

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

January 4, 2021

(Teleconferenced as advertised in the Times Reporter due to COVID-19)

The Bolivar Village Council met in regular session via GoToMeeting teleconference on **Monday January 4, 2021**. The meeting was called to order by the Mayor at 7:00 pm. The Pledge of Allegiance was said. Lloyd opened the meeting with a prayer. Bellinger, Lang, Lawver, Lloyd, Oberlin, and Vincent all answered to roll call.

Mayor Hubble announced the 2021 appointments as follows:

- Street Superintendent – Dave Franks
- Water Operator – Chuck Williams
- Tax Administrator – Heather Lecce
- Village Administrator – Maria App

Mayor Hubble announced the 2021 committees as follows:

- Finance – Tim Lang, chair
  - Will Bellinger
  - Mary Vincent
- Street & Alley – Bruce Lawver, chair
  - Robert Lloyd
  - Dan Oberlin
- Safety – Mary Vincent, chair
  - Tim Lang
  - Will Bellinger
- Parks & Recreation – Robert Lloyd, chair
  - Bruce Lawver
  - Dan Oberlin

Mayor Hubble opened the floor for nominations for Council Pro Tem for 2021. Dan Oberlin nominated Tim Lang and Bruce Lawver nominated Robert Lloyd. In a roll call vote

Bellinger – Lang	Lloyd - Lloyd
Lang – Lang	Oberlin - Lang
Lawver – Lloyd	Vincent – Lang

Lang will be Council Pro Tem for 2021.

Vincent moved, seconded by Lang, to accept the previous meeting minutes. In a roll call vote, all members present voted yes.

The Fiscal Officer read the bills for the month of **December 2020 which totaled \$95,459.78**. Lang moved, seconded by Lloyd, to approve the bills. In a roll call vote, all members present voted yes.

There were no corrections and/or additions to the agenda.

**PUBLIC SPEAKS** – none

**OLD BUSINESS** –

Welcome packet status – The Mayor advised the packets have been sent out to the residents. The Mayor thanked Holly Thouevin for her help in getting the packets completed.

**MAYOR** – advised she has been attending the fire contract negotiations with the township. The contract ended on December 31, 2020.

Advised she attended a video conference today regarding the COVID-19 vaccine. To date, there are limited doses available in our county and tier 1A groups are eligible now to get the vaccine.

The Mayor took a few moments to address some comments that were placed on The Best of Bolivar Face Book page several days ago. Although it is not my practice to give into half-truths and idle gossip, I felt it prudent to set the record straight and present information that can be verified through a records request or by simply going to our website to view past meeting minutes.

1. As was referenced in the comments regarding “Our sad disappointing project that the village has had to endure “called the water meter project was mandated by the EPA and is also part of a contractual agreement between the TCWS and the village. The village is required to have meters for each household so that the unlimited use of water and loss can be more accurately accounted for. We pay a flat rate for water at this time but in the future, we will be going to monthly billing. This was discussed for months by our council and was also reported in the Bargain Hunter and the Times Reporter under village minutes. If a resident feels unprepared for any happenings within our village they can always call, and we will be happy to answer all questions.
2. The Gas line project through our village was part of their enhancement program to give our residents improved gas service. The village had no say in the project except to insist that all properties would be remediated.
3. Another source of despair was the Burfield property. This property was bought under the assumption by the village to protect our water. Later it was determined that if we had a Well Head Protection Program that we could safely sell off most of the existing property and remove our village from a large debt that was affecting our ability to maintain a balanced budget. The property was sold but with many stipulations to keep our wells safe and our village solvent.
4. The Downtown Project was not only a beautification project but also was a major infrastructure needed project to bring us into the future and bring growth into our downtown area. With this project water lines and water meters were replaced along with green spaces and new LED street lighting. The project was funded through TAP grant, OPWC grant and 0% interest loan. Although we did encounter some overages and unforeseen circumstances because of the age of the underground water system we were still able to get the project done for a reasonably low cost to the village.
5. Addressing the issue of myself and Maria giving ourselves raises every year, let me just say that only council has that ability. Currently as Mayor I make \$673 a month. As an elected government official, I cannot pay into Social Security but only to PERS. \$673 is the minimum to get a one-year credit and this is increased each year by a few dollars and my salary is adjusted accordingly as per ordinance by the village council.
6. Circulating Petition/Call to resign----- In my past decade as Mayor I ‘ve had to make decisions that was not always popular but was needed to move the village in a better direction. Unfortunately, I believe most of our residents do not understand village government. As Mayor I have no voting right on any legislation except in a tie situation. In the past 10 years or so I can only think of 2 situations where I was called upon to break the tie vote of council. I am also for a better Bolivar and believe I have been instrumental in making Bolivar a better place to live and raise their families so with that thought I would love to sign this upcoming petition for a better life.

