

>>>BLOOM TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING 08/24/05<<<

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, Board Office Admin. & Bldg/Zoning Admin; Tom Scholl, Road Department Superintendent; Terry Gill, Fire Chief; and several interested citizens. Smith led in reciting the Pledge of Allegiance.

PUBLIC COMMENT:

- **Noxious Weeds:** Cyphert reported that a legal notice was run in the newspaper regarding the Gamble property on Alspach Road. No one from the public was present to address the issue. The weeds can be cut after seven days from this date with costs forwarded to the auditor's office for the owner's tax bill. Smith will contact a weed cutting business to do the mowing. Smith said he anticipates that written notarized complaints and photos will be coming in on two properties in Greencastle and one on Slough Road.
- **Barry Holmes: M-E Building Consultants:** reported the HVAC is completed and the well is in and is pumping really good water at the Greencastle property. Softener is recommended or reverse osmosis system. If the township is not installing water fountains, a letter will be required stating the township will provide water cups and bottled water. EPA will need to inspect sewer system prior to final occupancy permit being issued. Scholl will make dye available to show where the system is located. Smith said the township will provide bottled drinking water for the township. Existing registers for air ducts will be used.

Some light fixtures will be needed and will most likely come in under budget. Restrooms need light fixtures as well. Anne will get estimates for propane gas supplier. She is also in contact with phone and cable companies. Propane tank will be located in the back.

All offices will have individual keys. The three exterior doors will have the same key. In the main hallway there is a new 24" duct with drywall enclosure that will require a change order of \$120.00. Four new holes were put into walls at cost of \$303 for HVAC for return air. Old cellar basement could be cleaned up for \$90. Scholl said he did not want to do it. \$250 in repairs needed for floor joists under main meeting room. Three new fire extinguishers needed at cost of \$125. A new cap will be built for the well at the cost of \$80. Cellar doors should be replaced but township personnel will complete that project. Holmes stated that some mold clean up has already been performed.

Holmes stated that \$11,646.50 is budgeted and the well-drilling came in under price. \$6,290 needed to repair roof (replacing slate and flashing), \$4081 to paint exterior fascia board & steeple. \$1,150 for fascia board replacement and soffits. \$14,081 is the cost estimate of all of this. \$4,081 additional needed for change order for exterior.

\$5049 is total needed for change order. Petty asked Moore if the money was available in the General Fund for the additional expense. Moore said it is.

RESOLUTION 51-05: BE IT RESOLVED BY THE BLOOM TOWNSHIP BOARD OF TRUSTEES that \$5,049.00 additional funding is approved for the Greencastle Project for a change order to address the items listed above. Motion by Petty, second by Coyle. Motion carried 3-0.

CLERK REPORT

- **Motion** by Petty, second by Coyle, to approve minutes of the 8-10-05 Regular Meeting Motion carried 3-0.
- **Motion** by Petty, second by Coyle, to approve payment of bills in the amount of \$136,538.45 and Payroll/charges in the amount of \$48,668.97 after being certified by the clerk that funds are available. The total for bills was a correction to the agenda. Motion carried 3-0.
- **Motion** by Petty, second by Coyle to approve supplemental appropriation transferring \$2,000 within the R&B Fund, 2031-330-381 to 2031-330-282 in order to pay the OTARMA insurance bill from correct appropriation lines. Motion carried 3-0.
- **Motion** by Petty, second by Coyle to approve Then and Now purchase orders as follows:
 - To Trimmer Insurance Agency in the amount of \$5,796.51 to pay Volunteer Firefighter Insurance per contract PO for Ohio Insurance Agency is cancelled.
 - To Kansas State Bank for 2nd annual medic payment in the amount of \$11,464.65. PO to Dublin Capital that was approved previously is cancelled.Motion passed 3-0.
- **Announcements:**
 - \$270,000 real estate tax advance was received from the Fairfield County Auditor. (\$188,000 Fire Fund, \$48,000 Road Impr. Fund, \$34,000 Road & Bridge Fund)

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- County Trustees/Clerks/Association Meeting at Clearcreek Township Firehouse on Main Street in Stoutsville, September 17, 6:00 p.m. Secretary Carolyn Holbrook would like a headcount as soon as possible.

OLD BUSINESS:

Letter to SBC regarding invoice has been sent by Cyphert asking for forgiveness for the road department's accidental severing of a cable. We are awaiting a response.

NEW BUSINESS:

BLDG/ZONING/& BOARD OFFICE REPORT:

Inspector Anne Cyphert reported on the following:

- Regarding the properties that Smith referenced earlier, she will ask the health department, building inspector, and fire chief to meet at the properties to decide if they are public nuisances.
- Tire house on Lithopolis Road: Smith stated he is concerned that nothing is being done. Cyphert stated she needs a formal complaint filed in order to proceed.

Motion by Petty, second by Coyle: to authorize the Administrator of the Building and Zoning Department to investigate possible violations and act accordingly regarding the structure being built out of tires in Bloom Twp. Section 17 of Lithopolis Road. Motion carried 3-0.

