

**RECORD OF PROCEEDINGS**

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

August 28, 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 presented the minutes from the July 17, 2024 Special Trustee Meeting regarding the Comprehensive Land Use Plan. With no corrections noted, Trustee Kosch moved to approve the minutes as written; Trustee Cotner seconded the motion.  
ROLL CALL:    Searle: Yes    Kosch: Yes    Cotner: Yes    Motion Passed 3-0

Trustee Searle presented the minutes from the July 24, 2024 Trustee Meeting regarding a typographical error that required an edit. This was on page four of the original minutes regarding the announcement of a public meeting for the BZA. The original minutes stated the meeting would be held on August 9, 2024, and it should have stated August 8, 2024; this has been corrected. Trustee Kosch moved to approve the minutes with the noted correction; Trustee Cotner seconded the motion.  
ROLL CALL:    Searle: Yes    Kosch: Yes    Cotner: Yes    Motion Passed 3-0

Trustee Searle presented the minutes of the August 14, 2024 Trustee Meeting. With no corrections noted, Trustee Cotner made a motion to approve the minutes as written; Trustee Kosch seconded the motion.  
ROLL CALL:    Searle: Yes    Kosch: Yes    Cotner: Yes    Motion Passed 3-0

**FLOOR:**

Trustee Searle addressed Brandon Finamore who had signed in, but indicated he did not wish to speak. The issue Mr. Finamore wanted to address was regarding 4400 Carroll Southern Rd. which has a conditional use permit. He is seeking approval on the final plat subdivision plan. Jeff Willamsen, Zoning Inspector, stated he was not aware of a requirement for him to sign-off on the plat; however, Mr. Finamore shared the information which stated there is a signature requirement from the Zoning Inspector. He did not have a document for the Zoning Inspector to sign at the meeting, but Mr. Williamsen stated he would be in the office on Thursday, August 29, 2024 at 3:00 p.m., and he could review the document which was included in a 30 page email, and sign it if there were no issues. Trustee Searle confirmed there was no resolution needed from the Township.

David Day was the next speaker. Mr. Day asked to speak at the end of the meeting so he could address the Board with some items.

Dawn Wyne, 74 Lock St., was the next speaker. Ms. Wyne stated she had not received the public records request she had submitted on July 29, 2024; therefore, her request was based on the meeting minutes of July 10, 2024. Ms. Wyne noted these minutes stated that Fiscal Officer Kull stated she had received four HRA payments that were overdue, and she had gotten the late fee waived. Ms. Wyne asked what the late fee was so she could pay it.

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Fiscal Officer Kull noted the records and files had been handled by the auditors recently, so it would take some time to sort and review them to find the fee information, as well as the public records request items; however, she again noted the late fee was waived, and stated she would get the requested information to Ms. Wyne when she was able to sort through the records. Discussion continued as to when the late fees were assessed, and what time frames they applied to. Ms. Wyne stated she could not recall having received the invoices in question, as they were sent via email, and she questioned which months had late fees assessed. Fiscal Officer Kull confirmed that she had not received an email with an invoice for the period of January, February and March of 2024. Ms. Wyne stated she had contacted Burnham & Flower, and they told her they had been having trouble with their accounting department, and there was a good chance that she had never received those emails. She also stated she assumed since Fiscal Officer Kull had not received the invoice via email for the months of January, February and March of 2024, with a due date in April, that the Township was not receiving the invoices. Ms. Wyne provided the invoices that she had received from Burnham & Flower, and noted none had a late fee on them. She also stated Burnham & Flower told her there were no late fees assessed, and noted the payment that Fiscal Officer Kull needed to make - \$225 - should have paid out of each appropriate department and not the general fund. She also noted there was no motion done to take money from the general fund for the payment. She also went on to state that as of today's date, she had not heard from Fiscal Officer Kull asking for help. She noted she had done all she was required to do while she was the Fiscal Officer, and asked Fiscal Officer Kull to stop telling people that she had not trained her, as she had not been asked to do so.

Trustee Searle asked for confirmation regarding the HRA payments and how they should have been paid. Ms. Wyne stated they should have been paid from an insurance line for each department, for January, February and March 2024, and noted the payment would have come in after she was out of office. She also noted if the payment was made based on what was sent on the invoice, it was wrong, as Ms. Wyne was no longer in office as of April 1, 2024.

