

WESTFIELD TOWNSHIP TRUSTEES
Regular Meeting
April 5, 2010
7:00 pm

Trustee Oiler opened the regular meeting at 7:00 pm by asking for roll call.

Trustees present: Harris, Likley, and Oiler

PLEDGE OF ALLEGIANCE

GUESTS

Adam Friedrich, who is running for Medina County Commissioner gave a brief dissertation of his life and goals if elected to the open county commission seat.

PRESENTATION OF APPRECIATION CERTIFICATES

Trustee Harris presented former trustee, Timothy Kratzer a certificate of appreciation for his dedicated service to Westfield Township for his years of service.

There was a certificate of appreciation for former trustee, Carolyn Sims who was not in attendance. Trustee Likley will deliver that certificate to her.

FISCAL OFFICER

- ❖ Bills to be paid in the amount of \$6,191.91 (copy of bills available for audience and attached to minutes) **Trustee Likley moved to pay the bills as submitted, seconded by Trustee Oiler.**

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

- ❖ Fund status report: Checking balance \$412,575.69 Investment balance \$536,436.50
- ❖ Correspondence
- ❖ Letter from Wm. L. Thorne concerning Electronic records need to be addressed in the township's records retention policy. Westfield Township does address electronic records in their records retention policy (hard copy kept 6 months & if not administrative value it was to be destroyed) since then we have an external hard drive and storing those e-mails on that hard drive but that is not in the retention policy. This was a presentation at the last county township association meeting. Likley asked to review and update our retention policy to include the hard drive.
- ❖ Letter from Charlie Martin, Ryan Road wanting cable service. Likley had communicated with Trustee Bowers, Lafayette Township and it was her understanding through some of the stimulus money additional funding might be available for that purpose to encourage cable providers to get that service to some of the rural areas that haven't been served. Likley stated Mr. Martin's

response was to a survey that he sent out to some residents asking how the lack of cable affected their household.

- ❖ ODOT – Government Day - April 8, 2010 @9:00 am
- ❖ NEOACA – 2010 ODOT funding for Medina/Lorain Counties
- ❖ OTRMA – enhancements to property & liability coverage and online training courses
- ❖ Matt Witmer responded to an e-mail regarding noise created by quad-runners & motor bikes in a residential area of the township
- ❖ Unified Carrier Registration 2010

Trustee Oiler related that Martha asked that the requisition procedures be postponed until she could talk with Bill Thorne tomorrow. There are several items that will need to be considered in making a requisition policy. Trustee Oiler stated that he gave Lee permission to go out last evening and replace a stop sign that was missing at Westfield and Garman Road. The sign was a 36" (which the county will replace) but Lee had a 30" and put it up that night because of the safety issue. There is a letter attached with resident, Tim Kratzer's concerns concerning the requisition procedure.

Martha has completed as the board requested to make the township fire levy accounts the same as the Village accounts. The permanent appropriations for Fire Levy need to be amended, which will be prepared for the next meeting.

MINUTES

March 8, 2010 Trustee Likley moved to approve the March 8, 2010 meeting minutes as presented, seconded by Trustee Harris. Roll call vote: Likley, aye; Oiler, aye; Harris, aye.

March 15, 2010 - Likley's corrections:

- o page 2 bottom line – should be to the *gate* not the top
- o page 3 fiscal officer under the checked mark items the last 4 words remove *because it will not necessary*
- o page 3 under Fire Dept. 4th line add the word *be* after would
- o page 4 – 8th line from the bottom remove *I personally*

Trustee Likley moved to approve the March 15, 2010 meeting minutes as amended, seconded by Trustee Harris. Roll call vote: Harris, aye; Oiler, aye; Likley, aye.

