

RUSHCREEK TOWNSHIP TRUSTEES
BOARD MEETING
07/15/15

Bill Myers, Chairman called the Rushcreek Township Trustees Board meeting to order at 7:00pm leading with the Pledge of Allegiance. Those in attendance in addition to Bill were: Dave Myers, Trustee; Hart Van Horn, Trustee; Connie Moyer, Fiscal Officer; Bob Suer, Road Superintendent; and Will Duvall, Fire Chief. Bill asked that all cell phones be muted along with all fire radios except the Chief and Road Superintendent.

Visitor

Mike Pittman, Mike Freeman, Joel Denny, Jake Kemmerer, Randy Kemmerer

Bid Opening

The following bid was placed in the Eastern & Fairfield Editions of the Towne Crier. For Sale by Sealed Bids, a 1980 Chevy 4X4 ¾ Ton pickup with a western snow plow. Minimum bid \$800. Bid opening will be held at 7PM on July 15th at the Township office, 213 Marietta St., Bremen. Additional information contact Bob Suer 740-503-6983. The mailbox was checked and the following bid was opened: Mike Pittman, \$1,020.00. After reviewing, Hart made a motion to accept the bid of \$1,020.00 for the 1980 Chevy 4X4 3/4 Ton pickup with the western snow plow and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Connie gave Mr. Pittman her cell number and advised that she would be available the following day after 3:30 to arrange a meeting for the transaction. The Township would accept a bank check and our local bank would be able to handle notarizing the title.

Minutes

The minutes of the July 1st meeting were presented to the Trustees for approval. Dave 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. Hart seconded the motion. Roll Call: Dave, yes; Bill, yes; Hart, aye. Bill reminded everyone that the minutes are available upon request at the Fiscal Officer's office and the township website www.rushcreektwp.org.

Agenda

Conduct – Hart Van Horn read the following letter presented to Dave Myers regarding his conduct.

At Rushcreek Township General Session on July 1, 2015, it was noted and discussed that you displayed angry and unwarranted behavior with loud and foul language while engaged in Township Business among Township Employees on Rutter Hill Rd, June 27, 2015. Your misbehavior includes loud cussing, throwing tree limbs into equipment and otherwise intimidating behavior.

After the conclusion of the Rushcreek Township General Session on July 1, 2015, you left angry and with loud voice, exited and slammed the front door to the Township offices. Your action broke screws and fasteners loose from the door hinges and latch strike causing the door to work improperly.

Early in 2014, you were reprimanded for similar and frequent behavior during open meetings of the Township, with disruptive and foul language, plus shoving and throwing items across the board room table.

Township employees, elected officials and visitors have witnessed these events will bear testimony to your misbehavior.

This misbehavior is unacceptable of anyone on Township property or in the course of business with Rushcreek Township and as such, is not the role model that a Trustee or any public official should present. It violates Ohio Rev Furthermore, this conduct is subject to review and subsequent sanctions against you can be made with fines and charges to recover damages.

I hereby warn you that you and anyone acting out such behavior is subject to charges of disorderly conduct, destruction of public property, plus misuse of office with the intent to intimidate. Further misbehavior on your part will not be tolerated. As a taxpayer, citizen of this community and Trustee of this Township, I will not hesitate to see that civil and criminal charges are made against you or anyone behaving in such a manner.

Dave stated that after Hart confronted him about his behavior several days ago, he thought about it and wants to apologize for his behavior and agreed to compensate the township or whoever paid for the repairs to the door.

Randy Kemmerer – Randy serves as a Trustee of Liberty Township and also Vice-President of the Fairfield County Ohio Township Association. He gave a synopsis of what has transpired with House Bill 64 (force account) which was discussed at the June 27th OTA meeting and in the current OTA magazine that each Trustee has received a copy. Randy advised that he has worked on getting this bill passed for

the last two years and now the Governor has vetoed the bill. However, it will be resubmitted and he requested that all Townships join together and present letters of support. Bill and Dave both advised that they were not aware of what has transpired and had not read the latest edition of the OTA magazine. Randy continued that Gail Ellinger, President of the local Fairfield County OTA, has worked very hard to make the meetings informative and both Bill and Dave, as Trustees, should make it a priority to attend. All three Trustees thanked Randy for the outstanding job he has done on this project and Hart agreed to prepare the necessary "letter of support".

