

Minutes
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
Regular Meeting
Monday, June 20, 2011

Meeting called to order: 7:00 p.m. followed by the Pledge of Allegiance.

Members Present: Trustee Lynda Bowers, Trustee Nanci Shanley, Trustee Bryon Macron, Fiscal Officer Shirley Bailey.

Fire Department – Due to a training conflict the Fire Department presented their report first. Chief Hall reported that May had a record number of 65 calls. Twenty-four calls were fire calls and 41 were EMS calls. Only one call required asking for assistance. The fire calls consisted of 2 structure fires, open burns, and welfare checks.

The department has received three applicants for hire. There are currently thirty-seven members and they would ideally be at forty personnel. The applicants have already been trained and a background check has been performed. Two are fire and EMS trained and one is EMS only. Eventually the third would receive fire training. The applicants are Logan Michael Costello, Gavin Paul Kruchan and Samantha Ann Kwiatkowski. Logan and Sam have come up through the cadet program. **Ms. Shanley motioned to approve the hiring of these applicants to the Lafayette Fire & Rescue Department. Mr. Macron seconded the motion. All voting in favor.**

Elaine Bertram contacted the Township after an EMS run on May 28, 2011 at 10:30 a.m. Ms. Bertram addressed the Board and relayed the circumstances of the EMS visit. When she returned home from the hospital she noticed that her screen door was ripped out of the hinges at the top and the bottom. The closing devise was hanging and scratching the front door and was therefore removed. The call had not been a life-threatening call and it was not necessary for any doors to be knocked down. She would like to recoup the damages of the door jamb damage. Ms. Shanley reported that both Chief Hall and the Service Department have taken a look at the door. Ms. Bertram is asking for replacement of the door jamb only. Ms. Bertram feels confident that the damage was done by the department.

Mr. Macron reported that the pictures he saw showed rust and this was confirmed by the Service Department. He is not going to hold the Fire Department accountable, life-threatening or not, on an EMS call. He feels the risk is accepted when 911 is called. Ms. Bertram does not feel that proper care was taken. Chief Hall confirmed that there was a male at the house that day. Having spoken with all personnel, he understands that this male was holding the door for the EMS personnel to gain entry. A neighbor confirmed this as well. The personnel take extreme care when on call. The bottom of the casing was rotted out and the top looks like an existing piece was placed in the jamb, not from a one-piece casing. Ms. Shanley stated that the dilemma faced as Trustees is that it is not personal money involved but taxpayer's funds. In an ideal world they would try to make everybody happy with the understanding that this may have been a combination of things that caused this damage to occur. There is not a disbelief of Ms. Bertram but we do rely on the Fire Department, they are solid, their reports are always on target, and their intent is to get you the care you need. Ms. Shanley asks the Trustees if there is middle ground to be found. Ms. Bowers agreed that if it was personal money she would work the situation out with her but the money is the taxpayer's money. It is an assumption that the door was damaged by the Fire Department and their report

supported by a witness is that the son held the door open. Even with our policy of \$10 mailbox replacements, a policy was approved that required a police investigation.

Ms. Karen Dietrich stated that she had been the one to call 911. The son did open the door for the squad and then the door was shut back. One of the fire personnel propped the door open when her son went upstairs. She feels it was pushed too far and that caused it to pop. Ms. Bertram presented a quote from Ace Home Improvement in Spencer, Ohio quoting \$75.00 for the repair. Ms. Shanley asked for Mr. Figger's opinion. Mr. Figgers stated that when the door is overextended the rotten wood on the bottom pulled the screws out. Ms. Shanley agrees that it is an assumption – she would recommend to have the door fixed. She states that she is not saying that the EMS did any damage. Her intent is to find middle ground and asks if Ms. Bertram would be willing to split the price since the wood was not in good condition. Ms. Bertram stated that the actual cost of replacement is \$235.00 by Lowes. The cost for just the board is the \$75.00. Ms. Shanley asks the Board to consider paying the \$75.00 charge for that portion of the repair on Ms. Bertram's door. Mr. Macron voted no since this would set a bad precedent. The Fire Department has to be able to do their job in an emergency situation without second guessing of a door. Ms. Bowers wants to make sure that the Firemen are not put in a position where they have to worry about other things other than their job. She believes they are careful and does not want to set the precedent either. Ms. Bertram agrees with that and thanks the Board for their time.

