

Minutes
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
Special Meeting
Thursday, August 5, 2010

Meeting called to order: 9:30 a.m.

Members Present: Trustee Lynda Bowers, Trustee Donald Butler, Trustee Nanci Shanley.

Zoning Board Alternate -

L. Bowers – Before we get started, one of the things I wanted to do is I received a resume for someone who has an interest in being a Zoning Board alternate. The Zoning Commission is very anxious to get one of those positions filled because they're down to one alternate and one vacancy on the Board so, this is a person who lives on, I believe, Kapok Drive. Mr. Cook knows Jocelyn Kogler and Lisa Takach, who both serve on our BZA. I have not met him but I have spoken to him by phone and his resume is, certainly shows his qualifications. One of the things that I did ask him when I talked to him on the phone is what he's actually doing in his law practice because while he's, you know, eminently qualified in land use, it doesn't really tell what he does do. He's kind of a construction development kind of real estate lawyer is what he's called. He does gas and oil well leases, enforcement of the leases right now. That's primarily what he's doing in his position with McDonald Hopkins. Thought maybe if you want to entertain it today we can do that, if you want to take it and look it over and whatever that's fine too.

N. Shanley – How did he learn of the opening? Just curious.

L. Bowers – Jocelyn Kogler had a neighborhood get together. Any questions?

N. Shanley – I'd like a little time to look it over and think it over.

D. Butler – Yeah.

L. Bowers – Yeah. That's fine. I'll put it on the agenda for the next meeting. Does that work? Is that fine?

N. Shanley – Yeah.

L. Bowers – Yeah. You have to say so cause we're on...

N. Shanley – Yes.

Egypt Road Crossover -

L. Bowers – Don, agenda for the next meeting? Okay. The next thing we need to talk about is the Egypt Road crossover.

D. Butler – I have a question, just out of curiosity. In the emails of last week, Nanci asked the

question do we need a meeting for this and you responded that we do not unless of course this is another policy being changed.

L. Bowers – Yes sir.

D. Butler – Crossovers are emergencies needing to be handled as quickly as possible because of liability which is why we appropriate for crossovers every year.

L. Bowers – Yes sir.

D. Butler – There are emergencies we can count on, we just don't know when. Looks like your last appropriation status report you will, we still have, you'll see we still have \$20,000 in crossover repair appropriations. The way it is handled, unless the Board changes it, is Service Department gets estimates for the best cost and timing to get the repairs made and get it done as quickly as possible. Often the crossover sinks leaving a hazard with no forewarning. Then the Service Department, but then the Service Department cones or barricades whatever is appropriate until the repair is done. I know this one's bad enough it's coned because a Egypt Road resident called me last night about it. Why, why are, I'm just asking you, why are ...

L. Bowers – Why are we doing this?

D. Butler – Yeah.

L. Bowers – Oh Mr. Butler, I wish you hadn't asked that question. Cause I'm about as frustrated as you can get that we're doing this. Because Dave cannot sign the work order for the company because we have a policy that no one can sign anything. You know, we have become a Board that takes eighteen months to have a premature baby. We can get nothing done. And we have a crossover on a road that is sinking that we have to have a special meeting on, yeah, I'm a little upset because that's the public safety. We shouldn't be doing this but we have sent so many conflicting messages to our Board and to our employees. The way it's always been handled in the past, but of course I always have to proof how everything's has been handled in the past, the way that it's always been handled is the guys get a couple of estimates, they figure out which one's the best and the fastest and they get it done. We can't do that anymore, Don.

D. Butler – Why not?

N. Shanley – Dave...

D. Butler - You said...

N. Shanley – Can I just ask a question?

D. Butler – Excuse me. You have right here, no we don't need a meeting unless there's a Board policy change. Well if the policy's been they sign, we haven't changed anything.

L. Bowers – Yeah, we have.

N. Shanley – May I ask a question, please?

D. Butler – What are we changing?

L. Bowers – No one, Dave can't sign the work order.

N. Shanley – May I ask a question, please? The email that I received from Joy was that we needed to have a meeting to close the road. We have a resolution that we must pass.

L. Bowers – Typically the liaison...

N. Shanley – To close the road.

L. Bowers – Did that and that takes a signature, Nanci. We have always in the past before you and before Don, probab...no, Don was here when we've closed roads. The liaison has always had the authority to work with the Service Department and close the road and send the notification. We can't do that anymore because...

N. Shanley – Mrs....

L. Bowers – we're all afraid, let me finish, because we're all afraid of what's going to happen and who's going to point fingers and who's going to carry on and at the end of the day the residents in this Township are getting short changed and their safety is being compromised and I'm a little frustrated with it.

N. Shanley – Excuse me, if I...

L. Bowers – We've never had these problems.

N. Shanley – Okay, if I can just say, I, from when I was Administrative Assistant to the Trustees, I still have my old files from resolutions I prepared. There were resolutions for closing roads routinely in 2008.

L. Bowers – They were not an emergency, Nanci. When we had time, when we were closing roads for road repairs that were not an emergency. When we have an emergency, the Township's policy has always been, and there's a lot of policies that you're not going to go to a book and find, they're just the way things have happened and you know, you're so great on calling the other Townships, call them and ask then what they do in an emergency. They sure as hell don't schedule a special meeting a week out. I'm very disappointed. I'm very disgusted and frustrated...

N. Shanley – I think first of all, you just touched on...

L. Bowers – and I think it's obvious.

N. Shanley – You should, just touched on something that's really important. I think we need to

have policies in writing because if the three of us are someday not here then it becomes folklore that's only in people's heads and if you have...

L. Bowers – And I have...

N. Shanley – Please, let me finish this time. And if you have policies in place that somebody can flip through a resolution book and say, ah, this is how we handle this. It doesn't rely on word of mouth or on, on collective knowledge that resides only in the Board members heads or in the Fiscal Officer's head. So, let me just, let's just move on but let, I'd like to suggest that for this, and I'll take the point on it, for the next regular meeting we do something similar to what Westfield did a few months ago and that we establish a formal resolution that sets out what happens. If these things are put that way in the future, if I'm gone, if Don's gone, if you're gone, the people come after us know how it should be handled.

L. Bowers – Well Nanci, you have a really good time doing that. And I would suggest that you go back through the last twenty years of meetings and figure out what all of those policies need to be because occasionally things come up that need to happen that we cannot envision and let me tell you, we have a policy right now, Nanci. And I...

N. Shanley – It is not in writing. And Lynda, if you...

L. Bowers – Listen to me. (fist slamming) Would you listen to me.

N. Shanley – Excuse me. Let me finish.

L. Bowers – No.

N. Shanley – No.

L. Bowers – We have a policy and the policy is yours that nobody does anything without putting it in writing, nobody signs anything without ...

N. Shanley – Lynda, the reason...

L. Bowers – putting it in writing. Mr. Figgers cannot be requested to change the toilet paper in the bathroom by one Trustee. And that is ridiculous, Nanci.

