

RECORD OF PROCEEDINGS

Minutes of **MIFFLIN TOWNSHIP BOARD OF TRUSTEES** Meeting

Held

October 5,

2020

Chair Stewart called the meeting of the Mifflin Township Board of Trustees to order via an advertised conference call at 9:06 a.m. on Monday, October 5, 2020 with Trustee Richard Angelou, Trustee Kevin Cavener, Township Administrator Nancy White, Fiscal Officer Rick Duff, Fire Chief Fred Kauser, Police Chief Price, HR Director Becky Kadel, Service Director Roger Boggs and IT Director Craig Main attending in-person. Public Information Officer Melissa Rapp arrived late to the meeting.

Chair Stewart requested a motion to approve the meeting minutes of August 27, 2020, September 11, 2020 and September 15, 2020.

Res. 167-20 Approve the Meeting Minutes of August 27, 2020, September 11, 2020 and September 15, 2020.

Mr. Angelou moved to approve the meeting minutes of August 27, 2020, September 11, 2020 and September 15, 2020. Mr. Cavener seconded. All voted yea. Motion carried.

Chair Stewart requested a motion to approve the meeting minutes of September 23, 2020 and September 30, 2020.

Res. 168-20 Approve the meeting minutes of September 23, 2020 and September 30, 2020.

Mr. Cavener moved to approve the meeting minutes of September 23, 2020 and September 30, 2020. Mr. Angelou seconded. All voted yea Motion carried.

Chair Stewart requested a motion to approve the warrants for November 2020.

Res. 169-20 Approve the warrants for November 2020.

Mr. Cavener moved to approve the warrants for November 2020. Mr. Angelou seconded. All voted yea. Motion carried.

TRUSTEES COMMENTS:

Mr. Cavener said he welcomes Lt. Phillips as acting Police Chief. He said she has worked diligently, and he appreciates her efforts to improve the police department.

Mr. Angelou said he will be chairing the next Trustees Meeting on Tuesday, October 20th as Chair Stewart cannot attend.

CORRESPONDENCE:

None

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FISCAL OFFICER'S REPORT:

Chair Stewart said Fiscal Officer Duff requested he move the first two items on the agenda: Fire Overtime Pay Change to the Fire Division portion of the agenda; and Police Pay Schedule Change to the Police Department portion of the agenda.

Fiscal Officer Duff said the additional Cares Act relief money will be distributed this week to the township in the amount of \$93,520.51; this amount is based upon the population of the unincorporated area of the township. He said the three distributions total \$234,000. The funds need appropriated and encumbered by the end of November 2020, otherwise the funds must be returned. Fiscal Officer Duff said the way the House bill was worded, it is based on the population of the township rather than the geographic service area for fire protection, which detrimentally skews the amount of money allotted. Township Administrator said she would call Marissa Myers of the OTA for information on this matter.

Fiscal Officer Duff said the final 2nd half Real Estate Settlement was received 45 days later than usual due to the decision of the Franklin County Treasurer to delay collections. Fiscal Officer Duff said it was good news the General Fund and Fire Fund were greater than last year's amounts. He said it was not unexpected that Roads and Bridges, and Police took a 10% decrease due to the reduced collection of real estate taxes as a result of the pandemic.

Fiscal Officer Duff reminded the department heads of the following:

- Temporary Budget for 2021 is needed before the year end
- Close purchase orders that are no longer needed
- Check current budget for deficits
- All requisitions need to be processed before year-end
- There will be a cut-off of non-emergency requisitions
- Check account audit trails to make sure all charges are to the correct cost center

TOWNSHIP ADMINISTRATOR'S REPORT:

Township Administrator White said she has no report as she was out of the office last week.

Chair Stewart asked Ms. White about her research on the proposed annexation of 2622 Johnstown Road which would reduce the township's income by approximately \$7,000. Ms. White said because the township cannot provide water, we do not have a choice but to let the annexation occur.

Ms. White provided an update on Leonard Park. She said another meeting took place last week with no progress as it relates to COCIC and Franklin County, but recently she heard there were three large property owners in Leonard Park who have been working with a developer who wants to develop the area residentially, potentially earning the property owners approximately \$9.6 million dollars. She said Matt Brown, Franklin County Economic Development and Planning, will follow up on this to discern more information.

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HUMAN RESOURCES:

Ms. Kadel requested the temporary suspension of the performance review program as outlined in her memo (See Referral File). She said the feedback within the current performance review process is ineffective as it is not always authentic and honest. She said often employees receive ratings of all 4's or 5's with few or no examples or comments to substantiate the high ratings; or, they receive all 3's with few or no examples or comments to substantiate them. Ms. Kadel further pointed out that the reviews with all 4's or 5's often look exactly like the reviews with all 3's.

