

**RECORD OF PROCEEDINGS**

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

April 24, 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 April 10, 2024 Trustee Meeting Minutes, if there were no changes to be made. Trustee Cotner moved to approve the minutes; Trustee Kosch seconded the motion.

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

**FLOOR:**

Jeff Williamsen was signed in to speak, but did not have anything to say at this time.

David Day was also signed in to speak, but asked to be deferred to a later point in the meeting.

**FROM THE FISCAL OFFICER:**

Fiscal Officer Kull asked for a motion to pay the bills associated with warrants 3258 through 3286. Trustee Searle moved to pay these bills; Trustee Cotner seconded the motion.

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

Fiscal Officer Kull asked for a motion to pay the electronic debits 63-2024 through 74-2024; Trustee Kosch moved to approve these debits; Trustee Cotner seconded the motion.

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 Purchase Orders; Trustee Kosch seconded.

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

Fiscal Officer Kull also noted that the paperwork and documentation is being gathered in preparation for the biennial audit. She thanked Jane Baughn, Administrative Assistant, for the help with gathering the documents. There are 11 specific items due this Friday, and ten of those have been identified. There are 60 more items due by May 10, 2024, and those are about halfway done.

**ZONING DEPARTMENT:** Tom Erlenwein, Zoning Inspector, presented the following business:

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A conditional use hearing has been scheduled for May 7, 2024 at 6:00 p.m. for 3015 Lithopolis Road. Clarification was received from counsel which indicates that three separate items need to be addressed for each conditional use. A motion for each conditional use will be needed.

The Zoning Commission has made changes in language around the definitions regarding breezeways. This would limit some of the things that have been abused, etc. in the Township, such as ratios, and it will also include some best practices from other Townships. The changes have been taken to the RPC, and will be reviewed on May 9, 2024. Once reviewed, their notes will come back to the Township, and the Zoning Commission will meet and review those. Then, these will need to be reviewed by the Trustees for a decision.

**Public Complaints:** 5150 Brook Road - Yutzy property - business operations: Tom explained there was confusion when reviewing and researching the files as to what has been granted. Mr. Yutzy had not received a variance for business operations in 2002; however, there was also information that he was going to build a structure that was never built, but that a property had burned down. He has since applied for a new structure, and a new house, under one permit, which are all combined. We have since received an anonymous complaint about business operations on the property. Tom has attempted to meet with him to discuss this, as well as double-checking some data on the permit application vs. what he had observed on the site. Most appeared to be accurate, however, the height of the building may be a little taller due to some decorative cupolas on the building, but it is still within the height restrictions. Some investigation is ongoing, and Mr. Yutzy is responding to some questions that were raised.

**Application from Mr. Moore:** Tom noted he has received an application from Lloyd Moore as of April 15, 2024. This is in the queue and needs to go through the review process. Lengthy discussion was held concerning the fact that Mr. Moore had stated that the previous Zoning Inspector had told him he did not need a permit to add the porch to his new home building, for which he had a permit. However, the issue of setting a precedent was also considered. Zoning Inspector Erlenwein noted when he became aware he should have had a permit for his addition to his own home from a few years prior, he applied, paid for the permit, and also paid the fine. After considering all the facts, Trustee Cotner made a motion to not charge Lloyd Moore a double fine for his permit for his porches; Trustee Searle seconded the motion.

ROLL CALL: Cotner: Yes      Searle: Yes      Kosch: No      Motion Passed 2-0

**Bainter Property:** Tom reported the last communication he had concerning this property was via email with a realtor representing the Bainters. They were asking if

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they could occupy the current property. The answer was no. The rezoning that was done on the property was for industrial use, not residential. This was also noted in the file from Township legal counsel. If there is no further discussion on this matter, this item is closed.

**Zoning Resolution Amendments:** The amendments still need to be added concerning the renewable energy sections, and the zoning books need to be redone. This will require some consistent time and effort to have it done correctly, and the cost of reprinting will need to be calculated. Trustee Searle stated that he had offered to assist Tom with this project. Discussion continued as to whether to reprint a whole book vs. adding the amendment(s) (there will be another amendment following the renewable energy amendment), but Tom would like to see the entire book be reprinted, and then add the amendments as needed. He also noted there is a signature page for the Trustees that needs to be included once the resolution is done.

