

the regular session of the Washington Township Trustees

at the Township Hall, Lewistown, Monday, 6:30 PM April 14, 2008

The Washington Township Trustees met in regular session on Monday, April 14, 2008 at 6:30 PM at the township hall with Trustees Rick Beck, Jim Hurley and John Stemble present. Others present: Howard Gantt, Reno Cameruca, Police Chief Rick Core, Monty Forsythe, Steve Cummins, Mark Gibson, and Bruce Tracey.

The meeting was opened by Chairman, John Stemble with the Pledge of Allegiance to the flag. Fiscal Officer, Lisa Miller read the roll call.

Trustee Beck made a motion to waive the reading of the minutes and accept them as written. Trustee Hurley seconded the motion. All answered "Aye" – motion passed.

The clerk presented and Trustee Hurley made a motion to pay the following bills:

<u>Check Number</u>	<u>Amount</u>	<u>Vendor</u>
3158	789.15	Rick Beck
3159	1221.68	Randy Beck
3160	396.89	Reno Cameruca
3161	1071.33	Rick Core
3162	1306.66	Jason Faulder
3163	1554.17	Howard Gantt
3164	908.37	Lisa Miller
3165	1417.56	David Newland
3166	276.81	Theresa Newland
3167	1227.64	Adam Niederkohr
3168	795.83	John Stemble
3169	941.96	Charles Wirick
3170	726.90	Jim Hurley
3171	1934.58	Internal Revenue Service
3172	358.21	Treasurer of State of Ohio
3173	3925.41	OPERS
3174	205.74	Acusport Corporation
3175	6209.05	BWC
3176	977.48	Champaign Landmark Inc
3177	1593.09	DP&L
3178	196.34	Embarq
3179	282.46	Jason Faulder
3180	10.98	Huntington Bank
3181	100.00	Joint Board of Cty Commissioners
3182	32.11	Lakeview Hardware Co., Inc.
3183	53.79	Lowe's Business Account
3184	152.97	Nextel Communications
3185	256.63	Nextel Communications
3186	8195.00	OTARMA Insurance Services
3187	161.44	Pamela Stemble
3188	214.00	Randy Beck
3189	2.94	Rick Beck
3190	165.07	Terry Beck
3191	43.99	The Phone Store - Bellefontaine
3192	795.00	Treasurer of State
3193	261.00	Treasurer of Logan County
3194	67.36	Troyer's Engine Shop
3195	207.68	Wren's Auto Parts & Service
3196	84.00	Postmaster - Lewistown
3197	145.94	Lowe's Business Account
3198	53.40	USA Mobility Wireless
3199	707.44	Gillespie Acquisitions, Inc
3200	164.19	Duff Quarry, Inc.

Trustee Beck seconded the motion and all answered "Aye" - motion carried.

The clerk also presented the Trustees for the period of 03/01/2008/2008 – 03/31/2008 a Fund Status Report, Receipt Register, Appropriation Status, Revenue Status, and Bank Reconciliation for their review and signature. Trustee Beck made a motion to approve the financial reports. Trustee Hurley seconded the motion and all answered "Aye" - motion carried.

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CLERK BUSINESS – Lisa Miller

- Motion to approve **JMJ Cement Contractors** estimate to perform work to the cemetery mausoleum in the amount of \$3,300.00. Trustee Beck made a motion to approve the repair to the mausoleum by JMJ Cement Contractors and Trustee Hurley seconded the motion. All answered “aye” and the motion was passed 3-0. Clerk will prepare a purchase order for this work to be completed.
- Two estimates were received and considered for the catch basin work at Five Parks:
 - ☑ **Bobcat Multi-Works - \$7,350.00**
 - ☑ **Hurley Excavating - \$6,825.00**Trustee Stemble made a motion to **accept the Hurley Excavating** estimate in the amount of \$6,825.00 and Trustee Beck seconded the motion. All answered “Aye” and the motion was passed. Clerk will prepare a purchase order for the work to be performed and send letters to Bobcat Multi-works and Hurley Excavating.
- The clerk presented to trustees mail received during the month of March, 2008:
 - ☑ Huntington National Bank – Ohio Public Funds Pooled Collateral Position for Month Ending 3/31/08
 - ☑ Warranties expiration notice from Apple Farm Services for the Tractor and Mower purchased last year – warranties expire 5/15/08.
 - ☑ Board of the Logan County Health District Regular Session Minutes from 3/12/2008
 - ☑ Logan County Board of Elections invitation to their Open House on April 16, 2008 from 3:00-6:00 PM at 225 S. Main Street (new location)

