

RUSHCREEK TOWNSHIP TRUSTEES  
BOARD MEETING  
03/04/15

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  
Joel Denny

Minutes

The minutes of the February 18th meeting were presented to the Trustees for approval. Hart 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. Bill reminded everyone that the minutes are available upon request at the Fiscal Officer's office or online at [www.rushcreektwp.org](http://www.rushcreektwp.org).

Treasurer's Report

EFT #98-2015 – #130-2015 and Warrants #39826 - 39840 in the amounts of \$32,384.32 was presented to the Trustees for signatures. Dave made a motion to pay the bills and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. The February bank reconciliation will be ready at the next meeting due to missing information from MBI and the need to track it down.

Business

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

Since the last board meeting Hart advised that there has been a misconception that he has little experience serving as a Trustee. Since 1969 he has served on various Boards achieving four decades of experience. Hart is currently, managing a company division with a 10.5 million portfolio monitoring income and expenses just as a Trustee manages finances from all of the taxpayers. Over the prior four years he has attended Township meetings and has learned what improvements are needed in Rushcreek Township's governance and instituted changes that have improved every aspect of the township, mostly with the fire department. Some have referred to him as a "Head Hunter" which in some circles is considered an advantage. Over the last year Hart has indentified those who are taking advantage of our taxpayers and those who aid in improving the Township. During the past year, many changes have been initiated by him, achieving saving and improvements. The fire department has undergone major improvements with his efforts. Hart has had a lot of success to fulfill the objective of "right & proper" and he has shared the credit with the rest of the board as a team player. It is time to address the Trustees with matters that are not "right & proper". Sometime ago, Dave Myers had approached him stating that he felt that he was not being informed of things going on. Hart questioned Dave if that has improved any since their discussion and Dave responded that it has improved. Hart continued asking Dave why he was withholding information.

a) An incident where Dave had struck a utility pole guide line and failed to report it for two days until the Road Superintendent insisted.

b) An incident where Dave had instructed a car driver to drive through an unsafe area resulting in property damage to that vehicle and failed to indicate his involvement until the Road Superintendent insisted.

c) An incident where the loader and the concrete pad was damaged and Dave had failed to report it to date.

Dave replied that incident reports have been completed on all except the loader damage and he will get that done. Hart reminded him that it is his responsibility to report this type of activity per policy instead of withholding information.

Hart continued: At the last meeting, the Board found out that Dave's wife was a Vice President in the group calling themselves Bremen-Rushcreek Fire Department Ladies Auxiliary. Upon reviewing the group's rules it was found that this election took place April 2014. Hart stated "your wife has been involved in a group diverting funds from the Township since April of 2014 and you chose to withhold this matter from the Board....WHY?" Dave refused to answer.

During the same meeting with "the group", the conduct of Dave's wife Anne Myers was not acceptable. Since the former fire chief [Westenbarger] has left, there has only been one incident of unacceptable behavior and that was a contractor, Chad Ashbaugh. Anne's outburst of shouting and cussing will not be kept a "secret", nor will she be allowed to conduct herself in that manner in the future while at a Township meeting. Dave was instructed to speak to his wife and advise her that the Township is due an apology.

Hart continued, On January 6, 2014 Fairfield County Sheriff Department started an investigation of theft in office. Hart asked Dave if that investigation has been completed. Dave could show no proof of its completion.

Hart then directed his questions to Trustee Bill Myers:

While reviewing the Association January minutes it was noted that the "Uniform Policy" will be in place March 2015. Hart asked Bill to report, who replied that the fire department is trying to get uniformity on the attire. Hart stated that it is the responsibility of the Township Trustees to set these policies not the employees. It is important to have the employees input, but no policy will be enacted without the Trustees unanimous approval and then placed into the Trustees policy manual. As the Trustee overseeing the fire department, it was Bill's responsibility to do the sub-committee work then bring to the Board for adoption, otherwise it undermines the process of governmental authority.

