
MINUTES OF SYMMES TOWNSHIP SPECIAL MEETING

DECEMBER 18, 2017

The meeting was called to order at 7:00 p.m. Elected officials present were: Mr. Phil Beck, Mr. Kenneth Bryant, Ms. Jodie Leis, and Ms. Carol Sims

Also present: Kim Lapensee - Administrator and Kevin McDonough - Township Attorney.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

Ms. Leis made a motion to amend the agenda to include resolution F2017-05 Temporary Appropriations for 2018. Mr. Beck seconded the motion. Motion passes.

Mr. Bryant asked what resolution it was and what it was for. Ms. Sims stated that it was for temporary appropriations for 2018. Mr. Bryant asked if we had filed that yet with the Auditors office. Ms. Sims stated that this is temporary. Mr. Bryant asked if we do the permanent one in the next quarter. Ms. Sims stated yes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis made a motion to approve the amended agenda. Mr. Bryant seconded. Motion passes. The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

APPROVAL OF DISBURSEMENTS

Ms. Leis made a motion to approve warrants 71265-71289 in the amount of \$66,973.78. Mr. Beck seconded the motion. The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

HEARING OF THE PUBLIC

Ms. Leis asked if anyone would like to come up to the podium and address the Trustees. There were none.

NEW BUSINESS

Ms. Leis moved for approval of Resolution G2017-74, Resolution Declaring it Necessary to Levy an Additional 1.1 mill for road maintenance, salaries, capital equipment, etc. Mr. Beck seconded the motion. Discussion continued.

Mrs. Lapensee stated that this would be an additional levy for the road department which would fund road operations and salaries. She stated that this levy request dates back to April of this year where it was revealed that we would only have a balance of \$2,000 at the end of 2018 to help pay for salaries for the road department in the road and bridge fund. She stated that we have all agreed for the need to put on an additional levy, but there are differing thoughts on how much and when to put it on the ballot for a vote. She stated that just so everyone knows, we start the budgeting process by providing a list to the Fiscal Officer of things that will be needed for 2018 and beyond into 2021. She stated that some things make it into the budget and some do not. She stated that she made everyone a copy of the list that was provided in May of this year. This list

also includes expenditures where it was indicated that a new building would be needed to store extra vehicles and equipment that are left out at night because we do not have enough room to store them all inside.

Mr. Bryant asked if this was the same subject that we discussed at our finance committee meeting. Mrs. Lapensee stated yes. Mr. Bryant asked if staff was requesting a 1.1 mill levy be approved. Mrs. Lapensee stated yes. She believes that based on the salaries and expenditures over the next 7 years, a 1.1 mill levy will be necessary to continue with our operations. She stated that these are estimations and that are based on trends from previous years (2010 to 2016). She stated that salt, equipment maintenance, equipment replacement, etc. was all based on past trends. She stated that salary numbers were taken from the budget sheets that were handed out with the raises for all the employees. Mrs. Lapensee stated that these still remain estimates because you have to add in additional monies for overtime and longevity.

Mr. Bryant stated that what this resolution is really asking is to go to the County Auditor and certify the requested millage of 1.1. Mrs. Lapensee stated yes. Mr. Bryant stated that it does not mean we have to ask for 1.1 mills in the end. Mrs. Lapensee stated no, and that it doesn't even mean you have to put it on the ballot after you ask what monies will be generated from 1.1 mills. She stated that it is a two-step process. Mr. Bryant asked that even if we did find out what the millage generates, we can always change our mind and put another amount on the ballot. Mrs. Lapensee asked our Law Director if when we send a request to the County Auditor, do you then have to put on the ballot what you ask for. Mr. McDonough stated yes. Ms. Leis asked if we could send multiple requests to the auditor for consideration. Mrs. Lapensee stated that we would have to send multiple resolutions to the Auditor to certify.

Mr. Bryant stated that he has heartburn over this whole issue. Ms. Leis agreed that she did too.

