

# MINUTES

## CONCORD TOWNSHIP BOARD OF TRUSTEES

### REGULAR SESSION

Held: November 20, 2007

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The Board of Trustees of Concord Township convened in regular session from 9:30 A.M. to 10:56 A.M. in the Township Hall. William Whidden called the meeting to order with the following members present: Robert Shook, Sue Campbell, and William Whidden. Also present were Road Superintendent Neil Rhoades, Fiscal Officer Patricia Quillen, Architect Candace Goodall, Jeremy Tomb (3254 State Route 718), Maurice Heffner, Jr. (1745 Washington Road), Mike Goubeaux of Westerheide Developers, and Randy Blair from Double Jay Construction. Bill Whidden led the Pledge of Allegiance.

**Minutes:** Pat Quillen read the Minutes of November 7, 2007 and the meeting date was corrected. She then read the Minutes of November 12. A few minor changes were made and the Minutes of both meetings were approved.

#### **Guest Comments:**

Jeremy Tomb, Attorney at Law, asked if the decision on how to pay for the renovations to 1150 Horizon West Court would be made today. Bill Whidden replied that it would occur later in the meeting. Mr. Tomb also stated his objection to meeting minutes being edited and asked if audio tape had been considered. Pat Quillen replied that the Miami County Prosecutor's Office had addressed this issue some time ago and stated that the Minutes taken by the Clerk would be the official record of the Township. Mr. Tomb stated that since Sue Campbell is an elected official, the tape she makes at the meeting could be subject to the Freedom of Information Act.

Maurice Heffner, Jr. said he saw that Concord Township paid Riverview Title Company \$450,000 and wanted to know why. Bill Whidden replied that Riverview Title had been the closing agent for the purchase of the property on Horizon West Court as well as the "Tourist Cabins" on North County Road 25-A.

#### **Clerk's Report:**

- Distributed copies of the current month Payment and Receipt Registers and the November 19, 2007 Fund Status Report
- Resolution 15-2007 to Amend the 2007 Permanent Appropriations was sponsored by Bill Whidden. The supplemental appropriation in the General Fund would reassign \$50,000 from Contracted Services to Buildings. Bob Shook supported Bill Whidden's motion and the resolution passed with the following vote: William Whidden - Aye; Sue Campbell - Nay; Robert Shook - Aye.
- Purchase Order 20-2007 to Double Jay Construction in the amount of \$279,640.00 for the renovation and garage addition at 1150 Horizon West Court was presented. Bill Whidden moved its adoption and was seconded by Robert Shook. The roll was called: Sue Campbell - Nay; Bob Shook - Aye; Bill Whidden - Aye.
- Purchase Order 21-2007 in the amount of \$69,680.00 to Westerheide Developers, Inc. for the office renovations was presented. Bill Whidden moved the approval of the Purchase Order and was seconded by Bob Shook. The motion was called with the following result: Sue Campbell - Aye; Bob Shook - Aye; Bill Whidden - Aye.
- Purchase Order 22-2007 to Service Supply, Ltd., Inc. in the amount of \$5,000 for six picnic tables and three trash receptacles for Barbee Park was presented and signed by all three Trustees. Authority for the Purchase Order was given at the meeting on October 2, 2007.
- Blanket Certificate 46-2007 for "Unforeseen Expenses" related to the projects at Horizon West Court was presented. Architect Candace Goodall had suggested such an encumbrance and the document was signed unanimously in favor.
- Pat Quillen opened an Escrow Account at Main Source Bank for the 10% hold back on Contractor Payments as directed by Mrs. Goodall. The Trustees signed the signature card and provided copies of their drivers' licenses for the Bank.
- Pat Quillen reported that she and Neil Rhoades had met with the representative from Rumpke Waste and had signed a three-year contract for refuse service. The fees for the first year will be \$51.00 per month for semi-

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monthly pick-up and have an increase of no more than 5% for each subsequent contract year. This compares to the approximately \$160.00 per month currently being charged by Waste Management.

**Communications:** The Main Source Bank Collateral Statement and the e-mails will be filed. The other items listed on the Agenda required no action.

**Candace Goodall, Architect:** At 10:00 a.m., Candace Goodall addressed the Trustees and introduced Mike Goubeaux of Westerheide Developers, Inc. and Randy Blair of Double Jay Construction, Inc. Double Jay was the successful bidder on the garage addition and renovations at 1150 Horizon West Court and Westerheide the successful bidder on the office renovations. Mrs. Goodall presented contracts which were signed by William Whidden for the Trustees and by Messrs. Blair and Goubeaux. Mrs. Goodall answered questions related to a pre-construction meeting, completion schedules, and other contractor issues. Bill Whidden asked that Neil Rhoades be appointed as the Board's representative to the contractors and Mrs. Goodall. Bob Shook supported that position and the assignment was made. Bill Whidden thanked them for coming and stated that he is looking forward to working together.

