

MINUTES November 18, 2009

The regular meeting of the Warsaw Village Council was held on Wednesday November 18, 2009. The meeting was called to order by Mayor Ron Davis who led the Pledge of Allegiance and led the prayer.

Roll Call: Jerry Funk- P; Dan Secrest -P; Brenda Davis-P; Ed Kent-A Kris Ringwalt- P; Jesse Fischer-P

Ed Kent arrived shortly after the roll call of the meeting.

Administrator Ed Robinette and Solicitor Todd Drown were also present.

SPECIAL GUESTS

Jim Jackson was in attendance to request a lot split. He was told that there would have to be hooked into the water system, it already has a sewer connection. Jerry Funk stated at the last RPC meeting they wanted to insure that the lot in the back has access thru the driveway and that a maintenance clause be noted on the deed. Mayor Davis will initial the deed once it is drawn up.

Mr. Jackson was concerned by a letter he received from the Water Dept due to an outstanding balance on one of his rental properties. The last time it had been occupied was August 2008 and he wondered why it took so long to get a notice? The Fiscal Officer explained that our system does not allow us to bill inactive accounts. The account then set and accrued penalties until the water clerk noticed the large amount on the outstanding balances report and investigated. It is on the agenda tonight to remove the penalties and the amount due on the account will be the one month's usage. Brenda Davis recommended that from now on, the Water Clerk sign any correspondence he sends out.

Fred Holmes from Volunteer Energy was present to discuss the newly passed Gas Aggregation Program for the Village of Warsaw. He explained that the next step is to select a pricing model. Then we will need to schedule two public hearings to answer any questions. Then our solicitor will take a look at the contract, we will sign and send on to the PUCO. The PUCO will keep for thirty days. Once it is approved by the PUCO, we will send out letters to the residents, Columbia Gas customers only, and they will have twenty one days to opt out. He mentioned that Columbia Gas customers wishing to take part must be current on their monthly bills. He felt that we would see a savings of 5-10% over Columbia Gas. If you are on the budget plan, you may stay on the budget plan.

He went on to discuss pros and cons of the variable rate or fixed rate. He felt that now is a bad time to select the fixed rate as it is going into winter which is historically the time with the highest cost of gas. Kris Ringwalt made a motion to accept the variable rate from Volunteer Energy for the aggregation program, seconded by Brenda Davis. Motion carried. Ed Kent made a motion to set the first public hearing for December 16 at 6:30 pm at the Town Hall, seconded by Dan Secrest. Motion carried.

Brenda Davis made a motion to approve the minutes of the October 2009 meeting, seconded by Dan Secrest. Motion carried.

OLD BUSINESS

Fiscal Officer reported that CMH was requesting permission to place a small directional sign on the phone pole at the corner of Railroad and Main Street. Council stated that they cannot give permission; they must contact ODOT and the phone company due to right of ways, etc. Fiscal Officer also reported that there will be an Open House at the new Clinic on December 11, 2009 from 1-3pm.

PUBLIC PROBLEMS

There is a problem with the wording of the Burning Ban Ordinance. It allows for bi annual burning and council missed this when it was passed. A motion to suspend the rules was made by Ed Kent, seconded by Jerry Funk. A motion was made by Jesse Fischer to remove number 3 in Section C of Ordinance 2008- 04, seconded by Brenda Davis. Motion carried. Solicitor Drown will make changes in ordinance.

FINANCE REPORT

Reports distributed: Fund Status, Bank & Investment Reconciliations, Payment register, Receipt register and payroll register for October 2009.

The Outstanding Water/Sewer report was also distributed. The balance outstanding as of 10/29/2009 was \$4217.63

Brenda Davis made a motion to adjust account #72 due to large water leak under trailer in amount of \$738.30 and adjust account #90 by \$121.12 that are penalty fees, seconded by Dan Secrest. Motion carried.

Fiscal Officer reported that we have received Estate tax payment of \$41,389.18 Brenda Davis made a motion to open a CD with the money at the best rate available, seconded by Ed Kent. Motion carried.

Jesse Fischer made a motion to renew membership with Ohio Municipal League at \$359 per year, seconded by Dan Secrest. Motion

Jerry Funk made a motion to approve renewing our membership with Regional Planning at \$38.45, seconded Brenda Davis. Motion carried

Approve payroll for October 2009 1stJerry Funk 2nd Ed Kent

October FINANCE REPORT: 1ST: Brenda Davis 2ND: Kris Ringwalt

Fund Status as of 10/31/2009

| Fund Number | Fund Name | Fund Cash Bal | Investment Bal | Checking Bal |
|-------------|---------------------------|---------------|----------------|--------------|
| 1000 | General | 70014.90 | 5080.46 | 64934.44 |
| 2011 | Street Const. & Main | 25565.20 | 0 | 25565.20 |
| 2021 | State Highway | 9811.63 | 0 | 9811.63 |
| 2031 | Cemetery | 1872.27 | 0 | 1872.27 |
| 2041 | Parks | 3101.42 | 0 | 3101.42 |
| 2042 | Recreation | 4057.07 | 0 | 4057.07 |
| 2901 | Resurfacing | 5917.36 | 0 | 5917.36 |
| 2902 | Oil & Gas Royalties | 29555.20 | 29555.20 | 0 |
| 4951 | Cemetery Endowment | 29221.24 | 29074.01 | 146.37 |
| 5101 | Water Operating | 46734.56 | 25267.15 | 21467.41 |
| 5201 | Sewer Operating | 146678.70 | 126040.19 | 20638.51 |
| 9901 | Health Care Reimbursement | 4651.64 | 0 | 4651.64 |
| | All Funds Total | 377181.19 | 214621.74 | 162559.45 |

