

2018 ORGANIZATION MEETING

The Milan Township Board of Trustees met to reorganize for the 2018 on January 3, 2018 at 7:00 p.m. in the Trustees Room of the Milan Township Hall, Milan, Erie County, Ohio. Present at the meeting were Trustees Gerald Nickoli, Dan Frederick and Mike Shover, Fiscal Officer Zachary Rospert, Sec. Colleen Arthur, Maintenance Supervisor Steve Rockwell, Dave Fox, Fire Chief Brian Rospert, and township residents Sparky Weilnau, Mary Basterash, Bill Muthig, Joe Markitek.

Mr. Frederick called the meeting to order and welcomed newly sworn in Trustees Gerald Nickoli and Mike Shover to the Board. Mr. Frederick gave a brief overview of how the Organization meeting will be conducted.

ELECTION OF OFFICERS:

Fiscal Officer Zachary Rospert took control of meeting and asked for nominations for Chairman of the Board of Trustees in 2018. Mr. Nickoli nominated Dan Frederick to serve as Chairman. Mr. Shover gave second to the nomination. Mr. Nickoli then moved to close nominations. Mr. Frederick seconded the motion to close nominations. Nominations were closed. Mr. Rospert called the roll for the nomination of Mr. Frederick as Chairman of the Board of Trustees. Mr. Nickoli- yes. Mr. Shover- yes. Mr. Frederick- yes. The motion to elect Mr. Frederick to Chair the Board in 2018 carried.

Mr. Rospert then asked for nominations for position of Vice-Chairman. Mr. Shover nominated Gerald Nickoli to serve as Vice-Chairman to the Board of Trustees in 2018. Mr. Fredericks gave second to the nomination. Mr. Frederick moved to close nominations, with Mr. Shover seconding the motion. Nominations were closed and Mr. Rospert called the roll. Mr. Shover-yes. Mr. Frederick, yes. Mr. Nickoli-yes. The motion to elect Mr. Nickoli to serve as Vice –Chairman carried.

The gavel was returned to Mr. Frederick who closed the 2018 Re-organizational meeting.

REGULAR MEETING:

Mr. Frederick then opened the Regular meeting of the Board of Trustees at 7:05 pm with the Pledge of Allegiance. The attendance roll was then called; all Trustees were present.

MINUTES: It was noted that there was a misspelling of the word “resignation” as “recongition”. With the correction noted, Mr. Nickoli moved to approve the minutes of the December 20, 2017 minutes. Mr. Shover seconded the motion. The motion carried.

EXPENSES: Mr. Nickoli moved and Mr. Shover seconded a motion to approve expenses, Warrant Numbers 17876-17923 and Payment Vouchers 2-10 in the amount of \$30,145.29, as presented by the Fiscal Officer. The motion carried.

Mr. Frederick asked if any members of the audience had business to bring before the Board. There was none.

MAINTENANCE

SALT: Mr. Rockwell reported that approximately 90 tons of salt have been applied to winter roads thus far. The amount of salt used varies with the severity of each storm. The crew applies salt on hills, curves, and busy road intersections.

REPAIRS: Mr. Rockwell noted that the igniter went out on the overhead heater at the garage. Repairs are arranged.

An air tank went out on one of the fire trucks and Sutphen is working on it.

ROAD TRUCK: Mr. Rockwell also reported that the 2011 Ford pickup is having a problem with the “Y” pipe from the exhaust to the engine. This seems to be an ongoing problem and Artino Ford is looking at it. Mr. Frederick pointed out that this truck has been a problem for the last 15,000 miles and explained to the newer Trustees that replacing the truck (using gasoline as its fuel) is being considered as part of the regular rotation.