N. Shanley – That is not the case.

L. Bowers – That's ridiculous.

N. Shanley – That is not the case. There is nothing wrong with setting things out in writing so that if you're not here, Don's not here, I'm not here...

L. Bowers – Well, you have a go...you have a good go at it.

N. Shanley – The people that come after us will know what to do.

L. Bowers – Well, you have a good go at it.

N. Shanley – And I'm referring strictly here to how we're handling emergencies with the Service Department. I'm not going to revisit minutes. And the problem with having things just reside in minutes is just what you've described. It's an overwhelming job for somebody to go back and figure out what the pattern has been, what's established policy, what is not. We need clear policies that we can follow and that people after us can follow.

L. Bowers – You know, if there was a little respect and a little trust and a little common sense going on in this Township, I don't think we'd have these problems. Cause guess what? We don't have, you don't have Townships that have volumes of stuff on how this emergency will be handled and how that emergency will be handled. But you have a go at it. Anything, anything that can get us moving along and get the service on the road and get the stuff done in this Township, I will be the first one to stand in line and applaud, so have a go at it.

N. Shanley – Thank you.

D. Butler – I'll go back to my original question. Why did you answer it, no we don't?

L. Bowers – Because we never had to.

D. Butler – Then why are we having it? The answer should have...

L. Bowers – Because David called and said, Lynda, guess what? HSS needs a work order signed, which we typically haven't done. And because they're dealing with Lafayette Township, they need a signature, that's why.

D. Butler – Oh bull. That...

L. Bowers – Oh don't you give me the bull.

D. Butler – I don't find that, how...

L. Bowers – You can sit there and bloviate until the day goes long.

D. Butler – You're bloviating.

N. Shanley – Excuse me.

D. Butler – You're the one that's coming in all fired...

N. Shanley – Can we...stop.

L. Bowers – I'm taking a breath. Okay. Right now we need to close a road. David, what days do we need to close the road?

D. Figgers – We need a twenty-four hour period next week.

L. Bowers – What day?

N. Shanley – What dates do we need to cover in the resolution, do we know?

D. Figgers – I...

N. Shanley – Monday through Friday?

D. Figgers – Monday through Friday, a twenty-four hour period. It's up to the contractor, it's up to the contractor to ...

N. Shanley – Okay. But if we post it for the five day period, then with twenty-four hours you just really close it or whatever.

D. Figgers – Correct.

N. Shanley – So what is the date Monday?

L. Bowers – I would move that we advertise a road closing on Egypt Road between what, David? Between what...it's Lance and what?

D. Figgers – Lance and Carsten.

L. Bowers – Between Lance and Carsten, sometime during the week of August 9th to August 13th. Is there a second to that motion?

N. Shanley – I will second.

L. Bowers – Thank you. All in favor, aye?

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

L. Bowers – And opposed, same sign.

D. Butler – David...

L. Bowers – Okay. We're not finished.

D. Butler – Excuse me.

L. Bowers – We're not finished. Excuse me. We're not finished.

D. Butler – Okay.

L. Bowers – I would make a motion that Mr. Butler be authorized as the Service liaison to sign whatever work order HSS needs to get the work done as quickly as possible. Is there a second to that motion?

N. Shanley – I will second that.

L. Bowers – All in favor, aye?

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

L. Bowers – And opposed same sign. Now Mr. Butler, you had a question.

D. Butler – David, who told you you couldn't sign work orders? Who told you you could not sign work orders?

D. Figgers – I can't tell you that.

D. Butler – There's only a couple people you talk to. Who told you you can't sign work orders? Cause you arrived at that, Lynda said you said you can't sign them. Who told you you can't sign them?

D. Figgers – I can't sign this work order from HSH construction because it's over \$250.00.

L. Bowers – There you go.

D. Figgers – Can't do it. You got me pegged at two hundred and fifty bucks.

N. Shanley – That, yeah, that goes back to 2008. I remember that resolution.

L. Bowers – That's another one of those policies, Don.

D. Figgers – I had a hard time, I had a hard time buying, buying, I'm sorry. I had a hard time buying vests even though they were \$35.00. It just...

L. Bowers – You know, you guys have to look at how much we have hamstrunged this Township. We can't get anything done. Used to be, you know, Lee or Donna or Sue or Misha or I would send out an email and said this has to happen and this is what I'm doing and bam, it's done. And that crossover would've been fixed by now. This is crazy, guys. Think about it. I'm not mad at you. I'm angry and frustrated and tearing my hair out over the fact that I have to talk to residents and tell them, well, we have to wait for a meeting because I couldn't possibly be smart enough to make that decision. I'm surprised any of us can dress ourselves, we can't make any decisions. I mean, it's crazy guys, think about it.

D. Butler – Whatever you're saying, Lynda, my only point is everything you're saying now contradicts what you have in this email. So...

L. Bowers – No, what I'm telling you in that email is that is exactly the way it was. It needs to go back to that, Don.

D. Butler – I don't...

L. Bowers - We need to get stuff done. And then David calls and say, Lynda, got a work order, it's over two fifty. We usually haven't had to have a work order signed. They just, you know, we have an arrangement and they do it.

N. Shanley – Does...

L. Bowers – Now all a sudden, you know, Lafayette's a little scary out there.

N. Shanley – Is HSA a company we've used before, Dave?

D. Figgers – Yes.

N. Shanley – Okay.

N. Shanley – Do they always submit a contract like, or whatever this is called? Is it always this kind of thing that requires a signature or is this...

D. Figgers – I think there, there possibly's been one other time but the owner of the company reads the newspapers just like we all do and ...

N. Shanley – Okay.

D. Figgers – They don't want to deal with...

N. Shanley – Okay. You know...

D. Figgers - There are a couple vendors don't want to deal with Lafayette anymore.

L. Bowers – At all.

N. Shanley – Okay. You know...

L. Bowers – I walk into Trustee Meetings in a ...

N. Shanley – The directive, the directive that only the Board can authorize, and we can do that through a resolution that's a policy, a contract to be signed comes from the Prosecutor's Office. That's just good practice. And it just makes things clean, it prevents errors from being made. Nobody's trying to hamstring anything. I think what we're trying to do is get a set of checks and balances in place and we need to figure out where they create impediments in situations like this and then resolve it through a resolution, so, again that people after us will know this is how it should be done because I could drop dead tomorrow, any of the three of us, two years from now for whatever reason may not be sitting here. And no one after us would know.

L. Bowers – You know, Nanci, this is really, really easy. Here's the way it's always worked and it's worked fine. And it works this way in other Townships. David calls and says I need to do this. If it's a contract, if it's a legal contract, if I'm the liaison I grab that contract from him, I run it up to the Prosecutor's office, I grab the first Prosecutor I can find, it's a one page

document, in ten minutes I usually get the signature or the approval, I run back down here, give it to Dave, sign it, it's done. It's done.

N. Shanley – Does anybody have a problem with my bringing a resolution...

L. Bowers – That's an easy thing to do.

N. Shanley – to that effect that it is a formal policy so we have it in the future? So that it is not just something we know because we've been here for three years, five years, six years, whatever.

