

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*

March 13, 2024 - *Held 6:00 PM*

The Greenfield Township Trustees met in regular session at the Firehouse. Trustee Searle called the meeting to order and led those present in the Pledge of Allegiance. Dave Cotner, Lonnie Kosch and Kent Searle were present.

Trustee Searle asked for a motion to approve the February 28, 2024 Trustees Meeting Minutes, if there were no changes to be made. Trustee Kosch moved to approve the minutes; Trustee Cotner seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

FROM THE FISCAL OFFICER:

Fiscal Officer Wyne distributed financial reports.

Fiscal Officer Wyne advised that the February bank reconciliation was presented to the Trustees for their review and signatures.

Trustee Kosch made a motion to pay the bills associated with warrants 3208 through 3232 and Electronic Debits 35-2024 through 48-2024; Trustee Cotner seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

Trustee Kosch made a motion to approve the Purchase Orders, and/or Then and Now Purchase Orders; Trustee Searle seconded.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

FLOOR: Jeff Williamsen, 1201 Winding Oak Drive, Baltimore, spoke from the floor. He stated he had been attending nearly all of the Fairfield County Commissioner meetings to find out if they were going to take any action on the Greenfield Township resolution regarding solar energy. Mr. Williamsen stated they do not address the subject, but stated they had hired someone to study it. Mr. Williamsen stated there are now six townships who have submitted resolutions to the Commissioners, but there has been no action taken on the resolutions. He stated he was proposing that all of the trustees of the townships who had submitted written resolutions would request a meeting with the Commissioners to ask them to address this situation. He asked if the Board - all three trustees - would agree to participate in this action. He also noted he had attempted to reach the Ohio Township Association regarding this issue; however, they would not return his calls. Trustee Cotner stated he would contact Jeff Fix to find out where things stand on this issue. Trustee Kosch also suggested the County Association meeting is a public meeting, and there should be a meeting coming up in April. All thirteen townships should be in attendance at that meeting. Trustee Kosch will check on the meeting and report back.

David Day, 3050 Lithopolis Rd., Lancaster, was the next speaker. Trustee Cotner asked for clarification as to whether Mr. Day was in a legal situation with Mr. Stebelton, the property

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owner, as Mr. Stebelton had reported this to Trustee Cotner. Mr. Day stated that was not the case; he had not taken any legal action at this time, but it is something that may occur in the future. He noted that he has since discovered that his insurance will not cover the smoke damage inside his home because he waited too long to file. He stated he was waiting for the situation with the smoke across the street to be resolved.

Mr. Day proceeded to read the following nuisance law - state of Ohio - to the Board: “No person or entities shall cause or permit a public nuisance to be on or to remain in or upon any structure, crevices or other places of which that person or entity is the owner, leasee, tenant or occupant as used in the chapter “Public Nuisance” means conditions that exist when properties with activities that substantially and unreasonably the contact of any activity on any property which by reason of noxious odors generated, thereby, are smoke, dust, dirt being cast from there from property is harmful to the public health, welfare or safety, or it interferes with the peaceful and lawful use of comfort and enjoyment of ownership of property or occupants of that property”.

Mr. Day went on to explain that he had done extensive research on this subject due to the issues he continued to have with the property across the road from his home. He also explained that he and his family knew the property owners, The Stebeltons, and their family for many years. He also went on to state that the burning being done at the property was against the law, even though he had called the Fire Department several times. Mr. Day stated the law required that the fires the person was burning required screens around the fire, and vent holes with screens in them, as well as on top of the burn barrel. He stated the person did not have that. Mr. Day stated the building had never been inspected inside for fire safety, since the building is being used as a business, with customers in and out every day. He stated it was not built to be used in this manner. He stated there is a problem with the zoning, since it is not zoned for the use that is occurring there, and stated it should be shut down immediately. He also raised another issue of the tractor trailers that are being stored on the property and waiting to be used for another purpose. He stated the property is not zoned for that usage. He also stated the sign that is out at the front of the property at the road does not have a permit and is not within the zoning code. He stated the other items that are displayed for sale are not allowed to be there.

Trustee Searle thanked Mr. Day for his input, and asked if the nuisance property information he had read was from the Ohio Revised Code, and asked if it stated who was responsible to enforce that law? Mr. Day affirmed that it was, and stated that the Fire Chief is responsible to enforce the law. He then went on to clarify that the Code stated “Administrator, or Fire Chief....” or Tom. They can write a complaint and find him in violation of the nuisance law; then, it goes to the prosecutor. Mr. Day reiterated that he wants people to go by the law.

