

MINUTES
CONCORD TOWNSHIP BOARD OF TRUSTEES
REGULAR SESSION
NOVEMBER 12, 2024

The Concord Township Board of Trustees met in Regular Session on Tuesday, November 12, 2024. Don Pence called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance. The roll was called and Trustees Neil Rhoades, Don Pence, and Tom Mercer were present. Fiscal Officer Pat Quillen was also present. Road Superintendent Brandt Miller was out on the Leaf Collection routes.

Minutes: Neil Rhoades made a motion to approve the Minutes from the meeting on October 8, 2024 as distributed. He was seconded by Tom Mercer and all three Trustees signed in favor of acceptance.

Guests:

- Jerry Pulfer of 2184 Fiesta Drive attended to ask the Trustees for an update of the zoning issues in his neighborhood. He distributed copies of a document he had emailed in October. Tom Mercer stated that the Home Owners' Associations have the responsibility of enforcing covenants and deed restrictions. He visited the Miami County Recorder's Office and they do not have a copy of the 1972 county-wide referendum adopting zoning for eight Miami County Townships. Tom Mercer met with Michael Clarey, the Chief Administrative Officer for the Miami County Commission and
 - Asked Michael Clarey if the Commissioners' Office would have any information on the 1972 referendum. Michael Clarey indicated that he will see what he can find;
 - Shared several ideas and suggestions to allow for residential deed restrictions and covenants to be an additional consideration used by the Department of Planning and Development, as well as the Board of Zoning Appeals, when evaluating permit requests and zoning variances including
 - Suggesting any individual applying for a building permit or zoning variance be required to attach a copy of their deed restrictions/covenants to the application
 - Suggested the listing of "Pole Barns" be removed from the list of permitted accessory structures on the official Miami County Planning and Zoning Guides
 - Highlighted numerous areas of the Board of Zoning Appeals Powers and Duties where, at the very least, consideration of deed restrictions/covenants should be included in their decision-making process
 - Expressed concern that the members of the Board of Zoning Appeals are conducting Public Hearing sessions with their minds made up before any public input is provided.
- Jerry Pulfer expressed his desire for broader coverage with BZA notifications, earlier notice and a wider area for mailing. Tom Mercer will continue to follow up with County officials and will send an email to Mary Louise Boss with the information he shared today.
- Troy Fire Department Assistant Chief Don Pemberton reviewed the October report and noted the higher than average false alarm calls came from a household with a defective detector. Staff contacted the homeowner about getting their equipment repaired and there were no further calls. He stated that there will be two significant incidents on the November report: a large, smoldering fire at the grain elevator on North County Road 25-A and a one-person fatal vehicle crash on Forest Hill Road.

Fiscal Officer's Report: Pat Quillen

- Distributed copies of the October Receipt and Payment Registers and the October 31, 2024 Fund Status Report

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- Distributed copies of the November Payment Register and the November 8, 2024 Fund Status Report
 - Provided a copy of the list of Warrants and Charges to be approved today
 - Circulated the reconciled Bank Statement of October 31, 2024 for Trustee signatures. She noted a \$2.27 adjustment as a discounting issue with Cintas that will be resolved.
 - Has started work on the 2025 Temporary Appropriations

Communications: The following items will be filed: The Troy Fire Department Report for October 2024, the OTARMA amendment insuring the generator, the email from the Miami County Engineer confirming the final release of the maintenance bond for Stony Brook Estates, and a letter from the Ohio Department of Transportation with a notification of a culvert installation in 2026. None of the other items listed on the Agenda will be retained.

Road Superintendent's Report: Brandt Miller

- Leaf Collection is well underway and the third round will begin Thursday
- Stop signs have been installed by Harlow Builders at the corner of Pleasant View and Lincolnshire
- The North Forest Hill Road tile project started yesterday and the expected completion date is Tuesday evening or on Wednesday. Forest Hill Road is currently closed from Thomas Road to State Route 41
- Annual rust-proofing on the equipment has been completed
- The oxy-acetylene torch cart has been modified and the fuel tank decals have been applied to comply with OTARMA and KLA Risk Management recommendations. Additionally, the staff watched a video on winter driving which came from the OTARMA website.

