

MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING HELD DECEMBER 19, 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; Roads Department Supervisor, Scott Camery; Fire Chief, Paul Scherer; Deputy Chief Roger Wainscott; Zoning Inspector and Asst. Administrator, Erin Hartsock; and Fiscal Officer, Darrell Coffman.

The following *residents* were also present: Andrew Jacobs, Tom Duerr and George Cherryholmes.

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

Mr. Coffman motioned to **approve the Minutes of the December 5th** meeting. Mr. Patrick seconded the motion. Upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea, Mr. Patrick – yea, Mr. Foley – yea.

Mr. Coffman motioned to **approve the Minutes of the December 13th** meeting. Mr. Patrick seconded the motion. Upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea, Mr. Patrick – yea, Mr. Foley – yea.

CITIZENS' COMMENTS: None

DEPARTMENT REPORTS:

ROAD DEPARTMENT:

Road Department Supervisor, Scott Camery reported as follows:

He has spoken to the vendor who has received our **sign order from ODOT**. We should see delivery sometime around the end of January 2018.

Deceased **deer remain plentiful**. He cautioned all present to drive safely as the rut is in full force at present.

After our first winter weather event, we have made some **modifications to our liquid “beet heet” application** at the spinner. We are confident that these modifications will better “coat” the salt as it is being spread onto the road surface, therefor doing a more efficient and better job of snow and ice removal.

With the modifications made for our liquid delivery, we have re-calibrated all our “snow fighter” vehicles. This being done to ensure that we are applying the correct amount of snow and ice fighting material.

With this week forecasted to be somewhat warm, we are moving back outside to **trim trees**.

All Road Department equipment is **100% ready and available**.

Mr. Camery concluded by stating on behalf of the entire Road Department Crew we would like to wish the Trustees and fellow staff a safe and Merry Christmas and the Happiest of New Years’.

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FIRE DEPARTMENT:

Fire Chief, Paul Scherer was not present, Administrator, Gus Edwards reported in his place as follows:

The **BWC Grant** award for 50 hoods and gloves for total of \$7800 has not been received to-date. Purchases cannot be made until the funds have been transferred.

The **battalion** vehicle is back in service complete with finished lettering/stripping.

1994 Seagrave, Vogelpohl started to make repairs then found they had the wrong parts. Vogelpohl will let us know when correct parts come in again. The vehicle is operational in the meantime.

Chief Scherer concluded by sharing that he has an **updated SOP for Officers**. This topic would be covered in more detail under New Business.

ZONING DEPARTMENT:

Zoning Inspector, Erin Hartsock reported on the following:

She recently attended a **Village Transition PUD** pre-submittal meeting/conference with RPC and Choice One Engineering regarding potential development plans of a property owner on Lytle Rd.

No application has been submitted to date.

She has also been in discussions with the new owner and his civil engineer representative regarding modifying the existing PUD formerly referred to as the **Klass-Bartos PUD**.

No modifications have been received to date for either project, however she anticipates submissions coming early on in the New Year for both projects.

As a reminder, she shared that the **text amendment** for Article II, Ch. 4 Ground Water Protection Overlays public hearing was scheduled for 7:30 pm.

Regarding violation activity, Ms. Hartsock shared that she recently **closed** junk violation at **7395 SR 42**.

She is currently focusing on: **several Waynesville Rd. junk complaints/violations** (they are proving to be difficult) as the responsible parties are financially limited, have significant health limitations and/or incarcerated; additionally a **Site Plan review** will likely come out of an unpermitted use change at an unaddressed recreationally zoned property on **Middletown Rd.** near 5970 Middletown Rd.

She shared that she will be **out of the office beginning 12/22—returning 1/2/2018**.

She concluded by stating that she would be attending an **educational event** on Thursday with Attorney General DeWine & Secretary of State Husted regarding the importance of small business in Ohio.

ADMINISTRATOR REPORT:

Administrator, Donald Edwards reported the following:

The Village of Waynesville Planning Commission met on December 14th and **approved the Fire Station plans as submitted along with those corrections that are still pending final**

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engineering and drawing. Last night the Village Council confirmed the Planning Commission decision.

New entrance location to Fire Station will cause us to seek an easement from Dr. Cronley vs. a shared driveway agreement.

Mr. Foley inquired about Dr. Cronely's feelings about the changes. Missed this portion

Chief Scherer and Ms. Edwardes are working on getting some prices on furnishings and owner supplied items for the new fire station.