Mr. Rockwell presented a quote from Matthew Ford for a 2018 Ford 250 4X4 for \$28,575.00. The current value of 2011 with plow and salt hopper is between \$ 24,150 and \$29,900. Mr. Rockwell recommends repairing the 2011 and getting it ready for sale at Station No. 2 and prepare for the purchase of a new truck. Mr. Frederick asked how much the repairs were going to be. Mr. Rockwell did not have those costs available at this time. Mr. Rockwell noted that the price

quoted was for the basic truck. The total cost to have the new truck outfitted with a new plow and salt hopper is estimated to be \$35,625.

There was a brief discussion of the timing of the purchase, Mr. Brian Rospert noted that the Village ordered a new truck in November and will be delivered in a week or two, so it would be about a 3 month timeframe from order to delivery.

Mr. Nickoli asked if another brand of truck had been considered. Mr. Rockwell said he did not look at other brands, as the Township has generally used Ford and have had good experiences. Mr. Rockwell went on to explain that the price quoted is well below state bid. Mr. Frederick explained that the Trustees have considered diesel engine trucks in the past but because of cost and frequency of needed repairs had decided that a regular gas fired truck is best.

Mr. Frederick asked that Mr. Rockwell have three quotes prepared and the repair costs ready for the Trustees to consider at the next meeting. Mr. Rospert also spoke about how to handle the sale and purchase of the trucks and where the funds will come from. As far as the timing of the purchase, it was noted that the truck is needed by Spring.

Mr. Frederick noted that the inventory is soon due to the County Engineer. F.O. Zach Rospert will take care of that.

SNOWMOBILE ISSUE: Mrs. Arthur asked the Board to consider whether or not snowmobiles are permitted on Township roads. She stated that on several nights in the past few weeks, snow mobiles have been running up and down Berlin Street after midnight. Once when she was turning left into her driveway during daylight hours, a snowmobile came over the hill and she nearly hit it. Because they sit so low to the ground they are not visible when approaching from the top of the hill. She stated that her husband is also concerned that they are damaging the catch basin and the driveway apron as the snow had been plowed away and they were driving over the pavement. She noted that she alerted the Sheriff's Department of the problem and was informed by dispatch that snowmobiles are permitted in the berm of the road providing they stay in the right-of-way and not on private property. Mrs. Arthur noted that it can be seen clearly from their tracks that they are not always in the right-of-way and have been going through yards in the Village. Mrs. Arthur explained that she had investigated the ORC concerning snow mobile operation on public roads. She found that it stated, as the Sheriff's dispatcher stated, that they are permitted in the berm, if, however, the governing authority permits it and if there is adequate room for operation. She also found that other townships in Ohio have banned the use of snowmobiles on their roads because they damage the berm and many do not feel there is adequate room to safely operate on the berm. Mrs. Arthur noted that to her recollection the Trustees had never granted permission for snowmobile operations on public roads and asked that they ban the use as other Townships have done. The Trustees stated that they enjoyed riding snowmobiles any chance they got as kids. Mr. Nickoli said that snowmobiles are licensed for road use. No further action was taken.

FIRE

CALLS: Chief Rospert reported that there were six fire calls in December; a total of 92 for the year. Total number of calls were down from previous years.

PERSONNEL: The Chief reported that Andrew Metz has submitted his resignation from the Department as of December 31, 2017, as he is a fulltime Fire fighter in Sandusky and is moving there. Additionally, Andrew Roeder is also resigning as of December 31, due to other time commitments. Mr. Nickoli moved to accept Andrew Metz's resignation. Mr. Shover gave second to the motion. The motion carried. Mr. Nickoli moved to accept Andrew Roeder's resignation. Mr. Shover gave second to the motion. The motion carried.

Also, Bryan Haynes has informed the Chief that he will be moving to South Carolina in March. These three resignations will mean the roster will be down to 33. He will be taking applications for new firefighters to fill these slots.