Barn Fire – Chief Hall reported that the department had been dispatched for a structure fire Saturday evening on West Smith Road. The call had come in via a cell phone calling 911 which put the address at 7333 West Smith Road (York Township). The actual call was for 7316 West Smith Road (Lafayette Township). The original 911 call was received at 18:01:57. Erhart Fire was dispatched at 18:02:53. Lafayette was not dispatched until 18:05:36 when Erhart requested a second alarm. Lafayette's first officer was on scene at 18:16 and he advised that this was a Lafayette Township call and called for an "all call". Erhart was on scene at 18:18:17. Lafayette's first engine arrived 29 minutes after being dispatched. One firefighter had arrived at Station 1 and six arrived at Station 2. The dispatch time from Station 2 to the scene was 11:06. The initial tone was for a mutual aid call which is handled differently than other calls. Chief Hall stated that the 29 minutes is unfortunate and contributes it to it being a busy weekend with Father's Day and graduation events. There were only ten people that responded from Lafayette. It is normal that people would respond to two different stations. Mutual aid calls would have a response from Station 1 when it is from Erhart and the "all call" meant that all would respond who are available.

This situation was unfortunate due to the call coming in from a cell phone and being routed incorrectly. The outcome, loss of the structure, would not have been different.

Staffing on weekends was discussed. Chief Hall stated that the volunteers are generally less available during the week and therefore it makes more sense to staff during the week. The Department would eventually like to add weekend coverage into their five year forecast.

The County's policy is that on mutual aid calls the tanker does not respond with less than two personnel and the engine doesn't respond with less than four. The staff at Station 2 had to wait to have adequate personnel before leaving the station. The department does typically have personnel available to cover calls on evenings and weekends. The core on-call group's start time is 7:00 p.m. This call came in at 6:01. The on-call groups run 7:00 p.m. to 5:00 a.m. The Township does run a volunteer fire department. Mr. Macron reported that all of the responding departments were short staffed as well with several of the responders being young cadets. A community member, Mark

Albrecht, also stepped up to aid in knocking the barn down. Mr. Macron and Chief Hall thanked him for his service. Mr. Macron feels it will be a community decision as to whether they want to fund having more coverage by the Fire Department.

Chief Hall will check with Janelle of the Sheriff's Communication's Department to see if there is anything that can be done to avoid the particular downfalls that were experienced in this case. Ms. Shanley reported to the Board that when the five year forecast is presented it will address some of these staffing issues.

The Fire Department five year forecast meeting was set for July 11, 2011 at 5:00 p.m.

Mr. Chuck Heath addressed Chief Hall and the Board asking if any other 911 calls had been received on that fire and how this could be clarified as to what side of the road was affected. He is concerned about response time to that area. Mr. Macron clarified that Erhart had responded within sixteen minutes. Mr. Wayne Kessler also noted that 10% of the force must respond before the engine can leave the station. Chief Hall stated that NFPA requires a limited number of personnel to respond. Ms. Schoonover reminded the Board that the policy is to have audience members come and identify themselves before speaking. Mr. Heath congratulated the rescue personnel and feels they are excellent. He just wants to know what to expect time wise if he has an emergency. Chief Hall replied that the outcome of this particular call would not have been different even if the dispatch had been sent correctly. The average response time would probably have been between 11 and 14 minutes in normal circumstances. Ms. Bowers stated that she hears from her seat on the Emergency Management Board that Lafayette Township is one of the best. Chief Hall can poll the department before holidays to see what response would be available. He feels the current staffing is adequate. Ms. Schoonover asked if there was a difference in having a call come from a cell phone versus a land line. Chief Hall replied that with a land line the address immediately is displayed. With a cell phone it goes to the nearest tower.

