

# RECORD OF PROCEEDINGS

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF TRUSTEES

11420 Millersport Rd. NE, Millersport, OH 43046

## REGULAR MEETING MINUTES

June 4, 2024 - 7:00 PM

### **Township Officials present:**

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

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

Roads & Parks Supervisor - Nate Wagner; Fire Chief - Robert Price; Zoning Inspector - Mike Berry; Township Administrator and Recording Secretary - Tammy Oliver; and Regional Planning Commission Representative - Robert W. Slater II. Property Maintenance Inspector - Kelly Smith was not present.

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

**Invited/Special guest(s) present:** None

**Number of members of the public present:** 12 as recorded on Sign-in sheets.

## MEETING PROCEEDINGS

**Grant/Logo Design/Township Signage** - Sign designs with the Township Logos were presented at the May 2024 Board meeting by Mike Fornataro with the BLRC. The BLRC will pay for 90% of the cost for the signs with the Township having to pay 10%. There will be advertising squares (36-inch x 36-inch) which businesses can lease on an annual basis for advertising. The advertising will help with the cost of the signs. The rate has not been determined. The first sign will be located at 204 and Shell Beach Road for an estimated cost of \$19,500.00. A second sign will be located at Custers Point and Shell Beach Road. The estimated cost will be \$16,680.00. Andy Wolfe was present and stated he would lease the land the signs will be located on for a \$0.00/year lease. Andy Wolfe will have his attorneys draft the lease agreement. The Trustees are to have a representative for the Township to meet with Andy Wolfe and his attorneys to draft the lease. Trustee Horn made a motion to approve contracting with Kessler Sign company to erect the two signs not to exceed \$38,000.00. The township shall pay 10% (\$3,800.00). Trustee Leith seconded the motion. The motion passed with 3 yes votes.

### **Approval of Minutes:**

The minutes for the Regular Meeting on April 9 2024 were presented for approval. Trustee Horn made a motion to approve the minutes as corrected. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

The minutes for the Special Meeting on April 17, 2024 were presented for approval. Trustee Horn made a motion to approve the minutes. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

The minutes for the Regular Meeting on May 7, 2024 were presented for approval. Trustee Leith made a motion to approve the minutes as corrected. Trustee Horn seconded the motion. The motion passed with 3 yes votes.

### **Financial Reports – Fiscal Office, Pam Underwood (absent):**

#### **Approval of Checks and Electronic Fund Transfers (EFT's):**

Trustee Leith made a motion to approve checks # 29444 through # 29519 and Electronic Fund Transfers #232-2024 through #274-2024. The Trustees Acknowledge receipt of the Fiscal Officer's financial reports for April 2024. Reports include: Investment Listings, Appropriation Summaries, Cash Summaries, Fund Status, Payment Detail Listings. The motion was seconded by Trustee Horn. The motion passed with 3 yes votes.

The Trustees will defer to approve the April Bank Reconciliation during the July 2, 2024 regular board meeting, contingent upon there being no adjustments in the May 2024 Bank Reconciliation Reports.

A resident, Sherry Pymmer, expressed her serious concerns, after being present at all of the Trustee meetings over the last 5 months, of how the Fiscal Officer is not representing the residents in managing the Township's funds properly. She expressed disgust with the Fiscal Officer and her negligence with not investing the Township's funds to earn the most interest possible. It was mentioned that the Township was losing approximately \$500.00 per day in interest because of the lack of proper fund management by the Fiscal Officer. The Trustees made it clear that they were not legally permitted to say anything negative about the Fiscal Officer without her being present. Mrs. Pymmer stated that even if the trustees could not say anything, she could, and will be following up with a possible formal complaint to the Auditor of State's Office. Other members of the public also expressed disgust with the Fiscal Officers actions.

Trustee Leith made a motion to ask the Fiscal Officer to attend all the Regular monthly meetings or at least have her associate for better communication between the Board and the Fiscal Office. The Trustees feel it is important for a representative to be in attendance to answer questions the Trustees may have in regards to the Township's finances. Trustee Horn seconded the motion. The motion passed with 3 yes votes.

The Trustees were never given an investment plan from the Fiscal Officer that was requested in March 2024. The Administrator made the Trustees aware that the Fiscal Officer had fallen and had broken her arm. She was requesting that the Trustees have a special Board meeting within two weeks to go over her financial investing plan. The Fiscal Officer did not draft any plan again this month. The Administrator was asked what she had found out during her research. The Administrator, with the advice of Holly King at Vinton County Bank, recommended that we invest in various CD's, open a separate checking account, for safety purposes that funds would be swept to cover daily expenses. Ms. King stated that the Township was losing at least \$500.00 to \$800.00 per calendar day in interest (\$178,000.00 to \$284,000.00 per year in interest lost.)

A motion was made by Trustee Leith and seconded by Trustee Horn to approve the stop payment of check #29426 dated APRIL 11, 2024 to Medical Mutual for Life Insurance that has been lost and never cleared the bank and the approval of the Stop Payment fee charged by the bank. The motion was seconded by Trustee Horn. The motion passed with 3 yes votes.

The Trustees agreed to allow the Fiscal Office to process the Amazon purchases via ACH. The Administrator explained how Amazon does not credit the Townships payments accurately when they receive a warrant check.

A motion was made by Trustee Leith to accept the payments for \$597.80 and \$112.32 from the National Opioid Settlement Program and to continue in the program in the future. The Trustees would like to see the settlement payments be receipted into the Fire Departments fund and allow the fire department to determine the funds use. A new Receipt, budget and appropriation line items for the funds will be established for tracking purposes and the Township will continue in the program. The Fiscal Officer had sent information to the Trustees in regards to the National Opioid Settlement Program. The Township received payments for \$597.80 and \$112.32 with \$20 in wire fees from the program. The Fiscal Officer provided documentation that outlines the parameters for use of the funds. The motion was seconded by Trustee Horn. The motion passed with 3 yes votes.

