

WESTFIELD TOWNSHIP TRUSTEES
REGULAR MEETING
March 15, 2010
7:00 pm

Trustee Oiler opened the meeting at 7:00 pm by asking those in attendance to Pledge Allegiance to the Flag.

ATTENDANCE: Trustees: Likley; Oiler; Harris. Fiscal officer also present
All guests were welcomed.

- ✓ Mr. Daryl Kubilus, Superintendent of Cloverleaf Schools spoke with the assistance of a power point presentation promoting the Permanent Improvement Levy that is going to appear on the May ballot. The levy money will be used for capital improvements that last longer than 5 years.
- ✓ Linda Paulick representing the auditor's office reported: Auditors office is offering a \$500 Scholarship to any graduating senior from a Vocational Program at the Medina Career Center or Wadsworth High School Vocational Program. Application deadline is April 9th and it may be obtained off the web site or stop in at the auditors' office.
- ✓ Essay contest with the Wadsworth VFW Post 1089 for all 6,7, and 8th grade level students who are residents of Medina County. Topic-Relating to Memorial Day. 1st place prize for each grade level will be a \$100 savings bond. Winners will also be interviewed by the auditor on a local cable TV Show. Deadline is May 7th.

FISCAL OFFICER:

- ❖ Bills to be paid in the amount of \$20,613.90(copy attached to minutes)
Trustee Likley made a motion to pay the bills as submitted, seconded by Trustee Oiler.
Roll call:
Oiler, aye; Likley, aye; Harris, aye.
- ❖ Fund Status-\$536.194.06 Investments \$414,557.59 Checking account
- ❖ Medina County Soil & Water fish fingerling order form
- ❖ CSX Transportation keeping the trustees appraised of the status of the bridges that are in the process of being eliminated or replaced in the county.
- ❖ Grant writer wanting a determination on trying to secure a grant for the solar powered blinking

signs on Buffham Rd for school zone. Lee had secured a quote from TAPCE on the cost of 2 solar powered blinking signs in the amount of \$4,614.65 and the cost for 2 electric blinking signs for \$3,300. Items to compare: Didi would have more options going green; electric signs must have an electrical drop, electrician to install, monthly electric charge compared to a battery replacement for the solar signs. The time clock that the county has is outdated for this sign, therefore which would have to be purchased also.

Trustee Oiler made a motion to approve the expenditure of \$950 fee to apply for a grant for 2 solar powered blinking signs on Buffham Rd., at the school zone, seconded by Trustee Harris.

Roll call: Likley, aye; Harris, aye; Oiler, aye.

- ❖ Time-Warner cable access term is up. Three options: 1 yr @\$99.95 2 yr @\$89.95 3 yr @\$79.95.

This is for internet access only.

Trustee Likley moved to continue with the 3 yr option @ \$79.95 per month, seconded by Trustee

Oiler. Roll call: Harris, aye; Oiler, aye; Likley, aye.

- ❖ Medina Co. Twp. Assoc. will meet March 18, 2010 at Granger Township
- ❖ News from the Statehouse:
 - Reduction in Revenue for Local Governments to fund Bd. Of Tax Appeals at state level
 - Possible repeal of the estate tax 1-1-11
- ❖ Meeting with Sue, Heather, Rick Robbs, Mark Williams, Interim Fire chief discussed some of things that need to be happening concerning the fire department budgeting, how things should be handled. Sue mentioned that the Bureau of Workers Comp. has a rate for stipend paid fire department volunteers and another rate for paid employees in the fire department. The budget that was created for the fire dept. line item Workers comp was \$1,450 now it will be \$2,670.05. There will be a substantial increase for the 2011 budget because of fire chief and employees all year.

Trustee Likley asked about the magic number of 50 employees, how that would effect the unemployment payments. Martha replied that would not change, we would still be a reimbursing employer. We only are charged if a claim was made for unemployment.

MINTUES March 1, 2010

Trustee Harris: Asked if the \$3,550 on page 5 is in the fire department budget now and is the village paying

the same amount? Trustee Oiler answered, yes. Trustee Likley: The point in that is the 2010 budget

allocated that money for the search and in order to do that we agreed to pay 50% and the village 50%.