#### **Road Superintendent's Report:**

Neil Rhoades reported:

- Three complaints regarding the microsurfacing of Woodstock Court. One complaint was written by Cindy Shreffler. He believes that the surface will smooth out with traffic and the loose aggregate will be scraped up by the snow plows. He will look at it again in the spring.
- Must have all overflow equipment out of Horizon West Court by December 1. He has made arrangements to store it at the Fairgrounds for \$60.00 per month until the end of May when it must be removed.
- Leaf Pick-Up will continue another couple of weeks because leaves have been slow to fall.

#### **Old Business:**

A. Health Insurance Reimbursement: Bill Whidden reported that an Opinion had been received from Miami County Prosecutor Gary Nasal which stated that if an increase in the \$5000.00 per person reimbursement level is passed, only the staff and the two newly-elected officials (Bill Whidden and Pat Quillen) will receive the increased benefit. The other two elected officials will have to wait until the start of their next terms. Mr. Nasal also addressed the issue of a Health Savings Account, but his answer was related to a program that would be set up by the Trustees, not to a program put in place by another employer. Bob Shook wants to table the issue until he can have time to consult with the Ohio Township Association and Gary Nasal about the requirement that everyone be treated equally. He will report at a later time. Sue Campbell stated her belief that we need to plan ahead for future employees and rising health insurance costs.

#### B. 1150 Horizon West Court

- Bill Whidden reviewed another Opinion from Gary Nasal which indicated that Concord Township does have a tax-exempt status relative to securing a loan from a commercial lending institution. With that, Bill Whidden reported that he had received bids from banks for \$349,320 for a ten-year period at a fixed rate with no pre-payment penalty. Main Source Bank was the lowest at 4.35% with a documentation fee of approximately \$500.00. He reported that this interest rate is less than the rate of return on the Township's investments at STAR Ohio at the end of October, 2007. Bill Whidden made a motion to finance \$349,320 at Main Source Bank. Bob Shook seconded the motion. Unanimity is required for this issue to pass. Discussion: Bob Shook reported that this interest rate is less than that offered by the Ohio Township Association financing group. Bill Whidden stated that payments would be approximately \$3,600.00 per month over the ten-year life of the loan. Sue Campbell stated that she cannot support the garage addition and would only vote to borrow money for the office portion of the project. The roll was called: Robert Shook - Aye; William Whidden - Aye; Sue Campbell - Nay. Bill Whidden stated that the Township will pay cash from the General Fund for the projects

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that are now under contract.

- The report on Stormwater drainage and detention capacity prepared by Cozatt Engineering was reviewed.

#### C. Trustees:

Sue Campbell

- Reported that the watershed meeting for Stormwater II has not been held by the County. She stated that the Township needs to get something going now to fulfill the requirements. Bob Shook stated that Miami County Engineer Doug Christian is working on a group meeting for all affected entities.
- Expressed her concerns about the costs to heat and cool the new building and circulated a sheet from Cleary Buildings that showed estimated heating costs of their building compared to a steel building
- Commented on a zoning issue regarding the Township's property at 2678 State Route 718

Bob Shook - None

Bill Whidden - None

#### New Business:

Trustees - None

#### Guests:

Jeremy Tomb stated that he was confused by Sue Campbell's profound concerns with the potential utility costs at the new building and the fact that she then voted against a financing plan that could save the Township hundreds of dollars each year.

Pat Quillen reported that she had published the Notice of the November 12 Special Meeting in five separate outlets and only eight people who were not involved with the project attended to hear Mrs. Goodall's recommendations.

**Payments:** Bill Whidden moved to approve and pay checks 18674 through 18695 and was seconded by Sue Campbell. The vote was recorded: Sue Campbell - Aye; Bob Shook - Aye; Bill Whidden - Aye.

**Adjournment:** No further business was presented and the meeting adjourned at viva voce. The next meeting will be held on Tuesday, December 4, 2007 at 9:30 a.m.

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Robert Shook

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Sue Campbell

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William Whidden

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Patricia M. Quillen, Fiscal Officer

All formal actions of the Board of Trustees of Concord Township concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.