

RUSSELL FIRE-RESCUE STATION

APRIL 20, 2011

Chairman James Dickinson called the meeting to order at 7:03 p.m. Trustees James Mueller and Kristina Port were present. Mr. Dickinson welcomed Police Chief Carroll, Road Superintendent Gene Layne, Maintenance Superintendent Jack Gallagher, and guests. Fire Chief Frazier arrived at 7:25 p.m.

The Pledge was said.

REGULAR TRUSTEES MEETING MINUTES: *Mr. Mueller made the motion to accept the minutes of the Regular Meeting held on April 6, 2011, as presented. Ms. Port seconded the motion and it passed unanimously.*

MONTHLY REPORTS: *Mr. Mueller moved to accept the March 2011 monthly departmental reports from the Police, Maintenance, and Road departments. Ms. Port seconded the motion and it passed unanimously.*

MONTHLY REPORTS: *Ms. Port moved to acknowledge receipt of the March 2011 monthly departmental reports from the Fire and Zoning departments. Mr. Mueller seconded the motion and it passed unanimously.*

POLICE DEPT: Per the recommendation of Ryan Kopko, One Stop Energy Service, fresh air dampers were installed at the Police Station. More energy will be used but the dampers will increase the amount of fresh air in the building. Economizers were also suggested by Mr. Kopko, but the service representative does not recommend putting them on. The third graders at Westwood Elementary School will receive information about the use of safety belts. Also, a safety drill will be conducted at the school tomorrow. A grant application for LED light bars and laptop computers was submitted. Unfortunately the Police Department did not receive any funds for the equipment.

MAINTENANCE DEPT: Mr. Gallagher needs the weather to dry up so he can make some progress outside. He cleaned up the cemetery and then cleans it up again after each storm. Document shredding will be held at the Recycling Center on Saturday from 9 a.m. until noon. The electronics recycling event held last week had a good turnout. Mr. Gallagher said that outsourcing the mowing was not cost effective. The Township has a two man crew and already owns its own equipment. The roof of the old fire station is patched and sealcoated every year. There are no leaks. West Geauga High School Band Boosters are selling flowers from Burton Flower and Garden again this year. Mr. Gallagher would like to give the sale to the Band Boosters. He wants open flowers, not buds, for the Memorial Observance on May 22nd.

ROAD DEPT - OPWC: Mr. Layne reported that Watt Road, from Fairmount Rd to S.R. 87, and Pekin Road, from Watt Rd to S.R. 306, were his top priorities for the Ohio Public Works Commission projects. These same roads were his priorities last year. *Mr. Mueller made the motion to approve the following two top priority projects for the Fiscal Year 2011 (Round 26) Township Ohio Public Works Commission Project:*
Top priority: Watt Road, Resurface, project limits from S.R. 87 to Fairmount Road.

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Second Priority: Pekin Road, Resurface, project limits from S.R. 306 to Watt Road. Ms. Port seconded the motion and it passed unanimously.

ROAD DEPT - TRUCK OUTFITTING: The Mack truck cab and chassis is scheduled to roll off the assembly line on May 31st. An estimate for the outfitting of the truck was received from Concord Road Equipment Inc. The estimate meets the State purchase price. New emissions standards make the truck approximately \$8,000 to \$10,000 more expensive. It is a zero emissions vehicle. The only thing that is emitted from the truck is steam. *Ms. Port moved to accept the Concord Road Equipment Manufacturing, Inc. estimate for the outfitting of the new Mack truck per the Ohio Department of Administrative Service State Term Schedule contract for a total cost of \$57,437.86 based on the recommendation of the Road Department Superintendent. Mr. Mueller seconded the motion and it passed unanimously.*

ZONING DEPT: Mr. Machnics discussed statistics which are newly available from the 2010 census. Russell Township ranked 2nd in the number of new homes built in Geauga County. Mr. Machnics questioned the number of unoccupied homes as it seems very high at approximately 65.

FISCAL OFFICER: Mrs. Heck is concerned about potential cuts to the Township budget. The local government fund may be cut 25% next year and then another 25% the year after that. In addition, the estate tax may be repealed. Both of these cuts reduce the Township funds considerably. Mrs. Heck says every little bit hurts. The resolution that was presented to the Chagrin Valley Intergovernmental Council to oppose the repeal of the estate tax failed to pass. It was noted that Bainbridge Township voted against the resolution yet they recently benefitted from approximately 14 million dollars in estate taxes.

