

**WESTFIELD TOWNSHIP REGULAR TRUSTEES MEETING  
FEBRUARY 5, 2009  
7:00 P.M.**

Chairman Likley called the Board of Township Trustees Regular Meeting to order at 7:00 p.m. Trustees Kratzer, Likley and Sims were present as well as Fiscal Officer Evans. Other members in attendance were as follows: Ron & Marlene Oiler, Susan Brewer, Ken Beckman, Bryan Smith, Frank Galish, Tom Micklas, Karen Fisher, Heather Sturdevant and Terri Likley.

**Public Comment**

There was no comment.

**Fiscal Officer Report**

Fiscal Officer Evans began by stating there were copies of the Fund Balance report on the table. The fund balance for Star Ohio is \$840,610.43. The checking account balance is \$141, 153, 73. The bills to be paid this evening are in the amount of \$29,906.46.

**Trustee Kratzer made a motion to pay the bills in the amount of \$29,096.46. It was seconded by Chair Likley.**

**ROLL CALL-Kratzer-yes, Likley-yes, Sims-yes. Motion carried.**

**RESOLUTION 2009-05 to approve the Solid Waste Draft Plan Update of the Medina County Solid Waste Management District.**

Chair Likley stated he spoke with Bill Tryzinski from the Solid Waste Management District and invited him to the meeting to go over any questions or concerns the Trustees may have. Mr. Tryzinski stated the Solid Waste District are providing a product from their facilities to a cement manufacturer in Pennsylvania. They have also seen a reduction in their tonnage throughout the County due the fact that people are being more conservative as to what they are discarding; and maybe not buying as much due to the economy. Regardless, the Solid Waste District feels they are financially sound and do not anticipate any expansions to the facility until at least 2010 when their debt is paid off.

**Trustee Kratzer made a motion to approve RESOLUTION 2009-05 to approve the Solid Waste Draft Plan Update of the Medina County Solid Waste Management District. It was seconded by Trustee Sims.**

**ROLL CALL-Kratzer-yes, Sims-yes, Likley-yes. Motion carried.**

**MISC.**

A resignation letter was received via e-mail to the info link from Mr. Jack Poe from his position on the BZA. It would be put in his personnel file accordingly.

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Fiscal Officer Evans stated that since the beginning of the year we have used 612.36 tons of salt, 46 tons of limestone. Chair Likley stated Road Supervisor Lee Evans has done an excellent job on the roads and there is a cost to have clean, safe roads for the Township. Fiscal Officer Evans stated the Township was notified by fax that the County Commissioners would not be printing or mailing 2009 Public Officials Directories but this information could be accessed via their website at [co.medina.oh.us](http://co.medina.oh.us).

Fiscal Officer Evans stated she received an e-mail from Chair Likley that reviewed the accounting practices of the fire contract between the Township and the Village which was renewed in 2003 when she was not the Fiscal Officer. She added she believed it was a 50/50 split on the income but it was split 75% for the Township and 25% of the income from Life Force and Gloria Glens. Fiscal Officer Evans stated the Fiscal Officer of Westfield Center was also under the assumption of a 50/50 split. On Tuesday evening Village Council voted to give Westfield Township the additional 25%, which amounts to about \$54,000. The check would be cut next week.

Trustee Sims asked how many years did this billing error occur? Fiscal Officer Evans stated since 2003. Chair Likley stated while he was on Fire Committee, this is the contract that everyone thought was in effect, but apparently that was not the case. The most recent contract was dated July 1<sup>st</sup>. When Fire Committee reviewed this contract, that is when the 75/25 split was brought to light.

Fiscal Officer Evans stated that she was going to contact the Pros. Office because as a result of this due money in the amount of \$54,000 it may not be necessary to advance the entire \$150,000 from the General Fund to pay for the new fire truck purchase. The Trustees agreed.

### **List of Received Correspondence**

- Fiscal Officer Evans stated letters from the Pros. Office were received on the following: Role of zoning board alternate; and Role of Trustee liaison
- Township Event Insurance. The Hold Harmless Clause would be covered under the Township's Insurance.
- Letter on repairing the Laptop Computer
- Letter from NOACCA of notification on proposed transportation projects in Medina County
- Northcoast Urban Forestry conference in Kirkland, Ohio will be held March 13, 2009 at a cost of \$23.00 per person. Trustee Kratzer attended last year along with Mr. Ron Oiler.
- Letter from the Medina County Sanitary Engineers Office-They have run water lines from Friendsville Rd. up Kingscreek Rd. The permit and tap in fees were given to the residents.

