

**GUILFORD TOWNSHIP TRUSTEES
REGULAR MEETING MINUTES
September 6, 2022**

The Board of Guilford Township Trustees, Medina County, Ohio, met for a regular Trustees meeting on September 6, 2022 at 8:00 P.M. at the Guilford Township Hall. The following Trustees were present: Bob Rohrer, Gene Morris, Jerry Winkler, and Fiscal Officer, Ray Ruprecht.

Also present were: Andy Liston, Ron Scuderi, Jerry and Martha Springer, Scott Phillips, Bill Shook, Lindsay Hepner, Tammy Johnson, Brittany Rufener, Keith Beetler, Jon Strong, Mayor Carol Carter, Curt Lauer, James Carter and Eric Derhammer.

Approval of Minutes

Gene Morris **moved** to approve the regular meeting minutes of August 16, 2022. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Department Reports

Fire-EMS Department (Assistant Chief Jim Carter)

August Stats - 55 Calls	Total for 2022 492
--------------------------------	---------------------------

EMS	41	Fire	14	WF Mutual aid	5
-----	----	------	----	---------------	---

- Asst Chief Carter has been working on Fire Inspections as well as working closely with Sheetz as it is being built.
 - He is also working on assisting the owner of 5222 Greenwich Rd with a complaint of residents tapping into electricity to supply a trailer where she had disconnected power.
- Hydrant testing is complete for this year.
- There is a new dry hydrant being placed on Styx Hill by a resident. He has been working with Officers on placement and access down a long lane that will be gated.
- The dry hydrant owner at Yoder Road is asking for a driveway to be placed there and a sign. Lt. Kantorik was out and created a computer image to illustrate placement.
- Captain Johnson was able to work through issues with ESO to ensure billing was submitted for 8 EMS runs that didn't show up on monthly reports since the beginning of the year. Those have finally been completed and submitted to Life Force Management. This increased our billing total for the year by \$7,029.40
- Captain Johnson has been working with Shannon and Ray on corrections and updates to the website as well as creating informational infographics for the upcoming levy. These show the trending statistics and growth of our department and surrounding area.
- Christian Hall - one of our full time Fire Medics applied to Akron Fire Department last year before being hired at SGFD full time. He has since been interviewed by Akron and offered and accepted a full-time position there. Christian would like to drop from full time status to part time following his 14 weeks academy with Akron Fire. He will officially drop on September 10, 2022.

- Hiring- Captain Johnson has created an online application process and we would like to advertise that we are hiring at this time. We would like to add part time staffing with the consideration of building a list for future full-time members.
- Funding request - Lt Banks would like permission to replace gear for two members this year, as she has done in previous years. This is budgeted each year and would come out of the 2023 budget. She has two sets that will be non-compliant next year and would like to order now due to long wait times. The gear costs \$2,150.00 per set with a total \$4,250.00. We opted not to purchase Tec Gen 51 gear at this time which saves \$565.00. Only structural Fire Gear is being purchased.

Accepting Christian Hall Resignation as a Full-time Fire Medic and his continuation as a Part-time Fire Medic with the Seville-Guilford Fire & EMS Department

Bob Rohrer **moved** to accept the resignation of Christian Hall as a full-time Fire Medic and approve of Christian continuing as a part-time Fire Medic with the Seville-Guilford Fire & EMS Department. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Approval to Purchase 2 Sets of Turn-Out Gear

Jerry Winkler **moved** to approve the purchase of 2 sets of turn-out gear for the total cost of \$4,250.00. Gene Morris seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Road Supervisor (Andy Liston)

- Work on fixing road edges on Bell and Prospect
- Force accounts for Bell Rd. \$6776.54 and n Prospect \$7045.92
- Tree trimmers was in and trimmed trees on Hubbard Valley
- Finish up mowing the berms

Approval of Force Accounts Payments for Drive Pipe and Ditch Cleaning

Jerry Winkler **moved** to approve the force accounts for Bell Rd. and Prospect Rd. Bob Rohrer seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Approval to Purchase Additional Asphalt for Tack Tank

Bob Rohrer **moved** to approve the purchase of additional asphalt to complete any 2022 road projects. Gene Morris seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Zoning Secretary (Shannon Colonna)

Zoning Secretary Report for the September 6, 2022 Trustee meeting that was sent by email to trustees.

