

**Donegal Township
Supervisors Monthly Meeting Minutes
Thursday, December 2, 2021
6:00 P. M.**

The meeting of the Board of Supervisors of Donegal Township was called to order by Vice-Chairman, Tammi Iams at 6:02 p.m. The meeting was held at the West Alexander Fire Department. The meeting was held as a virtual meeting utilizing a Zoom Video Conferencing Application with residents attending by computer, cell phone or landline, and in person due to the Coronavirus pandemic.

Board members in attendance by Roll Call; Richard Fidler, Tammi Iams, Edward Shingle, Richard Martin, and Kathleen Croft Also in attendance: Lane Turturice - Solicitor, Heather Wood - Secretary/Treasurer. The Pledge of Allegiance to the Flag was recited. Chairman Fidler announced the meeting was being recorded, and is also being recorded by the public.

Mr. Fidler said that people wanted to know why Mrs. Croft are you not shown on there (zoom) it only shows from Ed down/ Mrs. Croft said there's people that want to know what. Fidler asked why are you not on there, they can't see you. Croft says ok, you can't technically see Ed either. Fidler says that is what I am saying, from here down is the only thing that you see and they would like to know why. Shingle says I suspect that will change next month. Croft says I would say too.

Fidler announced an executive session was held November 12, 2021 from 2 to 2:30 to discuss personnel and sale/easement of land. Fidler announced that the Budget Workshops were held on November 12, 2021 from 7 pm to 8:45 pm and November 19, 2021 from 1 pm to 3 pm

PUBLIC COMMENT

Bill Riggle says at last meeting that Mr. Shingle wanted to report to reflect that I am not a tax payer of Donegal Township, this is true and the number that I shared to quote him, "ain't got a dang dime in it", did he completely miss the point, the legal fees are up 478%, liability insurance up 334%, paid over \$70K to an employee for wrongful doing, \$20K in deductible for liability insurance because Mrs. Croft did not like the right to know affidavit that she needed to sign, isn't it a shame that he would ignore the fact that his actions and those of Mrs. Croft have wasted thousands of Donegal Township's taxpayers dollars; it would seem that an outsider can care more about the Township than they do, and by the way I have saved the Township \$1000-\$1200 a month by taking the opt out for health insurance, which by the way, Mr. Shingle and Mrs. Croft voted against; as for the dang dime, I have 7 years of my life invested in the Township Road Department and I was laid off 4 month because of Mr. Shingle and Mrs. Croft actions. The Legal

fees are up 478%, that is not a hard fix, all you have to do is quit manipulating facts, quit lying and do our job. Darrin Iams says here-here. Riggle continues, the liability insurance is up 334%, that is a different story, that is not a quick fix or an easy fix, we are paying approximately \$50K a month more than what we should be paying, that is not going to go away, that is going to go 5-6 years until we get this all under control and show the insurance company that we are back to what we should be, that is \$200-\$300K down the drain and mostly because of 2 people.

JD Martin said he don't have any at this time, obviously just getting the paperwork just now and it being pretty extensive I haven't had the chance to read through it so he'd like the right to reserve later and can't agree or disagree not to approve the minutes, I see that my name is mentioned several times and haven't had the time to go through it.

ADDITIONS TO THE AGENDA

Iams stated Sarah had emailed this afternoon and would like us to add as a motion to accept Strnisha Excavating Inc. to perform the storm water remediations at the Sewage Treatment Plant not to exceed \$19,500; the [project will meet one of the DEP requirements for upgrades at the plant; it reduces the the storm water overflows at the plant, thereby reducing overall plant operations and to paid out of the ARPA monies. Lane stated isn't that accurate as this is an emergent issue as there is a DEP inspection coming up. Iams said yes, we have not been in compliance or fixed the DEP issues for the last 2 years and they are coming out next week for an inspection, a full inspection, so these need to get at least voted on so they can get started on and maybe the inspection won't be as bad. Iams said I will make a motion to add it. Shingle says wait a minute, what are you wanting to add? Iams said it is a motion to repair, and passed Ed the email so he could read it and; Iams said the top part and she added a second one on the bottom. Wood stated these were all regarding the STP that we bid out and rejected all the bids. Shingle says there is a motion on the agenda already. Wood stated that it is for concrete only. Iams says that is a seperate one. Wood says remember you guys broke it down and piecemilled it into 4 separate things; fence, concrete, stormwater... Iams says the stormwater issues by the bulk water and going down into the plant and a deck, there are 4 of them and we rejected them last month or the month before. Wood stated the month before. Shingle says since that is under the new Sunshine guidelines, I don't know if you can even add that. Lane says that is why she mentioned the emergent issue. Wood stated it also falls under the category of business that just arose financially for its been going for many months now. Shingle says you just said its been many months. Iams said I will make a motion to add it. Mr. Fidler seconded it.

Shingle says, I think you are wrong. Croft asked how much was it? Wood replied \$19,500, which is under the bid limit, Shingle says just. Croft says and the other one is just under the bid limit too. Wood says the bid limit is \$23,500. Croft says yes I know what the bid limit is that is why I am saying that they are just slightly under the bid limit. Iams says and we can use the ARPA money for these.

Roll call of votes: 3 - YES 2 - NO - Croft - Shingle Motion carried

ADOPTION OF AGENDA

Mrs. Iams made a motion to adopt the agenda as presented amending to include the addition to agenda. Mr. Fidler seconded the motion.

Mr. Shingle says he would like to add public comment at the end

Roll call of votes: 4 - YES 1 - NO - Shingle Motion carried

APPROVAL OF MINUTES

Mr. Fidler made a motion to approve the minutes from the Board of Supervisors Regular Monthly Meeting held on September 16, 2021 and the minutes from the Board of Supervisors Monthly Meeting held on November 4, 2021. Mrs. Iams seconded the motion.