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- Letter from Northeast Ohio City Council they want a resolution for clean air diesel pollution. Chair Likley stated this was becoming common in municipalities but did not know if the Township had the authority to do it.
- Letter from IRS dated February 2, 2009 concerning the first quarter of 2006. They have abated the interest and penalties for that quarter in the amount of \$1,311.84. No check has been received. Trustee Sims asked if this was in response to the
- Pros. Office finalizing the action on the IRS penalties? Fiscal Officer Evans stated she did not know.
- Letter received by S.E.E.K. that they would like a donation from the Township for their Easter egg hunt to be held on April 4, 2009. Chair Likley stated he believed the Pros. Office has limited the Township's ability to donate. Fiscal Officer Evans stated that if it is under 501 B & C which is for non-profit status the Township would be permitted to donate. However, the organization would also need to complete the IRS 706 form for this to be able to take place. Chair Likley asked if Fiscal Officer Evans would check into this matter. Trustee Sims stated she has joined S.E.E.K. so she would refrain from any dialogue on it.
- Letter from Time Warner Cable of changes going to be made in their programming. Chair Likley asked with the HD program they would be undertaking, would they be expanding the area of service in the Township? Fiscal Officer Evans stated she did not know but Time Warner has said it would be very costly due to ruralness and large frontages of some of the properties in certain areas of the Township.
- Fiscal Officer Evans stated she completed a cash transfer from General Fund to Zoning in the amount of \$30,000 which was approved by the Trustees at the end of December for the Comp Plan. It was on one of the financial reports submitted.
- A revision was received by Mr. Scheetz to Exhibit C to the petition for type 2 annexation filed with the Medina County Commissioners on January 20, 2009 which was the list of surrounding parcels. Trustee Sims stated she thought the Township received the original application, and then Mr. Scheetz submitted a revision that included the parcel numbers and asked, is this now a revision of the revision? Fiscal Officer Evans stated when she took the letter out of the mailbox, it was all wet and she put it in a dryer. The letter was frozen and had all kinds of tracks on she did not know if somebody found it in the road and put it in the mail box...Chair Likley stated he would need to look at all his paperwork on this. Trustee Sims stated the letter states, "please disregard the revised Exhibit C submitted January 22, 2009." Fiscal Officer Evans stated she just received the letter in the mailbox yesterday.
- Refund received for Jim Likley for OTA Winter Conference.

#### **Township Inventory List**

Chair Likley stated he discussed the Township Inventory list with Lee Evans. Fiscal Officer Evans stated the list is completed without the removal of any items. The chairs

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are still in the garage but not usable. Chair Likley asked if the Township could remove inventory from the list throughout the year? Fiscal Officer Evans stated yes. He added there were 10-12 chairs that were not usable and need to be removed from the list. Fiscal Officer Evans stated any inventory to be removed off the list would need to be decided in a public meeting for the public record. Chair Likley asked if the number of chairs to be removed could be decided this evening so they can be gotten rid of. Fiscal Officer Evans stated the old tractor was removed and when the Township receives the new tractor it would be added to the Township Inventory List.

Trustee Kratzer suggested new chairs be purchased to replace the old ones. Chair Likley agreed and suggested they be of a commercial grade. Lee Evans stated there were 14 chairs that needed to be disposed of and removed from the Township Inventory List.

**Trustee Kratzer made a motion to dispose of 14 chairs which then are to be removed from the Township Inventory List. It was seconded by Trustee Sims. ROLL CALL-Kratzer-yes, Sims-yes, Likley-yes. Motion carried.**

**Resolution 2009-06 Auditor's Estimate for Fire Levy Revenue**

Fiscal Officer Evans prepared a draft of this Resolution. (See attached draft Resolution to approved minutes). Trustee Kratzer explained that this Resolution will be sent to the Medina County Auditor's office to see how much a 1.5 mill fire levy would bring in if put on the ballot and passed by the voters for a total of 2.5 mil fire levy. If passed this money would not be received by the Township until 2010 for the operation of the Fire Dept.

