

Violet Township Board of Trustees

January 17, 2007
Regular Meeting

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

Mr. Van Kannel called the roll and Mr. Dunlap, Mr. Myers, and Mr. Weltlich responded, "present". Other Township employees present were Bill Yaple, Director of Operations, Kenn Taylor, Fire Chief, and Greg Butcher, Violet Township Engineer.

Mr. Weltlich asked the audience to join with him in the Pledge of Allegiance and to remain standing for a moment of silence in honor of those that safeguard our freedoms around the world and here at home.

Mr. Weltlich asked for a motion to approve the minutes.

Mr. Dunlap moved, seconded by Mr. Myers to approve the minutes of the January 3, 2007, Regular Meeting without public reading as submitted by the Fiscal Officer. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Minutes approved.

Mr. Myers moved, seconded by Mr. Dunlap to approve the minutes of the public hearing for the proposed Access Management Plan held on January 3, 2007 without public reading as submitted by the Fiscal Officer. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Minutes approved.

Recognition of Guests:

None

Public Comments

None

County Authorities

Chief Deputy Perrigo reported there would be four days of Incident Training held in April. This is part of the NIMS program. They are still working on the radio study. They are also still working on their in-car computers.

Chief Deputy Perrigo stated the Refugee Road closure signs needed to be taken down. Mr. Dunlap stated he needed to talk to Frank Anderson at the Fairfield County Engineer's office, as this is a county road. The road closure was cancelled due to weather but we do not know when they will re-schedule.

Mr. Dunlap stated we used to get a monthly activity report from the Sheriff's Department and we have not seen one for several months. Chief Deputy Perrigo will look into this.

Fire Department

Fire Chief Kenn Taylor presented Resolution 2007-0117-07 - Paramedic Training for Josh Cook at a cost of \$3800.00. About half of this will be picked up through our EMA Grant. **Mr. Dunlap moved to adopt Resolution 2007-0117-07 - Paramedic Training. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, Mr. Weltlich, yes. Resolution 2007-0117-07 is adopted.**

Chief Taylor reported the Fire Department made a presentation to the Pickerington Dispatchers for all their years of service and dedication to the community. On behalf of the Fire Department and all the Trustees, they stood before Council and made this presentation to them.

There will be a kick-off meeting Friday, January 19 at Station 2 at 1:00 pm with 3M about the beginnings of the GPS Traffic Pre-emption Devices to include City, county and state authorities and the folks from 3M.

Chief Taylor reported he sent copies of the response he had received back from Canal Winchester regarding the price to upgrade the Opticom for Diley Road.

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Chief Taylor will be attending the International Fire Chief's Board meeting in Charlottesville, Virginia on Friday and Saturday of next week.

Township Engineer

Mr. Butcher had an update on the Sagamore Pond subdivision ditch. He received an email from the Fairfield County Engineers office stating that the developer has contracted with a company out of Carroll, Ohio and they have ordered the drainage structures, which should be delivered any day. The contractor wants to have a pre-construction meeting with the County. Mr. Butcher guesstimated about a week to do once they get started.

Mr. Butcher has given the Trustees a Bid Summary on the Mingo Estates Infrastructure Improvements Phase 1 Issue 2 project. We had seven bids. Three of the seven were under the Engineer's Estimate. The apparent low bidder was Beheler Excavating out of Butler, Ohio. He is in the process of reviewing the submittal. Five of the seven technically could be utilized. Mr. Butcher stated that from a County prospective we would have to look at each component individually for jurisdiction.

Mr. Butcher stated that our engineer's estimate that was included with the original submittal was nearly identical to what the lowest bid proposal was.

Mr. Myers asked Mr. Butcher to address the issue of asking the County if they would be inspecting the ditch at Sagamore Pond. Mr. Dunlap added to make sure the County Engineer is on-site the entire time.

Mr. Weltlich asked if the housekeeping items regarding Diley Road had been completed with GPS and final stabilization and design report. Mr. Butcher stated they have not had a project meeting yet but they are still talking.

