

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held October 8, 2019

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Cole, Stegner and Miley Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, Cemetery Sexton Donna Cackler, and Guests Aaron Heydinger, Garrett Gandee, Nate Hatfield, Josh Scheutzow, James and Christina Andres, Connie Skinner, Ian Capwell, Jim Carr, Chris Rinehart, Mark Dennis and Dave Knowlton

Trustee Miley made a motion to approve the October 8, 2019 agenda as amended. Trustee Cole seconded. Motion passed.

Chairman Stegner led the Pledge of Allegiance

Trustee Miley made a motion to approve the September 10, 2019 regular meeting minutes as presented. Trustee Cole seconded. Motion passed.

Rezoning Proposal Browntown Investment:

Zoning Inspector Kuba shared a brief statement that the Rezoning Proposal on the was presented to the Zoning Commission and included approximately 40 residents in attendance at that meeting. Mr. Gandee offered to present the full presentation again that was available should they wish to see it. Trustees had a full copy of the proposed rezoning map and rezoning text in a packet that was also presented to the Zoning Commission. Ms. Kuba shared that final development plans would have to come back through the Zoning Commission and the Board of Trustees for review and approval. Resident Chris Rinehart informed the Board that he abstained from the zoning commission meeting due to a conflict of interest since he owns one of the properties that is part of the rezoning proposal. In concept Mr. Rinehart is supportive but has concerns with some of the wording in the zoning text that isn't specific enough. Mr. Rinehart has concerns that the zoning code refers to "motel/hotel" in several places in the proposed text that is not very specific and without specific information could open the township to have an adult only hotel should Browntown Investment default and withdraw or not finish the development and another development comes in and buys the property due to the text not being specific enough. Resident Jim Andres thought the concept was fine but that he also had concerns regarding the textual changes. The zoning map was fine but he also expressed that there could be issues in the future. Resident and Developer Garrett Gandee indicated they would be willing to modify the text and was willing to remove the "hotel/motel" text throughout the document. Mr. Gandee shared they had already spent \$10,000 in fees for landscaping design. Mr. Gandee and his associates Aaron Heydinger, Nate Hatfield and Josh Scheutzow were very willing to work with Mr. Rinehart as well as the Board on making changes. Mr. Rinehart expressed again that he would not be able to participate on the Zoning Commission due to a conflict of interest related to this rezoning proposal. He would be willing to work with them outside of the meeting but could not vote. Trustees pointed out several specific references of hotel/motel text in the proposal Page 5 B1D; Page 8 D1B, Page 9 Dii. Mr. Gandee shared they were willing to strike that text. Trustees engaged in a discussion on the specifics of what "short-term" rental meant since it wasn't specifically detailed. Mr. Rinehart suggested they should define terms and create more definitions and he was willing to work with the group. As a resident he

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reviewed the text and has concern and is asking that Browntown Investment table the request. Mr. Gandee met with residents to feel more comfortable about the proposal. Mr. Miley asked if they were willing to remove short-term rental and Mr. Gandee was willing to remove the hotel/motel. Mr. Gandee stated that he was concerned that Mr. Rinehart was not acting as a resident and more as part of the zoning commission. Mr. Rinehart stated he is willing to withdraw his consent in regards to his property being part of a subarea. He wants to know more specifics. Trustee Stegner pointed out additional references to "drinking places" and "hotels/motels" on page 6 on 6D2 and page 8 subarea 3 1b and page 2 introduction. Mr. Rinehart stated he is withdrawing his approval and shared his concerns and wants the issue tabled until items are addressed. He believes they could work through the items in 2 weeks. Discussion continued around definition short-term, what bed and breakfast means, airBnB and short-term rental. Zoning Inspector Kuba stated that there were no changes to planned commercial zoning code as part of the overlay for Leonardsburg/Kilbourne. Trustees discussed the possibility of having a meeting on October 23rd in order to allow additional conversation to occur about specifics in the zoning text. Mr. Gandee was not sure he was willing to move table the request. Mr. Rinehart shared 2012 NCIS code in our zoning that defines the uses and precise use should be described. Mr. Rinehart owns the property on the southeast corner of SR 521 and North Old State. Mr. Gandee was willing to table the request. Trustee Stegner made a motion to table the rezoning proposal by Browntown Investment at their request. Trustee Cole seconded. Motion Passed.

RESOLUTION – 2019-10-08-01 TABLE THE REZONING PROPOSAL BY BROWNTOWN INVESTMENT

Miley Aye Stegner Aye Cole Aye

A copy of the revised zoning text will be shared by October 22nd.

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$232,933.49 and earned \$44.51 in interest. Star Bank balance is \$1,270,623.34 and earned \$2,316.25 in interest. She passed around the timesheets and the reconciliation checklist for review and signatures for September 2019. Ms. Link suggested that the Trustees may want to discuss benefits at the next meeting in order to be prepared to make budget decisions for 2020. Ms. Link reinforced that in order to have our organizational meeting in December, 2019 that the December 10th deadline for expenditures would need to be enforced.

Public Participation:

Dave Knowlton with the Delaware County Health District passed out information regarding Flu shots and the Sunbury Satellite office. Mark Dennis suggested that trustees could consider having local counsel at meetings and especially the PZA/Zoning

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favor of a fence. Ms. Kuba shared that the covers need to hold 500 pounds. Ms. Kuba had a resident request ag exempt and had to explain to the resident that a garden doesn't qualify for this and has asked for proof.

Road Superintendent:

Mr. Gladman went over his report. Mr. Gladman is still working to get the International 7400 repaired. Mr. Gladman is still working with Heavy Duty to resolve the issue. Trustees and Mr. Gladman discussed the continuing employment of Charles (Lee) Dennison. Trustees agreed to continue Mr. Dennison's employment. Mr. Gladman requested approval to obtain quotes to figure out what is wrong with the garage doors. Trustees discussed options for backup CDL drivers for winter plowing. Bill Adams is still in an employee status and his son-in-law could be a potential backup but he will need to fill out the employment paperwork. Trustee Miley shared that AEP had installed marker poles and he wants Mr. Gladman to mow around the poles on Veley and Kelley McMaster.

Roads:

Trustee Miley shared the list of items discussed during road inspection. The County will not be doing culvert or chip and seal work next year. Trustee Miley shared that Giehl Road culvert (double 30") west of Davenports and the Hogback Road culvert ½ mile north of Howard Road that is also a double 30" are both rotted out. Trustee Stegner made a motion to approve submitting a Request for Assistance for Giehl Road and Hogback Road culverts to Delaware County. Trustee Cole seconded. Motion passed.

RESOLUTION – 2019-10-08-02 TO APPROVE SUBMITTING A REQUEST FOR ASSISTANCE FOR GIEHL ROAD AND HOGBACK ROAD CULVERTS TO DELAWARE COUNTY

Miley Aye Stegner Aye Cole Aye

Trustees discussed other options for getting roadwork completed. Mr. Miley will work with Small and Mid-Ohio to see if he can get the worker done cheaper. Trustee Miley shared copies of culvert requirements to each Trustee and Mr. Gladman so they could give that anyone requesting culvert work a copy of the specifications and then have them contact him. Fiscal Officer Link suggested they upload a copy to the website and she will work to get that completed. Fiscal Officer Link needs trustee approval on the 2019 County Paving program needs signed if it is completed. Pittman Road repair isn't meeting expectations and Mr. Reidel suggested the State hold money back. Trustees signed the road approval. Trustees identified 5 roads on the list from road inspections that were on the 3 year rotation to get work. Trustee Miley will go over salt at the November meeting.

Main Street vacation proposal

Browntown Investment Group Garrett Gandee gave a brief presentation and discussed the

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would it cost for the township to rebuilt Main Street and take it back over. Mr. Gandee shared they are just looking to start the dialogue they will still maintain easements. Their intention is to leave the street open a majority of the time. Trustees asked how they would deal with other developers/property owners who would also want to vacate a part of the street. Jim Andres asked why is the county dictating how the township is managing its' road. Does the proposal impact future generations 20-50 years down the road? Trustees asked which streets were studied. Could they close streets without vacating? What would residents want to do with Kilbourne. Mr. Andres asked general questions. Engineer's office requires property owners of condemned buildings to bring the road up to code if they improve the property to get occupancy permits. The Browntown Investment Group intends to be around for a long time. The county will not grant occupancy permit without improvement. Improving the road would eliminate parking. Mr. Gandee shared they didn't share at the Sunday resident meeting because they didn't know their options until just a couple days after. Trustees asked what if the township did the road improvement? The township wouldn't have to put in curb and gutter and then not vacate road. Trustees and Browntown Investment Group will continue to evaluate options and will continue further discussions at a later meeting.

