

# HAMILTON TOWNSHIP TRUSTEES

## March 12, 2014

Mr. Weber made a motion and Mr. Wallace seconded the motion to open the regular meeting to order at 5:05 p.m.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Weber stated this meeting is beginning at 5:00 p.m. for interviews for appointments to the Park Board, Zoning Commission and Board of Zoning Appeals.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to enter into Executive Session to interview the candidates at 5:06 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Those going into the session are the trustees, Mr. Gary Boeres, Administrator, and the candidates.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to come out of Executive Session to Regular Session at 6:12 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber stated the Executive Session was for interviews for the Park Board, Board of Zoning Appeals and Zoning Commission.

The Pledge of Allegiance to the Flag was recited by all in attendance.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to dispense with the public reading of the minutes and approve as written for the February 19, 2014 meeting.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to dispense with the public reading of the minutes and approve as written for the February 26, 2014 meeting.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Abstain

Mr. Duvelius abstained because he was not present at the Special Meeting.

Mr. Weber stated Ms. Jackie Terwilleger, Fiscal Officer, was unable to make the meeting and Ms. Melissa Brock was taking the minutes for her.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to pay the bills before the Board.

Roll call as follows:	Gene Duvelius	Yes
	David Wallace	Yes
	Kurt Weber	Yes

Mr. Wayne Bastin, Bastin and Company, was present as requested by the trustees to provide an overview of what he has done and found in regards to audit preparation. Mr. Bastin provided his background as a CPA auditing local governments. Bastin and Company did the audits for Hamilton Township from 2004-2009. In October of 2013 the township contracted with Mr. Bastin to straighten out book keeping issues. Mr. Bastin noted the work he has done from 2010-2013 was not an audit and he would not attest to anything. He had obtained all books by year along with bank statements, investment statements, etc. and each transaction was reconciled to find any differences. Over the four (4) year period from 2010-2013 there was over 25,000 data line items in the books. The results found that approximately 1,600 entries on the books represented entries that did not hit the bank. The major cause of those entries was primarily due to the capabilities of the accounting system. His firm found 228 items that hit the bank that did not appear on the books. Most were miscellaneous bank charges, EMS receipts, checks that hit the bank, but were not posted to the books. The Impact Fee account was never recorded on the books. The property taxes coming from the county and related fees were sometimes posted to incorrect funds. The debt documents were reviewed to make sure they were recorded correctly. There were some instances where TIF refunds were posted to the wrong funds or the proceeds were posted to the wrong funds. Another major item was transfers that were done that should not have been done without specific authorization to move those monies. Some approved transfers were not recorded. The overall as of December 31, 2013, showed the books to have a cash balance entity wide of \$9.6 million dollars. Bastin and Company was able to reconcile the roll forward from 2010-2013 with an ending balance as of December 31, 2013 of \$7,075,000.00. The created trial balances will allow the auditors as well as the township to go from the books before correction to the corrected books then to the financial statements. Bastin and Company was asked by the Auditor of State to do budgetary testing based on the new data he created. Bottom line is there was good cash balances as of December 2013. Those balances have been loaded in the UAN System. The Board thanked Mr. Bastin for his report.

Mr. Bastin noted there is a report on the township website that is being updated and he has asked that the township take the current report down and replace it with the new 2008-2009 report when it is released. Also, Mr. Bastin stated the 2013 Financial Statements needed to be filed with the Auditor of State or there will be a \$750.00 fine. Mr. Bastin stated with the Board's permission he would file that for them. The deadline was February 28, 2014, but Mr. Bastin noted if he were to send it in with an explanation the fine might be waved. Mr. Bastin was going to draft the email to be sent and forward it to Mr. Gary Boeres, Administrator, to file per the board. Mr. Wallace wanted to know if there would be a fine.

President Weber opened the floor to the public for questions to Mr. Bastin.

Mr. John Roesch, 5406 Grand Legacy Drive, stated he appreciated Mr. Bastin attending the meeting. Mr. Roesch stated he is amazed at the amount of issues. He asked the board if they were ever aware of the issues going on. Mr. Duvelius stated no. Mr. Weber stated he did not know anything about the financial statements needing to be filed. Mr. Roesch thought Mr. Bastin would come to the board and let them know of the problems and things not being done properly. Mr. Roesch is worried about the communication problems. He is disappointed that with all the help Ms. Terwilleger has, things are not where they should be. Mr. Weber stated in fairness, when Mr. Bastin had done the 2008-2009 audit and the board met with the State Auditor's office, at this time the Board was made aware of the issues. Mr. Duvelius stated with Ms. Terwilleger not being present to defend herself, it is not fair anyone attacks anything. Mr. Duvelius thanked the citizens for helping the board see the light which was the problem. The board was operating off of the State Auditors recommendation through the Fiscal Officer relaying the information.

