

Scioto Township Trustees
August 10, 2011

Chas Kaiser called the August 10, 2011 meeting of the Scioto Township Board of Trustees to order at 7:10 p.m.

All in attendance joined in the Pledge of Allegiance.

Roll call was answered by: Sandra Stults, Rodger C. Finks and Chas Kaiser.

Others in attendance: Andy Zarins, Carol Conway, Bill Swaney, Bruce Stayner, Mike Knapp, Jeff Kasberg, Mike Spangler, Jason Hutchisson.

Guest were acknowledged and asked to speak into the microphone. Limit your comments to three minutes if possible.

Sandra: State you name.

? I have to use the microphone?

Sandra: Yes, otherwise you won't be on the recorder.

Good Evening, I am Carol Conway, resident of 3987 Burnt Pond Road. I have come to address the Trustees regarding my concerns we have about the deteriorating conditions we have on Burnt Pond Road. In particular the area that we are distressed about is the area closest to State Route # 36 between the one lane bridge and not quite over to the farm. It seems right into the area of 3987-3790 right over the one lane bridge we have a down flow; with the torrential downpours we are having the road is deteriorating very quickly. We have washouts of the material that the road crew puts on the berm. Most of that is in my front yard right now. Every time we have a trenchall downpour it ends up there. The east side of the road is basically deteriorating, cracking, pulling away. I watched a school bus stop to pick up a child and watched the pavement crumble under the tires of the school bus. We have increased traffic on the road because of new residents building in the area. We do have a lot of heavy vehicles on the road with gravel, concrete and things like that. It is getting in deplorable condition at this time.

Being a lane and a half road the concerns of the safety as a car may have to fall off of the road to where there isn't a safe berm and could fall in the ditch. I'm just waiting for an accident to happen in front of my house.

I know that probably over a year ago, I don't know the exact date, a group of residents from "Burnt Pond Road came before the Trustees to talk about some of the indication. I know at that time we really didn't want the road to be expanded to a two lane road. But there were some, when I came away from the meeting there was something that was supposed to happen. There was to be a traffic survey that we were supposed to be looking at and I haven't heard if anything came from a result of that traffic survey. Also

some additional survey work was to be done to see if part of the road could be repaired instead of actually resurfacing that entire road. May I go ahead and show these pictures to the Trustees? I actually took pictures and these are for you to keep. I took pictures up and down the road to show the condition. We do have some water issues. The concern is there some under springs. There is some minor patching going on. But again what we are really talking about is the safety in the future. The road is deteriorating quite a bit. Especially in the area I am talking about over the last year. My concern is if the Trustees don't consider doing anything major to repair the road by next spring we are going to have horrible conditions with all the increased traffic.

Chas: Do you want to start? This was before I became a Trustee?

Rodger: Okay, chicken. Traffic study, we did a traffic study on speed limit to 45 mph, I believe. Coming away from the meeting we had, we were going to apply for a grant to work on Burnt Pond Road. The issue is on your side of the road we have no right-away. On the other side of the road we have 20 to 25 feet. We were actually going to reposition the road and redo those ditches and everybody said NO. The berm issue we keep trying to pack it in. I believe one of our employees was out there and cut it open down through there.

Carol: They cut down through by our property, But we had so much of the berm material in our yard that when we started mowing my husband went down there with the front loader and took several scoops out and put it back on the road. Next time we have torrential down pours, we have the same thing again. So we have deteriorating roads, very little berm and then a big ditch.

As I look at the road, the west side is not as bad in terms of falling away pavement as the east side. The east side, the pictures I took is primarily, you have the wash out on the west side shows the berm material. You have the wash out of berm material on the east side, but we don't have an applicable berm on the east side.

Rodger: Right.

Carol: This all started after we moved here 6 years ago. We didn't have these issues, but when they cleared the property, a farm, next to us is when we started have the issues because they cleared out all the trees and we started having erosion. I did talk to Delaware County Soil and Water Conservation. Said they would be willing to help. I don't know what they can do. They said to come back to you. I would be willing from my perspective is to look to extend on the east side of the property. I know there is quite a bit of lee way there. If something can be done to put a reasonable berm and ditch on our side of the property before all these other houses get built up there. From maybe the one lane bridge up to the top of the hill. I don't have a problem because our trees are far enough back that we can do that, we'd be cutting out some of the hill. I'm concerned about the safety issues.

Rodger: I guess the last time we talked out at your property, the only good way to elevate the issue was to---

Carol: Piping it.

