

RECORD OF PROCEEDINGS

Minutes of

SPRINGFIELD TOWNSHIP TRUSTEES

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 8101

ABATEMENT PUBLIC HEARING

AUGUST 8, 2017

Held

Called to Order by the President at 6:15 PM. A roll call was requested. Those present were: Dr. Wells, Mr. Scoby, and Mr. Foley

Abatement Public Hearing proceeding with the formal grass abatement procedure set forth in the Ohio Revised Code

Section #505.87 on the following cases:

2742 Danbury Rd. Springfield, OH 45505

518 Kinnane St. Springfield, OH 45505

520 Kinnane St. Springfield, OH 45505

711 Lyle Ave. Springfield, OH 45505

2191 Seminole Ave. Springfield, OH 45506

Staff Report-Barb Fletcher

Informed the Trustees that the investigator had inspected all the properties. You have pictures of Danbury, Lyle, and Seminole to verify the grass has been cut. You also have an email from our investigator confirming that the Kinnane properties grass has been cut.

Questions from the Board to the Staff.

Dr. Wells- Inquired if the grass in the front and backyard of 2191 Seminole had also been cut?

Ms. Fletcher- Stated the grass had been cut in the front and backyard of that property.

Opened the Public Hearing for Public Comments.

There were no comments from the Public.

Closed the Public Hearing for Public Comments.

Discussion or Comments by the Board.

There were no comments from the Board.

Motions on Abatement Resolutions.

There were no Abatement Resolutions.

Motion to Close the Abatement Process in accordance with the Ohio Revised Code Section #505.87 by Mr. Scoby, Second Dr. Wells.

Mr. Scoby Yes, Dr. Wells Yes, Mr. Foley Yes.

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Inquiry for any other business to come before the Board.

There was no additional Business.

Motion to Adjourn the Springfield Township Trustees Abatement Public Hearing by Dr. Wells, Second Mr. Scoby.

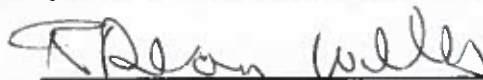
Dr. Wells Yes, Mr. Scoby Yes, Mr. Foley Yes.

Abatement Public Hearing is adjourned at 6:20 PM.

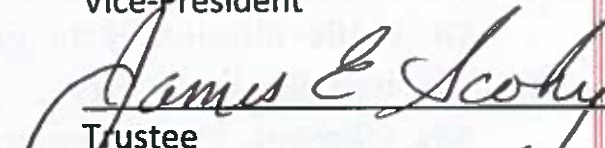
RESPECTFULLY SUBMITTED:



President



Vice-President



Trustee



Fiscal Officer

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The Meeting was called to order by the President with the Pledge of Allegiance.

Those present were as follows:

Timothy Foley

Alex Turner

R. Dean Wells

David Nangle

James Scoby

Barbara Fletcher

Michael Hively

Motion Mr. Scoby, Second Dr. Wells to approve the minutes of the July 25, 2017 Springfield Township Trustees Meeting.

Mr. Scoby Yes, Dr. Well Yes, Mr. Foley Yes.

DEPATRMENTAL REPORTS

Alex Turner- Road Department

Informed the Trustees that the S. Bird Road paving has started and should be finished by the end of the week.

The Compost Facility has had a large hole dug out of the property and approximately 450 cubic feet of top soil has been removed. Mr. Scoby and Mr. Turner will be meeting with Mr. Moser, who is the owner of Lawn Masters, sometime next week to resolve this issue.

Asked if the Trustees had any questions. There were no questions from the Trustees.

Dave Nangle- Fire & EMS Department

Provided the Trustees with a written report, and reviewed the following items. TAC Industries bus storage garage now has a separate FDC connection, hydrant, and PIV from the main building. Fire Inspector Rob Shaw was on site to verify the system passed all tests and State of Ohio codes.

Whispering Pines has an issue with a patient activating the fire alarm system at the pull stations, causing numerous false alarms. Fire Inspector Shaw along with the State of Ohio Inspector were present when covers were installed over the pull stations that alert the staff the pull station has been accessed, but the pull station under the cover must be pulled to alert the Fire Department. This should allow the patient to think he has alerted the Fire Department.

Reviewed some maintenance issues. Ladder #58 was not locking in position for the water way device. It was taken to Stuphens for repairs and while there they conducted a pump test, which failed. The pump packing was replaced and passed the next test.

Engine #58 is currently having brakes repaired and should be back in service in a day or two.