ZONING DEPARTMENT: Tom Erlenwein, Zoning Inspector, reported on the following business:

Tom had submitted his report to the Board.

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BZA Conditional Use/or Appeals: Tom reported a conditional use permit application had been submitted by a developer for an area near Meijer for a drive-through coffee shop. The land would be leased from Meijer, so he needs to review the legal aspects of this issue. He noted a variance hearing had been required for the credit union in that area because there was no main road access; however, the other businesses do have main road access.

A BZA hearing for potential conditional use may be scheduled in the future, based on the type of business that is being conducted on the property on Lithopolis Road. Tom noted the neighbors will be notified and their feedback will be taken into consideration.

Public Hearing to be Scheduled: Tom reported he needed to coordinate a date for a public hearing with the Board for changes to the zoning code. This will need to be advertised in the local paper. It was determined that Thursday, April 11, 2024 at 6:00 p.m. would be the date for the hearing, to be held at the Firehouse.

David Day asked if the person conducting the business across the street from his home will be ordered to cease his activity until a hearing is held. Tom stated he would not be notified of this. Tom stated an appeal needs to be file, and stated he may have missed the appeal period. He also needs to complete a conditional use application. Mr. Day also asked if he would be fined. Tom explained he was not at a point to comment on that at this time. Mr. Day went on to explain the activities he's seeing there, and what is happening on the property. Another participant reiterated that the same activities continue to happen, in addition to other activities, and he stated someone needs to do something about it. He stated they would be taking it as far as they can. Trustee Searle reiterated that a meeting was scheduled with the property owners and the person conducting the activities at the property to keep the process moving forward. The participant emphatically stated that the whole situation should not be allowed, or he should be required to put up a twelve foot high fence; also that he and Mr. Day have a right to live their lives and be left in peace. Mr. Day also stated the person sets off fireworks after he and Mr. Day have had a discussion, and Mr. Day stated the person does this on purpose, as he knew Mr. Day has PTSD. Trustee Searle suggested that Mr. Day needed to contact the sheriff's office if he feels he is being harassed. He also reiterated that the process is moving forward, and stated the final decision goes to the BZA or the Zoning Commission.

Tom Erlenwein confirmed the date of the public hearing as Thursday, April 11, 2024 at 6:00 p.m., and stated he would reach out to the prosecuting attorney's office about the zoning violation.

Accessory Structures and Breezeway Definition/Code Changes: Tom stated there were discussions happening with the Zoning Commission regarding this subject. He noted there were several anonymous complaints before he took some time off, and he will be researching those again. He stated he does drive by the properties with the complaints; however, he does not reach out and cite anyone. In relation to that, there was a very large breezeway addition that had been built at 5150 Brook Road, which he had granted a permit

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for; however, Tom and also a participant noted that the addition was much larger than the original house. A participant also noted that the area around the house contained a lot of junk. Tom went on to explain that there is a maximum square footage that can be built on a site; a percentage of the area of the land is calculated. Also, the complaint talked about a business possibly being operated from the property, so he will be following up on that complaint.

Stebelton Meeting: Tom stated he has a meeting scheduled with Charlie and Roger Stebelton at the township office on Thursday, March 14 at 3 p.m. They will also be bringing Mr. Hicks, the person who is operating on their property. Mr. Stebelton and Tom have a difference of opinion on how the code is being interpreted, per the zoning violation letter, so they will meet to discuss this. Trustee Searle confirmed that he would be in attendance, as well.

Claypool Electric Change Order: Tom had copied the Board on the change order, and asked for the Board to approve it. The work was completed by Claypool Electric and Tom Shafer was there when the walk-through occurred. Discussion continued as to what had been completed, what had not been completed, and what had been eliminated from the original plans. Tom Shafer confirmed that the salt barn lights still need to be installed. Tom Erlenwein confirmed that Claypool has them in stock. Tom Shafer also confirmed that the light over the grinder was not installed, either; however, Tom Erlenwein noted that the grinder light was not included in the change order. Tom Shafer asked to take some time to review the change order again to make sure everything that was presented was accurate. Trustee Searle also noted there were originally three lights to be installed in the front of the building; however, only two were installed, but that is accounted for in the spreadsheet which was included with the change order. He stated this issue would need to be tabled until the next meeting so this can be reviewed by all until the next trustee meeting.

