

**Millcreek Township Trustees
Regular Meeting Minutes
October 5, 2009**

The Millcreek Township Trustees of Union County, Ohio convened in regular session from 7:00 p.m. to 9:56 p.m. in the Millcreek Township Community Building. Mr. Lynch called the meeting to order with the following members and visitors present:

MEMBERS: Bill Lynch, Marian Jacques, Joyce Beaver and David Leitch.

VISITORS: Jim Lawrenz, Kenny Coakley, Rick Ruggles, Paul Detwiler and Deputy Kempski.

Receipts for the month: Union County Auditor Monthly Distribution: Gasoline Tax \$7,092.37; Motor Vehicle License Tax \$84.06; Local Government Distribution \$1,646.99. Union County Auditor: Special Levy Fire Fund - \$7,532.65 Replacement Tangible Personal Property Tax; General Fund - \$2,250.02 Replacement Tangible Personal Property Tax. Union County Auditor \$25.00 JUV Fines. State of Ohio Dept. Taxation/Revenue: General Fund – \$3,147.18 Rollback/Homestead Tax, Special Levy Fire Fund - \$10,790.34 Rollback/Homestead Tax, Special Levy Police Fund - \$4,039.93 Rollback/Homestead Tax. Kristi Smith \$75.00 building rental. Judi Davis \$75.00 building rental. Technology Site Solutions \$10.00 ball field rental. Christian Fellowship Ball Association \$40.00 ball field rental. Marysville Municipal Court \$483.50 traffic fines. Star Ohio: \$98.58.

Business Session

Mr. Lynch asked for a motion to approve the minutes of the hearing held on September 8, 2009.

- **Resolution #771:** motion to approve the minutes of the September 8, 2009 hearing by Ms. Jacques, seconded by Mr. Conroy.
- Motion unanimously approved.

Mr. Lynch asked for a motion to approve the minutes of the regular meeting held on September 8, 2009.

- **Resolution #772:** motion to approve the minutes of the September 8, 2009 regular meeting by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

Sheriff's Department

Deputy Kempski presented the board with the monthly stats.

- The PSO's have been monitoring Bellepoint Road for speed violations. Deputy Kempski issued five violations for speed in one hour on October 5, 2009.
- The Sheriff's Office received a letter from First Energy regarding a program beginning in November in which CFL light bulbs will be delivered door to door or by mail to First Energy customers in the township. The program is an attempt to promote energy conservation.

Citizen Comments

None

Zoning

Mr. Lynch asked for a motion to approve the zoning administrator's report.

- **Resolution #773:** motion to approve the zoning administrator's report as submitted by Mr. Conroy, seconded by Ms. Jacques.
- Motion unanimously approved.

Mr. Leitch submitted a letter of resignation as Zoning Administrator due to conflicts with his full time employment. Mr. Leitch expressed his regret and told the trustees he would not have accepted the position earlier this year if he had known he would not be able to maintain the position long term.

- Mr. Lynch will contact the chairman of the Concord Township Trustees to determine if Mr. Leitch can continue employment with Millcreek Township during the transition period of hiring and training a new Zoning Administrator.

- The letter of resignation will not be accepted by the board until further clarification is received.

Zoning Commission

The Zoning Commission was not satisfied with the language of the M1/M2 districts at the September meeting. A discussion on the districts will continue at the October meeting before submitting to LUC for approval.

Resolution #774: motion to reschedule the November 2, 2009 trustee hearing on zoning resolution changes to December 7, 2009 at 6:00 p.m. by Mr. Lynch, seconded by Ms. Jacques.

- Motion unanimously approved.

There are two alternate positions open on the Zoning Commission. Three candidates for the position were present at the trustee meeting.

- Rick Ruggles explained he had time constraints that may hinder his service on the Zoning Commission and withdrew his name as a candidate.
- Jim Lawrenz stated he has been a township resident for 22 years during which time he has been active with several community organizations. In the past, he has served on the Millcreek Township Board of Zoning Appeals and acted as chairman of that board for a period of time. He feels zoning should be enforced according to the Millcreek Township Zoning Resolution and if sections of the Zoning Resolution are subject to different interpretations then those sections should be revised.
- Kenny Coakley introduced himself as a 33 year resident of the township. He has been a carpenter most of his life and was employed for 12 years as a building inspector for Delaware and Union County. He feels the Millcreek Township Zoning Resolution should be enforced equilaterally among all residents.
- Mr. Conroy, who did not know Mr. Coakley, suggested postponing any appointment motion until Mr. Coakley had time to provide additional background information to be considered by the trustees at their next meeting. After a brief discussion, the board majority decided to proceed.

