

COPY

WESTFIELD TOWNSHIP BOARD OF TRUSTEES
DECEMBER 5, 2008
SPECIAL MEETING 9:00 A.M.

Discussion on temporary appropriations and General Business

Chairperson Sims of the Board of Trustees called the special meeting of the Westfield Township Trustees to order at 9:07 a.m. Trustees Sims, Likley and Kratzer were present. Those also present at the meeting were as follows: Ron Oiler, Dennis Delagrange, Rick Robb, Bill Hutson, Tom Horwedel, Denise Moteleski and (Martha Evans who was present as of 10:00 a.m.).

Website Update

Trustee Kratzer stated the gentleman he and Kim Ferencz have been speaking with, Mr. Don Krolikowski had to leave for a 9:30 a.m. meeting but felt that Kim could walk the Trustees through some of the fundamentals regarding a sample website Mr. Krolikowski gave Kim access to. Trustee Likley asked if there would need to be any software purchased? Trustee Kratzer stated no; and added Mr. Krolikowski would take care of the initial hosting of the website but Kim would be able to make the necessary changes to the calendar and meeting minutes. Any major changes to the website would need to go through Mr. Krolikowski. Trustee Sims then asked about the fee schedule. Trustee Kratzer stated the initial set up fee is \$65.00 and \$35.00 a month. Trustee Sims asked if that fee included securing the Township's domain name? Trustee Kratzer stated yes. He read from the e-mail submitted by Mr. Krolikowski which stated, "I can provide webhosting and email for \$35.00/ mo. And a onetime set up fee of \$65.00." Trustee Sims asked what the cost would be to make additions i.e. Fire Dept. page to the website? Trustee Kratzer stated he did not know but possibly Mr. Krolikowski could be contacted on the phone to give that cost. Trustee Sims asked if Mr. Krolikowski would want a contract for a specific period of time. Trustee Kratzer again stated he did not know. All Mr. Krolikowski's e-mail said was, "fees involved in the site upkeep cannot be determined without discussing some of the specifics with you. However I can tell you that I can provide web hosting and email for \$35.00/month and a one-time setup fee of \$65." Trustee Kratzer stated Mr. Krolikowski runs his own private web design company. He added he made contact with Mr. Krolikowski through former Township Trustee Jeff Plummer. Trustee Likley interjected that he went on a few of the websites Mr. Krolikowski designed and they seemed professional. He added his concern was that the website be updated and maintained in house. Trustee Kratzer stated the only issue Mr. Krolikowski brought up to himself and Kim was that the calendar might have to be changed, as it was someone else's domain. The option would be just to list the Trustees and zoning boards meeting dates. Trustee Kratzer stated he did contact another individual but he runs on Apple/MAC and therefore was not compatible. He added he also tried to contact via-email Miami University who does York Township and Litchfield Township's website but to no avail.

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Trustee Sims stated she too wanted to get away from a third party altogether regarding the maintenance of the Township website. She asked for an explanation of the hosting criteria for the website i.e. if the Township needed a machine capable of hosting the site? Trustee Kratzer stated he did not believe that was the case but that the Township could buy the software and get Kim trained. He added it would not make sense for the trustees to be trained because in 4 yrs. one could potentially no longer be with the Township and then the Township would be back at square one. Trustee Kratzer stated he felt for \$35.00 a month this gentleman could take care of the domain name and maintain the main website and the Trustees would have access through Kim to make the changes, additions etc.

Kim Ferencz walked in and confirmed Trustee Kratzer's statement that there is no software to purchase and added that Mr. Krolikowski did have to attend another meeting but that she had a website up on the Township laptop computer for the Trustees to view. Trustee Likley asked Kim if she felt Mr. Krolikowski's services could meet the wants and the needs of the Board and the Township to upload documents, update the calendar and provide the community with information on Township events? Kim stated yes, she felt comfortable with Mr. Krolikowski's guidance to be able to handle those tasks and update the website.

Trustee Sims stated one of the goals as the Township moves forward with the website is to make the meeting minutes searchable so if you want information on a particular topic the documents could be searched electronically. She added that maybe it could not be done with the archived materials but could be part of the process as we move forward with the website.

The Trustees took a short recess (15 minutes) to view the website on the Township laptop.

The Trustees were back in session in the main meeting room. Trustee Sims stated she believed some council members and Fiscal Officer Evans would be coming around 10:00 a.m. She added she was aware that the discussion on approving meeting minutes had been tabled at the last Trustee meeting. Trustee Likley stated the September 17, 2008 meeting minutes had been approved.

Trustee Sims commented that the August 27, 2008 special meeting minutes where employment interviews were conducted were inaccurate, especially about the position and the position title. The minutes were also missing much dialogue on the deliberation on how the Trustees came to make the employment offer they did. The minutes also stated we (Trustees) made an offer to one of the applicants while in Executive Session, which was not correct. There were also missing topics discussed at that meeting such as policy and procedure, Westfield Landing Rd., and the Grubiss application. Trustee Sims stated she hoped Fiscal Officer Evans would be present to confirm the audio recording of that

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meeting were available so the Administrative Assistant could transcribe those minutes off the audio.

