

# Violet Township Board of Trustees

November 7, 2012

Regular Meeting

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

**Mr. Myers called the meeting to order and Christopher Smith, Fiscal Officer called the roll: Mr. Myers, Mr. Dunlap and Mr. Weltlich were present. Others present were: Director of Operations, Bill Yaple; Engineer, Greg Butcher and Fire Chief, John Eisel.**

Mr. Myers asked everyone in attendance to join him the Pledge of Allegiance and a moment of silence.

**Mr. Weltlich moved to approve, without public reading, the minutes of the Regular meeting of October 17, 2012 as submitted by the Fiscal Officer. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; and Mr. Dunlap, yes. The minutes of the Regular meeting of October 17, 2012 are approved 3-0.**

**Mr. Weltlich moved to approve without public reading, the minutes of the Special Meeting of October 30, 2012 as submitted by the Fiscal Officer. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. The minutes of the Special Meeting of October 30, 2012 are approved 3-0.**

## Recognition of Guests

Pam Good, Treasurer-Elect of OPVBA 2013 was present. Ms. Good made a request of the Trustees for funding. Ms. Good explained that the City of Pickerington donated \$7500. There are (4) officers and three members at large on the board. Their group has 45 members and their total budget for next year is \$9,250. Their total budget is \$14,500 and the shortfall of their budget is \$1750.

## County Authorities:

None

## Public Comment

None

## Departmental Reports

### Fire Department

Chief Eisel reported they had a resolution dealing with the Assessment Center process for the position of Battalion Chief this Saturday. **Mr. Weltlich made a motion to adopt Resolution 2012-1107-01 – Authorize the Expense to Conduct an Assessment Center Process for the Position of Battalion Chief at a Cost Not to Exceed \$5,500.00. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2012-1107-01 passes 3-0.**

**Chief Eisel had a second resolution to approve the agreement to retain Mr. Linville of Baker and Hostettler in the capacity of Chief Negotiator to represent the interests of Violet Township during contract negotiations. Mr. Dunlap made a motion to adopt Resolution 2012-1107-04 – Retain Legal Representative for Contract Negotiations. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Resolution 2012-1107-04 passes 3-0.**

Mr. Dunlap asked about the flexible gas line and wondered if this had been worked out or were they abolishing it. Chief Eisel said right now the process is the Fire Marshall's office is still in the data collection phase to be able to determine that there is an issue. They have sent vendors to the Consumer Products Safety Council or whatever the case may be to get something done with this. Chief Paxton has been in contact with a Fire Department in Carmel, Indiana who is having the same issues with the same type of product. It could very well be a regional or even a national problem. It seems to be more predominant of the areas that were farmland and then became developed. We are to report any of those instances to the Fire Marshalls office. Mr. Dunlap wondered if in talking about minerals in the ground if there was any relationship to radon. Chief Eisel said he did not know yet.

November 7, 2012

Regular Meeting

**Township Engineer**

Mr. Butcher reported tree trimming and dead tree removal within or overhanging road right of way is complete.

Mr. Butcher prepared a Sign Management Policy/Protocol. Initially, the deadline for having this done was January 2, 2012. This has since been extended to June 13, 2014. It is his understanding that specific sign replacement deadlines have been abolished.

Mr. Butcher reported Softworks Fleet Maintenance Training is scheduled for Friday, November 16, from 9am to noon. There is no cost for the training. VFTD and FCEO personnel are invited.

Mr. Butcher had a resolution for consideration for Adopting a Model Roadway Use & Maintenance Agreement for Horizontal Drilling Projects and Infrastructure. We think this makes good business sense to adopt this and be pro-active. Mr. Butcher explained it was a combination of information from the County Engineers and County Commissioners Association in concert with the Ohio Department of Natural Resources. The Trustees would like this to go through the Prosecuting Attorney's office and also Mr. Yaple will have the County Engineer review it. Mr. Dunlap asked about the word 'horizontal' and wondered about just a regular driller and would this include that. Mr. Yaple said it was mainly for the horizontal because they are the ones that haul so much material in and out. Mr. Butcher said we could include that. Mr. Yaple does not think OD&R have come up with that latitude yet. Bill and Greg will re-visit this until the next Trustee meeting. Mr. Weltlich suggested putting in the words 'vertical' and/or horizontal and send to the Prosecuting Attorney's office.

Mr. Myers asked if the Interchange at Winchester Road and Carroll got approved. Mr. Yaple said he did hear that ODOT got the safety grant for this project.

**Director of Operations:**

Mr. Yaple reported SOH Productions is moving in to the community with doing a station with community information on it. If we want to be part of that or provide information to them we will need to sign an agreement and our obligation would be to provide them with information and ideas. They will do the programming. The Trustees have a copy of the agreement. The Trustees would like the company to attend a meeting to discuss with them.