Ms. Wyne also referenced the April 24, 2024 minutes which stated that a cemetery deed hadn't been signed by her, and noted she could not sign something that had not been given to her. Discussion continued as to the list of deeds created by Ms. Wyne in order to have all of them reconciled prior to the end of her term. She stated she started the list in spring of 2023, and continued following up with Tom Shafer and the administrative assistant; she asked again at the beginning of 2024 to have all of the deeds completed. Tom Shafer noted there was one outstanding deed due to changes the plat owner wanted to make. Ms. Wyne stated the April 24, 2024 minutes stated she had not signed the cemetery deed, however she couldn't sign it as she didn't have it.

Ms. Wyne also asked why the minutes from the April 11, 2024 and May 20, 2024 meeting had not been posted and approved. She stated people cannot attend the meetings if the information is not timely on the website. She noted the April 11 meeting was for the BZA, and May 20 was discussion for the road levy. It was clarified that the April 11 meeting was a

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public hearing by the Trustees.

Trustee Searle stated they would figure out what needs to be posted, and stated they probably just got missed. He also noted there had been many sets of extra minutes to be transcribed in the last several weeks due to the additional comprehensive land use plan meetings that had taken place, and that may be part of the delay in getting the missing minutes posted. He noted that one person completes the transcription and they work part-time. However, he also stated the Board was not trying to make excuses for why these had not been posted. He thanked Ms. Wyne for bringing the issues to the Board’s attention.

**FROM THE FISCAL OFFICER:**

Fiscal Officer Kull asked for a motion to pay the bills associated with warrants 3414 through 3423, and electronic debits 155-2024 through 163-2024; Trustee Cotner made a motion to approve the above; Trustee Kosch seconded the motion.

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

Fiscal Officer Kull asked for a motion to pay the purchase orders. Trustee Searle moved to approve this payment; Trustee Kosch seconded the motion.

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

Fiscal Officer Kull presented a resolution regarding the acceptance of the terms and rates of the Fairfield County Budget Commission, and authorizing the necessary tax levy, and certifying them to the county auditor. This is Resolution number 2024-08-28-01.

**Resolution 2024-08-28-01**

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE FAIRFIELD COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (BOARD OF TOWNSHIP TRUSTEES)  
ORC 5705.34-5705.35**

*The Board of Trustees of Greenfield Township, Fairfield County, Ohio met in Regular session on the 28<sup>th</sup> of August, 2024, at the office of Greenfield Township with the following members present:*

Kent Searle  
David Cotner  
Lonnie Kosch, Sr.

Kent Searle Moved the adoption of the following Resolution:

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RESOLVED, By the Board of Trustees of Greenfield Township, Fairfield County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 2025; and

WHEREAS, The Budget Commission of Fairfield County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore be it

RESOLVED, by the Board of Trustees of Greenfield Township, Fairfield County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplication of Greenfield Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

And be it further

RESOLVED, That the Clerk of this Board be and is hereby directed to certify a copy of this Resolution to the Auditor of Fairfield County.

Trustee Searle made a motion to approve the resolution; Trustee Cotner seconded the motion.

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

Fiscal Officer Kull presented a second Resolution: 2024-08-28-02. This resolution is to refer enforcement of a zoning matter involving 3284 Sheets Rd. NW, Lancaster, Ohio to the Fairfield County Prosecutor’s Office for legal action.

**RESOLUTION 2024-08-28-02**

**GREENFIELD TOWNSHIP BOARD OF TRUSTEES**

Fairfield County, Ohio

The Board of Trustees of Greenfield Township (the “Board”), Fairfield County, Ohio (the “Township”) met in regular session on Wednesday, August 28, 2024 at 6:00 p.m., at the Greenfield Township Fire Department, 3245 Havensport Road NW, Carroll, OH,, with the following members present: Kent Searle, David Cotner, Lonnie Kosch.

**A RESOLUTION TO REFER ENFORCEMENT OF ZONING MATTER INVOLVING 3284 SHEETS ROAD NW, LANCASTER, OH 43130 TO THE FAIRFIELD COUNTY PROSECUTOR’S OFFICE FOR LEGAL ACTION**

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**WHEREAS**, The Board of Trustees (the "Board") of Greenfield Township, Fairfield County, Ohio (the "Township"), has decided to involve the Fairfield County Prosecutor's Office regarding the Lloyd Moore Zoning Issue, to assist in receiving payment for the zoning permit for the property located at 3824 Sheets Road NW, Lancaster, OH 43130.

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**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF GREENFIELD TOWNSHIP TRUSTEES, COUNTY OF FAIRFIELD, STATE OF OHIO:**

Section 1. The Board hereby agrees to refer this matter to the Fairfield County Prosecutor's Office for review and to commence legal action on behalf of the Board regarding enforcement of the Township's Zoning Resolutions against 3824 Sheets Road NW, Lancaster, OH 43130.