Ms. Bowers recognized the following Fire personnel for their help with the gazebo improvement project: Jeff Hall, Brad Winter, April Winter, Dianne Werth, Mary Anne Scheiman, Mike Savetski, Shane Jenkins, Alex Ortega, Kellie Tanner, Autumn Traylinek, Dylan Traylinek, and Alex Thomas.

Minutes – Ms. Bowers moved to approve May 16, 2011 Regular Meeting Minutes, seconded by Mr. Macron. Ms. Bowers and Mr. Macron voted in favor with Ms. Shanley abstaining due to absence at that meeting. Ms. Shanley moved to approve the minutes of the June 1, 2011 Special Meeting and June 10, 2011 Special Meeting. Mr. Macron seconded the motion. All voting in favor.

Correspondence – PUCO has notified Lafayette Township, the Medina County Commissioners and the Railroad Task Force that the Township has been approved for 100% funding for the upgrade of the railroad crossing at Lafayette Road close to the park, \$272,000.00, and on Chippewa Road at the crossing east of Lake Road, \$225,000.00. The Township as a whole has now received funding for gates and crossings over \$1,000,000.00.

The Ohio Insurance Agency – The Township received a letter notifying us that we can allow part-time employees at their expense to avail themselves of insurance. Ms. Bowers would like to allow the Ohio Insurance Agency to quote this coverage. She and Ms. Bailey have looked over the Township's insurance for this year and have not found any better at this time, especially with our high deductibles. The Board consensus is to look at the quotes.

Financial Report – Ms. Bailey distributed the May Financial Report and the Fund Status as of today. The balances are:

Checking -	\$ 725,718.17
Investments -	\$2,125,669.10

Supplemental Appropriations – Ms. Bailey reported the following supplemental appropriations:

- General Fund - \$900.00 to Contract Services for Varney Fink & Assoc. for year-end analysis from Planning on Comprehensive.
- Permissive Fund – Ballash Road Project – **Ms. Bowers moved to approve \$100,000.00 set aside for the Ballash Road Bridge Appropriation that would give Trustee Macron the ability to do what is needed without undue delay once bid is accepted. Ms. Shanley seconded the motion. All voting in favor.**

Ms. Bowers moved to authorize the in-fund movements. Mr. Macron seconded the motion. All voting in favor.

Request for Advance of Taxes – Ms. Bowers moved to approve the **REQUEST FOR THE ADVANCE OF TAXES. Mr. Macron seconded the motion. All voting in favor. This is RESOLUTION 12-2011.**

RESOLUTION 13-2011 – A RESOLUTION ESTIMATING AGGREGATE MAXIMUM AMOUNT OF PUBLIC FUNDS TO BE AWARDED AS ACTIVE AND INTERIM DEPOSITS. These are the depository contracts with the banks that end on August 22, 2011 and are redone every five years. **Mr. Macron moved to approve Resolution 13-2011. Ms. Bowers seconded. All voting in favor.**

Tax Budget – Ms. Shanley requests to hold this discussion until July 11, 2011.

Requisitions – Ms. Bailey presented the following totals for requisitions:

Service -	\$ 300.00
Administration -	\$ 437.04
Fire & Rescue -	\$4,991.85
TOTAL -	\$5,728.89

Ms. Shanley motioned to approve the requisitions as presented. Mr. Macron seconded the motion. All voting in favor.

Department Reports:

Service Department – Mr. Macron presented **RESOLUTION 14-2011 REQUESTING THE MEDINA COUNTY ENGINEER SEEK BIDS FOR IMPROVEMENT OF T.H.#85 BALLASH ROAD CULVERT REPLACEMENT.** Mr. Macron explained the background of this culvert and its repair. The repair is expected to come in between \$65,000 - \$70,000. The bid opening date will be Monday, July 11, 2011 at 7:00 p.m. **Mr. Macron motioned to approve Resolution 14-2011 with Ms. Shanley seconding. All voting in favor.** Mr. Macron mentioned that this is the only bridge in the County that a Township is responsible for.