DEPUTY'S REPORT

The following is a list of activities for the month of October 2009. 8- Motorists assists, 10 complaints, 1 fire dept. assist, 2 county assists, 5 village assists, 2 follow-up investigations, 1 accident with injury, 1 traffic control assist, 15 warnings, 1 1st step in service training on family violence, 626 miles driven, 118.00 in fuel, 12-day/afternoon, 2 afternoon/midnight shifts

ZONING

We received building and sign permit applications for CMH for the new clinic, Kevin Adams who is building a garage, and Addy's who are also building a garage.

CEMETERY BOARD

Rick is retiring on Jan1, 2010 but will be rehired on March 1, 2010. Mayor Davis will contact Craig Shriver and see if he will serve as interim Sexton at \$7.50 per hour.

STREET REPORT

We utilized 50 hours of community service work to clean village streets and park. Asphalt has been replaced around the sewer on Main Street alley. Two French drains were rehabbed on Cherry St. and Church St alley.

WATER REPORT

We have replaced lead service line under Church Street. The service valve on Blissfield Rd has been repaired and four more have been scheduled for repair on Main Street.

SEWER REPORT

With excellent weather the grounds work at the plant has been in full swing. We have removed weeds from the sand filters again which is unusual for November.

PARK BOARD REPORT

Will be serving the Soup Supper at the Lions Club Minstrel on Nov 20, 21 & 22 at 5-7 and on the Sunday 12-2pm

RECREATION BOARD REPORT

None

NEW BUSINESS

Kris Ringwalt wondered if there was a way to recognize the Hospital in their efforts in building the new Doctors Clinic on Railroad Street. The idea of a Community Improvement Award was suggested.

Dan Secrest reported on the recent WBA meeting. He reported that they are gearing up for the upcoming Texas Holdem tournament.

Jerry Funk reported on the recent WVFD meeting. He reported that they opened bids for the new truck. The county commissioners were present to discuss problems with EMS.

Jerry Funk reported on the recent RPC meeting. He informed council that there had been 67 lot splits in the county in 2009

Jesse Fischer made a motion to go into Executive Session to discuss wages for 2010, seconded by Ed Kent. Roll call as follows: Jerry Funk- Y; Dan Secrest -Y; Brenda Davis- Y ; Ed Kent-Y Kris Ringwalt- Y; Jesse Fischer-Y

Ed Kent made the motion to come out of Executive Session, seconded by Brenda Davis. Motion carried.

Kris Ringwalt made a motion to not give a wage increase to village employees in 2010, seconded by Dan Secrest. Ringwalt felt that since we just passed two replacement levies in November, it would not look good to the constituents if we turned around and gave pay raises in this economic climate. Secrest commented that the employees were given a 1 ½ % raise in 2008, a 3% increase in 2009, so he felt that it was not necessary to increase them this year. Jesse Fischer was in favor of pay increases, feeling that good employees should be rewarded for their hard work, and the numbers show that a pay increase would be feasible.

Roll call vote as follows:

Jerry Funk- Y; Dan Secrest -Y; Brenda Davis-Y; Ed Kent-N Kris Ringwalt- Y; Jesse Fischer-N Majority wins.

The solicitor did mention if things in the economy started looking brighter this year, one of the majority can re introduce the motion again and bring it back to re look at the situation later in the year.

The Water/Sewer Chris Savage, has taken the Sewer I test the first part of November. When he passes he should receive a .25 per hour raise. Solicitor Drown will update the Pay Ordinance to reflect this and will bring it to council for its approval at the December meeting.

Fiscal Officer brought to the attention of council that in the Pay Ordinance 2008-11 it showed that the cemetery workers were to be paid \$7.50. She never inputted that info into the system, and consequently, they had been paid the old rate of \$6.75 for the year to date. She asked if it was council's intention to give them a pay increase. Solicitor Drown stated that since it was in the Ordinance, it was law and the increase was valid. The Fiscal Officer will figure up the total hours for each employee and make sure they are paid for the increase.

Public Hearing for Village's Gas Aggregation 6:30 PM December 16, 2009

Next meeting of the Warsaw Village Council is December 16 at 7:00pm

Motion to adjourn was made by Dan Secrest, seconded by Ed Kent. Motion carried.

Mayor Ron Davis

Clerk Cheryl L Jones