**Chair Likley made a motion to approve Resolution 2009-06 as written. It was seconded by Trustee Kratzer. ROLL CALL-Likley-yes, Sims-yes, Kratzer-yes. Motion carried.**

**Township Open Records Mission Statement**

The Township's Open Records Statement was still being worked on and reviewed by the Pros. Office. Trustee Sims stated one of the revisions to the Open Records Policy made by Fiscal Officer Evans was "a public record could be requested personally between regular business hours Mon.-Thurs. 9-11 a.m. If the records are available they can be given out immediately or within a reasonable period of time." Trustee Sims asked, why the time period of 9-11 a.m.? Fiscal Officer Evans stated you would not want someone coming in at 2:00 p.m. when Kim Ferencz was leaving for the day as she has another commitment at the end of her day. There was discussion on expanding the time period for records to be reviewed. Trustee Sims asked about the wording, "If the records need to be researched or reviewed..." Trustees Kratzer and Likley both stated that Bill Thorne said it was not the responsibility of the Township to research records. This would be revised to delete the word "researched". The proposed revisions to the document on page 2 was

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the changing of the word “shall” to “will” and the reference to the 3 day time period was changed to “reasonable period of time.”

Regarding the Record’s Retention Schedule, Trustee Sims received Medina Township’s and Montville Township’s schedules. She added that Montville had a consultant come in and draft their policy and index all their records and felt it was a reasonable price at \$3,000.00. Trustee Sims stated she felt this would be helpful for residents to access Westfield Township’s public records.

### **Fire Report**

Chief Jack Snoddy reported the following activity:

January 2009-5 mutual aid fire calls, 1 mutual aid squad, 6 vehicle crashes and 15 regular squad calls. Also this month the Dept. did a CPR/AED training for the freshman at the high school as well as for the Township employees. If any other board members wanted to take the class it would have to be in the evening. A mountable case for the Township AED machine would be gotten so it could be hung in the Townhall.

Chief Snoddy stated there are 2 new recruits in fire school and 2 in medic school and they should be finished in two months. There would be 4 people going to the EMS Conference on Saturday.

Chief Snoddy also handed out the Trustees the year end report on runs. There were 421 activities total. There were only 28 mutual squad runs in 2008. Chair Likley asked if a new fire chief was hired in Lodi? Chief Snoddy stated no, not yet, but the interviews have supposedly been completed. He added on the sheet submitted it shows 234 runs made in the Township and 14 on the Interstate. There were 85 runs to the Village. That works out to 62% and 21% of the total runs. If you split the mutual aids and contract runs it will end up approximately 70% to the Township and 30% to the Village. Chair Likley stated the fire contract was on the agenda to be discussed this evening.

Regarding vehicles, Chief Snoddy stated all the injectors on squad #1672 were replaced but did not know the total cost at this time but would be around \$12,000. He continued that truck #164 was back in service and the brakes have been fixed. Chair Likley stated there has been almost \$30,000+ this year in repairs on squad #1672.

Chair Likley stated he spoke with Bill Thorne about the State bid process regarding the purchase of the fire truck on the Township’s end and was satisfied with the process. This was now being reviewed by Bill Hutson from the Village. Trustee Sims asked if anyone has contacted the vendor who complained about the bidding process? Chief Snoddy stated Bill Thorne was supposed to contact that individual and tell him the bid process was followed. Chief Snoddy stated the only thing he has heard is that there may be some issues on the contractual language but has not heard back from Bill Thorne.

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Chair Likley then asked, in the comparison for the State bid truck what was the saving with the vehicle the Dept. looked at as opposed to the State bid vehicle? Chief Snoddy stated the State bid vehicle was \$423,000 and we spent \$365,000. That was savings of approximately \$75,000.

### **Fire Committee Report**

Chair Likley stated the Fire Committee recommends to this Board and Village Council to come up with some development goals with Chief Snoddy. Chief Snoddy came up with a development plan that did not quite meet the expectations of Fire Committee. Heather

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Sturdevant had offered to combine the three development goal documents together to produce a final product. That document has been sent to Fire Committee and they are still adjusting the document. Chair Likley stated that probably on Monday a representative from the Township and one from the Village would meet with Chief Snoddy to go over the document. Heather Sturdevant stated she drafted a second revision to the document and e-mailed it out to the Fire Committee members this evening.

### **Zoning Inspector Report**

ZI Harris handed out a letter to the Trustees regarding the truck trailer Truck Stops of America (TA) was using as a sign. He added he spoke with TA and as of the other day there were going to move the trailer around to the back. ZI Harris stated TA then wanted to apply for a variance to put the banner on the side of the building. ZI Harris stated he discussed with TA putting the banner over the existing restaurant canopy. He added he also told them that they need to have the variance approved before the go ahead and place banners where they felt like it.

