Minutes of Brown Township Trustees Meeting

Held July 11, 2023

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Miley, Skinner, and Stegner, Fiscal Officer Link, Zoning Inspector Steve Lisano, Cemetery Sexton Beth Harp and Guests Doug Reidel, Brian Lorenz, State Representative House District 60, Rick Dunlap, Del-Co Water and Chris Rinehart

Trustee Skinner made a motion to approve the July 11, 2023 agenda as amended. Trustee Stegner Miley seconded. Motion passed.

Trustee Miley led the Pledge of Allegiance

Trustee Skinner made a motion to approve the June 13, 2023 regular meeting minutes and June 28, 2023 special meeting minutes as presented. Trustee Miley seconded. Motion passed.

Fiscal Officer's Report:

Current First Commonwealth Checking Account Balance \$466,380.22 and earned \$7.73 in interest. Current STAROhio Account Balance \$1,394,025.13 interest and earned \$6,001.78 in interest.

Trustees reviewed and approved the bank reconciliation and timesheets for June 2023. Motion made by Trustee Skinner to release Warrants #21178-21187 \$3,389.15. Trustee Stegner seconded. Motion passed.

Delaware County Engineer:

Mr. Reidel and Trustee Skinner shared there were a couple of crashes at SR 521 and N. Old State and within 10 hours of each other. Both of those people at fault thought they were 4 way stops. Trustee Skinner asked if there were any updates we could do. Thom Slack has initiated a study. There was a meeting and the County agreed to freshen up the signage and markings to try refresh. There is a concern about the parking in front of the house instead of behind the house. They are parking in the road right-of-way. County cannot put up no parking signs along the road but the Trustees can. There is brush on the northeast corner that needs to be addressed which is an ODOT issue.

The road work look great. Mulberry and N. Old State signs and the trees were buried in the trees and need taken care of.

Chip sealing is done. Giehl Road is getting done. OPWC agreement signed. August meeting will have the contract to sign for the Shelly Company. Proposed point project using Harris Road as the hau! route because of the stockpile of dirt is at Cashman's. They thought it was safer to do this and no left hand turns but they would be making left hand turns to return to Cashman's. ODOT regulations address it and needs approval from governing body and any damages or repairs are done to our satisfaction and the County would be involved with us to help make sure this happens. We should videotape the road. OPWC project for Harris Road is imminent and ODOT is aware of that. Making sure Shelly and the haul road don't get in the way. Taking the dirt to point and then back to Cashman's. The Sheriff's office and ODOT would have to enforce using a state route if the Trustee's didn't agree to using the haul route. Restrict weight would also create enforcement as well. Mr. Reidel believes that ODOT will leave the road satisfactory to the County and the Township. Trustees would like more information on how they will manage Harris Road repairs. Trustees have spent a lot of money on that road. We have OPWC money to fix the road this year and not able to delay that work. Would be interested in seeing an agreement and understanding the repair work.

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Oxford Woods damage. We don't know who damaged the road. County is suggesting that during zoning and letting contractor know and take video and photos of the road and before occupancy and if damage to road in front then the contractor would pay for the work to fix the damage. Maybe something to consider for the future.

Zoning Inspector:

Zoning Inspector Lisano gave his zoning report and provided one in writing. Sidewalks for Beachwood Estates and now this may indicate something for Oxford Woods. Article 29 was discussed and suggestions to the article. This is just in draft form.

Dawn Huston would like the zoning to be updated/upgraded for bed and breakfast. For her retirement she would like to have a cabin built on her property. Could the zoning code be reviewed? The Board and Zoning Inspector agreed that the zoning code should be reviewed and updated appropriately.

Delaware County Health Department:

Gabe Smith was not present. No updates.

Public Participation:

Brian Lorenz, lives in Powell and fulfilling term by Kris Jordan. Served on Powell City Council for 13 years. Ran in the primary in 2018 against Kris. Believes in transparency and check in to see if anything is needed. Will try to be here at least 4 times a year. Background in planning and zoning. With growth in Delaware County paying close attention to that. Supports Issue 1. Urges everyone to get out and vote.

Rick Dunlap with Del-Co Water. Tries to stay ahead of development. A lot of activity going on in the county. He's had 19 big projects come through since last June. 3 water towers down (1 down at the business park). A lot of activity going to occur around 36/37 and 71. Water towers in center village is 750k and furthest along; 2nd one is Route 2 and is 2 million and foundation is done; Berlin is 1 million and just starting to dig. Federal govt mandating how much water can be distributed. Driven by Genoa township and every one was watering that day. Every pump was pumping that day. Del-Co is trying to keep and maintain minimum and maximums and that effects the entire county. Residential tap fee is \$7400

Road Superintendent:

Pittman Road brush needs to get trimmed back. Mostly to the intersection of Leonardsburg. Road Superintendent Gladman has that on his list. This should be done in the spring instead of summer. Travis Rupp on Kelley McMaster Road on anymore signage that could be put up to warn the speeders.

Roads:

n/a

Cemetery:

Ms. Harp shared a brief update. One burial. One lot purchased. Should we be taking pre-payments. No one will be available for Vorville burial to dig. Taylor gone July 14th-23rd. Dan gone 21st-23rd. Talked with Cain family first week in August. Talked with Mike Carper about his lot. Very pleased about the cleanup. Discussion where are we putting the two foundations. After cleanup there is plenty of room to be side-by-side. Corrected foundations need to be taken care of and the township will be responsible for the payment.