Recreation – Mr. Macron thanked Mr. Chad Baker, Mr. Gushaw and Mr. Mohny for coordinating the baseball leagues. The All-Star games were held this past weekend with great response. An email was received from Chad Baker thanking the Service Department for all the work they have done on the fields. They realize this has been a difficult task with the weather situation this year.

Ms. Bowers also thanked the Service Department for the extra work done on the Memorial Commons for Memorial Day.

Cemetery – Ms. Bowers related that a group of people who mark veteran’s graves for Memorial Day had expressed to her that they had been disappointed in the cemeteries in Medina County but were delighted to see that Waltz Cemetery was pristine.

Fire – Ms. Shanley reported that the ambulance contract has been signed and sent to Penn Care on 6/3/11. The Fire District Study, according to Mayor Hanwell, is waiting for bids. They are going to attempt to bid the study in pieces so that if a particular Township wants to fall out that can be done and the study can proceed and it will also provide feedback to individual Townships. No additional meeting has been scheduled at this time while they wait for the return of bids.

Police – Mr. Macron reported that the copper thief has been apprehended. Another issue has been pornography being drawn on Township streets. The Service Department has covered the artwork.

Cemetery – Ms. Bowers related that the Board had decided earlier in the year to wait to appropriate funds for the Cemetery Fund. At this point there will probably not be any black top work done this year. She met with Don Weiland and he is ready to begin the rehabilitation work at Shaw Cemetery. There is still a little work that needs to be done at Waltz (3 monuments) and it may be possible to share some equipment with Sharon Township. Both Shaw and Crush Cemetery need to have stone work done. The work at Waltz had run approximately \$2,200.00. Mr. Weiland has asked to have two tons of limestone for resetting work moved to Shaw. Ms. Bowers asks to have \$10,000 appropriated to the Cemetery Fund. She anticipates that Mr. Weiland’s work may run about \$4,000.00.

Ms. Bowers related some of the history of the County Home burials. Mr. Hill, a relative of one of the County Home deceased, located his great-uncle in Shaw Cemetery. Mr. Hill has laid a foundation and will be setting a marker for his relative.

On June 7th, Ms. Bowers met with Jennifer Smith from Frontier Telephone. Frontier will be going off of Verizon’s lines hopefully by the end of the month. It is hopeful that current issues will be rectified at that time. During the discussion Ms. Smith related that for people who sign up for the DSL service through Verizon there is an opportunity to make a charity donation without any additional cost to the customer. Ms. Bowers signed up the Lafayette Township War Memorial as a charity that can be designated. She will contact the Trading Post to help get the word out. There are only about three options in the Medina County area to choose from.

Ms. Shanley asked if there has been any movement on the Crush Cemetery situation. Ms. Bowers replied it is moving slowly. She has spoken with the Queberg family and Mr. Norton. The concern is opening it up for people to go back there since it is such a fragile property. The current owners do not really want to have it be open with parking, etc. The Queberg family has been maintaining the cemetery for many years. Ms. Bowers has asked Mr. Queberg to consider what proposal he would like to see while he is maintaining the property. Mr. Boreman has surveyed the property and it is marked on the road. Ms. Bowers would like to see the culvert placed for the drive. The Township actually owns the property rather than it being an easement. The discrepancy of the recent survey is still being worked through. The survey in question is clearly incorrect since depressions can be seen outside of those survey lines and this will need to be corrected.

Mr. Dave Phillips stated that when he recently spoke with Frontier regarding internet service he was told “never”. Ms. Bowers relayed that there have been some issues with Verizon / Frontier customers. Frontier has to physically verify every address for service. She will forward Mr. Phillips info to Frontier.