Chair Likley asked if ZI Harris told TA that the banner on the trailer was considerably larger than anything that would be permitted in the Township? ZI Harris stated he told them to just cover the size of the canopy even if that meant folding over the banner to accommodate the size of the canopy.

Chair Likley stated the Zoning Commission was working on signage and at their meeting it was recommended that once final signage language is adopted by the Township it should be given to those businesses in the area of Rt. 224 and Lake Rd. so they will know what signage regulations were now in effect.

Trustee Sims suggested ZI Harris do an inventory of the existing signs in that area after the hearing process so the Zoning Inspector would have a list of what signs are grandfathered, approved, etc. before the new language is adopted. Chair Likley interjected that most of the new language is fairly geared for temporary signage and did not believe it would affect any of the existing monument signs or pole signs. The signs on

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the fence and in the road right of way were an ongoing issue with sight distance for vehicular traffic and should be addressed with the proposed signage language.

ZI Harris stated he was in attendance at the show of cause hearing for Mr. Zuber. The Court showed some lenience to Mr. Zuber and gave him more time to clean up his property. Mr. Zuber had another deadline on January 27, 2009 and ZI Harris stated he went out and did an inspection and Mr. Zuber was in violation with quadrants A, B and C so he was working with Trina Devannney from the Pros. Office on that.

Chair Likley stated he was aware that Mr. Zuber wanted to build a barn to store some of these 'valuables'. ZI Harris stated that is what Mr. Zuber is planning and his attorney presented that to the Magistrate. ZI Harris stated Ms. Devanney has said this is a process and not to be surprised if nothing happens regarding potential fines or jail time for another 90 days.

ZI Harris stated he met with Willie Carrasco from Northcoast Soccer who brought in a proposed site plan for his LC and RR District property. He added he and Ass't Zoning Inspector Evans reviewed the plans and drafted a letter to Mr. Carrasco about items to be changed on the site plan. There was discussion as to whether this was a conditional use and if a site plan needed to be conducted. Chair Likley stated because the use in the RR was a conditional use a site plan review would need to be conducted by the BZA and the Zoning Commission would need to conduct the site plan review for the property in the LC District. ZI Harris stated per Ron Oiler he believed Northcoast Soccer's conditional was good through 2010 but they were asked to come back before the BZA at the end of this year for an annual review. Chair Likley stated the important issue was the site plan review for the soccer activity needed to be completed to look at parking, restroom facilities, landscaping etc. and anything else that would fall under the site plan review process. Both the BZA and Commission would need to complete site plan reviews. Trustee Sims asked that ZI Harris send Mr. Carrasco a reminder letter so whatever reviews need to be completed are done before the beginning of the spring soccer season.

ZI Harris stated he spoke with Bill Thorne about Mr. Carrasco's property in the LC District and he said some of that would be grandfathered but any changes made to the LC District needed to be brought up to code. ZI Harris stated Mr. Carrasco changed his entrance and some parking. The old site plan was not up to code and Mr. Carrasco is revising that site plan.

Trustee Kratzer stated he was concerned with the LC zoning District on Mr. Carrasco's property as soccer is permitted in the LC District. He added that he had a problem with asking Mr. Carrasco to come back with a new site plan as he did not believe any major changes have been made in parking as everyone parks around the outside just like they always did. To force him to come back for a site plan for the LC and charge him he did not feel was fair. Trustee Sims stated it would be up to ZI Harris to determine the actual

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status and what requirements if any are needed and then he would go before the BZA. Trustee Kratzer stated it would go before the Zoning Commission as the property is zoned LC and soccer is permitted in that District. Now that Mr. Carrasco has purchased RR property and got a conditional use to play on the field to that north, that would go before the BZA. Trustee Sims stated if Trustee Kratzer has concerns he should run them past Bill Thorne.

Chair Likley stated the BZA did not have a site plan at the time the conditional use was granted and they wanted a site plan for their next review. Trustee Kratzer again stated the BZA had nothing to do with the local commercial part of the property along Rt. 224. That site plan should have been completed by the Zoning Commission. By making Mr. Carrasco submit a new site plan, how is one going to know what is grandfathered and what is new? Chair Likley stated that is why a site plan for the entire project should be submitted so the Township would have a benchmark for the required parking, ingress and egress to the property, field location etc. Have one drawing that is accurate to that use. Chair Likley stated from what he knew, the site plan was never updated to reflect the expanded parking and during last year's zoning process it was stated that a site plan review would be completed at the end of this year to give the Township a benchmark to go by.

