

Scioto township meeting  
December 8, 2010

Chas Kaiser called the December 8, 2010 meeting of the Scioto township Board of Trustees to order at 7 PM

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, Mike Knapp, Bruce Stayner, Jeff Kasburg, bill Swaney, Doug and Karen Eddy, Ben Jackson from BMC communications, Andrew Knight, Tim & Leyan & Austin Kelleher, Alec in Julie Andrews, Dick and Elaine Salsberg, Nick and Brian Beougher, Ryan and Stacy Sayer, Andy Zairns, Bill Cox, Shane M. Dawson, and CL RL??

Ben Jackson: I am Ben Jackson from BMC communications. First of all I would like to applaud everyone that came tonight that was absolutely wonderful. And for you Scouts that are here for the first time to see public action like that, that was cool. I see a lot of the Township meetings, that was probably by far the best one I've seen so far. What I am here to discuss is the radio system that the Township is using currently. Are you with the County? A lot of the townships are using a radio system that they could communicate with the county road crews for plowing and stuff like that. What is happening now, the FCC the Federal government has come in and currently everyone in the world, at least our little section of the world is running on 25 kHz. In radio world if my binder was a radio frequency that's how wide the information is traveling back and forth across. The FCC ran out of spaces that they can sell so people can broadcast on these licenses. They are mandating that by 2013 everyone has to operate on 12 ½ kHz. Which means you need to get the same amount of information that used to plasterer on the front my binder, on just half my binder now. In the 2020's they have already announced that they are going to take it down again by a half. We are going from 25 kHz to 12 ½ kHz to eventually 6 ¼ kHz. The County has opened up their repeater and I could give you a whole bunch of radio talk, but the County has opened the repeater, and I don't know for how long, and told the townships, you need to contact us for salt, you need to contact us if you need help plowing, when there's a major incident where we all need to communicate use this one. The County has also in the past gone ahead and attached your radio through what is called a board interface module or BIM into the 911 center. The reason I know is because B&C built the 911 center. We're one of the largest Motorola dealerships in the state with five offices. Basically what we went to Chris Bauserman about, actually it started with Chris McGrew the head mechanic. We started talking about radio systems are coming out I presented to him a product from Motorola called Moto Turbo it was designed by Motorola to help not only government entities but the major manufacturers such as Honda. Radios in the past, they were all programmed to operate at 25 kHz and that was it. Now this radio can operate on 25 kHz or I can hook it to my laptop and I can broadcast on 12 ½ or I can go full digital at 6 ¼. The nice thing about the Moto Turbo format is it runs on TDMA time displaced multiple access. The same as we had with the original cell phones back in the 80s and 90s. What that means to radio users, because they are not making phone calls all the time, is that on one frequency I can

transmit two separate conversations without having either person hear what is going on. In the past there was only one repeater and one conversation and one channel and that was it. Now with one repeater I can go two channels. Then I pointed out to Chris that I can put a software in this that I can make this one repeater as many channels as he wants, as long as nobody is using the two time slots. I can have Scioto township talking and when they stop talking and open up a spot, Berkshire township can have a conversation that Scioto township never hears. The biggest thing that we have found was a lot of townships stopped using it. They started buying their own repeaters started sending out all the different networks for themselves isolating themselves from the rest of the County which was great because it stopped all the chatter but that also knocks out the fact that if you need to get a hold of the 911 center you just lost all of your communication with them. I realize that 95% of the time a Township vehicle would never need to call the 911 center. But when we had the windstorms about four years ago it seemed like half of the County was leveled. Or we get a major snow emergency, the County is going to need to know if the Township truck has got to get salt. Do we have trees down? Have a major accident? A lot of time the Township guys the first one on the scene because they are the ones that are right there in the area. We started talking about some of the other things here, what really tipped the scale on this, and this is all future but it is building toward this. It looks like we are going to start off with only one repeater. And just a couple different talk groups. Maybe I'll take the four different quadrants of the County and break them up and you will have zone A, B,C,D. There will be a fifth channel that is the County engineer and then the sixth channel will be 911. This way the 911 center doesn't have to listen to all of the chatter about filling potholes. That way they are not reaching over to turn the knob down and then when there is an emergency they don't hear it. They denied that they do that, but we all know the truth there. Also with this radio, it comes with this mike, and from base stations if you want to put a base station in the shop. You can send a text message. So if you had a truck that needs to go to a certain address he can look on his screen on the radio and hit okay and it will scroll across the address he needs to go to. He doesn't have to respond, he won't be driving down the road in 8 inches of snow swerving back and forth while he's texting. All he has to do is hit okay instead of saying "hey I got the message", if he wants to respond later he can or he can just reach up and talk yeah I got the message, instead of having to stop to write it down. With digital it is impossible to have static, you either have a conversation or you don't. When this system is done there will be five repeaters stacked on top of each other. Every Township will have their own private channel. If you need to talk to another Township you just go to his Township and talk directly to them. It will come right over on his radio. This radio also does your GPS. Do you want to see where your vehicles are in the Township? You have to pay a one time fee for a license for the GPS. It equates to about \$25 a month per vehicle, which comes out to about \$400 one time fee for each truck. Then you can see where your trucks are at all times without having to see were all the County vehicles are also. Once you have that feature you can add an attachment to show you if the blade is down, of the salt is being spread and it keeps a record. So if someone says a plow hasn't been down my road in seven days you can pull up the record and show them exactly when it was plowed and salted. In the past all radios have been hardware driven, this is software driven so for me to change what it can do, I just plug it in and tell it what to do. The County has negotiated a price for you guys, I think it is \$778 a radio. That