Croft says I don't know if they are necessarily still correct, I mean there are several times when it's supposed to be she and it says he, there are several sentences where keywords are left out of, so I am going to be voting no. Iams says I called for the vote

Shingle said I had a choice to read War and Peace or the Minutes, I chose War and Peace.

Lane asked is that a yes or a no? Shingle says no

Roll call of votes: 3 - YES 2 - NO - Croft - Shingle Motion carried

Croft says add to minutes, this month's minutes that I believe the minutes are incredibly one-sided, thank you. Wood stated they are right off of Facebook. Lane said you guys need to hire a court reporter. Wood says right and said no other Secretary has had to do minutes like this.

Mrs. Iams made a motion to approve the minutes from the Board of Supervisors Budget Workshops held on November 12, 2021 and November 19, 2021. Mr. Fidler seconded the motion.

Croft said those minutes just said changes were made correct, those are just the ones I saw and I thought I only saw one set. Wood stated yes, because you did not vote, you guys only made changes and recommendations. Croft stated but those changes and recommendations were not listed in the minutes. Wood says they don't need to be, it is in the code. Iams says I believe when you typed the minutes last year or the year before they were not in there either. Shingle says we are going backwards.

Roll call of votes: 3 - YES 2 - NO - Croft - Shingle Motion carried

FINANCIAL BUSINESS

Mr. Fidler made a motion to approve the Treasures Report dated November 1, 2021 through November 30, 2021. Mr. Martin seconded the motion.

Roll call of votes:

Mr. Shingle asked what is it, the Treasurer's report? Wood replied correct. Croft says I keep asking there's like checks like a second paycheck for \$146.00. Wood stated that is not a second paycheck, that is overtime, it's all on the same paycheck but it is broken down per line item just

like every other department. Croft says it says 405.15 and 405.15. Iams asked what page. Wood said she's in the general. Iams said yes, that would be regular time and overtime, it is listed separately on the paystub so it gets entered into 2 different pay categories. Wood stated it is always me. Croft said I have asked before what it was and nobody can tell me. Wood said I did tell you before in an email. Iams says it is the same for everybody. Croft said actually I didn't receive an email regarding that. Wood stated if you would look at Bush for example since he had overtime so he would be the same way as mine looks, it is a better accounting process to break it out with regular pay versus the overtime. Shingle says it is also a lot of overtime.

Roll call of votes: 3 - YES 2 - NO - Shingle - Croft Motion carried

Mrs. Iams made a motion to approve the bills on the unpaid bills list dated November 30, 2021 but amending Heather Wood mileage to read as \$215.66. Mr. Martin seconded the motion. Wood stated I emailed you all. Croft says so I thought the agreement was for mileage was that you guys would do odometer readings. Wood said where is that? Shingle says Rick's has them. Wood stated mine don't, especially when I had the Durango, good luck getting them off of it, toward the end I had nothing which is kinda why I got a new vehicle, but I also printed every direction and included the sheets to be attached.

Roll call of votes: 3 - YES 2 - NO Motion carried

DEPARTMENT REPORTS

1. Code Enforcement - Fidler read
2. Fire Department - emailed to supervisors - Eric Graham read
3. Fire Marshal - 4 buildings made applications for knox boxes and should be installed within the next month or so.
4. Police Department - Fidler read and emailed to supervisors
5. Parks & Rec - nothing submitted or emailed
6. Office & Water - Iams read - There is a couple things on the agenda for water; I did go back and pull the job descriptions for Secretary/Treasurer it mimics the one that we did and looked at in 2019 and it mimics the assistant that we just did as well; I think we should have a job description on file, so do we need to make a motion to adopt it. Lane says you should have made part of the agenda. Croft says I thought it was already on there. Lane said ok.

Iams made a motion to adopt the job descriptions for Secretary/Treasurer. Croft said please read it out loud. Shingle said do we have it? Iams said they can get a copy. Iams said this is the same one I gave you back in 2019. Croft said it is not exactly the same. Shingle says that is 2 years ago right, do we have it? Iams says yes, it is in your packet but I also emailed it to

everybody. Mr. Fidler seconded the motion. Croft says the job description says Second-Class Township Code and it is an appointed position and it serves at the pleasure of the 5 member board of supervisors. Iams says yes it is exactly like the one as the assistant, says the exact same thing. Croft says but in January it goes to 3 so shouldn't it just say the Board of Supervisors. Iams says that Board can adjust it. Lane says just the Bargaining Agreement. Croft says it says the position is administration/clerical in nature. Iams says that would be the assistant, yes. Croft says and the bottom it says for probationary period, it says per contract. Iams says the same as the assistant, yes.

Roll call of votes

JD Martin asks should you be taking action on anything like I've heard over the years, numerous time about the lame duck. Iams says this is not binding anything, this is her job description, so she knows what to do and we are not approving an agreement.

Roll call of votes: 3 - YES 1 - NO - Shingle 1 - AB- Croft Motion carried

Wood asked Croft her reason. Croft replied the same reason per usual. Wood stated I need the word to come out of your mouth. Lane says do you have one of those papers so she can write and put it on record. Wood stated yes out in the truck and will get one at the end of the meeting. Kathy Gilmore asks how can she abstain without giving a reason, there is only 2 reasons she can abstain. Lane says she can't and I have gone over it, I don't know how many times since I've been the solicitor but nobody seems to care, I'm not gonna sit and scream about it but it is noted; actually the code says it. Doug Teagarden says the law says it. Lane says that an abstention vote is essentially recorded as a no vote anyways.

Shingle asked how they can do that, was that on the agenda? Croft says yeah.

