Minutes of Brown Township Trustees Meeting

Held July 9, 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, Housekeeper Kristine Hedrick and Guests Rob Platte, Vickie Sheets, Dave Knowlton, Elizabeth Ortiz and Melissa Matlack

Trustee Stegner made a motion to approve the July 9, 2019 agenda as amended. Trustee Miley seconded. Motion passed.

Chairman Stegner led the Pledge of Allegiance

Trustee Miley made a motion to approve the June 11, 2019 regular meeting minutes as presented. Trustee Cole seconded. Motion passed.

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$125,507.62 and earned \$26.73 in interest. Star Bank balance is \$1,263,275.99 and earned \$2,567.02 in interest and StarPlusOhio balance is \$0. She passed around the timesheets to be reviewed and signed and the reconciliation checklist for signature and approval for June 2019. Fiscal Officer Link shared a brief update on the Kilbourne Cleanup results and we have currently spent \$294.54 on 7.8 tons of garbage. Ms. Link will share final information in August meeting once we have final invoices.

Rob Platte with Delaware County Economic Development Administration attended the meeting to share an update and information on the 36/37 corridor project and Berlin Township 36 project information. He shared his personal background information. He shared that the 36/37 corridor plans are a result of a study that NBBJ conducted. Developers looking for commercial properties contact Delaware County. As a result of the study and the potential opportunities, Delaware County has a ready program that will offer incentives, have zoning in place as well as utilities in place in order to quickly act and be ready for the opportunity to work with the developers as they become available. Berlin Township has created JEDD and overlays for zoning that takes into consideration property owners. There are currently 8 MOUs in place for approximately 2000 acres. These mechanisms and plans allow the townships and Delaware County to avoid potential annexation by the Village of Sunbury or Delaware City. Berlin Township will be holding zoning commission meetings in a month or so to further discuss and plan for future development. Mr. Platte shared that GHG has approached Delaware County about Pace District within Kilbourne that would support an energy specialization district that would help with financing and incentives for the developer. Trustees and Mr. Platte discussed potential opportunities that Brown Township may want to consider in the future.

Public Participation:

Pastor Beth Ortiz spoke on behalf of the Church to ask for support for the church's initiative for the Good Samaritan fund. The fall festival was started in the past to support this fund. The fund has been setup to help individuals in need. Individuals in the surrounding four townships are eligible. The fund sits in the church but a group of four individuals help make decisions on who receives assistance but the church doesn't receive any benefits. The pastor, two church members and a member of the community (currently James Andres) serve on the board. Since the fall festival has been discontinued there is no way to replenish the fund in order to continue to help provide assistance to community members in need. The church is considering other ways to generate money to support the fund. Pastor Ortiz, Vickie Sheets and Melissa Matlack attended the meeting to garner support for a community bazaar that would include vendor booths as well as community events. The group was looking for support from the

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Trustees to be able to use the new hall and asked them to waive the fees for rental as well as cleaning fees. After further discussion the Trustees will need to consult with the Prosecuting Attorney to understand what they are allow to do or not do. Trustees agreed they support the event pending resolution with their attorneys.

Dave Knowlton with the Health Department shared handouts regarding senior appliance pickup, food safety, hazardous waste disposal and pool safety.

Zoning Inspector:

Zoning Inspector Kuba presented and discussed her report. She shared that resident Norman Thivener is having issues with his final inspection with the county because he has changed the building plan. After discussion between Trustees and Zoning Inspector, Mr. Thivener needs to pay the fee to update his building plans.

Ms. Kuba indicated that All Seasons Storage has submitted an application for zoning application and they have been advised to go through the rezoning process.

Trustee Cole shared that there is an untagged vehicle at 5592 SR 521; Chris Thompson junk pile has not reduced in size; untagged vehicle on Old State Road at Rudy's garage; Gavin has junk mowers at 5661 SR 521; property on Main Street needs mowed and Bob Fleming has multiple junk vehicles with no plates.

Trustees discussed pursuing legal action against Jeff Tallman property on SR 521 as well as the Devoe property on Bowtown Road. Trustee Stegner will check with the prosecutor's office on the status of what needs to be done in order to move these along.

Road Superintendent:

July list of things to be done.
Complete road inspection
Mow
Trim back trees in ROW

List of extra things to be done depending on weather and time. Install Playground benches Culvert inspections

Things done since the June Trustee Meeting.

Listed on timesheets

Things to pass on.