was with the enhanced mike, the ignition sensing cable, radio and \$100 install. We are installing 65 of these in the next week for the County, and they have another 30 and then the repeater will be going in next year about April. One of the things that was mentioned to me was that the Township entertaining the idea of going with a handheld walkie-talkie. The problem with that, especially this Township, you have so much foliage here high spots and low spots, these are VHF radios. VHF tends to shoot out far where UHF bounces off the atmosphere and comes back. Dense vegetation or a large body of water will absorb the RF signal instead of bouncing it back like the ground. Walkie-talkies will have a problem with getting a straight signal from the antenna on Channing St. A 4 watt hand-held radio, I would be concerned about it reaching that far. Whereas this is a 40 W radio where it may be able to punch through a little better and get a stronger signal. Second, on a portable radio the antenna is sticking out of it and it does not have a ground plane. A ground plane increases range, the top of the truck is like a catcher's mitt. On a portable radio you do not have that. Third, is your battery good or not? Did I charge it? Did the last guy that used it before me remember to put it back on the charger? How long has it been on the charger, things of that nature. Those are some of the downsides. There are some reasons for portable radios. Some of the townships are getting portable radios on top of the radios they are ordering for use by road crews. They will work well in line of sight distances for two or 3 miles. But if you're trying to clear the tower I would be worried about it.

Rodger: the cost of the unit is \$770 something, and the installation is \$100, and the antenna?

Ben: is included.

Rodger: it's included. So we are looking at about \$900 each.

Ben: The County said they were going to buy in bulk to get a better rate and said to extend this rate to the townships also. So you are buying at the rate of 60+ price instead of the three or four that you actually need.

Rodger: how soon do you need a . . . if we were to go ahead and order and want to wait until next year to pay for them, but we want it on the shelf whenever and so we can just hey bring the truck in and say go ahead and mount this whenever it's gone to when the County is ready to switch over. How much lead time do you need?

Ben: On mobis? end it hasn't been that bad, two weeks, but when I say that hasn't been that bad. When I first started with Moto Turbo, it was four days, now it is two weeks. But we are only talking another month before you guys are ready to order. I'd say two weeks three weeks and go from there. I can get it for you pretty quick. It is just a matter of scheduling and going through it like that. Any questions? They only come in black.

Bruce Stayner: how will that correspond with the 800 system that the County as for fire?

Ben: this will be a VHS system it will not work through we can do a patch we already have a patch into the 911 system built into the consoles, you can do a patch over to either the Sheriff or fire. I don't know if anyone has been in the heavy trucks that the radio is installed right above his head all he has to do is reach up to the mike and talks. He doesn't have to look for a cell phone.

Rodger: is it the same price to hardwire as it is to use the cigarette lighter?

Ben: yes, the reason I say that is I don't want to do the cigarette lighter. There are a couple of downfalls that can happen with a cigarette lighter, one when you are having a long conversation and your pulling 40 W out of this radio you're really putting an

amperage pull one your power supply. Depending on the vehicle and the age of the vehicle and how it was wired it may pop the fuses. Whereas, if I wire it in I know it's going to be right. Well I don't wire my guys wire it. If you want to do a couple of portables we can do that. When I do the archives for Scioto township you'll only have for radios that you will have 10 spots so if you want to add radios later. So if you want to add a radio all I have to do is go to the archive I do not need to go to every Township vehicle and reprogram it so they can see your radio. You will be able to call from one corner of the county to the other now. You could even call to a specific radio without having anyone else hear you.

Rodger: how long is this price extended?

Ben: the pricing is good throughout the whole project.

?: Is there training included on how to operate the system?

Ben: it's about like trying to operate a new cell phone. They are completely self-explanatory and they are alphanumeric it will tell you what to do. It will read on the screen exactly you are talking to and who is talking to you. Other than that it is push to talk, you can't mess them up.

Bruce Stayner: can you scan on that?

Ben: yes and that would be something that we can set up where you can be on your own Township channel and scan yours, as opposed to changing everybody. It would be very difficult for another vendor to add to this system. The County is aware of that. The difficulty will be they won't have the template or the key to get in. They'll be able to put a radio on it that talks but it won't ID with everyone else. These are VHF so you will have the weather Channel on there as well.

?: how much is a portable unit?

Ben: they are right about the same price minus the install. They are about \$760 off the top of my head.

?: Is there an extra charge for texting? Can you text across the County?

Ben: no charge for texting, you can only text within the system. You will not be able to text a phone. You can do a broadcast text were everyone in your group gets it.

?: if you go this route what are you going to do with the present radios?

Rodger: they're gone anyway.

Chas: we don't have much choice the County is changing so we have to change.

Ben: their existing radios are allegedly illegal, they can't be programmed down to the new system. I've had townships try to sell them on eBay, when anyone that's in the radio world sees what it is, they say I can't narrow band it, I'm not getting caught with a \$1000 a day fine, per radio.