GRANT APPLICATIONS FOR BULLET PROOF VESTS: The Department recently took part in active shooter training. The Erie County Sheriff recommends purchase 2 vests for Department. There are grants available to help with the purchase. Each vest costs \$800 to \$1000. Chief Rospert would like to purchase 12 vests if the Department is granted \$15,000. Since the vests only have a 5 year life, he is asking that the Township consider a revolving replacement plan, similar to what is done with gear. Mr. Frederick asked how the firefighters would you know when to wear the vests. The vests are quite heavy and would be in addition to the heavy gear. Chief Rospert said they would be kept in the trucks and if they

were called out by dispatch, they would be informed of an active shooter situation. They would only be worn in these types of situations, not part of the regular gear. It is Chief Rospert's desire to get as many vests as possible up front and then work on replacement schedule. Without the grant, the Department would need 8 or 9 to outfit the trucks. Audience member asked about where they would be and how many on each truck. Mr. Nickoli asked if the grant could be used over a period of years or do we have to use the funds all at once. It's a one year grant, so it would have to be used within 12 mos. Mr. Nickoli said he would support getting the vest with the EMA grant now and replace as needed. There were some questions about knowing when to use it. There is a committee being formed to develop a response for active shooter situations.

The Chief noted that 30 new helmets will be delivered by next week. Old helmets are to be given to firefighters as souvenirs.

Fire Safety Services will be testing 40 MSA cylinders. 10 of these cylinders are due to be replaced this year, 10 next year and another 10 the following year. Chief Rospert is awaiting a quote on new cylinders.

ZONING

Nothing

OLD BUSINESS

Mr. Frederick noted that he sent a letter to Census Office saying that Erie County is authorized to submit Census information on behalf of the Township.

NEW BUSINESS

Mr. Frederick noted that the Chamber of Commerce is requesting use of the Ballroom on Monday February 12, 2018 for their annual banquet. Mrs. Arthur will schedule it. They are also requesting that they be permitted to serve alcohol. Mr. Nickoli moved and Mr. Shover seconded a motion to the Milan Chamber of Commerce to serve alcohol in the Township Hall at their annual banquet. The motion carried.

ADMINISTRATIVE DECISIONS FOR 2018:

SET TIME AND DATE OF REGULAR MEETINGS: The Board of Trustees currently meets at 7:00 p.m. on the 1st and 3rd Wednesday of each month and as needed for work sessions on Mondays at 8:00 a.m. Mr. Frederick recommended keeping this schedule and having the meeting the next day if it falls on a holiday. Mr. Nickoli suggested moving meetings to 8 p.m. in summer months, as is the practice of the Zoning Board of Appeals. Mr. Sparky Weilnau pointed out that this would need to be updated to the public and may cause some confusion. Mr. Nickoli said that the ZBA meetings are advertised individually and this would not work for regular Trustee meetings.

Mr. Nickoli moved to keep the meetings on the first and third Wednesdays of each month at 7:00 p.m. in the Trustees Room and Monday work sessions at 8:00 a.m. at the Township Offices and that these shall be posted on the Township website, at the Township Hall and at Township Offices. Mr. Shover seconded the motion. The motion carried.

FFDFB: The Fire Department will hold its election of representatives to the Board on Monday, January 8. Mr. Frederick and Mr. Rospert explained what the Fire Fighters' Dependents' Fund Board is. This election is held annually. The Board certifies the eligibility of dependents should a firefighter die in the line of duty. The Township has one such recipient. The Board decided to hold the organization meeting and election of Trustee representatives at the next meeting on January 17, 2018 at 7:00 p.m.

FISCAL OFFICER AUTHORIZED TO INVEST EXCESS FUNDS: Mr. Rospert explained that if the financial institution(s) in which the Township invests changes, the Trustees would have to authorize. Mr. Nickoli moved and Mr. Shover seconded the motion to authorize Fiscal Officer Zachary Rospert to invest excess funds for Milan Township per the ORC. The motion carried.

AUTHORIZATION OF THE FISCAL OFFICER TO REQUEST ADVANCE PAYMENTS FROM THE COUNTY AUDITOR. The Township has never needed to borrow against the tax revenue. No action was taken.