Trustee Sims made a motion to send the audio recording of the August 27, 2008 Trustees meeting to the Administrative Assistant to transcribe into minutes. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-no. Motion carried.

Regarding the September 3, 2008 Regular Trustee meeting minutes, Trustee Sims stated there were Fiscal Officer Evans comments about outdoor storage not being adequate. What she found missing were Lee Evans comments that rebutted that and Mr. Kratzer's comments that storage in the past has always been worked out and did not feel storage was an issue. Trustee Sims continued that these minutes seemed very fragmented in dialogue. An example would be under "Zoning. Gary Harris. Nothing about Zuber. Must get in touch with Trina." There is no reference to Trinna or who Zuber is. Trustee Sims stated there are numerous examples like this throughout the minutes and for the average resident reading them they would not know what was being discussed.

Trustee Sims made a motion to send the audio recording of the September 3, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-no. Motion carried.

The next set of outstanding minutes was September 5, 2008. Trustee Sims stated this was the set of meeting minutes she prepared a draft of as an example of how the minutes should be done to reflect the topics discussed and the actions taken by the Board.

Trustee Sims made a motion to send her draft of the September 5, 2008 meeting to be cleaned up or modified by the Administrative Assistant based on the audio recording of that meeting. It was seconded by Trustee Likley.

Discussion on the Motion. Trustee Kratzer asked if these were the meeting minutes where Trustee Sims said the name Kelly Gregoire never left her lips? Trustee Sims stated that was correct. Trustee Kratzer stated that in previous discussions here today about the other two sets of minutes, you (Trustee Sims) were concerned about who Trinna was and who Zuber was yet when Kelly Gregoire's name was put in the minutes to specify who Trustee Sims was referring to, you seem to have a big deal about that. Trustee Sims stated she specifically worded that motion because at the time it was not to collect the sum of \$10,000 from Kelly Gregoire whatsoever. Trustee Sims continued that was an inaccurate statement in Martha's meeting minutes and did not accurately reflect the business of the Board. Trustee Sims concluded by saying that when referring to the County Prosecutor in

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the meeting minutes one may want to do it more respectfully than just "Trinna" and identify who she is for the general public.

ROLL CALL-Sims-yes, Kratzer-no, Likley-yes. Motion carried.

The September 12, 2008 special meeting was on the Township Newsletter and General Business. **Trustee Sims made a motion to send the audio recording of the September 12, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes. It was seconded by Trustee Likley.**

ROLL CALL-Sims-yes, Likley-yes, Kratzer-no. Motion carried.

Regarding the September 15, 2008 meeting minutes, Trustee Sims stated the comments Mr. Kratzer made about the FEMA Floodplain map were attributed to her and not Mr. Kratzer. Under Zoning the report was incomplete. Regarding the information under Cell Tower, Trustee Sims stated that was not the Township's current cell tower it was the proposed cell tower lease. Under that it says "Surveyor will set stakes. No decision made." Again Trustee Sims reiterated that the minutes do not reflect the actions of the Board or give enough information so that an individual reading them can understand.

Trustee Sims made a motion to send the audio recording of the September 12, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Kratzer-no, Likley-yes. Motion carried.

The September 17, 2008 meeting minutes had been approved as amended on December 1, 2008 by Trustees Likley and Kratzer. The amendment was to add Tom Grile's last name to the minutes as it had been omitted. Trustee Sims stated she had a question mark next to the statement "The Township now is meeting all the expenditures."

Moving onto the October 6, 2008 meeting minutes Trustee Sims stated on page 1 under Resolution 2008-17 she did not feel that accurately reflected the discussion among the Trustees. Regarding the statements typed about Mr. Karris from the Pros. Office and the letter he drafted to OTARMA there is the implication that the letter was sent to OTARMA but the letter he drafted was submitted to the Township Trustees for consideration and approval. Under Zoning it stated "Gave Bombard his second notice." Trustee Sims stated this information needs to be expanded on to give the reader the knowledge of what is being discussed. Under the heading Roads it just states "6177 Buffham Rd. there was not a complaint form filled out just a letter." Again, there is no idea as to what this is referencing. Under Webmaster-"Discussion. No Discussion. Tabled until next meeting."

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Trustee Sims made a motion to send the audio recording of the October 6, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Kratzer-no, Likley-yes. Motion carried.

Moving on the October 10, 2008 meeting minutes, Trustee Sims stated under the first bulleted item it says, "The article in the Gazette about the Westfield Township fire levy was a topic of lengthy discussion. Trustee Sims asked the Fire Chief to answer the following questions. Under#1 it states a copy of the article is attached to the minutes. Trustee Sims stated there are no questions listed. They are missing.

Trustee Sims made a motion to send the audio recording of the October 10, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Kratzer-no, Likley-yes. Motion carried.

The next set of minutes to be discussed was the October 20, 2008 special meeting on IRS Pending Litigation. Trustee Sims stated again these minutes were light in content and there were other topics discussed as well.

