

**Greenvale Township Board of Supervisors  
Special Meeting Minutes  
Wednesday, September 7, 2022**

**Present:** Supervisors Tony Rowan, Dave Roehl, and Chairman Charles Anderson;  
Treasurer Wayne Peterson and Clerk Jane Dilley

**Others Present:** Scott Norkunas, Perry Collins, Mary Collins, Victoria Langer, Gregory Langer, Maynard Bolton, Ken Malecha, Andy Anderson, Nancy Peterson, Linda Wasner, Erv Ulrich, Bobbi Bolton, Terry Mulligan, Dean Odette, Ed & Jess Bodnar, Brian Evenson, Elizabeth Evenson, Andy Collins, Brittany Ernst and one illegible signature.

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**Opening of the Meeting:**

Chairman Anderson called the meeting to order at 7:00pm with the Pledge of Allegiance. The audience was reminded sign the attendance sheet and to silence their electronic devices.

**Approve Agenda:** The purpose of the meeting was to discuss efforts to date to obtain property belonging to the Township from former Clerk Linus Langer. The agenda was approved by motion from Anderson, seconded by Roehl. Motion passed 3-0.

**Citizens comments:** Citizens may comment at the end of the meeting.

Before the meeting got underway, Chairman Anderson addressed comments posted on social media. Tonight's meeting had been scheduled for a prior date, but a citizen called attention that proper notice of the meeting had not been posted on the website. The decision was made to reschedule the meeting to a later date where notice could be made on both the website and the message board outside the Town Hall. Anderson reminded the attendees that posting on the website is done by a volunteer who is not always able to act on posting requests immediately.

Anderson turned the meeting over to Clerk Dilley. Dilley put together a timeline of events regarding the transition of Town Clerk from Linus Langer to Jane Dilley, starting

with the township election on March 8. The timeline is part of the public packet available to the audience. It is also attached to these minutes.

As shown on the timeline, on August 12 Dilley asked Langer to meet her at the Town Hall the following day, Saturday August 13. She requested Langer bring keys, laptop, files, folders and any work that was pending as we would use that as training. Langer arrived and stated he was uncomfortable being alone with me and he was tape recording our conversation. Langer would not elaborate on why he felt uncomfortable when asked.

Langer turned over most keys but no computer other materials. He said he needed the Clerk laptop to continue his duties as Zoning Administrator. Dilley could use the Clerk's "back up computer" (later discovered to be the laptop purchased for the Planning Commission). Dilley asked about training – who did Langer feel would be a good observer. He said it would be talked about at the next Board meeting. Ken Malecha arrived at the Town Hall during this discussion; Langer was extremely uncomfortable and left the building.

The backup computer has a version of the CTAS accounting system which was last updated December 31, 2021. The backup laptop has no files, nor does it have Microsoft Office installed, rendering the laptop of no use to Dilley.

On August 22, Langer left a tote bag of files and papers at the Town Hall. On August 23 the Clerk's laptop retained by Langer was dropped off at the Town Hall along with the paper files containing each month's claims/payroll and accounting work for all of 2022. The password to the computer was not provided. (It was later learned the password was written on top of one of the monthly files. This did not stand out as being the password as several files had notations on the outside of the file).

On August 25, the laptop password was provided to Dilley via Township Attorney Mike Couri. Once logged into the laptop, Dilley discovered the computer did not have Microsoft Office installed and there was little in the way of files on the computer. She did File Manager word searches for commonly expected terms: "minutes" "agenda" and "notice" and nothing was found. The CTAS program was brought up to date with entries dated as recently as the early hours of August 22.

Also, on August 25 Dilley was notified that three banker's boxes of papers from the Langer home were delivered to local attorney Ryan Blumhoefer who also does work for Greenvale. On August 30 another banker's box of papers were delivered to Ryan Blumhoefer's office.

Dilley continued by stating there was no email software on the computer. It appears Langer used his personal email address to conduct township business for the eight years he was clerk. These emails are township property and should be in our possession.

It also appears the township is missing two printed copies of the Comprehensive Plan and a flash drive containing a digital version of the Comp Plan, which was supplied by Bolton & Menk.

Dilley has asked for the Board's help in securing the return of software, digital and paper files and eight years of emails.

