

Westfield Township Board of Trustees

Special Meeting/ Regular Business
September 2, 2014

Likley calls the meeting to order at 7:10 PM. Roll call: Likley- aye, Thombs- aye, Schmidt- aye.

This is a special meeting due to September 1st being Labor Day.

Assistant Prosecutor Thorne called Likley and would like to meet with the Trustees in Executive Session.

Likley makes a motion to go into executive session at 7:11 PM pending litigation; seconded by Schmidt. Roll call: Thombs- aye, Schmidt- aye, Likley- aye.

Likley makes a motion to come out of executive session at 7:35 PM; seconded by Thombs. Roll call: Schmidt- aye, Likley- aye, Thombs- aye.

Likley makes a motion to direct legal counsel to file a cross appeal in the Kratzer Case; seconded by Thombs. Roll call: Likley- aye, Thombs- aye, Schmidt- aye. The motion passes.

Comments from the Floor

Matt Witmer- 5606 Buffham Road asked the trustees how they would go about seating an unbiased board for the BZA discussed on the August 27th meeting.

Schmidt answered that they would use the criteria that Judge Collier gave to the trustees. Judge Collier's standards changed so we will use his criteria to seat a new unbiased board.

The trustees added that the additional members would be considered unbiased if they have not written any statements or signed any petitions for or against the case.

Witmer asked why ZI Sims was going into the Executive Session with legal aid.

Likley explained that ZI Sims provides information regarding the zoning process and through the request of legal counsel and Likley realized that he missed adding ZI Sims to the motion. Likley also added that the trustees are able to invite anyone into Executive Session. Schmidt added that this case is based on a use variance and the Zoning Inspector offers insight.

Heather Sturdevant- 5864 Buffham Road told the trustees that they did not add the zoning inspector to the request of people to invite into Executive Session at the last meeting and that the papers reported this mistake in the article.

Attorney Schrader said that there is no need to invite members in a motion according to the sunshine law.

Sturdevant also added that the meeting minutes since January seemed to be not complete with what was said regarding audience questions and comments and that some things were being scrubbed. The last audio also did not have the Executive Session motion. The error in the audio was addressed and it was not intentional and a mistake was made.

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Sturdevant asked about the shredding of the records and the schedule and why it was taken off the agenda. Likley said that records will be shredded in house with directions of the fiscal officer to save expenses.

Likley addressed Sturdevant's comments and said the meeting minutes are at the boards' discretion and are valuable and are complete and are addressed to the best of our abilities as a board.

Fiscal Officer's Report

- Bills and warrants in the amount of \$10,526.81 and the fund status is \$426,331.81.
- Public Hearing Legal Notices cost the township about \$50.00 each to post in the paper.

Likley makes a motion to pay the bills as submitted in the amount of \$10,526.81; seconded by Thombs. Roll call: Likley- aye, Thombs- aye, Schmidt- aye. The motion passes.

Correspondence

- Fiscal Officer provided the trustees with a copy of the maturity of the CD's and the roll over amount.
- John A. Burke sent a letter regarding unclaimed money in the county. The address will be posted on the Westfield Township website: www.missingmoney.com
- NOACCA's Annual meeting is on November 12, 2014
- Medina County Health Department inquired if they would be able to use the Westfield Township Complex facility for mass immunizations if necessary. Thombs will inquire about the commitment to help with this.
- Candidates and Elected Officials Reception is on October 7, 2014

Supplemental appropriations: Two invoices for Mel Way Paving Company in the amount of \$121,577.23 for paving and chip and seal. A motion was made but the funds were not there and money needs to be moved. Both invoices are due and the fiscal officer did not want to wait to pay.

Likley makes a motion to proceed with the payment to Mel Way Paving Company invoices in the amount of \$121,577.23 and to cut checks for payment; seconded by Thombs. Roll call: Likley- aye, Thombs- aye, Schmidt- aye. The motion passes.

Meeting minutes to be approved

Likley makes a motion to approve the August 18, 2014 Public Hearing Meeting Minutes on Solar Panel Language as amended; seconded by Schmidt. Roll call: Thombs- aye, Schmidt- aye, Likley- aye. The motion passes.

Likley makes a motion to approve the August 18, 2014 regular township trustee meeting minutes as corrected; seconded by Schmidt. Roll call: Thombs- aye, Schmidt- aye, Likley- aye. The motion passes.