Trustee Sims made a motion to send the audio recording of the October 20, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-no. Motion carried.

The October 22, 2008 Trustee meeting minutes on the Kratzer property map amendment were previously approved as amended. Trustee Sims stated she had a finalized copy of those minutes for signature. It was brought to light that the October 20, 2008 Trustee meeting minutes had already been transcribed by the Administrative Assistant. Trustee Sims and Likley signed the approved minutes.

Trustee Sims rescinded her motion to send the audio recording of the October 20, 2008 Trustees meeting to the Administrative Assistant to transcribe into meeting minutes as this has already been completed. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-yes. Motion carried.

The Trustees are in receipt of the following draft meeting minutes:

October 20, 2008

November 3, 2008

November 17, 2008

November 21, 2008

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Trustee Sims made a motion to go into executive session regarding employment of a joint fire department. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.

Trustee Sims invited Mayor Horwedel and Council Member Mr. Rick Robbs (Westfield Village), Jack Poe (Fire Committee) and Bill Hutson (Village Legal Counsel) to join the Trustees in Executive Session. They entered into Executive Session at 10:06 a.m.

Trustee Likley made a motion to come out of Executive Session at 11:12 a.m. It was seconded by Trustee Sims.

ROLL CALL-Likley-yes, Sims-yes, Kratzer-yes. Motion carried.

Trustee Sims stated the topic of discussion for the Executive Session was joint fire department employment. With that Trustee Sims turned over the floor to Trustee Likley to represent the fire committee's recommendations for employment of Fire Chief Snoddy. Trustee Likley stated the recommendations of the Fire Committee dated November 26, 2008 have already been read into the record. (See attachment to approved minutes.)

Trustee Likley made a motion to accept the recommendations of the Fire Committee with legal counsel supporting this type of contract and having a full understanding to this Board the possible limitations of such a contract that has been stipulated from Fire Committee. We understand it is a possibility or achievable contract to these stipulations but that needs to be supported from the County Pros. Office. With that understanding and stipulations I make a motion that we renew the contract for Chief Snoddy for 1 yr. with these stipulations and the understanding of that contract.

Trustee Kratzer asked at what rate of pay? Trustee Sims stated that the Trustees should make a motion that is short, sweet and makes sense. If the motion would be for Fire Committee recommendations to receive a legal review from the County Pros. Office let's make a motion for that. Trustee Likley stated he felt it was up to this Board to get a legal review and that is what the motion stated. We accept these recommendations but we have to have a legal review by this Board through the Pros. Office to come up with a contract that meets these stipulations. Trustee Sims suggested Trustee Likley make a motion to approve the Fire Committee's recommendations for the contract renewal of Fire Chief Jack Snoddy pending the County Pros. review and legal opinion on the contract listed in #2. She added her point is what if the County Pros. Office says the Township can't or we shouldn't enter into this contract and we accepted the recommendations of the Fire Committee?

Trustee Likley stated he wanted to withdraw his motion as there was no second.

Trustee Likley then made a motion to accept the Fire Committee's recommendations with those recommendations to be reviewed and approved by the County Pros. Office to support a contract for 1yr. until December 31, 2009. Trustee Kratzer second.

Discussion on the Motion. Trustee Sims stated her discussion on the motion was that the Trustees needed an advisory opinion if this type of contract is acceptable. In addition the Trustees should keep in mind at all times the finances of the Dept. and the staffing that would be available with the Township's restrained budget due to the levy not passing. Trustee Sims added that she is hopeful but doubtful that the economy will turn around in order for the Township to be able to generate tax dollars we currently collect as we have had previous discussions before that we are not even collecting the millages we are entitled to because of the large number of foreclosures. People are not paying their mortgages and not capable of paying their taxes at this point. She concluded that these are hard economic time that we need to acknowledge for our residents and work within our budgetary constraints.

ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.

DISCUSSION ON TEMPORARY BUDGET APPROPRIATIONS

For the record Fiscal Officer Evans was now in attendance. Fiscal Officer Evans stated Trustees Likley and Kratzer requested Trustee Sims signature on the approved contract for Northstar to begin work on the Comprehensive Plan. Trustee Sims signed the contract.

Fiscal Officer Evans stated the Trustees had until their organizational meeting (January 2009) to set the appropriations in place. Temporary appropriations meant appropriations for the first 3 months of the new year. Before April 1, 2009 you (Trustees) will have total permanent appropriations in place.

Trustee Likley stated this was his first time doing temporary appropriations and he would like to ask a few questions. Under First Audit Services 11/15 the amount is \$0. Fiscal Officer Evans stated that was because in 2008 the Township did not have Audit Expenses. In 2009, the years 2007 and 2008 are going to be audited and money will have to be allocated to line item 110-312-Auditing Services. Trustee Likley asked what would need to be done on a temporary basis? Fiscal Officer stated nothing because the Township has not been scheduled for an audit yet. Trustee Sims stated the intent of the Board was to get the temporary appropriations as close to the permanent appropriations as possible for the year. Trustee Likley asked Fiscal Officer Evans if the amount could be for the audit could be allocated at \$10,000-\$15,000? Fiscal Officer Evans stated it could be but it should be less as the records are in order.