Hogback Road ditches damaged by someone offroading in three different spots. Kelly McMaster berm washed out on south side from last culvert West approx. 100' (Repaired following

inspection with 1s and 2s in washout and then covered with 304s)

Are there any issues I should be aware of?

Trustee Miley asked Mr. Gladman about a playground equipment issue on June 20th. Mr. Gladman will work with Grant to fix this entry so that it reflects correctly.

Trustee Stegner made a motion to dispose of the unused list and broken inventory list presented. Trustee Miley seconded. Motion passed.

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Roads:

Small's has not begun berming Cackler Road yet. Shelley is waiting until that is complete. Trustee Miley discussed that Mr. Gladman and meeting with gentlemen on Walton Road to discussing trimming issues. He is still working on it. Mr. Gladman shared that he put gravel on Pugh and Howard Roads to help with the tar bubbling. The traffic count was done on Howard and Skinner Roads.

Cemetery:

No report was given.

Fire Department:

Trustee Miley went over a brief update. Plans are still being finalized for sick leave donation.

Old Business:

Housekeeper Kristine Hedrick asked about getting rid of the heavy tables at the old hall. Mr. Gladman needs someone to help him remove the tables but they are on the list of items to be disposed of. Ms. Hedrick mentioned there is mold on the walls in the basement in the hall. It was suggested that she try using a spray bottle with bleach in it or use Wet Forget. The door in the basement has some issues and after discussion, Mr. Gladman will install a kick plate. Trustees mentioned potential options for the old hall usage. The EMS Director has mentioned placing a 911 ambulance at the old hall or even potential selling the building. Ms. Hedrick also requested she receive a raise. She has taken on managing the rental, checking phone twice a day, putting out rental keys and in October she will have been doing the job for 6 years. She does a good job, watches how many hours. She would like to consider a set amount of money for setting out keys, checking phone calls and then hourly for cleaning. Ms. Hedrick asked if she should seal the floors again.

New Business:

Trustees briefly discussed that they will need to consider when and if they want to do pay rate changes when and how that will be facilitiated.

Trustee Miley made a motion to release warrants 20118-20151 for \$10,871.29. Trustee Stegner seconded. Motion passed.

Trustee Stegner made a motion to adjourn. Trustee Miley seconded. Motion passed. Meeting was adjourned at 9:30 PM

Peggy J. Link, Fiscal Officer

Trustees

Gary Stegner, Chairman Slephu A - Co

Stephen Cole, vice Chairman

Charles Miley

Minutes of Brown Township Trustees Meeting

Held August 13, 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 Anthony Saadey, Rick Helwig, Gary Merrell, Larry Beard and Jeff Cutler

Trustee Miley made a motion to approve the August 13, 2019 agenda as amended. Trustee Stenger seconded. Motion passed.

Chairman Stegner led the Pledge of Allegiance

Trustee Stegner e a motion to approve the July 9, 2019 regular meeting minutes as presented. Trustee Cole seconded. Motion passed.

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$129,069.22 and earned \$26.73 in interest. Star Bank balance is \$1,265,871.17 and earned \$2,595.18 in interest and StarPlusOhio balance is \$0. She passed around the timesheets to be reviewed and signed and the reconciliation checklist for signature and approval for July 2019. Fiscal Officer Link shared an updated spreadsheet for the Kilbourne Cleanup trash voucher program. 7.8 tons of garbage was taken in for a total cost of \$310.35. Resident Bill Adams turned in tires which was charged to the Township and Fiscal Officer Link will request a reimbursement from Bill Adams as this was not covered under the voucher program. Fiscal Officer Link shared that due to the increased cost for the weedeater the Salaries-Park does not have enough funds and requested the Trustees pass a resolution to move funds from contingency to Salaries-Park. Trustee Stegner made a motion to move \$3,000 budget from 1000-930-930-0000 (Contingency) to 1000-610-190-0000 (Salaries-Park). Trustee Cole seconded. Motion passed.

RESOLUTION – 2019-08-13-01 TO MOVE \$3,000 BUDGET FROM 1000-930-930-0000 (CONTINGENCY) TO 1000-610-190-0000 (SALARIES-PARK).

Cole Aye Miley Aye Stegner Aye

Fiscal Officer Link shared that a resolution is needed to approve the amounts and rates for the 2020 Budget. Trustee Miley made a motion to adopt the Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Trustee Stegner seconded. Motion passed by roll call.

