

BAZETTA TOWNSHIP TRUSTEES
REGULAR MEETING MINUTES (as amended 08-10-10)

Date: July 13, 2010 at 7:30pm
Bazetta Township Administration Building
3372 State Route 5 NE
Cortland, Ohio 44410

Meeting called to order at 7:32pm.

Present:

Chairman Trustee Paul Hovis
Vice Chairman Trustee Frank Parke
Trustee Don Urchek
Fiscal Officer Rita K. Drew

Minutes to be suspended or accepted as written:

June 22, 2010 Special Meeting Minutes
June 22, 2010 Regular Meeting Minutes
June 30, 2010 Special Meeting Minutes

- Trustee Urchek would like to table approving the June 22 Minutes because he has not reviewed them

218-10 To accept the minutes from the June 22 Special, June 22 Regular, and June 30 Special Meetings.

Motion: Trustee Parke
Second: Trustee Hovis
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - No

219-10 To authorize the Fiscal Officer to pay all outstanding invoices incurred and approve all warrants issued.

Motion: Trustee Parke
Second: Trustee Urchek
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

220-10 To enter into the attached Cemetery Agreement with the City of Cortland.

Motion: Trustee Parke
Second: Trustee Urchek
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

221-10 To transfer the following funds.

\$1000 from 05-A-02 (Cemetery: Sexton/Burial Salaries) to 05-A-09 (Cemetery: Supplies)
\$500 from 01-A-26 (General: Other Expenses) to 01-A-03 (General: Travel & Other)
\$477.47 from 10-A-06 (Fire: New Buildings/Equipment) to 10-A-03 (Fire: Workmen's Comp)
Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

222-10 To increase the appropriation for 01-M-03 (General: Paving Contracts) to \$69,038.78.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

223-10 To adopt the attached 2011 Alternative Tax Budget.

Motion: Trustee Parke

Second: Trustee Urchek

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

- Trustee Urchek categorically denied that he committed any violation of the township sexual harassment policy and read a portion of correspondence from Chief Miller
- Trustee Urchek said the attack on him was malicious slander and libel against him by the other Trustees and Atty. Finamore
- Trustee Hovis noted that it was Chief Miller's duty to investigate the original claim per the sexual harassment policy because Chief Miller was Linda Burkey's immediate supervisor
- Trustee Hovis stated it was the trustees responsibility to complete the investigation per the policy and to announce their findings
- Trustee Hovis said the public will have time to address this issue during public comment

224-10 To adopt the attached resolution enforcing township sexual harassment policy.

Motion: Trustee Hovis

Second: Trustee Parke

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - No

225-10 To authorize the Fiscal Officer to request an advance of the 2nd Half Settlement of Real Estate Tax from the Trumbull County Auditor.

Motion: Trustee Parke

Second: Trustee Urchek

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

Correspondence (Copies available upon request):

- Notification from Trumbull County Engineer that pre-applications for the Ohio Public Works Commission (Issue 1) Program Year 2011 will soon be accepted by the District 6 Public Works Integrating Committee
 - Workshop was scheduled for July 7-8, 2010
 - Project descriptions due to Trumbull County Engineer by July 16, 2010
- Letter from neighbors of Don Urchek questioning zoning complaints, septic systems, and police powers
- Schedule of Vienna Township Free Summer Concerts & Events
- Results of Trumbull County Annual Bridge Inspection
- Request from Joe Batchko for permission to use one of the Bazetta Township Park baseball fields
- Resolution from Trumbull County Commissioners transferring Johnson Plank Road to Bazetta Township for roadway purposes
- Recommendations from KLA Risk Consulting, in association with OTARMA, regarding township loss control practices
 - Obtain Motor Vehicle Records Annually
 - Adopt a Driving Policy
 - Review Personnel Policies and Job Descriptions Annually
 - Apply Township Zoning Text Consistently
- Letter from Jane Duncan expressing displeasure with the way her road and driveway approach were left after the contractor finished the Westview Drive Sewer Project
- Letter questioning business in a residential area, septic system, and police powers of Trustee Urchek

