

**ELIZABETH TOWNSHIP BOARD OF TRUSTEES  
MIAMI COUNTY, OHIO  
REGULAR MEETING OF APRIL 5, 2023**

The Elizabeth Township Board of Trustees held a Regular Meeting on April 5, 2023 at 5710 E. Walnut Grove Road, Troy, Ohio at 7:00 p.m. John R. Ryman, President, called the meeting to order Greg Dilts called the roll and the following members were present:

President	John R. Ryman	EMS-Steve Trusty-Absent
Vice Pres.	Randy Mott	ETCC-Nic Rice-Absent
Trustee	Greg D. Dilts	Zoning-Sam O'Neal-Absent
Fiscal Officer	Mary Ann Mumford-Absent	

Also in attendance: Leslie Kodysz-Then, Michael Then, Jeremy Tomb, Flora Recktenwald, Kristen Jacobs, Olivia Nicodemus, Kathy Nartker Limberick, Jim Powers, Bill Hershberger, Paul Hershberger, Nancy Sparks, Zlata Garrison, David Godfrey, Keith Thompson, Candy Thompson, Tom Wallace.

The following order of business was established:

ITEM # 1 Meeting with representative from Miami County Sheriff's Department

ITEM # 2A Meeting with representative from EMS

ITEMS # 2B Michael Then/Leslie Kodysz-Then

ITEM # 3 Meeting with representative from ETCC

ITEM # 4 Presentation of Bills-Authorization for Payment

ITEM # 5 Meeting with representative from Zoning

ITEM # 6 Presentation of the Meeting Minutes of March 15, 2023

ITEM # 7 Fiscal Officer's Report

ITEM # 8 COMMITTEE REPORTS:

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

ITEM # 9 Any other business to be transacted

ITEM # 10 ADJOURNMENT

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**ITEM # 1** There was no representative from the sheriff's department.

**ITEM # 2A** Mr. Trusty-Absent

**ITEM # 2B** Michael Then and Leslie Kodysz-Then were present with their legal counsel Jeremy Tomb. Mr. Tomb said he wanted to get clarification of what to have on the Zoning Commission application and the dollar amount of the fee that is due. There are two different amounts being said. The application process was explained and the fee of \$75.00 was deemed as the amount due to file the application. Mr. Then asked if the Miami County Prosecutor's Office had answered the question as to the township Section 410.01. Mr. Mott read a response from Chris Englert, from the Prosecutor's Office and it basically stated it's too vague to enforce. Mr. Tomb said this is at the Criminal Level what about the Civil Level, there are 2 standards. Mr. Tomb said a request for an injunction could be submitted to the prosecutor's office. Chris Englert could issue said injunction. The police department calls their zoning guys and they come out to take the report. They can check the decibel level. It's not so much the decibel level, but the length of the intrusion and the type of annoyance. Mr. Tomb said that the zoning inspector could take the report. Mr. Dilts said he requested the 2022 911 calls for noise complaints in the township and there were 3, one for music, one for a loud motorcycle and one for a tractor beeping.

Mr. Then said he thought the Ordinance would go on. Is there anything else we need to do to get this moving beside submitting the application and paying the fee? Mr. Mott said submitting the application and paying the fee to Sam will start the process for forming the public meeting on the matter. Mr. Ryman said people can come to state their case. It is not unusual for the township to not

**ELIZABETH TOWNSHIP MEETING MINUTES OF APRIL 5, 2023, CONTINUED:**

have a stand-alone Noise Ordinance. Many townships do not have a Noise Ordinance either. Mrs. Then said she wants to make sure the procedure is followed and correct to file. Mr. Mott said the Zoning Commission Board will accept or deny the request and then it will be brought before the Elizabeth Township Board of Trustees for their acceptance or denial at a Public Meeting. Mr. Dilts suggested the Then's be in contact with Sam. Mrs. Then said she would cc everyone, as Sam does not do the best job of getting back with us.

**ITEM # 3** ETCC- Mr. Rice-Absent-\$2,259.75 was receipted in from March 14-March 31, 2023. There are currently 341 members including spouses and dependents. A quote of \$1,600.00 was presented for the wrought iron entry gate repair at Kyle Cemetery. A Motion by Randy Mott, Seconded by Greg D. Dilts, to accept the quote of \$1,600.00 from JR Industrial Welding and Services for repairing the the wrought iron entry gate that includes sand blasting and painting at Kyle Cemetery. VOTE: Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared the Motion carried.

A quote of \$595.00 for installing 4 Bronze Ferguson Sweeps and caulking 2-2x5 windows at the ETCC from Hemm's Glass. Hemm's also quoted \$755.00 for replacing glass stop and rubber where needed at the ETCC and 10 Bronze Ferguson Sweeps at the ETCC. A Motion by Randy Mott, Seconded by John R. Ryman to accept both quotes as presented in the amounts of \$595.00 and \$755.00 from Hemm's Glass for the above described work. VOTE: Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared the Motion carried.

