

WESTFIELD TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING HELD DECEMBER 6, 2006, @ 7:00 P.M.

Trustee Chairman Tim Kratzer called the meeting to order at 7:00 p.m. with the pledge of allegiance. Roll call indicated all trustees were present: Tim Kratzer, Carolyn Sims and Jeff Plumer. Marlene Oiler was acting as secretary pro tem for this meeting. Also present were Jim Likley, Ron Oiler, Martha Evans, Denise Moteleski, Fire Chief Jack Snoddy, Zoning Inspector Gary Harris, Tim Sims, Terry Orlander (Plain Dealer), Kevin Rych, Toni Roberts, Jim Terifaj, Mike Schmidt, Penny Snoddy, Craig Shetterly, Gary MacPhail, Wirtie Kratzer, Chris Harris, Lyn Methlie, Dennis Delagrange, Sid Delagrange and Assistant Prosecutor William L. Thorne.

Chairman Kratzer – I would like to advise the audience that Mrs. Sims has a tape recorder back here behind the counter and we are taping the meeting here.

Chairman Kratzer - The first order of business I'm going to have the assistant clerk read the resignation of our Township Fiscal Officer Kelly Gregoire into the minutes.
December 6, 2006 – Dear Trustee's - Please accept this letter as notification that I will be resigning from the position of Clerk for Westfield Township, Medina County, Ohio, effective immediately. As a result of ongoing critical family matters that need my full time attention I am no longer capable of dedicating the time necessary for this position. Respectfully, Kelly Gregoire. The attachment is the one that will be sent to the Medina County Board of Elections – Dear Medina County Board of Elections – Please accept this letter as formal notification that the public office of clerk for the Westfield Township Board of Trustees will be vacant immediately. For your records I have attached such resignation. (A copy of said letter was provided to the other two trustees while the secretary read the letter to the public.)

Chairman Kratzer – Mr. Thorne, what is our next step after this turn of events?

A.P. Thorne – The Board has the right to appoint a new clerk until the next election. You have 30 days to do that. There is no statutory mandated procedure. The Board can simply vote on someone if they so choose if they have someone in mind; they can put out a notice that they are looking for a replacement clerk until someone is elected – that is up to the Board as how to proceed. If you can't make a decision and I assume since there probably wasn't an election committee here, the decision will be taken out of your hands in 30 days if you haven't made a decision.

Chairman Kratzer - When Mrs. Gregoire came on board, Mrs. Evans brought her to the attention of the board of trustees. She was put on board after the final date for filing for that particular election so she would be able to stay in office until the end of the term, is that, seeing how the fiscal officer is up for election next November, would that person be able to stay on until the end of the term of April 2008.

A.P. Thorne – If more than 40 days before the next general election, they have to run the next general election. If less than a year to the end of the term then they stay on to the end of the term. If there is an election of November 2007 that person could run in 2007. I can double check the dates and time frames but that is roughly how it goes.

Chairman Kratzer – Do the other trustees have any questions?

Trustee Plumer – What type of legal entanglements can we get into if we don't have somebody appointed to do year-end, to pay the bills and that type of thing?

A.P. Thorne – You have the authority to appoint an acting clerk in the absence of the clerk, which has been done. Again, if you don't act within 30 days, that will be taken out of your hands. You could delay until the beginning of the new year but you would have to designate an acting clerk because you will have payroll to make and other things the clerk has to do that somebody will have to do.

Chairman Kratzer - But that's not something we have to do tonight?

A.P. Thorne – No, you have 30 days. The only reason for the immediacy of your action will depend upon what formal documentation your Fiscal Officer needs to be working with in terms of cash and warrants, official information if it's something that the secretary couldn't provide. It's purely a matter of how much you need to get done and how quickly.

Trustee Sims – Do we need to adhere to our personnel handbook for employment for appointment?

A.P. Thorne – No, this is a statutory appointment at the discretion of the Board, majority of the Board.

Trustee Sims – We've had individuals express interest. I would be prepared this evening to move forward with that.

Chairman Kratzer – I would prefer to move forward with the meeting and hold a special meeting to go into Executive Session to discuss that situation.