Mr. Butcher talked about the railroad crossing at the Allen Road Norfolk Southern Crossing on Allen Road between Busey Road and SR256. As part of the process, with the Public Utilities Commission of Ohio, we have an opportunity to install temporary stop signs. The representative from the PUCO recommends that we do that. Mr. Butcher asked for a motion to install temporary stop signs. Mr. Dunlap stated that according to the ORC we have to pass a resolution to adopt the placement of stop signs. Mr. Butcher stated that according to the PUCO we did not have to pass legislation for the stop sign itself. Mr. Dunlap stated that according to ODOT for it to be enforceable we have to pass a resolution just like we do placement of stop signs in sub-divisions whether they are temporary or not. Mr. Butcher requested a motion to submit the application and the form to PUCO, which involves a signature from the Fiscal Officer to not install temporary stop signs until we have a clarification on the resolution. Mr. Dunlap made the motion, seconded by Mr. Myers. Discussion: Mr. Yapple commented that they encouraged us to install the stop signs in case something that would happen in the future that it would show that the township had done due diligence to move forward to protect a person's rights to make sure they stop at that crossing rather than proceeding without stopping, looking and listening. This came from the rail people. Line of sight is really the only issue Mr. Yapple is aware of. We have to put a stop bar on the pavement to show that they will stop there. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion A20070117 passed.

Mr. Butcher reported the Violet Township Thoroughfare Plan is a study that EMH&T is in the midst of. There was some additional assembling of data that occurred this fall. He just asked for progress reports so he could update the Trustees.

Mr. Dunlap asked Mr. Butcher to pass on to his crew that they did a good job in responding to the high water and clearing debris off the road afterwards.

Mr. Butcher stated he would have the hourly rates for township owned equipment.

Mr. Weltlich asked that Mr. Butcher have a cost estimate done for the Trustees to review prior to the next Trustee meeting for the work that was done on Marie Lane.

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Mr. Myers made a motion to recess the regular meeting and proceed to the scheduled public hearings. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Motion passed.

Mr. Dunlap moved to adjourn the continued Public Hearing portion of the meeting at 8:24 p.m. and resume the Regular Session of the Trustees meeting. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.

Director of Operations

Mr. Yaple reported we had 4 single-family units for a total of 1.6 million of construction evaluation. Total single family permits for the year was 63 with a construction cost total of \$24.4 million. We had 74 other permits for the total year. We had 3 commercial permits for December for a total of 24 commercial permits for the year. In 2005, we had 82 single-family permits for the year. In 2004, we had 188 single-family permits and 16 condos/multi family units.

Mr. Yaple reported the Pickerington Chamber dinner is to be held February 3rd. There may be more than one Trustee at this event.

Next week all the employees will be meeting about deferred comp and Mr. Yaple will ask the question about Sam's Club.

We are in the final stages of finishing the website. We hope to launch by mid February.

Mr. Yaple had passed out information on a candidate to author and print the Township newsletter. Mr. Yaple has also met with another person, which he will forward his resume to the Trustees. After that, he has one more person to look at.

We received notice that there has been a petition to vacate some right of way within the Village of Lockville. Mr. Yaple will go through and mark up a map of what alleys they are talking about.

Mr. Yaple respectively asked the Chairman to later in the meeting to appoint Trustees to their assigned committees for this year so that we have it on official record.

There has been nothing new happening with the 310 Corridor Study.

We are in the final stages of the Policy Manual update. It is in Chief Taylor's hands right now. Hopes are to have it in the Trustees hands in the next few weeks.

Mr. Dunlap moved to adopt Resolution 2007-0117-01 -09 - To Receive Proposed Amendments (Case No. 09-ZC-2006) to the Violet Township Zoning Resolution and to Establish Public Hearing Date. Mr. Yaple stated the hearing date would be set as February 7, 2007 at 8:00 p.m. at the Violet Township offices. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Resolution 2007-0117-01 is approved.

Mr. Dunlap moved to adopt Resolution 2007-0117-02 - To Receive Application and Establish Public Hearing Date for Case Number 12-ZC-2006. Mr. Yaple stated the hearing date would be set as February 7, 2007 at 8:00 p.m. at the Violet Township offices. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Resolution 2007-0117-02 is adopted.

Mr. Myers moved to adopt Resolution 2007-0117-03 - To Hire Sara Rose, LLC as Legal Council on an 'As Needed' Basis at the Fee of \$170.00 per hour. Mr. Myers asked what her fee was last year. Mr. Yaple will find out and let Mr. Myers know. Seconded by Mr. Weltlich. Roll call vote: Mr. Myers, yes; Mr. Weltlich, yes; Mr. Dunlap, no. Resolution 2007-0117-03 is adopted.

Mr. Dunlap moved to adopt Resolution 2007-0117-04 - Authorize Township to Enter into Agreement with the Fairfield County Prosecuting Attorney to be our

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Home Rule Law Director at \$15,000 per year paid in two different payments.. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Resolution 2007-0117-04 is adopted.

