

MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING HELD APRIL 2, 2019

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

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

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

The following residents were present: Gary Breeze, George Cherryholmes, MJ Walling, Tom Duerr, Pat Davidson, John Federle, Diane Colvin, Joette Dedden, Earl Isaacs, and Dale and Kimberly Kaan.

Mr. Patrick led all present in the **pledge of allegiance to the flag.**

Mr. Coffman motioned to **approve the Minutes of the March 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. Foley motioned to **approve the Minutes of the March 19th** 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:

Mr. Gary Breeze extended a “thank you” to the Roads Department for contacting the County to have criminal crews pick up litter along O’Neill Rd. He stated that the pick-up was done well, but the litter is re-accumulating and believes it is due to the residents.

Ms. Diane Colvin asked that when using acronyms in meetings, that their meanings be explained. She cited the use of the term CDBG from a prior meeting. Mr. Patrick was unsure of the proper name. Ms. Hartsock shared that it stood for Community Development Block Grant.

Mr. Tom Duerr thanked the Trustees for placing the evaluation of the location of the “citizens’ comments” period as an agenda item on the agenda for that evening.

Ms. Kimberly Kaan shared that she spoke with David Stubbs, who was unable to attend the meeting, and both conveyed their belief that the Board of Trustees should record their meetings.

Ms. Joette Dedden shared he belief that she is supportive of total transparency and supports recording the Trustees’ meetings.

DEPARTMENT REPORTS:

ROAD DEPARTMENT:

Road Superintendent, Scott Camery provided the following report:

We are on the “**litter patrol**” list. They are extremely busy (inundated with requests) could not give me a time frame. *[The work had been completed after submission of report.]*

The **culvert pipe for Old Stage Road** has been manufactured. It is on the schedule to be delivered Wednesday 3 April 2019.

[Installation plans were stated]

Preparations for **this year’s road re-surfacing** is underway. I am having continuing conversations with Engineer Office personnel. They hope to open bids by the end of the month.

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I have made contact with the High School counselor. Trying to obtain some **seasonal help**.
[High School seniors will be targeted]

The **“punch list”** for Hidden Trails has been completed. I would expect to see acceptance documents in the near future.

Post winter equipment maintenance is still underway, along with pre-spring equipment preparations.

All Road Department equipment is available for use.

FIRE DEPARTMENT:

Fire Chief, Paul Scherer provided the following report:

Ems runs for March	64
Fire runs for March	<u>25</u>
Total runs for March	89

Ems runs for 2019	212
Fire runs for 2019	<u>96</u>
Total runs for 2019	308

2018 had 77 Fire & 263 EMS total of 340 down 32 from last year

Emailed out **activity reports for March**

Boiler at station went down on Monday. Has been repaired for now.
[Long term options were discussed]

Getting quotes for **Replacing Tires on Brush truck** as they are 11 yrs. old.

Part time job posting has been sent out again to the EMS Council list-serve and fire chiefs group email.
[Lack of responses were noted]

Medicount contract renewal.

General discussion on **Retention, payroll, and levy**

[There was discussion regarding efforts to retain employees, adjust pay rates and valuation of upcoming renewal levy]

ZONING DEPARTMENT:

Zoning Inspector, Erin Hartsock provided the following report:

(1) Accessory Structure over 200 sq. ft. (residential) @ \$100
9190 Valdosta Way, Jeff Stahl

(1) In-Ground Swimming Pool @ \$75
8112 Bellbrook Rd., Brad Lambert

(1) Single Family Dwellings @ \$225
8969 Brandon Ln., Ellis Custom Homes

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(1) Deck @ \$50

8546 Twin Creek Dr., Archadeck

(1) Variance application processed @ \$500

9042 Valdosta Way, Lance Pritchard—accessory structure setbacks from ROW

(4) Permits issued and (1) variance application processed for a total of \$950. All money has been deposited.

Wayne Mobile Home Park: PUD Stage II (new business)

Facility Projects:

Windows: Recommendation: Acsent, option #2 (attached)

EIFS: Recommendation: Ray Isaac Plaster, option # 2 (subject to change pending full building power wash)

Power washing: Recommendation: Ray Isaac Plaster or Ohio Power Wash (hope to have by meeting)

[based on estimates received after report submitted, Ohio Power Wash was recommended]

Mr. Patrick stated he wished to not proceed with the window replacements at this time. Mr. Coffman motioned to proceed with the window replacement and the

Administration:

Records Retention: RC-2 should be back in the next 2 weeks.