A.P. Thorne – The actual appointment of the replacement clerk would not be in executive session. If you are considering hiring a temporary clerk or making an appointment to do some of the job, that would be okay but the actual selection of the clerk would not be in executive session. That would have to be discussed and technically the interviews and all that would be open. It's an elected position.

Trustee Plumer – Whomever would be asked to fill in, they would then be or have the same designation as the clerk so that person would not be an employee of this board, correct?

A.P. Thorne – Right – the new person would take the proportion of the clerk's salary that is unpaid and she would become the clerk and stand for election at the next general election. In the interim you could appoint, and that would be an employee, someone to act as the clerk – an acting clerk – but that is only for a very short time frame. The replacement clerk would not be an employee but would take the office with all the same rights, privileges and obligations as the existing clerk.

Trustee Sims – What's your reason for wanting to wait?

Chairman Kratzer – My reason for wanting to wait is to weigh all the options to the township and not just yours – that's my reason for waiting. I would suggest that we have a special meeting early next week. We have Marlene on board to take minutes tonight. We could get together to discuss who we would like to take over Kelly's position.

Trustee Plumer – Won't we have to make a decision between now and two weeks when our next meeting is so we have somebody to write the checks out.

Chairman Kratzer – Yea, so early next week isn't good enough.

Trustee Plumer - That's fine with me.

Trustee Sims – Actually I have a scheduling difficulty, obviously I had two events here today. The following week I am out of town two days and have a daughter's birthday during the weekday.

Chairman Kratzer – How about the weeknight?

Trustee Sims – Not the two days that encompasses the nights and not the first day.

Trustee Plumer – Do you plan on advertising then for the position?

Chairman Kratzer – I'm not necessarily advocating advertising but it just seems like Mrs. Sims came in here with somebody in mind and Mrs. Sims hasn't communicated with me at all on that situation and to throw somebody's name out there and expect everybody to jump on the bandwagon I think is a little premature. You two are trustees as well as I am. It only takes two trustees.

Trustee Sims – The two people that we had express interest were Marlene and Martha. Out of the two choices I personally feel the township has been functioning without a viable clerk now for some time. I think there are a lot of outstanding issues that we could get a jump on including preparation of year-end, which may not be an easy task. I'm with moving forward this evening and in saying that I appreciate fully that Marlene is a dedicated employee but we put so many hats on her we don't see her head. She's got a lot going and I want someone to come in who is familiar with UAN and Martha Evans is the traveling clerk. She is the state auditor traveling clerk and it is my understanding that she has gone to a multitude of different townships in this very scenario and also she been

a past clerk and trained Kelly so I feel she would be the right applicant to come in and resolve these issues competently and quickly to move forward.

Chairman Kratzer – Well, I feel that Marlene has been acting as assistant clerk. She has a degree in business administration and her minor in college, from what I understand, was accounting. Yes, she would need some help in learning UAN but that's not saying we couldn't hire the visiting clerk to train her properly in UAN.

Trustee Sims – I make a motion to hire Martha Evans as a replacement clerk for the duration of the term.

Trustee Plumer – I second the motion.

Trustee Sims – I stated in my opening statement why I felt that Martha is appropriate. I don't know Martha that well at all but I do know that the other townships who I called when she has come in as a similar scenario has been very supportive and she has a terrific reputation on the three townships that I called. All of them highly recommended here.

Wirtie Kratzer – Carolyn, don't you have a personal issue with relatives working together?

Trustee Sims – Nepotism, I do.

Wirtie Kratzer – Isn't Mrs. Evans' son, Lee, an employee here? So doesn't that pose a problem here?

Trustee Sims – You know, that's a very good point. I don't like nepotism. Lee has two of his brothers in addition to working here and the chairman and I have discussed that he is their direct supervision and should sign their time sheet and should be the direct manager of that person. In my support for Mrs. Evans is that she was the clerk and Lee was hired during that administration and she is the traveling clerk approved by the auditor to do this job for this very scenario. In addition she has held the job previously and is most familiar with the files. Let me finish, if we as a board hire an individual, it shouldn't be your uncle, nephew, aunt, uncle and like I say the most highest qualified person for that job with advertising.

