

**RECORD OF PROCEEDINGS**

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held \_\_\_\_\_

**Springfield Township Trustees**

**Date March 13, 2018**

**Regular Meeting**

**Meeting called to order by James Scoby, Board President Beginning 6:00 PM with the Pledge of Allegiance**

**Board Members Roll Call**

|                               |         |
|-------------------------------|---------|
| Trustee Tm Foley              | Present |
| Trustee Jim Scoby             | Present |
| Trustee John Roeder           | Present |
| Fiscal Officer Michael Hively | Present |

**Employee / Visitors in Attendance:**

**Employees: James Allen, Deputy Chief, Allan Neimayer, Jennifer Tuttle, Alex Turner, Vicki Gundolf**

**Visitors: Betty and Donald Elberfeld, Cindy and Bob Seelig, Roger See, Judy Sheridan, David Noble**

**APPROVAL OF PREVIOUS MINUTES Regular Session Dated February, 27, 2018**

Motion to approve by Mr. Foley

Second by Mr. Roeder

Discussion None

Roll Call

|               |               |                |
|---------------|---------------|----------------|
| Mr. Foley Yes | Jim Scoby Yes | Mr. Roeder Yes |
|---------------|---------------|----------------|

**Departmental Reports**

**Road Department Alex Turner**

**Mr. Turner** reported that the Township was out bid on the Vac truck but he will continue to look for another Vac truck. Informed the Trustees that there was a trash complaint along Ridge Road at Love's Truck Stop and the crew cleaned up the trash.

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There was a drainage complaint at 3025 Hilldale Road. To correct the issue, the crew installed a French drain to alleviate the flooding on the road.

## **Fire / EMS Deputy Chief James Allen**

**Chief Allen** gave an update on contacting Fire Personnel who are no longer participating and they have recovered several sets of turn out gear. Also continuing relocating apparatus to more efficiently serve the Township Residents.

**Mr. Roeder** asked for an update on the MARC radio system.

Chief Allen stated all equipment is in and P & R is currently programing the equipment.

**Mr. Foley** asked if the EMS staffing issue is still improving?

**Chief Allen** stated there continues to be improvement is filling time slots.

## **Cemetery Vicki Gundolf**

**Ms. Gundolf** reported that it has been very busy with funerals and grave sales. She presented a recommendation for fee increases and stated the Vale Cemetery fees all significantly lower than other Cemeteries. She also stated she wanted to change the rule on Monument height to be no higher than four (4) feet.

She presented financial reported \$10,986 in revenue for January through March 9th from 6 grave plots sold and 12 funerals.

She gave the Trustees a list of maintenance items that she requested to be completed in the Spring and early summer.

Shared with the Trustees preliminary estimates for building a pole barn. Clark County Technical School has expressed interest in doing the project for the incoming Junior Class. She gave a map to the Trustees showing drainage issues near where the pole barn would be located. The area highlighted has 150 grave sites that should not be sold unless the drainage issue is corrected.

## **Zoning No Report**

## **Fiscal Officer Michael Hively**

**Mr. Hively** gave an update on the claims being processed by the court appointed receiver for OPEC-HC our health insurance carrier for 2017. The Receiver sent an email stating claims are being paid and they included a letter from the court that employees could use for any claim that might have been sent to collections by the medical provider.

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He also informed the Trustees that a Fire Department personnel has requested an executive session to appeal action that is being taken against them. The executive session could be held next meeting if the Trustees approve.

Also Stated that the Township received the first semi-annual tax payment and the Township recovered the Grass Abatement Assessments file in the Fall of 2016 and summer of 2017.

Mr. Foley made a motion to hear the Firefighters appeal at the next Trustee meeting.

Seconded by Mr. Roeder'

Roll Call

Mr. Foley Yes

Mr. Scoby Yes

Mr. Roeder Yes

Mr. Hively asked the Trustees if they had questions of the financials?

Trustees had no questions.

Old Business

Compost Facility

Mr. Foley stated that over the last month, there have been discussions with Bob Mosier, President of Lawn Masters, regarding continuing our joint venture at the compost facility into 2018. Many alternatives were discussed and Mr. Foley stated he would like to make a motion to continue the joint venture with Lawn Masters into 2018.

He further explained that the original agreement drafted in 2017 by our legal counsel may need some revision. The basic agreement can be close to the same for hours of operation, length of season, liability coverage, manpower, freedom to terminate agreement at any time, etc. Free basic mulch and basic compost will continue to be provided to Township Residents.

Mr. Foley suggested the Township reimburse Lawn Masters \$22,000 for the seven-month season, paid monthly in arrears as reimbursement for fuel, equipment wear and repairs

Added to a new agreement would be that any dumping of any material, digging, changing the topography of the facility by Lawn Masters must be pre-approved by the Trustees.

Mr. Foley restated the motion to continue with a joint venture with Lawn Masters into 2018 with the finalized resolution to be presented at the

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next meeting after the agreement is reviewed and revised by our legal counsel and Lawn Masters.

Motion seconded by Mr. Roeder

Roll Call

Mr. Foley Yes

Mr. Scoby Yes

Mr. Roeder Yes

New Business

Township Right-a-Way Usage

Mr. Neimayer informed the Trustees that recently a request was made to use a public right-a-way off of Geron Drive to access a land locked parcel that is in Springfield Township. The land locked parcel is owned by the property that is annexed to the City of Springfield. Due to the shape of the City lot and the location of the house does not provide room for access to the back of the property. As a result, the only access to the land locked property is through the Public access. (A map was presented to the Trustees)

The potential buyer of the property is requesting permission to access the land through the Public-Right-A-Way.

