

Violet Township Board of Trustees

November 6, 2013

Regular Meeting

Mr. Myers called the meeting to order at 7:30 p.m.

Ms. Menningen, Fiscal Assistant called the role as Fiscal Officer, Chris Smith was absent: Mr. Myers, Mr. Weltlich and Mr. Dunlap were present. Others present were: Director of Operations, Bill Yaple; Engineer, Greg Butcher; Assistant Fire Chief, Mike Little

Mr. Myers asked everyone in attendance to join him in the Pledge of Allegiance followed by a moment of silence honoring those who protect us around the world.

Mr. Dunlap moved to approve, without public reading, the minutes of the Regular meeting of November 6, 2013 as submitted by the Fiscal Officer. Seconded by Mr. Weltlich. Roll Call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion passes 3-0.

Mr. Weltlich moved to approve, without public reading, the minutes of the Public Hearing of 11-6-2013. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, abstained. Motion passes 2-0.

Recognition of Guests:

None

Public Comment:

None

County Authorities:

None

Departmental Reports

Fire Department

Assistant Chief Mike Little reported Chief Eisel's mother seems to be doing much better.

Chief Little reported Woody has been coming in and doing 'light duty.'

Chief Little reported they continue to work on the strategic plan items which include the facilities trucks. The Strategic Planning Committee has a meeting on November 18th.

The Fire Department congratulated Mr. Myers and Mr. Dunlap on their re-election win last night.

Mr. Weltlich asked about the cots and where they were with the grant. Chief Little reported Chief Eisel and Heather were still working on finishing up the grant but Chief Eisel has been out.

Township Engineer:

Mr. Butcher reported October 29th was 'Walk to School Day.' Out of (5) schools; 300 kids walked their bikes to school. Mr. Butcher specifically thanked Chief Little as he made several trucks available and personnel to be at or near the schools.

Mr. Butcher updated the Trustees on the sign grant. This is a federal grant administered by ODOT. We were able to order almost 1200 warning, regulatory signs, posts and hardware. We should have the signs, posts and hardware sometime this month.

2014 Road and Engineering department budget was submitted to the Trustees on October 31st.

At our last meeting Mr. Yaple mentioned Regional Planning Commission formed a stormwater committee. This committee met yesterday but Mr. Yaple and Mr. Butcher were unable to attend. The feedback received does not have anything to do with Township effort but strictly to get the various county and local agencies together and the

goal is to coordinate and communicate activities associated with NPDES permitting requirements and to help communicate with the public.

Mowing for parks and cemeteries is winding down.

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Several days were spent placing milled asphalt materials as berm.

Concrete curb repair is almost complete in Mingo Estates and it looks good.

Mr. Butcher attended a 'walking blind audit exercise' at MORPC. This helped him better understand how some of our infrastructure can impact the blind or the visually impaired.

Mr. Dunlap commented earlier this year we had talked about a turnaround at the end of Diley Road south of Basil Western. Mr. Dunlap wanted to know if we had this in place before the snow comes because a few residents had issues with turning around in their driveways. Mr. Butcher said we will have this in place before the snow comes.

Mr. Dunlap also asked if we had heard any word on the striping at Haaf Farms Drive and SR204. Mr. Butcher has pricing and two tentative dates.

Mr. Dunlap asked about the turnarounds at the two streets at Sturbridge. Mr. Butcher said it was identical construction and the only thing that was not done was the turnarounds were not fogged sealed. Mr. Dunlap said one of the comments was that the grindings were pushed out. Mr. Butcher said he looks at it about 3 or 4 times per week.

Mr. Yapple asked Mr. Butcher to send all the information on the signs and reflectivity to Kim Arnold at OTARMA.

Director of Operations:

Mr. Yapple reported the drug and electronics collection and document shredding event went very well. They had 205 vehicles go through and they ended up with over 134 pounds of pills at the shop. They did not take any medicines or inhalers this year. They asked all 205 vehicles where they found their information and the two prominent locations were the Pickerington Magazine and the Pickerington Sun Times. The amazing thing was there was only one from our website.

We received notice from Fairfield County of the viewing and hearing of the property in Lockville on the vacation of Oak Street and North Alley. Mr. Yapple has spoken to one of the property owners who did not sign the petition. They are not in favor of this. If it is closed it will create a 10-acre landlocked piece of property. Mr. Yapple will attend as well as the property owner. Together, they will let the County know they are not in favor of this. Ms. Sarko said the property owner is trying to prevent them from having a variance and it could be a hardship variance. The Trustees will definitely not support this. Mr. Yapple relayed that the Trustees would be hard-pressed at agreeing with this because they don't have the adjoining property owners signing the petition.

Mr. Weltlich made a motion to recess the regular meeting and go into the scheduled public hearing at 8:00 pm. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers yes; Mr. Dunlap, abstained. Motion passes 2-0.