- The Zoning Commission met on August 18 and finalized the changes for Junk and Junk vehicles. These proposed changes have been submitted to the county Planning Commission, and will be reviewed at their October meeting.
- The next Zoning Commission meeting will be on September 15, 2022 (note date change from second to third Thursday).
- I have been working on getting updated information on land use, demographics and trends over the past decade for the Comprehensive Plan and have shared that information with members of the Zoning Commission.
- I have also been working with Jim Krahl on the approach to reviewing the Comprehensive Plan over the next few months, and we have some ideas to review the current goals and policies and how those have

worked over the past ten years, and start considering what changes might be needed for the next ten years.

- Some questions came up about who would be filling the vacant board position. I recently noticed that Ohio Revised Code 519.04 states that 'the terms of regular members shall be of such length and so arranged that the term of one member will expire each year,' so I reviewed current terms and past meeting minutes. It looks like the Trustees never officially appointed a regular member to fill the vacant spot left by Trevor, which had a term ending 12/31/2022. Eric Derhammer, who was the only alternate member at that time, has been voting since then. There are also three terms that are set to expire on 12/31/2024 (Rick Garrison, Debbie Ruprecht, and vacant), so I am hoping the Trustees can review these appointments and work on getting the terms aligned with ORC.

Zoning Inspector (Curt Lauer)

- Continued communication attempts with property owner on Seville Road in which nothing has changed in regards to removal of junk.
- Issued a new home permit.
- Scott Phillips signed his Public Official Bond.

River Styx Cemetery/Mound Hill Cemetery

- Scott Oring has been helping and being mentored by Anita Winkler in cemetery operation in preparation for him to move into the sexton position.
- The lawn mower currently at Keifer Equipment has damage to the engine. There is a possibility that there may be some warranty coverage for the engine.

Trustees Reports

Gene Morris

- Gene has been researching Ohio Revised Code guidelines concerning the trustees filling vacancies and unexpired terms for the zoning commission board.

Jerry Winkler

- Jerry has received phone calls concerning the construction of a large warehouse in Seville and the concern of the drainage of water run-off.
- Continued communication with Scott Oring about the cemetery sexton position.
- Attended the Medina County Township Association steak roast.

Bob Rohrer

- Bob assisted retiring Chief Brad Winter in returning electronic equipment and removing his personal property from the fire station.
- A. J. Tree Service will be taking care of the Mound Hill and River Styx Cemetery trees once there is favorable weather.

Comments from the Public

- Jerry Springer asked if business could bring paper to the shredding day, October 8, 2022 at the fire station. The day is designed to be for residents, not businesses. It is being asked that people bring no more than 4 boxes of paper to shred. Ray indicated that shredding company did not want businesses to come because they have had trucks come in the past full of business documents and they are not offering their services for large businesses during a community/residential event.

- Bill Shook asked about the pipe going across the township ground parking lot. The trustees are in the process of replacing the existing septic tank and the new location will be south of the parking lot. Therefore, they may have to cut through the parking lot to hook-up the township hall to the septic tank.
- Keith Beetler asked the trustees if they had received his letter of resignation from the Guilford Township Zoning Commission. The trustees indicated they did not receive a resignation letter. Keith responded by saying, 'because I never sent one'. Keith said "I want the record changed to reflect that I was fired." Bob replied, "You told me that you quit/resigned. Is your word no good?" Keith said "No, not in this case." "You didn't receive a letter of resignation from me so therefore I didn't resign."

The trustees had some discussion and it was decided it would be best to start over with the removal process of Keith from the zoning commission. The process was briefly explained and Keith said he wanted a public hearing.

- Mayor Carol Carter expressed her deep concern in regards to the recent retirement of Fire Chief Brad Winter and the continued rumors, gossip, display of anger and intimidation of employees that she believed was being expressed by a trustee surrounding this incident. She asked that it would stop and encourage all to move forward supporting the fire & EMS department.