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Trustee Likley then asked about the Uniform Account Network Fees. Fiscal Officer Evans stated those figures are based on the Township's budget but there is a possibility those figures could fluctuate. Trustee Likley stated he based his numbers on what the Township spent so far this year. Fiscal Officer Evans stated that Trustee Likley should up those figures. The figure \$795.00 was for last quarter of last year. What we have spent up to now is \$3,180.00. Trustee Likley stated he took the Uniform Account Network Fee to \$4,000.00. Fiscal Officer Evans stated that was too high. Trustee Likley stated that he did not know what the Township could anticipate in additional costs for 2009 and therefore the Trustees would need Fiscal Officer Evans input for the final temporary appropriations. For Uniform Account Network Fees currently the Township has \$3975.00 encumbered so he put another \$25.00 into it.

Fiscal Officer Evans then stated that the Trustees needed to tell her what they are planning to pay the Township Secretary because the Trustees salary and the Fiscal Officers pay are set by the ORC. The Trustees would also need to determine what they were going to pay the Fire Chief, the Zoning Secretary, the Zoning Inspector, and the zoning board members. Those salaries needed to be determined by the Trustees.

Regarding Dispatch Service, line item 220 360-6500, \$9,000.00 has been allocated or appropriated. There is \$9,000 that is unencumbered for 2008 so far. The next line down 370-6500 has allocated or appropriated \$9,000.00. Fiscal Officer Evans stated that money has been used. Trustee Likley then asked the purpose of line 370 6500 then? Fiscal Officer Evans stated that it is another payment to a political subdivision instead of a contracted service. This line item can be eliminated.

Trustee Sims asked if the appropriated amount on the November 15, 2008 document that was given to the Trustees to prepare for these temporary appropriations has been modified by the Fiscal Officer with the suggested appropriated amounts? Fiscal Officer Evans stated yes per the approved supplementals at the last Trustee meeting. Fiscal Officer Evans added the most updated document was dated December 3, 2008. She stated that the biggest supplemental was moved from Building to Zoning in the amount of \$30,000 for the Comprehensive Plan. Trustee Likley confirmed that the Trustees made supplemental appropriations at the last Trustees meeting. Fiscal Officer Evans stated those are the ones that need to be updated which she would give to the Trustees. Trustee Likley stated to date the appropriated amount column is what has been appropriated to each line item except for the supplementals that came in the 1st of December which would be on the sheet Fiscal Evans would distribute to the Trustees. Fiscal Officer Evans went to make copies for distribution to the Trustees.

Fiscal Officer Evans stated that the Trustees should look at Road and Bridge (2031) for Contracted Services which includes any kind of improvements made to the roads. The Trustees would also have to look at Gas Tax where road employee Lee Evans is paid

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from as well as Motor Vehicle License Tax, which is for the wages for temporary emergency help. Fiscal Officer Evans stated it was the responsibility of the Trustees to make those appropriation decisions and not the Fiscal Officer. Fiscal Officer Evans commented that she needed to leave at noon today as she had an appointment.

Trustee Likley asked why \$160,965.00 was appropriated for Contracted Services? Fiscal Officer stated the work such as that done by Lytle Construction came out of Road and Bridge-Contracted Services. Trustee Likley asked if there was another account this money could be put in? Fiscal Officer Evans responded no, it had to be in Road and Bridge as it was tax money. Trustee Sims stated that \$160,965.00 was appropriated for Contracted Services but she had no intention of spending that amount in 2009. She added that this money could then be placed in another category. Fiscal Officer stated if the Trustees were going to make these more permanent appropriations instead of temporary she would give the Trustees the Certificate of Estimated Resources though she thought the Trustees all had a copy. Fiscal Officer Evans stated the Trustees could not appropriate more than the far right hand column for each fund.

Trustee Sims stated under the Certificate of Estimated Resources for Road and Bridge there is \$332,000.00. Fiscal Officer Evans stated that the Trustees must keep in mind the carryover might not be the same but it should be close. She added that she would make sure that the Trustees do not pass anything that was over the Certificate of Estimated Resources. Trustee Sims stated per the November 15, 2008 copy under Fire Levy in category 599 100 Fuel Expenses, it appears that the Fire Dept. only spent \$219.00 year to date in fuel. Fiscal Officer Evans stated they get billed every 6 months. When the bill comes in it comes in as one bill. She added she did not want to take more out of fire because when the Township gets paid from the Village she reimburses that account to make it come back to what is actually spent. Trustee Sims asked if the Township has billed the Village for their fuel expense? Fiscal Officer stated yes for the first 6 months but not the last 6 months of the year. Fiscal Officer stated it appears the Fire Dept. was not using that much fuel.

