

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held _____ 20____

MINUTES OF ELLSWORTH TWP BOARD OF TRUSTEE'S

REGULAR MEETING

May 10, 2017

Chairman Fredrick Houston called the May 10, 2017 regular meeting of the Ellsworth Trustees to order at 7:00 pm. A roll call was taken to establish a quorum: Trustee Robert Toman - present, Vice Chairman William Spellman absent, Chairman Fredrick Houston – present. Also present were, Fiscal Officer James DeCenso, Zoning Inspector Wayne Sarna, Maintenance Supervisor Matt Stroney, Fire Chief Robert Sternburg, Asst. Chief Brian O'Neil and Asst. Fire Chief Tom Powell. The Pledge of Allegiance was recited.

MINUTES: Fiscal Officer DeCenso presented the minutes from the April 5, 2017 regular Trustee meetings. No one in attendance requested that the minutes be read. Trustee Toman made a motion to accept the minutes from the April 5th meeting. Chairman Houston seconded the motion. The roll call vote was Trustee Toman –Yes, Chairman Houston – Yes, Trustee Spellman – Abstained as he was not at the April 5th meeting.

FISCAL REPORT: Fiscal Officer James DeCenso started his Fiscal Report by reporting April receipts of \$54,202.10. April's expenditures were \$38,449.56. The Township received \$62,000.00 in advances on property tax collections during March. Total YTD receipts as of April 30, 2017 were \$171,701.24 while expenditures for that four-month period were \$147,345.15. The fund balance as of April 30, 2017 was \$830,067.07 minus the outstanding SIB loan of \$157,327.00 for a net balance of \$672,740.07. Mr. DeCenso's report included a fund balance increase in April of \$15,752.54 and a four-month increase of \$24,356.09 from December 31, 2016. This compares to a similar four-month fund decrease in 2016 of \$28,829.68. Mr. DeCenso explained the 1st half Property Tax collections were \$117,894 vs. \$116,262 budgeted. Included was \$12,481 in delinquent property taxes.

Communication received in the Township since the last meeting included a notice from Armstrong Cable that the Township's standard cable package rates will increase from \$24.95 per month to \$26.95 and that internet service will increase from \$46.95 per month to \$59.95. From the last meeting, the Township received a letter from the Mahoning County Prosecuting Attorney advising the Trustees of HB 52 which authorized the use of marijuana for medical purposes and established a marijuana control program. Ohio R.C. 3796.29 provides authority for a township to limit the number of cultivators, processors, or retail dispensaries within the township. Mr. DeCenso then advised the Board that the Township received a notice from the Ohio Division of Liquor Control that Dollar General has requested a C2 Wine carryout permit and due to the proximity of the requested license and the Township's property (Town Hall), the Township has the ability to request a hearing before any license would be granted. The Trustees then discussed any desire to prohibit Medical Marijuana cultivation or sale within the Township. Trustee Spellman read to the public, the suggested resolution language as received from the County Prosecutor. Chairman Houston allowed public comments, which were unanimous in supporting prohibition in the Township. Trustee Toman made a motion pursuant to ORC 3796.29 to prohibit any cultivation, processing or sale of Medical Marijuana in Ellsworth Township. Trustee Spellman seconded the motion. The roll call vote was all in favor. At that time the floor was given to Jason Young, PE to discuss the bid for the Parking Lot Resurfacing Project.

Mr. Young of Todo Engineering advised the Board that he has completed the bid documents as requested. His bid requires any contractor to be pre-ODOT qualified. The project completion requirement will be seven days. Access to Fire Station and Post Office must be maintained during the project. Bi bid estimate without any contingencies is \$75k - \$80k. The contingencies for berms and pavement repairs could add an additional \$10,000. Trustee Spellman made a motion to have Todo Engineering place the bids for the Parking Lot Resurfacing Project to be opened at the next regular meeting, June 14, 2017 and to be completed by September 1, 2017. The floor was then returned to the Fiscal Officer.

