

Scioto Township Meeting  
January 12, 2011

Chas Kaiser called the January 12, 2011 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: Sandra Stults, Rodger C. Finks and Chas Kaiser.

Others in attendance: Jason Hutchisson, Laurie Bivens, Lindsey Bivens, Calvin Finks, Larry Crile, Bruce Stayner, John SanieI-Banrey, Bill Swaney, Bill Bivens, Andy Zarins, Mike Knapp, Josh Jetter and partner from Ostrander Police Department.

Sandra: We are going out of order tonight for the Scioto Township Trustees to issue Proclamations to the following:

John SanieI-Banrey as Fire Fighter of the year.

Laurie Bivens for 15 years of service

The personnel not in attendance that were recognized were: Brian Dilley, 15 years of service, Randy Dilley, 35 years of service and Mike Carsey, Responder of the year.

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

Chas: Any guest tonight that would like to speak? Andy.

Andy Zarins: I've got three topics I would like to bring up. I would like to finish them without being interrupted.

Chas: Andy, if you got that much to talk about you need to let us know so we can put you on the agenda.

Andy: I can do it in three (3) minutes.

Chas: Okay, fine.

Andy, Ugh, I would like to have a report from the Scioto Township Trustees on funding of township roads. and basically what it comes down to is that I think the township roads, state highway roads, county roads, that the funding fees come from Real Estate Tax. I don't think they should come from taxes. Especially the township roads and they need to be widened. I think the proper way to funds those is to put on some type of a Real Estate Tax on the people who live there and not the property owner.

I'd like to find out how we are paying for continuing making improvements doing culverts.

Topic 2: I attended the ugh, Township, ugh, Zoning meeting two days ago and ugh. Tom Brown was there and he left early and he muttered something as leaving about that I threatened his wife. I don't believe I've ever threatened anybody that I can think of in my life. I think that is a totally a bogus statement. I would suggest that maybe that Tom Brown is cracking up and the Township Trustees get him a mental evaluation.

Sandra: You are out of order, Andy.

Topic 3 At the Scioto Township Zoning Commission Meeting on the 10<sup>th</sup> of January this year I brought up a problem with Lake Hill Private Hunt Club and ugh, Ed Roberts and other members , if I remember stated there was no violations, only regulations apply to structured buildings. They suggested I needed a legal opinion. But I don't think there is any point in getting a legal opinion. But the problem I really have is the next day I had a telephone conversation with Ed Roberts. He refused to provide code references for their position and he also went on to say, that, ugh. I said will, why don't we have a meeting with the Prosecuting Attorney for references. For what his opinion is and so forth and he refused. He also refused my request for what references are you using, stating there are no violations. He refused on that one.

The interesting part is he stated I could hire him for a consultant for \$200.00 an hour to basically abstain those records of their opinion, and also that he would have to get from or for my ? ? Now I find this totally unacceptable for a public employee to somehow try to force somebody to pay him a consultant fee for basically doing his job, which he is doing as a public employee. So I would suggest that this situation be investigated. It is thoroughly unacceptable. I also find it unacceptable he doesn't want to provide information, whatever reference that was stated. I feel that is part of his job.

Chas: How would you like for us to investigate that, when the issues are on a he said and she said basis.

Andy: Set up a meeting and let's sit and talk about it. That would be the first step. If he denies it, yeah, if he says that's what happens. But I think that is something you need to look into and certainly prevent that type of a thing. I think it is unethical and I think it is illegal. Okay, that's all I got.

Sandra: My question, you think the township road residents should pay the township road taxes and not the county and state people that use the roads?

Andy: Right – Right.

Sandra: Do you ever drive on a township road?

Andy: Occasionally. But if you are going to widen the road for the betterment, but not for? I'd say much like a --

Sandra: Of course it is going to benefit you. If the snow plow is coming at you?

Andy: I don't drive that much. It's pretty rare that I drive. But I, the situation is very much like a drainage improvement.