Magazine: Final proof shared Monday.

Total cost \$541.71 (10¢/TWP Resident or 9¢/mailbox or 6¢/total combined residents)

Mr. Tom Duerr shared that the brick should be sealed after cleaning and scuppers should be sealed at the same time. **Ms. Hartsock** stated that she will follow up with Ohio Power Wash and the scuppers had been sealed last fall as part of the flat roof repairs, but she would look into getting another roof inspection done.

ADMINISTRATOR REPORT:

Administrator, Donald Edwards provided the following report:

Fire Station:

Miter Masonry is finishing up the brick on the top two floors of the West wall for truss setting.

PCI: Light gage framing studs have been started. All walls have been laid out for assembly. Light gauge truss have been ordered now with delivery early April. Framing in soffits of bays.

Storm shelter design and drawings have been approved by WC Building Dept. and now approve by Village of Waynesville Planning Commission.

DP&L has delivered poles for new line construction and easement has been submitted.

Waterline meter pit Public Utility Easement has been drafted, notarized and sent to the Village for approval. No word back yet. Meter and Pit drawings have been put out for quotes.

Cin.-Dayton Fire Protection should start hanging pipe this week.

Prepping third floor for concrete pour.

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Mid-Miami Roofing is sheeting the bay roof.

Cost sheets.

Washington Township: (see minutes 2/25/2019)

Anthem Health Insurance: April is **Open Enrollment** for all eligible employees.

Other: On Friday, April 19th, the Warren County Safety Council Meeting will be hosting a CEO Breakfast 8:00 at the Manor House

CORE (COordinated Response Exercise): This year's 2019 Ohio Emergency Response Exercise is a Fast-Paced tactical response training program. Wednesday, May 8th 5:30 – 7:30 pm. At Roberts Centre. Annual Pipeline educational class.

Misc:

BWC – Claim update [employee is doing well and case should be closing soon]

Fire Dept. Fish Fry April 6, 7

American Legion Aux. Easter Egg hunt April 14th 2:00 pm

OLD BUSINESS:

Discussion on costs and legal requirements for recording meetings: Josh Patrick asked Ms. Hartsock to share a report previously provided to the Trustees. In this report she shared that current equipment and staff expertise could lend itself to audio recording meetings and posting them to YouTube. Video recording was not something that staff had expertise in nor is there existing equipment for such a purpose.

Mr. Patrick refuted her findings in a multi-page prepared report (**attachment A**).

Mr. Coffman stated that before the Board can discuss implementation of Mr. Patrick's alternate findings, that details and costs would need to be provided.

Mr. Earl Isaacs stated his belief that public meetings should have a verbatim public record.

Mr. Tom Duerr asked Ms. Hartsock if she stated that she recorded the Zoning Commission and Board of Zoning Appeals meetings. She responded that that is not what she said. The BZA meetings are audio recorded as directed by the County Prosecutor's Office as they are quazi-judicial in nature and subject to court proceedings. The Zoning Commission does not have the same legal procedures.

Mr. Duerr asked Ms. Hartsock if she could quote Mr. Patrick's extensive report verbatim.

Mr. Patrick stated that a public meeting did not afford an individual the right to be heard. Personal attacks on staff would not be permitted.

NEW BUSINESS:

Questions or Concerns Regarding the Bills: None

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Legislation:

RESOLUTION 2019-18 A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO WITHHOLD AMOUNTS NEEDED TO PAY FOR THE "VFIS" PREMIUMS FROM EMPLOYEES' PAY IN ORDER TO RECEIVE MAXIMUM BENEFITS FROM THE POLICY

Mr. Patrick motioned to adopt the resolution. Mr. Coffman seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea; Mr. Coffman – yea; Mr. Foley – yea. The resolution was therefore adopted the 2nd of April 2019.