Trustee Searle moved to adopt the resolution;

None moved to deny the resolution

None seconded; and the vote was as follows:

Kent Searle	No
David Cotner	No
Lonnie Kosch, Sr.	No

Trustee Searle made a motion to approve the resolution; Trustee Cotner asked if this was regarding Lloyd Moore, and it was confirmed that it was. He asked if Mr. Moore had communicated with Zoning Inspector Williamsen; he confirmed that he had, and stated he would be in next week. Trustee Cotner stated Mr. Moore had told him that he would be making his payment after he paid his son's last college payment. Trustee Kosch seconded the motion.

Discussion continued with Trustee Searle noting he had been in the office when Mr. Moore stated he would be in the office next week to pay for the permit. Trustee Cotner again stated that he had talked to Mr. Moore that evening, and he stated that once he pays the college payment he needs to pay, he can pay for the permit. After further discussion, Trustee Searle stated the Board could move forward with the resolution, or decide to wait and give Mr. Moore until the next meeting to pay for the permit. The vote for approval of the resolution was as follows:

ROLL CALL: Searle: No Cotner: No Kosch: Yes Motion Failed 2-1

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Trustee Searle noted the failure of the motion, and stated the Board would give Mr. Moore two more weeks to take care of the payment, until the next Trustee meeting.

Fiscal Officer Kull presented a third Resolution: 2024-08-28-03. This resolution is to request the County Engineer’s Office to complete a speed study on Rainbow Drive between Coonpath Road and State Route 158.

**GREENFIELD TOWNSHIP BOARD OF TRUSTEES**

Fairfield County, Ohio

The board of Trustees of Greenfield Township (the”Board”), Fairfield County, Ohio (the “Township”) met in regular session on August 28, 2024, at the Greenfield Township Fire Station, with the following members present: Kent Searle, David Cotner, Lonnie Kosch.

**A RESOLUTION TO REQUEST THE COUNTY ENGINEER’S OFFICE TO COMPLETE A SPEED STUDY ON RAINBOW DRIVE, BETWEEN COONPATH ROAD AND STATE ROUTE 158**

**Whereas**, The Board of Trustees (the”Board”) of Greenfield Township, Fairfield County, Ohio (the”Township”), desires a speed study of Rainbow Drive, between Coonpath Road and State Route 158.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF GREENFIELD TOWNSHIP TRUSTEES, COUNTY OF FAIRFIELD, STATE OF OHIO:**

Section 1. The Board hereby agrees to refer this matter to the Fairfield County Engineer’s Office to complete a speed study.

Kent Searle moved to adopt the resolution;

David Cotner seconded; and the vote was as follows:

Kent Searle                      Yes

David Cotner                    Yes

Lonnie Kosch, Sr.              Yes

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Trustee Searle made a motion to approve the resolution; Trustee Cotner seconded the motion. With no further discussion, the vote was as follows:

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

**ZONING DEPARTMENT:** Jeff Williamsen, Zoning Inspector, presented the following zoning report:

**Future Meetings:** There will be three meetings to attend prior to the next Trustee's Meeting: Regional Planning Commission on September 3, 2024; a BZA Hearing on September 17, 2024, and a Zoning Commission Meeting on September 24, 2024.

**Past Meetings:** None to report.

**Zoning Permits Since Last Trustee Meeting:** Six permits have been issued this week. He continues to work through the folders remaining on the desk.

**Public Complaints:** Nothing has been done with complaints at this point. Permits are being caught up, and complaints will be addressed soon.

### **Additional Items:**

- **Lines Electric Rezone:** Their zoning change was approved on September 8, 2022 from R1 to Planned Rural Business. In the notes he found, it appeared they were not compliant with the change. Also, there were notes for building another building; however, there is no indication that the building was built. Jeff will be checking the property to determine if there are two buildings there, but there is no record of application for the second structure. Trustee Searle stated he remembered Mr. Lines submitting an application for a PRB and a development plan, which included another building; however, the building has not been built. He also noted the PRB went through the entire process with the Zoning Commission and public hearings, and was approved by the Board, based on the development plan that was submitted. Discussion continued with a question of whether there is a deadline or a timeframe for how long this decision is in force and whether the zoning would revert back to the original zoning, and a note that a permit would be needed to build the second building. Jeff Zech, chair of the Zoning Commission, noted the original application was for conditional use; however, that was denied because there was no primary residence on the property, and that's when it went to a PRB. With this additional information, Trustee Searle noted this situation should all be correct and in compliance.
- **Babamov Rezone:** There was a rezone request from R1 to R3 on this property in 2014 ; however, it appears the process may not have been followed properly and

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according to the ORC, which would make it invalid. Trustee Searle suggested there should be input from the Prosecutor's Office on this issue.