FIRE DEPT: Chief Frazier had good news about the repair of the tanker. He said it would be back in 10 to 14 days and the final bill would cost under \$10,000.00. He received a firm price of \$6,846.00 for the metalwork. The other final repair item needed is the relief valve on the pump. Chief Frazier said that the life expectancy on the truck repair is approximately 5 years. The decision whether or not to re-tank it can be made later. Based on his 15 year budgeting plan for capital improvement projects, Chief Frazier has spent 1.116 million dollars on four vehicles. The engine will be 20 years old and a possible candidate for replacement. With the worry of a possible \$61,000 re-tank bill gone Chief Frazier is breathing easier. As long as Mrs. Heck is agreeable to paying off the fire truck loan, he is OK with it.

COMMENTS WERE TAKEN FROM THE PUBLIC

UPPER CHAGRIN PRESERVE: Ed Meyers and Pete McDonald, from the Western Reserve Land Conservancy, and Russell Township Park Commissioners, Roy Podojil, Sandy Siegler, and Terry Ries, were present to discuss the current status of the Township owned land known as the Upper Chagrin Preserve. Mr. Dickinson opened the discussion by saying that the Trustees

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met exactly one year ago with the Park Commissioners to talk about the future of the Upper Chagrin Preserve. He identified the history of the land transfer and the conditions placed upon the land. Mr. Dickinson stated that the land was to be kept in its natural state except for foot trails. The natural state is supposed to be maintained for scientific, educational, and aesthetic purposes. In 2000, the Township placed a conservation easement on the property.

Mr. Dickinson read parts of the conservation easement out loud. Mr. Dickinson explained that the Township can't protect the property from deer stands, ATV use, snow mobiles, and wood cutting. The Township is not living up to the terms of the original deed and conservation easement. Mr. Mueller said how pleased he is with the work done by the Park Commissioners. They have managed the new Russell Uplands Preserve and the park is a credit to the Russell Township Park Commission. Mr. Mueller feels the RTPC is in a better position to take over the Upper Chagrin Preserve land and create another park within the limits of the conservation easements that are on the property. Ms. Port asked Mr. McDonald for guidance on how the Trustees can become better stewards of the land they own. Mr. Ed Meyers stated that there is no prohibition against the transfer of the property to the Park Commission. The terms of the conservation easement are consistent with how the RTPC manages its properties. Mr. Meyers said it seems like a natural fit. Mr. Mueller added that residents will be more respectful of the word Park. The Park Commission is more likely to handle the situation at the Upper Chagrin Preserve. Mr. Dickinson expressed concern about the very restrictive deed and easement. Mr. Meyers said that the terminology "natural easement" has been changed through the years to "passive park". He explained that primitive foot trails are not a violation. However, other things such as a parking lot may not be acceptable under the restrictions. Mr. Podojil gave examples of the communication between the Western Reserve Land Conservancy and the Park Commission. The WRLC has been consulted whenever projects at the park properties require interpretation of the conservation easements. Ms. Port researched the 2011 land value of the Upper Chagrin Preserve.

She estimated the value to be \$909,000. She does not advocate turning over the deeds. Further, she wants it kept pristine. She wants no hunting, no alcohol, and no ATVs on the property. Mr. Mueller said the Park Commission is in a better position to fulfill the obligations, and the Township has not fulfilled any of them. Ms. Port said the Trustees can do better. Mr. Podojil pointed out the Trustees resources are only three people and the Police Chief. Mr. Podojil has eyes all over the place. Naturalists walk the RTPC properties regularly, and a landscaper is employed to remove trees from trails and identify hazards at the parks. *Mr. Mueller made the motion to transfer all lands known as the Upper Chagrin Preserve to the Russell Township Park Commission subject to all existing constraints.* There was no second to the motion and Mr. Dickinson continued with the discussion. He is interested to know who is in the best position to administer the landlocked area. Mr. McDonald replied that ATV use is hard to control. The Trustees need to identify the abusers of the property and clarify the permitted uses of the property to the residents that neighbor the property. The ATV trails go to houses that abut the Upper Chagrin Preserve. Discussions must be held at those