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Chief Nangle- Referred the Trustees to the handout for a recap of the number of fire and EMS calls, and coverage.

Asked if the Trustees had any questions. There were no questions from the Trustees.

Zoning- No Report

Barb Fletcher- Abatement

Stated the Trustees had copies of the pictures taken recently for 658 Titus Rd., 2195 Crabill Rd., and 930 Moorlands. Stated the property at Moorlands had been cut, but not the Titus and Crabill properties.

Ms. Fletcher- Asked if the Trustees had any questions. There were no questions from the Trustees.

Motion Mr. Scoby, Second Dr. Well to approve initiating the formal grass abatement procedure set forth in the Ohio Revised Code Section #505.87 for the following properties located in Springfield Township: 658 Titus Road Springfield, OH 45502 and 2195 Crabill Road Springfield, OH 45502
Mr. Scoby Yes, Dr. Well Yes, Mr. Foley Yes.

Ms. Fletcher- Provided an update for the Trustees from the July 11, 2017 Abatement Hearing that the properties at 328 St. Paul and 2610 Springfield Xenia have been cut, the property at 519 Lyle did go to the contractor to be cut.

Michael Hively- Fiscal Officer

Informed the Trustees that the OPWC fund is now set up in UAN. We received the second amended certificate allowing the funds to be added to revenue. Explained the payment requests will come from Shelly Materials to Mr. Turner then to the Fiscal Officer. The county Engineer's Office will track the payments to Shelly Materials.

Bureau of Worker's Compensation second quarterly report zero claims and only two minor claims for the year 2017.

Asked if the Trustees had any questions on the financial reports. There were no questions from the Trustees.

Motion Mr. Scoby, Second Dr. Wells that the Trustees are in receipt of the Appropriation Status, Revenue Summary, and Fund Status Report.
Mr. Scoby Yes, Dr. Wells Yes, Mr. Foley Yes.

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Michael Hively- Records Commission

Stated the Records Commission members are the Board President and the Fiscal Officer. The Records Commission is required to meet annually to review records retention. For the first time in the history of Springfield Township it now has the RC2 which details when we can destroy records. The RC2 is sent to the Ohio Historical Society who marks which records need State Audit approval to destroy based on the Townships Records Retention Policy approved by the Trustees. Mr. Foley and Mr. Hively approve the RC2 and submit to the Board of Trustees to approve by a resolution. That is a permanent record that can only be changed by the Records Commission and formal approval of the Trustees.

OLD BUSINESS

Trash and grass abatement program and procedures.

Mr. Foley- Read the following statement into the record:

"I went to our Legal Counsel for clarification on abatement programs and procedures. I want to thank Beau (Thompson) at the Prosecutor's Office for his time and expertise.

A Summary:

The Ohio Revised Code Section 505.87 states that a Township "may" provide abatement programs...they are not mandated or required. In the minutes of the March 5, 2016 Trustees General Purpose Meeting the Trustees agreed to continue grass abatement and not do trash abatement.

Inquired if the Trustees had any questions on that part?" There were no questions from the Trustees

"The Township is not required to contact the Health Department when a trash complaint is received. Asked if there was any discussion?" There was no discussion from the Trustees

"I recommend that when a trash complaint is received, the person filing the complaint is told that we do not do trash abatement and is given the contact number for the Health Department. The trash complaint is documented and that is the extent of the Township's involvement unless we are contacted by the Health Department for some type of joint intervention regarding the property. Asked if the Trustees were in agreement with that?" The Trustees agreed.

"When a grass complaint is received, there are 3 paths the Township can follow: take no action, take an informal grass abatement action, take the formal grass abatement action set forth in the Ohio Revised Code Section 505.87.

The informal grass abatement procedure would be contacting the landlord, homeowner, realty company, etc. with a courtesy call and/ or a letter stating that a complaint was received. Inquired if the Trustees were in agreement with that?" The Trustees agreed.

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“The formal grass abatement procedure set forth in Ohio Revised Code Section 505.87 is the path that needs to be followed only in the Township is going to potentially hire the grass cut, thus entering private property with the hope of recouping the abatement costs through taxes. Inquired if the Trustees were in agreement with that?” The Trustees agreed.

Each complaint can be handled differently as to which path or paths are chosen. There can be no action taken. The informal procedure can be tried before the formal procedure. Just because a complaint is received does not mean the formal procedure set forth in Ohio Revised Code Section 505.87 immediately starts nor does it mean the timeline set forth in that section has started. Remember, grass abatement is not mandated. Inquired if the Trustees were in agreement with that?” The Trustees agreed.