**South Central Power Lighting Project:** There has not been rebate in the form of a bill credit received to this point. An invoice has been received for the outstanding work, which has not been completed yet.

Trustee Kosch asked about the hearing Tom mentioned where three separate decisions will need to be made. He asked if it was marked out in acreage or how it is considered. The conditional use would be applied to the entire parcel, which is all one parcel now. Trustee Kosch asked if one of the businesses changed, how would the zoning change? would the parcel require a split? Tom explained that the conditional use would follow any split parcel. The question was also raised as to how to keep the file in order for the future as to what was done. Tom explained he had issued a conditional use that explains each conditional use that was granted. There are three conditional use permits in the file. If only two were granted, there would only be two. It was clarified that these conditional uses apply to the owner of the property, the Stebeltons, not the person conducting business there.

**FLOOR:** David Day, 3050 Lithopolis Road, Lancaster, asked what was being done about the nuisance property. Tom Erlenwein, Zoning Inspector, stated he had the information on his desk and will be working on it; however he had not had the opportunity to do so at this point. Mr. Day gave a very lengthy presentation and discussion of what had taken place, of what was done, what was not done, what had happened or not happened, as well as accusations against the Board members. Mr. Day noted this problem had been going on since June of 2023, so it has been almost a year. He expressed his extreme anger, disappointment and frustration as to why nothing had been done to stop the business operations across the road from his home, which he stated had caused him and his wife numerous health problems, as well as legal issues, and a very large bill for cleaning his home. He noted he had consulted with the EPA, the ORC, the prosecuting attorney, the police department, the fire department, and then the Zoning Inspector, as well as attending Township Trustee

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meetings to voice his concerns. The Board stated they were not involved with any legal matters between Mr. Day and Mr. Hicks. They also noted there was a BZA hearing scheduled for Mr. Day for him to bring his concerns to them. After some additional heated words from Mr. Day, he and his neighbor left the meeting.

**ROAD DEPARTMENT:** Tom Shafer, Road and Cemetery Superintendent, presented the following business:

**Arbaugh Tree Quote:** The quote from Arbaugh was for \$4,750 for Mt. Zion Road tree trimming. Tom has contacted another vendor and will meet with them to obtain a quote. A third vendor was contacted with no response.

**Assessment of Bill - Property in Watershed District of Hunters Run Conservancy:** A letter was received concerning readjustment of appraisal benefits under ORC 6101: "The following property has been appraised and will be subject to the proposed annual assessment of ..." and gives the address and parcel number for Greenfield Township Cemetery for a \$2 assessment per year. There will probably be a more formal invoice, but Tom wanted to bring this to the Board's attention.

**Road Salt for 2025:** Tom explained the current ODOT road salt contract had been received for 2025. However, the salt barn is currently full, and the Township is still required to take the 175 tons of salt that was ordered from the previous contract. Due to the past few mild winters, there hasn't been as much salt used. He also noted there would be an additional cost to take the 175 tons because it will need to be loaded into the barn by a conveyor system, as he does not have a way to push or load it into the barn since it is full. Discussion continued as to whether or not the Township is required to take any salt on the 2025 contract; it is not, and there will be no fee or fine associated with this action. It was also pointed out that in a worst case scenario where more salt is needed, it could be purchased for the upcoming winter. Tom stated he was comfortable with taking a year off from purchasing any salt on the contract, and the Board was in agreement with that action.

**Danny Kincaid Property - Water Issue:** Tom explained he had contacted Eric McCrady at the Fairfield County Engineer's Office to find out what he could do with this issue. The problem lies right off the Township right-of-way, and it is causing an issue and washing away the berm, potentially causing problems to the road. Eric also stated that any work the Township does has to preserve the roadway, and in that case, they would have just cause to do so. Tom also spoke with Mr. Kincaid, and due to the recent heavy rains, he said he has pictures of eight inches of water across the road in that area. Discussion continued as to the past issues that have occurred in this spot, and what may have impacted it to make it worse at this point. It was also pointed out that the actual issue is on the adjacent property, but the impact is on Mr. Kincaid's property and thus, the roadway. Tom will obtain the paperwork - work agreement and hold harmless agreement - from Eric, and then present it to the Board for their approval. He also noted Eric that said no resolution would be needed.

