

**JACKSON TOWNSHIP BOARD OF TRUSTEES  
REGULAR BUSINESS MEETING MINUTES OCTOBER 12, 2015**

MRS. JOHNSON ASKED EVERYONE TO STAND AND SAY THE PLEDGE OF ALLEGIANCE. THE MEETING WAS CALLED TO ORDER BY TOWNSHIP PRESIDENT, DEBRA JOHNSON AT 6:00 P.M. ROLL CALL WAS TAKEN. TRUSTEES: MRS. JOHNSON, MR. DEVILBISS AND MR. GILLMAN WERE PRESENT.

**VISITORS PRESENT:** DYLAN HADLEY, PATTIE SMITH, JIMMY PETERS, BOB & JUNE PUTERBAUGH, ELI WINKLER, LARRY CLAPP, GREG DONSON, GARY LEPLA, MARK KEENER, TOM WINNING, & TOM WALLACE

**VISITOR COMMENTS:** DYLAN HADLEY, A SENIOR AT VALLEY VIEW H.S., AND MEMBER OF BOY SCOUT TROOP 29, PRESENTED THE TRUSTEES WITH A PROPOSAL FOR HIS EAGLE SCOUT PROJECT. DYLAN'S IDEA IS TO PLACE MILE MARKERS EVERY QUARTER OF A MILE FROM THE DEPOT IN FARMERSVILLE TO THE PARK AND AROUND THE TRACK ENDING AT THE COMMUNITY CENTER. THESE MILE MARKERS WILL INFORM RUNNERS, BIKERS, WALKERS AND OTHERS HOW FAR THEY HAVE GONE ON THE RED TRACK. DYLAN STATED HE WOULD ALSO LIKE TO REPAINT THE WHITE LINES WITHIN THE MAIN AND SIDE PARKING LOTS OF THE PARK. MRS. JOHNSON ASKED DYLAN WHEN HE PLANS ON DOING THIS PROJECT. DYLAN REPLIED BY SAYING AS SOON AS THIS PROJECT IS APPROVED BY THE BOARDS. HE WILL THEN HAVE TO PRESENT IT TO THE BOARD OF BOY SCOUTS. DYLAN STATED HE NEEDS TO COMPLETE THIS PROJECT BEFORE HE TURNS 18 IN DECEMBER. MRS. SCHADE ASKED WHAT TYPE OF POSTS HE WILL BE USING. DYLAN STATED THE PARK BOARD SUGGESTED HE SHOULD USE RECYCLED PLASTIC POSTS. MRS. SCHADE TOLD DYLAN SHE IS WORKING ON A RECYCLE GRANT FOR THE PARK WHICH IS DUE BY THE END OF THE MONTH. MRS. SCHADE ASKED DYLAN IF THE MONEY TO PURCHASE THIS PROJECT COULD BE FUNDED BY A GRANT. DYLAN STATED THE MONEY CAN COME FROM ANYWHERE, BUT HE CANNOT PAY FOR ANY OF IT HIMSELF. MRS. SCHADE TOLD DYLAN SHE WOULD TRY AND PURCHASE THESE POSTS THROUGH THE RECYCLED GRANT. MR. GILLMAN ASKED HOW MANY POSTS HE WILL BE USING. DYLAN STATED HE WILL BE USING APPROXIMATELY 7. THE TRUSTEES TOLD DYLAN HIS PROJECT WAS A GREAT IDEA AND THANKED HIM FOR COMING. (DYLAN'S EAGLE PROJECT PROPOSAL IS ON FILE). MRS. PATTIE SMITH ASKED IF THE ROAD ASSISTANT'S JOB IS STILL OPEN. MRS. JOHNSON STATED THEY WILL BE DISCUSSING A DATE TO CLOSE APPLICATIONS. MR. BURNETT STATED THEY ARE STILL TAKING RESUMES. MRS. SMITH ASKED WHO HANDLES THE INTERVIEWS. MRS. JOHNSON STATED THAT HAS TO BE DISCUSSED ALSO. MRS. JOHNSON STATED SHE HAD TOLD MR. BURNETT AT LAST MONTH'S MEETING SHE WOULD BE WILLING TO SIT IN ON ANY INTERVIEWS; IT WOULD THEN BE A TEAM DECISION. MRS. SMITH WANTED TO DISCUSS THE 20 ACRES OF FIELD BESIDE HER ON HAVERMALE. 10 ACRES, WHICH IS IN A CRP PROGRAM, HAS NOT BEEN MOWED FOR 2 YEARS AND IS INFILTRATED WITH SWITCH GRASS. MRS. SMITH FEELS THIS IS A POTENTIAL FIRE HAZARD. MRS. SMITH ASKED MR. BURNETT IF HE COULD EXTEND THE MOWER ARM AND MOW BEYOND THE DITCH LINE FROM FULS ROAD TO HER DRIVEWAY ON HAVERMALE ROAD. MR. BURNETT SAID HE COULD ONLY MOW IT BACK TO THE RIGHT OF WAY. HE WILL BE MOWING THIS WEEK. MR. GILLMAN STATED HE IS FAMILIAR WITH THE CP33 AREAS. IT IS NOT TO BE MOWED; YOU CAN MOW IT SOME, BUT IT DOES NOT HAVE TO BE DONE. MR. GILLMAN STATED THE FIVE RIVERS METRO PARK BURNS THEIR PRAIRIE GRASS EVERY SEVERAL YEARS. MRS. SMITH UNDERSTANDS THIS, BUT IS STILL CONCERNED ABOUT THIS GRASS BEING A POTENTIAL FIRE HAZARD. MR. GILLMAN STATED THIS IS A 10 YEAR PROGRAM. DISCUSSION FOLLOWED. MRS. JOHNSON ASKED IF MR. GILLMAN COULD OBTAIN REGULATIONS REGARDING THIS PROGRAM MR. GILLMAN STATE HE COULD DO THAT. NO FURTHER VISITOR COMMENTS.

