

Minutes of the
Board of Trustees of Troy Township
Regular meeting held January 21, 2008

The regular meeting of the Troy Township Trustee's was called to order by Chairman Doug Price at 8:00 p.m. at the Troy Township Hall, 4293 U.S. Route 23 North, Delaware, Ohio with Trustee's Doug Price, Paul Price, and Earl Lehner, and Fiscal Officer Pam Starling, and Zoning and Trustee's Secretary, Kelly Williams all being present.

The agenda for tonight's meeting was reviewed and amended as follows: Under Old Business: 1.) Amount of Salt Being Put on the Roads; 2.) Grassroots Mailed earlier to Trustees; 3.) School Bus Sign on HillsMiller Road across from Chad's Radnor Repair; 4.) Stop Sign down at 23 and Penry Road. Under New Business: 1.) Set Public Hearing on Zoning Code Text Revisions, Articles XXI, XXII, and XXIII.

Mr. Earl Lehner moved to approve the agenda as amended. Mr. Paul Price seconded. All voting yes, the motion passed.

OPEN COMMENTS

Mr. James Mong questioned whether the end of the year and the organizational meeting was advertised. Yes, the Fiscal Officer advertised the meeting in the Delaware Gazette and put notice at the Township Hall. Mr. Mong asked if the public attended the meeting. No one from the public attended.

He also had questions about the process of the Trustees' and Fiscal Officer salaries. Per Ohio Revised Code Sections 505.24 and 507.09, township trustees' and fiscal officer salaries are based on the annual budget of the township. The scheme for cost of living increases was altered in 2000 when the General Assembly passed legislation continuing the cost of living increase through 2008. Cost of living increases are determined by the lesser of two numbers: three percent or the Consumer's Price Index for Urban Wage Earners and Clerical Workers (CPI-W) rating for the pervious year.

ZONING REPORT BY ZONING INSPECTOR

Mr. Cooperider, Zoning Inspector, had one permit for a new build and signed for a temporary sign for the Tri Township Fire Department. He had five phone calls and received two complaints.

MINUTES

The Chairman dispensed with the reading of the minutes of the December 17, 2007 regular meeting. Copies were available.

Mr. Paul Price had the following corrections: On page 1 under Trustee Reports: Mr. Paul Price mowed on the south side of Penry Road east of Troy Road.

Delaware County is applying for a grant and **may** reimburse....

Mr. Paul Price had the following corrections on page 2: Mr. Paul Price explained that **35** signs **could**....

He mentioned that they **put**...

He put the plow back on the **small** truck and they had the brakes fixed.

The main scrapper pad **was** replaced **on the big truck by Paul and Chuck.**

Mr. Earl Lehner moved to approve the December 17, 2007 regular meeting minutes as amended. Mr. Paul Price seconded. All voting yes, the motion passed.

The Chairman dispensed with the reading of the minutes of the December 29, 2007 end of the year and organizational meeting minutes. Copies were available.

Mr. Earl Lehner moved to approve the December 29, 2007 end of the year and organizational meeting minutes as written. Mr. Paul Price seconded. All voting yes, the motion passed.

TRUSTEE REPORTS

Mr. Doug Price cut up a tree with Mr. Earl Lehner on Kelly McMaster Road on December 23, 2007. He called Parrotts Implement about servicing the mowers at the cemetery. They picked up two of them and serviced them. It will cost about \$200.00 per mower for the service. They will pick up the third mower when they bring back the other two. He met with Eldon Johnston from the Delaware County Engineer's Office and Mr. Johnston gave him a tutorial about working with the county engineers. He gave Mr. Doug Price two disks about applying salt on the roads, preventative pavement maintenance, and an estimator for road work on disks also. Mr. Johnston explained that the county controls the roads for new development but we as a township need to make a resolution telling the engineer if we want open ditches or curbs and gutters. Mr. Johnston also reminded him that if we want to apply for Issue II money we need to start now.

Mr. Paul Price picked up a deer at the McCreary farm on Kelly McMaster Road. He cleaned up the shop. He washed the trucks. He helped with the guardrail damage at Kelly McMaster Road where a tree fell down. He put up 37 of the yellow caution stripes. He got filters for the township furnace. He ordered a latch for the chain saw. He checked a broken tile on the north side of Willey Road by Stan Haas residence. He cleaned the inside of the Township Hall. He went to John Deere to pick up cutting blades for the snow plow for the little truck. He replaced the stop sign at Penry Road and US 23. He put a cutting blade on the little plow. He picked up a part for the chain saw. He attended the Senior Expo 55 Plus for the RailRoad Committee and the RailRoad Meeting and the LEPC meeting.

Mr. Earl Lehner reported that he and Mr. Doug Price cut a tree at Kelly McMaster Road from 5:30 p.m. until 9:30 p.m. on the 23rd of December, 2007. He got the furnace fixed; both heaters were broken and needed a whole new burner. He went out numerous times and put down salt and plowed. He took the big truck to Chad's Radnor Repair because the hydraulic hose would have broken.

CEMETERY REPORT

There was nothing to report at this time.