Mr. Dunlap asked to excuse himself from participating in the public hearing since he owns property in the affected area he is going to have to recuse himself from this public hearing. Mr. Myers asked if he would like to be excused from this public hearing. Mr. Dunlap said he would.

Mr. Weltlich made a motion to close the public hearing. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes. Motion carried 2-0.

Mr. Weltlich made a motion to return to the Regular meeting at 8:23 p.m. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes. Motion carried 2-0.

Mr. Dunlap returned back to the meeting room for the regular portion of the Trustee meeting.

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Peter Griggs, of 50 West Broad Street, Columbus, Ohio (Loveland and Brosius) explained that Bill Loveland of Loveland and Brosius has decided to leave the firm of

Loveland and Brosius and start his own firm as of November 1, 2013. Mr. Loveland will handle litigations and Loveland and Brosius will handle zoning matters.

Mr. Yapple had a letter from the Fairfield County Historical Parks requesting exemption from the fees for zoning, review and building application for the Zeller Park Shelter and Sidewalk Project. Mr. Dunlap made a motion to waive the zoning, review and building application fees for the Zeller Park Shelter Sidewalk. Seconded by Mr. Weltlich. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, Mr. Myers, yes. Motion A2013-1106 passes 3-0.

Mr. Yapple has passed out a draft copy of the minutes from the Fairfield County Transportation District Improvement board meeting. Mr. Weltlich asked if Greg Bachman was still a member. Mr. Yapple said he was.

Fairfield Department of Health will be moving to their new facility this month.

We received another donation request from Bloom Carroll regarding sponsorship of their school yearbook. Mr. Weltlich made a motion to decline sponsorship with Bloom Carroll High School with regrets. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion B2013-1106 passes 3-0.

We have run into problems with hazardous materials on the Leonard property. We are working with the demo contractor.

The signs have been ordered for Busey Road Park. Mr. Yapple spoke with Ms. Smith today and sent her information as to the park.

There was a motion regarding the bed tax that legal counsel has asked us to look at and recommend filling of that motion with the Court of Common Pleas of Fairfield County. There is also a press release they have drafted that they would like to release at the same time they file the motion to explain to the folks in the local area and why. We also said in the press release that emphasizing that the Decorative Arts Center of Ohio is not being challenged as it was enacted under a different statute. This dispute only resolves the general 3% county bed tax. **Mr. Weltlich made a motion to authorize the legal representatives move forward with the filing of the Bed Tax and to release the press release. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion C2013-1106 passes 3-0.**

Mr. Weltlich made a motion to adopt Resolution 2013-1106-01 – to Authorize the Director of Operations to enter into contract with Allerton Hill Consulting, LLC to Conduct and Survey, Prepare a Communication Plan, and Provide One Year of Related Consultation. Discussion: Mr. Myers asked if everyone was on the same page with this. Mr. Weltlich said he thought everyone was. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2013-1106-01 passes 3-0. Mr. Weltlich commented Sara Rose did an excellent job in negotiating this quickly.

Mr. Weltlich made a motion to adopt Resolution 2013-1106-02 – Elimination of Economic Development Position. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2013-1106-02 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-1106-03 – Resolution to Amend the Zoning Resolution of Violet Township, Fairfield County, Ohio – Zoning Amendment number 01-ZC-2013. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, abstained. Resolution 2013-1106-03 passes 2-0.

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Mr. Dunlap asked if we needed to take any action on the indigent burial. Mr. Yaple said we had set a spending limit of \$1000. The Funeral Home is talking about \$695 and now there is discussion between the family and the funeral home about what happened to the remains of this deceased. According to the ORC this is not what happens. We have to properly dispose if the family does not want to. This is still open for discussion. If this is the case then can we open the Boyer Cemetery and put a burial in there. Mr. Yaple does not think we can because it is not registered as an open cemetery. Mr. Weltlich wanted to know where we were getting our legal information from. Mr. Yaple said from the prosecutor's office. Mr. Myers asked if the cremation fee had ever been established. Mr. Yaple said it was \$695.00. Mr. Myers asked if it was \$2095.00 would we still pay it. Mr. Yaple said there was nothing in the ORC that establishes a fee. Mr. Yaple asked the funeral home why they ended up on South High Street in Columbus. The funeral home told Mr. Yaple that another of the deceased person's aunts passed away about two weeks ago and they were at that funeral home so the family just sent the gentleman there. Just because the family relieved the body to the funeral home does not relieve us of the indigent burial issue. Mr. Weltlich commented that it said the Township was the first body was found shall cause it to be buried or cremated and it doesn't say the relatives can decide where it's going to be cremated or disposed of. Mr. Yaple said that from what he has been told he has still not been cremated as of this hour. Mr. Weltlich wanted to know where the deceased was residing. Mr. Yaple said he was at O.R. Woodward today. Mr. Myers said that Mr. Yaple has more questions he needs to ask the prosecuting attorney. Mr. Myers commented he and Mr. Yaple had a meeting several years ago with Mr. Sheridan about this and whether they needed to put money aside for this. Mr. Weltlich said whatever action we take now sets a precedent that you cannot overturn later. Mr. Dunlap said the question would be – did they claim the body when they sent it to the funeral home and was he found in the township. Mr. Yaple referred to the document in section b and felt that was a key point because the gentleman had legal residence at the time of death was 9617 Brookside Drive. According to the Coroner's report. Mr. Dunlap referred to the very first paragraph where it says 'and the body is not claimed by any person of private internment or cremation for the purpose of expense.' Mr. Dunlap asked Mr. Yaple to get a hold of the Prosecutor and tell him we need an answer as soon as possible. Mr. Smith said he thought the two key things were 'indigent and claimed' and this needs to be interpreted.