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houses. The boundaries must be marked. In order to mark the boundary, a survey may be necessary if the pins are not easily found. Encouraging walkers on the Interurban trail which exists already could help and the walk is beautiful. Ms. Port suggested a Special Meeting be held with the residents in proximity to the Upper Chagrin Preserve. Mr. McDonald identified that the residents drive 4 wheelers and took down No Trespassing signs. Allowing walkers on the property would help to deter the ATVs. Winter abuse by snowmobiles is still a problem as walkers are not out. Using vehicles for maintenance is consistent of the easement and with the RTPC use and management style. Mr. McDonald sent a letter and a map to homeowners about the ATVs. He received a positive response from about 4 residents. The next step is to go to the residences personally. Signs must be posted. Chief Carroll said that the lack of access to the Upper Chagrin Preserve makes police protection extremely difficult. His police force is not able to patrol the approximately 150 acres on foot. Mr. Ries explained that even parks with national and state designations allow hiking. Hiking is consistent with preservation. Ms. Port said the Trustees should not sell or donate the land. Her obligation is to keep it entailed forever. She is not in favor of a shell game. Mr. Podojil explained that the Geauga Park District turned the land down twice already. The Geauga Park District wants huge parcels of land, and to make connective trails. The Geauga Park District has offered help in the form of rangers to patrol the land. Mr. Meyers explained that the Trustees, as deed owners, are responsible for controlling the users of land under conservation easement. It is the obligation of the WRLC to make sure the Trustees, as deed owners, keep to the conservation easement. Ms. Port suggested revisiting the subject in another year. Mr. Mueller pointed out that no money has been budgeted in the last 10 years to care for the Upper Chagrin Preserve. Mr. Dickinson recommends involving Chester Township Trustees since the bulk of the ATVs are coming from Frazier Lane in Chester. Mr. Dickinson asked if hiring a naturalist would be necessary. Mr. McDonald stated that it is not the position of the WRLC to tell the Trustees to transfer the land or not. Mr. Mueller reiterated that the Trustees had discussed the Upper Chagrin Preserve situation one year ago. Nothing has changed in one year. The people who donated the land would be happy to see it as a park. Mr. Dickinson reminded the Board that the obligation is on the Township to live up to the deed and easement. Mrs. Heck said that the responsibilities of running the Township cause the land to be pushed aside. She said that the only responsibility that the RTPC has is to the land. The RTPC is able to do a better job watching over the property. Ms. Port and Mr. Dickinson both said they could step up to the plate and do a better job as stewards of their land.

REQUEST FOR USE OF TOWN HALL: *Ms. Port made the motion to grant permission for the Deer Lake Homeowners Association to use the Town Hall on May 18, 2011, subject to Township rules and regulations. Mr. Mueller seconded the motion and it passed unanimously.*

USPS: Mr. Dickinson noted that the Township had received an informational letter from the USPS regarding the status of the Novelty Post Office. In light of the information stated

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in the letter, the Trustees chose not to ask Mr. Vic Dubina to attend a Trustee meeting.

LIGHTING REBATE PROGRAM: Ms. Port mentioned a First Energy rebate that is available into October, 2011. She would like to use this COSE rebate to free up some of the NOPEC grant money. NOPEC meets today to decide on the grant application.

ANNOUNCEMENTS: The next regular Trustees' meeting will be held at 7:00 p.m., Wednesday, May 4th, in the Russell Township Fire-Rescue Station.

PURCHASE ORDERS: were approved for:

Number	Purpose	Amount
82-2011	F250 4x4 Ford truck w/ plow	\$24,406.00
83-2011	Install gas line/furnace	\$ 1,650.00
84-2011	Sleepy Hollow culvert	\$ 2,500.00
85-2011	Culvert pipe	\$ 4,658.40
86-2011	Fire school tuition, T Kelly	\$ 2,150.00
87-2011	Power washer	\$ 680.00

Bills were approved as presented and drawn for same.

EXECUTIVE SESSION: *Mr. Mueller made the motion to move into executive session to prepare for negotiations with public employees concerning their compensation, terms and conditions of their employment, pursuant to O.R.C. 121.22(G)(4). Ms. Port seconded the motion and it passed unanimously. The meeting moved into executive session at 8:41 p.m.*

Mr. Mueller made the motion to move into regular session. Ms. Port seconded the motion and it passed unanimously. The meeting moved back into regular session at 9:03 p.m.

Upon the motion of Ms. Port and seconded by Mr. Mueller, the meeting was adjourned at 9:05 p.m.

James Dickinson, Chairman

Gerri Heck, Fiscal Officer
Recorded by: M. Palmer