Chad Lucht of Fairfield Soil and Water, 831 College Ave., Lancaster, Ohio was present at the meeting to talk about CBI Systems Phase I and Phase II – NPDES Stormwater software. Mr. Lucht has used the program and spoken to people in the field that have used the program. At the last meeting Mr. Dunlap had asked if Soil and Water would participate financially. Their board has not met to approve at this point. He has been working with Mr. Yaple on this and through discussions they felt that due to a lack of action from the County this needs to be done by our township.

In the past there have been issues where the County had not met deadlines toward the reporting requirements. As a result this has given Mr. Yaple concern that there could be some negative recourse down the road. The closest entity that uses this software is Newark. Soil and Water is willing to go down the path with us and he can't give us a definite answer until December to see if they will help us out financially. Mr. Lucht will recommend that the board at Soil and Water contributes financially. Mr. Lucht will propose they would buy the entire software and the Township pick up the cost of \$5,100 to pick up license fees, annual maintenance fees and the onsite training. Soil and Water would be the software owner and operator and the Township would have a licensing fee. If another community comes on that wants this service then they would pay their portion as well. It is a web based program so as long as there is internet access to the device then they are good. Mr. Yaple said that part of our Stormwater Management here has to be the County Engineer's office at this point. **Mr. Weltlich made a motion to purchase the software and the annual fee at a cost not to exceed \$7500. Seconded by Mr. Weltlich. Discussion: Mr. Smith asked if when we buy the product would we own it. When we get reimbursed for it who will own it? Mr. Yaple said Soil and Water would own it. Mr. Smith said we would have to have something that clarifies that in 2013. Mr. Myers wanted to make sure that Mr. Lucht is assuring us that they will come back to us with \$5100. Mr. Lucht said that is his goal. They do have**

November 7, 2012

Regular Meeting

funds dedicated to cover those costs. They have the money and they have the need. Mr. Lucht said that if they say no he will take it upon himself to administratively get the program set up and just wouldn't be able to participate financially.

Mr. Butcher said he was supportive of the software. Right now Fairfield County holds the permit with the EPA. Fairfield County and others are responsible for reporting for the portion of the county that is required to have a Stormwater Discharge Permit. Mr. Weltlich said that was a deliberate decision on this board's part with Kerry Hogan. The County does the annual report. We have had some concerns with that. Mr. Yaple said last year they did not file at the correct time and were fined over \$2000. Mr. Butcher asked if what Mr. Yaple is proposing would impact anything the Township decides to do independent of if we utilize our Home Rule and water and sewer district and hold our own permit; will this still be a benefit to us. Chad said it would be because this program is designed to accommodate those types of things and that is where that customization comes in.

Mr. Myers asked if we were leaving the 'umbrella' of County Utilities and coming under the 'umbrella' of Soil and Water. Mr. Lucht said we are leaving County Utilities and Soil and Water is coming underneath us.

Mr. Dunlap added that whether we stay or whether we go this information is there for whoever makes those reports and it covers us.

Mr. Yaple said we need to put the Water and Sewer Board back in place and then they would be the ones to move forward and take that heat and not the elected officials. Then we would have to notify the county that we are on our own. We would be assessing the fee which would begin to give us the dollars to move forward and replace some of Mr. Butcher's dollars that he has been spending over the last 10 or 12 years on this program and hopefully we can replace some of the dollars this Township has spent out of the General Fund. This could be up to \$60,000 or \$70,000 if he were to total it up.

Mr. Myers only concern was that if we buy this program tonight and we have it implemented sometime in February. Then come May 1<sup>st</sup> the County Commissioners say we are going to put a stormwater runoff fee in Violet Township. Mr. Yaple said the money would go to the County but they would have to spend it here and then they take on and take away from Mr. Butcher. Mr. Butcher thinks we should revisit the contract. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion A2012-1107 passes 3-0.

Mr. Yaple reported we have talked a few times about trash districts and an agreement between the City of Pickerington and Rumpke and including picking up some of the subdivisions in our township. The way to do this is in a trash district. A trash district can be any certain boundary and it doesn't have to be the whole township. We talked about using Jefferson Woods and Jefferson Farms as a trash district. If they come with a petition stating they would like to establish one hauler in that district we could say the boundaries of this district are those two subdivisions. So that would be trash district A. You could have many trash districts. If we received somewhere between 65 and 70 percent of signatures on that petition approving it from their subdivisions that they would move forward in adopting of that petition. The Law Director says you can do it. Mr. Yaple asked Mingo Estates the question and they came back no that they would not have that many interested.