Rodger: No, not piping it, actually cutting that hill back and digging that out and re-establishing a ditch line on back. Is that going to elevate the 4 inch rains? No. But the only way to fix that is to move the ditch back so that it comes down through there. We cut it open it's going to fill back in with berm material. Unfortunately when we get the bad rains. We are still open to cutting the hill back. But at that time you didn't want to do that because we were more than likely get into a few of the pines that were there.

Carol: Okay.

Sandra: The Engineer's Office was supposed to take a look at those areas. Do you remember what they came up with?

Rodger: I wasn't involved in that part. I believe you were out there with the Engineer. In my opinion the best issue to resolve that is to cut into the hill, move the ditch back and repack the berm there.

Chas: Still doesn't relieve the issue.

Carol: Still, at some point in time the road, something has to be done with the sub-structure of the road because of the way it is breaking away. You know to tar and chip it, to pave over it, absolutely not going to do it. You are just putting a band aid on a big problem.

Rodger: I understand that, but unfortunately in order to do something we have to have a grant. The grant on that was pretty big.

Chas: Don't you need right-a-ways established?

Rodger: Well the right-a-way, there was fence posts put out there for the right-a-way. The right-a-way was surveyed. That's how we found out we have 20 foot of right-a-way on the west side and maybe 5 foot at best on the east side. At this point, until everyone has agreed at that point so say No were not going after the grant. I believe the statement was made Burnt Pond Road went from here down to the bottom. That's pretty much why DeGood Road at this time is getting done. Newhouse Road got done.

Carol: You are saying we are so far down just because of the issues of the residents?

Rodger: As far as re-construction, the cost of reconstruction at that time, I think it is 1. don't quote me on that. It was at 1.1 or 1.2 million dollars cost to that road from State Route # 36 to Fontanelle Road. Without a grant our finances are such we don't have the funds for that. But as far as patching and trying to maintain what we got we'll try.

Carol: It's really not going to do much on the long term with all the deterioration this last year. Let me throw out something else, is there a possibility because, for some reason, now I've been home the last four weeks cause I'm on disability right now. There are some large trucks on that road. There was a GFS tractor trailer the other day. He has no business on that road. It's not a through road. I know we have a lot of gravel and cement trucks because of all the construction. When I saw the GFS truck go through, is there any possibility we could do a weight limit in between time?

Rodger: Weight limit is established by bridges.

Carol: Big bridges, okay, alright. I'm just concerned about the safety.

Rodger: We can call GFS and ask them not to use Burnt Pond Road. Why they would be going down there I don't understand.

Carol: It's not like I get to sit at home and watch the traffic on the road. It's just one of those days.

Rodger: As far as the stone trucks and cement trucks ---

Carol: There is nothing we can do about that. There are 3 or 4 homes going up right now. That's my concern, are we going to be spending more money 5 years down the road cause we can't do anything about it now? If we could do the expansion on the east side and leave the west side as is. I know we have less room on the west side but I'm willing to take a little of the hill cut back. Above me up until quite a ways up as the road from me I know those lots are primarily empty. I know 2 of them are up for sale. That's part of the problem. So if something can be done now to prevent deterioration, because there is no use of you putting more berm material in there until something else is done. My neighbor, Mike Sprangler is here and he gets to shovel the stone out of his driveway when it rains. He and the other neighbors. We are just concerned about the long term and the safety issue.

Rodger: The long run is the road needs rebuilt. Unfortunately, it was mainly the people on the west side of the road came in and said we don't want it.

Carol: They didn't want you cutting down their trees and moving their rocks.

Rodger: You remember that.

Carol: I remember that, oh yeah, I remember.

Chas: It might be a god send anyway, let those lots up there on top with all the heavy construction, concrete trucks and all that stuff. I'd hate to put money in and redo a road and they have all that construction traffic destroy the road.

Carol: Yeah, that's true. There is quite a bit going on right now. The houses I think are going up there right now.

Chas: That will slow down come winter time. Right now is a busy season. The road is probably taking less damage. But you are seeing the damage because of the rain.

Carol: Yes, I am seeing the damage when we have a hot day and you see a truck stand on the road and you see the road side just start to crumbling away because it's hot, moist and all that kind of stuff. It gets kind of concerning.

Rodger: Do you want us to come out and look again and possibility of cutting the hill down and move the ditch line over.

Chas: I think it's within the right-a-way.

Rodger: It would be right at the edge of the right-a-way.

Carol: Yeah, it would be.

Rodger: Actually the top of the hill where it peaks up at the top is the right-a-way.

Chas: Without reestablishing the right-a-way we really can't do anything with it.

Carol: Also my concern is fixing the area in front of my hill. If you don't fix up above me, it's still not going to help. All the water is gushing down on us. Like I said we didn't have this issue until they cleared off that other property. Thank you.

Chas: No comment, Mike?