Cemetery:

Cemetery Sexton indicated not much going on. Trustee Cole planted 3 new shrubs.

Fire Department:

Trustee Miley went over a brief update.

Old Business:

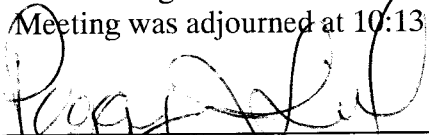
Trustee Miley made a motion to approve the appointment of Douglas Walters as an alternate for the Zoning Appeals committee for a term of five years. Trustee Cole seconded. Motion passed.

New Business:

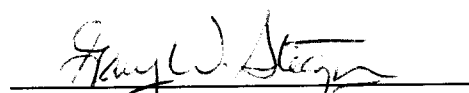
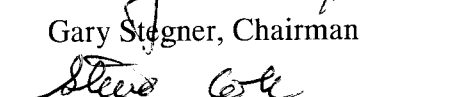
n/a

Trustee Stegner made a motion to release warrants 20201-20232 for \$30,074.29. Trustee Miley seconded. Motion passed.

Trustee Stegner made a motion to adjourn. Trustee Miley seconded. Motion passed.
Meeting was adjourned at 10:13 pm


Peggy J. Link, Fiscal Officer

Trustees


Gary Stegner, Chairman


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Minutes of Brown Township Trustees Meeting

Held October 23, 2019

The Brown Township Trustees met on this date at 7:00 PM in special form with Trustees Cole, Miley, and Stegner, Fiscal Officer Peggy Link, Zoning Inspector Susan Kuba, Assistant Prosecutor Mark Fowler and Guests Aaron Heydinger, Garrett Gandee, Nate Hatfield, Connie Skinner, Ed Moore, Judy Moore, Diane Manns, Neil Orahoad, Judy Orahoad, Teresa Burkett, Philip Burkett, Tasha Harmon, George Harmon, Heidi Myers, Ian Capwell, Mark Maroscher, Jan Maroscher, John Wade, and Mona Rayburn

Chairman Stegner called the special meeting to order.

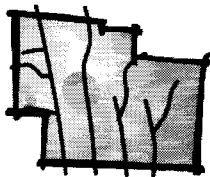
Chairman Stegner led the Pledge of Allegiance

Rezoning Proposal Browntown Investment:

Mr. Gandee opened the discussion with a review of the previous meetings. His group met with Regional Planning on September 26th and on October 8th they met with the Trustees and the proposal was tabled and have come back on October 23rd. They had tried to schedule a meeting with Chris Rinehart to discuss the proposal and he couldn't meet until Thursday, October 17th. The meeting consisted of Zoning Inspector Susan Kuba, Chris Rinehart and Mr. Gandee and his associates and attorney which they reviewed and proposed new zoning text and clarified. Mr. Gandee's attorney sent out the new text and asked for a response back by noon on Monday, October 21st and no responses were given until Wednesday, October 23rd at noon and Mr. Rinehart would not be present at the meeting this evening. This also meant that the Trustees did not get to review a proposed revised text until just moments before the meeting. Mr. Gandee shared that they met with Mr. Rinehart on October 9th and signed a purchase agreement to sell the house in Subarea 3 to the group. Mr. Gandee also shared that Mr. Rinehart has had the most access to the proposed zoning text than anyone else and they were disappointed. Tonight's text is from the October 17th meeting and trustees had a copy of Mr. Rinehart's suggested concerns/revisions to compare. Trustee Miley suggests looking line by line at Mr. Rinehart's suggestions. Assistant Prosecutor Mark Fowler shared that the Trustees had three options – 1) table the proposal to allow the trustees more time to review; 2) go line by line and address concerns or 3) move forward.

Trustee Miley proceeded to discuss the comments/suggestions in the document. On Page 5 of under Item d) a typo shows 915 not 15. In Section IV h) silo will be under 50' in height per Nate. Divergences have been already through Regional Planning to keep the character of Kilbourne.

Residents asked why the Trustees wouldn't want the improvements? Zoning Inspector Kuba shared that the Trustees are being careful so that there would be no chance in the future that someone could use the zoning different. The applicants are very frustrated with Mr. Rinehart. The suggested changes were different from the meeting on October 8th. Mr. Rinehart demanded they make changes. Mr. Gandee willingly agrees to make changes on Mr. Rinehart's suggestion under Introduction II – the last sentence will be removed: page 8 item 2 c) will strike this section; page 10 2 d) strike this entire section.



Decision on Rezoning Application Delaware County, Ohio

The Regional Planning Commission recently reviewed the rezoning application identified below. It is vital that the township complete the following information after the Trustee Hearing(s) so that the zoning maps maintained by the RPC are as accurate as possible.

RPC Meeting Date: 09/26/19

RPC# 43-19 ZON

Township: Brown

Request by: Browntown Investment Group LLC

To rezone: 3.19

Located: east and west side of Main St. between SR 521 and Pearl St.

From: C-2 and R-2

To: PC

To allow: mixed use neighborhood

Zoning Commission Decision Date: 10-3-19 vote 5 in favor 0 opposed

Board of Trustees Decision Date: 10-23-19 vote 3 in favor 0 opposed

Effective Date: 11/23/19
After the period of referendum has passed

Decision: (circle one) APPROVED DISAPPROVED

Please Note: If changes were made during the rezoning process to the Development Plan for a Planned District Zoning or if the rezoning application was changed during the township process, please submit an updated copy of the Development Plan to the RPC office for our files.

Township Trustee Signatures:

Gary W. Steg
Steve A. Cole
Charles A. M. Luy

FOR OFFICE USE ONLY

" Master changes "

ZONING TEXT

Brown Township, Delaware County, Ohio

DATE SUBMITTED: September 13, 2019
AS REVISED: October ____, 2019

CURRENT ZONING: LOW DENSITY RESIDENTIAL DISTRICT – (R-2)
NEIGHBORHOOD COMMERCIAL DISTRICT – (C-2)
OLD KILBOURNE VILLAGE DISTRICT

PROPOSED ZONING: PLANNED COMMERCIAL AND OFFICE DISTRICT – (PC)

Property Owner: Browntown Investment Group, LLC
Applicant: Browntown Investment Group, LLC
Authorized Representative/Attorney: Donald T. Plank
Plank Law Firm, LPA
411 East Town Street, Floor 2
Columbus, Ohio 43215

6S
CM-
roll call
vote
COE-YES
MIKEY-YES
Stegner-YES

C. All provisions of this Zoning Text are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section or other provision is invalid or that the application of any part of the provision is invalid, the remaining provisions and the application of those provisions shall not be deemed affected by that decision.

D. Any use not permitted herein shall be considered prohibited, ~~except that a use may be permitted if approved by the Township Trustees as part of the Final Development Plan approval.~~

E. ~~Deviations from the standards and requirements set forth herein as well as the Resolution and Standard Drawings may be approved by the Township Trustees through the Preliminary Development Plan or Final Development Plan.~~

F.E. The Zoning Commission for Brown Township shall make the determination whether a design or development standard change or modification is "substantial," requiring a filing of an application for a modification to the approved Final Development Plan.

