

# RECORD OF PROCEEDINGS

Minutes of

## CONCORD TOWNSHIP BOARD OF TRUSTEES

Meeting

GOVERNMENT FORMS & SUPPLIES 644-224-3338 FORM NO. 10148

Held

April 6, 2026

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The Concord Township Board of Trustees met in special session on April 6, 2026 at the Concord Township Community Building, 6385 Home Road, Delaware, Ohio 43015. Chairman Bart Johnson called the meeting to order at 8:00 a.m. Present were Trustees Jason Haney, Joe Garrett, and Bart Johnson.

The purpose of the special meeting was for the consideration of and actions related to the Chancel Gate ditch petition. Legal counsel Chris Rinehart provided an overview of the petition process. After the Delaware County Commissioners approved the ditch petition of the Chancel Gate watershed area and surrounding property owners, an appeal was filed by the Township against the County, and there was a delay in processing. A technicality with the filing of the appeal was allowed by the Court, and the township needed to follow the old filing law.

The County and Township then agreed to mediation for the petition issue, and both parties have met multiple times to discuss. Mr. Johnson feels the mediation has been one sided with no give and take by the County. Mr. Johnson's recommendation is to dismiss the appeal, win or lose, since mediation does not seem to be progressing. The fees will be too costly for the Township to continue, including payment of testimony, legal fees, and still have to pay a ditch petition assessment of \$16,000 for the township's share. The petition can also be refiled again by the County. Mr. Haney agreed the legal timeline could take years if continue.

### Public Questions and Comments

Mark Selmek, 4743 Canterbury Circle agreed there was not much mediation, and asked if the County was acting in good faith. Mr. Johnson stated the County's attorney Mr. Hochstetler was not moving from their stance; the assessments had already been ruled and filed, and there was not a clear way for reversal. Mr. Rinehart added mediation is a process to resolve the dispute, but the County had already issued letters allowing taxpayers to pay, etc. Mediation conversations cannot be disclosed. Mr. Johnson talked to Delaware County Soil and Water about the basis for the decision. No one questioned the soil and water letter prior to covid, and no community meeting was held during covid. Stephen Corvi, 6138 Chancel Gate, noted there was a meeting via zoom.

Darrell Miller, 6164 Chancel Gate, said the maintenance clause sounds like an open checkbook, and what happens then? Will there be more assessments? The project won't help 90% of the people being assessed. Can the amount of people be reduced? Mr. Johnson said the maintenance would be what is proposed now, not additional project costs. Mr. Rinehart said would be a question for Delaware County Engineer's office, Commissioners, and Soil and Water.

Gary Wallberg, 4783 Canterbury Circle, felt it was wrong that the County does not recognize the third party engineering document that was prepared for the Township. Mr. Johnson said the maintenance was not well defined per the pond. The outlet of the pond was not included on the plats. The original plat doesn't allow change of outlet. Mr. Wallberg was also concerned that during construction much of the beautiful tree line would be removed if in the watershed area. He asked if the outlet was big enough, and will the ditch work send more drainage that way; the tile may not be big enough. Mr. Johnson walked the area with soil and water, and there definitely may be issues downstream.

Stephen Corvi said now that the project is moving forward, and a round-a-bout is going in at Hyatts and South Section Line Roads, will that project also affect the drainage. Mr. Garrett said since both are County projects they have to calculate and account for the drainage. The plans are done, and water may be diverted to the other side. Mr. Selmek also had concerns about additional water hitting South Section Line since there was originally a swale. Mr. Johnson said there was a meeting with the County Engineer March 7. Mr. Garrett felt for the most part engineering will improve the water flow. The area was originally swampy, low land.

With no further comments, Mr. Johnson moved the Township send a letter to the Delaware County Commissioners as amended to dismiss the appeal of the Chancel Gate ditch petition. The Township cannot move forward in good conscience with the unknown outcome using tax dollars. Mr. Garrett seconded the motion. Vote: Haney-yes, Garrett-yes, Johnson-yes.

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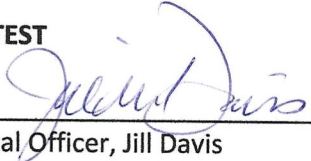
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Mr. Haney moved and Mr. Garrett seconded to adjourn. Vote: Haney-yes, Garrett-yes, Johnson-yes.

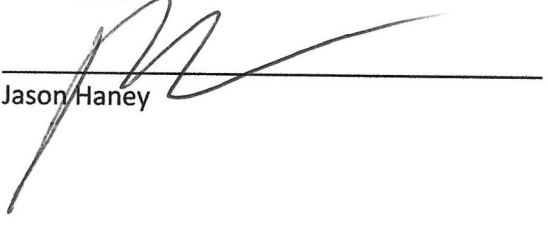
ATTEST

  
Fiscal Officer, Jill Davis

BOARD OF TRUSTEES

  
Bart Johnson

  
Joe Garrett

  
Jason Haney