Mike: No, I'm her support. I'm shoveling gravel all the time after the rains. You guys are aware of that already.

Sandra: Thank you.

Rodger: I'm sorry.

Chas: You wouldn't want the berm material running in your yard.

Tom: Would you or your neighbors voluntarily dedicate an additional right-a-way. It would mean a slight reduction in your Real Estate Taxes. It might also make a slight reduction in your Real Estate Appraisals also. But do you think you and your neighbors that were affected would voluntarily deed addition right-a-way?

Mike: On my side of the road it actually goes back quite a bit but on her side there isn't much.

Rodger: Right.

Mike: When you guys came out and staked it, there was a pretty good size right-a-way on my side.

Carol: I think the issue is that when you take right-a-way back to where the stakes were it takes out a lot of frontage and trees.

Mike: Taking out very mature trees.

Carol: From my prospective, you can go back to the right-a-way; it's not affecting me that dramatically. I would rather give that right-a-way up and reposition my stone at the end of my driveway to get a nice berm in there so we aren't mulling around in a pile of stones that ends up in our bottom all the time. But it's the west side that's more affected. Those were the residents that were move vocal.

Rodger: Okay.

Carol: Thank you.

Chas: Anyone else?

Andy Zarins: Just a comment on what you are talking about. I haven't looked at the situation, so I don't know what's out there. But I think certainly you could lap in 3 or 4 catch basins piping in or put in a ditch wig, it wouldn't be that expensive and you guys should be able to do that.

Rodger: There is not enough room.

Andy: You got to have some type of drainage there now; can't you put a pipe in?

Rodger: Putting a pipe in ----

Chas: To put catch basins in and realign the ditch line there is not enough room in the right-a-way.

Rodger: No, what's going down through there is pretty much down the berm.

Andy: That's the thing, put your catch basin in the berm or put in a fake berm. It's pretty simple.

Rodger: Well, I don't know.

Andy: Spend the 20 or 30 thousand dollars on the project and you are done.

Rodger: Oh, yeah, thank you, you going to finance that one, Andy?

Andy: What's the Township for? That's your job.

Rodger: We are struggling with finances now; unfortunately have no idea where we are going to come up with another 20 thousand dollars.

Chas: Anybody else?

Chas: Acceptance of the minutes.

Rodger: Motion to approve July 13, 2011 minutes as presented by the Fiscal Officer.

Sandra: I'll second. Vote: unanimous

Rodger: Motion to approve the August 1, 2011 Special Meeting as presented by the Fiscal Officer.

Sandra: I'll second. Vote: unanimous.

Rodger: Motion to accept the August 7, 2011 Special Meeting as presented by the Fiscal Officer.

Sandra: I'll second. Vote: unanimous.

FISCAL OFFICER'S REPORT:

Revenues were \$14,727.98

Payables were \$30,501.10

I gave you a list of several accounts where I need to transfer funds. See Exhibit A.

Rodger: I'll give you a motion for a resolution to transfer the appropriate funds in the proper accounts that need the funds. If anyone would like to see the list, we have it up here for your review.

Chas: I'll second. Vote: unanimous.

Sandra: Two of these Resolutions?

Rodger: I'll make a motion for a resolution to increase the appropriations in the General Fund Parks Capital Outlay Account 1000-610-990 in the amount of \$4,000.00.

Chas: I'll second. Vote: unanimous

Rodger: Motion for a resolution to establish Fund 4401, the Local Public Works Commission Capital Project Fund and establish the appropriations in that fund account 4401-760-730 in the amount of \$60,000.00 for the DeGood Road Project.

Chas: I'll second.

Vote: unanimous

Susan: I gave you a copy of our estimated Resources for 2012. We came up with these estimates by using the revenue status as of the end of July. Divided that total by 7 for the 7 months and multiplied it by 12 to get our estimated total. This report does have to be into the Delaware County Auditor's Office by the 15th of August.

Rodger: As a side note to that the General Fund is going to be very rough in the appropriation budget this fall. We are looking at a decrease of what is coming in by around \$35,000.00. In my estimation anyway, the Auditor wants us to over appropriate what receipts may come in for next year. Going to get very interesting on the appropriation budget. We may want to start discussing the appropriation budget and try to put something together very quickly. It's going to get real tight.

ZONING REPORT:

Tom: There was no BZA activity for the month of July. There was no July meeting of the Scioto Township Zoning Commission for the month of July. I had 3 zoning applications which I did issue the zoning certificates. Parcel # 20030002011001m 1558 Carr Road, new home, FR-1, 741 Burnt Pond Road, residential pole barn, FR-1 and 676 Burnt Pond Road, garage addition, FR-1. The Carr Road new home may require a Scioto Township driveway permit. I will verify. It does and in process.

