

**Minutes of the  
Board of Trustees of Troy Township  
Regular meeting held June 26, 2006**

The regular meeting of the Troy Township Trustee's was called to order by Chairman Paul Price at 8:00 p.m. at the Troy Township Hall, 4392 U.S. Route 23 North, Delaware, Ohio with Trustee's Paul Price, Earl Lehner, and Larry Starling, Fiscal Officer Pam Starling, Zoning Inspector Doug Price, and Zoning and Trustee's Secretary, Kelly Williams.

Mr. Price led those in attendance in the Pledge of Allegiance to the Flag.

The agenda for tonight's meeting was reviewed and amended as follows: Under New Business add: 1.) Set public hearing for zoning change request from applicant Paul's Marine, Inc. Under Cemetery Report add: 1.) Damage to Vella Runyon's family headstone.

**Mr. Starling moved to approve the agenda as amended. Mr. Lehner seconded. All voting yes, the motion passed.**

**OPEN COMMENTS**

Mr. James Mong spoke to the Trustee's about a meeting on June 8, 2006 for the Hills-Miller Road residents and owners. The City of Delaware, Ohio contacted the Hills-Miller Road residents and owners to attend a meeting on June 8, 2006.

The following is the letter sent to the residents:

Background:

This is the third and final phase of the construction of a 24-inch water transmission line from the area of Ohio 37 to the City Water Treatment plant on U.S. 23 North. The first phase, completed in 2002, travels from Ohio 37 along North Houk Road to Merrick Boulevard. The second phase, completed in 2005, travels north from Merrick to the Hills-Miller Road area, west of the CSX rail line.

The transmission line replaces an 1880's-era, 16-inch water line located under U.S. 23 that is prone to failure. The new line will ensure reliable, potable water service to Hills-Miller Road residents. It will also mean improved fire flow protection, reducing homeowner insurance risk, and increased property value.

Q: What is the Scope of the Project?

A: Construction of approximately 10,000 feet of 24-inch water line along the north side of Hills-Miller Road, from just west of the CSX rail line to U.S. 23 north.

Q: When Will the Project Begin?

A: When all easements are secured from property owners, design and construction will begin, likely this fall.

Q: Will I be Contacted by the City about Easements:

A: Yes. In a few weeks, you will receive a letter from the City's Public Utilities Department, requesting a meeting. Department Officials will be happy to meet with you at your home, if you wish.

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Q: Is there a Cost to Obtain Water Service?

A: Yes. The cost will be about \$5,000 per customer. This total includes the water capacity fee, water meter pit and meter, permit, water service line from the meter pit to the house, and well or cistern disconnection. Keep in mind, you also will be required to install a service line from the water meter pit to your home.

Q: Do I have to Choose City Water Service?

A: No. The line will be built even if no Hills-Miller property owners sign up for service. The City will negotiate an easement from you, so the water line can continue, but you will not be required to connect to City service. Be aware, however, that capacity fees are likely to increase in coming years.

Q: Will the City Annex My Property?

A: Property owners will need to initiate the annexation process, individually or as a group. In order to receive water or sewer service, it will be necessary to annex or agree to annex your property when it shares any common border or is contiguous with the City. If you agree to annex and connect water service, but cannot immediately annex because your property is not contiguous, then the City, by ordinance, is required to collect a surcharge equal to an additional 50 percent of the monthly charges for water.

Q: When I have a Question, Who Can I Contact at the City?

A: Perry Mickley, Public Utilities Department, 740-362-4795.

Mr. Mong would like to investigate this project and bring in experts to explain their information to the Trustees. The Trustees thanked Mr. Mong for his willingness to look into this project and bring back some information to them.

**MINUTES**

The Chairman dispensed with the reading of the minutes of the May 15, 2006 regular meeting. Copies were available.

The Fiscal Officer read an e-mail from Mr. Dan Weber regarding the May 15, 2006 minutes and his open comments. He felt there were a few items in his open comments that needed to be amended.

Item #1 Mr. Weber states "I did not say that there were no semi tractors on the property. What I said was that there were no semi trailers on the property in the past".

The Trustees agreed to amend the minutes under open comments, Mr. Dan Weber's first paragraph, the two places where the word tractors appears, replace with "trailers".

Item #2 Mr. Weber states, "As far as the dead trees, I stated that Mr. Schuette refused my letter about helping him with the trees, and stopped talking to Doug as a go between. At that point I ran a line as to what I think is my property line, (Doug assisted me in measuring it), I then took down only the trees on my property".

