

MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING HELD JANUARY 17, 2017

Mr. Bradley Coffman called the meeting to order at 7:00 pm.

Roll call: Mr. Coffman – present; Mr. Foley- present; Mr. Patrick – present.

The following *staff* were also present: Administrator, Donald Edwards; Fire Chief, Paul Scherer, Roads Department Supervisor, Scott Camery and Zoning Inspector and Asst. Administrator, Erin Hartsock; and Fiscal Officer, Darrell Coffman.

The following *residents* were also present: Richard Furnas, Gary Breeze, David O’Banion, Tim Hart and Debbie Porter.

Kara Schirmer, Warren County Soil and Water Conservation District was also present.

Mr. Coffman led those in attendance in the **pledge of allegiance to the flag**.

Mr. Patrick motioned to **approve the Minutes** of the previous meeting. Mr. Foley seconded the motion. Upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea, Mr. Patrick – yea, Mr. Foley – yea.

At 7:01 p.m., Mr. Coffman opened a **public hearing** regarding the creation of a **street lighting district for Hidden Trails subdivision**.

Mr. Edwards shared a proposal provided by Miami Valley Lighting and the proposed layout as discussed between MVL and Ellis Custom Homes for four (4) 9500L HPS Acorn Fixtures and 17’ (12’ above ground) direct bury poles to be installed as follows:

- At the bubble turn around in front of lot #1
- Between lots #1 and #2
- By private drive between lots #4 and #5
- And one at the end of the cul-de-sac between lots #7 and #8.

Mr. Edwards briefly described the roles and responsibilities of the developer (installation), the Township (ongoing maintenance) and the residents of the subdivision (pays for the annual operating costs between individual lots through a special tax assessment). Mr. Edwards approximated the annual assessment to be approximately \$100 per lot with costs anticipated to be higher the first year because we will be collecting for about 20 months.

There was a question from **Mr. Hart** if each neighborhood pays for their own lights or if the costs are spread across the community. Mr. Edwards stated that each neighborhood shares the costs of its own lighting district.

There was a general question from **Mr. Breeze** about what the lights will look like. Mr. Edwards stated that the lights will be 12’ above ground, black aluminum and have a decorative acorn shaped glass globe on top.

There was a question about the location of such lights. Mr. Edwards responded that it is largely dependent on Miami Valley Lightings recommendations and the developer’s wishes as the Township only requires lights at intersections and at the end of cul-de-sacs.

Having satisfied all present, Mr. Coffman closed the public hearing at 7:08 p.m.

RESOLUTION 2017-08 RESOLUTION FOR ESTABLISHING A STREET LIGHTING DISTRICT FOR HIDDEN TRAILS SUBDIVISION

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Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Foley – yea; Mr. Patrick – yea. The resolution was therefore adopted the 17th day of January 2017.

RESOLUTION 2017-09 RESOLUTION FOR LEVYING A SPECIAL ASSESSMENT ON LANDS IN HIDDEN TRAILS SUBDIVISION FOR A STREET LIGHTING DISTRICT

Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Foley – yea; Mr. Patrick – yea. The resolution was therefore adopted the 17th day of January 2017.

CITIZEN’S COMMENTS: None

DEPARTMENT REPORTS:

ROAD DEPARTMENT:

Road Department Supervisor, Scott Camery reported as follows:

The Department has been very busy with **erratic weather patterns** resulting in many trees/limbs down and icy conditions.

In addition to ice, several high wind events have necessitated the need for a round of “**stick patrol**”, or clearing the roads and ROW of loose limbs, in the near future.

An electric **pre-wet liquid diaphragm pump** had been inoperable. It was under warranty and has been replaced and back in working order. So far the new equipment we purchased and installed is working well.

The **crack sealer/melter** is scheduled to be delivered tomorrow, Wednesday, January 18.

General maintenance projects are continuing.

Gus and I are working on **2017’s road re-surfacing list** and the official acceptance of Trillium Dr. should be put before the Commissioners on the 24th of this month.

Mr. Foley inquired if the Township would be effectively assuming maintenance of the road February 1. Mr. Camery and Mr. Edwards stated that that was a reasonable assumption.

Mr. Camery concluded by stating that the Department is currently at **100% equipment availability**.

FIRE DEPARTMENT:

Fire Chief, Paul Scherer reported as follows:

Vincent Givens, a Volunteer Firefighter for approximately a year, has been put on active duty and will be deployed to Jordan. His anticipated return date is December.

Mr. Foley inquired about the Department’s plans to send care packages. Chief Scherer stated that he had planned on such a thing and had obtained his parent’s contact information for exact mailing instructions.

The **SCBAs** underwent bench-testing and recertification. One (1) pack did not pass but has since been repaired with spare parts from a similar device that had been in storage.

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Last Tuesday, while transporting a patient to Miami Valley South, a Squad ran over a stick on the roadway and the tire was subsequently damaged beyond repair. The **tire was replaced** and the Squad is in service.