Wirtie Kratzer – I just know you had an issue with Kelly asking me to be her assistant clerk because my father, Tim, is a trustee but there were two separate job duties just like the clerk and the road crew are separate but if you have a problem with one you should probably have a problem with all.

Trustee Sims – I do not support nepotism in any form. However she is the traveling clerk and has held the position before.

A.P. Thorne – Legally neither of those situations would be nepotism. Again the clerk is an independent legal position, she doesn't answer to you or to authorize that clerk to

name an employee, that employee doesn't answer to you, she answers to the clerk. So therefore if you have an employee – the clerk's employees are hers appointment, not the trustees' appointment – they are taxed as employees but again they are under the clerk's control. The clerk is not an employee; it's a separate office entirely.

Trustee Sims – I don't want Wirtie to leave the meeting feeling that – I've enjoyed your company in social functions, PTO, auctions etc. but my concern regarding the nepotism with your position with the township was that we did not follow our handbook at that time for advertising and it came to my attention that there was a personal call between Kratzer and Kelly that you were looking for employment. And in looking for an assistant I would want somebody with an accounting background. When also Kratzer had his son occasionally work for the board I felt that was too much from one family – it would give the appearance of impropriety regardless if it was.

Wirtie Kratzer – Well, you still have the same scenario going on here.

Trustee Sims – Well, I have a qualified individual taking a position who was authorized through the state for this very cause.

Chairman Kratzer – And you don't know that Marlene is not qualified.

Trustee Sims – No. I appreciate all of Marlene's detail oriented work and I think she has been a benefit to the township. However I would want somebody to hit the ground running and is familiar with UAN and is familiar with the accounting of problems that our previous clerk says she is unable to reconcile the checking – that is the answers I want from a competent individual and Martha has those qualifications and I also know that she honorable enough to not tell me what I want to hear but tell me what is actually there.

Chairman Kratzer – And what do you mean by that statement?

Trustee Sims – That I could be told the truth according to the best of her ability. The only thing here is that you two just don't get along. And I knew this would upset you but she is the logical, qualified choice approved by the state; also having held the position previously. She comes in and trains the clerk. Why would I want her to train a new clerk when we hired her to train the old clerk and that didn't work out. Let's stick with the person who trains the clerk.

Chairman Kratzer – Who did we hire to train the new clerk?

Trustee Sims – I don't know, didn't you have Martha train Kelly or something to that effect?

Chairman Kratzer – Yea, but we didn't hire her.

Trustee Sims – She's the logical choice based on qualifications.

Chairman Kratzer – Yes I have a problem with Mrs. Evans being our township clerk. Are there any newspapers here tonight? I have a letter in my pocket here from Mrs. Evans to me after the election that she lost against Mrs. Gregoire three years ago that I would share with the press when they leave. Is there any other discussion on this motion?

Kevin Rich – If I could make a comment, if someone speaks from the audience, since you are recording it, I would like to have them state their name so we know who is speaking in the audience. The second question - does the road maintenance person Lee report to the clerk of the township.

Chairman Kratzer – No, only with bills, etc. that he has to turn in.

Roll call: Carolyn Sims - yes; Jeff Plumer - yes; Tim Kratzer – no.

Trustee Sims – Martha, what's your schedule of availability?

Martha Evans – At your discretion.

Chairman Kratzer – Anybody else in the audience want to say anything?

Denise Moteleski – This is old business - what is status on the trailer park?

Trustee Plumer – That will come up when Gary has to speak.

Jim Likley – I have something – I'm on the Zoning Commission. I spoke with the people at Planning Services about updating our zoning map to reflect the zoning change for Mr. Carrasco's property. They requested an application; I have that application. We also need to present the minutes from the meeting that the trustees approved that zoning change to move forward to updating the zoning map to reflect that change. Also I've asked Planning Commission to work up a map that would reflect sexually oriented business buffer zone. As the area on Lake Road/224 develops that might become an issue so they are working up a map that would show those buffer zones. I'm also going to be presenting at the Zoning Commission meeting revised or more up-to-date floodplain maps that the County Engineer's use to reflect the same maps that we use here.