Ms. Bowers stated that there have also been issues with Time Warner in Lafayette Township. Time Warner customers in Lafayette Township pay \$25.05 more for the basic package than the same package in Wadsworth City. The only difference is that Wadsworth City also offers a cable package as competition. She has been having this discussion with Time Warner for the past two years.

Zoning – Ms. Bowers related that Mr. Jerry Cook has resigned via email that he has moved out of the area. **Ms. Bowers made a motion to move Gary Kiszak to 1st alternate and add Jim Aylsworth as 2nd alternate to the Zoning Commission. Ms. Shanley and Mr. Macron seconded the motion. All voting in favor.**

Ms. Bowers has compiled a listing of some of the simple fixes that can be completed for the Zoning Book. She would like to have Assistant Prosecutor Bill Thorne review them and then forward them to the Zoning Commission in resolution form. She anticipates having these ready by the next regular meeting. Mr. Macron suggests having a joint meeting of the Trustees with the Zoning Commission. Ms. Schoonover will discuss with her Board and then coordinate with Ms. Bowers for a possible August date.

Ms. Schoonover reported that the Zoning Commission desires some professional help in going forward with the text.

Comprehensive Plan – Ms. Bowers reported that some of the census data has started to roll in.

Utility Audit – The Prosecutor’s Office has reviewed the contract and sent back some changes. As a public entity there are things that cannot be done. URC is willing to make necessary changes as long as they are compensated for their portion. Section 5 is not a problem to have deleted. **Ms. Bowers moved to have Mrs. Bailey be given authority to execute the contract and move forward subject to Mr. Thorne’s approval. Mr. Macron seconded the motion. All voting in favor.**

Clean-Up Day – Ms. Shanley reported this was the first year to have a Green Clean-Up Day offering recycling of items. The actual cost for 2010 was \$2,495.59, including the Service Department wages. She would promote having Clean-Up Day at the Central Processing Facility again. Ms. Bowers and Mr. Macron had agreed at the last meeting that they thought it went well and would agree to have the event there again. Ms. Shanley reported that there were 348 passenger tires brought in, 18.6 tons of general trash (although this is about 10 tons less than last year many of these items were recycled this year), no charge for oil or metal. Mr. Strazinsky needs to be notified if the Township intends to have the event there next year. It was agreed to schedule for the first Saturday in May with the second Saturday being the back-up (May 5 & 12).

Mr. Phillips asked if the hours could be extended. Ms. Shanley stated this is the one downside since as a County facility we must work within their hours. It can start at 8:00 a.m. The CPF has committed to have two more dumpsters for general trash in the future. The Service Department will take the lead on this event for next year.

Ms. Joy Turpin asked if there was a way to have another agency there to take items that work, but are just not wanted by their current owners, or if another location could be designated for their drop-off. Ms. Shanley stated that the electronics go to an electronics firm and are reused. Unfortunately, once we are on the County property, we cannot take anything off of the property. Ms. Shanley suggested adding something into our publicity to encourage items of worth to be donated to other agencies. She also suggests using a different marker for the windshields.

Memorial Day Parade Participants – Ms. Bowers asks the other Trustees to stop in and sign the thank you letters to the participants.

Annual Joint Meeting with Village of Chippewa Lake – Ms. Bowers would like to propose having an annual meeting with the Village in September. The Board is in agreement.

Parking – Ms. Bowers is proposing having parking that is designated for Township Officials only. She discussed some possible scenarios. She had a conversation with Chris Jakab, the County Administrator, to see if the leftover funds from the Community Development Block Grant Funds could be used for ADA compliant projects. If handicap spots are designated at the Administration Building, official spots at the Township Hall and at least two spaces for the ball fields, then the Township is encouraged to put in a grant application. It must be in by tomorrow. Ms. Bowers has prepared the application but is still needing a contractor's estimate. She is requesting the approval of the Board without viewing the documentation until after. The Board is in agreement.