IV. SUBAREA USE REGULATIONS AND DEVELOPMENT STANDARDS

A. GENERAL DEVELOPMENT STANDARDS

1. Access: Access to the Property currently exists to and from State Route 521, North Old State Road, Main Street (with a section proposed to be vacated, intersecting Subarea 1), and Pearl Street.
2. Setback from Public Right-of-Ways: The setbacks from the public right-of-ways of State Route 521, North Old State Road, and Pearl Street are as shown on the site plan dated August 22, 2019 (the "Site Plan").
3. Common Open Space: Open space will be depicted on, and approved as part of, the Development Plan for the subarea. Applicant will create open space and outdoor amenities and encourage internal pedestrian connectivity, as shown on the Site Plan.
4. Landscaping along Public Right-of-Ways: The existing trees along the public right-of-ways shall be retained to preserve the existing aesthetic along the roadway and shall be replaced if they shall die during replanting.
5. Entry/monument signs may be set in irrigated landscaped areas at locations approved on the Development Plan for the respective subarea.
6. Specific Divergences Requested:
 - a) **Section 21.01(B): Paving:** Except in the Farm Residence Zoning District (FR-1) and the Agricultural Preservation District (A-1) all common parking areas and adjacent aisles or driveways shall be paved with asphalt material or cement. *Applicant requests divergences from the paving requirements of the Zoning Resolution. Applicant shall provide permeable paving including reinforced lawn and/or gravel paving in secondary and/or overflow parking areas, as shown on the Site Plan. Secondary parking is defined as on-street parking spaces (marked and unmarked)*

- d) **Section 21.03: Structure Separation:** No principal structure shall be located closer than twenty-five (25) feet to another principal structure unless the adjacent walls of both structures are masonry in which event said principal structures shall be no closer than fifteen (15) feet. No principal structure shall be located closer than fifteen ~~(15)~~ * 15 feet to another principal structure unless one of said structure has, as its exterior facing wall, a fire wall, free of any opening and capable of stopping the spread of any fire. *All existing structures located on the Property may be renovated but remain in place. Applicant requests a divergence from the structure separation requirement, as the buildings are existing and are to remain in place. [COMMENT: This would appear ok so long as restricted to the existing structures. If new construction is proposed, then compliance with the structure separation should be required or a modification of the development plan.]*
- e) **Section 23.03(A)(1)(A)(6) - Table. Perimeter Landscaping Requirements.** That a ten (10) foot landscape buffer adjacent to any arterial street consisting of one (1) tree per thirty (30) feet, or fraction thereof, plus continuous 6 foot high planting, landscape hedge, fence, wall, or earthen mound is required. *Applicant requests a divergence from the strict perimeter landscaping requirements, but shall provide for landscaping adjacent to any arterial street. [COMMENT: This divergence should require township approval of any landscaping/screening plan meant to address this particular requirement.]*
- f) **Section 23.03(A)(2)(A)(1) – Table. Vehicular Use Area Perimeter Requirements.** That landscaping and screening shall be in the form of one (1) tree per forty (40) feet, or fraction thereof, relative to the boundary of vehicular area, plus a continuous 3 foot high planting, landscape hedge, fence, wall, or earthen mound. *Applicant requests a divergence from the strict vehicular use area perimeter requirements, but shall provide headlight screening relative to the parking areas. [COMMENT: This divergence should require township approval of any screening prior to development.]*
- g) **Section 23.03(A)(8). Interior Landscaping for Vehicular Use Areas.** That peninsulas, islands, aisle end islands, and planting areas within interior vehicular use areas shall comply with the requirements of Section 23.03(A)(8) of the Zoning Resolution, unless deviations are requested and approved by the Township Trustees as part of the Development Plan. *Applicant requests a divergence from the interior landscaping for vehicular use areas requirements, as Applicant desires to provide ample shared parking for all subareas as one unified development and requires the requisite land area to provide for ample parking. [COMMENT: Landscaping can be included in parking areas, such as trees, etc., planted where four parking spaces come together. I would not support a blanket deviation from this requirement as some landscaping of a sea of paved parking can be achieved simultaneously with providing maximum space for parking.]*

and Technical Consulting Services), 5417 (Scientific Research and Development Services);

- c) arts, fitness, and entertainment events (722310); COMMENT: This has wrong NAICS reference so I cannot comment on this one!
- d) “short-term rental” defined as residents staying over night for up to two (2) consecutive weeks (and where owners do not reside) (531110); bed and breakfast (721191); COMMENT: Again, the residential component I’m not sure about (531110) since not in code, but if Del Co prosecutor/Susan okay with it, that’s fine!
- e) caterers (722320); full service restaurants (722511); limited service restaurants (722513); mobile food services (722330) COMMENT: I would want to know more about the 722330 mobile food service use. I know the intent is mobile food trucks, but I would want some clarification of that as to uses, restrictions, etc. because I would not want to see a parking lot full of these food trucks every day of the week!
- f) wedding or other event center (722320); and
- g) apartments or multi-family dwellings, with a maximum of two (2) units per building (531110).

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2. Development Standards

- a) Access.
 - i. Direct access from Subarea 1 to and from State Route 521 and North Old State Road shall be directly from State Route 521 and through Main Street and Pearl Street.
 - ii. No direct access shall be granted off North Old State Road.
- b) Setbacks.

Property Line	Building	Parking & Drive Aisle
North	0'	10'
South (Along Pearl Street)	10'	0'
West	6'	6'
East (Along Public Right-of-Way of North Old State Road)	25'	6'

Supercenters); miscellaneous store retailers (453) except 45393 (Manufactured (Mobile) Home Dealers and 453991 (Tobacco Stores) general merchandise stores (452); miscellaneous store detailers (453);

2. Development Standards

- a) Access. Subarea 2 shall access North Old State Road from Pearl Street.
- i. Drives composition and other standards may be permitted to deviate from public roadway standards. Such deviations shall be approved as part of the Development Plan. [COMMENT: I'm not sure what this statement means. Further clarification is required. Road should be built to public roadway standards unless otherwise described and approved, particularly by Del Co.]
- b) Building Height. A maximum height of buildings shall be thirty-five (35) feet.
- c) Setbacks.

Property Line	Building	Parking & Drive Aisle
North (Along Public Right-of-Way of Pearl Street)	0'	0'
South (from adjacent property)	15'	10'
East (Along Public Right-of-Way of Old North State Road)	0'	0'
West (from adjacent property)	0'	0'

- e) Minimum Off-Street Parking Space Requirements.
- i. Parking spaces shall be a minimum of nine (9) feet in width and twenty (20) feet in length.
- ii. Parking for Subarea 2 shall be within Subarea 1.
- f) Landscaping. The existing landscaped areas within Subarea 2 shall be preserved and enhanced with new trees and vegetation to provide an aesthetically pleasing streetscape.
- g) Site Improvements. No site improvements, including parking or roadways, streets, or alleys (adjacent to Subarea 2) shall be made.

D. SUBAREA 3

1. Permitted Uses

- a) Single family residential;
- b) bed and breakfast (721191);

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Trustees continued to move forward going over the details of the revised text. Page 6 Subarea 1 under 1 permitted uses Mr. Reinhart requested the specific beer brewing, wineries and distilleries buildings be called out and under Ohio Revised Code these buildings serving alcohol would still require any liquor issues comply with State Law. Liquor issue is not a zoning issue. Trustee Cole expressed concern how it seems that one person is controlling this process. Trustee Miley concern is long term implication of these changes. Mr. Gandee pointed out that Chris Rinehart brings value but has concerns about his process. Discussion continued on the height of the silo. Mr. Gandee shared that they would remove this paragraph completely and comply with current zoning requirements after discussing whether to update or change the height to 35'.

Trustee Miley shared that Doug Reidel with the County Engineer's office suggested that in a motion to approve the rezoning that the Trustees add the statement "requires street improvements as needed". Aaron had concerns that what did "as needed" mean and how long would that apply. Platting would be required. Mr. Gandee stated they were willing to comply and work through street improvements through the development plan process. Road issues would be a part of the development plan. Mr. Gandee as the applicant agrees that they are willing to address roadway improvements as part of final development plan as advised by the Delaware County Engineer. Fiscal Officer Link, Mr. Gandee, Trustee Stegner and Assistant Prosecutor Mark Fowler did a quick review of the items that would be modified and the document is labeled "Master Changes" and would be kept as part of the official record. Trustee Stegner made a motion to approve the Zoning Commission's recommendation with modifications as agreed to at the October 23, 2019 meeting. Trustee Miley seconded. Motion passed with a roll call vote.

