

FIRE RESCUE STATION

September 3, 2008

The Chairman James Dickinson called the meeting to order at 7:03 p.m. Trustees Jim Mueller and Kristina Port were present. Mr. Dickinson welcomed guests, and Department Heads: Maintenance Superintendent Jack Gallagher, Road Superintendent Gene Layne and Zoning Inspector Ric Machnics.

The Pledge was said.

**MINUTES:** *Mr. Mueller moved to accept the minutes of August 20, 2008 as presented. Ms. Port seconded the motion and it passed unanimously.*

**HEALTH DEPT. REPLACEMENT LEVY:** Ms. Angie Grysho, a representative for the Health Dept. was present. She was present to explain the need for a public health replacement levy that is on the ballot this fall. The Health Dept. provides for services for adults and children. This money is needed to maintain existing programs. Many of these programs are mandated services. Mr. Mueller, the Russell Township Health District Advisory Board member, said usually by this time of year 300 septic tank permits have been issued. Only 15 permits have been issued this year, this causes a big drop in income. The Health Dept. has the ability to "tap into" the townships inside millage. At present the township is not being accessed. Geauga County is one of twelve counties to support the Health Dept. with a levy. The Health Dept. can charge, but the amounts are regulated by the State.

Ms. Grysho asked the Board to sign a resolution of support. Mr. Mueller made a motion to sign the Resolution of Support for the Health Dept. Levy. There was no second to the motion and no vote was taken. Mr. Dickinson explained traditionally the Board of Trustees has not supported any money levies other than Township levies. Ms. Port said she did not have a problem with the levy, but was not sure it was the duty of the Board of Trustees to speak for Russell Township on levies issues.

**MONTHLY REPORTS:** *Ms. Port moved to acknowledge receipt of the August 2008, Monthly Departmental Reports. Mr. Mueller seconded the motion and it passed unanimously.*

**MAINTENANCE DEPT.:** Mr. Gallagher reported that after getting proposals for the asbestos removal and the razing of the Old Police Station Building the price will require going out to bids. The Township will need to hire a person to prepare bid specifications. Mr. Gallagher said the garage part of the building is not in good condition and it would not be economical to save it.

Mr. Dickinson would like to have a meeting with property owners in the State Routes 306 & 87 area that are located in the 208 plan. He would invite Hess and Associates Engineering and Geauga County Water Sources Director Mr. Saikaly. The purpose of the meeting would be to discuss wastewater facilities in the State Route 306 & 87 area. It was decided that a special meeting would be held on September 20<sup>th</sup> at 10:00 a.m. Mr. Mueller will not be available, but no decisions will be made that day.

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Mr. Gallagher reported that the project on the Lee property located on Hitching Post Lane is completed. The dirt has been brought in and the trees planted. He hopes this has solved the problem there.

**ZONING:** The Zoning Inspector reminded the Trustees that he has changed the zoning hours back to evenings and Saturday mornings because of a change in his employment.

Mr. Dickinson said because of an appeals court ruling Townships can now zone for general welfare. He thought this should be a topic for the zoning workshop to be held this fall.

Mr. Machnics reported that he is certified for storm water inspection.

Ms. Port said the Storm Water Task Force needs to meet soon.

**AUTHORIZATION FOR DEPLOYMENT:** Melissa Palmer reported that Fire Rescue Chief Frazier would like to be authorized to enter into and sign an Emergency Management Assistance Compact and an Intrastate Mutual Aid Compact. This would allow him to deploy resources and personnel from state to state or intrastate. It is the same concept as mutual aid. It doesn't commit resources, but addresses liability and resources. The Township would have to continue liability insurance and worker's compensation. Other costs would be paid by the State. Mr. Mueller asked if the Township could refuse to respond. Mr. Dickinson suggested that the Fire Rescue Chief come to a meeting and explain the program.

**ROAD DEPT.:** The surfacing of Pekin Road from Watt Road to Sperry Road has been approved by the Ohio Public Works Commission District Seven Executive Committee for further funding consideration. The Township now needs to complete a full application. Mr. Layne conveyed this is a good project as the road is very narrow in places and has drainage issues.

**CHANGE ORDER:** A change order needs to be approved for the Chip Seal Project as slag was used instead of the limestone put in the specifications. This was an error in the specifications. *Mr. Mueller moved to approve the change order for chip and seal of various roads in Russell Township from \$60,363.00 to \$64,289.06 as instructed by the Geauga County Engineer. Ms. Port seconded the motion and it passed unanimously.*

**SIGNS:** Mr. Layne reported that three "Welcome to Russell" signs were vandalized. One sign was located on Fairmount Road and two on Sperry Road. It was Mr. Layne's opinion that the vandalizing was directed at Russell Township. He wanted to know if the Trustees wanted the three signs replaced. Mr. Mueller suggested that one sign be put up on Sperry Road.

**ACCEPTING TAX RATE:** *Mr. Mueller moved to approve Resolution 2008-11 accepting the amount and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Ms. Port seconded*

*the motion and it passed unanimously.*

**AUTHORIZE REPRESENTATIVE FOR OHIO PUBLIC WORKS/ISSUE II**

**FUNDING:** *Mr. Mueller moved to authorize James Dickinson to serve as the Chief Executive Officer and Certifying Representative to apply for Ohio Public Works Commission State Capital Improvement Program (SCIP) or Local Transportation Improvement Program (TLIP) funding to help finance the proposed project entitled Pekin Road Section D Improvement. Ms. Port seconded the motion and it passed unanimously.*

**PEKIN ROAD:** *Mr. Mueller moved to approve Resolution 2008-12, A Resolution of Convenience and Necessity for the Improvement of Section D of Pekin Road, TR 144, in Russell and Newbury Townships. Ms. Port seconded the motion and it passed unanimously.*

**PUBLIC COMMENTS:** Comments were taken from the public.

**RIPARIAN SETBACK:** Mr. Howard Shanker was present. He owns eleven acres on Sperry Road by the Chagrin River. His property is on both sides of the river. His neighbor has his property for sale and the riparian setback encompasses all of the neighbor's property. Mr. Shanker feels that this might be a "taking" by Russell Township of the neighbor's property. Mr. Shanker gave the Trustees some material written by attorney R. Todd Hunt on takings and eminent domain.

The Zoning Inspector commented that this is just speculation, and that no one has approached him about this property. Mr. Dickinson has investigated this issue and he feels if there is a variance procedure it is not a taking. Mr. Shanker said he feels if the entire property is in the riparian corridor it is a taking and he feels the Township should investigate this issue. Mr. Dickinson said he would give the information to Mr. Rick Snyder the Zoning Commission chairman.

**ANNOUNCEMENTS:** The next regular Trustees' meeting will be held on Wednesday, September 17, 2008 at 7:00 p.m. in the Fire-Rescue Station. The collection of used motor oil held at the Recycling Center will end in October and will resume in the spring.

**PURCHASE ORDERS:** were approved for:

Number	Purpose	Amount
194-2008	Rear Tires for Plow Trucks	\$ 2,024.00
195-2008	Maintenance of Bay Doors	572.00

Bills were approved as presented and drawn for same.

*Upon the motion of Mr. Mueller and seconded by Ms. Port the meeting was adjourned at 8:53 p.m.*

Respectfully submitted,

TOWNSHIP TRUSTEES

REGULAR

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Jim Dickinson, Chairman

Gerri Heck, Fiscal Officer