**Comments from the public:**

- A resident asked if the Township could stop the Luke Bryan Concert. The resident stated the concert causes a hardship to his family. He works with animals that the concert causes a disruption in their schedule. The Resident stated that his wife worked 3rd shift and is unable to sleep. It was recommended he contact a John Kochis to voice his concerns and see if there might be something that the concert organizers can do for his family.
- A resident voiced his concern that the electric for the Tornado Shelter had been shut-off for non-payment. The resident feels the Fiscal Officer is not looking after the Township Citizen's finances.
- There were multiple residents who spoke out against the current Fiscal Officer and her lack of interest and duty in investing the Township's funds that the Trustees had asked for since April 2024. The residents spoke about their concern for the large amount of interest that the Township was losing each day because of the lack of investing.

- A resident gave an update on the Residents' Anti-Solar movement in the Township.

## **DEPARTMENT REPORTS**

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

Chief Price stated there were 117 Total Runs in May 2024.

Chief Price informed the Trustees that Truck #631 was in the shop and the repairs were estimated at \$15,000.00

Chief Price recommended that the Trustees approve AccuMed to take over the Township's EMT 3rd Party Billing. The current company, Change Healthcare, has sent a letter stating that Change Healthcare was terminating the contract with Township partly because of the cyber-attack of the company at the beginning of 2024. Trustee Horn made a motion to approve Resolution #18-2024 to sign a two-year contract, effective July 1, 2024, with AccuMed to handle the Township's third-party EMS billings. The motion was seconded by Trustee Leith. AccuMed will do "soft billing" and Chief Price was directed to have the County Prosecutors Office review the AccuMed Contract. The motion passed with 3 yes votes.

### **Regional Planning Commission (RPC) Representative – Robert Slater II;**

Mr. Slater had returned from the Regional Planning Commission (RPC) Meeting. The meeting lasted 15 minutes.

### **Zoning – Mike Berry;**

12 permits issued in May 2024: 3 Home, 1 addition, 3 fences, 1 deck, 1 pool, 1 Zoning Resolution Amendment, and 2 Ag-exempt. No outstanding fees.

Returned 72 phone calls.

Mike state that there are several Short-Term Rental Citations that he is working on.

Mike made the Trustees aware that there will 2 PUD Hearings before the June 20, 2024 Zoning Commission meeting.

**Property Maintenance Inspector** – Trustee Horn spoke on behalf of Kelly Smith. Trustee Horn referred to the May 2024 Property Maintenance Violations log that Kelly had distributed to the Trustees prior to the meeting, updating her progress with the Township's Property Maintenance Violations.

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

#### **Parks:**

Nate stated that the Township had a very good chance of receiving the CBDG (Fairfield Beach) in the amount of \$90,000.00 with no Township match from the County Commissioners.

Trustee Horn made a motion to approve Resolution #12-2024 for the Nature Works Grant. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

#### **Roads:**

Nate stated that a number of residents have offered to help with cleaning up the parks. has offered to take care of the stumps.

Nate said that they were finished mowing and spraying. They will be starting patching the roads to prep for The Shelley Co to start the Road Paving in July.

Nate informed the Trustees that they received the new Power Broom that the Township received a BWC grant to fund the cost.

### **Township Administrator - Tammy Oliver;**

Tammy updated the Trustees that she has completed the physical move of her and the Zoning Inspector's office space and they are currently getting settled.

A motion was made by Trustee Horn to approve the purchase of a new desktop computer for the Fiscal Office. The Fiscal Clerk currently has the oldest computer in the Township and the current desktop needs replaced. The cost is covered in the Fiscal Office's Budget. The motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

#### **OLD BUSINESS**

1. **\$1 million Community Project Funds Update** - Trustee Horn stated that this Grant has many facets to it. Trustee Horn and the Administrator will be required to complete training. Trustee horn would like the Fiscal Office to be involved also and recommended that the Administrator and Assistant FO view the training together.
2. **Lakeside Dennison Properties Update** – The Township heard from the Prosecutors Office that we can proceed with cleaning up the Denison Properties. The costs will be a lien on the property and added to the Property Taxes. Trustee Horn asked for the blessing of the Trustees to move forward with the legal requirements to get the clean-up done.
3. **Tornado Shelter Update** - Nate gave an update that the underground utilities are complete. There is a question, that Nate is getting clarification for, pertaining to the sink and counter-top and if those will be covered by the FEMA grant. They are planning on putting in gravel around the structure instead of grass.
4. **Salt Storage Facility Update** - The Trustees were updated with the information that there is a meeting with the general contractor, Miller Building Company, JBA and the Township to get a plan on when construction will start on June 18, 2024.
5. **Approval to dispose of old desks, file cabinets and other obsolete items per ORC 505.10** - A motion was made by Trustee Horn and seconded by Trustee Leith to allow Nate to proceed with disposing of the old desks and file cabinets from the Roads Office. The items have a minimal value. The motion passed with 3 yes votes.

#### **NEW BUSINESS – None**

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

Trustee Leith expressed his concern that the Zoning Inspector, Mike Berry, should not be exposed to the Harassment that he is receiving from two members of the community. These residents are sending inappropriate sexually explicit emails. Mike will follow-up with the Prosecuting attorney's office to see how the Township should protect Mike from the harassment.

**Adjournment:** At 09:46 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 G. Leith, Trustee