

Minutes of the  
Board of Trustees of Troy Township  
Public Hearing and Regular meeting held November 20, 2006

The public hearing was called to order at 7:30 p.m. by Chairman Paul Price regarding the zoning text amendments to the Troy Township Comprehensive Plan.

After discussion regarding the proposed zoning text amendments the following motions were made:

Mr. Starling moved to approve the Adult Entertainment text amendments as presented by the Zoning Commission and the Delaware County Regional Planning Commission. A revised zoning code will be attached at a later date for clarification. Mr. Lehner seconded. All voting yes, the motion passed.

Mr. Starling, due to the need for some clarification of some of the numbering issues, moved to table the PID text. Mr. Lehner seconded. All voting yes, the motion passed.

Mr. Lehner moved to amend the definitions for the Adult Entertainment text as recommended by the Delaware County Prosecutor. Mr. Starling seconded. All voting yes, the motion passed.

Mr. Lehner moved to adopt the definitions for the Adult Entertainment text as amended. Mr. Starling seconded. All voting yes, the motion passed.

Mr. Lehner moved to approve the amendments to the Comprehensive Plan map as follows: An area bound by Radnor Road to the South, bordered on the East by U.S. Highway 23 North to the Marlboro Township line, West along the Marlboro Township line to the Norfolk Southern Railroad right-of-way, South along the Norfolk Southern Railroad right-of-way to Radnor Road and East along Radnor Road to U.S. Highway 23 North excluding the area designated as Planned Commercial. Mr. Starling seconded. All voting yes, the motion passed.

Mr. Lehner moved to close the public hearing. Mr. Starling seconded. All voting yes, the motion passed.

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The regular meeting of the Troy Township Trustee's was called to order by Chairman Paul Price at 8:15 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 Old Business: (1) Brush and trees at Willey Road and Railroad. Under New Business add: (1) Set Public Hearing for request from T & R Properties for a change to the Comprehensive Plan, (2) Joint Township meeting, and (3) City snow and ice agreement.

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

OPEN COMMENTS

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Chief Troy Morris was present to discuss the new Tri-Township Fire Station. The optimum location for this new Fire Station would be along the Route 23 corridor. It will be a sub-station designed for future expansion. He presented the Trustee's with a poster of the architects drawing of the station.

Mr. Jim Mong has been noticing that there are a number of properties for sale that have less than two acres. The Zoning Inspector informed him that they were grandfathered in after the zoning changes so they are legal.

**ZONING REPORT**

Mr. D. Price gave the November, 2006 zoning report. He had 2 permits. He handled 10 phone calls and 4 field inspections. Mr. Price updated the Township map with the latest changes and will hang it in the Township Hall.

He passed out a listing of properties showing their status of non-conformance from September 2, 1998 until November 17, 2006.

Mr. Starling, Mr. D. Price, Mr. Stan Haas and the prosecuting Attorney's office were present at the pre-trial conference before Judge Whitney on November 13, 2006 regarding the legal action filed by the Weber's. Judge Whitney requested certification of the minutes of the Board of Zoning Appeals hearing from the Fiscal Officer, who took the minutes that evening, and the Zoning Secretary. He also ordered that the documents prepared by the Prosecuting Attorney be put in chronological order by December 1, 2006 for his review.

**Mr. Starling moved to set a public hearing on the request of T & R Properties for an amendment to the Township Comprehensive Plan on Wednesday, December 13, 2006 at 7:30 p.m. Mr. Lehner seconded. All voting yes, the motion passed.**

The Fiscal Officer will advertise this public hearing.

**MINUTES**

The Chairman dispensed with the reading of the minutes of the October 16, 2006 public hearing and regular meeting. Copies were available.

**Mr. Starling moved to approve the October 16, 2006 public hearing and regular meeting minutes. Mr. Lehner seconded. All voting yes, motion passed.**

**TRUSTEE REPORTS**

Mr. Starling attended the pre-trial conference regarding the Weber legal action. He did some township mowing along the roads. He attended the Delaware County Regional Planning Commission meeting. He fielded some resident's complaints from Stonebrook Road.

Mr. Lehner took the Township truck in for maintenance. He fielded some resident's complaints from Stonebrook Road.

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Mr. Price picked up the hydraulic motor for the spinner on the small truck for ice control. He took the roller off the road mower to be rebuilt. The cost will be approximately \$700. He replaced a railroad sign on Buttermilk Hill Road. He cleaned the small truck to get it ready for winter. He attended the LEPC meeting, the Railroad meeting, and attended the meeting for the Preservation Parks. He reported that the Preservation Parks are planning some improvements to the West side of Buttermilk Hill Road.

**CEMETERY REPORT**

Mr. Starling could not find where the water hydrant had been leaking. He will discuss it with Mr. Pete Price. He picked up the flags from the storage unit and will deliver them to the Boy Scouts.

**FIRE DISTRICT**

The Chief provided a summary of the runs for Tri-Twp to the Trustee's. Chief Morris is the new chair of the LEPC Committee.

**FISCAL OFFICER'S BUSINESS**

The Fiscal Officer presented the cash journal for the month of November 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 following were discussed by the Fiscal Officer and the Trustees:

- Grass roots
- Delaware County Prosecutor – Compatibility of positions of fire chief of joint fire district and member of township zoning commission
- Minutes guideline for the 2007 organizational meeting to be scheduled

**OLD BUSINESS**

**Brush and trees on Willey Road:** Mr. Price informed the Trustees that the brush and trees at Willey Road and the railroad were trimmed back and removed by PUCO, Rand Patterson.

**NEW BUSINESS**

Mr. Starling informed the Trustees that there will be a joint township meeting on Saturday, November 25, 2006 from 9 – 12 at the Delaware Township Hall. Representative Jon Peterson will speak on annexation issues.

**Snow and Ice Agreement:** Mr. Lehner presented the agreement to the Trustees from the City of Delaware.

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**Mr. Starling moved to accept the Snow and Ice Control Maintenance Agreement for the 2006-2007 season as follows:**

- Clear Run – The City of Delaware will maintain Clear Run hill
- Hills Miller Road – The City of Delaware will maintain Hills Miller Road to Oakhurst Drive
- Clear Run – Troy Township will maintain Clear Run from T.S.C. to the end
- Hills Miller Road – Troy Township will maintain Hills Miller Road from Oakhurst Road to the west.

**Mr. Lehner seconded. All voting yes, the motion passed.**

There was discussion regarding paying Stan Haas for attending the pre-trial conference. The Trustee's decided to pay Mr. Haas the rate for attending a Zoning Commission or Zoning Appeals meeting which is \$30.00 per meeting.

**Mr. Starling moved to pay Stan Haas \$30.00 for attending the pre-trial conference on November 13, 2006. Mr. Lehner seconded. All voting yes, the motion passed.**

Rosemary Bell sent her resignation from the Zoning Commission Board to the Trustees effective immediately.

**Mr. Starling moved to appoint Troy Morris as Zoning Commission Board Member immediately replacing Rosemary Bell for the term ending 12-31-09. Mr. Lehner seconded. All voting yes, the motion passed.**

**Mr. Lehner moved to schedule the end of the year meeting and the organizational meeting on Saturday, December 30, 2006 at 1:00 p.m. Mr. Starling seconded. All voting yes, the motion passed.**

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

Paul Price, Chairman \_\_\_\_\_

Earl Lehner, Vice Chairman \_\_\_\_\_

Larry Starling, Trustee \_\_\_\_\_

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