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Fire Department:

Trustee Miley shared the dedication will be sometime in August. Final approvals are needed. All furniture is put in. Placing a sign and flag pole will be placed out front. Those should be done soon. Had to repair some gutters on Coover Road station. The county will be handling annexation to Delaware City for sewer and water. A quick claim deed will need to be done.

Building and Grounds:

Trustee Miley will move forward with the resolution of necessity and take the document to the Auditor's office.

The ball association request that they would like to put up a sign. Trustee Stegner indicated they should come to the meeting. The Trustees put back up the sign and will work on signage as part of the development of the park.

Old Business

Mr. Homan reached out to Tim Long and what TIFS we have and JEDDS. Mr. Homan wants to meet with Troy, Delaware and Brown Townships separately to talk about TIFS and JEDDS.

New Business:

Discussion if we should have our meeting continue on August 8th considering it is election night. After discussion trustees agreed they will continue with the meeting at that night.

Trustee Skinner made a motion to adjourn the meeting. Trustee Miley seconded. Motion passed. Meeting adjourned at 8:49 pm.

Peggy J. Link, Riscal Officer

Trustees

Charles Miley, Chairperson

Connie Skinner, Vice Chairperson

Gary Stagner

Minutes of Brown Township Trustees Meeting

Held July 17, 2023

The Brown Township Trustees met on this date at 5:00 PM in special form with Trustees Miley, Skinner, and Stegner, and Fiscal Officer Link

Trustee Miley submitted a revised resolution of necessity for park development for 1 mil for 3 years after consultation with Assistant Prosecutor Attorney Cory Goe to be submitted to the auditor's office. Trustee Skinner seconded. Roll call: Miley aye Stegner aye Skinner aye Motion passed.

RESOLUTION 2023-07-17-01 SUBMITTED A REVISED RESOLUTION OF NECESSITY FOR PARK DEVELOPMENT FOR 1 MIL FOR 3 YEARS

Miley Aye Skinner Aye Stegner Aye

Trustee Miley made a motion to adjourn the meeting. Trustee Skinner seconded. Motion passed. Meeting adjourned at 5:05 pm.

Peggy J. Link, Fiscal Officer

Trustees

Charles Miley, Chairperson

Connie Skinner, Vice Chairperson

Gary Stegner

Minutes of Brown Township Trustees Meeting Held July 31, 2023 The Brown Township Trustees met on this date at 5:00 PM in special form with Trustees Miley, Skinner, and Stegner, and Fiscal Officer Link Trustee Miley submitted a resolution to proceed for park development for 1 mil for 3 years and would cost \$35 fcr each \$100,000 of valuation. Trustee Skinner seconded. Roll call: Miley aye Stegner aye Skinner aye Motion passed. RESOLUTION 2023-07-31-01 SUBMITTED A REVISED RESOLUTION TO PROCEED FOR PARK DEVELOPMENT FOR 1 MIL FOR 3 YEARS AND WOULD COST \$35 FOR EACH 100,000 OF VALUATION Miley Aye Skinner Aye Stegner Aye Trustee Miley made a motion to adjourn the meeting. Trustee Skinner seconded. Motion passed. Meeting adjourned at 5:02 pm. Trustees Fiscal Officer Connie Skinner, Vice Chairperson

Minutes of Brown Township Trustees Meeting

Held August 8, 2023

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Miley, Skinner, and Stegner, Fiscal Officer Link, Zoning Inspector Steve Lisano, Road Superintendent Dan Gladman and Guests Doug Reidel, James Bryant, Treasurer Donald Rankey, Nick Sheets, Chuck Busch, Melissa Ratermann, Cathy Romandelli and Alex Long

Trustee Skinner made a motion to approve the August 8, 2023 agenda as amended. Trustee Stegner Stegner seconded. Motion passed.

Trustee Miley led the Pledge of Allegiance

Trustee Skinner made a motion to approve the July 11, 2023 regular meeting minutes and July 17th & 31st, 2023 special meeting minutes as presented. Trustee Miley seconded. Motion passed.

Fiscal Officer's Report:

Current First Commonwealth Checking Account Balance \$472,482.49 and earned \$586.89 in interest. Current STAROhio Account Balance \$1,400,306.08 interest and earned \$6,680.95 in interest.

Trustees reviewed and approved the bank reconciliation and timesheets for July 2023. Motion made by Trustee Skinner to release Warrants #21188-21198 \$2,537.82. Trustee Miley seconded. Motion passed.

Delaware County Engineer:

Trustee Miley made a motion that we sign the contract with Shelly Company for the OPWC road improvement project. Trustee Skinner seconded. Motion passed.

RESOLUTION 2023-08-08-01 WE SIGN THE CONTRACT WITH SHELLY COMPANY FOR THE OPWC ROAD IMPROVEMENT PROJECT.

Miley Aye Skinner Aye Stegner Aye

Update on upcoming county road projects and when things are occurring.

Pittman Road for next year. Increase the width to 18' or to put a cap on it for the OPWC grant. The Trustees agreed to make it 18' for the purpose of the grant. Doug will work on the paperwork and have something at the September meeting. They may not grind the entire road and then do a 2" cap.

The round-about on 521 and who is responsible to maintain it. Doug said it's under discussion and the City of Delaware will need to maintain it. Who is responsible for what.

Delaware County Health Department:

Gabe Smith was not present. West Nile Virus was found in some of the traps and fogging will occur.

