

RECORD OF PROCEEDINGS

Minutes of

MUNSON TOWNSHIP TRUSTEES REGULAR MEETING

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Tuesday, May 23, 20 23

The meeting was called to order at 6:30pm by Vice-Chair Andy Bushman, with Trustee James McCaskey and Fiscal Officer Todd Ray present. Ms. McMullen was away. Mr. Bushman led the Pledge of Allegiance.

The Trustees signed warrants 19436 through 19461 dated 5/23/2023, totaling \$69,823.16, and the 5/26/2023 bi-weekly payroll EFT vouchers 104 through 111, totaling \$9,570.61. Between meetings the Trustees signed warrant 19435, for \$14,199.00.

Cemetery Deeds

The Trustees signed cemetery deed #5-372 dated May 23, 2023 to Ronald E. and Patricia A. Croucher for Fowlers Mill Cemetery, Section 2, lot 345, graves 13 and 14, and Deed #5-373 to Sandra Furcsik for Fowlers Mill Cemetery, Section 2, lot 344, grave 16

Minutes

In Ms. McMullen’s absence, the Trustees did not approve meeting minutes.

FIRE DEPARTMENT

Fire Chief Mike Vatty reported that Munson Fire has responded to 87 calls so far in May, including an apartment structure fire in Chardon and an outbuilding structure fire in Munson. Both fires activated automatic aid with neighboring fire departments to assure the required personnel response for maximum fire-fighting capacity; approximately 20 fire-fighters and 45,000 gallon water delivery capacity to the scene of the fire. Chief Vatty reported that the Department continues to upgrade staff capability through continuing training. Captain Sustar completed Fire Inspector and Fire Life Safety class through Bowling Green State University, and Chief Vatty completed Officer Level Four training through the University of Akron. The Department will participate in a Geauga tanker-shuttle training on June 4 in Munson Township, utilizing 12 – 13 tankers from Munson and surrounding departments, hauling 140,000 gallons of water. This training allows the Department to record water volume and delivery times for ISO insurance purposes. Chief Vatty noted that they have had separate meetings with Trustees Bushman and McCaskey to review financials and have released a number of documents in response to public records requests. He hopes the Board will be ready to move forward with the levy discussion. Mr. McCaskey praised the Department and driver of the bucket truck that responded to the structure fire on Thwing Rd. for the skillful maneuvering on a very tight and challenging driveway to access the fire.

ROAD DEPARTMENT

The Trustees discussed the bids that were received for the Road Department equipment being sold on the GovDeals.com auction website. Mr. McCaskey moved to accept the bids for the Case tractor at \$2,950, and the generator at \$3,563. Mr. Bushman seconded. Motion carried with a unanimous vote, 2 – 0. OPWC District 7 Round 38 Pre-application The Trustees noted the deadline for submitting pre-application for the next round of OPWC funding through District 7 is approaching. They discussed roads that could be considered for application. Road Superintendent Kirk Walker indicated that Sutton Place will need extensive repair work along with resurfacing, and Cedar Rd. has been identified for resurfacing as a project in collaboration with Newbury Township that shares the road. Andy Bushman pointed out that Cedar will score points and rank higher because it involves another township. Mr. McCaskey moved to apply for the OPWC District 7 round 38 for Cedar Rd. from Auburn Rd. to Rockhaven Rd. Mr. Bushman seconded. Motion carried with a unanimous vote, 2 – 0.

Fiscal Officer

Mr. McCaskey read an explanation of the status of the Trustees’ compensation issue. He noted that in March 2023, upon learning that the annual vote to authorize trustee compensation by monthly salary must be unanimous, and the vote on December 27, 2022 was 2 – 1, the Trustees had Fiscal Officer Todd Ray hold their March and April compensation payments until a lawful remedy could be determined. Acting with an abundance of caution, on April 25 Munson



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Township Trustees approved Resolution 2023-12 establishing a log report as documentation for days worked to satisfy the per diem compensation payment method prescribed in ORC 505.24, and approved Resolution 2023-13 authorizing the Fiscal Officer to withhold \$2,474 of each Trustee’s compensation as a process for correcting what were believed to be erroneous compensation payments in January and February of 2023.

After more extensive investigation of past Township records, and after further discussion with the Geauga County Auditor, the Geauga County Prosecutor’s Office, and the independent accounting firm that audits township finances, it was determined that the repayment of the January and February compensation was unnecessary. If each trustee can provide logs that show a minimum of 17 days worked during each month, the work log justifies the monthly salary payment amount for that month. Based on this guidance from the prosecutor’s office, Mr. McCaskey moved to rescind Resolution 2023-13 that directed Trustee compensation repayment. Mr. Bushman seconded. Motion carried with a unanimous vote.

Resolution 2023-15 Trustee Compensation

Andy Bushman moved to approve Resolution 2023-15, and read the Resolution aloud. Jim McCaskey seconded. Motion carried with a unanimous vote. [The resolution in its entirety is included on a separate page as part of the minutes.]

Resolution 2023-16 Fund Transfer

Jim McCaskey moved to approve Resolution 2023-16, a within-fund transfer of \$5,000 in the General Fund. Andy Bushman seconded. Motion carried with a unanimous vote. [The resolution in its entirety is included on a separate page as part of the minutes.]

Other Business

No other business was presented.

Other Meetings

No outside meetings were reported.

Public Comment

Resident Rich Ferlin commented on the trustees compensation resolution and noted that the previous year trustee compensation had been paid incorrectly.

Fiscal Officer Todd Ray responded that the Trustees were never paid more than what is appropriate and allowed by law, their annual compensation was correct to the penny, so the Township has not been cited. He explained that the resolution allows for the accounting of their compensation from here going forward. The monthly work-log reports show how many days the Trustees worked in the month, and Trustees are only paid for 16.67 days at the per diem rate, per month, even though their logs may show many more than 17 days worked in the month. The annual compensation maximum is set at 200 days at the per diem rate, and while they may report 290 days, or 354 days or more days worked over the course of the year, they will only be paid for 200 days.

Resident Stacey Vatty gave extensive critical comments regarding the Trustees handling of the Fire Department financial issues and the levy request. She affirmed that her husband, Fire Chief Mike Vatty devotes immeasurable time and energy to the Department because of his love for and commitment to the community. She was critical of steps Trustees have taken to gather information about Fire Department governance and operations, and the sources they use to gather information. She chastised the Trustees for the slow process for determining a levy amount.

Fire Department legal counsel Charles Royer asked about the special meeting workshop format, and if the Fire Department would be expected to respond to questions from the residents who attend the meeting. Mr. Bushman explained that the workshop format is between the two parties, The Trustees and the Department, and they would not engage questions from the audience.

Resident Glenn Kinter gave comments stating his position that the special meeting on the Fire Department should be positive. He said he understands the need for more money, because everything costs more these days, and good training also has manpower costs. The few dollars it will cost the residents of the community to maintain and enhance the Fire Department should drive the workshop meeting, and the Trustees should err on the side of the Fire Department.

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Resident John McCaulley asked what expectations the Trustees have for what will come out of the special meeting. Mr. McCaskey acknowledged that the levy amount and term would be the primary focus, but a decision would not be made in the meeting.

Mr. McCaulley asked if the expenses for the legal counsel for the Fire Department were being paid with residents' tax dollars. Mr. Bushman pointed out that the Department does receive some private donations. Fire Department Treasurer Rich Ferlin stated that the Department is funded by both levy money and emergency medical services billing, and the lawyer is being paid out of EMS money.

Resident Joan Otto asked about a profit-sharing pension plan in the Fire Department. Mr. Bushman and Mr. Ferlin stated that there is no profit-sharing by the Fire Department.

Resident McCaulley asked about the Fire Department's purchase of a fire truck last year, and the source of the funds used to buy the truck. Fire Department Treasurer Rich Ferlin explained that some of the funds were from reserves the Department was holding from a defunct pension fund.

Resident Dawn Bastulli made comments critical of the Trustees slow pace in handling the Fire levy process and decision.

Resident Doug Riedel made comments critical of the Trustees and of a letter to the editor in the local paper.

Encumbrances

Mr. McCaskey moved to approve the encumbrance sheet as presented. Mr. Bushman seconded; motion carried with a unanimous vote.

Executive Session

At 7:21pm, Jim McCaskey moved to have the Trustees go into Executive Session to address employee discipline, and to invite Fiscal Officer Todd Ray and Road Superintendent Kirk Walker to join the session; Mr. Bushman seconded.

Roll call vote: Mr. Bushman, "Yes". Mr. McCaskey, "Yes." Motion carried.

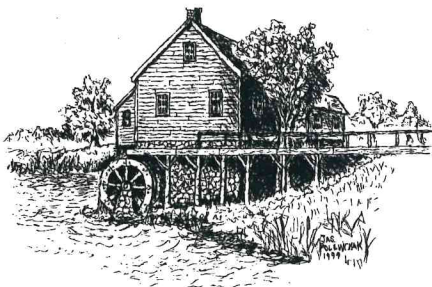
The Trustees resumed the regular session at 7:34pm.

Motion to Adjourn

Mr. McCaskey moved to adjourn the meeting at 7:34pm. Mr. Bushman seconded; motion carried with a unanimous vote.

 Chairman  Fiscal Officer





# Munson Township

12210 Auburn Road, Chardon OH 44024-9454  
Phone: (440) 286-9255 Fax: (440) 286-1180

## Resolution 2023-15

The Trustees of Munson Township met in a regular session on the 23rd day of May at the Munson Town Hall with the following members present, Andrew J. Bushman and James J. McCaskey,

Whereas,  
Munson Township Trustees have received compensation for work performed as Trustees for 43 years, beginning in 1978, using the monthly salary method provided for by Ohio Revised Code section 505.24 and approved by the Trustees each year; and

Whereas,  
Trustees approved the monthly salary compensation method again on December 27, 2022, for the fiscal year 2023, by a 2 – 1 vote; and

Whereas,  
Trustees received monthly salary compensation payments in January and February, and

Whereas,  
in March the Trustees learned that the vote for approval to receive compensation by the monthly salary method must be unanimous, and

Whereas,  
the Munson Township Trustees adopted Resolution 2023-12, authorizing compensation for service to the community in the role as Trustee, using the per-diem method prescribed by ORC section 505.24, approved by the Trustees in regular session April 11, 2023, and

Whereas,  
the Geauga County Prosecutor's Office has provided legal counsel that sees a lawful process to resolve this Trustee compensation matter,

Now therefore, be  
it resolved, that:

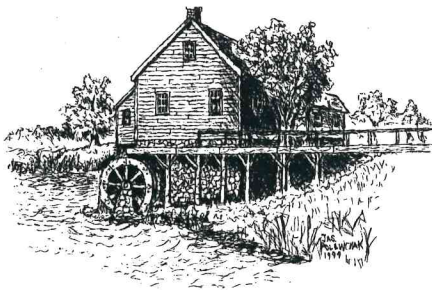
The Fiscal Officer will use Trustee per diem work logs as reports for days worked in January and February, and for each of the remaining months of 2023. These logs will serve as documentation to justify equal monthly compensation payments in 2023, when they indicate a minimum of 17 days worked in any month, beginning with January and February. Per ORC 505.24, the Trustees and Fiscal Officer understand that the total number of days for which each trustee may be compensated may not exceed 200 days for the calendar year.

Andrew Bushman moved the adoption of the resolution:

James McCaskey seconded the motion and the roll being called, resulted as follows:

<u>Andrew J. Bushman</u>	Voting <u>yes</u>
<u>James J. McCaskey</u>	<u>yes</u>
<u>Irene H. McMullen</u>	

Attest: Todd R. Ray, May 23, 2023  
Todd Ray, Fiscal Officer



# Munson Township

12210 Auburn Road, Chardon OH 44024-9454  
Phone: (440) 286-9255 Fax: (440) 286-1180

## Resolution 2023-16

Be it resolved by the Trustees of Munson Township, in a regular session on the 23rd day of May, with the following members present, James J. McCaskey, and Andrew J. Bushman, that

James McCaskey moved the adoption of the following resolution:

That the 2023 Permanent Appropriation be amended, as follows:

### Transfers Within Funds

In the General Fund, a within fund transfer, as follows:

\$5,000.00 to 1000-760-740-0120 Machinery, equipment, and furniture {Township}  
from 1000-760-730-0610 Improvement of sites, Parks and Recreation

Andrew Bushman seconded the motion and the roll being called, resulted as follows:

Andrew J. Bushman, Yes Voting

James J. McCaskey, yes

Irene H. McMullen

Attest: Todd R. Ray, May 23, 2023  
Todd Ray, Fiscal Officer