FIRE DISTRICT

Mr. Earl Lehner reported that there was a motion to buy a new KME engine for \$375,000.00. They

are in the process of conducting architect interviews on January 22, 2008 for the satellite fire station. They revived a grant for \$27,150.00 for the Ohio Department of Natural Resources to pay for half of a skid unit for a Kubota. There were requests for miscellaneous training.

FISCAL OFFICER'S BUSINESS

The Fiscal Officer presented the cash journal for the month of January as of the date of this meeting and certified that the amounts required to meet the obligations has been appropriated and were in the treasury.

Mr. Earl Lehner moved and Mr. Paul Price seconded that funds be released to pay the pending warrants. All voting yes, the motion passed.

Correspondence:

- Grassroots Clippings – January 2008
- Mowing Letter - The Trustees asked the Fiscal Officer to put the announcement on our website and they thanked Mr. James Mong for preparing it for them.
- The Fiscal Officer put the ad in the Delaware Gazette announcing that the Annual Financial Reports are complete and available at the office of the Fiscal Officer.
- The Fiscal Officer put the ad in the Delaware Gazette announcing the openings on the Zoning Commission Board.
- The Fiscal Officer put the ad in the Delaware Gazette announcing the dates for the 2008 Troy Township Trustee Meetings.
- Annual Road Mileage Certification - Ohio Department of Transportation needs us to certify that Troy Township consists of 15.18 miles. The Trustees certified this and signed the form. The Fiscal Officer mailed the form to the Ohio Department of Transportation.
- Recycling Drop Off Containers – The recycle bin is in place at the Township Hall on the third Tuesday of each month and will remain at the Township Hall until it is full. Then it will be removed until its regularly scheduled time the next month and the same procedure will be followed.
- Auditor of State – Local Government Officials' Conference – March 26 – 28, 2008
- McWherter Petroleum Ltd. is now our provider not BP Products.
- 2008 Road Improvement Program – The Trustee's will look over the information and at the February meeting will decide what roads they want to include.
- Mar-Zane Cold Patch – They now have available at their Delaware Plant Mar-Zane Cold Patch.
- Delaware County Recorder's Office – Reminder of recording various zoning documents.
- Fiscal Officer's Medical Reimbursement – Yes, her reimbursement will begin this term.
- Video Service Provider Fees – Resolution from County Prosecutor – Trustees are not interested in going forward at this time.

OLD BUSINESS

Guardrail on HillsMiller Road -- This is the guardrail by the Red Cross building. The bolts are snapped off on the guardrail. It will cost approximately \$1,887.77.

Mr. Earl Lehner moved to have the county fix the guardrail at the approximate price of \$1,887.77. Mr. Paul Price seconded. All voting yes, the motion passed.

Ditch blowout on Sectionline Road – The Trustees will get an estimate from an independent contractor and make sure it is the townships responsibility for the blowout. The county estimate is approximately \$2,700.00.

Grassroots Clippings -- The Fiscal Officer will mail the newsletter to the Trustees as soon as she receives it.

Amount of salt applied to roads – Mr. Paul Price is questioning the amount of salt applied to the roads. He said there has been 500 lbs applied already.

School Bus sign on HillsMiller Road across from Chad's Radnor Repair -- Mr. Paul Price has already put one up.

Stop Sign down at US 23 and Penry Road -- Mr. Paul Price has a post to put it up.

NEW BUSINESS

Gutter on the storage building at the cemetery -- The gutter is falling off and needs to be fixed. Mr. Doug Price will see that it gets fixed.

Delaware Bicentennial – February 10, 2008 – Mr. Paul Price will attend on the 10th and present our resolution and our contribution. If he cannot attend he will inform the other Trustees.

Mr. Doug Price moved to contribute \$100.00 to the Bicentennial, Mr. Paul Price seconded. All voting yes, the motion passed.

**A RESOLUTION OF
TROY TOWNSHIP TRUSTEES**

Resolution No. 2008-1

A Resolution

The Board of Trustees of Troy Township, Delaware County, Ohio met in their regular meeting on January 21, 2008 at the Troy Township Hall, 4293 State Route 23 North, with the following members present:

Mr. Doug Price, Chairman
Mr. Paul Price, Vice Chairman
Mr. Earl Lehner, Trustee

Mr. Earl Lehner moved the adoption of the below resolution:

Whereas on February 10, 1808 the General Assembly of the State of Ohio created from within the

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then boundaries of Franklin County, the County of Delaware, and

Whereas Troy Township lays within said boundaries, and

Whereas the year 2008 is the 200th Anniversary of the creation of Delaware County,

Therefore, be it resolved that the year 2008 be recognized within Troy Township as a Bicentennial Year within the Township.

Furthermore Troy Township encourages all of its citizens to participate in the many celebrations that will occur within Delaware County throughout this year.

Mr. Paul Price seconded the motion and the roll was called on the question of its adoption.

