

>>>BLOOM TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING 09/28/05<<<

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

PUBLIC COMMENT:

- Lt. Tim Vorhis of Fairfield County Sheriffs Office: Smith asked Vorhis to schedule a meeting with the trustees, Sheriff Phalen, and Chief Perrigo to discuss enforcement of the Bloom Township noise resolution. Vorhis said he is aware of noise issues at the Doss junkyard and will tell his deputies to enforce the noise resolution. He said a deputy must hear the noise violation and get witness statements.

Vorhis said he talked to Prosecutor about Eagles Nest event and acknowledged that Phalen had been made aware of it. He said if Eagles Nest events are school related prosecutor will review whether they may be exempt from the noise resolution. Regarding the temporary liquor permits issued to Eagles Nest, Vorhis said Sheriff Phalen signs the permits acknowledging receipt, but the Dept of Liquor Control would have granted the permits.

- Dave and Diane Hubner spoke on the noise issue on Coonpath Road. They are concerned about destruction noise at Doss junkyard in middle of the night that shakes their house. Dave Hubner said there was a fire lit on a trash pile there the other night. Hubner said used tires are also in violation of Ohio Revised Code and the Sheriff's Office is not enforcing that nor are they enforcing noise resolution. Says deputy thought the excessive noise and fire at the junkyard was funny and called him a "College Boy." Hubner said he is very disappointed in Sheriff's Office. Said Sheriff's Office told him they did not know there was a noise resolution.

Vorhis said the health department is in charge of ordering tire and junk removal. Cyphert explained her department has issued violations to Doss as well for zoning violations. Vorhis said if the deputy misrepresented the department it was out of line. Hubner said he has put up with the excessive noise for too long. Cyphert stated the Hubner's were correct in their assertion that the sheriff's office was supposed to make annual inspections with certain restrictions and failed to do so when the junkyard was in existence.

Petty asked the sheriff's office to do a spot check for noise in the night. Vorhis said it is best if neighbors' eyes and ears detect activity and then call the Sheriff. Gill reported his department is working in concert with the EPA to make sure safety issues are addressed at the Doss property. Smith suggested the Hubner's take pictures of the tires and send them to the Board of Health. Coyle told Vorhis to make sure someone notifies the trustees as soon as possible

- Patty Bartlett, Bloom Township representative to the Wagnalls Library Board, reported more state funding has been made available and the library hopes to increase hours. Said there is current litigation from other libraries concerned that Wagnalls is getting state funding but that could take a while to get resolved and that it has been two years thus far. If the state finds Wagnalls should not have received public monies, it might have to be paid back. Said their library treasurer is doing a good job and passed their audits. Said the Wagnalls foundation is necessary for the library to exist. Said there is a new board for the foundation. Said it is expensive to run the utilities for the buildings. Said the township should not run a levy due to double taxation and if the litigation results in the library having to refund state monies it received, that could be problematic. Said her husband told her there have been issues renting the community center due to poor cell phone reception but that a church is renting it.

CLERK REPORT

- **Motion** by Coyle, second by Petty to approve minutes of 09-14-05 regular meeting with the correction under Road Department Report: Kokosing has agreed to "patch" the Greencastle Lot.... Motion passed 3-0.
- Moore asked the trustees if they had any questions or discussion concerning the bills they were signing at this meeting and if they had a chance to review the construction work at the Greencastle Office. The following bills were discussed.
 - Issue 2 Project bill: \$13,000 to Lockwood, Lanier, & Noland, Inc. for Engineering Services for the Kauffman Road Improvements Project. This makes \$16,024 paid on the \$24,000 contract. Moore stated she will get the approval of Jeff Baird of the Fairfield County Engineer's Office prior to mailing payment.

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- Greencastle Project bills: \$2,188.00 to M-E Building Consultants; \$22,337.62 to Leatherman Construction; \$15,995.00 to Elite Heating and Cooling for HVAC; \$4,150.00 to Brush Contractors, Inc. for Exit and Emergency lighting.
- Shelly Company bill for summer road maintenance project: \$397,273.10.
- Motion to approve payment of bills in the amount of \$501,964.33 and Payroll/charges in the amount of \$92,152.14 having been certified by the clerk that funds are available.
- Moore stated she would like the mileage reimbursement resolution to be reworded to clear up any possible ambiguity when the IRS rates change during the township's fiscal year.

RESOLUTION #53-05: BE IT RESOLVED BY THE BLOOM TOWNSHIP BOARD OF TRUSTEES that the mileage reimbursement rate for Bloom Township be the same as the Standard Mileage Rates set by the IRS. Be it further resolved that this is the intended effect of resolution #80-04. Motion by Petty, second by Coyle.

