

RUSHCREEK TOWNSHIP TRUSTEES  
MEETING MINUTES

March 6, 2024

Chad Ashbaugh, Chairman called the Rushcreek Township Trustee Board meeting to order at 7:00 p.m.

**Pledge to American Flag**

**Roll Call of the Board: Chad: Present Rick: Present Jim: Present**

**Lisa (fiscal): Present Will (fire): Present Richard (roads): Present**

Chad asked that all cell phones be muted except for the Chief's.

**VISITORS**

Charlie Hockman – Regional Planning Rep, Phil Miller- Zoning Appeals Chairman,  
Brian Irwin – Asst. Fire Chief, Micheala Haley

**Regional Planning – Charlie Hockman**

Comprehensive Use Plan was modified from 2 to 4 mixed use areas. Charlie expressed some concern regarding the plan not addressing ingress and egress in and out of the County. A more detailed report is attached to the minutes. Regional Planning approved the text changes without modification to Rushcreek Township Zoning Resolution. Charlie indicated that as a member of the Zoning Appeals Board since these changes were approved would it be necessary to move forward with the variance request from Mr. and Mrs. Haley. Phil Miller, Chairman of the Appeals Board was as of the same opinion. Trustee Downard noted that the changes had not yet been through a public hearing and the Board had not voted on final approval. Phil suggested that a meeting could possibly be moved up based on these changes. Fiscal Officer was concerned that a public meeting had been scheduled to hear the variance request and letters sent to surrounding property owners regarding the meeting. Trustee Downard suggested a conversion with PA office regarding the situation and would advise the Haley's of the direction based on that conversation. The Variance hearing will remain on the schedule. Mrs. Haley stated her reason for attendance was to understand the path forward after a conversation with Charlie Hockman after the Regional Planning meeting. The Haley's have had contractors lined up to perform the work on a couple of occasions and the process has extended beyond the 30 days noted in our Zoning Resolution. Phil Miller indicated part of the delay related to a drawing and location of the building of the property. Mrs. Haley stated there was a drawing submitted with the original application that was denied and it had not been sent to Phil because it had "disapproved" written on the drawing. Phil confirmed he did not review the application for the variance immediately on receipt and then the Haley's were contacted for a "new" drawing further delaying the process.

**CHAIRMAN**

New sign and awnings were installed at the fire department. Trustee Ashbaugh made a motion to purchase a 3<sup>rd</sup> awning in the amount of \$800.00 for the 2<sup>nd</sup> back door. Trustee Downard entered the 2<sup>nd</sup>.

Discussion: Chief asked if identification could be added to indicated the correct entrance on the awnings in the rear. Hearing no further discussion. **Roll Call: Chad: Aye Rick: Aye Jim: Aye**

**MINUTES**

The Minutes from the February 21, 2024 regular meeting have been distributed for review prior to the meeting, and are being presented for approval. **Roll Call: Chad: Aye Rick: Aye Jim: Aye**

**Motion to accept:** Trustee Moyer **Second:** Trustee Downard

**Roll Call: Chad: Aye Rick: Aye Jim: Aye**

Chad reminded everyone that the minutes are available upon request at the Fiscal Officer's office and the website.

**FINANCIAL SECTION**

Warrants 43456 through 43461 along with EFT's 96-2024 through 116-2024 in the amount of \$37,194.24

Purchase Order 10-2024 Gene's Sign

February Bank Reconciliation

**Motion to approve and pay : Trustee Downard Second: Trustee Moyer**

**Roll Call: Chad: Aye Rick: Aye Jim: Aye**

**Fiscal Office**

1. Received 3<sup>rd</sup> and 4th quarter salary reimbursement from EMA/APRA grant in the amount of \$32,006.09.
  2. Holiday pay adjustment of .86 cents for EMTP's and .75 cents for EMT's rate of pay for Holiday's in error. Correction made in UAN and difference on March 16<sup>th</sup>'s check.
  3. Received packets and addresses from Zoning Inspector on 2/26 for Haley Variance. Sent letters to surrounding homeowners and prepared packets for Zoning Appeals Board and notified Towne Crier and Website for Haley Variance on 2/28. Received a follow-up letter on March 4<sup>th</sup> that was emailed to the Board and Zoning Inspector. Copy left in box for Zoning Inspector to Appeals Chair. Emailed copies to the Board. The Haley's are requesting a refund of the Variance fee since the process was not completed with the stated timeframe.
  4. Received records request and notice to appear from Fairfield County Municipal for a Medic Run that occurred on 2/16/2024 for Eugenia England forwarded to Fire Chief. Chief stated they had emailed all documentation to the PA.
- Received permit application check for Cripps, 3486 Durbin Run Road, posted check and forwarded to Zoning Inspector 3/6.

