

Village of Thurston
Council Meeting Minutes
May 8, 2013

Meeting called to order at 7:00 pm by Mayor Mary Boring. Pledge of Allegiance was recited.

Roll call: Robert Ortman – present JoAnn Hite – present Jimmy Barber, Jr. – absent
 Garry Boring – present Lowell Hite – present Dave Carpenter – present
 Mary Boring – present Aaron Reedy – present

Bill Hines of 2076 Main St. was present. He said he would like to use the space behind his house that is also behind the Village Street Building as a garden. He said he would maintain the property for the Village if they give him permission to garden it. Garry made a motion to allow him to garden the property as long as he maintains it. Robert second. Roll call vote: all YES. Motion carried.

Garry made a motion to approve the April 2013 meeting minutes. Robert second. Roll call vote: all YES. Motion carried.

Robert made a motion to approve the April 2013 financial statement. Dave second. Roll call vote: all YES. Motion carried.

Garry made a motion to waive the 3-reading rule and declare an emergency for Ordinance 2013-6, An Ordinance to Adopt “Rules of Council” and the Declaration of an Emergency. Robert second. Roll call vote: Dave, Robert & Garry voted YES; Lowell and JoAnn voted No. Emergency motion not carried. Aaron said this is considered the first reading of Ordinance 2013-6.

Business from Fire Chief – Chief Jim Hite was present and submitted the report. Garry made a motion to scrap the 1986 Grass Truck since it will be too expensive to fix, and to not file a claim against our insurance for it. Robert second. Roll call vote: all YES. Motion carried.

Garry made a motion to prepare the legislation to allow the Village to participate in the State of Ohio Cooperative Purchasing Program. Robert second. Roll call vote: all YES. Motion carried.

Business from the Safety Committee – No business to discuss.

Business from the Service Committee – No business to discuss.

Business from the Finance Committee – Didn’t meet.

Business from the Regional Planning Representative – Robert said there was nothing that concerned the Village.

Old Business – Mary said she got an additional quote from Heiberger Paving for \$1,235.00 to do crack work on High St. Robert made a motion to approve the additional work. Dave second. Roll call vote: all YES. Motion carried.

Mary made the following statement:

“The Village of Thurston has spent nearly \$10,000 in legal fees defending its water service area along Route 256 between the Villages of Baltimore and Thurston. While we know that this service area is ours only as defined in the current water contract that exists between the two Villages, we acknowledge that that contract

ends in March of 2014. This area brings in 10% of the revenue of our water system, and is worth defending. Especially given the fact that we have to install our own water treatment plant.

Mike Wagner never came to this Village and asked about our capacity to expand water supply on the properties he wished to develop. He went directly to Baltimore. Baltimore never came to us and discussed Mike's request, or their plans. They simply pushed forward and installed lines. Baltimore was issued a violation by the Ohio EPA for not submitting installation or expansion plans to them, yet the EPA later approved their plans AFTER their lines were already in the ground. The judge assigned to the pending litigation denied our request for a temporary restraining order to keep Baltimore from delivering water in our service area.

It has never been the intention of this Council to hinder economic growth in this service area. We have only sought to defend and serve what has been our service area for the last 40 years. However, spending any more thousands of dollars from the water fund in order to do so does not make financial sense. The benefit gained from winning or losing such a law suit by spending thousands of dollars will not justify the amount of money that will be captured in selling water in that area. Unfortunately, "fair" and "right" doesn't always win in the courts.

Therefore, I am asking for a motion to dismiss, without prejudice, the complaint filed against the Village of Baltimore."

Lowell made a motion to dismiss, without prejudice, the complaint filed against the Village of Baltimore. JoAnn second. Roll call vote: all YES. Motion carried.

New Business –

Aaron announced that the Village normally gets billed for about 1.2 – 1.5 million gallons of water a month from Baltimore. He said this month's bill was for 1.8 million gallons.

Jeremy Mummey from 8140 Elm St asked if he could speak. He wanted to present detail to Council regarding a Neighborhood Watch he wants to start. Mary said it's best to discuss that at the Safety Committee meeting, not during a Council meeting. She took a copy of his information to distribute to Council members.

As there was no further business to discuss, JoAnn made a motion to adjourn. Garry second. Roll call vote: all YES. Motion carried. Time is 7:46 p.m.

Respectfully prepared by,

Aaron Reedy