The Trustees agreed to delete the second paragraph of Mr. Dan Weber's open comments in

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the minutes and replace it with the following:

"Mr. Weber stated that Mr. Schuette refused his letter about helping him with the trees, and stopped talking to Doug Price as a go between. At that point he ran a line as to what he thought was his property line, (Doug Price assisted him in measuring it), he then took down only the trees on his property."

Item #3 Mr. Weber states, "The pump that was running. I stated that I did not bother any of you about the pump running at all hours. I stated that another person closer to the pump was very upset and called Doug and later the sheriff about it running way into the night."

The Trustees agreed not to make a change to the minutes on this item.

Item #4 Mr. Weber states, "You have down that I said there were 12 semi trucks. I never stated that there were 12 semi trucks, because there is not. He has 12 to 14 dump trucks, but not semi trucks. Again what I said was that he has a semi trailer that shows up with freight on it, and it stays there for a while, as well as the trailer that had been at his son's for many years. I asked, why did they think it was at his son's for all those years and not on his property? Because he couldn't get it up the drive."

The Trustees agreed to amend the minutes on page 2, 3<sup>rd</sup> paragraph to read as follows:

"He has 12-14 dump-trucks. He has a semi trailer that shows up with freight on it, and it stays there for a while, as well as the trailer that has been at his sons for many years."

Item #5, sub-item #1, not semi-tractors, --trailers

The Trustees agreed to amend the minutes on page 2, item #1 from semi-tractor's to semi-trailers.

Item #5, sub-item #3 & 4, I gave you the code numbers of these violations.

The Trustees agreed not to make a change to the minutes since Mr. Weber did not see a need to include the code numbers of alleged violations in his e-mail for any amendments.

**Mr. Lehner moved to approve the May 15, 2006 regular meeting minutes as amended. Mr. Starling seconded. All voting yes, motion passed.**

**ZONING REPORT**

Mr. D. Price gave the June, 2006 zoning report. He had 4 permits. 1 new home, 1 garage, 2 other (signs), 14 phone calls, 2 field inspections.

A variance hearing was approved on Buttermilk Hill Road. There is another variance hearing next month on Troutman Road and U.S. 23 regarding a rezoning to commercial.

The Trustees need to set a public hearing for a rezoning request from applicant Paul's Marine.

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**Mr. Starling moved to set a public hearing regarding the rezoning request from applicant Paul's Marine, Inc., for Monday, July 17, 2006 at 8:30 p.m. at the Troy Township Hall. Mr. Lehner seconded. All voting yes, motion passed.**

**TRUSTEE REPORTS**

Mr. Starling did a little road mowing. He called Parrott's to replace fuel line and check the valve on the tractor. He helped Mr. Lehner clean the shop. He planted flowers at Marlborough Cemetery. He handled the final plans for the Memorial Day Ceremony. He attended the NIMS training. He helped Mr. Price sweep debris off the road. He took the road improvement contract and chip and seal request for Troutman Road to the Delaware County Engineer's Office.

Mr. Price attended the Rail Road task force meeting twice. He attended the LEPC meeting. He attended the Road meeting regarding improvements to our roads. He attended the NIMS training. He attended the meeting with the City and the Hills-Miller residents regarding the water line. He attended the Delaware Area Response Team Exposition Show. Mr. Price and Chuck Magill put up signs at Troutman, Miller, and Willey Roads to replace stolen ones. They also put up a warning sign for a hole on Troutman Road bridge. The County put steel plates over the hole the next day. Mr. Price replaced a mailbox on Coover Road that he hit with the road mower. A tire blew on the road mower. He power washed the tractor and mower. Mr. Price checked the hole in the berm on South Section Line Road north of Buttermilk Hill Road. He put out cones for high water when we had the bad storm. Mr. Price and Mr. Starling picked up the cones and swept the roads of debris after the storm. Mr. Price and Mr. Magill used the weedeater on the intersections and the mowing is almost complete. Mr. Price and Mr. Magill put up a warning sign on Penry Road and North Section Line Road warning residents who dug out the piece of pipe in the road right-of-way.

Mr. Lehner cleaned the shop. He loaded the trash and used his loader to have the large trash taken to the transfer station. He recycled a lot. He put more berm on Miller Road. He called Zimmerman's to fix a leak under the new water line going to the outside faucet. He attended the Delaware Area Response Team Exposition Show.

**CEMETERY REPORT**

The Memorial Day Ceremony went very well. Good attendance. Very hot that day.

