

RUSHCREEK TOWNSHIP TRUSTEES
BOARD MEETING
02/15/2017

Hart Van Horn, Chairman called the Rushcreek Township Trustees Board meeting to order at 8:32am leading with the Pledge of Allegiance dedicating it to the military who defend this nation and the law enforcement who protect our freedoms. Those in attendance in addition to Hart were: Dave Myers, Trustee; Bill Myers, Trustee; Connie Moyer, Fiscal Officer; Doug Hintz, Road Superintendent; and Will Duvall, Fire Chief. Hart asked that all cell phones be muted along with all fire radios except the Chief and Road Superintendent.

Visitors

Tracy Shahan, Spencer Remoquillo, Chad Ashbaugh, Marvin Plank, Mary Hoffman, John Seifert, Bob Suer, Frank Harmon.

Bid Opening

The following ad was placed in the Eastern Edition of the Towne Crier and on the website: *Rushcreek Township Trustees are accepting sealed bids for various sizes and amounts of stone delivered to 213 Marietta Street, Bremen. Stone and trucking priced separately. Bid opening will be held February 15, 2017 @ 8:30am. Inquiries: 740-569-7181 Ext.#11. Rushcreek Township Trustees reserve the right to reject any or all bids.* The email and mailbox each were checked at 8:33 a.m. with one bid received. Trustee Dave Myer asked Chad Ashbaugh of Ashbaugh Trucking if he had a bid to submit. Mr. Ashbaugh declined. No other bids were requested/offered. Bid opening as following;

Shelly Materials

The most used stone was price compared.

	CURRENT BID			2016's PRICES		
Stone	Material	Trucking	Total	Material	Trucking	Total
57's	\$14.00	\$5.10	\$19.10/Ton	\$13.85	\$5.00	\$18.85/Ton
304's	\$12.25	\$5.10	\$17.35/Ton	\$12.25	\$5.00	\$17.25/Ton
8's	\$14.50	\$5.10	\$19.60/Ton	\$14.40	\$5.00	\$19.40/Ton

Dave made a motion to accept Shelly Material bid as submitted which runs from February 21, 2017 to February 21, 2018 and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Minutes

The minutes of the February 1st meeting were presented to the Trustees for approval. Bill made a motion to dispense with the reading of the minutes because the Trustees had reviewed them prior to the meeting and approve the minutes, Dave seconded the motion. Roll Call: Dave, yes; Bill, yes; Hart, aye. Hart reminded everyone that the minutes are available upon request at the Fiscal Officer's office and the website www.rushcreektwp.org.

Treasurer's Report

EFT #109-2017 and Warrants #40583 - #40598 in the amounts of \$76,978.20 were presented to the Trustees for signatures. Dave made a motion to pay the bills and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Payment Estimate #1 for the Firehouse Renovation was submitted by Seifert Construction to Kelly Architectural Services who certified the amount of \$71,599.92.

Hart asked John Seifert of Seifert Construction if he would provide a progress report on the renovation project. John reported that the interior demolition is complete along with the design openings have been blocked in. Currently the project is on hold by the State due to sprinkler system issues. The ramp has been moved to the occupied space rather than in the truck bay. Bids were obtained by Kelly Architectural Services on the sprinkler system however it is unclear who will be responsible to bring the water riser into the building. Bill stated he has stopped by the firehouse and the demo work is very efficient thus he would rate the workmanship as excellent. The foreman has showed him around thanking John for this

opportunity. Dave stated the crew is doing a good job with keeping minimal impact on the outside of the building. Chief Duvall advised there has been limited interruption on fire personnel.

Road Superintendent Hintz presented the Board with a list of expenditures for the next period in the amount of \$6,500.00. Bill made a motion to approve the list of expenditures and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. The list includes repairs to the chip box radiator.

Fire Chief Duvall presented the Board with a list of expenditures for the next period in the amount of \$2,200.00. Dave made a motion to approve the list of expenditures and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Due to the Village of Bremen charging the Township for water, sewage, sanitation, and capital improvement the following appropriations changes were submitted to the Trustees for approval.

\$1,688.64 from 2191-760-740 to 2191-220-352

\$307.16 from 1000-110-230 to 1000-120-352

\$115.00 from 1000-110-315 to 1000-120-352

\$422.16 from 2031-330-420 to 2031-330-352

Purchase Order #15-2017 was presented for signatures.

Business

Chief Will Duvall reported the following:

- Runs during the last pay period were: 17 EMS which includes 10 transports and 1 fire runs.
- Firefighter EMT Jessica Barnhart was selected to receive the Blue Coat Award representing Bremen-Rushcreek Fire Department at the annual Knights of Columbus banquet to be held on March 13th at 6pm. If the Trustees wished to attend the cost is \$8.00. Bill requested Chief to please RSVP on his behalf.