ZI Harris stated he understood Trustee Kratzer's concern in that the soccer facility already had their use approved years ago. They have not really changed their fields except the land the State took from them during the Highway expansion project. The State took away the access to the campground from Lake Rd.; and built the new access road to Mr. Carrasco's campground. However, the entrance no longer goes to the campground but goes to the soccer fields so there were now two entrances to the soccer fields. According to Bill Thorne, any change to or from the original site plan would need to be approved.

Trustee Sims stated that was the reason for the meeting that took place last summer with Mr. Carrasco, his partners and Bill Thorne so there would be no confusion as to what was to be expected, submitted, reviewed and approved. ZI Harris continued that Mr. Carrasco needed to get site plan approval from the Zoning Commission for the LC District. Whether the Township charges for that review or not was up to the Trustees. Technically if there are any changes Mr. Carrasco should pay another fee for a site plan review.

Trustee Sims stated the zoning fees were just to cover expenses. Zoning does not pay for itself and often the general fund has to supplement the costs for Zoning. In revising the zoning fee schedule in February was just to meet the costs of the members and Secretary.

**Chippewa Landing Resort Status**

ZI Harris stated he went to the meeting at Planning Services last night. They approved the Preliminary Plan for this project unanimously. A question was raised if they should



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present a site plan to Westfield Township at this time but it was determined it was not necessary. The overlay district is in Lafayette Twp. The parking comes onto Westfield Township. They are thinking about moving the proposed yacht club to Westfield Township and would then need to come before Westfield Township.

ZI Harris continued the main concerns of the Planning Commission were about the private roads and how they are going to deal with the existing people who live there. They are also proposing to build a bike trail and that would be on the final site plan. Planning commission also wants a traffic study done on Lake Rd. ZI Harris stated one change made to the original site plan is that there will be only 35 permanent homes.

Chair Likley asked if the developers of this project has purchased the Westfield Terrace property. ZI Harris stated no, they have not purchased the property at this time.

Trustee Sims stated on the preliminary site plan it stated "compensatory fill". ZI Harris stated that was a mistake it should have been labeled compensatory storage. Dirt from the project would be stored there and moved and used in other places on the project as needed. ZI Harris continued the developers stated whatever they do on the property would not add any water to Chippewa Lake as far as flooding and would not add flooding to the existing residents. They do not have all their permits as of yet but are obtaining approval.

ZI Harris stated the existing yacht club was a private club for those who have non-powered sailboats. The spot where the yacht club is now is where the developers want to put some cottages so it has to be moved. They have spoken to the County Park system about putting it on the west side of the Lake but the County felt it would be better suited on the east side in Westfield Township because the County owns a 60 ft. strip of land from Gloria Glens all through Westfield Township. This is not related to Chippewa Partners (the developers of Chippewa Resort). This is a private club established many, many years ago.

Chair Likley asked if there was building there for the yacht club? ZI Harris stated no it was a house on piers; not a permanent foundation. What will be done with the house has not been determined.

ZI Harris stated he had two lots splits to present to the Trustees but there were no mylars until the Township reviews them. He added that everything seems to be in order. Both lot splits are for Medina Sod Farm i.e. Ag Design. They wanted to create a 3 acre lot from a 70 acre parcel. On the east side there is 50-60 acres and they want to split their business off (HC District) from the main acreage. ZI Harris stated he believed the HC District followed the ditch line. Chair Likley stated when the zoning map was revised three or four years ago there was never a clear definition where the ditch line was supposed to be. The ditch line got moved back and the correction was made to the map.

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Chair Likley continued that the HC District does not exactly follow the ditch line across Lake Rd. There is a setback south of the ditch for part of the HC District. If you look to the west of Lake Rd. and that expansion of the HC for Speedco and Lube System that line comes across Lake Rd. but it is south of the ditch line. Chair Likley stated this correction was made on the zoning map.

ZI Harris continued that a variance application was received today for a barn to be built before a residence on vacant property. ZI Harris stated he did not sell any permits for the month of January but did attend the OTA Winter Conference for two zoning sessions i.e. Junk Vehicles and Line Fences. A new law has been passed on Junk Vehicles September 2008. The Township passed a Resolution based on the ORC Section 505.87 and the new section added is now referenced as ORC 505.871. According to the new code we can have a junk car removed within 14 days if the Trustees pass a Resolution and follow the guidelines. The Township can contract with a tow truck to go on the property move the vehicle and store it. If the property owner does not pay the fees they can be put on their tax duplicate.

