

**ELIZABETH TOWNSHIP BOARD OF TRUSTEES
MIAMI COUNTY, OHIO
REGULAR MEETING MINUTES OF MAY 3, 2017**

The Elizabeth Township Board of Trustees held a Regular Meeting on May 3, 2017 at 5710 E. Walnut Grove Road, Troy, Ohio at 7:00 p.m.

The meeting was called to order by William D. Sutherly, President. Fiscal Officer called the roll and the following members were present:

President	William D. Sutherly	EMS	Anthony Cooper	Ron Swallow
Vice Pres.	John R. Ryman	ETCC	Zlata Garrison	
Trustee	Greg D. Dilts	FRPP	Randy Mott	
Fiscal Officer	Mary Ann Mumford	Zoning	Paul Hershberger	

The following order of business was established:

- ITEM # 1 Meeting with representative from the sheriff's dept.
- ITEM # 2 Meeting with representative from EMS
- ITEM # 3 Meeting with representative from ETCC
- ITEM # 4 Meeting with representative from Farmland Preservation
- ITEM # 5 Meeting with representative from Zoning
- ITEM # 6 Presentation of the Meeting Minutes of April 19, 2017
- ITEM # 7 Presentation of Bills and Authorization for Payment.
- ITEM # 8 Fiscal Officer Report
- ITEM # 9 COMMITTEE REPORTS:
 - A. William D. Sutherly-Equipment and Cemeteries
 - B. John R. Ryman-Roads
 - C. Greg D. Dilts-Buildings and Personnel
- ITEM # 10 Any other business to be transacted.
- ITEM # 11 ADJOURNMENT

ITEM # 1 There was no representative present.

ITEM # 2 Mr. Cooper had no new business to report.

ITEM # 3 Zlata reported that receipts from April 1-30, 2017 totaled \$3,375.20. There are currently 391 members including spouses and dependents. Mary Ann stated that the ETCC receipts from the previous meeting on April 19, 2017 were over stated by \$4,836.25. Receipts should have been reported as \$2,609.70. Zlata said they were over reported because the computer was down.

ITEM # 4 Mr. Mott shared updated spreadsheets with the board. Mr. Mott said he should know in 2 weeks if USDA is going to increase their funds. Mr. Mott said he will meet with the 2 landowners in the program and discuss figures, donations, and answer any questions they may have.

ELIZABETH TOWNSHIP REGULAR MEETING MINUTES OF MAY 3, 2017 CONTINUED

ITEM # 5 Mr. Hershberger said several building permits have been issued. The board discussed rumors of Sam Kingrey having 3 weddings scheduled for his barn. Mr. Sutherly opened the discussion to everyone in the room. Mr. Swallow said he had been contacted by some residents who wanted to know his opinion on Mr. Kingrey's barn. Mr. Swallow said it's a big deal and it may hamper selling properties in the township, for example the Mott Farm. People are interested in having party barns to supplement their mortgage payment on properties that are coming up for sale. The board discussed that there are several barns in the township that people have shown interest in having party barns. Section 1201:01 of the Elizabeth Township Zoning Manual Action to Remedy Violations states, The Board of Township Trustees of Elizabeth Township, The Elizabeth Township Zoning Inspector, the Prosecuting Attorney of Miami County, or any adjacent or neighboring property owner who would be especially damaged by a violation of any provision of this zoning resolution may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such violation. The Elizabeth Township Board of Trustees may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this section and under Section 519.24 of the Ohio Revised Code. Nothing herein contained shall prevent Elizabeth Township from taking such other lawful action as is necessary to prevent or remedy any violation.

Mr. Sutherly said he contacted Pat Quillen and asked her if their township had ever had a law suit against them and she said no. Mr. Sutherly asked her if she knew a good zoning attorney. She suggested Andrew Johnston. Pat said he is honest, down to earth and sharp. Mr. Sutherly said he called and spoke with Mr. Johnston and he would be glad to help with any legal matters the township may need. Mr. Johnston and Mr. Sutherly discussed the situation of Mr. Kingrey's party barn. Mr. Johnston said we have a strong case as long as we followed the proper procedures, and all of our T's have been crossed. The board discussed if money is being exchanged Mr. Kingrey would be fined \$100.00, possible court costs, and attorney fees if the matter goes to court. Mr. Johnston said the first offense may be a warning, second offence could include fines, fees, etc., and if there were a third offence jail time may be imposed. The board discussed whether an event had to be held before we could move forward. Mr. Sutherly said Mr. Johnston said no, but Mr. Ryman and Mr. Dilts said we need to follow up on that and make sure.

