

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

The Millcreek Township Trustees of Union County, Ohio convened in regular session from 7:00 p.m. to 8:50 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: Holly Rast – Union County Health Department, Joni Orders and Forrest Day.

Receipts for the month: Union County Auditor Monthly Distribution: Gasoline Tax \$7,302.33; Motor Vehicle License Tax \$87.91; Local Government Distribution \$2,419.95. Millcreek Jerome Alumni Association \$75.00 building rental. Connie Nicol \$75.00 building rental. Michael Wade \$75.00 building rental. James Blaha \$75.00 building rental. Jo Carpenter \$3.75 building permit. Alan Kempainen \$9.60 building permit. Mark Benson \$10.00 ball field rental. Charles Moats \$20.00 zoning resolution. Marysville Municipal Court \$608.50 traffic fines. Star Ohio: \$114.80.

Business Session

Mr. Lynch asked for a motion to approve the minutes of the regular meeting held on July 1, 2009.

- **Resolution #747:** motion to approve the minutes of the July 1, 2009 regular meeting by Ms. Jacques, seconded by Mr. Conroy.
- Motion unanimously approved.

Sheriff's Department

No one was present to represent the Sheriff's Department.

Citizen Comments

Holly Rast from the Union County Health Department spoke about her role in the inspection of septic systems within the county.

- The Health Department is having a Mocktail event on August 7, 2009.
- The Health Department contracted with a company to conduct random telephone survey's in the county on public health issues.

Zoning

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

- **Resolution #748:** motion to approve the zoning administrator's report as submitted by Ms. Jacques, seconded by Mr. Conroy.
- Motion unanimously approved.

Zoning Commission

Mrs. Orders reported the Zoning Commission is conducting a work session on the PUD rewrite on August 12, 2009 with Jill Tangeman at 6:30 p.m. at the Millcreek Township Community Center.

- On August 20, 2009 the Zoning Commission will have a continuation of their June 18, 2009 hearing.
- The Zoning Commission met with Frank Elmer in July to discuss updates to the Land Use/Growth Plan. Mr. Elmer will attend the September 17, 2009 Zoning Commission meeting to make a presentation on those updates.

Mr. Lynch stated he had received a letter of resignation from Olivia Baumeister, alternate on the Zoning Commission. Mr. Lynch remarked Ms. Baumeister had been a valuable member of the zoning commission.

- **Resolution #748:** motion to accept the resignation of Olivia Baumeister as alternate on the Zoning Commission by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

Steve Wolfe Property

Mr. Leitch was advised by Rick Roger of the Union County Prosecuting Attorney's Office that he has not contacted Mr. Wolfe's attorney.

John Davisson Property

Mr. Leitch stated he had observed a Pay Dirt tractor trailer hauling a tile trencher from a location on Long Road on August 4, 2009, which is in violation of Mr. Davisson's court order.

- Mr. Day also reported he had observed the same Pay Dirt truck with an empty trailer leaving Mr. Davisson's property shortly before Mr. Leitch's observation on August 4, 2009.
- Mr. Day expressed his frustration over the 10 year battle with Mr. Davisson's continued zoning violations and disregard for court orders. He stated Mr. Davisson is clearly in violation and pleaded with the trustees to take the case directly to David Phillips, Union County Prosecutor, for his review. Mr. Day expressed concern about the pace of the process over the last decade.
- The trustees tried to assure Mr. Day that the issues with Mr. Davisson may appear to stall however the process of the law has to be followed. Mr. Conroy volunteered to contact David Phillips.
- **Resolution #750:** motion for Mr. Leitch to move forward in conjunction with the Union County Prosecuting Attorney's Office to file a contempt of court charge against John Davisson and authorize payment of associated filing fees by Mr. Conroy, seconded by Mr. Lynch.
- Motion unanimously approved.

Mr. Leitch contacted Mamdouh Sabry listed as the property owner of the parcel of land located at the corner of Watkins Road and Route 42.

- A letter was received from Mamdouh Sabry stating he and his family do not want to change the B-2 zoning classification on the property.

BZA

Shearer Property

Mr. Leitch received information from Rick Roger on August 5, 2009 stating the Court of Appeals of Ohio Third Appellate District has upheld the Union County Common Pleas Court decision affirming the decision of the Millcreek Township Board of Zoning Appeals on the Shearer property.

- The trustees requested Mr. Leitch advise Mr. Shearer of his options and give him a reasonable amount of time, 30 to 60 days but not to exceed 90 days, to cease doing business on the property.

Trustees

Mr. Conroy

Ms. Tangeman has approached David Fisher, legal counsel for Forest City Development, about forthcoming reimbursement to the township for approximately \$25,000.00 in fees associated with the Bayly Pointe PUD.

