

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

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

After each trustee reviewed the minutes from the Trustees' Meeting held on June 9, 2021, Trustee Cotner asked if there were any changes to the minutes. Trustee Searle made a motion to approve the minutes as written; Trustee Kosch seconded the motion.

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

PUBLIC:

- **Potential Bond Refinancing:** Mike Burns with Baird Investment Banking in Columbus presented the information regarding potential refinancing/re-funding township bonds. He worked with the township in 2012 with the refinancing for bond interest savings, and it is now time for the bonds to be re-funded/refinanced again for further interest savings. The bonds were originally issued in 2004. The proceeds were used to build the current fire station. In 2012, the bonds were re-funded which saved the taxpayers approximately \$230,000 in interest savings over the remaining term of the bonds. If the bonds are re-financed now, the interest rate can be lowered for additional savings. The maturity date and term will stay the same; only the interest will change and be lowered. Mr. Burns explained the process as follows: If the township decides they wish to pursue the refinancing, they would pass a resolution at the next trustee meeting. He would then work with the township trustees and prepare a term sheet. This would be sent on behalf of the township trustees to approximately 50 local and regional banks, and Mr. Burns will follow-up with them multiple times over a two-week period. Then, he would present the proposals he receives to the trustees, and they would choose which bank they wish to work with on the refinancing by making a resolution at their next meeting. Dennis Schwallie of Dinsmore and Shohl, LLP is the attorney who has been long-time bond counsel to the township; he will prepare all the documents; then the trustees will sign all the documents.

Mr. Burns shared information on a similar type of refinance he had done with an Ohio school district to illustrate the process. The current interest rate on the Greenfield bonds is 2.94. He is estimating a lower rate of around 2%.

Fiscal Officer Wyne noted for the public the final maturity date is December 31, 2032, and that date will not change in this process.

Trustee Searle asked when the interest rate would be locked in on this process. Mr. Burns explained he could begin the process on good faith, and then once the resolution is passed at the July 14, 2021 meeting, the interest rate would be locked in on July 15, 2021.

Trustee Searle also asked if the Township was locked into this process if the interest rate increases by July 15, 2021, and they decide they don't want to move forward with the process. Mr. Burns replied no;

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

the Township would not be locked in to the process. He explained the process could be put on-hold to wait and see if interest rates change again.

Trustee Cotner made a motion for Mike Burns, Managing Director of Baird, to begin the process of the refinancing of bonds for the Greenfield Township Fire Department. Trustee Searle seconded the motion.

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

- **Zoning Permit Signs Not Posted:** Jack Barr of Winding Oak presented his concern regarding zoning permit signs not being posted. He referenced the Zoning Book, Section 205, Part 205.03, Page 2-A, third paragraph, which states the permit must be visible from the road to be valid. He stated there are currently four construction projects in his subdivision and no permits are posted. Discussion continued regarding what could be done about this issue, i.e., whether or not fines could be imposed, permits pulled, etc. Trustee Searle suggested the Zoning Commission discuss this issue and potential remedies when they meet with the Prosecutor's Office regarding some other issues on August 3, 2021, and Mr. Barr was amenable to this recommendation.
- Jim Beiter spoke next and agreed with the previous presenter's concerns regarding zoning issues, as well as the zoning book. He noted eight places where no zoning permit was posted. He also expressed his concern that the Zoning Inspector does not attend the Zoning Board meetings, nor report his activity to the Zoning Board. Mr. Beiter also expressed concern with the Zoning Inspector using a Township vehicle to conduct his zoning duties. Trustee Cotner replied that this is not the case; the Zoning Inspector is not authorized and has not used a Township vehicle to conduct Zoning Business. The Township vehicles are the property of the Road Department.
- **Payment for Hearings and Meetings to Board of Zoning Appeals (BZA) Members:** Dave Brown, Chairman of the Board of Zoning Appeals (BZA) presented next. An email had been received by the Board from Fiscal Officer Wyne regarding payment to the Board members for past meetings which was going to be taken back, based on the Trustees decision at their previous meeting. This payment has not been processed at this time. Lengthy discussion ensued regarding the payment of both the Zoning Commission members and the BZA members for meetings and hearings, and specifically holding meetings to approve minutes, which typically only takes five to ten minutes and would normally pay \$50 each. The Trustees felt this was not an appropriate use of funds. Past practice was discussed, as well as the fact that there is not a current policy or procedure in place to address this issue. The timeframe in which specific minutes are required to be created and presented for variance issues/hearings was also discussed. Trustee Searle expressed his appreciation for all the work the Zoning Commission and BZA members do, and that he didn't want any of the members to step down from their position over this issue. It was also noted the Zoning Commission now has a secretary who is doing the minutes and keeping things in order.

