

## **RECORD OF PROCEEDINGS**

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF TRUSTEES

11420 Millersport Rd., Millersport, OH 43067

### **REGULAR MEETING MINUTES**

February 6, 2024 – 7:00 PM

#### **Township Officials present:**

Trustees Terry W. Horn, William R. Yates, Douglas G. Leith were present, Fiscal Officer (FO), Pam Underwood was absent.

#### **Department Heads/Staff present:**

Roads & Parks Supervisor - Nate Wagner; Fire Chief - Robert Price; Zoning Inspector - Mike Berry; Property Maintenance Inspector - Kelly Smith; Regional Planning Commission Representative - Robert W. Slater II and the Recording Secretary and Township Administrator - Tammy Oliver were present.

The regular meeting was called to order at 7:00 PM by Trustee Chairman Yates.

**Invited guest(s) present:** Fairfield County Sheriff's Office – Sgt. Sean Burke.

**Number of members of the public present:** 10 as recorded on Sign-in sheets.

### **MEETING PROCEEDINGS**

**Fairfield County Sheriff's Department** - Sgt. Sean Burke

Shared the November 2023 and December 2023 Sheriff's Office Statistics for Walnut Township.

**Property Inspector** - Property Inspector, Kelly Smith

Kelly sent her reports to the Trustees to review prior to the meeting. Kelly is working on 8 violations. One property she is still in the court system. This has been in court system since 2021.

#### **Approval of Minutes:**

Trustee Horn made a motion to approve the meeting minutes for the January 2, 2024 Re-Organizational Meeting. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Trustee Horn made a motion to approve the meeting minutes for the January 9, 2024 Special Trustee Meeting. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Trustee Horn made a motion to approve the meeting minutes for the January 29, 2024 Special Trustee Meeting. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Trustee Horn made the motion to amend #18 and #22 of the Reorganization motions to replace the Fiscal Officer with the Township Administrator going forward. Trustee Leith seconded the motion. Item 18 will be amended to state that the Township Administrator shall be the Website Administrator for the Township. Item 22 will be amended to state the Township Administrator shall oversee all information systems for the Township. The motion passed with 3 yes votes.

#### **Financial Report – Fiscal Officer, Pam Underwood:**

The Trustees have requested that the Township Administrator be given copies of all financial records that are presented to the Trustees for informational purposes and approval.

The Trustees decided to not approve the Township payments for November 2023 and December 2023 that were presented to the Trustees for approval. The trustees stated they have concerns that the Township's financial records are not accurate. There are adjustments which have been carried on the reconciliations for a number of months and have not been corrected. Before approving the financial records and the bank reconciliations they would like to see the balancing adjustments corrected on the monthly reconciliations.

Trustee Leith made a motion, seconded by Trustee Horn that the Fiscal Officer can make no major posting and/or reconciliation adjustments without the Trustees approval. The motion passed with 3 yes votes.

The fiscal Officer had signed to waive the post audit conference with JBG for the 2020-2021 Audit. The Trustees moved to not waive the conference and directed the Township Administrator to contact John Beal, Auditor, and let him know that the Trustees would like to have the post Audit conference. The Administrator is to coordinate a time for the Auditors, the Fiscal Officer, Trustees and Township Administrator to meet with them to go over the 2020 and 2021 audit and their findings and recommendations. Trustee Horn signed the post audit conference request form for the Trustees.

The Trustees continued to discuss the changes that will be required in the Fiscal Office based on the 2024 mandated cyber security requirements. Our Cybersecurity policies will require the Fiscal Office to have all records locked. Trustee Horn explained that with the Cyber Security mandate policies that the Township and ITS are drafting and the need for the Township's records to be secured, it would be recommended that the Fiscal Office and the Fiscal Office personnel be moved to the back room in the upstairs offices. This space can be locked. This move would also facilitate an office space for the Township Administrator.

Trustee Yates discussed the Fiscal Officers responsibilities under ORC 507.021, ORC 507.11 and the US Congress C.O.B.R.A. Act – Public law 99-272 and asked that he have the Trustees support for him to further research the Fiscal Officer possible non-compliance. Trustee Leith and Trustee Horn said they support Trustee Yate's further research and discussion of the matters with the Prosecuting Attorney's office.