Last evening, the Department began the **annual Protocol Skills Check-offs** and will start written testing next month.

Chief Scherer reminded the Trustees that the Department would be **covering for Massie Township** in order for them to have a holiday get-together on January 21st from 1700-2330 hours. He reported that he will have an eight-man crew on the ready.

Chief Scherer ended by thanking the Trustees for attending the **meeting of the WFTD membership**.

Mr. Foley inquired if the Chief was still working with the members on solutions. Chief Scherer replied affirmatively.

Mr. Coffman asked about the disposition of revising the pay period schedule.

Mr. Foley stated that he believed increasing the frequency of pay periods and flexibility of such from annually to perhaps quarterly would be beneficial for many members.

Mr. Patrick shared that his experience with a family member of a volunteer fire fighter that the annual pay was a factor in their decision to drop off the force.

Mr. Darrell Coffman stated that he can accommodate any pay frequency, but in the interest in administrative overhead, he urged a uniform approach rather than tailoring each members pay periods to their individual preferences.

Mr. Patrick suggested the Department to consider a quarterly pay frequency with an opt-out provision that would default back to annual pay.

After more discussion of the matter, the Trustees determined that differing pay schedules would be too cumbersome for the Chief and/or the Fiscal Officer. **As such, they instructed the Chief to report back to the members for them choose between being paid quarterly or to continue being paid annually.**

ZONING DEPARTMENT:

Zoning Inspector, Erin Hartsock reported on the following:

Ms. Hartsock began by confirming a **revised date of for the Trustees to hold the final public hearing for the Zoning Revision**. Mr. Coffman had an unavoidable schedule conflict with the February 21st date. As such, the hearing will be postponed until March 7, making the new effective date of adoption April 6.

She shared that she is working on **2016 reports**. The Annual Report and anticipates having it completed by the March 7th meeting. Additionally, she distributed a listing of violations in 2016 with 26 violations issued of which, twenty-four (24) abated /closed and two (2) are on-going.

She went on to share the PUD that she had received a **request to modify the Waynesville Storage PUD** on Route 42. Recently purchased by a new management company, they business requested to erect a new 8'x4' sign on the fence facing Route 42 near the manager's office.

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After reviewing the proposal, Ms. Hartsock determined that there are no provisions in the zoning code that permits permanent signs to be erected on a fence instead of having a dedicated base. She further noted that no sign or any other structure regulated by zoning is permissive within at least 10' of a public right of way.

After discussing the matter, the **Mr. Coffman** led the Trustees in their determination that additional signage was not objectionable, however the requested placement of the sign immediately adjacent to the right of way and mounted to a chain-link fence was not approvable.

The present existence of an unilluminated wall sign on the manager's office facing the road was identified as outside of the terms of the PUD, but such placement of the proposed sign would be acceptable and may be illuminated provided that it does not flash or blink and shall not constitute a traffic hazard or nuisance.

Ms. Hartsock concluded by sharing that the **Lion's Club** would be onsite for their **annual clean-up on January 28th**. She requested any staff or official to let her know if they had any specific projects or needs to share with the Lion's Club. And also sharing that she'll be attending **Safety Council: January 20th**.

ADMINISTRATOR REPORT:

Administrator, Donald Edwards reported the following:

Regarding the **Firehouse No. 2** project, an agreement has been reached with Architects Associated, Inc. on a reduction of approximately fifty-thousand in the pricing schedule and modified language in the contractual agreement for **design services** has been approved. Mr. Edwards anticipates the contract documents to be executed this week.

Gary Snyder has started the programming portion of the design and has meetings set up for input from Fire Department Officers and members. He also is scheduling a tour of three stations for February 1, 2017.

The **Construction Manger** Pricing and Technical Proposals have been compared and a "Best Value" firm has been made by the Evaluation Committee.

1. Schueler Group
2. Robertson Construction
3. Thomas & Marker

McCarty Associates has completed the **survey of the AMB Enterprise property**. We now have a re-plot of the 3.7 acres showing the lot split into two (2) parcels. This will now have to go through the Village of Waynesville for approval along with the **rezoning** that is scheduled for Wednesday, February 22 with the Village Planning Commission.

Warren County Commissioners passed Resolution 17-0039 setting a Public Hearing to consider the Trustees' request to **vacate portions of the right-of-way easement for Middletown Road (TR-30)**. The Hearing is scheduled for January 31, 2017 at 9:15 a.m. in the Commissioner's Meeting Room at 406 Justice Dr., Lebanon.

Mr. Edwards concluded by sharing that he received a quote from Pavement Technology, Inc. on the possible use of Reclamite[®] on some subdivision streets to help us put together a maintenance program for this year. Working with Mr. Camery, he will be developing a list of roadways where chip-sealing, striping and Reclamite[®] surface treatments are suggested.