7. Road Department - Ed Kraushaar says they dug out a big section on Ramage Rd. replaced the road, working on the trucks getting everything ready for winter, the boom mower tractor been working on it because the power steering cylinder had to rebuild it because the seal went bad, and cut some trees down.

8. Solicitor - Lane says a couple of things, as you all know, back at your October meeting the Board voted to not pay Wheeling Water the exact amount of it's bill, Tammi and I attended a meeting last month informing them of that hoping to get some reaction from Wheeling, there has been a little bit of movement and somewhat happy to say cause the Township has been trying to work with Wheeling for a little over a year to renegotiate a contract and the issue with this so that everyone understands is, there was an agreement that the Township had with Wheeling Water, 40 years ago and it expired in February, the Township back in October 2020 kept reaching out and started reading out through the Secretary, trying to get a dialogue going to get a contract or a new rate in place prior to the expiration of the contract because there is nothing in the original contract that states that the original contract would carry on, there's no readoption, so in April the Board asked since not hearing anything from Wheeling that I get involved, I did my best through spring and summer to get some information from them and we had meetings scheduled in September and they got cancelled, at that point to Board asked me to go to their meeting and since that meeting and since your last meeting I'd hoped that there be a little more movement from them but I can report that their solicitor finally did call me and all that is going on

at this point is that their solicitor is not handling this issue, apparently Wheeling employees a special council of some sort to handle all these contract matters and she assured me that I would be hearing from that person and to date I have not heard anything, so still in a holding pattern, the new Board will probably have to deal with it because I highly doubt that Wheeling is going to do anything; the issue is that your contract rate is higher than their public tariff that has been approved through the West Virginia PSC. So the old contract is more than that amount so that will be the issue that the Township will have to address with Wheeling once the gentleman whose negotiating the contract for them engages the Township. The only other issue regarding executive session involving real estate that we talked about a couple weeks ago, got a call from a realtor about that and did my best to explain to her the PA road law with respect to paper streets and we will just leave it at that. I would like to extend that Rodney Bush who had a heart attack, and having gone that myself, everyone should have if they didn't already reach out to him and give him your best as he is gonna need the Township support. The last thing I have to offer is it's Christmas, I'd like to offer everybody peace and I truly hope that in the coming months the Township finds peace. God Bless you all.

OLD BUSINESS:

Mr. Fidler made a motion to adopt Ordinance 2021-1; small flow treatment facilities as advertised and available for public inspection. Mrs. Iams seconded the motion. Shingle says there was some language issues, did that get taken care of? Lane said not with the Ordinance, that was the agreement. Mr. Fanning said it was all taken care of. Shingle says oh ok. Fanning said the Maintenance Agreement we had a few wording issues, we straightened out, we are fine. Shingle says so in the future, not just with you but for anybody else that won't be a problem. Fanning says that shouldn't be a problem, everything is in line with DEP, there is some language that very well corrects the Township as it should, the property owners recourse is to do what DEP says to do and maintain it like DEP says you should and there should never be an issue.

Roll call of votes: 5 - YES 0 - NO Motion carried

Mrs. Iams made a motion to approve H.L. Smith Subdivision as submitted to supervisors at the November meeting. Mr. Fidler seconded the motion.

Roll call of votes: 5 - YES 0 - NO Motion carried

Mr. Shingle asked what we are voting on? Wood stated H.L. Smith subdivision. Shingle asked if that is the one. Iams said in Claysville, the Montgomery House. Shingle says Montgomery House, yeah.

NEW BUSINESS

1. Mrs. Iams made a motion to approve the request from Tunnel Ridge for the Booster Station to go from a dual pump with gas power to a single pump with electric power, request in writing and submitted to the Board and in packets. Mr. Fidler seconded the motion.

Shingle asked if we got? Iams says Sarah met with Tunnel Ridge, they were having trouble with the gas pumps, she reviewed the plans to put in the electric pump, it is a smaller footprint, it will be small at the site, it will also be quieter. Wood stated they were going from gas to electric. Iams says it is cheaper but they did recommend that this is good and they will be able to get the pump because the gas one's they can't, lead time. Lane says it is a procurement issue. Darrin asks if there is a backup on it, in case it goes out, we have never been without water before. Iams stated so this pump only comes on when the pressure is down, there will be a generator. Darrin asks if they draw when our power goes out there's people that never had a problem with water that could have a problem with water now, that is why they had to put a booster in. Shingle says let's say you have a fire, ok, and the power goes out, I can't imagine that is going to be a 3-stage pump. Darrin says if it is going to be 1 phase it won't run. Shingle says right. Iams says they are running their own 3-phase. Shingle says I don't care who's running it, my point is... Croft interrupts and says it's not magic. Shingle proceeds says they are not investing in a 3-phase generator, cause it would be bigger than the building. Iams says there is a generator with it. Graham says about back up power to the gas that you don't have to worry about it? Iams says there is a generator with it. Lane says make that a part of your conditions. Darrin says I'd want that in writing before you print it. Iams says we will put that in it. Graham says the second question I have is I see it is one pump without a backup and I'm aware that it was initially designed with 2 pumps. Iams says Sarah said we don't need that. Graham asked we don't need it when? Iams says because it's only come one on at a time. Graham says the most important time ever, is when it's gonna come on and we aren't going to have a backup there for it. Darrin asked if there is a valve we can shut off without going to the mine if we want to. Iams says yes. Graham says there was a reason why it was designed with 2 pumps to begin with. Shingle says the redundancy. Iams says the engineers redesigned it because the fact. Graham says because Tunnel Ridge wanted to go with an electric pump and wants to spend less money, that is why it is redesigned, it's absolutely why it's redesigned. Shingle says months after. Graham continues, your engineer didn't sit down one day and say do we really need 2 pumps there, that is not how it occurred. Lane says I was at the meeting and what they said was they can't get the pump, the gas pump. Wood said everything also went through DEP. Shingle says currently. Graham says that worries me that it is electric but it also worries me that there is not a back up pump there and their reasoning with it, hey it only when it needs to be used so what is reason to have a backup pump; so if it needs to be used then there absolutely reason to have a backup pump, if we have to start drawing water off of that for a fire and that pump doesn't work that is a huge problem; what that cost you is a home because if we are going somewhere and the way our alarms are set up and we are going somewhere that has hydrants because we have a water source that is a different number of fire departments and a different apparatuses are responding because we have hydrants there, so if we hit a hydrant when we get there and you know it's anywhere from, our average response time is 11 minutes to all calls, most fires within our hydrants system are close, we are gonna be there 6-7 minutes and we are expecting to get water out of a hydrant and we spend 2-3 minutes hooking up to a hydrant and use up all the water out of our truck while we are doing that and then find out we aren't getting any water, it's too late, we lost a home by the time getting the water there that we actually need so that is my concern, why it's been changed from 2 pumps to 1, now there's no redundancy there to ensure the safety. Iams says we can change the motion to make sure to add the generator and keep it