Driver's License Abstracts are 95% completed and he is happy to say all employees so far are in compliance with our driving policy.

Regarding claims, the Township is working with PERSO for the Expedition (Check received and work was completed on December 1st) final payments for secondary claims for additional work and for decal and striping.

The **new health insurance plan** for 2018 has been submitted for Anthem SOCA MEWA. We hope to have new insurance cards by January 1, 2018.

OPEC-HC, the consortium will be closed out after January 1, 2018. Three things will still have to happen:

1. **Run Out claims** will still need to be administered for six months. Benovation, in our case, will handle these claims for \$88.50 per employee enrolled per month. (Three months due first of the year)
2. **Stop Loss coverage** will be carried by Benovation for claims that exceed \$150,000 for a cost of \$82.44 per employee enrolled per month.
3. **ADR:** Assessment of Deficit Recovery will have to be paid to OPEC-HC for an estimated cost per employee of actual deficit based on most recent report, within 45 days of termination from program.

Mr. Edwards concluded with the following **miscellaneous reminders/announcements:**

- McCarty contract signed and **surveying begins** this week.
- Mylar should get filed for **Victoria Glen Replat** this week.
- **Washington Twp. Contract** has been completed and mailed out.
- Cleaning up **insurance claim** on Expedition.
- **OTA Winter Conference** reservations have been made.
- Resolution 2017-59 has been filed with WC Auditor and received **Certificate of Estimated Property Tax Revenue today.**

Mr. Tom Duerr shared that he was able to hear Mr. Edwards better than usual with him positioned in the rear of the room.

OLD BUSINESS: None

NEW BUSINESS:

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HELD DECEMBER 19, 2017**

Questions or Concerns Regarding the Bills: None

Legislation:

RESOLUTION 2017-64 A RESOLUTION AUTHORIZING THE HANDLING OF VACATION AND COMPENSATORY TIME FOR EMPLOYEES THAT MAY OR MAY NOT BE CONSISTENT WITH THE WAYNE TOWNSHIP POLICY AND PROCEDURE MANUAL OR EMPLOYEE CONTRACT

Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution. Mr. Foley seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Patrick – yea; Mr. Foley – yea. The resolution was therefore adopted the 19th day of December 2017.

Mr. Edwards noted that the figures provided did not reflect the recent snow event in which Mr. Camery accumulated additional comp time. This additional time would be paid out rather than accumulated.

RESOLUTION 2017-66 A RESOLUTION APPROVING UPDATES TO THE WAYNE TOWNSHIP FIRE DEPARTMENT S.O.P. FOR THE POSITION OF ADMINISTRATIVE CAPTAIN

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. Patrick – yea; Mr. Foley – yea. The resolution was therefore adopted the 19th day of December 2017.

Chief Scherer stated that Paul Bernard would be promoted from Lt. Administrative Captain to Administrative Captain. The position had been vacant since 2004 when Mr. Cherryholmes retired. The S.O.P. as was written did not allow for the replacement of that position. This SOP change corrected this and allowed for better succession planning.

RESOLUTION 2017-67 A RESOLUTION APPROVING A ZONING TEXT AMENDMENT TO ARTICLE II, CHAPTER 4 GROUNDWATER PROTECTION OVERLAYS

Ms. Hartsock presented for consideration and Mr. Patrick moved for adoption of said resolution. Mr. Coffman seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Patrick – yea; Mr. Foley – yea. The resolution was therefore adopted the 19th day of December 2017.

This legislation was approved after holding the public hearing.

At 7:30 pm, Mr. Coffman opened the PUBLIC HEARING TO CONSIDER A TEXT AMENDMENT TO ART. II, CH. 4 OF THE WAYNE TOWNSHIP ZONING CODE (GROUNDWATER PROTECTION OVERLAYS)

Mr. Coffman asked Ms. Hartsock to explain the reason for the hearing.

Ms. Hartsock explained that the section of the zoning code had been reworked during the comprehensive rewrite process. A draft had been submitted to the Ohio Environmental Protection Agency (OEPA) for their input. Input was received back from OEPA, however delayed, as well as the Warren County Combined Health District (WCCHD). Their input was what is being considered in this amendment.

The Wayne Township Zoning Commission (ZC) initiated the amendment on November 2. The amendment was considered by the Warren County Regional Planning Commission (RPC) on November 16, who

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subsequently recommended approval of the text amendment with the correction of changing the phrase “residential waste” to “municipal waste” in 2.403.2 (A) (1) and 2.404.2 (A)(1) (prohibited uses).