Mr. Roesch asked when the State Auditor would conclude the audits. Mr. Bastin guessed as early as next week, the audits could be started. Mr. Weber asked if the State Auditor had been in the office at all. Mr. Boeres stated yes. Mr. Weber stated it was expressed to him the State Auditor would be done by Memorial Day or sometime this spring. No committed deadline date was set.

The Board thanked Mr. Bastin for attending.

Ms. Melissa Brock, Human Resources, requested the board make a motion to accept the retirement of Police Officer Joel Warshaw, effective Thursday, May 1, 2014.

Mr. Duvelius made a motion and Mr. Weber seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber thanked Officer Warshaw for his service and for being a great representative of the township to the community.

Police Chief Jon Wheeler stated the department is working on a special event for his last day on April 30, 2014.

Ms. Brock's next item was in reference to the Ohio Insurance Benefit Summary. This is in line with the current benefits of the township. This year the increase will only be 2.5% which is exceptional.

Ms. Brock requested the board make a motion to approve the 2.5% increase for the medical benefit package as proposed with Ohio Insurance Services to be effective this date of March 12, 2014. Open enrollment within our township will remain during the month of April 2014.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	David Wallace	Yes
	Kurt Weber	Yes

Ms. Brock asked the board to approve a one (1) time carryover of vacation hours for Melissa Brock of which 80 hours will be utilized on or before the end of calendar year 2014.

Mr. Duvelius made a motion and Mr. Weber seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Ms. Brock stated she had nothing further until the 7:00 p.m. Swearing In Ceremony.

Ms. DeLanna Oeder, Park Board President, was present to discuss the purchase order submitted for the Easter Egg Hunt. Ms. Oeder stated this would be the 35<sup>th</sup> year for the Easter Egg Hunt at Testerman Park. In the past, the Park Board has always asked for an open purchase order for approximately \$1,000.00 to purchase the prizes, eggs and candy. There was previous discussion from the trustees about asking the community for donations for the event. This was discussed at the Park Board meeting last Monday evening and the Park Board felt it was late in the process to do this. Mr. Wallace attended the meeting and stated he would donate \$100.00 and others noted they would be interested in doing this. Donations can be made at the Administration Building. Ms. Oeder asked for an open purchase order to supplement for what is not donated to the township. Mr. Weber stated he was willing to donate \$100.00 as well. Mr. Weber noted he loves the event, but with where the township is financially he cannot use public funds for this event. There was some discussion in regards to the process of purchasing items

for the event and how donation money would be handled. Mr. Wallace stated he appreciated the Park Board. The township is in a position where it has to identify needs and wants. Mr. Wallace believes this event could be funded by donations. Mr. Wallace asked what the last date for donations would be. Ms. Oeder stated everything would need to be ordered and delivered by March 24, 2014. Mr. Boeres asked if the township is willing to cover the remaining balance. Mr. Wallace stated he wanted no public funds used for this event. Mr. Boeres stated checks will be made to Hamilton Township with the memo being noted as Easter Egg Hunt. Ms. Oeder asked if the event is cancelled would the money be returned to the donors. Mr. Weber stated yes. Mr. Duvelius felt it was late to tell kids they won't have an Easter. Mr. Duvelius stated he understands the township's economic situation, but understood community values also. Private donations would be fantastic, but believes the township should cover it this time only if the donated monies fall short. Mr. Wallace asked what would be considered too much money for a need and a want. Mr. Duvelius stated the board not only governs the monies of the township, but also the decisions of the township and the community.

Mr. Weber asked if anyone from the public would like to make a donation or comment.

Mr. Ray Warrick, 5466 Grand Legacy Drive, stated he appreciated Mr. Duvelius's comments. Mr. Warrick stated he would be happy to donate to the event. He noted it is not acceptable to have the government feel that they have to be responsible for these types of things.