With regard to the uniform policy, Hart continued, six jackets for the fire department were approved for purchase last year and after investigating, seven were purchased. Hart called the vendor to "verify" and check on the features of the jackets used to promote the purchase. The salesman called back advising that no jackets in the industry met the bed bug and blood borne pathogen protection as was presented to the board in order to be approved. Hart asked Bill to report. Bill stated he did not know and asked that Will respond. Hart advised Bill, he was asking him as the "Trustee in Charge of the Fire Department". Although, Bill supported the purchase, he could not explain why. After some time, Will responded that \$750.00 was allocated for the purchase and far less was expended. Hart pointed out that the jackets were purchased at twice the retail amount anyone else could buy equivalent jackets. He also emphasized that the quantity and expense were not the only points in question, but that it appears that the Board had been lied to concerning the features of the jackets. As an employer, the Township cannot be misled and consequently mislead its employees that they are protected from safety risks of clothing such as this when they are not. Will had asked for a meeting with the employee that had made the purchase on his behalf; however that employee will not be back for a week as he is working at the Ohio Fire Academy. Hart advised Bill he is expecting paperwork on who received those jackets and a reprimand for presenting incorrect and untruthful information to the Board in order to secure the purchase.

NOTE: \*\*\*\*Need to send a notice to be signed by employees indicating their knowledge of the lack of protection from pathogens and bed bugs.\*\*\*\*

The W-4's were given to the fire department in January for completion and completion was promised in February. It is now March and Bill was asked to report. Bill replied that he had not followed up, but he will make sure that gets completed.

Kristen Krile is working on the EMS grant. Once again, this project is to be overseen by Bill. Hart asked where we were. Bill stated they are working on it but could not give details. Hart stated that the last EMS grant "they were working on" did not get completed within the proper dates and we "lost" the finances. Bill was instructed that he needed to "trust, but verify". He cannot sit back and let these things go unattended.

Last year Hart had to remind Bill that his health insurance was "reimbursed" and that meant he needed to pay it first, then turn in the bills to the fiscal officer. Hart asked if he had that situation under control and Bill replied that the first of this year he switched to Medicare and now all of the paperwork is in line and current.

Since the last meeting a letter was drafted to "the group", care of Ruth Duvall and placed at the Township office for Trustees signatures. Hart received a call from Connie who stated that the letter did not make sense and appeared that something was missing. After a discussion, it was discovered that the letter was two pages and only page #2 was left to mail. Hart asked Bill why he took the document from the Township and made five copies. Bill explained that it was an honest mistake and he made copies of page 1 for Connie to help but forgot page 2. The appearance is that Bill was attempting to remove files from the office for unnamed persons.

In conclusion, Hart stated he has not heard anything from "the group" on the outcome of their decision with regards to the craft show. Hart asked Bill if he had heard anything who stated he had not. Hart asked Dave who responded he didn't know nothing. Chief Duvall stated it was his understanding that monies are being returned to the proper individuals.

Again, Hart reiterated the fact, that as the governing body, the Board of Trustees is responsible to make sure things are "right & proper".

Chief Will Duvall reported the following:

- Training request was received from Jessica Dryden for a Health & Safety Officer at the Ohio Fire Academy from April 8 – April 10<sup>th</sup> at a cost of \$75.00. Hart stated that part of the requirements of the form was that once the class has been completed, a report is due the Board. Therefore, he asked that the individuals adhere to the requirements. Hart made a motion to approve the request and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- Training requests were received from Jordan Irwin a) Hybrid Vehicle Rescue Awareness – March 20<sup>th</sup> at the Ohio Fire Academy for a cost of \$45.00. b) New Vehicle Technology at the Ohio Fire Academy on March 20<sup>th</sup> for a cost of \$25.00. Hart made a motion to approve the request and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Chief Duvall stated that Jordan is a trainer and he brings what he has learned from these courses back to the rest of the department.
- Several individuals have contacted the fire department for building rental. Will requested a copy of the building rental contract. Hart agreed to locate and provide the rental contract that the Trustees had adopted several years ago.
- Brian Malone and Heidi Joiner gave Will their verbal resignation. An inventory of gear will be completed as well as a copy of their written resignation.
- Three training sessions were held at the old Superior Fiber property on February 20, 21, and 24<sup>th</sup>. Fairfield County fire departments were invited with members from Richland and Hocking attended.
- Ice & Dive Team Support Training was held on February 28<sup>th</sup> at Hide-A-Way Hills hosted by Marion Township with three members of Bremen-Rushcreek attending.
- The State of Ohio Pharmacy Board has issued a valid license for Bremen-Rushcreek Fire Dep't. with Kristen Krile heading the project.
- A discussion was held with one of the employees who currently has an unacceptable driving record. Will requested a copy of "Appendix A" form so that the proper documents can be completed.
- This week a physical confrontation occurred between several school children while waiting for the bus at the firehouse. The following day, three students were in fear of being around the instigators of the confrontation. Wednesday morning, a parent approached Will about the conflict that her daughter was involved in. The mother was angered about the incident wanting the firefighters to discipline and control the unruly children. Will advised the mother that she would need to contact the school district, she was not happy and slammed the door exiting the building. This is becoming disruptive to fire department business therefore, Will requested a solution. Hart