Mr. Johnston charges \$150.00 per hour and a retainer of \$2,500.00. Jeremy Tomb was reported as being in a zoning battle in Tipp City and Mr. Fulker has been used in the past, but he is in the same office with Harrelson, who is Mr. Kingrey's attorney. A Motion by William D. Sutherly, Seconded by John R. Ryman was made to hire Andrew Johnston at a rate of \$150.00 per hour, with a retainer in the amount of \$2,500.0, and to have Paul Hershberger meet with him as necessary to start the legal process. VOTE: Mr. Dilts-yes, Mr. Ryman-yes, Mr. Sutherly-yes. William D. Sutherly, President, declared the Motion carried. Mary Ann asked Paul to gather information on the payment process from Mr. Johnston.

Mr. Dilts said the people have already spoken that they do not want party barns in the township and we need to stand up for the residents in the township. Amy Eidemiller heard that Dennis Rife is having a reception in his barn, but she's not sure if money is being exchanged.

ITEM # 6 The presentation of the Minutes of the previous Regular Board Meeting of April 19, 2017 were read and approved as presented.

ITEM # 7 The fiscal officer submitted the bills for payment in the amount of \$23,947.75. A Motion by William D. Sutherly, Seconded by Greg D. Dilts was made to approve payment in the amount of \$23,947.75 for the payment of bills as presented. VOTE: Mr. Dilts-yes, Mr. Ryman-yes, Mr. Sutherly-yes. William D. Sutherly, President, declared the Motion carried.

ITEM # 8 Mary Ann shared various financial reports with the board for review. The balanced April Bank Rec was shared with the board. Mary Ann said she was contacted by Wichert Insurance and they are asking cancer insurance payments go to a monthly payment plan, rather than an annual payment. Mary Ann said she would like to stay on the annual payment, as it saves on the costs of checks and postage. The board agreed with Mary Ann to stay on an annual payment.

Mary Ann said she met with Bryan Cenky from Minster Bank to discuss the investment account. Mr. Cenky estimates the Minster investment account should earn \$210,000.00 during 2017.

Mary Ann outlined upcoming dates for preparing the 2018 Budget. Mary Ann asked the trustees to have dollar amounts for 2018 projects ready for the next meeting so a tentative Budget can be prepared for the June 7th meeting. The 2018 Budget must be approved by July 15, 2017.

ELIZABETH TOWNSHIP REGULAR MEETING MINUTES OF MAY 3, 2017 CONTINUED

ITEM # 9 COMMITTEE REPORTS

- A William D. Sutherly -Equipment and Cemeteries
- B. John R. Ryman-Roads
- C. Greg D. Dilts-Buildings and Personnel

Mr. Sutherly said the tractor mower has blown apart. It needs some welds cutoff, and new metal put on and welded. The new mower won't be in for 60-90 days. Mr. Sutherly said he contacted someone to come out and take a look at repairing the mower.

Mr. Ryman said he will be getting with Bethel Township to start the brush cutting. Mr. Ryman said he contacted Sunset Valley to take down a tree on Rudy Road that was about to fall at any minute. The tree would have fallen into the roadway if it wasn't cut down. Sunset Valley cut and cleared the right of way. It was reported that there's a limb hanging over the slide on the playground that needs cut off.

Mr. Dilts said the preschool needs a CO2 detector and it would be a good idea to put another detector on the second floor. Greg will meet with OVIS on Friday to discuss placement and costs. The alarm at the ETCC went off last Sunday due to the door not being secured properly.

ITEM # 10 Mary Ann said she has had a couple of calls and has been asked why our medic is going to Troy on OD runs. Mr. Dilts said its being a good neighbor and Mr. Cooper said its mutual aide. Mary Ann said she explained to them how mutual aide works, but their concern was that a resident could be having a heart attack, there could be an injured child, or a car accident, and our medic wouldn't be available for township residents, because it's in Troy or elsewhere assisting with illegal drug overdoses.

ITEM # 11 With no other business to be transacted a Motion by William D. Sutherly, Seconded by John R. Ryman, was made to adjourn. The meeting adjourned at 8:08 p.m.

APPROVED: May 17, 2017

William D. Sutherly, President

John R. Ryman Vice President

Greg D. Dilts, Trustee

Mary Ann Mumford, Fiscal Officer