RESOLUTION – 2019-10-23-01 TO APPROVE THE ZONING COMMISSION'S RECOMMENDATION WITH MODIFICATIONS AS AGREED TO AT THE OCTOBER 23, 2019 MEETING.

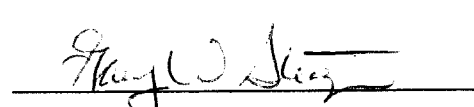
ROLL CALL TAKEN: Miley Aye Stegner Aye Cole Aye

Assistant Prosecutor Mark Fowler asked that Mr. Gandee have a final revised document submitted to the Township with all the modified approved changes included in the document within a couple of weeks to be included in the official meeting minutes. Fiscal Officer Link will do a review of the items recorded as part of the meeting with the final document.

Trustee Stegner made a motion to adjourn. Trustee Cole seconded. Motion passed.
Meeting was adjourned at 7:54 pm


Peggy J. Link, Fiscal Officer

Trustees


Gary Stegner, Chairman



RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held November 12, 2019

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Cole, Stegner and Miley, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, and Guests Larry Beard, Connie Skinner, Steve Arnold and Delaware County Prosecutor Melissa Schiffel

Trustee Stegner made a motion to approve the November 12, 2019 agenda as amended. Trustee Miley seconded. Motion passed.

Chairman Stegner led the Pledge of Allegiance

Trustee Miley made a motion to approve the October 8, 2019 regular meeting minutes and the special meeting meetings from October 23, 2019 as presented. Trustee Cole seconded. Motion passed.

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$230,235.82 and earned \$33.15 in interest. Star Bank balance is \$1,272,838.01 and earned \$2,214.67 in interest. She passed around the timesheets to be reviewed and signed and the reconciliation checklist for signature and approval for October 2019. Ms. Link suggested that Trustees have to discuss benefits in order to be prepared to make budget decisions for 2020. Ms. Link reinforced that in order to have our organizational meeting in December, 2019 that the December 10th deadline for expenditures would need to be enforced. Fiscal Officer Link shared that in the timesheets that were submitted Charles Dennison submitted time for work on a holiday and that a rate had not been set. Ms. Link shared that Grant and Dan have different rates for work done on holiday. Trustees discussed further and at this time would not change the rate but would visit this during the organizational meeting for 2020. Fiscal Officer Link noted that appropriation 1000-610-190-0000 had a shortfall due to Charles Dennison being employed on a regular basis as opposed to just during the summer time for weedeating. Trustee Stegner made a motion to move \$3,000 from 1000-760-360-0000 contracted services to 1000-610-190-0000 due to shortfall. Trustee Miley seconded. Motion passed.

RESOLUTION – 2019-11-12-01 MOVE \$3,000 FROM 1000-760-360-0000 CONTRACTED SERVICES TO 1000-610-190-0000 DUE TO SHORTFALL

Miley Aye Stegner Aye Cole Aye

Ms. Link shared that she has had to generate an additional super blanket purchase order for telephone services for \$300 to Frontier. This is due to a decision that we would not purchase phone services from Spectrum due to the increased cost and maintain Frontier. Ms. Link shared she would be away from the office November 26-30th for Thanksgiving holiday. Ms. Link also shared that she did not receive the zoning timesheets from the zoning secretary. Fiscal Officer Link noted that during a recent Fiscal Officer training that designees will be not able to be identified for Public Records training and that trustees will have to attend in person. Ms. Link presented Trustees with information

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Mr. Arnold also identified that he is a Delaware County EMS and volunteers for Delaware County since 1983. He expressed concern that Brown Township has no medic station and Ashley and Sunbury has them and there is a hole in Brown Township. Delaware County has enough money. Trustee Miley shared that he has an interest and the township is talking with the County to potentially locate an EMS station at Bixby campus. The county is receptive to the idea at the old career center within 2 years. Mr. Arnold felt moving to this location was still serving the city and we might end up losing it to the City eventually.

Prosecutor Melissa Schiffel stopped by the meeting and shared that she has been trying to get around to all the township meetings. Ms. Schiffel commented that during a recent court case with Harlem Township their case didn't hold up in court due and they are revisiting the documentation on enforcing such an issue. She will share a copy of Harlem's legal memorandum once that is finalized.

Zoning Inspector:

Zoning Inspector Kuba went over her written report. Ms. Kuba has given Mark Fowler pictures for the Tallman property issue and Mr. Tallman has now built a porch without the proper permit. Ms. Kuba has noted that the Flemings have not cleaned up their property. Trustees agreed that having Prosecutor's office send a letter for the next step. There is a variance hearing for Ryan Mraz on November 13th. Ms. Kuba shared that the county has been in conversation with her regarding the Bixby campus and there is a lot of permitting that may happen and are we wanting to charge fees per item or could we approach it as a trade for the fire department work that will need to occur. We should track those costs.

Road Superintendent:

Mr. Gladman went over his report. The International was fixed and picked up right before the snow. Grant Tobias will be gone for several weeks. Mr. Gladman is working to get licensed for spraying chemicals. The stop sign at Walton Road was run over. A tree blew down on Hogback Road and Trustee Stegner pushed it as far off the road but it will need to be moved as it has flopped over. Trustee Miley asked for clarification on the road inspection report. Trustee Miley stated that salt costs would be \$84/ton this year which is a \$20/ton increase. The county will not mix salt with grit until they get room.

Roads:

Trustee Miley made a motion to increase resolution 2019-09-10-02 to cover the cost of repair of the International to \$3700. Trustee Stegner seconded. Motion passed.

RESOLUTION – 2019-11-12-02 TO INCREASE RESOLUTION 2019-09-10-02 TO COVER THE COST OF REPAIR OF THE INTERNATIONAL TO \$3700.

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held November 12, 2019

an estimate to replace the culvert on Walton Road. Trustee Stegner seconded. Motion passed.

RESOLUTION – 2019-11-12-03 TO SUBMIT A REQUEST FOR ENGINEERING ASSISTANCE TO RECEIVE AN ESTIMATE TO REPLACE THE CULVERT ON WALTON ROAD

Miley Aye Stegner Aye Cole Aye

Cemetery:

Cemetery Sexton was not present at the meeting. Trustee Cole shared that Eagle Scout completed a project and has worked to take a photograph of every stone in the cemetery and upload it to Billiondollargraves.com as his project. Cemetery Sexton Cackler would like to write a newsletter article sharing this information. Trustee Stegner shared that Ms. Cackler is planning to retire next year and we need to begin thinking about who would replace her. Fiscal Officer Link will work to get a position description together and we'll need to consider putting out a search.

Fire Department:

Trustee Miley went over a brief update. The Point project is waiting for City money and should start around 2022. The railroad wants the fire station for a staging area.

Old Business:

Trustee Stegner moved to go into Executive Session to discuss land acquisition and personnel negotiations at 8:12 pm. Trustee Miley seconded. Roll call: Miley – aye; Cole – aye; Stegner – aye. Motion passed.

Trustee Stegner called the meeting back on record at 8:54 pm.

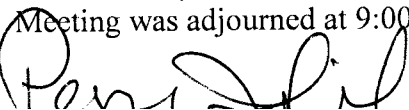
Trustees discussed benefits offered to employees not board appointed. Trustee Stegner made a motion to offer dental, vision, cancer and disability to all employees. Trustee Miley seconded. Motion passed.

New Business:

n/a

Trustee Stegner made a motion to release warrants 20233-20269 \$15,751.70. Trustee Miley seconded. Motion passed.

Trustee Miley made a motion to adjourn. Trustee Stegner seconded. Motion passed.
Meeting was adjourned at 9:00 pm




RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held December 10, 2019

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Cole, Stegner and Miley, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, and Guests Larry Beard, Connie Skinner, Jim Selishar, Doug Reidel, Michael Jones and Dave Knowlton

Trustee Stegner made a motion to approve the December 10, 2019 agenda as amended. Trustee Miley seconded. Motion passed.

Chairman Stegner led the Pledge of Allegiance

Trustee Miley made a motion to approve the November 12, 2019 regular meeting minutes as presented. Trustee Cole seconded. Motion passed.