- Trustee Urchek asked if anyone present could address the letters about him
 - Who wrote the letters
 - What exactly are they referring to
 - Refused to address the until the author came forward
- Martha Urchek questioned why anonymous correspondence is included here
 - Fiscal Officer Drew pointed out that all correspondence coming into the Administrative Office is a matter of public record and is recorded whether it is anonymous or not as was the practice before she took office

Administrative Reminders:

- Update on NIMS Testing
 - Fiscal Officer Drew and Trustee Parke have completed all testing
 - Trustee Hovis has completed 25% of the testing
 - Trustee Urchek has completed none of testing
- Information regarding garbage collection contract
 - Trustee Parke said a resident named Lisa contacted Trustees about this and he told her it could be discussed at this meeting
 - Trustee Parke noted that the township does not have an exclusive agreement with any one company and that residents are free to select their own trash removal company
- Information regarding street lighting on Keystone Trail
 - Trustee Parke said the same resident discussed this with him and he told her it could be discussed at this meeting
 - Trustee Hovis said a petition was circulated in the past, but it did not have enough signatures and died
 - Trustee Hovis invited residents to start the petition up again

Zoning Inspector:

- See Attached Report
- Zoning Inspector Nuss reported the following
 - Attended a planning and zoning conference with Zoning Commission Chairman Webb and Zoning Board of Appeals Chairman Swiatkwich
 - Shared some of the information he gathered at that meeting
 - Asked the Trustee for a motion regarding 2697 Warren Meadville Road
 - 4 mobile homes on the lot, 3 of which have been declared unfit by the Trumbull County Health Department
 - Demolition can be done with federal grant money

226-10 To proceed with the demolition of 3 mobile homes located at 2697 Warren Meadville Road.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

Zoning Commission:

- Zoning Commission Chairman Webb reported the following
 - Attending the planning and zoning workshop mentioned by Zoning Inspector Nuss
 - Reported on the information that he gathered at that meeting
 - Noted that Commission's Quarterly Meeting was last week
 - Introduced new secretary, Jean Eddy, at that meeting
 - All members present received the ethics paperwork
 - Adopted rules and procedures recommended at the workshop
 - Is working on adopting a resolution regarding Timber Creek rezoning

- Next meeting to discuss the rezoning will be August 18 at 7pm
- Asked the Trustee for a laptop for the new secretary, but would like money to come from General Fund rather than Zoning Fund
- Would like a letter of condolence to Commission Member Walter Maycher on the passing of his wife
 - Fiscal Officer Drew said she will make sure this is taken care of

227-10 To purchase a laptop computer and accessories, to be used by the Zoning Commission and Zoning Board of Appeals Secretary, at a cost not to exceed \$530, to be paid from the Zoning Fund.

Motion: Trustee Parke

Second: Trustee Urchek

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

Road Department:

- Road Superintendent Parke said he would like to auction a dump truck
 - Truck is too big and wide for the cemetery use
 - It is would be big enough for plowing and salting Millennium Boulevard, but not much else
 - Would like to take the money and set it aside for purchase of another dump truck

228-10 To auction the 2004 Ford 450 Dump Truck, with plow and asher, on eBay with a reserve of \$24,000.

Motion: Trustee Parke

Second: Trustee Urchek

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

- Road Superintendent Parke would like to proceed with his .6 mill replacement levy
 - Asking for a replacement levy that will cost residents a total of \$18 per \$100,000 of property valuation per year – an increase of roughly \$10 per year
 - Would appreciate residents voting for passage of the levy, which would generate enough money for the Road Department to pave 1 road per year
 - Would make copies of his proposal regarding uses for increased revenue available to anyone who requested it
- An unknown resident commented on about chip and seal
 - Noted that it causes problems with peeling paint off the cars
 - Complained about the damage this causes
 - Road Superintendent Parke said Bazetta Township does not use chip and seal

229-10 To proceed with the submission to the electors of the question of levying a tax in excess of the ten mill limitation, specifically regarding a five-year, 0.6 mill Road & Bridge Department Replacement Levy on the November 2, 2010 ballot.

