

RECORD OF PROCEEDINGS

Minutes of _____

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

Springfield Township Trustees

Date March 27, 2018

Regular Meeting

Meeting called to order by Jim Scoby, Board President Beginning 6:00 PM with the Pledge of Allegiance

Board Members Roll Call

Trustee Tm Foley	Present
Trustee Jim Scoby	Present
Trustee John Roeder	Present
Fiscal Officer Michael Hively	Present

Employee / Visitors in Attendance

Employees: Alex Turner, Dave Nangle, James Allen, Dave Fairbanks, Tyler Franklin, Beau Thompson Prosecutors Office, Kristopher Shultz, Kristin Shultz

Visitors: Cynthia and Bob Seelig, Don and Betty Elberfeld, Gary Barns, Raul Shankar, Judy Sheridan, Roger See, R. Dean Wells, David Noble

APPROVAL OF PREVIOUS MINUTES Regular Session Dated March 13, 2018

Motion to approve by Mr. Foley

Second by Mr. Roeder

Discussion None

Roll Call

Mr. Foley Yes	Jim Scoby Yes	Mr. Roeder Yes
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Departmental Reports

Road Department Alex Turner

Mr. Turner reported that the crew installed a storm water system at 2356 S. Burnett Rd. He reported that he purchased \$5,500.00 less in crack seal and wants to move those dollars to culvert repair mainly for purchasing catch basins from the County.

Also reported the CDBG grant application is complete and he will submit to the County after the Trustees pass the resolution and sign the application.

Fire / EMS Chief David Nangle

Chief Nangle reported:

- MARCS Radio Station Upgrades - have begun and are almost complete per P&R Communication.
- Pagers - are being tested with our Chief Officers and seem to be working very well. We will have all pagers programed once the testing process is complete.
- MARCS Portables- will be programed once our Banks on the radios have been determined to meet the current Clark County radio template.
- We have not set a confirmed date of when we will go live with the new system. Target date is sometime in the middle of spring or early summer but we are still awaiting the review on Dispatch preparedness for the changeover.

Chief Nangle updated the Trustees on the AED devices discussed in the planning meeting.

- We have received estimates on the cost of five units. As we spoke in the Financial meeting these will be placed on first due fire apparatus and one in each in the Administration side of the building and one at the Road Garage.
- All training and in-service for Administration and road Garage will be handled by the FD.
- All maintenance will be handled by the manufacturer through the FD contract.

Also reported that they have completed several residential inspections in the recent past for Foster Care, Parenting, and Special Needs Health Care.

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Mr. Foley asked if the AED device were the defibrillators?

Chief Nangle stated yes.

Zoning

No report

Cemetery

No Report

Fiscal Officer Michael Hively

Mr. Hively Reported that the State Auditor is almost done with our 2016 and 2017 Audit. From all indication it should be a good Audit.

Asked the Trustees if they had any question on the Financials. There were no questions.

Motion for receipt of the Appropriation Status, Fund Status report and Fund Summary Report.

Motion to approve by Mr. Foley

Second by Mr. Roeder

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

Old Business

Compost Facility

Mr. Foley reported that the Compost facility will open April 3, 2018 with the hours of Tuesday 3 PM to 6 PM, Thursday 3 PM to 6 PM, Saturday 8 AM till Noon.

New Business

Township Right a Way

Mr. Neimayer stated at the last Trustee meeting a discussion was held on the best use of the right-a-way. Since that meeting there were discussions with the property owners and now there are some changes to what was discussed. Zoning staff met with Beau Thompson at the Prosecutor's office to discuss items that came up during the discussion with property owners. Zoning staff recommendation to the Trustees is to go forward with the formal vacation of the right-a-way. County Prosecutor Beau Thompson will go over the vacation process with you.

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Mr. Thompson introduced himself as legal counsel from the County Prosecutors Office. He then presented the formal process to vacate the right-a-way to the Trustees. See Attached

Road Vacation Process Attachment

According to R.C. 5553.042 (B) – “A township shall lose all rights in and to any public road, highway, street, or alley which has been abandoned and not used for a period of twenty-one years, after formal proceedings for vacation as provided in sections 5553.04 to 5553.11 of the Revised Code have been taken....”

This is a procedure that can be undertaken by an abutting landowner (after that 21 year period) or by the Township itself. In this case, since the Township is on board, it would be my recommendation that the Board of Township Trustees initiate the process.

Step 1 – Township – (5553.045(B)) – A board of township trustees may petition the board of county commissioners to vacate a township road or a portion of a township road by passing a resolution that requests the vacation of the road or portion and includes a description of the general route and termini of the road or portion.