agreed that this is not acceptable. He will contact the bus superintendent Barb Gaskins and seek a solution as this will not continue.

- The gap on EMS billing between MBI and Emergidata has been corrected.
- The tanker may need to go to Fleetmaster to check the antifreeze leak.

Will presented the Trustees with a list of expenditures for the next period in the amount of \$3,950.00. 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 during the pay period: 13 squad including 9 transports and 7 fire.

Hart requested a report on the 24/7 schooling that the Township purchased over a year ago. Will stated that it has been a problem that even he has experienced with logging on. Hart reminded Bill that it is his responsibility to monitor this and get an answer to the problems.

Road Superintendent Bob Suer reported the following:

- Roads were plowed and treated continually during this period due to multiple snow events.
- During the extreme cold temperatures the crew cleaned the trucks so they could see out of them.
- Avalon Road was posted by the County Engineer on February 26<sup>th</sup> starting at 11700 going to the Perry County Line. The problem area is being checked daily by the Township per Engineer instructions. Hart stated he had been there earlier in the day and felt Mrs. Cordle's driveway is in danger. Bob felt that placing a drop pipe on top and building on top of it would be a solution. Then the pipe could be removed after repairs to the road are completed. Hart stated he spoke with Rick Beach, from the Conservancy District earlier in the day who stated they are at a stand still due to the volume of the water. It would endanger the crew's life to try to make repairs at this time. The Trustees advised Bob to proceed with correcting Mrs. Cordle's driveway as he feels necessary.
- Another incident by the work crew involving damage to a vehicle. Paperwork was completed and submitted to Hart Van Horn who will review. Bob spoke to the owner of the vehicle and the problem has been resolved. There will be a cost to the Township of approximately \$100.00.
- 90% of the brush has been removed on Pumpkinvine in preparation of chip/seal 2015. Ditch work needs addressed.

Bob presented the Trustees with a list of expenditures for the next period in the amount of \$1,400.00 which will cover any equipment/vehicle repairs plus patching material if it ever warms up. 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:

- Due to a family emergency last week, the Permanent Appropriation Resolution will be prepared for the March 18<sup>th</sup> meeting.
- No zoning permits have been issued since the last meeting.
- The March Grassroots Clippings was distributed to all members.
- Dave & Patti Shonk sent a thank you note to the road crew expressing their appreciation of keeping the roads clear.
- Fair Housing & Landlord Tenant brochures were received from Regional Planning for distribution to our residents as requested.
- Fairfield County Board of Elections sent notice that there will be no primary election in Rushcreek Township this year.
- The Annual Meeting with the County Engineer has been scheduled for March 23<sup>rd</sup> @ 2:00pm. As requested, we are the last meeting of the day with time allotted to include discussion on Avalon Road. The Trustees agreed that Bob should attend this meeting.
- After months of working with Verizon Wireless, they have finally got our account credited and the billing is now for the telemetry lines only.
- The County Engineer sent a notice that they are hosting a Pavement Preservation Lunch & Learn on Wednesday, March 25<sup>th</sup> from 11:00 to 1:00 in their training room at 3026 W. Fair Ave. RSVP is mandatory by March 23<sup>rd</sup> to Jennifer Glick. Connie was instructed to RSVP Bill, Bob, Dave, and Hart will advise later.

