

## RECORD OF PROCEEDINGS

*Minutes of*

**Greenfield Township Trustees**

*Meeting*

October 25, 2023 - Held 6:00 PM

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

Trustee Kosch presented the October 11, 2023 Trustee Meeting minutes for approval. After each trustee reviewed the minutes from the Trustees' Meeting held on October 11, 2023, Trustee Kosch asked if there were any corrections needed. Trustee Cotner made a motion to approve the minutes as written; Trustee Searle seconded the motion.

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

At this time, Trustee Kosch recognized Jim Organ, representative from The Siekmann Company, presented the following information to the Board: The Benistar program, which is a group Medicare product, could save the individuals and the Township several thousand dollars if the Board chooses to use this product instead of what they are using currently. Jim noted that he has townships in Licking County and several other areas who have chosen to use this product, and they are very happy with it. He went on to explain the details. The program works with Parts A and B of Medicare, and covers medical as well as prescriptions (via Express Scripts). By moving all of the current members of the Township to Benistar, the savings is estimated at \$82,000. Coverage also goes anywhere in the United States, just like Medicare. If the township decides to join, it would take approximately 60 days to get everything processed and started. The monthly premium for a trustee plus spouse will be significantly less than what they are paying now.

After further discussion, the decision was made to have a special meeting on Monday, October 30, 2023 at 4 p.m. at the Township Administrative Office to discuss Benistar in more detail.

**FROM THE FISCAL OFFICER:** Dawn Wyne, Fiscal Officer presented the following items:

The financial reports were distributed.

Trustee Searle made a motion to pay the bills associated with warrants 3018 through 3029, and Electronic Debits 155-2023 through 166-2023 which are listed on the payment report; seconded by Trustee Cotner.

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

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A motion to approve Resolution 2023 10 11 01 for the following transfer of funds was tabled until the fund code is corrected.

Trustee Searle made a motion to approve Resolution 2023 10 11 01 that was tabled from the last meeting as the fund number had too many zeros on the Administrative Assistant's talking point sheet that I had provided. It should have read:

\$5,000.00 from Fund 2191-220-381-0000 to Fund 2191-220-323-0304

Trustee Cotner seconded the motion.

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

Trustee Cotner made a motion to approve Resolution 2023 10 25 01, which states:

**WHEREAS**, Greenfield Township Board of Trustees authorize the Fiscal Officer to establish Revenue Fund 2908 to input the funds of \$20,000.00 from the Ohio Ambulance Transport Program that was awarded to Greenfield Township Fire Department in the amount of \$20,000.00 to pay the six (6) full firefighters and the Fire Chief premium pay for performing essential duties during the COVID 19 pandemic and to establish Appropriation Fund 2908 to appropriate those fund for the expenditures

**WHEREAS**, with the receiving of these funds and the expenditure of these fund for Fiscal Year 2023 Revenue and Appropriation would need to be amended

**NOW, THEREFORE, BE IT RESOLVED:** Greenfield Township Board of Trustees hereby approves amending the 2023 Revenue and Appropriations.

Trustee Kosch seconded the motion.

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

Trustee Searle asked how this pay worked, and whether it was in addition to premium pay. Chief Smith stated the firefighters would receive this pay in addition to their normal salaries. It will be paid out in one payment, in a separate check. The \$20,000 was divided among those who were eligible during the time period. He stated that 12 of the 13 Departments in Fairfield County applied for and received the funds.

Trustee Searle made a motion to approve Resolution 2023 10 25 02 which states:

**WHEREAS**, Greenfield Township Board of Trustees authorize the Fiscal Officer to establish Revenue Fund 2909 to input the funds of \$45,000.00 from the ARPA First Responder Grant that was awarded to Greenfield Township Fire Department in the amount of \$45,000.00 to pay the full and part-time firefighters retention pay for performing essential work during the COVID 19 pandemic and to establish

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Appropriation Fund 2909 to appropriate those funds for the expenditure.

**WHEREAS**, with the receiving of these funds and the expenditure of these funds for Fiscal Year 2023 Revenue and Appropriation would need to be amended.

**NOW, THEREFORE, BE IT RESOLVED:** Greenfield Township Board of Trustees hereby approves amending the 2023 Revenue and Appropriations.

Chief Smith stated he provided Fiscal Officer Wyne with the wrong actual number, it should be \$43,839.55 Dawn stated that she will mark out the \$45,000.00 and put in \$43,839.55.

Trustee Kosch seconded the motion.

