

Special Meeting

Thursday July 29, 2010

Call to order: Don Wilson @ 11:01 a.m.

Roll Call: Paul Ritchey, Dave Wilson, Harold Grosnickle, Sandy Borchers & Chief Moulden

Guests: Sue Allen, Dennis Elchlinger

Prayer and Pledge: Waived

Purpose of this Special Meeting: To set a date and approve advertisement of 2011 Budget and to hold a public meeting and any other business to come before the Board.

Don Wilson explained the necessity of this meeting was because the Board had approved the 2011 Budget. Because of an oversight of the Board, a notice of this meeting was not placed in the newspaper as required in the ORC 5705.30. The Board sought Legal Council to see how to rectify the situation and Legal Council made some recommendations for the Board to follow. Don Wilson requested Chief Moulden to draft a letter in regard to these issues.

Chief Moulden read aloud the letter drafted to the Board of Trustees regarding this situation. A copy of this letter is attached to these minutes. Following is an excerpt from Chief Moulden's letter which states Legal Council's review : Paragraph 5:

"Based upon the attorneys' reviews of the ORC and discussions with the Auditor's representative both attorneys agree in their opinion that there is no statutory sanction for failure to provide copies for public inspection or for failure to hold the hearing prior to the budget adoption. The only sanction provided for in ORC 5705.30 is for failure to provide the Tax Budget to the County Auditor prior to the July 20th deadline. Both attorneys did state that there may be a finding by the State Auditor at the next township audit for non-compliance against the Township Fiscal Officer."

The Chief recommended that the Board of Trustees advertise and hold a public meeting and that the Fiscal Officer provide two copies of the Tax Budget for review in the Township office. Doing so would not change the fact that the Board was not compliant with ORC 5705.30 but would allow citizens of Wayne Township to review and discuss any issue they may have at a public hearing concerning the 2011 Tax Budget.

Don Wilson asked for questions from the public.

Sandy Borchers, Fiscal Auditor, responded that she felt this letter to the Board placed her entirely at blame for the oversight. Don Wilson responded that he was not placing the entire blame on the Fiscal Officer. He felt the entire Board was responsible for this oversight. Sandy reiterated that she was away from the office with recent surgery, yet had provided the Board with a draft of the 2011 Budget. The Board approved the draft before it was finished. She would like it noted in the records that she should not be held entirely responsible for the oversight.

Chief Moulden read the proposed guidelines for preparing budgets. (Guidelines in the above referenced Letter to Members of the Board of Trustees)

Harold Grosnickle would like it so noted in the minutes of the meeting that the responsibility that ended up being done at a later date was the responsibility of the entire Board including Chief Dave Moulden, Fiscal Management Consultant. Mr. Grosnickle wanted it also noted that this is the Chief's first year of office in this position.

Harold Grosnickle also noted the budget was filed in a timely manner. The thing that was not done was the public hearing and is now going to be held. Also, to make sure in the future it will be done according to the law.

The Budget Committee meets on either August 11th or 12th to give final approval for the Budget giving the Board enough time to advertise and hold the public meeting and to submit a letter indicating to the Tax Commission that a public hearing was held and that copies of the Fiscal Budget were available in the Township office for the ten days of public viewing.

072910-1S: Don Wilson moved to advertise the public hearing for the 2011 Budget in the Cincinnati Enquirer on Friday, July 30, 2010 for one day for a ten day notice. The Board will meet on Monday, August 9th, 2010 at 7 p.m. for the Public Hearing for the 2011 Budget. 2nd by Harold Grosnickle

Vote: PR, HG, DW

All Aye

Motion Carried

Harold Grosnickle would like it noted in the minutes that after the August 9th meeting the Board will submit a letter to the Auditor's Office informing them of the Board's actions.

OTHER BUSINESS:

Harold Grosnickle reported that he researched the paving bids. Roberts Paving was the low bid at \$66/ton. He inspected their work and material. They are using virgin material. It was good quality and good jobs they were doing in Batavia. Roberts has all their paperwork completed. Harold also inspected the equipment they use and their equipment was normal for such work.

072910-2S: Harold Grosnickle moved to accept the bid from Roberts Paving of \$66/ton laid for the 2010 Paving Project. All bids were reviewed by John Korfhagen, Legal Council. 2nd by Don Wilson.

Vote: PR, HG, DW

All Aye

Motion Carried

Harold Grosnickle noted that this motion would be read at the Trustee Regular Meeting on August 2, 2010 that the projected paving dates will be the latter part of August or in early September.

Paul Ritchey asked what the Board was going to do about the nine addresses on Taylor Pike that won't change. Don Wilson responded that the Board was going to wheel off the whole road in 50 ft. increments. Harold said they were going to try to do the best they could to get as close as possible to 50 ft. requirement. After wheeling off, necessary changes will be made.

Harold Grosnickle noted that there never has been a date set to pull flowers from the cemeteries. The board will give thought to this and discuss at the Regular Meeting on August 2nd.

Harold Grosnickle asked Dennis Elchlinger if he was satisfied with the notification of the meeting on August 9th regarding the Public Meeting. Dennis replied in the affirmative.

072910-3S: Don Wilson moved to adjourn the meeting at 11:30 a.m., 2nd Harold Grosnickle.

Vote: PR, HG, DW

All Aye

Motion Carried

Don Wilson, Chairman

Harold Grosnickle, Vice Chairman

Paul Ritchey, Trustee

Sandy Borchers, Fiscal Officer