POLICE DEPARTMENT – Chief Core

- Article in paper regarding open burning – Chief Core will take care of placing the ad and wording it according to ORC. He understands people have leaves this time of year, composting is preferred. There is an open burning ordinance in Washington Twp - rule is has to be contained in a reasonable size fire ring and only cured wood can be burned in there. Green stuff can't burn, no trash, no bldg materials, no animal feces, no garbage. Chief Core noticed there are also a lot of places in the twp that could use a NCC visit - Clark St in Five Parks 15-20 bags of garbage at the end of the street. **Monty Forsythe: WHAT DO YOU DO WHEN YOU GET A CALL? Chief Core:** We inform the person there is an open burning law in the township and ask them to extinguish it. If they have been notified before, we issue a citation.
- **MONTY: WHAT IS THE LAW ON HARRASSMENT - DISTURBING THE PEACE:** Chief Core: - if there is a disturbance going on at one property causing an issue with a neighbor - disorderly conduct. If one person is stopping another person from enjoying their property, we can use that citation. We prefer to mediate and not take the person to jail.
- **MONTY: DOG BARKING – WHAT IS THE ORDINANCE?** Chief Core Replied: Treated the same way. Again, we prefer not to take them to jail. We provide a shock collar for free and they would attach to the dog. When the dog barks, it sends a small shock. **MONTY: If owner says NO?** Chief Core: we provide a copy of the law and same as above except dog being a nuisance and stopping neighbor from enjoying their property.
- Quarterly Report - 189 calls for service (welcome to take a look at it). First Qtr 08 - 379 calls for service that does not reflect juvenile incidents as they don't report the same way municipal court does nor does it include common pleas court. Pretty active quarter and last month. Our activity log is starting to increase - resort area in warmer months draws a lot more people. Our focus is the same - high visibility in all areas.

ROAD DEPARTMENT - Howard Gantt

- Cutting brush and trimming trees - finished Montgomery Drive. Section of 33 on the other side of 47 to do yet - hit & miss from there. Trustee Beck: We finished Betty Cummins except for about 50-75' where you guys stopped. She would like that finished.
- Took two trustees to Five Parks that has a drainage problem - needs fixed before paving.
- If you want to sweep any intersections or roads - contract it out. The only truck it would go on - brakes are going out on it. Trustee Beck: You have some bids don't you? Howard: I called Hensley's and Randy called Lima Flack. State swept along 366 along the Smith Addition. Discussion tabled for now due to truck problems.
- IH truck at White's is done - needs picked up.
- Cleaned up brush at Cemeteries / Quonset Hut and turned on water
- Howard presented some estimates fro sweeping the streets ourselves by renting a sweeper attachment or hiring it out through Ray Hensley. Trustees decided to table any decision for sweeping the streets.

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ROAD DEPT – CONT'D – Howard Gantt

- **TR 33** has dropped off and trustees are afraid that it's too much of a drop - needs gravel to bring it back up to height. Trustee Beck to Howard: You're hauling dirt out of Pirates Cove and using it to fill berm on 94, right? Howard: Yes
- **Orchard Island** – Trustee Stemple mentioned the tree on OI. Trustee Beck confirmed he had received a phone call from guy who lives across from Hummell and Sharon Hayes. There is a tree dropping some huge limbs. It's in the alley beside Sharon's house. We went back and the survey stakes are there. We looked at Sharon's, the new one - it's probably 75% ours and probably 25% an older couple. Trustee Beck suggested the township take the whole thing down but we first need to find those people and get their permission Trustee Hurley mentioned that might be hard to do as they didn't respond to any of our other letters we sent to mow and clean up his yard.
- **Township Cleanup** Fiscal Officer Lisa Miller asked if we were going to have the annual township cleanup as we have done in prior years. She stated if so, she will call and get prices. Trustees all agreed it was nice to do this for Washington Township residents and to please get prices lined up for our next meeting where we will make the decision.
- **TR 61** – Trustee Hurley asked about a crack in 61 (road behind HTM). Did Howard or John talk to Scott Coleman about it. Howard: He called Mark Coleman a couple of weeks ago to see if he would look at it and what we should do about it. Trustee Beck asked Howard to follow up with Scott Coleman on this item.