Bruce Stayner: the walkies that they have our Motorola 1225

Ben: the 1225 is narrow bandable so that would work, but it would only work with direct communication. You're not going to be able to reach the other side of the Township or anything like that. It's an analog only radio. It is not going to work with this system.

?: does union County have that same system, or will there ever be a need to talk to that County?

Ben: the Marysville fire department is going to this same system. If there was a mutual aid situation going on it is possible to put the frequencies in here because that radio can hold 1000 frequencies with other channels. Some of the fire trucks that have VHF and something called DTMF. When an outlying area is going in on a fire truck you have to

key your code in, this radio will do DTMF too. So if you need it for your fire trucks, for VHF I can program a channel as digital. Yes Union County is looking at this, but not necessarily as the engineer. There is one major problem with the selling to the engineers at Union County. The union County engineer's brother is my boss. So we cannot even walk in the door, just because of ethical things of that nature. We can point them in the direction of another dealer, but were not going to go down that road.

Bruce Stayner: is Union County getting rid of their Marks?

Ben: no, Union County is staying with Marks for their 800 system. This is just the VHF radios that sit behind the XTL 5000.

Bruce Stayner: like the squad is able to talk to Honda.

Ben: or if they need to talk to Logan County. When you are out in Logan County you are still on VHF. They are not on the Marks system out there.

Sandra: we have a tornado siren that is activated when we key in a certain code on our radio. Would we be able to do that from these? Or is this apples to oranges?

Bruce Stayner: right now it is programmed into the 911 system on a UHF radio. You key up that, you dial a number on the keypad and it starts the siren.

Ben: the answer is no you can call the 911 center and have them trigger it. This is VHF. It will not interfere with it but it will not trigger it.

Chas: get us a credit application.

Ben: the quickest way to contact me is by e-mail.

Chas: are there any other guest that would like to speak? Andy?

Andy Zairns: I've got my ongoing topic coming back. I brought up the subject of the problems with the Lake Hill hunt club, as far as the skeet shooting but primarily the rifle shooting ranges. I don't know that you people have done anything so I expect you to start doing something. Pretty simple. There's a pretty major violation of zoning, there's a physical hazard that is being created, there is a nuisance that's being created, and recently I've seen that they built a second rifle range it looks like to me. Now they haven't been using it very much lately. So I expect you to start applying your zoning regulations, there's pretty much obvious violations. And if there's not zoning problems we still have safety problems, so it is time to address it. Get off your butts and start doing something. And obviously what they are doing is affecting property values. You are talking about property values about some minor little thing like somebody opening a little store, or something, an the antique shop. That's nothing compared to somebody shooting hundreds of rounds of rifle fire. So I expect to have something done. And I think if somebody does want to put in a legitimate shooting range, rifle shooting range, what ever. Then I think it is your duty your obligation to come up with some design standards. You can hire some people for it if you need to. And I think you need some regulations. And I expect to see action going in that direction. There's no excuse for having a bunch of communists and terrorists running around the neighborhood terrorizing the neighborhood. That has to stop. So would you like to give me a report on what progress you have made?

Tom Brown: I would like to report that the zoning office doesn't have anything pending right now.

Rodger: to my knowledge there has been no changes to the, you know to the hunting club. I don't know.

Andy Zairns: there are major changes.

Rodger: the hunting club is a nonconforming use within the Township as long as they don't alter anything. Correct me if I'm wrong Mr. Brown, as long as it isn't altered then there would be no reason for zoning to get involved. You know as well as I do that they were there prior to the zoning. So the Township could do it essentially nothing to take them out or change anything that is existing. Now normal upkeep is not considered a change. If there is a new rifle range, then that would be a change in a nonconforming status.

Tom Brown: I think that I addressed that in my previous. . . and I don't think that that's true. The rifle range, whatever kind of actions that I saw happening, were not actions that require zoning permit. Had they been actions I thought required a zoning permit then I would say that they were. . . that they would need to be addressed. It is my opinion that earthmoving. . . I know it doesn't require a zoning permit, I know it doesn't require a building permit, and it was an activity in my report that I pretty clearly stated that I did not have any jurisdiction over or that it met the definition of an enlargement. It is not a structure, it is not an enlargement of their activities so it did not intensify the use. They were not to these that required a zoning permit or a building permit. So it is my opinion that those complaints are not anything new, that you have my report to the trustees was that your complaint was addressed and it was not a zoning violation.

Andy Zairns: well I think you're trying to wash things under the rug my patience is running out.

Tom Brown: I don't have any particular interest in washing it under the rug. I don't have any advantage. . .

Andy Zairns: you're making excuses, there were hundreds of yards of dirt, they were clearing a swath through the woods to have a place to shoot rifles. That is a major change. Now it is totally absurd that you're going to have rifle shots falling across their property line onto somebody else's property, across the state highways, and you're not going to do anything about it.

Tom Brown: I don't see where it has a zoning application. That is my position.

I think your complaints are similar to what they were three months ago and I addressed them the best I could.

Andy Zairns: what I'm saying is that you're not doing your job and the Township trustees are not doing their job. You are worthless. Now if nothing else, maybe we could start some legislative action to get rid of Township trustees in general. You have no technical knowledge, you are wishy-washy as far as whatever the political powers to be are that make some donations for you. You are not serving the community. And I will look into some more aggressive steps to take then.

Rodger: Andy have you requested of the zoning commission to add an amendment to the zoning.