**Mr. Lehner moved to donate \$50.00 to Pastor Earl Smith, The Wyler's, and the Pipe and Drum Corp., for their participation in the Memorial Day Ceremony. Mr. Starling seconded. All voting yes, the motion passed.**

Vella Runyon called Mr. Lehner and said a representative of a vault company hit the headstone of her mother's grave and damaged it. The vases are loose and need resealed. Mr. Lehner will look into it and see what needs to be done.

**Mr. Lehner moved that the Trustee's have had a request from a hardship case to make payments for the open/close of a gravesite for a period of eight months and we the Trustee's agreed to this request starting July, 2007 and to be paid by January of 2007. Mr. Starling**

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**seconded. All voting yes, motion passed.**

**FIRE DISTRICT**

They approved various training. Purchased a heavy duty air chisel kit which opens a car when a person is trapped inside for \$1,595.00. Purchased a heavy duty chain kit which is used in various rescue situations for \$695.00. They applied for a grant through the Fire Act money for SCBA for refill station. Applied for safer grant that will fund the staff for a five year period. Applied for a grant to purchase wild land firefighting equipment. Health insurance is going up 14% so they are looking into changing it.

**FISCAL OFFICER'S BUSINESS**

The Fiscal Officer presented the cash journal for the month of June 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. Starling moved and Mr. Lehner seconded that funds be released to pay the pending warrants. All voting yes, the motion passed.**

The Fiscal Officer presented the following correspondence to the Trustee's:

- Grass Roots – June and July 2006
- Delaware County Prosecutor's Office
  - o Re: Public Records Requests
  - o Re: Declaration Regarding material Assistance/Nonassistance to a Terrorist Organization

**OLD BUSINESS**

The County installed plastic stakes at the northwest corner of Troy Road and Hills-Miller Road. The County put stone in the corner of Troy Road and Hills-Miller Road also. The County also pushed out corn stalks from the culvert of North Section Line Road north of Gallant Road on the east side of the road.

**NEW BUSINESS**

**Weed Complaints:**

Ms. Williams will send noxious weed letters to residents who are not mowing their lots.

**Mowing Complaints:**

Bob James called Mr. Starling to complain about the township mowing on Troy Road in front of Joe Clase's house. He didn't think the township mower should be used to mow on county roads.

Mr. Price said the he mows all intersections and across the road for safety issues. They are all

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mowed the same.

**July 10, 2006 meeting with Delaware County Prosecutor regarding pending legal action:**

This meeting has been changed to July 26, 2006 to attend status conference at 10:00 a.m. Doug Price, Stan Haas and a Trustee are required to be present with the Prosecuting Attorney. The Trustee is asked to be present to have authorization to answer questions on behalf of the township.

**Mr. Price moved to appoint Mr. Starling as the Township Representative to attend the Status Conference on July 26, 2006. Mr. Lehner seconded. All voting yes, the motion passed.**

**Drainage Issue at Penry Road and North Section Line Road:**

On June 3, 2006 Mr. Starling and Mr. Price looked at the pipe on Penry Road and North Section Line Road and the water was flowing through the pipe that was installed by the township in 2005. They removed some debris and it was flowing at full capacity. The pipe was installed to keep the berm stone out of the ditch because of the fact that the landowner dug the ditch out previously. At a later date the pipe was removed by Steve and Chuck Lehner or associates and it caused a steep bank and a safety issue in the road right-of-way. Mr. Starling suggests setting a meeting with everyone to discuss a drainage issue to fix the road. Mr. Price said we would need to install a 24" drop box and a 12" pipe to divert the water from the ditch. The drop box would cost approximately \$200.00 and the grate to cover it would cost approximately \$200.00.

**Mr. Starling moved to have the County install a 24" drop box and a 12" pipe and keep it in the road right-of-way. Also, have the County itemize the bill and have Radnor Township pay their portion if they so desire. We will ask the Prosecutor's Office to send a letter to the residents stating that if they damage this drop box or pipe they will be prosecuted. Mr. Price seconded. Mr. Lehner abstained. Mr. Starling and Mr. Price voting yes. Majority vote passed. Motion passed.**

The next Troy Township Trustee meeting is Monday, July 17, 2006 at 8:00 p.m. with the public hearing on the rezoning request at 8:30 p.m.

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

Larry Starling \_\_\_\_\_

Paul Price \_\_\_\_\_

Earl Lehner \_\_\_\_\_

Attest: Pam Starling, Fiscal Officer \_\_\_\_\_