

## RECORD OF PROCEEDINGS

*Minutes of*

**Greenfield Township Trustees**

*Meeting*

February 27, 2019

*Held 7:00 PM*

The Greenfield Township Trustees met in regular session at the Fire House. Trustee Cotner called the meeting to order and led those present in the Pledge of Allegiance. Dave Cotner and Lonnie Kosch were present. Kent Searle is out of state.

After each Trustee reviewed the minutes from the trustee meeting of February 13 2019, Trustee Kosch made the motion to approve the minutes as written; Trustee Cotner seconded the motion. *ROLL CALL: Cotner: yes; Kosch: yes; Motion Passed 2-0.*

### **FROM THE FISCAL OFFICER**

The Fiscal Officer passed various pieces of correspondence and the Financial Reports.

Trustee Cotner made a motion to approve financial reports; Trustee Kosch seconded the motion. *ROLL CALL Cotner: yes, Kosch: yes. Motion Passed 2-0*

Trustee Kosch made a motion to pay the bills associated with warrants 32829 through 32841 listed on the attached payment report; seconded by Trustee Cotner. *ROLL CALL Cotner: yes, Kosch: yes. Motion Passed 2-0*

Trustee Cotner made a motion to pay Electronic Debits 14-2019 – 16-2019 which are listed on the attached payment report; seconded by Trustee Kosch. *ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Trustee Cotner made a motion to approve the Purchase Orders; Trustee Kosch seconded. *ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Fiscal Officer Wyne stated that the Township Office has smelled of skunk since Saturday, February 16. Critter Control and Ohio Wildlife Catch and Control were contacted to give us quotes and when they would be available to start. The township went with Ohio Wildlife Catch and Control since they were able to come out Wednesday afternoon or Thursday morning. A skunk has been caught along with a raccoon.

Fiscal Officer Wyne stated she had a conversation with Attorney Pete Griggs regarding sledding at the Fire House. He stated it is a huge liability and he would not recommend it; however, if the Trustees are going to permit sledding, then a sign needs to be put up that states “No Sledding” or “Sledding is prohibited”.

Fiscal Officer Wyne stated that she has received word back from Attorney Marc Fishel regarding the issue where firefighters attended training on September 12, 2018. When Fiscal Officer Wyne questioned Interim Fire Chief Shultz on why he wasn't paying the employees that attended the training, he advised it was volunteer and they were off duty. She advised him that the employees were entitled to be paid and at the overtime rate. This issue was forwarded to the Prosecutor's Office for their opinion and was then forwarded to Fishel, Downey Albrecht & Riepenhoff who

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specializes in employment law. The township was advised recently that under FLSA, time spent by an employee in training is considered hours worked unless all the following factors set forth in the Department of Labor regulations apply: (a). Attendance is outside of the employee's regular working hours; (b) attendance is in fact voluntary; (c) the course, lecture, or meeting is not directly related to the employee's job and (d) the employee does not perform any productive work during such attendance. While 3 of the 4 regulations did not apply in this situation, there was one that applied. The course, lecture or meeting was related to the employee's job; therefore, they are entitled to be compensated for those hours. While payroll was turned in to charge the employees 10 hours of education leave and pay Shultz 10 hours of pay, it was questioned on how it was determined 10 hours and Shultz advised it was reasonable. The class registration began at 7:30 a.m. and class ended approximately 4:30/4:45 p.m. She is asking the Trustees on how she is to pay the hours. Trustee Cotner made a motion to pay the full-time firefighters that attended the training on September 12, 2018 at Ohio State 10 hours at overtime rate. Trustee Kosch seconded.

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Fiscal Officer Wyne stated that it appears that not everyone that was in attendance for the meeting on February 5, 2019 heard the same message. First and for the record, she stated her concern is the spending of unnecessary public funds. Zoning Commission held a meeting on Tuesday, February 19. Kim Wickham provided a draft copy of the minutes, which was included in the meeting packet of information. These meetings are supposed to be open meeting. How can the Township say they are open meetings, when the public doesn't know that a meeting is taking place? Kevin is supposed to attend meetings as needed for zoning issues but he is not aware when a meeting is taking place. They were advised in the past to have these meetings posted on our website; however, neither Carla nor I received any information. Were all the members notified that there was a meeting? How were they notified? How was the public notified? Is the township paying for this meeting since the meeting was not posted? To me it appears this meeting was not a public meeting and was not needed based on the draft minutes that were submitted. As the Fiscal Officer, my duties are to oversee financial matters and as a tax payer of Greenfield Township, she feels public funds are not being spent wisely. Again, the Zoning Commission were discussing and trying to make rules that are not part of their duties! Zoning Commission duties are to review and establish zoning resolutions. Based on the information received at the Prosecutor's meeting that stated the reasons for meeting are if an individual filed for a zoning change, something is referred from the Board or amendments. They don't have authority to hire or fire anyone or establish rules on personnel issues. This is the Trustees responsibility. Zoning Commission member Jack Barr asked if she was referring to the February 19 meeting and she stated she was. He stated that Kim Wickham emailed everyone. Fiscal Officer Wyne stated that was not the case as the new member was not notified. Jack stated that Kim didn't have contact information for him and he was advised that Kim did not contact Kevin or her for the contact information. Fiscal Officer Wyne also advised that the Zoning Commission members needs to be sworn in. Jack Barr is the only one that has been sworn in. Trustee Cotner advised that after reading the draft minutes, there were no zoning issues to be discussed and that the commission has complained that Kevin doesn't attend their

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meeting but didn't advise him. Trustee Kosch stated that the commissions have been advised in the past that they need to post when their meetings are on the website. Trustee Cotner advised he wishes to table the issue of paying the members for the meeting on February 19 until Trustees Searle returns, in which Trustee Kosch agreed. Trustee Kosch stated they should they should be submitting agenda ahead of time to all of their members and to Kevin

### **PUBLIC**

Aiden Malone (4996 Lithopolis Road) from Boy Scout troop 258 stated he is working on the citizenship merit badge. One of the requirements for the badge is to attend a public meeting so he is here to observe and take back what he learned.