Trustee Cotner stated the Board would allow the payments that were going to be taken back to be processed as normal; however, going forward, the Board will not be paid \$50 for a meeting that is scheduled to approve minutes and/or only lasts five to ten minutes. After further discussion, Trustee

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

Searle made a motion that the Board not take back the payment from the BZA members for the two meetings that were previously paid. Trustee Kosch seconded the motion.

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

Trustee Cotner then asked if any other action needed to be taken for the Zoning Commission regarding the non-payment from the meeting on February 11, 2021. It was determined it would be left as-is.

Dave Brown again asked for clarification of which meetings would be paid for the BZA members, e.g. for organizational meetings, or other business meetings – even if those meetings are short meetings, for example – a ten-minute meeting. Trustee Searle clarified that a meeting held on the same night as a hearing and only held to approve minutes (five minutes or so) would not be paid separately. Any other business meeting held will be paid normally, regardless of length.

ROAD AND CEMETERY:

Part-time Road Employee to be Hired: Tom Shafer, Road and Cemetery Superintendent, reported the current full-time employee is ill and has been off work for several days, and is not expected to return until at least next week. Tom has been in contact with a potential part-time person who is interested in working. He is retired, has a CDL and has been a truck driver. Discussion continued regarding the person's qualifications, as well as hiring requirements, estimated rate of pay, number of hours he will be allowed to work, etc. It was determined a driver's license check and a drug test will need to be performed before any offer of employment can be made. Also, the potential employee will need to sign a document allowing for the driver's license check.

Fiscal Officer Wyne also reiterated that the full-time road employee who has been ill/off work will need a release to return to work from his physician when he does return.

Trustee Cotner made a motion to hire Doug Shaw as a part-time Road Department employee, at a rate of \$21.50 per hour, pending the results of his drug test and driver's license check. His start date will also be determined depending upon when these results are received. Trustee Searle raised the issue of considering this position as "seasonal" rather than as a year-round employee. Fiscal Officer Wyne confirmed this could be done, e.g. the employee could work up to 29 hours per week, as needed, and also be called in to complete snow removal in the winter, in addition to summer work duties. Trustee Searle then seconded the motion.

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

Additional Full-Time and/or Part-Time Road Employees: Tom raised the issue of hiring a full-time employee to be trained, so when he is ready to retire (within a two-to -seven-year range) there would be someone in place to continue the work. Discussion was held concerning costs, full-time vs. part-time positions, etc., and being able to find employees who would be willing to work. He also noted he has spent more time at his desk completing clerical work and working on the cemetery program, which takes him away from completing road duties. It was determined more analysis needs to be done with regard to the cost/budget, and the needs of the Township, and the Trustees will work with Tom on determining future needs.

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

New Computer Purchase: Tom requested to purchase a new desktop computer. He has consulted with TCR, and the representative told him the cost would be approximately \$785 for what he needs. The township IT consultant concurs that a new computer is needed. Trustee Cotner confirmed that Tom can move forward with the purchase of the new computer.

Tom noted mowing and patching of roads is ongoing at this time.

Trustee Searle shared a conversation he had with Tom concerning the cemeteries and the Memorial Day holiday. The goal for next year will be to have the foundations poured by Memorial Day, as well as having the markers set. Also, the township right-a-way grass will all be cut by Memorial Day.

Trustee Kosch inquired as to whether the regular road inspections are being done for signs, patching holes, grass, etc. and submitting those inspections. Tom confirmed he had been in Greenfield Estates yesterday and today working on this. Trustee Kosch also asked whether a plan had been made for the tar and chipping of roads; Tom stated a plan has not been made as yet. Trustee Kosch asked whether the spraying for grass in cracks in the roads, around guardrails, etc. had taken place yet; Tom stated it has not been done yet; however, he had spoken with the part-time employee this week and asked to have this be a priority as soon as the mowing is caught up.

