

MAD RIVER TOWNSHIP BOARD OF TRUSTEES
Regular Session – September 18, 2017

The Mad River Township Trustees met in regular session Tuesday, September 18, 2017.

Present: Trustees Kathy Estep, Bob McClure and Joe Catanzaro and Fiscal Officer David Rudy.

Trustee Estep called the meeting to order at 7:35 pm, followed by the Pledge of Allegiance.

Trustee Catanzaro moved to dispense the reading of the minutes of the September 5, 2017 regular session, seconded by Trustee McClure. Motion carried 3-0.

Trustee McClure moved to approve the minutes of the September 5, 2017, seconded by Trustee Catanzaro. Motion carried 3-0.

DEPARTMENT REPORTS

Enon Fire and EMS

Acting Chief Elmer Beard stated the department had 1456 runs year to date. This includes over 100 runs in a 13-day period. Chief Beard mentioned an accident on Interstate 70 involving a motorcycle vs semi-truck. Care flight was called in to transport the driver of the motorcycle. He also read another letter from Premier Health commending the department members Shroyer and Wallace involving a 79 yr. old stroke alert and the action taken by them. There is a call ahead protocol to the hospitals when the patient presents for stroke, heart or other severe trauma. Elmer discussed the ordering of new Lifepak 15 monitors to replace the obsolete Lifepak 12 monitors at a cost of \$49,109.58 after trade-in and other discounts. Chief Beard also stated that Pam Weaver was taking EMT classes at Clark State. Trustee McClure asked about the status of the backup generator for the station. Chief stated that the parts were on order and JD Power was only charging us for run time hours on the rental unit at the station. Trustee Estep asked about the phone system. Tim Wendling had been on a phone conference with Nick Williams and AT&T to discuss a test of the installed digital lines by disconnecting the analog AT&T lines to see if things work properly without the echo problems. Trustee Catanzaro voiced his appreciation for the department staff for their handling of the increased runs.

Hustead Fire

Chief Larry Ridenour stated his department had been on 8 runs in the last 2 weeks, including a car fire, commercial fire alarm, lift assist, an emergency landing at the airport for a jet with landing gear issues, an auto accident, mutual aid for a gas leak and a structure fire on the corner of Hustead and South Tecumseh. The fire marshal had assessed the structure fire and deemed it to be arson. Chief stated that the structure sustained heavy damage, but luckily there were no injuries to the responders. Chief Ridenour stated the department attended family day at the guard base on September 10th, which is a good PR event them. On September 19th, Engine 59 will be out of service with a transmission issue covered under warranty for a couple of days and on October 10th, they will conduct pump testing.

Trustee McClure asked if Chief Ridenour would consider the structure at Hustead and South Tecumseh a health or safety hazard. Chief Ridenour stated the roof will probably collapse, however the owner stated he will be boarding up the windows and doors. The property did not contain any hazardous materials, but does contain some 20 vehicles. According to Chief Ridenour, the department had to cut brush to gain access and they received mutual aid from a number of departments. Trustee Catanzaro was thankful no one was injured. Trustees want to look at all options since the fire was set, especially since county zoning and the health department have been called numerous times about that location.

Hustead EMS

Chief Heather Kauffman was not present.

Road and Cemetery

Don O'Connor stated the department was working in Tiffany Acres and on Chico Ct on cutouts for road repairs. They would also be looking at spots on Fowler and Broadway. Don stated that the 3rd round of road mowing had begun. In the cemetery, dirt was being hauled in from the Airport project and a dozer would be needed to move it around. A memorial tree order had been received. They were going to look into removing the big maple tree. Don stated that the fall foundation cutoff was going to be set for September 30th. The park was in good shape. He also mentioned that the road building needed the annual backflow certification.

Fiscal Officer Rudy had nothing to report at this time.

OLD BUSINESS

Trustee Estep mentioned the final document had been received from Clemens Nelson, but asked for time to discuss the findings with Acting Chief Beard and the officers of the department before public release.

Trustee Estep mentioned that the Township Trustees had been asked by Charlie Sweeney to participate with the county in the federal lawsuit filed by Enon Sand and Gravel against the county. The Trustees would act as a friend of the county for the township residents. The lawsuit is very important and if it is lost by the county would be a big blow for the township in the attempt to stop the quarry. Mr. Sweeney had offer to pay the costs incurred by the Township and had recommend an attorney. The Trustees want to discuss this step with Andrew Pickering. Trustee Catanzaro stated he had attended the Citizens Against Mining (CAM) meeting and it looks like this support from the Township is needed.