Ms. Kadel said thorough documentation of employees' performance should continue and is important for corrective action. Trustees Angelou and Cavener discussed that it is the responsibility of the department heads/supervisors and chiefs to monitor and accurately document the performance of their employees, providing frequent feedback to the employees for disciplinary actions, if needed. Ms. Kadel said constructive feedback, coaching, interactive conversations, and accolades should be offered throughout the year; there should never be any surprises to the employee when their supervisor meets with him/her for the annual performance review. She said employees desire feedback about strengths, areas of opportunity and improvement; they want support for their development and achievement of goals. She said there is value in a performance review program, however the current one needs overhauled. Chair Stewart said it is important to note that no employees' performance review is being cancelled, whether positive or negative; we are only suspending the use of the current program. Chair Stewart said Ms. Kadel will present at the November 2nd Trustees meeting a new proposal for consideration.

Res. 170-20 Suspend the current performance review program until further notice.

Mr. Cavener moved to suspend the current performance review program until further notice. Chair Stewart seconded. All voted yea. Motion carried.

Ms. Kadel added that while the current performance review program will not be a requirement during the suspension, it does not mean that departments with employees whose pay increases are triggered by their annual performance review cannot still use them. Ms. Kadel is concerned that if the performance review is not done, the pay increase may be overlooked. Chair Stewart requested the department heads continue to complete the performance reviews for those employees that are due so he/she will be eligible for his/her potential pay increase. Chair Stewart requested Ms. Kadel monitor this, so no employee is overlooked during the process of transitioning to another performance review program.

Ms. Kadel said she has received information back from all department heads on the credentialing/training requirements audit and has requested clarification of some information that was provided. She said she will work with Ms. Barnette to compile the information into a spreadsheet and then into PayCor. Ms. Kadel said she will provide the spreadsheet at the November 2nd Trustees Meeting.

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PUBLIC INFORMATION OFFICER:

Ms. Rapp said it is Fire Prevention Week. She said although there was not an Open House this year because of the pandemic, she posted educational information and themed materials on social media. Ms. Rapp said she would send the theme to the trustees via e-mail as it was not readily available. Ms. Rapp informed the trustees about the upcoming Clean-up Days; the next four Fridays. She said she has received the second training on the content management system for the new website. She said new messages are being received from the public which she is forwarding to the respective department head. She provided explanation as to how the forms work on the website and the inquiry tracking capabilities. Ms. Rapp said if desired, people can make public records requests via the website, but it is not required. Ms. Rapp said she will be trained on the creation of a newsletter.

Ms. Rapp said she is working on getting the staff listing and financial documents uploaded to the website. Acting Chief Phillips said she was aware of errors with the employment application. Chair Stewart said every function of the new website needs to be tested.

Chair Stewart asked Ms. Rapp to show the addition branding ideas for signage and logo as a result of her meeting with Chief Kauser and his recommended graphics designer, as outlined during the September 15th meeting. Ms. Rapp said she misunderstood the requested commitment and the deadline was missed. Chair Stewart reminded everyone that they must meet the commitments agreed upon in the trustees meeting and as documented in the meeting minutes. Chair Stewart requested a special meeting on October 13th at 1:30 p.m. to discuss the status of the new website and needed changes; testing of every function of the website; and the new township logo. Ms. Rapp said she will have the requested information prepared for the meeting. Chair Stewart said Ms. Rapp, as the project manager, should drive the testing of the website functionality via the department heads.

SERVICE:

Mr. Boggs said the department is still working on foundations and the street sign project. He said he anticipates finishing the foundations by this week and the sign project by November, weather permitting.

Mr. Boggs said the HVAC contract has expired. He said DeBra-Kuempel, our current HVAC vendor, has offered a one-year extension. He is meeting with Speer Mechanical to get estimates for a maintenance contract for all HVAC systems on Wednesday, October 7th.

Mr. Boggs said he has a phone call into Mr. Mark Mullinax at the Franklin County Engineer's Office to get information as to why the Drake Road project has not started yet. He has not heard back from him yet. He said the Service department will continue to maintain the road until the project begins.

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Mr. Boggs said, with the trustees, permission he will contact Mr. Gary Fast about the status of the donated graves to the American Legion. He said three lifetime members would be permitted to use three of the graves and the remaining graves would be taken back to be used for veterans. The trustees agreed that Mr. Boggs should move forward and contact Mr. Fast about this arrangement.