Hart stated that when the Township met with MEC representatives they discussed meetings for the Chief and he was wondering about mileage reimbursement since the meetings are held in central Ohio, an estimated 80 mile round trip from the township fire station. After discussion, Bill made a motion to approve travel mileage cost reimbursement for MEC meetings for the Chief or his designee according to the IRS reimbursement rates presented to the Township on a semi-annual basis. Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Connie advised that the Township has a form for reimbursement that will need to be utilized.

Road Superintendent Doug Hintz reported the following:

- Cut trees, chipped brush, cleared and straightened up ditches and culverts on Young Road.
- Met on Young Road with Loren Young, County Engineer, and Dave Myers to discuss erosion near the bridge. The County is formulating a plan to repair once the ground conditions permit. Estimated time for this project is June or July.
- Two additional contractors have evaluated the barn roof. Once all quotes are received this will be presented to the Board for their decision.
- Due to freezing, thawing, and rain several roads were graveled throughout the Township,
- Holiday, Houck, and Zion roads were graded and stoned.
- A few spots were graded on Avalon and Purvis roads.
- A large tree was removed off the right-of-way on Rutter Hill road. Someone had cut the tree enough to open the road prior to the crew arriving.
- Cut and removed a dead tree on Lecrone road to prevent future problems.
- A quote was received from Southeastern for all materials needed for the 1,000 hour service on the backhoe at a cost of \$1,307.58. This includes all filters, fluids, and oil samples. The oil will need picked up as it is not a shippable item.
- Currently working on a culvert inventory.
- A request to amend the work hours of the road crew to forty (40) hours per week was submitted. Currently the Employee Handbook states that work hours are from 7am to 4pm with an hour lunch. It was proposed to adjust the lunch break to thirty (30) minutes and end the work day at

3:30pm or change the hours as necessary to accommodate any unforeseen situation as long as the forty (40) hours per week is met.

Opinions on policy were shared that included, shortened midday breaks with adjusted hours, and longer days with shorter work weeks, Hart stated that if Superintendent Hintz was operating differently with a mutual agreement between him and the employees while compliant with personnel law that he may continue while the board considers a change in policy. The Board gave Doug the authority to proceed with scheduling until proper language could be approved for the Employee Handbook.

Hart stated he was advised by Trustee Dave Myers that there was a safety incident with a risk of injury that took place earlier in the week, but 911 was not called. A tree branch fell and hit an employee on the head, knocking him to the ground. Doug was advised to follow the handbook on this type of situations. Even though a Trustee was present, the Trustee was there in a working capacity and not as authority to supersede policy or procedure. Only when the Trustees are gathered as a Board do the Trustees have authority to make such changes. In this particular case, the employee was hit in the head and refused medical service, which should not be the rationale for a medical determination. The Road Superintendent is the responsible authority and in the future please call 911 and allow determination to be made by the proper EMS protocol.

Connie reported the following:

- Bremen Village submitted three water bills to the Township totaling \$457.22. After documentation was gathered the file was turned over to the Prosecuting Attorney due to inconsistencies with each bill. The attorney discussed the matter with the Village and the bills were reduced to \$297.72. This is the amount being paid while the billing process is still under review. The Trustees advised a letter will be prepared to the Village to be sent with payment advising payment is being made under "protest".
- Fairfield County Engineer sent notification on the annual meeting with the Township Trustees which has been scheduled at the Engineer's office on March 6th @ 7am. The Engineer's office will advertise for this meeting. The 2016 Township Highway System Mileage Certification was also submitted. The mileage has not changed. Signatures of the Trustees is required and once obtained, Connie will send to the Engineer's office for their signature then onto ODOT for filing.
- Distributed the February Grassroots Clippings to the members.
- Randy Solt, Bloom Township Road Supervisor retired after serving for 24 years. The Trustees were invited to a cake and punch reception which was held on Saturday February 11th.
- Received an unemployment compensation benefit award on David Kilbarger in the amount of \$371.54 which is a proportional charge of 5.9070%, Hunter's Run Conservancy District is the primary employer from whom the claim is chargeable for 94.0930%. Mr. Kilbarger is still employed with Rushcreek Township. Currently when a part-time township employee loses their full-time job with another employer and files a claim, the township must pay a portion of the unemployment compensation even though the employment status with the township has not changed. The February Grassroots Clippings contained an article stating that the OTA is seeking to eliminate the requirement that a township pay unemployment compensation on employees whose status with the township has not changed. OTA is seeking specific examples of this issue. Contact was made with the OTA Director of Governmental Affairs who will be using this example for legislation changes.
- Kenny Brown, Geologist for Ohio Department of Natural Resources sent a letter advising that we needed to submit a Surface Application Annual Report which is due April 15th documenting brine usage in 2016. The letter advised us to rescind the original brine resolution if we were no longer using brine. An email was sent advising research has been done back to 2004 and there is no such document in our records. Also we do not use brine on our chip/seal or gravel roads. Prior to 2004 Rushcreek Township documents were destroyed in the flood. After speaking with Mr. Brown, they were able to locate a copy of Rushcreek Township Resolution dated June 6, 1985. . In order to clear this matter up, Rushcreek Township will need to terminate the original resolution and prepare the 2016 annual report with "NO BRINE SPREAD" written on it. Seven days after this resolution is passed, Rushcreek Township will have no reporting requirements and will get no mailings regarding brine spreading resolution.

