

Lafayette Township Board of Trustees and
Lafayette Township Fire District Meeting
February 7, 2022

Trustee Martin Warchola, called the meeting to order at 7:01pm
Roll call: Warchola, Fullerton, O'Neil, Rubensaal- all in attendance

Other township departments in attendance: Alliss Strogin, Zoning Inspector; Jerry Winkler, Fire Department; Rick Evans, Service Department; Bill Thorne, Legal Advisor

Pledge of Allegiance was said.

Marty Warchola, Chair asked the board whether they had the opportunity to review & read the meeting minutes from the organizational meeting of 1.10.22 and the first regular meeting of 1.17.22. Any comments? Any issues? Motion was made by Trustee Fullerton to accept the minutes; seconded by Trustee O'Neil. All in favor? Aye- Minutes have been approved.

Chair commented that this meeting is our inaugural "light" meeting with the hope to cut down on the need for special meetings. We will not be doing reports, but will check in with each department. We will have two meetings a month, next meeting department reports will be presented.

Fiscal Officer Laura Rubensaal:

- Township road mileage certification needs signed by two trustees and she will get it in the mail. This needs to be done on a yearly basis. Trustee Warchola & Trustee Fullerton signed the document.

Zoning Alliss Strogin:

- Lewis Land has been handling footer surveyor duties at the Redwood development. They cannot do the same for the Country Club development, as they were land surveyors and engineers of that property.
- Alliss contacted Marc Trotter from Valley City, who is willing to handle the footer surveyor duties for the Country Club development. He has agreed to the same terms we have currently in place.
- Discussion regarding whether Mr. Trotter would be replacing Lewis Land for all our survey needs. It was determined that we have an agreement with both and we could choose either. Any discussion? No
- If the trustees make a motion in regards to Marc, we will have two available footer surveyors to use.
- Trustee O'Neil made motion to accept Marc Trotter as a secondary surveyor for the township, seconded by Trustee Fullerton, all those in favor say Aye, all those opposed? None- Motion passed.
- Discussion as to whether the fiscal officer needed anything in order to process payment to Mr. Trotter. No, she just needs an invoice.

Law Enforcement: no representative present.

Fire Department Chief Jerry Winkler:

- Chief Winkler wanted to express publicly his appreciation and thanks to the Seville/Guilford Fire Department. They sent over their ladder truck for us to use. No heat in the building for two days. We

used the ladder truck to get onto the roof of the station. LTFD had seven feet of snow on the roof which was clogging the vent pipes, not allowing them to function. Two firefighters climbed up onto the roof to shovel the snow off of the vents. Thank you Holzman and _____. Also Thank you to Steve who plowed out the fire department parking lot.

- Question was asked by Trustee Fullerton regarding how many pipes. We have 8 pipes that needed to be cleared, both in-take and out-take pipes.
- Question was asked by Trustee Warchola regarding long term fix for this issue. Sampsell Heating is coming in to look at the furnaces for maintenance and the pipe issue. Chief will report back on their recommendation in the future.
- Received application from April Winter she was a previous employee/firefighter at Lafayette for 25 years. She is a firefighter and an advanced EMT. He would like trustee approval to bring her on as a probationary member.
- Trustee Fullerton made motion to re-hire April Winter, Trustee Warchola seconded. Any discussion? Question from audience? Ron Spanover - Why did she resign? Brief discussion about leave of absence being longer than Lafayette allowed at the time. No issues. All those in favor of re-hiring April Winter- Aye. All opposed-none. Motion Carried.
- Trustee Warchola talked about a motion giving the chief the ability to hire with consent of the fire liaison prior to trustee board meeting. Trustee Warchola checked with attorney Bill Thorne regarding whether there was legal reason why that could not be done. Thorne commented about the difficulty if the board then did not want to keep the new hire. Motion was withdrawn.

