

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*
December 28, 2022 - 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. Kent Searle, Lonnie Kosch and Dave Cotner were present.

After each Trustee reviewed the minutes from the Trustees' Meeting held on December 14, 2022, Trustee Searle asked if there were any changes to the minutes. Zoning Inspector Tom Erlenwein advised that he overstated the square footage for the Bob Boyd permit during the meeting and it was brought to his attention after the meeting by Steve Eversole. He stated it was a little over 100,000 square foot structure, but actually it was 10,000 square feet. Fiscal Officer Wyne stated that the minutes should stay as they are as that is what was said during the open meeting, but tonight's minutes will reflect the correct footage. Trustee Kosch made a motion to approve the minutes as written; Trustee Cotner seconded the motion.

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

After each Trustee reviewed the minutes from the Special Trustees' Meeting held on December 16, 2022 to discuss compensation/benefits, Trustee Searle asked if there were any corrections needed. Trustee Kosch made a motion to approve the minutes as written; Trustee Cotner seconded the motion.

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

After each trustee reviewed the minutes from the Public Hearing held on December 19, 2022 regarding Scott Lines property, Trustee Searle asked if there were any corrections needed. Trustee Cotner 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

Deputy Manier stopped in to see if the township had any concerns and was advised no.

Trustee Cotner stated he wanted to thank Deputy Manier for performing CPR on a gentleman on Wagnalls Run. Deputy Miner stated he and Sgt. Walker performed CPR on a gentleman that was walking his dog that was attacked by another dog. The gentleman went into cardiac arrest. He advised Sgt. Walker went to see the gentleman in the hospital.

Tom Shafer also thanked the Fairfield County Sheriff's office for their help during the recent winter storm. People were abandoning their vehicles and leaving them in the roadway.

FROM THE FISCAL OFFICER:

Fiscal Officer Wyne distributed the financial reports.

Trustee Cotner made a motion to pay the bills associated with warrants 35067 through 35081 and Electronic Debits 194-2022 through 199-2022 which are listed on the payment report; seconded by Trustee Kosch.

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*
December 28, 2022 - 6:00 PM

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 Cotner seconded.

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

Trustees signed a cemetery deed for Danny Lake, Carroll Cemetery, Lot 148, Sec. C, Graves 2 & 3.

Trustee Searle made a motion to approve Resolution 2022 12 28 01 for the following transfer of funds.

 \$3,000.00 from fund 2191-220-190-0011 to fund 2191-220-319-0000

 \$6,000.00 from fund 2191-220-190-0011 to fund 2191-220-599-0000

 \$9,579.76 from fund 2275-110-430-0000 to fund 2275-110-599-0000

Trustee Cotner second the motion.

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

During the meeting on November 30, 2022, a motion was passed to purchase two copiers from Modern Office Methods at a cost of \$13,451.58 each, plus any charge for the maintenance and service agreement. Brad and Dawn have been in contact with Lauren Scott with Modern Office Methods (MOM), and that cost is for both of the machines; however, it does not include the maintenance agreement.

The Township received an anonymous letter from a concerned citizen questioning the past and current Ginder Road and Brooke Road zoning.

Fiscal Officer Wyne advised that an email was received from Amy Brown regarding her interest to serve on the Zoning Commission.

Trustee Cotner made a motion to approve Resolution 2022 12 28 02 to authorize legal counsel to update personnel policy manuals.

WHEREAS, Greenfield Township Board of Trustees finds it advisable or necessary to have additional legal counsel to advise and represent it with respect to certain labor, employment, personnel and other township matters; and

WHEREAS, the Board has appropriated or has available certain sum for legal services for 2023;

WHEREAS, the Board finds attorney David Riepenhoff with the law firm of Fishel Downey Albrecht & Lamp; Riepenhoff LLP qualified to perform these services, and desires to appoint such legal counsel pursuant to O.R.C. 309.09(B) to provide the additional legal services to draft and advise pertaining to Township employment policies and related matters;

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*
December 28, 2022 - 6:00 PM

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Greenfield Township, Fairfield County, Ohio (the "Board") that:

Section 1. The Board hereby retains David Riepenhoff with Fishel Downey Albrecht & Riepenhoff LLP, ("Attorneys"), to provide the additional legal services to draft and advise pertaining to Township employment policies and related matters; and

Section 2. The compensation of the Attorneys is to be per the terms of their July 6, 2022 engagement letter to the Township; \$200/hour for attorneys and \$95/hour for paralegals and law clerks, plus expenses; the total compensation of Attorneys for this project shall not exceed \$4,500 without further action of the Board; and

Section 3. This action and all deliberations upon this matter were conducted and taken in open meetings in compliance with Ohio Revised Code Section 121.22.