Fiscal Officer:

Mr. Smith reported all of staff has the new credit cards.

We are working with Huntington to get remote deposit which is one of the things the Auditor wanted us to have.

Mr. Weltlich asked where we were with the bank reconciliations. Mr. Smith said he had all of July and most of August tonight. Mr. Weltlich said it was his understanding that we missed payroll by a day. Mr. Smith said that was not true and that our payroll day is Thursday. Mr. Weltlich asked if there was an issue with the pension checks this last payroll. Mr. Smith said we had something that was not pension but sick leave buy outs. They were pension but they should not have been. Mr. Smith said ultimately his office is responsible but the reality is that Paycor changed their platforms and this is what caused the issue.

Mr. Dunlap asked if there was an issue for the checks for the ??? property for the demolition. Mr. Smith said our staff inadvertently approved it and gave it to us they approved it, the Trustees approved it and we paid it so now we are dealing with the County. Mr. Dunlap said as he understood it when that came over it was just a copy for reference of the bill that the County was going to pay and it would cover sanction and with his assistant was to not pay it, that the County pays it. Mr. Smith understood that is

what he was told but the reality was that Mr. Yapple signed it and gave it to us to pay. Mr. Dunlap thought the money was all supposed to be turned over to the County. Mr. Yapple said that was not what was agreed upon. When we took this on we said we would upfront the money and get reimbursed from whomever from the State through the County. Since then, the County decided to begin paying some of the bills. Mr. Smith

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suggested Mr. Yapple contact the County, get clarification and cc Mr. Smith so they will know how to go forward.

Mr. Weltlich said he doesn't understand how we handle the Senior Center check payments for items that they have voted to spend such as, how do we pay the Food Pantry their \$5,000 donation? The Food Pantry should be a separate line item unless the Senior Center paid them out of their own accounts and then requested it. There was an amount of \$10,000 on the last invoice run at the last meeting to include our \$5,000 and the Senior Center's. So if we pay the refrigerator it shows up and if they pay it comes out of their account. Mr. Smith said the majority of what you see is a reimbursement of salaries. There occasionally are some other things. Mr. Smith said it is significantly better than it has been. They are now giving us the two categories in a 'documented' format. Mr. Yapple said we need to relay to the Senior Center that if they vote to authorize the money to certain authorizations then (John and Nancy) also need to send information here that she wants this invoice paid or not paid to those entities and signed by John's approval. Mr. Weltlich thinks it should come from Jerri with John's signature.

Trustee Reports:

None

Trustees out of Office Meetings Where More than one (1) Trustee present

None

Old Business

None

Tabled Business

None

New Business

The next regularly scheduled meeting of the Violet Township Board of Trustees will be held Wednesday, November 20, 2013, at 7:30 p.m. at the Violet Township Administrative offices.

Mr. Yapple asked if we had submitted for the Trustees and Clerks Fiscal Officers Christmas Party to Chris Smith as this is supposed to be in by November 7th. Mr. Myers and Mr. Weltlich will each have two. I didn't hear what Terry said??? The event is on December 8th at 6:00 p.m.

Pay Bills

Mr. Weltlich made a motion to pay the bills. Seconded by Mr. Myers. Discussion: Mr. Myers asked if the check for Ports Petroleum was current and up to date. Mr. Smith said it was. **Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion passes 3-0.**

Mr. Weltlich made a motion to go into Executive Session to discuss personnel issues per the ORC Section 121.22(G)(4) include the (3) Trustees. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion passes. 3-0. The board recessed for 10 minutes and went into Executive Session at 8:58 p.m.

Mr. Dunlap made a motion to come out of Executive Session at 10:25 p.m. Seconded by Mr. Weltlich. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion passes. 3-0.

Adjournment

Mr. Weltlich made a motion to adjourn the regular meeting at 10:26 p.m. Mr. Dunlap seconded the motion. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion passes 3-0. Meeting adjourned at 10:26 pm.

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Respectfully Submitted,

Christopher H. Smith, Fiscal Officer

Joniann Goldberg, Administrative
Assistant

Approved by:

Terry J. Dunlap, Sr., Trustee

Harry W. Myers, Jr., Trustee

Gary P. Weltlich, Trustee

Date: _____