Mr. Neimayer pointed out that on property owner north of the right-a-way has constructed a concrete drive way in the right-a-way. He also stated he cannot speak on whether there was prior permission granted to construct the drive way. The property to the south Mr. Neimayer stated the owner would not have a need to use the right-a-way to access his property.

Mr. Neimayer explained the options and process available to the Trustees. One would be the Trustees start the formal process to vacate the right-a-way. A second option would be leave the parcel a Public-Right-A-Way then the Township would enter an agreement with the property owners on the use of the right-a-way. The third option would be the Trustees take no action and let the property owners use the right-a-way.

The property owners and the Relator are present if they wish to speak or ask questions.

Mr. Foley asked if the formal process would require surveys and who would pay?

Mr. Neimayer stated since there are four properties touching the right-a-way there would need to be surveys to show the right-a way split among

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the four property owners. Who would pay for the survey needs to be answered by legal counsel.

**Donald Elberfeld 532 Geron Drive**, addressed the Trustees stated he bought his property from the developer because the developer stated Van Buren would be extended to Kramer Rd. He claimed that County Planning told him that when that when the plans for extending Van Buren were cancelled that thirty feet of the easement would go to each of the property owners. Mr. Elberfeld claims there is no easement since the County cancelled the road extension. He asked if the Trustees had any questions and there were none.

**Mr. Foley** asked Mr. Neimayer what was the difference between an easement and right-a-way?

**Mr. Neimayer** stated it is not uncommon for these subdivisions to have right-a-ways that are planned for future roads and for various reason the road extensions never happen but the right-a-way still exists for the development of the road.

**Mr. Foley** stated that the issue is for years we have had this right-a-way that has been claimed by neighbors and now there is someone new who wants access to a land locked property though this right-a-way.

**Mr. Roeder** asked what were the plans for the property at the back of the right-a-way?

**Roger See**, Relator, stated the purchaser of the property wants to build a garage to store their RV.

**Mr. Foley** asked Mr. Neimayer if a curb cut would be needed to add a drive way.

**Mr. Neimayer** said yes.

**Cindy Seelig 528 Geron Dr.** asked what kind of garage would be built when they already have a garage attached to the house?

**Roger See** responded that they have a camper and a Ford tractor they want to store in the pole barn. Hey will not be running a business out of the barn.

**Cindy Seelig** stated she would not mind letting them use the drive way but not if they were running a business out of the garage.

**Mr. Roeder** asked Ms. Seelig if she is saying she would allow the extension of her drive way to access the property behind them

**Cindy Seelig** stated yes, she would not object to their using the drive way. She stated the drive way was built using the marker that was put in by the developer marking the thirty feet.

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**Mr. Scoby** stated that since Ms. Seelig is agreeable then they would pursue the option creating an agreement among the property owners.

**Cindy Seelig** agreed with Mr. Scoby's statement and stated then Mr. Elberfeld's thirty feet would not be disturbed.

**Mr. See** agreed

**Mr. Roeder** stated that we would need an agreement to vote on which would not mean the right-a-way was being vacated.

**Mr. Neimayer** stated he would begin working on the agreement with legal counsel.

**Resolutions**

**Resolution: 2018- 40**

BE IT FURTHER RESOLVED by the Township Trustees to approve hiring Michael Williams as Cemetery Seasonal Worker effective pay period beginning March 26, 2018 at an hourly at of \$14.00 per hour.

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion None

Roll Call

Mr. Foley Yes

Mr. Scoby Yes

Mr. Roeder Yes

**Recognition of Special Guests**

NONE PRESENT

**Open to the Public**

**Bethany Allen** wanted to thank the Trustees and the Township Fire Department for your support to us and her husband Deputy Chief Jamie Allan during the loss of his farther. The family appreciated the flowers and thoughtfulness by all.

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**Closing Remarks by Trustees and Fiscal Officer**

**NONE**

**Next Meeting March 27<sup>th</sup> starting at 6:00 PM**

Motion to adjourn Mr. Foley

Second by Mr. Roeder

Discussion None

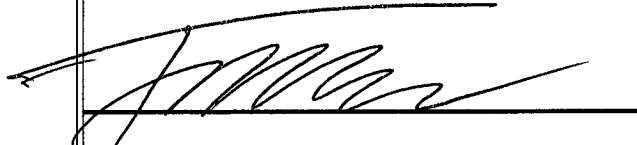
Roll Call

Mr. Foley Yes

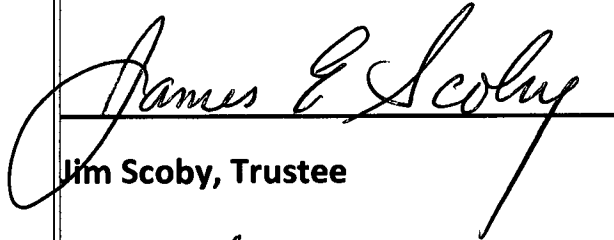
Mr. Scoby Yes

Mr. Roeder Yes

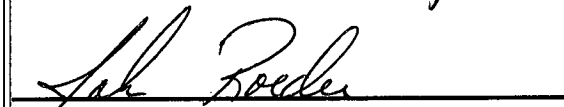
**Board Certified**



**Tim Foley, Trustee**



**Jim Scoby, Trustee**



**John Roeder, Trustee**



**Michael Hively, Fiscal Officer**