The Trustees should not investigate the property since they will act as judges in the formal procedure. Just like a judge does not help the police investigate a crime. That is why Trustees do not go out and investigate high grass complaints.

The timeline set forth in the formal grass abatement procedure in the Ohio Revised Code Section 505.87 starts when the Trustees publically approve that the property will be abated, not when the complaint is received. Inquired if the Trustees were in agreement?” The Trustees agreed.

“The formal abatement process is time consuming and costly, taking a couple months to complete and several hundred dollars of taxpayer’s money. It is prudent to pursue the informal procedure when possible to expedite the cutting of the property while saving taxpayer money.

All that being said, should we be trying the informal procedure first on all grass complaints that meet the 18 inch height criteria before we proceed with the formal procedure? By doing so, some properties may be successfully cut, like the one on Seminole, well before two months and without taxpayer costs. However, some properties may be delayed in being cut since the informal procedure proved unsuccessful and starting the formal procedure was pushed back. Or, should we continue on a case by case basis as to what procedure path to use to best remedy the high grass issue?”

Inquired from the Board if to continue with the formal method or should they initiate the informal method and send out a courtesy letter?

Dr. Wells- The Township has been successful with the informal method with a letter or a telephone call. Township should try to save taxpayer money and send out the courtesy letter.

Mr. Scoby- Stated he has no problem with either method.

Mr. Foley- The informal method has the potential to expedite the process and save money. The problem is if the informal procedure does not work then we have delayed the formal procedure. The residents would have to realize that if we go with the informal procedure then they need to understand that instead of it being two months from the time they call in and grass is cut, it may be three months before the grass is cut.

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Minutes of

SPRINGFIELD TOWNSHIP TRUSTEES

Meeting

BARRETT BROTHERS - DAYTON, OHIO

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Mr. Scoby- Stated he prefers the formal method since it starts the process sooner.

Mr. Foley- Stated the issue is, do we want to continue a case by case basis? If we know we have dealt with a landlord and have been successful in resolving the grass issue with the informal procedure, do we need to follow the formal abatement process with that landlord? My feelings are no. If we previously sent certified mail and it is all returned we might as well follow the formal approach.

Mr. Hively- The costs year to date with the formal method is \$1,479.00 on certified mail and legal notices to follow formal procedure and we only have one property that we will contract to cut.

Mr. Foley- Verified that the Township only recoups those costs when the abatement process is completed.

Mr. Hively- Stated that was correct.

Mr. Foley- Asked when we receive a complaint, do we want to proceed with the informal courtesy letter, on a case by case basis, or automatically proceed with the formal procedure following the ORC Section 505.87 which we are not mandated to follow. We are only mandated to follow ORC Section 505.87 if we are sending someone on private property.

Mr. Scoby- Stated the courteous procedure is excellent.

Dr. Wells- Stated he agreed.

Mr. Foley- Verified that just because a complaint is received that does not mean that the formal procedure must be chosen or the time line automatically starts.

Motion Dr. Wells, Second Mr. Scoby that for the grass abatement program the Township will pursue the informal procedure of a courtesy contact.

Dr. Wells Yes, Mr. Scoby Yes, Mr. Foley Yes.

NEW BUSINESS

Mr. Foley- Clarified the topic to be a discussion to name the Fiscal Officer Department Head of the Administration Office Staff. He asked if there was anything the Trustees wanted to say about this topic, to include an email from our Legal Counsel as an option.

Mr. Scoby- Stated he liked the system used in the past where the Trustees have a new position on the Board each year. Further stated what would make sense would be one Trustee take management responsibility for the Road Department, one Trustee for the Fire Department, and one should have management responsibility for the Administration Department.

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Mr. Scoby- He clarified that the Trustee for Administration would make sure things are taken care of, and ensure evaluations are handled through them. The Ohio Revised Code states that the Trustees are an elected position and also the Fiscal Officer, it is his understanding the Fiscal Officer cannot be the Administrator based on the Ohio Revised Code.

Mr. Hively- Stated that was not true.

Mr. Scoby- Since the Trustees are responsible for the Township, why couldn't they split things up so that one Trustee is in charge of this building and items that need to be done.