FIRE DEPARTMENT:

Approval of payment: Chief Smith requested approval of payment in the amount of \$1,876.15 for the replacement of brakes on Engine Rescue 561. Trustee Searle moved; Trustee Cotner seconded the motion to approve payment in the stated amount.

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

Active Shooter Training Collaboration: Chief Smith reported the Department is collaborating with the Lancaster Police Department, Fire Department Sheriff's Department and school resource officer for active shooter training in August. One of the medic crews will also be involved in this training.

FEMA Grant: He also reported he met with more SCPA vendors regarding the FEMA grant in order to determine what will work best for the Department. The grant has not been awarded yet; he is hoping to hear something soon.

Part-time Firefighter Resignations: Chief Smith reported there are three part-time firefighters resigning: Gardner Briggs, Sean Pompey, and Austin Thaxton. A written resignation has been received from each firefighter. He requested a motion to accept the resignations as presented, effective immediately. Trustee Searle made a motion to accept the resignation of each of these three employees. Trustee Kosch seconded the motion.

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

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

Additional CARES Act Funding: Chief Smith reported the Township had been notified of potential additional funding under the CARES act. If approved by the U.S. House, there could potentially be around \$570,000 which would be split between two years, to be obligated by 12/31/2024; to be spent by 2026. It would have specific requirements as to how it could be used, e.g. equipment. There will be a webinar held tomorrow to provide more information. There will be specific paperwork required in order to utilize the funds. Chief Smith and Fiscal Officer Wyne will work with Amy to complete the paperwork correctly if the township decides to utilize the funds.

Chief Smith also reported meeting with MSA for a demo of their equipment/air packs. There was discussion of the technology and cost, and what will be most beneficial for the Department.

FROM THE FISCAL OFFICER:

Fiscal Officer Wyne had distributed financial reports via email.

- Trustee Cotner made a motion to pay the bills associated with warrants 34169 through 34197 and Electronic Debit 64-2021 which are listed on the payment report; seconded by Trustee Kosch.
ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes. Motion Passed 3-0
- Trustee Cotner made a motion to approve the Purchase Orders, and/or Then and Now; Trustee Searle seconded.
ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0
- Trustee Kosch made a motion to approve Resolution 2021 06 23 01 to transfer \$5,500.00 from Fund 2191-220-381-0000 to 2191-220-323-0304; Trustee Cotner second the motion.
ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes. Motion Passed 3-0

RESOLUTION

Resolution 2021 06 23 02 which states The Board of Township Trustees of Greenfield Township, Fairfield County, Ohio, met in regular session on the 23rd day of June 2021, with the following members present: Dave Cotner, Lonnie Kosch and Kent Searle. Trustee Searle moved for the adoption of the following:

WHEREAS, on June 9, 2021, the Board, by and through counsel, petitioned the Fairfield County Common Pleas Court, Probate Division to transfer cemetery bequest funds from the following named accounts Fund 4951 - Baugher Cemetery; Fund 4952 - Carroll Cemetery; Fund 4953 - Greenfield Cemetery; Fund 4954 - Miesse Cemetery to the Township's Permanent Cemetery Fund, Fund 2041 for the maintenance, improvement, and beautification of cemeteries owned and operated by the Board, and;
WHEREAS, the Probate Court granted the Board's petition and the Entry is attached as Exhibit A, and;

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

WHEREAS, as the Probate Court has approved of the proposed transfer of those funds to *Fund 2041*, the Board desires to complete the same, and;

WHEREAS, once the transfers are complete from the funds listed above, the Board desires to close those accounts and hold all of its cemetery funds in Township Fund 2041.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Greenfield Township Trustees hereby affirm that the cemetery bequest funds held in the following funds be transferred to Township Cemetery Fund 2041 for the maintenance, improvement, and beautification of cemeteries owned and operated by the Board:

Fund 4951 - Baugher Cemetery

Fund 4952 - Carroll Cemetery

Fund 4953 - Greenfield Cemetery

Fund 4954 - Miesse Cemetery.

Be It Further Resolved: That once the transfers of cemetery bequests have been completed to Fund 2041, the Board of Greenfield Township Trustees hereby request that the Greenfield Township Fiscal Officer close those accounts listed above as cemetery bequests and donations will be held in Fund 2041 moving forward.