their bid documents correct? Iams says correct. Wood says kinda, we will be using their bid documents, we are using their bid specs, they have to adjust some numbers, for example they had quoted \$9.00 for a grate and we all know it is not going to \$9.00, it is actually \$900.00 so there were some adjustments but they are able to come down on other things. Shingle whispers to table it. Shingle asks if there is a start date and end date? Wood says I will have to ask Sarah. Lane says notice to proceed usually gives them 30 days to start working. Wood says that is after the Chairman signs. Shingle asked when is the DEP coming? Wood and Croft replied next week. Iams says if we have it voted on and it is in the works to be started it will look a lot better than us not doing anything, since it has been this way for 2 years.

Roll call of votes: 3 - YES 2 - NO - Shingle - Croft Motion carried

3. Mrs. Iams made a motion to advertise the Board of Supervisors Organizational Meeting to be held on January 3, 2021 at 7 at West Alexander Fire Department upon their approval. Fidler asked at what time. Iams says January 3 is a Tuesday. Croft says no its a Monday because the first meeting is set by code. Fidler asks 6 o'clock? JD Martin says question, shouldn't you be consulting with the new Board members setting a meeting binding new Board members that are sitting here. Fidler says not this one. Croft says the time the date is set by code. Darrin asked Ed what time he wants the meeting. Ed says 7. Mr. Fidler seconded the motion. Lane asked Jim and Randy if they had a problem with the time.

Roll call of votes: 5 - YES 0 - NO Motion carried

Graham asked while I am writing out meeting in our calendar when is the auditors meeting? Croft says the next night. Wood says it is a motion coming up. Graham asked the time. Wood says 7

4. Mrs. Iams made a motion to set the millage rate to 1.05, the discount to 2%, and the penalty to 10%; due back to Washington County by December 24, 2021. Mr. Martin seconded the motion.

Mrs. Martin said the penalty should be 10%, we are one of the only ones that way, the school is 10%, bunch of other Townships are 10%. Darrin said it is funny that the Township gets to set the percentages of discount. JD Martin says question, isn't that something else that the new Board and the new tax collector should be having input on or not? Iams says nope we do this every year. Wood says every year this happens and there is a sheet that comes from the County and it has to be to them by December 24, 2021. Lane says if you don't do it before the end of the year then you cannot collect taxes as of January 1, 2022. Graham asks is that the same rate as it was last year. Wood replied yes, except for the penalty.

Roll call of votes: 5 - YES 0 - NO Motion carried

5. Mr. Fidler made a motion to approve the Board of Auditors Organizational Meeting to be held on January 4, 2022 at 7 pm at the West Alexander Fire Department, upon fire department approval. Mrs. Iams seconded the motion.

Roll call of votes: 5 - YES 0 - NO Motion carried

6. Mrs. Iams made a motion to reimburse Secretary/Treasurer, Heather Wood, as discussed in an executive for wages while performing the duties of the previous Secretary/Treasurer from May 24, 2021 to November 4, 2021 in the amount of \$2.33 p/hour.. Mr. Fidler seconded the motion.

Croft says I thought Mrs. Taylor's last day was the 31st. Iams says then we can make it the 31st. Wood said remember she wasn't in the office since the 24th. Fidler says she was on vacation. Croft says she was there on Memorial Day cause I was at the parade and she was working. Lane asked who was doing her job, acting as the Secretary, doing her job while she was on vacation? Wood replied I was. Iams said she was off on vacation the week of the 26th to the 30th that is why. Croft asked if there was a number for this. Iams said \$2.33 for her hours. Croft states and the hours are? Iams said they will have to be figured. JD Martin asked was she not getting paid? Wood stated kinda just not all the way. Shingle says she can't. Iams says there was a grievance and this clears a grievance for her hours worked. Shingle said you're doing this to clear a grievance? Iams says yes, we discussed this in an executive, you weren't there. Croft said it was the one they moved remember. Shingle asked if they got it in writing. Iams says yes, Larry emailed everybody. Shingle said I didn't get it, it doesn't matter it is going to be 3-2 so just vote.

Roll call of votes: 3 - YES 1 - NO - Shingle 1 - Abstain - Croft

Lane asked Croft for her reason. Croft replied same reason that everyone else gave in the October meeting. Lane says which is what? Lane asked again which is what, what is your reason, is there a reason you don't want to put it on record. Fidler said she don't have one. Wood said that is a Sunshine violation. Lane states that the Second- Class Township code requires you to declare a reason for abstention. Iams says during a vote yeah. Lane directed Wood to record her vote as a no vote if she's not going to properly abstain from the vote. Wood stated it would be a violation though.