Step 2 – Township – (5553.045(B)) - The township clerk shall file a copy of the resolution with the board of county commissioners and certify another copy to the county engineer.

Step 3 – County Engineer – (5553.045(B)) – Within thirty days after receipt of that copy of the resolution, the engineer shall issue to the board of county commissioners a written report similar in content to reports required under section 5553.06 of the Revised Code. (The failure of the engineer to provide this report does not affect the actions required under this section and does not invalidate the vacation of a road or portion of a road under this section.)

Step 4 –County Commissioners – (5553.045(c)) - Upon receipt of the copy of the township’s resolution, the board of county commissioners shall set a date for a public hearing on the vacation of the road or portion of

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the road that is not more than forty-five days after the date that the resolution is filed with the board.

Step 5 – County Commission Clerk – (5553.045(c)) - The clerk of the board shall notify by regular mail the landowners abutting the road or portion of the road proposed to be vacated. That notice shall be sent at least twenty days before the board’s public hearing, and shall state: that the board of township trustees has filed a resolution requesting the vacation of the specified road or portion of the road under this section, and shall inform the landowners of the time and place of the public hearing on this issue.

The notice shall be mailed to the addresses of the abutting landowners as they appear on the county auditor’s current tax list or the county treasurer’s mailing list. (Failure of the delivery of this notice to any abutting landowner does not invalidate the vacation of a road or a portion of a road under this section.

Step 6 – County Commissioners – (5553.045(d)) – After the public hearing, if the board of county commissioners determines that the vacation of the road or portion of the road would be for the public convenience or welfare, it shall adopt a resolution by a majority vote declaring the road or portion to be vacated and file a certified copy of the resolution with the petitioner, board of township trustees, the county recorder, and the county engineer

ALTERNATIVELY – “If the board of county commissioners fails to vote on the issue of vacating the road or portion of the road within sixty days after the township’s resolution is filed with it, the road or portion of the road specified in the resolution shall be deemed to be vacated, and the petitioner board of township trustees shall adopt another resolution describing the road or portion of the road that has been vacated and explaining this vacation is by action of this section. The board of township trustees shall file a certified copy of that resolution with the board of county commissioners, the county recorder, and the county engineer.”

Step 7 – Township – (5553.045(E)) – Once the certified copies of the resolution declaring a road or portion of a road vacated are filed as provided in division (D) of this section, the board of township trustees, by resolution, shall order the road or portion of the road vacated. The vacated road or portion of the road shall pass, in fee, to the abutting landowners subject to all of the following:

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• ***A permanent easement as provided in section 5553.043 of the Revised Code in, over, or under the road for the service facilities, as defined in section 5553.042 of the Revised Code, of a public utility or electric cooperative as defined in section 4928.01 of the Revised Code;***

• ***The right of ingress or egress to service and maintain those service facilities; and***

The right to trim or remove any trees, shrubs, brush, or other obstacles growing in or encroaching onto the permanent easement that may affect the operation, use, or access to those service facilities.

Mr. Thompson stated that the Trustees in the interest of finality and getting the Township out of the business involving this plot of land recommended that the Township go through the formal process to vacate the right-a-way.

Hiring an Attorney to Represent the Township in a BWC Complaint

Mr. Hively reminded the Trustees that he had informed them of a formal complaint filed against the Township for Violation of Safety Service Requirements.

Mr. Hively further stated that he and Mr. Foley met with our legal counsel Beau Thompson and he recommended that we hire an outside firm to represent the Township. We reached out to three different law firms, discussing fees and their experience in handling such cases. He stated there is a resolution to hire a firm. If you have any questions Tim and I would be happy to answer.

Tim Foley restated that it was a recommendation of our legal counsel to hire an outside firm to handle this particular case.

There were no questions from the Trustees.

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Resolutions

Resolution: 2018- 041

BE IT FURTHER RESOLVED by the Township Trustees to authorize Michael Hively, Fiscal Officer to sign the attached plan documents to be submitted to Maestro Health to complete enrollment in Springfield Township's health insurance plan administered by Maestro Health.

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

Resolution: 2018- 042

BE IT FURTHER RESOLVED by the Township Trustees to approve requesting certification from the County Auditor pursuant to Ohio Revised Code 5705.03, for renewal of A .5 Mill levy for operating ambulance service and supplies and equipment

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

Resolution: 2018- 043

BE IT FURTHER RESOLVED by the Township Trustees to approve the attached fee recommendations and Monument height restrictions for Vale Cemetery to be effective May 1, 2018

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

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Resolution: 2018- 044

BE IT FURTHER RESOLVED by the Township Trustees to approve payment to Advance Drainage Systems, Inc. in an amount up to \$12,000.00 for purchase of materials for culvert repair.

