

RECORD OF PROCEEDINGS

THORN TOWNSHIP TRUSTEES

SPECIAL SESSION

Held: January 30, 2012

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The Board of Trustees of Thorn Township convened in special session in the Township Office. Trustee Dale Factor called the meeting to order with the following members and visitors present:

Billie Dearlove	Absent	Dale Factor	Present
Richard Wilson	Present	Robert Coleman	Present

Deborah Morgan was in attendance to take minutes on behalf of Billie Dearlove

Other Attendees: Fire Chief Duane Moore.

Special meeting was called to order by Dale Factor. Dale entertained a motion to go into executive session to discuss issues with Chief Moore. After a brief discussion was held concerning going into executive session it was decided by all that the meeting would remain in open session.

Rick questioned Chief Moore on the qualifications of the Fire Chief's position in the current Thorn Township Fire Departments By-Laws. Rick wanted to know if he had all the stated qualifications. Chief Moore wanted to know what he has not done. Rick listed the stated qualifications and Duane stated that all was met except for the basic EMT card. Rick wanted to know why he hasn't obtained the EMT certification. Chief Moore stated that according to the ORC he did not need that. Rick pointed out that the fire departments By-Laws requires the EMT certification. Chief Moore stated that the fire department does not follow the By-Laws they follow SOG's and SOP's. Rick wanted to know that if they are not going by the By-Laws then he might as well just throw them in the trash. Duane stated that as far as he is concerned, yes he can throw them in the trash. Bob Coleman wanted to know what the SOG's and SOP's stand for. Chief Moore stated that they are "Standard Operating Guidelines" and "Standard Operating Principles"; he gave a brief explanation on these standards.

Discussion was held between Trustee Coleman and Chief Moore on the role of the Trustees in the Fire Department. Chief Moore stated that he is in charge of the Fire Department and all members of the department answer to him, he is responsible for anything that transpires in the department. Chief Moore stated that dispensing finances to the fire department is the only job the trustees has in relation to the fire department.

Trustee Wilson questioned Chief Moore on the issue of calling Lowes and having the trustees taken off the Lowes charge card account and placing himself on the account. Chief Moore stated that he has never called Lowes and made any changes; he has never seen a Lowes credit card. Rick stated that this was brought to the trustees attention by the Fiscal Officer at a meeting and wanted to know why she would state something like this in a public meeting if it wasn't true. Chief Moore stated he didn't know but he has never changed anything in regards to a Lowes charge card.

Trustee Wilson wanted to know if Chief Moore called Fiscal Officer Dearlove to apologize to her concerning a previous issue, as directed by the Trustees. Chief Moore stated that he made two attempts and did not make contact.

Trustee Wilson wanted to know if Chief Moore followed the By-Laws when appointing all officers. Chief Moore stated that he is the one who appoints officers. Rick pointed out that Trustee Factor had actually determined that according to the By-Laws the Trustees are to approve all officers. Trustee Factor stated that it was determined that the Captains position that was filled with Jeremy Weekly was filled for a period of time before it was approved by the Trustees, but was eventually approved.

Trustee Wilson questioned Chief Moore on his knowledge of the fund accounts the fire department had and which should not have been. Chief Moore stated that he was completely unaware that this was not permitted, however once he found out about this fact he educated himself on the issue and they are in the process of fixing it. Discussion was held on the issue of the fire department obtaining their own Federal Tax ID # and starting a Fire Association. Chief Moore also stated that they have obtained legal counsel and are currently in the process of obtaining their own Federal Tax ID #, along with creating a Fire Department Association and 501-3C, non-profit organization status.

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Trustee Wilson wanted to know if Chief Moore took the brush truck out to his home and then broke the wench on the brush truck. Chief Moore stated "No" he knew exactly when the wench was broke. It was broke on a mutual aid run with Millersport. Chief Moore gave further details on other agencies that were present on this run. Chief Moore stated that he has never taken Township equipment to his home and never would take Township equipment for personal use.

Trustee Coleman stated to Chief Moore that he recently phoned Dave Lyle, from the fire department, and requested the copy of the By-laws. Dave Lyle told Bob that he was not permitted to give anything to the Trustees unless it was approved by the Chief first. Discussion was held on this issue. Chief Moore was asked if he ever has told any of the Fire Department Members that they could not talk to the Trustees. Chief Moore stated that he has never told any of them they could not talk to the Trustees, but any documentation, etc. requested must be approved by him before being given to the Trustees. Trustee Coleman voiced his concern over Chief Moore not attending Trustee meetings. Chief Moore stated that he can't be there due to his work schedule but if they wanted to change the night of their meetings than he would be happy to attend. Chief Moore stated that this was brought to the Trustees attention when he first became Chief and it wasn't a problem then.

Trustee Coleman stated that he has requested copies of the fire department's financials and he still has not been given them. Chief Moore stated that he was told the financials were to be given to the Auditor and he is waiting on finding out who that will be and he they will give all the receipts and paperwork to the Auditor. Trustee Coleman stated that he was directed to give them to him. Chief Moore stated that he wasn't going to give them to him, only to the Auditor. Bob stated that they are in charge of the fire department, as Trustees and they should be given to them. Chief Moore stated that if they are to be given to the Trustees first then they will be given to them in a sealed bag only. Chief Moore was questioned as to why he would refuse to give these documents to them. Chief Moore stated that too much stuff goes on. Trustee Wilson questioned Trustee Factor on if he thought the Trustees had a right to see these documents. Trustee Factor stated that he thinks the Trustees should have the right to see them but feels they should go to the Auditor; he doesn't see the need to see them. Dale stated that he feels Duane is the only one the Trustees should go to in order to get information, etc. from the fire department since it is his feet that are going to be held to the fire. Dale also stated that they were at this meeting to figure out a communication path between the Trustees and Chief Moore. That a lot of these issues were due to communication problems and he suggested a meeting with Chief Moore once a month to make sure communication is clear.