Old Business

- Updating the Guilford Township Employee Handbook is on hold for now.
- The ARPA funds projects selected to further look into were assigned to begin getting input from different sources.
 - River Styx and Mound Hill Cemetery tree removal (Bob Rohrer) *scheduled soon*
 - Township hall/garage parking lot (Andy Liston) *on hold until septic system completed*
 - Township hall doors, foundation, and any other improvements (Bob Rohrer)
 - Township hall septic system (Gene Morris)
 - Fire station renovations – on hold
 - Ambulance/Command Vehicle (Trustees approve ordering Command Vehicle- 2022 Ford Explorer)

Approval to Hire Piatt Excavating to Design Engineer the New Township Hall Septic System

Bob Rohrer **moved** to approve hiring Piatt Excavating to design engineer the new Township Hall septic system. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

New Business

The trustees addressed Keith Beetler’s request to have a hearing in regards to his removal from the zoning commission with the following resolution.

**RESOLUTION NO. 2022-09
A RESOLUTION TO INITIATE THE PROCESS SET FORTH IN OHIO
REVISED CODE SECTION 519.04(B) OF THE OHIO REVISED CODE TO
CONSIDER THE REMOVAL OF KEITH BEETLER FROM THE
GUILFORD TOWNSHIP ZONING COMMISSION**

Jerry Winkler moved the adoption of the following Resolution:

WHEREAS, the Board of Trustees of Guilford Township has received a written charges of misconduct from a member of the Zoning Commission, a copy of which is attached to this Resolution,

alleging that Zoning Commission member Keith Beetler has been extremely argumentative and contentious in Zoning Commission meetings, has acted aggressively, disrespectfully and at times threateningly, during and after Zoning Commission meetings toward his fellow Zoning Commission Members, the Secretary of the Zoning Commission, and that his attitudes and behaviors have created a hostile and unpleasant atmosphere at the Zoning Commission meetings, have caused significant distress to certain members of the Zoning Commission, the Zoning Commission Secretary are dysfunctional to the work of the Zoning Commission; and

WHEREAS, Ohio Revised Code Section 519.04(B) provides a process by which a township board of trustees shall remove a member of a township zoning commission for nonperformance of duty, misconduct in office, or other cause, upon written charges being filed with the board of trustees, after a public hearing has been held regarding the charges, and after a copy of the charges has been served upon the member so charged at least ten days before the hearing, either personally, by registered mail, or by leaving the copy at the member's usual place of business; and

WHEREAS, Ohio Revised Code Section 519.04(B) also authorizes a board of township trustees, upon approval of a majority of the board of township trustees, to suspend the charged member from participating as a member of the zoning commission for a period of up to sixty days before the pending hearing on removal; and

WHEREAS, the Board of Trustees of Guilford Township finds that the charges submitted to the Board compel the Board to initiate the removal process set forth in Ohio Revised Code Section 519.04(B), and that the nature of the charges warrant the suspension of Keith Beetler from participating as a member of the Guilford Township Zoning Commission during the period pending a hearing on the removal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Guilford Township, Medina County, Ohio, that:

Section 1. The charges cited above and set forth in the communications attached hereto, if unchallenged or affirmed at hearing, constitute misconduct in office by Keith Beetler and are grounds for removal pursuant to Ohio Revised Code Section 519.04(B).

Section 2. A hearing on the charges cited above and set forth in the communications attached hereto is hereby scheduled for **September 20, 2022 at 7:00 p.m.** at the Guilford Township Hall, 3800 Greenwich Road, Seville, Ohio, 44273.

Section 3. Zoning Commission Member Keith Beetler is hereby suspended from participating as a member of the Guilford Township Zoning Commission during the period from now until the date of the hearing as set forth above.

Section 4. Pursuant to Section 519.04(B) the Township Fiscal Officer is authorized and directed to deliver promptly to Keith Beetler a certified copy of this Resolution along with the charges set forth in the communications attached hereto, either personally, by registered mail, or by leaving the copy at the member's usual place of residence.

Section 5. It is hereby found and determined that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board or committees, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with the law.

Section 6. This Resolution shall be in full force and effect from and immediately after its adoption.

Bob Rohrer seconded the motion.

Upon roll call on the adoption of the Resolution, the vote was as follows:

Rohrer - yes

Morris - yes

Winkler – yes

Dear Board of Trustees,

I have had some concerns about a member of the Zoning Commission for a number of months, and after the July 14th meeting felt this needed to be addressed. My concerns are regarding Keith Beetler, as follows:

Non-performance of duty;

- Keith has poor attendance
- Keith has communicated to the board that he has a full-time job and farms and does not have time to prepare for zoning meetings. As a result, meeting time is spent reading proposed changes and information Instead of discussing. For a board that only meets once a month, this has a large impact on what we are able to accomplish.