RESOLUTION 2019-21 A RESOLUTION ACCEPTING THE RESIGNATION OF BETH DANIELS FROM THE WAYNE TOWNSHIP FIRE DEPARTMENT

Mr. Patrick motioned to adopt the resolution. Mr. Coffman seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea; Mr. Coffman – yea; Mr. Foley – yea. The resolution was therefore adopted the 2nd of April 2019.

RESOLUTION 2019-22 A RESOLUTION APPROVING THE WAYNE MOBILE, INC. MANUFACTURED HOME PARK PUD STAGE 2 PRELIMINARY SITE PLAN

Mr. Coffman motioned to adopt the resolution. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea; Mr. Coffman – yea; Mr. Foley – yea. The resolution was therefore adopted the 2nd of April 2019.

[Adopted with language adjustments from what was initially provided; passed after hearing]

Hearing: Dakin Mobile Manufactured Home Park PUD Stage II

Ms. Hartsock provided a PowerPoint presentation (attachment B) providing the history of the application as well as the recommendation for approval with conditions as provided by the Regional Planning Commission (RPC).

Discussion of the language requiring the establishment of a community trust to deed the open space to was discussed. Ms. Hartsock shared that the code where the language was taken from did not define what this meant. Further, attorneys could not definitely say what it meant. In past PUDs, the Township looked at the open space requirements as a way of protecting areas of a site from further development. As such, a proposed protective easement to be held by the Little Miami Conservancy, Inc. was proposed for 1.885 acs to the rear of the site adjacent to the Little Miami River. This easement prevented trespassing, cutting, dumping, the application of chemicals...etc. and protected sensitive and scenic land in its natural state, while allowing for the existing operations of the wastewater treatment facility and the drinking water wells.

Discussion of pre-existing individual trash pick-up verses language in the applicable code that required common trash receptacle be spaced no further than 150' from each lot with screening took place. Ms. Hartsock stated that retroactive application of that provision was not practical with the way the site was laid out and constructed in 1969.

Discussion of the fire protection system took place. It was noted that the definition of fire protection system was not certain and came from the former zoning code. Fire Chief Paul Scherer shared that in 1960 and 1970s, such language may have referred to a dedicated phone placed in the center of the park to call for fire emergencies. The hydrants, while not equipped with a large enough fire flow to accommodate modern fire apparatus, the park was protected by WTFD in the same manner as other neighborhoods without fire hydrants.

Mr. Dakin requested that language be amended to include permitting the existing operations of the drinking water wells in the required open space. As well as to amend the name of the PUD from Dakin Manufactured Home Park PUD to Wayne Mobile, Inc. Manufactured Home Park.

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All satisfied with the proceedings, the Trustees voted to approve Resolution 2019-22 [see legislation]

Other: Discussion on "Citizens Comments" section in Board Meetings.

Mr. Patrick stated that the Board has been flexible in allowing citizens to speak through the duration of the meetings and did not see any need to adjust the placement of the dedicated period for "citizens comments" on the agenda. He noted that the meetings were not designed to be forums for back and forth

CORRESPONDENCE:

Warren County Sewer and Water Department: notice of required inspection and filing fee for an Annual Test & Maintenance Report for backflow preventer at Wayne Township Admin Bldg.

Warren County Drug Task Force: request for funding

Warren County Health District: 2018 Annual Report

Warren County Health District: Quarterly Report

WORK SESSION: None as the Road Department funding discussion is pending the outcome of House Bill (HB)-62

EXECUTIVE SESSION: Mr. Patrick motioned to enter executive session at 8:31 p.m. per ORC 121.22(G)(1) to discuss personnel matters with the Trustees, Mr. Edwards and the Fiscal Officer. The motion was seconded by Mr. Foley. The motion passed by unanimous vote.

At 8:58 p.m., Mr. Foley made a motion to come out of executive session and return to regular meeting. Seconded by Mr. Patrick: on voice vote all were in favor.

Trustees discussed the form of future Board meetings and having job descriptions for employees.

ADJOURNMENT: With no further business, Mr. Foley moved to adjourn at 9:32 p.m. Mr. Patrick second the motion. The motion passed with a unanimous vote.



