

RECORD OF PROCEEDINGS
VILLAGE OF DEGRAFF COUNCIL
REGULAR SESSION

The Legislative body of the Village of DeGraff convened in regular session on August 5th, 2025 from 7:00 P.M. to 8:14 P.M. at 107 S. Main St., DeGraff, OH 43318.

Mayor Stephanie Orsborne called the meeting to order at 7:00 P.M. with the following Council Members and staff Present:

Mayor Stephanie Orsborne - Present
Sue Walls, Council Member - Present
Gabe Kean, President Pro Tempore - Absent
Nancy Hall, Council Member - Present
Sandra Short, Council Member - Present
Tom Rowley, Council Member - Present
Heidi Duckro, Council Member - Present

Staff Present: Zeb Wagner Solicitor, Kaitlyn Bailey, Fiscal Officer

Ms. Short made the motion to suspend the reading and accept the July 1st, 2025 minutes as presented, seconded by Mrs. Hall. Roll Call - All ayes.

MOTION

Visitors - Carol Stewart, Utility Clerk for the Village of DeGraff

Carol stated that she is wanting to address the Council as she has some questions. She and Kenny (Village Administrator) had a discussion about her sick leave and if she was entitled to it. She said she is sure they are aware, as they Council had previously discussed her sick leave. She said she talked to Kenny and she was told that most of the decision that were made were by the Council, so that is why she is addressing them tonight with some questions. Carol stated that Kenny had read the email from Zeb (Solicitor) to her and that she was not entitled to the sick leave that was carried over and that she would need to check with the County in regards to that. She said she is ok with that, she did not take this job for the sick leave benefits, she took it fill her in retirement, and to keep her mind sharp. She stated she did not need the benefits. She stated that she felt insulted by some of the things that were said to her by Kenny. Mrs. Orsborne asked for an example of what she felt like was insulting. Carol stated that when she was hired, that she can't remember who told her, but someone told her she would receive sick leave. She stated she spoke with Kassie (Previous Fiscal Officer) a few times, as it did not show up on her pay stub. It took 4 months from her start date before she started receiving sick leave per Carol. She stated that she did not receive retroactive sick leave that she was told she would get, but not that she was counting on it, but when someone tells you that you are going to be receiving it, then you look for it. She said when she talked with Kenny last week, he told her she was not eligible for accrual of sick leave. She said she understood that, that she had no problem with what she had accrued being taken away, if she wasn't entitled to it, then she wasn't entitled to it. She said what upset her was that she looked back at her paystubs after speaking with Kenny and she found out that she had stopped receiving sick leave 2 months before she was informed by Kenny. She said that that didn't seem transparent. She stated she felt like she should have been told that the sick leave was going to stop. She said that she didn't find out about the sick leave until the day before her surgery and when she looked into it, she hadn't been receiving sick leave for 2 months. Mrs. Orsborne stated that she thinks at the time, they had questions on the sick leave. Mrs. Orsborne stated that when she interviewed Carol, that she knew that sick leave and vacation leave were not given to part time employees, but if Kassie told her that, she was not authorized to do that. Carol stated that she spoke with Terry, the previous Chief of Police (DeGraff) and he told her that he received sick leave when he was part time and that as far as he knew the sick leave was not subtracted from his total sick leave that he has accumulated. She said that she has a question on why one part time employee would receive part time benefits and not another. Mrs. Orsborne said that he carried sick leave over from a previous employer. Carol stated that he told her he had earned it when he was a part time patrol man for DeGraff. Mr. Wagner stated he wasn't sure without looking at the ordinance. Mrs. Orsborne stated she didn't know about that and neither did the Council. Carol stated that now that this has occurred, she is now questioning what else she is not aware of. Mrs.