Service Department Rick Evans:

- Question was asked what we could do legally to prevent people in subdivisions, or any area of the township from blowing or plowing the snow back out into the roadway. Problem for the snow plows, problem for people driving on the road. Per Bill Thorne, obstruction of the road is illegal, it could cause damage, if you know about it and do nothing. You could end up with a lawsuit, he believes it is a misdemeanor.
- Discussion regarding options, drafting of letter to residents, HOA.
- Rick stated it is a bigger issue in the subdivisions. Comment that those residents living around cul de sacs do not have many options about where to stack the snow. This is a bigger issue lately due to the amount of snow.
- Suggestion was made for Trustee Fullerton to put together a notice to send out to HOAs and make residents more aware of the issue.
- Trustee Warchola asked for thoughts from resident Justin Peroli who sits on the HOA board for Hunters Run. Discussion ensued about snow removal in Hunters Run. Recent complaint was sent to all three trustees. Someone pushed the snow up over the curb, across the sidewalk and into our common/waste/wetland area leaving a huge mound. Discussion about residents plowing/clearing their drives, then the township snow plows come down and push snow back in front of the driveways. Bottom line, all this snow has to go somewhere. Comment was made that maybe one of the trustees should come down to Hunters Run & see what could be done about where to put the snow. Discussion regarding wetlands in Hunters Run, is it a true wetland, is it protected?
- Trustee Fullerton to go with Service Department head Rick Evans to look at the area. Rick can go up to the county and pull the maps, look at drainage, wetlands, etc. Report back at next meeting.
- Further discussion about people who plow their snow into the ditch and leave snow trail from sides of the plow blade. Again, council re-iterated- you cannot obstruct the roadway.

- Dave Betts, currently working part-time in the service department for the past three years. Rick would like to make him full-time. Good employee. He has a full-time position open. Trustee Fullerton is in agreement but would like to check with the fiscal officer as to whether we can afford it. Would it be at his current rate? Part-time hours he works 32 hours. If moved to full-time he would be eligible for benefits.
- Comment from Shirley Bailey the state considers 32 hours as full-time.
- Trustee Fullerton to look into, talk to fiscal officer, bring up at next meeting.
- Fire Chief Winkler wanted to thank the service department for pulling them out of a driveway during the heavy snows. Marty comment about back-and-forth collaboration; last snowstorm we had a firefighter helping plow in one of the subdivisions.
- Discussion regarding how the plow blades is holding up. Parts are on back order.
- For the record; if we (the township) do take out a mailbox, what is the procedure? What options do the residents have?
 - Service department goes out and puts up a temporary mailbox.
 - We cannot comply with subdivision mailbox rules; i.e. Rubbermaid Mailbox, etc.
 - Or, if the resident calls in, they can receive a \$35.00 check towards their purchase of a mailbox.
 - This procedure is consistent with the county regulations.
 - Many residents were not aware they lived on county roads vs. township roads, those residents were referred to county offices.

Old Business:

- Trustee Fullerton has a couple of items of old business:
 - Beginning January 17th, we have new time clock procedures for the road department. Question was asked of him, why this was implemented. In his opinion, this is best business practice.
 - He also wasn't clear on the training videos they started. The service department has watched training on HIPPA compliance, Bullying & Respect in the Workplace, Harassment in the Workplace, which does touch on sexual harassment. Rick did get another video/tape/CD which is specifically on sexual harassment. Required by law that we view this yearly. Now we are in compliance.
 - Trustee Warchola mentioned receiving letter from our Risk Management KLR, that all employees including the board should review those video/tape/CDs. Firefighters have already complied, but all other employees are strongly encouraged to complete this. We want to get on the cycle of doing this yearly. Justin (Peroli) and Trustee O'Neil were asked to co-ordinate this for the BZA & ZC. Marty will take the lead with the board of trustees.
 - Clarification whether when video/tapes/CDs are viewed is it a public meeting? No, no discussion of township business, only education.
 - Comment from Ron Spanover; that once everyone has watched the tapes ensure that it is documented. Comment from Shirley Bailey that the township did this in the past. Reply from Chair; not sure when this was stopped, but it is starting again this year.
- Trustee O'Neil
 - Last meeting, we talked about hiring of a Zoning Secretary. Karen Schoonover has applied for that position and is in agreement with the terms.
 - Trustee O'Neil made motion to accept her employment, seconded by Trustee Fullerton. All those in favor Aye, all those opposed-none. Motion passed.

- Marty mentioned that she agreed to temporarily do Trustee meeting minutes up until May 31st, and to substitute as needed.
- Fiscal Officer has the paperwork she needs.