President, Board of Trustees

Erin Hartsock

From: Josh Patrick <joshpatrick@waynetownship.us>
Sent: Tuesday, April 16, 2019 6:14 PM
To: Erin Hartsock
Cc: Darrell Coffman; Brad Coffman; Pat Foley; Gus Edwards
Subject: Re: Patrick remarks regarding taping of meetings

When I first became a trustee a few years ago, I brought this up for discussion but it was not received well by the board at the time. Lately the public has taken interest in the issue so we have placed it back on the agenda for discussion.

So why should we record our meetings?

- Integrity of Information: videos provide clear objective truth; minutes can be subjective or lacking
- Recording gives quotes, color, context. It provides body language and tone. It makes it easier to create minutes and ensure nothing is missed.
- Accessibility is obviously key for transparency. More accessible meetings means greater trust in the government from citizens. A recording can reach a person where he/she is 24/7
- As much as it protects and informs the public, it protects the board. Officials can provide context for actions; justify decisions, prove they were taken out of context or misquoted. Public officials can research what was discussed before so that they can better remember what was hashed out.
- The public has asked us for it. We spend millions of dollars of the public's money. They deserve to see every bit of the process as possible.

Let's talk about money, as the financial burden seemed to be the most concerning to staff during their research.

- Unfortunately I think we are operating from a false set of assumptions. First, I spoke to one of the ClearCreek Township Trustees in addition to speaking with their Fire Chief, DC Cox's boss there. The \$50,000 figure comes over the course of a few years as they updated their computer systems, servers and IT infrastructure. With their police cruiser cams and much larger set of needs, they have a much different set of requirements than our own.
- We don't have to write a blank check. Remember we can set a cap on initial cost. We may even be able to have equipment donated.

While it is extremely easy to post recorded video to YouTube, it would not be necessary if it posed a burden to staff; BUT...

- Posting videos online will relieve staff burden of extremely detailed minutes; according to the responsible staff member, over 1/4 of her time is spent crafting detailed minutes — I believe more simple, streamlined minutes would suffice if we have a full and accurate recording of the meetings
- Posting videos online would ease staff's burdens in responding to FOIA requests as info would already be online for citizens and delivered faster than our current minutes.
- Concern was expressed over potential future requirements on internet videos. Luckily Google developed an automatic captioning system for YouTube in 2009

As misfortune would have it, Waynesville Village is also in the process of replacing their recording system. According to their clerk, their options were between \$250-\$1,000, and they were able to get away with the \$250 system since they already have a camera. That system is networked and can be viewed from other computers and footage uploaded to a jump drive.

As a former IT professional, the most expensive concern I initially had was the storage. On the high end, assuming a 60 minute recording at 1080p (HD quality), we are looking around 4GB (3.6GB) per meeting. Assuming our 25 or so meetings, we'd need 100GB of space for a year. A 10TB drive can be purchased for around \$300 when I checked pricing today. That's enough space for 100 years of Board meetings for \$300. Of course, YouTube would have backups should we employ that free service.

We have two very feasible, very affordable options:

1. Purchase a networked DVR system that would be accessible from other PCs on our network. Many of these systems have multiple cameras included we can use. This is a method similar to how the Village of Waynesville operates. Estimated cost \$1000.
2. Purchase a camcorder and tripod — as little as \$300 would do the trick. Purchase a new, large external hard drive and internal hard drive to upgrade Erin's PC \$400. If Erin's current PC equipment is lacking, allow her to buy a completely new computer along with the above and total cost still won't exceed \$2500. Cost \$700-\$2,500.

This sort of thing can be done on a shoestring budget. So if the reason to record is not financial, then what is it?

To me, this is not complicated. This meeting doesn't belong to me or anyone else up here. Our minutes, our notes, our discussions, the monies we spend, they are not ours. It belongs to the public. Ultimately, when we deny the public's request for us to video record our meetings, we are begging them to ask the question "What are you trying to hide?". Anything that we as a board can do to enhance transparency and make government more accessible is a good thing and should be embraced.

Sent from my iPhone

On Apr 3, 2019, at 12:32 PM, Erin Hartsock <erinhartsock@waynetownship.us> wrote:


Mr. Patrick,
Please provide your written statements for inclusion into the minutes.

Mr. Coffman,
Please provide me with the correspondence you referred to.