Ms. Leis stated that this whole thing went back to April of this year. Mrs. Lapensee stated that we actually knew (or the finance committee knew) that we needed this levy last year and the question was not brought forward for a vote. Ms. Leis stated that Mrs. Lapensee and Mr. Pitman sat down with Ms. Sims to discuss the needs for 2018. Mrs. Lapensee stated yes. Ms. Leis stated that Ms. Sims had called the meeting of the Finance Committee last week. Ms. Leis asked why the Finance Committee only heard from Mrs. Lapensee and not each one of them by getting together ahead of time. She wondered why the two of them didn't work out the numbers ahead of time before the Committee meeting. Ms. Leis stated that this whole thing burns her because we should all be communicating together on what we need. She stated that we can't function as a township if the communication is not there. She stated that she is upset because it continues to happen and no one is working together.

Ms. Sims stated that she received an email from Mrs. Lapensee asking for the amounts in each service department fund so she could figure the amount needed for the levy. Ms. Sims stated that this was the only question that was asked from her about the road levy. She stated that Mrs. Lapensee never asked her any questions and asked for any further information. She stated that Mrs. Lapensee never shared any information either. Ms. Leis stated that Ms. Sims is the Fiscal Officer and she is responsible for the finances for the township. She asked why she did not extend a hand to Mrs. Lapensee so that they could work together. Ms. Leis stated that there is no communication and it has to end. Ms. Sims stated that she assumed that Mrs. Lapensee would go off the numbers that was used in the budget; little did she know anything about the building. Ms. Sims stated that Mrs. Lapensee is staff and that if she has a question, she needs to come to her and ask. Mrs. Sims stated that if she was unsure how salt is funded, then she should have come to her and asked. She stated that the estimates for equipment was over \$165,000 for each year and we usually only buy the large dump trucks every other year. Ms. Leis stated that if Ms. Sims had questions about these numbers, why didn't she call Mrs. Lapensee and ask. Ms. Leis repeated again that Ms. Sims is the elected official and should be working with Mrs. Lapensee. She stated that Mrs. Lapensee is our administrator and she is just trying to do what she needs to do. Ms. Leis stated that Mrs. Lapensee can communicate the other way, but all of this should be worked out in advance of the meetings. She stated that we all look totally dysfunctional. Ms. Sims stated that the first she had seen the spreadsheets was at the Trustees meeting at the beginning of December. Ms. Sims stated that she did not look at the information presented. Ms. Leis stated that she believes Ms. Sims should have called Mrs. Lapensee to talk about it prior to the

meetings. Ms. Sims stated that if Mrs. Lapensee stated that she was going to put the numbers together, then she can only assume that she has had communication with the Board that directed her to do so. Ms. Sims stated that the Board never asked Mrs. Lapensee if she had communicated with Ms. Sims about the spreadsheets. Ms. Sims stated that she can tell Mrs. Lapensee something at a meeting, and it gets all turned around. Mrs. Lapensee and Mr. Beck asked for an example. Ms. Sims stated that in a memo that Mrs. Lapensee had written, she indicated that expenditures were not asked beyond 2021 which was a lie. Mrs. Lapensee asked which document she was referring to. Ms. Sims asked why Mrs. Lapensee didn't come to her and ask. Mrs. Lapensee stated that she has sent multiple emails back in June that were never responded to. Mrs. Lapensee stated that she asked for the breakdowns in how the road department employees were paid. Ms. Sims stated that there are no exact percentages between roads and parks. Mrs. Lapensee stated that she could at least guess on a percentage so that she could have something to present. Ms. Sims stated that she doesn't want Mrs. Lapensee to send emails. She would rather have her call her or stop by her office. Mrs. Lapensee stated that she has called her and stopped over to her office. Ms. Sims stated that when Mrs. Lapensee comes over to the office, she doesn't speak to anyone. Mrs. Lapensee stated that this is untrue. Ms. Leis stated that we all just need to stop. Ms. Sims stated that she has no idea where any of the numbers are coming from. Mrs. Lapensee stated that she just explained earlier where all of her numbers came from. Ms. Sims stated that when you are estimating benefits... Ms. Leis asked everyone to stop talking. She stated that the point that needs to be made is that we all need to communicate. Ms. Leis stated that she has asked for certain items and never received them from Ms. Sims. She stated that she asked for credit card statements earlier in the year and they were never given to her. Ms. Sims stated that she does not pay from the statements. Ms. Leis stated that she is entitled to see all credit card statements because she is a Trustee. Ms. Leis stated that Ms. Sims did not bother to respond to her. Ms. Leis stated that she is embarrassed for us.