**Fire**

Medicount annual report received. A copy was provided to the Board.

Contacted Firefighter Christopher McKibben 3/5/2024 regarding violation of SOP100. Firefighter McKibben will be provided the opportunity to correct the deficiency during the month of March. If not resolved the department will proceed to formal notice and hearing and charges. Chief stated that since that call; FF McKibben has added his name to the shift.

Firefighter Kerr is returned from administrative leave effective 3-2-2024.

Discussion of additional Full or Part time staff for the Fire Department. Chief is asking for a 6<sup>th</sup> fulltime FF2/EMT/or EMTP to complete a full roster. The department has not been able to supplement with part time personnel. This would complete 3- 2-person crews covering the department 24/7/365 to better serve. Trustee Ashbaugh asked if we have candidates. Chief stated they do. **Trustee Moyer moved to add a 6<sup>th</sup> full time person as a FF2/EMT @ the current rate of pay. Second: Trustee Downard.**

**Discussion:** The Board asked about specific \$ associated with a 6<sup>th</sup> full time person and the 2024 Budget. Chief indicated the funds would be reallocated from the part time staff to full time and Ohio Police and Fire Pension fund. The Board inquired about the SOP and probationary period for any new full-time personnel. Chief stated SOP #33 related to probationary period. There was much discussion between the Board, Chief, Asst. Chief, and Fiscal regarding the remaining funds available to supplement with part time/call-in and Volunteer. #'s regarding basic EMT Salary of approximately \$51,800 before benefits and 24% to Ohio Police and Fire Retirement. Trustee Ashbaugh indicated a minimum of \$76,000.00 without all benefits would be needed to add personnel. **Hearing no further discussion Trustee**

**Ashbaugh called the roll. Chad: Aye Rick: Aye Jim: Aye**

Chief also requested a review of SOP 100 requiring min. hours of part time personnel and officers. Chief and Asst. Chief are requesting to reduce the # of hours to 32 per quarter. A broad discussion of what is



Part time, call in, and volunteer took place. The Board is tabling this topic for a future meeting without change to the current SOP.

Received application for 2024 Shriner’s Grant. Chief state one of the items they are considering for the application is an infant drop box.

**2-16 through 2-29**

<b>EMS</b>	<b>23</b>	<b>RUNS</b>	<b>TRANSPORTS</b>	<b>10</b>
<b>FIRE</b>	<b>3</b>			
<b>MVA</b>	<b>1</b>			
<b>MUTUAL AID</b>	<b>7</b>	<b>GIVEN</b>	<b>4</b>	<b>RECEIVED</b>

	<b>GIVEN</b>	<b>RECEIVED</b>
Berne Township	<b>2</b>	<u><b>0</b></u>
Junction City	<b>3</b>	<u><b>0</b></u>
Marion	<b>0</b>	<u><b>0</b></u>
Lancaster	<b>0</b>	<u><b>0</b></u>
Pleasant	<b>0</b>	<u><b>2</b></u>
Richland	<b>1</b>	<u><b>2</b></u>
Misc. (Somerset, Hopewell, Straitsville, New Lex	<b>1</b>	<u><b>0</b></u>

**Zoning**

Report received just prior to meeting (attached)

The Board reviewed the report. Exceptions noted: Trustee Moyer did not remove any OUPS tickets from Zoning Inspector inbox. Road Supervisor as a courtesy provides copies of tickets to Trustee and Zoning. ZI initially went to wrong property on Durbin Run Road.

Road Supervisor nor Zoning Inspector provided any paperwork to provide a refund to anyone for a ROW permit. Without documentation as previously indicated no checks will come from the Fiscal Office.

Zoning Commission Chair Dave Foltz sent last work session meeting minutes from the Commission as they had not been received prior. 3/6/24 Dave also asked to have notice of a public meeting published and sent as a legal notice to the Eagle Gazette.

