

Buckeye Lake Village Council Meeting
Held in Village Hall
January 14, 2013
Meeting Minutes

Call to Order: By Council President Hayden at 7:00 p.m.

Pledge of Allegiance and Moment of Silence: Lead by Council President Hayden

Roll Call: Present: Clay Carroll (0, 0), Kay Hartman (0, 0), Barry Herron (0, 0), Charlene Hayden (0, 0),
(Consecutive, Total Absences) Gerry Neff (0, 0)
Mayor Baker

Absent: Jeryne Peterson (0, 1), Arletta Ruton (0, 1)

Staff Present: Valerie Hans, Clerk of Council; Mike Cassidy, Director of Development; James Hanzey, Police Captain; Rod Riley, Code Enforcement; Bob Jordan, Zoning Inspector.

Approval of Minutes:

Motion to approve the minutes of the December 10, 2012 meeting postponed until the next meeting.

Approval of Clerk Treasurer's Report:

Motion by Councilor Carroll to approve the Treasurer's Report dated January 14, 2013, seconded by Councilor Neff.

Roll Call Vote; Yea: Carroll, Hartman, Herron, Hayden, Neff

Motion Passed 5-0

NEW/UNFINISHED BUSINESS:

Councilor Carroll read Article 7 (Sections 7.01, 7.02, 7.03, & 7.04) of the Village Charter during the meeting. Councilor Carroll stated that he will read Articles 8 & 9 beginning with Section 8.01 at the next meeting.

J'Me Bragg Bogden spoke to council on behalf of the Greater Buckeye Lake Historical Society to request a \$3,000 annual contribution to the promotion of tourism in the Village of Buckeye Lake. She further stated that in the past council has contributed \$2,000 per year to cover the cost of placing tourism advertisements and marketing.

Councilor Hartman moved making a \$3,000 donation to the Greater Buckeye Lake Historical Society for 2013, seconded by Councilor Neff.

Roll Call Vote; Yea: Carroll, Hartman, Herron, Hayden, Neff

Motion Passed 5-0

COMMISSION REPORTS:

Parks Commission: The Commission will not be meeting during the month of January; therefore the December meeting minutes are not approved yet.

Planning Commission & Board of Zoning Appeals: The Commission met on Tuesday, January 8, 2013 at 7:30pm. Meeting minutes are not available yet.

COMMITTEE MEETING AND/OR REPORT:

Finance Committee: No report

Public Safety Committee: Councilor Carroll stated that the committee met on December 13, 2012. He submitted a copy of the minutes. Carroll scheduled a meeting for Friday, January 18, 2013 at 6:00pm, to discuss the BWC annual reports and attendance at the monthly safety luncheon. Carroll also scheduled a meeting for Thursday, January 24, 2013, immediately following the Finance Committee meeting at 6:00pm to discuss fire department progress, crosswalks, and Licking County Humane Society's request for funding.

Public Service Committee: No report.

Rules Committee: Councilor Neff scheduled a meeting for Monday, February 4, 2013 at 6:00pm to discuss public response procedures.

Community Development Committee: No report.

Personnel Committee: No report.

COMMUNICATIONS: None

CITIZEN'S COMMENT: Brenda Hileman, 32 Myers Avenue, Buckeye Lake. Stated that during December, 2012, the fire department had a sign outside of the department asking for donations of toys for the needy.

Judy Cook's 9 year old granddaughter donated a Christmas sock, winter gloves, a winter hat to match and a toy dog. These items were new with the tags on them in a plastic grocery bag. After she left the department, fire department volunteer Crickett Ruton was observed throwing the bag into the trash dumpster. Ms. Hileman stated that she knows Crickett is going to come back and say that the items smell musty. She has smelled them and they do not smell musty. Is this the way that the Fire Department is going to act, in retaliation? This was a 9 year old girl that donated these items out of the kindness of her heart. She Ms. Hileman stated that she felt it was wrong to throw these items away.

Rod Riley stated that he would like to answer Ms. Hileman's question. He further stated that it was for the simple reason that they were not secured. You cannot hand out anything like that to the public because we do not know where it comes from. Yes it is a 9 year old girl but the sack was not sealed.

Peg Wells, 258 Cranberry Lane, Buckeye Lake. Ms. Wells thanked J'Me Bragg for coming and for all that you do to increase tourism in the Village. She also thanked the museum volunteers including Charlene Hayden for their service. She also thanked Valerie Hans for increasing the funding in the police department due to her diligent efforts in collecting on old Mayor's Court cases. She then stated that Ms. Hileman's comment wasn't positive; however it was necessary to bring this to our attention. I've had a lot of people say to me that they have a problem with the same people being on Planning Commission as are on BZA. She feels that they should be two separate groups and that might be something that should be looked at in the Charter Review Commission. I have come before you several times and mentioned that you read the charter at every meeting but you don't follow it. I have a copy of the email from the State Auditor's office where he disagreed with our legal opinion regarding Crickett Ruton being able to collect compensation from the Fire Department while serving on Village Council. But as you know, the charter says that you cannot do that and even though I've been saying that nobody wants to listen to me but the State Auditor finally agreed that you can't do that. According to Vince, that issue has been referred to the ethics commission. I'd like all of you to know that there's a group of us considering a recall of Mrs. Ruton which is going to cost the Village some money unless you convince her to voluntarily resign or you vote her off of council which is what the Village should do. So just so you know you are going to have that added expense as an election expense. So don't put it on us, because we are just trying to as citizens (Hayden-you have 30 seconds left) Thanks for that interruption, council president, could you have waited until I was done but you never seem to do that.

