that you want us to have a procedure that does things the right way?

J. Meliher – I'm sorry?

D. Butler – Don't you...

J. Meliher – I'm not sure I understand your question.

D. Butler – Well, you know, a hiring procedure. Shouldn't we have some, some procedure that objectively...

J. Meliher – Then I would say lay out your procedure and let's, let's go by your procedure, which I think has already been stated by Lynda. You had a procedure, you were following a procedure, but now you've decided to change that procedure and, and go a different direction and it's not laid out. No one has, that was not even discussed. You did it as you went. So no, I'm not threatening, I'm not trying to tell you, you that whatever you're trying to put into my mouth, as far as the words that you're saying, but, alls I'm trying to say is that, you guys need to get your act together.

N. Shanley – And we're trying to do that.

D. Butler – And we're trying to do that.

N. Shanley – I do have a qu... You brought something up that's interesting. I don't think you can answer it but Mrs. Bowers can. You say that there is a procedure in place. What is the procedure?

L. Bowers – The procedure has been, first of all, there is a Personnel Policy for advertising for positions and so on and so forth that are required by law and, and testing procedures and reviewing qualifications, and that has to do with Firemen and Police Officers and so on and so forth. Clerical positions and appointments to Boards have always been done by using the collective wisdom and experience of the Board and seeking out the members of our own community who can properly serve us. We have always tried to hire people, in the twelve years that I've been here, we look to the people in our community. And we identify the people in our community that have the, the qualifications that we need to bring to a position. Exactly the way that was done when Joy was hired and when you were hired. They looked for people who had the qualifications necessary to do the job. And absent any derogatory issues in the way anyone has performed their job, why on earth would we be kicking them to the curb?

N. Shanley – So...

L. Bowers – And that is what this process may do. And I believe that it is terribly unfair to leave that employee in limbo for a period of time not knowing whether or not she's going to have a job when she doesn't deserve that kind of treatment from this Board. She is one of our residents. She has served this Township well. She shows up on short notice when we need her, she's never had any problem in her record, scant the few times that her and Mr. Butler have had words. Mr. Butler has words with everybody. And those have not been made a record of. And those have not been presented as a problem. And I, I just think it's terribly unfair. If you want to put a new procedure in place, that's fine. Let's put a procedure together and let's review it and see if it makes sense. And I for one will tell you that I would insist on any procedure that we would put together being that we look to our own residents first. That is who we represent. I would never have approved or agreed to put into a procedure that we advertise in a newspaper for ever how many hundreds to dollars it cost and bring in sixty-four resumes. I would not have done that.

N. Shanley- The risk you run with that philosophy is that it becomes an issue of who do you know.

L. Bowers – Do you believe that there's not someone in our own community that we could have put a res...

N. Shanley – But, if you do not, if you do not advertise, then it becomes an issue where you're hiring the people you know.

L. Bowers – So then advertise within your community, Nanci. That's...

N. Shanley – There is no way to advertise within our community.

L. Bowers – Absolutely, there is.

N. Shanley – How?

L. Bowers – We can send out a newsletter. We can post at the market.

N. Shanley – And how expensive is that? It's a little more than the ads.

L. Bowers – Well, you know, you can argue against anything you don't want to do, I guess.

N. Shanley – Well, postage on a newsletter, you would know. You put one out. How much is it?

L. Bowers – Actually, I've been sending my newsletter out to about 700 people by email these days, so there you go.

N. Shanley – Well, no. The one that you send out to all in the fall.

L. Bowers – I could not tell you.

N. Shanley – Well, it's probably more than the three hundred some dollars. My point is this.

L. Bowers – I don't think that it is actually anymore. Not bulked.

N. Shanley – I do not, I do not believe that the right thing to do is only to hire the people that you know. That's cronyism; I don't want to be a part of it.

L. Bowers – I didn't know Joy. I didn't know Joy.

N. Shanley – But someone did.

L. Bowers – I didn't know her.

N. Shanley – I'm not saying you.

L. Bowers – You did. (laughter)

N. Shanley – I did. Absolutely. But I did not expect

L. Bowers – Shirley didn't.

N. Shanley - nor did I necessarily agree with the idea that it was the only person that should be considered.

L. Bowers – It was not cronyism.

S. Bailey – No.

L. Bowers – Shirley was not a friend of Joy's. You were.

S. Bailey – Joy, I only knew her through the campaign and I only,

N. Shanley – Right.

S. Bailey – only talked to her about four times.

L. Bowers- And her resume was exemplary. And that is why she was hired.

N. Shanley – And my point is this.

L. Bowers – Every board member that I have ever agreed to appoint has been based on their background and qualifications and I'm trying to think, with the exception of Jack Chester, who was a Trustee for twelve years, I haven't appointed a Board member that knew or that was a friend and I take great offense to the suggestion that our hirings have been cronyism. I have never participated in political patronage or cronyism. To my knowledge Mr. Butler has not. To my knowledge so far you haven't cause you haven't had the opportunity. So please do not suggest on the record that that has occurred, because it has not.

J. Meliher – Are you saying that Joy is a crony?

N. Shanley – No, no, no. No, no, no, no. Everybody's taking out, no, no. The process where, if you're saying, no, no, no. If you're saying that you're only going to look within your community, no, it's very clear, please. If you're only looking within your community and you do not advertise, that limits your pool of applicants to people that you know. Correct?

L. Bowers – I think we can find the people in our community that are qualified to do jobs.

J. Meliher – Is Joy not a good employee for this Township?

N. Shanley – She has not worked for me. I don't know. There has not been, there has not been...

J. Meliher – Wouldn't it behoove you to find out?

N. Shanley – That's what we're going to do.

J. Meliher – But before you went through this process.

D. Butler – Compared to what? Compare, she's a nice

J. Meliher – Compared to (indistinguishable) doing her job, Don.

D. Butler – She's a nice person.

N. Shanley – John...

D. Butler - She's a nice person.

J. Meliher – (indistinguishable) she's been doing the job, Don. Tell me that she hasn't been doing the job of this Township. Tell me that she hasn't.

D. Butler – I have, I have some reservations. I don't know. I don't get a time sheet. I don't know what she does.

N. Shanley – John, if there were...

L. Bowers – I think we need to, I think we need to end this meeting. I think we need to end this meeting.

N. Shanley – If there were, if there were an evaluation process in place I could review it. There isn't one.

J. Meliher – Validate it, (unable to hear, not at mic)

L. Bowers – No, please Pat, no. I, I really think it's appropriate to end the meeting and I will adjourn.

S. Bailey – And I need the...

L. Bowers – It's not productive, we're not going anywhere, so it needs to adjourn. Thank you. Thank you for your comments.

Meeting adjourned at 11:34 p.m.

Approved: _____

Donald Butler, Trustee

Lynda Bowers, Trustee

Nanci Shanley, Trustee

Shirley Bailey, Fiscal Officer