Andy Zairns: no I haven't when do they meet? When can I go see them?

Rodger: second Monday of every month.

Andy Zairns: second Monday of every month what time?

Rodger: 7 PM right here. If only. . . if you request a change in the zoning resolution then that in turn put something in the books that the zoning inspector can do. As it stands right now the zoning inspector cannot do anything.

Andy Zairns: well he's even said that he can't go on the property to look see what they have.

Rodger: no, I can't go on the property, you cannot go on the property without being prosecuted for trespassing. That is state law, and in addition, if they come on your property you can prosecute for trespassing. If someone shoots over the line on your property you can call the Sheriff. It is incumbent upon the Sheriff at that point, to do something. The trustees cannot do anything about somebody shooting across your property because we are not a law-enforcement arm of government. Or if you have found some way that we can enforce that, I have no clue where it is. I've never found it in any Ohio Revised Code that I've looked at. So if you can find that and show it to us, where we have powers that the Sheriff does not, I welcome you to find it.

Andy Zairns: well I think you have zoning violations, but you're basically trying to say you don't.

Rodger: everything that is there is grandfathered in Andy.

Andy Zairns: no it is not. There are major expansions and modifications.

Rodger: changing this or that, can you say for certain that the rifle shooting range was not there when you moved in?

Andy Zairns: yes

Rodger: how, did you inspect every inch of that property?

Andy Zairns: actually I was on that property several times for different reasons.

Rodger: did you inspect every inch of their property?

Andy Zairns: no, I did not but I can see the rifle shooting range from my property.

Rodger: and you would honestly stand in court and swear to a judge that they had no rifle shooting range.

Andy Zairns: that's right

Rodger: then go do it

Andy Zairns: I may do that

Tom Brown: I would also say that Mr. Finks suggestion that you go to the zoning commission I think that additional changes that you might include in the zoning resolution would not be retroactive. I was trying to find where it says no future by nonconforming use or by grandfathered by whatever condition that's a lawfully existing condition, that no change in the resolution can make those uses illegal. You can't backtrack.

Rodger: if you go to the zoning commission Andy you would have to ask Lake Hill to come and Blackwing and the zoning commission and yourself and maybe some other community members to sit down and try and write an amendment that they would be willing to abide by. They are under no legal obligation to unless they choose to rezone.

Andy Zairns: well the thing of it is when you shoot across property line you are violating a property line, you are endangering people. Basically that is a group of communists.

Rodger: no, Andy, no it is not, that is a matter for the County Sheriff. That is not a matter for the Township trustees' meeting here. It is a matter for the County Sheriff. When something like that happens it is incumbent upon the property owner to call the Sheriff. It's not Andy, come to the trustees to complain about it, it is call the County Sheriff.

Andy Zairns: here is a simple problem.

Rodger: if the County Sheriff doesn't give you any satisfaction, call the State Highway Patrol. Call a law enforcement arm to deal with the issue. We can't

Andy Zairns: no see what you're saying is that you want somebody there to observe to see if there is a shot fired across. Basically you just want somebody to be shot.

Rodger: no we can't go out there. We are not an enforcement arm.

Andy Zairns: you have a requirement for design standards. Now if you got somebody that goes out and shoots 10 shots to site in their rifle that is one thing. You bring in 20 or 30 people a day and they fire 400 - 500 rounds and they've got this little embankment that they're shooting at and they want to do their little rapid-fire shooting, it's almost a certainty that you're going to have some shots go over the embankment. And that is where you as Township trustees have an obligation to have some regulations and design standards. If you can't do that then you are worthless.

Rodger: any regulations or design standards that we would enact today would not be enforceable upon Lake Hill hunt club.

Andy Zairns: what about the new rifle ranges of that they are putting in they are not old. And it doesn't matter. .

Rodger: they are not enforceable.

Andy Zairns: maybe it's a good thing John Husted got elected because he's not like a big NRA supporter. So maybe I'll pursue it along those lines also.

Chas: thank you Andy.

Andy Zairns: all right.

Harla Lawson: this is been very educational. It is good to know what we are spending our Township money on. I'm with the Delaware County district library here in Ostrander. We had our open house at the library on Saturday. I have our new calendar for the next three months and I just wanted to drop them off to let you go what we are doing. There is just a lot going on at the library and we just want to keep the trustees involved and aware of what is happening at the library. We are trying to figure out what to offer as far as programming we are always open to suggestions for adults and children. As you guys are out and about and hearing things please share with me what you think the community needs are. Over the summer we had at least 25 volunteer teens help at the library.

Tom Brown: does the library have a community bulletin board?

Harla Lawson: yes we do.

Tom Brown: there were some comments earlier about public notification. When we are going to have zoning changes Mr. Roberts makes a copy of available at the library. Is there a bulletin board where it is free so we don't spend taxpayer dollars to post a public meeting.

Harla Lawson: we have one in the front entry way and it can be used for posting. I know the village posts there all the time.

Chas Kaiser: review and acceptance of the minutes. We need to do last month's first.

Rodger: motion to approve the October minutes as presented by the fiscal officer.

Chas: second

Vote unanimous

Rodger: I have not read the November minutes

.Sandra: I would like to make a motion that we table November's minutes until next meeting.

Rodger: I'll second that.