Trustee Oiler made a motion to approve the minutes for March 1, 2010

Trustee Likley had additions to be made which is reflected in the attached written document presented by

Mr. Likley.

Trustee Harris seconded the motion to approve the March 1, 2010 with the additions per Mr. Likley's

document. Roll call: Likley, aye; Oiler, aye; Harris, aye.

CEMETERY AND PARK

Trustee Likley reporting: He and Jill Daugherty took the liberty to go to the park and cemetery and look

over the areas. Ms. Edington will be getting together with the park committee the first part of April and

the following are some of the things that will be discussed:

- ✓ Sidewalk repair in park and fill along sidewalks
- ✓ Additional mulch, bushes trimmed, trees look in pretty good shape but fertilization might be needed
- ✓ Gazebo needs some minor scraping and painting
- ✓ CEMETERY: Secure North parking area with similar fence along the north by the creek. We have some sections of fence here. Will look into getting prices for fence extension all the way up to the gate.

- ✓ Relocate the present sign and posting board to the right of the driveway and closer to the entrance. Also it is the anticipated location of the flag pole.
- ✓ Grave markers that are broken and need repair and a couple will need new bases

- ✓ Erosion at the south end of the creek that runs through the lower section of the cemetery needs to be looked at to stem that erosion.
- ✓ Long Range look – the back bank that is so ugly will warrant some professional guidance and possibly trimming that down
- ✓ Look at the back lot and start preparing for future internment such as getting trees planted

Fiscal officer mentioned that Mr. Likley will need to get some prices because there is only \$3,395 in the cemetery fund. The permanent appropriations are coming up and we will need to know how much to transfer from general fund to cemetery fund.

FIRE DEPARTMENT

Trustee Oiler: After thinking about the motion that we made at our workshop March 8, 2010 that the township take over the fire department (one fund) and the employees. I have come to conclusion that this township does not have sustained ability in funds to sustain the bills that are going to be coming in to the township and I would be very remiss and not very responsible for asking this township take upon this duty at this time until we can find the funds that we need to sustain us that we can act responsibly, with that in mind I find it necessary that I cannot support that motion that we made.

Trustee Likley: Do you anticipate that the fund would not be fully funded by the other entities?

Trustee Oiler: I believe the 39% from the village would be there but our 55% comes in by spurts. Some in March and some in October

Martha: That is how our levy money comes in. You need a 6 month reserve (last 3 months of year and first 3 months of year) to carry over until the revenue comes in April.

Trustee Likley: Your recommendations we not take over that fund at this time.

Martha: At this time. My recommendation would be if the township trustees decide to put on a renewal levy and form a fire district of the unincorporated area and our residents supported that levy. We should start to get some cushion because in that levy we're building into that amount of money that can be set aside for capital improvements. Hopefully we can keep our budget down; we do not need to spend everything we get. That's the whole point; right now we are spending everything we get and more. The

whole thing is until the township residents can see the need to give the amount of money that is needed to support the fire department and the level of service that is needed for everyone. The village has no problem.

Trustee Likley: If the village has the fund they will still be submitting us an invoice on a regular basis and we still have to come up with the money.

Martha: Yes, but we would come up with the money one month at a time, we are not paying the whole bill. One thing you didn't think about who is going to buy the insurance? Right now the insurance is purchased through the village's insurance carrier

Trustee Likley: Don't we compensate for that?

Martha: Yes

Trustee Likley: Will that not be compensated with the village and equally? Are we seeing an increase in our expenses in the fund being under the township?

Martha: I do; the point of not knowing how our money is going to be coming in, it scares me as a fiscal officer you cannot operate in a deficit. There is no way the state auditor will allow this and I don't even want to go there. If so, we could take it out of general fund.

Trustee Likley: That is pretty much what we have to do either way. We still have to pay the bills, correct?

Martha: Absolutely. But that was what you did not want to do.

Trustee Likley: Of course we don't want to fund it out of our general fund but that is one of the arguments, comments and discussion. I understand the funds are there despite my contention that we don't.

Martha: The funds are there but if you are taking the full responsibility you have to make certain that you have this money coming in.

