

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

1. **Call Meeting To Order:** W. Grubb called the meeting to order at 7:02pm
2. **Pledge of Allegiance**
3. **Attendance**

P = Present A = Absent

 - a. Supervisor/W. Grubb: P, Clerk/R. Kreeger: P, Treasurer/D. Grubb: P, Trustee/G. Pushies: P, Trustee/A. Crampton-Atherton: P
4. **Call To The Public**
5. **Statement of Meeting Purpose: W. Grubb**
 - a. W. Grubb stated over the last couple of weeks he has become increasingly perplexed regarding the controversy surrounding how the reconstruction of our Township Hall is being done. Issues have been brought to W. Grubb's attention by Township Officials, Employees and Residents and cover everything from: insurance issues, to contractor issues, mold and rot issues supposedly not being addressed properly, insulation not being installed correctly, to windows and doors not being flashed properly, preparation for brick not being addressed correctly, Tyvek, not being installed correctly and so on. W. Grubb does not feel educated to oversee construction work. W. Grubb would like to find a commercial contractor that would be willing to serve as a consultant to make sure the work being done to our building is up to code and following best building practices. Up until the start of the meeting now one he has contacted is willing to take on this responsibility, no matter what they fee and many of them are willing to do it if they would be given a major portion of the contract. W. Grubb is waiting to hear back from one additional contractor. It should be noted prior to the start of this meeting, W. Grubb was given the name and contact information of a contractor that may be interested in taking on the job. W. Grubb will contact this person tomorrow morning but is currently entertaining help from anyone knows a qualified commercial constriction person, who is not a resident of Conway Township or has any vested interest in this project to assist us in this endeavor for a reasonable fee.
6. **Open Discussion Regarding Meeting Topic**
 - a. Resident: suggested we go back to Chrismann Construction, stating their quote/price for the job may be cheaper due to where we are at this process.

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

Continuation Of Open Discussion Regarding Meeting Topic

Trustee, George Pushies, did not disagree with Resident, but voiced concerned with finding contractor wanting/willing to get involved with an already started project. W. Grubb restated his perplexity over the issue and his need for input and help. Given his concern about finding a contractor willing to assist, time restraints and weather constraints, G. Pushies suggested creating a committee of Conway Township Employees, looking towards the Zoning Administrator to assist, Conway Township Residents with building knowledge to see this Siding Project 2024 to completion. R. Kreeger asked for clarification if we were looking for someone to take over the job or just facilitate the job: G. Pushies stated he was not suggesting we remove Mr. Mike Brown from the job or Dan Cogswell and stated his desire to obtain prints and maps of the building. Resident stated she does not feel forming a committee would help given that each member on the committee may have a different version of what defines quality work is acceptable (even though each definition of quality work may pass code). This resident also stated that in her experience and in her knowledge there has never been contracts associated with many projects; no one person can be to blame in this current specific situation (many people agreed with her).

- b. Resident expressed concern over the rotted wood being left and not being removed.
- c. G. Pushies stated additional issues to the siding and window flashing include: brick issues, water trapping not just from the siding and around windows, but from the bottom up, grade up (wind and snow driven) the plate is right there and there is no drop in elevation. G. Pushies stated that the building inspector even brought up about the snow.
- d. Resident stated on the north side of the building there is at least one course of brick that is completely underground and a second resident stated that is not suppose to be like that. The concern is if we leave a course of brick like this, regardless of how well it is flashed above, are we going to trap water underneath. Resident suggested digging a trench around this building, down to the footer, use proper tar on its entirety and metal stainless flashing down, underground then go up and over top of the brick and properly flash that to

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Champton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