Vote unanimous

Sandra: since we bought software at Best Buy I went there to see about getting help with it. I was told that for technical assistance we'd have to pay the Geek Guy \$150 to come

out. When I tried to Nuance website they wanted a credit card for technical assistance. I don't think we should have to pay for support I have contacted the IT department at Delaware County. We will find someone.

Rodger: so do we know what kind of file Dragon speak is?

Sandra: it is a program and it works with wave files, MP3 files, and direct dictation.

Rodger: but it won't accept direct input from an MP3 file?

Sandra: I'm trying to get them to talk to each other.

Rodger: I guess I am frustrated with that situation. I don't understand, why if they don't take an MP3 file why you just plug-in the digital recorder and download the MP3 file into the computer and then upload it into Dragon speak. But it won't take it?

Sandra: I've got the MP3 file on the computer. I have not been able to convert it over into the Dragon speak.

Rodger: it will upload into the Dragon speak?

Sandra: I didn't say it won't. I don't know how to do it.

Rodger: do you have all the books on it?

Sandra: yes

Rodger: can you put them out of the desk and I can take a look at them. Maybe I can figure it out.

Sandra: absolutely

Chas: we can brainstorm it

Rodger: I can understand why we just can't import a file in the Dragon speak.

Chas: it makes sense

Sandra: I understand

Rodger: I just don't understand

Chas: fiscal officers report

Susan Beckley: the payables are \$136, 855.19 the receivables were \$30,986.06

I have some resolutions to move money so I can complete this.

Sandra: make a motion to transfer of the appropriations as stated.

Rodger: I'll second.

Vote unanimous

Rodger: the property at 3901 Fry Rd. The house burnt down a little over two years ago and has been an ongoing problem for quite some time. We were reluctant to do anything until the insurance company and bank were satisfied with everything. That has since happened a few months ago. The adjacent property owners are very unhappy about the mess that is still there. We have contacted the County prosecutor and have gone through a number of steps here. The County prosecutor has given us a resolution here for the record. Abatement of dangerous property conditions pursuant to Ohio revised code 505.86 on the property located at 3901 Fry Rd. Ostrander, Ohio. Rather than reading all of this I would just like to state that I'd like to make a motion to approve this resolution. If anyone would like to see it, come up and take a look. The resolution is basically to tear it down and smooth it over and put the cost on a property tax lien.

Sandra: I'll second.

Vote unanimous Resolution 32 -- 2010

Rodger: we need to send a signed copy to Chris Betts so he can send out the notices.

Tom Brown: can the zoning office get a copy of that?

Susan: sure

Chas: zoning report

Tom Brown: for the month of November there was no BZA activity, but there is a BZA meeting scheduled for tomorrow for 9716 Fontanelle Rd. which was the zoning change request that was denied this evening. Since the notification has gone out and the applicant has paid \$300 I assume that meeting will continue. It may need amended a little bit. I will see if the applicants contact me and try to make some changes. Zoning commission meeting on November 8<sup>th</sup> the commission did recommend approval for that zoning change to the Township trustees. And that sparked conversations for nonconforming structures, how you reconstruct them if they're damaged, how you add on to them. We addressed deficiencies in the zoning resolution that does not address the nonconforming structures very well. I did not attend the DC RPC meeting for November. It was held on the third Thursday instead of the fourth Thursday as usual. I did follow up and the 2011 budget was approved with no pay increases for the employees. We have had several months discussion about the 2011 budget. There will be no increase in membership fees that the RPC collects. They have a projected carryover of about 15% which represents that the RPC can do business in January with carryover from 2010. There were no written complaints received, but we got a complaint tonight.

Rodger: Mr. Brown I would like to make a formal request for you to contact Mr. Mosley and ask for a resignation letter from the zoning board. He no longer lives in the Township. Please have the zoning secretary get in contact with them. We really need to get that situation resolved.

Tom Brown: I have had an informal conversation with him and I thought he would've taken care of it by now. We need to receive his letter of resignation before we appoint an alternate to the zoning board.

Chas: Fire Chief's report Since there is not a Fire Chief are you stepping in Bruce?

Bruce Stayner: the biggest thing is the handbook that the fire department has been putting together. We would like to implement it January 12<sup>th</sup> at your next meeting. If there is anything that you would like to amend you have to do it quickly.

Chas: the changes that have been noted and it brought to Brian's attention and are in the process of being finalized the guide should be ready for review prior to that meeting and try to get something to us electronically or by print so we can approve it.

Bruce Stayner: other than that Marvin is on vacation and will be back this weekend. And it has been quiet. Tonight we taught a class on how to use fire extinguishers to the SACC teachers. They are there before everyone else is and they are there after everybody else is and if something happened. It was just some training for them.

Sandra: thank you for being pro-active for our school.

Bruce Stayner: from what I saw all the music the fire extinguishers the training went very well. Do you have anything for me to take back to the fire chief?

Chas: there was some discussion about the fire budget and \$750 a month for the assistant chief's salary which brings it to about \$9000 a year.

?: is that a flat rate of nine or will he get paid for runs on top of that? Is there an hourly requirement for him to participate?

Chas: flat rate of nine

Sandra: that is up to Marvin and how they set it up.

Chas: we would like to see the operating guidelines of the assistant chief so we could have something to follow.

Rodger: I think that was partially addressed in the officer's guide.

Bruce Stayner: did Marvin get you the roles and responsibilities?