Orsborne stated that she probably wasn't accruing sick leave, because they had questions about it. She said the Solicitor had to do some research, so that is probably when it was possible stopped. Mrs. Orsborne stated that due to Kenny's busy schedule, he didn't necessarily have time to sit down and speak with her. She said that they weren't trying to keep her (Carol) in the dark and that she doesn't think that timing of the conversation had to do with the timing of her surgery. Carol stated she doesn't believe he knew she was having surgery the next day. Mrs. Duckro had a few questions: She asked when Carol's time is turned in, who takes care of the sick leave and vacation leave, putting it in. Mrs. Orsborne stated that the Fiscal Officer does that and if Kassie gave her that, it was not under the direction of the Council, which are the ones that determine that. Mrs. Duckro asked if every year is someone auditing the leave? Mrs. Orsborne said that it is all done in UAN and the Fiscal Officer is the only one that is allowed to get into that. Mrs. Duckro stated that there should be some checks and balances. Ms. Short stated that she was sorry that she (Carol) was not told in advance, that it should have been done before she noticed it on her paycheck. Mrs. Orsborne stated that they had no clue about her receiving sick leave until Kaiti (Current Fiscal Officer) brought it to their attention, and at no time did council make any law that part time employees received sick leave. Mr. Wagner explained that council is the one the decides on hiring employees, compensation, and compensation packages. He also explained that sick leave that was earned and accrued through Children Services was monies that were appropriated to Children Services by the County or the State Budget. If the Council were to honor the sick leave, they would be using local Village Funds to do that as the County already appropriated that money from the State. He said the County should be the one to pay that or in a perfect system, the County would allow her to utilize the sick leave hours with the Villages by reimbursing the Village for that sick leave, but that the system is not perfect. Mrs. Orsborne apologized to Carol, but the problem is that even if they were to want to accept the sick leave, they don't have a law in place for that and the Auditor wouldn't allow us to do that. Ms. Short said hopefully we can learn from this and do better. Mrs. Orsborne stated she would speak with Kenny about this when he returned from Vacation. Carol thanked the Council for allowing her to speak tonight. Mrs. Duckro thanked Carol for all that she had done to keep the place running and Mrs. Orsborne also stated that they appreciate all that she had done.

Zoning – No update

Solicitor – He has been working with Kenny regarding the sick leave issue. He said he had correspondence with Kenny in June and July about the sick leave. He said he dove into the research and there is a specific statute. Section 5.3 of the handbook is modeled after ORC 124.38, relating to civil services for the State/County. There is case law from multiple jurisdictions that say those civil service statutes don't apply to a Village due to Home Rule. The Village makes their own rules on how it pays people. It has to comply with some things, but sick leave and vacation is up to the Village. Adoption of section 5.3 of the handbook gave full time employees sick leave and vacation leave, but did not mention part time employees. As a matter of rule, if the Village did not have that section 5.3, full time employees would not be eligible for those benefits. He further explained the county/state budgets and that the County is required to pay pursuant to the ORC. For us to take that on as a Village, we would get stuck with the bill without receiving compensation from the County, which is an unfunded mandate, which is illegal.

Mrs. Orsborne asked Mr. Wagner about there correspondence and he said that they had emailed about the sick leave on June 3rd and again July 30th. Mrs. Orsborne just wanted Council to be aware of the dates and she doesn't think it was 2 months, as we were still getting answer from Zeb.

Ms. Short stated she thinks that Carol should have been informed when the issue occurred and that the sick leave would be stopping until we get back with Zeb. Mrs. Orsborne stated that she was probably right on that, but that she was unaware that it had been stopped. Ms. Short said that it was the smart thing to do if it was not legal and it falls back on Kaiti, so it needed to be stopped.

Mr. Wagner stated he has been working with Kenny on the procedures necessary for the Engineer for the new Fire House. They had to go through some statutory issues to make sure that the request was appropriate.

Mrs. Duckro asked if any sick leave get paid out to part time employees. Mrs. Bailey said that someone did accrue it, but it is still with the Village, because it is to be transferred to their new employment upon request. She said she believes within 10 years they can request it. Zeb said that it depends, he said that if the sick leave was accrued for part time in an ordinance, then that employee would be entitled to that sick leave, but if that ordinance does not include payment of the sick leave, then it needs wiped out, because there is no statute or ordinance saying that sick leave needs to be paid out.