New Business:

- Potential additional property purchases to extend Waltz Cemetery.
 - Linda Stallard: speaking for the Stallard family. They own property that abuts the current Waltz Cemetery. They are going to be selling some of it. They wondered whether the township was interested in purchasing a portion to increase the cemetery.
 - Asked Cemetery Liaison, Trustee Fullerton, if he could look into that. Per comment from Attorney Thorne, no specific formal procedure for this. If the township needs the land, and they are willing to sell, it can move forward.
 - Trustee Warchola thanked them for coming to the township and asking us first.
- Temporary Admin Assistant
 - We currently have a temporary Admin Assistant, Sherri Meinke. Trustee Warchola would like to offer her a permanent position. Same terms that were stated in the organizational meeting. Sherri brings a lot of skill sets to the job. She is very good at IT and has been doing updates on our website. Currently our website has up to date department information & meeting minutes. She has done a great job.
 - Marty made a motion to offer her the permanent position. Any discussion? What are the hours of agreement? Originally it was 10am – 2pm on M-W-F. She could extend hours, cannot do Thursday, has a commitment that day.
 - Discussion regarding hours. At a minimum it will be 10am-2pm M-W-F. Alliss needs to know dates & times to allow for permit pickup since they need signed for. Dates and times will be on the website and posted on the front of the building. Sherri is able to work from home on various things. There is flexibility.
 - Discussion from audience about hours, balancing the needs of the residents, possible scheduling time with residents, also concern regarding budget. Maybe one day a week have hours 1:00pm to 5:00pm. Many of the permits are contractors and they can come in during the day hours.
 - Trustee Warchola-- Hope to have an assistant fiscal officer.
 - Trustee Fullerton made a motion to bring Sherri Meinke on as a permanent Admin Assistant for the hours of M-W-F from 10am- 2pm, with some flexibility, not to exceed 24-25 hours. Trustee O’Neil seconded the motion. Trustee Warchola wanted to document on the record, checking with Bill Thorne, does this create a conflict with her being on the zoning board? Per Mr. Thorne, no conflict. All in favor -Aye, all opposed- none. Motion passed.
- Other New Business:
 - Sherri typed up the monthly meeting dates; two Mondays fall on holidays-7/4/22 & 9/5/22. Marty proposes that those months the trustees have only one meeting. The meeting date of 11/21/22 falls on Thanksgiving week, he proposes we meet on 11/07/22 as posted, but not the 21st. Any discussion, any thoughts? Seconded by Trustee Fullerton. All in favor- AYE- all opposed- none. Motion passed. Marty will get the information to Sherri who can update the website.
 - On the website is a BZA and ZC job description for alternates. Will remove the posting for the ZC Secretary. Do we leave up the posting for the road /service position? - yes- still will need

summer help. Question regarding how long we leave up post for alternate zoning position? Leave up until next meeting. Asked Trustee O'Neil & Justin Peroli to read the descriptions on the website for the alternate positions to ensure the information looks correct.

- **Correspondence:**

- We received a thank you note from the Medina SPCA for our recent donation at the end of last year of \$5000.00. This amount was for the prior year (2020) and for the current year (2021).
- Trustee Fullerton mentioned he had quite a lot of correspondence from township residents in regards to mailbox issues. He wanted to remind residents that even though you live in the township, it does not necessarily mean the township plows your road. ODOT could plow it, the county could plow it, township could plow it or you could live on a private road where a private contractor is responsible for plowing. If you're not sure, give us a call, we'll let you know. The township cannot plow on private roads. Marty mentioned a car that was partially buried by a plow truck, that was a county truck. He received a phone call and the driver was referred to the correct county office. Driver was okay.