There are three things that are required to make a Junk Vehicle a Junk Vehicle

1. 3 Model years or older;
2. apparently inoperable and;
3. or extensively damaged.

ZI Harris continued regarding the issue of collector vehicles, because Westfield Township requires a vehicle to be stored in a building, if that individual says it's a collectable then we could make them store it in a building or it can be removed. It does not matter if a vehicle is licensed or has a historical vehicle license it can be removed if it meets the three criteria previously mentioned in this new code section.

Chair Likley stated the Trustees would look at passing a new Junk Vehicle Resolution and forward it to legal counsel to make sure it is correct and enforceable with the new update to the ORC.

Moving on, Chair Likley stated he received a letter from the Medina County Health District Advisory Counsel which will be holding a meeting on March 19, 2009 at 5:30 p.m. Due to his work schedule Chair Likley could not attend but asked ZI Harris if he could attend in his place.

**Zoning District Map Update**

Trustee Sims stated once the zoning maps are completed we need to get them to Dan Wilhoute for a transparency of the floodplain overlay scaled to the new map.

Chair Likley stated he saw in the Grassroot Clippings newsletter CPIM training (investment training). He added that the article stated that per the ORC, those individuals

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who are in charge of investments whether it is Star Ohio or CD's must attend this 6-hr. course annually. Fiscal Officer Evans stated she went to a session on this down at OTA and those who invest in Star Ohio and CD's you do not have to attend this training. You will get an exemption and need to file it with the State Treasurer. Fiscal Officer Evans stated she has done so for the last 20 yrs.

### **Comp Plan Update**

Trustee Sims stated the orientation meeting took place on January 22, 2009. The consultant, Mr. Majewski from Northstar gave a presentation on the basics of a Comp Plan and the role of a Steering committee and passed out the schedule he would try to amembers and they appeared to be a diverse group representing the entire Township. Two high schools students would also sit on the Comp Plan per the recommendation of Planning Services.

Trustee Sims continued that the next two meetings were scheduled for February 12, 2009 and February 26, 2009 and would be for data collecting. The Comp Plan Meetings will be held at 7:00 p.m. The March 12, 2009 meeting would be to discuss goals and objectives. March 26, 2009 meeting was tentatively scheduled for public participation as the Steering Committee moved farther along in the process. The Comp Plan meetings are and will be advertised as Public Meetings on Page 2 of the Gazette under public meeting notices. Trustee Sims stated she would mark the Townhall calendar accordingly with these meeting dates.

It was discussed that such a large number on the Steering Committee could be cumbersome but Chair Likley stated the members represented a cross section of the Township and if members could not make a meeting there would still be a large enough group remaining to press forward with the process. Chair Likley stated that Mr. Majewski has stated that he would like to have the majority of the data collection and work completed before the warm weather hits.

Trustee Sims stated earlier this week (February 2, 2009) the Trustees held interviews for the vacancies on the Board of Zoning Appeals. Keith Simmerer was appointed to the term 2012 and replaces Jack Poe as a permanent member of the BZA. Kathleen LeMar was named 1<sup>st</sup> alternate to the BZA and Dwayne Kramer second alternate to the BZA. Two alternates were named due to the potential of member (s) having to recuse themselves due to the activity that will be before the Board from the Cloverleaf School District.

Trustee Sims continued that she was going to schedule an employee orientation to get these individuals their zoning books and employment materials. Packets have been put together by Fiscal Officer Evans and Administrative Assistant Kim Ferencz.

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**ROAD DEPT**

Chair Likley stated at the last meeting Trustee Kratzer brought up the potential easements that may be needed regarding the Issue 1 Money for Buffham Rd. Mr. Evans stated he talked with Fred Boreman the other day about the mailbox aprons but needed to meet with him about the easements. Mr. Evans stated he has been very busy snowplowing and salting due to the inclement weather.

Mr. Evans stated he also attended the OTA Winter conference and the Federal Government was cutting \$460 billion dollars loose for grants. He added he had a packet on this information. Mr. Evans stated if the Township wanted to add on a fire station to the Townhall complex if we had a design and drawings made up there was a company in Canton that would write the grant for the Township but he did not know what cost would be. There were grants available for buildings, equipments and roads but it was important to have someone who had the time and resources available to complete grant writing. Mr. Evans suggested this company possibly come up and speak to the Trustees.