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OLD BUSINESS:

Zoning Code Update: Ms. Hartsock shared that the Zoning Commission met on January 5th had a productive meeting with a good input. She will share their official recommendations after February 2nd after the first public hearing.

Cemetery land: The Cemetery is willing to sell approximately one acre. No Action at this time.

NEW BUSINESS:

Questions or Concerns Regarding the Bills: None

Legislation:

RESOLUTION 2017-07 RESOLUTION INSTRUCTING FISCAL OFFICER TO PAY CERTAIN SALARIES OUT OF THE FUNDS PROPORTIONATELY WHERE TIME IS WORKED.

Mr. Edwards presented for consideration and Mr. Brad Coffman inquired about the status of the Fire Funds. After discussion of the resolution, Mr. Coffman stated that he would like to see two separate resolutions: one for the Zoning Inspector/Administrative position and one for the Administrator. Mr. Patrick stated his support for such a measure. Chief Scherer shared that he should be consulted prior to any decisions that affect the Fire Funds.

After considerable discussion, Mr. Coffman moved for adoption of said resolution as amended to include only provisions related to the Zoning Inspector/Administrative job duties. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows Mr. Coffman – yea; Mr. Foley – yea; Mr. Patrick – yea. The resolution was therefore adopted the 17th day of January 2017.

RESOLUTION 2017-10 A RESOLUTION ACCEPTING THE FIRE STATION NO. 2 EVALUATION COMMITTEE'S RECOMMENDATION FOR "BEST VALUE" FOR CONSTRUCTION MANAGER [DESIGN sic] PROFESSIONAL SERVICES

Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution as amended to read Construction Manager rather than Design Professional.

Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows Mr. Coffman – yea; Mr. Foley – yea; Mr. Patrick – yea. The resolution was therefore adopted the 17th day of January 2017.

RESOLUTION 2017-11 A RESOLUTION AUTHORIZING AND DESIGNATING TRUSTEE BRADLEY COFFMAN TO TAKE CERTIFIED PUBLIC RECORDS TRAINING ON BEHALF OF THE FULL BOARD OF TRUSTEES

Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution as amended to read Construction Manager rather than Design Professional.

Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows Mr. Coffman – yea; Mr. Foley – yea; Mr. Patrick – yea. The resolution was therefore adopted the 17th day of January 2017.

Other:

Mr. Coffman shared that he received the most recent Township road **mileage certification**. As of 2016, the Township has 42.797 miles of roadway.

There was discussion of amending the **Fire Department's Payroll SOP**. Chief Scherer stated that such an amendment should be formalized in a resolution. Legislation will be prepared in preparation for the next

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meeting.

CORRESPONDENCE:

- **Greater Warren County Drug Task Force:** Request for funding in the amount of \$1 per resident as per the 2010 Census.

Discussion was had regarding the valuable service the Drug Task Force provides for the County and the Township. **Mr. Patrick** confirmed the funding would be taken from the General Fund.

Mr. Foley moved to approve the funding request. The motion did not carry for lack of a second.

Mr. Coffman moved to approve the funding request in the amount of \$1500. **Mr. Foley** seconded the motion. Upon call of the roll thereon the vote resulted as follows **Mr. Coffman** – yea; **Mr. Foley** – yea; **Mr. Patrick** – nay. The motion carried.

- **Ohio Township Association Risk Management Authority:** 2016 MORE Grant award
- **Ohio Bureau of Workers' Compensation:** Notice of change to claim and policy systems
- **Ohio Bureau of Workers' Compensation:** Notice of 2016 Payroll True-Up premiums due
- **Enterprise Products:** Notice of Line of Sight Survey activity to be performed on ATEX pipeline between January and March in Butler and Warren Counties.
- **Gregory Forrest Lester, Inc.:** Tree Health Professional Services Introduction
- **Warren County Board of Commissioners:** Notice of Public Hearing regarding fee and charges associated with water and sanitary sewer district (January 24) Notice of Public Hearing to consider the vacation of a portion of Middletown Rd. in Wayne Township as requested by the Trustees (January 31)
- **Wright State University:** Invitation to the Public Entities Night

WORK SESSION: None

EXECUTIVE SESSION: Pursuant to O.R.C. 121.22 (G) (2) **Mr. Coffman** motioned to enter executive session at 8:04 p.m. with **Mr. Edwards** to consider the purchase or sale of public property. **Mr. Foley** seconded the motion. The motion passed by unanimous vote.

The Board came out of executive session at 8:29 p.m. with a motion from **Mr. Coffman** and seconded by **Mr. Foley**. The motion passed by unanimous vote.

A "For Sale" sign will be placed on **Lytle Trails Lot # 27**. Legal advertisements will be posted concurrently stating that sealed bids will accepted on property until April 4th at 7:00 p.m.

Being no further business, **Mr. Coffman** motioned to **adjourn the meeting** at 8:40 p.m. The motion was seconded by **Mr. Foley**. The motion passed by unanimous vote.

President, Board of Trustees

Fiscal Officer