L. Bowers – It's common sense and a matter of common sense and trust. That's all it is, Nanci.

N. Shanley – Is there any problem with my preparing a resolution with that...

L. Bowers – I have no problem with it.

N. Shanley – Thank you.

L. Bowers – Prepare away. Don, you alright with it?

D. Butler – With what? The ...

L. Bowers – We're gonna write another resolution. We're gonna write another policy.

D. Butler – I'm fine with it.

N. Shanley – There's nothing wrong with resolutions, Lynda. Setting things down in writing just makes it easier down the road.

L. Bowers- Well you just have a go at it.

N. Shanley – There's nothing wrong with it.

L. Bowers –You just have a go at it. I'm fine with it.

D. Butler – You contradict your own argument. You say the liaison. Dave didn't contact me and say hey I got this thing here, I need to have it signed.

L. Bowers – I do believe that Mr. Figgers tried to contact you. And the ...

D. Butler – When?

L. Bowers – next person he ran into was me.

D. Butler – He's got two, excuse me, he's got more phone numbers than anyone else. I have never gotten a phone call from him in the last month.

L. Bowers – Well I'm not gonna put him in that pickle.

D. Butler – Well, I'm gonna ask him point blank.

L. Bowers – Go ahead.

D. Butler – When did you call me, Dave? And what number?

D. Figgers – I'd have to look on my...

D. Butler – Look on your sheet and let me know and I'll look at my phone cause I keep all the recordings you call in. And you and I haven't talked in over two months. Don't tell me you called me.

L. Bowers – Okay, the road crossover's taken care...

D. Figgers – Just a sec, whoa, whoa, whoa, whoa. Let me say something. I didn't say that.

D. Butler – I haven't seen you in two months.

D. Figgers – I didn't say that.

L. Bowers – No, I said it.

D. Butler – Huh?

D. Figgers – I didn't say that.

D. Butler – What, you called me?

D. Figgers – I did not say that.

D. Butler – Did you call me?

L. Bowers – I said it. I said it.

N. Shanley – Lynda said that you...

D. Butler – What didn't I...what did you say?

D. Figgers – You said don't say that you called me. And I said I didn't say I called you.

D. Butler – Okay. I misunderstood.

N. Shanley – Dave, did you...let me just ask.

D. Butler – Lynda just said you called me.

N. Shanley – Let's get past this. Did you try to call Don?

D. Figgers – I don't know if I did or not.

N. Shanley – Okay. Thanks.

D. Figgers – I talk to twenty people every day.

N. Shanley – Okay.

D. Figgers – I don't know.

N. Shanley – Is there any reason you wouldn't just call your liaison?

D. Figgers – Not at all.

N. Shanley – Okay.

D. Figgers – Unless it's...three in the morning.

L. Bowers – And Don, you would have authorized that? With a policy that says we're not permitted to do that over two hundred fifty bucks? You would have authorized that?

D. Butler – I, no.

L. Bowers – Cause if you would I want to know why we're sitting here talking about brakes on a dump truck. That's next.

D. Butler – Well, I'm fine. I understand that.

L. Bowers – Okay.

N. Shanley – Is there not a then and now provision?

L. Bowers – Sure, it's in the policy.

N. Shanley – Does the Fire Department not end up, I mean, they write it up and they send it to us then it, but when something breaks down do they not take care of it?

L. Bowers – You know, Nanci, they do. And I've never complained about that being a violation of the policy because it makes sense to do that. But if anybody did that in the Service Department you can bet whoever took the initiative to make sure that it was taken care of would be jumped all over, including the employees and the Trustee.

N. Shanley – Excuse me. When you wrote the response, when I said do we need to set up a special meeting for this and you said no, that was fine with me. If that's the policy...

L. Bowers – And that was before David told me that he had a work order that had to be signed.

N. Shanley – Okay.

L. Bowers – It was the signature that was the problem.

N. Shanley – So, if I can finish, okay. So, I had no problem with Dave proceeding with it. You said we don't need one, we've got the ... you know, I knew we had the appropriation, blah, blah, blah, blah. It's critical, it gets done because a road can collapse, I understand that. I had no problem with it moving forward. So, so to say...

L. Bowers – Except our employee was, is in a bind.

N. Shanley – So to say that if the same thing that happened when a fire truck breaks down, which is that they proceed to get it fixed and it gets covered under a then and now, it happened with Service, that there would be a hue and cry about it, there wasn't because as far as I knew, as far...for this crossover? It has to be repaired. There's no question about it.

L. Bowers – Oh let, let us prepare an emergency...

D. Figgers – There is, there is...

L. Bowers – refrigerator again, David. Let's do that again, huh?

D. Figgers – There's a double standard in this Township.

L. Bowers – Absolutely.

N. Shanley – Again, Mrs. Bowers responded by email that there wasn't a special meeting necessary. I didn't write back, well, what do you mean. That was fine with me. If the road culvert needs to be repaired, the crossover needs to be repaired, it needs to be repaired. And I had no problem with moving forward. The next thing I knew we were setting up a meeting. But it wasn't because I had any objection to it.

L. Bowers – It was...

N. Shanley – And I don't know that I saw any objection unless there's something that got...

L. Bowers – It was because a signature became necessary and we have two policies that obviate that. And our employee wasn't going to sign it and I wasn't going to take the responsibility for it and guess what? Go write the policy, Nanci. We can talk this to death and I'm not interested in talking about it anymore because it just irritates me. It infuriates me as a matter of fact. It's crazy. So let's move on.

N. Shanley – Again, I do not see, and you don't have to respond, I do not see how it is problematic to set forth a formal policy that everyone understands, everyone can see and

everyone after us can understand that says this is what happens when this happens. So that it's not folklore, it's not past practice, it's not something that's buried in minutes.

L. Bowers – Well, fifteen minutes ago you were authorized to do it.

D. Figgers – It's going to be.

N. Shanley – I just don't see it.

L. Bowers – So let's move on.

Dump Truck Repair -

D. Figgers – It's going to be problematic when, when you can allow a road repair for that amount of money to come into play and just say go ahead, you know, let them go ahead and do it, the Service Department go ahead and do it and then I've got a, I've got a truck that needs another \$400.00 worth of work done on it and the emails start flying out saying whoa. Don't, the guys got...if we didn't...

N. Shanley –Again, Dave, Dave.

D. Butler – Excuse me, Nanci.

D. Figgers – If we didn't repair the truck...

D. Butler – That email came out day before yesterday.

D. Figgers – If we didn't repair the truck...

D. Butler – Day before yesterday and all I said was we're meeting today.

D. Figgers – That's right.

D. Butler – Don't tell me, that trucks been out of commission for how many weeks?

D. Figgers – Months.

D. Butler – Months. Don't tell me two days is a disaster.

L. Bowers – Cause we had to get a meeting approval for a \$350.00 repair, that's why.

D. Figgers – It's not my fault it's been out of commission.

D. Butler – It was approved at that meeting.

N. Shanley – Well, at some point, excuse me, at some point there has to be discussion, just like we did with the cruisers. At what point do you say we're not putting any more money into a vehicle? We've done it with the cruisers. And actually, I think one of the cruisers we took out of service we took out of service for brake work.