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Road Report

- Contract for H & H were signed and dated by the trustees.
- Road projects were originally \$130,933.05 to resurface and this is lower due to Evans doing some of the work himself (cutting the burm out and doing some of the shimming and striping).
- Schmidt commented about the county using regular gravel instead of 4-11. Evans said they'll see how it holds up.
- Chip & Seal original cost on the bid was \$53,306.05 and the final cost was \$45,000.00. This was Ryan Rd. and Westfield Landing Road and east end of Buffham Road.
- Evans said we presently have 250 ton of slag but would like to have 400 ton on hand. Evans is concerned that Lorain is running out of slag and they might not be able to get anymore at a reasonable cost.
- Evans is concerned that we are contracted this season with ODOT for salt versus CUE and that the state's cost is \$54.97 a ton instead of CUE's amount of \$49.73. The township is unable to order any salt until November 1st. The township presently has 200 ton of salt.
- Joint service agreement with Lafayette will be the same as the agreement in 2006. Thombs talked with Mrs. Evans and they do not do anything with Guilford Township. Linda Bowers sent resolution language that ends on December 31, 2017.

Thombs makes a motion to accept Resolution 2014-23 for a contract for reciprocal assistance in maintenance services between Lafayette and Westfield Township; seconded by Schmidt.

Discussion: Schmidt asked who keeps the records for time and Thombs replied that both townships keep their own records.

Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

Cemetery & Park

A concern from a bike rider was the sidewalks are lifted for the resurfacing project that has not started. One area it is about 1 ½" due to the road be eroding and a hole. The county had to work on roads that had culvert issues rather than some resurfacing projects. Evans will fill the hole with cold patch even though they are not Westfield's Township roads.

Thombs and Evans will remove the flags at the cemetery since most of the patriotic holidays have past.

Zoning Report

- Monthly Zoning- 3 permits
 1. Deck on Ryan Road
 2. Garage on Westfield Landing
 3. A pole barn on Seville Road
- Fix a Fence has been issued a zoning violation and now has a storage building on the property which is in violation. A variance is needed by the property owner but they have not presently applied for a variance.

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- ❑ Lesiak's storage trailers have been moved but another issue was noticed as ZI Sims drove by. The rail road car is still on the property but it is involved in another court case (may make this into a chicken coop so he is not in violation) and ZI Sims will discuss further with Lesiak.
- ❑ The mowing by Bennett was not correctly and Mr. Bennett said it will be mowed by September 15th.
- ❑ Natural Hazzard Map- will take a photo so the township has to reference and leave the original with Medina County Water and Soil to get this map updated
- ❑ Schmidt would like to compliment BZA on 2 good variance hearings.

Old Business

The trustees will pursue the emergency siren grant and establish a bid pack and contract to Emergency Management Services. County Emergency Management Services have been contacted regarding the townships' commitment to 4 sirens (1 will be purchased by the Village).

OPERS reimbursement will be individually resolved by the employees but have been given an email to contact. Sturdevant said that Bill Thorne will be looking into the service fees that have been charged to the closed accounts. Porter will contact BZA and ZC about who to contact for this reimbursement. Sturdevant has contacted Bill Thorne regarding the \$6.00 a month service fee taken out and will talk with the prosecutor's office when they attend next weeks' workshop on Tuesday.

New Business

Red Cross would like to use our facility in the event there is a need for an emergency immunization. Thombs will inquire about the commitment.

Fire Chief will handle the clean-up of the north side of the fire station. Trustees will look into purchasing shrubs with the Village to improve the appearance of the station.

Siding repair on the back corner of the township complex has been fixed by Evans.

Linda Bowers of Lafayette is looking into the cost of purchasing a mini excavator (and sharing the expense with Westfield Township) so both townships would be able to use on projects. The amount would be approximately \$80,000.00 for a 5/6 year lease to own and would be approximately \$10,500.00 per year for the township. The trustees will look into this idea further.

Announcements

Trustees and ZC workshop- September 9, 2014 @ 7:30 PM

Trustee Solar Panel Public hearing (continuation)- September 15, 2014 @ 5:30 PM

WFRD reg. meeting- September 15, 2014 @ 6:30 PM

Trustee reg. meeting- September 15, 2014 @ 7:00 PM

Likely makes a motion to adjourn at 9:00 PM; seconded by Thombs.

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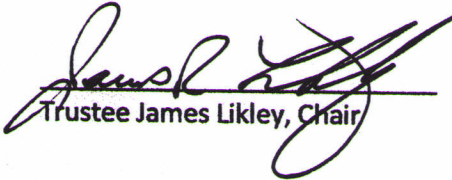
Trustee reg. meeting- September 15, 2014 @ 7:00 PM

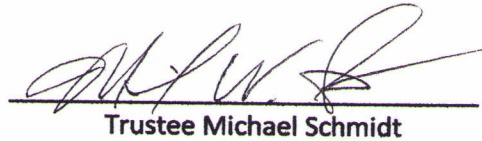
Likely makes a motion to adjourn at 9:00 PM; seconded by Thombs.

Respectfully submitted by:

Cheryl Porter

Date approved: 9-15-14


Trustee James Likley, Chair


Trustee Michael Schmidt


Trustee William Thombs