Sandra: My comment about the snow plow is because last night they had a University Bus hit by a snow plow as they were going to pass each there and the snow plow took off the side of the bus and killed one of the directors. People drive on the township roads and that is why we'll need to maintain them. You don't have to pay for roads in the other township roads or other county roads as you drive through.

Andy: My point, there is no data basis stating who drives the township roads. Very rare.

Sandra: No, thank you for your comments.

Chas: Anyone else have anything to speak on tonight?

Tom: Can I respond to one of Mr. Zarin's comments?

Chas: Sure.

Sandra: Identify yourself.

Tom Brown: I was one of the persons in the audience on Monday evenings Zoning Commission Meeting. I did leave early. I was offended by some of Mr. Zarins comments. I excused myself and I made a statement as I was leaving and Mr. Zarins may not have heard me correctly as I was walking toward the door. But my comment was that my wife feels threatened by you. I did not state you threatened my wife. Thank you.

Chas: Do you have December minutes, Sandra?

Sandra: The December minutes are on the MP3 file. The wait file.

Chas: Table that for next month.

Sandra: Yes, sir. Thank you.

Rodger: Do we have minutes to approve?

Susan: Yes, We have November minutes that need to be approved.

Sandra: The reason the minutes are not on the web-site. I turned those minutes into the County awhile ago. IT has not put them on the web-site and I am following up as to why. The last one on the web-site is August. They have September's and October's that are not on the web-site.

Chas: Has everyone had a chance to read November minutes? I move to accept the November minutes.

Rodger: I'll second.      Vote: unanimous.

Rodger: Have you had any luck at transferring the MP3 file to the computer?

Sandra: I talked to different people today. I've gotten as far as transferring the MP3 files to a wait file to be transcribed. But it won't transcribe. I've tried many different avenues and every time I get to where that question is asked, the person asks for the credit card number to continue. No one at the county that I have contacted knows anything about it. So today I contacted the Delaware Area Career Center and talked to the person who teaches the adult program. (IT Program)

Rodger: Was there a manual? All I saw was the one on how to install.

Sandra: Yes, It's on the computer. I'll show you where it is, I didn't want to print the 160 pages.

Rodger: Wasn't sure if they sent a book with it or not.

Sandra: I appreciate your patience on this.

#### FISCAL REPORT

Payables for December      \$41,660.35

#### ZONING REPORT

Tom Brown: The Board of Zoning Appeals meeting of December 9, 2010 cancelled after Township Trustee action December 8, 2010. Discuss re-imbusement. No December 2010 Zoning Commission Meeting was held. Township Trustee denial of the Zoning change request at 9716 Fontanelle Road from FR-1 to C-2 after a Public Hearing on December 8, 2010.

I had one (1) zoning application received and issued one (1) zoning certificate to 7501 Calhoun Road., residential garage, FR-1 There was no DCPRC December meeting. I had no written complaints for December.

I would like to discuss reimbursement of commercial reimbursement of the variance application the Township received for 9716 Fontanelle Road in which the Township

denied the variance . We collected \$300.00 for that variance. With a short notice the Appeals Board Chairman contacted all the members and also the court reporter of the meeting being cancelled at no expense.

Chas: Refund all but the already expense.

Tom: Dollar amount of expenses I came up with was \$108.17.

Chas: I make the motion to refund \$191.83.

Rodger: I'll second.                      Vote: unanimous.

Sandra: We have an alternate member of the Zoning Commission Board that need to be re-appointed. I make the motion to re-appoint Richard Moxley as the alternate to the Zoning Commission Board for the duration of three (3) years. Term will expire January 1, 2014.

Rodger: I'll second.                      Vote: unanimous

Tom: I have called the cell contact number I have for Ralph Moseley. I have not heard from him. We need a written resignation from Ralph. Susie, has Ralph contacted you?

Susan: No, he has not.

Chas: How about a certified letter?

Tom: The address the township has is his residence of the township. I think he is in Marion County.