MINUTES CONT'D

**REVIEW/APPROVAL OF MINUTES- TRUSTEES REGULAR BUSINESS MEETING FOR SEPTEMBER 14, 2015:**

MRS. JOHNSON ASKED FOR THE REVIEW AND APPROVAL OF MINUTES FROM THE TRUSTEES REGULAR BUSINESS MEETING HELD ON SEPTEMBER 14, 2015. MR. GILLMAN MADE THE MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 14, 2015. MR. DEVILBISS SECONDED THE MOTION. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED.

**ELECTRONIC PAYMENTS & WARRANTS:**

MRS. JOHNSON ASKED FOR THE REVIEW AND APPROVAL OF THE ELECTRONIC PAYMENTS & WARRANTS TOTALLING **\$116,606.61** (SEE ATTACHED PAYMENT REGISTER) MR DEVILBISS MADE A MOTION TO APPROVE THE ELECTRONIC PAYMENTS & WARRANTS TOTALLING **\$116,606.61**. MR. GILLMAN SECONDED THE MOTION. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN - YES MOTION PASSED.

**FIRE:** CHIEF WALLACE REMINDED THE TRUSTEES THE SOUTH FIRE CONTRACT IS UP AT THE END OF THE YEAR. CHIEF WALLACE ASKED IF ANYONE HAD QUESTIONS FOR HIM TO WHICH THE TRUSTEES REPLIED BY SAYING NO. CHIEF WALLACE HAD NO FURTHER BUSINESS.

**POLICE:** CHIEF SCHADE WAS OUT OF TOWN AND COULD NOT MAKE THE MEETING, BUT PROVIDED THE FOLLOWING REPORT: THE 2007 CHEVROLET IMPALA CRUISER (VIN 2G1WS551769413107) WAS SOLD TO MERCY HOSPITAL IN YOUNGSTOWN FOR \$2,500.00. THE 2008 IMPALA IS ON GOVDEALS.COM AND AT LAST CHECK, WAS AT \$1,525.00; CHIEF SCHADE SPOKE WITH BRIAN HUMPRESS, DIRECTOR OF THE MIAMI VALLEY COMMUNICATIONS COUNCIL, ABOUT MEMBERSHIP IN THE COUNCIL. HE SAID BEING A MEMBER WOULD GIVE THE TOWNSHIP A VOICE IN FUTURE RADIO NEEDS AND FEE STRUCTURES. IT WILL COST THE TOWNSHIP NOTHING AND WE CAN WITHDRAW FROM THE COUNCIL AT ANYTIME. CHIEF SCHADE SUGGESTS A RESOLUTION BE ADOPTED AND WE JOIN THE COUNCIL; ALL THE NEW PORTABLE RADIOS WERE RECEIVED AND ARE BEING PROGRAMMED. WE HAVE TWO CRUISERS THAT NEED TO BE UPGRADED. ONCE THAT IS DONE WE WILL BE READY TO TRANSITION TO THE NEW RADIO SYSTEM; THERE WERE THREE DRUG OVERDOSES IN THE TOWNSHIP BETWEEN SEPTEMBER 24<sup>TH</sup> AND OCTOBER 1<sup>ST</sup>. LAB RESULTS ON ONE CASE SHOW FENTANYL AND HEROIN. HEROIN IS EXPECTED IN THE OTHER TWO CASES AS WELL. ALL VICTIMS SURVIVED. MR. DEVILBISS ASKED IF THERE NEEDS TO BE A MOTION TO MOVE THE CRUISERS TO SURPLUS. DISCUSSION FOLLOWED. MR. DEVILBISS THEN MADE A MOTION TO MOVE THE 2007 CHEVY IMPALA CRUISER TO SURPLUS. MRS. JOHNSON SECONDED THE MOTION. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED. MR. DEVILBISS MADE A MOTION TO ALSO MOVE THE 2008 CHEVY IMPALA TO SURPLUS, SECONDED BY MRS. JOHNSON. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED. MR. DEVILBISS STATED HE WILL REMIND CHIEF SCHADE ABOUT THE HOMECOMING PARADE THIS FRIDAY. MR. DEVILBISS WOULD LIKE TO SEE A JACKSON TWP. CRUISER IN THE PARADE. MRS. WINKLER ASKED FOR A VOTE ON **RESOLUTION 2015-20** (REGIONAL RADIO COUNCIL MEMBERSHIP) MRS. JOHNSON MADE A MOTION TO JOIN THE MIAMI VALLEY COMMUNICATIONS COUNCIL, WHICH IS FREE, WITH THE ABILITY TO WITHDRAW AT ANY TIME, WITH CHIEF SCHADE BEING OUR REPRESENTATIVE. MR. GILLMAN SECONDED THE MOTION. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED. NO FURTHER POLICE BUSINESS.