It was also brought to the Trustees attention that the Fiscal officer had video cameras placed in the FO's office and that conversations were being recorded without any of the parties to the conversations knowing they were being recorded. Trustee Leith made a motion, seconded by Trustee Horn that the cameras with Audio be immediately removed from the Fiscal Office. The Trustees were not aware that the Fiscal Officer was recording video and audio without notifying those in the office or entering the office that their conversations were being recorded. The cameras were purchased on Amazon and paid for with Township funds. The Township is also paying a monthly fee for the storage of the video and audio files. The motion passed with 3 yes votes.

**Comments from the public:**

1. There was public discussion on the dirt fill and the permit process that must be followed for residents to put dirt in a flood plain area. Fairfield County Regional Planning is the Flood Plain Administrator.
2. Residents spoke against the solar companies taking prime farmland. There was discussion on the letter that Trustees Yates and Trustee Leith sent to the Fairfield County Commissioners.
3. There was discussion on the Mobile Home Park that is being vacated and how much progress with cleaning the property has been made.

**DEPARTMENT REPORTS**

**Township Administrator** – Tammy Oliver;

Nothing to report as yet. Tammy stated she is getting her bearings and ready to get started.

**Township Fire Department** - Chief Robert Price;

Revere Roofing will be finishing up with the ice stoppers and other roof work.

Chief Price informed the Trustees that the door locks on the stations need replaced. They would like to also install key pads. The cost would be approximately \$44,000.00. Chief Price is getting estimates.

Chief Price asked for approval of the purchase of a 2008 Tahoe Truck for \$5,000.00 that can be used for transportation to training and other smaller trips. Fire Department has received a \$250.00 donation from the Fire Association to help with the cost. Trustee Leith made the motion, seconded by Trustee Horn to approve the purchase of the Tahoe Truck. The motion passed with 3 yes votes.

Chief Price informed the Trustees that the DEA will be holding a Drug Takeback Day again in April 2024. The date is still to be decided.

**Regional Planning Commission Representative – Robert Slater II;**

Mr. Slater discussed that the Regional Planning Commission will be holding a meeting on March 5, 2024 to discuss the Fairfield County Land Use Plan. They are looking for a larger facility for the meeting.

**Zoning – Zoning Inspector, Mike Berry**

9 permits issued in January, 1 home, 2 additions, 2 sheds, and 4 fences. No outstanding fees. 9 letters issued: 2 violations, 7 rezones. Returned 67 phone calls.

Mike Berry will get the Resolution for the Semi-Trailer Removal to the Trustees for their signature.

The AEP Resolution has been reviewed by the County Prosecutors from the January 2024 meeting and is ready for the Trustees signatures. The resolution will require the Trustees' signatures to be notarized.

**Parks and Roads Supervisor – Nate Wagner;**

**Roads:**

Nate said they had two snow events in January 2024. One treating and one plowing and treating.

Nate Wagner informed the Trustees that Revere Roofing had finished the Salt garage roof and has the invoice to submit for payment.

The Tornado Shelter general contractor would like Beaver Drive Closed through July 2024. We will put this on the website to alert residents. Trustee Horn approved a Resolution, seconded by Trustee Leith to give the project permission to close Beaver Drive between Birch and Cedar during the duration of the Salt Barn Construction dependent upon the County Engineers approval. The motion passed with 3 yes votes.

**OLD BUSINESS**

1. **Salt Storage Building** – Trustee Horn updated the bid set with various alternates. Trustee Yates made a motion to approve the new bid set and was seconded by Trustee Horn. The motion passed with 3 yes votes. Pre-Bid meeting is on February 27, 2024 and the Bid Opening is March 13, 2024 at 11:00 am.
2. **Regulating Fill in the Walnut Twp Flood plain** - Terry presented the maps to show the areas that are in the flood plain. The Trustees will have to decide what they will regulate. The Trustees must decide if they want to include the whole flood plain area or parts of the flood plain.
3. **Chloride Reduction Grant Application** – Trustee Horn is applying for a grant in the amount of \$75,000 for the salt barn.
4. **OPWC Grant Status** –Trustee Horn moved to amend the OPWC Grant to increase our loan amount from \$134,303.00 to \$159,303.00. That would be a \$25,000.00 increase. Trustee Leith seconded the motion. The motion passed with 3 yes votes.
5. **Logos** – Trustee Horn presented the final Logo that had been edited. The Township will need to get a Copyright for the Logos for the Township and Fairfield Beach.

