

Village of Thurston  
Council Meeting Minutes  
November 09, 2011

Meeting called to order at 7:00 pm by Mayor Mary Boring. Pledge of Allegiance was recited.

Roll call: Robert Ortman – absent  
JoAnn Hite – present  
Rita Leiendecker - present  
Jimmy Barber, Jr. – present  
Garry Boring – present  
Lowell Hite – present  
Mary Boring – absent  
Aaron Reedy – present

Mary asked if any visitors wished to speak. A gentleman from Buckeye Vinyl was present to talk about the bid he submitted for the roof. He's wondering if anyone had any questions. He discussed very quickly what his company would do. He's looking forward to serving the Village, if chosen.

Mr. Featheroff was present and said there needed to be more gravel put down where Sureshot just repaired a water main on Fourth Street. Mary will check with Sureshot.

Garry made a motion to approve the October 2011 meeting minutes. Rita seconded. Roll call vote: all YES. Motion carried.

Garry made a motion to approve the October 2011 financial statement. Lowell seconded. Roll call vote: all YES. Motion carried.

Second Reading Ordinance 2011-21, An Ordinance to adopt and update the Village's Floodplain Management Regulations.

Garry made a motion to waive the three-reading rule and declare an emergency for Ordinance 2011-23, An Ordinance to amend the 2011 Appropriations Ordinance and the Declaration of an Emergency. This is for additional software modules needed to make the wireless meter reader work with the utility billing software (\$4,000). Jimmy second. Roll call vote: all YES with Lowell and JoAnn voting no. Emergency Motion not carried. This will be the first reading of this ordinance.

Garry made a motion to waive the three-reading rule and declare an emergency for Ordinance 2011-24, An Ordinance authorizing the Village Mayor and Clerk-Treasurer to execute a contract agreement with the Walnut Township Trustees and the Declaration of an Emergency. This is for snow plowing for the winter. Rita second. Roll call vote: all YES. Motion carried.

Jimmy made a motion to adopt Ordinance 2011-24, An Ordinance authorizing the Village Mayor and Clerk-Treasurer to execute a contract agreement with the Walnut Township Trustees and the Declaration of an Emergency. Garry second. Roll call vote: all YES. Motion carried.

The contract with CMI Waste Removal Services was reviewed. Jimmy questioned whether or not we were able to force residents to use the contractor the Village chooses. The decision was made to ask the Solicitor for advice before entering into the contract.

**Business from Fire Chief** – Jim Hite was present and presented his report. Chief Hite said we have received all the money for the year that the Trustees are planning on giving us.

**Business from the Safety Committee** – No business to submit.

**Business from the Service Committee** – No business to submit.

**Business from the Finance Committee** – Didn't meet.

**Business from the Rules Committee** – Didn't meet.

**Business from the Regional Planning Representative** – Robert was not present.

**Old Business** –

Jimmy asked for the status of the Neighborhood Revitalization Grant. Mary said it's going back out for bid. The County was able to get an additional \$23,000 for the projects.

Aaron said that there is still one resident who has not responded to Council's request to reimburse the Village for the certified postage costs (\$16.64) in lieu of the fines (\$766) pertaining to their nuisances. A second letter was sent to Fred & Mary Robison on October 17<sup>th</sup> making the offer one last time. Council will then have to decide what steps to take next, which could be filing for the fines in small claims court.

Garry said we need to decide what we're going to do about the roof since it's getting close to winter. He said we hadn't received bids back from some contractors. The issue still stands that the insurance company states the municipal building was under-valued and won't pay the entire cost of the roof repair from the storm damage. We have stated that the value is \$165,000, which is what is on the County Auditor's website. The insurance company is stating that it should be valued at \$618,000. So they are only offering to pay \$8,800 for the repair. Jimmy made a motion to send the situation to the Solicitor for advice. Rita second. Roll call vote: all YES. Motion carried.

Council agreed we need to go ahead and have it done in the meantime. Garry made a motion to accept the bid from Buckeye Vinyl for \$23,075.64 for roof repair. Rita seconded. Roll call vote: all YES, with JoAnn abstaining. Motion carried.