Mr. Dunlap said that if a subdivision says we want you to form a trash district and they get 70% of the people to sign then we would do it. All the Trustees agreed to this. Mr. Myers advised that he would contact Chevington Woods Civic Association.

Mr. Yaple is looking for a custom cabinet for the lobby to house the old minute books. Oak Creations gave us a quote of \$1300.00. It has locking doors on it. **Mr. Weltlich moved that Mr. Yaple check with Ohio Penal Industries to see if they have what we are looking for and if not purchase a cabinet from Oak Creations to build at a cost not to exceed \$1500.00. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion B2012-1107 passes 3-0.**

November 7, 2012

### Regular Meeting

Mr. Yapple had sent an email he received from the Health Department about the increase in fees that they will start instituting after three readings. These new fees will apply to next year's license renewals.

Mr. Yapple gave the Trustees a pamphlet on Fair Housing information.

We continue to work on demolition issues with the properties that were discussed earlier. If we are going to move forward with this the money has to be spent before December of 2013. Mr. Yapple has had discussions with Mr. Laramie and he still wants to try to recoup the costs. The Trustees would like to ask the question to Walnut Township to see if they have already started recouping their fees. Mr. Yapple said it is going through Lancaster Community Action Recycling.

Mr. Weltlich asked if the road levy that passed in Bloom Township was a renewal or was it new. Mr. Yapple said it was a renewal. They have a 3.89 road levy they vote on every five years. Mr. Weltlich asked that Mr. Yapple and Mr. Butcher glean as much information as they can about Bloom's road levy.

#### **Fiscal Officer**

Mr. Smith reported since our last meeting he attended continuing education. He found out that they don't expect our investment rates to move anytime in the next 18 months.

Mr. Smith explained we have to pass our appropriations resolution prior to December 31<sup>st</sup>. He would like to do this on December 19<sup>th</sup> at our 2<sup>nd</sup> meeting in December. He would really like to have the department heads information by Friday November 30<sup>th</sup> so he can give to the Board of Trustees on December 5<sup>th</sup>. We have a potential wage negotiation that may not be settled from a wage standpoint but if we could have everything else hammered out that would be good.

**Mr. Smith had a Supplemental Appropriations Resolution for consideration. Mr. Myers made a motion to adopt Resolution 2012-1107-03 – Supplemental Appropriations. Discussion: Mr. Weltlich asked about the line for Fiscal Officers staff. Mr. Weltlich asked to table the Resolution until they can review what the resolution was to authorize the Fiscal Assistant, her hours and her salary. There is concern that we do not have this properly documented. Mr. Dunlap had asked for this months ago (Mr. Smith would like it noted that it was not the Fiscal Office that was asked for this documentation). Mr. Dunlap stated he would like a copy of a resolution or motion or in the minutes where it says when we hired the Fiscal Assistant what her hours and wages were to be. Therefore, Mr. Weltlich moved to amend the motion to delete that from the resolution until Mr. Smith has provided that information to the Trustees and they have a chance to review the document. Seconded by Mr. Dunlap. Mr. Smith wanted to make it clear that there will be things that will not get done if this is not approved. Mr. Dunlap asked why they would not get done. Mr. Smith said there would not be money to fund the personnel to do them. Mr. Smith was trying to say that there are two people that do work and if the \$2400.00 is not there to fund her then there are things that will not get done. Mr. Weltlich wanted to make a point that if it is not approved tonight we can defer that expense to the end of the year when it will be approved. Roll call vote for the amendment. Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers. Motion passes 3-0. Roll call vote on the motion as amended. Mr. Myers, yes; Mr. Weltlich, yes; Mr. Dunlap, yes. Resolution 2012-1107-093 passes 3-0.**

#### **Trustee Reports**

None

#### **Trustees out of Office Meetings**

Pickerington Food Pantry on Sunday, November 11, 2012 from 1-4pm there may be more than one Trustee in attendance.

#### **Old Business**

None

#### **Tabled Business**

None

November 7, 2012

Regular Meeting

**New Business**

**Mr. Weltlich made a motion to authorize \$1750 to the OPBVA. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion C2012-1107 passes 3-0.**

The next regularly scheduled meeting of the Violet Township Board of Trustees will be held November 21, 2012 at 7:30 p.m.

**Pay Bills**

**Mr. Dunlap made the motion to pay the bills. Mr. Weltlich seconded the motion. Discussion: Mr. Myers asked about the South Central bill. Mr. Yapple said it was for the sprinkler system for the Pickerington Senior Center. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion passes 3-0.**

**Adjournment**

**Mr. Dunlap made a motion to adjourn the regular meeting at 9:00 pm. Mr. Weltlich seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion passes 3-0.**

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: \_\_\_\_\_