Misconduct:

- Keith seems overly concerned with how changes to zoning regulations will impact him personally. For example, on July 14th he disagreed with several items related to definitions for Junk Vehicles because of how it would impact him.
- Keith does not conduct himself professionally in meetings. He interrupts members, raises his voice and speaks negatively about the Trustees and Zoning Inspector.

Jim Krahl

Guilford Zoning Commission, Chairman

Approval of Supplemental Appropriation Transfer in General and Ambulance Fund

Jerry Winkler **moved** to approve Supplemental Appropriation transfers of \$300.00 to 2282-230-599-2200 (Other Expenses-EMS Billing Refund) from 2282-930-930 (Contingencies) and \$250.00 to 1000-110-341-2800 (Telephone-Cable/Internet) from 1000-930-930 (Contingencies). Bob Rohrer seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Signing of the Warrants

Gene Morris **moved** to approve BC 137-2022 and 138-2022 and pay the warrants, payroll/accounting EFT's of \$85,591.70. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Executive Session

Jerry Winkler **moved** to go into executive session at 8:59 P.M. to discuss employment of public employees and invite Mayor Carol Carter, Jim Carter, and Ray Ruprecht. Gene Morris seconded the motion. Roll call: Rohrer-yes, Morris-yes, Winkler-yes.

Mayor Carter and Assistant Chief Jim Carter were asked to leave the executive session around 10:30 P.M.

Jerry Winkler **moved** to come out of the executive session at 10:53 P.M. Gene Morris seconded the motion. Roll call: Rohrer-yes, Morris-yes, Winkler-yes.

After coming out of executive session the trustees discussed that they do not currently have zoning commission terms arranged so that one expires each year, and discussed that they never officially appointed someone to fill the unexpired term vacancy when Trevor Jones resigned. There are vacancies that currently exists for some of those zoning commission terms. The Ohio Revised Code allows for vacancies to be filled by the Board of Trustees.

- A) The board of township trustees of any township proceeding under sections [519.01](#) to [519.99](#) of the Revised Code, shall create and establish a township zoning commission. The commission shall be composed of five members who reside in the unincorporated area of the township, to be appointed by the board. The board of township trustees may appoint two alternate members to the township zoning commission, for terms to be determined by the board of township trustees. An alternate member shall take the place of an absent regular member at any meeting of the township zoning commission, according to procedures prescribed by resolution by the board of township trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote. The terms of the regular members shall be of length and so arranged that the term of one member will expire each year. Where there is a county or regional planning commission the board may appoint qualified members of such commission to serve on the township zoning commission. Each regular or alternate member shall serve until the member's successor is appointed and qualified.

The terms listing of the zoning commission and BZA members.

Zoning Commission Members	Term Ending
Vacant (Trevor Jones)	12/31/2022
Jim Krahl	12/31/2023
Rick Garrison, Debbie Ruprecht	12/31/2024
Vacant	12/31/2025
Vacant	12/31/2026
Eric Derhammer (11/17/2020)	Alternate
Isaac Kaufman (1/18/2022)	Alternate
Shannon Colonna (2/5/2022)	Alternate

BZA Members	Term Ending
Diane Allen, David Ohl	12/31/2022
Vacant	12/31/2023
Michael Colonna, Tom Fields, Dan Ramsier	12/31/2024
Vacant	12/31/2025
Vacant	12/31/2026
Wendel Payn	Alternate
Seth Whitney	Alternate

The trustees discussed aligning with the Ohio Revised Code and filling the vacant terms for Trevor Jones and proceeded with the following action.

Approval to appoint Eric Derhammer to the Vacant Term of Trevor Jones

Gene Morris **moved** to appoint Eric Derhammer to the vacant term of Trevor Jones which ends 12/31/2022. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

Adjournment

Bob Rohrer **moved** to adjourn the meeting. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes. The meeting adjourned at 10:55 P.M.

Bob Rohrer

Gene Morris

Jerry Winkler

Ray Ruprecht