

Minutes
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
Regular Meeting
Monday, April 20, 2020

Members Present: Trustee Lynda Bowers, Trustee Michael Costello, Trustee Martin Warchola, Fiscal Officer Laura Ruebensaal (by phone), Legal Counsel William Thorne, Village of Chippewa Lake- Alan Robbins and Ken Demeter

Meeting called to order: 6:03 p.m. followed by the Pledge of Allegiance.

Trustee Bowers said the Board is accepting the following reports in written form: Financial Report from the Fiscal Officer, Service Department, Police Department, Fire Department, Zoning Department and Community Resource.

Discussion took place regarding modifying the statutory requirements on the township deed. Mr. Thorne said not all requirements are mandatory to be listed. The Board approved the condensed language as advised by legal counsel.

The township website host is going out of business at the end of the month. A proposal has been received and reviewed by Mr. Thorne. He noted the modifications that are necessary to the agreement.

Trustee Bowers made a motion granting Fiscal Officer, Laura Ruebensaal the authority to enter into a new website contract with the Helpful Marketer as is proposed subject to Mr. Thornes approval of the contract. Trustee Warchola seconded the motion. All voting in favor.

The Board reviewed a resolution approving permanent appropriations. Trustee Bowers announced a new Certificate of Resources has been received and the carry over balances varied, prompting changes to the Permanent Appropriation resolution. Trustee Bowers noted the following:

General Fund Salaries: \$98,000.00

Road & Bridge Salaries: \$140,000.00

Zoning Salaries: \$25,000.00

Total in Salaries other than Fire/Rescue \$263,000.00

Budget absent Fire/Rescue (done on another document) \$1,395,000.00

Budget for Fire/Rescue: \$5,856,590.00 (includes the \$4million bond pay-off)

Trustee Bowers explained there is now a mortgage for the Safety Services Building with a rate of 2.49% for 10 years with no pre-payment penalty after two years and anticipates paying it off in approximately six years. She noted the fire budget balance at \$1,856,000.00 which includes the debt service payment for 2020 and the salary/payroll budget \$340,000.00. Trustee Bowers said the 2019 salary expense was just shy of \$340,000.00 but absent any increases should be fine for 2020.

Trustee Costello made a motion, seconded by Trustee Warchola approving the 2020 Permanent Appropriations for township departments. All voting in favor.

A quote was received from Warwick for “resetting” the lock set on the front door of the Safety Service building and to exchange the door leading into the bunk rooms leading from the main entrance, to a FOB accessible door opposed to a key.

Trustee Bowers made a motion approving the Warwick quote for the changes on the Safety Services front door (Door #100D) and the door (Door #100A) leading into the bunk rooms in amount not to exceed \$2813.13. Trustee Costello seconded the motion. All voting in favor.

Ms. Martha Evans informed Trustee Bowers that she received payroll but did not receive the necessary individual paperwork on the four new hires in the fire department and therefore was unable to process payroll for them. The Board agreed “new hire” paperwork should be submitted by the fire department in a more timely manner. Trustee Warchola to follow up to ensure members are compensated properly.

Ms. Buell announced vouchers have been received from the Medina County Solid Waste District which replaces the annual township spring clean up day. Residents can contact the Administration office to request a one-time voucher. She requested and received Board approval of the letter that will be mailed along with the voucher.

The Board granted approval on the transfer of a deed from Ms. Nanci Shanley to Mr. David Hollish. Ms. Shanley no longer lives in the state of Ohio and requested transferring to Mr. Hollish.