Delaware County Treasurer:

Delaware County Treasurer Donald Rankey attended. The county is in great shape financially. Sitting on about \$330 million excess in funds. We have earned \$11.4 million in interest. His role is how can he help the townships. We are looking at unprecedented

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growth in Delaware County. The commissioners have \$55 million invested in the Bixby campus. He helped developed the bond program and buy bonds for projects to help. townships to keep their taxation low. Did Liberty Township at 1.75% fixed for 10 years. Can create reports on who isn't paying their taxes and who is. It's helpful for planning. 750 taxpayers who were late for the first time. Provided a handout that's on his website. It's simple and understandable. Willing to help with strategic planning whether it is 3 or 5 year. He has staff that can help with this. Discussion about how to finance the 8 acres behind the hall. Would be willing to help with the financial analysis and the interest rate lower than 2%. He would be buying the bond. Then he would buy at a specific interest rate at lower than 2.5% fixed at 10 year and if longer than 10 year then he could bring in another partner. There is a 1% fee. Legal bond cost would be no more than \$15,000. Vs bank it's going to cost 4-3/4% to 6-1/4%. They would be adjusted variable rate most likely and may have longer term but we'll pay longer term. We can do annual payments and interest and payback could wait until after you start the project. Rates could go up but we could lock in the finances. We need to get involve with his bond consultant asap and get that going. Don't necessarily have to get prevailing wage by using DCFA. The township trustees are trying to really keep costs low and best interest of the townships funds. Having a pre-commitment from his office. We will need to know our total development costs in order to proceed.

Public Participation:

Mr. Bryant spoke on behalf of Vickie Coulter's family. They have no money to bury her. Brown Township could help with the cost of the burial situation. Her son and her would be in the same urn. This is on the agenda on the cemetery. They lived with them 3 months full-time.

MS Consultant

Project Manager Introduction, Cathy Ramondelli. Cathy will be the main point of contact. Alex will be doing the master planning. How do all three parcels connect? How the parking impacts the other areas. Planning workshop as part of the proposal to make decisions. MS Consultant may have some suggestions on how to get more engagement. Team reviewed existing area and where the proposed area is. Do we want to reuse the fuel tanks or new or what? Prefer to re-use if we can to keep cost down. Cost is geared around the 2 acres and maintenance building. Miley made a motion to approve \$33,400 for Phase 1 with MS Consultants for maintenance building. Trustee Skinner seconded. Motion passed.

RESOLUTION 2023-08-02 APPROVE \$33,400 FOR PHASE 1 WITH MS CONSULTANTS FOR MAINTENANCE BUILDING

Miley Aye Skinner Aye Stegner Aye

Discussion about how often to meet and obtain input for the design phase of this project. Have public participation at the next meeting to gather feedback and input from residents.

Need cost of the building/project in order to reach out to Treasurer Rankey to discuss financing.

Zoning Inspector:

Nic Sheets, Doug Reidel, Mike Love and Trustee Miley met yesterday to go over a plan to discuss cross walk and lights. Nic came to give updates. He is requesting a right-away permit. Fencing all along both sides of the road. They rejected blinking lights and cross walks. They also rejected having posts in the right away. They needed more access

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to food trucks. Concrete sidewalks with curb cuts. Then outside of the right-away there will be sidewalks to be accessible and easier pathway for folks to walk. Any of the gates will need to be open/close and rolling. Wants to have barriers to the road. The only other option would be to go under the road and that would be a last resort and the cost would be significant. Try to funnel people to one spot and focus on signage. Variance meeting is September 7th and get a variance use for the overflow parking. Mr. Sheets wants to extend the speed limit 35 mph past the cemetery and mostly south. Thinking about public access path and then maybe the pedestrian access would be considered.

Gave an overview of his written report. Cory will be there the night of the zoning appeals.

Road Superintendent:

Waiting on Prosecutor for Timberland Tree. Septic tank is full and being pumped. Belts on the flare mower tore them up and need to be replaced and he ordered an extra set. Replace the clay marker for the cemetery. Trustee Miley would like to get those done. We need to get Taylor Radovich to operate cemetery equipment and be proficient. Berm on Cackler Road needs to get that fixed as well.

Roads

Harris Road OPWC contract signed. Do we want to post the roads? We are not going to post any roads. Oxford Woods Road complaint – GiGi Rogers complained that Oxford Woods Roads that they are parking along the road and it's posted no parking. The pictures sent were a party. Trustees inquired about why the Sheriff was not called. Let resident know she should be contact the Delaware County Sheriff to take care of this.

Cemetery:

Snyder Rodman contacted Trustee Stegner regarding Vickie Coulter who died July 29th. Niece is Brandy Carroll and wanted to know if the township would pay for her funeral. Vickie Coulter is in Dayton. Brandy wants to know about indigent burial policy. Trustee Stegner reached out to Asst. Prosecutor Goe and what is the definition of a legal resident. She lived there 10 months at the Bryant resident. Did they pay rent or pay any bills? Did they pay for any upkeep to the house or property taxes? 10 months makes her a legal resident. Who is claiming the body? If she claims the body then she has to claim the indigent burial. The body is in Dayton and the family figures things out. Vickie Coulter has a lot.