CODE:

Mr. Boggs requested the following listing of three properties with code violations be placed as a lien on the tax duplicate for grass mowing in the total amount of \$900.00:

1. 2049 Loretta Ave., \$300.00
2. 2326 Rankin Ave. \$300.00
3. 2104 Earl Ave. \$300.00

Res. 171-20 Approve the three properties with code violations be placed as a lien on the tax duplicate for grass mowing in the total amount of \$900.00.

Mr. Angelou moved to approve the three properties with code violations be placed as a lien on the tax duplicate for grass mowing in the total amount of \$900.00. Mr. Cavener seconded. All voted yea. Motion carried. (See Referral File.)

Mr. Boggs said they are still tagging and picking up trash in the allies and right-of-way. He said he received a call about a vacant lot on Rankin Ave. with a possible rat infestation. Mr. Boggs said the property has been cleaned up and there is no evidence of rats.

POLICE:

Acting Chief Phillips requested the approval of a commendation award for Officer Peddicord for his outstanding police work on August 28, 2020 to be presented at the trustees meeting on November 17th, if possible.

Res. 172-20 Approve a commendation award for Officer Peddicord for his outstanding police work on August 28, 2020.

Mr. Cavener moved to approve the commendation award for Officer Peddicord for his outstanding police work on August 28, 2020. Chair Stewart seconded. All voted yea. Motion carried. (See Referral File.) Chair Stewart said the award will be presented at the Trustees Meeting on Tuesday, November 17, 2020.

Acting Chief Phillips requested the approval to purchase ballistic helmets, riot visors, and riot suits from EDI-USA in the amount of \$5,614.00.

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Res. 173-20 Approve the to purchase ballistic helmets, riot visors, and riot suits from EDI-USA in the amount of \$5,614.00.

Chair Stewart moved to approve the to purchase ballistic helmets, riot visors, and riot suits from EDI-USA in the amount of \$5,614.00. Mr. Cavener seconded. All voted yea. Motion carried. (See Referral File.)

Acting Chief Phillips requested the purchase of training modules for eight officers via Blue to Gold Training Law Enforcement Training, LLC in the amount of \$952.00. She said the officers will complete the training by the end of November.

Res. 174-20 Approve the purchase of training modules via Blue to Gold Training Law Enforcement Training, LLC in the amount of \$952.00.

Mr. Cavener moved to approve the purchase of training modules via Blue to Gold Training Law Enforcement Training, LLC in the amount of \$952.00. Mr. Angelou seconded. All voted yea. Motion carried. (See Referral File.)

Acting Chief Phillips requested the approval of the proposed Police Division Hourly Wage Schedule. She said the rates are in line with the surrounding agencies and will assist with officer retention. Mr. Cavener said we need to be competitive with the pay or we will lose good officers. Mr. Angelou agreed. Upon discussion, it was determined that the decision to approve the proposed Police Division Hourly Wage Schedule be tabled until the trustees meeting on November 2nd to determine if the budget will allow it.

Res. 175-20 Table the approval of the proposed Police Division Hourly Wage Schedule until November 2, 2020.

Mr. Cavener moved to table the approval of the proposed Police Division Hourly Wage Schedule until November 2, 2020. Mr. Angelou seconded. All voted yea. Motion carried. (See Referral File.)

Acting Chief Phillips requested the promotion of Officer Dustin Hardway to the rank of Sergeant, effective November 1, 2020, including a one-year probation, with a probationary pay rate of \$26.75 per hour.

Res. 176-20 Approve the promotion of Officer Dustin Hardway to the rank of Sergeant, effective November 1, 2020, including a one-year probation, with a probationary pay rate of \$26.75 per hour.

Mr. Cavener moved to approve the promotion of Officer Dustin Hardway to the rank of Sergeant, effective November 1, 2020, including a one-year promotion, with a pay rate of \$26.75 per hour. Mr. Angelou seconded. All voted yea. Motion carried. (See Referral File.)

Acting Chief Phillips requested the purchase of two police cruisers from the Care Acts Fund as a necessary expenditure due to the public health emergency, not to exceed \$40,000 each. She said in her research several police agencies and service departments

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have been able to purchase vehicles for their fleets to reduce cross-contamination when sharing cruisers. Fiscal Officer Duff clarified that the cruisers would be purchased, and the township would subsequently be reimbursed via the Care Acts Fund. Acting Chief Phillips said she is researching to find local inventory of vehicles.

Res. 177-20 Approve the purchase of two police cruisers from the Care Act Fund as a necessary expenditure due to the public health emergency, not to exceed \$40,000 each.