John Reef wanted to question the Zoning Commission meeting on February 19 which Fiscal Officer Wyne already brought up, so he had no other comments.

### **ZONING BUSINESS**

Kevin stated he left the fee report back on his desk at the office.

A lady contacted Kevin regarding establishing a new road (Orchard Road). Kevin talked with Regional Planning and was advised that Violet Township is also doing this and will send him information.

Kevin advised he was contacted by Walter Beatty regarding his PRB and there are no setbacks. Nothing is in the code book. Mr. Walter provided detailed information.

Kevin stated we have done more lot splits in the first two months on this year than we had all last year.

Kevin received a call regarding starting a kennel on 158. It is zoned agricultural so it is permitted.

Trustee Kosch asked if the zoning books are complete. Kevin advised not at this time but hopefully soon. He had tried to download it to Office Max using their portal and it didn't work and he made several calls to them for help and Dawn also tried to download it but was also unsuccessful. Kevin stated he is going to put it on a disc and take it down to have it printed.

Trustee Cotner stated both the garage on Election House & Carroll Eastern and the room addition on Pleasantville & Carnes have building permits.

Trustee Cotner talked about obnoxious weeds. He stated he didn't know if it is the right time to cut them but we do have the name of a man who is bonded & insured. Kevin stated that

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according to a class he took, there should be a contract between the trustees and the people offering the service.

### **FIRE DEPARTMENT BUSINESS**

Chief Smith reported on the MARCs radio grant we will be receiving. Captain Spires is working with the radio committee to figure out our template for Fairfield County.

Berne Township will be returning our engine soon

We are working with vendors on new Fire & EMS software to save some money. One vendor has a feature that when we activate lights & sirens, it sends out a notification to anyone in the area that has a cell phone with a GPS in it of emergency vehicles in the area. The company is currently working with Truro Township and Worthington.

Captain Smith has been comparing cell vendors. We are currently with Verizon but he would like to go with AT&T. They offer a dedicated tower for first responders, unlike Verizon and they are cheaper. This would also include the Road Department. Trustee Kosch made a motion to go with AT&T; Trustee Cotner seconded.

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Captain Smith said that last year it was decided to purchase new turn out gear from All American and thought that Interim Fire Chief Schultz had everything approved at that time. In conversation with Fiscal Officer Wyne he found out there had not been a motion for this purchase of \$6,641.00. Trustee Cotner made the motion to approve the payment of \$6,641.00 to All American, seconded by Trustee Kosch

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Captain Smith informed the trustees that the 1<sup>st</sup> out medic (Medic 561) had repairs for the heater and jet pump by Carroll Marathon and the cost was \$1,543.23. Fiscal Officer Wyne informed Captain Smith was not aware that of the procedure that he should notify the Trustees and Fiscal Officer when he needs to spend over the allotted amount but will in the future. Motion made by Trustee Cotner to pay Carroll Marathon the \$1,543.23 and seconded by Trustee Kosch.

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

### **ROAD AND CEMETERY DEPARTMENT BUSINESS**

Tom Shafer was not in attendance; however, he provided information to Fiscal Officer Wyne.

The Road Department wanted to thank Trustee Cotner for checking in when they are plowing snow and for helping plow the cemetery roads during the last snow fall since there was a funeral that day.

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Tom wanted to know if the Trustees have reviewed the employee's evaluations that he put in their boxes. Trustee Cotner and Trustee Kosch advised they did and he can give them to the employees.

Tom wanted to know if the Trustees have considered raises for the Road Department.

Road Department is going to purchase a new timeclock.

Tom and Jeff will be attending the Keith Taylor Trucking Safety meeting on Friday, March 1.

More salt is going to be ordered in the near future.

### **FROM THE TRUSTEES**

Trustee Cotner advised he received a call from Mark Weedy from Greenfield Estates and they are having a meeting at the firehouse on March 25 at 7:00 p.m. The meeting is open to everyone and they will be having Jeremiah Upp (County Engineer) at the meeting. Mr. Weedy said Greenfield Estates residents have been paying a ditch assessment fee to Fairfield County. Someone was told there was no money in the fund and Mr. Upp is coming out to assure them there is money in the fund and can be used for ditch repair. Mr. Upp had the auditor audit the account.

Trustee Cotner received a call from Brad Hutchinson and is he requesting an accelerated annexation of Timber Top to Lancaster. After discussion with several people, Trustee Cotner would like to contact Brosius, Johnson & Griggs law office. Trustee Cotner made a motion to contact Brosius, Johnson & Griggs law firm regarding Timber Top with Trustee Kosch seconding.

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Trustee Cotner asked to move the trustee meeting March 13 at 7:00 p.m. to 2:00 p.m. to follow the special meeting scheduled at the firehouse. Trustee Cotner made a motion to change the meeting time to 2:00 on March 13 and Trustee Kosch seconded.

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Motion to adjourn was made by Trustee Kosch; seconded by Trustee Cotner.

*ROLL CALL: Cotner: yes, Kosch: yes. Motion Passed 2-0*

Meeting adjourned at 7:37 p.m.