Resolution #775: motion to approve Jim Lawrenz as First Alternate on the Zoning Commission effective immediately, term to expire February 1, 2011, seconded by Mr. Conroy.

- Motion unanimously approved.

Resolution #776: motion to approve Kenny Coakley as Second Alternate on the Zoning Commission effective immediately, term to expire February 1, 2012, seconded by Ms. Jacques.

- Mr. Lynch yes, Ms. Jacques yes and Mr. Conroy abstain.

Steve Wolfe Property

Mr. Lynch and Rick Rodger, Assistant Prosecuting Attorney, met with Steve Wolfe and his legal counsel, Kevin Noese. Mr. Lynch recommended Mr. Wolfe apply for rezoning of his property.

John Davisson Property

Mr. Lynch and Rick Rodger, Assistant Prosecuting Attorney, are meeting with John Davisson and his legal counsel, Bryan Jeffries, on October 7, 2009.

- Pay Dirt Hauling is still operating from the property on Watkins Road which is a violation.

Craig Shearer Property

Mr. Leitch has issued a building permit to Chip Mayes for the construction of a new building on his property on Smart Cole Road which is zoned B-2.

- Mr. Mayes intends to enter into a short term lease of that building with Mr. Shearer. The trustees requested Mr. Leitch confirm this agreement with Mr. Shearer.

Millcreek Hunt Club

Mr. Leitch spoke to Scott Rebber who has leased the land on Watkins Road from Dorrall Farms (Sanese), on which the Millcreek Hunt Club is located.

- Mr. Rebber and his legal counsel, David Fischer, met with Mr. Leitch and requested two Conditional Use applications, one for the operation of the Millcreek Hunt Club and the second for operation of a clay target shooting range. Neither Conditional Use application has been returned to Mr. Leitch at this time.
- Mr. Leitch reported the clay target shooting at the location is growing in popularity. They regularly have 25-30 people at the business on Saturdays and these customers typically shoot 50 shotgun rounds per person.
- The proposed hours of operation for the clay target shooting are Saturdays and Sundays from 8:00 a.m. to 5:00 p.m. year round.
- Mr. Leitch explained to the trustees that assuming 25 customers shooting 50 shotgun blasts per person translates into 1250 shotgun blasts per day, 156 per hour and 2.6 blasts per second. On the high end, one could consider up to 40 customers per day, which would amount to 2000 shotgun blasts per day, 250 shotgun blasts per hour and 4.1 blasts per second.
- As the township planning expert, Mr. Leitch expressed serious concern regarding this pending CUP application for the clay target shooting business.

Landuse/Growth Plan Update

Mr. Elmer is willing to make a second presentation on updates to the Millcreek Township Landuse/Growth Plan. Mr. Conroy stated the Zoning Commission needs to be encouraged to set a date for Mr. Elmer's presentation to the public.

BZA

The Board of Zoning Appeals has received a Variance application from Tim and Pam Norman for a building that is not within the required setbacks. A tentative date has been set for October 20, 2009.

Trustees

Mr. Conroy

- The web site is officially completed. Ms. Tobin has stated she will make any corrections free of charge within 90 days of September 28, 2009.
- The township is seeking reimbursement of approximately \$25,000.00 in fees associated with the Forest City/Bayly Pointed PUD. Information regarding the reimbursement has been forwarded to Rick Rodger, Assistant Prosecuting Attorney. Mr. Rodger sent letters on October 5, 2009 to both Forest City and David Fischer, legal counsel, in reference to this reimbursement.

Mr. Lynch

- Cemetery tree removal is complete.
- Mr. Lynch has been working with Rick Conley on new tree planting in the cemetery. Mr. Conley has suggested swamp white oak trees and Colorado blue spruce trees.

Ms. Jacques

- Ms. Jacques has left a message with the City of Marysville Parks and Recreation Department to inquire about contractors for ball field light replacement. No call back at this time.
- Ms. Jacques was approached about the townships interest in an update on the Jerome Village project. The trustees agreed this presentation should be made at a Zoning Commission meeting sometime next year due to the volume of items on the Zoning Commission agenda.

Other

Mr. Detwiler stated he was representing the Union County Farm Bureau seeking support of Issue 2 to assure excellent care for Ohio livestock and poultry while guaranteeing a safe food supply that is locally grown and reasonably priced.