Mr. Evans stated he also went to the class on Roads down at OTA which was not very informative. He added he already knew that the Township's roads signs had to be upgraded to high visibility road signs by the year 2012. He stated he saw the need for those type of signs when he was replacing Township road signs a few years ago so he started to replace some of the signs with the high visibility signs. Once the sign inventory is completed the Township would know what signs would need to be replaced.

**MISC.**

Chair Likley stated regarding the small dump truck he said previously that he was going to pursue Ford about the module that kept going bad. Per Ford there was no bulletins or recalls on the module so unfortunately the Township may be looking at another \$6000.00 for another annual truck repair or possibly have to purchase a new truck. Mr. Evans stated that Chief Snoddy had the same motor in the squad so this may become a real issue.

**Hold Harmless Clause**

Trustee Kratzer stated he was still waiting on information from Bill Thorne using the language of the Township and the language received from OTARMA. Trustee Kratzer stated regarding insurance as it related to the Townhall rental or the park; the more complicated the less people would rent those facilities. Chair Likley agreed and stated our current insurance as it exists will cover the townhall rental.

**Cell Tower Easement**

Trustee Kratzer stated the cell tower was put on hold as Verizon just bought out Altel. Trustee Kratzer stated Mr. Mercuri from Verizon, Mr. Evans, and himself met yesterday. Verizon is going to move the easement for the driveway all the way to the east; along easement for the gas line. This would be on paper as Verizon was still going to use the driveway. If the Township ever expands and we build a new driveway he would use that

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driveway. Mr. Mercuri is also going to put together a list of easements that were on this property. This property used to consist of 80-90 acres and was owned by the Woosman Family. Those easements could be anywhere on these 90 acres; but it is listed on the Township parcel because it was part of the original farm. If any of those easements prove not to be on the property then they would have to be taken off the parcel

Trustee Sims commented, wasn't there a title search done when the Township property was split off of the 80-90 acres? Mr. Evans stated Ms. Woosman still holds all the mineral rights on the property which were tied to oil and gas therefore the whole 90 acres is showing the easements because the mineral rights are in her name.

Trustee Kratzer stated the Township should hear back from Mr. Mercuri in a couple of weeks about the easements. Chair Likley stated he spoke with Mr. Karris regarding the cell tower lease language. A final draft on the language has not been received from Verizon to date. Once this is all in place a variance would need to be sought and granted by the BZA for the height of the tower. Mr. Evans and Kratzer confirmed that the neighbors have been informed as to the intentions of Verizon to build a tower on the Township property site.

**Website Status**

Trustee Kratzer stated he spoke with Mr. Krolikowski and he was working on the website and hopefully the website would be functioning accordingly. Chair Likley stated there was an error in his e-mail address and the information sent to the info link was actually sent to another Jim Likley. Chair Likley stated he felt the situation has since been rectified.

**MISC.**

There was an e-mail complaint about a resident on Mudlake Rd. who was pushing snow into the road. Trustee Sims refuted that even though it was her address in the e-mail that did not happen and she had the pictures to prove it.

Mr. Evans stated he and his snow crew did see snowplow drivers pushing snow into the road. He added we stopped and spoke to them telling them they could not leave the snow in the road and took their license numbers. Some of the snowplow drivers know but some did not and needed to be told that it was not permitted.

Chair Likley wanted it stated for the record that the Township is not in the business of replacing mailboxes; but if the Township hits a mailbox with a plow it will be replaced. Mr. Evans stated there was a company down at OTA that had a presentation about websites and uploading and updating documents to the website. The cost was approximately \$3,000.00 and this could be done in house by the Township.

**IRS CLAIM TO OTARMA AND THE BOND CLAIM TO WESTFIELD INSURANCE**

Chair Likley stated he spoke with Bill Thorne and Tom Karris from the Pros. Office. about the IRS claim to OTARMA and bond claim to Westfield Insurance. Mr. Thorne felt Westfield Insurance was the local coverage for OTARMA. Mr. Karris is going to pursue communicating to Westfield Insurance regarding the bond. Chair Likley stated not necessarily calling it in but bringing it to their attention that was a possibility. OTARMA has tentatively through verbal communication, denied (but we do not have anything writing) the Township's claim for interests and penalties regarding the IRS.

**Seville Annexation**

Trustee Likley stated he spoke with Mr. Karris who is now legal counsel for the Township regarding any questions regarding the Seville Annexation. The Township has gone from Bill Thorne, to Trina Devanney, to Tom Karris in representation from the Pros. Office. Chair Likley stated each one of those individuals seems to have a little bit of different information.