RESOLUTION – 2019-08-13-02 TO ADOPT THE RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Roll call: Cole Aye Miley Aye Stegner Aye

Board of Elections Representatives Anthony Saadey and Rick Helwig visited the meeting. Mr. Helwig oversees the polling locations. They requested that the Board of Elections would like to move the polling location from the church to the new hall. They requested that it would start this November 5th and at most would be 3 times a year. The usage would involve a moving company unloading the equipment prior to the election, the poll workers would need access to the building on Monday evening and then use of the building beginning at 5:30 am and would likely extend through 8:30 pm which would

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allow the poll workers an hour to pack up after the election was over. The results would need to be posted on the door the next day. There are currently around 2,700 voters registered in Kingston and Brown Townships. Trustees shared their concerns regarding the damage that occurred during the previous usage of the older township hall. The Board of Elections folks during that time expressed that this damage was due to our own residents and therefore not their responsibility. Trustees were supportive of using the new hall for Brown Township residents only. This would mean that the Board of Elections would need to find another location for Kingston residents to vote. Trustees Cole and Stegner shared that they were not treated very well during the last election. Trustee Cole shared that he was not allowed to use a utility bill as verification of his identity. Mr. Saadey and Helwig had not heard these concerns. They are looking to use the new hall instead of the church due to ADA issues with parking and signage. Mr. Saadey and Helwig asked if Brown Township was willing to go to Kingston to vote and Trustees shared that they would look at other options if that was the case. Trustees reinforced that they were willing to allow only Brown Township residents to vote at the new hall. Mr. Saadey will share this conversation with the Board of Elections Directors on August 19th.

Public Participation:

Delaware County Commission Gary Merrell visited the Trustee meeting. He ask follow-up questions regarding the polling issues as he was concerned as a representative of Delaware County. Mr. Merrell gave an update about the County purchasing the North Career Center campus. He shared that the Engineers Office, Environmental Services, Soil and Water, Regional Planning and the Sheriff's office will be housed on the campus. They will sell the current buildings once the transition is complete. He gave a brief update on the old courthouse and jail.

Zoning Inspector:

Mr. Jeff Cutler gave a brief presentation on the All Seasons zoning proposal that was being reviewed before the board tonight. All Seasons received conditional approval from Regional Planning as long as they eliminate the access for campers/cars and they receive a variance for the 15' setback instead of 25'. The Zoning Board approved the request at their August 1, 2019 meeting. Trustee Miley expressed concerns about fire access. Mr. Cutler indicated he was willing to shorten the building if this is an issue. Any other changes to the property would require Mr. Cutler to purchase more property. Trustee Miley made a motion to approve the All Seasons development plan pending the fire department's approval. Trustee Cole seconded. Motion passed.

RESOLUTION – 2019-08-13-03 TO APPROVE THE ALL SEASONS DEVELOPMENT PLAN PENDING THE FIRE DEPARTMENT'S APPROVAL

Cole Aye Miley Aye Stegner Aye

Zoning Inspector Kuba presented and discussed her report. Trustees mentioned that they will need to consider penalties for folks who do not comply with the zoning code. Trustee Stegner made a motion to authorize the Delaware County Prosecutor to proceed with legal actions against Jeff Tallman. Trustee Miley seconded. Motion passed.

RESOLUTION – 2019-08-13-04 TO APPROVE THE ALL SEASONS DEVELOPMENT PLAN PENDING THE FIRE DEPARTMENT'S APPROVAL

Cole Aye Miley Aye Stegner Aye

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Road Superintendent:

August list of things to be done. Complete road inspection Mow

Trim back trees in ROW

List of extra things to be done depending on weather and time. Culvert inspections

Things done since the July Trustee Meeting. Listed on timesheets

Things to pass on.

Trees on Main St. (if we can take the one tree down and trim the other)

Womens restroom

International 7400 (stall and no restart)

New Hall parking lot

Mr. Gladman went over his report. Mr. Gladman had to contact Heavy Duty to move the Intl 7400 off the road. After checking the truck over the starter and connections are cracked. Napa charges between \$300-700 for a starter. After further discussion it was decided for Mr. Gladman to connect with whomever is quickest to work on the truck at the garage. Mr. Gladman responded to Trustee Miley about the mulch compaction around the playground. The depth is to be 12" thick and there is no guidance on compaction.