Doug Reidel with the Delaware County Engineer's office attended the meeting. He presented paperwork for the Trustees and Road Superintendent to use in order to identify where to put the curve signs as well. This information includes potential vendors as well as how many signs would be needed. Mr. Reidel shared that the curve on Kelley McMaster is the border for Troy and Brown Township and he would convey to Troy Township that Brown will purchase and place the signs and Brown Township will invoice Troy for their portion of the cost. Mr. Reidel informed the trustees that the signs need to be done by Spring. Road Superintendent will put together an estimate and a vendor in which the Trustees will approve a resolution to purchase during the January meeting.

Trustee Miley brought to the table discussion of culvert replacement of the Walton Road culvert that Mr. Reidel is recommending for replacement. Mr. Riedel is not sure when they will get it down but it should only take a couple of days. Giehl Road will need to obtain a contractor to replace this culvert. The Hogback Road culvert has not been sized and is doubles. Countryside Realty has indicated they are willing to pay for this culvert. Trustee Miley made a motion to. Trustee Stegner seconded. Motion passed.

RESOLUTION – 2019-12-10-01 SUBMIT A REQUEST FOR ENGINEERING ASSISTANCE FOR THE 78" CULVERT ON VELEY ROAD BETWEEN 4710 AND 4830 VELEY ROAD

Miley Aye Stegner Aye Cole Aye

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$145,191.04 and earned \$31.00 in interest. Star Bank balance is \$1,274,829.54 and earned \$1,991.53 in interest. She passed around the timesheets to be reviewed and signed and the reconciliation checklist for signature and approval for November 2019. Ms. Link noted that 2 employees have opted to participate on the Township's benefit plan. Ms. Link reminded everyone that the December 10th deadline for expenditures is

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held December 10 , 2019

RESOLUTION – 2019-12-10-02 TO AUTHORIZE THE USE OF AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY BOND INSTEAD OF AN INDIVIDUAL SURETY BONDS FOR TRUSTEES, EMPLOYEES, AND APPOINTEES WHO ARE REQUIRED TO ACQUIRE A BOND FROM OTARMA

Miley Aye Stegner Aye Cole Aye

Public Participation:

Resident Michael Jones approached the Trustees about Cackler Road and a sign that traffic from the left does not stop. Trustees discussed this intersection and Trustee Miley noted that the intersection is supposed to be changed but he isn't aware of a timeline. Mr. Jones suggested maybe a signage adjustment. Since County Home is a county maintained road Road Superintendent Gladman will check with the county on signage. Mr. Jones also asked about the ditch on Cackler overflowing. Trustees discussed that Mr. Gladman will dip it out when there is water in it.

Dave Knowlton with the Delaware County Health Department requested that the Trustees fill out a survey of the services for the department.

Housekeeping Update:

Ms. Hedrick presented issues/concerns at both halls. She noted that the neighbors beside the old hall are using the parking lot for their personal cars. Ms. Hedrick shared she is having issues with renters putting the chairs back even though she advises them when she rents it that they are not to put chairs away. Trustees advised her to let the renters know they could lose part of their deposit if they don't follow rules. Ms. Hedrick is having issues with the iMop dispensing water. Dan will look into it and Ms. Link will contact Unisan to find out about the warranty. The women's restroom is still smelling due to the cleanout having a gap in it. The water pressure in the men's room needs adjusted. Ms. Hedrick raised concern about a previous discussion item as it relates to her salary. Trustee Stegner confirmed with Ms. Hedrick that she understands her job. She shared she did.

Zoning Inspector:

Zoning Inspector Kuba went over her written report. Assistant Prosecutor Fowler is moving forward with the Devoe property. Ms. Kuba took pictures of the Tallman property on different times and the vehicles are not the same as previous pictures which means they will not be able to file for having junk vehicles. Ms. Kuba will continue checking. Mr. Fowler is exploring home business violation. The Flemings have made some progress. Mr. Fowler did not send a letter. Mr. Chris Thompson still has not cleaned up junk in front of his house. Ms. Kuba shared that there will be a BZA meeting on Hogback since property does not have enough frontage (next to Stambauh property). Ryan Mraz property variance setback request passed. Mr. Mraz submitted a written request to the Trustees to consider a partial or full refund since it only took 9 minutes for

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held December 10, 2019

Roads:

Trustee Miley gave an update on an issue on Hogback Road. The property at the corner that is being split (north of the pile of pallets that were there) needed a culvert. Trustee Miley advised the installation guy to contact him when they were ready to install. Trustee Miley received a call on Monday that they were already installing the culvert and did not give Mr. Miley time to be at the site. Trustee Miley visited the site on Tuesday and discovered that the contractor did not put base in under the culvert. Trustees agreed that zoning should hold the building permit until it is fixed. The contact was Chris Harper with Beacom Construction.

Cemetery:

Cemetery Sexton was not present at the meeting. Fiscal Officer Link received a summary of the work for the cemetery for 2019. Trustee Cole and Stegner stated that they have had conversations with Ms. Cackler who is looking to resign late 2020. She is working to find a replacement.

Fire Department:

Trustee Miley shared that the meeting last 15 minutes. Discussion about where the fire department will be located. Glen Parkway will go to SR 521. Mike Frommer shared they will give us acreage.

Old Business:

n/a

New Business:

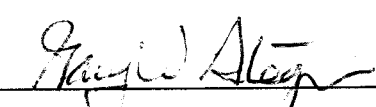
n/a

Trustee Stegner made a motion to release warrants 20270-20307 \$95,299.33. Trustee Miley seconded. Motion passed.

Trustee Stegner made a motion to adjourn. Trustee Cole seconded. Motion passed.
Meeting was adjourned at 8:20 pm


Peggy J. Link, Fiscal Officer

Trustees


Gary Stegner, Chairman


Steve Cole, Vice Chairman


Charles Miley

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

Brown Township 2020 Organizational Meeting

The Brown Township Trustees met on this date in regular form with Trustees Cole, Stegner and Miley, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, and Guests Connie Skinner

- A. Call To Order Chairman Stegner at 8:32pm**
- B. Pledge of Allegiance**
- C. 2020 Resolutions:**

RESOLUTION 2020-12-10-01– MOTION TO NAME CHAIRMAN, VICE CHAIRMAN, AND EXECUTIVE MEMBER

**2020 Chairman Skinner - Trustee Stegner made motion; Trustee Cole seconded.
Vice Chairman Miley - Trustee Stegner made motion; Trustee Cole seconded.
Executive Member Stegner**

Vote- approved by all

RESOLUTION 2020-12-10-02 - TO APPROVE THE 2020 PERMANENT APPROPRIATIONS

Account Code			
1000-110-111-0000	Salaries-Trustees	\$	39,000.00
1000-110-121-0000	Salary-Fiscal Officer	\$	23,000.00
1000-110-211-0000	Ohio Public Employees Retirement System	\$	7,700.00
1000-110-212-0000	Social Security	\$	900.00
1000-110-213-0000	Medicare	\$	1,500.00
1000-110-222-0004	Life Insurance, Dental, VSP, Health, Disability Insurance	\$	23,000.00
1000-110-230-0000	Worker's Compensation	\$	5,000.00
1000-110-313-0000	Uniform Accounting Network Fees	\$	6,000.00
1000-110-314-0000	Tax Collection Fees	\$	3,500.00
1000-110-315-0000	Election Expenses	\$	600.00
1000-110-318-0000	Training Services-Trustees & Fiscal Officer & Empl	\$	3,000.00
1000-110-330-0000	Travel and Meeting Expenses-Trustees	\$	1,000.00
1000-110-330-0168	Travel and Meeting Expenses-Fiscal Officer	\$	500.00
1000-110-342-0000	Postage	\$	1,000.00
1000-110-342-0073	Postage-Newsletter	\$	1,000.00
1000-110-345-0000	Advertising & Legal Ads	\$	4,500.00
1000-110-349-0073	Other Communication-Newsletter Printing	\$	1,000.00
1000-110-370-0118	Pay Another Political Sub-Del. Co. Health Dept/Member & Dues	\$	9,000.00

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Minutes of Brown Township Trustees Meeting December 10, 2020

