

**GRAFTON TOWNSHIP REGULAR BOARD MEETING MINUTES  
September 8, 2011**

**1. Call to Order**

Supervisor Moore called the meeting to order at 7:30 pm.

**2. Roll Call**

Present: Supervisor Moore, Trustees LaPorta, McMahon, Zirk, Clerk Ford, Assessor Ottley, Road District Commissioner Freund.

Absent: Trustee Murphy

**3. Pledge of Allegiance**

The Pledge of Allegiance was said.

**4. Set Agenda for Meeting**

**Motion by Trustee LaPorta, seconded by Trustee Zirk, to accept the agenda for the September 8, 2011 Meeting as posted by Clerk Ford.**

**Roll Call**

**AYES: Trustees LaPorta, Zirk, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

**5. Regular Business**

A. Audit and Payment of Bills

1. Discussion and potential action to pay bills as submitted

Discussion: Assessor Ottley stated that on the Unpaid Bills Detail-*Cardinal Office Supply* the \$443.09 is for the Assessor's office; the other charge on 9/15/2011 will be changed to #1651- \$269.57. Road Commissioner Freund stated that he did not authorize the Ketchmark services and would not approve the bill for \$543.00 and that this item has continued to be placed on the bills for the Road District. Road Commissioner Attorney Coen stated that the Road District has not contract with Mr. Ketchmark. Supervisor Moore responded by stating that the services provided by Mr. Ketchmark are part of the duties of the Treasurer and she is the Treasurer. Mr. Coen stated that there is no statute allowing her to hire someone to perform her duties as Treasurer than charge the Road District.

Road Commissioner Freund mentions two errors: 1) Curran Contracting Co. should be 9614, not 9514 and 2) Nextel bill is listed twice.

**Motion by Trustee LaPorta, seconded by Trustee Zirk, to approve the Town Fund bills excluding the Item #1832 \$300,000 debt service and to approve the Road District bills, excluding the J. A. Ketchmark bill for \$543.00.**

**Roll Call**

**AYES: Trustees LaPorta, Zirk, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

Assessor Ottley stated that even though it was specifically approved in a separate motion at the last meeting three of his employees have still not been reimbursed for expenses. Supervisor Moore stated that she has clarified the information and they will now be paid.

- B. Approval of Minutes
  - 1. Minutes of August 11, 2011 Regular Township Board Meeting
  - 2. Minutes of August 25, 2011 Special Township Meeting

**Motion by Trustee Zirk, seconded by Trustee LaPorta, to approve the Minutes of Minutes of the August 11, 2011 Regular Township Board Meeting and the Minutes of August 25, 2011 Special Township Meeting.**

**Roll Call**

**AYES: Trustees Zirk, LaPorta, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

**6. Public Comment/Board Response to Public Comment**

None

**7. Old Business**

A. Discussion and potential action on updates of the 2009 and 2010 audits. Audits are in process. No further discussion.

B. Discussion and potential action on renovations to Assessor's Offices. Assessor Ottley stated that he needs a deposit to proceed and that the Supervisor has refused to do so. He said that all details regarding prevailing wage have been clarified. Supervisor Moore stated that she needs an attorney to advise her on the contract. She will not pay a deposit. Trustee LaPorta stated that since the project is under \$20,000, therefore, bids are not required. Trustee McMahon stated that the Trustees have not been paid since April. He suggested that other arrangements be made with the contractor.

**Motion by Trustee LaPorta, seconded by Trustee Zirk, to again approve the Assessor's Office project and direct him to proceed with the project.**

**Roll Call**

**AYES: Trustees LaPorta, Zirk, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

Supervisor Moore stated that a generator and insulations is needed for the building. Assessor Ottley left the meeting at 7:55 p.m.

C. Discussion and potential action on appointment of a Township Attorney. Supervisor Moore stated that a special counsel is needed for one transaction. She asked that this item be placed on the agenda after the Closed Session.