Roads:

Fiscal Officer Link shared the traffic count report she received for Howard and Skinner Roads. Howard Road is bubbling and Trustees recommended putting down some stone to keep it from being so slick during the winter. Pittman and Veley roads are also bubbling and were chip sealed last year. Trustee Miley took approximately 30 pictures and sent them to Jerry Ungashick to document the damage done by Shelly Company. Doug Reidel said to keep an eye on it. The Cea culvert is being replaced tomorrow morning with a 15" tile in the ditch to Troy. Roger Glenn said it should not cost more than \$300 to dip ditch. Fiscal Officer Link shared that we would need a quote and contract for the services to be done. Trustee Miley and Mr. Gladman will do the work on behalf of the Township. Beard Road culvert is still on the schedule. Trustees agreed that September 20th at 9:30 to perform Road Inspections with Doug Reidel.

Cemetery:

No report was given. Fiscal Officer Link reported that Carole Wells \$100 transfer fee had been refunded in May, 2013.

Fire Department:

Trustee Miley went over a brief update.

Old Business:

Fiscal Officer Link placed on the agenda the Alum Creek Mennonite Church rental. Trustees confirmed that their deposit should not be returned due to damage on the floor as well as the walls. It will take approximately 3 hours of Grant Tobias fixing the damage to the walls. Trustees discussed documenting issues for consideration of further hall rental or not.



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: 07/25/19 RPC# 36-19 ZON

Township: Brown

Request by: All Season Self Storage LLC

To rezone: .2

Located: 2415 SR 37 East

From: PC
To: PC

To allow: development plan amendment (addition of a mini warehouse)

Zoning Commission Decision Date: Quegust 1, 2019

Board of Trustees Decision Date: 8/13/2019

Effective Date: After the period of referendum has passed

Decision: (circle one PPROVED) 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:

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New Business:

Trustee Stegner has been working with Fiscal Officer Link on health benefits and reimbursements. After a conversation with legal counsel, the township will have to offer any of the current benefits that is being offered to the Trustees and Fiscal Officer to all employees. After further conversation, Fiscal Officer Link will obtain what the additional costs could be for a change beginning in 2020.

Trustee Stegner made a motion to release warrants 20152-20172 for \$10,207.97. Trustee Miley seconded. Motion passed.

Trustee Cole made a motion to adjourn. Trustee Miley seconded. Motion passed. Meeting was adjourned at \$:50 PM

Peggy J. Link, Fiscal Officer

Trustees

Gary Stegner, Chairman

Stephen Cole, Vice Chairman

Charles Miley

Minutes of Brown Township Trustees Meeting

Held September 10, 2019

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Stegner and Miley Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, Cemetery Sexton Donna Cackler, Housekeeper Kristine Hedrick and Guests Connie Skinner, Dave Knowlton and Ron Beitzel

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

Chairman Stegner led the Pledge of Allegiance

Trustee Miley made a motion to approve the August 13, 2019 regular meeting minutes as presented. Trustee Stegner seconded. Motion passed.

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$224,022.47 and earned \$30.32 in interest. Star Bank balance is \$1,268,307.09 and earned \$2,435.92 in interest. She passed around the timesheets to be reviewed and signed and the reconciliation checklist for signature and approval for August 2019. Fiscal Officer Link shared that after reviewing the newsletter publication regarding the trash cleanup that there was nothing that indicated the township wouldn't pay for tires and therefore we shouldn't charge Bill Adams. Trustee Stegner suggested that we would need to adjust the wording for next year's message. Fiscal Officer Link shared the addendum contract for Small's Asphalt at the request of Trustee Miley. This is due to an increase in materials. Trustee Miley gave an update that the addendum may not be necessary based on a verbal conversation with Small's that there would be no increased cost but as a precaution Trustees should approve the addendum. Trustee Stegner made a motion to approve an additional \$2,000 increase for road maintenance for Small's Asphalt. Trustee Miley seconded. Motion passed.

RESOLUTION – 2019-09-10-01 APPROVE AN ADDITIONAL \$2,000 INCREASE FOR ROAD MAINTENANCE FOR SMALL'S ASPHALT.

Miley Aye Stegner Aye

In the future we should allocate a 10% contingency on these types of contracts for adjustments to the contract. Fiscal Officer Link shared she had been contacted by Ron Beitzel about a construction sales tax exemption form that they would like the township to sign. Mr. Beitzel was present at the meeting and shared that since they would be turning over the public road and right-of-way to the township after the development was complete that he has been advised by the State that he could request such exemption. Trustee Stegner made a motion to approve the sales and use tax construction contract exemption for Oxford Woods construction. Trustee Miley seconded. Motion passed.

Public Participation:

Dave Knowlton with the Delaware County Health District passed out information regarding statistics relevant to Brown Township. It appears that there may have been some misinformation on the form.