L. Bowers – No, it was more than that.

N. Shanley – I remember it being brake work.

L. Bowers – Mr. Butler, Mr. Butler had a concern about the previous information that we had received that said that there was a big problem coming with that vehicle and that was part of that consideration. I would've never taken it out for brake work.

N. Shanley – I think it was a meeting where the Sheriff was sitting here and he told us...

L. Bowers – That was the final straw. That was the final straw.

N. Shanley – And it wasn't a terribly large bill, but that's the dialogue. At some point with older vehicles...

L. Bowers – That was the final straw.

N. Shanley – that you need to have as to how much more money do you invest in that vehicle before you say, okay, this is a law, you know, the diminishing returns law is coming into play here and we're just not going to continue with it.

L. Bowers – Okay. Let's talk about the dump truck.

N. Shanley – And I think with the...

D. Figgers – Well then, and you're, you're dealing with the...

L. Bowers – Since we're going there.

D. Figgers - \$800.00 repair that they got on that, on the SUV for brakes.

N. Shanley – But the, was that the...

L. Bowers – But it had the engine.

N. Shanley – SUV?

L. Bowers – But it had a big engine concern coming.

D. Figgers – Correct.

L. Bowers – And we had been notified of that.

D. Figgers – The brakes on this truck, if you go back through all the appropriations and things, what we appropriated in the repairs, those are the original brakes on that truck.

N. Shanley – What year is that truck?

L. Bowers – It's a '97.

D. Figgers – At the last meeting I reminded you it was a '97.

N. Shanley – Thank you.

D. Figgers – Then again, if you're comparing us to the police cruisers, and like I said before, a double standard, why not compare that truck to one of the ambulances. If I'm looking at the paperwork right...

N. Shanley – Um-hum.

D. Figgers – We've got a \$58,000.00 ambulance we put \$56,000.00 in repairs in. I...

N. Shanley – Um-hum. We have an obligation.

L. Bowers – And now we're getting rid of it.

N. Shanley – We have an obligation to provide rescue services. You take a one ton dump truck out of commission, you've got other dump trucks available. You take one ambulance out of commission here and there is a need for two of them to go out, and we've got a problem. There's a little bit of a difference. It's not a double standard. All I'm saying is, when you're dealing with older vehicles, and thank you for reminding me of the age, I can't keep all these, you know, in my memory all the time. When you're dealing with older vehicles there does come a point where we have to have a discussion about, okay, how much more money do we, does it make sense to put into this vehicle. And that's, I think, that's all that...that's all we're questioning here. You know, and I don't particularly have a problem with fixing the whole thing, I just think that there's nothing wrong with having a dialogue on a '97 vehicle. At what point do you cut off what you're investing and how much does it get used, how important is it to operations, to delivering services. There's, I don't think there's anything wrong with that kind of discussion.

D. Figgers – And I don't, and we've had this discussion before, three months ago at a meeting I said, major, when we said major repairs I said, well, if the crank goes, if the rear end goes, the gear goes out the rear end, if the transmission goes, those to me are major repairs. Brake work, you...

N. Shanley – That's routine maintenance. It's routine maintenance.

D. Figgers – Yeah, and let me use it so that nobody thinks I'm whatever. On my car, I put brakes on it a little while ago. I wouldn't even consider getting rid of the car for a brake job.

N. Shanley – Um-hum.

L. Bowers – Well, guys, we've got a Prosecutor coming at 10:00, I want to respect their time if we can. Let's talk about the dump truck. Mr. Butler, you sent an email said we need to get rid of it. Would you like to explain and elaborate or make your case, whatever you want to do.

D. Butler – Yeah, cause when we bought that last one, that Peterbilt, we had the discussion, I believe it's on record that when this truck was no longer useful to us we would not replace it.

D. Figgers – I, I think the wording though wasn't use...it didn't say, I don't think we used useful I think we used major, when a major repair came up was the word.

D. Butler – Okay, well, here's the other part, Dave. If we're putting hundreds and hundreds and hundreds, I'm just asking, and the back end does go, what's it worth to anybody? Nothing.

D. Figgers – That's the same, and that's the same thing, Don, as the, and I'm going to use this example again cause you used the cruisers as an example. The ambulance. What happens if you roach the motor in the ambulance. You got \$56,000.00 in a \$58,000.00 vehicle. What are you going to do? Put it...

D. Butler – But as Nanci pointed out, we don't have two other ambulances sitting around.

L. Bowers – Mr. Butler, have you...

D. Butler – And here we have, and here we have, we have trucks that aren't being used.

D. Figgers – I listed awhile back the needs of that truck, I think there were ten or so different things on what we use it for and we use it for specific need. And until we have a major blow up in it, I think routine maintenance for original brakes that have been on it for thirteen years isn't a whole lot to ask.

D. Butler – Well, I agree with that. I'm just trying to bring it up before we get a major incident and the truck is worthless.

L. Bowers – You know...

D. Butler – Then we're pushing it over a cliff because there's no value at all.

L. Bowers – When this...

N. Shanley – Dave, I

D. Butler – And if we don't really need it, and that was part of the discussion when we got this new Peterbilt, if we really don't need that one ton, if I remember the Peterbilt was only a couple thousand dollars more and we can use it if the one ton was gone, we're not going to keep the one ton...

L. Bowers – Nanci, go ahead.

D. Butler – Now all of a sudden it seems that we have to have three trucks, two of which we don't use but a couple months a year.

L. Bowers – Nanci, go ahead.

N. Shanley – I don't have any problem with routine maintenance. That's the same as a dead battery or new tires.

D. Figgers – If you...

D. Butler – I don't either.

D. Figgers – If you look up in the developments, they've been selling lots, they're building houses again. Whether that's going to continue one or two at a time, eventually in the winter, if you have a bad snow storm and one of these, we use that truck a lot last year for plowing due to the fact that we're breaking a plow, a solenoid goes, a light switch goes and it takes all the lights out because of circuitry that you can't fix, you've got to take it somewhere. So it's a back up, in the winter it's a back up vehicle and eventually you're, you're going to need more than three trucks eventually to plow the snow in the winter. Just the nature of things.

L. Bowers – I will say that my position is that vehicle is used for mixing cement, it's used when they haul dead animals, it's used when they haul dirt, they do cold patch with it, they do, they do hot patch with it, they do, they use it as back up for plowing, the cost to replace that vehicle is somewhere in the nature of \$50,000 - \$60,000. The money that we would get for it if we sold it is somewhere in the nature of \$8,000 - \$12,000 and as long as that vehicle is nothing but routine maintenance, things like brakes and lines and hoses and those sorts of things, it makes great sense for this Township to keep it and use it as much as we can.