Connie advised that she had additional information regarding the force account under her report however since the subject matter was being discussed she continued. Unfortunately the Governor vetoed the increased force account limits on the biennial budget that Ohio Township Association, Engineer Jeremiah Upp, State Legislators and Randy Kemmerer, VP of Fairfield County OTA worked very hard to enact. His reasons are as follows: *This provision would raise the cost threshold for townships to perform road construction and infrastructure maintenance projects with their own employees and equipment. Townships would therefore increase the size of their in-house construction and maintenance crews and obtain additional construction equipment in order to meet this potential increased workload and seek fewer competitive bids from outside contractors for such projects. Competitive bidding has the beneficial effect for taxpayers of keeping costs for construction and maintenance projects low. Furthermore, Ohio has made great strides in the past four years to empower small, emerging and minority-owned businesses to compete for public contracts including these types of contracts, and the demand for their work could be eroded by this item. This provision would potentially increase costs for taxpayers and reduce opportunities for emerging small business. Therefore, this veto is in the public interest.* There were several lobbyist groups who had the Governor's ear and Connie suggested that since Heidi Fought was the lobbyist for the Ohio Township Association our "letter of support" and any other Township should include Heidi since it could be a great tool for her to distribute. Hart agreed to draft the letter of support for signatures from the Trustees, Fiscal Officer, and Road Superintendent.

Treasurer's Report

EFT #390-2015 and Warrants #39958-39971 in the amounts of \$24,552.84 were presented to the Trustees for signatures. Connie reminded the Trustees that payroll was not included as payroll ends at midnight. Dave made a motion to pay the bills and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

Purchase Order #38-2015 was submitted for signatures.

On July 31st CD #6000017299 with the Bremen Bank in the amount of \$50,000.00 will mature. It was Connie's recommendation that if the Board so desires, interest rates will be obtained and the money will be placed in another cd. After discussing, Hart made a motion to grant Connie permission to reinvest the \$50,000.00 with the bank that gives the maximum amount of return and Dave seconded the motion. Roll Call: Hart, aye; Bill, aye; Dave, aye.

Business

Chief Will Duvall reported the following:

- Insurance Service Office, Inc. came on July 6, 2015 at 9am surveying Bremen-Rushcreek Fire Department. This company periodically evaluates all communities and areas that have public fire protection to assure that existing fire protection is available to individual property owners. They are to gathering information needed to determine a fire insurance classification that may be used in the calculation of property insurance premiums. We are awaiting their final report and adding the extra shift might help in the rating. Bill asked if the extra squad coverage helped with the ratings and Connie stated that it is for property insurance ratings on fire and had nothing to do with EMS.
- The exterior lights at the firehouse have been installed by Lt. Ryan Gard & Captain Richard Campbell.
- All four of the new personnel have completed at least one shift. Gear was provided for most.

- There have been continued issues on the EMS billing with the company not processing runs for an entire month. Connie stated that her and Will are very concerned about the billing company's performance.

Will presented the Trustees with a list of expenditures for the next period in the amount of \$3,700.00. Hart made a motion to approve the list of expenses and Dave seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. Runs reported through July 14th: 15 squad including 12 transports and 8 fire.

Hart stated that in viewing history of the electric bill on the fire department usage last month was 7,058kw in comparison to one year ago 5,849kw. The HVAC unit is aging and it is our goal to get through this season without replacing the unit due to a renovation plan in 2016. A contractor has been contacted to evaluate and extend the life if possible. However, the differential between current year and past year is excessive. Hart continued by thanking Will for his work on conserving by turning off the burners on the commercial stove in the kitchen then directed Chief Duvall to maintain the setting in the fire department at 72 degrees and to remove the window unit.