Mr. Leonard Adkins, 6268 Lost Willow Lane, stated he is a retired accountant from the City of Cincinnati and they did not use general funds to pay for projects like this. Mr. Adkins has not seen the budget, but something like this should have been budgeted for at the beginning of the year from special revenue funds not the general fund.

Mr. Bill Dowden, 1341 Meadow Vista Drive, stated he was amazed that township monies would be spent on something like this. He would like to see the monies raised by private donation and not at the expense of the taxpayers.

Mr. Mike Cremeans, 9603 So. St. Rt. 48, stated he understands what the board is going through as he has gone through it also. Mr. Cremeans stated in the grand scheme of things, \$1,000.00 is not going to sink the township.

Ms. Elidee Mason, 7192 So. St. Rt. 48, stated she was one (1) of the original people who help start the Easter Egg Hunt 35 years ago. Ms. Mason agreed that private funds should be utilized to pay for the event, but the township has donated money every year. It should have been in the Park Board budget. The Park Board has made a lot of sacrifices because of money issues. They should not be cheated out of the event this year. Ms. Mason thinks some people are being stingy and would like to see the money now and not promises.

Ms. Corine Curcio, 1700 Chardonnay Drive, stated she would like to see the board pass the monies for this year and in moving forward let them know in advance. The deadline is too close this year. It can be funded by private funds after this year.

Ms. Pat Cremeans, 9603 So. St. Rt. 48, stated she is a Park Board member and agrees with what everyone else has said. She understands the money issue, but local businesses do donate now and it would be hard to ask for more. Ms. Cremeans asked anyone wanting to donate to please write the check that evening.

President Weber closed the floor to the public for discussion of the Easter Egg Hunt.

Mr. Weber appreciated all the comments and concerns expressed. It is not an easy decision. He personally will donate \$100.00. and Mr. Wallace stated he would also donate \$100.00. Mr. Weber stated he can't approve township monies to be used for this right now. He would have liked to support many projects, but can't because of the monies not being there. He would have like to open Marr Park, but the monies are just not there Mr. Weber stated he was not happy about having to say no, but can't vote for general fund monies to be used. He was confident that funds could be raised for this. Mr. Wallace stated he would like to see the event happen and believed it would. Mr. Duvelius noted

the funds were allocated for this event every year in the park budget. It is not fair the Park Board had such short notice.

Mr. Weber made a motion and Mr. Wallace seconded the motion to try and fund the Easter Egg Hunt with private donations for the year 2014 with using no public funds.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	No

Mr. Weber stated the Park Board needed to know by March 24, 2014.

Mr. Weber made a motion and Mr. Duvelius seconded the motion for a five (5) minute recess.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to reconvene at 7:07 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Police Chief Jon Wheeler stated these were not new positions, just filling vacated positions within the ranks. Chief Wheeler asked the board to make a motion to hire Mr. John Desotelle and Mr. Nickolas Robers as part time Police Officers at the current hourly rate of \$11.00 with a probationary period of six (6) months.

Mr. Weber made a motion and Mr. Wallace seconded the motion as stated above.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

The Oath of Office was administered at that time.

A round of applause was given by all in attendance.

Fire Chief Mark Greator asked the board to make a motion to hire Mr. Tyson Farlino and Mr. Robert Moore as part time Firefighters/Paramedics at the current hourly rate of \$12.00 with a probationary period of six (6) months contingent upon successful completion of the Firefighter/Paramedic medical physical.

Mr. Weber made a motion and Mr. Wallace seconded the motion as stated above.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

The Oath of Office was administered at that time.

A round of applause was given by all in attendance.

Mr. Boeres prompted discussion on the completion of the Moving Ohio Forward Grant. Last year the township was awarded \$44,000.00 for the removal of buildings on the Glass property. Warren County did not receive their cut for the grant and need \$960.00 for their expenditures. There was a sub-recipient agreement between Warren County and Hamilton Township that amends the amount they receive back by \$963.00. Mr. Boeres asked the board to approve the amendment and sign the documents.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve amendment number one (1) to the sub-recipient agreement between Warren County and Hamilton Township for the Glass Property with the Moving Ohio Forward Grant Program at no cost to the township. The amendment was for \$963.00.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Boeres stated earlier this year Ms. Amanda Jacobs and Mr. Kenny Hickey worked on an LPA Federal Signage Upgrade Project. From this grant the township was awarded \$32,000.00 for the replacement of township street signs. Mr. Boeres asked for signature authorization of the Administrator on the award.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to allow the Administrator to sign the LPA Federal Signage Upgrade Project Grant for authorization.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres stated at the previous meeting there was discussion of allowing the Warren County Auditor having access to the township's bank accounts. Mr. Boeres spoke with LCNB National Bank where the township keeps its funds. There is a way of allowing read only access to the statements. This was also discussed of being done for Ms. Ellen Horman, Finance Coordinator. The bank needed authorization to allow this with the trustee's signatures.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to approve authorization to Ms. Ellen Horman and Mr. Matthew Nolan for read only access to the LCNB Bank Statements/Accounts.