Motion: Trustee Parke

Second: Trustee Hovis

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

- Road Superintendent Parke would like to have 4 dead trees removed from McCleary Jacoby Road
 - Has 5 quotes, with \$480 being the lowest

230-10 To pay Bazetta Tree for the removal of 4 dead trees on McCleary Jacoby Road, at a cost of \$480, to be paid by the Road & Bridge Fund.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

Fire Department:

- See Attached Report

231-10 To accept the Ohio Department of Public Safety’s Training and Equipment Grant of \$3,450.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

232-10 To auction a 14’ trailer on eBay with a reserve of \$100.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

- Chief Lewis noted that the township had previously been involved in a lawsuit over these air filtration units because they did not work properly

233-10 To auction 9 air filtration systems on eBay with a reserve of \$50 each.

Motion: Trustee Parke
Second: Trustee Urchek
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

234-10 To proceed with the submission to the electors of the question of levying a tax in excess of the ten mill limitation, specifically regarding a five-year, 0.8 mill Fire Department Renewal Levy on the November 2, 2010 ballot.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

- Chief Lewis provided the following information about the Trumbull County Fair
 - Saw 68 patients
 - Transported 13 patients – 1 with critical injuries
 - Did use quite a bit of overtime, but not as much as might have been used
 - Received assistance from other local townships
 - Average of 14 volunteers per day at no cost to the tax payers
 - Used volunteers to staff the command post and monitor the fair for more than 13 hours each day
 - Next year’s fair will be 7 days rather than 6 days because July 4th is on a Monday
- Chief Lewis said he received some emails from Trumbull County 911 Director and EMA Director regarding the non-working siren at station on Everett Hull Road
 - Is going to go out and look for grants to get the system hooked up
 - Does not know if there is anything available, but will look
 - Township really needs 4 more sirens/towers and the cost will likely be \$18,000
- Trustee Urchek said he spoke with Champion Trustees about starting a mutual aid agreement
- Trustee Urchek thanked Chief Lewis for providing him with information on this

Police Department:

- Sgt. Hovis said he would like the Trustees to vote on the first levy, but delay the second one until the next meeting so a meeting could be held between himself, Chief Miller, and the Trustees
- Trustee Hovis asked Fiscal Officer Drew if there would still be enough time to get all of the paperwork submitted on time if this vote is delayed
 - Fiscal Officer Drew stated that processing of the levy paperwork is an involved process between the township, the Prosecuting Attorney’s Office, and the Board of Elections
 - She further stated that the whole process takes roughly one week, so there is time although it will be very close to the August 4 deadline
- Trustee Hovis suggested holding a Special Meeting and asked Sgt. Hovis to get with Fiscal Officer Drew, Chief Miller, and the Trustees to schedule this

235-10 To proceed with the submission to the electors of the question of levying a tax in excess of the ten mill limitation, specifically regarding a five-year, 0.6 mill Police Equipment Fund Replacement Levy on the November 2, 2010 ballot.

Motion: Trustee Urchek
Second: Trustee Parke
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

TABLED To proceed with the submission to the electors of the question of levying a tax in excess of the ten mill limitation, specifically regarding a five-year, 1.8 mill Police Department Replacement Levy on the November 2, 2010 ballot.