Trustee Sims stated for Fuel under the Gasoline Tax, Lee Evans has used \$14,000.00 for fuel. Last year Lee Evans spent \$4,475.00. Fiscal Officer Evan stated that was correct. Last year gas was a dollar something a gallon and this year gas tripled in cost. Fiscal Officer Evans stated she would just take a guess when she paid a fuel bill and would take x amount out of fire. Fiscal Officer Evans added that Fire was at the point of not having the money...and the Trustees want to buy a fire truck. She then asked the Trustees, "Where are you going to get the money?" Fiscal Officer Evans continued that account would be rectified when she gets the total for the year then the amount will reflect what Fire spent. Fiscal Officer Evans stated she did not even know what the Fire Dept. spent in fuel until she gets the sheet, calculates the gallons and then go month by month to see how much it cost the Township...there is a computation that has to be done. Fiscal

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Officer Evans stated she gets a figure and then bills the Village for 25% of the fuel costs. Trustee Likley stated \$219.00 seems low for a fuel bill for 6 months. Fiscal Officer Evans stated when she pulled it from there the Village paid for the first 6 months their 25% and then she pulled that money away from there. Fiscal Officer Evans then gave an example. Let's say the bill was \$200.00. The Village pays 25% of that \$200.00. The Village paid \$50.00. That number is then going to show \$150.00. Trustee Sims asked for clarification that Fiscal Officer Evans billed, received and deducted off the \$219.00? Fiscal Officer Evans stated that was correct. That was how the Auditor wanted it. They want it to reflect if the Township gets reimbursed for something. Trustee Sims stated she was concerned that Lee Evans has spent 3x the amount of fuel than last year while the Fire Dept. in the previous year spent \$2,900.00. She added that something did not look right with those figures. She continued that under Fire Levy, which is fund 599 5525; at the end of the year December 31, 2007 \$2,900.00 was spent and 82% expended. The Trustees previously allocated \$3500.00 for the year. For the year 2008, the Trustees allocated \$1,500.00. She then asked per the year to date as of November 2008 Fire only spent \$219.00 in fuel? Fiscal Officer stated that was 75% of the Township's portion of the fuel bill. She added she would go over the fuel sheets and the Trustees could look at them and calculate them. Trustee Likley asked if every time Fire fueled up a truck were they writing it down? Fiscal Officer Evans stated "we had to assume that they are." Trustee Likley stated the numbers seemed to be askew. Fiscal Officer Evans stated she would pull the fuel sheets and show the Trustees what she billed the Village. Trustee Sims stated what appears to be happening is that the fuel costs are coming out of Road and Bridge versus Fire where Fire is billed a percentage portion to the Village. This is important to know for accuracy in record keeping. Again Fiscal Officer Evans stated she would provide the Trustees with the fuel sheets and who signed them. She added that the Trustees get a copy of the invoice she sends to the Village to calculate the dollar amount. Trustee Sims stated it was suspect that the Township spent 3x as much under the fuel for Roads and not even a quarter of the portion under Fire.

Under Fire Levy Contracted Services Trustee Likley asked...Fiscal Officer Evans stated that is what the Township pays the Village. He then asked about Fire Parts. Fiscal Officer Evans stated that was for repairs. She added that for a while the Township was just buying parts but this category was there so for any repairs this is what is being used. She added there is a big part coming back as she billed the last six months and that was a 50% item not a 75% item. Trustee Likley stated that the Trustees have been informed there are some large repair charges for Truck #162 in the amounts of \$9,600.00 on top of the \$9,200.00. Fiscal Officer Evans stated the \$9,200.00 had already been paid. He asked Fiscal Officer Evan if the Village had been billed for their portion? Fiscal Officer Evans stated no not of yet as this is the last quarter but the Village will be billed accordingly.

Trustee Likley asked regarding the payback of the portion owed by the Village, how does Fiscal Officer Evans add that money into...Fiscal Officer Evans interjected she lessens

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the bill. She added when she gives me \$4,500.00 to our \$9,000.00 it is not a receipt. It is a reduction of an expenditure. The Township's expenditure reduces from \$9,000.00 to \$4,500.00. That is the way the Auditor wants it. Trustee Sims stated that she believed the Trustees had a previous discussion that they wanted to discontinue that practice. Fiscal Officer Evans stated the Trustees could not do that. The Auditor wants it this way. Fiscal Officer Evans stated the Township spent \$9,000.00 for repairs and the Village is going to pay the Township \$4,500.00 and the Township's expenses are going to show \$4,500.00.

Trustee Sims stated there was discussion to move the Zoning Inspector, Secretary and Zoning Board member's salaries underneath the zoning category. In order to do that money would need to be allocated under that heading. Fiscal Officer Evans stated that was done on the Certificate of Estimated Resources. Now those numbers needed to be moved. Trustee Likley stated the total compensation for zoning board members is \$7500.00 Other Salaries- \$7500.00. Trustee Sims stated she would like under fund 190-0000 the word- Zoning Inspector(s). The amount allocated would remain the same. Then the Trustees needed to allocate the entire fund that will afford the zoning board members, the zoning Inspector the zoning secretary...Fiscal Officer Evans interjected that she would make up a new chart of accounts and give a copy to each Trustee.

