

Scioto Township Board of Trustees
May 9, 2007
Page 1 of 6

Richard Moxley called the May 9, 2007 meeting of the Scioto Township Board of Trustees to order at 7:00 p.m.

All in Attendance joined in the Pledge of Allegiance.

Roll call was answered by: Richard Moxley, Sandra Stults and Theodore Luke.

Others in attendance: Brenda Jervis, Bruce Stayner, Bill Cox, Tom Finks, Kim Cellar, Jason Hutchisson and Ben Collins.

Sandra Stults made the motion to accept the minutes of the April 11, 2007 meeting as presented by the Fiscal Officer. Richard Moxley seconded the motion. Vote: unanimous.

Guests were acknowledged and asked to limit their comments to three (3) minutes. Please direct your question and/or comments to the board.

FISCAL OFFICERS REPORT: Susan Beckley

Receivables	\$ 18,212.58
Payables	\$ 66,642.01

ZONING REPORT: Thomas R. Brown

There was no BZA activity for April 2007.

The Scioto Township Zoning Commission meeting April 9, 2007 was continued work on conservation subdivision regulations, definitions and the sign article of the resolution.

I had two (2) zoning applications. I issued two (2) zoning certificates.

6280 Penn Road, detached garage, FR-1

2440 Klondike Road, deck, FR-1

April 12, 2007 site visit at Sherwood property. Owners exploring 84 lots on 270 acres on the north side of US 36 at 257 with or without central sewer.

April 26, 2007 DCRPC meeting: No Scioto Township activity. Draft of CAD subdivision regulations approved for public notice publication and public hearing scheduled for the regular meeting to be held June 28, 2007.

Page 2 of 6

Sandra Stults asked Tom Brown his opinion on CADs. A huge majority and only 2 objecting and I am one of the loan deciders. Harlem and Scioto Townships are against the regulation limiting the number of lots to three.

The way it will be presented for Public Hearing will be new specifications for signage, construction and up grading. The advisory board is out of gas on this issue and it will go on for Public Hearing.

Ohio Township Association has educational classes for Zoning Officials to be held June 15, 2007 at the cost of \$30.00 per person. I would like to attend and would contact Ed Roberts, Linda Morgan to see if they are interest in attending the classes.

Richard Moxley stated education is very important and worth attending. I have no problem in you, (Tom Brown), Ed Roberts and Linda Morgan attending.

Theodore Luke made the motion to pay expenses up to four (4) individuals to attend these zoning classes with the township picking up the cost. Richard Moxley seconded. Vote: unanimous. Mr. Brown will call and see if there are still opening and then follow up with Ed Roberts and Linda Morgan.

Bill Cox asked Tom Brown if the CADs were still 3 plus 2. Tom's answered sure looks like it is final.

Short discussion followed. Mr. Brown stated after the commissioners adopt this is referendable. Just CAD driveway and not large lots.

FIRE REPORT: Marvin McIntire, Chief

Marvin has one purchase order for hydrant upgrades to change from steamer cap to stortz fittings. The new subdivision does not have the new stortz fittings. The Purchase Order is to Del Co Water Co. Inc. for \$4000.00. This is for existing hydrants that need the upgrades.

Sandra Stults made the motion to issue a purchase order to Del-Co Water Co., Inc. in the amount of \$4,000.00 for the upgrading. Richard Moxley seconded the motion. Vote: unanimous.

P.O. 27-2007

Del-Co Water Co., Inc.

\$4,000.00

Page 3 of 6

Marvin talked about the ½% Sales Tax Expenditure Issue for the Delaware County EMS. In 2006 the ½% sales tax intended for ambulance service throughout the county brought in over \$13,000,000 and only 56%, approximately \$7,500,000 of these funds were spent on the intended purpose; in which approximately 5% of the collected funds were paid to Liberty Township and the City of Delaware. The county put 60% of the funds in the EMS fund and 40% to the General Fund.

This sales tax was enacted in the 1970's. In 2005 legislation changed to provide the ability to earmark the sales tax to EMS.

Tom Brown asked is the WHEN we go full time. Not sure at this time.

Richard Moxley stated for a personal stand point the county is fishing and I do not have a license. There is just not enough information: what about our insurance coverage, the change in equipment? With these numbers we can not support the joint venture.

Marvin stated he supports what they are trying to accomplish but funds need to be distributed differently. Richard Moxley agreed.

Bill Cox asked 60% for EMS and 40% General Fund. Marvin answered yes.

Tom Finks stated these funds were earmarked for EMS and so why isn't 100% for EMS.

Bill Cox stated according to the State Auditors Office the funds must go in to the designed fund. As the gas tax we only get 3%, where are the Engineers putting all this money.