Mr. Cavener moved to approve the purchase of two police cruisers from the Care Act Fund as a necessary expenditure due to the public health emergency, not to exceed \$40,000 each. Mr. Angelou said based on the recommendation of Fiscal Officer Duff and the assurance of the Care Act Fund, he seconded. All voted yea. Motion carried.

Acting Chief Phillips confirmed that the \$40,000 amount includes the extra equipment, striping, lighting, etc.

Acting Chief Phillips requested approval to purchase candy for Trick or Treat night, not to exceed \$500. She said she is working out a process to distribute candy due to the pandemic. The trustees explained to Acting Chief Phillips that there is a fund already set up to supply candy, holiday turkey/hams for the unincorporated areas.

FIRE DIVISION:

Fiscal Officer Duff and Chief Kauser requested the change from a 21-day pay cycle for 56-hour staff to a 14-day cycle effective October 18, 2020. He said this will compensate 56-hour firefighters 112 hours a pay cycle (includes 6 hours of FLSA half time), and to count sick leave as regular work time, and pay overtime as worked in a 14-day pay period. Fiscal Officer Duff explained that this would have the benefit of simplifying payroll and eliminating hand-processing payroll; encouraging overtime coverage and backfill; eliminating the perceived punishment when using sick leave; allowing real-time understanding of payroll costs by flattening costs and improving cash flow; and allowing 56-hour workers to eliminate the delay of up to four weeks in receiving overtime pay. He said there is no impact to the budget in doing so. He said it incentivizes the coverage of shifts.

Res. 178-20 Approve the change from a 21-day pay cycle for 56-hour staff to a 14-day cycle effective October 18, 2020.

Mr. Cavener moved to approve the change from a 21-day pay cycle for 56-hour staff to a 14-day cycle effective October 18, 2020. Chair Stewart seconded. All voted yea. Motion carried. (See Referral File.)

There was discussion about ways to mitigate abuse of sick leave. Chair Stewart requested Ms. Kadel to confirm the legality of the resolution for the 56-hour firefighters by contacting legal counsel. Mr. Angelou said if it is flawed, it will be amended in the future.

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Chief Kauser requested the approval to increase the sick leave accrual cap to 3,960 hours for 56-hour firefighters to 2,824 for 40-hour staff effective November 1, 2020. He said this request included establishing a new retirement payout maximum of 15% for those staff who opt-in. He said staff who have 20 years of service credit and/or who plan to retire/separate within 60-months may choose to remain at the present cap and payout levels. Employees who opt-out will provide a signed form to the Township Fiscal Officer indicating their choice. The payroll system will manage accruals and the cap. He said he anticipates less than 8 staff members will opt-out due to pending retirement.

Township Administrator White said 3,960 hours is a lot of sick time; over 15 months, which can be detrimental to a department. Chair Stewart agreed, but said it is a benefit of time for an employee who is critically ill. Mr. Cavener said the firefighters are breathing poor air that could cause illness, especially cancer, where the extra sick leave is helpful. Chair Stewart asked Chief Kauser how many employees have run out of sick time over the past five years. He responded 6 – 8 employees and we are seeing multiple back-to-back injuries.

Ms. Kadel reminded the trustees that if the injury is a work-related injury, the township pays 12-weeks full pay. An employee injured on the job cannot accept donated sick leave from another employee. Chair Stewart said in the past, employees have donated his/her accruals, many times putting themselves in a predicament down the road where the donor may need the previously donated sick leave. Chief Kauser said the firefighter's job has gotten tougher; more runs, heavier equipment. He said the financial increase is negligible as it is offset by the reduced maximum payout of 15%.

Res. 179-20 Approve the increase in the sick leave cap for Fire Division Personnel to 3,960 hours for 56-hour firefighters and to 2,824 for 40-hour Fire staff, effective November 1, 2020.

Chair Stewart moved to approve the increase in the sick leave cap for Fire Division Personnel to 3,960 hours for 56-hour firefighters and to 2,824 for 40-hour staff, effective November 1, 2020. Mr. Cavener seconded. All voted yea. Motion carried. (See Referral File.)

Township Administrator White questioned if this is applicable to all departments or just the Fire Division. The trustees said if other departments' budgets can support it, the department head may bring his/her request to the trustees for consideration.

Chief Kauser requested the approval to replace 15 sets of structural firefighting gear for the Fire Division Personnel from Finley Fire Equipment Co. in the amount of \$48,855.00.

Res. 180-20 Approve the replacement of 15 sets of structural firefighting gear for the Fire Division Personnel from Finley Fire Equipment Co. in the amount of \$48,855.00.