Trustee Sims – So what you need is the signed official copy of the meeting minutes – do you need anything from us?

Jim Likley – Just those minutes and then whether Marlene or one of the trustees to sign the application to move forward with the new zoning map.

Trustee Sims – Would that encompass all the lot splits that we sign too?

Jim Likley – If they've been recorded and that information is at the Planning Services it should reflect any and all lot splits since the last map update which was 2004 I think.

Trustee Plumer – This is something that you are going to take to zoning and zoning is going to go forward.

Jim Likley – Well the map is just an update to the zoning district change for Mr. Carrasco's property. That doesn't have to go through – it will have to go through Planning Services to verify that it meets the fact that the district was changed. The buffer zone won't have to because that is just establishing a map - the actual buffer of that business and then any changes, if there are changes in the floodplain maps that we presently have to what the Engineer's Office is using, any change in that would have to go through Planning Services as well. So I'll leave the application and whoever needs to sign as far as the township trustees or contacts so that they can move forward with getting our zoning map up-to-date.

Trustee Sims – Going back briefly to touch back on the clerk issue here, I had prepared a list and you do not need to read it into the meeting minutes of things that were outstanding but some of it needs to be discussed tonight during what would be the clerk report which is also payroll and the events that have transpired since our last trustee meeting just so that we are transparent in our government proceedings.

Chairman Kratzer – Ok. Did you get the minutes that I prepared of the meeting on Sunday evening? Are you prepared to approve them?

Trustee Sims – Yes. With the exception, the only thing that jumped out at me as far as the meeting minutes if you wanted to move forward there was, I don't know that Likley said he was not prepared – let's read what it says. Let's back up, Bill, was this a meeting? Did we have a trustees meeting at the Fire Association Meeting?

A.P. Thorne – I believe I talked with both you and Tim about that. It was my understanding that it was not a prearranged meeting of the majority of the board. You simply came to a meeting of the fire committee - and that would not be a trustees meeting. If, in fact, it was prearranged and they knew you were coming, it doesn't hurt to have the minutes of it in case anybody challenged it. It's a factual matter. If it's a prearranged meeting of the majority of the board, it's a meeting. The fact that you show up there and Tim is there doesn't make it a meeting but if you know that the majority of the board is going to come and things are discussed, it's safest to have a meeting.

Trustee Sims – Ok. I did state in advance that I planned to attend that particular meeting.

A.P. Thorne – If you have the majority there and it was a prearranged meeting, it's safer to call it a meeting, advertise it and put the notice out there – particularly if you want discussion as a board member.

Trustee Sims – So if I would invite Kratzer to one of our park committee meeting then it would become a trustee meeting? I understood it to be actually the governing board of my particular meeting so if I'm having a park meeting and we have voting park committee members there that is the meeting. Should he choose to attend and discuss...

A.P. Thorne – You can have multiple boards meeting at the same time – again, the question is if you are having the majority of the trustees at a prearranged meeting to discuss township business. If you're going to have that, it's a meeting. You can have dual meetings. If you just show up, that's a different matter entirely. If you're just showing up to listen, that's fine but if you want to discuss it as board members that becomes a meeting.

Trustee Sims – Ok. I discussed my opinion.

Chairman Kratzer – I don't know whether it was really a discussion or not – it was kind of one-sided but we were both there.

A.P. Thorne – In doubt, its better judgment to go ahead and make sure the notice goes out, it really can't hurt.

Trustee Sims – And I had a previous issue months ago with Tim and Jeff going somewhere at a prearranged scenario, so it doesn't come up again, should we not have then notified Jeff and Kelly, our clerk, that we were having a meeting.

A.P. Thorne – If you're having a meeting, yes.

Trustee Sims – Did we do that?

Chairman Kratzer – Yes, I did. And Jeff was busy and that's why I took notes since the clerk was not able to attend

A.P. Thorne – While I've got the floor, just as a reminder the new clerk has to be sworn in. The new clerk has to get a bond and you should probably tonight authorize the preparation of that bond by whoever has been doing the township bonds and she needs to have that bond in place before she is sworn in and before she starts formally acting as clerk - same scenario as if she were elected basically.

