

**RECORD OF PROCEEDINGS
CONCORD TOWNSHIP BOARD OF TRUSTEES**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

December 27, 2012

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The Concord Township Board of Trustees met in regular session on Thursday, December 27, 2012 at the Concord Township Administrative Building. Chairman Karen Koch called the meeting to order at 7:00 p.m. The roll was called; in attendance were Trustees Karen Koch, Joe Garrett and Bart Johnson.

Minutes from the previous meeting were presented. Trustee Garrett moved and Trustee Johnson seconded to approve the minutes. Vote: Koch-yes, Garrett-yes, Johnson-yes.

Old Business

Operations Director and Fire Chief Todd Cooper reported the following:

The new road department cab and chassis are at Center City Columbus, and are ready for installation of the dump bed, plow and accessories.

Chief Cooper has spoken to Pat Dunlap and John Ward about installation of the lobby windows. Mr. Ward said there is a logistics issue. They will all meet along with Trustee Johnson on January 8, 2013 at 10:00 a.m. at the administrative building to make an installation plan. Trustee Johnson believes the window cost should go through architect Ed McCall, since the original installation was correct, but the windows used were the wrong application. Trustee Johnson noted it may be time to get the Prosecuting Attorney involved again, and perhaps hire a company to install the windows and we bill that to the architect. Trustee Garrett said even though the one year warranty is past, the window issue has existed from the beginning. It was confirmed there is no financial obligation or lien due from National Contracting.

The contract for the Philips heart monitor is ready for signing. The price was reduced back to the original bid and a new warrant prepared.

Chief Cooper requested approval for a one year software contract with Forte Holdings for EMS reporting software for iPad. It is the same software used by Delaware County EMS and Mr. Betts has already reviewed the contract. EMS reporting will all be electronic, and the software and iPad will be covered by an EMS grant. Therefore, Trustee Johnson moved and Trustee Garrett seconded to approve the purchase of software from Forte Holdings for \$1800. Vote: Koch-yes, Garrett-yes, Johnson-yes.

Trustee Garrett moved to adopt a Resolution (#122712-1) to go into contract with the State of Ohio Cooperative Purchasing agreement, for a fee of \$100.00. Trustee Johnson seconded this motion. Vote: Koch-yes, Garrett-yes, Johnson-yes.

The Road Department building repairs are complete except for gutter installation, which will be the first week of January, then the county building department will inspect. Trustee Johnson moved and Trustee Garrett seconded to approve a change order addition in the amount of \$4505.60 to Krabill Construction for increased size, cost and labor of posts per engineering. Krabill also issued a credit of \$750 to the township for stone cost and hauling. Vote: Koch-yes, Garrett-yes, Johnson-yes.

The township has received a response from the Delaware County Prosecutor's Office (PA) on the proposed Zoning Code changes. Trustee Johnson also has multiple concerns with the proposed code. In 2006, past Zoning Inspector Leitch said the zoning commission wanted to update a few things in the code due to people having difficulty interpreting what was written. Six years later the proposed code is a complete re-write and much more restrictive than what the township currently has.

The township's comprehensive plan should be the guiding document for the zoning code and our plan is seven years old. Phil Laurien from Regional Planning helped with the previous plan, and said the township should look at it every seven to ten years. Trustee Johnson noted Jerome Village is now on the township border, and the sewer plant is ready with the flip of a switch. He would like Regional Planning to come in and update the comprehensive plan with input from the zoning commission members and a citizen committee.

The changes from the PA were 75-80 pages long. Trustee Johnson noted the zoning commission spent so many hours changing punctuation and grammar, and the PA put the punctuation back the way it was. The process needs to stop. Trustee Garrett asked Zoning Inspector Irvine if people have problems understanding the current code, but only a couple issues were noted. Trustee Garrett agreed with Trustee Johnson, adding Sawmill Parkway and the City of Delaware are getting closer, and the comprehensive plan should be updated first.

Zoning Commission member, Gary Davis, said in his personal opinion this discussion should have been held four years ago. The original challenge was to match the new comprehensive plan at that time. He agreed tabling the changes, and that the proposed code is too restrictive as a landowner, but not all changes should be thrown out since many new sections and subsections are good. A new comprehensive plan could be reflected in the proposed code so it wouldn't have to be changed twice. Zoning Inspector Irvine noted Scioto Reserve and Tartan Fields were already platted before the 2005 zoning code. The 2005 code added overlays and planned commercial changes which are used today. Zoning Commission member, Virginia Farneman, felt the proposed code was going backwards instead of forwards and was too restrictive. She believes the code should be easier for people coming into the

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township, and said corrections continue to be made even now after the proposed code has been submitted.

Trustee Johnson believes the zoning commission should work on the concepts of the code, and let the PA do the legal grammar and punctuation of the document. Trustee Garrett noted the process is also complicated by the Trustees not being allowed to attend, dictate or give suggestions for zoning commission meetings. He said the commission needs to ensure they are representing both the subdivisions and rural landowners.

Chairwoman Koch remembered in the past township residents were against all commercial business in the township, but times are different now. Township zoning needs to be both realistic and inviting. Trustee Johnson's other concern is the amount of money that has been put into the six years of re-writing. Even though the Trustees were promised the proposed code would be done long ago, the Trustees appreciate all the work the commission has done, and that their effort has not gone unnoticed. Therefore, Trustee Johnson moved to adopt a Resolution (#122712-2) to update the township comprehensive plan, and with that process, ask the Zoning Commission to halt any further changes and proposed zoning code updates until after the comprehensive plan has been updated. Trustee Garrett seconded the adoption of this Resolution. During discussion, Trustee Garrett amended the motion to include no monetary material or personnel expenses for the zoning commission, but the amendment was withdrawn. Upon roll call vote: Koch-yes, Garrett-yes, Johnson-yes. Discussion was held on how to structure the effort of incorporating the comprehensive plan into the proposed code, the possibility of having Regional Planning finish the code, and how to communicate future expectations and performance of the commission.

