

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING
HELD SEPTEMBER 6, 2022**

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

Roll call: Ms. Colvin - present; Mr. Jacobs - present; Mr. Patrick - present.

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

The following guests/residents were present: Rick Becker, Nathan Colvin, Gary Breeze, Dale Edwards, Leamon Viveros, and David Dowell

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

Mr. Patrick asked for a motion to approve the August 16, 2022, minutes. Ms. Colvin motioned to approve the minutes, and Mr. Jacobs seconded the motion. All were in favor.

ADDITIONS, REMOVALS OR DISCLOSURES FROM THE POSTED AGENDA: None

SPEAKERS/PRESENTATION: Judges Gary Loxley and Robert Fischer from the Warren County Court spoke concerning areas of the county that are covered by Warren County Court and the areas that are covered by Franklin, Lebanon, and Mason Municipal Courts. They also spoke concerning the courts case load, and current issues concerning the courts.

CITIZENS' COMMENTS:

Mr. Breeze spoke concerning junk cars and equipment that are being brought into a property located on O'Neall Road. He said this has been an ongoing problem and the activities have recently increased. He said this needed to be stopped and the vehicles and equipment that is there needs to be removed.

Ms. Colvin said Mr. Breeze should give the pictures and information that he said he has to Zoning Inspector, Stacey Lowing so she could file a formal complaint.

He also spoke concerning a tree that is overhanging U.S. Route 42, just south of Route 73, which he said needed to be removed. He said he had contacted the Ohio Dept. of Transportation and was told that it was the responsibility of the Village of Waynesville as it was within the Village corporation limits. He said he had also contacted the Village and was told they didn't have a bucket truck that would be needed to cut it back. He asked if the Township would do a good deed and remove the tree.

Mr. Camery said the tree was laying on large telephone lines and he didn't want to expose the Township to the liability of removing the tree and possibly damaging the phone lines.

Mr. Breeze then spoke concerning the microphone that is used in the meeting room. He said it was a piece of trash, as it didn't pick up the voice of someone speaking at the podium, and it needed to be replaced.

Mr. Dale Edwards spoke concerning a sign that was erected on Old Stage Road on August 20th, directly across from property that he and his wife had four days earlier put on the market. He said the sign read "Future Home Of Shaner's Farm LLC, Hog And Chicken Farm".

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING
HELD SEPTEMBER 6, 2022**

He said he had contacted the Zoning Dept. and Trustees about the sign but felt some of the trustee's responses were lacking in varying degrees in feeling the pulse of their constituents. He said the township residents deserve a better effort.

DEPARTMENT REPORTS

ROAD DEPARTMENT:

Scott Camery, Road Superintendent, provided the following report:

1. With the rains we have been getting the grass has taken off again, so therefore I have started the 4th round of mowing.
2. The 6200 w/arm mower is out and making progress, however we are still behind schedule with that unit.
3. I still have a few ditching projects on the schedule.
4. The Reclimite project for Old Stage Road has been completed. The weather was cooperative, and it looks good.
5. The micro seal project for the Reserve of Waynesville and Caesars Creek Estates, (at the time of this report) has been all but completed. I will update at the meeting. We did receive a few complaints from the residents at the Reserve, however, the material went down well and cured quickly. I am very pleased with the result, and I am confident that we have done the right thing to preserve, protect and maintain these roads in a cost-effective manner.
6. I have completed my article contribution for the fall edition magazine and turned it over to Mrs. Lowing.
7. All the fire extinguishers at the road garage were serviced on 1 September 2022.
8. All Road Department Equipment is available for use.