Trustee Plumer – For the clerk – is that the new bond limit? It used to be \$5 – 10 - \$20,000 and now it's like \$160,000.

A.P. Thorne – Technically you're still on the face of the old clerk but I don't know if there is much difference in cost for the new or old bond. They found that the existing clerks did not have to comply with the new limit amount until the end of her term. Technically she's still under the term of the existing clerk so off the top of my head she probably would be qualified to meet the old.

Trustee Plumer – So she couldn't just take over the bond?

A.P. Thorne – No, she needs a new bond under her own name. Since it's a new person I would recommend the new limit but you might be able to slide by with the old but I would have to give that some thought. It really only applies supposedly when you start a new term and she would really be finishing an old term.

Trustee Plumer – So she needs to be sworn in and she needs the bond before she can do anything for the township?

A.P. Thorne – Right, before she signs as the clerk. At this point it's just like this was election night - you got the results. She's the elected clerk; now she has to file the formal paperwork to accept the position.

Trustee Plumer – I'll call the agent tomorrow. They might have a new application form.

Trustee Sims – While we are doing that can we move forward with all the bonding – Marlene and Lee?

Trustee Plumer – Those were filled out as far as I know. I believe they were sent to the agent for the company.

Trustee Sims – There was some discussion whether they were appointed or hired.

Chairman Kratzer – Toni, did you have something you wanted to say?

Toni Roberts – May I be so bold as to remind you that the official title for the position is Fiscal Officer.

Chairman Kratzer – Point well taken.

Trustee Sims – Alright, you want to talk about these minutes. The only thing I saw that differed from what I thought at the meeting was Likley having concerns that we didn't have accurate (spelling error in accurate) numbers that would we would not approve the budget – the budget could be approved but he would have to look at the accounts for capital improvements. I think there was just a discussion on whether or not to move forward on the budget but I didn't understand him to say that he was not supportive of moving forward. Did you make a motion?

Chairman Kratzer – I'm asking for a motion.

Trustee Sims – I make a motion to approve the Westfield Township Board of Trustees special meeting at the Fire Association meeting on 12/3 as amended.

Chairman Kratzer – I'll second that.

Jack Snoddy – It was the Fire Committee meeting that's different than the Fire Association.

Trustee Sims – Opps – amended as corrected. No wonder we can't keep a clerk.

All voted yes.

Trustee Sims – On the topic of meeting minutes I would like some information on the following and confirmation that the following meeting minutes are outstanding, according to my records, and stop me if anybody knows I am wrong.

Outstanding meeting minutes to be approved are:

- July 19, 2006, regular meeting;
- August 2, 2006, regular meeting;
- September 6, 2006, regular meeting – never received a draft copy;
- September 20, 2006, regular meeting – I don't have a copy of 9/20/06;

Additionally according to my record the meeting minutes that I have received and need to be approved are:

- October 3, 2006, public hearing;
- October 4, 2006, regular meeting;
- October 18, 2006, regular meeting;
- November 1, 2006, special meeting – don't even have draft copy
- November 1, 2006, regular meeting – don't even have draft minutes
- November 15, 2006, regular meeting – don't have minutes

Trustee Plumer – You might want to check - my notes show July 19th was approved; August 2 was approved and I don't have the others here.

Trustee Sims – So we could set up a special meeting after next week to approve meeting minutes.

Chairman Kratzer – Will that fit into your schedule?

Trustee Sims – After next week it will. That was meeting minutes. Regarding the clerk and the association meeting minutes I think there should be some discussion on what had happened and transpired over the last three weeks that have come to this point.

Chairman Kratzer – Is that really necessary?

Trustee Sims – I think we have an obligation to be transparent in our government and I think we should state the events that have occurred in the last three weeks.

Chairman Kratzer – OK. Go ahead seeing how you seem to know them all.