The vote was as follows:

Mr. Doug Price, Chairman Yes

Mr. Paul Price, Vice Chairman Yes

Mr. Earl Lehner, Trustee Yes

The above resolution was adopted on January 21, 2008 by:

Mr. Doug Price, Chairman _____

Mr. Paul Price, Vice Chairman _____

Mr. Earl Lehner, Trustee _____

Attested to this date by:

Mrs. Pamela Starling, Fiscal Officer _____

The Clerk in 2001 obtained information regarding setting aside funds for specific capital improvements under Ohio Revised Code Section 5705.13(C). According to information obtained from the State Auditor's Office and the Ohio Compliance Supplement, a contract for the project must be awarded within 5 years of the date of the resolution establishing the capital improvement fund or the money in the fund merely goes back to the original fund from which it was transferred.

On January 22, 2001 the Trustees established a capital project fund and set aside funds for the purpose of constructing a new township hall as provided for in Ohio Revised Code Section 5705.13(C). The Troy Township Trustees in their motion and resolution made the provision that the Township will accumulate the sum of \$250,000.00 over five years for the purpose of constructing a

new township hall, and the money shall be transferred into the capital projects fund from the General Fund, and the initial transfer into the capital project fund, to be made in 2001, shall be \$60,000.00.

Ms. Starling, Fiscal Officer has been in contact with the Delaware County Prosecuting Attorney's Office and the first step in transferring the capital projects fund back into the general fund is to have the trustees approve a resolution which will allow the prosecutor's office to prepare and file a Petition for Transfer of Restricted Funds pursuant to O.R. C. Section 5705.14(D) with the Delaware County Common Pleas Court. After the resolution is adopted the Fiscal Officer is to forward a signed copy to the prosecutor's office so they can attach it as an exhibit to the petition. Upon receipt they will file the Petition and proposed Order with the Court. After the Judge signs the Order the prosecutor's office will prepare a resolution for the Township to adopt which authorizes the transfer of the funds pursuant to the court order.

**A RESOLUTION OF
TROY TOWNSHIP TRUSTEES**

Resolution No. 2008-2

A Resolution

The Board of Trustees of Troy Township, Delaware County, Ohio met in regular session on January 21, 2008 at the Troy Township Hall, 4293 State Route 23 North, with the following members present:

Mr. Doug Price, Chairman
Mr. Paul Price, Vice Chairman
Mr. Earl Lehner, Trustee

A resolution to petition the Delaware County Court of Common Pleas for an order authorizing the transfer of the unexpended balance in the Capital Projects Fund – Township Hall 4901 to the township General Fund by the Troy Township Board of Trustees.

PREAMBLE

WHEREAS, upon approval of the Delaware County Court of Common Pleas, Ohio Revised Code § 5705.14(D) authorizes a board of township trustees to transfer the unexpended balance in any special fund to the general fund after termination of the activity, service, or other undertaking for which such special fund existed, but only after the payment of all obligations incurred and payable from such special fund; and

WHEREAS, the activity, service or other undertaking for which the Capital Projects Fund – Township Hall 4901 existed has been duly terminated; and

WHEREAS, all obligations incurred and payable from the Capital Projects Fund – Township Hall 4901 have been paid in full; and

WHEREAS, the Troy Township Board of Trustees seeks to transfer the unexpended balance of the Capital Projects Fund – Township Hall 4901 to the township General Fund; and

WHEREAS, without approval of the Delaware County Court of Common Pleas, the unexpended funds in the Capital Projects Fund – Township Hall 4901 cannot be transferred to another fund and would be inaccessible to Troy Township and would therefore fail to serve, promote or benefit Troy Township.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED, that the Troy Township Board of Trustees hereby adopts this Resolution to petition this Delaware County Court of Common Pleas for an Order authorizing the Troy Township Board of Trustees to transfer the unexpended balance of the Capital Projects Fund – Township Hall 4901 to the Troy Township General Fund.

BE IT FURTHER RESOLVED, that the Troy Township Board of Trustees shall certify this Resolution to the Delaware County Court of Common Pleas, and hereby requests the Delaware County Prosecutor to file a Petition with the Delaware County Court of Common Pleas on behalf of the Troy Township Board of Trustees in accordance with this Resolution.

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This Resolution shall be in full force and effect immediately upon adoption.

Voted on and signed this 21st day of January, 2008, in Troy Township, Delaware County, Ohio.

APPROVED:

Doug Price, Chairman

Paul Price, Vice Chairman

Earl Lehner, Trustee

**Board of Trustees of
Troy Township,
Delaware County, Ohio**

DISAPPROVED:

Doug Price, Chairman

Paul Price, Vice Chairman

Earl Lehner, Trustee

**Board of Trustees of
Troy Township,
Delaware County, Ohio**

Resolution No. 2008-2
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The Troy Township Trustees have set a Public Hearing regarding the text amendments to Articles XXI, XXII, and XXIII of the Zoning Code for Monday, February 18, 2008 at 7:30 p.m. prior to the Trustee meeting at 8:00 p.m. The public is encouraged to attend.

The Fiscal Officer will advertise this hearing.

Mr. Earl Lehner moved to adjourn. Mr. Paul Price seconded. All voting yes, the motion passed.

Doug Price, Chairman

Paul Price, Vice Chairman

Earl Lehner, Trustee

Attest: Pam Starling, Fiscal Officer