- BZA Bylaws: Trustee Searle stated he had spoken with Amy in the Prosecutor's Office, and was advised nothing else needs to be done per the ORC, other than the BZA passing the bylaws. There is no action that needs to be taken by the Board, and the bylaws are not part of the Zoning Resolution. Discussion continued about posting the bylaws to the Township website, and the Board was in agreement with this.
- Updated Zoning Changes - Edit Map: There are issues with the current map not being updated, and Jeff listed the following properties in question:

Lines Electric: 3600 Havensport Road  
Delong: 4730 Wilson Road  
Frankhouser: 0 Dolson Court  
Reed: 980 Ginder Road  
Beatty: 2185 Rolling Hills Street

The Board reviewed the list, and Trustee Searle stated these properties/issues had all been processed and completed/approved, so it is a matter of having the map updated with the RPC.

- Zoning Resolution: Jeff Williamsen asked Jeff Zech, chair of the Zoning Commission, to attend the meeting to address this issue. Discussion continued regarding having new copies of the Zoning Book printed to get to those who need them, as well as having it loaded to the website. There are also some things that are still in process such as the information on tiny houses. Also, the overhaul of the 415 section, and the B1 and Highway Business mirroring each other need to be amended. The group agreed that one book should be printed, rather than having to add addendums to the book. Trustee Searle stated he had been working on getting the book updated; however, there were challenges with the formatting, etc., and he apologized for the delay. Jeff Zech volunteered to update the sections that need to be done, and Trustee Searle will forward the Zoning Resolution to Jeff so this can be done.

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

**Chip Sealing and Fog Sealing**: The chip sealing is done at Liberty Township, and Tom went back on Monday to complete fog sealing. The Trustees at Liberty would like Tom to come back for one more day to do more fog sealing, and Tom wants to do that on Friday. He noted Shelly Company had started their work on Brook Road, which is why he wants to wait to do the fog sealing until Friday. Trustee Searle stated Bader Road looked good, and Tom



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stated it was chip sealed with the fog seal on top.

**Arbaugh Tree Service Bill for Kauffman Road:** There were two trees that had twisted and snapped, and were hanging over the road. Arbaugh came in and completed the work and cleaned everything up. The total bill was \$3,250. Trustee Searle moved to pay Arbaugh Tree Service \$3,250.00; Trustee Cotner seconded the motion.

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

**Brook Road:** Tom stated with the work being done by Shelly Company, Brook Road will need to be re-bermed. The Board was provided with a proposal to have Shelly Company perform this work. He noted the Road Department can perform the work, but the materials will cost half of the proposed cost to have Shelly Company complete the work, and they will be able to get it done more quickly. Their proposal amount is \$26,000, and Tom would need to purchase \$13,000 worth of material to complete the re-berming. Tom estimated the work would take the Road Department approximately two weeks to complete. Discussion continued as to whether to do the work in-house and the job taking longer, or paying the \$26,000 to have Shelly Company complete the work in a day or two. Tom confirmed he could come up with the \$13,000 for the aggregate needed for the work. The Board agreed that the work should be done in-house, and Tom was in agreement with this decision.

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

### **Employee Update:**

Chief Smith presented the resignation of Lester Dutton, part-time employee. Trustee Searle made a motion to accept Lester Dutton's resignation, effective immediately; Trustee Cotner seconded the motion.

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

### **Grant Awards:**

- Ohio Ambulance Impacted Industry Program: This has been finalized with the Fiscal Officer and payroll, so it is good to go.
- Ohio Department of EMS - Priority One grant: The Department was awarded \$4,284.72 which will be used to buy medical equipment.

**Training:** Some of the newer full-time members will be attending the Black Sheep Hands-On Training which trains fire tactics and movements. This will be held next week. The following week, there will be full-time members going to the Fire Officer One class. This will be held at Berne Township Fire Department.

### **Departmental Events:**

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Bloom Carroll will hold their first football game on Friday night, and the Department will be in attendance.

**MOU**: This will be discussed during the Trustee portion of the meeting.

**FROM THE TRUSTEES:**

Trustee Searle conducted the swearing-in for Donna Kosch, new member of the Board of Zoning Appeals, as follows:

I, Donna Kosch, do solemnly swear that I will support the constitution of the United States, and the constitution of the state of Ohio, and will faithfully discharge the duties of the Board of Zoning Appeals, Greenfield Township, Fairfield County, state of Ohio, during my continuance in office.

