

RUSHCREEK TOWNSHIP TRUSTEES  
BOARD MEETING  
11/05/2014

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; Richard Campbell, Zoning Inspector; 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's.

Visitors

Ray Stemen, Chad Ashbaugh, Deputy Jesse Hendershot, Tracy Shahan, Dave Foltz, Joel Denny

Statement

The Township Trustees gave public notice that proper conduct is expected in doing business with the Township. Visitors are treated with respect and it is expected that visitors and townspeople will treat others with respect. Rushcreek Township Board of Trustees reserves the right to dismiss or have removed person(s) who present misconduct. There have been occasions this year when inappropriate behavior and language occurred during the meetings. Hart directed the following comments to Chad Ashbaugh (at the meeting on October 15<sup>th</sup> Chad was obviously unhappy with the Boards decisions and left the building slamming the door in anger which is not acceptable.) Everyone present was given a copy of the Conduct Notice which will also be posted on Township owned property. The Notice reads; "The Rushcreek Township Trustees Reserve the Authority and Right to Dismiss or have Removed from Township Property any person or persons whose conduct is inappropriate or disruptive to the administration and business of Rushcreek Township".

Bid Opening

The following ad was placed in the Eastern Edition of the Towne Crier on October 31<sup>st</sup>. Rushcreek Township is opening bids for hauling 1,000 tons of crushed asphalt from CRC, 399 Haul Road, Columbus to the office at 213 Marietta Street, Bremen. Bids will be opened on November 5, 2014 at 7pm. Material and billing must be completed by December 12th @ 4pm. Contact Bob Suer, 740-569-7181 Extension #11 for Bid Specs.

Mailbox and email was checked for bids with nothing in either. The following bids were opened: Redskin Transportation \$11.50 p/ton; Ashbaugh Trucking - \$8.90 p/ton; Davis Battery & Sales - \$10.00 p/ton with stipulations. Each bid had proper documentation. After discussing, Hart made a motion to accept the bid from Ashbaugh Trucking at \$8.90 per ton and Bill seconded the motion. Roll Call: Hart, aye; Bill, aye; Dave, aye. Chad was given a W-9 form to complete and return quickly.

Chad Ashbaugh advised that he contacted CRC and was told they did not have any grindings nor was the crusher on site. Therefore, C. Ashbaugh requested extra time for hauling. The Trustees advised Bob to handle the situation. (Note: the information provided by C. Asbaugh was checked and found invalid, no extensions will be provided)

Old Business

1. BILL – Next Association Meeting 10/30/14 – Working on a fund-raiser for 2015 along with housekeeping matters.
2. BILL – Make contact with John Graham and apologize - Completed
3. BILL – EMS grant close-out paperwork completed by 11/5/14 – The closeout paperwork was submitted to the State on October 24, 2014
4. HART – Mini-engine insurance estimate by 10/17/14 – completed and will discuss under fire department report.
5. CONNIE – Website by 11/5/14 – The Chamber uses a company by the name of Webchick. This is a professional business that handles a lot of county and city governmental agencies along with many businesses. A proposal was distributed to the Trustees. Cost of website \$950 (unlimited

updates) with yearly renewal of \$625. Hosting discounted to \$100 per year. The cost of Domain is \$25 per year making the total for the first year \$1,081.00 which includes a \$6.00 domain tax that should be eliminated. Should the Township decide to proceed Connie recommended the bill be distributed equally between the four departments; zoning, fire, road, and general. This information was turned over to Hart for further review. Hart advised he spoke with the other business owners and recommends moving forward with Webchick. Hart made a motion to contract Webchicks to set up and maintain the website for Rushcreek Township for one year at a maximum amount of \$1,081.00 divided between the funds as Connie recommended and Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

6. HART – Email addresses for entire township by 11/5/14 – 20 email addresses are included in the website agreement and on start up will be limited to department heads and officers.
7. BOB – Traffic counter on Fairview Road by 11/5/14 – Bob reported on 10/22 the counter was placed on Fairview at Marietta Road which resulted in 109 vehicles in a 48 hour period. On 10/27 the counter was placed at Fairview and St. Rt. 312 which resulted in 157 vehicles in a 48 hour period. On 10/29 the counter was placed on S. Bethel & St. Rt. 312 which resulted in 136 vehicles in a 48 hour period.
8. DAVE – Approval for expenses on lighting by 12/5/2014 but prefer 11/19/14 – Prices have been obtained from State Electric, CES, and Menard's. State was the lowest except for a few light fixtures. The Trustees agreed to purchase the supplies and they will install. Estimates: CES for Township barn - \$2,431.00 & Fire Dep't. \$1,940.00. State Electric for Township barn - \$1,940.30 & Fire Dep't. \$1,815.44. After discussion, Hart made a motion to approve the purchase up to \$2,143.61 from State Electric for the barn and \$368.75 for a LED wall pack to replace a bad fixture on the Mulberry Street side of the fire department. Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. Dave was instructed to pick the approved items up and if State would not match Menard's figures on the lower items to purchase from Menards.
9. ALL TRUSTEES – Help with road patching. Schedule with Bob by 10/23/14 – Bob reported that Dave helped patch half days on 10/20 & 10/22, with nothing scheduled from the other two Trustees. Hart apologized for not being available to help during this time.