Road Superintendent Bob Suer reported the following:

- Hand patching and grading is still being done however the rain has slowed the progress of keeping the roads in good shape.
- Hart Van Horn started the second round of mowing on 7/4, 7/6, & 7/9. Dave Myers mowed on 7/10, & 7/13. This berm cut will help with clear road vision and road repairs.
- Some work has been done on Avalon Road however with the rain progress is very slow. Connie advised that the Conservancy District has hired a Wildlife Specialist to eradicate the beaver however the task can't be done due to the excess rain.
- The crew will be doing skin patch work on the roads in preparation of chip/seal. However, the rain has shortened the progress and we are quickly running into a problem.
- Last meeting the Trustees were asked to be prepared to discuss whether to purchase new lighter weight blades for trucks. During discussion Hart pointed out that this type of situation needs to be held in a work session. Bob asked that a work session be scheduled to also include chip/seal project due to the excessive rain possibly changing our plans.

A work session was scheduled for August 12, 2015 at 7am for the purpose of discussing the chip/seal project and purchase options for the truck and snow removal equipment.

Bob presented the Trustees with a list of expenditures for the next period in the amount of \$6,500.00. Dave made a motion to approve the list of expenses and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye.

Connie reported the following:

- No zoning permits have been issued since the last meeting.
- On June 17th the Trustees voted to change David Campbell's employment status effective July 1, 2015 from part-time to full-time. In reviewing the Employee Handbook (exact wording from page 28) full-time employees are granted 24 hours per calendar year. Paid personal time may not be accumulated and is taken in one (1) hour increments. Since David's full-time employment began July 1st Connie asked the Trustees to make a ruling of how much personal time they wished to grant. Hart stated that our policy does not have parameters at this time. Therefore, during policy review this is a matter that needs evaluation. After discussion, Hart made a motion to grant 24 hours of paid personal time to David Campbell for 2015 and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- The proposed 2016 budget of Rushcreek Township was submitted to the County Auditor on July 6th. The budget hearing is Monday, August 3rd at 11:05 in the Commissioner's Hearing Room.
- Notification was received from the Aladdin Shriners Hospital Association for Children that the Fire Departments request for the grant was not approved. However they did encouraged applying in the future.
- At the last meeting it was reported the Attorney General had won a settlement with Morton Salt and Cargill to resolve allegations that the companies conspired with each other causing agencies

to pay higher prices on rock salt. The claim was filed and we are awaiting the Attorney General to evaluate distribution.

As the Trustee in charge of Administration Hart reported the following:

- An interoffice memo was presented to both Dave and Bill regarding inappropriate comments at the last board meeting with reference to making statements on employee health during an open meeting. This should never be done as it breaches personnel law. Hart cautioned the Board that not only did this breach law it also upset the employee.
- Communication was made with Deb Engलगau with regards to the insurance money that the township is holding until repairs are complete on the property located on Tent Church Road. Mrs. Engलगau is in the process of conducting the necessary clean up and willing to abide by the laws and regulations so the township can release the money. OTA legal department was contacted to Advise on the next course of action.
- A meeting was held with Mr. George Shreyer who requested an update on dust mats. He was informed that the Trustees were tasked with surveying the entire township to plan for application of dust mats. Hart has completed his list, Bill has completed most of his, and Dave has not finished. Further information will be provided to all citizens as this task is completed and plans are made. It was noted that with the large amount of rain this may not be necessary.
- Peoples Bank, the mortgage company of the property located at 6615 Pleasantview Road, responded on the noxious weed complaint. They have filed and are waiting court approval to receive the property. They are prepared to send out their crews to clean the land and cut/spray the weeds within the next 2-3 weeks.
- Due to the discrepancies in stories from Dave Myers with regards to discussions he had with Fairfield County Engineer Jeremiah Upp an email was sent to Jeremiah to get his version of what transpired. A copy of this email was also distributed to the Trustees. Again, Hart pointed out to Dave that when he has conversations regarding Township business with anyone these are reportable issues. The subject of the "appearance of conflict" was also included in that correspondence. When the Trustees had met with the Engineer on May 29th, Dave had discussed and suggested offers to him about personal farming which should be avoided during Township business.

Joel Denny, Rushcreek Township Representative on the Regional Planning Commission gave his report which is attached at the end of these minutes.

Hart made a motion to bring back from the table the subject matter of Lancaster Public Transit System and Dave seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. (Refer to minutes of 7/1/15).