Rodger: I will try to trace Ralph down.

Chas: Thanks, Tom.

Chas: Marvin, you are up.

#### FIRE REPORT

Marvin: I have a request for two Purchase Orders tonight. Warren Fire Equipment, Inc. for the annual S.C.B.A. Bench Test in the amount of \$2000.00. WorkHealth for annual infectious control program and firefighter physicals in the amount of \$4,000.00.

Chas: What does that cover Marvin, everybody?

Marvin: All of our firefighters and any new hire.

Chas: What exactly is your S.C.B.A.Test?

Marvin: All air packs are covered, regulators checked and inspected all face pieces are checked and inspected.

Chas: Annual test required by the State?

Marvin: Yes. Ladders, pumps, quality of breathing apparatus and etc.

Rodger: Do they check the pumps out there, along with what else is out there?

Marvin: Yes, a complete check of all the equipment.

Rodger: I will make the motion to Warren Fire Equipment, Inc. for the annual S.C.B.A. Bench Test not to exceed \$2,000.00.

Sandra: I will second the motion.                      Vote: unanimous.

P. O. # 01-12-2011 changed to 01-01-2011 Warren Fire Equipment, Inc. \$2,000.00

Sandra: I'll make the motion to pay \$4,000.00 to WorkHealth for the annual infectious control program and firefighters physicals.

Rodger: I will second the motion.                      Vote: unanimous

P.O. # 02-12-2011 changed to 01-02-2011 WorkHealth \$4,000.00

Marvin: Blues Creek Preservation Park's dry hydrant was installed by LeVon Excavating. Pond is filling and should be able to use this spring. Should be able to access with one engine and pump up to the parking lot.

Marvin: Employee Personnel Guide Book – no discussion, but document is amendable.

Calvin: Are you going to tell us about the water line down Houseman Road?

Marvin: Didn't know they were going to run a line down Houseman Road. They won't call us when they are running lines down our roads. It's pretty sad.

Calvin: Tom got a letter stating they were considering running their water lines down Housman Road.

Chas: Who did?

Calvin: Tom.

Marvin: Thank you for giving me the heads up. I will call them.

Chas: When you call ask about a hydrant at the back of the building.

Calvin: Cost may be different if hydrants are put in same time as the lines.

Rodger: It costs the same whenever the hydrants are installed.

Marvin: The Firefighter Personnel Handbook is in the hands of the Prosecutors Office.

Chas: Do you want us to approve it with possible amendments to be made at this time.

Marvin: Yes.

Rodger: Motion to approve the Employees Personnel Guide as presented by the Fire Department.

Sandra: I will second.                      Vote: unanimous.

Rodger: It doesn't make sense to wait around. When it comes back and it didn't turn out the way it was written, we can discuss and make the necessary amendments.

Chas: A lot of work put into that project.

Sandra: Thank all the firefighters for working on that project.

Marvin: Could not hear Marvin's comments.

#### OLD BUSINESS

Rodger: I did receive a call from Mr. Moshier before the first of the year. At that time he was checking with contractors to get bids for tearing down the house and filling in the basement, leveling the property. We sent out notices on the 14<sup>th</sup> or 15<sup>th</sup> of December. If we don't have anything done by that date I guess ugh. I'd like to be able to proceed and get estimates and get the project done.

Chas: By what date, Rodger?

Rodger: I don't have the copy of the actual date on these papers.

Chas: Is there a date on here, stated?

Rodger: Yes, there was when we sent the letter.

Chas: It says it would be effective immediately upon adoption. Voted on it that date 12-8-2010.

Rodger: The County Prosecutor advised it was the dates of notices were sent in the mail, it starts.