**Road Department**

Chip Seal Stone bid placed on website and in Towne Crier for April 7th

Cold Patch Bid placed on website and in Towne Crier for March 20th

Heyd Road Bid reclaim bid on website and in Towne Crier for March 20<sup>th</sup> along with OLG Clearinghouse. We have a password but have been not able to log in.

Received a complaint on Tent Church Road regarding clearing of leaves from road ditches. Trustee Ashbaugh did go and look at the area of the complaint. Trustee Ashbaugh stated he could not see where any leaves had been put in someone yard.

Tree trimming on chip seal roads

Ditching and cutting in berms

Treated roads with Trustee Ashbaugh

Flat tire repair on loader  
Clearing debris and culverts after high wind  
Cold patching

**Administration**

Mulberry Street fire update. Trustee Downard has been in contact with Ms. Waibel on 3/2/24 at 6:41 a.m. Trustee Downard indicated conversations have occurred between our PA and Bremen Village counsel and waiting on that result which would not be until at least 3/13 as our PA would be out of the office. PA did ask for permission to share our communications with Bremen Village Counsel.

Trustees Downard and Moyer have a meeting with Randy Farher and family on Friday regarding fence line matter.

**Further Business**

Trustee Moyer presented the Board with a letter of resignation (attached) from Zoning Inspector Detria Hiles. She also included a timesheet, her report and a copy of a letter to the Prosecuting Attorney's Office. Trustee Moyer moved to accept her resignation. Trustee Ashbaugh Second.

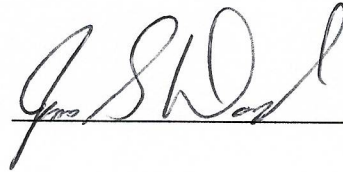
**Trustee Ashbaugh hearing no further business**

**Motion to Adjourn:** Trustee Moyer

Adjournment time: 8:26 p.m.



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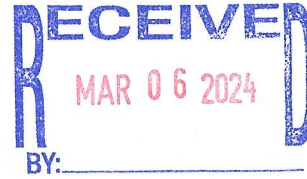
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March 6, 2024

LISA BURNWORTH  
P.O. BOX 88  
BREMEN, OH 43107



Dear Lisa Burnworth,

The Fairfield County Regional Planning Commission, at its March 5<sup>th</sup>, 2024 meeting, reviewed Rushcreek Township's proposed zoning text amendments. The RPC adopted a motion to **approve** the proposed text amendments.

RPC Meeting Comments:

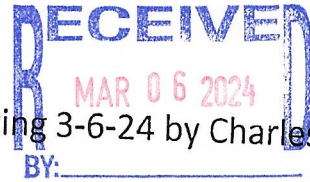
- No comments were made regarding the proposed amendment.

If you have any questions, please feel free to contact me.

Sincerely,

**Joshua T. Hillberry**

Joshua Hillberry  
Regional Planner  
Fairfield County Regional Planning Commission



RPC Meeting Notes of March 5, 2024 for Twp. meeting 3-6-24 by Charles Hockman

Our meeting was held at the Fairfield Co. Work Force Center at 4465 Coonpath Rd. Carroll, Ohio and US 33, because of larger than normal attendance. The Comprehensive Use plan was approved for the counties projected future growth. There were 4 no votes.

Rushcreek Twp's <sup>4</sup> 3 zoning text amendments were approved. This is the abbreviated version.

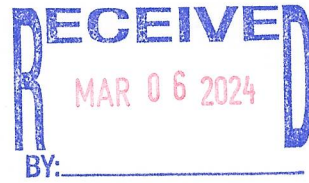
1. The minimum livable floor area for homes was reduced from 1150 sq. ft. to 650 sq. ft.
2. Single accessory structures can now be larger than the floor area of the principle structure but no closer than 10 ft. to the home.
3. Accessory structures up to 300 sq. ft. can now be placed on foundations other than permanent. That is up from 100 sq. ft.

*4. Accessory structures size increased to 3,200 Sq. Ft*  
Now that the Comprehensive Use Plan is now waiting for the county commissioners to approve it, RPC 's Interim Director, Holly Mattei, stated the office will now be working on a county wide zoning text model. There will be no cost for townships as the commissions are helping us out. Each township can adopt the whole model or parts there of. Our participation is optional but requested. Each township will be getting participation info. in the next few days.

