

MINUTES

CONCORD TOWNSHIP BOARD OF TRUSTEES

REGULAR SESSION

Held: May 16, 2006

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The Board of Trustees of Concord Township convened in regular session from 11:00 A.M. to 12:15 P.M. in the Township Hall. Sue Campbell called the meeting to order with the following members present: Robert Shook, Sue Campbell, and William Whidden. Also present were Road Superintendent Neil Rhoades and Fiscal Officer Patricia Quillen. Guests included Charles Ferrell, 1785 Woodlawn Drive, Joe Blizman, 1800 Woodlawn Drive, Magdalene Jakubek, 1715 Edgewood Drive, and Mary Huber, 1720 Woodlawn Drive. The Pledge of Allegiance was led by Sue Campbell.

Minutes: The Minutes of the May 3, 2006 meeting were read by Pat Quillen. No changes were made.

Guests: Magdalene Jakubek, Mary Huber, Joe Blizman, and Charles Ferrell all attended to see if the Trustees were aware of any plans to construct a bridge from the Hawk Nest Subdivision onto Edgewood Drive. Bill Whidden responded that no such bridge is on the plans. Joe Blizman commented on the cost of constructing a bridge and discounted the possibility. Mary Huber thanked the Trustees for taking so many calls regarding traffic issues related to Hawk Nest and the adjoining Township area.

Clerk's Report: Pat Quillen distributed copies of the Receipt and Payment Registers and Fund Status Report as of May 15, 2006.

Communications: The *Grassroots Clippings*, Troy Fire Department Report, and the Miami County Prosecutor's Newsletter will be filed. The Century Equipment price sheet and the Delta Dental wellness information required no action.

Road Superintendent's Report

Neil Rhoades reported

- The yards at 1770 Greenbriar Drive and 2840 Stone Circle have been mown.
- The insurance claim for the April 7 lightning strike is almost done except for his computer.
- The engineering plans for water installation on Stonewood and Rosewood arrived yesterday. He will review them and advise as needed.

Old Business

Trustees:

Bob Shook

- Spoke by telephone with Mrs. Gary Riffell of 1845 Edgewood Drive who expressed her concerns about egress from Hawk Nest to Edgewood Drive.
- Received a complaint letter from Ernest Lewis of 1222 Spruce Street about the house near him that sustained a fire three to four years ago. He referred the complaint letter to Planning and Zoning. He also called Therese [Everett] Tyson of the Health District to see if a condemnation order can be issued.
- Called Jacob Hoover of Planning and Zoning regarding a junk car in tall grass at the intersection of Spruce and Waco Streets.

William Whidden

- Reported that he had spoken with Magdalene Jakubek and Jerry Huber over the past weekend about Edgewood Drive and Hawk Nest.
- Attended his first Miami Valley Regional Planning Commission meeting and will attend a

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subcommittee meeting later this week.

- Reported that MVRPC passed a Resolution in opposition to the proposed amendment to the Ohio Constitution known as the Tax and Expenditure Limitation Amendment.

Sue Campbell

- Wants to conduct a Special Meeting to examine issues related the Personnel Policies and Procedures Manual and suggested Monday, May 22, 2006 at 10:00 a.m. Bob Shook stated that he cannot attend, but urged the others to go forward. The meeting notice will be posted on the web site, the bulletin board, and will be submitted to the Troy Daily News for publication.
- Has identified a number of items in the garage that are no longer needed, none of which is valued at more than \$2,500.00. She made a motion to put them out in front of the Township Building and mark them "Free". After two days, the items should be put into the refuse container or taken to the County for disposal. Bill Whidden seconded the motion. Votes were: Robert Shook, Aye; Sue Campbell, Aye; William Whidden, Aye.
- Received calls from Kim Tope, Sharon Rector, and Linda Kim regarding the Hawk Nest Subdivision. Linda Kim expressed her concerns that the proposed retention pond would be placed in a flood plain. Sue Campbell called the Army Corps of Engineers who referred her back to the Miami County Engineer. Paul Huelskamp from Doug Christian's office will look into the matter. Bob Shook asked Sue Campbell if she knows if Linda Kim empties her pool and, if so, where does that water go.
- Talked with Neil Rhoades regarding the traffic in and out of Hawk Nest via Jillane and asked if he could estimate the wear and tear on the Township road.
- Reported the receipt of a reply from the Miami County Prosecutor to her letter requesting information on the Township's authority to modify the stub of Jillane. She made a motion to enter Executive Session to discuss the Opinion Letter. The motion died for lack of a second.

New Business

Resolution 11-2006: Bob Shook moved to adopt the Resolution to Oppose the Tax and Expenditure Limitation (TEL) Amendment to the Ohio Constitution. Bill Whidden seconded and the Resolution passed unanimously, as shown by signature on the document. Fiscal Officer Pat Quillen will send copies to the Ohio Township Association and to the MVRPC. Bill Whidden will prepare a press release in the fall, as Election Day nears.

2007 Budget: Draft copies of the 2007 Budget were distributed. Pat Quillen stated that the timetable for the Budget will be a Public Hearing on June 6 and the final adoption on June 20.

Trustees: None

Guests: Mary Huber expressed her disappointment that the letter from the County Prosecutor would be discussed in Executive Session. She also asked if the Meeting Minutes are on the Web Site and Pat Quillen responded that they are.

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Executive Session: Sue Campbell moved to enter Executive Session at 11:50 a.m. to read and discuss the Prosecuting Attorney's Opinion regarding the Hawk Nest Subdivision and Jillane Drive. Bill Whidden seconded. Votes were: Sue Campbell, Aye; William Whidden, Aye; Robert Shook, Aye.

Close Executive Session: At 12:03 p.m., Bill Whidden moved to close the Executive Session and was seconded by Sue Campbell. Votes were: William Whidden, Aye; Robert Shook, Aye; Sue Campbell, Aye.

Sue Campbell made a motion to make Miami County Prosecutor Gary Nasal's Opinion No. 06-27 available to parties requesting it. Bill Whidden seconded. Votes were: Robert Shook, Aye; Sue Campbell, Aye; William Whidden, Aye. With that, Sue Campbell reviewed the letter with Mary Huber and Magdalene Jakubek. She stated that the Board would not be taking any action today. Bob Shook offered a statement of his position that he believes this to be a neighborhood dispute and that all parties need to look at fire and EMS services, snow removal, road maintenance, and other issues. For those reasons, he is opposed to speed bumps, one-way streets, and other methods to close out or delay traffic into and from Hawk Nest. In the absence of a specific petition, Bill Whidden stated his support Bob Shook's position.

Payments: Bill Whidden moved to approve and pay checks 17651 through 17699 (check #17664 voided because it duplicated check #17661). Bob Shook seconded and the roll was called. Votes were: Sue Campbell, Aye; William Whidden, Aye; Robert Shook, Aye.

Adjournment: No further business was presented and the next meeting will be a Special Meeting on Monday, May 22, 2006 at 10:00 a.m. to discuss the Personnel Policies and Procedures Manual. The next regular meeting will be Tuesday, June 6, 2006 at 11:00 a.m.

Robert Shook

Sue Campbell

William Whidden

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.