Tom: I'd like to add I got a call from Slane Excavating, from Piqua, Ohio who contacted by owner (Mr. Moshier) and are finalizing a bid, that they thought they would be the successful bidder. Mr. Moshier had told them the urgency and weather-permitting wanted the work done before the end of the year. The parties were not in contract yet. I told the contractor the Township required no demolition permits but referred him to the Delaware County Building Department that does. I also asked that the Township be kept in the loop and the Township might consider his bid if Mr. Moshier wasn't successful in getting this taken care of to call me back and he could send his bid to me and I would pass the bid on to the Trustees.

Susan: The letters were mailed on December 16<sup>th</sup>.

Rodger: With that I will ask the Board to give one of us the authority to contact Mr. Betts to get the bids out.

Chas: The 16th is just around the corner. I think we need to move on this.

Rodger: Do you want to do it, want me to do it or let Sandra do it, I don't care.

Chas: I would say you know all the particulars and talked to the Moshiers.

Sandra: I move we give Rodger the authority to continue with the Moshier property on Fry Road.

Chas: I will second the motion.      Vote: unanimous.

Rodger: Does this give me the authority to continue until the project is complete?

Chas: Yes, all the way to the end. If you need help let me know.

Rodger: Okay.

Chas: Radios – We have more than 5 trucks that will need radios in them. We have prices of \$778.00 a piece when the County goes to their new radios. We don't have any choice but to comply. That doesn't include the \$100.00 to install each radio. So we are at \$4,390.00.

Sandra: This says only 4 radios.

Rodger: That would include the radios in ( end of tape and did not get the rest of his comment) think we should go with \$4500.00.

Chas: With no bases.

Rodger: With no bases. I really don't see a need for the bases.

Sandra: This is with the County Engineer changing it over. Has nothing to do with the firefighters. We talked about this at the Executive Board Meeting on Monday. One of the other Trustees knew they were changing it over. The Trustees are still trying to get information on this from the different Townships. Trying to find a way for us to pay for these radios. It's too late for us to go for a grant. That process is over a year. This was sprung on us in November.

Chas: We have to make sure this is functional.

Rodger: This is pretty much a necessary evil. The County, we need to be able to communicate with them while plowing snow.

Sandra: It's digital.

Rodger: I guess I don't know when they will do this, but I make a motion to purchase 5-Model XPR4550 Analog/Digital 25/45 watt mobile radios with enhanced mic, full display, and GPS/VHF antenna comes with 3 year factory warranty. Plus a \$100.00 installation per each radio bringing the total to \$4,390.00.

Sandra: I make that \$4,400.00

Rodger: So \$4,400.00. I don't have any idea when they are going to want paid.

Chas: When they see fit, right? Is that a motion?

Rodger: Yeah.

Chas: I will second the motion.                      Vote: unanimous.

?? Someone ask about portable.

Rodger: The portable is only 5 watt and the mobiles are 40 watt.

Sandra: You got the bigger range.

Chas: Didn't see the purpose of the mobile right now. It can always be added if needed.

Chas: Sandra, have you gotten anything back from the cleaning contractors?

Sandra: Yes, I'll get you a copy.

Chas: Park bleachers.

Sandra: Actually the price of the park bleachers went down some but the shipping went up some. It's still about same as their quote. The way it is going to work is we send Nature Works a copy of the invoice and check in the amount of \$3,909.62 and they will be sending us a check in the amount of \$3,909.62.

Chas: Do you have that invoice?

Sandra: Yes.

Chas: Our thought was to issue a check after the funds were moved and not send the check until the funds are back in our account.

Sandra: I talked to the gentleman at the warehouse and he was fine with that arrangement.

Chas: Road Improvement Program Sheet. – have you completed that, Rodger?

Rodger: No, We didn't do it last month. Looked at it and didn't have to be in until January 19<sup>th</sup>, so we held off.

Chas: Looks good to me. We got, Russell, Smart, Klondike, Burnt Pond, Fontanelle, Houseman, Mitchell Lane, and Jacktown Roads.

Sandra: I would like to put in that Robinhood Lane is falling apart.

Rodger: Nothing we can do about that. It is not owned by the Township. This is 9.76 miles for Township Roads for the chip and seal program so the County can get this in for bids for their chip and seal program.