Trustee Likley: I understand that. My comment at the March 8th meeting was that this board is a representative of all of the residents in the township, Village of Westfield Center and Village of Gloria Glens. We're looking to hire a chief and that chief deserves to know who they will be working for. If this is

something that we anticipate in changing in a year, what will that do to his employment, to the paper work, the documentation, it seems very cumbersome to establish it one way and a year later possibly change it again.

Martha: We are not guaranteed that we will change it again if we cannot get the funding. Where are we going to go with this? It is a very difficult situation and I do know that the employees right now are at Westfield Center.

Trustee Likley: Whatever the wishes of this board but I believe I have made my point that this fund should be under the township for the reason that I stated.

Trustee Oiler: I appreciate your opinion but I'm still convinced in my own mind that this is too much of a risk.

Mayor Horwedel: I informed all the councilmen that we were done with this. Sue was ready to transition it.

Employees could be made at a quarter, half year. We would do anything we can to help with the transition.

I would like to have some room before you come back to the village.

Trustee Likley: I think that needs to be communicated as well to Mr. Thorne as he is drafting a contract with that understanding.

Mayor Horwedel: I'm not saying that we wouldn't take it back.

Trustee Likley: If it's the guidance of our fiscal officer, I'm not doing the books but I understand what you are anticipating and the village is willing to front the money at the beginning of the year or quarter that gives us the cushion to proceed.

Mayor Horwedel: I suggest if you want to change it, come to council meeting and talk about it.

Bill Hutson: To clarify, the village is not going to front anything. The employees could be changed at the end of any month or quarter.

Trustee Likley: My statement to the front is the 39% operation of the year or for the department. Your willing to make that payment quarterly or monthly or for the remaining of the year.

Mayor Horwedel: Maybe next year we could do 3 payments, 2 or whatever works. Council meets the first Tuesday in April.

Trustee Harris: I have given this a lot of thought also. I think we might have been a little hasty in that

decision last Monday. It might be more than we can take on for right now. If the village is willing to keep

the employees and chief I would tend to go that way also.

Trustee Oiler: In fairness to the village I will wait until after their council meeting for making my motion.

Mayor Horwedel: We were kind of set that we were going to get it and then last Monday it went the other way and we were pretty happy.

Trustee Likley: We knew prior to last Monday that discussion would be needed to get it under one fund and possibly one entity.

Trustee Oiler: After research I think it is too much risk for the township at this time. I will attend your meeting. Jim, I will be out of pocket tomorrow, would you mind contacting Bill letting him know where we stand?

Trustee Likley: I would say you contact him with your wishes. No, I am not able to contact Bill with the change to that proposal. You need to let him know what is being discussed.

Trustee Oiler: It took 4 hours the other day to get an answer to a simple question, which is also a fact that disturbs me-can we get support from legal council for what we are taking on. That is beside the point for now.

Martha: I think it could work as long as I am fiscal officer and I can only give you what I see and if it would work for you and you would not mind taking anything out of general fund but for the last

Trustee Likley: The intent would be that if it was drawn from the general fund to cover the first quarter of so months bills that funding is going to be reimbursed back to the general fund.

Martha: Yes if you did not want to transfer and only advance

Trustee Likley: We have looked at this budget and it has been hammered and hammered the township has the funding through the tax levy and soft billing to cover the 2010 budget and that has been clearly stated

so if during a cushion period to cover those expenses from the general fund it could be an advance then it

could be paid back to the general fund. Either way we still have to pay the bills. If it is the wishes of this

board to relinquish that responsibility so be it. Who is going to call Bill about the proposed draft? Mr.

Harris stated he would.

Heather Sturdevant continues with the fire report:

I have been helping the interim chief with administrative responsibilities at the fire house. There is a couple

of things that this board is going to have to make a decision on.

- First and foremost. There has been a glitch in how our soft billing was set up. The residents are getting letters stating they owe the balance after insurance payment. I know that was not the intention of this board based on your previous discussion. It is very easy to clear up and Mark Williams can sign the letter to clear that up but I need to know how to word the letter. There are two ways:
- Remainder of the balance will be written off and you have an option to say you will accept donations. Do you want that in your letter or simply say it will be written off. Other departments

do it both ways. We are going to have a new system whereas when we bill it will be coded to tell us whether it's a resident or non-resident. We are hard billing non-residents. Township residents would get a letter stating they do not owe anything and the balance is written off. They do get a statement from their insurance company and that statement may show that they are responsible

for the rest. They could possibly still send a check even though a letter wasn't sent. So you need to have a letter program that explains that this amount will be written off.