Anderson then turned the discussion over to the Board. Rowan asked if Langer was invited to the meeting. No specific invitation was issued. Audience member Victoria Langer reported that former clerk Langer had been diagnosed with CoVid-19 and could not attend. Rowan expressed regret Langer wasn't here to describe the location of files or provide other information in his defense. Roehl asked the date of the last correspondence with Langer. It was August 25 with Couri & Ruppe obtaining the laptop password. Roehl said he has had plenty of time to correspond with or contact Dilley.

Rowan asked how long the transition took from former clerk Edith Nelson to then-new clerk Linus Langer. Unknown. Dilley said she is a month into the position – without tools.

Anderson stated he has personally sent emails to Langer and has not received any type of response. Anderson stated perhaps it was time to involve attorneys in this issue. Neither Rowan or Roehl had further comments, and Anderson then allowed for citizens comments.

Jerry Bolton asked if the three Supervisors and Clerk Dilley could meet with Linus. This would violate the Open Meeting laws because a quorum of Supervisors would be present. Only one Supervisor, along with the Clerk or Treasurer or both, could be a part

of this meeting. Anderson said if Langer was using his personal email for township business, his personal emails would be intermingled and he could understand why Langer would be reluctant to share the entire email file. Dilley said attorney Mike Couri offered to sit with Langer and go through the email file – and it would be quick to determine which emails are township related and which are not. The task would be easy, but the volume would be great.

Tom Williams said it looks like all of the Supervisors are using personal emails. Anderson said he set up a separate email address for township business. It is not incumbent on Supervisors to maintain township records. This responsibility is specifically tasked to the Town Clerk. Anderson said there would be future discussions about email addresses.

Scott Norkunas asked what was in the boxes of papers. Dilley said she brought a disinterested party with her to the law office, asked to use a conference room and did a quick inventory of one of the boxes, recording what was contained in the box. It was not intended to be a full inventory, but rather a sampling of contents. The contents ranged from a copy of a permit, draft version of minutes, an invitation the open house for the new Dundas town hall, a copy of a Township Insider magazine and one property owner file for Castle Rock Tree. Mary Collins expressed dismay that the file for her business was at the Langer home. Gregory Langer said whenever copies of papers were distributed at a town meeting, all members were entitled to take home those papers. Gregory Langer said we would find the Castle Rock Tree business file intact in the file room, containing those same papers. Gregory Langer also said that Linus Langer created a video on how to take over the position and that the password was written on top of a claim folder.

Treasurer Wayne Peterson said the clerk's laptop should have all Microsoft Office products installed on it because each year the township paid for a subscription to that suite of software.

An audience member asked if the computer's hard drive had been examined. Past contents can be discovered with a forensic review. This is costly and the township has not yet gone this route.

Anderson asked if there were further comments. Gregory Langer stated Dilley has what she needs to do the job, Linus Langer has offered to meet with her and was turned down.

This statement is false. Gregory Langer said she has the computer, the password, the papers and files in the boxes and we need to move on.

Another audience suggested that the township should get everyone a township email address so this is not an issue going forward. Victor Volkert asked if Dilley now has the password, what is the issue. Dilley said the password leads to nothing.

Jerry Bolton suggested a Greenvale resident meet with Langer, Dilley and an attorney – couldn't we get this resolved?

An audience member remarked the Clerk should take over responsibility for the website.

Bobbi Bolton said the Board made a commitment to having notices on the website within two days of a meeting. Anderson said that we cannot guarantee that standard because it is based on the availability of the volunteer doing the updates. We also have to take into account possible glitches in technology.

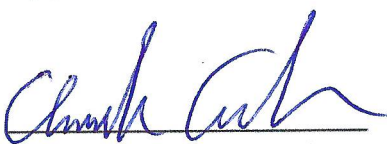
Anderson made a motion that he be authorized to contact township attorney Mike Couri seek their advice of how to proceed legally to obtain Township property from Linus Langer and authority to proceed with their legal advice. Roehl seconded the motion. The motion carried 2 – 1 with Rowan dissenting.

Anderson made a motion to adjourn the meeting. Rowan seconded. Motion carried 3 – 0. The meeting was adjourned at approximately 8:15pm.

Submitted:

  
Jane Dilley  
Town Clerk

Approved:

  
Charles Anderson, Chairman  
Board of Supervisors