

Record of Proceedings
Minutes of the Carlisle Township Board of Trustees
Regular Meeting
April 3, 2017

The Carlisle Township Board of Trustees met on April 3, 2017 at 7:00 p.m. In attendance: Trustee James Wright, Trustees Berry Taylor, Trustee Jared Smith, Fiscal Officer Kimberly Fallon, Administrative Assistant / Zoning Inspector William Oliver, Fire Chief Kevin Dembiec and Acting Road Superintendent Paul Sniezek. Twelve (12) people signed the attendance sheet. Chairman Wright called the meeting to order with the Pledge of Allegiance.

Audience Participation (Public Comment)

None

Fiscal Officer Kimberly Fallons' Report

Minutes of the March 20, 2017 Regular Board of Trustee Meeting, March 20, 2017 Special Board of Trustee Meeting, March 24, 2017 Special Board of Trustee Meeting (8:30AM and 5:30PM), and March 27, 2017 Special Board of Trustee Meeting were submitted for approval. Motion to approve by Trustee Wright seconded by Trustee Smith, roll call; all ayes, motion carried. All special meetings were regarding the hiring and firing of road department personnel. Trustee Wright gave a brief statement about the special meetings. He stated that Martin Squire is no longer the acting road superintendent and he introduced Paul Sniezek as his replacement.

Warrants 12582 through 12594 and eff's 165-2017 through 182-2017 for a total of \$42,225.58 were submitted for approval. Motion to approve by Trustee Wright, seconded by Trustee Smith, roll call; all ayes, motion carried.

Administrative Assistant / Zoning Inspector William Olivers' Report

Administrative Assistant Oliver submitted for approval Resolution 2017-05 A Resolution To Continue The Agreement For Professional Services With The Lorain County Prosecutor's Office As The Township Law Director. Motion to approve by Trustee Wright, seconded by Trustee Smith, roll call; all ayes, motion carried.

Also submitted was Resolution 2017-06 A Resolution Finding And Declaring That A Public Nuisance Exists In And Upon The Property Located At 1388 East Avenue In Carlisle Township (PP#10-00-004-129-065) To Authorize The Carlisle Township Board Of Trustees For The Abatement Of Said Nuisance Per ORC 505.86. Motion to approve by Trustee Wright, seconded by Trustee Smith, roll call; all ayes, motion carried. This property has been put on the Land Bank list per Jerry Innes legal opinion.

Assistant Prosecutor Jerry Innes' legal opinion regarding a Veterans Memorial was read: It is the opinion of this office that it would not be lawful for the Township to hold

monies on behalf of a private entity or private citizen. Even though the project and purpose may be with merit, the Township cannot mix public funds with private funds. Resident Mr. Jones requested a copy of the opinion. Then he stated that he never requested anything other than putting money into the Township checking account and be able to withdraw funds out of it by way of a line item. He stated that he has a verbal opinion from the Prosecutor's office that it can be done. The Fiscal Officer stated that by putting a line items in the Township budget for those funds and disbursements is commingling money. Mr. Jones stated that they were told that the group of men who have formed a Veterans Board, would have to become a 501(c) (3), but the prosecutor told them they don't need the 501(c)(3) status and that it can be run through the Township with a line item. He stated that no one knows exactly what they want to do. Trustee Wright stated that until the prosecutor and asst. prosecutor come to an agreement, the Trustees will not act. Trustee Taylor questioned if any other Townships, like Eaton and Columbia, to see how they did their memorials. Mr. Jones stated he asked one trustee who maintains their memorials and was told the Township does. However, Mr. Jones did not understand what maintenance of the memorial meant. Trustee Taylor clarified that the Townships should have been asked who was responsible for getting the memorial itself. Mr. Jones believed it was the Township. Trustee Smith gave a brief recount of how a donation was given to the Lorain County Infirmary to provide treats to the inmates. The Prosecutor at the time gave a secret indictment and the Board members were charged with misappropriation of funds. He questioned why he would spend money when the memorial would be on Township property and the Township take ownership when it is done or the Township can give him the land for \$1.00 and he can do whatever he wants with it. Fiscal Officer Fallon stated that what Mr. Jones is asking her to do is to start a new checking account in the Township name which is exactly what Legal said not to do. Mr. Jones stated he isn't making himself clear. Resident Lowery stated that Mr. Jones was being rude for which he thanked her. She stated this was an open meeting in which everyone was allowed to speak. He stated he wasn't talking to the Fiscal Officer that he didn't know who she was and he was talking to the Board and continued that he would speak with Trustee Wright later. Trustee Taylor directed Mr. Oliver to contact Eaton and Columbia for details on how they did their memorial. Mr. Oliver stated that he had already spoken with a Trustee who stated that their memorial was Trustee motivated, not by a resident.

