

>>>BLOOM TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING 03/09/05<<<

Joseph Smith, Chairperson, called the meeting to order. Members present were Trustees Smith, Larry Coyle, David Petty, and Carol Moore, Clerk. Also present were Anne Darling Cyphert, Admin. of Board Office & Bldg/Zoning; Tom Scholl, Road Department Superintendent; Terry Gill, Fire Chief; and several interested citizens. Smith led in reciting the Pledge of Allegiance.

PUBLIC COMMENT:

- Casey McKinnley, DBI Land Company DBA DiYanni Homes: said a bond was delivered to Tom Scholl. Details still need to be worked out regarding the bond. Coyle stated he received a fax at home regarding the project. He asked for the language to be clarified and then faxed back to his home. Casey said he will get the language on the \$15,000 insurance bond and will attach an agreement with the particulars and fax it to Coyle for review. Scholl expressed his disappointment that DiYanni's trucks were not following the verbal agreement. Scholl said he had witnessed the violation. McKinnley said maybe the truck driver can't read.

Motion by Coyle, second by Petty to approve minutes of the 2-23-05 public hearing and the 2-23-05 regular meeting. Motion carried 3-0.

CLERK REPORT:

- Motion by Petty, second by Coyle to approve payment of bills in the amount of \$66,477.31 and Payroll/charges in the amount of \$33,027.76 after being certified by the clerk that funds are available. Motion carried 3-0,
- Girl Scout Troop 2616 Rock Mill clean-up project scheduled for March 26th at 10:00 a.m. Kristina Burnside, Girl Scout Leader and Fairfield Historical Parks volunteer emailed Clerk Moore to invite the township officials to help with the efforts to clean up the Rock Mill area. Coyle said he doesn't want the Board to endorse this clean-up effort as it could be hazardous to the Girl Scouts. Petty stated he also believes it is dangerous. Moore said the email did not request an endorsement but was an invitation to help in the clean-up efforts. The trustees will not attend.
- 3rd RE Tax advance received \$576,000:

FIRE:	\$408,000
ROAD & BRIDGE	\$ 69,000
ROAD IMPROVE.	\$ 99,000

Next week will be the final 1st half RE tax advance: \$3,000 Fire, \$3,000, and Road Impr., \$2,000 R&B.

- Moore provided sample policies for vacation leave accumulation and for and sick leave payout. Petty had requested at the previous trustee meeting that the vacation leave policy be reviewed and compared to the firefighters' contract. Moore had requested that a sick leave pay-out policy also be adopted so she would have clear guidance on how to handle a payout should it become necessary.

Moore explained that sick leave payout would be based upon Ohio Revised Code if no policy is adopted by the trustees. This is per the opinion on file with the Clerk that was previously provided by the Prosecutor's Office. Coyle would like more time to review the policies but suggests going with ORC for now.

RESOLUTION #19-05: BE IT RESOLVED BY THE BLOOM TOWNSHIP BOARD OF TRUSTEES that the sick leave policy is adopted according to ORC 124.39 © as follows and is subject to later amendment by the trustees:

124.39. Payment for unused sick leave upon retirement.

As used in this section, "retirement" means disability or service retirement under any state or municipal retirement system in this state.

- (A) (1) Except as provided in division (A) (3) of this section, an employee of a state college or university may elect, at the time of retirement from active service and with ten or more years of service with the state or any of its political subdivisions, to be paid in cash for one-fourth of the value of the employee's accrued but unused sick leave credit. Such payment shall be based on the employee's rate of pay at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. Such payment shall be made only once to any employee. The maximum payment which may be made under this division shall be for one-fourth of one hundred twenty days.
- (2) A state college or university may adopt a policy allowing an employee to receive payment for more than one-fourth the value of the employee's unused sick leave or for more than the

aggregate value of thirty days of the employee's unused sick leave, or allowing the number of years of service to be less than ten.

(3) Notwithstanding the provisions of division (A)(1) of this section, any employee who retired from the university of Cincinnati on or after September 25, 1978, and on or before November 15, 1981, may be paid in cash for up to one-half of the value of the employee's accrued but unused sick leave credit up to a maximum of sixty days if the employee otherwise meets the service and other requirements necessary to receive such payment and if any such payment has deducted from it any amount previously paid to the employee from the employee's accrued but unused sick leave credit at the time of the employee's retirement.