Housekeeping Update:

Housekeeping Hedrick attended the meeting and shared she is still working on finding a fix for the scratch on the floor. Ms. Hedrick asked about taking rental contracts for requests past January, 2020. Trustees agreed that this wouldn't be a problem as long as she received checks for the rental and the deposit. Ms. Hedrick shared she received a request to rent the hall from a non-profit group to use the hall for a fund raiser breakfast.

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She asked if they were allowed to rent it and what fees should be involved. Trustees agreed that they could rent it and pay for the cleaning fees. There was discussion since it was mentioned they would be serving pancakes that Ms. Hedrick may want to have a conversation regarding the electric requirements needed to operate the griddle. Further discussion occurred regarding the Farm Bureau deposit being returned due to damage to the wall. Trustees discussed this was not "normal" wear and tear and therefore advised Fiscal Officer Link to not return their deposit.

Zoning Inspector:

Zoning Inspector Kuba presented and discussed her report. Ms. Kuba asked about rezoning sign and it was agreed that she would look into gathering quotes for a sign that would be similar to a small political sign that would be shared to notify residents of rezoning notices. Ms. Kuba shared a map of the township and discussed what the Trustees would like to see on such a map. The trustees and zoning inspector will gather information to make suggestions. At the last rezoning meeting a decision could not be made on the Bacastow property or the Danboy proposal. There is a zoning appeals meeting tomorrow night and Ms. Kuba has confirmed they will have enough board members to have a quorum to review the proposals. Court recorder Donna Chafin will not be able to attend and therefore they are using an alternate. Ms. Kuba shared that the commission has discussed pool cover requirement and the commission wants to continue to require fencing. Liberty and Brown Townships are the only ones that have not passed new requirements to meet the State changes. This will mean variance requests will increase. Stegner mentioned the Devoe and Tallman properties. Ms. Kuba will speak to Mary Fleming regarding the cleanup of junk.

Road Superintendent:

Mr. Gladman went over his report. Mr. Gladman is working to get the International 7400 repaired. He has had to have it towed to the shop. Heavy Duty believes that the starter, brake chamber, cylinoid and transmission line need fixed. There is still concern that these are not what is causing the problem. Trustee Stegner made a motion to approve an amount not to exceed \$2500 to have Heavy Duty fix the starter, brake chamber, cylinoid and transmission line. Trustee Miley seconded. Motion passed.

RESOLUTION – 2019-09-10-02 APPROVE AN AMOUNT NOT TO EXCEED \$2500 TO HAVE HEAVY DUTY FIX THE STARTER, BRAKE CHAMBER, CYLINOID AND TRANSMISSION LINE. .

Miley Aye Stegner Aye

Trustee Stegner asked about the crack seal that Mr. Gladman was purchasing to fix the crack in the parking lot at the hall. Mr. Gladman ordered enough that he may be able to fill in a crack on Hogback Road.

Roads:

Cackler Road was chipped and fog sealed today. He shared that he will look at comparing Small's pricing for future use. Maggie Garrison contacted Mr. Miley because Pittman Road was coming loose. Trustee Miley couldn't see this while driving so he will walk the road. Beard Road Culvert – should we have someone else replace the 12" culvert since the County has not gotten to it yet. Mr. Miley will look into this further. Mr. Miley asked Road Superintendent Gladman to identify the worst culverts before the road inspection.

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Held September 10, 2019 **Cemetery:** Cemetery Sexton shared that there were not enough foundations to pour for the fall. She followed up on the Crego lot and Fiscal Officer Link referred back to the minutes sharing that the Trustees agreed to a flush marker. She will provide Ms. Link with the relevant information needed for the foundation order spreadsheet. **Fire Department:** Trustee Miley went over a brief update. **Old Business:** n/a **New Business:** Trustee Miley requested that information for the newsletter be sent to him by the end of the month. Trustee Stegner made a motion to cancel since there is no agenda items for the September 24th meeting. Trustee Miley seconded. Trustee Miley made a motion to approve the appointment of Donald Dicke as an alternate for the Zoning Appeals committee for a term of five years. Trustee Stegner seconded. Motion passed. Fiscal Officer Link shared that she may have to refer an incident involving a damaged road sign to the Prosecutor's office for collection. Trustee Stegner made a motion to release warrants 20173-20200 for \$9,706.47. Trustee Miley seconded. Motion passed. Trustee Miley made a motion to adjourn. Trustee Stegner seconded. Motion passed. Meeting was adjourned at 8:24 pm Trustees Peggy I. Link, Elscal Officer Charles Miley