- Moving of township furniture/boxes/and supplies: Cyphert stated unless there are objections, she will be using the Teen Works program and rent a truck to move items from 36 E. South Street to the Greencastle Office Building. The trustees supported her request. It was agreed the Teen Works employees would not be driving the truck.
- Coyle stated he would like to go back to Old Business on the agenda. James Beetle who lives on Alspach Road received another estimate of \$5600 from Leopardi Excavating which is \$3800 less than Althaus Excavating proposal for work on the Alspach Road drainage project. The trustees stated that is quite a price difference. The vendor will bill the township and the property owners will reimburse the township per an agreement to be drawn up by Jerrold Schwarz, counsel.

Motion by Petty, second by Coyle: that in the excavation work being done for Beetle/Bailey properties on Alspach Road, the property owners are encouraged to pay the township in full when services are completed, however, the township will consider a three year payment option at 7% interest to be executed in a re-payment agreement as prepared by township legal counsel for signature prior to the commencement of work. Motion carried, 3-0.

ROAD DEPARTMENT REPORT:

- Scholl asked the trustees if he is still supposed to remove the stump at the curve on Slough Road. The trustees said he is.
- Scholl reported that Sitterley Road and Alspach Road will need about 600-800 more ton of berming material at a cost of \$10,000. Petty recommended it come from the Gas Fund, operating supplies.

Motion by Petty, second by Coyle to authorize up to an additional \$10,000 for berming materials. Motion carried 3-0.

FIRE DEPARTMENT REPORT:

- Chief Terry Gill reported he is requesting an executive session for employment related issues and will save his part until later on the agenda.

UNFINISHED BUSINESS:

- Coyle said the minutes from the other meeting may be misleading and to clarify, he issued the following statement:

I need to clarify some information in the minutes of last meeting. Each elected official and each department head of this township has \$750.00 spending authority. This means that anyone of those people can spend \$750.00 without permission from anyone.

Petty requested a legal opinion when he had questions as to whether Road Supt. Scholl should continue employment. Neither Mr. Smith or I were informed before the opinion was requested as it was not necessary.

Last meeting Trustee Petty was disturbed that he did not know I had requested a legal opinion as to whether we could file a "Mandamus" action to force the Sheriff to enforce our Noise Resolution and indicated he would not support such action. That opinion cost 2hrs at \$130.00 per hr. for \$260.00 total and I was not required to get approval from anyone to request the opinion.

My feeling is the Noise Resolution should be enforced. We had one prior occasion when noise from motorcycles was not enforced, we then had the second from motorcycles. If we cannot

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enforce the noise resolution then it should be eliminated from the books and residents told the reason.

Moore asked Coyle if the minutes were not proper. Coyle said the minutes were proper but the conversation was misleading regarding a discussion between him and Smith to contact legal counsel for advice on whether to sue the sheriff.

Petty expressed concern that the board of trustees had not talked to the Sheriff, that there was an unauthorized meeting outside the regular meeting, and that when there is talk about suing the Sheriff it takes 3 months and maybe an executive session.

Smith said there was no intent whatsoever to avoid talking to him. Coyle said it was an informal meeting between Smith and him during a discussion regarding construction of Smith's barn. Coyle asked for the statement he made to be reflected in the minutes.

- Gill presented a letter from a Collegeview resident regarding open trash burning. He said until the fire department knows the origin of the burning they cannot do anything. He spoke to another Collegeview resident who believes the smoke is coming from Royalton. To help solve the issue, he is working with the Environmental Officer at the Sheriff's Office to help find out where it is coming from. There will also be an article about open burning in the Fire Department's next newsletter.
- Gill presented a thank-you letter from another township that received our donated SCBA equipment.
- Gill presented a letter from the EPA regarding the Doss property fires that notifies Doss of the violation of Ohio Administrative Code 3745-19 regarding open burning.
- Gill presented a document from Drug Free Workplace that will require more work from him. We have completed the first five steps of the business plan. Frank Gates Company representative met with him regarding recommendations. He included a five year history of our Workers' Comp. claims. He discussed the ramifications if we have a claim that could bump us out of the discount premium program. For example, Greenfield Township is now at 148%. That could bump us from \$35,000 to \$120,000. He discussed how this could happen if we have a time-loss claim. Therefore, we need to eliminate time-loss claims of an on-the-job injury through a transitional work program (light duty with salary continuation). The 8th calendar day off work starts a time-loss claim. Up to that time, they use their sick leave.

Volunteers and Part-time workers could pose a greater Workers' Comp. liability. If they get hurt at Bloom and cannot perform on their regular jobs, we get the claim. All of this could reduce our risk thus keeping our Workers' Comp. rates down. 70 townships (three in Fairfield County) were eliminated from the reduced rate program due to risk. Clerk Moore said that Gill has done a very good job researching Workers' Comp. issues and instituting and administering the Drug Free Workplace program. Gill said he will attend several meetings that will qualify the township for another discount.

Petty stated he and Gill are working on a FEMA work assessment survey to qualify for future grants.

Motion by Petty, second by Coyle to enter into executive session for the purpose of discussion employment related issues. Motion carried 3-0.

Motion by Petty, second by Coyle to exit out of executive session for the purpose of discussion employment related issues. Motion carried 3-0.

Smith adjourned the meeting.

Joseph Smith
Chairperson

Carol J. Moore
Clerk