DEVELOPMENT DIRECTOR'S REPORT: Mike Cassidy thanked Valerie Hans for all for her hard work in improving the Mayor's court collections. He further stated that he overheard her speaking with a court customer recovering a ticket that was issued in 1988. He thanked the street department for the excellent job that they have done on snow removal during the latest snow storms. He stated that the Planning Commission presently has an opening. Cassidy asked that any interested candidates should please contact the Village office.

Cassidy stated that we have spoken with Fairfield Medical Center regarding bringing a medical facility to the Village of Buckeye Lake. Unfortunately that discussion did not work out. However, they are now speaking with Licking Memorial Hospital. Chet Hauck has stated that he is willing to help if we have a facility that would like to locate in the Village. Lastly, Cassidy stated that 376 Myers Ave. is demolished and the site has been cleared. 11155 Hebron Rd. is scheduled to be torn down in the next few weeks.

MAYOR'S REPORT: Mayor Baker stated that Valerie Hans does an excellent job on collecting Mayor's Court fines. He stated that the house tear downs are going great thanks to Mike Cassidy. Mayor Baker stated he doesn't always see eye to eye with the Planning Commission; however he has seen a positive change in the group. He stated that Mary Jennings has been hired to replace Vince Popo when he retires at the end of the month. Lastly, Mayor Baker asked for the Finance Committee to schedule a meeting soon to address some pending needs.

PRESIDENT OF COUNCIL: Hayden read & submitted a written report dated January 14, 2013. Hayden thanked the Street Department for a great job on snow removal during the recent snow storms. She also thanked Captain Hanzey for his assistance, while off duty, on an illegal hunting situation that transpired last Saturday. Officer Vermaaten assisted in this matter and the Police Department will be watching closely as hunting is not permitted inside the Village limits. Hayden thanked Valerie Hans a great job on getting applications for the Clerk/Treasurer position. She had a huge number of applications and narrowed them down to nine very good applicants. Lastly, she congratulated Mike Cassidy for his work in getting the dilapidated homes removed.

She recognized the Buckeye Lake Firefighters Association for securing enough donations from the Buckeye Lake Yacht Club, Buckeye Lake Civic Assoc and \$200 Giant Eagle gift card from an anonymous donor. Some residents of the community also donated items as well. The members of the association, Dave Ruton, Rod Riley, Toby Miller, Pete Leindecker, Renee Leindecker and other members of the Leindecker family helped with moving the presents into family groups and the wrapping of the presents. The anonymous donor of the Giant Eagle gift cards allowed us to provide Christmas dinner for the needy families as well. She was also there for a couple of hours to help with the wrapping. Dave Ruton took pictures of the event and he will share those when he returns from being out of town. Hayden stated that she asked Cricket Ruton to prepare a statement regarding this event. Ruton's statement was read to the public at this time.

Vince and I met with the Auditor on Thursday to complete the remaining paperwork so that the audit could be released as a finished document. Hayden stated that even though Vince has gone through the rules to transfer money before, he asked me to reiterate that if money is transferred out of the general fund it cannot be transferred back to the general fund. Transfer and special fund monies require a court order if an entity wants to move the money back to the general fund. If it is stated in council minutes that money has been advanced to another fund from the general fund, then that is like a loan to another fund and that money can be returned to the general fund under those circumstances. Generally the only fund that can do advances is the general fund. The main question Vince has been getting pertains to the Water Pre-assessment money. Specifically the Water Pre-assessment money cannot be moved back to the general fund without a court order. That would be a lengthy and expensive proposition and not one that we would be likely to win. So the pre-assessment money can be used for future plans for the water system and that is just about it. In addition, money that is levied for specific purposes, for example police department fund, fire department fund, street department fund, cannot be transferred to the general fund. However, the general fund can transfer money to any one of the above mentioned funds as we have seen in the case of the police department. The other thing that the auditor mentioned is that we need to make sure and track any expenses related to any CDBG or other grant money even though our contractors are paid for by the county.

Hayden stated that she has been in contact with our web designer and asked her if we could set aside space on the website to report current village news. She stated that she would be glad to make a news tab and post whatever the village would like without an extra charge. The information posted must come to her in PDF format. One of the first postings will be the outcome of the Fire Department Advisory Committee's discussion and some of the suggestions for our Fire Department that have come as a result of the Fire Department committee's work & the Public Safety committee's work. The Village website is www.buckeyelakevillage.com. There is already a lot of information about the Village on the website. All council minutes, ordinances and resolutions are available online for the past two years. Hayden also stated that she is researching setting up a Facebook page for the Village. She feels that some people will visit the Facebook page more than the website. At this point, she is thinking of putting the same information on the Facebook page as what is available on the website. Eventually, I would like this information to be available in hard copy to be given to residents when they come in to pay their water bills. Lastly Hayden asked any council members with further suggestions on reaching the residents, to please let her know.