Roll call as follows:	Gene Duvelius	Yes
	David Wallace	Yes
	Kurt Weber	Yes

Mr. Boeres stated the township received a bill from Union Township for \$4,800.00 for services rendered from 2011 to 2014 for fire protection and emergency medical services. There is a service area near the Union Township station where in 2001 the township entered into a contract to allow Union Township to provide service and the township would reimburse them at \$1,200.00 per year. Mr. Boeres stated there is currently a mutual aid agreement through the county so the contract in question can be cancelled. Chief Greatorax stated he was not sure how this contract came to be. He would like the contract cancelled as well. Chief Greatorax noted it is no longer about the name on the side of the responding truck it is about the service to the people and giving them the service they deserve.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to pay the contractual amount of \$4,800.00 to Union Township for the last four (4) years of Fire/EMS service.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Duvelius made a motion and Mr. Weber seconded the motion to terminate the contractual agreement working through Mr. Boeres, Chief Greatorax, and Mr. Warren Ritchie, Law Director, for the proper language as the existing mutual aid contract county wide is in place.

Mr. Wallace asked if the contract would have stopped when the mutual aid agreement went into effect. There was some discussion regarding this and what those present remembered being in effect.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Wallace asked for someone to do some digging to see if any other contracts were made that they are unaware of. The board agreed.

Mr. Boeres stated at the last meeting he presented an electric aggregation program plan of operations. The trustees approved a plan and authorized Mr. Boeres to sign it. The consultant asked for a Resolution to approve the plan. Mr. Ritchie stated he saw no problems with the Resolution. This did not need approved today, but will need to be done by the end of the month.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0312 dated March 12, 2014 acknowledging the continuation of a government aggregation program with opt out provisions pursuant to section 4928 of the Ohio Revised Code (the “Aggregation Program”) for the residents, businesses and other electric consumers in the Township of Hamilton.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Boeres prompted discussion on the citizens review panel and also a date to get together for citizens to give their input on the financial situation and how to fix it. Mr. Wallace would like to make the date March 22<sup>nd</sup> and represent the board. Mr. Wallace stated it is important that the board begins action. This is to brainstorm the ideas of the community. The time will be from 8:00 a.m. to 12:00 p.m. Mr. Weber felt continuity is important and wanted to see if ideas could be submitted in advance. Mr. Wallace stated he would take minutes of the meeting. Mr. Weber wanted the board to move together and also proposed moving the next Regular Trustee Meeting to March 26<sup>th</sup> instead of the 19<sup>th</sup>. There was much discussion about the meeting being with a panel or a general meeting. The Board agreed to April 5<sup>th</sup> for the community involved financial situation ideas. Mr. Duvelius would like this posted on the website and any ideas can be submitted ahead of time.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to hold a Special Meeting Saturday, April 5<sup>th</sup> from 8:00 a.m. to 12:00 p.m. with minutes taken for a work session with the citizens to discuss the finances and plans for recovery when moving forward.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to move the regularly scheduled meeting on March 19<sup>th</sup> to March 26, 2014 at 6:00 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Boeres stated the next information needed would be for the Citizen Finance Review Panel. Mr. Wallace recommended tabling this discussion for now and see the results of the works session first. Mr. Weber stated the idea was the committee would review the bank statements, the books, the fund balances on a quarterly basis. Mr. Boeres stated the committee would have a hand in guiding the township out of debt.

President Weber opened the floor to the public.

Dr. Frank Colon, 1534 Indian Bluffs Drive, stated he had been working on this process since 2003-2004. The biggest problem is failure to follow the normal processes of accounting and record keeping. Dr. Colon liked the community getting involved.

Mr. Dowden stated he liked the idea of a citizens working panel, the bigger the turn out the better. Mr. Dowden thought this board could get the work done. There was a lot of distrust as stated in the newspapers. Trust and credibility needed to be restored to the board. This should only be a temporary panel.