Ms. Short made the motion to have the Fiscal Officer look into any part time sick leave that the Village is holding onto and the bring it to the Council for review, seconded by Ms. Duckro. Roll Call – All Ayes

MOTION

Village Administrator – None

Safety Committee

Fire: Mrs. Orsborne reminded the Council of the Safety Meeting with the Fire Department after the Utility Meeting on August 26th at 6 pm to discuss the design for the new Fire House.

Finance Committee

- Kaitlyn presented the following information:
 - Bank Reconciliation for July is almost complete. For ordinance 2025-30, she will be asking for funds to be reallocated to pay for the tax collection fees for the property tax and also for paying RITA tax collection fees for the rest of the year. The total needing reallocated is \$8100. Once the reallocation is approved, she should be able to complete the bank reconciliation.
 - Kaitlyn explained that she is still correcting some of the employees' vacation and sick leave that was not accrued correctly. She said that she has one completed, just needs signed off by employee and the other employee she still needs to sit down with him to discuss everything.
 - She stated that she discussed with the Finance Committee about just having her salary taken out of the general fund, as she is not dealing with the utility office at all, so her salary should not be coming out of the water and sewer funds anymore. The Committee agreed that her salary should only be coming out of the general fund. She stated that in the ordinance 2025-30, she is asking for funds to be reallocated to have enough funds in the salary appropriation line for the general fund. She stated she will also need more funds in the OPERS appropriation as well, so she will also be asking for that reallocation. She said that she has already gotten the police contract funds encumbered, so that remaining police department funds could be moved for her salary and OPERS. Lastly, she stated that she thinks that there needs to be more funds in the other contractual for the clerk/treasurer, as when supplies are bought, that now that her salary is coming fully out of the general fund, that there is also a need for funds to pay for supplies partly used by the clerk. Mrs. Orsborne suggested that 25% of the supplies bought could be taken out of the general fund and the rest out of Water/Sewer. Kaitlyn stated she is asking for a reallocation of \$500 for contractual services.
 - Mr. Orsborne stated that she spoke with Kaitlyn today about if it was a possibility to have 50% of the salary for the Administrator taken out of the general and the remaining coming out of roads, water, and sewer. Mrs. Orsborne stated that he does 50% administrator work and the remaining as an operator, so that could be justified. She stated Kaitlyn is going to look into the funds and see if it is feasible.
 - Kaitlyn asked if it would be possible to do the financial printouts once a month at the first meeting of the month. She stated that it is a lot of ink and paper to print out twice a month. She stated that the fund amounts would be more up to date as well, as she would have the bank reconciliation done or close to done, so there would be a good reflection of the actual funds at the end of the previous month. She stated that the Finance Committee agreed that doing the financial reports once a month would be fine.
 - Kaitlyn stated she had not received a bill from Wren's yet for fixing the power steering gearbox for the Fire Department, so she isn't sure if that had been fixed yet. Gabe stated

that the he found out the that gearbox had been fixed, it will need adjusted, but it has been fixed. She also stated that we have only spent around \$300 out of the \$10,000 plus for the new Turnout Gear thus far. She stated that she would like to see if we can get those ordered, as that purchase order will have to go into next year possibly.

Park Committee

- Mr. Rowley stated after the complaint last meeting about the park, he and Kenny looked at the bathrooms. They needed to be cleaned. Those were then cleaned later, but he doesn't know by who. He said they also looked at the Shelter Houses and there weren't any issues.
- Mr. Rowley said Kenny received a call from someone about wanting to use the ball fields. He said it was passed along to him and he called the lady. She wanted to use the fields from May to June of 2026. Mr. Rowley told her that there wasn't enough time for her to use the park with the normal season occurring at that time as well. Mrs. Orsborne stated that since that is a public park, that we have the right to choose who will use the park, it isn't automatically used by the boosters. She said that they would both need to come in and present their case and then the Council would make a decision on who could use the park. Mr. Rowley said he tried calling the lady back 3 times to get more information and never received a call back. Mrs. Orsborne said that if he receives a call from her, to let her know that she can present the information to the Council and they could decide who uses the park.