N. Shanley – I will move that we approve the.

D. Butler – And you're saying...

N. Shanley – Go ahead, Don.

D. Butler – And you're saying that once it needs major repairs we get rid of it and we have two trucks already.

L. Bowers – Once that vehicle has to go, Don, I can guarantee you we're going to have to replace it.

D. Butler – That wasn't what we discussed when we got the Peterbilt.

L. Bowers – I can guarantee you we're going to have to replace it.

D. Butler – That was not the discussion when we bought the Peterbilt.

L. Bowers – We can't run a Service Department with two trucks and properly serve the residents of this Township because, as you well know, those trucks break down. And when those trucks break down do we just let the roads go? Do we just not plow them? Do we not salt them? Of course not.

N. Shanley – I'd like to make...

D. Butler – Well people don't buy an extra car to have in their garage in case their one car doesn't start they can start the other car. It doesn't ...

L. Bowers – We are responsible...

D. Figgers – Sure they do.

L. Bowers – For thousands and thousands and thousands of cars that drive on this road. That is an inappropriate and ridiculous comparison, Don.

D. Butler – No it's not.

N. Shanley – I would like to make a motion that we approve the repairs for the 1997 one ton, is it the one ton?

D. Figgers – Yes.

L. Bowers – Would you make that not to exceed a thousand dollars?

N. Shanley – Okay. **Not to exceed a thousand dollars.**

L. Bowers – Thank you. And I'll second. All in favor, aye.

N. Shanley, L. Bowers – Aye.

L. Bowers – And opposed, same sign. Done. The Peterbilt lease we really can't do anything on.

Comprehensive Plan -

L. Bowers - Mr. Butler you sent out an email and you wanted to know if I was, if the Township was being charged for all of the meetings that I'm having with Planning Commission regarding the Comprehensive Plan.

D. Butler – Yes.

L. Bowers – There has been one meeting, it was a meeting between me and Karen and the staff and as was previously discussed that was to go over basically proofreading issues. There was no charge for that. There's still some proofreading issues that there's, depending on who you talk to, there are proofreading, it's what we intended or it's not what we intended. There's some division on the Zoning Board about that. That was sent to Susan and no, we're not being charged for that. Short answer, no.

N. Shanley – While we're waiting for Mr. Karris, I saw an email from Karen asking the Board today to consider, and I didn't grab it and bring it.

L. Bowers – I did.

N. Shanley – Permission to send to Bill Thorne another section of the Comprehensive Plan. Do we want to maybe deal with that right now?

L. Bowers – What Karen wanted to know is if we thought that it was appropriate to send it to them now as opposed to waiting until it's completely finished and letting them get a head start on that. I got her email this morning. I don't know that that necessarily needs to be a Board decision but it can be. I mean, Bill has already seen pieces / parts of it and we didn't authorize that, I don't think we need to. It is...

N. Shanley – I don't...

L. Bowers – my intention to get the new draft, I got one last night when I was at regular Planning Commission meeting, Department of Planning Services does the work for Planning Commission, so I was able to see staff then. And she gave me a clean copy but it doesn't incorporate some of the other changes that they wanted. As soon as I get that I'm going to send it to Bill. I don't think we need to vote on that. I mean, there's...

N. Shanley – So you're saying,

L. Bowers – no reason to not get him started.

N. Shanley – What she's talking about, the implementation section, you're going to send that to him?

L. Bowers – The implem...

N. Shanley – I think that's what she was referring to.

L. Bowers – The implementation section is one of the parts that he's already seen. Here's the problem. I read Karen's email and I'm looking for it here. It, it's kind of, you know I went to that meeting last night, or Tuesday night, sat through part of it and the Board, the Zoning Board is divided on what needs to happen. Some of them want those recommendations written like, you know, this is what the new Zoning Regulation needs to be and some of them wants it, want it written so softly that, you know, the Township could consider this. Some of them want it to be an amendment or an addendum to the document; some of them want it to be incorporated into the document. I don't even know what we're going to tell the Prosecutor we want at this point unless the Trustees just want to make a decision and tell the Zoning Board this is the way we want it to proceed. I don't...

N. Shanley – Wasn't the Prosecutor's feedback, if I remember right, reading that he wanted it to be more broad and less specific?

L. Bowers – Yes.

N. Shanley – Okay.

L. Bowers – And Planning staff believes that they have done that. It's kind of a, it's kind of a

difficult thing. The email wasn't to me but I was copied on it that Patrice sent to Don. A Comprehensive Plan is not a document that typically can zone, contains zoning regulations. But it can contain suggestions that, you know, your zoning may want to look at this or may want to look at that. Planning staff thinks that that's the kind of recommendations that they have made. The Zoning Commission, some members think that they're too strong. I'm not sure what that, where that's coming from. Have, have you had an opportunity to read the implementation over?

N. Shanley – No, I have not.

L. Bowers – Have you, Don?

D. Butler – No.

L. Bowers – Okay.

N. Shanley – But I will now that we're gotten these emails.

L. Bowers – Well, maybe, maybe you take a day or two and do that and, and...

D. Butler – I don't think the implementation was the problem. My understanding it's where it was going to be put that was the problem.

L. Bowers – Well, it's both. I was at the meeting.

D. Butler – Well, there's a big difference.

L. Bowers – It's both.

D. Butler – Whether it's going to get buried in an appendix or whether you're going to put it as part of the plan.

L. Bowers – The concern is both. What you just said. Where we're going to put it and whether or not it's strong, too strong.

N. Shanley – Can we, can we just support Karen in sending whatever it is she's asking for permission to send.

L. Bowers – Sure.

N. Shanley – And then we each will read whatever we need to read.

L. Bowers – Sure.

N. Shanley- I will make that motion that we, not that, we recognize that Karen doesn't, shouldn't need that authorization but since she's asked for it, we're authorizing her to send the section of the Comprehensive Plan to Bill Thorne to which she referred to in her email last night. And I believe that was implementation.

L. Bowers – Okay. And I will respond to her today and let her know that, do whatever she needs to do. I do believe that after you read this, after you read it over, this Board is going to have to give some direction to the Zoning Commission, because they are truly divided. And, you know, Karen moderating the meeting doesn't want to tell them what she thinks they should do because she doesn't want to take that role, so otherwise I don't know if we're going to get this off the dime and it needs to happen. And I guess now we just wait for the Prosecutor. Don, you have anything else you want to bring up?

D. Butler – Um-um.

L. Bowers – Nanci?

S. Heiszek - Does the Prosecutor have a turquoise car?

N. Shanley – I don't know.

S. Heiszek – Well, whoever it is is going to the Admin...

N. Shanley – Wrong building.

L. Bowers – Dave?

D. Figgers – What?

L. Bowers – Can you, can you check and see if that's the Prosecutor trying to go the Administration Building and bring him up here? Would you please? Thank you.