MINUTES CONT'D

**ROAD:** A CHECK WAS RECEIVED FROM THE OHIO ATTORNEY GENERAL'S OFFICE IN THE AMOUNT OF \$1,091.23 AS A "DISTRIBUTION OF SETTLEMENT FUNDS FROM THE ROCK SALT LITIGATION". MR. BURNETT STATED HE IS KEEPING UP ON THE MOWING. HE HAS PULLED DIRT UP ON THE EDGES OF LOWER GRATIS ROAD TO KEEP TRUCKS FROM RUNNING OFF THE ROAD. HE WILL CONTINUE MONITORING THIS ROAD. MR. BURNETT ALSO FILLED IN THE BIGGER HOLES ON FORT ANTHONY. MR. BURNETT PLANS ON MOWING THIS WEEK AND NEXT. MR. BURNETT GAVE AN UPDATE ON THE HAVERMALE PHASE I PROJECT. MINDY FROM KRAMER AND ASSOC. TOLD HIM THERE WILL BE A MEETING ON OCT. 21<sup>ST</sup> TO PREScore ALL PROJECTS. SHE WILL KNOW MORE AFTER THIS MEETING, BUT PROBABLY WILL NOT GET THE SCORING UNTIL THE MIDDLE OF NOVEMBER. MRS. JOHNSON ASKED IF THIS WOULD BE A PROJECT FOR NEXT YEAR, TO WHICH MR. BURNETT SAID YES. MINDY SAID THERE IS MORE MONEY IN THE PROGRAM WHICH MAY MAKE A BIG DIFFERENCE ON SMALLER PROJECTS BEING FUNDED. MR. DEVILBISS ASKED IF PHASE I IS FROM JOHNSVILLE RD. TO FULS RD. TO WHICH MR. BURNETT SAID YES. MR. BURNETT STATED HE WILL BE LOOKING INTO THE PURCHASE OF A NEW PORTABLE SALT SPREADER. HE HOPES TO HAVE A QUOTE BEFORE THE NEXT TRUSTEES' MEETING. DISCUSSION FOLLOWED. MRS. JOHNSON ASKED IF FRIDAY WOULD BE A GOOD DEADLINE FOR RESUMES. SIX RESUMES HAVE COME IN AND STEVE HAS BEEN WORKING ON QUESTIONS FOR THE INTERVIEWS. ALL AGREED ON FRIDAY BEING THE DEADLINE. MRS. JOHNSON WILL GET WITH STEVE AND SCHEDULE THE INTERVIEWS. MR. GILLMAN ASKED ATTORNEY GARY LEPLA FOR HIS OPINION ON WHETHER OR NOT MORE THAN ONE TRUSTEE CAN SIT IN ON AN INTERVIEW. MR. LEPLA STATED IN HIS OPINION, AS LONG AS THE TRUSTEES DID NOT MAKE ANY DECISIONS OR CONDUCT BUSINESS DURING THE INTERVIEWS THAT WOULD BE FINE. MR. DEVILBISS STATED CLAYTON RD., SOUTH OF CHICKEN BRISTLE, HAS BEEN CLOSED FOR A WHILE – LOOKS LIKE THEY RE-DID A CULVERT BY PUTTING A SUB LAYER ON. MR. BURNETT SAID HE SPOKE TO THEM A WEEK AGO AND THEY SAID IT SHOULD BE COMPLETED IN 2 WEEKS. MRS. JOHNSON COMMENTED TO MR. BURNETT THAT FORT ANTHONY RD. LOOKS IN PRETTY GOOD SHAPE. MR. BURNETT HAD NO FURTHER BUSINESS.