Trustee Likley asked if Fiscal Officer Evans could give the Trustees the line item numbers she wanted the Trustees to look at to allocate funds for 2009. Fiscal Officer Evans stated it would be mostly for salaries and other large money allocations which could only be determined by the Board of Trustees.

Trustee Sims stated under 730-6100 there is \$478,000.00. Fiscal Officer Evans stated that is the building fund. That is what is left over after the Trustees allocate everything. Trustee Likley stated that the money in the checking account and the investment account is all in one pot. In the investment account there is a balance of \$520,000.00. In the checking account the balance is \$16,400.00.

Trustee Sims stated under category 710 in 2007 was Penalties. Is there an OPERS penalty this year and do we have to re-add that category? Fiscal Officer Evans stated she did not know exactly when it would occur (this was for Kevin Primer's corrected pay for being a Zoning Commission member). Trustee Likley stated it would only be for roughly \$12,000. It was at this time that Fiscal Officer Evans had to leave the meeting. Trustee Likley asked if the Board members could contact her if they had any questions regarding these appropriations. Fiscal Officer Evans stated absolutely.

Trustee Sims stated she would like to continue with the meeting as temporary appropriations was to be the agenda item. Under the second line item on the printout (112-000) she would like to change the title from Trustees Staff to Administrative Staff. Trustee Likley and Kratzer agreed. Trustee Sims stated under Fiscal Officer's Staff the

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amount is \$0 on the November print out and \$7,600.00 on the December 3, 2008 print out. It was \$7,300.00 in 2007 and \$7,600.00 in 2008 and would remain the same in 2009.

Trustee Sims stated Under Contributions to Other Organizations (591) that was for the Easter Egg Hunt but believed the Township would not be participating in that anymore. Trustee Kratzer stated the Pros. Office stated last year that the Township should not participate in that anymore but really \$100.00 would not kill the Township.

Trustee Likley stated he questioned Repairs and Maintenance. There is \$500.00 in it and per the year to date we spent \$500.00. It is line item 110-323. He asked if the Trustees needed to increase that amount because it has already been spent? Trustee Sims stated because it was already the second week in December she was o.k. to leave it as is.

Trustee Likley then asked about 110-360 6325 Contracted Services Group Fee. Again the Township spent 100% of the money allocated. He asked what was it for? Trustee Sims stated she believed it was for the coop the Township was in which is Frank Gates for Workman's Compensation. Trustee Sims stated she thought that was a set annual rate.

Trustee Sims she would like to break out fund status 190-000 which is Salary Other, for the townhall Rental Opening & Closing. That category should be defined. The Board decided to title that category-Hall Opening Salaries.

Under fund status 120-353 Natural Gas, Trustee Sims stated she was able to save money per cubic feet for her home by going with an alternate provider of fuel. Trustee Kratzer stated that could not be done because the Township was buying fuel out of the well right back here through MSC Drilling at wellhead pricing already.

Trustee Likley stated that under Zoning Contracted Services (130-360) that money has been allocated with a supplemental appropriation of \$30,000. This is for the Comp Plan Agreement and was done at the last Trustees meeting. The amount of \$34,400.00 has been appropriated as there was already \$4400.00 in that fund and the Trustees did a supplemental appropriation of \$30,000.00

Trustee Sims stated that Fiscal Officer Evans asked the Trustees to take all the salaries out of General Fund versus out of the subcategories. Trustee Likley stated for clarification that under the General Fund 130 150 the fund has \$7,500.00 in it for compensation of Board and Commission members. He then asked if the intention was for this line item to be zeroed out and then the money be put in 2181 130 150? Trustee Sims stated that was correct but usually a residual amount was left in to keep that line item active. The Trustees decided to move the zoning board members, zoning inspector and zoning secretary compensation from General Fund 1000 130 series and put them under the zoning fund 2181 130 series. Under the series 130 190 it would be changed to list Zoning

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Inspector(s). The category for Zoning Secretary would now be listed under 2181 130 190 9889. Trustee Likley stated the whole 130 series would be moved to over to 2181.

There was then questions by the Trustees about Fund 2191 Fire Levy and if salaries and the pertinent subsections could be taken from the General Fund and put under Fund 2191?

Trustee Sims asked to move under 220-360 the category line Sherriff Dispatch in the amount of \$9,000.00 that was appropriated and not spent last year to General Fund 760-720-000 Buildings. Trustee Likley and Kratzer agreed. If this cannot be done Fiscal Officer Evans would need to explain why.

Trustee Likley asked what 330-360 Contracted Services was for? Trustee Likley stated there was no money appropriated in that category. Trustee Sims stated the category did not exist in the appropriation status dated Dec. 31, 2007. The Trustees decided to ask Fiscal Officer Evans what this particular series was for.

Trustee Likley then asked about Cemetery 410 Contracted Services. It was believed that if Lee Evans was doing a burial that his salary for that work would come out of the 410-190 series. It was determined category 410-190 would be titled Cemetery Staff Salaries. The series 410-360 Contracted Services was for mowing, tree services etc. Trustee Likley stated the mowing for the cemeteries is allocated in 2041-110. Two thousand dollars was appropriated and it was all spent. It was determined that Contracted Services for the cemetery would be reassigned to 2041.