APPOINTMENTS: Mr. Nickoli moved to approve appointment of the following positions:

Zoning Inspector – Colleen Arthur
Asst. Zoning Inspector – Zach Rospert
Road Supervisor – Steve Rockwell
Township Secretary – Colleen Arthur
Fire Chief – Brian Rospert
Asst. Fire Chief – Tom Jesberger
Zoning Board of Appeals – Mike Kegarise to fill the unexpired term of Gerald Nickoli to 12-31-21
William Geiger renew term to 12-31-22
Zoning Commission- Philip Weilnau renew term to 12-31-22
Fire Code Bd. of Appeals- John Arthur renew term to 12-31-22

Mr. Shover seconded the motion to the above appointments. The motion carried.

ASSIGNMENT OF TRUSTEES RESPONSIBILITIES:

Erie Regional Planning Commission: Dan Frederick and Gerald Nickoli, alt.
Erie County Emergency Mgmt. Agency: Mike Shover
Scott Cemetery Board and other cemeteries: Gerald Nickoli
North Central EMS: Mike Shover
Milan Township Hall: Dan Frederick
Erie County Solid Waste District/Landfill: All Trustees
Edison Park: Dan Frederick
Insurance (Health & Liability): Mike Shover
Loss Prevention: All Trustees
Road Issues: All Trustees /Road Superintendent
Erie County General Health District Advisory Council: Mike Shover
Village of Milan: Dan Frederick
Milan Twp. Fire Dept.: All Trustees
Erie Metro Parks: Gerald Nickoli
Property Maintenance: All Trustees
Zoning Issues: All Trustees
Safety Matters: Mike Shover/Road Superintendent
Utility issues (cable TV, Ohio Edison, Erie County water, etc.): Gerald Nickoli
Franklin Flats: Gerald Nickoli
Erie County Township Assn: All Trustees
Erie County Council of Governments: Dan Frederick, Mike Shover. Alt.
Edison Park Scheduling coordinator: Dave Fox
Milan Township Hall scheduling coordinator: Colleen Arthur
Public Square Comfort Station attendant: Steve Rockwell
Northern Ohio Rural Water representative: John Landoll (term ends 13-31-20) appointed by resolution

POLICY ISSUES:

HOLIDAY POLICY: Currently, ½ day New Year's Eve, New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, ½ day Christmas Eve and Christmas Day.

Mr. Frederick asked if the Board wanted to keep the current policy or change it to match the required days in the Ohio Revised Code. Mr. Shover asked how other Townships handle this. Mr. Rospert stated that the County gives employees the day after Thanksgiving off. Mr. Sparky Weilnau remarked that the County Commissioners arrive at these decisions

through bargaining. Mr. Frederick said he felt the Trustees have no choice but to abide by the ORC, as it says the holidays "shall" be, etc. Mr. Brian Rospert suggested that they find out what other entities do before making any changes. Mr. Shover remarked that when the ORC says, "shall" that it means this is the minimum that must be done, but it does not prohibit that you go beyond. He noted that coming from a human resources background, he finds it prudent to stay with the current policy until additional information is obtained that would warrant change. Mr. Frederick referred to the policy manual. Mr. Shover stated that the policy manual is from 1987 and seems to be missing a lot of information that may have changed over the years. He addressed the issue of updating the policy manual and looking at benchmark policy around the State. Mr. Nickoli stated that he would like to see more research into the matter, but felt comfortable making a decision tonight by agreeing to go with the ORC requirements for now and look at additional vacation days in the future.

Mr. Frederick moved to follow the ORC stated holidays policy and add to later if warranted. This would omit the half days before Christmas and New Years and the day after Thanksgiving. Mr. Nickoli seconded the motion. The motion carried. Mr. Shover voted against the motion.

OVERTIME POLICY: Mr. Frederick provided some guidelines contained in the Milan Township Policy Manual, FLSA, and ORC 4111.03, which states: Overtime shall be paid for full-time employees at a rate of 1 ½ times of the regular rate for hours worked exceeding the regular work week of 40 hours from 12:01 am Saturday to 12:00 pm the following Sunday . It also stated that sick time was not considered as hours worked.