Mr. Dunlap moved to adopt Resolution 2007-0117-05 - Retain the Law Firm of Loveland & Brosius, LLC as Legal Council on an 'As Needed' Basis for Township Zoning Matters. Mr. Yapple stated they were \$165.00 and went to \$185.00. Seconded by Mr. Weltlich. Discussion: Mr. Van Kannel questioned the language where it stated 'the board has appropriated a sum of \$90,000.00 for legal services. He wanted to know why this would be pertinent to them. Mr. Van Kannel did not think this was on the contract from last year on the front page at the bottom. Mr. Yapple stated that what we have appropriated for legal fees is public knowledge. Mr. Weltlich stated this should not be dictated by Loveland and Brosious. Mr. Yapple stated it was not. Mr. Dunlap referred to Section 2 of page 2 of the Resolution where it stated that we have total compensation and it shall not exceed \$90,000.00. Mr. Yapple clarified that this amount is only for zoning and not the total amount. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Resolution 2007-0117-05 is adopted.

Mr. Myers moved to adopt Resolution 2007-0117-06 - Retain the Law Firm of Moots, Carter & Hogan as Legal Council to Advise and Represent on Annexation Matters. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Resolution 2007-0117-06 is adopted.

Mr. Myers moved to adopt Resolution 2007-0117-08 - MORPC Fees for 2007. Seconded by Mr. Weltlich. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Resolution 2007-0117-08 is adopted.

Mr. Dunlap moved to adopt Resolution 2007-0117-09 - Authorize Director of Operations to Purchase LED Strobe & Tail Light Package from Ace Truck & Body, Inc. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Resolution 2007-0117-09 is adopted.

Mr. Dunlap moved to adopt the amendment to Resolution 2007-0117-11 - Annual Certification of Road Mileage. Mr. Yapple stated the certified road mileage from ODOT for 2006 is 101.37 miles. In 2005, we certified for 100.42. We have had an increase of almost one mile this year. Mr. Dunlap asked Mr. Butcher is we have had an opportunity to review this. Mr. Van Kannel stated we did not receive the letter until January 12 and it was due back on the 19th. Mr. Weltlich asked to amend the resolution. Mr. Dunlap moved to amend the resolution upon review and approval of the Township Engineer. We want to make sure we are given credit for the roads we are responsible for. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.

Mr. Dunlap moved to adopt the resolution as amended. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Resolution 2007-0117-11 adopted as amended.

Fiscal Officer

Mr. Van Kannel presented the last paid payroll and the bank reconciliation for December.

Mr. Weltlich inquired about the status of ADP. Mr. Van Kannel reported that all efforts were put into getting things changed over from 2006 to 2007. He has a meeting with another vendor tomorrow and will report after that meeting.

Mr. Weltlich asked how he would handle the credit that OTARMA was going to give us. Mr. Van Kannel stated he would appropriate the actual amount after receiving the credit discount.

Trustees Reports

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Mr. Myers reported he and Mr. Yapple attended a Board of Health meeting last Tuesday. There are money issues evolving with Fairfield County Board of Health that they are trying to work through. The operation of the clinic is the big issue now. They have

applied for a Federal Grant to become a Federal Clinic and funded but this will still only get them about 70% back.

Mr. Dunlap invited residents to consider joining the Bicentennial Commission. They meet on the last Monday of each month at the township offices at 7:30 p.m. Some of the events will start in July of 2008 such as the 'hair growing' contest to prelude the events in 2008.

Trustees Out of Office Meetings

February 3, 2007 is the Chamber of Commerce Annual Dinner.

Old Business

None

Tabled Business

Resolution 2006-1004-01 - Full Certification of Residential Building Code. Our deadline is in April, 2007. Mr. Yapple reported he has spoken to someone at the City of Dublin who is going to pursue the Home Rule issue. They are in the process of putting together a class action issue to go after the State Building Code. We are thinking we can tap on to the Home Rule side of that with them. It has to be filed by May 17, 2007. It remains on the table.

New Business

Mr. Dunlap made a motion to pay the bills. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.

Mr. Dunlap made a motion to go into Executive Session after taking a 10-minute recess to discuss legal issues concerning disputes involving the public body and either pending or eminent court or personnel action. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.

Mr. Weltlich stated that when they come out of Executive Session, they will conduct no further business and would adjourn immediately following the executive session.

Mr. Dunlap moved to come out of Executive Session at 10:20 pm. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.

Being no further business to conduct Mr. Myers moved to adjourn the meeting. Seconded by Mr. Dunlap. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. The meeting adjourned at 10:20 p.m.

Respectfully Submitted,

Jim Van Kannel, Fiscal Officer

Joniann Goldberg, Zoning Secretary

Approved By:

Gary P. Weltlich, Chairman

Harry W. Myers, Jr., Vice-Chairman

Terry J. Dunlap, Sr., Trustee

Date: _____