Mr. DeCenso then discussed with the Board the need to renew an Agreement for a group rating with a Managed Care Organization and for Ohio Bureau of Workers Compensation representation. He suggested renewing with Care Works Comp again for \$608.00. The expected group savings will be \$1,628. Also discussed was the recent recommendation from the Insurance Company (OTARMA) to obtain insurance certification and a signed hold harmless agreement from service vendors. A vendor requirement list is now available and will be attached to all service orders for work performed on the Township's premises. It identifies the required insurance and conditions before a vendor can begin work. He then announced that the Fire Hall Rental schedule is now available on the Township's website. Trustee Spellman made the motion to expend \$608.00 for the one year Agreement with Care Works Comp. Trustee Toman seconded the motion. The roll call vote was all in favor.

MAINTENANCE REPORT: Mr. Matt Stroney advised the Board of one burial in April. He thanked Allison Brothers for taking 18 bags of trash that were collected as part of a clean up effort on Leffingwell Rd. There are two dead trees on the Old Ellsworth School Park that need to be removed. He had obtained a quote for \$400, however it may be possible that ODOT will remove those trees and more will be known soon. Mr. Stroney then renewed discussion with the Board regarding the playground equipment and required gravel base. The chains for the swings still need painted. The Board instructed Mr.

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Regular Trustee Meeting May 10, 2017 Continued

Stroney to work on one set of swings after Memorial Day and to maintain the pee gravel in that area as needed.

ZONING REPORT: Zoning Inspector Sarna advised the Board that since his last report, he had issued six permits; one for a single-family dwelling, two for decks, a garage addition, a home addition and temporary signs for Dave and Ed's auto events. He followed up with the Health Department for the complaint filed on the property located at 11971 Palmyra Road and is waiting for a response. The Health Dept had given the owner thirty days to remedy. Another complaint was received on the home at 9941 West Hill Dr. A new owner purchased the property in March of 2017. Mr. Sarna will follow up with the new owner. The drainage issue at the new Dollar Store has been resolved through the County. The property owners at 12866 Leffingwell Rd have requested a permit for a new garage, which will be closer to the street than their home. Since that is prohibited by current Zoning regulations, the Zoning Commission recommended to the owners that they request approval from the Trustees. The Board discussed extensively, their legal ability to provide such a variance. It was determined that the Zoning regulations require all variances to be determined by the Zoning Board of Appeals. Since the owners had previously approached the ZBA for a variance for their house, the Board discussed waiving the ZBA \$400.00 fee for this matter. Trustee Toman suggested cutting the fee in half. Trustee Spellman made a motion to completely waive the ZBA fee for this variance request and expeditiously move the ZBA to meet on this issue. Trustee Toman seconded the motion. The roll call vote was: Trustee Spellman – Yes, Trustee Toman – No, Chairman Houston – Yes. The motion passed.