- **Public Participation:**

- Ron Spanover

- Discussion regarding spreadsheet he saw comparing what our firefighters get paid to other communities of our size. It does seem that we were not paying enough. My question is: Where did we get the money to increase their wages?
- Trustee Warchola said he sat down with the Fire Chief and reviewed budget and expenses. He talked about a fixed bucket of money, one that can be spent on people and/or on equipment. One that can be shared back and forth. Basically, what we did was shift how we spent money within the fire budget, only within the fire budget. Nothing came out of the roads budget; nothing came out of general funds.
- There was also the large bucket of ARP money that the state has allotted us. Which consists of two payments totally a bit over \$600,000.00. When it first came out it had very specific limitations. At the recent OTA (Ohio Township Meeting) and as of 1/6/22 the state passed an amendment regarding spending of that money that was more expansive.
- The increase in firefighter wages will not cause a shortfall in our funds. We always need to ensure we have plenty of carry over. We have been very diligent in that, and will continue to be diligent in that. We have to watch out for future years. The raises were big. The paramedic raises were \$3.00/per hour. But our safety services personal was grossly underpaid. When you can work at a fast-food joint and make more money than a paramedic who is saving peoples' lives. We have been very lucky in how the chief and the staff have been able to develop the fire department. The citizens of Lafayette benefit from this service.

- Justin Peroli

- Marty: You asked to address items in an email you sent me in open meeting. Please reiterate your questions and the board will try to address them.
- Justin: I had emailed Marty about the fact that on 11/19/21 special meeting, after the executive session, you came out and made a motion to terminate Rick Evans, voted to terminate him and on 1/10/22 you voted to re-hire him. Without reading the whole

email I sent you, I highlighted in that meeting that law director Thorne was asked about a complaint against Rick Evans. You replied that Rick Evans was terminated- not for cause.

- Marty: Correct, he was not dismissed “for cause”.
 - Justin: Is different than without reason? We have a public record that shows workplace harassment and a hostile work place complaint from the fiscal officer. We have reports from employees regarding potential time mismanagement. No documents, people talk. Former employees stated they were paid for hours they did not work.
 - Marty: Do you have affidavits from them? I hate dealing in hearsay.
 - Justin: No, that’s fine. You have an open complaint, there are reports of mis treatment from residents.
 - Marty: There is?
 - Justin: The main question is, why would you make the motion to terminate him and them approve his re-hiring?
 - Marty: I was asked to make the motion when we were in executive session (11/19/21). When we went back into executive session in January, we discussed needing to have a supervisor, we discussed potential candidates, and discussed Rick as a potential candidate. We came back into open meeting and voted on it. And at that point I voted to re-hire him.
 - Justin: so, at that meeting it was the first time you discussed it?
 - Marty: that was the first official meeting we had with him.
 - Justin: But at 9:00 you announced re-hiring him, without talking to him? And he was able to start work the next morning?
 - Marty: we wanted him to start work immediately, yes. We had storms coming.
 - Justin: what changed your mind? On such a huge flip flop?
 - Marty: things that were discussed in executive session, that you know as well as I do, can’t be talked about.
 - Ron: Is there an open complaint regarding mistreatment of personnel? I’m not asking if it is true, I’m asking if there is an open complaint?
 - Marty: There was a complaint issues, a complaint written in October of last year.
 - Ron: who is doing the investigation?
 - Marty: As far as I am aware that investigation is done.
 - Ron: Is there an open investigation?
 - Marty: not at this point. I’ll direct that to Bill Thorne.
 - Ron: was it brought to your (Thorne’s) attention?
 - Thorne: no, County Prosecutor was at those meetings.
 - Marty: Mike Lyons was the one who sat in on those meetings.
 - Ron: As long as the investigation is over with and the board is happy with the results.
 - Marty: I would tell you, that if I wasn’t comfortable, I would not have voted to re-hire Mr. Evans.
 - Justin- what else?
 - Brief discussion regarding video recording. Steve Kile’s recording is not the township’s official recording. Anyone can come in and record our meetings and post them.
- Marty asked for any further discussion. Wanted to thank those in attendance. Really hope to see this type of attendance. In the past, besides township employees if we had 2-3 people attending it was a

crowd. I think this is fantastic. This is what local government is all about. It is people coming in, having different opinions, voicing their opinions, and making their voices heard. This is what we are supposed to be doing here. I commend each and every one of you for coming in. Thank you very much.

- Marty moved that we adjourn the meeting. Ty Fullerton seconded. All those in favor – Aye. All those opposed-none. Meeting was adjourned at 8:20pm
- Approved:

Martin Warchola, Chair 

Ty Fullerton, Vice Chair 

Chris O'Neil, Trustee 

Laura Rubensaal, Fiscal Officer 