Trustee Kosch seconded the motion.

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

Trustee Cotner made a motion to accept Resolution 2022 12 28 03 to retain Peter N. Griggs of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC on an annual basis for the year 2023.

WHEREAS, the Greenfield Township Board of Trustees ("Board") is authorized by Section 309.09(B) of the Revised Code to employ attorneys on an annual basis other than the prosecuting attorney to represent the Township and its officers, boards, and commissions in their official capacities and to advise them on legal matters; and

WHEREAS, Section 309.09(B) of the Revised Code provides that no such attorney may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorney's legal services shall be fixed; and

WHEREAS, the Board finds it necessary to appoint attorneys to counsel and represent the Township on an annual basis for calendar year 2023 in such matters as the Board or its designee may refer to them; and

WHEREAS, the Board has appropriated the sum of \$10,000.00 for legal services for 2023;

NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Greenfield Township, Fairfield County, Ohio, that:

SECTION 1. Peter N. Griggs of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC, are hereby employed on an annual basis for calendar year 2023 as the Township's legal counsel to represent the Township and its

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*
December 28, 2022 - 6:00 PM

officers, boards, and commissions in their official capacities and to advise them in connection with such matters as may be referred to said Counsel by or on behalf of the Board or its designee.

SECTION 2. The compensation for such counsel during 2023 shall be paid as follows: \$225.00 per hour partner attorney time; \$205.00 per hour senior associate time; \$180.00 per hour associate time; \$120.00 per hour law clerk time; and \$105.00 per hour legal assistant time; plus out-of-pocket expense reimbursements; provided that the total compensation shall not exceed \$10,000.00 without further action by this Board.

SECTION 3. The attorneys may be discharged at any time by a majority vote of the Board.

SECTION 4. The Township Fiscal Officer is directed to send a copy of this Resolution to the law firm.

SECTION 5. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without limitation, Section 121.22 of the Revised Code.

SECTION 6. This Resolution shall take effect and be in force from and after the date of its adoption.

Trustee Kosch seconded the motion.

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

Fiscal Officer Wyne advised during a past meeting a motion was passed to purchase fireproof filing cabinets to not exceed \$25,000.00 using ARPA funds. She advised that she obtained three quotes for fireproof filing cabinets (two filing cabinets for Fiscal/Administration; one filing cabinet for Zoning and one filing cabinet for the Road Department). She advised that Office Mart is the lowest at \$2,394.94 for each, with no set up or delivery fees. Total cost would be \$9,579.76. She advised if we don't purchase other fireproof filing cabinets in the future, that previous motion will need to be amended. Trustee Cotner made a motion to approve the fireproof filing cabinets from Office Mart for a total cost of \$9,579.76, Trustee Kosch seconded the motion.

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

FLOOR: Trustee Searle confirmed there was no business to be presented from the Floor.

ZONING DEPARTMENT BUSINESS: Thomas Erlenwein, Zoning Inspector, reported on the following items:

RECORD OF PROCEEDINGS

Minutes of

Greenfield Township Trustees

Meeting

December 28, 2022 - 6:00 PM

TIFS: Tom advised that he put together a revised summary of the commercial properties for the TIFS. He stated that apparently made a mistake when he asked for the listing from the Auditor's Office that included all the industries and commercial properties within Greenfield Township. He stated that the list that was provided to him included all of the properties within the Village of Carroll and the City of Lancaster. He advised this was caught by the Prosecutor's Office. Tom stated that there were originally 262 parcels. Once we removed the 48 parcels within the Village of Carroll and the 17 parcels within the City of Lancaster, we are down to 197 parcels. This information has been sent over to our legal counsel to review and give feedback. Trustee Searle asked if legal counsel was going to be present on Friday for that meeting to provide advice and Tom stated yes. Trustee Searle asked if the school districts needed to be notified of the removal of those parcels? It determined that our legal counsel could advise on the issue on Friday.