Chas: yes

Rodger: there is no set ours is just part of the roles and responsibilities. I don't think lieutenants have to put in 500 hours a month to get their money. Certain things are expected each month.

Chas: that is all we have. thank you.

Rodger: no purchase orders?

Bruce Stayner: no, our three sets of new gear should be in next week. We need to know when you guys are going to set your year end meeting.

Chas: were going to do that later the meeting. I do want to say that we heard Hutch passed his DOT for the year. With some discussion on a sleep study. I was glad to hear that. I got some good feedback on that. Thanks for stepping up and doing that.

Old business

Rodger: we have Fry road done.

Chas: we need the radios time frame. Are we deciding on five?

Rodger: we have five trucks, I think we should have one on Houston street maintenance building.

Sandra: would that be a base station?

Rodger: we do not need a base station with just have the unit that we can plug-in.

Bruce Stayner: what you have now is just a mobile unit that sits on top of the power unit.

Rodger: actually the tower could come down. Do we want five or six? Right now we have one in the F-800 International, the F-450, the Chevy ¾ ton, and a portable in the F-250. That is five and one of them is a portable.

Bruce Stayner: if the track-hoe goes out and is digging out snow, will they be by themselves or will a truck go with them?

Rodger: usually you would have a truck will go with them.

Chas: not if they're moving drifts and stuff.

Sandra: last time the truck was in the drift and they had to go back and get the backhoe.

Chas: we may consider getting one portable unit.

Bruce Stayner: that way they could move it from tractor to backhoe to what ever. If they are out on the roadways mowing and breakdown they can pick up the portable and you could talk to them.

Rodger: you see on those things, that is why everyone has a cell phone. If there is someone out mowing, typically there is not someone in one of those trucks.

??: do you need two portables for when you were directing traffic like the man said?

Especially if you are around the corner from each other.

Rodger: I have been thinking about that point. I don't know.

Chas: there's not much traffic direction that we do. It is mostly shut the road down and get the work done.

?: you may want to get one for the fire truck so if you have the plow in front of it in the winter time.

Chas: but think we should get at least one portable, I don't think we need more than five. I really don't. Five would put both of the employees and the three of us in trucks if needed. That is plenty.

Bruce Stayner: that is a VHF system?

Chas: yes

Rodger: we'll have to look at the budget again on that.

Sandra: it was \$900 a truck wasn't it?

Rodger: yes

Chas: that is \$4500 for five.

Rodger: but that will miss one truck out there. I guess I would like to revisit that after the first of the year. We will look at the numbers. I think we have plenty of time yet, he just wants a couple of weeks notice before we order. Let's table that until after the first of the year.

Chas: Sandra do we have the service agreement in place for the cleaning company?

Sandra: yes

Chas: did we get the documents back?

Sandra: I forgot about that. I'm sorry I will get right on it.

Chas: and documents Rodger I know you handled Wolfe's follow up: workers comp and certificate of insurance. Do you have it on file?

Rodger: no I do not. I can

Chas: it should be pretty easy.

Rodger: I just didn't even, I know he's got it. I just forgot to ask him.

Chas: I just want to cover our bases.

Chas: and what about the lease on the Park?

Sandra: according to Mr. Moxley we have a one dollar a year lease on the area of the Park where the airplane club was. The Township has never paid a dollar from the inception. The vice president at the time that took care of this is no longer there he has retired. Mr. Moxley's admonition was 'let sleeping dogs lie'. He is not sure who he would even talk to about it now.

Chas: is the lease in place?

Sandra: yes, he said he would follow up on it and let us know if there are any problems.

Chas: is there anything else in old business that we need to discuss?

Sandra: what about the culvert installation? We talked about that last month.

Chas: I have a resolution for that

Sandra: Do you want to do that now?

Chas: Scioto Township culvert installation fee and inspection proposing a resolution. Whereas the board of trustees is bound to act in the public interest, whereas Board of Trustees of Scioto township Delaware County Ohio has given special thought to incorporating a fee to install culverts on township road right-a-ways, followed by an inspection during the installation. Now it is therefore resolved by the Scioto Township Board of Trustees this permit is to be US\$60. A permit fee shall be effective January 1, 2011, fee is subject to change, the fee is to be paid to Scioto township before work is commenced. **Resolution number 33 -- 2010**

Sandra: second

Vote unanimous

Chas: I will contact the Delaware County Engineer's office and let them know that we will take care of our own. This is in place of the County fees.

Rodger: that reminds me do you have a copy of the County permits?

Chas: no I do not yet. We will have to revise it a little bit. I will work on that.

Rodger: we will need that to start the process.

Tom Brown: does the board see that activity, similar to cemetery lot sales, that it is a trustee function? A trustee action?

Chas: not necessarily, I think our guys are capable of doing that inspection.

Tom Brown: trustee as opposed to zoning?

Chas: yes, held in our office. Whether it is one of the trustees or Gary or Jim.

Tom Brown: the zoning resolution still has language that there will be a 12 inch culvert minimum and maybe 20 feet long. It is the only driveway development standard that is still in there as a requirement. It should not be zoning anyway but there is still language in the resolution that is zoning related.

?: your language will have the same or similar things as far as size and length. .

Chas: we will probably need to do the sizing with minimum requirements.

Rodger: it is only on the Township roads that we will need to do that. There won't be any county or state roads.