Motion: Trustee _
Second: Trustee _
Vote: Trustee Hovis – Trustee Parke - Trustee Urchek -

Parks & Recreation Board:

- Nothing to report

Safety Committee:

- Nothing to report

Health Insurance Committee:

- Nothing to report

Asked to be placed on the Agenda:

- Cheryl Tennant had asked if she could discuss Northview Drive
 - She was unable to attend the meeting due to a death in the family

Public Comment:

- Paul Carlson of Lakeshore Drive stated the following regarding the levies
 - 3 are up for consideration in November - 2 are for additional taxes
 - Would like to encourage department heads to provide residents a fact sheet, as Superintendent Parke has done, regarding exactly what these monies will go for
 - Has no concern with fire levy because this is a renewal, not a replacement
 - Difficult to understand Road Department budget because money comes from multiple sources
 - Belief that Road Department expenses are exceeding income
 - Police Department seems to be spending \$55,000 more than they are taking in
 - General Fund seems to be overspending by about \$38,000 this year
 - Thinks the citizens should know why this is happening

- Thanked Fiscal Officer Drew for her assistance with these figures
- If departments can control their budgets, the township will have a successful levy season
- Jack Hineman of Northview Drive commented on glass and debris on roads during accidents
 - Needs to be cleaned up right away so resident vehicle's are not damaged
 - Asked that wreckers be encouraged to clean up these messes
- Jack Welcker of Howland Wilson Road discussed failed sewer systems on Howland Wilson Road
 - Wonders how the township can get involved
 - Trustee Urchek suggested getting a resident group together and taking a petition to the Board of Health or Sanitary Engineer's Office and have the committee to speak for you
 - Trustee Urchek stated these groups were very receptive to this type of action when he did this in his neighborhood
- Jack Welcker of Howland Wilson Road asked for clarification regarding port-a-potties at construction sites within the township
 - Zoning Inspector Nuss said it is a specific zoning rule that you cannot have a port-a-potty anywhere in the township
 - Zoning Inspector Nuss said the Zoning Commission should address this issue and make an exception or issue a special permit so construction workers do not have to go elsewhere
 - Zoning Inspector Nuss said he did not know why the rule existed
 - Trustee Hovis asked Zoning Commission Chairman Webb to look into this
- Mindy Nuss of Durst Clagg Road commented on the sexual harassment complaint
 - Stated that hugging and kissing should not be taken as a claim of sexual harassment
 - Trustee Urchek he addressed this with Linda Burkey, who said she knew that nothing sexual was intended
 - Mrs. Nuss and Trustee Urchek both claimed the situation was sensationalized
- Robyn Hineman of Northview Drive commented on Linda Burkey's original e-mail
 - Asked why the other allegations have not been investigated
 - Did not know where the limit stops with hugging people
 - Concerned that no accusation had been made other than to the Tribune Chronicle
 - Asked if anyone had spoken to Mrs. Burkey since this happened
 - No one present had because she has not returned telephone calls or e-mails
 - Said she has spoken with Mrs. Burkey, who is sickened by this whole thing and did not want to attend this meeting
 - Wants this witch hunt to stop
- Martha Urchek of Lakeshore Drive commented on the sexual harassment allegation
 - Introduced herself as Trustee Urchek's wife
 - Asked if an investigation was done on this allegation
 - Trustee Hovis said that it was
 - Asked if the other allegations investigated
 - Read the allegations of "stalking" and "dreaming about closing the police department"
 - Asked if these allegations were investigated
 - Trustee Hovis said they were not
 - Asked why only one allegation was reported to the paper
 - Asked how the paper found out about the email before the June 3 Meeting
 - Trustees Hovis and Parke said they did not send any information to the paper