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**Possible Road Levy for November:** Tom distributed a packet to the Board for their consideration. It was noted the current levy is 23 years old, and generates \$125,000. Tom gave a comparison of the five funds that are in place for the Department. The appropriations and expenditures are included. He also noted the inventory of the trucks and equipment, with the age of the item. The packet also gave an estimate of cost if a full-time road employee were to be added, as well as an assessment of what would be generated between one mill and three mills. The figures were received from the Auditor’s Office in March 2024. Tom reiterated that he attempted to include as much information as possible for the Board’s consideration. Trustee Searle stated they would review the information and discuss it again at the next Trustee meeting.

**Cemetery Deeds:** Tom, along with Jessica Kull, Fiscal Officer, explained there were several deeds that had not gotten signed by the previous Fiscal Officer which now needed to be signed by the current Fiscal Officer.

The first was for Robert and Mary Jourdan for a transfer. Trustee Searle moved to approve the transfer of Lot 27, Section B, Graves 4 & 5, to Robert and Mary Jourdan; Trustee Kosch seconded the motion.

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

Trustee Searle moved to approve the deed of William D. Webb, Lot 40, Section C, Grave 1 in Greenfield Cemetery; Trustee Kosch seconded the motion.

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

Trustee Cotner raised the issue of the resignation of Jim Reinheld. Tom stated he had not had an opportunity to reach out to Mr. Reinheld at this point. Trustee Searle asked that Tom get in touch with him to attempt to obtain a formal resignation.

**FIRE DEPARTMENT:** Chief Brad Smith presented the following business:

**Station Vehicle/Equipment Issues:** The mechanical cots were having battery issues a week ago, but the batteries were replaced and are now working properly.

Medic 562 (old medic) was having brake issues - master cylinder - and needs to be replaced. The quote is \$700-\$800 to replace it. It has been put out of service and not being used. There was also discussion about putting it up for auction on a site like govdeals, or letting the Sheriff’s Office or SWAT Department use it (their current medic is extremely old). If it is put on an auction site, the minimum bid would be set at \$5,000, and if it doesn’t sell, it could go to the Sheriff’s Department.

**Change Healthcare/New EMS Vendor:** Brad presented a sheet with vendor information

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and costs to be considered for new billing services. Change Healthcare had notified the Department in February that they would no longer be providing services, effective March 2025. In working with county chiefs, the Department has been able to get a better deal for services. The sheet has no comparison information for 2022 because Change Healthcare has cut-off communication, partially due to a software issue they are having. This has affected anyone statewide or even nationwide who has been doing business with them. The billing is currently in a holding pattern. The new vendor will need to go back to the end of January 2024 to start the billing process. Medicount, Accumed and Quick Med Claims are being considered, and Brad feels that Accumed will be the best fit. They will be able to use the Department's current EMS software to find things to be improved upon, as well as being able to identify trends, even among individual employees. It will also provide financial data to be shared with the Fiscal Officer. None of the vendors require a lockbox like Change Healthcare did, so that will be a savings, even though Accumed has the highest fee of the three companies.

Trustee Cotner made a motion to go with EMS billing with Accumed for a three-year contract term starting in 2024. Brad stated he could obtain the contract from the company to be presented at the next Trustee Meeting, with this being considered a "soft motion". There was no second on the motion, which makes it a soft motion. Brad noted some of the other chiefs he has spoken with started their agreement in February to retro it back in order to reallocate the runs that were not billed.

**Employee Changes:** Tyler Boyd, full-time firefighter, has submitted his resignation, effective May 18, 2024; however, he wants to retain his spot as a part-time employee.

Trustee Searle made a motion to accept the resignation of Tyler Boyd, effective May 18, 2024, but he will stay on as part-time; Trustee Cotner seconded the motion.

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

**Career Center Presentation:** The Department presented at the Career Center to present and discuss the Fire Service with the students, and how they interact with the police. There is a good response from the students, with some of them deciding to change their career. The teacher also told Chief Smith it is a highlight for the class when the Fire Department comes in to present.

**Realty One Event:** The Department provided CPR and stop-the-bleed training to this group. Bloom Township also participated.