**Motion by Supervisor Moore, seconded by Trustee LaPorta, to place this item on the Agenda after the Closed Session.**

**AYES: Supervisor Moore, Trustees LaPorta, Zirk**

**NAYS: Trustee McMahon**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

D. Discussion and potential action on previously approved payments of rent to the Road District.

Road District Attorney Pat Coen explained that no payments have been received, as specified in the Intergovernmental Agreement and approved by the Electors at the April Special Meeting of the Electors. Supervisor Moore stated she has been advised by legal counsel not to make these payments.

**Motion by Trustee LaPorta, seconded by Trustee Zirk to pay all open items as specified in the Intergovernmental Agreement.**

**Roll Call**

**AYES: Trustees LaPorta, Zirk, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

**8. New Business**

A. Discussion and potential action on IRS Regulations for the Township paying for meals of employees and elected officials.

Discussion: Trustee McMahon read numerous documents substantiating that employees should be reimbursed for meal expenses (under \$100.00), including elected officials attending MCOG Meetings and that there are no tax ramifications. Road Commissioner Attorney Pat Coen stated that the Assessor had previously presented a document from CPA Wayne Brown that supported this opinion. Attorney Coen read the document. Supervisor Moore stated that moving forward she will comply.

**Motion by Trustee McMahon, seconded by Trustee Zirk, to return to previous accounting procedures and that there would be no tax ramifications for reimbursements.**

**AYES: Trustees McMahon, Zirk, LaPorta**

**NAYS: None**

**ABSTAIN: Supervisor Moore**

**ABSENT: Trustee Murphy**

**Motion Passed.**

B. Discussion and potential action on paying a Township employee to videotape meetings.

**Motion by Trustee Zirk, seconded by Trustee LaPorta, to not pay anyone, including Township employees, to videotape the meetings.**

Discussion: Trustee Zirk said that this was passed at a previous meeting. Supervisor Moore stated that Judge Caldwell said she sets day to day policy. Trustee LaPorta reminded her that court stated that the Trustees can set policy and procedure and that this is the second time the majority of the Board has stated they do not want to pay for the meetings to be videotaped.

**Roll Call**

**AYES: Trustees Zirk, LaPorta, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

C. Discussion and potential action pursuant to the lease agreement in the Intergovernmental Agreement executed by the Township with the Road District, that the space at the Northeast corner of the garage building is to be vacated by the Township and returned to the Road District.

Discussion: Supervisor Moore stated that that when the Board tried to evict her from office space they ended up in court. She read a statement encouraging the Road District to change their position. Road District Attorney Pat Coen stated that the Road District has graciously allowed the Township to use their space, but it has been over a year. They are not evicting, but enforcing the terms of the lease that has always been in place.

**Motion by Trustee Zirk, seconded by Trustee LaPorta, to return the Road District office to the Road District.**

**Roll Call**

**AYES: Trustees Zirk, LaPorta, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**  
**Motion Passed.**

- D. Establishment of agenda items for next meeting.  
None

**9. Reports**

- A. Supervisor

General Report of activity as per the packet. No FOIA requests.

- B. Trustees

Trustee McMahon asked the Supervisor why the Trustees have not been paid since June. Supervisor Moore did not respond.

- C. Clerk

No Report

- D. Road District

Road Commissioner Freund presented a general update of activity.

- E. Assessor Ottely

Not present.

- F. Committee Reports

None

**10. Closed Session**

**Motion by Trustee Murphy, seconded by Trustee Zirk, to enter into Executive Session for purpose of discussion of sale or lease of property and hiring of personnel.**

**Roll Call**

**AYES: Trustees Zirk, LaPorta, McMahon, Supervisor Moore**

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Trustee Murphy**

**Motion Passed.**

**11. Discussion and potential action of items as discussed at Closed Session.**

None

**12. Reconvene Meeting**

**Motion by Supervisor Moore, seconded by Trustee Zirk, to reconvene the Regular Township Board Meeting at 8:51 p.m.**

**Roll Call/Voice Vote/All present voted Aye. Motion Passed.**

**13. Adjournment**

**Motion was made by Supervisor Moore, seconded by Trustee Zirk to adjourn the meeting.**

**Roll Call/Voice Vote/All present voted Aye.**

**Motion Passed/Meeting adjourned at 8:52 p.m.**

Submitted,

Harriet Ford  
Grafton Township Clerk