March 22, 2010 – Oiler's correction:

- o last page – last paragraph VFW should read *VVA*
Harris' correction:
- o page 2 – 8th line from bottom remove *and maybe we don't want the BZA to have the final say. According to Bill Thorne the BZA does not have the final say. Likley's*

#57's \$16.50	Carey	\$14.65
#6's \$20.00	Parkertown	\$16.15

OSBORNE MEDINA - Quarry- Hanson

Pick-up at Lodi	Delivered
#1,2's \$14.50	\$14.80
#411'S\$12.85	\$13.10
#304's \$12.60	\$12.85
#8's \$14.20	\$14.55
#9's \$15.15	\$13.75
#67 \$15.30	\$14.75
#57's \$14.05	\$14.15
#6's \$14.65	\$14.75

All bids had certificates of workers comp, or are self-insured and a certificate of liability insurance.

Trustees will review the bids and award the bids at the next regular trustees meeting, April 19, 2010.

ZONING REPORT

The zoning inspector was unable to attend this evening. Trustee Oiler read a written report which is attached to the minutes.

- o No permits or citations issued
- o Fielded 2 complaints
- o Zoning Insp. Attended training and both trustee meetings
- o Zoning Insp. Conferred with Bill Thorne in reference to the North Coast Soccer's Conditional Use and Variance request

OLD BUSINESS

Trustee Likley asked if it was the intention of Trustees Oiler to attend the Westfield Village Council meeting April 6, 2010 and request that they be the overseer of the fire fund and employer of the fire department employees. Likley pointed out at the March 8, 2010 meeting a motion was made, seconded and unanimous vote that the township be the overseer of the fire fund and the employer of the fire department employees. If it is the intention to ask the Village of Westfield Center to be the overseer and the employer of the department employees that a motion be made at this board level and voted upon to represent the wishes of this board.

Trustee Oiler intends to attend the meeting and request that Westfield Village Council be the overseer of the fire fund and employer of the fire department employees. As stated in the past I do not believe the township can sustain itself economically and for the sake of the fire department employees that they need stability.

Trustee Oiler made a motion that Westfield Center Village remain the employer of all fire department employees, maintain the one fire fund and the revenue from soft billing be handled at the township level, seconded by Trustee Harris.

Discussion: Soft billing is presently being handled by the village until things can be turned around. The resolution requested by Lifeforce to soft bill township residents and accept insurance payment, the remaining balance will be written off but donations would be accepted. The township is waiting for that resolution to be prepared by Bill Thorne. Mr. Likley stated that the one fire fund should be under the township as previously stated because this board represents all residents of the township including the 2 villages. The residents of the unincorporated area and Gloria Glens do not have a voice in Westfield Village Council. Martha with that in mind the residents of the unincorporated area have turned down the levy that is supposed to be supporting this fire department twice. Mr. Likley we have appropriated funding to meet the 2010 budget.

Roll call vote: Oiler, aye; Likley, nay; Harris, aye. Motion carried 2 ayes 1 nay.

NEW BUSINESS

Government Entity Projects

- Trustee Likley believes that the BZA should have the authority and responsibility to approve or deny. It would not take away this boards ability to pursue legal action in the event that they deem it necessary or warranted.
- Trustee Harris pointed out that the BZA does not have the final say in this kind of situation. This resolution sets a guideline for anyone coming to this township for a government entity project that they go through the BZA and the BZA will make recommendations to this board. It is not bypassing the BZA. If a government entity wants to bypass them, they can do that. The BZA cannot make the final decision.

RESOLUTION 2010-10 A RESOLUTION ALLOWING BOARD OF ZONING APPEALS TO HEAR ALL VARIANCES AND CONDITIONAL USE APPLICATIONS PERTAINING TO GOVERNMENT ENTITY PROJECTS AND MAKE RECOMMENDATION TO THE BOARD OF TRUSTEES FOR THEIR CONSIDERATION PRIOR TO MAKING A FINAL DETERMINATION

Trustee Harris made a motion to adopt Resolution 2010-10 effective April 5, 2010, seconded by Trustee Oiler. Roll call: Oiler, aye; Likley, aye; Harris, aye.