There was some discussion of the inclusion of vacation and holiday hours as hours worked toward overtime. A few months ago there was some question as to how sick time was to be considered when one of the employees came in to plow after having taken sick time during normal working hours. There is an apparent conflict between personnel policy, labor practices, ORC.

Mr. Shover stated that sick time has never been counted toward hours worked. Zach also asked for clarification on the 8 hour day or the 40 hours accumulated toward overtime. Mr. Rockwell explained that it has been the policy to pay overtime for hours after 8 regular any day when called out. Mr. Frederick thought it prudent to "back up" to take the time to consider how various scenarios might impact these rules and perhaps look at a model handbook from the Township Association or other resources. Mr. Nickoli noted that the nature of the job of plowing differs from other employment in that the crew is basically "on call" all of the time. Mr. Rockwell stated that when he was a Trustee, he recalled that they passed the policy sometime ago of paying overtime for hour worked over 8 hours in any given day.

Mr. Nickoli remarked that he would like to go with ORC first until he can get a better idea of what is allowed. Someone asked how the Fiscal Officer would like time sheets to be marked. Mr. Rospert stated that they should mark their timesheets just as they are doing and he feels overtime should be paid for anything over 40 hours in a work week.

Mr. Shover stated that he would like to table the matter of overtime until he has a comfortable knowledge of the situation. He has seen it calculated in a number of ways and would like to use the ORC as a baseline, but also take into consideration what policies the Trustees have approved in the past.

Mr. Frederick remarked that he does not believe sick time should ever be counted toward hours worked for overtime, but he does feel that vacation time and holiday time are "earned" hours and should be counted as hours worked toward overtime

Mr. Weilnau gave a little history of how raises were given and that the overtime policy was in place even before he was ever a trustee over 20 years ago.

Mr. Shover clarified his opinion that vacation is counted as paid time and counts toward overtime, but do not count sick time.

Mr. Rospert commented on scheduled overtime, such as work at Edison Park or the Township Hall and Comfort Station on weekends. He noted that some employers might make employees shorten the work on Monday through Friday to accommodate these scheduled hours on weekends. At present, the Township always pays this as overtime.

Mr. Nickoli moved and Mr. Shover seconded a motion to approve the status quo policy for overtime, with the clarification that sick time will not be counted toward hours worked, but holiday and vacation hours will be counted toward the 40 hour work week. The motion carried.

ACCUMULATION OF SICK TIME: Mr. Shover moved and Mr. Nickoli seconded the motion to approve the accumulation of sick time as stated on the agenda. "Full-time employees are allowed Sick Days which are accrued at a rate of 3.1 per 80 hours worked, Sick time may be accumulated to a maximum of 720 hours or 90 days. Upon retirement, employees to be compensated 1/3 accrued sick leave, maximum 240 hours." The motion carried.

Mr. Nickoli moved to approve the Bereavement and Vacation policies. Mr. Shover seconded the motion. The motion carried.

Bereavement: Full-time employees may use up to 3 days of sick time, see ORC 124.387.

Vacation: Full-time employees earn *vacation* based on 0-2 year at 40 hours. 3-4 years at 80 hours. 5-14 years at 120 hours and over 15 years at 160 hours. Vacation time shall be used in Trustee-approved 8 hour increments. Vacation time must be used during the year earned with no carryover.

TRUSTEES AND FISCAL OFFICER COMPENSATION: Mr. Nickoli moved and Mr. Shover seconded the motion to set a monthly pay period and the rate of compensation for Trustees and the Fiscal Officer per ORC 505.24. Trustee compensation shall be drawn from the General Fund (70%) and Fire Fund (30%), based on annual review of trustees' time spent. Fiscal Officer compensation shall be drawn from the General Fund (50%) and Fire Fund (50%) based on annual review of time spent and payments made. The motion carried.