**ITEM # 4** Bills submitted for payment totaled \$37,638.05. A Motion by Randy Mott, Seconded by John R. Ryman to approve the payment of the bills for \$37,638.05 as presented. VOTE:Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared the Motion carried

**ITEM # 5** Mr. O'Neal-Absent

**ITEM # 6** The Meeting Minutes of March 15, 2023 were approved as presented.

**ITEM # 7** Various financial reports were shared with the board

**ITEM # 8** COMMITTEE REPORTS:

- A. Randy Mott-Cemeteries/Equipment
- B. John R. Ryman-Buildings and Personnel
- C. Greg D. Dilts- Roads

Mr. Mott-both snow plows have been moved to the EMS building. We will be working on the spring and summer equipment at the township garage. New tires were put on the mowing trailer. The existing trailer will only hold the new mower and the 52" Grasshopper. Will hold on to the Grasshopper until we decide about the trailer. Head stone cleaning/repair is coming up at the cemeteries and information has been posted on FaceBook. Mr. Mott said ORC requires fencing around cemeteries and that will need to be addressed, but would like to get the vegetation in the cemeteries cleaned up first. Flora Recktenwald said ORC does state some type of enclosure is required and wire fencing would work.

Mr. Ryman-Dynegy submitted a price of \$.06739/kw for a 24-month contract for supplying electric to the township buildings. A Motion by John R. Ryman, Seconded by Randy Mott to accept **RESOLUTION NUMBER 2023-004** to enter into a 24-month contract with Dynegy for 2 to supply electric at \$.06739 per kw to the township buildings. VOTE: Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared RESOLUTION NUMBER 2023-004 passed. The Resolution can be found in its entirety in the Elizabeth Township Book of Resolutions.

Mr. Dilts said that Clifford (Art) Blackmore has submitted his application to become the Fire Administrator for the township. A Motion by Greg D. Dilts, Seconded by Randy Mott to hire Clifford (Art) Blackmore as the Elizabeth Township Fire/EMS Administrator at a rate of \$20.00 per hour, effective today. VOTE: Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared the Motion carried. A Motion by Greg D. Dilts, Seconded by Randy Mott to purchase a laptop for the fire administrator up to \$2,000.00 from a vendor who is the most comparable to what is required. VOTE: Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared the Motion carried. . The board discussed the hiring of Clifford Art Blackmore being hired for EMS Administrator. A Motion by Greg D. Dilts, Seconded by John R. Ryman, to allow Mary Ann to adjust fund 1000-230-599 less \$20,000.00 to allow her to open fund 1000-230-190 for EMS/Fire Salaries for \$20,000.00 to pay wages to Mr. Blackmore. VOTE: Mr. Dilts-yes, Mr. Mott-yes, Mr. Ryman-yes. John R. Ryman, President, declared the Motion carried.

**ELIZABETH TOWNSHIP MEETING MINUTES OF APRIL 5, 2023, CONTINUED:**

Mr. Mott said water is causing problems on the east roof at the preschool. The flashing is in bad shape. Mr. Mott contacted Midwest and Pino for a quote on repairing it and for repairing the section at the EMS building where water is coming in around the vent on the roof. Both are to submit bids on the repairs.

Mr. Dilts-No news received on the Sanders and Adams Road project yet.

**ITEM # 9** Mr. Dilts noted the Historical Society is having a trash pickup day on April 21, 2023.

**Public Comments:**

1. Comments were heard from residents in attendance regarding the potential Noise Ordinance Request. Discussion of the comments were addressed.
2. Mrs. Jacobs said the zoning that is currently in place, she couldn't find anything that applied to their property. Our family enjoys being outside and having fun at their pool. How is she to know what the Then's acceptable level of music is? She noted they have 2 large parties a year that the entire township is invited to. Music would get louder depending on what area of his property he is standing on.
3. People need to be accepting that some people come to the county for quietness, just as other come to enjoy their property in ways that may not be allowable in town.

Mrs. Recktenwald said this situation affecting 6 houses and maybe we need to have a Noise Ordinance. I'm becoming a Noise Ordinance supporter.

Mr. Ryman noted it is very difficult to know, what is too loud to some, may not be to others It is very subjective. What we have is not enforceable by the Sheriff's Department.

Mr. Dilts noted that there were only 3 911 calls from township residents in 2022 to make a report. One was loud music, one was a loud motorcycle and the third was a tractor making beeping sounds.

Mr. Mott said unfortunately this situation is hard on everyone causing animosity for all.

A resident said Imagine Network was out on Monday and told her that it will be 1-2 years before they would get everyone, due to a shortage of materials. Imagine wants to go through the Gudorf's and zig zag it to their property. They don't know if they should do it or wait until it can be installed out front at the tubes. The tubes are driving me crazy seeing them out there. Do you think there will be a day that Imagine just walks away not finishing the job? Mfr. Ryman said he talked to Josh and he has been trying to get materials from several suppliers and they are all sold out. Mr. Dilts said Imagine just agreed to provide service to another township, will install being completed in 2024.

**ITEM # 10** A Motion by Greg D. Dilts, Seconded by Randy Mott, to adjourn. The meeting adjourned at 7:48 p.m.

**APPROVED APRIL 19, 2023**

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John R. Ryman, President

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Randy Mott, Vice President

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Greg D. Dilts, Trustee

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Mary Ann Mumford, Fiscal Officer