- The Governor proposed Local Government Fund changes in the 2018-2019 budget. Currently Rushcreek Township 2017 revenue budget for LGF is \$23,400.00. This is the Governor's proposal relative to LGF.
 1. LGF will remain at the current statutory funding percentage, which is 1.66% of the State's GFR.
 2. Townships and small villages will once again receive \$12 million per year in a separate LGF allocation.
 3. Due to lower state tax receipts, the projected Calendar Year (CY) 2017 LGF amount will be LOWER. However, total tax receipts are expected to grow under the Governor's proposal so FY 2018 and FY 2019 will see a slight increase
 4. Beginning in CY 2018, 95% of CY 2017 LGF revenue will be distributed as it is today. The other 5% and any new growth, will be distributed based on a new formula based on tax capacity of the jurisdiction.
 5. In CY 2019, 90% of the LGF revenue will be distributed based on the traditional formula and 10%, including new growth, will be distributed based on tax capacity of the jurisdiction.
 6. By CY 2020, 82% of the LGF will be distributed based on the traditional formula and 18% will be distributed based on tax capacity of the jurisdiction. Future growth in revenue will be equally split between the old formula and the new formula.
 7. Money distributed based on the new formula will be sent directly to the jurisdictions.

As requested at the last Board meeting, Connie advised she researched the need for a Resolution for the position of Rushcreek Township's representative on the Fairfield County Regional Planning Commission. Resolution #2016-07 was done appointing Joel Denny with a term expiring December 31, 2017 however the Resolution did not pass. Therefore, Resolution #2017-06 was prepared appointing Charlie Hockman to that position filling an unexpired term ending December 31, 2017. Bill Myers made a motion to adopt Resolution #2017-06 appointing Charlie Hockman as the Rushcreek Township Regional Planning Representative and Dave Myers seconded the adoption. Discussion ensued. Hart stated it was Bill's desire to have the Zoning Inspector fill the Rushcreek Township Regional Planning Commission vacancy since our current Zoning Inspector gave notice several months ago that he wished to be replaced. At Hart's recommendation Bill was suppose to ask Mr. Hockman if he wished to be considered since he was so thorough with his responsibilities on the Board of Zoning Appeals especially with the Greenlee Variance. Bill reported that he spoke with Charlie Hockman who indicated that reported he was not interested once Bill had informed him what the pay for the position was and once he found out he did not feel he had enough time to dedicate to the position. Currently the Regional Planning Representative is responsible to attend approximately 25 meetings a year between the Township and County versus the approximate six meetings a year for the Zoning Inspector position along with issuing permits. It was Hart's understanding from a discussion with Bill that Mr. Hockman was advised by told that the Zoning Inspector salary was \$12,000 annually, which is incorrect. Hart was very clear that he supported Mr. Hockman however he was concerned about the fact that these jobs were more about to service our community not a paycheck. Bill stated he was unclear about Hart's information with Hart responding that he was told Mr. Hockman got the information from Lisa Burnworth. Hart again stressed the importance of keeping political strategies and relationships separate from Board business. Hart then asked for a Roll Call vote: Hart, aye; Dave, aye; Bill, aye.

Resolution #2017-07 was presented to the Trustees for adoption. Dave Myers made a motion to adopt Resolution #2017-07 which terminates Rushcreek Township Resolution dated June 6, 1985 which permitted surface application of brine to its roads, street, highways, and other similar land surfaces pursuant to Chapter 1509 of the Ohio Revised Code. A copy of the original resolution is attached to Resolution #2017-07 as Exhibit "A". Bill Myers seconded the adoption. Roll Call: Hart, aye; Dave, aye; Bill, aye. Since Road Superintendent Hintz had not been employed at the Township during 2016, Dave agreed to process the 2016 Surface Application Annual Report Form 15. After the meeting all completed documentation will be mailed to Kenny Brown at the Ohio Department of Natural Resources.