FIRE DEPARTMENT:

Paul Scherer, Fire Chief, provided the following report:

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|-----------------------|----------|
| Ems runs for August | 75 |
| Fire runs for August | 19 |
| Public Service calls | <u>4</u> |
| Total runs for August | 98 |

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| Ems runs for 2022 | 642 |
| Fire runs for 2022 | 169 |
| Public Service calls | <u>54</u> |
| Total runs for 2022 | 865 |

2021 had 165 Fire, 593 EMS, & 77 Service Calls total of 835 calls up 30 from last year

Emailed out August reports

Started our hose testing

Starting to work on LOEB Grant

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING
HELD SEPTEMBER 6, 2022**

All fire extinguishers Township wide (Road, Admin & Fire) were serviced on September 1

Excess items are ready for auction on GovDeals (sell of hose local)

Parking lot issues at old station (continue to use lot as pass thru and removing / damaging curb)

New member Marcus Roll

ZONING DEPARTMENT:

Stacey Lowing, Zoning Inspector, provided the following report:

PERMIT ACTIVITY AND FEE ACTIVITY:

- **Accessory Structure \$100.00**
9445 Sandy Run Dr., James Fockler
3269 E. Lower Springboro, DeVol Builders
9617 Ferry Rd., Domain Roofing and Construction
- **Single-family residence \$225**
7243 Cook-Jones Rd., Clearcreek Custom Builders
- **In-ground pool \$75.00**
5618 Spartan Hill, Aquarian Pools
6300 Trillium Run, Buckeye Pools
6753 New Burlington Rd., Elle Buell
- **Ag exempt (\$0)**
5641 Chenoweth Rd., Todd Castor
- **Variance \$500**
Michael Rubiera, 3365 Lytle Rd.

8 permits/fees collected for a total of \$1,250.00 All funds have been deposited.

BZA

September 15:

- 3365 Lytle Rd., Michael Rubiera, pool setback variance

MAGAZINE

- The magazine design is underway as I have been forwarding advertisements and articles as they are received. The goal is to be reviewing draft copies by mid-month.

OLD STAGE ROAD

- A violation letter was sent to the property owner regarding the temporary sign that was installed. This letter was sent both certified and regular mail, which is the standard. The property owner is then given a date by which to respond; in this case September 7 is the

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING
HELD SEPTEMBER 6, 2022**

deadline to apply for a zoning permit. I spoke with one of the property owners, and he indicated that the other property owner would be in the week of August 29 to apply.

- Aside from a zoning permit for the sign, there is no other action the township can take on this matter. The message cannot be regulated, nor can the property owner's right to engage in agriculture on the property. Agriculture is protected by state law and is "exempt" on properties 5+ acres (and in many cases smaller lots). Exempt means that the township has no zoning authority to prohibit the farming, or to apply zoning setbacks for instance, to barns and other agricultural buildings. Agriculture has a very broad definition under state law which includes farming, ranching, aquaculture, horticulture, the care and feeding of livestock, animal husbandry, poultry husbandry, crops, timber, and many other categories.
- I have included printouts of portions of the Ohio Revised Code that I obtained by a link on the Ohio Department of Agriculture website. These definitions are for concentrated animal feeding facilities. We have not had any farms of this size in Wayne Township to my knowledge. The state regulates concentrated animal feeding facilities. The property owner has not indicated to me that this is what they are pursuing, but I included the material for your information.

ADMINISTRATOR REPORT:

Donald Edwards, Administrator, provided the following report:

Full-Time FF/EMT:

Interviewed applicant last week to determine if we need to advertise outside of the department.

Applicant meets our minimum requirements and capable of filling our needs.

Applicant has signed a letter of intent to sign a formal fulltime contract upon approval of the Board.

Contract document will be provided at the meeting.

Sealcoat Parking Lots:

Contract with CML Services has been signed.

They may show up any day now. They plan to have all their work completed by October 1st.

Budget Commission:

Attended the County Budget Commission meeting and they are reducing our certification amount significantly in the Fire Fund (25,000) and Fire Fund-B (34,000) due to a legal appeal from Rockies Express Pipeline on their property valuation. This court appeal through the State will probably take up to five years or longer to settle. In the meantime, they will only be paying 50% of their assessment.