RATES OF COMPENSATION FOR APPOINTED POSITIONS: Mr. Frederick moved and Mr. Nickoli seconded the approval of the following rates of compensation:

Zoning Inspector, currently \$1159.91 per month, to remain the same in 2018.

(Mr. Frederick asked if this might be paid at an hourly rate with a monthly stipend. He asked that Z.I. Arthur calculate her hours and come up with a number the Trustees might consider for an hourly rate.)

Twp. Secretary, currently \$18.33 per hour, 2% increase in 2018

Township Road Superintendent, currently \$27.02 per hour, 2% increase in 2018.

Township Road Crewman, currently \$25.05 per hour, 2% increase in 2018.

All increases to take effect during the first full pay period paid in the new year, commencing January 6, 2018.

FIRE DEPARTMENT PAYROLL: Mr. Nickoli moved and Mr. Shover seconded the following increases for Fire Department personnel.

Fire Chief, currently \$890 per month, increased to \$920 in 2018.

Asst. Fire Chief, currently \$630 per month, increased to \$660 in 2018.

Increase the all firefighters by \$1 per call in 2018 as follows:

Firefighters - \$19 per call

Engineers - \$20 per call

Lieutenants - \$21 per call

Captains - \$22 per call

Fire Inspections - \$20 per inspection

Training - \$30 per training session, limit of 4 per month

COMPENSATION OF BOARD MEMBERS: Mr. Frederick moved and Mr. Shover seconded the motion to pay the Zoning Board of Appeals, Zoning Commission and the Fire Code Board of Appeals members at the current rate of \$30 per meeting and the chair of each board at \$40. The motion carried.

CDL OPERATORS: Payment for CDL holders hired by the Township for emergency snow removal. Since this has not been necessary, no motion was made.

PERS DEDUCTION: Mr. Nickoli moved and Mr. Shover seconded a motion to pay ½ of full-time employees PERS deduction. (Not applicable for elected officials.) The motion carried.

Mr. Nickoli moved to approve the next seven items.

TRAVEL EXPENSES: Reimburse travel expenses of non-elected officials to \$125 per day, not to exceed \$600 per year. All travel shall be pre-approved by Trustees. Mileage shall be reimbursed at .545/mile, as set by the IRS.

HEALTH INSURANCE: Authorize continued availability and payment of group health insurance coverage for full-time employees and elected officials at the current terms. Policy to change upon renewal and the Trustees will work to change the term from beginning in June to December 1st.

DISPOSAL OF TOWNSHIP PROPERTY: From time to time, Milan Township may sell unneeded township property to the highest bidder using sealed bids or internet/public auction, may donate to a non-profit group, or may sell directly to another political subdivision of the State government as allowed by ORC 505.10.

TOWNSHIP ASSOCIATION DUES: Approve payment of annual dues to Erie County Township Association which includes membership for Trustees and Fiscal Officer in the Ohio Township Association and authorize payment of associate membership dues to same organizations for the Zoning Inspector.

CLOTHING ALLOWANCE: Authorize reimbursement of up to \$400 per year for each full-time employee for expenses related to their purchase of work boots, coats, pants and gloves only.

FEES: Set fees for Township services including applications for zoning and building permits. (The Trustees would like to update these fees at a future date).

RECORD RETENTION: Renew the current Township Records Retention policy and re-appoint Chairman of the Trustees, the Fiscal Officer and the Township Secretary as members of the Township Public Records Commission.

Mr. Shover gave second to motion to approve the prior seven issues. The motion carried.

FFDFB: The Trustees went back to the Fire Fighters Dependents' Fund Board and appointed Dan Frederick and Mike Shover to serve as Trustee Representatives to that Board and Cindi Rospert to serve as citizen at large to the FFDFB.

As there was no further business brought before the Board, Mr. Nickoli moved to adjourn. Mr. Shover seconded the motion. The motion carried. Meeting adjourned at 9: 50 p.m.

Daniel Frederick, Chairman

Zachary Rospert, Fiscal Officer