

RECORD OF PROCEEDINGS

CONCORD TOWNSHIP BOARD OF TRUSTEES

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

September 8, 2014

20 Page 1 of 3

The Concord Township Board of Trustees met in regular session on Monday, September 8, 2014 at the Concord Township Administrative Building. Chairman Karen Koch called the meeting to order at 7:07 p.m. The roll was called, and present were Trustees Karen Koch, Joe Garrett, and Bart Johnson. Staff present were Fiscal Officer Jill Davis, Operations Director and Fire Chief Todd Cooper, and Zoning Inspector Ric Irvine.

Mr. Garrett moved and Mr. Johnson seconded to approve the minutes from August 25, 2014 as presented. **Vote:** Koch-yes, Garrett-yes, Johnson-yes. Mr. Johnson moved and Mr. Garrett seconded to approve the minutes from the special meeting on August 29, 2014 as presented. **Vote:** Koch-yes, Garrett-yes, Johnson-yes.

Public Input - None.

Old Business

The employee information on Formfire has not been updated. It appears notifications went into spam email folders and employees may not have known what the email was for. Employees need to be notified again.

Regarding the building lobby windows, Mr. Johnson asked if it was worth the Board taking the building architect to court, and hiring another engineer, when the general contractor was not even in business anymore. The architect claims the windows leaked because they were not installed correctly. Mr. Garrett asked how much it will cost to have another engineer look at the windows. Mr. Johnson will contact the Prosecutor's office for loss information and Mr. Cooper will get costs from an engineering firm.

Mr. Johnson discussed the bike paths at Tartan Fields. He is trying to coordinate his schedule with the Delaware County Engineer and City of Dublin to set up a meeting for another path plan. Dublin has included extending the path north in their 2015 budget. Tartan Golf Course does not want the golf cart path bridge used for the bike path due to liability. The dilemma is not how far Concord Township needs to take the path, but where to take it, and how to get the path far enough off the road, with a pond on one side, and a building lot on another side. The Tartan HOA thought there was common space that could be used for the path extension, but it is a building lot. A Request for Engineering has been turned in for a four-way stop for crossing. Mr. Johnson said the frustration is the developments want paths now, but didn't design for them.

Mr. Johnson also talked to Mike Love about speed calming before developments are built. Specifically, he would like the speed and traffic calming reviewed for Clarkshaw Moors, and overall traffic calming specifications for developments. The township needs to be proactive with deterring speed in developments.

The township officially owns the property at 7990 Dublin Road. Once contract documents are signed by the prosecutor's office, the subcontractors can be scheduled for asbestos abatement and demolition of the structure. Mr. Cooper is working on procuring electric for the work on the property, since the state had it disconnected. He is hoping the contractors can use a large generator for power. The contract documents will have a one year term.

New Business

Mr. Johnson suggested the Board hold a work meeting with the Prosecutor's office to better understand how a community authority affects development within the township before the upcoming zoning hearing meetings. He met with the Epcon condo developer, and they will sign with the community authority for sewer. His understanding is the community authority brings sewer lines to the edge of the property, and charge a 10mil tax to pay off the sewer cost, maintenance, and management. Mr. Garrett has a copy of the community authority

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20 Page 2 of 3

contract for review. A work session will be scheduled for Tuesday, September 23, 2014 at 9:30am at the Concord Township Community Building and the Prosecutor's office invited.

An official Notice of Recommendation of Conditional Approval dated September 8, 2014 was received by the Board of Trustees from the Concord Township Zoning Commission for the Clarkshaw Moors development. The Board of Trustees set a hearing for Wednesday, October 1, 2014 at 7:00pm at the Concord Township Community Building. Notice will be published in the Delaware Gazette and on the township website.

Due to numerous and ongoing nuisance complaints concerning unleashed dogs at Concord Park, Mr. Garrett moved to adopt a Resolution (#090814-1 attached) requiring all dogs to be properly leashed at all times within Concord Park, which may be enforced by any on-duty Sheriff deputy at the park. Mr. Johnson seconded this Resolution. Upon roll call vote: Koch-yes, Garrett-yes, Johnson-yes.

Concord Township has submitted the Estimated Revenues for 2015 to the Delaware County Budget Commission and Auditor. Therefore Mr. Johnson moved and Mr. Garrett seconded to adopt the Resolution (#090814-2 attached) accepting the amounts and rates as determined by the Budget Commission, and authorizing the necessary tax levies, and certifying them to the County Auditor. Upon roll call vote: Koch-yes, Garrett-yes, Johnson-yes.