## **COMMITTEE REPORTS**

**FINANCE** – Lawver deferred to App.

App reported the combined interest for STAR Ohio & STAR Plus for the month of December was \$47.28 and bank interest of \$5.97.

App received a request from the property owner at 110 Johnson Alley to exempt the water charges while they are out of state for the winter. The property only has a garage on it and the exemption would be from November 15, 2020 to March 30, 2021. Lloyd moved seconded by Lang to exempt the water charge for the property from November 15, 2020 to March 30, 2021. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

Lang requested council approval for two breakaway hydrant kits for \$567.12 plus freight; one to replace the hydrant hit in December and the other as a back-up. Lang moved, seconded by Vincent. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

Lang moved seconded by Lawver to approve the contract with See-Click-Fix for \$4000.00. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – no, Vincent – no. Motion passes.

App advised council the proposed contract with Huntington Bank for mailing/postage services for water billing once the billing goes to a monthly cycle which she hopes will begin in April 2021. The monthly fee for this service will be approximately \$355.00. After a brief discussion, it was decided this proposal will have three readings. This will be the first reading of this contract.

Lloyd moved seconded by Lawver to approve the fees for Lexipol annual dues for the Police Department for \$1594.00. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

**PLANNING-** nothing at this time.

**SAFETY** - Lloyd requested council approval for a \$0.50 raise for Alexander Thomas for completing the six-month probation period. Lloyd moved seconded by Lawver to suspend the rules and vote by emergency measure. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes. Lloyd moved seconded by Bellinger to approve **Ordinance O-1-2021 to approve a \$0.50 raise for Alexander Thomas for completing the six-month probation period.** In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

Lloyd congratulated the police department for becoming certified; Group one through the Ohio Collaborative and Department of Justice. They also completed an Executive Order; it's a certification through the Attorney General's Office.

Lloyd announced the Police Department was awarded a grant from the Bureau of Workers Compensation for the purchase of five bullet proof vests. The BWC grant will pay 75% of the cost and a donation of the remaining 25% will be provided by Elite Cryogenics. Lloyd thanked Gary Sears for the very generous donation.

Lloyd announced the Swift RMS 2003 reports have been uploaded and the police department now has access to these reports.

**CHIEF-** nothing at this time.

**STREET & ALLEY** – Lang requested council approval for the purchase of up to five bollards to install around the generator for \$1250.00 plus freight. Lang moved seconded by Vincent. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

Lang advised the committee is looking into grants to purchase a pneumatic power chain saw for the water department.

**STREET SUPERINTENDENT- Franks** – nothing at this time.

**SHADE TREE** – Franks – advised one maple tree at the library was taken down. Franks requested if anyone sees or hears of trees that are damaged to let him know so he can start a list.

**RECREATION** – Vincent – advised the Bolivar Baseball/Softball Association will be holding sign-ups for the 2021 season within the next few months.

**FISCAL OFFICER/ADMINISTRATOR** –

App advised the water meter project is progressing well.

In other news, App stated, "I too would like to address the falsifications posted last week in the FB group, "Best of Bolivar. "The Admin noted the water and trash cost \$166.50 vs 13 years ago at \$80.00. For clarification; it is 166.50 now and thirteen (13) years ago it was 109.50. Which translates to 55.50 per MONTH now vs. \$36.50 per month then. That is a 19.00 per month increase. Unfortunately there was a number of years where there was a lull in updating our rates and amounts. In order for us to stay current and up to speed according to our Asset Management, it was a much needed thing for us to get our rates increased in order for us to apply for any funding, grants or loans. I think the key take away here is, the residents here have unlimited use. Unlike metered towns, the township, other municipalities that are metered, everyone here is getting a pretty good shake on their water considering the fact it's been a flat rate, unmetered usage".

"While on the water topic, if anyone has any issues with their water, I would highly encourage them to contact the Village directly vs using a social media platform that isn't monitored by or affiliated with the Village".

App referenced that the Mayor already touched on the Columbia Gas project. However, App noted the unfortunate timing of the Columbia Gas project and the Meter project occurring in the same time frame. "The bottom line is; we are all residents here and we will ALL be very happy once both projects are complete. No one enjoys having their yard torn up nor the aesthetic inconvenience".

App further addressed, "The false claim that was made about myself as Village Administrator. That is not only completely inaccurate but ludicrous; stating that I made myself Village Administrator. Considering my accuser was once a Village Council member they should know better. For the record, I didn't want the position in 2020 and to be quite frank I really don't care to have it now! The whole \$2.00 extra per hour is certainly not worth the frustration!! I can assure you I have given my all during the past year and I will continue to do so until that position changes".