Trustee Sims – You want me to do it? Of particular interest are the events of November 21 regarding payroll for the fire chief and the road supervisor. In addition on that same date was a wire transfer for OP&F. The events occurred that the road supervisor and fire chief payday was actually Tuesday, November 21. The checks were postdated by the clerk to Friday, November 24. However the Board of Trustees, including myself, signed and approved that check. The fire chief's paycheck was denied at the bank counter due to insufficient funds available and due to the check being postdated beyond the payday. The fire chief did not receive his paycheck until Friday, November 24. Referring back to the wire transfer on November 21 it came to my attention that there was a wire transfer of money from the Westfield Township checking to OP&F. The wire transfer happened without my knowledge and to the best of my information available without the approved signature of two trustees. I've asked Bill Thorne to give us a legal advisory whether or not that wire transfer was legal or illegal wire transfer as our warrants require the signature require the majority of two trustees and the clerk. The payment was to pay the fire chief's retirement account due to the previous warrant or check that we had signed weeks before was incorrectly calculated based on the raise that he had received in October. In addition to that because of those events I pulled an insurance statement from the bank and the reason that there was insufficient funds is because there had been a deposit made earlier that day, however that deposit would not post until the following business day and with that being said I'll ask then the reference of those particular checks and those checks that were deposited that day were the warrants that the county auditor had written us a letter about on October 31. The dates on those warrants date back from August, the majority of which are in September, several are in October and I'll have copies for the acting clerk to have added to the record. So that means that the county auditor wrote us a letter on October 31 stating that there was outstanding funds and three weeks after receiving the county letter those checks were then deposited. The whole insufficient fund thing should not have occurred had we deposited the checks within 48 hours or there shortly even of receiving them. I was very dismayed if not outraged.

Chairman Kratzer – Well, the clerk's not here anymore so Mrs. Evans will get it straightened around.

Trustee Sims – I would ask the board to address tonight as to whether or not they had in the past approved for the clerk to wire transfer checks or payments of any bill without the knowledge or approval of the majority of the board.

Trustee Plumer – Wire transfer – we had discussed at one time looking at electronic funds transfer but that never came about because there some glitch in the system so I'm not aware that we as a board did anything about a wire transfer. I don't know that I would have problem with it if I was asked about it.

Chairman Kratzer – Well I'm sure we've approved wire transfers in the past but I can't specify just when they were.

Trustee Sims – On an individual case-by-case basis with a majority of approval of the board?

Chairman Kratzer – Just with the OP&F – getting the money there so the fines stop.

Trustee Sims – Well I would also ask the board then to review a policy and procedure with the bank so that we're not in that situation again.

Trustee Plumer – Well the bank should have never done it. The bank was in error I believe and that's a whole separate issue. They should have never allowed that to happen.

Trustee Sims – Make a note to put that on an agenda for the next meeting so that doesn't happen again. In addition to that I guess the shocking part of the wire transfer is that it did not clear due to insufficient funds as well. However, I will say that the bank did us a favor by not charging us for processing the request that would put as delinquent so having said that to the best of my knowledge that wire transfer did go through to pay the fire chief's retirement as of the November 24. However, that raises concerns regarding the fire chief's retirement.

Trustee Plumer – Can we go back to the bank thing – do you have something in writing from them regarding what you just mentioned that they said there was insufficient funds and they didn't do it on that date because of ...

Trustee Sims – I have notes of conversations.

Trustee Plumer – I mean documentation from them in writing.

Trustee Sims – I have documentation that there was insufficient funds as of November 21 to process the request.

Trustee Plumer – I'm saying that you specifically made a statement about them, the bank, that they didn't honor because of insufficient funds. Do you have that in writing from them, not a note from them, but documentation that they in fact didn't pay it on that date because there wasn't any money – insufficient funds because...

Trustee Sims – I have the interim statement. I have the signed wire transfer request that the clerk had outgoing which shows the date and the amount which is a whole other investigation and it shows that she requested and signed for a wire transfer 11/21 and the balance in our checking account on 11/21 was \$798.38.

Trustee Plumer – I understand what you are interpreting – I'm just asking you if you have it in writing – a statement written by the bank manager.