Mrs. Lowery stated that Mr. Jones expects the Township to take the donations and expend it, but he doesn't see it as commingling of funds. She questioned if he wanted to hire the Fiscal Officer separately to do this, as opposed to having Mr. Hildebrandt's wife (a past Clerk of the Township) who is just as capable to handle it. She stated that asking an elected official to perform this would be commingling funds. He stated that if a line item was used, the fiscal officer wouldn't be able to take it out and use it for anything else. She stated it would still be in the budget and subject to audit by the state. Also, Mr. Jones is not an employee of the Township. There is no way the Township can take his money and handle it with the Township money and it not be considered commingled. That's the law.

Mr. Oliver reiterated that Mr. Jones stated that to become a 501(c)(3) it would cost a considerable amount of money. Mr. Jones stated that if they get a 501(c)(3), the Township would have to deed property over to them. He asked why he would put \$50,000 on the Township and not have any control over it. Trustee Taylor stated they would continue to look into it.

Deputy Bungard stated he will be keeping an eye on the new stop signs at Butternut Ridge Road and Indian Hollow.

Mr. Oliver brought back the OUPS contract and stated that he would like to have Mr. Sniezek review it before a decision is made.

Approval was requested to have two dumpsters from Allied Waste to remove the brush pile that was dumped after the brush pile was closed with a cost of \$700. Motion to approve by Trustee Wright, seconded by Trustee Smith, roll call; all ayes, motion carried.

The community park will be re-opening on April 4, 2017. LCCA Transportation Day is April 7, 2017. Trustee Smith and Trustee Taylor will be attending.

The aerator at Town Hall appears to not be working. The Road Department will be looking at it.

Zoning Inspector Oliver stated that the Haynes Zoning Amendment has been withdrawn.

The zoning report for March 2017 yielded fifteen (15) permits issued. The Zoning Commission is still seeking new members.

The Board of Zoning Appeals will have a hearing on April 5, 2017 for multiple lot splits.

Trustee Wright stated that he had to remove brush from his property and he took it to Barnes on Chestnut St. in Elyria. It costed him \$7.50 for a pickup truck load. Barnes is closed on Sundays.

Acting Road Superintendent Report

Acting Road Superintendent Paul Sniezek said his first day was a good day. Nothing else to report.

Fire Department Chief Dembiecs' Report

Truck 5 delivery to Spartan for warranty work has been rescheduled. Engine 7 repairs have been completed and it is running much better. Engine 3's tire replacement came in under estimated cost of only \$887.29.

The LG Safety Capital Grant application was declined.

Mileage reimbursement for Volunteer Fire Fighter Kurt Blair for the ICS 300 class of 216 miles was requested for payment. Motion by Trustee Wright, seconded by Trustee Taylor; roll call, all ayes, motion carried.

The Fire Fighter Association would like to donate a thermal imaging camera that costs \$1,625; Chief Dembiec requested acceptance of the donation. Motion to accept by Trustee Wright, seconded by Trustee Smith, roll call; all ayes, motion carried.

Additional Business and Announcements


Next Regularly Scheduled Trustees' Board Meeting is on Monday April 17, 2017, at 7:00PM at the Town Hall.

Visit carlisletownship.com regularly for all updates.


Adjournment

There being no further business to come before the Board, motion to adjourn was made by Trustee Wright, Seconded by Trustee Taylor; roll call; all ayes, meeting adjourned at 7:45 p.m.


Trustee Berry A Taylor


Trustee Jared Smith


Trustee James L Wright


Attested: Kimberly Fallon
Fiscal Officer. 5/1/17

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