Trustee Bowers stated that it has been the policy of this board to use executive session only when necessary, not just because it is a topic permitted. She noted that while she knows it is a violation of law for members of the board to disclose matters discussed in executive session, she requests permission from the other members of the board to divulge executive session discussion enough that residents can understand the rationale behind the decision to go back to a full-time chief. She explained that she had an interaction with a resident last night and believes it is difficult for a resident to understand without the disclosure of certain executive session information and that residents have a right to understand. She knows residents read the minutes and believes it is important to provide the information so would like to go over it on the record. Trustee Warchola and Trustee Costello agreed. Law Director Thorne noted that at any time if information specifically inappropriate to discuss in public is approached a member of the board should object. Trustee Bowers asked that he also caution her if he felt disclosure where she was headed would compromise the public business.

Next, Trustee Bowers stated, even though it is a proper executive session matter, she does not believe there is any public purpose to be served by discussing the transition back to a full-time chief position in executive session and requested the board have that discussion in open public meeting as well. Trustees Costello and Warchola agreed.

Trustee Bowers then stated she wanted to review where we are with the fire chief position and a little bit of history quotes summarized as follows:

If you follow our minutes, you know for about a year we have had many executive session discussions regarding personnel matters, mostly compensation, hiring, firing & discipline. There have been issues, lots of issues. The old adage you never know how much you need something until it is gone is true. Brad Winter did a good job handling the day to day administration and human resources matters.

Trustees are responsible for the operation of the fire and rescue department. We are charged with ensuring the most effective and efficient use of tax dollars to deliver a highest quality service possible within the funding structure available. As I proceed, please keep in mind that the budget to pay fire fighters, EMTs and Paramedics each year is, you heard earlier \$340,000 this year and was about the same last year. That is just payroll, what members are paid. For a small department that presents as volunteer, that’s a pretty strong payroll.

There is a chain of command for members. They report to officers, then to the chief and the chief to trustees. When members feel that system fails, their recourse is the Trustees. The buck stops here and that has happened. The complaints we have dealt with in executive session range from gender discrimination, lack of leadership, hostile work environment, particularly toward new members, inconsistency in training, scheduling problems and purposely limiting the availability of staff. There has been evidence the complaints are appropriate and we have tried to work with the Chief to investigate these concerns.

The concern which probably most compromises the efficiency of the service and the safety of the residents is the staffing issue so I will directly speak to that.

For several years, we have worked with department leadership giving them great latitude, particularly in budget, to remedy the need for more staff. Just in about the last two year’s time, twice department leadership has presented restructuring and pay increases as a means to remedy the problem. Trustees agreed. Neither remedy resulted in improvement. For more than a year, Trustees not only encouraged but got to the point that leadership

was instructed numerous times this past year to pursue new members for staffing. The officer responsible was specifically, on the record, advised more than once that copies of all applications were to be provided to the trustees, the hiring authority.

Every update we requested, we were told there is no interest, pay being the biggest deterrent even though comparative reviews indicate our pay structure is competitive.

Several months ago leadership came back with yet another remedy, promote five existing members into more officer positions. That would make nine of about 25 active members, officers. It didn't make sense that new titles and higher pay would create more time in the day for people not able to put the time in already. And then we learned a Paramedic applied to Lafayette more than six months earlier and her application was ignored. That application was not shared with Trustees.

Investigating, we learned there were seven applications just laying. We reached out to them and found, I believe four, had given up, taking jobs elsewhere. So Trustees advertised. We received, responses rather quickly. And they were really good, qualified people. Our pay range was not an issue to any of them. We scheduled interviews, inviting fire and rescue leadership to participate. They did not participate. We chose five as potential hires. We requested fire & rescue leadership conduct follow up interviews. They did. We have hired four new EMTs and Paramedics, I believe three already cross trained as fire fighters. I believe we will be doing that again shortly.

I want to review a little history. You know we had a full-time chief for many years. Even Westfield with a much smaller population has a full-time Chief. Between compliance, human resource and liability issues, it's a big job.