Fire Department:

Trustee Stegner gave the following remarks regarding personnel and Tri-Township Fire. Mark Murphy on July 4th and took the fire truck and went to the Ostrander fire work/parade by himself. On July 15th around 2 pm. Deon and was working the station by himself and manning the station on 36/37 and Coover road by himself. The fire chief is on leave and he might not come back. Two fire captains took vacation without backup. If a fire then he didn't know what he was going to do. Miles called and asked if he wanted him to come in and came in so there was 2 for 7 hours. Morale is at an all time low. They aren't being paid good enough. The volunteers have gone to Radnor, Scioto or Elm Valley because they are paying more and advancement opportunities. July 27th at 11:30 pm at night and hit the culvert pipe and went 45' and hit a tree in front of Stegner's. The car caught on fire and Jeremy Stegner broke the window and the fire department was there was in 5 minutes. The Tri-Township fire department had 3 on duty that night. The personnel costs are all budgeted. Most of the accidents were happening in the day time and manning the station at Coover Road. Last Wednesday of the month is the fire board meeting.

The chief should come from outside and not within the station.

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Held August 8, 2023 New building is almost ready but the generator is on back order and cannot do any final inspections without that. National Guard has all kinds of generator to loan and the chief is going to look into that. Supposed to be out of Delaware by the end of May. **Building and Grounds:** Trustee Miley delivered the updated levy packet and Asst. Prosecutor Goe had left a number off and we had to resend it. Meets the deadline. The grounds looked great and the refrigerator quit working. RS Superintendent Gladman came and reset the breaker. The reunion is August 3rd. There was only 16 members in attendance for the reunion. **Old Business:** Skid steer sold on gov.deals. Buyer is picking it up on Thursday at noon. Check will be issued in 2-3 weeks. Monica Connors will come next month about JEDD. Mike Shade will be coming to talk about sewer and strength the zoning where it comes to industrial. **New Business:** Trustee Skinner made a motion to adjourn the meeting. Trustee Miley seconded. Motion passed. Meeting adjourned at 9:25 pm. Trustees J. Link, Fiscal Officer Connie Skinner, Vice Chairperson

Minutes of Brown Township Trustees Meeting Held August 18, 2023 The Brown Township Trustees met on this date at 9:00 AM in emergency form with Trustees Miley, Skinner, and Stegner Trustee Skinner gave information and evidence collected about an indigent burial application received from Brandi Carroll. Brandi is claiming her aunt's body, Vickie Coulter. Vickie does have a lot in Green Mound Cemetery. Trustee Skinner made a motion to approve the indigent burial application and proceed with our indigent burial policy regarding the body of Vickie Coulter at costs not to exceed \$2500 as the policy states. Trustee Stegner seconded the motion. Motion passed. RESOLUTION 2023-08-18-01 TO APPROVE THE INDIGENT BURIAL APPLICATION AND PROCEED WITH OUR INDIGENT BURIAL POLICY REGARDING THE BODY OF VICKIE COULTER AT COSTS NOT TO EXCEED \$2500 AS THE POLICY STATES Miley Aye Skinner Aye Stegner Aye Trustee Skinner will contact Snyder Rodman Funeral home in Delaware and contact Brandi Carroll. All requirements for the indigent burial are being met. Trustee Miley moved to adjourn, Trustee Stegner seconded. Meeting adjourned at 9:09am. Trustees Connie Skinner, Vice Chairperson

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Held September 12, 2023

Who will be the contact person. Trustee Skinner made a motion to appoint Trustee Miley as the point person for MS Consultant for Phase 1. Trustee Stegner second. Motion passed.

RESOLUTION 2023-09-12-06 TO APPOINT TRUSTEE MILEY AS THE POINT PERSON FOR MS CONSULTANT FOR PHASE 1.

Miley Aye Skinner Aye Stegner Aye

Zoning Inspector:

Zoning Inspector Lisano went over his report. The zoning resolution has been corrected is accurate on the website. The commission is developing new zoning, landscaping, alternative energy and forming a subgroup and each group would work on a topic. Would pay the commission a payment and Vickie would take minutes. Trustees agreed. Land annexation is occurring. Trustees are aware. Variance meeting tomorrow night with 2 arrangements.

Road Superintendent:

Meeting with Timberland Tree to get contract signed. He has everything together to replace the foundation for the playground. He started the replacement of the cemetery markers from the clay to the aluminums. Any culverts that need inspected until next spring. He said we were pretty good but he'll work to get the 2023 culverts inspected.

Roads

Put together a list of things to get done over the winter w/Gladman & Miley. Garrett Gandee shared that Delaware County put in a grant and provide a parking lot on the east side there will be new parking spaces. That work will start in the next few weeks. Some stormwater improvements still. The county work improvement work be asking for review and meet the boards approval.

Cemetery:

Gave update on monthly activity. Spent time doing foundations. Foundation orders have been submitted to Longstreth.

Fire Department:

Trustee Miley gave an update. Chief is going to get to hire some fire fighters and first will be Ryan Gladman. Still waiting for generator for electrical testing. Planned delivery is in December. Chief is supposed to check with National Guard to use one of theirs temporarily. Flag pole and memorial still needs to be done. Fire suppression system is complete. No information from county on extending the fiber optic lines at a cost of \$45,000. They are looking at alternative. The fire department has been annexed. The county then paid any expenses and they will give a quick claim deed to return the station back to the board.

Chief responded to questions from last meeting in which Trustee Miley read an email to that effect. Chief Morris is retiring and putting together a selection replacement process. There will be an assessment center and prospective chief will have to do budget exercise, how to recruit and retain firefighters, and inbox exercise (multitasking exercise with press release and social media exercise). Outside agency interview panel with folks doing preliminary interviews. The emails from Chief Morris and Trustee Stegner are attached to the meeting minutes.

Dedication of building sometime in November.