Trustee Sims – No, nor did I request it. I was here to answer the phone when she was looking to find the clerk to tell her that there was insufficient funds. And I called Kelly and the chairman and asked the question of why is there insufficient funds. And why are we wire transferring money. So that brings us to Jack's retirement account. I am not confident in any piece of paper that I have received. I'm upset that his retirement had

even before gotten to this situation but I think that should be our number one priority is to confirm that the fire chief's pension fund has the contributions on behalf of the township and his own contributions and do whatever it takes to see that it is finalized, whatever the fees find and any other outstanding cost that we have occurred there did not effect his retirement.

Jack Snoddy – I have requested and it's in the process of being gathered and mailed to me a ledger of my account from day one but she said it may take several days and it may not reflect the last two weeks.

Trustee Sims – Most important to me is that during the month of June this – has this been settled – is this executive session – as I able to discuss this, Bill?

A.P. Thorne – I don't know whether there is confirmation or not one way or the other.

Trustee Sims – Am I able to state the amount of fees that we paid since that is a public record, the check and warrant, the amount that we paid during the summer?

A.P. Thorne – It's public record if you paid it.

Trustee Sims – If we paid it – we did pay it right?

Chairman Kratzer – We signed the check. You signed the check.

Trustee Sims – I was on vacation. Anyhow it's my understanding that through conversations with the past fiscal officer that it was settled for \$4,900 during the month of June and fees, fines due to late or incomplete or outstanding payments to that account and we need to get to the bottom of that and get some solid numbers to understand and to provide security to our employee that his retirement has been finalized and he has not been penalized or lost interest.

Chairman Kratzer – Are you done?

Trustee Sims – No. I think it's important to know that it is only one of three retirement accounts that still has outstanding information. There's Jeff's outstanding contributions that need to be reconciled and I don't know if there has been anything gone on to that to date and in addition I would like to confirm that OPERS payment for the other 17 employees were paid for the month of August and September since then as I don't see it on the interim statement.

Trustee Plumer – I think you're going to have to wait until Mrs. Evans finalizes it.

Trustee Sims – What I'm saying is that we acknowledged at the November 6 meeting that OPERS had not been paid for August and September and at that point those checks were cut and they are not reflected on the interim statement as being received. I didn't see them on here.

Trustee Plumer – If they didn't cash them, then ...

Trustee Sims – I just wanted to make sure they hit the mailbox.

Trustee Plumer – You're going to have to wait.

Chairman Kratzer – Is there a clerk's report?

Secretary pro tem – No, I have nothing further.

Chairman Kratzer – Chief, do you have anything?

Fire Chief Jack Snoddy – First off November activities we had 40 runs, had 3 of our own motor vehicle crashes and 21 EMS calls. Presented the budget to the committee and they did go ahead and approve it with a 2.41 % increase over last year. We wanted to hold it the same but we increased it. Most of the line items we left alone because it looks like we will have a pretty good carry over from this years' budget. The agenda reflects discussion on purchases of new equipment and the fire committee has indicated to me to go ahead and get figures together but that we may forgo any purchases until we have a good accounting of what funds are available. We want to buy a new squad and we think we can do the majority of that with EMS billing funds that we have received over the last two years but we need to get the specs out and it will take us awhile to get those numbers together. I would like to have a new truck purchased within the next two years. For nor all we're going to do is get together quotes and a rough set of specs. By May we should have some kind of truck specs with roundabout pricing on that.

Trustee Plumer – Jack, do you have a ballpark amount of what you are thinking about for the cost of the squad?

Jack Snoddy – It should run about \$120,000. I think between last year and this year so far we should have close to – total receipts have been somewhere in the neighborhood of \$90,000 and we specified 75% of that to capital expenditure so we won't pay for all of it from the receipts but it will pay for a good part of it.

Trustee Plumer – This will be for 2007 or 2008?

Jack Snoddy – The squad will be by spring. We would like to have in house before May or somewhere in that area. The next newest squad is a 2000 chassis and a 2001 box.

Trustee Plumer – Is that about on schedule?

Jack Snoddy – We're want to try to get to a five year schedule so each squad would turn over every ten years and we alternate them so we don't accumulate a bunch of miles on them by switching back and forth. The truck is a different story – I think you're looking at \$500-600,000 for a truck.

Trustee Sims – Do we need to move forward on approving the budget?