In 2008, when our full-time fire Chief, Jim Sheppard, retired, Brad Winter seemed to be the logical choice to assume that roll. He was still working a full-time private industry job so he presented trustees with a different proposal. He proposed the salary and the responsibilities of the Chief's position be split between Jeff Hall and himself. Trustees agreed. I don't know of anyone who would disagree that Jeff is one of the best people you could want overseeing operations during a fire. He is an excellent fire fighter. And Brad has excellent administrative skills. They were a good fit together with different strengths. And we owe Brad a lot of thanks too for all of his work on the planning and design of the new safety service building. Even the identity of the building as a safety services building was Brad's recommendation.

On the doorstep of that project Brad was given the opportunity to assume the full-time chief's position for Seville-Guilford Fire & Rescue. But there is no question that left a void here. And then the complaints started coming slowly at first. Officers and members complained of things not getting done, issues not being addressed, being overwhelmed with extra responsibilities that they either didn't have time for or felt they weren't being compensated to do.

In the Chief's defense, this administrative side was not what he bargained for under the former shared responsibilities arrangement in place when he became Chief. That wasn't what he came on board to do. He has even been up front with us that it isn't his strong suit, he's told us, he doesn't like that part of the job at all. We met with the Chief to try to get him some help. We asked him to summarize routine responsibilities. His only response was "What, besides having a full-time job?" We have tried to discuss with the Chief that there are complaints that he is not able to get things done, particularly from his officers. His response is that he doesn't believe it. It was also complicated because the construction of the new building was going on during that time and was pretty much a 24/7 job for trustees. But the complaints kept coming.

The complaints overall were a variety of issues. For instance, one complaint was from a resident about our paid staff and ambulance being in the Seville station behind closed doors for more than two hours. I know Mike Savetski, I see you sitting back there shaking your head no, but it's a legitimate complaint, residents have a right to know why their ambulance is sitting in Seville for hours. They have the right to ask that question. And we have a responsibility to ask the Chief for an explanation. You may not like it, I get that. You know, when you get a complaint like gender discrimination, it has to be investigated. And we have to ask the Chief to do that. Coming back to us and just saying it's BS doesn't cut it. There needs to be a report, statements, documentation of how the complaint was handled. Jeff has been quite clear, he doesn't like that part of the job.

Understandable, but we have to ask him to do it and do it right.

The complaints coming from the officers and members are mostly, at their root, not putting in the time to do the job. We realize that holding down both a full-time and a part-time job is a challenge. So we were a bit surprised to learn that our Chief has been sworn in and staffing with Westfield Fire for a few months and I understand recently also with Seville. That is concerning to officers and members.

So several weeks ago, we met with the Chief to discuss going back to a full-time position. We asked if he was interested. He would not say. I believe Trustee Warchola has followed up a couple of times and he has still not been willing to commit. (Trustee Warchola verified that is correct). So, we worked with our legal counsel and the Ohio Fire Marshall's office to put together minimum standards for applicants and advertised. We want well beyond those minimums, in fact in the paperwork we had there were higher standards but I understand the Fire Marshall's recommendation was just put minimums work, doesn't mean that's what you hire.

Trustee Bowers read from a message sent by the Chief to department members on April 17, 2020 as follows: *You may have heard rumor that the Board of Trustees have decided to transition from a part time Chief to a full time Chief in the very near future, that is in fact true. I am able to apply, however with a lot of thinking I have decided that I will not apply for this position. I have decided that it is time to focus on myself, my family, and to further my education in the fire and EMS service.*

Summary of Trustee Bowers quotes continued:

The advertising for a Fire Chief is out. We will see what we get. I've had several contacts, some surprising ones. Extremely qualified applicants if they actually apply. But to my knowledge, we have not received any applications. And Mike Costello, is not applying. I've heard that rumor. Just not true. I don't think it crossed his mind and it hasn't ours.