Trustee Kosch seconded the Motion, and the roll being called upon its adoption, the vote resulted as follows:

Yea: Trustee David Cotner; Trustee Kent Searle; Trustee Lonnie Kosch

Nay: None

- Fiscal Officer Wyne stated she received a public records request from Donna Kosch wanting all the information for Havensport Road. She advised she has looked in the filing cabinets at the office but couldn't find anything. She stated that she was wondering if one of the Trustees would like to search in the boxes in cold storage for documents on that address. After discussion of the history of the property and files, the decision was made for Fiscal Officer Wyne to email Ms. Kosch and advise her there was no information or files to be found.
- Fiscal Officer Wyne stated at the meeting on June 9, 2021 the Board voted that the BZA would not be paid for their meetings on April 21, 2021 and May 26, 2021. Fiscal Officer Wyne asked if she is going to be compensated for those two meetings since she takes the minutes for the BZA meetings and hearings, and she did type the minutes from the meetings that were held each of the nights. Trustee Searle stated he felt payment should be made as it had been done in the past, i.e. for the Zoning Commission member, Caitlin Barbee, to be paid for both attending the meeting and/or hearing, and also for producing the minutes to the meeting and/or hearing.
- Fiscal Officer Wyne asked for clarification regarding the effective date for the up to additional ten working hours approved for Kevin Yeaman, Zoning Inspector. This was discussed at the May 26, 2021 Trustee Meeting. She noted he was paid for the last pay period based on the information on his timesheet;

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

however, there was no effective date established for the increased hours. Trustee Cotner made a motion for payment to be effective with the next pay period beginning June 27, 2021. Trustee Searle seconded the motion.

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

Trustee Searle raised the issue of needing more tape recorders for the Township, as there is only one right now. It is being used and shared for the Trustee meetings, Zoning Commission meetings, and Board of Zoning Appeals meetings. Trustee Cotner suggested two more recorders be purchased for the Township. Fiscal Officer Wyne stated she can order the two extra recorders for the Township usage.

FROM THE TRUSTEES:

Trustee Searle stated all the trustees had received an email from a John Huff who was seeking zoning information since April 2021, and says he has not gotten a response/not gotten the information he is seeking. Trustee Cotner stated he had spoken with Kevin Yeamans on this issue to determine the nature of the inquiry. Trustee Cotner had spoken to Mr. Huff and directed him to find the information he is seeking through the Fairfield County Auditor's Office. Trustee Cotner also confirmed Kevin had sent a letter to Mr. Huff in response to his inquiry. Discussion continued, and Trustee Searle stated he would call Mr. Huff.

Trustee Searle also raised the issue of the email received from Caitlin Barbee of the Zoning Commission concerning two hearings that need to be scheduled by the Trustees. Discussion ensued concerning the timeframe requirements of the hearing schedules. The Coonpath Road hearing will need to be held no later than July 23, 2021. A ten-day legal notice is due to the Eagle Gazette. Fiscal Officer Wyne asked if a court reporter was needed for this hearing; it was determined a court reporter is needed. The decision was made to hold the Coonpath Road R-3 hearing on Thursday, July 15, 2021 at 6:00 p.m. Trustee Cotner stated he would confirm the dates are available for the Zoning Inspector before they are confirmed and scheduled.

At this time, Jack Barr stated he had received an email inquiring as to whether a person could serve on both the Zoning Commission and the Board of Zoning Appeals at the same time. The consensus was that this was not a good idea, and is a potential conflict of interest.

Discussion continued regarding scheduling the second hearing. It was determined this hearing would be scheduled for Wednesday, July 21, 2021 at 6:00 p.m. at the Greenfield Township Firehouse.

Trustee Searle stated he had received a response from the certified letter that had been sent to the resident on Wilson Road regarding the noxious weed complaint. The resident responded that it had been taken care of.

Trustee Searle stated Fiscal Officer raised the issue of the resolution made at the last meeting regarding the Zoning Book and the multi-family housing and PUD issue. Discussion continued and it was determined the resolution should be rescinded. Trustee Cotner made a motion to rescind the resolution made at the last meeting and remove it from the Zoning Book; Trustee Searle seconded the motion. At this time, Fiscal Officer Wyne stepped away to obtain the resolution number so it could be recorded in the minutes. Trustee Searle stated he

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

would draft the new resolution to reflect the current activity, i.e. revise the PUD and R-3, and it can be reviewed at the next meeting. Fiscal Office Wyne asked to have this draft emailed to her so it can be included with the next meeting packet.