- Believed Trustee Parke would have thorough knowledge on Ohio Revised Code if he went
 - Trustee Parke said he could not attend this year for personal reasons, but plans to attend the conference next year
- Jerry Porter of McCleary Jacoby Road commented on the sexual harassment allegation
 - Did not know Trustee Urchek before today
 - Chief Miller said there was no harassment
 - What Trustee Urchek did was wrong, but there was no malice intended
 - Flames were fanned and this blew out of proportion and now Trustee Urchek has to live with it
 - Believed the other Trustees fanned these flames and should be ashamed
- Trustee Urchek thanked residents for their comments
 - Believed he has been maliciously picked on
 - Believed he had been verbally assaulted in a public meeting
- Stanley Shrodek of Lakeshore Drive asked Trustee Urchek why there is friction between the Trustees
 - Trustee Urchek stated the following
 - Thought the other trustees have been embarrassed by him
 - Thought there has been a problem with the job descriptions
 - Thought it all went back to the Deanna Boggess situation
- Robyn Hineman of Northview Drive asked about Trustee Parke following Deanna Boggess
 - Trustee Parke said the following
 - Mrs. Boggess was not followed, but merely observed
 - This was done because she was picking up her children on township time
 - She was doing this at a time other than her scheduled lunch break
 - Doing this on township time puts the township at risk if something happens
 - He watched her coming and going from the Police Department and recorded those times to ensure they matched her time sheets
 - Trustee Urchek said she could do whatever she wants on her lunch break
 - Trustee Parke said the following
 - She was going to pick up her kids after her scheduled lunch
 - She was leaving the Police Department on township time
 - This has been documented
 - She was given a directive from the fiscal officer about it
 - Deanna Boggess said she was unaware of being watched until someone told her
- Carol Braden of Wilmar Drive commented on the prisoners cleaning up Route 5
 - The township should send a letter to the Sheriff's Department
 - The township should thank them so they know that they appreciate it
 - Fiscal Officer Drew said she would draft a letter
- Art Kreller of Andrews Drive commented a few issues
 - Need to tell Atty. Finamore to drop everything against Trustee Urchek and get back to business
 - Andrews Drive cement is being laid and is interfering with the grass
 - Would like a barrier or no parking sign to separate the church property from neighbors
 - Road Superintendent Parke said he has a barrier that he can place there
- Mrs. Solarz of Durst Clagg Road asked about getting the siren up and running at the Fire Station
 - Was told that there are grants out there and that we could have gotten as many sirens as we wanted when the tower went up

- Evelyn Coe of McCleary Jacoby Road asked if there are overlapping warning sirens on the west side of Mosquito Lake
 - Chief Lewis said Bristol, Champion, Warren, and Bazetta Townships each have one siren and they do not overlap
 - Chief Lewis said the wind can spread the signal or inhibit the signal depending on the direction
 - An unknown resident recommended watching the television for alerts
 - Trustee Hovis mentioned the ability to receive alerts on cell phones

- Bob Gerring of Westlake Drive comments on a few issues
 - Said this is the rudest bunch of people he has ever seen
 - Residents talking over one another and the Trustees
 - Residents applauding and being disruptive
 - Would have kicked them out if this were his business meeting
 - Wanted to know what is going on at the state park regarding the homosexual activity
 - Said there would be violence if this activity continues
 - Trustee Parke asked if he meant the area around the Route 305 boat dock
 - Mr. Gerring said yes
 - Sgt. Hovis said the following
 - Police Department has received a grant to patrol that area
 - The department does a lot of undercover stuff there
 - They do make arrests
 - Trustee Parke said the worst thing about this activity is the proximity to Imagination Station

- Mindy Nuss of Durst Clagg Road commented on the sexual harassment allegation
 - Questioned what is the truth in the situation with Trustee Urchek
 - Wondered where do we end the line for whether we can or cannot hug and kiss people
 - Thought the other Trustees should extend an apology to Trustee and Martha Urchek
 - Asked what the other Trustees found egregious and unacceptable

- Evelyn Coe of McCleary Jacoby Road asked if an apology could be sent to the paper because it would be a nice gesture
 - Trustee Hovis said they would not do this
 - Trustee Hovis said that, as far as he is considered, this is the end of the issue

236-10 To adjourn the meeting at 9:05pm.

Motion: Trustee Parke
Second: Trustee Urchek
Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Urchek - Yes

_____ Dated: _____
 Attested by: Fiscal Officer Rita K. Drew

_____ Dated: _____
 Approved by: Chairman Trustee Paul Hovis