In the Board's attention, I would collect where applicable to driveway permit along with the Zoning Permit fees.

Rodger: That would be acceptable as far as I am concerned.

Tom: Okay.

Rodger: That would be reasonable unless they wanted to wait.

Chas; Zoning fees go where?

Susan: Fee account in General Fund 1000-130.

Chas: Should open a new account so the funds could be used on the Road and Bridge Funds.

Rodger: They should go to the Road and Bridge Fund.

Chas: They should.

Rodger: Might check with Esther as to what fund.

Tom: Administrative activity of the Trustees, maybe it could go in the General Fund. Just a thought.

Rodger: I don't know.

Tom: Do you think the applicant would expect any pre-inspection prior to the completion of the driveway? You mentioned going out and seeing if there was a culvert on either side that was a lesser size than they would have applied for.

Chas: A greater size.

Tom: Greater size, I'm sorry. Generally the Zoning application process happens across the table. They come in and their application is complete and they have a plot plan and the requirements and I issue right then. Do you think there is sight visit prior to issuing a driveway permit?

Chas: Only a variation of the culvert sight. That's it.

Tom: That means it doesn't happen across the desk, that's what I'm saying.

Chas: Right.

Tom: That is something we would have to send them after a courtesy inspection of the culvert.

Chas: That's something the guys can do while they are out driving. Give it to us and we will have Jim or Gary go out at that address and see if the driveway is marked. Driveway should be marked too.

Tom: Right.

Chas: Say you will need the size if anything greater than 12 inch.

Tom: You propose that I take their proposed application and their fees but not issue them a driveway permit until the Trustees or Road Department has had a physical inspection.

Chas: Yes.

Tom: Okay.

Chas: We don't issue that and they want to change their pipe size.

Tom: They don't want the Zoning side to approve something drawing and say something you are not happy with something they did at the final inspection.

Chas: Can we inspect that now at 1558 Carr Road?

Tom: I don't have a fee, I haven't taken a check yet. I don't have any idea if it's been staked.

Chas: Staked, address marked, or anything?

Tom: I did print----

Chas: Do you normally do a drive by?

Tom: Not generally.

Chas: You just take it off the sight plan?

Tom: Correct.

Chas: A survey type plan?

Tom: No.

Chas: No?

Tom: In absence of any sub-division it's pretty easy to get the 25 feet off the side line. Pretty easy not to screw up. So we have never required a ----

Chas: As long as the lot has been surveyed?

Tom: Right. Never have had any problems. We have never required a survey or a foundation survey for compliance.

Rodger: I don't think we need a foundation survey.

Chas: On a new lot there should be a lot survey. Pins should be located. That way we can verify that you, me, or somebody can verify and that at least its 25 foot off set is there. At least the corner pin. I would think the home owner would want that anyway.

Tom: On new lots I wouldn't disagree.

Chas: New builds and new lots.

Tom: New builds, new lots corner pins visible and proposed structure, corners identified.

Chas: Yeah.

Rodger: There is no reason that should not be done. I believe the Health Department requires that, don't they?

Chas: No.

Rodger: At least a site, approximate area where the house is going to set.

Chas: Yes, on a drawing, but they don't require you to locate the pins.

Rodger: Oh, not the pins?

Chas: But, in some cases I have seen that has become a problem.

Tom: In which case I might have to prepare a checklist and get the Trustees to approve it.

Chas: That would be fine.

Tom: For new build on vacant ground?

Chas: Lot less stringent than going through DESC.

Tom: I sent Mr. Drake a certified follow up letter.

Chas: You have already sent the letter?

Tom: Yes.

Chas: We should have set a dead line on this.

Tom: See if he responds.

Rodger: I think our deadline should have been a long time ago. You sent him a certified letter; he should have it within 3 days.

Tom: He has a Post Office Box and he didn't get the last on until-----

Rodger: If you haven't gotten a response within 2 weeks, I'd be willing in my opinion and forward it onto the Prosecutor for their recommendation and follow that recommendation. If they want to prosecute at that point, I'd be willing to go ahead with it.

Chas: So we should say that by next meeting if nothing has been done we should pursue.

Rodger: I'd say within 2 weeks. He'll have his letter within 3 days

Tom: The last time ----

Rodger: If he is not going to respond in 2 weeks or a month isn't going to make any difference.

Tom: It probably took them 10 days to pick it up the last time. Just because it's a Post Office Box.

Chas: We give him 2 weeks to respond. Then you refer to Chris Betts and maybe by next meeting if he hasn't responded we got some idea what suggestion that could be done next.

Tom: Chris Betts will have some time to have a response.

Chas: Okay.