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Public Participation:

Resident Steve Cole inquired about a noise ordinance. The board indicated there wasn't one in place. What happens when they create noise after hour. Resident Cole would like to ask why this couldn't be implemented. Guns is 2nd amendment right. Residents discussed shooting at their property.

Resident Chris Rinehart stated there is an increase in traffic up and down N. Old State Road. Henmick has helped with the increased traffic. It was originally approved as a conditional use and requirements were waived and wasn't sure that the BZA allowed that. All the activities were approved for indoor. Not sure that has been approved by the township. The parking lot across the street is now there and nothing is approved. Wants to make sure zoning resolutions are enforced and a commercial zoning project should be enforced.

The Board engaged residents regarding a park. Park planning request in the newsletter went to 550 households and received 7 responses during Fall 2022 newsletter. We are trying to gauge interests. We've compared site information. Part of the site will be used for a maintenance facility. We are limited what we can put in that spot. We will have to attempt to obtain grants. Baseball parent the fields need redone and would like 2 new fields done. Would like permanent restrooms and a better concession stand. Jeremiah and Donald Dicke agreed. Trustee Miley would like to plan for the entire 10 acres. Safety net needed off the ball field. Small T-ball field or two regular fields. A levy has been placed for 1 mil and that would generate money and supports the park. What's wrong with the maintenance building we have. We have more machinery than what fits in the building. Expanded walking paths. Would like to see a comprehensive plan together to puts all the considerations together. Baseball, canoe/kayaking, Henmick and new development. There are parks within 4 miles of the township. Berkshire township interested in a trail system. Information will be put in the newsletter and Facebook page on park information. What is the timeframe? A comprehensive plan will also be done for the entire area including the park. The geometry of the site makes it difficult to work with. Wondering if a salt barn will be able to placed near maintenance building.

1 mil levy for 3 years. \$75,906 for 3 years~\$210k total. Will that be enough money? We are not sure until we have that study and a plan is in place. There is no plan and what is he getting for approving the levy. The money will help us get our plans. Then maybe more money will be needed to actually do the work. Residents were concerned about how and what is being paid for. More inclined to give money if they knew what they were getting the money.

MS Consultant

A new contract was sent. Assistant prosecutor approved a new contract. Trustee Skinner made a motion to enter into contract for planning with MS Consultants and 2 acre contract for the purpose of the maintenance contract Phase 1 for \$33,400. Trustee Miley seconded. Motion passed.

RESOLUTION 2023-09-12-05 TO ENTER INTO CONTRACT FOR PLANNING WITH MS CONSULTANTS AND 2 ACRE CONTRACT FOR THE PURPOSE OF THE MAINTENANCE CONTRACT PHASE 1 FOR \$33,400

Miley Aye Skinner Aye Stegner Aye

Minutes of Brown Township Trustees Meeting

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RESOLUTION 2023-09-12-03 TO MOVE FORWARD WITH SUBMISSION OF THE OPWC APPLICATION TO RESURFACE AND WIDEN PITTMAN ROAD

Miley Aye Skinner Aye Stegner Aye

Total amount to due Pittman Road \$449k. Harris Road is moving along. Annual meeting is Nov 16th lunch meeting at new building on 521. County offices will be moving October 6th. Fall road tour – need dates and time and let Doug know.

Delaware County Health Department:

Gabe Smith – Strand and DCHD presenting September 5^{th} through 9/12,9/19 and 9/26 on addiction; Sept 30^{th} 50 Ross Street noon – 3 pm; Levy on ballot this November – continuation and same exact levy. Sprayed 5-6 times and several cases of west nile virus. Increase in covid cases inquiry.

Delaware County Sheriff:

Sheriff Balzer gave a brief presentation and few- updates. The good news is the residents will see more presence at the Venture Academy. This will be used as a public training center. Sheriff Office and EMS will be used for training. After the first of the year we will be holding their own police academy and use Venture Academy. Also, they might be using it as a fire arms range. They will be conducting a suitability study and planning for the budget. They consider noise suppression as part of the facility. Crime trends and go to the website. Del Co is still a great place to live. Brown Township is one of the bigger threats, domestic issues, and the job of deputy sheriff has changed. They receive a lot of extra training. Brown township doesn't have the volume as the rest of the training. Could residents use the firing range. Sheriff would consider this. They have almost 240 and 120 are deputies and a lot of training is using the firing range.

Sheriff will be in new building in mid-November. Miley can hear the current range currently at his house. Will there be restrictions on when they can use the range.

Speed issue 521 and where it comes out of town. A few accidents at N. Old State & 521. The speed study gives a summary. North bound during study period 6k and 83% were exceeding the speed limit. South bound 5971 and 86% of cars through the corridor were exceeding speed limit. Sheriff indicated that 85% doesn't mean it's wrong but will review the data more and see if they can consider it.

Delaware County Economic Director

Monica Conners introduced the Montrose Group and they are an economic consultant and a trusted advisor. Ryan Scribner was introduced. Spent last 15 years of his work life in Licking County. Talk about JEDDS. High level provides a partnership with an equity and each brings something unique to the table. Typically the township has space and the municipality doesn't have. Municipality has services they can offer that the township can't (i.e. sewer, levy management). They can generate revenue and protect territories and prevent annexations. He has created annexation memoratorium from Franklin and Licking County. This will help preserve the structure. They help foster collaboration. Used JEDDS in pickaway county. Foster public collaboration and intergovernmental. Helps with improvements. JEDD used as a planning body. Montrose has an ongoing engagement with the County. Hopefully it will be renewed. Berkshire partnered with Delaware City and Delaware City was not on board with the partnership. Trustee Miley inquired whether he was aware if there were partners available to partner with. This is what they can help us figure out. Does the township have to enter into an agreement or will they have to work through DCFA. Needs to engage and figure out exactly what needs to be accomplished in order to identify a partner.