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Mr. Cavener moved to approve the replacement of 15 sets of structural firefighting gear for the Fire Division Personnel from Finley Fire Equipment Co. in the amount of \$48,855.00. Mr. Angelou seconded. All voted yea. Motion carried. (See Referral File.)

OPERATIONS CENTER:

Chief Kauser said the work at the Operations Center is progressing very rapidly.

Chief Kauser requested the retroactive approval for previously authorized electrical work for Watts-Up Electric Inc., in the amount not to exceed \$11,000.00 and the approval for electrical contract work in the Township Administration area and Fire Suite by Watts-Up Electric in the amount of \$10,625.42.

Res. 181-20 Retroactively approve the previously authorized electrical work by Watts-Up Electric Inc., in the amount not to exceed \$11,000.00 and the approval for electrical contract work in the Township Administration area and Fire Suite by Watts-Up Electric in the amount of \$10,625.42.

Mr. Angelou moved to retroactively approve the previously authorized electrical work by Watts-Up Electric Inc., in the amount not to exceed \$11,000.00 and the approval for electrical contract work in the Township Administration area and Fire Suite by Watts-Up Electric in the amount of \$10,625.42. Mr. Cavener seconded. All voted yea. Motion carried. (See Referral File.)

Chief Kauser requested the approval for painting and drywall work in the Fire Suite and hallway and the remainder of the 2nd floor of the Fire Suite by Kean Construction in the amount of \$11,000.00. Chief Kauser said this does not include the Administration Office as incorrectly stated on the agenda as that work has already been completed.

Res. 182-20 Approve the painting and drywall work in the Fire Suite hallways by Kean Construction in the amount of \$11,000.00.

Mr. Angelou moved to approve the painting and drywall work in the Fire Suite and hallway by Kean Construction in the amount of \$11,000.00. Mr. Cavener seconded. All voted yea. Motion carried. (See Referral File.)

MIFFLIN DISPATCH:

Chief Kauser requested the contingent hiring of part-time MECC Dispatcher Brian Dietz.

Res. 183-20 Approve the contingent hiring of part-time MECC Dispatcher Brian Dietz.

Chair Stewart moved to approve the contingent hiring of part-time MECC Dispatcher Brian Dietz. Mr. Angelou seconded. All voted yea. Motion carried. (See Referral File.)

MIFFLIN TECHNOLOGY:

Chief Kauser requested the approval of the renewal for the Kronos Telestaff software in the amount of \$6,698.75. He said this software is shared between Mifflin Township,

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Plain Township, and the MECC Dispatchers for staff scheduling. He said it is a shared expense.

Res. 184-20 Approve the renewal for the Kronos Telestaff software in the amount of \$6,698.75.

Chair Stewart moved to approve the renewal for the Kronos Telestaff software in the amount of \$6,698.75. Mr. Cavener seconded. All voted yea. Motion carried. (See Referral File.)

Chief Kauser requested the approval to amend the fire appropriations and approve servers and data storage for Township operations, including the new Township Video Monitoring and Security System, to Affiliated of Columbus in the amount not to exceed \$22,000.

Res. 185-20 Approve to amend the fire appropriations and approve servers and data storage for Township operations, including the new Township Video Monitoring and Security System, to Affiliated of Columbus in the amount not to exceed \$22,000.

Mr. Angelou moved to amend the fire appropriations and approve servers and data storage for Township operations, including the new Township Video Monitoring and Security System, to Affiliated of Columbus in the amount not to exceed \$22,000. All voted yea. Motion carried. (See Referral File.)

Chief Kauser said there will be a training fire this upcoming Tuesday and Saturday on Armuth Avenue. Township Administrator White said the EPA is charging a fee of \$75; she questioned why the property owner is not paying the fee. Chair Stewart requested Chief Kauser to research this.

IT:

Chair Stewart requested the status of Director Main's strategic plan for IT services. Mr. Main said he was having formatting issues causing him to miss today's commitment but will have it prepared by the meeting on October 20th.

OLD BUSINESS:

None.

VISITORS COMMENTS:

No visitors.

Chair Stewart moved to go into Executive Session per ORC Section 121.22 (G) (1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, license, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public meeting. Mr. Cavener seconded. All voted yea. Motion carried.

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At 11:30 a.m., the trustees went into Executive Session. At 12:17 p.m., they came out of Executive Session.

Chair Stewart moved to adjourn the meeting. Mr. Angelou seconded. All voted yea. Motion carried.

Lynn M. Stewart, Chair

Richard J. Angelou, Vice Chairman

Kevin J. Cavener, Trustee

Rick Duff, Fiscal Officer