FIRE DEPARTMENT REPORT:

Marvin: Good evening. On the fire department side I really don't have a whole lot.

We have completed our hose testing. We do have some surplus hose that is out dated. 500 feet of 3 inch and 300 feet of 1 ½ inch that we would probably like to donate to DJVS-Fire Service Training.

Sandra: When you donate like that do you get a receipt from DJVS?

Marvin: No, it's no value to us, so we don't ask for any.

Sandra: It might be nice to have a record of where it went. You don't need to put a value on it. Just that it says we received it from the Scioto Fire Department.

Marvin: We can ask for a receipt.

Rodger: Why is it, they have an expiration date or it's tested and it's bad?

Marvin: It has expired. Its 20 years old.

Rodger: Okay, I didn't know they had an actual expiration date on them.

Marvin: We have got hose that is 10 years old.

Rodger: I'm just ---

Marvin: Just like a fire truck, estimated for 20 years.

Rodger: So why is there 40 year old ones out there on the road?

Marvin: You have to consider they might blow up on one of the firefighters.

Chas: I'd like to open the discussion on: got a call from Stanley Mc Donald and Joanne Revick on the Fontanelle Road house asking if we could give them a donation documentation letter for the house they want to burn. Value wise Jeff has some points where they done this in Concord Township and just gave them the house of training that was involved. Then their attorney would come up with a cost according to the hours of training. Is that a pretty standard protocol for Concord?

Jeff: I was involved in the last one, but before that I don't know what they did. I do know people come in and want them to write off the cost of the whole house. They are told we are not appraisers.

Chas: I didn't ask him what they thought they were looking for. Value wise I think that's something the Fire Department needs to put a value on or if they want to figure. What was the number they came up with do you know?

Jeff: We had the house for a whole year and we did a lot of training.

Chas: Wow, do you remember what the number was they came up with?

Jeff: No, I don't. I could find out for you.

Chas: Might be good to get some history on it.

Jeff: I guess at 300 hours at minimum. With 5 guys in there training -----

Chas: You can find that number for us?

Jeff: I'll try.

Chas: That would be great and the hours spent. We could do our own math.

Jeff: You want me to get the number of hours spent?

Chas: The number they came up with.

Jeff: I don't know if he'll give me that or not. That number was for the home owner. I might see her; she is building a new house. I can ask.

Chas: If you would, that would be great. It might help us out in the future.

Marvin: If we end up with the 3 houses down along the river, there are dollars that go with these projects. It's not free. We will continue to work through that process on the paper work side and if Jeff can help us out we will take that and see what we can do.

Chas: Okay. Any news on the meeting? Is it still in progress?

Marvin: I think it's still in progress back there. Talking about apparatus specs.

Marvin: Budget is pretty tight from here on out. We have some wants and needs that we have to do. Trucks to service in the next couple of months. Fire Prevention, ladder testing so going to just kind of float through the rest of the year.

Rodger: Did you see the big flap on Genoa again on the EMS? They are asking the Commissioners to abandon the EMS Service in Genoa Township and contract EMS through the Township.

Marvin: Kind of goes beyond what they really want to do. They are talking realization. That's not realization by doing something like that.

Sandra: Going the other direction.

Marvin: Right. Realization is the whole county.

Rodger: That's what puzzled me about the whole thing because they are part of the group that wants to consolidate fire services.

Marvin: Mr. Stapleton is from Genoa Township to boot and then come in their unannounced so that didn't go over very well.

Rodger: I'm just baffled by the whole situation.

Marvin: As for the prior EMS study, it's pretty much dropped off the face of the earth. I haven't heard anything for 2 months. I don't know where it is going. I think the Fire Chief's are going to agree on the same issues. They don't have enough in mind.

Rodger: I also read that Liberty Township is re-doing their mutual-aid contracts. Did you see that?

Marvin: No, I didn't see that.

Rodger: I believe it was in the paper a week or 2 ago. Their Township just re-did their mutual aid contracts. I was just wondering whether we had anything in writing as far as that's concerned.

Marvin: We have it. I'd have to look for it. Do they need updated? Absolutely! I can't remember the last time they were updated. There is a County Fire Chief's meeting next

week. I'm going to try to attend at Columbus State, and I will bring it up then. Hopefully I can talk to Chief Jenson at Liberty Township as to what is going on.

Bruce: That mutual aid contract they were trying to update was with the Police Department.

Rodger: It said Police and EMS.

Marvin: Liberty Township doesn't have Police. They use Powell Police.

Rodger: It was all mutual aid contracts that needed updated. They did say EMS

Marvin: Liberty still gets a cut of the County's pie for their EMS. I'll see what I got in our files.

Rodger: With that being said, it might be a good idea to update the whole thing.