#### Minutes

The minutes of the October 15th meeting along with minutes from the Special Meeting on October 30<sup>th</sup> were presented to the Trustees for approval. Bill asked Connie to read the minutes from the October 30<sup>th</sup> meeting since there were issues that the public should be aware. After reading, 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 as amended. 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.

#### Treasurer's Report

EFT #551-2014 – 621-2014 along with Warrants #39685-39712 in the amounts of \$40,208.10 were presented to the Trustees for signatures along with the October bank reconciliation. Dave made a motion to pay the bills and Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.

#### Business

A work session was held at 5:30PM prior to the business meeting to discuss the 2015 chip/seal program. Those attending in addition to the Trustees were Connie Moyer and Bob Suer. This was a planning meeting with no decisions being made.

At 7:31pm, Hart made a motion to go into Executive Session under ORC 121.22 (G)(1) to discuss a personnel matters concerning the Zoning Board and invited both Richard Campbell and Dave Foltz into the session. Bill seconded the motion. Roll Call: Bill, aye; Dave, aye; Hart, aye. Executive Session Ended: 7:59pm. The fire station was called where the public waited and everyone was invited back to regular session,

Chief Duvall reported the following:

- Capt. Campbell & Lt. Kunkler attended the weekend class for oil field training in Wooster Ohio.
- Two groups of pre-k children were given a tour of the fire station and education on fire safety.
- Base radio was repaired and reinstalled at a cost of \$604.00 which is covered by insurance.
- An officer meeting was held on 10/28 at 7pm with Trustee Bill Myers attending.
- A notice of examination for the position of Lieutenant was posted on November 3<sup>rd</sup> with the test scheduled January 6<sup>th</sup>. Hart advised Will to proceed however it will be turned over to the Prosecuting Attorney to make sure everything is in line.
- Guidance was sought on the following items:
  - A) Ladder truck – sale or maintain. The Trustees advised Will to prepare the posting for approval at the 11/19 meeting.
  - B) Repair mini engine – in house or outsource. Discussion held and decided to repair in-house.
  - C) Review and/or approve – Code of Ethics and Mission Statement. This will also be turned over to the Prosecuting Attorney for review prior to approval.
- Scrap items from the department were sold for \$2,000.00.

Will stated that he is ready to move forward with the Trustees' approval on twenty-four hour coverage at the fire department. After discussion, Hart made a motion to approval twenty-four hour coverage at the fire department beginning December 1, 2014 and Dave seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. The projected income for ems billing has not been up to the standard of presentation, however we will be moving forward in anticipation of improvement.

Will presented the Trustees with a list of expenditures for the next period in the amount of \$3,800.00. 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: 17 squad and 8 fire.

Representing the road department Bob reported the following:

- The fall mowing was completed on October 20<sup>th</sup>.
- 80% of the gravel roads have been graded and stoned in preparation of the winter.
- Two culverts were replaced on Locust Grove Road.
- Pot holes have been filled on West Point Road, Borah Hill, Marietta off of Zion, Purvis at Foltz's property, Purvis along Hockman's property (still in progress), Thomas, Tent Church, and part of Ireland.
- Turkey Run had limbs and trees removed however there is still trimming that needs finished.
- The International dump truck has a shaking problem in the front end. The vehicle was evaluated and found the steering gear box needs replaced. Fleetmaster estimated repairs at \$1,600.00.
- The twelve year old pole trimmer is broken with an estimated cost of repairs being \$250.00. Replacement is \$480.00 which was recommended and placed on the expenditure list.
- Barb at Fairfield Union bus barn is requesting the areas where the bus turns around to be stoned by the Township. This has not been done in the past. Due to inconsistencies by the drivers, it was recommended by Bob to schedule a meeting between the Township and the school system to enter into a contract between the entities especially designating the locations and cost of labor and materials. Hart will set-up a meeting and hopefully schedule a work session.

Bob presented the Trustees with a list of expenditures for the next period in the amount of \$14,754.00. Dave made a motion to approve the list of expenses and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye.

Richard reported the following permits were issued since the last meeting: Roger Walker, 7007 Bremen Rd for back porch & accessory building and Patrick Kessler, 11350 McCullough Rd for new home. A variance hearing will be held on November 10<sup>th</sup> at 7pm. The hearing is regarding signage for One Stop Crossing located at 20 Logan-Thornville Road.