Continuation Of Open Discussion Regarding Meeting Topic

the building, then continue using brick up. G. Pushies mentioned possibly needing edge draining in addition to take the water away because currently the water does not have anywhere causing plate issues so although there was water inside the cavities, we also have water coming up from the bottom up: there are two sources of water. We would need to complete these recommendations prior to putting the brick back on the building. Resident states in his opinion this entire project needs to get water-tight and stopped until we get proper confirmation of how to proceed. Resident is concerned that Mr. Mike Brown is stating work is being done correctly, but when the resident has spoke to the contractor, Dan Cogswell, he is stating that he is sistering to the boards everything that is rotted, but how do you sister to a piece of wood that you can crunch up in your hands. In addition, the resident states he believes the first corner to go bad will be in the kitchen and they don't believe they have yet to address this issue. G. Pushies stated that he spoke Rick Bud, the Building Official, when he stopped by yesterday 9-25-24 and while he cannot prove that it is true, Dan Cogswell said they replaced 8 feet of sill on the kitchen side and 16 feet or more on the east side (south side of kitchen). W. Grubb said he has seen the corner by the kitchen and the door exposed and it is all fresh wood and there is nothing rotted. Two residents questioned how this task could be completed given that wall is load bearing and if we look at the dry wall none of the screws have pulled through so how the contractor removed that rotted wood without hurting the dry wall. One of the two residents states he has driven by multiple times observing as well as has sat in the parking lot all day watching the contractor (Dan Cogswell) complete work and was yelled and used profanities directing the resident to get off the property. R. Kreeger requested we give grace and understand all people have made mistakes but let's remember to focus on moving forward and find a solution. According to his observations, this resident does not believe Dan Cogswell had the time or resources to complete the work W. Grubb stated was completed.

- e. Resident requests information regarding how many time the building inspectors have come to evaluate the work. R. Kreeger stated that there is an

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

Continuation Of Open Discussion Regarding Meeting Topic

issue having one of the main persons involved with this project be absent from today's meeting, because Mike Brown is one key person who could speak to exactly how many times the building inspectors have been to the work site.

- f. R. Kreeger also voiced concerns about not have the correct permits which leads to the bigger concern of not all the work being inspected if we do not have the proper permits pulled. Mike Brown told R. Kreeger the only thing we needed to add to our permit as of 09-26-24 was brick flashing inspection. A. Crampton-Atherton wanted clarification if a building permit was pulled or just a siding permit. G. Pushies asked this same question to the county building officials on Friday 09-20-24 and they stated the only permit pulled was a siding permit, but G. Pushies did not know if this was being amended. In addition, he noted Rick Bud stopped by yesterday 09-25-24 so maybe the permit has been updated and they are coming to evaluate. Russ Cezar stated that on Friday 09-20-24 it was requested that the county building officials stop by on a regular basis just to help us out. Russ understands that there is a framing inspection, a house wrap inspection, and a flashing to the brick inspection and these were the things that were on the permit, but the county building official did state that he wanted to add insolation inspection once he was aware that they insolation had come out. Russ asked if we have a card stating indicating an insolation inspection, R. Kreeger asked what the consequences were for not have the correct permits pulled and why the county building officials were not applying such consequences. G. Pushies stated they should have put a stop on the project. Russ Cezar explained that we are a governing body so we absolutely cannot go around not pulling permits when we request such of our residents. Russ stated the county building inspector's job is not to tell us what looks bad and what we should fix, they are not consultants, their job is to code for health and safety. Permits are to maintain standards. In addition, Russ stated we are the owner and the general contractor of this building and it falls on our shoulders to discern the