Marvin: Last time I remember when Chief Bernans did it for Liberty Township. Probably 13 years ago. I should have something in the file if we didn't lose it from point A to point B.

OLD BUSINESS:

Rodger: Fry Road: I was looking for a rough grade and I guess you were looking for a smooth grade. I'll get in contact with Steve.

Chas: That is really rough.

Rodger: I guess I wasn't looking for anything spectacular. I was looking for the hole filled in and you didn't trip over yourself when you walked across it.

Chas: That and pick up the rest of the trash.

Rodger: He mentioned he was going to pick up the rest of the trash. I don't know why not. He had moved some rocks and guesses he loaded in his truck while he was grading and dumped them at his place. The Real Estate Agent contacted me and complained that the rocks had been moved. After I contacted Steve, I found out, yes, he had taken them over there and dumped them. He needed the truck for something else, I guess. He did say he'd bring them back and had to pick up a little bit over there. His plan was to do it last Saturday. But I don't know what happened between now and then. I do have a call in to Chris Betts, he hasn't responded yet. I have asked Susie to get the number for the certified letters and all the expenditures on that property so we can get it to Chris Betts and in turn get it on the tax lien. That's my update.

Chas: Okay, you'll contact Steve?

Rodger: Yeah.

Chas: Any reason why that fence out back is still up?

Rodger: The fence in the back?

Chas: On the left hand side, right behind the bushes a privacy fence maybe. One section or section and a half.

Rodger: That wasn't part of the contract to take that down. You know, it wasn't burnt. You like that? It wasn't part of the structure. I didn't specify that and ----

Chas: I just thought that was kind of odd that the thing was just sitting there by itself.

Rodger: Yeah.

Sandra: Just a piece of it?

Chas: Yes, there an 8 foot section of fence just standing there by itself. It's out in the open. See if he'll take that down.

Rodger: See if he'll take that down?

Chas: Yes, while he is picking up the rest of the stuff. Just clean it up a little better around there. The meter base is still connected on the wire and laying on the ground. Assuming the power has been shut turned off.

Rodger: The power has been shut off.

Chas: You got to do something with the meter base, cut the wire off, that the meter base off, discard it for scrap steel. Shouldn't just be laying there on the ground.

Rodger: Okay.

Chas: It's a demo, he has done demos before and a demo is a demo. Clean it up.

Rodger: Okay.

Chas: Sandra give us an update on the park bleachers.

Sandra: The sod has been taken up, gravel is down and compacted. We had inmates over working on this. I love free labor. I paid them with Coke Cola and Mountain Dew. Friday they are suppose to be back and suppose to put the bleachers together themselves. Probably inside the barn. Then we can figure out where they stand on the base foundation so we can mark where we want to put the pylon.

Rodger: Is there going to be enough room in the barn to put them all together?

Sandra: Well, we'll have to take something out of the barn.

Chas: Construct them outside and outback and chain them together when you got some together. Give you a little more room.

Rodger: I'd say you put them together in the barn; you won't have enough room to maneuver them out.

Sandra: Just because they are 27 feet long?

Rodger: There's a lot of weight there too.

Sandra: Our biggest concern was somebody taking them. We'll find a way to secure them.

Rodger: Get some chain and chain them to the posts in the barn.

Chas; After Friday are they coming back at all?

Sandra: We can request them.

Chas: They aren't going to get them built in one day are they?

Sandra: I don't know. I was going to get a hold of Rob Kurtz and see if some parents would come over and volunteer. The parents had express interest in helping.

Sandra: Also, by the way, ODOT happened to be parking there trucks there and they had a hydraulic lift there because they were trimming trees along the road and we asked them; if they could fix the corner of the barn roof where it had blown up. They called a supervisor and he okayed it so now the roof has been nailed back down. free of charge.

Chas: Good. Rodger, you came up with some information on the cemetery issue on the deed sale and transfers.

Tom: I did do some homework.

Chas: What did you come up with?

Tom: I don't know, I think Rodger and I are going to agree to disagree. I'll start by saying I did call the Prosecutor and ask for his opinion. He very politely told me he was your council and not mine. He wouldn't answer that question. There is a simple enough answer but he wasn't going to give it to me, but that is fair. Secondly I made contact with previous Trustees, Vaughn DeWitt, James Hall and Dick Moxley, who all have the exact same learned response to that is no, the owner may not sell a cemetery lot to anyone