FIRE DEPARTMENT: Chief Robert Sternburg gave the Fire report. He reported one structure fire, one vehicle fire, four service calls, one false alarm, and one motor vehicle accident. There were four EMS emergency calls and five with transports. The Chief asked the Board for authorization to purchase another 20" chain saw for \$375.99 plus four additional chains for \$117.68. He also requested funding for nineteen firefighters at \$20 each, to utilize on-line continuing education through CSU. The chief announced that they had received a grant for emergency scene signage and lighting. Trustee Toman made a motion to expend the \$873.67 as requested, from the Fire Fund. Trustee Spellman seconded the motion. The roll call vote was all in favor. Chief Sternburg then began discussion to replace the Township's 1995 Fire Truck (E-47). He and Assistant Chief's O'Neil, Powell, Blosser and Lt. Hartman traveled to New York to look at a 2013 KME pumper rescue. The newer truck would add efficiency to the department with its larger 750-gallon tank, and much improved tool area with the jaws-of-life on the front bumper. His plan would be to replace the 1995 now and then in five to seven years, refurbish E41. The asking price for the 2013 is \$369,000 but they would take \$330,000, which includes the jaws, 1,700' of hose and ten sets of turn out gear. This vehicle new would cost approximately \$450,000 without the equipment or gear. At this time the Fiscal Officer presented two scenarios to borrow and repay an appropriate loan. Each scenario included the sale of the Department's 1995 model for an amount somewhere between zero and \$40,000. Mr. DeCenso advised the Board that the 1.0 mil Fire Apparatus Property Tax levy provides approximately \$35,000 annually, and currently there is \$68,000 in that fund. Using only the Fire Apparatus 1.0 mil levy proceeds to payback a loan between \$240,000 and \$280,000; calculated after any sale of the old truck and using \$50,000 from the current fund would take between eight and nine and a half years and cost the Township somewhere between \$41,000 and \$58,000 in interest at 3.85%. A better rate of 3.25% could be obtained if paid back within seven years. To accomplish such, it would require annual payments between \$38,600 and \$45,000. To maintain that level of payments, it would require the Township to supplement the 1.0 mil tax collections by \$25,000 to \$40,000 from either the General Fund or the Fire Operations Fund over the term of the seven-year payback period. In either scenario, the Department would have little to no other funds available for any other apparatus purchases. The Trustees' hesitation concerned the lack of funds available during either payback period for other equipment, such as another ambulance or emergency repairs to other equipment. There was extensive discussion regarding the current and future needs of the Fire and EMS Departments. The Board decided that although they felt the newer Fire Truck would definitely be an asset to the Township, the finances do not support this particular purchase at this time. The Board felt the need to study the project further and directed the Fiscal Officer to give notice of a Public Meeting to start one hour prior to the next regularly scheduled Trustee Meeting to discuss future equipment needs and options available to the Township for financing those needs.

EMS DEPARTMENT: Assistant Chief O'Neil gave the EMS report. He advised the Board that there may have been some missed billings from EMS transports by the billing company. He has had discussions with the company's owner who has made some personnel changes and is setting up some new quality assurance techniques to diminish these errors from occurring again. Chief O'Neil felt that these issues were limited to 2016. The Board discussed the need to continue to follow up on these events and that follow up reporting to them was imperative.

COMMITTEE REPORTS:

Trustee Spellman discussed the idea of setting up a flea market type sale on the Ellsworth School Property on the same weekend as North Jackson, August 4th and 5th. He had contacted the Township's insurance to verify that liability insurance for such an event is intact. He also commented on the West Hill property that just recently changed owners. He would like to see more efforts to get that property cleaned up.

Trustee Toman reported that there was one break-in on Gault Rd. He also commented on the West Hill property and that the Township should send a letter to the owner stressing the need to get the grass cut and secure the structure.

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Regular Trustee Meeting May 10, 2017 Continued

Chairman Houston reported that he has been reviewing the Township's written policies vs. the recommendations of the OTARMA Risk Assessment and has begun to distribute comments to the other Trustees for review. He has rewritten the Sexual Harassment portion and will send it for legal review.

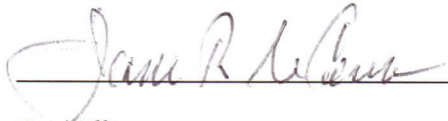
OLD BUSINESS:

Due to the time, it was decided that any old business could wait until the next meeting.

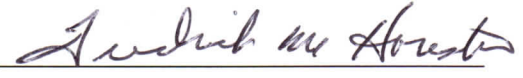
NEW BUSINESS:

Trustee Spellman made a motion, pursuant to ORC 307.66 to expend from the General Fund \$250.00 to the Ellsworth VFW Post 9571 for Memorial Day activities. Trustee Toman seconded the motion. The roll call vote was all in favor.


The next regular meeting will be held at 7:00 pm on June 14, 2017 at the Town Hall. A special meeting will be held one hour prior to discuss Fire Department needs and funding. At 10:45 pm Trustee Toman made a motion to adjourn the meeting. Trustee Spellman seconded the motion. The vote was all in favor.



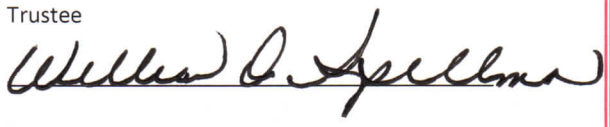
Fiscal Officer



Chairman



Trustee



Trustee