The ZC held the first public hearing on December 5th. They subsequently recommended approval of the language as recommended by the RPC by unanimous vote.

She then illustrated the overlay boundaries and the described the proposed amended text as follows:

- 1) Clarification of Source Water Protection Area boundaries as being “endorsed” by the Ohio EPA (not “delineated”);
- 2) Inclusion of “Septage spraying and sludge spreading” under the list of uses prohibited in the Source Water Protection Overlay, and “municipal waste, industrial waste, hazardous waste” and “salt storage” as being prohibited in both Overlays;
- 3) Requiring an independent “Qualified Ground Water Professional” to sample baseline monitoring wells rather than the WCCHD, and including a definition for this term; and
- 4) Inclusion of a standard on abandonment of wells.

Mr. Foley inquired of Mr. Camery if point no. 2 had any negative impact to farm operations.

Mr. Camery reported that the EPA currently oversees the permitting of septage and sludge applications to agricultural fields. The proposed zoning text amendment simply reflected the regulations already enforced by the EPA. They were not more stringent.

Having no further questions from the Board of Trustees, Mr. Coffman opened questioning to residents.

Mr. Tom Duerr stated that the agenda was titled “to consider any needed amendments” and he voiced his desire to consider the removal of the Planned Unit Development section of the zoning code.

Ms. Hartsock stated that was a typo and the hearing was strictly to consider the language in Art. II, Ch. 4.

Satisfied that all questions and concerns had been addressed. **Mr. Coffman closed the hearing at 7:39 pm.**

The Trustees approved legislation approving the proposed zoning text amendment (see legislation)

Returning to open meeting, Mr. Duerr inquired when an appropriate time to consider the PUD language in the zoning code would be.

Mr. Coffman deferred to Ms. Hartsock. She explained that the Trustees may discuss the code at any point in open meeting, however to formally initiate an amendment, it may be done by the Board of Trustees by resolution or by the Zoning Commission and then a formal process dictated by the ORC must be adhered to.

Mr. Duerr continued that he had concerns regarding section 2.505.2 (General PUD overlay)

The development may provide for the authorization of uses that do not correspond with or are not expressly permitted by the zoning district regulations for the area in which a PUD is located.

Mr. Coffman stated that this topic could be considered the first meeting in January.

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Ms. Hartsock will re-present a PowerPoint regarding PUDs.

There was discussion regarding the functionality of the PUD's flexibility and the role of the public in the process.

Mr. Foley stated that he would work with Ms. Hartsock regarding proposed verbiage adjustments.

CORRESPONDENCE:

- **Warren County Combined Health District:** Quarterly News and Information
- **Discount Drainage Supplies:** Happy Holidays card
- **LCNB:** Happy Holidays Card
- **Ron and Janet Maag:** Happy Holidays card
- **Warren County Courts:** Happy Holidays card
- **Clearcreek Township:** Happy Holidays card
- **Senator, Steve Wilson:** Happy Holidays card
- **Warren County Foundation:** Annual report to the Community
- **DP&L:** Community newsletter
- **Warren County Auditor:** Certificate of Estimated Property Tax Revenue/millage certification
- **Warren County Clerk of Courts:** judicial decision and order granting motion to dismiss case no. 17CV89827 (regarding the non-approval of a PUD application for 5275 Lytle Rd.)
- **Warren County Clerk of Courts:** judicial decision and order granting motion to dismiss case no. 17CV89826 (regarding the refusal of the WTBZA to hear an appeal of a legislative decision)
- **Other:**
Chief Scherer shared that he received notice that a Massie Township female that WTFD EMS provided emergency transport to had endured cardiac arrest enroute to the hospital. WTFD brought her back and she has survived the ordeal.

Deputy Chief, Roger Wainscott stated that if WTFD had been dispatched sooner, she may not have went into cardiac arrest in the ambulance; if dispatched later, she may not have survived.

Mr. Coffman inquired about the need for a mutual aid contract with MTFD.
Chief Scherer and Mr. Edwards stated that a short-term contract was worth pursuing.

Mr. Foley directed Chief Scherer to look at proposing a contract based on a defined geographic area that WTFD could cover with minimal risk of overextending its range, leaving Wayne Township residents less than optimally serviced.

WORK SESSION: None

EXECUTIVE SESSION: None

Being no further business, Mr. Coffman motioned to adjourn at 8:13 pm. Mr. Patrick seconded the motion. The motion passed with a unanimous vote.