We elected officers for next year.

The officers are as attached.





Slate of Officers:

President

- Jennifer Morgan

Vice-President

- Ira Weiss

Second Vice-President

- Doug Ingram

Secretary

- Kent Huston

Recommendations for Executive Committee Members:

- Doug Ingram (Second Vice-President\*)
- Jennifer Morgan (President\*)
- Kent Huston (Secretary\*)
- Todd Edwards (Retail Merchant)
- Ira Weiss (Vice-President\*)
- Darrin Monhollen (Violet Township)
- Jeff Porter (At Large)
- *Gail Ellinger*

\*If elected as officer would automatically be a member of the Executive Committee

## Zoning Inspector Report

3-6-24

Moyer reported "new wood" on the back of a house on Durbin Run. Homeowner was given a permit for him to complete his new roof over a porch.

Moyer reported Marietta Quilt Shop was running a business out of her home. I left a message with the business owner that she needs a Conditional Use permit, no response yet.

Moyer asked if the fees were settled for 7326 Pleasantview. Builder was contacted and Moyer was told that Lisa still has not refunded his ROW \$50 permit fee.

Moyer took an OUPS ticket out of my mailbox. I contacted the homeowner and told that he needs a permit for a fence.

Denied Howdysshell lot split, contacted him and corrected the information he was told by Downard, then explained the order of events that is to happen. He can now file an Appeal with the Board of Appeals. Then, if lot split approved, he applies for a Variance. Regional Planning would not have had to call me if he had been referred to me as Zoning Inspector first.

Crystal Walker was sent zoning list even though I was instructed not to have contact with anyone at the county level.

