

RECORD OF PROCEEDINGS

1401

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

June 2,

2006

(YEAR)

The Clearcreek Township Trustees met in special session with the following members present: Mr. Wade, Dr. McDonald and Mr. Lamb.

Mr. Lamb moved to adopt Resolution #3056 authorizing an executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

The executive session was adjourned and the special meeting reconvened.

It was explained to the Board of Trustees that a former employee, police officer Thomas A. Majercak, resigned on May 11, 2006, and that this resignation was accepted at the regular meeting conducted May 11, 2006. Now Mr. Majercak has filed legal action against the Township challenging the voluntary nature and legality of that resignation. Further that had Mr. Majercak not resigned, Chief Piper was prepared to recommend that he be given his probationary release from employment prior to the expiration of Mr. Majercak's probation on June 4, 2006. While the Township Staff believes that Mr. Majercak resigned voluntarily on May 11th, to the extent that this resignation is ultimately determined to be of legal force, it is important for the Township to clearly indicate to Mr. Majercak that he is no longer employed by Clearcreek Township. After a brief discussion wherein the Trustees agreed that it remains the Township's belief that Mr. Majercak did, in fact, resign, Dr. McDonald moved to approve the recommendation of the Chief Piper and the Township Administrators to terminate the employment of Thomas A. Majercak pursuant to the Township's legal and contractual right to terminate the employment of a probationary employee at will. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows. Dr. McDonald-yea; Mr. Lamb-yea; Mr. Wade-yea.

With no further business to conduct the meeting was adjourned.

FISCAL OFFICER James A. Dalton

TRUSTEE Erin Wade

TRUSTEE [Signature]

TRUSTEE R. Dreyfus