Sandra: this will introduce them to Township government. You live on a Township Road not a County road.

Chas: new business. We need to talk about the budget figures on zoning. We feel that we need to keep that price to about \$7000 for next year, which obviously affects you Tom. We need to figure out how, if you still want to accept the job as zoning inspector, how you would like that money allocated in your disbursements. There are ways to give here and take there.

Tom Brown: the discussions about my job description or some of those things might probably be executive session type of decision. Obviously my salary is public record. If you're going to get into a lot of detail it might be more of an executive session matter.

Chas: I do not disagree with that.

Rodger: no

Tom Brown: I would make myself available for that. Is it something that you need to do tonight, go into executive session afterwards when you are done with business. I would make myself available.

Rodger: we need to do this tonight because we need to finalize the budget before the end of the month.

Chas: I think we could be quick, we can do it at the end of the meeting. We need to get the resolution for the 911 TAC member, Doug Price, finalized also.

Sandra: I move that we suggest Doug Price, the 911 board member for the Technical Advisory Committee representing the Delaware County Township Association.

Rodger: I will second.

Vote unanimous. **Resolution 34 – 2010**

Chas: do we need to discuss the conditional used change that we talked about in the public hearing? Are we all in agreement that if zoning and the board can change language accommodate?

Rodger: I think we need to make an as Mr. Brown said, actual suggestion on the exact change to add.

Chas: we need to formalize a suggestion?

Tom Brown: I think you have to have it not specific to the Andrews' application. If the board thinks there ought to be a place in the FR-1 district that conditionally the appeals board could approve a light retail low traffic low impact retail use in the FR-1 district I think it ought to be a real broad change to the resolution.

Chas: why broad versus specific?

Tom Brown: I think it is the appeals board to evaluate and specifically evaluate the merits of a conditional use. The legislative responsibility to make a space that the appeals board then specific to each application judge it on its merits.

Rodger: we can be as specific or as broad as we want. I did not like the idea that their only option was Neighborhood Commercial.

Chas: that is what blew it out of proportion.

Rodger: that made it real broad. I saw that as the only option for that type of system. But there ought to be something. It's not a home occupation, but it is something similar too.

Tom Brown: I'd think you could craft language that says even if it's a retail or commercial activity that takes place mostly within the confines of the existing structures, it doesn't create noise, doesn't create nuisance. If you figure out a way to describe about three things that are really important to you if you meet these three things the Township could live with commercial activity or retail activity in an FR-1 district. What are those limitations? Maybe it is all within existing structures, someone doesn't come and get this conditional use because they want to build a bunch of outbuildings or build something new.

Rodger: like build a strip mall.

Tom Brown: my suggestions might be utilizing only existing structures and not change the residential character.

Rodger: I think we need to think about this a little bit before. .

Tom Brown: I think we should to. Time is of the essence and the Andrews may very well not . .

Chas: Tom I think you have a very good handle on it, can you give us some suggestions to look at?

Tom Brown: I could. I will try to be very careful not to be Andrews specific and be a little broader. I think you can ask the commission to look at this. I think you guys could go a lot faster would propose language instead of taking it to the commission with this blanket thing. I don't think you dare take it to the commission and make the Andrews application fit. And I don't think you should give them a blank slate and say I think you need to expedite the process. I think you need to give them some real direction.

Rodger: I think we should wait until the January meeting to come up with. .

Tom Brown: and I will be glad to come up with a list of what I think.

Chas: I think we should all work on that for the next meeting.

Rodger: yeah

Chas: Russell road and state route 36 culvert, I don't know if you have seen, the state has been out, I met them out there. They are doing something out there. Did they clean?

Rodger: no they marked OPPS on it.

Chas: oh that was done last week. They are supposed to be acting on that real quick.

Rodger: are they going to extend it or are they going to dig it out and replace it?

Chas: either or. They are going to dig it out, flush it, inspect. If it isn't worth adding to then we are going to abandon that one and put a new one in further away from the road that will accept our ditch and their ditch. That's the idea they are going to inspect after they flush first.

Tom Brown: thank you, as a Russell Road resident I did not know you guys were working on that.

Bruce Stayner: how far off RT 36 is that culvert?

Rodger: about a foot

Bruce Stayner: you know there is a Delco water line that runs down that side of the road. 16 foot off-center of the road.

Chas: there is a shut-off right there too on the west side. A valve or something I think there is a valve there.

Bruce Stayner: we had OPPS out to mark that. He couldn't tell us how deep it was but he could tell us exactly where was.

Chas: obviously everyone knows we had our first snow of the season all of our guys were out salting, twice I think. Sent them out one night and then early one morning we are well on our way and is Rodger noted we had been working on lights and stuff like that.

Making sure everything is up to snuff. We should have four trucks and plows ready to roll, five actually if we want to.

Rodger: the F-250 should be back tomorrow.

Chas: and of course we have the fire department's truck too. It will help out around here.

Bruce Stayner: we will try to keep the lots as clear as we can.

Sandra: thank you

Bruce Stayner: if we have any big drifts you may have to come in and break them up for us.

Chas: Believe me, it really helps when we do not have to worry about the community center. If you guys are on it. We go by and see it's done, that is great.

Sandra: do you have the plow on the ATV and the truck?

Bruce Stayner: not yet we don't have either one on yet. It doesn't take long to put them on.