1000-120-323-0000	Repairs & Maintenance-Township Hall	\$	7,500.00
1000-120-323-0032	Repairs & Maintenance-Maintenance Garage	\$	7,500.00
1000-120-323-0178	Repairs & Maintenance-Township Hall-SR521	\$	7,500.00
1000-120-330-0000	Travel & Meeting Expense-Fiscal Officer	\$	1,000.00
1000-120-341-0000	Telephone/Cell Phone	\$	2,000.00
1000-120-341-0178	Telephone/Cell Phone-Township Hall-SR521	\$	1,000.00
1000-120-351-0000	Electricity	\$	4,000.00
1000-120-351-0178	Electricity-Township Hall-SR521	\$	2,500.00
1000-120-352-0000	Water	\$	500.00
1000-120-352-0178	Water-Township Hall-SR521	\$	500.00
1000-120-353-0000	Natural Gas	\$	3,500.00
1000-120-353-0178	Natural Gas-Township Hall-SR521	\$	1,500.00
1000-120-359-0006	Internet Services	\$	1,500.00
1000-120-359-0178	Internet Services-Township Hall-SR521	\$	1,500.00
1000-120-519-0132	Other Dues and Fees	\$	5,500.00
1000-130-190-0000	Salary-Zoning Inspector	\$	8,400.00
1000-130-190-0070	Salary-Zoning Secretary Mtg. Payroll	\$	2,500.00
1000-130-190-0147	Salaries-BZC & BZA Mtg. Payroll	\$	3,700.00
1000-130-190-0158	Salaries-Zoning inspector mileage	\$	2,100.00
1000-130-211-0000	Ohio Public Employees Retirement System	\$	3,000.00
1000-130-212-0000	Social Security	\$	500.00
1000-130-213-0000	Medicare	\$	500.00
1000-130-317-0000	Planning Consultants	\$	2,500.00
1000-610-190-0000	Salaries-Parks (Dan, Grant, PT Worker)	\$	7,000.00
1000-610-322-0000	Trash-Waste Management	\$	2,500.00
1000-610-599-0000	Parks-Other Expenses (Winterizing, Opening, & Toilets Pumping	\$	2,500.00
1000-760-360-0000	Contracted Services	\$	35,000.00
1000-930-930-0000	Contingencies	\$	35,000.00
		\$	381,650.00
Fund: Motor Vehicle Tax			
2011-330-360-0000	Contracted Services	\$	2,000.00
2011-330-420-0000	Operating Supplies-Gas & Diesel Fuel	\$	25,000.00
		Total Motor Vehicle Tax	\$ 27,000.00
Fund: Gas Tax			
2021-330-323-0000	Repairs & Maintenance	\$	1,500.00
2021-330-323-0046	Repairs & Maintenance-Intl Truck	\$	4,500.00
2021-330-323-0046	Repairs & Maintenance-Ford F-350 1 Ton	\$	5,000.00
2021-330-323-0048	Repairs & Maintenance-Cat Backhoe	\$	4,000.00
2021-330-323-0049	Repairs & Maintenance-Int'l Tractor & Motrim Mower	\$	5,000.00
2021-330-323-0051	Repairs & Maintenance-Case Skidloader	\$	1,000.00
2021-330-360-0000	Contracted Services	\$	18,000.00
2021-330-360-0041	Contracted Services-Road Resurfacing	\$	55,000.00
2021-330-420-0000	Operating Supplies	\$	5,000.00
2021-330-420-0011	Operating Supplies-Snow & Ice Removal/Salt & Grit	\$	20,000.00

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Minutes of Brown Township Trustees Meeting December 10, 2020

Fund: Cemetery

2041-410-100-0000	Salary-Cemetery Sexton	\$	4,200.00
2041-410-190-0028	Salaries-Other Cemetery (Dan,)	\$	10,000.00
2041-410-190-0029	Salaries-Other Cemetery , Grant, PT Worker)	\$	15,000.00
2041-410-211-0000	Ohio Public Employees Retirement System	\$	2,000.00
2041-410-213-0000	Medicare	\$	200.00
2041-410-250-0007	Mileage-Cemetery Sexton	\$	300.00
2041-410-323-0000	Repairs & Maintenance	\$	2,000.00
2041-410-323-0036	Repairs & Maintenance-Cemetery Equipment	\$	14,000.00
2041-410-323-0037	Repairs & Maintenance-Green Mound Cemetery	\$	5,000.00
2041-410-323-0038	Repairs & Maintenance-Eden Cemetery	\$	3,000.00
2041-410-360-0000	Contracted Services-Landscaping	\$	2,500.00
2041-410-420-0000	Operating Supplies	\$	2,000.00
2041-410-420-0009	Annual Pontem Software Service Fee	\$	3,500.00
2041-410-599-0000	Other Expenses	\$	2,000.00
2041-760-730-0000	Improvement of Sites	\$	10,000.00
Total Cemetery		\$	75,700.00

Fund: Permissive Motor Vehicle License

2231-330-360-0000	Contracted Services	\$	60,000.00
2231-330-599-0000	Snow Removal-Salt & Grit	\$	10,000.00
Total Permissive Motor Vehicle License		\$	70,000.00

Fund: Public Works Commission Project

4401-760-360-0000	Contracted Services		
Total Public Works Commission Project		\$	-

TOTAL ANNUAL APPROPRIATIONS ALL FUNDS \$ 935,750.00

Motion-Trustee Stegner
Second- Trustee Miley
Vote- approved by all

RESOLUTION 2020-12-10-03 – TO ESTABLISH THE 2020 MEETING SCHEDULE

All meetings are held at the Brown Township Hall, 5555 State Route 521

Regular Trustee Meetings- Second Tuesday of the month at 7:00 p.m.

Exceptions:

January 7, 2020 at 7:00 pm will be the date for the
January meeting

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

Emergency Meetings-

Chairman calls meeting notifying trustees and fiscal officer and will be posted on the township hall door 24 hours prior to the meeting

Year End Meeting-

December 29, 2020 at 5:30 pm

2021 Organizational Meeting-

December 8, 2020 at the end of the regular meeting

All trustee meetings will be posted on exterior bulletin board at the township hall. The 2020 meeting schedule will be advertised in The Delaware Gazette by the fiscal officer.

All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. 1212.22.

Motion-Trustee Stegner

Second- Trustee Cole

Vote- approved by all

RESOLUTION 2020-12-10-04 – MOVE TO APPOINT DEPARTMENT LIASONS AS FOLLOWS:

Cemetery-Connie Skinner

Fire Board-Charles Miley backup: Gary Stegner

Road Department-Charles Miley

Health-Connie Skinner

Parks & Facilities-Gary Stegner

Motion-Trustee Stegner

Second- Trustee Miley

Vote- approved by all

RESOLUTION 2020-12-10-05 – MOVE TO AUTHORIZE FISCAL OFFICER TO PERFORM THE FOLLOWING ACTS

- 1.) Apply for advance payment of tax settlements from county auditor
- 2.) Make intra fund transfers as necessary in order to maintain daily operations
- 3.) Invest township funds
- 4.) Prepare and submit amended certificates of estimated resources to county auditor
- 5.) Establish and approve forms for use in fiscal transactions of township, i.e. expense reports, inventory reports, timesheets, requisitions, road contracts and road funding etc.
- 6.) Receive all original employment applications, including but not limited to: physical exams, insurance applications, payroll withholding documents, background checks, MVR checks, and any other document relating to personal information covered by HIPAA.

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

-
- 2.) The rate for mileage reimbursement will be set by the IRS and approved at the first meeting of the fiscal year for township business outside the township limits.

Mileage must be approved by Board of Trustees.

- 3.) 100% of all purchases made for township by employee or official of the township **excluding** sales tax. Must be approved by trustees.
- 4.) All reimbursement requests must be processed in the month expense is incurred and submitted to the fiscal officer **NO LATER THAN THE 2nd day of the following month.** Any requests after the 2nd will be processed the following month.