All/any,
Please provide the time executive session ended and when the meeting was adjourned as well as any actions or discussions after meeting was reopened if applicable.

Thank you,
Erin Hartsock

Dale Dakin Manufactured Home Park PUD Stage II




- ### RPC Recommendations 2013 (8)
1. OEPA and Ohio Dept. of Health certification of the wastewater treatment facility.
 2. Warren County Engineer's Office approval of access and circulation.
 3. Designated parking spaces shall be provided and indicated on the PUD Stage III Site Plan for the parking area adjacent to the existing triplex building.

- ### 2019 Proof of Compliance with Recommendations
1. OEPA issued National Pollution Discharge Elimination System (NPDES) permit # 1PV00113*CD (valid 2015—2020)
 - Follow-up with OEPA revealed no outstanding compliance issues^{THH}

- ### 2019 Proof of Compliance with Recommendations
2. Kurt Weber of the Warren County Engineer's Office issued statement on March 6, 2019:

"Jason [Fisher] and I have looked at this and determined that the two existing access points may remain and continue to serve as the development's access points. Our office will not require any modification to either access point and no Access permit application will be required.

If the Township requires the parking lot of the apartment complex to be striped then our office would be glad to review any proposed striping plan from the developer for traffic circulation purposes; however, our office is not requiring any striping of the parking lot or any modification to the apartment complex driveway or parking lot."

2019 Proof of Compliance with Recommendations

3. Applicant has striped parking spaces as per RPC recommendation

2013 RPC Parking, Access & Circulation

RPC Recommendations 2013 (cont.)

4. A community trust shall be established for the required common open space in accordance with Section 23.10 of the Wayne Township Zoning Code.

- 120 ft natural buffer along Little Miami River.
- No structures or clear-cutting.
- Wastewater treatment operations are permitted.
- Existing manufactured home lots may be excluded.

2019 Proof of Compliance with Recommendations

4. Open space:
Section 23.10 of the 1997-2017 ZC states that open space must be conveyed to a legally established "community trust"

Proposed open space is in form of a detailed conservation easement with Little Miami Conservancy, Inc.

2019 Proof of Compliance with Recommendations

4. Open space:
Total of 20% of site (1.885 AC) buffer along the Little Miami River.

Common Open Space

RPC Recommendations 2013 (cont.)

- 5. Designated locations for garbage containers shall be provided and properly screened from view.
- 6. Installation of a fire protection system is required, if not already done.

2019 Proof of Compliance with Recommendations

5. Garbage

1997-2017 ZC (20.09(B)15) The storage and collection of garbage and refuse within a manufactured home park shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, fire hazards or air pollution. All garbage shall be stored in fly-tight, rodent-proof containers. These containers shall be located no more than one hundred fifty (150) feet from any manufactured home lot and shall be collected from at least once weekly. Such containers shall be screened from view by permanent material, such as shrubbery, wood fencing or metal barriers.

2019 Proof of Compliance with Recommendations

5. Garbage

Mr. Dakin currently provides individual garbage pick up as part of the rent fees



2019 Proof of Compliance with Recommendations



2019 Proof of Compliance with Recommendations



RPC Recommendations 2013 (cont.)

- 7. All future utility lines shall be buried in accordance with Section 20.09 (B)(17) of the Code.
- 8. Compliance with all Wayne Township Zoning Code and PUD Stage I requirements.

Stage I Recommendations:

1. Allow the continued use of the triplex structure located at the southeast corner of the property as a multifamily dwelling with a limitation of up to three (3) units.
2. Permit the accessory uses identified in the SEC 20.04 of the Wayne Township Zoning Code anywhere within the PUD overlay, except areas designated for open space.
3. Require 15% (1.885 acres) of the PUD property to be designated for open space as required in Section 23.10 of the Code.
4. Prohibit the creation of additional manufactured home lots/pads.
5. Ensure that all future homes comply with the "Manufactured Housing Construction and Safety Standards Act of 1974."
6. Allow the use of up to three (3) travel trailers and/or Park Model Homes, which are at least 9'6" (96") feet in length, with a minimum twelve (12) month lease and must be securely bed down. No lot shall have more than one (1) unit on it at any given time.

Stage 3 (Final) Procedure under 1977—2017 code