It was mentioned the zoning commission chair has scheduled a meeting on fracking, but maybe this should be held at a Trustees meeting instead so interested public may attend. Details to follow.

New Business

Trustee Johnson noted a meeting about the proposed power line will be held January 7, 2013 in Plain City, Ohio. Information will be posted to the township website.

Mr. Cooper gave an update about dogs being at the park. A park neighbor has asked if the township would put a fence on the west side to keep dogs off his property. Dog owners let their dogs off leashes and they run into his yard and have killed two of his chickens. Mr. Cooper also had to approach two people today that parked in front of the "keep dogs on leashes" sign, then let them loose on the ball field. Both Mr. Cooper and Fiscal Officer Davis see loose dogs all the time through their office windows. Trustee Garrett would like to check in the Ohio Revised Code if the township can have its own park police to issue fines. This is probably not the Sheriff's responsibility. Resident Virginia Farneman has had a dog jump on her and bite her while jogging on the park path. She noted there is also dog feces along the park path and at the kids play set. Other neighbors will no longer come to the park because of loose dogs. Another jogger was cussed out by a couple with loose dogs. Trustee Johnson will contact Mr. Erwin, who supported the Board allowing dogs in the park, about issues and suggestions. The Ohio Township Association will also be contacted.

Zoning Inspector Ric Irvine reported only three permits were issued this month. He had a lengthy discussion with the PA about the Whisper Trace II property zoning status. No definitive answer was determined and no permit approval dates were obtained for the development. Therefore, Trustee Garrett moved to adopt a Resolution (#122712-3) to have Delaware County Regional Planning change the township zoning maps from PRCD back to FR-1, for the past Whisper Trace II property on Concord Road, currently owned by Cua-Smith, due to contingencies of the previous zoning approval request not being met. Trustee Johnson seconded this motion. Vote: Koch-yes, Garrett-yes, Johnson-yes.

Inspector Irvine also thanked the Road Department for plowing part of Ford Road since Liberty Township is now only plowing half the road.

Fiscal Officer Jill Davis reported that Brian Sprague, Real Estate Specialist with State of Ohio, has researched the 2.045 acre parcel sold to the fire department in 1996, and stated an Affidavit needs prepared by Concord Township to re-file the parcel transfer/conveyance with Delaware County.

Trustee Johnson moved and Trustee Koch seconded to approve payment of 2013 Delaware County Township Association (DCTA) dues up to \$50 per elected official, and up to \$10 for township associate members on zoning commission board, board of zoning appeals, operations director, and zoning inspector. Vote: Koch-yes, Garrett-abstain (DCTA president), Johnson-yes.

Trustee Garrett moved and Trustee Johnson seconded to continue all ongoing contracts with current vendors in to 2013. Vote: Koch-yes, Garrett-yes, Johnson-yes.

Trustee Johnson moved and Trustee Garrett seconded to approve paying expenses for elected officials who wish to attend the 2013 Ohio Township Association conventions. Vote: Koch-yes, Garrett-yes, Johnson-yes.

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Trustee Johnson moved and Trustee Garrett seconded to appoint Trustee Johnson, Fiscal officer Davis, and resident Darren Webb, as Audit Committee for Concord Township. Vote: Koch-yes, Garrett-yes, Johnson-yes.

It was noted the organizational meeting for 2013 will be held Wednesday, January 2, 2013 at 9:00 a.m. at the Concord Township Administrative Building.

Meeting dates for 2013 were reviewed. Trustee Koch moved and Trustee Garrett seconded to continue meeting on the second and fourth Mondays each month at 7:00 p.m. at the Township Administrative Building, with two exceptions: On Memorial Day, the Trustees will instead meet on Tuesday, May 28, 2013, and the final meeting of the year will be held on Monday, December 30, 2013 instead of Monday, December 23, 2013. All dates will be advertised by the Fiscal Officer. Vote: Koch-yes, Garrett-yes, Johnson-yes.

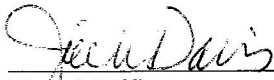
Trustee Koch moved and Trustee Garrett seconded to approve payment of insurance premiums for township elected officials in 2013. Vote: Koch-yes, Garrett-yes, Johnson-yes.

Fiscal Officer Davis asked the Trustees to consider any changes for the upcoming year to the township zoning fee schedule, cemetery fee schedule, or budgetary line item needs.

Chairman Koch certified the Fiscal Officer has provided current financial reports for the township. Completing business the Fiscal Officer certified funds have been appropriated and money is in the treasury to pay the bills. Therefore, Trustee Johnson moved and Trustee Garrett seconded to approve pending purchase orders, blanket certificates, vouchers and warrants #1090-1097, 9200 void, 9201 void, 9206-9254, all totaling \$261,545.60. Vote: Koch-yes, Garrett-yes, Johnson-yes.

As there was no further business, Trustee Johnson moved and Trustee Garrett seconded to adjourn the meeting. Vote: Koch-yes, Garrett-yes, Johnson-yes. Meeting adjourned.

ATTEST



Fiscal Officer

BOARD OF TRUSTEES