I know there is a lot of stuff on social media. I don't really read it but a lot of it is pushed to me. You know, I see this stuff on social media, but we are being pushed from the other side too. I had a resident suggest we should evaluate the hours of the Chief's full-time job and public record request the staffing he's done at Westfield and Seville to see if he has any time left to do the job Lafayette is paying for. Now we aren't going to go there, but we are getting that too. It's not just one sided. And for the few people, members of our department, making some comments out there, don't forget there are other members being quiet and who are looking forward to working in a department that is functioning well, things are getting done and moving forward, providing a service. They deserve support too. With numerous fire and rescue members included in the audience, Ms. Bowers asked if anyone had any questions or comments they would like to make. There were none.

Trustee Bowers said it is her understanding the fire siren in Chippewa Lake did not sound on April 7th during the severe inclement weather. She explained numerous conversations have taken place regarding this issue. The Board brought in experts to evaluate, inspect and make recommendations and the township did what was required to be done. The sirens are tested the first Saturday of every month and it is the responsibility of the fire department to confirm they are operational. Once the signal is received, the sheriff's department has no way of knowing if the siren actually sounds as this is an older siren. Chief Hall confirmed the last test was one week prior to the storm but was unable to confirm through report the signal had been received. Trustee Bowers stated a previous recommendation was to place the siren higher and it should work providing it is at the right height. The replacement cost would be approximately \$30,000.00 to replace. The township had been told by Mr. Dan Boddet that the height of the antenna is acceptable as long as atmospheric conditions are not compromised. He suggested there may be an issue with the receiver unit of the siren but could not confirm until on site. Trustee Bowers said the township should have four sirens to outfit the township properly. Lafayette Township Zoning code has changed requiring new developments located within the loop, to install a siren. A new subdivision is in the process of development near Tech Park to which the Board will request a siren. She reminded everyone the sirens are meant for individuals who are outside and are not necessarily meant to be relied upon indoors. She recommended signing up for Medina County Emergency Alerts which is a system that sends alerts via phone call, text message, email, etc. Trustee Bowers said a discussion would need to take place to see if it is in the best interest to spend \$30,000.00 of the fire budget on a siren, that may or may not work due to atmospheric conditions or to utilize the money for staffing, etc. Trustee Bowers had informed the fire department of a grant last year which could have helped with the replacement of the siren but it was never applied for but she will be vigilant of any future grants that become available. Trustee Bowers asked if anyone in the audience had any comments or questions. Chippewa Village Councilman responded.

Mr. Alan Robbins confirmed the siren does not work in the Village nor at Lion's Park. His understanding is the atmospheric issues can be a reason the siren does not sound but he was told if the receiver was placed higher that would eliminate some of the issues and doesn't believe that would be a \$30,000.000 cost. Trustee Bowers recalls authorizing the receiver height adjustment be made but it has not been completed and does not believe the cost was extensive but replacing the siren would be. Trustee Bowers said confirmation of the siren sounding can be confirmed at the sheriff's department by reviewing the receiver record to see if the signal made contact. The reports are supposed to be reviewed after each test to ensure connection has been made. Chief Hall contacted Mr. Dan Bodet to receive recommendations on the siren.