Roll call of votes per directed: 3 - YES 2 - NO - Shingle - Croft Motion carried

7. Mrs. Iams made a motion to reimburse Liquid Fuels from the General Fund in the amount of \$20,147.23 per the Final Audit that was completed 11-16-21 with a letter stating the reimbursement amount. Mr. Fidler seconded the motion.

JD Martin asked what was the reason for that, what was that for. Shingle said they bought like \$70K of stone without bidding it. Wood stated that was one of the reasons, I sent you guys all the reports. Shingle asks oh JD did you get a report. Wood stated he wouldn't get a report, I sent the Board the report. Shingle said no but he is the one that asked the question. Iams said I called for the vote. Graham asked can we know what the reasons are. JD says can you finish what you were saying. Iams said there was stone purchased for the slip on...Wood replied

Backbone. Iams continued that is was at the time of covid, the County didn't have their new bids out, they were not going to bid; the person we were going to to get the stone didn't have the stone. Wood added or the tri axles. Iams continued that we bought stone in another area from another supplier, Liquid Fuels did accept the covid emergency for mosts of it but not for this portion or the advertising that we got hit for as well so that is why we have to pay it back, so we are just moving in back to General Fund from Liquid Fuels. Wood stated and the other one was we got charged a little bit extra per tonnage of stone ordered. Darrin says so you borrowed it and now you have to put it back. Iams stated yes. Croft said in October of last year we repaid a lot of it, minus the \$20K. Shingle said this is the second dose. Croft says and I can tell you this whole slip thing and tri axles, never heard a word of that before. JD asks are you talking October of 2021 or 2020? Croft said it was October of last year. Mrs. Fidler says it is funny that she has some of the emails but not all of them. Wood stated she got that email. Iams said I call for the vote. Shingle says I don't think we that much choice.

Roll call of votes: 5 - YES 0 - NO

Motion carried

9. Mrs. Croft made a motion to bring Scott Dorsey. Mr. Shingle seconded the motion. Mr. Fidler asked where are we gonna get the money, we had enough trouble balancing the budget now. Croft says ARPA. Wood stated we cannot use that and we discussed that at the budget meeting. Iams says she actually called them and the unemployment as well. Wood stated and the Department of Treasury. Mr. Martin asks if the road department has requested more help. Mr. Fidler says I don't know, as anybody ever asked them how many they needed? Fidler asked if Ed Kraushaar was still on. Ed replied yea I'm here. Fidler asked him how many people do you need on the road department. Kraushaar replied we need 3 people for the winter, that is all the road department can truly afford throughout history, we never asked for a 4th full time guy, we asked for a part time summer help and they hired a full time guy without looking at their numbers and we ended getting 2 guys laid off. Iams said that is correct Ed. Randy Polan asked if everyone working now are they licensed to do all the heavy equipment or in case there is a liability or a problem like that. Iams stated they all carry their CDL. Ed Shingle replied A's. Bill Riggle said no, only 2 have permits. Iams stated 2 of them have their permits for A. Wood stated they have their certification for stone. Iams said yea and they have their certifications for stone that is required. Wood stated yea, Ed and Heath just renewed. Riggle asked if anybody knew what the cost would be to bring him back. Fidler stated probably another \$60-\$70. Iams stated it is actually almost \$100K. Riggle says we borrowed \$200K, you took \$200K out of ACT 13 to keep to police department afloat, you did that last year and did it this year, what happens when that money runs out cause its gonna run out; if your borrowing money to run one department and you have people laid off in another department and you want to bring them back, that doesn't make any sense to me at all, financially it doesn't make any sense at all. JD Martin says they have been doing that with the water department for years. Riggle says what's that. JD replied, borrowing money from other departments to keep it afloat. Wood stated that is not true. Shingle says that is true. Croft says it is true. JD says its absolutely true, you guys move stuff around Lane says don't you get like \$25K a year. Wood says yes. JD states the water department has not stood on its, its a topic of discussion for years, the water department is not self sustaining. Iams says the water doesn't but the sewage does and the sewage makes up for

the water that is missing, what is not covered which is covered, there are some extra things that could be done, that is why I suggested moving it to an Authority, cause if you move it to an Authority, they would be able to get more money. Shingle says Larry Maggie, I've heard that song and dance before. Iams says I agree with you, I am not arguing with you. JD asked didn't you just recently within the last couple 3 months, from ACT 13 or whatever. Lane says you guys get \$25K a year, documentation that I saw earlier this year. Darrin says yea but it hasn't gone there. Lane says you get \$25K a year as a result of you taking over that water system and you dump it into your general fund and don't use that money for your water upkeep and maintenance and capital projects, that is the problem. JD says its just that whole department has been a topic of discussion for years. Iams says that is why we raised rates this year and should make up all the difference and it does according to the budget. JD says while we are on that subject and you went to that meeting and that there was discussion about approaching American Water or Wheeling or whatever. Iams says they have all our numbers and we are still waiting, we have not heard from them, we gave them all the numbers, the problem that they had is the same, 5 years ago the problem they had is that they don't have the sufficient amount of water to supply us, that was the problem so now they are looking to see if they have enough water to supply us, the other problem is when they have to run all the lines and they have to redo the lines in Donegal because they go from 4" to 6" to 8" and they need to go the other way; from 8" to 6" to 4". Wood stated we found some 2" in there. Iams says they are looking at it, they have all our reports, consumptions, drawings, maps, and we are just waiting for them to get back to us, in fact John just asked me the other day if I had heard anything and I have not and she has called them and left a message. Wood stated another problem was that their water supply is coming all the way from McMurray, they also have to see our elevation as to where we sit too because they might have to put not only 1 booster station in but 2.