Mr. Beck stated that we should not have even had a committee meeting last week. He stated that we are continuing to waste their time without definitive data. He said that we need to flesh this stuff out internally between the Fiscal Officer and Administrator and then once we have something that we think is pretty good, then bring the committee in to review it. Ms. Sims stated that she was under the impression that Mrs. Lapensee would be getting together with her. Mr. Beck stated that it should have happened before the meeting. Ms. Sims stated that she agrees. She stated that Mrs. Lapensee is the staff person and is under the direction of the Board. Mr. Beck stated that he is directing everyone to talk to each other and that communication is a two way street. Ms. Sims stated that Mrs. Lapensee makes changes to the way she runs her office and doesn't inform her of those changes. Ms. Sims stated that she only assumes that she is doing that because she has the Board's direction to do it. Mr. Beck stated that there will be no more assuming past December 18th. Mr. Beck stated that we will all be communicating and that if he hears that we aren't, then he is going to blow. He stated that this is all ridiculous and we are a professional organization and we should act like it. He stated this is all childish and he is embarrassed. He feels that we should not drag this committee into all of this and waste their time ever again. Mr. Beck stated that we could ask for six different opinions from the County Auditor but he feels that we are nowhere near putting this on the ballot. He stated that we don't have a clue what we are doing.

Mr. Bryant made a motion to table Resolution G2017-74 and hold another finance committee in January where the timing would be such that we can work out all these details. He stated that we would still be able to figure out what to ask for before we would need to file in February. Mr. Beck stated that it would be helpful to know what .5 mills vs .6 mills are. He stated that we will still need to reconcile the heavy balance we still have in the general fund. He stated that if we don't do something with that, then it will get taken away from us. Mr. Bryant asked if we would need to send a resolution to the Auditor to get a response. Mrs. Lapensee stated yes. Mr. Bryant stated that he wasn't sure if he wanted to table this or not. Mrs. Lapensee stated that she prepared two resolutions for 1.1 and .75 mills. Mr. Bryant stated that it is much easier to get a benchmark number to see how much 1.0 mill will bring in. He stated that once we receive that number, we can go back and ask a different question. Mr. Beck stated that it makes sense. Mr. Bryant stated that he doesn't want to table this since we didn't get a second or a vote, but to change the request to 1.0 mill. Mr. Bryant stated that he was under the impression that this levy would also pay for salaries and he did not see that in the title. Mrs. Lapensee stated that she included it in the title of the resolution and forgot to change the agenda. Mr. Bryant suggested that we read that one

instead. Mr. Bryant stated that with those two changes, and then he would like to see us vote. Mr. Bryant made a motion to amend the first motion which changes the millage to 1.0 and add the additional language in the title to include salaries and benefits. Ms. Leis seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis moved for approval of Resolution P2017-06, Resolution approving pay adjustments for township employees for Fiscal Year 2018. Mr. Beck seconded the motion. Discussion continued.

Mr. Bryant made a motion to table this resolution until it can be discussed further in Executive Session. Mr. Beck seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis moved for adoption of Resolution P2017-07, Resolution approving revised job descriptions for Symmes Township employee positions. Mr. Beck seconded the motion. Discussed continued.

Mr. Bryant stated that we have already talked about all these job descriptions in the work session. Mrs. Lapensee stated that she made all of the changes we talked about as well.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis- 'aye'; Mr. Beck – 'aye'.