Mr. Alan Robbins said there was significant citizen animosity and unrest when fire/EMS was eliminated from station #2. Trustee Bowers said the existence of the Chippewa Station was addressed in planning. Trustee Costello said the decision was left to Chief Hall to devise a plan in how Station #2 would be utilized, which to date has not been submitted. Trustee Bowers said the Board has been unsuccessful in receiving that information. She said it is the Board's intention to keep that station viable and maintained as a fire station. Chief Hall had discussed with the Board that a centralized location for apparatus made the most sense due to previous staffing, even days at station #2 and odd days at station #1. Frequently, calls would be located on the opposite side of the location staffing was occurring. After hours, personnel responded to the station in which the department had staffed that particular day. The thought to having a centralized location was to lower the average response time to all areas of the township as opposed to operating out of two stations. Trustee Bowers said an analysis was conducted by Mr. Bill Kramer reviewing several locations for ISO and response purposes. Mr. Robbins said Chippewa Council never received any advance notification from the Board nor the fire department that the fire department was removing everything from the Chippewa Station. Trustee Bowers said the Board had no prior notification either, the move took place without Board knowledge. Mr. Robbins said he finds it hard to believe the Board was unaware due to the Board having such a "hands on" approach with the fire department. Trustee Costello stated he had been out of the country during the move. Trustee Warchola said there had been prior discussion that the move would take place as soon as reasonably possible, but he was not aware of the actual date. Mr. Robbins believes it makes sense to have the fire apparatus in a central location but hesitates with the reasoning when 85% of the calls are EMS. Trustee Bowers said the experts state the central location is a better response time including to the Village and inquired if that changes his understanding. Mr. Robbins said the proof will eventually show, however, recently mutual aid responded quicker than the township. Trustee Bowers said this latest call was due to a lack of staffing. She offered having an analysis done comparing run reports/response times both prior to the new building and after. Mr. Robbins agreed and said it could offer data to the Village residents. Trustee Bowers welcomed the Village to attend township meetings and would like to get into a routine where the Village and township Boards communicate on a more regular basis.

Mr. Robbins explained the Village has concerns regarding the number of recent fire department resignations submitted. Trustee Bowers said the Board was aware personnel had been transitioning to other departments in the area. Lafayette Township has policies in place instructing personnel to inform the Board when members are on other departments but this does not always occur. Trustee Bowers wasn't surprised when Chief Hall decided to work at Seville, as he and former Lafayette Township Assistant Chief Brad Winters work extremely well together and make a great team. Mr. Robbins agreed saying fire departments are similar to military platoons, working harmoniously together. Trustee Bowers said for the few members of the department writing things on social media, she believes personnel are just "venting" and there are many members of the department not posting who are looking forward to leadership getting back into place and getting back to a professional department. The board has received complaints regarding personnel treatment within the fire department and the township has to follow a process of "investigating and documenting" each occurrence and is not able or willing to accept that leadership is not willing to investigate the matters.

Mr. Robbins said in many cases within the Village, deputies from the Sherriff's Department are the first to respond which concerns him because he said with COVID-19 he wants to ensure all first responds are prepared and taking the necessary precautions. Trustee Bowers believes the township is prepared but cannot speak for the Sherriff's Department as the township has no control over them. She said prior discussion took place having the same crew on schedule here in the township to limit the possibility of a COVID-19 outbreak within the department but at the current time Lafayette does not have adequate staff available to do so. Trustee Bowers said

with the new Safety Services Building, the township wishes to eventually go to 24 hour shifts within the fire department.

Mr. Robbins previously heard that fire personnel have no employment agreement. Trustee Bowers said there is a packet that is to be provided, requiring their signatures and documents the agreements. Mr. Robbins requested a copy to review.

Mr. Robbins inquired about the hiring process for the fire chief. Trustee Bowers hopes it would also include current fire officers and confirmed a background check would be completed on the new chief as it is with any fire department personnel. Mr. Robbins does not feel there is a Joint Fire District as part of the organizational structure as it is right now, because there is not a member representing the Village of Chippewa Lake nor Gloria Glens. Trustee Bowers said she was not on the Board when this originated and Mr. Robbins confirmed he was not either. Mr. Robbins said there is taxation without representation. Trustee Bowers disagreed, there is no tax without representation because the Village votes on every issue having to do with the Fire District including the Board members.

Mr. Bill Schmock explained he was Mayor of the Village of Chippewa Lake's at the time it was negotiating the agreement for fire coverage. It was the Village's desire to become part of the Lafayette Township Fire District. Trustee Bowers confirmed the Village is part of the District with levies on the ballot in the Village and previously not Gloria Glens but they will be in the future. Discussion took place regarding the process of becoming part of a fire district and the functioning of a fire district Board. Trustee Bowers is not aware of any department in the county that has a fire district set up as a separate entity with their own voted Board.