- The court house opens at 7am on March 6<sup>th</sup> where Rushcreek Township is co-sponsoring the Sunshine Class. The instructor will be there around 9am with registration beginning at 9:30. Class starts promptly at 10:00am ending at 1:15pm.
- Reimbursement for the culvert allocations was finally received in the amount of \$8,125.24.
- Nationwide Insurance Company sent the Township a check in the amount of \$24,000.00. This is a result of property owned by their insured Debra Engelgau which was recently damaged by fire. This is in compliance with ORC 3929.86 (C) which states that if the damage by fire exceeds 60% of the limits on the dwelling policy, the money will be sent to the qualifying municipality. The check is equal to the \$2,000.00 for every \$15,000.00 of damage caused by fire. The check will need placed in escrow to protect the Township for demolition of this property. When repairs are completed or the property is demolished, the funds are to be released to the insured. Brian Bibler our State Auditor in Charge was contacted. He advised that this needs placed in an Agency Fund and the software company will assist the fiscal officer in setting up that process. Chief Duvall contacted Lancaster Fire Department who handles these types of situations and a copy of a Resolution was given to Connie for preparation. Trustee Van Horn agreed as the Trustee in charge of Administration he will take on this responsibility and help with the process. At this point, the check has been placed in the account but not processed through UAN until details are ironed out.

Joel Denny, Rushcreek Township Representative on the Regional Planning Commission presented his report which is attached to the minutes. Joel continued that he will not be able to attend meetings in April, May, and possibly June due to his coaching season. Hart stated he will cover in Joel's absence.

Dave Myers reported that he attended the DAC Meeting on March 2<sup>nd</sup> at the County Courthouse. The 2016 Fairfield County Health Department budget was approved. Rushcreek Township's portion of the budget increased by \$440.00 yearly due to an increase in property values. The City of Lancaster's contract with the Health Department was approved. Richard Engen was re-elected to the Board. The 2014 Annual Report, minutes of last year, and cost share sheets were on the table for viewing.

Also Dave stated that monthly safety meetings will be held utilizing LTAP tapes, OSHA & BWC materials. We are working together with the Village of Bremen. Weather permitting classes will begin on Tuesday, March 10<sup>th</sup> at 8:30am. The topic of the first class will be Snowplowing & Snowplow Safety.

Meeting Adjourned: 9:20pm.

**SIGNATURES ON FILE**

## **FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION REPORT**

**Rushcreek Township Board of Trustees Meeting: 3/4/15**

**RPC Meeting: 3/3/15**

**RPC Representative: Joel Denny**

### **2014 Annual Report by Holly Mattei (See attached)**

- The 2014 Annual Report outlined the RPC's services and accomplishments for the past year.
- Several major subdivisions were submitted to the RPC in 2014 with many more discussions of potential future development plans.
- Grant writing services were utilized to provide approximately \$1 million to the county and its communities, including a \$300,000 Neighborhood Revitalization Program grant to the Village of Carroll in preparation for the coming Carroll interchange.
- The Fairfield County Land Bank was kick-started with a \$642,500 Neighborhood Initiative Program grant to deal with vacant, blighted structures.
- The RPC also coordinated the Fairfield County Local Food Council meetings and the Roll Forward program to develop bike paths and pedestrian walkways and transportation.

### **Subdivision Activity**

- The RPC voted to replat a property in Greenfield Township between Election House Road and Victor Road from 1 piece into 3 separate plats.

### **Proposed Zoning Amendments**

- Northeast Ohio Natural Gas Corporation wanted to rezone their 13.96 acres along State Route 37 from a Restricted Agricultural District to that of a Business District in order to better obtain a line of credit from a bank. The RPC wanted to deny this change because it would not be in conformance with the future land use plan. Also, if said business closed down, it would

open the door for any type of business to move into the rural area. After much discussion, the RPC voted to recommend that instead of denying the change that a PUD be filed with the Pleasant Township zoning commission (pursuant to their approval) that would give the temporary designation of the Business Zone while that business remains at the property.

- River Valley Life Center Church at 2190 Coonpath Road near the Rainbow Drive intersection in Greenfield Township requested a zoning change from Rural Residential District to that of Special Use District. The RPC voted to recommend this change to the Greenfield Township Zoning Board pursuant to several issues including easement access and removing the current driveway to a safer location.
- Violet Township Proposed Text Amendment – Violet Township was interested in amending its Procedures and Requirements for Conditional Use Permits, Substantially Similar Uses, Accessory Buildings or Uses, and Home Occupations (of which the RPC voted to recommend such changes) to better define:
  - The purpose of Temporary Uses
  - Temporary Use Permits
  - Fees
  - Issuance of Permits
  - Prohibited Temporary Uses
  - Permitted Temporary Uses