Ms. Leis moved to approve the payment of additional longevity to Luanne Felter per Article IV Section R of the Personnel Manual for twenty years of service. The total payment would be \$825.00. Mr. Beck seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis moved for approval of the following expenditures and authorization for the Township Administrator to sign any necessary contracts, agreements or paperwork:

- a. Expenditure/then and now \$1,492.97 McClusky Chevrolet to replace broken side mirror and broken blower motor on the medic unit.
- b. Expenditure \$11,400.00 to repair broken joints in a 15" storm sewer pipe located at 9006 Symmes Knoll Court.
- c. Amend the following line items:
 1. 1-A-16 from \$38,000.00 to \$38,500.00
 2. 1-N-1 from \$60,000.00 to \$25,000.00
- d. Establish Permanent Appropriation 28-A-08 in the amount of \$20,000.00
- e. Establish Fund 14E – Parkland Refunding
- f. Establish Permanent Appropriations for the following line items:
 1. 14-A-01E – Principal – Parkland Refunding Escrow
 2. 14-A-04E – Interest – Parkland Escrow in the amount of \$143,827.50
- g. Approve expenditure (then and now) in the amount of \$143,827.50 for interest due on Parkland Refunding Escrow
- h. Eliminate Fund 18D – Parkland Acquisition

Mr. Bryant asked about the items provided by the Fiscal Officer. Ms. Sims stated that she had set up a fund 18D. She recently found out that she needed to do a debt retirement fund instead. All of these funds have to be approved in a certain order.

Mr. Beck seconded the motion. Mr. Bryant asked what fund the storm sewer pipe expense will come from. Ms. Sims stated that she was unaware of this expense. Mrs. Lapensee stated that we just received this today after we had the crew take the camera in the pipe to see what was going on. Ms. Sims stated that she did not bring her sheets with her. Mr. Bryant made a motion to table the expenditure to repair the broken joints in a 15" storm sewer pipe located at 9006 Symmes Knoll Court. Ms. Lapensee stated that we have \$75,000 in gasoline funds. Ms. Sims asked about the balance in 3-A-3. Mrs. Lapensee stated that we have \$13,400.00 in that line item. Mr. Bryant asked how best we could handle this. He stated that we would not have to amend the

appropriations then. Mrs. Lapensee stated that there is a sink hole in the front yard of this residence and we were trying to figure out why and that is why the camera had to be brought in to see what was going on. The operator found out that the joints were bad and needed to be fixed. Ms. Sims wanted to know the balance in fund 14-A-6 (maintenance and repairs) for the medic expense. Mrs. Lapensee stated that there is \$5,300.00 in the unencumbered balance. Mr. Beck asked when the crew would actually show up to do the work. Mrs. Lapensee stated next week, but it would not be done until the first week in January. Ms. Sims asked if we could just do it in 2018 so that we are not carrying over a large purchase order. Mr. Beck seconded the motion. Motion passes. The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis asked for a roll call on the rest of the expenses: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis moved for adoption of Resolution F2017-05, Resolution approving temporary appropriations for 2018. Mr. Beck seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

EXECUTIVE SESSION

Ms. Leis made a motion to adjourn into executive session to (1) consider the compensation and employment of a public employee or official and (3) conference with attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action at 7:40 p.m. Mr. Bryant seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis made a motion to return to the regular meeting from Executive Session at 9:00 p.m. Mr. Beck seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Ms. Leis moved for approval of Resolution P2017-06, Resolution approving pay adjustments for township employees for Fiscal Year 2018. Mr. Beck seconded the motion. Motion passes.

The roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Mrs. Leis made a motion to adjourn the meeting. Mr. Bryant seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Ms. Leis - 'aye'; Mr. Beck - 'aye'.

Meeting adjourned at 9:01 p.m.

Approved:

Jodie Leis, Board President

Carol Sims, Fiscal Officer