The discussion went back to the issue of the fuel usage and the monitoring of the fuel for road trucks and fire trucks in the Township. A monitoring system was discussed to be devised or revised to make sure all documentation of fueling was accurate and complete.

The Trustees stated their goal is to get the money categorized under the proper subheadings and allocate funds as deemed appropriate. In order to have a clear understanding as to what monies and categories can be moved it was necessary to have the Fiscal Officer present.

MISC.

Ms. Denise Moteleski asked about what has been done regarding the monies the Township lost regarding the previous Clerk for the Township? Trustee Likley responded that the Township was in the process of pursuing this through the Township's legal counsel, OTARMA our insurance company, and calling in the bond. The Township was waiting to hear back from legal counsel.

Ms. Moteleski stated personally she thought Fiscal Officer Martha Evans was getting a bad rap. The Township has been through three secretaries Kelly, Martha and Marlene

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Oiler since Trustee Sims has been in office. She added that people should learn think before they speak because you can't take it back. When the minutes are reviewed it seems that Trustee Sims always has an issue and says "I didn't mean to say that or that was not my intent." Trustee Sims stated she did not recall using the words "I didn't mean to say that." Trustee Sims stated that this situation has gotten ridiculous. She added when Kelly Gregoire was Clerk she enjoyed her company as a person but she was not doing her job as Clerk and this became evident within 6 months of her sitting as Trustee. Trustee Sims stated the other two trustees sitting had been in their positions for 12 yrs. and were unaware the taxes had not been paid for 2003, 2004, 2005 and 2006 let alone OPERS etc. That was unacceptable. Trustee Sims stated it took her 6 months of public record requests to be able to come to that decision. She then asked, who was the assistant Clerk during this financial mismanagement-Marlene Oiler. She then asked, did I ask her for those records as well. Trustee Sims yes she did. Were those documents forthcoming? No they were not. Trustee Sims continued that the whole process took longer than necessary to uncover the mismanagement and those people are no longer with us. Kelly for mismanagement and Marlene Oiler was not reappointed. While doing these appropriations Trustee Sims stated she felt that the Township was lax in its financial budgeting and did not think that Mr. Kratzer in his tenure as trustee sat at a temporary appropriations meeting that has taken 2hrs. She commented that this current board is going to take the time to go line and line and look at the money allocations and best use Township tax dollars.

Trustee Sims continued that Fiscal Officer Evans ran an ad in the paper for an Administrative Assistant and was going to put it under the fund category of assist clerk. Trustee Sims stated when she asked Fiscal Officer Evans if she needed help doing her fiscal duties she was told no that her intent was that it was a large job and she wanted the time to assign that person some additional duties and train them into being the next Fiscal Officer. Trustee Sims commented that the Fiscal Officer just started her term in April 2008. That meant 3 ½ years to train someone to be the next Fiscal Officer. Trustee Sims stated she did not support that idea and felt the next Fiscal Officer should be elected by the voters as Mrs. Evans has been. She continued that the Township is not that busy that it needed two people to be the Clerk when we had 3 people working under the Clerk's jurisdiction which were Marlene Oiler, Kelly Gregoire and Wirtie Kratzer. Trustee Sims continued as trustees we took a lot of scrutiny as to why it took three people to do one person's job when Westfield Township is not that busy. Then we came to find out after having three people doing the job and using additional outside contractors periodically during 2006 and work was still not done. That is financial mismanagement.

Ms. Moteleski stated that Mrs. Evans lived up here. This is not an easy job. Her ability to do minutes is being questioned. Ms. Moteleski stated she sat on the BZA for 17 yrs. and did not know how they did it and got along with all the paperwork. She added she did not know why it was so important for Ms. Sims to have this disc. Ms. Moteleski stated she

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did not know how to use a computer and would make a terrible Trustee. All she had was an old Staples adding machine.

Trustee Sims stated she enjoyed and appreciated Ms. Moteleski's opinions as she did the majority of the opinions of the residents and it did not have to be an opinion she agreed with. There are 5,000 people in this Township and would be hard-pressed to find all 5,000 in agreement with her so she was open to others opinions. Trustee Sims continued that the Martha situation has gotten strange and personal and Karen Fisher with her slanderous website. It is unfortunate. This has polarized the Township and some of the public officials and that is unfortunate. Trustee Sims stated when she said to Martha that the meeting minutes do not accurately reflect the discussions or business of the board of Trustees, Martha did not handle the criticism well. However these are the Trustee minutes. If we (Trustees) feel we need to add to them to accurately reflect what was discussed then that is what we need to do. The minutes are not even close to accurate. Trustee Sims stated an example was the September 5, 2008 meeting where there was a lengthy discussion with Bill Thorne. The minutes stated Kratzer Covenants and Restrictions. Martha wrote, "a Declarant to a covenant is irrelevant." Trustee Sims stated that Mr. Kratzer was sitting there that evening and was capable of answering the fact as to whether or not a Declarant was irrelevant to his Covenants and Restrictions in his zoning proposal. Trustee Kratzer stated he did not know if he should have made a comment on that. Trustee Sims now asked Trustee Kratzer if a Declarant was irrelevant to his Covenants and Restrictions for his zoning proposal? Trustee Kratzer stated he did not know. Trustee Sims continued that there are all types of Declarants. The Declarants are very relevant in making the deal which are the Covenants and Restrictions. The minutes were not even close to right they were wrong. Ms. Moteleski stated they were just minutes and there were more important things going on in the Township. Trustee Likley interjected that the issue with that type of reasoning was that the minutes had the potential to be raised as those are the official records of the Trustees. The minutes need to be accurate. No matter how long it takes it is the responsibility of the Trustees to make sure that is done. He added he hated more than ever having to sit down and read the meeting minutes and feel he had to take a highlighter and address things that he did not find to be accurate. That is a problem. He stated he wasted entirely too much time doing that and he should not have to.