**PARK:**

**REFUSE:** NOT PRESENT

**ZONING:** NOT PRESENT

**TECHINAL WRITER:** MRS. SCHADE SHOWED A "MOCK UP" OF WHAT THE NEW WEBSITE WOULD LOOK LIKE. SHE AND MR. DOWDEN HAVE TRIED TO MAKE IT MORE USER FRIENDLY. MRS. SCHADE NEEDS TO KNOW IF THE TRUSTEES ARE WANTING TO MOVE FORWARD – WHAT DO THE TRUSTEES WANT ON THEIR WEBSITE. THE INFORMATION WILL BE ONGOING AND COULD INCLUDE LINKS. MRS. SCHADE WOULD LIKE TO KNOW WHERE THE TRUSTEES ARE REGARDING THE TECHNOLOGY POLICY. MRS. JOHNSON ASKED THE OTHER TRUSTEES WHERE THEY STAND ON THIS. THE POLICY HAS BEEN LYING ON THE DESK FOR THEIR REVIEW; IF THEY WOULD LIKE TO MAKE CHANGES OR NOT. MR. DEVILBISS STATED HE FEELS THERE DEFINITELY SHOULD BE SOME TYPE OF CONTROL. MRS. SCHADE DISCUSSED DIFFERENT WAYS TO CONTROL – WHO WILL BE GIVING AND RECEIVING THE INFORMATION. DISCUSSION FOLLOWED REGARDING SOCIAL MEDIA; EX. USING FACEBOOK TO DIRECT PEOPLE TO OUR WEBSITE TO FIND INFORMATION. MR. GILLMAN ASKED MRS. SCHADE IF SHE HAS LOOKED AT OTHER TOWNSHIPS' OR TOWNS' WEBSITES SIMILAR TO THIS. MRS. SCHADE REPLIED BY STATING HER EXPERIENCE IS FROM CENTERVILLE'S WEBSITE DUE TO THAT IS WHERE SHE WORKS. DISCUSSION FOLLOWED REGARDING DIFFERENT WEBSITES.

MINUTES CONT'D

MRS. JOHNSON STATED THERE SHOULD BE GUIDELINES. MRS. SCHADE SAID IT COMES DOWN TO WHAT THE TRUSTEES WANT TO DO. MRS. JOHNSON ASKED THE OTHER TRUSTEES IF THIS IS THE DIRECTION THEY WANT TO GO. MR. DEVILBISS AND MR. GILLMAN SAID YES. MRS. SCHADE STATED ONCE THEY DECIDE ON A TECHNOLOGY POLICY, SHE COULD SET UP A FACEBOOK PAGE INTRODUCING PEOPLE TO THE NEW WEBSITE - IF THIS IS SOMETHING THE TRUSTEES WOULD LIKE FOR HER TO DO. MRS. SCHADE STATED THE FARMERSVILLE AQUATIC CENTER HAS THEIR OWN FACEBOOK PAGE. SHE FEELS IT WOULD BE NICE TO HAVE THEM MERGE WITH THE TOWNSHIP IN ORDER TO HAVE ONE PLACE THAT PEOPLE COULD GET INFORMATION, BUT THAT WOULD BE UP TO THE TRUSTEES. MRS. SCHADE STATED SHE HAS BEEN TRYING TO GET WITH JASON MICHAEL REGARDING THE RECYCLE GRANT, BUT HE HAS BEEN VERY BUSY. SHE WILL TALK WITH HIM ABOUT DYLAN'S PROJECT REGARDING THE MILE MARKERS. THE GRANT APPLICATION IS DUE AT THE END OF THE MONTH. MRS. SCHADE STATED SHE HAS REVIEWED ALL THE PACKETS REGARDING THE OHIO TRAILS RECREATION SHARE PROGRAM. MRS. SCHADE STATED SHE DIDN'T KNOW WHICH GRANT WE WOULD BEST QUALIFY FOR, BUT WE ARE ELIGIBLE TO APPLY FOR BOTH GRANTS. IT'S THE SAME PACKAGE. THERE IS A \$150,000.00 CAP ON ONE OF THE GRANTS. MRS. SCHADE STATED THERE WILL BE EXPENSES FOR THE DESIGN AND ENGINEERING OF THE TRAIL TO BE CONSIDERED. TIME IS OF THE ESSENCE TO GET THIS GOING BY DEC. 31<sup>ST</sup>. REGARDING RECYCLING, MR. DEVILBISS MENTIONED THE PARK BOARD WOULD STILL LIKE SOME TYPE OF COVERAGE OVER THE CONCESSION STAND. MRS. SCHADE SAID SHE NEEDS TO KNOW WHAT THEY WANT, WHAT COMPANY IS GOING TO DO IT, ETC. MR. DEVILBISS STATED THEY ARE STILL WANTING NEW PICNIC TABLES. MR. BURNETT STATED THEY ARE GOING TO WAIT UNTIL SPRING TO REPLACE THEM. MRS. SCHADE STATED SHE HAS MOST OF THE GRANT WRITTEN AS FAR AS THE BACKGROUND INFORMATION - IT IS FOR THE PARK, WHY WE NEED IT AND JUSTIFICATION. SHE NEEDS TO KNOW EXACTLY WHAT THE PARK BOARD WANTS. MRS. SCHADE AND MRS. WINKLER WILL CONTINUE TO WORK ON THE AD FOR THE GENERAL FUND OPERATIONAL LEVY FOR THE ADVERTISE. DISCUSSION FOLLOWED REGARDING THE LEVY MILLAGE. MRS. SCHADE HAD NO FURTHER BUSINESS. THE TRUSTEES THANKED MRS. SCHADE FOR ALL HER WORK.