OLD BUSINESS:

Richard Moxley stated the Fry Road drainage ditch has been completed. Time will tell but we think it will do the job we designed. Cost will be somewhere around \$5,000 to \$6,000.

NEW BUSINESS:

Ben Collins from the Prosecutors Office returned with a proposal on the Blaney Property. Mr. Burkham has raised a new issue regarding propane and fuel tanks, alleging that they encroach on the Blaney property.

The Blaney's have agreed to grant easement to the township without cost to the township. However, they want a fence erected along property line beginning at the south end of the existing building and extending from, building to the alley. This fence would be erected at least five feet tall and be a solid wood fence, as opposed to a rail fence or a picket fence.

As for the propane tank and fuel tanks that they be moved back from the property line.

One gutter and downspout has been corrected, the township needs to divert the rainwater on the other gutter and downspout.

The Blaney's would grant the township a personal easement for the portion of the building which encroaches upon their lot. This easement would terminate in the event the township sold the property on which the structure sits, if a major restructuring of the building occurs or if the building is no longer being used. From the Blaney's standpoint, the easement would continue against the lot the Blaney's own, even if the Blaney's were to sell the lot. In essence, the easement as far as the servient estate is concerned, would run with the land, but would be subject to defeasance from the dominant estate's perspective.

Finally, as part of the easement, the township would waive any right to claim ownership of the encroached upon area by virtue of adverse possession.

Richard Moxley stated the downspout would be taken care of as we said. We have had a few top priority items to complete.

Ben Collins stated he had left a message with the Village Zoning Department about whether a fence could be erected.

Richard Moxley asked Mr. Collins if there was a downside to the township. Mr. Collins answer was no.

There was a short discussion and since we have owned the property over 21 years, the Blaneys knew what was there when they made the purchase the trustees are in sync as to not spend public money to erect a fence.

With the new law on the fuel tanks have to be double walled, we will be removing those tanks in the next 12 to 18 months. We have an agreement with Midway Market for our fuel, even late at night for the Fire Department or when we are plowing snow. We also have an agreement to use the Fuel Depot on London Road if we need to do so. The propane tank will remain and we could move it back away from the property line.

Page 5 of 6

Ben Collins stated Marcia Thompson was stopped by a Deputy Sheriff for speeding on Ostrander Road. She was stopped between the cooperation line and US 36. The road is a county road; you can not annex half of the road. The township could pass a resolution asking the Engineers Office to lower the speed limit from Rt 36 to the northern edge of the Village of Ostrander. The township could recommend a 35 MPH zone. The Engineers Office will take the resolution to ODAT for approval.

Richard Moxley as stated in last months meeting we were looking to purchase a new mower for the cemeteries. We looked at different mowers and talked to Dublin and the maintenance crew drove them. We settled on a 2007 John Deere mower, 19 horse power, 48 inch cut, zero turn, gas engine with roll bar and deluxe comfort seat. John Deere Company is able to give us the state bid at a 27% discount. Is there any questions?

Ted Luke made a motion to purchase the 2007 John Deere Mower. Richard Moxley seconded the motion.

Discussion followed. Tom Finks asked if we had considered diesel over gas. Ted Luke answered yes, but diesel in on the larger mowers and the 60 inch cut is too big for our cemeteries. The small decks use gas. This is the low end of the commercial mowers.

Tom Finks also asked if we had considered local dealers. Ted Luke stated the local business did not have what our needs were and Skaggs would not be in our best interest.

Richard Moxley stated that they had talked to the City of Dublin about the JD and Hustlers. From their input we decided the JD was our best buy.

Vote: unanimous.

Richard Moxley stated that Sandra Stults had done a good job on the Newsletter.

Sandra Stults stated May 12, at 182 N. Second St. from 8:00 to noon we will be holding our annual township clean up. Sandra stated she had gotten waivers from Allied Waste for \$29.40 a ton for the first 26.7 tons. Sandra has increased our amount each year and has been able to reach her goal. Sandra was asking groups to clean up the roadside. Sargents will deliver 2 dumpsters at 7:30 a.m. and pick up around noon. We will have one dumpster on stand by if we need the third dumpster.

Theodore Luke made a motion pay bills. Sandra Stults seconded the motion. Vote: unanimous.

Page 6 of 6

Sandra Stults made a motion to pass a resolution for the County Engineers to set the speed limit at 35MPH from US 36 to the northern edge of the Village of Ostrander. Richard Moxley seconded the motion. Vote: Unanimous.

Resolution # 02-2007 County Engineers

Richard Moxley made the motion to adjourn. Sandra Stults seconded the motion. Vote: unanimous.

Meeting adjourned at 8:18 p.m.

Susan Beckley, Fiscal Officer