NEW BUSINESS

Trustee McClure mentioned he had discussed the Husted Road property as a hazard with the county prosecutor to figure out a solution to the problem. The trustees had never wanted to spend the taxpayer money to clean up the property, but Trustee McClure had not thought about the hazards it presented to the 1st responders in the situation they faced with the structure fire. Chief Ridenour stated the owner of the property did show up at the scene and thanked the department for their response. The property does not appear to have insurance. Trustee Catanzaro stated that the costs associated with the clean-up would be money well spent for the neighbors and surrounding area.

Trustee Estep mentioned a meeting on September 20 with the Clark County Planning Commission where an update would be provided on the county's Crossroads Plan. Also on September 25 a meeting would be held for the Trustees of the all townships. Trustee Estep wants to make sure the CCPC's plans line up with Mad River Township's land use plan especially with regards to water supply and farm land management.

Trustee Catanzaro asked if Fire and EMS responses to the highway could be adjusted, since those runs are the costliest and pose the most risk for the department. The department covers 10-11 miles of interstate including the 70-675 exchange. The insurance companies are not paying on these runs. Trustee McClure pointed out that this may need to be lobbied at the State level or at least mentioned at the OTA conference.

Trustee Estep moved to accept the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor for the Tax Year ended December 31, 2018, seconded by Trustee McClure. Motion carried 3-0. (Resolution 2017-028)

Trustee Estep mentioned the Sheriff Levy on the November ballot. The township has been without the Deputy since January after the levy failed last November. The levy would generate approximately \$152,000 and cost the owner of a \$100,000 assessed value home about \$24.50 a year.

AUDIENCE COMMENTS

Mrs. Kathy Voytko asked when a copy of the Clemens Nelson report would be available. Trustee Estep stated that the Trustees want to share with the department prior to releasing.

Mrs. Kathy Clark inquired about the OPEC health insurance consortium and the pending lawsuits. Fiscal Officer Rudy responded that the township was aware of the legal action and that the township had not renewed the policy for the next year.

Mr. Mike Verbillion stated that the culverts in between 5100-5120 Hagan road were becoming clogged due to the washing away of the berm.

Mr. Kyle Peterson offered an update from CAM. The quarry cannot be stopped by the Ohio EPA, Core of Engineers or the Fish and Wildlife Division. The only groups that can stop the quarry are the County Commissioners and the Board of Zoning Appeals. CAM has a number of experts ready to testify if the process moves to the BZA for the conditional use permits. Enon Sand and Gravel filed the lawsuit against the county in federal court for the 3 small mines. Even though the original permits cannot be located, ESG believes that all 420 acres should be grandfathered in. If the lawsuit is won at the federal level, the quarry will become hard to stop. CAM is willing to be a party to the lawsuit but feels it would be better served the Township was the interested party and CAM provided support to the Township and the County. Mr. Peterson stated that the township should have a vested interest in the roads, since it appears the route of the trucks would be Fairfield to 68 to 70 to Enon Road. Members of CAM have filed an appeal with the reclamation process on the permit approved by ODNR. Trustee McClure asked if there had been any changes to the original legal action filed by ESG. The old mines and surrounding 260 acres are in the lawsuit which they are looking to dig deeper. Trustee McClure asked if CAM was able to cover the legal costs to this point. Mike Verbillion stated that the Garrison Road and upper Echo Hills section would have to go to the Board of Zoning Appeals.

Mr. Ned Clark asked about CAM taking on ESG in the federal lawsuit and the vast resources of the Jergunsen Companies. CAM responded they are wanting to have their voice heard and an intervening party. Mr. Clark also asked about the cost of the search for the new Fire Chief. Trustee Estep responded that the search process had not begun. Mr. Clark then inquired about having an agenda for the meetings and what the cost was for the Clemens Nelson report. Fiscal Officer Rudy responded that the cost was about \$4,000 to date. Mr. Clark then voiced his support for the hiring of Action Chief Beard.

Mrs. Kathy Voytko voiced her support for a meeting agenda as well. She then asked CAM if the running of public water to the Echo Hills Subdivision would be a possibility paid for by ESG. Dennis Garrison had been asked that at some point in a meeting and had responded that they would not pay for that. Mrs. Voytko asked how many homes would be directly affected. CAM responded that over 200 homes would be directly affected, but possibly up to 300 wells.

Larry Shaffer of the Clark County Health department has confirmed that the department does not have accurate records on many of the wells in the area. Trustee McClure stated that his property was affected when Echo Hills was built.

Mr. Chris Price asked for a copy of the Clemons Nelson report.

At 8:42 pm, Trustee Catanzaro moved to adjourn, seconded by Trustee McClure. Motion carried 3-0.