Joel Denny Rushcreek Township representative on the Regional Planning Commission presented his report for both the October 7<sup>th</sup> and November 4<sup>th</sup> meetings. A copy of his report is attached to the minutes.

Connie reported the following:

- Fairfield County OTA will be holding the December meeting at the Liberty Center on December 14<sup>th</sup> at 6PM at a cost of \$17.00. RSVP is due by November 15<sup>th</sup>. Heidi Fought from Ohio Township Association will be the guest speaker.
- Mr. Graham sent a thank you note in care of Trustee Van Horn thanking the Township for cleaning the debris dumped on Shaw Road. He also thanked Bill Myers for calling him on 10/15 for not following through right away, and thanked Dave Myers for calling him on 10/23 for not making a note of it.
- The 2014 culvert allocations from the County was set at \$9,825.99. Paperwork was recently submitted to the County Engineer's office which totaled \$8,125.24. Therefore there is \$1,700.75 carry-over amount that needed to be requested. A letter was sent to the Engineer designating that carry-over to be utilized on Locust Grove Road in the spring of 2015. Since Locust Grove is scheduled for 2015 chip/seal it is part of the preparation work that is to be completed. During the process inventory was taken of the culverts in the stock yard. It was found that a 40'X12" culvert has been stolen. A Sheriff report will be made.
- Employee Denise Beery sent a thank you note to the Trustees for sending her to a pump class at the Ohio Fire Academy.
- The Sunshine class that was scheduled on October 24<sup>th</sup> was filled. After discussing the issue with the State Auditor Rushcreek Township has agreed to co-sponsor the class with the County Commissioners. The class is scheduled to be held in the Commissioners hearing room on Friday, March 6, 2015 from 10am to 1:15pm with registration beginning at 9:30am.
- At the last board meeting we were instructed to contact the County to make sure our rates are still in line with the County and add any additional equipment that Rushcreek owns to the list. The Trustees then made a motion to update the rental rates for equipment and manpower based on current county rates. After speaking with Cheryl "D" at the County it was discovered that the rate list is based on the lower State and Federal rates used for FEMA and other disasters. These rates are always below market rates and not even cost effective when utilized. However, it helps keep "force account" figures down. Trustee Pool put together the rates in 2003 which were approved and based on market rates. Since we have been operating on "fair" rates since 2003, a new rental rate packet was presented to the Trustees which had additional equipment added. Dave made a motion to update the rental rates for equipment and manpower as presented and Hart seconded the motion. Roll Call: Dave, aye; Bill, aye; Hart, aye. As in the past, there is a clause on the rate that states rental rate of any needed equipment not specifically listed will be determined by totaling the rental rate charged to Township, costs associated with obtaining the equipment and the hourly charge of \$35.00 for the operator/fuel.
- The State of the Township Address is scheduled at 6PM on November 11<sup>th</sup> at the Bremen Historical Society. Cost of dinner is \$12. Connie was instructed to make reservations for four with the possibility of additional.
- Per our legal counsel, in light of the previously recorded settlement agreement, the Township can now dismiss the hearing and close its investigation of Rick Hoffman based upon the parties previously recorded settlement agreement. Dave made a motion to adopt Resolution #2014-20 to dismiss the hearing of Rick Hoffman and close the investigation. Hart seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye.
- BWC 60% premium rebate arrived today however due to meeting preparation it will be processed on November 6<sup>th</sup>. This rebate is for the policy year 1/1/12 – 12/31/12 in the amount of \$4,292.57. The breakdown is as follows: Road - \$1,116.07; Fire - \$2,961.87; General - \$214.63.
- Drivers Abstracts were received from the Bureau of Motor Vehicles. We have a few drivers who are approaching the maximum points allowed. The Trustees agreed that Hart will draft a letter for the department managers to notify each employee who is approaching the maximum points allowed.

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

- On October 25<sup>th</sup> he attended the Richland Fire Department Open House representing Rushcreek Township. There will be a class regarding "Farm Rescue" which could be beneficial to our department.
- In order to remain more accessible to the public Hart made a motion the Trustees hold Saturday hours between 8am & 10am at the Township rotating between Trustees. Bill seconded the motion. Roll Call: Hart, aye; Dave, aye; Bill, aye. The following schedule was set: November 8<sup>th</sup> – Dave; November 15<sup>th</sup> - Bill; November 22<sup>nd</sup> – Dave; November 29<sup>th</sup> – Hart.

Tentatively a work session was schedule for 5:30PM prior to the November 19<sup>th</sup> regular board meeting to see about setting up a meeting between Fairfield Union School – Bus and the Road Dep't. Another work session was tentatively set for December 3<sup>rd</sup> at 5:30PM prior to the regular board meeting to discuss 2015 issues with the fire department.