Mr. Johnson met with the Delaware County Sheriff and several residents of Scioto Reserve. The Sheriff proposed an on-duty, 40-hour deputy, with the township paying 25 percent of the pay. That deputy would be assigned to the township, and only pulled if an emergency situation. The township had concerns the last time it had a full-time deputy, but the new Sheriff has more of a community policing mentality. The Board is interested in hearing more details.

Mr. Garrett will be working with Mr. Cooper on where to coordinate the speed trailer for more effectiveness.

Mr. Johnson discussed noxious weed complaints with the Prosecutor's office. The Board of Trustees does not have to act on each complaint, and may use its discretion on a per case basis. The discussion involved a complaint received about a resident's neighbor having wild carrot, or Queen Anne's Lace, in their yard, and the potential backlash that would occur if the complaint were pursued. Mr. Johnson recommended no action be taken.

Zoning Department

Mr. Irvine reported the following zoning business:

- Zoning Commission meeting tomorrow September 9, for a hearing on the Yinger property development "River Bluff."
- Zoning Commission meeting on September 23, for a continuance on the Price property condo development "Courtyards."
- The updated draft of the new Comprehensive Plan was picked up from Scott Sanders of the Delaware County Regional Planning Commission to deliver to the Zoning Commission.
- Only a couple permits have been received to date for September.

At the last meeting, it was requested a certified letter be sent regarding a nuisance property on Mohican Drive. A response was received back from the resident's estranged wife, discussing the resident's medical conditions. She will attempt to begin cleaning up the property slowly, but it will be a long process. The property will be monitored.

Another noise complaint has been received for the Barn at Chestnut Lane. The resident was told by the Sheriff it was a zoning issue, not a noise violation. The Barn at Chestnut Lane is

Held _____

September 8, 2014

20 Page 3 of 3

supposedly non-profit since its zoning and building violations were determined. A consultation follow-up will be scheduled with the Prosecutor's office.

Fire Chief and Operations Director

Chief Cooper reported the following business:

- An electrician will be here tomorrow for estimates at the building and new property.
- Flu shots are now available at Walgreens for township employees.
- Another complaint has been received about the Henderson Drive property that was cleaned up this summer. The property is still overgrown and smells again. Mr. Johnson will contact the homeowner.
- The S-curve on Clark Shaw was reviewed for speed by Mike Love of County Engineer's office. The curves could have reduced speed and S-signs installed.
- The older treadmill at the Fire Department needs replaced. The newer treadmill was purchased with grant funds in 2011. Mr. Garrett moved and Mr. Johnson seconded to approve purchase of a treadmill for the fire department from Berry's Barbell in the amount of \$4495.00. Vote: Koch-yes, Garrett-yes, Johnson-yes. Mr. Garrett noted the township has a very fit fire department.

Fiscal Officer

Chairman Koch certified the Fiscal Officer provided current financial reports for the township. The General Fund balance was \$5,413,083.39, and balance of Special Revenue Funds was \$5,068,374.36.

The Fiscal Officer certified funds have been appropriated and money is in the treasury to pay the bills. Therefore, Mr. Johnson moved and Mr. Garrett seconded to approve pending purchase orders, vouchers and warrants #1291-1294, 10568 void, 10573-10599, totaling \$77,126.83. Vote: Koch-yes, Garrett-yes, Johnson-yes.

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

ATTEST



Fiscal Officer, Jill Davis

BOARD OF TRUSTEES



Karen Koch

Joe Garrett



Bart Johnson

**BOARD OF TRUSTEES
CONCORD TOWNSHIP, DELAWARE COUNTY, OHIO**

DATE: Sep. 8, 2014

RESOLUTION NO. 090814-1

**IN THE MATTER OF ADOPTING A RESOLUTION REQUIRING ALL OWNERS,
KEEPERS, AND HARBORERS OF DOGS TO PROPERLY LEASH AND
REASONABLY CONTROL DOGS AT ALL TIMES WHILE WITHIN THE
CONCORD TOWNSHIP PARK**

The Board of Trustees of Concord Township, Delaware County, Ohio met in regular session on the 8th day of September, 20 14.