Completed Census Reports

Attended Code Enforcement seminar with Dave Foltz



## Payment Listing

3/7/2024 to 3/20/2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
117-2024	03/19/2024	03/16/2024	EP	DONALD L ABRAM III	\$329.66	O
118-2024	03/19/2024	03/16/2024	EP	CHAD M ASHBAUGH	\$555.83	O
119-2024	03/19/2024	03/16/2024	EP	LISA A BURNWORTH	\$822.48	O
120-2024	03/19/2024	03/16/2024	EP	DAVID G CAMPBELL	\$1,193.69	O
121-2024	03/19/2024	03/16/2024	EP	RICHARD CURTLENN CAMPBELL	\$1,289.12	O
122-2024	03/19/2024	03/16/2024	EP	JAMES S DOWNARD	\$633.38	O
123-2024	03/19/2024	03/16/2024	EP	WILLIAM M. DUVALL	\$952.21	O
124-2024	03/19/2024	03/16/2024	EP	AMBER LEE-ANNE FLINT	\$1,691.06	O
125-2024	03/19/2024	03/16/2024	EP	MATTHEW GRAHAM	\$968.32	O
126-2024	03/19/2024	03/16/2024	EP	ERIKA N HEDGES	\$269.99	O
127-2024	03/19/2024	03/16/2024	EP	JEREMI W HEDGES	\$2,414.22	O
128-2024	03/19/2024	03/16/2024	EP	DETRIA L HILES	\$13.53	O
129-2024	03/19/2024	03/16/2024	EP	BRIAN K. IRWIN	\$105.48	O
130-2024	03/19/2024	03/16/2024	EP	JORDAN P IRWIN	\$799.56	O
131-2024	03/19/2024	03/16/2024	EP	ANTHONY M. KERR	\$1,505.38	O
132-2024	03/19/2024	03/16/2024	EP	STEVEN PHILLIP KILBARGER	\$1,370.10	O
133-2024	03/19/2024	03/16/2024	EP	BRIAN P MALONE	\$17.40	O
134-2024	03/19/2024	03/16/2024	EP	RICHARD E MOYER	\$624.32	O
135-2024	03/19/2024	03/16/2024	EP	RYAN M SMITH	\$1,496.34	O
137-2024	03/19/2024	03/16/2024	EW	DEP'T OF TREASURY - IRS	\$3,697.43	V
137-2024	03/19/2024	03/16/2024	EW	DEP'T OF TREASURY - IRS	-\$3,697.43	V
138-2024	03/19/2024	03/16/2024	EW	REGIONAL INCOME TAX AGENCY	\$486.87	V
138-2024	03/19/2024	03/16/2024	EW	REGIONAL INCOME TAX AGENCY	-\$486.87	V
139-2024	03/19/2024	03/16/2024	EW	TREASURER OF STATE OF OHIO	\$1,138.97	V
139-2024	03/19/2024	03/16/2024	EW	TREASURER OF STATE OF OHIO	-\$1,138.97	V
140-2024	03/19/2024	03/16/2024	EW	SCHOOL DISTRICT INCOME TAX	\$709.71	V
140-2024	03/19/2024	03/16/2024	EW	SCHOOL DISTRICT INCOME TAX	-\$709.71	V
141-2024	03/20/2024	03/16/2024	EP	RICHARD CURTLENN CAMPBELL	\$493.20	O
143-2024	03/20/2024	03/16/2024	EW	DEP'T OF TREASURY - IRS	\$3,800.07	O
144-2024	03/20/2024	03/16/2024	EW	REGIONAL INCOME TAX AGENCY	\$492.62	O
145-2024	03/20/2024	03/16/2024	EW	TREASURER OF STATE OF OHIO	\$1,145.28	O
146-2024	03/20/2024	03/16/2024	EW	SCHOOL DISTRICT INCOME TAX	\$721.22	O
43462	03/11/2024	03/07/2024	AW	WOODSIDE GARAGE DOOR COMPANY LLC	\$450.00	O
43463	03/20/2024	03/19/2024	AW	ALLIED BENEFIT SYSTEMS, INC.	\$6,421.44	O
43464	03/20/2024	03/19/2024	AW	MWG ADMINISTRATORS -	\$300.36	O
43465	03/20/2024	03/19/2024	AW	R.D. HOLDER OIL COMPANY	\$1,231.37	O
43466	03/20/2024	03/19/2024	AW	TIMOTHY C MOYER	\$154.00	O
43467	03/20/2024	03/19/2024	AW	VASU COMMUNICATON INC	\$846.00	O
43468	03/20/2024	03/19/2024	AW	BOUND TREE MEDICAL	\$169.75	O
43469	03/20/2024	03/19/2024	AW	MECC REGIONAL COUNCIL OF GOVERNMI	\$2,500.00	O
43470	03/20/2024	03/19/2024	AW	FIRE HOUSE, INC.	\$187.00	O
43471	03/20/2024	03/19/2024	AW	Napa Auto Parts	\$43.98	O
43472	03/20/2024	03/19/2024	AW	AMERICAN ELECTRIC POWER	\$860.69	O
43473	03/20/2024	03/19/2024	AW	VERIZON WIRELESS	\$14.18	O
43474	03/20/2024	03/19/2024	AW	VERIZON WIRELESS	\$80.22	O
43475	03/20/2024	03/19/2024	AW	COLUMBIA GAS COMPANY	\$603.00	O

All Rushcreek Township elected officials;

This letter is short so that it can be put in the minutes verbatim.

I have great concern that FCC and/or EPA rules or regulations may have been violated during my time as Zoning Inspector, without my control.

I have great concern that Trustee Moyer has aggressively attempted to change Rushcreek Township code for personal reasons, even after the process and Article 6.3D was explained to him again by ZC Chair Foltz.

I have great concern about the Trustees and Fiscal Officer impeding me from speaking with the Prosecuting Attorney (and all Fairfield County Departments), in seeking answers to questions I may have as to the rule of law regarding zoning.

I have great concern that the three Trustees and Fiscal Officer have absolutely no comprehension of their own Resolution, Article 6.3D specifically, regarding their interference of the Zoning Inspectors duties. "...It is further the Intent of this Resolution that the duties of the Township Board of Trustees in connection with this Resolution SHALL NOT INCLUDE HEARING AND DECIDING QUESTIONS OF INTERPRETATION AND ENFORCEMENT THAT MAY ARISE..." This includes their blatant disregard for any conflicts of interest they are a party to, and especially their lack of ethics in handling all matters.

I have a letter addressed to the Prosecuting Attorney stating these facts and other items.

I resign my position as Zoning Inspector effective immediately.

Detria Hiles