ZONING DEPARTMENT - Reno Cameruca

- Darrell Crockett called about the ditch out there (213) - blowout in the field. Howard worked on it on down the line. Darrell called and he's having more problems with it. He called this afternoon and said he could meet with us. TRUSTEE BECK: Let's fix this right. John and I measured and its 300' straight line right down the ditch. TRUSTEE STEMBLE: I want to know where it comes from and where it's going to. It's broke down at the RR someplace. We will meet with Darrell and talk to him so we can figure out what needs done. TRUSTEE HURLEY: its county tile; not ours. TRUSTEE STEMBLE: The County says they don't have county tiles anymore and they don't take care of them. TRUSTEE HURLEY: If it's 300' just ask Darrell what 300' of 14's is going to run you. TRUSTEE BECK: the best thing to do is go out there and talk to him.
- Reno wrote three permits last month. People waiting on weather to break.
- Sent out two different letters regarding variances to two different attorneys. Got lots of calls on that. Lots of calls about buying that farm on 94. Mostly checking up on people and making sure everyone is doing what they should be.

LUC BOARD – Trustee Beck

- Have the minutes - March 13 and Executive Committee Mtg held on April 10th.

FIRE BOARD – Trustee Stemple

- Meeting minutes from the February 19th meeting – routine.

EMS BOARD – Trustee Hurley

- Meeting minutes from January and March 26th meetings - runs were 72 in January, 73 in March, 89 in February. We voted and purchased a new ambulance at the last meeting - take approximately three months before we get it. By middle to end of summer a brand new ambulance will be running.

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PUBLIC COMMENTS

➤ **STEVE CUMMINS**: where are we on the Amish houses being built?

Trustee Beck: based on a permit that our previous zoning inspector wrote - and according to Jerry Heaton, how do we know that it's a house and not a barn. When does the barn change to a house and does it constitute the 300' of frontage, because if it doesn't it violates our zoning. The area we saw today is 100-150' in front of the milk house. That's what the permit was for - an addition to the existing building. That permit is done - over.

Trustee Stemple: the permit that Bob wrote them, this permit says an attachment, it doesn't say anything about a new structure.

Trustee Beck: this is a whole new structure - 100-150' which is completely different.

BRUCE TRACY: is this the one that Bob wrote a blanket permit for?

Trustee Hurley: no, this was specific for an attachment to the existing building.

Trustee Beck: me and John were there - we sat in their driveway for 1/2 hour and decided that the one Bob wrote is null and void. That's done. So, if they are trying to build a house there, it must conform to the 300' of road frontage.

Trustee Stemple: Do we know it's a barn or a house?

Trustee Beck: we have to go back to Jerry Heaton - as we only showed him what Bob had written at that time. Now, it's a whole different area so that makes that permit null and void.

STEVE CUMMINS: they are telling all of you guys that it's a barn - and once it's up, they are going to live in it; it will be a house.

Trustee Hurley: you can't build something and turn it into a house

BRUCE TRACY: my dealings are limited but they do what they damn well please.

Trustee Beck: if we have to make precedence with this case - we will.

Trustee Stemple: but, if they build it and then they have to tear it down, they won't like it.

STEVE CUMMINS: here is the zoning law - black and white. If I have to follow it, everyone should have to follow it.

Trustee Beck: that's right, if you go by that book, then you are right. We need to bring the zoning board of appeals and the zoning commission together and discuss.