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

Resolution: 2018- 045

BE IT FURTHER RESOLVED by the Township Trustees to retain Attorney Brandt Rhoadé of Scherner, Sybert & Rhoadé to represent Springfield Township in the Bureau of Workman's Compensation complaint of Violation of Specific Safety Requirements alleged by an injured Springfield Township employee.

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

Resolution: 2018- 046

BE IT FURTHER RESOLVED by the Township Trustees to approve submitting a Community Block Grant application for road improvements to Iroquois Ave and authorizing Alex Turner, Road Superintendent to sign the application.

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

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Resolution: 2018- 047

BE IT FURTHER RESOLVED by the Township Trustees to accept the resignations of Springfield Township Fire Fighters Kris Frost, Tracie Baker, Cuyler Webb and to approve the termination of Connie Henderson for lack of activity effective March 27, 2018

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes Jim Scoby Yes Mr. Roeder Yes

Resolution: 2018- 048

BE IT FURTHER RESOLVED by the Township Trustees to accept Capt. David Hay and Capt. Larry Lange resigning their Captain position but remaining active with the Springfield Township Fire Department.

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes Jim Scoby Yes Mr. Roeder

Resolution: 2018- 049

BE IT FURTHER RESOLVED by the Township Trustees to approve entering the attached agreement with Lawn Masters and Landscaping, LLC to operate the Springfield Township Compost Facility for 2018

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes Jim Scoby Yes Mr. Roeder

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Resolution: 2018- 050

BE IT FURTHER RESOLVED by the Township Trustees to approve entering an executive session to discuss the appeal of disciplinary action taken against a Fire Division personnel

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder

Recognition of Special Guests

Raul Suankar reported on Clark County Board of Developmental Disabilities and the service provided to the County residents with disability needs. The County Board of Developmental Disabilities were created in 1967. The name changed from the Board of Mental Retardation to the current name in 2009. The services provided to the individuals are lifelong services.

Currently they are serving 228 school age children and 641 adults. Funding comes from County levies and the Board tries to maximize with State and Federal grants.

Open to the Public

No Public Comments

Mr. Roeder made a motion to go into executive session to discuss the appeal of disciplinary action taken against a Springfield Township Fire Division Personnel

Second Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Jim Scoby Yes

Mr. Roeder Yes

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Mr. Foley made a motion to return to regular session

Second by Mr. Roeder

Discussion None

Roll Call

Mr. Foley Yes Jim Scoby Yes Mr. Roeder Yes

Mr. Scoby read the letters of resignation from Kristin Shultz and Kristopher Shultz

Mr. Foley made a motion to accept the resignation

Second by Mr. Roeder

Discussion None

Roll Call

Mr. Foley Yes Jim Scoby Yes Mr. Roeder Yes

Closing Remarks by Trustees and Fiscal Officer

None

Next meeting is April 10, 2018 beginning at 6:00PM

Motion to adjourn by Mr. Foley

Second by Mr. Roeder

Discussion None

Roll Call

Mr. Foley Yes Jim Scoby Yes Mr. Roeder Yes

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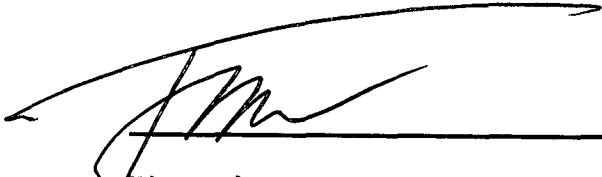
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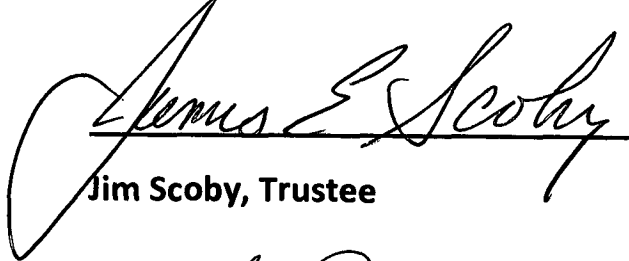
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Board Certified



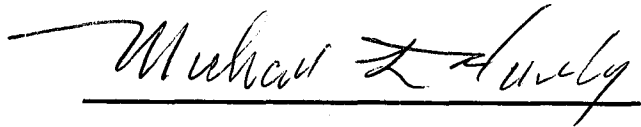
Tim Foley, Trustee



Jim Scoby, Trustee



John Roeder, Trustee



Michael Hively, Fiscal Officer