Avalanche Energy Lease Proposal – The Township sponsored a County-wide meeting and has been asked to schedule a second meeting to deal with a consortium to see if people are interested in pooling. The farm bureau has stated that the five page lease received by most people is not adequate. Mr. Becksted, who has been attending consortium meetings, states that he has seen negotiations between \$2,500 - \$3,500 an acre. Many of our churches and residents have been approached by Avalanche. There are many points that can be negotiated that are not listed in the standard boiler plate agreement. The Board agreed to not act on this correspondence at this time.

Civil War Soldier Memorial – Mr. Ely Beachy reported that on Sunday, July 3, 2011 at 2:00 p.m. there will be a grave rededication ceremony at Spitzer Cemetery for George W. Hughes. Mr. Hughes was born into slavery and enlisted in the Union Army. His burial site has not been recognized as a war veteran. There are other unrecognized veterans in the County as well. It is hoped that this rededication will bring these to light as well as the vandalism issue. Mr. Hughes was also a resident of the Medina County Home. This will also serve as a vanguard for the County. Lafayette Township has no historical society yet the two most historical assets of the County are located here (Chippewa Lake Park and the County Home). Ms. Bowers noted that the Township's veterans have been identified at their burial sites. Mr. Beachy described the details of the ceremony. The Board agreed to have Ms. Bowers sign to authorize the veteran's stone. The Township's Eagle Scouts will be checking on the veterans emblems to determine their condition and if they need to be replaced. This is a project being overseen by County Treasurer John Burke.

Part-Time Service Department Employee – Mr. Macron proposed changing Nick's pay from the seasonal rate of \$8.00/hour to part-time pay of \$10.50/hour. Nick has been an excellent worker and he would like to encourage his continued employment. This would be from this point forward. Nick works approximately 24 hours a week. Ms. Bowers mentioned that many entities have transition plans in place to take advantage of the prior knowledge and asks if Nick may be a person

to consider for this. Mr. Figgers agrees that Nick is a workhorse but he is unsure if he would be willing to stay. **Mr. Macron motioned to bring Nick to part-time pay status of \$10.50 an hour from here forward. Ms. Shanley seconded the motion. All voting in favor.**

Records – Ms. Bowers noted that in the process of purging records she has found documents that she feels should be held onto with historical significance. An interesting document she found detailed the fields that had caught on fire in Lafayette Township in the past.

Public Participation:

Mr. Dave Phillips – here representing his family and neighbor, the McMurphy Family. They have both been flooded out in the recent rains. The ditches have filled up on the west side of Lance Road and he believes the culverts are plugged. He has made 3 claims to his insurance company with an amount close to \$10,000.00. He is not aware of any ditch work done on Lance Road in the past six years. He would like to see some action taken to help with this ongoing problem.

Mr. Figgers asked how the Board would take care of those residents who will not change out their driveway pipes. Ms. Bowers reported that the Townships are not permitted to clean ditches and spend Township resources. The only way to clean, dig, move or change ditches is if it is necessary to maintain the road. If there is no damage to the road, the Township is not allowed to do the work. The private property owners have the ability to enforce as a private property matter between them. The remedy if homeowners refuse to replace their drive pipes is to have the Township do the work and assess the tax duplicate. If it is damaging neighbors’ property and damaging the road, this needs to be looked at. The Board agrees that they need to seriously look at the next step in this process. There is a situation on Lance Road that also needs to be looked at.

Executive Session – Ms. Bowers motioned to recess into Executive Session to discuss personnel compensation pursuant to section 121.22g3 of the Ohio Revised Code. Ms. Shanley seconded the motion. Roll call: Shanley – yes, Bowers – yes, Macron – yes.

Executive Session convened at 9:10 p.m.

Trustee Regular Meeting reconvened at 10:25 p.m.

Meeting adjourned at 10:25 p.m.

Approved: _____

Lynda Bowers, Trustee

Nanci Shanley, Trustee

Bryon Macron, Trustee

Shirley Bailey, Fiscal Officer