D. Figgers – I can do that.

J. Turpin – White hair?

N. Shanley – Yeah, he has grey hair.

S. Heiszek – You'd think he's see the cars down here.

N. Shanley – Well there's cars there too.

S. Heiszek – Oh are there? Okay. I didn't know.

N. Shanley – Um-hum.

J. Turpin – Just mine.

N. Shanley – A car. There is a car.

D. Hollish – What kind of zoning laws are (indecipherable – not at mic) Just a broad verizon of...

N. Shanley- It's a Comprehensive Plan.

L. Bowers – Do you have an email address, Dave, and I'll forward it to you.

D. Hollish – No, I'm computer illiterate.

L. Bowers – I can probably, let me see if I have a second copy.

N. Shanley – It's the Comprehensive Plan, not the Zoning Resolution.

D. Hollish – Okay. That's Karen felt the language was too strong or...

L. Bowers – On the Comprehensive Plan, the Department of Planning Services was asked to go through the document and recommend the zoning changes that would be consistent with the spirit of the plan.

D. Hollish – Right.

L. Bowers – And some of the members of the Zoning, and Department of Planning Services has done that. Some of the members think that the draft is too strong by saying...

D. Hollish – I guess what I'm...

L. Bowers – these are the regulations and...

D. Hollish – I guess what I'm just trying, you don't have to worry about that, getting back. It's a...oh how do I want to word this. Is it more like new structures and things of that nature or is it...

L. Bowers – No, it's things like, it's things like the Township should consider zoning language that protects views in certain areas that seem to be important to the community. It's pretty vague stuff.

D. Hollish – Okay.

L. Bowers – That's why I'm not so sure I understand where the concern is. It's pretty vague stuff.

D. Hollish – Okay.

L. Bowers – I'm sorry, Joy.

D. Hollish – I know I'm supposed to use the microphone.

(Assistant Prosecutor Tom Karris joins the meeting)

N. Shanley – Hi, Tom.

T. Karris – Good morning.

N. Shanley – Good morning.

L. Bowers – Dave, while he's getting, while he's getting situated, you know, one of the things that in here, it said for site plan and review and performance, the Township should evaluate the need for expanded landscaping requirements to address issues not regulated by other County agencies, like screening and buffering and it's, it's pretty mild stuff like that. Considering revising the planned unit development section, under conditional uses to make it more user friendly, if that's what we want to happen in a certain area maybe that should be the required use instead of, instead of the conditionally permitted use which is a harder route to go. For instance, Bath Township has done that. They want a certain kind of development that used to be conditional. They've made it their regular and they've made the grid like so that it makes it harder and developers tend to go the path of least resistance. Just stuff like that.

D. Hollish – Okay.

L. Bowers – Okay. Whatever.

T. Karris – Okay.

2010 Peterbilt Lease -

L. Bowers – This has turned into quite an exercise trying to get a lease done, isn't it?

N. Shanley – Yes, it has.

T. Karris – Most of the, most of those forms are actually for the contractor to sign. Now if you want to go through them one at a time...

N. Shanley – I post, I did post it so the ones that looked, the more I looked at these they become more obvious that these are actually the successful bidder's, the Form of Noncollusion, Personal Property...

T. Karris – You need to forward them to them. They should know how to fill these out.

N. Shanley – Okay.

T. Karris – They probably filled them out before.

N. Shanley – Independent Contractor. Notice of Acceptance.

T. Karris – I think you both have to sign that.

N. Shanley – Right.

L. Bowers – I can't find my copies.

N. Shanley – The Competitive Bidding Affidavit. Would that be the bidder?

T. Karris – Okay... Yeah, that's the, again that's the bidder.

N. Shanley – Okay.

T. Karris – That puts together the other three affidavits and statements that they have, or four other affidavits and statements.

N. Shanley – Okay. Affidavit and Compliance with Section 357.13. Ohio Revised Code.

T. Karris – Which one is that?

N. Shanley – Um, here. I'll just...

T. Karris – She didn't put that in here. Oh, okay. That's the... Again, this is the contractor which signs this.

N. Shanley – Okay. Then there's another one similar and I think maybe this was an error.

T. Karris – It probably was.

N. Shanley – Because then there's another document that has a Township Hall renovation as an at...

T. Karris – Oh, she, I don't know why she put that in there, yeah.

N. Shanley – Okay.

T. Karris – Yeah, both of these are, they have nothing to do with this.

N. Shanley – So there's really, it doesn't, I'm looking, is there... the Bid Guarantee Performance Bond is theirs, right?

T. Karris – Right.

N. Shanley – Is there anything here that we need to sign?

T. Karris – The...

L. Bowers – The contract.

T. Karris – Not a Bid Guarantee. You have to sign the Notice of Acceptance of the Bid. Notice of Acceptance. You have that? That's this one.

N. Shanley – I'm not seeing, I'm not seeing that in my copies.

T. Karris – I apologize.

N. Shanley – Ah, here it is. No, this, yes, both.

L. Bowers – That's the contract.

N. Shanley – Yeah. Okay, so that's the only one.

T. Karris – Correct.

N. Shanley – And everything else is...

T. Karris – Everything else is...

N. Shanley – Peterbilt, or Cleveland Peterbilt.

T. Karris – Right.

N. Shanley – Okay.

T. Karris – And they should know how to, and certainly they can call our office if they have any questions.

L. Bowers – Tom, do I understand that, I got the packet too and looked it over, it's pretty standard stuff. Did, you've approved the form of the contract,

T. Karris – Yeah.

L. Bowers – Recommending these inclusions, period. Right?

T. Karris – Right.

L. Bowers – Okay.

T. Karris – That's, in fact, that's included...

L. Bowers – I apologize you had to come down here today cause I didn't know about it until this morning but we could have gone over that pretty easily, that's...

T. Karris – Yeah, that's okay.

L. Bowers – It's approved with those inclusions.

T. Karris – You should have the first thing that you got should have been our acceptance.

N. Shanley – We have something that says the foregoing contract was approved as to form but it didn't address the attachments.

T. Karris – Oh, boy. Oh, I'm sorry.

L. Bowers – That's the Prosecutor's concurrence.

N. Shanley – Correct. Do we need something from you that says...

T. Karris – Yes, you need...the foregoing contract is to form.

N. Shanley – Okay.

T. Karris – She put the orig...ah, this is a copy.

L. Bowers – Yeah.

T. Karris – You don't have it signed by me?

N. Shanley – Yeah.

L. Bowers – Yeah. We do.

T. Karris – Okay. Okay.

N. Shanley – Okay.

T. Karris – That, so long as those other forms are, what you would do is you would submit the, the acceptance, the Acceptance of the Bid, Acceptance Notice...

N. Shanley – Okay.

T. Karris – With these other documents to the bidder. And then the bidder would complete those and return them to you.

N. Shanley – Okay.

T. Karris – Okay? And that would be ...

N. Shanley – This is the first time I've seen all this so I apologize. I was, especially, you know, I saw Shirley's email and then I, since I didn't have copies, I thought what in the world do we have and then I got the copies. I'm thinking, okay, this is my first time with this. This is not routine for me so I really appreciate your help.