Safety Council:

Friday, September 16th, Topic is [*Back Injury Prevention*]

RPC:

Prosecutor's office held a training session on Variance Hearings on August 25th.

Upcoming Speakers:

Cris Barnett: Little Miami Watershed Network
September 20, 2022

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING
HELD SEPTEMBER 6, 2022**

Waynesville Area Chamber of Commerce
Has been invited: Date to be determined.

OLD BUSINESS: None

NEW BUSINESS:

A. Questions or Concerns Regarding the Bills: None

B. Legislation:

RESOLUTION 2022-57 NOTIFICATION OF INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF WAYNE TOWNSHIP FOR THE CALENDAR YEAR 2022

Mr. Patrick motioned to adopt the resolution. Ms. Colvin seconded the motion and upon call of the roll thereon the vote resulted as follows: Ms. Colvin – yea; Mr. Patrick – yea; Mr. Jacobs – yea. The resolution was therefore adopted the 6th of September 2022.

RESOLUTION 2022-58 A RESOLUTION LEVYING A SPECIAL ASSESSMENT ON LANDS IN WAYNE TOWNSHIP FOR STREET LIGHTING DISTRICTS

Mr. Jacobs motioned to adopt the resolution. Ms. Colvin seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Jacobs – yea; Mr. Patrick – yea; Ms. Colvin – yea. The resolution was therefore adopted the 6th of September 2022.

RESOLUTION 2022-59 APPROVE THE HIRING OF TANNER J. PATTERSON TO THE WAYNE TOWNSHIP FIRE DEPARTMENT AS A FULLTIME FIREFIGHTER EMT

Mr. Patrick motioned to adopt the resolution. Ms. Colvin seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea; Ms. Colvin – yea; Mr. Jacobs – yea. The resolution was therefore adopted the 6th of September 2022.

RESOLUTION 2022-60 APPROVE THE ACCEPTANCE AND HIRING OF MARCUS A. ROLL TO THE WAYNE TOWNSHIP FIRE DEPARTMENT AS A PART-TIME FIREFIGHTER PARAMEDIC

Mr. Jacobs motioned to adopt the resolution. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Ms. Colvin – yea; Mr. Jacobs – yea; Mr. Patrick – yea. The resolution was therefore adopted the 6th of September 2022.

RESOLUTION 2022-61 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Ms. Colvin motioned to adopt the resolution. Mr. Jacobs seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea; Mr. Jacobs – yea; Ms. Colvin – yea. The resolution was therefore adopted the 6th of September 2022.

C. Other: Street Lighting Districts. Mr. Edwards gave an update on assessments for subdivisions with streetlights, stating that in compliance with the 2019 contract with MVL there is a 5% increase for years 2023-2024. So, this year's assessment was calculated to collect those additional fees on

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING
HELD SEPTEMBER 6, 2022**

property taxes next year in order to have enough money in the streetlighting fund to pay the monthly costs.

CORRESPONDENCE:

Century Link: A notice of ownership change.

Medicount Management: Their 2022 Semi-Annual Report.

OTARMA: A notice seeking nominees for the upcoming Board of Directors election.

Rockies Express Pipeline LLC: A notice of mowing and clearing of pipeline right-of-way's.

AFLAC: Two letters, one apologizing for the inconvenience we recently experienced in the service received from the company and one saying controls have been put in place to correct actions that the company had recently taken concerning cancellation of coverage notices which were mistakenly sent to the township's employees.

ELECTED OFFICIAL'S COMMENTS: Mr. Jacobs thanked Wayne Township residents that may watch the video that is being recorded tonight of the meeting.

WORK SESSION:

Mr. Patrick read the information concerning the two Fire Department supporting tax levies, that will be on the November 8, 2022 ballot, which will be published in the Township's upcoming Fall 2022 Magazine.

EXECUTIVE SESSION: None

ADJOURNMENT: With no further business, at 8:17 pm Mr. Patrick motioned to adjourn. Mr. Jacobs seconded the motion, and all were in favor.

President, Board of Trustees