- Mr. Fisher has not contacted Ms. Tangeman with updates on the reimbursement.
- Mr. Conroy will contact the Union County Prosecuting Attorney's Office to facilitate a phone conference between the prosecutor's office and Ms. Tangeman.

Mr. Conroy contacted Mr. Neill about dragging the township ball field. Mr. Neill agreed to drag the field.

Mr. Eastman will work on the cemetery building repairs in August.

Paul Rice, legal counsel for Shelly Materials, and Mark Kirsch, representative for the Union County Soccer Association, have met regarding establishing soccer fields on property owned by Shelly Materials.

- The Soccer Association would like to lease approximately 30 acres for soccer fields for 20 years.

Mr. Lynch

The trustees have reviewed the draft of the Millcreek Township Personal Information Policy which was presented to Mr. Roger of the Union County Prosecuting Attorney's Office for review.

- **Resolution #751:** motion to appoint the township fiscal officer as the township Privacy Officer by Mr. Lynch, seconded by Mr. Conroy.
- Motion unanimously approved.
- **Resolution #752:** motion to approve the Millcreek Township Personal Information policy by Mr. Lynch, seconded by Mr. Conroy.
- Motion unanimously approved.

Mr. Lynch noted he is still finding a large number of alcoholic beverage containers in the trash cans around the township ball field and park.

- Discussion ensued on purchasing signs for the ball field and park stating 'no alcoholic beverages are permitted' before next spring.

Ms. Jacques

Ms. Jacques presented Lowe's and WalMart with certificates of appreciation for volunteering to help with various project on the township grounds on Community Care Day.

- She will also get certificates for the other two groups who volunteered that day.
- Mr. Conroy suggested Ms. Jacques draft a letter of appreciation the trustees could sign for the groups who volunteered.
- Ms. Jacques has not been in contact with anyone regarding establishing a monthly recycling day in the township.

Other

The fiscal officer asked for a supplemental appropriation to a general fund line item.

- **Resolution #753:** motion to make a supplemental appropriation of \$1000.00 to line item 1000-110-111 from 1000-110-141 by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

The vacuum cleaner for the township building needs to be replaced.

- **Resolution #754:** motion to authorize Ms. Beaver to purchase a new vacuum cleaner, not to exceed \$150.00, by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

The OIH catalog was reviewed and no items were approved for purchase because they can be purchased at a lower price from local merchants.

Health insurance is available for township officials if they wish to enroll.

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 # 2686 and checks presented for approval at the current meeting beginning with check # 2687. The trustees compared the accuracy of the expenditures/electronic fund withdrawals and receipts to those listed in the minutes.

- **Resolution #755:** 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 #756:** motion to pay the bills by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.

B55-09	2687	Clarridge's Discount Septic	1000-610-599	75.00
P16-09	2688	Lowe's	1000-760-730	31.98
B45-09	2689	Avizent	1000-110-599	375.00
P10-09	2690	Vorys, Sater, Seymour & Pease	1000-110-317	712.50
P18-09	2691	Wolf, Rogers, Dickey & Co.	1000-110-312	2,596.00
P17-09	2692	Treasurer of State	1000-110-312	261.37
P17-09	2692	Treasurer of State	1000-110-313	795.00
	2693	David Leitch	1000-130-150	696.71
	2694	Joyce Beaver	1000-110-121	1,010.09
	2695	Keith Conroy	1000-110-111	38.58
	2695	Keith Conroy	2021-330-111	557.25
	2696	Marian Jacques	1000-110-111	8.45
	2696	Marian Jacques	2021-330-111	25.35
	2697	William Lynch	1000-110-111	186.86
	2697	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
	2698	OPEDC	1000-110-111	331.25
	2698	OPEDC	2021-330-111	543.75
	2699	OPERS	1000-110-211	400.10
	2699	OPERS	1000-110-121	141.48
	2699	OPERS	1000-130-150	80.00
	2699	OPERS	1000-110-111	64.29
	2699	OPERS	2021-330-111	192.90
	2699	OPERS	2021-330-211	270.06
P 6-09	2700	Ohio Edison	1000-120-351	322.52
P 2-09	2701	Union County Engineer	2021-330-420	34.87
P 3-09	2702	Union County Sheriff	2192-210-360	14,018.23
B47-09	2703	Tonya Jordan	1000-120-329	250.00
B53-09	2704	Richard Neill	1000-410-329	1,247.00
B45-09	2705	InfoGuard	1000-110-599	60.00
P11-09	2706	Lincoln St. Studio	1000-110-317	5,575.00
	2707	Marysville JT	1000-110-345	21.00
	2707	Marysville JT	1000-130-345	77.00
P14-09	2708	Verizon	1000-120-341	42.44

Interest for the month is: \$596.66.

Interest for the year is: \$5,757.73.

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 #757:** motion to adjourn by Mr. Lynch, seconded by Ms. Jacques.
- Motion unanimously approved.