"Speaking of wages, because this was another comment that was online, I'd like to take a moment to address the statement that I allegedly make more than the Police. This is NOT a Police vs Street vs Fiscal Officer position. But since it has gone out there that I make more than other departments, I think it's key to note there are three (3) department heads and of the three (3) I am the lowest paid of the three even with my \$2.00 per hour stipend as Village Administrator. I'm not complaining about that whatsoever, but it was quite the talking point on Facebook. The only merit to the online comment is, I do make more than the patrolman and the sergeant. It should be considered in the big picture that we have a couple FT employees in the Police Department which does have a financial impact as to how much the Village can offer our employees".

The next claim App addressed was in regards to "hiring two assistants". Well once again that's false. The VILLAGE COUNCIL are the only ones that have the authority to hire anyone. They hired an assistant initially for me whose primary functions includes depositing taxes as well as water utility deposits. On average she average she works 3-5 hours per week which does increase during the water billing cycle. In those weeks it can go up to ten (10) hours in a week. "Council did also hire an assistant per the recommendation of our risk consultant to aid in the segregation of duties. On average, her hours have ranged between 8-10 hours per week; sometimes as little as just a couple of hours".

App went on to address, "The administrator of the group has also alleged he will make it a "mission" in 2021 for change before the Village is destroyed by "them". Them, referring to the Mayor and myself. It was not explicitly specific but it was implied. He stated a petition will be going around soon. So here's a fun fact, you can't recall or

remove a public official and/or employee simply because you don't like them. Since we are on that topic, it's also fascinating that a few short months ago, specifically prior to

October, I was a superstar in this person's eyes; constantly praised for doing a great job. Don't believe me; I have texts that validate that. But suddenly and abruptly this person has a sharp axe to grind when he never previously made mention of any of these concerns that were so liberally blasted on Facebook. It doesn't sound like the "Best of Bolivar" to me, it sounds like there's a lot of bitterness and hatred for whatever reason. Now that may be an assumption of mine, but the post sure resonated that. If the online comments were simply between a few individuals, I wouldn't waste my time addressing them here in Council. However, since they were posted on a much larger scale; on a social media platform with approximately 1,500 members, many of which are right here in our community, I felt it was prudent to address and correct false claims. I believe the community has the right to know the legal process and functions of the Village. No one is giving themselves raises as accused nor are they promoting themselves to positions; especially in a position I don't even want. I have always been an advocate of knowing the facts before assuming anything much less making derogative, meritless statements. Clearly the Facebook post was an inaccurate assumption absent any of the facts".

In closing, for the year ending 2020, as a salaried employee, my accrued and unpaid time donated to the village totaled 469 hours; or that can translate to 22.5% of a working year which consists of 2080 working hours in a year. When my salary was established, it was not based on the job or number of hours entailed, it was calculated by taking a standard hourly rate and multiplying it by the total number of working hours in a year. Again, I'm not complaining, but it seems to be very contentious of what I make in town. I guess before attacking someone over what they make, they should know the facts".

Lastly, "I lost 18.5 hours of unused vacation time that expired on December 31 as well as my 8 hour PTO day. This past year my duties have not just been as Fiscal Officer and Village Administrator; but the administrator of the Coronavirus Relief Funds with guidelines that changed monthly and weekly. Other duties have included the oversight of the tax department, water utilities, compliance with changing laws with the State and the UAN, meter project and have acted as a public liaison. Based on the aforementioned, I take offense to foolish statements made without merit that could potentially taint the reputation of the community as a whole. I bust my butt every single day for this town; whether a workday, weekend or holiday. No one knows more than my family how dedicated I have been and continue to be for this town".

"I wanted to put that out there because it was very offensive and sickening actually. That's all I have to add".

**LAW DIRECTOR – Solicitor** presented the following ordinances.

. **Submitted Ordinance O-2-2021 to approve the ODOT snow contract for five years.** Lang moved seconded by Lloyd to suspend the rules and pass by emergency measure. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes. Lang moved seconded by Vincent to approve Ordinance O-2-2021 to approve the ODOT snow contract for five years. In a roll call vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

**FIRST READING TO AN ORDINANCE TO EDIT ARTICLE 17 "SPECIFIC RULES AND REGULATIONS", ADD ARTICLE 22 "ETHICS POLICY", AND ADD ARTICLE 23 "NEPOTISM" OF THE POLIIES AND PROCEDURES MANUAL.**

Lang requested council go into Executive Session to discuss specialized details of security arrangement, personnel, employment compensation, promotion and/or demotion of a public employee. Lang moved seconded by Lloyd to enter Executive Session at 7:47pm. In a roll call

vote: Bellinger – yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – yes, Vincent – yes.  
Motion passes.

The Mayor asked for a motion to adjourn until the next regular council meeting on February 1, 2021 at 7:00 p.m. The platform will be via teleconference. Lloyd moved, seconded by Bellinger to adjourn until February 1, 2021. In a roll call vote, all members present voted yes. The meeting adjourned at 8:20 p.m.

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Mayor Rebecca S. Hubble

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ATTEST: Maria A. App, Fiscal Officer

**Approved:** February 1, 2021