## NEW BUSINESS

1. **Potential 2024 Ohio EPA Municipal Separate Storm Sewer System (MS4) permit requirement for Walnut Township for water quality concerns based on population density** – Trustee Horn stated that there is class at the OTA conference that covers this matter.
2. **Resolution to dispose of used office chairs** – Nate asked for permission to dispose of the old Office Chairs with no value. Trustee Yates made a motion to approve a resolution to Dispose of the Chairs. Trustee Horn Seconded the motion. The motion passed with 3 yes votes.
3. **Road miles certification from ODOT which needs a signature** – Nate explained that we annually certify the number of miles of roads are in the township. Trustee Leith made a motion to approve the certification, seconded by Trustee Horn. The motion passed with 3 yes votes.
4. **Drawdown request for FEMA to get reimbursed for monies spent on Tornado shelter** – Nate has prepared the Pay Request to date for the Tornado Shelter for reimbursement for the Tornado Shelter.
5. **Trustees' signatures on the permit from Licking County Water and Wastewater so the contractor can install the sewer system for the tornado shelter.** Nate explained that the Trustees must agree to pay the water bills for the Tornado Shelter and sign a new service agreement for the water service. Trustee Leith made a motion to approve the agreement and was seconded by Trustee Yates. The motion passed with 3 yes votes.

### **Additional Comments from the public:**

1. There was a comment to continue pressing the Commissioners on the solar issue. Trustee Leith stated he was going to send a letter to the Commissioners to request that the Fairfield County Visitors Bureau stop advertising the Short-Term Rentals in Walnut Township.

Trustee Leith made the motion to move to executive session at 10:13 pm under ORC 121.22 to discuss personnel matters with the Administrator, seconded by Trustee Horn. The motion passed with 3 yes votes.

Trustees returned to regular session at 11:30 pm.

The trustees have directed the Administrator to notify the Fiscal Officer of the following:

In the absence of Fiscal Officer Underwood at the February 6, 2024 Trustees Regular meeting the Trustees made the following decisions with respect to the fiscal office and its operations and other related matters:

1. In accordance with security recommendations of OTARMA and the mandated Cyber Security Plan. The fiscal office and all financial records, of the fiscal office, including file cabinets etc. are to be moved to the second-floor back room, no later than March 4th and access secured in accordance with the aforementioned security recommendations.
2. All cameras must be removed from the current fiscal front office. The FO may have a camera in her office but limited to a video camera with no audio. The Trustees are to have access to past and future camera recordings at all times.
3. The Township Administrator will be moving to the second-floor front office and is not to have any access entry to the fiscal office.

4. The fiscal office to be limited to 30 hours of manpower per week.
5. Effective immediately, all warrant checks require two Trustee signatures and the FO signature per ORC 507.11. There will be no electronic signatures on any Township checks/payments.
6. Effective immediately, all Purchase Orders will require the FO to sign all funding certifications and require the signature of one Trustee. A copy of all PO's will be presented to the Township Administrator for tracking.
7. Effective immediately, there will be no use of the FO's stamp. The FO must manually sign all documents in a timely manner.
8. Effective immediately, the Township Administrator, Trustee Yates and Leith will be given read access to the UAN files.
9. Effective immediately, the Township Administrator will be handling all Human Resources for the township. All personnel Files currently maintained in the FO office will be presented to the Township Administrator and securely maintained by the Township Administrator in her office.
10. The Township Administrator will be the Benefits Administrator for the Township and will handle all communications with Insurer, Burnham and Flower.
11. The Township Administrator will also communicate with insurer, OTARMA and handle all Insurance Company issues for the Township.
12. The Trustees have decided to request a 2021/2022 post audit conference with the Fiscal Officer. The auditors have been notified.
13. The Township Administrator will in charge of the Township Trustee's Visa Card. The Township Administrator will track it's use per the Trustee's approved Credit Card Policy and present the FO with receipts and statements for Payment. The FO is not authorized to use the credit card.
14. To correct a Re-Organization Meeting assignment, the Trustees have appointed the Township Administrator as the Website Administrator for the township working with the Township's consultant. All postings to the Website must be approved by the Township Administrator.
15. To correct another Re-Organization Meeting assignment, the Trustees have appointed the Township Administrator to oversee all the township's information systems with the support of the Township's consultant.

**Adjournment:** At 11:55 PM, Trustee Leith made a motion to adjourn. Trustee Horn seconded the motion. The motion passed with 3 yes votes.

Minutes Recorded By: Tammy Oliver

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Pam Underwood, Fiscal Officer

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William R. Yates, Chairman

Terry W. Horn, Vice Chairman

Douglas W. Leith