People that have

sent checks-those checks are being returned with a letter explaining that was an error that they didn't owe that. **Trustee Harris stated he thought donations would be accepted is a good idea.**

Trustee Oiler and Trustee Likley agreed. Heather will draft the letter and have the interim chief sign the letter.

- We have been receiving letters from Omni Claim and they are a 3rd party organization that is contracted by several insurance companies. They send a form when they receive a claim and that form says: We have received the attached claim from this insurance company and as in the past

these claims will be processed for payment the same day but if we sign this what they are asking is:
This is an out of network claim and we are the out of network provider and they send us this form
and if you sign this you agree to 10% less than what you billed from the insurance company and you agree not to bill any further. Since we have been soft billing, the interim chief has been signing these forms. So we are essentially agreeing to 10% discount from the insurance company to get the check quicker. Basically if you agree to the 10% discount they will have a check out in 10 days.
If you don't sign this it could take 2-6 months to get your money. Heather needs a decision for the future: Do you want to accept the 10% discount to receive the money within 10 days OR not accept the 10% discount and get the full amount but have it take 2-6 months to collect.
Example: Billed \$558 adjusted price was \$522. BUT you are also agreeing not to bill anyone further. I would recommend not signing this for your non-resident then we couldn't hard bill which we have been doing. We have seen an upswing in collections because we have been doing these forms. You only have a 48 hour window to get this paper work signed or it is handled the regular way.
Trustee Likley is not willing to give up 10%. Heather asked even if it takes 6 months to get the money?
If we are adamant in getting the bills out and follow up. Heather can watch and see how the checks are coming up for the out of network claims. Trustee Oiler was in agreement with Mr. Likley, if it takes 3 months to get it, so be it. Heather will track and then we can see a trend. Mr. Hutson commented that if it takes 6 months to get your check you can contact the Ohio Department of Insurance to expedite that. So for now we won't sign the form. Karen Micklas asked if the township would hire a lawyer to collect the money or does it go unpaid. Heathers thinks right now it just goes unpaid. The biggest problem is accurate information and ID. Matt Witmer suggested contacting State Highway Patrol or other authorized agencies to secure a crash or incident report.
It may not be correct but it is just another avenue to collect data. Trustee Likley asked that Heather convey Matt's suggestion to the department.

- There was a special meeting of the fire committee last week to determine:
- Time lines for the hiring of a full-time chief (will accept resumes` until April 16th so they can be sorted to go to the next step on April 22nd.) Worst case scenario- someone hired by August 1st. Best case scenario we are looking at June. Collect resumes` at village hall through April 16th at 5:00 pm. Heather will pick up resumes` and distribute them to fire committee members, trustees, and council members. From that point April 22nd there is a fire committee meeting whereas by qualifications each person will come in with their top 12-15 candidates. Those 12-15 candidates will be interviewed by a community panel will include 1 or 2 fire department members, 1 trustee, fire committee, couple of council members, Chief Patterson, a fiscal officer all the different people this person will have to be working with. Those interviews will narrow the candidates down to 6. From that point those 6 candidates will have gone through the background check to be sure they qualify because we don't want to spend the money on them if they do not qualify. Those 6 candidates will then go through the assessment center at the Ohio Fire Chief's Association. At the end of that assessment, which is one day long held at the village hall and there will be 6 stations they go through to determine leadership ability, training, all their different skill levels. At the end of that day we will know their scores, know where their weaknesses and their strengths lie and then we can narrow it down to however many candidates you would like for the final interview, whether that be all 6, 2 or 3. The Ohio Fire Chief's Association did recommend that the more you have that final day the more you have to make that final choice. From there a final interview will be conducted. If the township at