**FISCAL OFFICER:** DIANA WINKLER PRESENTED THE TRUSTEES WITH THE UPDATED UAN FINANCIAL REPORTS FOR REVIEW AND **RESOLUTIONS 2015-21** (AUDITOR CERTIFICATION FOR POLICE RENEWAL LEVY) **RESOLUTION 2015-22** (DECLARING IT NECESSARY TO LEVY-POLICE RENEWAL LEVY) & **RESOLUTION 2015-23** (WATER BOARD 40% DEBT ASSUMPTION) MR. GILLMAN MADE A MOTION TO APPROVE **RESOLUTION 2015-21**, SECONDED BY MR. DEVILBISS. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED. MR. DEVILBISS MADE A MOTION TO APPROVE **RESOLUTION 2015-22**, SECONDED BY MR. GILLMAN. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED. MRS. WINKLER INFORMED THE TRUSTEES THE ANTHEM HEALTH INSURANCE HAS GONE UP 5.2%. THIS YEAR'S PREMIUM WILL BE \$2,504.10. DECEMBER IS THE RENEWAL DATE. MRS. WINKLER HAD NO FURTHER BUSINESS. MRS. WINKLER ASKED IF THE TRUSTEES WANTED TO DISCUSS AND VOTE ON **RESOLUTION 2015-23**. MRS. JOHNSON STATED SHE RECEIVED ACALL FROM GREG DONSON LAST THURSDAY STATING A RESOLUTION WAS PASSED BY THE 3 MEMBERS OF THE WATER BOARD THAT WERE PRESENT AT THE MEETING, STATING IN ORDER TO MOVE FORWARD TO DISSOLVE THE DISTRICT, JACKSON AND GERMAN TOWNSHIPS WOULD ACCEPT FINANCIAL RESPONSIBILITY FOR THE OUTSTANDING DEBT NOT TO EXCEED \$310,000.00. MRS. JOHNSON STATED MRS. WINKLER SHOWED HER AN EMAIL SHE RECEIVED FROM GERMAN TOWNSHIP'S FISCAL OFFICER, MARK KEENER, REGARDING CORRESPONDENCE BETWEEN ATTORNEY MARK HENRY AND MARK KEENER.