else and you must sell it back to the township and for the amount that you paid for it. I found in the ORC the language that quotes, "The Board may make reasonable rules and regulations for the purpose of protecting the Trustees and residents of the township against speculative sales." So now I'll speculate that somewhere in the minutes of the Trustees's meetings that long gone by that someone did just that. Had a regulation that protects the Trustees and residents of speculative lot sales and then just this learned thing has gone down from Trustee to Trustee to Trustee. Could anyone ever find the original? I have no idea. But it is very consistent from previous Trustees that was the probably learned from the past Trustee. But that's the learned common knowledge of the process. Then by accident I found a repurchase agreement. Sandra, and I along with Dick Moxley were Trustees and we did repurchase 2 lots from the same person that had purchased the lots in 2 different years. He paid them \$75.00 which they paid for the lot in the 80's. He paid \$130.00 for the next lot they had purchased in the 90's. It made sense. We'd used the common knowledge. Can't say where I got it, I can't say where I learned it from. Could I say I learned it from Jim Bennett, from previous Trustees, I have no idea?

Chas: Chris Betts says there is an answer?

Tom: Yes, Chris said there was an answer. But a Trustee would have to ask the question.

Rodger: Okay, here is my answer. Ugh, my opinion, anyway, in the ORC says there is nothing in there that says you can or cannot sell personally or publicly. Secondly, about 2 years ago I queried the County Prosecutor re-entry on cemetery plots. At that point they said the way our deeds are written right now we cannot do that without a lengthy court hearing. Notifications come up with some reason for re-entry and have to prove to the court there were no relatives available that may have the deed. We have no set specific time limit on the plot or deed. I still have a copy of the County Prosecutors recommendation on the deed that they suggested for the re-entry. At that time I did ask the County Prosecutor because somebody had asked me that question about selling personally or privately, sorry publicly. Whether they could do that. At that time their answer was you get the deed you can sell it where ever you want. Now, Chris Betts at this time may have a different answer, I don't know.

Tom: He wouldn't be sneaky, he just said he was your council not mine. It was a Trustee question. He seemed prepared.

Chas: With your tax questions on the lien for Fry Road could you follow up on this with Chris?

Rodger: Yes, I'll ask him the question again. It was someone else at the time.

Chas: So, I can get my mind set. Good.

Chas: DeGood Road, they did some base stabilization today. Suppose to do some tar and chipping tomorrow. Will hope possibility pave by Friday, the first coat. That wasn't

a given. I did notice some activity today after I called Jerry Ungashick today. Other than that it's work in progress. They are to take responsibility of re-locating all the mail boxes and fix any broken phone lines that were their fault. I noticed the sign was changed to time frame of 8th to 18th instead of 8th to 10th. They extended their time frame, but I think rain had something to do with that also.

Rodger: I saw that.

Tom: I did get a complaint about the day the work started. They didn't have notice they were going to start ahead of time. Also a query about why the road was being re-done when there are still terra cotta tile under the road. Shouldn't all the culverts been replaced before re-surfacing.

Chas: Is it a perfect world yet?

Tom: Terry Cotta tile was the term used.

Rodger: I know who that came from.

Tom: I'm just passing it along. Those 2 comments, they just couldn't get out of their driveway and hadn't gotten good enough notification and why would you pave without replacing all the culverts.

Rodger: The ones he thinks are terra cotta are actually cast. There might be clay up to the, after the, road berm stops here the cast come out here and they extended it with clay. That clay is probably about 2 feet or 3 feet away from the berm. On the opposite side of the road there, I did find a piece of pipe to extend the north side. I don't know if Jim or Gary had time to get up there today.

Sandra: No, they did not.

Rodger: I might have a little bit of time tomorrow and go out there.

Sandra: We had words about overtime.

Rodger: Hhmm

Sandra: We had words about overtime.

Rodger: NONE. I might have time to get up there tomorrow and dig it out and punch that up there. I'll need, did they happen to put any of that stone on the truck so that it would be here at the shop to take out there.

Sandra: I don't believe so.

Rodger: I'm talking about the stuff at the back. Obviously not.

Sandra: I'd like to thank Tom Brown for donating the stabilization fabric to go under the stone. It works well.

Chas: Thanks, Tom.

Chas: Old business on the Haberman resolution.

Rodger: Other than you type "O", I believe we are alright. Look at your resolution number.

Susan: I have 13B. Connect the lines.

Chas: Has Mr. Haberman contacted you Marvin, on the pavers yet?

Marvin: No.

Chas: I thought he'd be at the meeting, but he isn't.

Marvin: Did he get his donations?

Chas: Must have done alright, he didn't come back.

Rodger: Haven't talked to him or Mr. Wessel.

Chas: He was to start this month, right?

NEW BUSINESS:

Chas: We did get our applications for the Levies in, didn't we?

Susan: Yes, we did.

Sandra: How are we going to advertise and let people know about it? We can't spend any township funds, but we need to let people know that we have levies on. Any ideas?