Tom also noted the Bloom Carroll School Superintendent had requested information on the cash impact based on the existing tax base. Tom stated that it was noted in the original posting that no new taxes would result from the TIF within the township; it will not take any tax money away from the school district. Neither the Board nor Tom has seen any request from Bloom Carroll legal counsel.

Anonymous Complaint: Trustee Searle asked Tom if he had seen the letter from a concerned citizen regarding Ginder Road. Tom advised Dawn provided him with a copy of the letter today. Tom stated if he had to speculate, he would say it was from the same individual that had concerns about the driveway. Trustees Cotner stated as far as he was concerned if someone cannot have ownership to sign the letter then he has no feelings for them. Trustee Searle stated that the individual listed three addresses and went out to look at those addresses, as follows:

1690 Ginder - This is the property that was split into three lots. Trustee Searle asked if there were zoning permits for the two houses that were built. One house has a permit which was approved. The other house's application was submitted and it was approved, but advised they would need to get a driveway permit approved by Road Supervisor Tom Shafer. The owner did not follow up with getting a driveway permit from Tom Shafer, but rather stated she had contacted Fairfield County regarding what was needed/required and she didn't need to do anything further. Tom Erlenwein stated that the Township received an anonymous complaint regarding the location of the driveway. Tom also followed up with James Mako with Fairfield County, and Mr. Mako provided a copy of the correspondence that was sent to the property owner. It specifically states Fairfield County does not have jurisdiction over the driveway issue, and that she should contact Greenfield Township Road Department for the driveway permit. They did give a recommendation as to where the driveway should be located. Tom Erlenwein advised he drove by the property and then sent a letter to stop work until a permit was issued for the driveway. Tom Erlenwein stated while he was off sick, Tom Shafer approved a driveway permit for this property. It was stated that this driveway is unsafe. Trustee Searle advised that there is a driveway right across from this property, but Trustee

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*
December 28, 2022 - 6:00 PM

Kosch advised that driveway was put in 20 to 30 years ago when the traffic on that road is not what it is today and was put in before zoning.

1665 Ginder Road - Is this a barn or a house? Trustee Searle stated he stopped by and has the same question, as it appears someone built a barn with no house. Was a permit issued? Tom Erlenwein advised that the permit was issued by Caitlin the Zoning Inspector. Trustee Searle questioned if they got a permit to build an accessory building with no house? Trustee Searle stated he believes the anonymous complainant has a valid concern and states the township needs to look into this.

1295 Ginder Road - The complainant questioned if the township allowed a garage/building to be placed in front of a home on a curve next to the road. Trustee Searle advised he has concerns. Trustee Searle questioned who gave the permission to do this. Tom Erlenwein advised he would have to look into that. Trustee Searle stated that the only way that would be permitted would be with a variance as that does not fall within the set backs. Tom Shafer advised that it would have been before Zoning Inspectors Tom Erlenwein and Caitlin Barbee. Tom Shafer stated he believed there was an existing structure there. Trustee Searle asked Tom Erlenwein to look into this.

Bob Boyd Permit: Tom advised that the correct square footage is 10,000 square feet, not 100,000 square feet as previously stated. Dawn will make this correction. Tom also stated the permit has not been issued yet; he is waiting for the check.

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

Snow Removal During Recent Winter Storm: Tom advised that the Road Crew worked four days solid with sub-zero temp and drifting snow removal, and it went as well as can be expected: no lost time, no injuries, no maintenance issues.

Mailbox Damaged on Kauffman Road: Tom advised that he received an email from Fiscal Officer Wyne advising she received a call from Mike Steif (3150 Kauffman Road) that his mailbox got hit by our snowplow and his mail got scattered. Mr. Steif also stated that some of his blacktop driveway is broken due to our truck turning around in his driveway. Tom stated that Mr. Steif is located right at the Greenfield Twp./Bloom Twp. line. Mr. Steif stated he did not see the mailbox get hit, but thinks his neighbor may have seen it happen. Tom advised that he sent Doug out to look at the mailbox, in which he took pictures. The mailbox was broken. Tom stated he returned Mr. Steif called to advise it was not Greenfield's truck that hit the mailbox as that is his route and he didn't hit it. He advised that he did turn around in the driveway one time in the last four days because there were cars off the road in Bloom Township, and he couldn't make it to his normal turnaround spot. He did state he doesn't know how Mr. Steif can say his driveway is broken as there is snow on it. Tom stated that the township has adopted the Fairfield County Engineer's mailbox placement policy, which states that the face of the mailbox, not the post, needs to be a minimum of 30 inches off the edge of the road. Tom stated that Mr. Steif was not available to come to the meeting tonight but asked for reimbursement to