Old Business:

- A. Concord Debris Management and Disaster Recovery Plan: No report
- B. Swailes Road Speed Study: Tom Mercer asked that this item be retained until the Miami County Engineer's Office can complete the study next summer
- C. Zoning: Covered during Guests
- D. Miami County Comprehensive Plan Update: Don Pence will attend their meeting tonight at Edison State College at 5:30 where there will be time for public input.
- E. Fenner Farms Lighting District: Don Pence received a call from Miami County Prosecutor's Chief Civil Assistant, Chris Englert yesterday. The attorney for Pioneer Rural Electric has amended the contract they had drafted and sent the contract to the Miami County Prosecutor's Office. Chris Englert advised Don Pence that the Board of Trustees may approve the contract when it arrives.
- F. Miami Valley Lighting Contract: Due to restrictions on the bidding threshold, Don Pence will contact Miami Valley Lighting to request a three-year contract instead of one for five years.
- G. KLA Consulting – Don Pence completed his letter in response to their Statement of Action form. It will be put on Township letterhead and Don Pence will come by to sign later this week.
- H. Electronic Payments: Don Pence completed the draft of the new policy that defines how approval of payments will be done and how the Fiscal Officer will pay obligations. The issue will be added to the January list of items to be considered each year. Don Pence made a motion to adopt the Electronic Bill Payment Procedure and was supported by Tom Mercer. The roll was called: Don Pence – Aye; Tom Mercer – Aye; Neil Rhoades – Aye.

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I. Ohio Township Association Winter Conference: There was no interest in attending in January, 2025.

New Business:

- A. Ohio Department of Liquor Control License Renewal for El Sombrero Restaurant: The application was reviewed. There is no history of problems with the establishment. Tom Mercer made a motion to not request a Hearing. Neil Rhoades seconded and all three Trustees voted in favor. Pat Quillen will sign the form and return it to the State.
- B. Commercial Truck Traffic: A complaint was made by a resident about the amount of truck traffic on Barnhart Road. Don Pence spoke with Dan Baker from the Miami County Engineer's Office who forwarded a number of documents from the past several years stating that the Ohio Revised Code has no provision that allows the Township to regulate or restrict vehicular traffic on roadways, i.e., commercial truck traffic. Don Pence will coordinate with Brandt Miller to contact the complainant.
- C. Junk Vehicles at 3808 West Fenner Road: Since the complaint was received, Jackson Bennet from Miami County Planning and Zoning has resolved the situation and notified the complainant.
- D. Construction Trailer parked at 2925 Hickorywood Drive: The Miami County Sheriff's Office was notified and they had the trailer removed. The house there is now for sale.
- E. Delta Dental Renewal: The 2025 policy renewal was reviewed and includes an increase in the premium. The Trustees agreed to renew as presented.
- F. Miami County Township Association Christmas Party: Don Pence reported that he spoke with President Sam Buchman about having the party at the Concord Township Building since no other suitable location was available. Don Pence will work to make sure everything is in order.
- G. House Bill 47 Automated External Defibrillator (AED): Though Concord Township does not meet the threshold requirements to have these devices in our roadside parks, Tom Mercer recommended that one be available at the Township Building. He will contact the Troy Fire Department for the cost of equipment and resources for training.

Referrals:

Newsletter/Social Media:

Payments: Don Pence made a motion to approve and pay Warrants 25111 and 25113 and Charges 442-2024 through 490-2024. Neil Rhoades seconded the motion and it carried unanimously. The two Warrants were signed by the Trustees.

Adjournment: The meeting adjourned at 11:26 a.m. on a motion and second by Tom Mercer and Neil Rhoades. The next meeting will be held on Tuesday, December 10, 2024 at 10:00 a.m. in the Township Building.

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Thomas N. Mercer

Donald D. Pence

Neil E. Rhoades

Patricia M. Quillen, Fiscal Officer

All formal actions of the Board of Trustees of Concord Township concerning and relating to the adoption or 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.