ROLL CALL: Coyle-yes; Petty-yes; Smith-yes. Resolution carried 3-0.

- Announcements:
 - Bloom Twp will host the March 2006 meeting of the FF County Township Trustees and Clerks Association.

OLD BUSINESS:

- Kauffman Road Issue II: Coyle reported he is working with consultants Lockwood, Lanier, Mathias & Noland, Inc. and the county to submit paperwork for the Issue II project proposal. He said the trustees need to pass a resolution which he read aloud. It is a resolution authorizing the chairman of the Board of Trustees to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required. Motion by Coyle, second by Petty to pass **RESOLUTION #54-05** which is on file with the clerk. ROLL CALL: Coyle-yes; Petty-yes; Smith-yes. Resolution carried 3-0.
- Petty asked how current we are on website minutes. Coyle reported they will be updated this week. He said he wants to be the only person to deal with the webmaster so that it gets done right. He said Moore will give him the minutes after they are approved each meeting.

NEW BUSINESS:

- Annexation Issue: Township has received annexation papers requesting about 304+ acres from Bloom Township, Canal Winchester, and Violet Township to be annexed into Lithopolis. The trustees discussed joining with Canal Winchester and Violet Township to pay \$5,000 per entity for using the same legal counsel to formally oppose the annexation to the county commissioners. Discussion about annexation questions from audience members.

Coyle read the proposed contract and made the motion to accept the contract with MOOTS, CARTER & HOGAN to represent Bloom Township in opposing the annexation.

Smith said the contract for the attorney's services should include a maximum amount to be paid by the township. Moore advised not signing the contract at this meeting because everyone should have more time to review the terms since the contract was just presented. Petty suggested making a resolution to sign the contract contingent upon changes.

Motion failed for lack of a second. Trustees want more time to review and consider language in resolution to cap the amount. Coyle said we need to move quickly due to time constraints. Smith suggested a special meeting could be called after details have been worked out.

Motion by Petty, second by Coyle to hold a special meeting at 11:30 Friday morning, September 30, 2005 for the purpose of reviewing, discussing, and signing a contract for legal representation on annexation issues. Motion carried 3-0.

BLDG/ZONING & BOARD OFFICE REPORT:

- **Motion** by Coyle, second by Petty to authorize Jerrold Schwarz, Esq. to represent Bloom Township Board of Trustees and Zoning Dept. in the legal case regarding Eagles Nest Ranch and Academy/Providence Acquisitions. Motion passed 3-0.
- Cyphert reported growth in permits has not increased as rapidly as had been predicted.

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- Cyphert reported she has prepared a letter regarding Bloom Township sign regulations for political candidates and those with issues on the ballot to help them in planning for their campaigns.

FIRE DEPARTMENT REPORT:

- Gill presented letter from EPA regarding Doss citations.
- **RESOLUTION #55-05: BE IT RESOLVED BY THE BLOOM TOWNSHIP BOARD OF TRUSTEES** to accept and sign the PICKAWAY COUNTY FIREFIGHTERS ASSOCIATION MUTUAL ASSISTANCE CONTRACT as presented by Chief Gill. Motion by Petty, second by Coyle.
ROLL CALL: Coyle-yes; Petty-yes; Smith-yes. Resolution carried 3-0. A copy is on file with the clerk.
- Gill reported that the Bloom Township Fire Association received a nearly \$16,000 donation from the American Legion.
- The State EMS training Grant for FY06 is \$1,000.

ROAD DEPARTMENT REPORT:

- Scholl reported that patching is being done on roadways.
- Rain damaged Brandt Road. Scholl will try to repair with grading.
- Purchasing equipment was discussed. Scholl presented prices for mini-hoes. His department employees have reviewed the equipment. Prices range from \$41,000 to \$59,600. He said a Komatsu is \$54,300. Scholl said those are state purchasing contract prices. Smith asked where they would be stored. Scholl said at a barn in Lockville. Delivery time would be about two weeks. Trustees will review the information and brochures and make a decision at the next regular meeting.

OTHER:

- Carol Alf of Lora Lane asked what hearing was for tomorrow on Eagles Nest. She asked for clarification on how Eagles Nest obtained permission from the state to sell alcohol. Cyphert stated the township attorney has advised she not elaborate on this issue due to pending litigation.

Smith adjourned the meeting.

Joseph Smith
Chairperson

Carol J. Moore
Clerk