Mr. Garrett Moved for the adoption of the following Resolution:

PREAMBLE

WHEREAS; R.C. Section 955.221(B)(2) authorizes the Township to adopt resolutions to control dogs within the Township; and,

WHEREAS; the Board of Township Trustees of Concord Township, Delaware County, Ohio (“Board”), has received numerous and ongoing nuisance complaints concerning unleashed dogs within the Concord Township Park, located at 6385 Home Road, Delaware, Ohio 43015 (“Park”); and,

WHEREAS; the Board believes it to be a nuisance to have unleashed dogs at any time in the Park and believes it to be in the interests of health and safety of Concord Township residents and Park visitors to require the restraint by proper leashing of all dogs within the Park; and,

WHEREAS; the Board deems it necessary to regulate and control the restraint of dogs within the Park.

RESOLUTION

NOW THEREFORE BE IT RESOLVED BY THE BOARD AS FOLLOWS:

- (A) All Dogs within the Park Must be Leashed.
1. All owners, keepers, and harborers of dogs shall keep dogs properly restrained by a leash or tether that is not more than six feet (6’) in length at all times while within the Park.

2. All owners, keepers, and harborers of dogs shall keep dogs under the reasonable control of some person at all times while within the Park.
3. Any person who shall allow any dog to be improperly leashed, unleashed, and/or unrestricted by the person's control while within the Park shall be considered to be in violation of this Resolution.
4. This Resolution may be enforced by any on-duty deputy from the Delaware County Sheriff's Office assigned to monitor and patrol the Park.

(B) Whoever violates this Resolution is guilty of a minor misdemeanor. Each day of continued violation constitutes a separate offense.

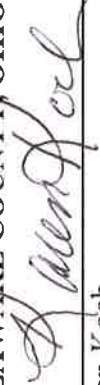
(C) All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

(D) This Resolution shall take effect immediately upon adoption.

Mr. Johnson Seconded the motion.

APPROVED AND ADOPTED THIS 8th DAY OF September, 2014 BY:

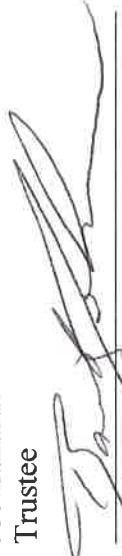
**BOARD OF TRUSTEES
CONCORD TOWNSHIP,
DELAWARE COUNTY, OHIO**



Karen Koch
Trustee



Joe Garrett
Trustee



Bart Johnson
Trustee

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(BOARD OF TOWNSHIP TRUSTEES)

Revised Code, Secs. 5705.34-5705.35

The Board of Trustees of Concord Township, Delaware County, Ohio, met in regular session on the 8th day of September, 1920~~14~~, at the office of Concord Township with the following members

present:

- Karen Koch
- Joe Garrett
- Bart Johnson

Mr. Johnson moved the adoption of the following Resolution:
RESOLVED, By the Board of Trustees of Concord Township, Delaware County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 1920~~15~~; and

WHEREAS, The Budget Commission of Delaware 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 tax limitation; therefore, be it

RESOLVED, By the Board of Trustees of Concord Township, Delaware 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 duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived from Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column I	Column II	III	IV
1. General Fund	\$ 911,146.		2.10	
4. Road and Bridge Fund				
5. Cemetery Fund				
7. Lighting Fund				
8. Garbage and Waste Disposal District Fund				
9. Police District Fund				
10. Fire District Fund $\frac{1}{2}$ EMS		\$ 2,571,148.		7.40
11. Road District Fund		\$ 397,919.		1.40
12. Park Levy Fund				
13. Zoning Fund				
14. Miscellaneous Funds				
15. General (Note) Bond Retirement Fund				
16. Special Assessment Bond Fund				
17. Trust Fund				
18. Bond Fund				
19. Federal Revenue Fund				
TOTAL	\$ 911,146	\$ 2,969,067.	2.10	8.80

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on _____, 19____ not to exceed _____ years.		
SPECIAL LEVY FUNDS:		
ROAD Levy authorized by voters on NOV. 6, 2012 _____ not to exceed 5 years.	1.00	
ROAD Levy authorized by voters on NOV. 5, 2013 _____ not to exceed 5 years.	0.40	
FIRE Levy authorized by voters on NOV. 5, 2013 _____ not to exceed 5 years.	2.90	
FIRE Levy authorized by voters on NOV. 5, 2002 _____ not to exceed _____ years. (CONTINUING)	4.50	
Levy authorized by voters on _____, 19____ not to exceed _____ years.		
Levy authorized by voters on _____, 19____ not to exceed _____ years.		