(B) Except as provided in division (C) of this section, an employee of a political subdivision covered by [section 124.38](#) or [3319.141](#) [3319.14.1] of the Revised Code may elect, at the time of retirement from active service with the political subdivision, and with ten or more years of service with the state, any political subdivisions, or any combination thereof, to be paid in cash for one-fourth the value of the employee's accrued but unused sick leave credit. The payment shall be based on the employee's rate of pay at the time of retirement and eliminates all sick leave credit accrued but unused by the employee at the time payment is made. An employee may receive one or more payments under this division, but the aggregate value of accrued but unused sick leave credit that is paid shall not exceed, for all payments, the value of thirty days of accrued but unused sick leave.

(C) A political subdivision may adopt a policy allowing an employee to receive payment for more than one-fourth the value of the employee's unused sick leave or for more than the aggregate value of thirty days of the employee's unused sick leave, or allowing the number of years of service to be less than ten. The political subdivision may also adopt a policy permitting an employee to receive payment upon a termination of employment other than retirement or permitting more than one payment to any employee

Motion by Coyle, second by Petty.

ROLL CALL:

Coyle: yes

Petty: yes

Smith: yes

Motion carried 3-0.

Vacation policy discussion: Petty suggested the trustees adopt the same vacation policy for the non-union employees that the firefighters currently have. After a short discussion, the trustees decided against making a change in vacation policy and agreed that Resolution #29-02 remains in effect. Further clarification was given that Cyphert is considered fulltime with 25 hours per week for each vacation and sick leave.

- Meeting announcement: MAR 19 is Fairfield Co.TWP Trustees/Clerks/Assoc.members @ Amanda TWP Firehouse. @ 6:00 p.m.

OLD BUSINESS:

- Cemetery Issue: Underpayment from Adams still not collected: Scholl doesn't know what to do. Since Scholl has failed to contact the plot owner, Petty said not to open other graves at same plot until payment is collected. Smith suggested Jerrold Schwarz send the plot owner a letter. Petty added that the letter should be firm but pleasant.
- Fire Association has outstanding checks that have not been cashed. One is dated December of 2004. Frank Reis will check into it.
- Greencastle Update: Cyphert reported that she spoke with Barry Holmes of M-E Engineering. Holmes has spent a lot of time redoing the plans that had been produced by architect Trepicone. He is re-costing the plans with one ADA compliant restroom, molded outside wiring, and other modifications. Holmes would like to meet with Kokosing who needs parking space for the county Lithopolis Rd widening project. They may be able to work an arrangement where Kokosing could use the drive in exchange for paving it. Scholl said if they lay a new parking lot, they should run a conduit pipe under it for future building. Cyphert said Holmes plans to attend the next trustee meeting to discuss details.

BLDG/ZONING & BOARD OFFICE REPORT:

- Anne Cyphert reported on the 2004 permits:
2004 COUNT ON PERMITS

NEWHOMES ADDITIONS ACCESSORYBLDG POOLS SIGNS

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New Home Average Cost = \$366,082

Highest Cost Home = \$1,400,000

Lowest Cost Home = \$190,000

JANUARY, 2003 TO DECEMBER, 2003

NEW HOUSES
SIGNS

ADDITIONS

ACCESSORY BUILDINGS

POOLS

54

11

47

6

7

- RPC Request for Comments, Cedar Knoll & Rockmill Estates: Cyphert informed the trustees they are welcome to issue comments on these projects by the March 18 deadline.
- Re-inspection Fees: Cyphert recommended increasing re-inspection fees to \$75 from \$50 to help cover the township's costs. The trustees suggested the fee should be higher especially given that the property owner has a chance to make the correction prior to any fee being levied.

Motion by Petty, second by Coyle to increase re-inspection fees to \$100. Motion carried 3-0.

- Appeals Board: Cyphert confirmed that the trustees believe it is the duty of the Board of Zoning Appeals to hear any appeals regarding decisions of the building inspector as well as the zoning inspector.