At this time, Trustee Searle recognized David Day from the floor, and gave an update of the issue, based on a telephone conversation they had had previously. Trustee Searle stated he had spoken to the Prosecutor's Office earlier in the day, and they are of the opinion that the Township is doing everything they should be doing in this matter. There is some litigation going on in reference to that property; therefore, any enforcement action by the Township is on hold. Mr. Day stated he was aware of this information. He went on to state that due to the stress of the situation with everything that had occurred since last June, according to his medical doctors, he had developed a severe case of shingles. He noted the smoke coming into his home had caused health issues. He had called the fire department and the sheriff's department, as well as calling the EPA and the health department on the recommendation of the Board. He noted the EPA did not respond until January. Mr. Day presented two letters from the EPA, stating the Fire Department should have received copies of them, as they state the area where the burning had taken place was a restricted area.

Mr. Day went on to review what had occurred previously when he and his neighbor had come to the Board with their concerns, and stated the Board recommended he contact the EPA. He reviewed the information in the zoning code and how the nuisance property issue should be reviewed and resolved. Discussion ensued with what Mr. Day had done and the information he had shared and researched. He stated the Board and the Zoning Inspector had not followed through on the issue, and stated the Zoning Inspector did not do his job. He stated that per the AG's office of the state of Ohio, the Board could also be held responsible for negligence and lack of concern. Due to escalation of the discussion and heightened emotions, Mr. Day and his neighbor were asked to leave the premises by the Board, and the sheriff's office was called. Members of the fire department and attendees escorted Mr. Day and his neighbor out of the meeting.

Trustee Kosch raised the issue of the Hunter's Run Conservancy District Tabletop exercise being held on September 26, 2024 from 9 a.m. to 12:00 p.m., per an email he had received. He stated any member of the Board could attend. It was determined the exercise is in

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reference to what would occur if a dam were to fail. The Board stated it would be determined which Board member will attend prior to the event.

Trustee Kosch also raised the issue of a resume' from David Delong, who expressed interest in serving on the Zoning Commission. It was noted there is a vacancy due to Amy Brown moving to the BZA. Also, Mr. Delong lives in the area of the Township where there needs to be more involvement and representation. Trustee Kosch will forward the resume' to Fiscal Officer Kull, and it can be discussed at the next Trustees Meeting.

Trustee Cotner stated he will be getting the information to contact Mr. Bell, attorney, who will review the CEDA's and NCA's for the Township. He noted there will need to be a special meeting scheduled to meet with Mr. Bell and hire him. Fiscal Officer Kull noted the documents were 95 percent complete. They will be edited and emailed to the Board for their review, and can be sent to legal counsel. Trustee Kosch noted Mr. Bell was the attorney who had spoken on CEDA's and NCA's at Liberty Township. Trustee Kosch also noted he had been in contact with Marshall McCormick regarding the items he will be completing and submitting for the Township.

Trustee Searle raised the issue of the Bethel Cemetery. Fiscal Officer Kull gave information from an email she had received from Amy Brown-Thompson of the Prosecutor's Office, although the email was confusing as to whether the Township was required to take over the cemetery. It was noted the cemetery comes with \$1,500, and a volunteer group was in the process of maintaining and improving the stones in the cemetery prior to any transfer to the Township. Fiscal Officer Kull stated it sounded as if the Township would ultimately become responsible for the cemetery if it was abandoned, even if they did not agree to accept it. Trustee Searle stated he thought a resolution had been passed months prior to state the Township would take over the cemetery. After further discussion, Fiscal Officer Kull stated she would research the issue further and bring all documentation for review at the next Trustee meeting.

Trustee Searle raised the issue of zoning verification letters that are received by the Township from realtors in the community. These letters are sent to the Zoning Inspector asking him to verify zoning, compliance, conditional use, etc. Some Zoning Departments charge a fee for that information, as it takes time to research. Trustee Cotner stated he felt the realtors should be directed to call the Auditor's Office to get this information themselves. After further discussion, it was determined this issue will be tabled at this time. Zoning Inspector Williamsen can decide if he feels there should be a fee; and if so, what it will be. This will be revisited at the next Trustees meeting.

Trustee Searle moved to go into Executive Session regarding employee compensation as it relates to collective bargaining; Trustee Kosch seconded the motion.

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

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Executive Session was entered at 7:23 p.m.

Trustee Searle moved to come out of Executive Session; Trustee Cotner seconded the motion.

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

The Board returned from Executive Session at 7:35 p.m.

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

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

Meeting adjourned at 7:36 p.m.