Trustee Kosch raised the issue of the Township comprehensive plan. In speaking with the person who worked on the county plan, he recommended that Greenfield coordinate with an equal-in-value township on a plan to share the cost, estimated to be \$35,000 to \$40,000. It was noted there could be some cost savings by using the same business who completed the county plan, as they already had the township map information. Trustee Cotner suggested Liberty Township could be a good partner to work with.

Trustee Cotner made a motion to go into Executive Session to discuss a personnel matter. Trustee Searle seconded the motion.

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

Fiscal Officer Wyne noted the time Executive Session entered as 8:52 p.m.

Trustee Cotner dismissed the other staff member.

Trustee Cotner announced the return of trustees from Executive Session at 9:10 p.m. All three trustees were present.

Trustee Searle moved to serve a list of disciplinary charges on the Zoning Inspector, Kevin Yeamans, to be mailed via registered mail tomorrow. Trustee Kosch seconded the motion.

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

Trustee Searle also made a motion to hold a disciplinary hearing for Kevin Yeamans based upon the list of disciplinary charges at the next Trustee Meeting on Wednesday, July 14, 2021 at 7 p.m. Kevin Yeamans will be notified of this hearing, as well. Trustee Cotner seconded the motion.

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

Trustee Cotner stated he had received a call from Anne Darling Cyphert, who had offered to fill in as Interim Zoning Inspector. Trustee Searle had an email from Ms. Cyphert, who had presented a contract to the Trustees, and he read the specifics of the contract:

- Interim Zoning Inspector will be paid \$30 per hour, up to ten hours a week, for up to three months.
- During the three-month period, either party, the Interim Zoning Inspector, or the Greenfield Township Board of Trustees, has the right to terminate this agreement without cause, with each party giving a seven-day notice.

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

- Vehicle Allowance paid at \$100 per month, or at the IRS-approved mileage rate for business, whichever the Board chooses.
- If extra hours beyond the ten hours are needed, the Interim Zoning Inspector will contact the Chair of the Board, who will have the authority to authorize extra hours.
- The Greenfield Township Board of Trustees understands that the Interim Zoning Inspector is employed by another township government in Fairfield County, which is the primary employer of the Interim Zoning Inspector, who will prioritize Zoning Inspector duties to keep her regular employment as primary, and her interim position with Greenfield Township as secondary.
- The Interim Zoning Inspector will provide her own cell phone at no cost to the Greenfield Township.
- The Interim Zoning Inspector agrees to attend Zoning Commission Board of Zoning Appeals meetings, via electronic technology, as her schedule permits.
- Greenfield Township acknowledges the Interim Zoning Inspector has Board of Trustee meetings of her own, which are primary employment at the same time as Greenfield Township Board of Trustee meetings, and is therefore excused from Greenfield Township Board Meetings. She will make every attempt to join the Greenfield Township Board meeting following her Board of Trustee meetings at her primary employment via electronic technology.
- The Interim Zoning Inspector is a direct report to the Board of Trustees. No other elected official or staff member from Greenfield Township has the authority to supervise the Interim Zoning Inspector.
- The Interim Zoning Inspector will be granted permission to take occasional vacation leave days without pay during this period of time of this agreement with notice to the Chairman of the Board.
- Greenfield Township agrees to the employer portion of OPERS and provides worker's compensation and liability insurance up to the full value of the Interim Zoning Inspector.

Trustee Searle noted there was a place for all three Greenfield Township trustees to sign the document.

Trustee Cotner made a motion to accept Anne Darling Cyphert's agreement as presented to help out at the Zoning Commission, starting on the new pay period of Sunday, June 27, 2021. Trustee Kosch seconded the motion.

Trustee Searle noted discussion needed to be held on the following items first:

RECORD OF PROCEEDINGS

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

June 23, 2021

Held 7:00 PM

- He recommended the IRS-approved mileage rate be used for paid mileage for this position.
- Also, he recommended that Dawn Wyne, Greenfield Township Fiscal Officer, be consulted regarding the OPERS deduction stated in the agreement, as well as the portion regarding workers compensation and liability insurance, up to the full value.

Trustee Searle recommended these two items are pending further discussion.

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

Trustee Kosch made a motion to adjourn; Trustee Searle seconded the motion.

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

The meeting was adjourned at 9:30 p.m.