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The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Miley, Skinner, and Stegner, Fiscal Officer Link, Zoning Inspector Steve Lisano, Road Superintendent Dan Gladman, Cemetery Sexton Beth Harp and Guests Doug Reidel, Shane Askins, Sheriff Jeff Balzer, Gabe Smith, Paul Craft, Jana Jones, Steve Cole, Nick Sheets, Ryan Scribner, Monica Conners, Chris Rinehart, Mark Dennis, Donald Dicke, Jeremiah Morgan, Garrett Gandee and Kristin Morgan

Trustee Skinner made a motion to approve the September 12, 2023 agenda as amended. Trustee Stegner seconded. Motion passed.

Trustee Miley led the Pledge of Allegiance

Trustee Skinner made a motion to approve the August 8, 2023 regular meeting minutes and August 18, 2023 emergency meeting minutes as presented. Trustee Miley seconded. Motion passed.

Fiscal Officer's Report:

Current First Commonwealth Checking Account Balance \$593,568.69 and earned \$1,668.03 in interest. Current STAROhio Account Balance \$1,406,850.51 interest and earned \$6,514.43 in interest. Ms. Link presented the request to approve the Resolution to accept the rates and amounts with the 2024 Budget. Trustee Miley made a motion to accept the amounts and rates as determined by the budget commission and authorizing then necessary tax levies and certifying them to the county auditor. Trustee Stegner Seconded. Roll call vote held: Stegner:AYE Miley: AYE Skinner AYE. Motion passed.

RESOLUTION 2023-09-12-01 TO ACCEPT THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THEN NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Miley Aye Skinner Aye Stegner Aye

Ms. Link let the board know that she would not be able to attend the end of the year meeting but would have the checks ready to sign for them to still hold the meeting. Trustees reviewed and approved the bank reconciliation and timesheets for August 2023. Motion made by Trustee Miley to release Warrants #21199-21211 \$3,168.52. Trustee Skinner seconded. Motion passed.

Delaware County Engineer:

Mr. Reidel requested that the board appoint a representative for the OPWC grant for 2024. Trustee Skinner made a motion to appoint Trustee Miley as the OPWC representative trustee for Pittman Road; Trustee Stegner seconded. All approved.

RESOLUTION 2023-09-12-02 TO APPOINT TRUSTEE MILEY AS THE OPWC REPRESENTATIVE TRUSTEE FOR PITTMAN ROAD.

Miley Aye Skinner Aye Stegner Aye

Trustee Miley made a motion to move forward with submission of the OPWC application to resurface and widen Pittman Road. Trustee Skinner seconded. All approved.

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Held September 12, 2023	
Building and Grounds:	
Old Business: Trustee Miley shared with the board proposals to do more TIFS. Trustee Skinner made a motion to approve the proposed TIF paperwork as presented. Trustee Miley seconded. Motion approved.	
RESOLUTION 2023-09-12-04 TO APPROVE THE PROPOSED TIF PAPERWORK AS PRESENTED	
Miley Aye Skinner Aye Stegner Aye	
New Business: If 230 acres is annexed and development goes in and a plan for 1000 rooftops. What school district would be applied. The line goes right along the line 2/3 in buckeye valley and 1/3 in Delaware city. Annexation has nothing to do with school districts. It's about 80/20 for school numbers. Mr. Craft spoke to effect about the annexation. 800 increase in students for BV. They want to extend Bxyby parkway over to. The school districts are against a school district TIF. There are 3300 homes in BV. They did enrollment project of 700 and this annexation would triple this number. This would build a decade of group. 27 homes for sale in the entire BV district in July. 17 of those 22 were over \$500k. This is a change in housing style and estimation. They were surprised about the 1% income tax. They didn't know Brown Township has a TIF. There is a meeting w/the developer September 26 th from 6-8 pm at the Seattle House Club House. Our date to dispute the annexation is September 25 th . A response be sent to the developer by Delaware township, brown township and school district and have a meeting before the expiration date for the annexation so we have information in order which to object to the annexation. The developer hasn't documented what they will be providing. Who is paying for it. We could object since there is lack of this information. This will at least get a hearing with the County Commissioners. It's their purview to accept or reject the proposal.	
Trustee Skinner made a motion to adjourn the meeting. Trustee Miley seconded. Motion passed. Meeting adjourned at 9:13 pm. Trustees	
Peggy J. Link, Fiscal Officer Charles Miley, Chairperson	
Connie Skinner, Vice Chairperson	
Somme Skinner, vice Champerson	
Gary Stegner	

FW: Concerns

From: Gary Stegner (gary.stegner@hotmail.com)

plink0723@yahoo.com

Date: Friday, September 15, 2023 at 10:07 AM EDT

Sent from Mail for Windows

From: Gary Stegner <gary.stegner@hotmail.com> Sent: Thursday, August 31, 2023 10:57:00 AM

To: Troy Morris <tmorris@tritwp.org>; Connie Skinner <csbrowntwp@gmail.com>

Cc: Charles Miley <mileycharles@outlook.com>; Earl Lehner <Blehner57@gmail.com>; Randy Ormeroid <rormeroid@delawaretownshipohio.org>