Roll call of votes: 2 - YES 3 - NO - Fidler - Iams - Martin Motion failed.

10. Mr. Fidler made a motion to approve Resolution 4-2021 to enter into an agreement with Mr. Fanning to approve and permit a Small Flow Treatment Facility on his property. Mrs. Iams seconded the motion.

Lane says, just so that everyone is aware, you approved this at your October meeting, Mr. Fanning and the Township had signed the agreement however when he supplied the DEP with the agreement and the Township's minutes confirming that it had been approved, they still insisted on seeing a separate Resolution voting on it, so I have prepared that.

Roll call of votes: 5 - YES 0 - NO Motion carried

11. Mrs. Iams made a motion to approve Range Resources heavy hauling permits for Cunningham Rd. (adding an additional section - left from Hicks Rd. for 0.67 miles to SR 231), Lyons Rd (from SR 3025 to SR 3019), Schoolhouse Rd. (from Blaine Twp. line and the intersection w/T-542 for 0.85 miles), Wilhelm Rd (from T-903, the whole road to T-423);

applications fees, updated insurance, escrows still in account, change rider have all been submitted, to be videoed by the Engineer. Mr. Fidler seconded the motion

Darrin asked is the engineer still videoing it or someone else? Iams answered the still are. Wood stated they charge about \$171 to video a quarter mile on Grimes. Croft says but the company pays for it, it comes out of the escrow. Darrin asked does it? Wood stated towards the end, you don't dip into the escrow right at the beginning because it takes 2-3 months get the account back, the bill back, you approve that and then I can do it.

Roll call of votes: 5 - YES 1 - NO Motion carried

Shingle asked if this was 1 road bond or all separate. Wood stated they did submit each application, I just didn't put each separate. renew every January. Iams stated to Shingle that he met with them, when they did the other one and they wanted to do all together and they do 1 change rider, they don't give separate ones. Graham asked if there were multiple different escrow accounts. Iams stated there is different escrows but 1 insurance. Wood stated their bond is 1 big lump some.

12. Mrs. Iams made a motion to approve Mitcheltree Bros heavy hauling permits for Lyons Rd. for 1 mile, Delashawn Rd. for 2.5 miles, application and fees, agreement, insurance, bond, and escrow have been received; to be videoed by the Engineer. Mr. Fidler seconded the motion.

Roll call of votes: 5 - YES 1 - NO Motion carried

Shingle said, while we are on logging, they are landing the logs on Valley right in the gully where it runs on our pipes, someone is going to have to do a looksee. Fidler stated they are keeping an eye on them, they are up there a couple times a week. Wood says Ed has some pictures. Croft says I think Mr. Shingle meant before anything is returned to them, we will need the engineer to look at it. Wood says they have to, that was part of your motion; before and after.

13. Mrs. Iams made a motion to adopt by Resolution ACT 108 of 2020; changes to the Workers Compensation Act Regarding Volunteer Fireman; amended to have 2 Resolutions; Resolution 5-2021 for West Alexander and Resolution 6-2021 for Claysville. Mr. Fidler seconded the motion.

Iams asked if there will be 2 Resolutions? Wood stated yes, I need 1 for each fire company because the policy dates are different, so I have one for Claysville as well. Fidler asked you already made the motion can we do both in one. Lane said we could make an amendment to the motion. Iams stated that she would like it to read to have 2 Resolutions; 1 for West Alexander and 1 for Claysville; with the policy effective dates to be included. Mr. Fidler accepted the amendment.

Roll call of votes: 5 - YES 0 - NO Motion carried

14. Mrs. Iams made a motion to advertise the Proposed 2022 Budget and schedule adoption of the Proposed 2022 Budget; meeting to be held on December 28, 2021 at 7 pm; amend to remove the Assistant Secretary/Treasurer in the amount of \$15,000 to balance the budget. Mr. Fidler seconded the motion.

Iams said she had Heather look at the dates, I did see what she sent us and the dates are going to run us very close if she advertises on Monday and that will take us past the date; if we approve it tomorrow night we won't make it in time, we won't have 20 days, so I thought if we could finish up the budget tonight, we could then give this so she can then advertise it; 20 days would basically be the 27th but I told her look at the 28th or we can change it to the 29th, from what she sent over, the numbers, she adjusted and I saw what she sent and it did change the water and sewage some, I felt it appropriate that if we are going to look at the police and their company expenses I felt that the water should also reimburse the general their company expenses as well, if it is going to be self sufficient it needs to be completely self sufficient, with those changes I noticed that she got to a point where we are upside down \$14,266, I thought we could come up with something and figure out how to get this one balanced and get them advertised. Shingle says wait a minute what was the statement about you felt that what? Iams says when she gave us the numbers and I talked to her about them and when we had the meeting that you were not at Mr. Shingle. He replied because it was at 1 o'clock in the afternoon. Iams said I understand, but we talked with the Chief and everything about if there was more money that could be brought over from ACT 13 to cover their expenses so Heather went back through and got there are expenses on the budget that aren't within the group department and those are, so every time you do a payroll not only do the employees have taxes taken out but there is also a company side to those taxes so she pulled it all apart and listed out how much each department was for those taxes and she came up with the new number for the police that could be brought over minus the Claysville contract. Croft said do we have that paperwork in front of us? Iams said I sent an email. Wood stated that they each sent an email asking. Croft said but you didn't say hey heads up we might be looking at the budget tonight. Wood stated I did actually. Iams said she sent them over and I actually printed them and I actually. Croft says we are supposed to have a meeting tomorrow night. Iams said your right but I just said because of the dates we are not going to make it, I'm just telling you that we are not going to make the date, not make the 31st and because it is a Municipal election year the new board has the right to open the budget and amend it up to the middle of February, as long as it is done before February 15, but if we don't. Darrin says so you can't tie them down to anything. Iams says no, they can come in and change it, this is not set in stone but this board here has to publish a budget by the 31st, we have to approve a budget by the 31st. Shingle says except for last year. Croft says yea, we didn't do it last year. Wood says doesn't that go back to if it was done wrong before why continue to do it wrong. Croft says but again we don't have anything in front of us to see. Wood said you could have my copy but I did email them to you along with the whole breakdown, you've had them for days. Darin asked Wood if she emailed them to her. Wood replied, I sure did, I email them all the time. Croft says but again the budget meeting was tomorrow night and no one says oh hey bring copies. Wood stated I did and emailed you today and it was also in the agenda that I emailed a few days ago. Iams said I understand that it is tomorrow night, that is why we are sitting here talking, I mean I bring all my stuff from previous meeting, I even brought November's meeting stuff cause you never know what we are going to