Mr. Ken Demeter, Chippewa Lake Community Relations, introduced himself and explained Mayor Dodaro requested he and Mr. Robbins attend and address concerns. The Board welcomed the gentlemen and encouraged attendance at township meetings and regular communication between the Boards. Mr. Demeter reiterated the residents in the Village had been told the Chippewa Fire Station would not be closed and then without notice the station is not occupied. Trustee Bowers said with the transition of acquiring a new chief it may be some time before definitive plans are set but she assured that the township is not "doing away with that station". Trustee Bowers said the Board made recommendations to the fire department on how the station could best and effectively be used for the Village but has not received feedback from the fire department and ensures the Board will continue to follow up. Mr. Demeter is interested in seeing department response times.

Mr. Schmock inquired about a fake facebook account and Trustee Bowers assured the Board of Trustees does not have a facebook account. He relayed what his wife said, "Facebook is not a place to discuss your problems. If you have one, you should be coming to the meetings to discuss them with the Trustees". Trustee Bowers said she recommends they ask questions prior to posting information that is not accurate.

Mr. Schmock suggested the Board inquire the real reasons why former Lafayette Township Assistant Chief Winters resigned because approximately 3 to 4 months prior to Mr. Winters being offered the position at Seville, he was contemplating resigning. Mr. Schmock confirmed Mr. Winters did not discuss reasons with the Board. Trustee Bowers said the Board asked Chief Hall if he had any interest in the full time Chief position and Chief Hall responded that he wasn't in a position to make that decision yet. The Board waited several weeks with no response. Trustee Bowers said Chief Hall admitted several times he does not like the administrative portion of his job which is why the split duties between Chief Hall and former Assistant Chief Winters worked so well. Trustee Bowers said it was very important to her that the Board not dismiss Chief Hall and cut \$25,000.00 of pay knowing he has a family, house, etc. She encouraged finding a way to utilize his skills to recognize the years of service he has given the township and ensure the residents receive what they pay for. The Board asked Chief Hall what responsibilities require his time that could be delegated to someone else. Trustee Bowers noted that conversation took place prior to knowing he had assumed two other part-time jobs. Chief Hall's response was he had a full-time job. Trustee Bowers said the Board tried to work with him on what they could assist with in relieving some of the pressure from him.

Mr. Schmock inquired about the Chief position requirements that were in the posting. Trustee Bowers said those are minimum requirements. She has had potential applicants contact and they have outstanding credentials. Trustee Bowers confirmed the position has been posted in several places. Trustee Bowers confirmed no decision has been made concerning a chief, the Board hasn't received applications yet. Trustee Bowers requested if there was anyone in the audience who had any more questions or comments. There was none.

The Board reviewed the bids for Kapok and Toucan with Melway Paving being the only bidder.

Trustee Bowers moved to approve Melway Paving bids for Kapok and Toucan. Trustee Costello seconded the motion. All voting in favor.

Discussion took place regarding the fire department memorial. The memorial was created by Eagle Scouts. Trustee Bowers requested Mr. Thorne look into the process of how to turn the private memorial into a township memorial. Mr. Jenkins said he doesn't believe there will be a fire association in the near future to handle the memorial bricks.

Trustee Bowers asked if anyone in attendance wished to make any further comments. There was none.

Trustee Bowers moved to pay the warrants of the township.

Meeting adjourned at 7:36 p.m.

Approved: _____
Date

Lynda Bowers, Trustee

Laura Ruebensaal, Fiscal Officer

Michael Costello, Trustee

Martin Warchola, Trustee

MOTIONS & RESOLUTIONS

Trustee Bowers made a motion granting Fiscal Officer, Laura Ruebensaal the authority to enter into a new website contract with the Helpful Marketer as is proposed subject to Mr. Thornes approval of the contract. Trustee Warchola seconded the motion. All voting in favor.

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