I see that nothing was addressed about the fact that only one employee was on duty covering two stations on July 15th when two of the Captain's took vacation at the same time. When I stopped in at the station that day I asked the employee on duty what he would have done in the case of a emergency and his response was that if it was a accident he would have gone by himself but if it was a fire his response was he did not know what he would have done. Fortunately another employee came in hours later to help him but before that a catastrophic event could have happened. If you would have been at the station that day I would have addressed this issue with you . As a tax paying citizen of Brown Township I feel that the Township along with Troy and Delaware were left vulnerable that day and that this issue should be addressed so that it never happens again. As far Lt. Murphy taking the truck to the Ostrander parade I really did not have a problem with that I was letting it known that a truck was in the parade. When the fire report was being discussed at our Trustee meeting some things are not always mentioned it seems like for the last year all we have been hearing about is the progress of the new station and no details about what is going on within the department itself. Mr. Miley also stated that there is a morale problem within the department and it is being caused by two Captain's whether that is true I do not know. I would suggest to you that if you have a problem with me trying to get to the problem with a issue that you can contact me directly also.

Gary W. Stegner **Brown Township Trustee**

Sent from Mail for Windows

From: Troy Morris

Sent: Wednesday, August 30, 2023 6:05 PM To: Connie Skinner; gary.stegner@hotmail.com Cc: Charles Miley; Earl Lehner; Randy Ormeroid

Subject: Concerns

Trustee Stegner and Trustee Skinner,

Trustee Miley asked that I speak to you in regards to some questions concerning the operations of the Fire District.

First, I will start with my status. Despite the fact it is a violation of law to ask, I am going to tell you. In November of 2022 I had a heart attack, the large artery that travels from my heart and to my abdomen and organs was partially obstructed. You may have heard of an issue in this artery as the "widow maker". A rupture or complete obstruction will cause death. I had a stent implanted and have been undergoing cardiac treatment and rehabilitation since. Just this past week I had an echocardiogram completed with another round of blood work. At this point, the doctor has not signed off on my return to full duty. So you know, I have been performing administrative duties since this occurred, in fact I attended a meeting within ten days of my discharge from the The only thing I have not been able to do is ride an apparatus or handle calls for service. This is not the way I had intended to work my last year with the District but it is what I am dealing with.

It is my understanding that a rumor that Lt. Murphy took the new engine to the Ostrander Fourth of July parade. This is incorrect. Lt. Murphy is very fond of Tanker 331, the oldest truck in the fleet with the marking of "Sonny Boy" on the hood. Lt. Murphy has taken this apparatus to the Ostrander parade the last two years. We do not take front line apparatus out of service for parades. In addition, Lt. Murphy was not on duty when he took care of the parades. We also do not take on duty personnel to parades.

The big item seemed to be the pay of members. Let me start with the full time employees. I want to make certain that you understand that each full time employee has health insurance, which includes dental and a life insurance policy, fully funded by the District. No employee has any money deducted from their pay for insurance with the exception of vision. Also each full time employee receives holiday pay if they work a holiday.

In addition, each full time employee has a four hundred dollar uniform allowance and laundry is provided for each employee. In fact, they are strongly discouraged from taking uniforms home in case that they were exposed to any number of illnesses or carcinogens.

As for the part time/volunteer members. We have attempted to keep up with our neighbors in pay. Please consider that we fund three positions for the day shift Monday through Thursday and four positions day shift Friday through Sunday and four shifts every evening. We also pay the part time staff

holiday pay if they work one.

The departments that were used in comparison mainly staff during an eight or nine hour day shift. Elm Valley (Ashley) in an effort to put staffing on during the nights, made a switch, they took a day shift spot a way so that they are running two per day shift and two per night shift. In speaking with their respective chiefs they are finding it difficult to staff shifts as well.

I am sure you know that the District is still mainly agriculture, and Brown Township with the village of Kilbourne is the only community. So you are aware, Delaware Township has one true housing development and a partial one on Covered Bridge, in addition to the seventeen commercial properties. Troy Township has three mobile home parks (reduced tax valuation) and sixteen commercial properties. The lack of commercial properties creates a funding challenge. In my twenty-two years as Chief, we have received more tax dollars than ever before, all the while our cost of diesel fuel, oil and filters, insurance, building repairs, cleaning supplies and everything else we need to run a fire department has increased at an alarming rate.

I would suggest to you that when you have questions about the operations of the District that instead of listening to an employee, you reach out to me. I have nothing to hide and encourage you to ask me.

Troy Morris, Chief Tri Township Fire District 660 Coover Road Delaware, Ohio 43015 (740)362-1600 (740)362-1800 (Fax) tmorris@tritwp.org

Chief's response

From: Charles Miley (mileycharles@outlook.com)

To: plink0723@yahoo.com

Date: Tuesday, September 12, 2023 at 11:55 PM EDT

It is my understanding that a rumor that Lt. Murphy took the new engine to the Ostrander Fourth of July parade. This is incorrect. Lt. Murphy is very fond of Tanker 331, the oldest truck in the fleet with the marking of "Sonny Boy" on the hood. Lt. Murphy has taken this apparatus to the Ostrander parade the last two years. We do not take front line apparatus out of service for parades.

The big item seemed to be the pay of members. Let me start with the full time employees. I want to make certain that you understand that each full time employee has health insurance, which includes dental and a life insurance policy, fully funded by the District. No employee has any money deducted from their pay for insurance with the exception of vision. Also each full time employee receives holiday pay if they work a holiday.