Meeting Adjourned: 10:25PM

Christy A. Myers  
10/26/14

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

**Rushcreek Township Board of Trustees Meeting: 11/5/14**

**RPC Meeting: 10/7/14**

**RPC Representative: Joel Denny**

### **Subdivision Activities**

- The RPC voted to approve the final Plat of the 3<sup>rd</sup> Section of the Meadowmoore subdivision at the SE corner of SR 204 and Milnor Road provided that it is in compliance with the Technical Review Committee, the Fairfield County Engineer's Office, Fairfield County Utilities Department, the Fairfield Soil and Water Conservation District, Fairfield County GIS, and Violet Township Zoning.
- The RPC voted to approve the Dollar General plan to build a Dollar General store on 19.85 acres of land north of Pleasantville on the east side of SR 188 in Walnut Township. The developer will still need to meet drainage easement requirements and that it is in compliance with the Technical Review Committee, the Fairfield County Engineer's Office, Fairfield County Utilities Department, the Fairfield Soil and Water Conservation District, Fairfield County GIS, the Village of Pleasantville, the Walnut Creek Sewer District, ODoT, and Walnut Township Zoning.

### **Items Not on the Agenda**

- The representative for Greenfield Township stated that their zoning inspector needed to talk to the RPC about a variance that had been submitted. A copy of the variance paperwork would be given to him after the meeting.
- Carri Brown gave an update of the Energy Aggregation Program with the current estimate for yearly savings is now approximately \$140.

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

**Rushcreek Township Board of Trustees Meeting: 11/5/14**

**RPC Meeting: 11/4/14**

**RPC Representative: Joel Denny**

### **Presentation by**

**Jonathan Ferbrache, Natural Resources Assistance Council (NRAC)**

- Fairfield County is in NRAC District 17 and has set the deadline for the submission of applications for the Clean Ohio: Green Space Conservation Program supplemental funds for Friday, February 27, 2015.
- The Green Space Conservation Program helps to fund the preservation of open spaces, sensitive ecological areas, and stream corridor with special emphasis (among other things) given to projects that:
  - Protect habitats of rare, threatened or endangered species
  - Preserve high quality wetlands or other natural resources
  - Preserve Ohio's natural waterways and their easements
  - Enhance eco-tourism
  - Provide pedestrian or bicycle passageways between natural areas
  - Reduce or eliminate nonnative, invasive plant and animal species
  - Provide safe areas for fishing, hunting and trapping that provides a balanced eco-system.
- Applications and District 17's scoring methodology are available on the following websites:
  - [www.pwc.state.oh.us](http://www.pwc.state.oh.us)
  - [www.clean.ohio.gov](http://www.clean.ohio.gov)
  - Or by contacting Beth Jones, NRAC District 17 Liason: [bjones@lcounty.com](mailto:bjones@lcounty.com) 740-670-5210 20 South Second Street Newark, OH

### **Subdivision Activities**

- The RPC voted to approve the variance for a 20 acre tract of land purchased by the Appalachia Ohio Alliance through funding from the Clean Ohio Program. The land is located between the Hocking River and U.S. 33 on the East side of U.S. 33 in Berne Township, just south of Horns Mill Road. Trees will be planted and no additional buildings can be constructed on the property. Berne Township's zoning inspector must approve first that the parcels meet with township zoning.

- The RPC voted to approve a variance

**LOCATION AND DESCRIPTION:** Located along the west side of State Route 158 just south of the Coonpath Road and SR 158 intersection. The proposed variance is to allow for less than 125 feet of frontage which is required by Section 2.3 of the county's Subdivision Regulations. In 1979, this parcel was created through a court order. The RPC office stamped it as "exempt" due to the court order. At that time, the 4.593 acre lot became an existing parcel of record.

In 2013, this 4.593 acre parcel was transferred to the applicant, who also owns a 2.64 acre parcel to the south with minimal frontage on SR 158. When the parcel was transferred, "tie" language was placed on the deed requiring it to be used in conjunction with the 2.64 acre parcel and not allowing it to be a separate building site. According to the applicant, he was unaware that this restriction was placed on the deed at that time. The applicant is requesting the variance so that the tie language may be removed and this site be returned to a parcel of record as it existed prior to 2013.

### **Items Not on the Agenda**

- The representative for Rushcreek Township, Joel Denny asked if townships could request that Fairfield County's Land Bank seek out certain blighted or tax-foreclosed properties within their townships. The answer is 'yes,' subject to available funding and approval through the Land Bank's ruling committee. Townships seeking to do so only need to contact the RPC staff to start the ball rolling on such needs. If nothing else, it would give the Land Bank a list of properties for the future if nothing could be done this year.