run into. JD Matin asked if he could ask a question, so that is the last thing I see on the agenda, something I don't see and should be, can you give us an update on the building cause that seems to be, you can do it after this. Wood said they are looking at everything, Harshman has it but they ran into a snag. Fidler said it was in last month's meeting too. Wood says yes we just talked about it in the November meeting so it's in the minutes a couple different times in there. JD says there is some reading the October minutes I do see reading the minutes. Graham said that was a month ago. Shingle says that is why we have meetings. JD says it is an important, there should be an update monthly on the status of the building. Wood says we can't give an update right now cause it is in Harshman's hands, he's reviewing everything. Iams says I will tell you as soon as we hear. Shingle asks who made that decision? Iams asked what is it? Shingle said who made the decision to have Harshman do it, look at it? Iams says we voted on it. Wood said you guys as a Board, it was a motion. Shingle says, ok, what last month? Wood stated I believe the month before. Fidler says September wasn't it. Wood says I think. Shingle says I don't remember that, I remember having Bruno come. Croft says we were supposed to, they wanted to take everything that all the bids and things people looked at it and send it to Harshman and Harshman was to come up with a bid. Shingle says and Harshman said that wasn't the way to do it, that is the last thing I heard. Wood stated Harshman never said that wasn't the way to do it. Iams said no, that is not what they said. Shingle says, ok. Iams said does noone want to look at the budget and try to finish it. Fidler said, sure. Darrin asked if there was a difference between now and tomorrow night? Shingle says I'm gonna tell you something right now, if we want to look at the budget tonight that is fine, I say we finish the agenda and dismiss the solicitor. Iams says then we can't vote on this and we will still be late. Shingle asked why can't we vote. Wood said yes you can...Shingle says you don't need a solicitor to vote. Iams says we can't just close the meeting and then open it back, I understand what you are saying but I mean. Riggle says what's the big deal if in January they want to change it. Iams says there's not, your right. Riggle says what's the big deal, why can't we just do it the way it is and be done with it for tonight and in January if the new people coming in want to change it then they change it, it is that simple. Graham asked if it is within the percentages to balance. Gilmore says it has to balance. Wood said all are except I have 1 that is iffy and needs. Randy Polan said doesn't the new administration need to have all the figures in front of them. Iams said you can have a copy. Randy Polan says I mean for what you do tonight like you said if we adopt something different that we need to have all the info that we need. Shingle says they have to publicly advertise. Iams says as soon as we do this, we have to publicly advertise it. Shingle asked Croft what are the changes and asked if she looked at them? Can't hear Mrs. Croft response and no video on her. Shingle replied, ``You're lucky you don't have to worry about it." Croft said I don't have the old one to look at, so I can't. Iams says I can tell you exactly what they are. Graham asked how far off is the general. Wood says \$16K no \$14. Iams says \$14; here is what she moved, Graham asks, isn't there a certain percentage..Lane says after the first of the year it is 10%. Iams says yes after the first of the year it is 10%, if you 10% or more they have to readvertise it and readopt it but they can adjust it 10% or less at any time without readvertising it. Graham said so what is 14K what percent is that? Darrin says your best interest is to apply what you have now, vote for it and give everything to the new Board and let them do something with it, can't you vote on that now? Iams says that is what I was looking at, so I went back through the papers that we had and the actual email that Heather sent on the 30th along