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

Continuation Of Open Discussion Regarding Meeting Topic

quality of the work. Russ says the elephant in the room is there has been a lot of missed opportunities; Dan Cogswell should get all the insurance that he needs and could have a great reference. Firing Mr. Cogswell is not needed, but stop the process until Dan Cogswell has proper Workman's Compensation obtained (he currently has an invalid Workman's Compensation because it is not stamped by the state). Allowing him to continue working, leaves us responsible for the liability of someone getting hurt or the work causing damage later. In addition, we have no recourse later for his workmanship. R. Kreeger stated that Dan Cogswell is currently on Conway Township's insurance because he does not have a valid Workman's Compensation Form on file. R. Kreeger requested an update from W. Grubb on the contact he has had with our Township attorney to create a contract for Conway Township and Dan Cogswell to sign (per the motion made at our 09-17-2024 Board Meeting). W. Grubb stated that our attorney stated that it is within the Township's right to do whatever the Township would like to do at this point and time. W. Grubb stated that our attorney (Abby Cooper wanted to know the scope of the work Dan Cogswell had completed). A resident voiced concern that our township attorney is failing us for not giving us more specific advice. R. Kreeger stated this may be an unfair statement given we have not all viewed the email and information that was sent to her by W. Grubb. R. Kreeger rephrased and again asked W. Grubb is there was a contract created stating Dan Cogswell agreed to obtain the correct/required documents/Workman's Compensation. W. Grubb stated he could not remember if Abby said we could draw up a contract or not; most of the conversation was, "Where is this at and where is this guy at". When R. Kreeger asked if W. Grubb needed the 09-26-24 motion read, W. Grubb stated, "Should we let him continue or...". G. Pushies interjected that he sent Abby Coopper an email two days post the 09-26-2024 Board Meeting giving her bullet points of many things he thinks would/should be required in a contract and requested she create a fill in the blank template. According to G. Pushies, Abby Cooper did not respond to his email, because W. Grubb

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

Continuation Of Open Discussion Regarding Meeting Topic

responded to the email and she responded to W. Grubb's email and so far no one has heard from Abby Cooper regarding the fill in the blank contract template. G. Pushies wants Dan Cogswell, fill out FEIN number, insurance liability, workman's compensation, license, etc added into a stand-alone template document with a hold harmless indemnification clause. R. Kreeger reminded everyone we are still currently waiting on Dan Cogswell to produce a valid workman's compensation form stamped by the state.

- g. Russ Cezar asked if we have a written contract with Dan Cogswell. R. Kreeger stated, we do not. The day after we accepted Dan's Cogswell's bid, R. Kreeger asked Dan Cogswell if we have signed a contract, especially given that he is working already working on the building with no direction/consent given from her. R. Kreeger was admittedly more focused on warranty information than even on insurance information. Dan Cogswell told R. Kreeger that Mike Brown informed in him that there was no additional contract needed because the acceptance of the bid was the contract. R. Kreeger also stated this information for the record at the 09-17-2024 Board Meeting. A resident spoke up and said, Dan Cogswell told him he was asked to come down to the Township Hall and put in a bid for the RFP. The resident wanted to know who told Dan Cogswell to put in a bid because he does not believe that is how the bid process was suppose to work.
- h. Resident inquired about the language on the RFP. RFP states that the contractor must have W-9 and Liability Insurance, but does not state Workman's Compensation specifically.
- i. R. Kreeger gave Dan Cogswell all the instructions on how to obtain a valid workman's compensation form stamped from the state and requested he turn it in as soon as possible. However, this does not solve the issue of him having subcontractors on the job and how our insurance company says they will cover them but is referring to them as Dan Cogswell's employees. Russ Cezar stated waiting for Dan Cogswell to turn in his workman's compensation form does not do us any good, because of the mere fact that his subcontractor(s) are still not covered. A. Crampton-Atherton read the RFP stated the contractor awarded the bid must supply the Township with a copy

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Champton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

of his W9 and Insurance Liability Certificate. R. Kreeger points out that the RFP does not specifically state workman's compensation. Dan Cogswell

Continuation Of Open Discussion Regarding Meeting Topic

does have a W9 Form and Insurance Liability Certificate but does not have a valid workman's compensation form. G. Pushies states workman's compensation does have to be stated separately.

- j. Permit description states: residing and rot repair including OSB, select two by fours, all Tyvek, taping, windows, flashing is required. Type of work is alteration.
- k. Resident expressed serious concern on how the insulation was installed, windows not being flashed correctly and the building department not correctly performing their duties (not requiring drawings and scope of work).
- l. W. Grubb stated that the morning of 09-26-24 he approached Mike Brown and stated his concerns about the incorrectly flashing on the windows and doors. He gave Mike informational sheets illustrating the correct process and Mike stated that Dan Cogswell has not flashed the windows correctly and he was going to require Dan Cogswell do the flashing the per the instructions on the said procedure sheets that W. Grubb had given him (with the Tyvek pulled back).
- m. Dan Cogswell needs to be monitored and held accountable, especially when this project got as involved as it has.
- n. Russ Cezar is concerned there was never a notice of commencement (when this project started). Was it safe to have employees working as this work was going on seeing as it became so involved.
- o. *R. Kreeger kept bulleting the important steps that were mentioned at this meeting regarding the process to hiring a contractor. Please see included notes titled: Process To Hiring A Contractor.*
- p. R. Cezar stated the larger window in the hall has dropped three inches. Hall rentals that are already scheduled will remain, but we are not committing to additional rentals until our building renovations are complete.
- q. On 9-18-2024, R. Kreeger requested Dan Cogswell create a signed document stating the warranty of his work, along with a statement that he and his