Business

The Board released the Road Superintendent and Fire Chief from the meeting, if they so desired. Hart stated that the Board has been evaluating our current health insurance policy along with the Health Reimbursement Account and with brief introduction, asked Mr. Frank Harmon from the Ohio Insurance Agency to present the Board with some options. Rushcreek Township currently is a member of the Ohio Public Entity Consortium (OPEC). Mr. Harmon advised he has spoken with both Dave Myers and Hart Van Horn. Hart had advised him that he is concerned about the rising costs and on behalf of the Board, asked to provide some benefit comparisons in order to lower the monthly premiums. Currently Rushcreek Township is paying 100% of the monthly premium for two single policies and one family policy at a monthly premium of \$3,245.67, plus a Health Reimbursement Account of \$3,800/single and \$5,600/family. A new plan was presented which is the Jefferson Health Plan – Bronze Plan. Premium cost is tiered according to ages. This policy allows for two children however spouses are not eligible. The Bronze Plan provides better coverage for out of pocket expenses. The Township would be able to have both policies allowing the employee to choose. Hart stated that the Township must be mindful of how the taxpayer's dollars are spent. We are quickly approaching the cost of benefits exceeding wages. Hart also noted that the Road Department wages and benefits combined are soon to be disproportionate to equipment and materials, which is not good management of taxpayer resources. Mr. Harmon pointed out that even the Pension Plans in the State of Ohio have changed the ratio of coverage and the spousal coverage is being phased out. Years ago the employer was carrying the full cost of benefits however the trend has changed. Dave stated he felt that the Township has no benefits for longevity. Hart advised that there is a pay difference however health insurance benefits should be fair & equitable not based on longevity. Bill stated that these are some tough decisions that the Board has to make, he realizes that change is tough but we have now come to a point we must make the necessary changes. After a lengthy discussion, Hart made a motion to adopt the Bronze Plan offered by the Ohio Insurance Agency for the full-time Township Employees to begin April 1, 2017 and fund \$3,500 into the Health Reimbursement Account per employee per policy year. Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Should the employees wish coverage above the single plan, the Township will provide the necessary payroll deductions in order to ease the transition. Mr. Harmon agreed to have a meeting with the employees and their spouses to explain the changes. He also agreed to have his office research alternative policies for Mrs. Campbell to review.

Trustee Reports

Dave

- On January 30th the DAC meeting was held at the Courthouse to review the 2018 budget. Due to an illness of a Health Department Board Member an Executive Board was put together. On February 6th the Executive Board met to fill the vacant seat. Brian Oliver was appointed to this position.
- A safety meeting was held on February 2nd.
- Helped the road crew with grading, repairs to equipment, along with brush and tree removal.
- Reviewed payroll.

Bill

- On April 20, 2016 the following quotes were presented to the Board regarding surveying the Township properties: Kevin Cannon - \$1,500; Tobin-McFarland - \$2,000; and 2LMN Survey - \$2,750. Mr. Cannon was contacted to verify if the price has changed however an answer was not received by the meeting time. If the Board of Trustees approve, it is Bill's recommendation to proceed. Hart made a motion to allocate \$2,000.00 for Bill to contract a survey for all Township properties and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Connie reminded Bill that he needs to get with her before proceeding so an appropriation line code can be established along with a Purchase Order completed.
- One zoning permit has been issued since the last meeting to Jim Van Horn – 9990 Marietta Rd., for a deck that was built in June 2016. A variance has been schedule on March 8th @ 7pm for Michael Miller who is requesting temporary housing, remove existing house, and build a new home at 10455 McCullough Rd. Bremen.

- Rushcreek Township Zoning Inspector Richard Campbell advised the Board over a year ago that he wished to be replaced by the Spring of 2017. Since the position needs filled and a proper time for training be allocated, it was Bill's recommendation that the position be advertised. Bill made a motion to proceed with advertising for the position of Rushcreek Township Zoning Inspector and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- There are still unfilled positions on the Zoning Commission and an alternate on the Board of Appeals.

Hart

- The Board of Trustees is in receipt of Ricky and Mary Hoffman's letter indicating that they are not interested in a lot split/trade. The Hoffman's have also stipulated that there is no binding agreement between them and the Township for the Township property they currently occupy. This letter has been reviewed by all trustees and legal counsel has been provided. Therefore, Hart Van Horn moved to instruct the Fairfield County Prosecutor to begin procedures for the Hoffman's to vacate Township property and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Bill stated he wanted to get this matter cleared up by getting this survey completed and turn the results over to the Prosecuting Attorney.
- On February 13th the Greenlee Variance hearing was cancelled. The Greenlee's asked that the application be pulled because they found land in Franklin County. This application has often been referred to as "The Tiny House".
- Sprinkler system at firehouse discussed. Although the cost of this system is high, it is a result of negligence on the previous administrations. Over thirty years ago, adding one roof over another and not updating the building to current code has led to the need for upgrade to meet current standards of compliance. Various alternatives are being explored so that an informed decision can be made.
- A Special Meeting was scheduled to discuss the Sprinkler system at 4:30pm on February 22nd.

Meeting Adjourned: 11:25am.