- that point has decided to take ownership of the employees or if not on a trustee night or a council night, there could be a joint meeting that both entities are involved in that interview process and make that decision. There will be a final committee along with trustees and the village and the Glens to make the determination of the best qualified candidate. Looking at the first week of May for the first community interview. Then wait to see the availability of the Ohio Chief's Assoc. to do the assessment then we could schedule that last interview on a trustee or council meeting night. Copies of their certifications and salary requirements are required up front. We are trying to come up with a fool proof process that really can't be questioned because we have gone through all the steps and have done our homework to make sure we have the best candidate. By having the original resumes' coming to us will cut down on the cost quite a bit.
- Advertisement (completed) which will be showing up on FireHouse.com this week. The Ohio Fire Chief's Association has a copy of that advertisement as will be posted on their Web site.
 - Job description

Trustee Likley commended the diligence of the fire committee. He received the recommended changes to the job description. The change for EMT Basic was moved up to Paramedic level and also the EVOC along with Hazmat and the certification for fire inspection. Heather stated we did not put fire inspector in the job description but as a plus in the advertisement. We can narrow down candidates based upon what qualifications they have. Trustee Likley stated that as Mr. Thorne said, it is a responsibility and a requirement that the township have the ability for fire inspection or be willing to sign off on that. I think we should be looking for the certification of a fire inspector. The other change was one meeting a month for

each entity. I do not have a problem with that but it seems like the previous recommendation was to represent the department at public meetings. Heather explained the reason for that change was depending on how things go in the future, with how the funding goes and who takes responsibility of the employees. The one thing we wanted to make sure was that the chief wasn't just giving update to whoever takes over that responsibility. We wanted to make sure that they were going to all three entities and giving updates. Heather stated we could say 1 meeting per month per entity minimum and more if necessary or we could go back to the original way. Sue developed a procedure for purchases. There is a procedure in place for purchases now when the new chief comes on board. Trustee Oiler gave a big Thank You to Heather for all the work and effort that she has given to the fire committee, fire department, trustees and working with the chief and Sue Ewers, fiscal officer at the village.

ZONING

Matt Witmer reporting:

- No new applications since last meeting
- Attended approximately 2.5 hr training session with Patrice at the Planning Commission
- Attended a short training session with Bill Thorne after the meeting Monday
- Still working on the conditional use permit for Soccer

Trustee Likley: Asked if the application process has been finalized and a complete application for North Coast Soccer?

Matt: At this point I would say, no. By Thursday we should have the corrections that need to be absolutely completed and we'll indicate back to them what needs to be completed as quickly as possible but I want to make sure it is done correctly.

Trustee Likley: That is for a conditional as well as a variance?

Matt: Yes

Trustee Likley: I would add the communication between the board and the BZA and the applicant should proceed through you and if you have any questions, do not hesitate to contact either legal council or anyone on this board for any assistance.

Matt: I have been doing that

Trustee Oiler: Asked if he has found everything in order

Matt: Other than the soccer fields that's been the only thing that has come in so far. I have gone through

some of the meeting minutes from past times and I'm finding information where it should be.

Heather reporting:

- Zoning Commission has received their final prepared booklets for the Comprehensive Plan.
- Contacted Mark Majewski to come in and present to us per his contract. His nearest availability is
May and that will be our May regular meeting.
- There is no set rule that the zoning commission has a public hearing. It could have come directly to the trustees. Zoning Commission felt it was more prudent to have a public hearing at the trustee level than to have 2 public hearings and delay the process another month.
- At the Zoning Commission level- the members will be reviewing those booklets and be prepared for discussion at the Zoning Commissions' April 13, 2010 @ 7:30 pm meeting. We can open up the discussion to the public in April just to see what the public has to say. The zoning commission just didn't want to delay the process any longer since Mark couldn't get here until May.

Trustee Likley gave Heather a letter that was sent to the township office from a person that was inquiring about the fire chief's position.

WEB SITE

Trustee Likley reporting:

- Documentation has been forwarded to Web Site server on the items that have been requested to be on the web site.
- Received information for the fire department page-corrections were made over the week-end.
- E-mailed Mr. Krolkowski asking his schedule to implement the changes – his response that he is swamped and would be getting to it directly.
- Items that possibly should be added to the news and events page are: The Electric aggregation meeting minutes, information on the Balanced Growth Program on the Upper Chippewa Creek Watershed and also the Land Use Study for the Lake Road Corridor from Greenwich Road north to Medina City limits. Trustee Oiler mentioned there is a link

on our site that links to the county commissioners and the minutes and other information is there. Trustee Oiler was not sure if the Balanced Growth Program was there. Trustee Likley related that we anticipated supplying up to date information to the residents on that site.