Trustee Searle asked about the staffing levels and where things stand. There are three candidates who are eligible and interested. There are a lot of staffing issues in general. The part-time employees (95%) are full-time elsewhere, so they are having forced hours on their full-time jobs more often due to staffing issues. Larger departments with better compensation are taking the eligible candidates.

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Trustee Kosch asked about the tanker and whether the Department should look at a good used one to get through for the next three years. Chief Smith explained that Bloom Township had purchased a used engine to get by until their new one arrives; however, it has been out of service since they bought it due to issues. He also noted that the Department stays in contact with some of the vendors, since they are producing some generic engines in a quicker turnaround time. They may not have exactly what each Department is looking for, but they are available more quickly for the Departments who need one. With the FEMA grant, Brad included the need for an engine, 2023 or newer. He noted the vendors are already adding an additional \$70-\$80,000 for an engine itself for trucks that are 2024 and newer.

At this time, Tom Erlenwein made additional comments concerning the property at 5150 Brook Road. In reviewing the files, he saw where the owner had applied for a variance for business operations there, as well as to change some of the setbacks for some of the structures he wanted to add to the property. Both were denied by BZA in 2002. There was an application on file for a permit for a shop, but it appears it was never issued. The application required the variance on the setbacks so it was included in the packet. Tom is waiting on the owner to respond to the business operations question, due to an anonymous complaint. Tom clarified that when the owner rebuilt in 2022, he was in compliance with the setbacks.

### **FROM THE TRUSTEES:**

Trustee Cotner raised the issue of hiring attorney Marshall McCormick to coordinate and write the land use plan and whether the Board wanted to make the decision to hire him at this time. He would like to have him attend a few meetings if he is going to be hired to write the plan. Trustee Cotner also thought Mr. McCormick may have more information regarding the plan that could be shared with the Board. Trustee Kosch pointed out that he would like to see more community involvement in the comprehensive plan meetings, although it had been difficult to know how to go about getting more community participation. The meetings have been posted in the Township, recorded in the minutes, and included in the Savvy Citizen app. After further discussion, it was decided this issue would be tabled until the next meeting. Tom Erlenwein confirmed with the Board that there was another mayor's meeting tomorrow, April 25, 2024, 2 p.m., and he would be attending.

Trustee Searle reported he had attended the Fairfield County Basic Zoning Code kick-off meeting. Holly Mattei was the presenter, and Jeff Fix was also there. Ms. Mattei has the code nearly done. Trustee Searle noted this code is different than how the township land use plan is written, as it goes by zoning uses, rather than zoning districts. It mirrors the Fairfield County Comprehensive Land Use Plan. The Zoning Code could be adopted by all thirteen townships, although they don't have to do so. A township could adopt it and use it, or they could use pieces of it and implement it into their code, or they could decide to solely use their own zoning code as it stands. A draft of the

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Fairfield County Basic Zoning Code will be forthcoming sometime before July 9. This will be available to everyone, including the Greenfield Township Zoning Commission. Trustee Searle explained that the draft recommends for R1 properties 100 feet road frontage with a minimum of two acres, which makes a long, narrow lot, with the idea behind it being there are more properties as you go down the road. The idea is to get more residences per acre. Tom Erlenwein asked if the R3 section of the Greenfield Code needed to be revisited in light of this information. Trustee Searle explained that there are two basic residential zoning uses in the proposed code: Rural Residential, which is the two acres with 100 foot road frontage, minimum, and also Suburban Residential, with four properties per acre, or more. They also have a third category for villages, and that is eight properties per acre.

There are no other meetings scheduled until after the draft comes out in July. However, the draft is essentially done, in addition to some input and comments from the meeting.

Trustee Searle addressed the issue of the OTARMA appraisal. He spoke with OTARMA and was informed that nothing needed to be done at this time. The last appraisal was done three years ago, and the next one will be done automatically. Greenfield is already scheduled, and it will start in June, or notification will be received by June. It will include all equipment trucks, buildings, etc.

Trustee Searle raised the issue of the Ohio Senate Select Committee on housing. They have finished the report, and given it to the Senate. There are four bills they are introducing to the General Assembly. One of the items of interest is in one of the bills, which says the state will provide money to the townships to do a comprehensive land use plan. It is unknown whether the Township can move ahead with their plan and then collect the funds later.

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

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

Meeting adjourned at 7:46 p.m.