Chas: Word of mouth.

Rodger: Unless someone wants form a pa and go out and do that.

Sandra: We could put a donation; well we could put an entry fee at the park.

Chas: Read the minutes on line, are they current?

Sandra: Yes, I got the guys on the ball.

Chas: That's the best advertising we can do is right there.

Rodger: Did the park sign get changed, by the way?

Sandra: I took the other letters down. Somebody took white tape or white out and made a G into a C.

Tom: That was me, I used white tape.

Sandra: Thank you, appreciate that.

Chas: The next issue is the culvert up there. I talked to Lenny and should not be any problem as long as we get it formed up and some idea of possibly another area formed up, because there could be more concrete that what we need. He asked if we used what was given do we have an area for the wash out and expose of the rest.

Rodger: They can wash out in the driveway.

Chas: Well, if he orders sometime it doesn't wash out very good in the driveway. Maybe back in the turnaround area back there. The guys would be on short notice or even us, could be 5:00 p.m. to pour concrete. He may be looking at you to pour concrete.

Rodger: He's not looking at me, he is looking at you.

Chas: He is looking at both of you. Bring your boots.

Sandra: I've got boots in the car. I drove the Bobcat today and it's still running.

Rodger: So just need to get up there and cut that?

Chas: We need to get it formed up and then I can call and we'll get some free concrete whenever there is and tell them its okay to deliver. Could be one yard, two or three yards left on the load. The other day Kim got 9 yards, because it had set too long on a commercial sight. It was too hot and they told them to take it away. So Kim got 9 yards free.

Chas: I don't think we can use 9 yards.

Rodger: I don't know where we would put it. I know we could use it, but there is no place ready for it.

Chas: That's just it.

Marvin: Could they put it out back for a landing pad and just continue to pour it?

Chas: For?

Marvin: A landing pad for helicopters.

Chas: Do they need a pad? Don't they just land in the grass?

Marvin: If we gave them a nice place to land. They have landed here before. But if they are throwing concrete away.

Chas: The only thing it would have to be formed up for a long period of time.

Marvin: Right.

Chas: Someone would have to be available to put it down.

Sandra: Are you asking for a date so the Fire Fighters would come and put it down?

Marvin: They would help do it. We are not finishers, so--

Chas: I'll check with Lenny and see what he thinks as far as availability and quantity that maybe coming up. I know he probably doesn't have any say in that.

Marvin: I am curious, how long can it set on a sight before it's -----

Chas: Probably no more than an hour. Depends on the heat. The more water you add to it, it weakens the concrete. For a commercial footer it wouldn't be any good.

Marvin: I do know 15 lbs of sugar could keep it from setting up, because we have tipped a few. We want to get them upright and turning before it sets up.

Chas: So we'll work on that. The guys know to get it formed up and we'll take it from there.

Sandra: Yes, they do. Also talking about the guys, the International, you get it up to about 40 to 45 mph the front end shakes really badly.

Chas: Is that a new problem?

Sandra: I don't know, they were complaining to me about it today.

Rodger: I haven't heard anything about it before.

Chas: Sounds like tire balance to me.

Rodger: It's shocks or tire balance to me, more than likely shocks.

Chas: Shocks would cut your tires.

Sandra: Like to look into it and see what's wrong. With a full load on it, it didn't shake.

Rodger: Sounds like shocks. I don't know.

Chas: Resolution to Review and Re-establish guidelines for Health Benefits for Officers. I'll just read it

Chas: Make the motion to accept the Resolution

Sandra: Seconded the motion. Vote: unanimous

See exhibit B Resolution number 08-10C-2011.

Chas: Last on the agenda are the reviews. Do we want to give the persons in review a form, to review themselves?

Chas: Marvin did do a little bit of research on the internet on hydrant markers. Del Co hasn't put any out, right?

Marvin: I contacted Del Co to see if there were any restrictions.

Chas: For putting them on their hydrant?

Marvin: We actually own the hydrants.

Chas & Rodger: They are our hydrants.

Marvin: There is nothing saying we can't. Maybe this year we could start with 20 and maybe 20 next year. It also looks like you can do a program where you put them out in the fall and take them down in the spring. Or you can bolt them on for year around.

Chas: You can get a box of 10 for under \$15.00 a piece can't you?

Rodger: What is it a fiber glass pole with a flag on it or something?

Chas: It is spring mounted.

Marvin: Put it along the cast or you can bolt it on.

Sandra: They have them on the ones over in Marysville.

Rodger: I would probably be better if they were attached somehow, because otherwise they could become kid toys.

Meeting adjourned at 8:15 p.m.

Susan Beckley, Fiscal Officer.