Trustee Likley made a motion to submit the Balanced Growth Program and Chippewa Creek Watershed

Plan and the Planning Services Land Use Study to the news and events page of the web site.

The electric

aggregation meeting minutes are provided through the Medina County Commissioners web site at this point not necessary to add, seconded by Trustee Oiler. Roll call: Likley, aye; Harris, aye; Oiler, aye.

OLD BUSINESS

Terry Likley asked when the award ceremony for Carolyn Sims and Tim Kratzer would take place.

Trustee Oiler stated that Tim didn't show up tonight. Ron asked Jim if he would mind contacting Carolyn to get her the certificate. Jim will ask Carolyn and someone would provide a babysitter so she could come to the next meeting, April 5th.

NEW BUSINESS

Medina County Planning Services Land Use Study was discussed. The question being: Does Westfield

Township want to participate in this land use study for the Lake Road corridor from Medina City limits

South to Greenwich Road and be a financial contributor.

Gloria Glens is participating and contributing \$500.

Lafayette Township is participating and contributing \$2,500.

Bill Thorne has recommended that Westfield Township keep a close eye on this because if the Chippewa project goes forward it will involve Westfield Township.

Trustee Likley: Asked if there is a sample resolution that they are looking for. Martha answered, no but she would call and see if she could get one. Likley recommended that planning services provide a sample resolution so the wording would be correct.

Trustee Harris made a motion to participate in the Medina County Planning Services Land Use Study

and contribute \$1,000, seconded by Trustee Oiler. Trustee Likley asked where the funding would come

from. Martha answered, zoning and there is sufficient funds there to support that contribution.

Roll call: Oiler, aye; Likley, aye; Harris, aye.

Trustee Likley mentioned they are looking for representatives to a Steering Committee for the Medina

County Planning Services Land Use Study.

Trustee Likley made a motion to have Mr. Harris as the trustee representative and Carol Rumburg as a

resident that has participated on the steering committee for the Westfield Township Comprehensive Plan

be appointed to the Medina County Planning Services Land Use Study for the Lake Road corridor from

Medina City limits south to Greenwich road in Westfield Township, seconded by Trustee Oiler.

Roll call: Likley, aye; Harris, aye; Oiler, aye.

Trustee Oiler attended the first meeting of the Upper Chippewa Creek Balanced Growth initiative this week.

The main points of discussion:

- 2 areas that can be designated
- 1. Priority conservation area 2. Priority development area
- Landowners can opt in or opt out as many times as you want
- Changed the word grants to *initiatives or incentives*
- Not many answers
- Trustee Oiler's recommendation is to monitor this program. He is not prepared to make any kind of decision committing this township to anything.
- Soil & Water applied for a grant and now they have to administer the program

Trustee Likley related there was a resolution in 2009 to support this venture so they could get the funding

to proceed. Good, bad or indifferent. Some look at it as beneficial and some as not. The goal is to realize the

importance of the watershed and the potential impact on all of us if we don't take care of it.

Electric Aggregation Task Force Meeting: A very late proposal from Lopec was submitted but due to all the

items that needed to be processed and agreed upon the Task Force is surging ahead with First Energy at

this time. All this electric aggregation information along with the contract is available on the Medina County Commissioners web site. Campaign literature will be provided to the township hall for the residents ASAP hopefully before our next meeting. The cost to each township to put this one on the ballot can usually run \$150-\$180 per precinct.

RESIDENTS COMMENTS

Karen Micklas asked if there was anything she could do to help Mr. Krolkowski in updating the web site?

Solar vs. electric blinking signs cost analysis over 20 years. Trustee Likley explained the grant funding for solar powered may make up the difference over time.

Trustee Harris made a motion to adjourn at 9:15 pm, seconded by Trustee Oiler. Unanimous

Approved April 5, 2010