Mr. Adkins stated he agreed with Dr. Colon that the rules were not being followed. He believed the finance committee is necessary because the township does not have the expertise on staff and should be ongoing. Mr. Adkins stated he would volunteer for whatever needed to be done.

Mr. Warrick added they board should be prepared to talk about how numbers should be presented and packaged up.

Ms. Lynn Carey, 2333 Mounts Road, applauded the trustees for all three (3) of them wanting to be present at the discussion.

President Weber closed the floor to the public.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to move forward with the citizen's advisory committee and Mr. Boeres can prepare a job description for the board to review.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Duvelius stated that committee was suggested by the State Auditor. Mr. Wallace suggested getting information from other jurisdictions about the committee they may have.

Mr. Boeres stated he had spoken to Mr. Duvelius last week about the hiring process. Mr. Duvelius had suggested a hiring freeze for full time employees and new positions within the township given the current financial status. Mr. Duvelius stated this would be for all departments with the understanding that Union Contracts prevails in certain areas. Mr. Wallace and Mr. Weber agreed with Mr. Duvelius's suggestion. Mr. Ritchie clarified that departments are not to be expanded, but staffing can be filled just not increased.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to have a hiring freeze in all departments unless union contract prevails or the positions are currently open, unfilled staff positions that must be filled for the safety and security of the community.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Chief Wheeler clarified for the board that the two (2) officers hired that evening were to fill anticipated vacancies in the next two (2) months.

Mr. Boeres stated as part of the financial controls, the trustees must approve expenditures over \$5,000.00. There are three (3) TIF school payments: \$61,924.00 for the 2012 TIF school payment to the Warren County Career Center, \$450,479.75 for the TIF school payment for the Little Miami School District and \$40,104.00 for half of the 2011 and the full 2012 fiscal payment to the Kings Local School District. Those funds will come from Fund 29 TIF Funds and will leave a remaining balance of just over \$57,000.00.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to approve the expenditures as listed above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres noted the insurance deductible for Glatfelter Claims Management for a case against the township in the amount of \$10,000.00. This money was not appropriated and would come out of the anticipated carry over from the general fund. Mr. Boeres asked for a motion to amend the permanent appropriations to transfer \$10,000.00 of the anticipated carry over to fund 1000-110-311. Mr. Duvelius asked for what law case this was for. Mr. Ritchie stated this was the case where Mr. Warrick filed suit to challenge the zoning code provision restricting the posting of political signs. The monies were paid out by the insurance company. All the money, but \$250.00 went to the lawyers.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to amend the permanent appropriations to transfer \$10,000.00 of the anticipated carry over to fund 1000-110-311.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Wallace asked for an update on the cemeteries. Mr. Boeres noted there have been two (2) meetings with staff involved. The records are out of date, the software has been utilized. Tasks were assigned to update the software. Ms. Brock stated the first software training is tomorrow. The board thanked all those involved for their efforts as it will be a long task. Mr. Weber asked who was involved. Mr. Boeres stated Ms. Brock, himself, Mr. Kenny Hickey, Maintenance Foreman, Mr. Millard Allen, Road Supervisor, Ms. Terwilleger and Ms. Amanda Jacobs, Front Desk Assistant.

Mr. Kenny Hickey, Maintenance Foreman, stated the books he has do not include deeds. Ms. Terwilleger is the main holder of the deeds. The books Mr. Hickey has show the layout of the lots and where people are buried currently.

Mr. Boeres prompted discussion about the opinion from Mr. Ritchie about going back to the 2003 Police Levy for the building payment. After that discussion he would like the board to set a date of when they would come to a decision on this issue. There are issues with the Police Union and the amount of money available. There are other issues too that depend on how far the trustees go back for the payment.

Mr. Warren Ritchie, Law Director, stated at the last meeting he gave the board a draft opinion he then gave to the State Auditor. Mr. Ritchie has not heard anything back. He hopes to have an opinion for the board next meeting on March 26, 2014. Mr. Duvelius asked for the opinion before the meeting so the board could review it. Mr. Weber stated it would also give them time to look at the Police Fund. Mr. Wallace stated when they have facts a decision can be made. The board agreed to have Mr. Mark Hurst, CPA Consultant, prepare the documents and information.