T. Karris – No problem. Got me out of the office.

L. Bowers – Nanci, I'm going to suggest too, that in the future, and I saw that this morning at the, you know, we're having a meeting this morning. You might want to talk to the Board first and see if, you know, then we can do all of our questions together, if we have any. We probably wouldn't have had any after that was over with. I'm just saying that we have a great

deal of the Prosecutor showing up and sometimes it's just not necessary and out of courtesy to them that maybe we can do this a little more as a Board first.

N. Shanley – I thought since this had been dragging out as long as it had with all the hiccups we've had along the way...

L. Bowers – Oh yeah. Eighteen months to have a premature baby.

N. Shanley – That it probably is best sometimes to just have Tom here and all of us hear what he says or ask questions together than to have a meeting and then have to go back to him. I just thought it just might be, and then get it off the table. So now we're done.

L. Bowers – That's a good idea but I don't think we'd a had to go to him at all, it's pretty standard stuff. And they approved it as to form with those documents.

N. Shanley – I, I actually, I would have had questions and I'd rather ask the questions...

L. Bowers – Fine.

N. Shanley – in front of everybody else so we don't have all the, you know.

L. Bowers – Fine.

N. Shanley – Do we ...

D. Butler – I'm going to take a different approach to it. I picked this stuff up from Tom as a courtesy, didn't look at it, gave it to Shirley and you saw the response from Shirley. If she would have called Tom, which I...

T. Karris – She did call me.

D. Butler – We shouldn't had to be have this meeting.

T. Karris – If Shirley

L. Bowers – Don, after all the hoorah we went through...

D. Butler – Wait a minute, wait a minute.

L. Bowers – That she's not allowed to...

D. Butler – Let me finish, please.

L. Bowers – do this, then...

D. Butler – Shut up, let me finish.

L. Bowers – Excuse me.

D. Butler – Quit babbling and let me finish.

L. Bowers – After all the hoorah we went through that she's not permitted to do anything.

D. Butler – Oh, ...

L. Bowers – You expected her to do this?

D. Butler – Who said, whoever, ...

L. Bowers – Oh, please.

D. Butler – Please show me that in writing. That's a figment of your imagination.

N. Shanley – Mrs....okay.

L. Bowers – Please.

N. Shanley- What we have said in the past is what Bill Thorne pointed out to us which is that only the Board of Trustees can enter into contract for this Township or can designate another individual...

L. Bowers – Exactly.

N. Shanley – As a Board to enter into contract.

L. Bowers – Exactly. And we refused to designate.

N. Shanley – For that reason, for that reason we then decided that we would auth...anytime there's a contract to be signed that the Board would consider the contract and then delegate that responsibility if they didn't want to do it right then and there, to someone else. So, no, based on that it isn't appropriate for Shirley to just receive something and sign it.

L. Bowers – Absolutely.

N. Shanley – It puts her in a terrible position. She's not the one that's responsible for signing a contract for the Township so she has been advised of that. Unfortunately, it's been looked at a number of different ways but it's as simple as this - the Board is the only entity that can enter into contract for the Township.

L. Bowers – And this is the very issue that brought about that policy so, I, absolutely Mrs. Bailey did the right, did the right thing.

D. Butler – There's nothing here to be signed by anybody except the one form here.

T. Karris – Yeah, well...

D. Butler – These would just be moved on to the vendors.

L. Bowers – That would be a signature.

T. Karris – Right.

N. Shanley – Do we want to designate who can...

D. Butler – So why wasn't that done is what I'm asking.

L. Bowers – Who we going to designate among the Board members to take care of this fiasco and get it finished? Who wants to do that? Mr. Butler, you are the liaison. Do you want to do it?

D. Butler – Yeah, if all we need is one signature here. I don't have a problem with that.

N. Shanley – I will make the motion that we designate Don Butler as the liaison of the Service Department to make complete the Notice of Acceptance for the contract for the purchase of the 2010 Peterbilt.

L. Bowers – And I will second that motion.

D. Butler – How about all the other forms?

L. Bowers – All in favor, aye?

N. Shanley – Those are signed by the bidder.

L. Bowers – Those got to the bidder.

N. Shanley- Those go to the bidder.

D. Butler – We gonna send them to them blank?

T. Karris – Yeah.

L. Bowers – Um-hum.

N. Shanley – Yes.

T. Karris – They fill them, they fill them...

D. Butler – They fill them out?

T. Karris – Yeah.

L. Bowers – Yeah.

D. Butler – That’s not hard to do.

T. Karris – If they’re going to fill them out or they would have their, their bonding agent fill them out.

N. Shanley – Joy... do you have these as electronic copies?

T. Karris – Yes, yes.

N. Shanley – Is it possible to get those from you so that either your office or Joy can send them to Peterbilt and get that end of it taken care of?

T. Karris – Do you want me to email them to you?

N. Shanley – Okay.

T. Karris – Which email should I send it to?

D. Butler – And you’re going to take care of forwarding them? Okay. Not a problem.

L. Bowers – You want to just go ahead and sign it now and give it to her so we can be moving along?

J. Turpin – Don, Do you still have the original copies that you brought back to us?

D. Butler – Yeah, they’re right here.

T. Karris – There is some fill in the blanks on that form that you’re going to need to fill out but they’re pretty self explanatory, so. Okay, what’s your...oh, you got it.

J. Turpin – You don’t want to copy it down. It’s ridiculous.

T. Karris – Okay. Alright. I’ll get that to you as soon as I get back to the office. Anything else for me, or...

L. Bowers – You have anything for us?

J. Turpin – May I ask, what, you took something out and it only came out of hers. I just want to make sure.

T. Karris – Oh, it’s that.

J. Turpin – So, CF12.

T. Karris – Yeah.

J. Turpin – Okay.

T. Karris – Well, there's , there was actually three, there was actually three copies of CF12, two of which were erroneous.

J. Turpin – So one copy of that does still need to go.

T. Karris – Yeah. The correct one that has the correct description of the transaction.

D. Butler – So this goes to Peterbilt for the truck.

T. Karris – Yeah. This is notifying them...

D. Butler – What dates are we using?

T. Karris – Yeah, this is notifying them that you've accepted their, their...

D. Butler – What dates are we using? Are we going to backdate this?

T. Karris – Well, when was the date that you accepted the bid? Did you, have you formally accepted the bid?

N. Shanley – Um-hum.

L. Bowers – It was so long ago we can't remember.

N. Shanley – It was in June, right? I was on vacation. I remember the bid opening was, it was in June. That's all I remember.

T. Karris – Okay.

L. Bowers – It was before that.

N. Shanley – Wasn't it in June? The bid opening.

L. Bowers – April 28th, I think is the date.

N. Shanley- Was it April? Yes. I was in Florida. That was April. You're absolutely right, yes.

L. Bowers – April 28th and here we still are.

N. Shanley – And as far as the proposal description, it's okay to simply say contract for purchase of model 340 Peterbilt.