Council Clerk Hans stated that she is scanning in older ordinances, resolutions and council minutes with the goal of having all legislation and minutes for council online and indexed by year as time goes on.

Clay and I have recently discussed getting started with the Charter Review Commission and I just happened to be talking with Annetta Macedonia this morning for another reason and asked her if she would be willing to be on this commission again and she said she would. I later received a phone call from Marie Ray and she thought that she would be willing to serve as a member of the Charter Review Commission. Marie has worked on the Cranberry Bay code of regulations several years ago. Annetta, Marie and one other person from Cranberry Bay established the entire code of regulations. So Marie, we will be happy to have you on that commission and we appreciate you volunteering. So we now have two people who say they would be on the commission we need three more. So if you know of anyone else who is interested, I would appreciate you letting me know.

ORDINANCES

3rd Reading
2nd Reading
1st Reading

RESOLUTIONS:

3rd Reading
2nd Reading
1st Reading

2013-01 A RESOLUTION OF SUPPORT FOR AN OHIO HOUSING FINANCE AGENCY (OHFA) HOUSING TAX CREDIT FINANCE PROJECT IN THE VILLAGE OF BUCKEYE LAKE AND DECLARATION OF EMERGENCY.

2013-02 RESOLUTION DECLARING NECESSITY FOR THE RENEWAL OF AN EXISTING TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION, AND REQUESTING THE LICKING COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.192, 5705.25 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

Citizen's Comments: Peggy Wells, 258 Cranberry Lane, Buckeye Lake. Council President I'm interested in serving on the Charter Review Commission, would you like to appoint me? (Hayden-that's up to council) Well that's very interesting Council President because just a few minutes ago you acted as if you had the sole authority to make appointments because you actually made a statement welcoming two people solely on your own, Annetta Macedonia and Marie Ray were indeed on the commission You don't have an answer do you? When it comes to Peggy Wells, you are shoving the decision off on someone else. You don't have an answer, I didn't think so. You know Council President, I was very sincere a few minutes ago, I truly was when I was trying to be civil to you in thanking you for your service to our community. I don't know why it is you choose to be so terribly negative and be so rude especially to me and to Brenda also. I think that you are such a disappointment as a leader of this council. Your rudeness is uncalled for, it's embarrassing when we have guests here. You intend to want to squash anybody that wants to disagree with you. I've just proven to council that you are inconsistent, you are a bully when you want to make appointments. What would have been more appropriate, you have done this year after year, what would have been more appropriate is to inform council that there are some people on council who are relying on your direction, but you are misleading them in telling them that it's ok that these two people can be appointed when it's their decision. You've done this year after year when there is someone that you want to appoint and get on council, like Gerry Neff, your across the street neighbor in Cranberry Bay, but if Peggy Wells, we have enough people from Cranberry Bay. If it is somebody that you want that you can influence, it's really sad. I know of no other person that gets up at this microphone that you interrupt or say you've got 30 seconds to finish. You are an embarrassment and I feel sorry for this council that we have to put up with you for another calendar year. You don't want to be civil to me, I guess that I can just give it right back.

Brenda Hileman, 32 Myers Avenue, Buckeye Lake. Stated that she was rudely interrupted by the Council President and would really like to hear Assistant Fire Chief Riley's answer to why the donated items from Judy Cook's granddaughter were thrown in the trash dumpster.

Rod Riley responded that it was for sanitary purposes.

Marie Ray stated that she would be happy to serve with Peggy Wells on the Charter Review Commission.

COUNCIL MEMBER COMMENTS:

Kaye Hartman: Councilor Hartman scheduled a Finance Committee meeting for Thursday, January 24, 2013 at 6:00pm to discuss the LEADS proposal, employee position and salaries. It was discussed that the Public Safety Committee meeting would immediately follow this meeting.

Gerry Neff: No comment.

Clay Carroll: In response to the question asked at the last meeting about attendance of the Fire Chief at the Public Safety Committee meetings, he stated that he did not find anything in the Village Charter or Council rules that speaks on the subject. He recommended that the Charter Review Committee and Council Rules Committee may want to consider discussing this subject.

Barry Herron: No comment.

Charlene Hayden: Council President ended the meeting with the following quote:

"Do not let what you cannot do interfere with what you can do."

John Wooden, Head Basketball Coach for UCLA from 1959 to 1975

Adjournment: Motion by Councilor Herron to adjourn the meeting, Seconded by Councilor Neff.

VOTE: IN-FAVOR: ALL YEAS; MOTION CARRIED 5-0

Meeting adjourned at 8:15 p.m.

NEXT MEETING: January 28, 2013

Valerie Hans

Valerie Hans, Clerk of Council

Charlene C. Hayden

Charlene Hayden, Council President