Agricultural Exemption: Tom presented a copy of the agricultural exemption that was given to Kevin Paulus. He wanted the Board to see this and what it included as an example of how the agricultural exemption process should concur. It includes information regarding revenue from his honey, his starter bee sets, etc. This was all in the documentation he submitted. Although there was no fee required, Tom was still reviewing it from a zoning standpoint for his structure, so there is a record of it in the zoning files. He also noted Mr. Paulus submitted extremely good documentation to support his position.

Question Regarding Large Deck Structure on Sheets Road: Tom asked if anything needed to be sent to the homeowner concerning this issue. Trustee Cotner asked if any information was obtained regarding the owner making payments? Fiscal Officer Wyne stated that the prosecutor asked for the cost, and at the time, Tom did not have the dimensions. Tom reiterated that no violation letter was sent, and that he still needs a permit application and a drawing. Then, it can be determined whether there is a fine involved. The Board agreed that a letter needs to be sent to the homeowner to notify him of this information, along with an application.

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ROAD DEPARTMENT: Tom Shafer, Road and Cemetery Superintendent, reported on the following business:

Fairfield County Monthly Safety Meeting: Tom reported the Road Department attended the monthly safety meetings one week ago. It was a dual meeting in one session covering pesticide application and chemicals; the second meeting was presented by South Central Power. They presented their lifeline demonstration.

Road Department Work in the Township: Tom stated the Department has been out in the township conducting the typical spring work duties. They are still berming, fixing posts, replacing signs, such as stop signs and arrow signs, patching holes here and there.

Summer Road Work: Tom reported he had met with Dominic Caminiti, Strawser SCI, who had gotten the bid to do the micro surfacing and capesealing last summer. He reviewed the following roads with Mr. Caminiti: Claypool, by Tractor Supply; Dolson, and Helena Drive by Joe Carson. He did give feedback concerning the pricing, which has gone up. The estimate was \$101,000 for the three roads. The construction would be the same as what was done in Oak Creek last year, which was capeseal: The company comes in, sweeps the road, clean it, and then chipseal it, which seals the cracking. Then they go back over it and microseal it.

Tom also reported that he plans on doing the chipsealing in the township this year. He has been contacted by Eric McCrady, Fairfield County Engineer's Office, and he is getting ready to put out the bid for the liquid. He noted several townships go together on one bid to get a good price. It will probably include Liberty, Rush Creek, and some others. Trustee Searle asked if it would be more cost effective to have Strawser only do the capeseal over the chipseal, i.e. if Greenfield did the chipseal on the three named roads, rather than having Strawser complete the whole process. Tom pointed out that the traffic control on those busy roads is a big part of the reason for having them complete the entire process. If the roads were less traveled township roads, that would make sense. Trustee Kosch also asked if the township will still need to put out a bid, if the county is doing the bidding on their behalf. Tom responded that a resolution would need to be done if the county is entering a contract and letting the county conduct the bid for the township. Tom stated he is waiting to hear back from Eric McCrady in terms of how long the process will take place. The cost/quote could come down if Violet and the county are included in the bid. Trustee Searle asked that Tom keep up with the county's process so the township can get the resolution drawn up as soon as the bid is available.

Trustee Kosch also asked if Tom had looked into both Victor and Kull Roads so that they don't get too far out of hand and become more costly to maintain in the future. Tom responded that although there were cracks, it wouldn't hurt to go through and have the mastic done/touched up.

Trustee Kosch suggested getting a list together of the roads that will be tar and chipped this year, as the public will be requesting this information.

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Cemetery Deeds: Tom presented three deeds to the Board for signature: Charles W. Palm, 10694 E. State Route 762; Carroll Cemetery, Section E, Lot 196, Grave 2. The second deed is for Sheila Hall, deedholder; paid by Marily Harper, Carroll Cemetery, Section C, Lot 172, Grave 4. The final deed is for Doug & Cheri Campbell, Carroll Cemetery, Section E, Lot 134, Grave 2.

Sign on Coonpath Road: Trustee Cotner asked if the sign issue on Coonpath Road was ever investigated? Tom stated he had checked the road/intersecting roads, and could not find a sign that was damaged. There was no damage done to any township signs.

FIRE DEPARTMENT: Chief Brad Smith presented the following business:

Vehicles: The engine rescue is back up and running in a full functioning manner. Chief Smith asked for a motion to approve \$3,835.73 for the drum brakes and other brakes to be replaced on the rescue. This amount was better than what was initially estimated. Trustee Searle made a motion to approve \$3,835.73 to Midwest Towing for the repair of the brakes; Trustee Kosch seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

Chief Smith explained there was a crack in one of the drum brakes on the driver's side. This was discovered when the rescue was being taken in to get tires to be replaced. Midwest Towing drove the engine to their shop to repair the drum brakes. He also thanked the surrounding townships who assisted during these repairs, noting that Pleasant Township let Greenfield borrow their back-up engine.

