

TWIN TOWNSHIP TRUSTEES, ROSS COUNTY, OHIO
MINUTES OF MEETING OF SEPTEMBER 12, 2022
MEETING LOCATION: 11474 KERAN ST., BOURNEVILLE, OHIO

President Michael Whitt called the meeting to order at 6:00 p.m.

ROLL CALL

Officials present at roll call were: President Michael Whitt, Vice-President Michael Darbyshire, Trustee Bryan Bethel and Fiscal Officer William Jones. Also present was Fire Chief Marty Johnson.

MINUTES OF PREVIOUS MEETING

Reading of the minutes of the previous meeting was waived.

RESOLUTION 2022-09-12-01: Motion was made by Mr. Whitt and seconded by Mr. Darbyshire to approve the minutes as presented and also the agenda as presented. All voted yes. Motion passed.

PUBLIC PARTICIPATION

none

CORRESPONDENCE/COMMUNICATION

1. Mr. Darbyshire reported that a tree has fallen along the right-of-way on Camelin Hill Road and township employees will take care of removing it.
2. Mr. Whitt reported the flag has been replaced at the old Bourneville Cemetery.
3. The Fiscal Officer reported there is a Ross County Township Association Meeting scheduled for Thursday, September 15, 2022 beginning at 6:00 p.m. at the Scioto Township Hall. Mr. Whitt and Mr. Darbyshire plan to attend to represent the township.

FIRE CHIEF REPORT

Fire Chief Marty Johnson gave the report.

1. Quote was presented for paving of the Fire Department parking lot from B.&M. Quality Paving, LLC at a cost of \$30,390. Motion by Mr. Whitt and second by Mr. Darbyshire to approve and pay for it from the American Rescue Plan funds. All voted yes. Motion passed.
2. Request for payment of EMT refresher course for Jackie Johnson at a cost of \$210. Motion by Mr. Whitt and second by Mr. Darbyshire to approve the request. All voted yes. Motion passed.
3. Request to sell old leaf blowers to Tyler Hettinger at a cost of \$50. Motion to approve by Mr. Bethel and second by Mr. Whitt. All voted yes. Motion passed.
4. Request to sell 6 old tires from fire truck to Shelby Jameison and Melissa Ball's father at a cost of \$150. Motion by Mr. Whitt and second by Mr. Darbyshire to approve the request. during discussion, Mr. Darbyshire and Mr. Bethel thought the tires are worth more than that. All voted no. Motion failed.
5. Request to pay for fire fighter training for Zack VanHorn and EMT training for Kayla VanHorn. Motion to approve by Mr. Bethel and second by Mr. Whitt. All voted yes. Motion passed.
6. Request to change the Fire Department's Standard Operating Guidelines by removing the requirement that applicants need to be out of high school. Motion to approve by Mr. Bethel and second by Mr. Whitt. All voted yes. Motion passed.
7. Request to change pay-per-run to the following: Emergency Squad runs by EMT: \$75.00 per run per person. Pay for firefighters either as EMS driver or fire run: \$40.00 per run per person. Motion to approve by Mr. Darbyshire and second by Mr. Whitt. All voted yes. Motion passed.
8. Pump test for fire trucks will be on October 12, 2022 at a cost estimated at \$5,000. Motion to approve by Mr. Bethel and second by Mr. Darbyshire. All voted yes. Motion passed.

1. **FINANCIAL**

RESOLUTION 2022-09-12-02:

Motion by Mr. Whitt and second by Mr. Darbyshire to approve:

- a) payment of bills as presented
- b) Purchase Orders and blanket certificates as presented
- c) supplemental appropriations as presented

d) approve tax rates and amounts for 2023 and submit certification to Ross County Auditor
All voted yes. Motion passed.

OLD BUSINESS

Approve purchase of grader blade as per quote id 27343526 from John Deere Co. @ Marietta Ohio at a cost of \$5,099. Approve purchase of Motrim Head from Southeastern Equipment Co. per quote at a cost of \$17,200. Both purchases to be made from the American Rescue Plan fund. Motion to approve by Mr. Bethel and second by Mr. Whitt. All voted yes. Motion passed.

Mr. Darbyshire said he would contact the people who have the campers on the township property and alley east of the salt barn and ask them again to move them.

NEW BUSINESS

Motion by Mr. Whitt and second by Mr. Darbyshire to contact Joe Parks of ‘Joe’s Home Improvement’ to get a quote on painting or covering with vinyl or metal the exposed wood trim at the north and south end of the road garage. All voted yes. Motion passed.

Motion by Mr. Whitt and second by Mr. Darbyshire to set Twin Township ‘Trick or Treat’ night for 2022 as the same date set by the city of Chillicothe, and if Chillicothe re-schedules or cancels, then so shall Twin Township. All voted yes. Motion passed.

Mr. Darbyshire proposed the following:

As a result of a communication approved by the Board on or about July 11, 2022 a letter was sent to remove 3 members of the Fire Department for a violation of an SOG adopted by the Board on March 14, 2022 by resolution 2022-03-14-03. It is my opinion that the Board has not followed the proper procedures in regards concerning "due process" for removal set forth in ORC 733.35 to 733.39 that provides guidance for removal of personnel. Secondly, it is my opinion that the Board is in violation of "due process" concerning the three members spelled out in the 5th and 14th Amendment of the Constitution of the United States "No state shall deprive any person of life, liberty, or property without due process of the law.

It is my opinion that by simply sending a letter by the Board to remove 3 members, the Board has not met the definition of "Due Process".

I therefore recommend that the Board, by resolution, approve rescinding the letter of removal and state that it has been reported by the Fire Chief that they are in violation of a policy adopted on March 14, 2022. Furthermore, that if found that the violations are true then the 3 members will be removed as stipulated in the resolution. The Board hereby request that each member appear before the Board for a hearing to determine if the violations are true. A date will be determined for the Hearings and your presence is required. If any charged member wishes to waive your right of appearing, we ask that you notify any Board member or any member simply is not present for the hearing, the Board will remove you from the roster.

I so move this resolution be adopted.

Call for second to the above resolution: no second. Motion died.

Motion by Mr. Darbyshire and second by Mr. Whitt to enter into Executive Session for personnel reasons. All voted yes. Motion passed. Executive Session began at 7:22 p.m. and ended at 7:35 p.m.

Motion by Mr. Darbyshire and seconded by Mr. Whitt to adjourn the current meeting. All voted yes. Motion passed. Meeting adjourned at 7:36 p.m.

APPROVAL OF MINUTES OF 9/12/22 TWIN TOWNSHIP TRUSTEES MEETING:

Michael Whitt, President

Michael Darbyshire, Vice-President

Bryan Bethel, Trustee