MINUTES CONT'D

IN MR. KEENER'S EMAIL, THERE WAS AN ATTACHMENT OF A RESOLUTION FOR THE JACKSON TOWNSHIP TRUSTEES TO VOTE ON, AGREEING TO ACCEPT 40% OF THE DEBT RESPONSIBILITY WITH GERMAN TWP. ACCEPTING 60% OF THE DEBT RESPONSIBILITY. MRS. JOHNSON STATED SHE BELIEVES THIS PERCENTAGE WAS BASED ON A 3-2 BOARD MEMBERSHIP. MRS. JOHNSON STATED AT THIS POINT THE PROSECUTOR'S OFFICE CAN ADVISE JACKSON AND GERMAN TOWNSHIPS IN REGARDS TO FINANCIAL MATTERS. PREVIOUSLY, THE WATER BOARD WAS A SEPARATE ENTITY SO THE PROSECUTOR COULD NOT ADVISE THE WATER BOARD. MRS. WINKLER'S EMAIL STATED A COPY OF THE RESOLUTION WAS SENT TO THE PROSECUTOR'S OFFICE AROUND OR AFTER 5:00 FRIDAY EVENING. MRS. JOHNSON STATED SHE CALLED THE PROSECUTOR'S OFFICE THIS MORNING BECAUSE SHE HAD SOME QUESTIONS. TODAY IS A HOLIDAY SO THEY WERE NOT IN, BUT SHE WANTS TO WAIT UNTIL SHE SPEAKS TO LEGAL COUNCIL BEFORE VOTING. MRS. JOHNSON FEELS THE TOWNSHIP NEEDS LEGAL INPUT BEFORE MAKING A DECISION. MRS. JOHNSON ASKED FOR MR. GILLMAN'S TAKE ON THIS ISSUE. MR. GILLMAN STATED ABOUT 3 WEEKS AGO HE CALLED THE PROSECUTOR'S OFFICE AND SPOKE WITH JONATHAN KETTER TO SET UP A MEETING WITH MR. WINNING, ALONG WITH SOME OTHER PEOPLE AND HIMSELF. MR. KETTER HAS NEVER RETURNED CALLS OR EMAILS. MRS. JOHNSON ASKED IF MR. KETTER WAS IN COURT OR ON VACATION. MR. GILLMAN SAID MR. KETTER SAID HE WOULD BE AT THE MEETING, BUT NEVER SHOWED UP. MR. GILLMAN COMPARED THIS DEBT ISSUE TO A CO-SIGNER OF A CAR. IF THE OWNER DOES NOT MAKE PAYMENTS, IT DEFAULTS TO THE CO-SIGNER. MR. GILLMAN FEELS JACKSON AND GERMAN TOWNSHIPS SET UP THIS DISTRICT, SO BASICALLY THEY ARE BOTH RESPONSIBLE. MR. GILLMAN STATED THE DEBT IS GROWING. THE BANK HAS MADE CONCESSIONS. THIS IS NOT A GOOD DEAL, BUT IT IS THE BEST DEAL. DISCUSSION FOLLOWED REGARDING THE DEBT RISING AND POSSIBLE LITIGATION. MRS. JOHNSON ASKED IF LITIGATION IS BASED ON HISTORY OF COURT CASES. MR. DONSON ASKED IF HE COULD SPEAK. MR. DONSON REMINDED THOSE PRESENT THAT IN AUGUST OF 2014 HE WAS ASKED BY THE JACKSON TWP. TRUSTEES TO TAKE A SEAT ON THE WATER BOARD TO FIND AN ECONOMIC WAY TO DISSOLVE THE WATER & SEWER DISTRICT. THE DIFFICULT PART OF THIS WAS TO FIND AN EFFICIENT AND ECONOMIC WAY TO DO THIS. THE WATER DISTRICT WAS ABLE TO RETAIN COUNCIL FOR LEGAL QUESTIONS AND ASSISTANCE. THERE ARE VERY FEW CASES WHERE WATER DISTRICTS ARE DISSOLVED, BUT THERE IS ONE OUT THERE. MR. DONSON DESCRIBED THIS CASE. MR. DONSON CONTINUED BY SAYING IN 2014, THE DEBT DUE WAS \$680,000.00. MR. DONSON WORKED WITH THE COMMUNITY AND LEGAL COUNCIL TO BRING THE DEBT DOWN TO \$310,000.00 MAXIMUM. BOTTON LINE – OVER THE LAST 6 -9 MONTHS THERE HAS BEEN A LOT OF DISCUSSION ON HOW THAT DEBT WAS SPLIT. FROM A LEGAL PERSPECTIVE, JACKSON TOWNSHIP IS JUST AS RESPONSIBLE AS GERMAN TOWNSHIP DUE TO A PETITION FILED IN THE COMMON PLEAS COURT ON FEBRUARY 26, 2009, TO CREATE A WATER BOARD. THE PETITION WAS SIGNED AND APPROVED BY 3 MEMBERS OF JACKSON TOWNSHIP AND 3 MEMBERS OF GERMAN TOWNSHIP, MAKING THIS A 50/50 SPLIT. IN WORKING WITH GERMAN TOWNSHIP FROM THE STANDPOINT THERE WERE 3 REPRESENTATIVES FROM GERMAN TOWNSHIP ON THE BOARD AND 2 REPRESENTATIVES FROM JACKSON TOWNSHIP ON THE BOARD, MR. DONSON PUT FORTH THE ARGUMENT THAT GERMAN TOWNSHIP COULD HAVE STOPPED THIS AT ANY TIME THEY WANTED TO IF THEY DIDN'T WANT TO PAY A BILL WITH 3 MEMBERS. THE 60/40 SPLIT IDEA GOT PRESENTED AND GOT ACCEPTED BY GERMAN TOWNSHIP BECAUSE OF THIS ARGUEMENT. 60% WAS THE MOST RESPONSIBILITY GERMAN TWP. WAS WILLING TO TAKE. MR. DONSON FEELS THAT IN THE COURTS' EYE, JACKSON TOWNSHIP IS GETTING A DEAL WITH THE 40/60 SPLIT. MR. DONSON FEELS THIS IS THE MOST EFFICIENT WAY OF DISSOLVING THE DISTRICT. THE WORK HAS BEEN DONE AND THE PAPERWORK HAS BEEN SIGNED. IT'S NOW UP TO THE TOWNSHIP'S TO ACCEPT THE REMAINING DEBT WITH A VOTE. THE SAME COURT WHO APPROVED THE FIRST PETITION WILL BE PETITIONED TO DISSOLVE THE DISTRICT.