Mr. Boeres sent the board an email in regards to the timing of the deposits. The trustees had included in the controls that deposits are made in a time frame and the deposits are still behind. Mr. Duvelius wanted to inquire as to why it was not complied with. This will be further discussed at the next meeting so that Ms. Horman can post on time. Mr. Ritchie stated a protocol was established, but wanted to inform the board there is nothing in the Ohio Revised Code that requires the Fiscal Officer to make the deposits. Mr. Wallace wanted to be aware of the trustee's responsibility and the Fiscal Officer's responsibilities are. Mr. Wallace asked what can be done to enforce the rules when they are broken. Mr. Ritchie stated when that person is a fellow elected official there is little they can do. Deposits and posts are being made late.

Mr. Boeres stated next week they could discuss the location of the UAN computer as well.

Mr. Boeres stated he has asked Mr. Bill Shearer, Park Board, at their last meeting about the status of the concession stand contract. Mr. Shearer provided an update at the Park Board meeting and provided Mr. Boeres with a copy of the contract. Mr. Wallace had asked about bidding it out. Mr. Wallace stated everyone should be a part of the process and it should be opened up to the local businesses. He wanted more information. Mr.

Boeres wanted to meet with Mr. Shearer and the current contract holder to work something out. This is a year to year contract that has not been set for this year yet.

Mr. Wallace a made a motion to allow the concession contract for Testerman Park to be bid out.

Mr. Boeres stated it will take some time so the concession may not be open at the beginning of the season. Mr. Wallace wanted to invite the possible contract holders to the meeting on March 26<sup>th</sup> and meet them.

Dr. Colon stated he encouraged everyone who wanted to get to the bottom of the fiscal problems to go to the Ohio Revised Code and see the section on townships and read the responsibilities of the officers. Dr. Colon stated the process was not done correctly and was never followed up on.

Ms. Brock stated the motion was never seconded. Mr. Wallace stated he wanted to look at the contract. He does not like one (1) person running the show. Mr. Duvelius and Mr. Weber agreed it should be open to bid. The applicant can be checked into by looking at the Better Business Bureau.

Mr. Wallace made a motion to review the contract for concessions at Testerman Park and have it ready for discussion at the next meeting.

Mr. Wallace stated no contract will be written yet and nothing will move forward until the next meeting on March 26, 2014.

Mr. Adkins stated the Ohio Revised Code, Title 57 discussed the duties of a township and what dollar amounts have to be bid and advertised. Mr. Adkins believed \$25,000.00 needs three (3) quotes. Mr. Weber believed it had been updated to a total of \$50,000.00.

Ms. Curcio requested the board set ramifications up if the contracted person does not show up for their job. Mr. Wallace agreed to include this in the contract. Mr. Boeres clarified the board wanted quotes, not formal bids. The board agreed.

Mr. Wallace made a motion and Mr. Duvelius seconded the motion to freeze the contract for concessions at Testerman Park, review the contract and how it should be written and have it ready for discussion at the next meeting.

Roll call as follows:	David Wallace	Yes
	Gene Duvelius	Yes
	Kurt Weber	Yes

President Weber opened the floor to the public.

President Weber closed the floor to the public.

Mr. Warren Ritchie, Law Director, stated there was a termination in the Police Department earlier this year. This person has filed a grievance and has moved toward the process of review.

Mr. Ritchie stated Mr. Warrick sent him the decision rendered by Judge Flannery in the recent Clearcreek Township case. It was a law suit regarding open meetings and closed meetings along with compliance of the sunshine law. Mr. Ritchie complimented the current and past board members who went out of their way to assure no sunshine laws were broken.

Mr. Ritchie suggested the agenda should be formulated to say 'Proposed Agenda' in case any items were not discussed or added later, but not on the agenda. Then when the trustees open the meeting they can adopt the agenda or delete items from the agenda with a reason.

Mr. Weber stated the board did not get through all the interviews.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to enter into Executive Session at 8:39 for the purpose of interviews for the Board of Zoning Appeals, Zoning Commission or Park Board positions. It was noted Mr. Duvelius had to leave for work and would not attend the Executive Session.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to return from Executive Session at 9:04 p.m.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber stated there was an interview in Executive Session for the Board of Zoning Appeals, Park Board and Zoning Commission position vacancies.

Mr. Weber made a motion and Mr. Wallace seconded the motion to adjourn the meeting at 9:05 p.m.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes