

The July 11, 2012 Ellsworth Trustee Meeting was called to order at 7:00 pm. Roll call was taken to establish a quorum: Trustee Lewis present, Trustee Morrison Present, and Chairman Spellman present. Also present were Fiscal Officer Karen Grittie, Fire Chief Bob Sternburg, EMS Ken Hernan, Zoning Inspector Rick Durkin, Western Reserve News videotaping, Bob Russo security and 10 visitors. The Pledge of Allegiance was recited. Trustee Lewis asked to add the Town Hall to the agenda under Unfinished Business.

Trustee Lewis made a motion to approve the minutes of the June 13, 2012 meeting. There was no second. The minutes are not approved for lack of a second. Chairman Spellman opened the meeting up to the public to make corrections to the minutes. Jim Tripp wanted "maintenance worker" added to workers comp case. Chairman Spellman asked if Karen Grittie Fiscal Officer had recorded the public's corrections. Karen Grittie said she had not recorded the public's suggestions, as only the Board of Trustees has the power to amend the minutes. Chairman Spellman stated the Ohio Revised Code states the Fiscal Officer shall keep accurate minutes of the meeting. The Chairman also said the minutes should be balanced and fair. Chairman Spellman discussed the legal bill and the April 2010 resolution concerning permission to seek legal advice. Chairman Spellman continued to speak concerning "For the Good of the Order", a time following the business part of the meeting when the public may comment. Trustee Lewis and Fiscal Officer Grittie both commented the public's opinion cannot be amended. Trustee Lewis also said the Fiscal Officer takes the minutes. We (trustee) either approve or amend the minutes and we cannot dictate how the minutes are taken. Chairman Spellman felt that what was said at the June meeting was not recorded. The Fiscal Officer again said the items mentioned by the Chairman were public opinion. The Chairman stated he would not amend the minutes and the minutes were tabled. Chairman Spellman asked if the other trustees wanted to go line by line through the minutes at this time. Trustee Lewis felt the minutes were accurate. Trustee Morrison felt some revisions were needed.

Chairman Spellman again took comments from the public: Larry Spenser noted we have security for improprties. The Chairman acts as a tyrant representing our township. Who is here to enforce your behavior? Lee Sandstrom said the names of those speaking during "For the Good of the Order" should be included. Chairman Spellman noted on page 30, line 7 of the Fiscal Officer Source Book it states names of those speaking are to be recorded. ~~When asked if "For the Good of The Order" had to be included in the minutes,~~ Jim Munholand asked if "For the Good of the Order" had to be in the minutes and Chairman Spellman said it is not required, but he has always defended the public's comments. Chairman Spellman asked if this is what we want for prosperity for our township, while holding up the June 13, 2012 minutes. Jim Munholand commented "then they are what they are, Artie". The Chairman again commented on fair and balanced minutes. Jim Munholand said the minutes reflect the role Karen Grittie has. Lee Sandstrom asked who "some" where in the minutes? Jim Munholand said you can watch the meeting online at Western Reserve News. Fiscal Officer Karen Grittie asked Chairman Spellman if a person went on the internet to www.westernreservenews.com and watch the Ellsworth Township meetings, what would they hear? Karen Grittie said the people would hear exactly what went on during the meetings. The Chairman continues to open the meeting up to the public. Fred Houston said prior to Karen Grittie there had been comments on the minutes. Since the minutes are not as before, Karen Grittie says to watch the internet. Fred Houston says now that is good enough. Jim Munholand said he doesn't think Artie (Spellman) wants the minutes written as the meeting occurred. Fred Houston said that is slamming. Jim Tripp said there was not timely appeal filed on Kurilla's report and no violations were found. Mr. Tripp said the complaint against Trustee Morrison was by Mr. Lewis, not Morrison. Mr. Tripp wants correct information in the minutes. Dee Tripp said the investigation on Morrison's property was completed with no violations. Finally Trustee Lewis said the meeting needed to go on. Chairman Spellman said to the Fiscal Officer that you are the scribe of these minutes and they need to fair and balanced. David Alexander noted there is a problem with the officials that needs resolved by working together to make a better community. Trustee Lewis made a motion to table the minutes, seconded by the Chairman. All in favor.

The Fiscal Officer reported the bank balance was \$914,948.84 and the second quarter taxes are filed. Both Armstrong installations are completed. The Fiscal Officer is working with Jen Moore in Maintenance on the cemetery update. The Fiscal Officer will be attending a one day OTA workshop on July 31, 2012 in Rootstown. A motion is need to transfer \$1000 from account 1000-110-599-000 Other Expenses to account 1000-110-213-000 Medicare as there is not enough in the Medicare account to pay the 941 deposit for July 2012. Trustee Lewis made a motion for the Fiscal Office to attend the OTA workshop at a cost of \$45 plus mileage, second by Trustee Morrison. All in favor. Trustee Lewis made a motion to transfer \$1000 from Other expenses to Medicare. Trustee Morrison seconded. All in favor.

Maintenance report was given by Trustee Lewis. Jen Moore completed the monthly maintenance checklist and tightened bolts on the play ground. Jon Behe donated a handicapped sink & a toilet was replaced with an ADA approved one. The Green Team now accepts aseptic packaging from fluids. Chairman Spellman reported the ballast have been ordered for the lights that were dead or shorted out. Matt Stroney said he will include the ballasts which just came in and have one bill for his services. Matt Stroney said bad ballasts have caused fires. Chairman Spellman said the water needs fixed as it caused the toilet to malfunction. Chairman Spellman is looking into dirt moving machinery for the cemetery and is making a cleanup list for the cemetery building. Chairman Spellman will email this list to the other trustees.

Rick Durkin reported he received and returned 18 phone calls. The Zoning Board has sent a letter to the Mahoning County Prosecutor for opinions on zoning issues and ideas. He is working with the Fire Chief on the three house fires and a trailer

is at the second location as temporary living quarters. Karen Gaglione of the Prosecutor's office will be at the August 7, 2012 Zoning meeting at 7:00 pm at the Fire Hall to discuss zoning issues. The public is invited. Chairman received a site plan. Legal counsel said we can perform this site plan. Chairman Spellman gave the site plan to the Zoning Inspector who will make the necessary call & arrangements to inspect this property. Trustee Lewis said it is like a permit, either approved or denied. Chairman Spellman reported the zoning board asking to go to the Prosecutor for a legal opinion on the matrix on the whole and conditional use draft upon approval by the Ellsworth Trustees. The zoning board will discuss the comparison of the matrix to the current zoning uniformity at their meeting.

Fire Chief Sternburg reported 2 brush fires, 1 good intent, 9 EMS runs, 1 motor vehicle rash, 3 service calls, 1 false alarm for a total of 17 runs and 342 firefighter hours. On July 3, 2012 the generator was hit by lightning. July 5, 2012 Professional Engines diagnosed the control panel was fried. The serviceman was to be back on July 11, 2012 with the new part & to check out the rest of the generator before installing the new part. Trustee Morrison will call our insurance about a claim. Tom Powel paid \$13.83 for a head lamp. The annual pump tests are coming up. An application for Justin Caddle as an untrained probationary fire fighter was submitted. Chief Sternburg asked to have Kevin Dominic reinstated. He has passed his EMT and will help out with the ambulance. Samuri Oil made a payment of \$1037.21. Samuri Oil indicated payments of the same amount will be made to pay off the \$6000.00 balance. The tanker has a bad air valve and a new valve is on order. Tom Toporcer is moving to South Carolina and is requesting his fire pay of \$304.50 before he leaves. Trustee Morrison will work with the Fire Chief to write a letter of appreciation to Tom Toporcer. The Fire Chief asked for an update on the Fire Department training contract. Karen Grittie reported it was sent to Dawn Durkin of the Prosecutor's office. Trustee Morrison made a motion for expenditures of \$318.33 and approval of probationary fire fighter Justin Caddle. Second by Trustee Lewis. All in favor. Trustee Morrison gave information Worker Comp coverage on junior Fire Fighters to the Fiscal Officer.

Ken Hernan reported there were 5 EMS transports last month and no expenses. Trustee Lewis has the correct email addresses for the township website. The firefighters who left had just completed training. Trustee Morrison asked the Fiscal Officer to call Dawn Durkin about the contract.

Crime Watch patrolled 488 miles. There were only 4 reported incidents in Ellsworth last month.

Committee Reports: Trustee Lewis: The street light was repaired at Gault Rd. The website is up. Trustee Lewis asked others had looked at it. The previous website, through a grant at Miami University, ends on July 31, 2012. Trustee Lewis located software to setup the new site. Community events can be posted here. Chairman Spellman asked the Fire department to pass on their information also. Trustee Lewis paid for software with free hosting at a cost of \$71 for 2 years, with a 30 day money back guarantee. Trustee Morrison made a motion to reimburse Trustee Lewis \$71 for the software, second by Chairman Spellman. All in favor. Trustee Lewis is working on a grant for restroom at the ball fields. Kent Knauf gave Trustee Lewis drawing of restrooms with handicapped accessibility. The estimated cost is \$70,000 and the Grant is for \$35,000 if we get it. Trustee Lewis asked do we want to spend \$35,000 on this project. Chairman Spellman asked Bob Lyden, Sanitary Engineers Office, to meet with us on the sewer extension. John Kwolek of the EPA said we cannot use the old septic system. Trustee Lewis said the school is keeping the property and will work with the township to develop a park and ball fields. Initially we would use the existing sewer. There will be a meeting in August with the school board. Trustee Morrison asked if the grant covers the tap in fees and cost of running sewer lines. The answer is unknown. Chairman Spellman and Trustee Morrison are interested in spending \$35,000 on the restrooms. Trustee Lewis said we can get materials donated to defray our costs. Trustee Lewis will start the grant. Chairman Spellman will look into the sanitary issue and email the other trustees with details. Trustee Lewis will ask the prosecutor about the bidding process – can we split the bid or does it have to be bid whole. Trustee Lewis will email the other trustees for their okay to approach the prosecutor's office.

Trustee Morrison: The letter from Samuri Oil was the most favorable received. He is working on boiler comparisons and with contractor about piping to buildings. Trustee Morrison said the trustee will be going into executive session at the end of the meeting to discuss employee benefits. Trustee Morrison discussed hiring Bill Schisler as a consultant at his ending rate for the boiler project. Trustee Morrison will contact Bill Schisler. Trustee Morrison made a personal statement, "Because I was asked a lot of questions after last meeting on the ruling on my business that I run from 6735 Duck Creek Rd., I want to clarify the reason I am permitted to have it there. I have 2 parcels of property that are over 5 acres each, which then is zoned ag according to our zoning book. I don't believe this is the time or place to discuss zoning issues. However rumors are being spread that contain mistruths, so I'm going to take a little time and explain the truth about this situation. On May 21, 1992 I wanted to build a barn for my daughters' horses. I obtained a building permit #1421 from Ellsworth Zoning Office which permitted me to build a 32 X32 horse barn that housed horses, other animals, hay and grain. On April 26, 1993 I went to the zoning office to get a permit allowing me to build a 72 ft building to store equipment and trucks for my business. I was told I had to go before the zoning commission to request a permit from them, because the zoning inspector could not write a permit because it did not deal with residential or Ag in nature, but it was to store heavy equipment and trucks. I went to the commission and explained what I was doing and going to use the building for and was granted that permit to store my equipment and trucks. The permit number is 1467. If they would not have issued my permit to build the storage building, I would not have built it. Concerning the complaint again from Dave Lewis against me dated December 6, 2011, I wanted a complete investigation and encouraged it. I was found compliant with all zoning laws

dated May 8, 2012. The complaint filed by Paul Lyden dated November 5, 2009 against David and Laura Lewis, Batista Holdings, is still going on and is not in compliance with Ellsworth Zoning regulations and is still costing the township legal expenses because it has to be handled by attorneys. You can tell a lot about a person by their actions, but I want to move this township forward, not tear it down. I think it is time to stop being negative. Thank you."

Chairman Spellman: The Prosecutor is comparing computer use policy to other townships and will get back to us. Chairman wrote a letter to the Engineer's Office thanking them for Ellsworth Rd. Four letters were written and a citizens' petition was submitted to fix the worst road in Mahoning County. A road report was turned in and got repairs on Leffingwell, and Palmyra by Geeburg area. The Engineer Department was notified about trees hanging out at Western Reserve Rd. and Stratton Rd. Site Mah 2 well to be drilled. There was a meet and greet with elected officials to discuss Ellsworth wants it done right, but we don't want to be the ones to impede this. It came out that Mahoning County needs to work harder at this so there is a focus group. Chairman Spellman looked at equipment for maintenance and is compiling maintenance to do list. A resident is asking for assistance with sewer after purchasing a house. The previous owner had qualified for partial. Chairman Spellman will assist with this and also meet with another resident on a cemetery complaint from May. An Eagle Scout would like to present an idea of a flag design on stamped concrete on veteran stones at the cemetery.

Unfinished Business: Accident Report and investigations reports need to be done and are key to stopping next time. Trustee board must have this information. Town Hall repairs: Historical Society wants to preserve the Town Hall. Testing on the paint indicates there is a lot of lead in the paint. Another method of stripping is available. Trustee Lewis made a motion to pay the \$90 testing fee, second by Trustee Morrison. All in favor. Chairman Spellman will find out who to make the check out to.

New Business: Part Time Temporary Help Wages: New workers were hired in June 2012 at \$8.50 per hour. Jon Behe has fixed 4 plumbing issues. Trustee Morrison commented we have very responsible people. Trustee Lewis made a motion to increase the wages to \$10 per hour, second by Trustee Morrison. All in favor. Cemetery Issues: Trustee Spellman reported there are mixed records, missing burials and the disarray of the records needs solved. Bill Schisler could also help on this. Trustee Lewis commented we could use a computer. Trustee Morrison reported 50% townships have no computer for cemetery records. He suggested we use a spreadsheet. Chairman Spellman showed filing boxes for the records and suggested an Excel spreadsheet to update the records. The mausoleum is used for cremations and we could use boxes for storage. He will talk to Bill Schisler. Trustee Morrison made a motion to offer a consultant position to Bill Schisler for the boiler and cemetery projects at his previous rate of pay. Second by Trustee Lewis. All in favor.

Announcements; The next meeting will be August 8, 2012

Trustee Lewis made a motion to adjourn at 9:00 pm., second by Trustee Morrison. All in favor.