MINUTES CONT'D

MR. DONSON BELIEVES AT THIS POINT THERE IS NO REASON WHY THE COURT WOULD NOT DISSOLVE THE DISTRICT. MR. GILLMAN ASKED WHAT WOULD HAPPEN IF EVERYTHING GOES SOUTH-WHAT IF THE COURTS DO NOT ACCEPT THE 40/60 SPLIT. DISCUSSION FOLLOWED REGARDIING TAX ASSESSMENTS IF THE COURT DOES NOT ACCEPT THE SPLIT, AS WELL AS WHY JACKSON TOWNSHIP HAS TO ACCEPT 40% WHEN THEY HAVE THE LEAST AMOUNT OF LAND. MR. DONSON STATED AFTER SPEAKING WITH LEGAL COUNCIL REGARDING WHAT A JUDGE MIGHT SAY, JACKSON TOWNSHIP WAS JUST AS MUCH OF A MAJOR PART OF ACCUMULATING THIS DEBT AS GERMAN TOWNSHIP. MR. DONSON STATED THE DEBT HAS NOTHING TO DO WITH THE WATER PROJECT BECAUSE THERE IS NO WATER PROJECT – THERE ARE NO WATER LINES INSTALLED. NOTHING WAS DONE. THE SENARIO COMES DOWN TO WHO WAS RESPONSIBLE FOR MAKING THE DECISION TO PAY THOSE BILLS. MR. DONSON STATED HE WENT BACK AND REVIEWED ALL THE DOCUMENTS FROM THE PREVIOUS YEARS AND FOUND THERE WAS NEVER A TIME WHEN A JACKSON TOWNSHIP BOARD MEMBER OR A GERMAN TOWNSHIP BOARD MEMBER DIDN'T VOTE TO PAY BILLS. JACKSON AND GERMAN TOWNSHIP ARE BOTH MUTUALLY RESPONSIBLE. MR. DEVILBISS STATED, GOING BACK TO WHAT MR. GILLMAN SAID EARLIER, IT'S LIKE THE CO-SIGNER OF A CAR TELLS THE JUDGE HE NEVER DROVE THE CAR SO HE'S NOT RESPONSIBLE - THE TRUSTEES' NAMES ARE ON THE NOTE. MR. DONSON STATED THEY WILL BE GOING TO THE COURT, SAYING WE ARE DISSOLVING THE DISTRICT, ASKING THE JUDGE TO MAKE THE DECISION. MR. DONSON STATED THE RESOLUTION IS CONTINGENT UPON THE ABILITY OF GETTING LONG TERM FINANCING. MR. GILLMAN STATED IT IS A VERY LOW INTEREST RATE – 2% BOND THAT CAN BE STRETCHED OUT FOR A VERY LONG TIME TO WHICH MR. DONSON REPLIED THE BANK IS COMMITTED TO WORK WITH THE TOWNSHIPS TO MAKE IT FEASIBLE. MR. DEVILBISS STATED –OR YOUR TAXES GET ASSESSED AND IF YOU DON'T PAY, A LIEN WILL BE PLACED ON YOUR PROPERTY. MR. DONSON RESPONDED BY SAYING ONE OF THE GOALS IN THIS PROCESS, WAS THAT NO NEW TAX WOULD BE ASSESSED. HOW COULD WE JUSTIFY ASSESSING A TAX FOR NO REASON. MR. DONSON STATED WE ARE VERY CLOSE TO PETITIONING THE JUDGE. MRS. JOHNSON STATED SHE STILL WANTS ADVICE FROM OUR ATTORNEY. DISCUSSION FOLLOWED REGARDING MR. KETTER AND THE BANK CALLING THEIR NOTES IN. MR. DONSON FEELS WE NEED TO TAKE ADVANTAGE OF THIS DEBT ASSUMPTION. MR. DEVILBISS ASKED IF ANYONE HAD ANY QUESTIONS. MRS. PUTERBAUGH ASKED HOW THIS DEBT WILL BE PAID. MR. GILLMAN RESPONDED BY SAYING THE FUNDS WILL BE COMING OUT OF THE GENERAL FUND WHICH IS VERY LEAN RIGHT NOW. DISCUSSION FOLLOWED REGARDING THE POSSIBLE PAYMENT AMOUNT. MR. PUTERBAUGH ASKED IF ALL JACKSON TOWNSHIP WILL BE ASSESSED, TO WHICH MR. GILLMAN AND MR. DONSON REPLIED THERE WILL BE NO ASSESSMENTS, THE PAYMENTS WILL COME OUT OF BOTH JACKSON AND GERMAN TOWNSHIP'S GENERAL FUNDS. MORE DISCUSSION ON WHERE THE MONEY WILL COME FROM. SOMEONE ASKED WHAT THE \$680,000.00 WAS FOR. MR. DONSON REPLIED BY STATING SINCE 2009, THE BOARD HAS PAID ATTORNEYS, ENGINEERS, LOANS FROM THE BANK TO PAY FOR THESE ENGINEERS, AS WELL AS OTHER'S PROVIDING THEIR SERVICES. DISCUSSION FOLLOWED. MR. DONSON COMMENTED WE ARE MAKING THE BEST OUT OF A BAD SITUATION. THERE WAS SOME DISCUSSION REGARDING WHERE THE GENERAL FUND GETS THEIR FUNDS. MRS. WINKLER TOLD THOSE PRESENT THE OPERATING LEVY WAS PLACED ON THE BALLOT BEFORE WE KNEW ABOUT THE 40/60 SPLIT. THE LEVY IS FOR PAYING CURRENT EXPENSES, WHICH WOULD INCLUDE PAYING THIS DEBT. DISCUSSION FOLLOWED REGARDING THE WATER BOARD AND HOW THE PROJECT BEGAN. MRS. JOHNSON STATED SHE FEELS THE TOWNSHIPS WERE MISLED BY THE ATTORNEYS REGARDING THE COSTS INVOLVED IN SETTING UP THE WATER DISTRICT AND THE WATER PROJECT. SOMEONE ASKED HOW WE CAN STOP THIS FROM HAPPENING AGAIN OR SOMETHING LIKE THIS. MR. DONSON SUGGESTED THE PEOPLE OF THE TOWNSHIP NEED TO ATTEND THESE MEETINGS AND WORK WITH YOUR TRUSTEES TO MAKE SURE YOUR IDEAS ARE PRESENTED.