Trustee Coleman wanted to know why Chief Moore paid for radios for the Fire Department himself. Chief Moore stated that he could not get a check in time from the Fiscal Officer in order to purchase them while they were at a discounted cost. Chief Moore pointed out that the purchase was approved by the Trustees prior to the purchase but he just went ahead and paid for them personally because he couldn't get the check in time to be able to purchase them at the lower cost. Trustee Coleman wanted to know what the Chief's spending limit was. Chief Moore stated that it was \$500.00, it was talked about at one time to increase it to \$1000.00 but he felt it was still currently at \$500.00. Trustee Wilson indicated that he had purchased mulch for the new fire building and had not turned in a bill for it.

Trustee Coleman stated that earlier Chief Moore stated that the Fire Department had legal counsel helping them with obtaining their Federal Tax ID; he wanted to know who it was. Chief Moore stated that it was Chip Welch with the Fire Chiefs Association. Further discussion was held on this issue of getting the receipts and documents previously discussed to the Trustees. After this discussion it was decided that the receipts and documents would be given to Trustee Bob Coleman by 5 p.m. Monday February 6, 2012. Chief Moore stated that Trustee Coleman would be given the documents by that time and date by either himself or Mark Holdcroft.

Trustee Coleman made a motion that from this day forward anything requested from the Fire Department, such as records, By-laws, copies, etc. would be required to be in the Trustee hands within 36 hours from the time they were requested, so they can have better communication, the motion was seconded by Trustee Factor. Discussion was held and a motion was made by Trustee Coleman to amend the motion changing the time frame from 36 hours to 48 hours, the motion was seconded by Rick Wilson. After no further discussion was held on the amended motion, the motion as amended was approved by unanimous vote. It was stated that all requested information would be communicated to the

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Chief by the Trustee Chairman and then the requested documentation would be given to the Trustee Chairman.

Trustee Coleman wanted to know why the qualifications for the Chief were not as stringent as for the other positions in command. Trustee Coleman wanted to know why the department would want to lessen the Chief's qualifications. Chief Moore stated that the members of the department are fine with them, they all voted for them. Brief discussion was held.

Trustee Wilson wanted to know if Elaine's fire coat was burned. Chief Moore stated "No" if it had been it would be replaced, also Asst. Chief Rob Sands inspects the gear and if it had been it would have been removed and Rob Sands has never reported any damage to the coat to him.

Trustee Wilson wanted to know why he still is unable to enter the fire department. Discussion was held on the code system for the doors. Trustee Factor stated that he checked with Captain Mike Tolliver and he stated and showed Trustee Factor that Rick's code had been entered. Chief Moore stated that the number may have been entered into the system incorrectly. Trustee Coleman stated that when he is checking on Rick's code he would like to enter him into the system as well. Chief Moore stated that he will make sure that both Bob and Rick are entered into the system.

Discussion was held on the current by-laws of the fire department and the proposed new by-laws. Trustee Factor wanted to know if the Trustees would like to meet with the members of the Fire Department to discuss the proposed new by-laws. Trustee Coleman stated that it seems to be pointless, as Duane stated earlier all voted for them. Trustee Wilson also stated that Chief Moore stated earlier that they don't go by the by-laws anyway and as far as he was concerned the by-laws could be thrown in the trash so why discuss it with them.

Discussion was held on all members of the fire department receiving the Township Employee Handbooks. It was stated that all are employees of the Township and should have received one. It was decided that Trustee Factor will have copies printed and all members would be given one. They will sign the acceptance page and a copy of this signed page will be kept by the fire department and the Fiscal Officer in their personnel files.

Trustee Coleman stated that on January 1, 2011 Chief Moore was reprimanded about an issue dealing with Fiscal Officer Dearlove and was instructed to make contact with her to apologize and discuss the issue. Trustee Coleman stated that he wants Chief Moore to make this happen, not just make an attempt, this need to be done. Chief Moore stated that he will do that.

Discussion was held about having a special meeting with the Chief periodically, such as once a month or every other month. It was decided that at this time it was not needed. Chief Moore stated that he would be willing to meet the Trustees whenever they wanted to meet with him.

Trustee Wilson stated that he is still puzzled about the Lowes account, why would Fiscal Officer Dearlove say that it had been done if it wasn't. Chief Moore stated that he did not take the trustees names off of the account, he has no reason to do it and didn't. Trustee Wilson stated, why would the Fiscal Officer lie. Chief Moore stated that he isn't lying about the issue. Trustee Wilson wanted to know if Chief Moore has ever called anyone that they do business with and changed anything. Chief Moore stated "No", no one from the department can buy anything without his approval and nothing can be bought without a PO. Trustee Wilson questioned Chief Moore again and clarified the question, "Have you ever called anyone or any account and asked them to change the way it is to be billed or paid?" Chief Moore answered "No, he has not". Trustee Wilson requested that the question be read back to him by Deborah Morgan, who was sitting in for Fiscal Officer Billie Dearlove and was taking minutes of this meeting. He also requested Chief Moore's answer be read back as well. Ms. Morgan stated that Trustee Wilson asked the Chief if he had ever called anyone or any account and asked them to change the way it is to be billed or paid and the Chief's answer was No, he has not.

After no further discussion Bob Coleman moved to adjourn the special meeting, Rick Wilson seconded the motion. The meeting was adjourned at 6:40 p.m.

Absent

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Billie Dearlove

Robert Coleman

Richard Wilson

Dale Factor