Trustee Kosch inquired about the remainder of the fleet and where things stand with the current vehicles and any replacements needed in the future. Chief Smith explained with the age of the tanker - 33 years old - and the back-up engine - 30 years old, as well as the age of the fire station, issues are starting to crop up. The crash tank was repaired last week when the fuel tank dropped; the gas tank strap was replaced. The Department is looking at a three to four year window for getting some vehicles replaced, including a medic. It will take about two years to build. For an engine right now, the cost is close to one million dollars. This will take some grant funding and/or determining how to allocate funds. The pumper tanker that the Department has applied for is close to \$600,000. The rescue is currently eight years old; it needs to be moved to a second-out truck at the 15-year mark, per NFPA standards. For the new tanker, the final submission was done last week. The Department should hear a decision on any award in June or July. The group who conducted the webinars said the Department has a good chance, based on the age of the tanker, and the new NFPA standards.

Inspection Software: Chief Smith asked for a motion to renew the software for one year at a cost of \$1,660.59. Trustee Cotner made a motion to approve \$1,660.59 for Streamline; Trustee Kosch seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

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Grants: The AFG grant has been submitted.

Employees: An interview for a part-time employee had to be postponed for today due to a late run. His next availability for an interview is March 27, so hopefully, there will be a new part-time employee to be approved soon.

There were two internal applicants and one external applicant for the full-time positions. This is a mix of medic and EMT basic, so this will be discussed to determine what will be best for the Department. The union will bring this to the Board once the Department reviews the information.

Training and Events: Chief Smith reported the EMS billing companies will be meeting with the Department next Wednesday. Change Healthcare has terminated their contract, but this is not effective until March 2025. There is limited communication with Change Healthcare at this time due to a data breach that they are dealing with. This presents difficulty with getting data to get a better quote from new vendors.

The Fairfield County EMA is hosting an operations center training

BWC will be holding their annual Safety Congress later this month.

The Lancaster City Preschool visited the Department earlier in the month. They are the first preschool to be heart safe accredited in the nation. The mayor and others attended. The kids and parents had a fun time. There was also a nice article in the Eagle Gazette.

Shalom Church Easter Egg hunt will be held later this month. The Department will be in attendance.

Chief Smith asked if the Board needed to go into Executive Session to discuss more information related to a Department employee. Trustee Searle moved to go into Executive Session to discuss a personnel issue for the fire department; Trustee Kosch seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

Trustee Kosch moved to return from Executive Session; Trustee Cotner seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

The Board returned from Executive Session at 7:25 p.m.

Trustee Searle noted there was no action to be taken at this time regarding the matter.

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FROM THE TRUSTEES:

Trustee Searle asked for an update on the Complaint Form - Anonymous Complaints. Chief Smith reported he had sent the updated form to Fiscal Officer Wyne on March 12, 2024.

Trustee Searle reported there was an article in the OTA Newsletter which highlighted the Ohio Senate Select Committee on Housing. This group is taking a role in helping to build more houses in Ohio. They have made recommendations to the Ohio General Assembly for reforms in housing in the state of Ohio. Two of the recommendations they have made is eliminating township zoning completely, as well as eliminating referendums. These are both huge measures against townships. The OTA is adamantly against this; however, this is what is being considered. The Ohio General Assembly appointed the Ohio Senate Select Committee on Housing, and they are the group who are hearing the opinions of the lobbyists, and hearing what can be done to allow more housing to be implemented and constructed quickly. Trustee Searle reiterated that these recommendations are drastic measures that would change everything for townships.

Trustee Kosch asked Tom Shafer and Chief Smith if they had had an opportunity to review and process the reporting information that the Risk Management group was requiring. He noted this will be required monthly going forward, so it needs to be implemented as soon as possible. Chief Smith responded that he had looked at it, however, he had not had a chance to work on it. Tom Shafer reported he had spoken with Steve from Softworks about a reporting form like the form Trustee Kosch was presenting. Steve had loaded a one-page form for monthly signed inspections, and it included all of the roads, route markers, etc. and this could be printed off monthly for reporting purposes; however, Tom can't find it. He will be following up with Steve so he can find the form and begin the reporting process.

With no further business to come before the Board, Trustee Kosch made a motion to adjourn; Trustee Searle seconded the motion.

ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

Meeting adjourned at 7:45 p.m.