MINUTES CONT'D

WITH NO FURTHER DISCUSSION, MR. GILLMAN MADE A MOTION TO ADOPT JACKSON TOWNSHIP **RESOLUTION 2015-23** TO DISSOLVE THE WATER DISTRICT. MR. DEVILBISS SECONDED THE MOTION, COMMENTING HE AND MR. GILLMAN INHERITED THIS PROBLEM. WE ASKED GREG DONSON TO DO THE BEST HE COULD. MR. DEVILBISS IS CONCERNED ABOUT EVERY SINGLE TAX DOLLAR, BUT IT IS TO THE POINT WE ARE ALMOST OUT OF FAVORS. MR. DEVILBISS STATED IN HIS OPINION, THIS IS THE BEST DEAL FOR EVERYONE INVOLVED. MRS. JOHNSON ASKED IF THERE WAS ANY FURTHER DISCUSSION. WITH NO FURTHER DISCUSSION MRS. JOHNSON ASKED FOR A VOTE. Vote: MRS. JOHNSON ABSTAINED BECAUSE SHE NEEDS TO DISCUSS THIS WITH OUR ATTORNEY. MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSES. MR. DEVILBISS THANKED MR. DONSON FOR THE COUNTLESS NUMBER OF HOURS HE HAS SPENT ON THIS. MRS. JOHNSON ALSO THANKED MR. DONSON. NO FURTHER WATER BOARD BUSINESS.

**ONGOING ISSUES:** WATER DISTRICT, FORT ANTHONY ROAD BRIDGE, NUISANCE ABATEMENT, FARMERSVILLE-GRATIS ROAD

**COMMENTS:** SEE ABOVE COMMENTS REGARDING THE WATER BOARD

**TRUSTEES:**

**MRS. JOHNSON:** MRS. JOHNSON STATED SHE WAS CONTACTED BY JOE GARRETT, A TRUSTEE IN DELAWARE COUNTY WHO HAS REQUESTED 10 MINUTES AT ONE OF OUR MEETINGS TO DISCUSS A GAS AND ELECTRIC AGGRIGATE DEAL. MR. GILLMAN STATED HE DOES NOT WANT TO ENTERTAIN THAT THOUGHT. MRS. JOHNSON WILL LET MR. GARRETT KNOW THE TRUSTEES ARE NOT INTERESTED.

**MR. DEVILBISS:** MR. DEVILBISS INFORMED THOSE PRESENT THE CIRCUS IS COMING ON THURS., MAY 5<sup>TH</sup> AT THE PARK. THIS IS A GREAT FUND RAISER. MR. DEVILBISS WANTED TO CONFIRM WITH MRS. WINKLER THAT THE PARK BOARD COULD NOT RENEW THE POOL LEVY. MRS. WINKLER SAID HE WAS CORRECT. THAT LEVY WAS INTENDED FOR POOL BOND PAYMENTS ONLY. THEY WOULD HAVE TO PLACE A NEW LEVY ON THE BALLOT IF THEY WANT MORE MONEY. MR. DEVILBISS WILL LET THE PARK BOARD KNOW THIS.

**MR. GILLMAN:** MR. GILLMAN HAD NO FURTHER BUSINESS.

WITH NO FURTHER BUSINESS, MR. GILLMAN MADE A MOTION TO ADJOURN, SECONDED BY MR. DEVILBISS. Vote: MRS. JOHNSON – YES MR. DEVILBISS – YES MR. GILLMAN – YES MOTION PASSED.

MEETING ADJOURNED AT 7:20 P.M.

SUBMITTED BY: \_\_\_\_\_  
DIANA WINKLER, FISCAL OFFICER

ATTESTED BY: \_\_\_\_\_  
DEBRA L. JOHNSON, PRESIDENT