Chairman Kratzer – Yes. Jeff, did you get the copy I emailed to you.

Trustee Plumer – Yes – one other question. With this potential new fire truck down the road is there room for it in the firehouse?

Jack Snoddy – Maybe or maybe not, depends on what we decide on for a truck and that will have to be taken into consideration. It depends on what we decide is a responsible truck.

Chairman Kratzer - I move that we approve the 2007 budget for the Westfield Fire and Rescue for \$143,325.00.

Trustee Sims – I second.

Chairman Kratzer – Any discussion?

Trustee Plumer – Two quick things – there was a doubling from 2002 to a potential 2007 on insurance and bonding from \$12,000 to about \$25,000 – costs escalated?

Jack Snoddy – I would have to go back and check for sure but basically there was an increase in the values of the equipment that hadn't been reflected and we did have a huge increase. Those numbers are the ones I get from Sue based on the Village's policy.

Trustee Plumer – The last question under operating supplies and materials – it about doubled. It's no big deal but ...

Jack Snoddy – We're kind of holding consistent now. I think it took a big jump a couple years ago when we get into big expenditures in building pumps and trucks. We put probably \$10-\$15,000 in that old pumper.

Chairman Kratzer – Before we have a roll call I just want to state that last years' budget Jack put in was \$139,900 – almost \$140,000. Year to date as of November 30, he's only spend \$82,000 of his budget so he's a very tight spender on his budget but he says he's going to make up for it as he's got \$20,000 worth of self-contained breathing apparatus he's going to buy in the next couple of months. He's still be way under his budget for 2006 so he's been very conscientious on spending the fire money.

Roll Call: Carolyn Sims – yes; Jeff Plumer – yes; Tim Kratzer – yes.

Chairman Kratzer – In the meeting the other night the chief also requested some hard figures on what he had in his budget, what he had in the EMS fund etc. To purchase the squad he would like to have that in 90 days.

Trustee Sims – Has anybody heard anything about billing to Gloria Glens? Have we billed Gloria Glens?

Secretary pro tem – I've been working on Westfield Village billing, not Gloria Glens.

Chairman Kratzer – I thought it was in the works. I thought you had the invoices to take care of that. That will have to be something that is taken care of

Jack Snoddy – Usually those need to be confirmed with the auditor's office to make sure exactly what amounts to bill so I don't know how long that takes.

Chairman Kratzer – Mrs. Evans has been very good at working with the auditor's office in the past and I'm sure she'll be able to pull those figures together for us pretty quickly.

Trustee Sims – Well the reason for my inquiry is that Sherry Potter, the fiscal officer, has said she hasn't received an invoice in 2 ½ years so that is something we'll have to look at.

Chairman Kratzer – Lee, what do you have?

Road Maintenance Lee Evans – I've been watching the new roadway that they are building. Two days after they put the asphalt down they go back in and dig a hole in it. I talked with Salay about it and the county's theory is they're not worried about anything until they think they are done down there and then we can nitpick it apart or make them correct things – the new access road. I told Tim that I was going to document with the meter in the truck exactly how far from Lake Road so if we have reoccurring problems we'll know why other than say we don't know why it's doing that. The way it looks is that it looks like they dug through the grid that was locking the whole road together to replace a 12' section well the grid was to lock it all together so if they damage that we might have problems with that picking up and heaving in the winter, etc. but we'll find out.

Trustee Sims – I had requested Lee to request from Mike Salay any modifications to that road design that we be made aware of and in addition to that require and request an as built drawing so if there are modifications or poor sub soils or if they have to go deeper that they document that so when it becomes our road eventually we'll know what is under it.

Lee Evans – I talked with Mike about the 4' concrete pipe they put in. I don't know how they think that's going to stay in that muck but I guess in 4 years if it's together they can fix it because some of it still laying water now even when it is dry. Apparently they didn't worry about whether or not the pipe drains, they just put pipe in where they were told to put it in and I don't know if the state didn't look at the drainage area to make sure the elevation they set the pipe is going to flow or not but there's issues back there with drainage, of course there is anyhow but we don't need that underneath the road if it's not going to drain.