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

Fiscal Officer Wyne stated that the township recently had an employee whose direct deposit was rejected due to him closing out his account. The township was charged a \$15.00 fee for the returned check. Fiscal Officer Wyne stated that public funds should not be used to pay for the \$15.00 fee since it is the employee's responsibility to have a means in which he can accept his direct deposits. Employees have been advised several times that they need to provide Fiscal Officer Wyne with updated information and keep the account open until their direct deposit is deposited into their new account. Fiscal Officer Wyne stated that she still has not received information on the individual's new account. The employee was issued a paperwork check in which the township could have been charged a \$30.00 fee but we weren't this time as the system automatically issued it without Fiscal Officer's Wyne approval. Chief Smith stated that he is in agreement with Fiscal Officer Wyne that it is the employee's responsibility and that public funds should not be used.

Trustee Searle made a motion for Chief Smith to inform the employee that he will need to write a check to the township to reimburse the \$15.00; Trustee Cotner seconded the motion.

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

Fiscal Officer Wyne stated that the township needs to open an account strictly to receive medic payments since we have had to make changes to our bank accounts lately. This new account will be only receiving the medic payments and transferring those funds to the checking account about every month. The account must keep at least \$250.00 and will receive interest. Trustee Searle moved to authorize Fiscal Officer Wyne to open an account strictly for the medic payments; Trustee Cotner seconded the motion.

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

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Fiscal Officer Wyne stated that during the Trustee's meeting on 10-11-23 when she was sick, Jane had conveyed that the Bethel Cemetery is a public cemetery and the township will have to accept this transfer from the Baltimore United Methodist Church per the Ohio Revised Code. Trustee Cotner stated there was a war veteran buried in the cemetery; therefore, the Township was required to accept the transfer. This is an inaccurate statement; the Township is required to accept the cemetery per the Ohio Revised Code ORC 517.27. Trustee Cotner stated that he said that because Tom said that.

Fiscal Officer Wyne presented the *Ohio Revised Code 517.27, which states:*

(A) When a public cemetery in a township is not under the control of a municipal corporation, and the title or control is vested in an association or its board of trustees, or is vested in a religious society, whether incorporated or not, or in its board of trustees, and such cemetery is used exclusively for cemetery purposes, such association, society, or board of trustees may convey such grounds to the board of township trustees and its successors in office. Except as provided in division (B) of this section, and subject to the rights of the original grantor, the original grantor's heirs or assigns, the board of township trustees shall accept and take possession of the grounds, and take care of, keep in repair, hold, treat, and manage them in all respects as required by sections [517.01](#) to [517.32](#), inclusive, of the Revised Code.

(B) A board of township trustees is not required to accept and take possession of the grounds of a public cemetery, or to take care of, keep in repair, hold, treat, or manage the grounds as described in division (A) of this section, if, as a result of the conveyance, any parcel abutting the cemetery grounds or from which the grounds were partitioned or subdivided satisfies any of the following conditions:

(1) The parcel is owned by the association or its trustees or the religious society that conveyed the cemetery grounds or by an association, its trustees, or a religious society that is a successor to the association, trustees, or religious society that conveyed the cemetery grounds.

(2) Any part of the parcel, including any building or structure situated on the parcel, is used for social, educational, recreational, or religious activities of the association or religious society or of an association or religious society that is a successor to the association, trustees, or religious society that conveyed the cemetery grounds.

(3) Any part of the parcel, including any building or structure situated on the parcel, is exempted from property taxation under section [5709.07](#) or [5709.14](#) of the Revised Code, or under division (B) of section [5709.12](#) of the Revised Code on the basis of being used exclusively for charitable purposes by the association or religious society that conveyed the cemetery grounds.

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(C) When a cemetery association or religious society conveys a cemetery under this section, all cemetery records and funds shall be transferred to the township. Transferred funds shall be used exclusively for cemetery purposes as set forth in section [1721.06](#) of the Revised Code and any other similar provisions of the Revised Code that require funds to be held in trust for cemetery purposes.

Fiscal Officer Wyne advised that there needs to be a motion to accept this cemetery. Once the Trustees accept the cemetery, Fiscal Officer Wyne will talk with Amy to inform that a motion was made to accept the cemetery. Once the Township receives the funds from the Bethel Cemetery, a deed will be prepared.

Trustee Searle made a motion to accept the Bethel Cemetery from the Baltimore United Methodist Church per Ohio Revised Code 517.27; Trustee Cotner seconded the motion. ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

Fiscal Officer Wyne stated that she is recommending that the Zoning Commission and Board of Zoning Appeals members that attended the meeting on October 19, 2023 be paid since they were invited to the meeting. Trustee Kosch made a motion to pay the members that were in attendance the meeting fee of \$50.00 for the October 19, 2023 meeting; Trustee Cotner seconded the motion. ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

**FLOOR:** Kirkland Davis, 5571 Havensport Road, Carroll, was in attendance to discuss a project that was previously discussed at the August 23, 2023 Trustee Meeting. Dawson Heimberger had presented the project at that time. The project involved boring under the road in order to discharge an NPDS system into his southern ditch. After the meeting, the neighbor verbally approved the project, and Mr. Heimberger began investigating further. It was discovered that the ditch will be well within the Township's right-of-way. Mr. Davis presented a plat which was reviewed by the Board as to the right-of-way maps. The boring would be done under High Street, Havensport. Additional details were discussed and examined as to rights-of-way, property lines, and the flow of the discharged gray water. Mr. Davis presented an email from the Fairfield County Health Department stating that they were in agreement with the project, once they receive a letter of approval from the Board to use the township right-of-way.