ROADS

Trustee Likley: Has a policy been finalized for septic outfalls to township road right-of-ways.

- No one has seen a policy
- Lee has talked with the county but no policy has been set because that is what they are allowing
- Likley feels there should be a standard set of how that will be treated and acceptable to us. We had talked about an open swale in case we had to go back into the ditch right-of-way that we would not cause any damage to their drain lines. Who would be responsible for it in the event we have to go back?

- Lee will get with the county engineer and set up a policy so they know what the township expects. They are supposed to notify us so I can go and look before the installation.

Lee reporting:

- Presented a copy of the cab & chassis specifications
- Fiscal Officer will ask Bill Thorne if they are satisfactory
- We haven't had time to go over the roads yet. I have a current quote listing from Lytle Const. I pick and choose my worst one and look at my budget. We will have that by the next meeting. The dollar figure will be more than \$25,000 therefore; it must be put out for bid. Ron will try to go with Lee to look over the roads.
- I haven't heard from Didi concerning the grant for the solar school signs
- I got my stop sign back from the county that I put out Friday night

Lee gave Trustee Likley a site plan of the cemetery to ensure as the flag pole project goes forward that we are not encroaching on burial sites and/or take any lots that were saleable.

RESIDENT COMMENTS

Ms. Rumburg needs clarification: Why doesn't the township have control of the fire fund? What is different if the village has it?

Trustee Oiler the village and township operates differently. Our money comes to us in spurts throughout the year. The fire department personnel need stability right now. We need to take one step at a time and perhaps 6 months to a year from now and IF we can pass a levy and get ourselves so we can keep the fire department sustained well without any financial problems, then I think the township should be able to take over the fire department. It is not that the residents of the unincorporated area are not represented; you are represented quite well with the fund that is paying the bills right now.

Ms. Rumburg: Does the township manage all the fire department personnel and not the fire chief?

Trustee Oiler: No, the village manages all fire department employees and the township the chief. For the rest of the year, if the village agrees, they will also have the fire chief. Then all the fire department employees will be under one entity and one fund. It will be easier to track what is going on within that budget, fund and department.

Greg Oakes: Point of clarification, in spite of the motion tonight, regardless of what village council decides it is still a matter of contractual arrangement between the village and the township. The vote here tonight is not the end of the matter.

Trustee Oiler: If the village does not take the responsibility of the one fire fund and the employees the township will step up to bat.

Ms. Rumburg: That is good to hear because the township has the majority of the funding.

Tim Kratzer:

- Point of info- Stop sign at Westfield & Garman is a county responsibility and they have someone on call 24/7.
- Possibly Gloria Glens would be paying a certain percentage and then get a seat on the fire committee
- If the township were to take over the fire department as a whole, and the township was collecting all the tax dollars that would be alright but seeing we are collecting tax dollars from only the unincorporated area, yes we may be paying the majority but if Westfield Township took the fire department over completely the fire committee would probably be disband. Now the village has some say in the committee process, if Gloria Glens would get a seat they would have a say also in the fire committee process. If something isn't broke don't try to fix it. The reasoning for the fire chief as an employee of the township at the time was they had a fire chief pretty much what we were going to offer Jack and there was a concern that the police chief may want more money, so we took the fire chief's position. As far as legal help, Bill Thorne is pretty strapped. Having a village solicitor across the street for any legal matters the fire department would have is a plus. The trustees are represented by everyone but the trustees have to show the respect to all of those residents. In the past the trustees didn't always show the respect the village council should have had.

ANNOUNCENEMENTS

- Zoning Commission – Tuesday, April 13, 2010 @ 7:30 pm
- Trustees regular meeting – Monday, April 19, 2010

No other business to come before this board

Trustee Harris made a motion to adjourn, seconded by Trustee Oiler. All signified by saying Aye.

Approved May 3, 2010