Hart made a motion to provide monies to Lancaster Public Transit System for the 2016 year and Dave seconded the motion. Roll Call: Hart, nay; Dave, nay; Bill, nay. Connie was instructed to prepare a letter to LPTS that Rushcreek Township would not be providing them with funding.

Bill stated he received the notice from Hart regarding his driving restriction and when that would be lifted. Bill contacted the Bureau of Motor Vehicles and spent over forty-five minutes on the phone to find out. He continued that he was picked up on July 15, 2012 for OMVI and his driving record will be cleared three years from the court date not the date he was picked up. Therefore, on October 31, 2015 his driving record will be clear. Hart informed Bill that OMVI points can be removed from ones record if he attends classes which would allow him to assist in regular maintenance of the roads, equipment or other property thus not leaving this burden to Hart and Dave.

Dave reported he attended the Fairfield County Farm Bureau meeting at the Ag Center on June 25th which covered CAUV. He also attended a DAC meeting on June 29th which gave an update on maintenance program, fees, and approve licensing council members. Dave also advised that he contacted Fairfield County Engineer Jeremiah Upp asking when the deadline was on the highly reflective signs. Bob stated that the deadline is 2018 and when a sign needs replaced we are doing so using the highly reflective material.

Meeting Adjourned: 9:05pm

SIGNATURES ON FILE

FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION REPORT

Rushcreek Township Board of Trustees Meeting: 7/15/15

RPC Meeting: 7/7/15

RPC Representative: Joel Denny

Lancaster-Fairfield Public Transportation System Presentation by Carrie Woody

- The LFPTS has grown over the years from providing transportation to just Lancaster to now providing transportation to all of Fairfield County.
- They have gone from 8 transportation vehicles to now 24.
- The LFPTS has 2 forms of transportation:
 1. Demand-Response public transit – where citizens can call ahead and schedule pickup
 2. Two Deviated Fixed routes – The East End Loop & the Memorial Express Route are two routes that follow scheduled stops. (2 more fixed routes are planned for the Pickerington area)
- Funding has started to ebb in recent years – currently, roughly about 45% of their funds come from Federal/State funding and about 55% comes from local sources. The State has been cutting funds.
- I questioned at the end of the presentation if there was a way to track/separate those who travel from the township or the village of Bremen. I was told that they don't have the manpower or the software to track the difference of someone coming from Bremen or the township, so local costs are directed to townships.

Zoning Amendment

- The RPC voted to recommend to Walnut Township to rezone a property in Walnut Township from I-1 (Service Industries and Light Industrial District) to I-2 (General Industrial District). The property at issue is 4.61 acres east of the Village of Baltimore at 290, 310 Baltimore-Somerset Road (State Route 256). The property owner, Needs Farms, LLC wants to convert the former Bowling Alley there into a wholesale distributor, semi-trailer, and outdoor storage business.

Land Bank Research & Info

- Contacted RPC Director, Holly Mattei to learn and start the process for Rushcreek Township to be able to utilize the Fairfield County Land Bank program.
- Directed to Michael Kaper (mjkaper@co.fairfield.oh.us // 740-652-7146) in the County Treasurer's office, but also head of the Land Bank.
- The easiest reclamations that the Land Bank can enact is on properties that are vacant and tax delinquent (properties that are not tax delinquent can still be taken on by the Land Bank, but it's not as easy)
- The township may contact Mr. Kaper either with a single property or with a list of multiple properties and he will begin investigating into said properties (Mr. Kaper also offered to present this information to the township in person, if so desired).
- Once the Land Bank acts, the tax delinquent property would be foreclosed on through the Treasurer's office (the property would not go through a sheriff's sale); the homeowner would be given the opportunity to pay the back taxes.
- Using mostly grant money the Land Bank would buy the property and the back taxes on the property would be wiped clean on the title.
- The Land Bank would then seek to improve the property, which usually entails the demolition of sub-standard structures.
- The Land Bank would then seek to sell the property (not for profit), possibly to a neighbor, someone in the community, or even to the ruling municipality for use as a government property.
- A 7-person board evaluates each property and determines the pricing all properties.
- If the Board of Trustees decides to move to utilize the Land Bank within Rushcreek Township, a list of potential properties should be developed and then Mr. Kaper should be contacted. Joel volunteered to help with this project at the direction of the Trustees.