T. Karris – Um-hum.

N. Shanley – As submitted...

D. Butler – We can date it April 28th too?

T. Karris – Yes.

N. Shanley – In...

L. Bowers – Joy, would you verify that date for him, cause we have minutes on it. And make sure it's got the right one but I'm pretty sure it was April 28th.

N. Shanley – And the to...

L. Bowers – I can do it by looking at my calendar.

T. Karris- That's to them. Peterbilt.

N. Shanley – Okay.

T. Karris – That's to Peterbilt there.

N. Shanley – So it's okay to say contract for purchase of Model 340 Peterbilt as submitted in bid opened on, whatever the date.

T. Karris- Whatever the date.

N. Shanley – That's a sufficient description? Okay.

L. Bowers – It was April 28th, Don. I've got it in my calendar.

N. Shanley – Don, you can have this one that I'm filling out if you want it. Thank you, Tom.

T. Karris – Okay. We all set?

L. Bowers – Don, you have anything else to come before the Board?

D. Butler – Nope.

L. Bowers - Nanci, anything else to come before the Board?

N. Shanley – No.

L. Bowers – It is, oh, Mr. Hollish does.

Public Participation -

D. Hollish – Dave Hollish. With all this arguing and bickering going on today, I'm going to make one statement, well, hopefully brief. Is this not a government, branch of the government, Lafayette Township? Okay. Four or five years ago I did a project for the Department of Defense. About a two and a half, three year project. Let me tell you one thing. Dealing with

the Federal Government, to buy a eight dollar part, it took three months to make a decision, cause they had to go through the proper channels. Not to take away from Dave Figgers or anything, when you're buying stuff, even though the person that was in charge of the project for the Federal Government did not have the authority to sign anything, to purchase anything.

L. Bowers – David, I, I absolutely agree with your proper channels, but your proper channels in a Township that has two full time employees and three Trustees does not need to take us a year to enter into a lease agreement for a vehicle that we have had on the road for a year. And it absolutely should never take weeks or months to address a situation that is an emergency to the public safety. Period.

D. Hollish – I understand the roads, ...

L. Bowers – That's my frustration.

D. Hollish – But as far as equipment purchases, that's should never just be done on a whim. And that's why we're in the situation with this Peterbilt is because it didn't go through proper channels and it was purchased basically illegally.

L. Bowers – I disagree that it was done on a whim. The proper procedures were not followed because the Board didn't follow through on those proper procedures but the result is exactly the same. And it was not Mrs. Bailey that did it wrong, it was the Board. And...

D. Hollish – I understand that.

L. Bowers – Case in point, we turned around and tried to do it again on this one.

D. Hollish – I'm just saying, the last document that Mrs. Bailey crossed off counsel for the Prosecuting...

D. Butler – You know what, Dave, that ...

L. Bowers – David, we're not going to rehash that.

D. Butler – That's immaterial. But here's the, let's get a little bit more accurate here. The Prosecutor's has this document for over three months. Correct, Joy? Give or take a week or two? So, it's sitting there. It wasn't our fault. He's had it for three months to hand this back, four or five blank forms. The culvert thing is maybe a week old. Not months, not years.

D. Hollish – At least about a week to two weeks because I noticed the orange barrels. I travel on Egypt Road everyday just about.

D. Butler – Yeah. But I'm saying, that has not an issue that's been going on for weeks or months.

D. Hollish – No, I understand that.

D. Butler – Okay. It was just said about how things get drug out...

D. Hollish – Yeah. I understand.

D. Butler – I'm saying they have not been drug out.

D. Hollish – I guess what I'm saying is a Township resident, even the Fire Department, other than, like you say, then and now, the ambulance breaks down, the fire truck breaks down, you can't go to a meeting, and I agree with what Don says to an extent that you have x amount of trucks, or I don't know if Lynda said that, but we have x amount of trucks sitting there, are we gonna put in, it goes to the shop, \$500.00, and then he says well, we're tearing this apart, it's going to be another \$1,200.00. At what point, you have three trucks sitting there right now. Pickup truck and we have two Peterbilts. Nothing they can't do with those two. Hold me if I'm not wrong, those two Peterbilts, that little one ton dump truck can only handle so much. But if they're only buying a ton and a half of fill they could use the Peterbilt while that thing's being repaired or decisions are made whether to get rid of it or not. I guess that's what I'm trying to say. I don't think anyone has the right to go and say it's gonna cost \$3,000.00 just to sign away on it. Now, ...

L. Bowers – I don't think anyone's every tried to do that, David.

D. Hollish – As far as a road repair, well, that's got to be tended to. So maybe something needs to be adopted saying under these certain conditions this is where we allow our people to sign off...

N. Shanley – That's what I'm preparing...

L. Bowers – Thank you for your support.

N. Shanley – For the next meeting.

D. Butler – I believe if you go back and look at the resolution that limits things to two fifty, if I remember right, there is an emergency clause in there. That if something has to be done, the two fifty is not held to. A liaison or a Tru...a liaison or Trustee must be notified and in the past when we've had repairs, when I was, last year, I would simply send a memo out saying Dave needs to do this, the repair costs this. So I notified the rest of the Board of what was happening, that was the end of it.

D. Hollish – Right.

D. Butler – Obviously, that's changed.

L. Bowers – Don, if in the future too, if you have problems with the Prosecutor's Office, I know Mrs. Shanley talks to them regularly, I know she's up there a lot, she doesn't have any problem getting anything out of them. If I need something and time is of the essence, I tell them that or I go to their office with it and I bring it back with me and that works very well, I've never had a problem in all these years.

D. Butler – I don't even see why we have to go to the Prosecutor's Office? If, if time's of the

essence and all three of us are notified, unless there's a major problem with it, it should be done. That's the way everything was done a couple years ago.

L. Bowers – Well, I don't need to go to the Prosecutor's Office every day, but apparently we do. So, I'm just...

N. Shanley – Mrs. Bowers, that is not the case.

L. Bowers – I'm just telling...

N. Shanley – That is not the case.

L. Bowers- I've been in the Prosecutor's Office more in the last seven months than I had been in twelve years. Until January 1 of this year, I had physically been in the Prosecutor's Office on Township business a total of six times. Period. And one of those was a training session.

N. Shanley – Back to the Peterbilt. This Notice of Acceptance is going to be redrafted and sent to you, Joy. I caught an error in it and he's to do that today. It is not for work, it is for the purchase of an item. And this is a Notice of Acceptance for work, so, he's going to be sending you, and I'll give you what I filled in that I read off so you can just go from that.

D. Butler – Well, when you get it then call me and I'll come over and sign it.

L. Bowers – Anything else? Thank you for your comments, Mr. Hollish. We are adjourned at 10:27.

Meeting adjourned at 10:27 a.m.

Approved: _____

Donald Butler, Trustee

Lynda Bowers, Trustee

Nanci Shanley, Trustee

Shirley Bailey, Fiscal Officer