Mr. Hively- Stated he was going to make it easy on them based on the conversation he had with two Trustees, the fact that there was an Executive Session that was not valid based on the Ohio Revised Code, I personally do not want to be supervisor of the office staff

In 2014 the Trustees approved the revised job description you approved the office job with the Fiscal Officer as that position's direct report. Over the past few years the things he has tried to do the Trustees have been against to include the Executive Session that happen. As a result, he does not feel he can effectively supervise. Over the past five years I have restored financial integrity to the financial record, reorganized all records and decreased the work load, and would be more than happy to just do his job as Fiscal Officer. He would request a resolution to remove him from the Supervisor of Office Staff, since he cannot effectively do that given the circumstances surrounding him from the Trustees.

Mr. Foley- Due to the fact it was written in the job description, inquired if they need a new resolution for the next meeting?

Mr. Hively- A resolution is needed to remove the Fiscal Officer as the direct report and replace with the Trustees. Having said that in getting records together for the Township, and getting the Township to a good audit, one area that is failing miserably is proper administration of our personnel policy. We do not do personnel reviews, the only ones done was completed by him on the office staff except for one year by the Road Department. Any advice he would give to the Trustees if the Auditor would choose to review our policy manual that states reviews will be done annually that would be a finding on the audit. That would be the biggest weakness of the Township has in effective personnel policy administration.

Mr. Foley- Requested that at the next meeting have a resolution changing the verbiage that the Fiscal Officer is not the Supervisor of the Office staff. Then at the next meeting the Trustees can discuss further.

Dr. Wells – Stated he did not have an annual review for the Fire Chief in 2016 but did have one in 2015.

Mr. Foley- Inquired if there was any more new business. There was no additional business.

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RESOLUTIONS

Motion Mr. Scoby, Second Dr. Well to approve Resolution #2017-102

To approve the attached records retention schedule RC2 to be submitted to the Ohio History Connection State Archives.

Mr. Scoby Yes, Dr. Wells Yes, Mr. Foley Yes.

Motion Dr. Wells, Second Mr. Scoby to approve Resolution # 2017-103.

To authorize Deputy Fire Chief Dave Nangle to approve invoices up to \$2,500.00 for maintenance repair or equipment purchases.

Dr. Wells Yes, Mr. Scoby Yes, Mr. Foley Yes.

Motion Dr. Wells, Second Mr. Scoby to approve Resolution #2017-104.

To accept the attached 2nd amended official certificate of estimated resources for the fiscal year beginning January 1, 2017 as revised by the budget commission of Clark County, which shall govern the total appropriations, made at any time during such year.

Dr. Wells Yes, Mr. Scoby Yes, Mr. Foley Yes.

RECOGNITION OF SPECIAL GUESTS

None

OPEN TO THE PUBLIC

Tim Suter- First Energy Manger of External Affairs

Provided the Trustees with a hand-out of the notice of entry for transmission line work, which outlines the environmental process, and the access to right-of- ways on Township property. This will be for a structure replacement project. The new lines and seven poles will follow the Clark County and Green County boundary lines. Letters will be sent to the residents stating this is permitted by the Ohio Revised Code. The clearing process for trees will begin around October 15, 2017 and the rest of the project scheduled to begin about November 1, 2017.

Dr. Wells- Requested clarification as to the location of this project

Mr. Suter- Stated that it runs south of the highway to about Prime Ohio II and continues to the substation.

Asked if the Trustees had any questions. There were no questions from the Trustees.

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CLOSING REMARKS BY TRUSTEES & FISCAL OFFICER

Dr. Wells- Inquired if a formal report had been received from Major Cox concerning the Blitz held in the Township on Friday August 4, 2017? Requested that the Office follow up with Major Cox.

Mr. Scoby- None

Mr. Hively-None

Mr. Foley- None

NEXT MEETING

On Tuesday August 22, 2017 the Trustees Meeting will begin at 6:30 PM

MOTION TO ADJOURN


Motion Mr. Scoby, Second Dr. Wells to adjourn the August 8, 2017 Springfield Township Trustees Meeting.

Mr. Scoby Yes, Dr. Wells Yes, Mr. Foley Yes.

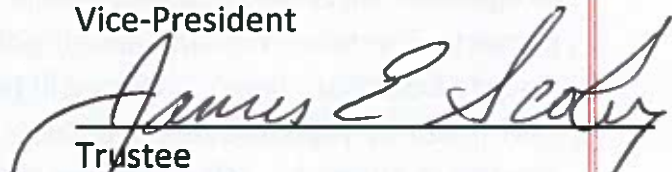
RESPECTFULLY SUBMITTED:



President



Vice-President



Trustee



Fiscal Officer