Ms. Moteleski asked if Trustee Likley was saying Martha was incompetent in doing her job? Trustee Likley stated no, what he was saying was that minutes had to be accurate to the record. If not, the Trustees should openly and willingly be able to make those amendments and corrections. Trustee Sims stated that when we (Trustees) hired the Administrative Assistant Martha said we (Trustees) made a deal in Executive Session. That is illegal and furthermore the Trustees did not do that but that is what it states in the meeting minutes. Additionally Trustee Sims went on to state that at the October 20, 2008 Trustee meeting, Mr. Stan Scheetz stated he had 4 separate litigation attorneys reviewing

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the records for a potential option of litigation. Trustee Sims stated those records would include Martha's meeting minutes that read that a Declarant was irrelevant to the Covenants and Restrictions.

Ms. Moteleski stated maybe Martha was not perfect and she is not God. Trustee Likley stated he was not asking or expecting her to be. Ms. Moteleski also stated that some of the things Trustee Sims said to the newspaper were not correct. Trustee Sims rebutted that Martha went to the paper too and it was unfortunate that we are all sitting here talking about this on the record. Trustee Sims stated she learned Martha resigned from taking the meeting minutes when the press called her and that Martha had e-mailed the Gazette and several others and that was unprofessional. Ms. Moteleski commented that everything should be running smoothly now that Kim was typing the meeting minutes. Trustee Sims stated that has just recently happened.

Trustee Sims continued that there is a Records Retention Policy on the wall. The Trustees just spent 2 hrs. fuddling through these temporary appropriations and want to modify some of the categories to track the Township's expenses and there is no Fiscal Officer present. Ms. Moteleski interjected that when you are dealing with Government it is totally different than dealing with a regular accountant. Trustee Sims stated the record retention schedule says that records are viewable right now between 9-11 Mon.-Thurs. She added she has been up at the Townhall on several of those days and could not access the records she wanted to view. She added that if she wanted to review personnel files they are not available nor were the 2008 original meeting minutes with the attachments or the financial records. She continued the Trustees were doing appropriations today. If she wanted to look at how much the Township spent on cell phones last year she could not go in there and get the records. Martha is not available Mon.-Friday 9-11, which when it says on the Records Retention Policy documents can be reviewed. Trustee Sims commented that she has sat her for two hours attempting to do appropriations with no information. The point is we all need to work in good faith to make accurate decisions to manage the Township money well.

Ms. Moteleski stated she thought the meeting started at 10:00 am but then had to leave the room because the Trustees went into Executive Session. Trustee Sims stated if Ms. Moteleski had a question she should have raised her hand. She added that she fought to put Martha in the position that she has back in December 6, 2006. Trustee Sims stated she remembered her and Mr. Kratzer going back and forth and what she understood from the people she talked to was Martha had a good reputation. She came in and cleaned up a mess stayed out of other people's business and went on. Ms. Moteleski interjected that the Trustees could sleep better at night knowing PERS is being paid, Workman's Compensation is paid and the Pension plan is being paid. Trustee Sims stated yes and she appreciated the work. Ms. Moteleski stated that hopefully it would work out with somebody else doing the minutes. She added she was sure Martha could find whatever

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information Trustee Sims requested. Trustee Sims stated it was not an issue of finding the information it was that the information was not available to her. She added she could only hope that things would go more smoothly with meeting minutes being accurate. She concluded that there will be a budget meetings that the Trustees and Fiscal Officer will need to work together on to make sound financial decisions for the Township.

Trustee Likley made a motion to adjourn. It was seconded by Trustee Kratzer. ROLL CALL-Likley-yes, Kratzer-yes, Sims-yes. Motion carried.

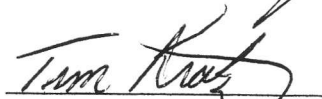
The meeting was officially adjourned at 1:05 p.m.
Respectfully Submitted,

Kim Ferencz-Westfield Township Administrative Ass't.

Approved as amended January 15, 2009


Carolyn Sims, Chairperson


Jim Likley, Trustee


Tim Kratzer, Trustee