RECORD OF PROCEEDINGS

Minutes of

Greenfield Township Trustees

Meeting

December 28, 2022 - 6:00 PM

replace his mailbox, which was \$150.00. Tom noted that Bloom Township also plows part of Kauffman Road, and Mr. Steif is right on the line of the two townships. Trustee Kosch advised if we pay for this one with no proof, then we will be paying for others. Trustee Searle asked what was done in the past. He was advised if we hit the mailbox then we have paid for them. Trustees advised since there was no proof that our vehicle hit it, the township won't be reimbursing for the broken mailbox.

Road Department Employees - Seasonal Working Hours: Trustee Searle questioned Tom on why there are four township road workers working during the winter months. Trustee Searle advised Tom that two of those workers are part-time employees who the township is not obligated to give them 29 hours of work per week. Trustee Searle advised that he was in the township today and he saw Doug plowing snow at the cemetery but the other gentleman was not working. Trustee Searle stated Jim is being paid at the higher wages, Trustee Searle asked if Jim Reinscheld was used for snow removal during the storm and Tom stated no. Trustee Searle questioned why he is working? Trustee Searle stated in his opinion he shouldn't be working as you didn't use him for snow removal. Trustee Searle states he doesn't feel we are handling tax payers' dollars fairly when we have someone come in working their maximum 29 hours per week year around. Trustee Searle stated it is not grass cutting time, not berming time, not tar & chip time, it is basically maintaining equipment and you got all winter to this. Tom stated you may have seen someone not working but Jeff and Jim were in the shop today putting snatch hooks on the trucks. Trustee Searle asked if this is a two man job? Tom stated Jim is a better fabricator welder than Jeff is, from a maintenance stand point. Tom stated several years ago we went from working 1500 hours a year down to 29 hours a week. Tom stated he cannot comply with 29 hours a week. He stated he is at a point with his job where he has taken on additional office work and has advised the trustees of this in the past. Tom stated the less time he has to spend out of the office the less time the paperwork, emails and phone calls get done timely. Tom stated "there are days I'm going to get you guys and there are days you are going to get me and it always evens itself out". Tom stated he knows Dawn does not like to hear this. Trustee Searle stated he was not talking about Tom and Jeff, I'm talking about part-time workers. It was stated that the township has provided four men to get the work done in the Road Department during the summer months but this is winter. This is not a situation with a part-timer who is going to get us sometimes and we get him sometimes, he is a part timer and he doesn't get us anytime. Just because he works his butt off in the summer does not mean he can slack in the winter. Tom advised if we don't give an employee a bone once in a while then we are going to be looking for another employee and that is going to be a continuous revolving door. Tom advised paying someone \$23.00 per hour to only work 29 hours a week is cheap. Trustee Searle asked if you actually need him or are you just bringing him in to get his hours. Tom advised he actually needs him. Tom stated there is still maintenance needed on the trucks and equipment. Trustee Searle advised that Doug is paid less than Jim and Doug is capable of doing the maintenance on the vehicles. Trustee Cotner stated we might as well just fire Jim now. Trustee Searle stated not to fire him but we don't need him in the winter. Trustee Cotner advised if we don't give him hours in the winter then