Trustee Hurley: We tell you where you can build, size, set asides, road frontage, But, we can't tell you what to build. City of Bellefontaine does that.

Trustee Beck: there are no flag lots allowed in Washington Twp anymore. Example: No driveway down your house and son/daughter takes off from there so they can build a house on your property. Everyone must have 300' of road frontage. We need to set a meeting with Heaton.

STEVE CUMMINS: otherwise give me back my \$56 and everyone else who you have written a permit for.

Trustee Beck: we are 99% sure it is going to be house. But, legally, we need to talk to Jerry Heaton.

STEVE CUMMINS: last week a guy sat there and talked about part of his barn was going to be a house / part a barn. Why would he need a permit?

Trustee Stemple: because 1/2 of his building will have electric, plumbing, etc.. Do you want to contact Jerry?

Trustee Hurley: If it's a house you need a permit from us, from the county, and occupancy rights.

Trustee Beck: who's going to make the formal complaint?

Trustee Hurley: Building Authority

Trustee Beck: my feeling is we put a stop work order on it. Only Reno can do that. If he does, you better make sure we are putting a stop work order on.

STEVE CUMMINS: when he says you can't enforce zoning on agriculture - I think that's baloney. I have cattle but there should be at least 50' setback for any barn.

Trustee Stemple: Let's set up a meeting with Jerry Heaton

Trustee Beck: if we have to go to court - then we will, otherwise, we might as well burn that book.

Trustee Hurley: Action Item for Trustee Hurley- Jim will contact Jerry Heaton to set up a meeting 599-7272

Trustee Stemple: Bruce, do you have anything?

Bruce TRACY: nothing really - interested in answer regarding the Amish. I've been to a few meetings and listened to you fellows regarding up at the lake - what a mess. I brought up the sign situation as you can easily remedy that w/o Jerry Heaton.

Trustee Beck where in particular?

BRUCE TRACY: on CR 13, Cherry Hill Road, they are all over the place

Chief Core: I can enforce them taking it down.

Trustee Hurley: if it's on private property, they can't do it. On our property we can enforce it.

BRUCE TRACY: if over 6 sq ft, they have to have a permit even on private property. Read your zoning book. You have to start with them somewhere.

Chief Core: most of the time, they are on the state right-of-way.

Trustee Beck: can you check to find out who has the ability to take care of this?

BRUCE TRACY: call ODOT and they will get back to you on it.

Chief Core: garage sale sign dispute. ACTION ITEM: Call ODOT

Reno Cameruca: zoning inspector stated a permit must be given for signs.

STEVE CUMMINS: what about farm signs - Pioneer Seed, Cummins Cattle Cove

BRUCE TRACY: It's not in the road right-of-way, is it?

Reno Cameruca: if it's not blocking anyone's view and is on private property - you're ok.

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Motion to go into Executive Session at 7:58 PM made by Trustee Stemble - seconded by Trustee Hurley. Roll call was taken by Fiscal Officer Miller – all trustees replied with “Aye” and a vote of 3-0 to go into Executive Session to discuss purchase of property for public purposes (dump truck).

Trustees and Fiscal Officer then adjourned into Executive Session. Trustees and Fiscal Officer returned at 8:58 PM from Executive Session and Chairman, Trustee Stemble called the meeting back into order.

Trustee Beck made a motion to advertise for a 2008 or 2009 Dump Truck - beginning this week and to run the ad for at least two weeks. Trustee Stemble seconded the motion. All answered “Aye” and the motion was passed 3-0 to place the ad for bids. Fiscal Officer, Lisa Miller, has some questions for Jerry Heaton that she will ask and get back to the trustees with his reply.

With no further business to come before the group Trustee Hurley made a motion to adjourn at 9:27 PM. Trustee Beck seconded. All answered “Aye”. Motion carried. The next board meeting is scheduled for **Monday, May 12, 2008 at 6:30 p.m.** at the township hall.

Lisa A. Miller, Fiscal Officer

John Stemble, Chairperson

Rick Beck, Vice Chairperson

Jim Hurley, Member