Motion- Trustee Stegner

Second- Trustee Cole

Vote- approved by all

RESOLUTION 2020-12-10-07- MONTHLY DEPARTMENT SPENDING AUTHORIZATION LIMITS WITHOUT PRIOR APPROVAL

Trustees/Fiscal Officer	\$650.00 per month
Road Superintendent	\$750.00 per month for road funds
	\$750.00 per month for cemetery funds
Zoning Secretary	\$200.00 per month for zoning funds
Housekeeping	\$200.00 per month for township hall upkeep

Exception: All expenditures after December 8, 2021 must have prior approval by the Fiscal Office due to end of the year processing.

Motion-Trustee Stegner

Second- Trustee Cole

Vote-approved by all

RESOLUTION 2020-12-10-08- TO APPROVE AND ADOPT BROWN TOWNSHIP BUILDING RENTAL RULES & RENTAL RATES

Rental Agreement/Rules for Township Hall at 3832 Main Street:

This Rental Agreement entered into this _____, by and between BROWN TOWNSHIP (hereinafter referred to as "Township") and _____ (hereinafter referred to as "Renter") whose address is:

The Township hereby agrees to rent the meeting room and related facilities in the Township Hall to the Renter for the day of _____.

There shall be no rent charged for the use of the building due to the renter being a Township Employee

The Renter agrees to limit the use of the Township Hall during the rental period to the following

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

claims for injury to persons or property arising out of the activities conducted by the Renter on the Township property including without limitation any loss or damage incurred from acts of theft, burglary vandalism, injury or death occurring in or about the described premises or the sidewalks or alleys adjoining the premises and the Renter shall indemnify the Township from any claims by any agents, employees, customers, patrons, visitors or guests of the Renter. The Renter shall provide adequate adult supervision for any minor children who participate in the Renter's use of the building.

The Renter agrees:

1. Not to bring or consume alcoholic beverages on the premises.
2. Not to use tacks or nails to attach anything to walls, ceiling or window sills.
3. To clean the premises and place all refuse in containers provided by the Township and remove bagged refuse following use.
4. To reimburse the Township for any damages to the premises, building & equipment
5. To accept the premises in its present condition and return it in like condition (Return chairs & tables, coat racks etc. to their stored places. Remove all food & drinks from refrigerator. Take all items brought with you).
6. To vacate the premises at the scheduled time.
7. To return all Township property to a designated storage place.
8. Secure and lock all doors and windows and return key.
9. Deposit will be held until township housekeeping inspects conditions and approved.
10. Damages incurred over deposit will be charged to the renter.

Rental Rates:

Non-Resident Fee-\$50.00
Resident Fee-\$25.00
Deposit-\$100.00

Rental Agreement/Rules for Township Hall at 5555 State Route 521: BROWN TOWNSHIP Hall Rental Agreement

This Rental Agreement is entered into by and between the Board of Trustees of Brown Township, Delaware County, Ohio ("Board") and the Renter as identified herein.

PURPOSE OF AGREEMENT:

The purpose of this Agreement is to state the covenants and conditions under which the Board agrees to rent the Brown Township Hall located at 5555 St. Rt. 521, Delaware, Ohio 43015 ("Hall") to the Renter. Such rental shall

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

Home/Business: _____ Cell: _____ Work: _____

Person in Charge Telephone Contacts:

Home/Business: _____ Cell: _____ Work: _____

Email: _____

EVENT INFORMATION*

Date(s) of Use: _____

Times of Use:

Start: _____ AM/PM End: _____ AM/PM

Type/Description of Event:

*Collectively, event information hereinafter ("Event").

SECURITY DEPOSIT / RENT

Security Deposit / Rental Rates:

Rent	Security Deposit	Check One	Status of Renter
4 hour max. - \$175.00 All day - \$300.00	\$100.00	<input type="checkbox"/>	Resident of Brown Township, Delaware County, Ohio (proof required)
4 hour max. - \$250.00 All day - \$500.00	\$100.00	<input type="checkbox"/>	Organization headquartered in Brown Township, Delaware County, Ohio
\$150 cleaning fee	None	<input type="checkbox"/>	Organization that is governmental, charitable or fraternal in nature
4 hour max. - \$500.00 All day - \$1,000.00	\$200.00	<input type="checkbox"/>	Non-resident of Brown Township, Delaware County, Ohio and/or does not meet at least one of the above qualifications.

*All Day means use beginning at 6:00 AM and ending no later than 11:30 PM, including set-up and clean-up time.

Total Security Deposit/Rent:

In exchange for the use of the Hall for the Event, the Renter agrees to pay the TOTAL SECURITY DEPOSIT / RENT as indicated in the chart below. The TOTAL SECURITY DEPOSIT / RENT is due in full to the Board at least fourteen (14) business days in advance of the date of the Event. The Renter acknowledges that a failure to pay the TOTAL SECURITY DEPOSIT / RENT as required will result in termination of this Rental Agreement and an inability to use the Hall for the Event and/or on the date(s) and at the times specified herein.

TOTAL SECURITY DEPOSIT	
TOTAL RENT	
TOTAL DUE	

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

-
- All furniture and equipment used in connection with the event is returned to the location where it was found and/or is returned to the person from which it was received.
 - The Hall and Grounds are promptly vacated at the time stated herein at the end of the Event.
 - Any and all keys to the Hall, building, or rooms therein are returned to the Board on the day of the Event.
 - The Township does not incur any damages or expenses as a result of the Rental.
 - In the event of a cancellation, Renter gives at least five (5) days' notice to Township.

If any of the above conditions are not met, the Board, within the Board's sole discretion, may retain any portion or all of the security deposit.

RULES GOVERNING THE USE OF THE TOWNSHIP HALL

In consideration of the use of the Hall, the Renter agrees to comply with the following rules governing the use of the Hall and Grounds:

1. No illegal activities are permitted in the Hall or on the Grounds.
2. No alcoholic beverages are permitted inside the Hall or on the Grounds.
3. No smoking is permitted inside the Hall or on the Grounds, including in the surrounding Park.
4. All deadly weapons and/or dangerous ordinance are prohibited.
5. Use of the Hall kitchen for cooking is prohibited.
6. Maximum capacity of the Hall is one hundred (100) persons for banquet-style use with tables and chairs, or one hundred and fifty (150) persons for meeting style use with chairs only.
7. Township will not hold dates. A completed contract, proof of residency (if applicable), and payment will secure the rental date.
8. The Renter shall clean the Hall and any used portions of the Building and remove all trash from the trash cans and replace can liners with new bags found at the bottom of the receptacle. Used trash bags shall be deposited in the dumpster located in the parking lot. The Renter agrees to replace all chairs and tables to their original location. If the Renter fails to comply with this rule, the Renter is subject to forfeiting the security deposit.
9. The Renter agrees to pick-up and return the Building and/or Room key(s) at the place and time designated by the Board or its agent. If the key and/or keys to the Building and/or Room is/are lost or not returned, the Renter agrees to forfeit the security deposit.
10. Building and grounds must be vacated by the scheduled end time of the Event.
11. All activities of the Event are to take place within the confines of the Hall and all doors and windows are to remain closed, except that doors may be temporarily propped open during loading or unloading.
12. Children and youth groups shall have adult supervision at all times.
13. No tape, tacks, nails, screws, glue, or other adhesive agents shall be used on any walls, ceilings, or floors.

The Renter agrees to make all guests or persons attending the Event aware of the above rules and shall take responsibility for any guest or person attending the Event that fails to comply with the rules. A failure to comply with the rules is grounds for the Board to immediately evict and eject the Renter and retain the full security deposit. The Board reserves the right to exercise supervisory authority and to prevent unauthorized or illegal activities on Township property. The Board reserves the right to deny future use of the Hall, Building, or Grounds to any person/entity/organization that fails to comply with the above rules.