Trustee Kosch made a motion to give Mr. Davis permission to go on the Township right-of-way, once he shows the Board the paperwork from the Health Department and EPA; Trustee Cotner seconded the motion. ROLL CALL: Cotner: Yes Kosch: Yes Searle: Yes Motion Passed 3-0

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Fiscal Officer Wyne asked for a copy of Mr. Davis's paperwork so it could be filed with the meeting minutes.

**ROAD AND CEMETERY DEPARTMENT BUSINESS:** Tom Shafer, Road & Cemetery Superintendent, presented the following business:

**Rainbow Drive:** The Sheriff's Department has been patrolling Rainbow Drive. Tom is starting to get a collection of reports as a result. He noted many drivers are blowing through the stop sign; however, that is in Pleasant Township, not Greenfield. It was suggested that the Sheriff's Department be asked to patrol and report on Ginder Road, as well. Trustee Kosch said he would contact them tomorrow to request this.

**Cemetery Footers:** The footers will be poured on Friday, October 27, 2023, as well as pouring the flagpole bases.

**Sale of Cemetery Plots Without the Township's Knowledge:** Tom expressed his concern that there needs to be something in a written policy about the sale of plots. Fiscal Officer Wyne had shared the Ohio Revised Code, 517.07, with the Board and Tom in relation to this issue. Trustee Kosch reported that the Board had put something in writing in the late 1980's regarding this issue, and it specified that a person could not resell a plot to another individual for more than what was originally paid for it. The owner of the plot would need to sell it back to the township so they could resell it and create a new deed. This was put in place because people were buying multiple plots and reselling them. Trustee Searle reported that the code states that a person cannot sell a cemetery plot and make a profit on it. Tom recounted a recent phone conversation he had had with a resident regarding this issue. A resident called in and explained that her grandparents had bought four grave spaces at Greenfield Cemetery that were unused, and she wants to use them. Tom explained that her father was the heir, and if he had passed, any other surviving siblings would be entitled to use these spaces, with the proper paperwork and notarized statement. However, the issue has turned into private citizens selling grave spaces to another private citizen without the Township's oversight. Tom recently had an issue where a citizen presented a deed for a grave space that was sold to the person by a friend from church (no familial relationship). It was noted that the ORC allows for this type of sale - as long as no profit is made from the sale. The space must be sold for the same price as originally paid. Tom also suggested that he didn't feel he should be involved as a township representative in any sale or transaction of this type. Dawn suggested that Amy Brown-Thompson of the Prosecutor's Office be contacted for an opinion on this issue, i.e. whether a person can sell a grave space to another private citizen, without the township's involvement.

**ZONING BUSINESS:** Tom Erlewein, Zoning Inspector, presented the following items:

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- **Ginder Road Parcels/Joining Parcels:** The Zoning Commission had sent an email which Tom was not copied on. They approved a section of the code amendment for an alternative energy system. They approved the reclassification of the Ginder Road property so they can set up a public hearing to consider their recommendation. They joined the two parcels at the Auditor's Office, and then they applied for a zoning amendment to change the smaller parcel from R1 to B1; however the RPC recommended it be changed to LB. This meant hearing dates had to be republished. After discussion, it was decided to set a Trustee Hearing hearing for 5:30 p.m. on Wednesday, November 8, 2023 at the firehouse, before the next Trustees' Meeting.
- **Additional Zoning Commission Items:** The Zoning Commission had also recommended a change to the alternative energy page/section in the Zoning Resolution; however, this will need to go to the RPC before a public hearing with the Board can be scheduled. There are two other items the Commission is looking at, including amendments to the language around accessory structures, i.e. storage/shipping containers, and how long they can be on a property that does not have an agricultural exemption.
- **Variances and Inspections/Permits:** There were three variances approved, which were all held on the same date. This included the Meijer parcel issue; the setback requirements issue for Amber and Dustin Kemp; and the setback issue for Tim and Mia Martin on Route 158 (log home that was already built). All three were approved, and Tom issued the permits today.