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Troy Morris, Chief Tri Township Fire District 660 Coover Road Delaware, Ohio 43015 (740)362-1600 (740)362-1800 (Fax) tmorris@tritwp.org

Minutes of Brown Township Trustees Meeting

Held September 21, 2023 The Brown Township Trustees met on this date at 9:00 AM in emergency form with Trustees Miley, Skinner, and Stegner, Road Superintendent Dan Gladman, and Guests Aaron Heydinger, Nate Hatfield, and Paul Craft. Doug Riedel arriving at 9:05am Trustee Miley called the meeting to order at 9am to discuss the annexation petition of 230.7 +/- acres from Brown and Delaware Townships to the city of Delaware, filed August 31, 2023. Trustee Stegner made a motion to adopt the presented resolution objecting the expedited type two annexation of the 230.7 +/- acres from Brown and Delaware Townships to the city of Delaware for reasons following the ohio revised code 709.023 and outlined in the resolution. Trustee Skinner seconded the motion. Discussion included reasons for wanting to object the annexation. The township would like to remain a negotiating partner while maintaining some control of what happens to that land. The township would rather see a JEDD in place instead of an annexation, should the development proceed. County sheriff and Tri township fire could still provide services to the development if it remained within the township. The development would need to follow township zoning and density regulations. Also, the township doesn't believe sewer and water could be provided to that land within 60 days of passing of the annexation. Paul Craft from Buckeye Valley would like to see a non-school TIF and is concerned about the number of potential students into the Buckeye Valley district. Providing objection will force the Delaware County commissioners to hold a hearing on this matter. The hearing will ultimately provide more details for all parties involved before the commissioners vote on the annexation. Roll call vote on the motion made Miley-aye Stegner-aye Skinner-aye. Motion passes. RESOLUTION 2023-09-21-01 TO ADOPT THE PRESENTED RESOLUTION OBJECTING THE EXPEDITED TYPE TWO ANNEXATION OF THE 230.7 +/- ACRES FROM BROWN AND DELAWARE TOWNSHIPS TO THE CITY OF DELAWARE FOR REASONS FOLLOWING THE OHIO REVISED CODE 709.023 AND **OUTLINED IN THE RESOLUTION ROLL CALL:** Miley Aye Skinner Aye Stegner Aye Trustee Skinner moved to adjourn. Trustee Stegner seconded. Meeting adjourned at 9:10 am. Trustees Peggy J. Link, Fiscal Officer Connie Skinner Connie Skinner, Vice Chairperson Gary Stegner

RESOLUTION NO. 2023-09-21-01

A RESOLUTION OBJECTING TO THE EXPEDITED TYPE II PETITION FOR ANNEXATION (PURSUANT TO R.C. SECTION 709.023) REQUESTING ANNEXATION OF 230.7 +/- ACRES FROM BROWN TOWNSHIP AND DELAWARE TOWNSHIP TO THE CITY OF DELAWARE AS SUBMITTED TO THE DELAWARE COUNTY COMMISSIONERS ON AUGUST 31, 2023

Gary Stegner-Trusteemoved the adoption of the following Resolution:

WHEREAS, the Brown Township Board of Trustees is the chief legislative body of Brown Township, located in Delaware County, Ohio;

WHEREAS, a one hundred percent owner petition for annexation, more commonly referred to as an Expedited "Type II" annexation petition, was filed by Ann Grove, Trustee, with the Delaware County Commissioners on August 31, 2023, pursuant to Section 709.023 of the Ohio Revised Code ("Petition for Annexation"); and

WHEREAS, the Petition for Annexation seeks to annex 230.7 +/- acres of land located along Ohio State Route 521 from Brown Township and Delaware Township to the City of Delaware.

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Brown Township, that:

- 1. After reviewing the Petition for Annexation, the Brown Township Board of Trustees objects to the annexation of said 230.7+/- acres of land from Brown Township and Delaware Township to the City of Delaware based upon (1) the apparent failure of the agent for the Petitioner to appropriately serve notice of the Petition for Annexation on the City of Delaware, Brown Township, and Delaware Township in compliance with Section 709.023(B) and (2) the apparent failure of the Petition for Annexation and its supporting resolution adopted by the City of Delaware to comply with, at least, Section 709.023(E)(6).
- 2. With regard to notice, the agent for the Petitioner failed to personally serve the Petition for Annexation on the officers designated by Ohio Revised Code Section 709.023(B). As Ohio law.
- 3. With respect to Section 709.023(E)(6), the City of Delaware cannot provide one or more of the services it has articulated it will provide to the territory to be annexed in City of Delaware Resolution No. 23-57 adopted on September 11, 2023.

SET VINNE COTTAN

- 4. The Brown Township Board of Trustees authorizes and appoints all of its Board members, on an individual basis, and its legal counsel to appear and speak on behalf of the Board of Trustees at any hearing conducted by the Delaware County Commissioners regarding the Petition for Annexation.
- 5. The Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and that all deliberations of this Board that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Connie Skinner-Trusteseconded the motion and the roll call being called upon the question of its adopted the vote resulted as follows:

VOTING AYE THEREON:	VOTING NAY THEREON:
Charles Miley, Chair	Charles Miley, Chair
Harry W. Alegary Stegner, Vice-Chair	Gary Stegner, Vice-Chair
Connie Skinner	Connie Skinner

The motion carried and the Resolution was adopted.

The foregoing is a true and correct copy of a resolution adopted by the Board of Township Trustees of Brown Township on September 21, 2023.

Fiscal Officer

Brown Township

BECEINED

3033 SEP 21 AM 11: 58

DEL AWARE COUNTY