with the new paperwork and what is changed was.. Wood says instead of the \$200 moving for the police, I moved \$201. Iams says it's \$201,455 is what she wrote on this email she wrote on 11-30-21 at 11:48am and it went to Tammi Iams, Richard Martin, Kathleen Croft, and Edward Shingle, she added the amount of the employer expenses minus the Claysville contract to the police budget to come up with \$201,455.43 along with that the water and sewage employees expenses are \$13,105.97 that means water and sewage would reimburse general fund for all of its expenditures, general fund then balances within \$14,266, water and sewage still balances with a balance of \$16,012 and the ACT 13 we still have our fund balance of \$401,001.00. Darrin says if once you vote and the vote passes everyone can have a copy of what you have. Iams says they can have it all. Darrin says once it passes, you can't have it in the middle. Iams asked Lane if they can pass it with the one being upside down, it's off \$14K. Shingle says you have fund balance to cover that though right? Iams says there will be a fund balance of negative -\$5,359; you need to cut \$15K from this budget to make it balance. JD Martin asks with the restructuring of rate with the water and sewage with what you guys were saying about their tariff rate is, how much would that total for the year if you paid with that rate not the rate in the contract. Iams says that is what she did with the budget and that balances the water; but that is the water budget, we are talking about the general fund budget. Wood said in your email I also adjusted some totals for my dental and health and I took into account the 10% increase that we will have and those figures came down a little bit, that was in the 2nd email. Gilmore asks is there anywhere you can pull that money to get it to balance. Iams says yep, we can do away with the Assistant/Secretary for \$15K and that will balance your budget, she does the job by herself now. Shingle whispering and chuckling, Iams says that will at least let us balance it, advertise it, and like I said we'll get everything to the new people and they can look at it and if they can make cuts better. Wood said and you all got the updated bank account balances too. Iams says I think at least this way we can at least get it advertised. Shingle asked Croft if she got this? Croft replied yea. Iams says it will also save a meeting and save us hours, cause won't have to come tomorrow. Darrin says you can turn it into a motion anytime you are ready. Iams says I already have a motion on the floor. Shingle asked what is it? Fidler asked what you got? Iams says I will amend my motion then, I'll amend my motion to remove the Assistant Secretary/Treasurer \$15K to make it balance and advertise the proposed budget. Mrs Martin says the Township taxes that haven't been turned over yet, I don't have much but I usually have about \$10K that I don't collect. Iams says I only budgeted for \$8 to come for next year. Mrs. Martin says we are holding steadfast at \$17 that's not collected, unless people are going to pay. Mr. Fidler seconded the motion. Iams said you did already. Wood asks if he is accepting her amendment. Fidler replied yeah. Iams said have the meeting on the 28th and we will have it at 7pm to adopt it, that will at least get it advertised. Iams says to Randy Polan that she will give him all her paperwork, Randy replied give it to Jim. Wood said if you guys want just let me know and I will make you a copy of all of them. Randy says we know we will get everything we need that isn't a problem. Wood says just come down there and I will have it all ready cause you wouldn't have the ARPA, Parks and Rec but there was no problems with those accounts, Oh as for an update on that the \$127K are second disbursement on that will be May or June.

Roll call of votes: 4 - YES 1 - NO - Shingle Motion carried
Croft asks so there is no meeting tomorrow night correct? Iams answers correct.

15. Mr. Fidler made a motion to accept Strnisha Excavating to perform the storm water remediations at the Sewage Treatment Plant for the amount of \$19,500; the project will meet one of the DEP requirements for upgrade at the plant, thereby reducing overall plant operations. And amend to be paid out of the ARPA money. Mr. Martin seconded the motion.

Roll call of votes: 3 - YES 2 - NO - Croft - Shingle Motion carried
Shingle says I have the same questions I had the last time, was this a company that already bid on this. Wood replied yes. Shingle asked are they the lowest ones? Wood replied yes

16. Mrs. Iams made a motion to adjourn. Mr. Fidler seconded the motion.

Graham asked if they could give us an update on the building. Iams says I will, so they, Harshman came out, they went through the building and what they are looking at is... Shingle asked who from Harshman came out? Wood replied Dave Leasure. Iams says he is the guy that deal with this, he said the gym floor he is shocked; that is amazing how good the gym floor is from the top, he said there is a lot of things that can be fixed easily, one being the roof on the outside that is going into the bricks but you have to remedy the mold throughout, he said the water is coming from above from what he can see because it comes down through the windows, it's not coming up; again we went under the gym, he looked at all of the electrical panels. Shingle asked if he submitted a report. Wood said not yet, he's working on that. Iams said she asked him if he could have it for the meeting, he's still working on it, we looked outside and inside. Wood says cause there is still that line that runs catty corner coming off. Iams says the drain that nobody knows where it is at, inside the meeting room, Baker Waterproofing put in back years ago, its like a inside channel, they built a false wall, it runs from the back office all the way through the office, through the meeting room to the door and then there is a drain from there that goes out 10' which is technically to be underneath the walkway so they don't know if that, they can't see where it is coming out at. Wood said they can't locate it. Iams says the camera was too long to put in that the camera is long but Mr. Leasure has everything, he has all Baker Waterproofing, Tennis Roofing, the mold report, he has the one, AirTech. Wood says he has the insurance company's findings. Iams says he is supposed to get back to us, if he gets it prior to the new board we can get it to all, he was hoping to have it, he did tell us he did do a office trailer, we talked briefly, cause we gotta do something, the people can't, we can't continue with what we have, we talked about an office trailer and he did do one for another township, Ruff Creek, a double wide with 3 office and a meeting room and a small little kitchenette area and they did it complete, installed for \$150K so I told him to send those drawing over. Darrin says I hope they did it, \$150 is expensive for a double wide. Croft says they are expensive. JD Martin asked about renting one like Scottsman or something temporarily until you get the building instead of laying out that kind of money just do a rental. Wood says the building is up to \$70-80K right now as it stands and that not repairs. JD asked does Baker not have any info from the scope of work they performed, did you not get that from them. Iams says we actually have it in the office. JD says you said that one drain that you can't find. Iams says unless you tear out a wall, in the meeting room that is a false wall, we open up the air vents and you can put your head in there. Doug Teagarden says that there used to be a set of lockers there, they took the lockers out and built that wall. Iams says so there is a gap in there but you can't see the

pipe, it's under the concrete. JD says that is what I am saying, they can't tell you where it is? Iams says no, I can show you the drawing, it's about this big, but as soon as he gets us something with the building, she will get it out to everybody. Graham asked how long you think it's still gonna be closed. Iams says I would say at least until they know what they are gonna do with the mold, the problem is the mold. Wood said a you can't piecemeal that project at all, so you can't pick and choose what you are gonna do. Graham says 90 days 60 days. Iams says I would say and hope he'd have us something by the next meeting; Iams says to Heather as soon as you have something you can get it to them. Wood said yes, and actually I am going to need contact information from you guys. Iams said she can look at getting a temporary. Graham said so it's safe to say our booking on the 12th of February is not gonna happen. Iams says probably not.

Iams says back to my motion to adjourn.

Roll call of votes: 5 - YES 1 - NO

Motion carried

Shingle says good riddens