Rodger: I make the motion to submit these figures to the County to get in the bid program for chip and seal for 2011.

Sandra: I will second. Vote: unanimous.

Rodger is to fax the Road Improvement Program to Jerry Ungeshick.

Chas: We need to decide on our participation of the Upper Scioto Watershed Planning Partnership. I don't know if we finalized it or not, but we appointed our spokesperson.

Rodger: I thought we did when we elected our spokesperson.

Sandra: We did not finalize it that night.

Chas: Larry, have you gotten on board with them?

Larry: There is an advantage if you are resolutioned as a partner, then you do have an advantage.

Sandra: If we don't sign a resolution when they are doing the planning they don't add our territory to the planning. Leaves it as a blank slate.

Larry: I would encourage you to participate.

Sandra: They are taking three different areas and putting them in categories.

Larry: As far as I am concerned we have Blues Creek, Mills Creek coming together and Scioto River.

Sandra: I am very comfortable with your interest in representing Scioto Township. We have to do the Resolution to participate.

Chas: Read the Resolution. I make the motion for the Upper Scioto River Watershed Planning Partnership.

Rodger: I will second. Vote: unanimous.

Rodger: I move for Larry Crile to be Scioto Township's official representative to the Upper Scioto River Watershed Planning Partnership.

Sandra: I will second. Vote: unanimous.

Resolution 01-12-2011 changed to 01-01-2011 Upper Scioto River Watershed Planning Partnership.

Rodger: I move to make a supplemental appropriation of \$4000.00 to 1000-610-699-0000. We are going to have to redo the appropriations.

Chas: I will second. Vote: unanimous

## NEW BUSINESS

Rodger: The Generator Service Agreement is due to expire on Jan 21<sup>st</sup>. W. W. Williams has had this contract since the beginning and they know what they are doing and know the system. They are asking for a 2 year service agreement in the amount of \$870.00. I make the motion to keep W. W. Williams Maintenance Agreement for another 2 years for \$870.00.

Chas: I will second. Vote: unanimous

Chas: Where do the reports go when the generator is serviced?

Marvin: I get them.

Chas: They are very thorough with their inspections and I like W. W. Williams.

Chas: I will review the Risk Management Plan to make sure all equipment is on and remove what need to be removed. Make sure all employees are listed.

Chas: We also need bids for our Insurance carrier.

Susan: Talked to Michelle Crocket at Ohio Insurance Services on our insurance. They are waiting on figures from Medical Mutual. Should have by the first of the week and they will call.

Chas: I asked Ed Roberts if he had any comments on the Planned Commerical Application for re-zoning of Felkner-Anderson House. If you haven't read it yet we can table until next month.

Rodger: I've been all through it and I have no problems with it.

Tom: I'd rather reserve my comments until we have the scheduled hearing.

Sandra: I move for Chas to be Chairman for 2011 if he so desires.

Chas: I state to keep Rodger as Vice Chairman if he so desires.

Sandra: I make the motion to keep the slate of officers for 2011 as Chas Kaiser, Chairman and Rodger C. Finks as Vice Chairman.

Rodger: I will second.                      Vote: unanimous.

Sandra: If I decide to go to the Winter Conference in February could there be \$100.00 set aside for me to attend.

Chas: I will second.                      Vote: Chas: yes, Sandra: yes, Rodger: abstained.

Rodger: Gave the report for the salt and grit bill for December, \$10,451.56.

Rodger: Commended Jim Bennett and Gary Beckley on their long hours of time spent plowing. They really need to be commended

Sandra & Chas: Agreed with Rodger.

Rodger: I make the motion to pay bills.

Sandra: I second the motion.                      Vote: unanimous

Sandra: I make the motion to adjourn.

Rodger I second the motion

Vote: unanimous

Meeting adjourned at 8:30 p.m.

Susan Beckley, Fiscal Officer