- **Resolution #777:** motion for the trustees to support Issue 2 by Mr. Conroy, seconded by Ms. Jacques.
- Mr. Conroy yes, Ms. Jacques yes and Mr. Lynch abstain.

Ms. Beaver stated she had contacted Rick Rodger about email retention but has not received an answer.

The trustees thoroughly reviewed the bank statement/bank reconciliation and confirmed the bank statement and cancelled checks had not been modified in any way. The trustees duly noted the check sequence from the previous month ending with check # 2728 and checks presented for approval at the current meeting beginning with check # 2729. The trustees compared the accuracy of the expenditures/electronic fund withdrawals and receipts to those listed in the minutes.

- **Resolution #778:** motion to approve the bank statement and bank reconciliation by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

The trustees thoroughly reviewed the Fund Ledger Report and Cash Summary Fund Report and found all transactions valid.

The trustees attested to the payment of the bills. The fiscal officer certified funds are available for the payment of the bills which were presented and approved by the trustees.

- **Resolution #779:** motion to pay the bills by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

B51-09	2729	LUC	1000-130-344	50.00
P 6-09	2730	Ohio Edison	1000-120-351	293.51
	2731	David Leitch	1000-130-150	696.71
	2732	Joyce Beaver	1000-110-121	1,010.09
	2733	Keith Conroy	1000-110-111	38.58
	2733	Keith Conroy	2021-330-111	557.25
	2734	Marian Jacques	1000-110-111	8.45
	2734	Marian Jacques	2021-330-111	25.35
	2735	William Lynch	1000-110-111	186.86
	2735	William Lynch	2021-330-111	560.58
	Vouc	IRS	1000-110-111	9.33
	Vouc	IRS	1000-110-121	175.94
	Vouc	IRS	1000-130-150	11.60
	Vouc	IRS	1000-110-213	41.44
	Vouc	IRS	2021-330-111	27.96
	Vouc	IRS	2021-330-213	27.96
	2736	OPEDC	1000-110-111	331.25
	2736	OPEDC	2021-330-111	543.75
	2737	OPERS	1000-110-211	400.10
	2737	OPERS	1000-110-121	141.48
	2737	OPERS	1000-130-150	80.00
	2737	OPERS	1000-110-111	64.29
	2737	OPERS	2021-330-111	192.90
	2737	OPERS	2021-330-211	270.06
	2738	Ohio Dept of Taxation	1000-110-111	5.79
	2738	Ohio Dept of Taxation	1000-110-121	219.27
	2738	Ohio Dept of Taxation	1000-130-150	15.93
	2738	Ohio Dept of Taxation	2021-330-111	29.37
	2739	School District Income Tax	1000-110-111	6.90
	2739	School District Income Tax	1000-110-121	42.45
	2739	School District Income Tax	1000-130-150	19.14
	2739	School District Income Tax	2021-330-111	34.26
B50-09	2740	Bill Jordan	1000-130-330	170.00
B50-09	2741	Robert Whitmore	1000-130-150	160.00
B50-09	2742	Joni Orders	1000-130-330	90.00
B50-09	2743	Freeman Troyer	1000-130-330	160.00
B50-09	2744	Greg Wisniewski	1000-130-330	160.00
B47-09	2745	Tonya Jordan	1000-120-329	250.00
B53-09	2746	Richard Neill	1000-410-329	1044.00

	2747	Marysville JT	1000-130-345	49.00
B44-09	2748	Joyce Beaver	1000-110-410	265.43
B45-09	2749	Info Guard	1000-110-599	130.00
B45-09	2750	Georgia Tobin	1000-110-599	490.00
P10-09	2751	Vorys, Sater, Seymour & Pease	1000-110-317	700.00
P 9-09	2752	Treasurer State of Ohio	1000-110-313	645.00
P 4-09	2753	OTA	1000-110-381	2,282.00
P 5-09	2753	OTA	1000-110-382	1,123.00
B66-09	2754	InfoGuard Corp	1000-110-599	60.00
P14-09	2755	Verizon Wireless	1000-120-341	42.44

Interest for the month is: \$499.97.

Interest for the year is: \$6,815.84.

All formal actions of the Millcreek Township Trustees of Union County concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Motion to adjourn.

- **Resolution #780:** motion to adjourn by Mr. Lynch, seconded by Mr. Conroy.
- Motion unanimously approved.