TERMS AND CONDITIONS

In consideration of the use of the Room, the Renter agrees to rent the Room from the Board subject to the following terms and conditions:

Indemnity:

To the fullest extent of the law and without limitation, the Renter agrees to indemnify and hold free and harmless the Board, Brown Township, Delaware County, Ohio and all of their respective boards, officers, officials, employees, volunteers, agents, servants and representatives (collectively "Indemnified Parties") from any and all actions, claims, suits, demands, judgments, damages, losses, costs, and expenses, including, but not limited to attorney's fees, arising out of or resulting from any accident, injury, bodily injury, sickness, disease, illness, death, or occurrence, regardless of type or nature, negligent or accidental, actual or threatened, intentional or unintentional, known or unknown, realized or unrealized, related in any manner, in whole or in part, to the Renter's or any guest of the Renter's use of the Room, Building, and/or Grounds and/or the actions or omissions of the Renter, any guest of the Renter, or any

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting December 10, 2020

accessories and/or parts arising out of or resulting in whole or in part from any acts or omissions negligent or accidental, actual or threatened, intentional or unintentional of the Renter, any guest of the Renter, or any other person that the Renter allows or permits to be in the Room, Building, and/or on the Grounds.

Termination:

The Renter may terminate this Agreement at any time at least five (5) days prior to the day of the Event and for any reason by providing written notice to the Board. Under such circumstances, the Renter shall be entitled to receive a refund of the security deposit and any rent paid.

The Renter may terminate the Agreement within four (4) or fewer days of the Event by providing written notice to the Board, however, under such circumstances, the Board shall be entitled to retain the entire security deposit.

The Board may terminate this Agreement at any time and for any reason by providing written notice to the Renter. If the Board terminates this Agreement, the Renter shall be entitled to receive a refund of the security deposit and any rent paid.

Notices:

All notices which may be required by this Agreement or by operation of any rule of law shall be hand delivered, sent via certified United States Mail, return receipt requested, sent via a nationally recognized and reputable overnight courier, return receipt requested, and shall be effective on the date received. Notices to the Renter shall be delivered to the address for the Renter as indicated in the Renter Information section above. Notices to the Board shall be delivered to the following address:

Brown Township Board of Trustees
5555 St. Rt. 521
Delaware, Ohio 43015

Governing Law:

This Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this Agreement shall be filed in and heard before the courts of Delaware County, Ohio.

Severability:

If any provision of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, such holding shall not affect the validity or enforceability of the remainder of the Agreement. All provisions of this Agreement shall be deemed severable.

Entire Agreement:

This Agreement, along with all of its attachments, shall constitute the entire understanding and agreement between the Parties, shall supersede all prior understandings and agreements relating to the subject matter hereof, and may only be amended in writing with the mutual consent and agreement of the Parties.

Signatures:

Any person executing this Agreement in a representative capacity hereby warrants that he/she has authority to sign this Agreement or has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

RENTER

Signature of Renter

Date

Printed Name of Renter

BOARD OF TRUSTEES

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Motion-Trustee Stegner
Second- Trustee Miley
Vote- approved by all

RESOLUTION 2020-12-10-09- TO APPROVE AND ADOPT GREENMOUND CEMETERY RATES

Cemetery Rates:

Fees for Cemetery Services to Funeral Homes & Monument Companies

Open/Close Adult Grave	Monday - Friday	\$525.00
Open/Close Adult Grave	Weekend/Holiday	\$750.00
Open/Close Infant Grave	Monday - Friday	\$120.00
Open/Close Infant Grave	Weekend/Holiday	\$240.00
Open/Close for Cremation	Monday - Friday	\$200.00
Open/Close for Cremation	Weekend/Holiday	\$350.00
Install Gov't Military Marker		\$60.00
Forming & Pouring Cemetery Foundation		
(Add 2" to width & length	Per Square Foot	\$125.00
Disinterment 2x open/close		\$650.00
Fee to Remove Old Foundation		\$50.00

Fee for Cemetery Gravesite

Township Resident	\$200.00
Non-Resident	\$800.00
Deed Transfer	\$100.00

Motion-Trustee Stegner
Second-Trustee Cole
Vote- approved by all

RESOLUTION 2020-12-10-10- APROVE APPOINTED EMPLOYEES SALARIES AND WAGES

Salaries				Total for Year
	Zoning Inspector	Month	\$775.00	\$9,300.00
	Cemetery Sexton	Month	\$350.00	\$4,200.00
Employee's Wage Rates	Per Hour			
	Part-time/Seasonal Weedeating		\$16.00	
	Part-time Snow Plowing		\$16.00	
	Township Hall Housekeeping		\$18.00	
	Township Hall Work		\$19.00 GT/20.50 DG	
	Township Hall Work	Holiday	\$20.50 GT/22.50 DG	
	Park Work		\$19.00 GT/20.50 DG	
	Park Work	Holiday	\$20.50 GT/22.50 DG	
			\$10.00 GT/20.50 DG	

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Motion-Trustee Stegner
Second-Trustee Miley
Vote- approve by all

APPROVE SUSAN KUBA SALARY

Motion- Trustee Stegner
Second-Trustee Cole
Vote- Charles Miley abstained; approved by Cole and Stegner only

RESOLUTION 2020-12-10-11-APPROVE 2021 ZONING FEES

SINGLE FAMILY RESIDENCE W/ATTACHED GARAGE		\$300.00*
	INCLUDES COPY OF ZONING RESOLUTION BOOK	
TWIN SINGLE		\$450.00*
APARTMENT BUILDING PER UNIT		\$250.00*
MULTI-FAMILY & TOWNHOUSE PER UNIT		\$250.00*
GARAGE	1 CAR	\$75.00*
	2CAR	\$125.00*
	>2 CAR	\$150.00*
CARPORT		\$60.00*
STORAGE OR SMALL BLDG. < 100 SQ. FT.		N/C
STORAGE OR BLDG. > 100 SQ. FT. OR LESS THAN 1,000 SQ. FT.		\$200.00*
STORAGE OR BLDG. > 1000 SQ. FT.		\$300.00*
COMMERCIAL OR INDUSTRIAL NEW BUILD		\$650.00*
	PLUS /100 SQ. FT.	\$5.00
BORROW PIT		\$10,000.00
CONVERTING 1 FAMILY TO 2 OR MORE FAMILY		\$225.00*
	OUTSIDE STRUCTURAL CHANGE	
REMODELING, STRUCTURE CHANGE, DWELLING & GARAGE		\$100.00*
	STORAGE BLDG. 100 SQ. FT. OR LESS	\$100.00*
TEMPORARY TOOL & SUPPLY TRAILER 6MONTHS		\$100.00
	RENEW FOR 6 MONTHS	\$100.00
TEMPORARY MOBILE HOME		\$150.00
	RENEW FOR 6 MONTHS	\$150.00
	50% ADDITIONAL CHARGE FOR LATE APPLICATION RENEWAL	

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CONDITIONAL USE HEARINGS	\$500.00
FEE FOR APPROVING PLOTS & SUBDIVISIONS REFERRAL TO DCRPC	N/C
IN-GROUND POOL OR DECK	\$100.00*
ZONING RESOLUTION BOOK	\$30.00
CONSTRUCTION WITHOUT OBTAINING PERMIT	Double the cost of permit

*Includes Certificate of Compliance

Motion-Trustee Stegner
Second- Trustee Cole
Vote- approved by all

RESOLUTION 2020-12-10-12– MOTION TO MAKE APPOINTMENTS TO ZONING COMMISSION AND APPEALS

Reappointment of Keith Holewinski to Zoning Commission through 2024- **Trustee Stegner made motion; Trustee Cole seconded.**

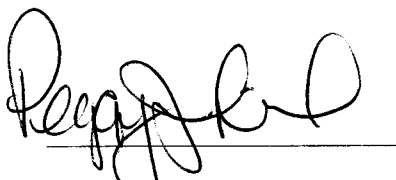
Reappointment of Chris Shamro to Zoning Appeals through 2024 - **Trustee Stegner made motion; Trustee Miley seconded.**

Reappointment of Chris Thompson to Zoning Appeals through 2024 - **Trustee Stegner made motion; Trustee Miley seconded.**

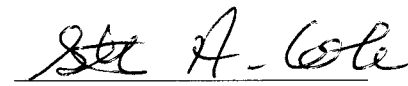
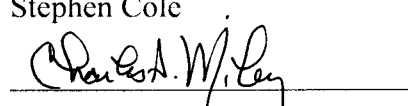
Vote- approved by all

Move to Adjourn: Time-10:11 pm

Motion- Trustee Stegner
Second- Trustee Miley
Vote- approved by all


Peggy Link, Fiscal Officer

Trustees


Stephen Cole

Charles Miley