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

subcontractor(s) would sign agreeing that Conway Township is not responsible or liable for any injury that occurs. These documents were not received.

Continuation Of Open Discussion Regarding Meeting Topic

- r. Motion: Stop construction on Conway Township Hall until we get proper Workman's Compensation from Dan Cogswell, a contract, a written warranty statement of his work, and have a construction manager that will oversee the remainder of the project. In addition, W. Grubb will contact the Conway Township Attorney to obtain information as to what we are legally liable for without a contract with Dan Cogswell.
 - i. Motion made by: A. Crampton-Atherton & motion seconded by: G. Pushies. Motion Passed: 5 Yes, 0 No, 0 Absent.
- s. Motion: To formally accept the siding color that Mike Brown presented (sand color) for the Siding Project 2024.
 - i. Motion made by: G. Pushies & motion seconded by: A. Crampton-Atherton. Motion Passed: 4 Yes, 1 No, 0 Absent.
- t. G. Pushies made a motion: To formally accept the brick to be installed on Conway Township Hall. Board discussion lead to a conversation about a motion that was made on 09-17-2024 about getting quotes on cultured stones, but if no quotes were received by Friday 09-20-2024 at noon, Mike Brown could go ahead and order the bricks. W. Grubb believe he saw somewhere in a text or in an email that the brick was already ordered. Motion not continued.
- u. Russ Cezar requested an opinion from Bricks, Blocks and Rocks in regard to how many layers of bricks should be taken off and if that flashing should go beyond the finished floor of the building and down to the weep and then that be solid grouted. R. Cezar and G. Pushies would like a recommendation from a masonry contractor on the proper way for that to be fully grouted and flashed. W. Grubb requested Russ Cezar contact owner of Bricks, Rocks and Blocks and speak with him on this topic.

Conway Township Board Of Trustee Board Special Meeting: Approved Minutes

Date: 09-26-2024

Time: 7:00PM

Location: Conway Township Hall

Supervisor: Bill Grubb

Clerk: Rachel Kreeger

Treasurer: Deb Grubb

Trustee: George Pushies

Trustee: Amy Crampton-Atherton

Items within these minutes that require additional documents are highlighted in purple.

Continuation Of Open Discussion Regarding Meeting Topic

- i. Motion: Conway Township contact Bricks, Blocks and Rocks (who is currently working on the Siding Project 2024) to provide a written opinion, with a cross-section sketch, regarding the water proofing and to add three feet of ice and water shielding to the side wall before commencing with this work. Russ Cezar will make this contact and bring his report (which includes a written opinion and a sketch) back to the board as soon as possible.

- 1. Motion made by: G. Pushies & motion seconded by: A. Crampton Atherton. Motion Passed: 5 yes, 0 no, 0 absent.

7. Adjournment

- a. Motion to adjourn this Conway Township Special Board Meeting on 09-26-24 at 8:39pm.
 - i. Motion made by: A. Crampton-Atherton & motion seconded by: D. Grubb. Motion passed unanimously: 5 yes, 0 no, and 0 absent.

Once the Conway Township Board approves the above 09-26-2024 Special Board Meeting Minutes, the Conway Township Clerk and/or Deputy Clerk will sign and date these minutes:

Signature of Conway Township Board Member (Clerk or Deputy Clerk) and Date

Conway Township Clerk: Rachel Kreeger
Conway Township Deputy Clerk: Tara Foote