FIRE DEPARTMENT REPORT:

- Chief Gill announced that Frank Reis has received the Knights of Columbus Blue Coat Award for Bloom Township. Gill complimented Reis on his job performance with Bloom Township Fire Dept.
- Gill said they dropped Fairfield Internet and are signing up with SBC at an increase of \$10 per month. That led to an investigation in paging prices. They are changing to Verizon pagers at a \$450 cost savings per year.
- Gill presented the Bureau of Workers' Compensation policy that would reduce our premiums for a substance-free (drug-free) workplace program. The cost is \$4000 with Working Partners Systems with \$3000 (75%) to be reimbursed by Workers' Compensation and annual premium savings expected.
- **Motion** by Petty, second by Coyle to authorize Chief Gill to further investigate the substance-free (drug-free) workplace program through Working Partners Systems . Motion carried 3-0.
- Gill presented a letter from the union, Local 3465 requesting that an Engine company respond with Medic 551 on Emergency Medical calls. See Attachment A. The trustees agreed to discuss the issue at a future meeting with union representatives.

Motion by Petty, second by Coyle to hold a special meeting on March 23, 2005 at 6:30 p.m. and further special meetings also to be held at 6:30 p.m. before the last regular trustee meeting of the month for each quarter at 36 E. South Street in Lithopolis. The purpose of these meetings is to review and discuss fire department issues. Motion carried 3-0.

- Gill reported on items purchased by the Firefighter Association. The association has been a funding source for tools in the department. Reis displayed a \$950 multipurpose rescue saw that the association purchased. They have also purchased extrication gloves for the fulltime firefighters and they are replacing some folding chairs at the department.

ROAD DEPARTMENT:

- Tom Scholl asked how much money he has to spend for road projects. The clerk has presented status reports to all department heads regarding their budgets. He asked what Clerk Moore learned at the FEMA debris grant meeting. Moore said the next step is that the FEMA project manager assigned to our area will contact our official authorized representative, Dave Petty, to set up a meeting to go over the township's needs. Moore said Tom should also be involved in meeting with the project manager. Thought should be given to improvement projects that would protect against future storm damage, such as enlarging a culvert or other preventative measures that might be eligible for FEMA funding.
- Regarding his budget needs, Tom said he will not need to order any more salt. Moore said she has not received an invoice for the chipper. Scholl said that's because he has not purchased it yet. Coyle said he is having second thoughts about purchasing a chipper after he saw a

chipper on Pickerington Road and a homeowner who drug debris out for the county. Smith said the county had told people to put the debris out.

Coyle questioned \$219,000 in Road & Bridge Fund and the availability of those funds. Petty said \$380,000 could be used for road projects and Smith suggested perhaps \$80,000 should be saved for other projects or overlays. Petty suggested spending \$320,000 on the Summer Road Project and saving back \$60,000 for the Brandt Road project. Scholl said the Brandt Road project would require tree and dirt work before any improvements. Scholl will talk to Robert Stebelton who owns properties around there for possible cooperative effort.

Coyle asked what we are going to do about a truck for Tom. Scholl presented estimates he received from various companies on state bid contract. Petty asked what fund it would be paid from. Petty said only \$5000 is available in the line it should come from. Coyle suggested moving it from another line. Petty does not believe it should come from another line due to lack of funds and due to some being used for other purposes. Petty said the contracted tree work took a serious bite out of the budget. Smith said if FEMA money is received, that would be a possible source of funding for a new truck but those funds are not guaranteed.

RESOLUTION #20-05: BE IT RESOLVED BY THE BLOOM TOWNSHIP BOARD OF TRUSTEES that the clerk is authorized to advertise for bids for the Summer Road Project and to specify the performance bond at \$320,000.

Motion by Petty, second by Coyle

ROLL CALL:

Coyle: Yes

Petty: Yes

Smith: Yes

Resolution carried, 3-0.

Tree bid discussion: Petty said the tree bid draft presented at the last meeting should have the following language added to it: "To be used in Large Cleanups from a State of Emergency. Unit price contract rate of either or both cubic yards and tons."

RESOLUTION #21-05: BE IT RESOLVED BY THE BLOOM TOWNSHIP BOARD OF TRUSTEES that the clerk is authorized to advertise for bids for tree work and debris removal for the remainder of 2005 using the Bid Form as submitted by Moore and amended by Petty; further that the accompanying Bid Evaluation Form is also approved.

Motion by Petty, second by Coyle

ROLL CALL:

Coyle: Yes

Petty: Yes

Smith: Yes

Resolution carried, 3-0.

At the request of Chief Terry Gill, there was a **Motion** by Coyle, second by Petty to enter into executive session for Fire Department "personnel matters." Motion carried 3-0.

Upon return to the general meeting room there was a **Motion** by Coyle, second by Petty to exit executive session. Motion carried 3-0.

Smith adjourned the meeting.

Joseph Smith
Chairperson

Carol J. Moore
Clerk