Cemetery – None

Joint Sewer Board

Mrs. Walls presented the following information:

- All results were good in July.
- Low Level Mercury remains at a good level.
- She asked Mr. Coy why the rotors on the list for projects for this year were \$8000 for 2 units. He explained that the new units would be variable frequency drives, so instead of getting the full electricity at once, it would be a slower rise in electricity to the unit, which saves on electricity and would eventually pay for itself.
- Mr. Coy will have a few days off in September, but his hours are covered.
- The Monthly flows for July are Quincy 38% and DeGraff 62%.
- Next meeting is September 8th, 2025, instead of September 1st, 2025 due to Labor Day.

Ordinances & Resolutions:

Ordinance 2025-30 AN ORDINANCE REALLOCATING FUNDS FROM APPROPRIATIONS ORDINANCE AND AMENDING THE APPROPRIATIONS ORDINANCE FOR PURPOSES PAYING OPERATING EXPENSES FROM APPROPRIATED FUNDS ANDDECLARING AN EMERGENCY IN THE VILLAGE OF DEGRAFF, OHIO.

Mr. Kean made the motion to suspend the 3-reading rule for Resolution 2025-30, seconded by Mrs. Walls. Roll Call – All Ayes.

MOTION

Ms. Short made the motion to accept Resolution 2025-30, seconded by Mrs. Duckro. Roll Call – All Ayes.

MOTION

Mrs. Duckro made the motion to adopt Resolution 2025-30, seconded by Ms. Hall. Roll Call – All Ayes.

MOTION

Old Business: The Easton Property was discussed about the grass being high. Mrs. Orsborne stated that she would have to send them a letter and if the Village has to mow the grass, then the bill would be assessed to the property.

Ms. Short asked what had happened with the Farm Animal Ordinance. After some discussion, Mr. Wagner stated that they could either make an ordinance or amend the Zoning Code. He said if they amend the Zoning Code, though a longer process, it would be more difficult for future changes by future Council to be made. Mr. Wagner explained the Zoning Amendment process. He stated that he thinks the Village should reach out to LUC, as they can walk the Village through the process. Mrs. Orsborne stated she would bring this up to the Zoning Officer, so that he could contact LUC.

New Business:

Garage sales were discussed. Ms. Short made the motion to approve garage sales on September 6th, 2025, seconded by Mr. Rowley. Roll Call – All Ayes **MOTION**

Mrs. Orsborne said at Logan County Mayors Association it was agreed upon to have Halloween on October 30th from 6-7:30 pm.

Mrs. Walls asked why the grocery store was closed. Mrs. Orsborne stated she was informed it was shut down by the Health Board.


Mr. Rowley asked if someone was soliciting, if they have to notify/get permission from the Village. He said he had someone come to his house and ask about signing a petition for a high liquor license, so that is why he is asking about the Village being notified before this happens. Ms. Short said that the Village can be informed, but don't have to be and that the Council has no decision-making power on if someone can solicit.

Ms. Short made the motion to pay the bills, seconded by Mrs. Duckro. Roll Call – All Ayes **MOTION**

Mr. Kean made the motion to adjourn at 8:14 PM, seconded by Mrs. Duckro. Roll Call – All Ayes **MOTION**


Mayor Stephanie Orsborne


Gabe Kean, Council Pro Tempore


Kaitlyn M. Bailey, Fiscal Officer

All formal actions of the VILLAGE OF DEGRAFF COUNCIL concerning and relating to the adoption of Ordinances, Resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including section 121.22 of the Ohio Revised Code.