Even getting \$8,800 from the insurance company, we still need to come up with about \$15,000 for the balance. Rita made a motion to take a break so the clerk could go over the financials for possible funding sources. JoAnn second. Rita second. Roll call vote: all YES. Motion carried. The time is 7:42 p.m.

At 7:55 p.m., Jimmy made a motion to come back from the break. Garry seconded. Roll call vote: all YES. Motion carried.

Jimmy made a motion to use \$3,600 from each of the 4 major funds (General, Water, Street & Fire) to help fund the municipal building roof repair. JoAnn seconded. Roll call vote: all YES. Motion carried.

**New Business** –

Aaron brought up the safety concern at 8297 High St. Lowell said the house is all cleaned up now. No further action needed.

Aaron brought up the issue with 8181 High Street, owned by Rose Robertson. There are 3 apartments in that building, and the water shut-offs are inside one of the apartments. When we have to disconnect one for non-payment, we can never get access to the shut-offs when we need them. This has been a major problem in the past because it is common that shut-offs need to be done in these rental units. Rose Robertson has been advised in the past to put the shut-offs outside the building so the village has access. She has not taken any action. All three bills are already mailed to Rose Robertson separately.

Garry made a motion to send Rose Robertson a letter about her property on 8181 High St. and tell her she has until December 31, 2011 to install outside shut-offs that the Village can access when necessary. If this is not done, the 3 water accounts will be combined into one account that must be maintained. This account must be kept in good standing or the entire building will be shut off. Jimmy seconded. Roll call vote: all YES. Motion carried.

Aaron brought up that the Village Secretary hasn't had a raise in 18 months, and asked council to consider one. JoAnn said she's not here enough. She said she takes too many vacations. Mary said she doesn't get paid for vacation time, or any time she is not here working. JoAnn said she makes too much.

Lowell made a motion to increase the Village Secretary pay from \$9.00 per hour to \$9.25 per hour. No one seconded – motion died.

Jimmy made a motion to increase the Village Secretary pay from \$9.00 per hour to \$9.50 per hour. Rita seconded. Roll call vote: all YES with Lowell and JoAnn voting NO. Motion carried. Aaron will have the legislation prepared by the solicitor.

Mary discussed the letter she wrote to Lowell Hite stating that he must turn over any and all records having to do with the Village Water system to the Village Office. Before 2010, the Walnut Creek Sewer District was responsible for maintaining the Village's water system. WCSD never turned over any of the maintenance records. When asked about it, they replied that they did not have any records. All the work had been done by Lowell Hite (who has also been a trustee on the WCSD board).

Mary indicated that the Ohio EPA requires that records must be kept regarding all maintenance to every part of the water system. It was known by some that Lowell has some records in his possession. Lowell and JoAnn argued about the situation. Even after Aaron Reedy questioned specifically several times "Lowell, do you have water records at your house?" Lowell would not respond to that question and would just deflect on to other things. Finally Mary said that per the letter he has 14 days to respond, so let's give him that time.

Aaron brought up the fact that Bill Yates was elected as a Walnut Township Trustee effective 1/1/2012. This could be a detriment to the village due to the past years of bickering about funding the Millersport and Thurston fire departments within the trustees. Aaron said that Ohio Attorney General Opinion 86-030 specifically states that the position of Township Trustee and the position of Fire Chief of a Village Fire department of which the township and village have a fire-protection agreement are incompatible. Also Aaron has been in contact with the Ohio Ethics Commission and has a copy of the McKinley opinion from February 19, 1999 that states that if Bill is an employee of the village in any capacity while holding the position of township trustee, he has to remove himself from all discussion, analysis, voting, etc. on anything to do with the Village. It is hoped that Bill Yates simply resigns from all other incompatible positions, but if he does not, we are already set with our solicitor to report the situation to the Ohio Attorney General and Ohio Ethics Commission.

Lowell asked what came of the meeting about the Red Cross shelter. Garry said they decided not to use the municipal building. We can use either the school in Pleasantville or Baltimore.

Jimmy made a motion to adjourn at 8:27 pm. Garry seconded. Roll call vote: all YES. Motion carried.

Respectfully prepared by,

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Aaron Reedy