Trustee Searle expressed his concern about how or why this happened with the Route 158 home situation and how to keep this from becoming a regular occurrence. Tom explained that this situation was rather complicated from the beginning, due to property being shared from family member to family member, and their plans to build. In addition, part of the parcel was then given to another family member, and they split the lot without investigating where the well and septic could be located in relation to what they had gotten a permit for, which prompted the variance request. It is a compliant lot as far as frontage and acreage. Additional details as to this particular situation were discussed, and it was pointed out that there are no additional inspections done in the building process, so if a resident does not comply with their building permit, there should be some sort of penalty. It was pointed out that the county does conduct plumbing inspections - septic and well - and must be certified by the Health Department. Further discussion was held as to requiring a property owner to provide proof of a well and septic permit from the county before they could be issued a building permit for a house/residence. The Board was in agreement with the practice, and having Tom implement this procedure. Steve Eversole pointed out that the Health Department would have to agree to conduct the

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inspections, so they would need to be consulted on this requirement in order to keep things moving. Trustee Kosch also suggested that better drawings should be required for the building permits.

- **Public Complaints:** Tom explained the 4073 Ginder Road complaint was in the process of being investigated and resolved. He had been out to review and meet with the owners, and confirmed that it is indeed a car repair business that is being done on the side, so it does meet the requirements of a limited home occupation - no more than one non-family member employee. In speaking with legal counsel, Tom confirmed that he could coach the property owner on how to become compliant, and they stated that was part of his job, as well.

Also, the owners have applied for a permit to add a breezeway to their property to connect their house to their garage. If and when this is done, this will qualify the work he is doing as an expanded home occupation - with BZA review and approval.

- **South Central Power:** Everything required by Claypool has been sent to them in order for them to proceed.
- **Zoning Applications:** There are three open applications for zoning certificates in the office, including the 4073 Ginder Road application. There is one business notice (Carroll Eastern Road) from expanded home occupation or planned rural business. The owner has family health issues occurring and is sending updates, as they wish to come in and meet to get this completed. Also, there has been a notice sent to the Keefers, so a response will be forthcoming.
- **Additional Items:**
  - Elijah Dacey issue: Mr. Dacey had spoken with Tom about getting a permit application; however, the submitted application was not complete, and did not include a description with drawings detailing what was being done. Tom advised Mr. Dacey to come into the office and he would help him to get the permit application completed. When Tom investigated the scope of the work, he found out Mr. Dacey has built a porch, but not within the setbacks of the zoning resolution. He submitted his permit application after Tom stopped at his home to speak to him about the work, and the application is incomplete. Tom will be sending a letter to notify him of the violations, including not getting a permit prior to building the porch, and also being in violation of the setback requirements.
  - Zoning Code Books - out of date: Fiscal Officer Wyne notified Tom that the zoning books are out of date. Tom would like to get the energy section to the RPC for review first, and once that is included, then have the books reprinted for



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the Trustees, the Zoning Commission, and the Board of Zoning Appeals members. All the old versions that are in existence need to be purged.

- Havensport Parcels: Tom reported that the lot is no longer conforming if it has been empty for more than six months. Once a structure is removed and a lot is empty for six months, it is no longer conforming. Trustee Searle pointed out there had never been a house on the lot; there were two separate parcels. The person who bought the two parcels is now trying to sell one; however, there are questions as to whether it is buildable.

**FIRE DEPARTMENT BUSINESS:** Chief Brad Smith presented the following items:

**Vehicle Updates:** The old Ford medic is back. The new medic will be sent out soon so the wiring issue can be diagnosed. There are turn signal and camera issues that are happening intermittently.

**Station Generator:** The station generator was installed last week. The transfer switch was installed today. A final run-through will be done on November 2, 2023 with Claypool and Buckeye Power Sales. There is a new advisory panel on the base which will show any issues. Once the November 2 run through is done, the back-up generator will be disconnected.

**Grants:** The BWC Safety Intervention Grant was awarded in the amount of \$31,140 for the battery operated e-tools for the engine rescue. Dawn took care of the retention and Ohio Ambulance Transportation Program (premium pay) grants.

**Special Events/Training:**

- Trick or Treat is happening this weekend at Greenfield Estates.
- An AED will be installed at the bridge at Rockmill which is part of the HeartWatch program of Fairfield Medical Center. There will be an outdoor cabinet installed with a heating element with constant power, so even in the cold weather, the device will still be able to work. This will be placed closer to the parking lot area.
- Trick or Treat will be happening in the Village of Carroll on Tuesday, Oct. 31, 2023.
- Interviews are being scheduled for additional part-time employees.

Trustee Searle asked about the issues with the medic that was just returned to the Department. It had an airbag issue where the bag wasn't filling. Also, there was a power steering leak.

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### **FROM THE TRUSTEES:**

Trustee Kosch asked if anyone from the Township would be attending the County Engineer's Meeting at 2 p.m. on October 26, 2023. Tom Erlenwein and Trustee Cotner stated they would not be able to attend.

With no further business to discuss, Trustee Cotner 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 7:33 p.m.