

**SWANCREEK TOWNSHIP
BORARD OF TRUSTEE
SPECIAL MEETING
Wednesday, February 8, 2017**

Chairman Holdeman called the meeting to order at 10:00 a.m..

Prayer

Pledge of Allegiance

Roll call - Board of Trustees present: Ron Holdeman-Chairman, Phil Wiland - Vice Chairman, and Rick Kazmierczak- Trustee

Employees: Chris Lauch, Administrative Assistant

Fiscal Officer: Jo Stultz

GUESTS: See Sign In Sheet

GUEST: Assistant County Prosecutor Jon Whitmore, Village of Swanton Mayor Ann Roth, Village of Swanton Administrator Rosanna Hoelzle, Village of Swanton Solicitor Alan Lehenbauer

Cemetery

Special meeting was called to discuss the future of Swanton Cemetery. Jon Whitmore and Alan Lehenbauer were asked to attend for legal advice for both entities. Per O.R.C. 517 (I'm not sure of the number) it is the Township's understanding that if the cemetery is surrounded by the Village the cemetery becomes the property of the Village. Swanton's Village Administrator Hoelzle acquired from Fulton County maps showing where the cemetery is still abutted by the Township in two places, property owned on Airport Highway and property owned on County Road 1. Trustee Kazmierczak asked who's responsibility would it be if a change of ownership would be desired. Assistant Prosecutor Whitmore said it would be the Township's and it would have to go before a court of law. Village Administrator Hoelzle said that as far as she knew the Village and the Township were still in discussion about possibly having the cemetery become a Union Cemetery with both entities sharing in the maintenance of it. It is on the Village's agenda to discuss this on February 27th to discuss options and that she was unaware until Tuesday 2/7/17 that the Township was making decisions otherwise. Mayor Roth asked for a meeting of the Township and Village Council to discuss options and since this topic is already on their agenda for February 27th she would like for it to be then. Assistant Prosecutor Whitmore was asked if the Attorney General would make a ruling on whether the cemetery belonged to the township or the Village and he states no. He also commented that the Attorney General would not look favorably if the cemetery was not maintained. The Trustees all said this was not their intent and until a decision was made the Township would take care of it. Village Administrator Hoelzle asked that in the future would the Township contact her on all correspondence pertaining to the Village as she is at the Village full time whereas the Mayor and Village Solicitor are not .

Annexed Roads

Trustee Kazmierczak brought up the discussion of annexed roads. Village Administrator Hoelzle offered to put that on their February 27th meeting agenda as well. Trustee Wiland asked Assistant Prosecutor Whitmore what was the definition of "maintenance of roads" vs "improvement of roads". Mr. Whitmore referred the Township back to the County Engineers office for an explanation.

Fire

Trustee Wiland has questions on where the Village got their population numbers. Ms. Hoelzle states she got them from the Auditor and that these are the numbers that the Village has used as well to calculate their budgets. Mayor Roth suggested that we all decide on one source for our numbers to eliminate the confusion. Mayor Roth is going to add this topic as well to Council's agenda for Feb. 27th.

Per ORC 121.22 (G) (1) Trustee Wiland motioned to going into executive session 2nd by Trustee Kazmierczak
Roll Call: Trustee Kazmierczak, Yea, Trustee Holdeman, Yea, Trustee Wiland, Yea

Adjourned 10:45 a.m.

Trustee Holdeman motioned for meeting to be called back into order, 2nd by Trustee Kazmierczak
Roll Call: Trustee Kazmierczak, Yea, Trustee Holdeman, Yea, Trustee Wiland, Yea

Meeting called back into order 11:04 a.m.

057-17 Trustee Wiland motioned to rescind Resolution # -37-17 to award Administrative Assistant Chris Lauch 4 hour each holiday pay(40) per Assistant Prosecutor Whitmore’s legal opinion,2nd by Trustee Kazmierczak.
Roll Call: Trustee Kazmierczak, Yea, Trustee Holdeman, Yea, Trustee Wiland, Yea

058-17 Trustee Wiland motioned per ORC 505.05 to establish a program to recognizing outstanding employee performancesupported by an outstanding evaluation, 2nd by Trustee Kazmierczak.
Roll Call: Trustee Kazmierczak, Yea, Trustee Holdeman, Yea, Trustee Wiland, Yea

Discussion was had about possible litigation on Swanton Cemetery, no decisions were made.

Trustee Holdeman motioned to adjourn, 2nd by Trustee Kazmierczak: 11:20 a.m.

Swanecreek Township Board of Trustees

Attest:Jo Stultz, Fiscal Officer
Swanecreek Township
Feb 20, 2017

Trustee Ron Holdeman, Chairman

Trustee Phil Wiland, Vice Chairman

Trustee Rick Kazmierczak