Chas: last but not least, the OPWC for DeGood Road versus road maintenance. My feeling is to try to go for the grant for DeGood and let the maintenance slide for a year if we can make that work budget wise. We have got seven or eight roads that really need another. . but what is more important, can we let those roads go one more year?

Probably.

Rodger: I'm going to make a suggestion I haven't made here for a while. I would like to fill out all the ones that are up on the list to do. It doesn't mean we have to okay any or all of them. Just so that we have the estimate.

Chas: not only that, then we know if DeGood comes in and we can't afford that too according to our budget, we can fall back on it. I mean primary thought to me would be to try to go for DeGood first.

Rodger: and I agree I'd like to spend the \$50,000-\$55,000 and get that well up to snuff. And then come back and do the maintenance on these other roads.

Bruce Stayner: have you guys noticed Burnt Pond road just south of your culvert? It is starting to break up pretty good. Just south of the new culvert you guys put in, going up the hill, it's starting to break up pretty good.

Rodger: yes that is going to have to get cold patch here pretty soon because I think the asphalt man is gone.

Tom Brown: you guys haven't done the DeGood OPWC application have you?

Chas: yeah

Tom Brown: to be considered for this year? So you will know by April 2011. So you do have to reserve funds in the 2011 budget. You did make the application last September?

Rodger: the grant application is in and signed. We just won't know until that point. So if we don't get it and we don't have anything available for the road program then we are right behind the eight ball. So I say let's fill these out as we normally would.

Chas: we need to get them in, too. Isn't their deadline the first?

Rodger: I don't remember. January 19 I think. Yep the 19<sup>th</sup> of January.

Chas: Sandra do you have any input on this?

Sandra: it sounds good to me.

Chas: Rodger, let's get on the same page. What are the roads in question?

Rodger: I think if we went with the 2008's roads we have got Russell, Smart, Klondike, Burnt Pond, Fontanelle, Houseman and Mitchell Lane.

Sandra: I have a question about Robin Hood Ln., we have not done it for a while and it is really falling apart.

Chas: we need to go back to ground on that one.

Sandra: I think it already has.

Rodger: we have passed our limit on that.

Chas: it is un-repairable. There's nothing we can do to that.

Rodger: we have to grind it up and redo it.

Sandra: I knew we were waiting on the Sherwood property thing.

Chas: Sherwood Hills? I don't think we can do anything with Robin Hood Ln.

Rodger: no

Chas: how many people are there? Three?

Sandra: I don't know

Chas: not that it makes a difference.

Rodger: if we had tarred and chipped it years ago we might have stood a chance of holding that together. But there's nothing we can do with it now. Not a thing.

Chas: I agree it is shot.

Rodger: there are little bits and pieces of the road that we might save but the most part it is gone.

Chas: fill the potholes and roll them once in a while. It is a true Township Road back 10 years ago. If we get some complaints we can address it then.

Sandra: the only complaints I've had are like the mail carrier talking about how the edges of the road have broken down around the mailboxes. The guys took care of that.

Tom Brown: back roads just reminded me, has the Township ever done anything to Stults Lane? Or is it so new that it never has really been evaluated. I'm sure it should be on a regular rotation. I was wondering, if it was asphalt it is probably never gotten addressed because it was so new. In reality, thinking about how they can really get away. Has it ever come up in the rotation? What is it about five or six years old?

Rodger: no, it probably ought to be included in here on one of these briefs.

Chas: we ought to look at it.

Rodger: I have not seen any cracks to speak of.

Chas: that is a good point Tom.

Rodger: it has not needed to be sealed off. There is not enough traffic on it to do much. I think the heaviest traffic it gets is the construction back there or the salt truck. Most of the traffic is got is minimal.

Tom Brown: it's probably in great shape that's why no one has looked at it.

Rodger: oh I have looked at it. And I say 'wish we had that all over.'

Sandra: I forgot one thing sorry. The severe repetitive loss flood plain grant for the three houses on route 257, house numbers 1763, 1803, 1823. It was turned in the beginning of December. So now it is up to the feds on whether we get anything to help these people. Between the County EMA and the state EMA, they did the entire grant request.

Tom Brown: the zoning office has taken a call on 1803. It must be one that is still for sale on the market.

Sandra: no, actually the bank owns it and you basically cannot sell it because they cannot get flood insurance now.

Rodger: one of them has a realtor sign in the front yard.

Sandra: I know.

Tom Brown: will the zoning office has taken a call and I'm sure it was 1803. I just wanted to pass along that there was still some activity. One of them is still being marketed. Which seemed a little odd.

Sandra: tell me about it.

Rodger: let's just hope this settles for a little while because we have no money to do anything with it.

Sandra: we submitted what our Township budget is, our expenses and our income, we cannot put any money towards it and that is how we filed the paperwork. As such, sufficient funds for a local match are not available.

Rodger: I'm talking about after, if it goes through and it is bought and turned over to us, there is nothing available to put funds into it for a while.

Sandra: I understand.

Rodger: okay motion to pay bills.

Chas: second

Vote unanimous.

Rodger: motion to go into executive session for employee review of Tom Brown.

Sandra: second

Vote unanimous

Rodger: moved to come back to regular session.

Chas: second

Vote unanimous

Sandra: motion to adjourn

Rodger: second

Vote unanimous

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