Trustee Sims stated from what she has heard is that the annexation to Seville was presented after a finance meeting. The vote was 3 no's, 3 yes, and the Mayor voted yes so it appears Seville wants to annex the 77 acres. Westfield Township has asked the Pros. Office for legal representation. She added she sent information regarding the annexation to Mr. Karris and his initial comment was the annexation process seems to be complete; however today the Township received a revision to the process from attorney Stan Scheetz so this would need to be forwarded to Mr. Karris as well.

Trustee Sims stated on a related note she received a public records request from Trustee Kratzer of the letter I sent to the Pros. Office regarding dual representation. Trustee Sims asked Trustee Kratzer if he wanted the letter as a Trustee or for his own personal use? Trustee Kratzer asked why it mattered? Trustee Sims stated because it was attorney/client privileged information. If Trustee Kratzer was requesting the information for his role as a Trustee then he was entitled to the information. Trustee Kratzer stated that document was discussed and presented at a public meeting. Again Trustee Kratzer asked as he did previously if that letter was sent as Carolyn Sims Trustees or Carolyn Sims resident? The response from you (Trustee Sims) was it depends what kind of response I get from the Pros. Office. Trustee Sims stated she did not recall that dialogue. She stated regarding the letter she wrote contesting the dual representation of Bill Thorne representing Westfield township on the Kratzer applications and related issues; and now representing the County Commissioners in the annexation process.

Trustee Kratzer stated he was requesting the information as a resident. Trustee Sims stated the Pros. Office would need to be contacted if the letter was attorney/client communication or not. Trustee Kratzer stated he could wait.

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**Meeting Minutes**

Chair Likley stated 10 sets of minutes have been approved and needed to be signed. There were 6 more sets of outstanding minutes.

**Announcements:**

Zoning Commission-February 10, 2009 at 7:30 p.m.

Comp Plan Steering Committee Meeting-February 12, 2009 at 7:00 p.m.

Regular Trustees Meeting-February 20, 2009 at 7:00 p.m.

**Trustee Kratzer made a motion to enter into Executive Session for contract purposes with the Village of Westfield Center. Trustee Sims second but added she was very ill.**

**ROLL CALL-Kratzer-yes, Sims-yes, Likley-yes. Motion carried.**

**Trustee Kratzer made a motion to come out of Executive Session at 9:34 p.m. It was seconded by Trustee Sims.**

**ROLL CALL-Kratzer-yes, Sims-yes, Likley-yes. Motion carried.**

Chair Likley stated no decision was made regarding contract purposes.

Trustee Sims stated regarding the laptop, there was a gentleman on the square that would take a snapshot of the laptop; i.e. all the information on the computer such as e-mails, letter, documents, etc. The cost would be a couple hundred bucks. That way she could wipe the machine clean and the software reinstalled with no loss of information. The gentleman said he could complete this in a few hours. Chair Likley asked if there was a quote price? Trustee Sims stated they don't do that. The company is Vestige on the square. If it's a component problem there was another gentleman that works with this company that could fix that problem if that was the issue.

Trustee Kratzer stated if Kim Ferencz still lived in Medina she could take the computer to the company on the square. Trustee Sims stated she would get the company's address and let Kim know. Trustee Kratzer asked if the computer was going to be sent out are we (Trustees) going to set a cap on how much will be spent? Trustee Sims stated the cost was a couple hundred dollars-\$350, \$450, \$550 she did not know.

**Trustee Sims made a motion to send the laptop out for service/information preservation at a cost not to exceed \$550.00. It was seconded by Trustee Kratzer.**

**ROLL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.**

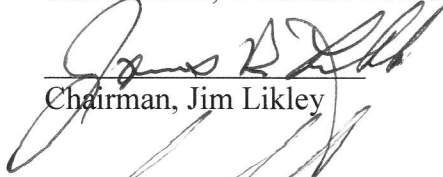
**Trustee Kratzer made a motion to adjourn. It was seconded by Trustee Sims.**

**ROLL CALL-Kratzer-yes, Sims-yes, Likley. Motion carried.** The meeting was adjourned at 10:17 p.m.

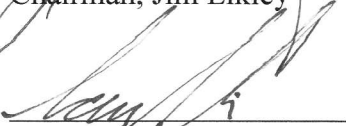
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Respectfully Submitted,

Kim Ferencz, Westfield Township Administrative Ass't.



Chairman, Jim Likley



Trustee Carolyn Sims



Trustee Tim Kratzer