RECORD OF PROCEEDINGS

Minutes of **Greenfield Township Trustees** *Meeting*
December 28, 2022 - 6:00 PM

he is not going to come back in the summer. Fiscal Officer Wyne stated the reason Jim makes \$23.00 per hour is he is a CDL driver. If he is not going to drive the truck to plow snow then why are we paying him at that rate? Trustee Cotner stated this is the first time he hasn't driven the truck? Trustee Cotner stated he drove the truck all summer long. Trustee Kosch stated he drove the tractor to cut rightways. Trustee Kosch advised that when he was the Road Supervisor, he had an individual to work during the summer months but that individual was laid off from December to March. Trustee Cotner asked Trustee Kosch how many workers he had back then. Trustee Kosch stated three full time employees. Trustee Cotner advised he thinks Jim is essential. Last year we complained that Tom was not answering emails and phone calls and was getting complaints and we have not received any this year. Trustee Kosch advised he doesn't think Jim should be 29 hours a week. Trustee Kosch asked if Jeff was getting familiar with the computer, had he tried? Tom stated no. Trustee Cotner said he is not going to. Trustee Kosch stated that when Tom is out of the office, someone needs to be able to do it. Tom stated then maybe we need to hire another full time person. Trustee Kosch stated I have advised you to look at your budget to figure out how to hire another full timer. Trustee Cotner asked if Tom sends part timers home if there is nothing to do and he advised yes.

Trustee Cotner noted Kincaid on Election House needs attention.

Trustee Kosch advised we need to get the gentleman on Bonita to get his culvert clean. Trustee Cotner stated that the homeowner understands it is his issue to get it cleaned. It was stated that the neighbors will be complaining in the spring. Tom stated that there is a Ohio Revised Code regarding impeding the flow of water. Tom was asked to email the Trustees with this section of the Code.

FIRE DEPARTMENT BUSINESS: Chief Brad Smith was absent. Captain Cory Spires presented the following items:

FEMA Grant: Cory advised that the department was notified they were not going to receive two AMT grants for which they had applied since they did not score high enough. These grants were going to be used for the SCBA's and Tanker replacement. The grants will be reviewed to determine what can be done to reapply and have a better outcome.

Christmas Food Drop Off: Cory advised that with the generosity of the community and the Swan Club, they were able to drop off 26 boxes of food to the helpers that disperses items to the needy families in the Carroll Community. Cory provided a letter of thanks to Trustee Cotner to be shared with the Swan Club.

SWAT Building: The Hydro inspection of the new SWAT building was done and everything passed. The life safety inspection will be done on January 3, 2023.

SITE Visit: Cory advised that the Ohio Department of EMS had come in to conduct a CE site evaluation. Everything was approved for the Department to continue with their

RECORD OF PROCEEDINGS

Minutes of

Greenfield Township Trustees

Meeting

December 28, 2022 - 6:00 PM

continuing education site through the state of Ohio. This information will be taken to their Board meeting in February to be approved to operate as a CE - continuing education site in-house.

FROM THE TRUSTEES:

Trustee Searle advised after the last meeting, he asked about getting a key to the Administrative Office with the lack of different office hours we are experiencing now as it is hard for him to get into the building. Trustee Seale advised over the last month or so, he has had to come up with ideas on how to get in there and picked up the paperwork to get it signed. Trustees should have a key to get in, not only to sign documents but if there was an environmental issue. Trustee Cotner advised he could call Dawn or Tom Shafer to get in. Trustee Cotner advised that locks were changed due to the computer issues that were happening at the office. Trustee Searle advised we have cameras now so we can see who goes into the building but Trustee Cotner advised we don't have cameras inside the building to see who is getting on the computers. Trustee Cotner advised if a key is needed then that is fine but as soon as something happens to the computers again then they need to be pulled. Trustee Cotner stated he doesn't want a key or a code to the building. Fiscal Officer Wyne stated she is in there most evenings and during the weekend. Trustee Searle advised Trustees have no business getting on the computer. Fiscal Officer Wyne advised that some of the current filing cabinets are not able to be locked and there is confidential information in them. Fiscal Officer Wyne stated now that we don't have a server and the computers are password protected no one should be able to get on the computer. Tom will get keys for the Trustees and each will get a code to get in the building. Tom advised that he will not be happy if he gets a call in the middle of the night that someone did not disalarm the system. Dawn stated the alarm goes off on her phone when someone enters the building or the alarm is going off. Tom advised there will never be a good enough reason for a Trustee to be at the building by themselves at 10:00 at night. Trustee Kosch advised there are times that they may have to be in there due to down trees. Tom advised you can call the Road personnel and Trustee Kosch advised he had done that but no one answered the phone.

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

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

Meeting adjourned at 7:15 p.m.