

BERLIN TOWNSHIP TRUSTEES

5:30 p.m. Trustee Meeting January 23, 2022

HELD AT: This meeting was held at 3271 Cheshire Rd, Delaware, OH

CALL TO ORDER: Meghan Raehll, Trustee Chair

PLEDGE OF ALLEGIANCE: Meghan Raehll led the Pledge of Allegiance

ROLL CALL: Meghan Raehll, Ken O’Brien, Ron Bullard, Claudia Smith, Fiscal Officer and Theresa Taylor, Fiscal Officer Assistant

ATTENDANCE: There was no one in attendance.

PUBLIC COMMENT: There were no public comments.

Monica Conners with Delaware County Economic Development- This is rescheduled to February 13, 2023.

Approval of Minutes-

RESOLUTION 23-01-56 APPROVE THE 01/09/23 REGULAR MEETING MINUTES, AND DISPENSE WITH THE READING

Motion: Bullard
Second: O’Brien
Vote: O’Brien yes, Raehll yes and Bullard yes

Old Business-

Trebel Energy Gas Aggregation- Bullard is waiting for the approval from Stucco to sign the paperwork from Trebel Energy to lock in the township’s gas aggregation price.

JEDD- Raehll had a follow-up meeting with Shawn McCarter. She wanted to get the boards opinion regarding the discussion for the next steps if an applicant comes in. The applicant is at the point of working out development incentives and is willing to petition the property into the JEDD, where in the process should this occur. O’Brien said the earliest available time would be better because of the BIA but does not want to negotiate the zoning portion but rather the amenities. Raehll agrees and wants the zoning aspect already in place prior to an applicant coming before the board. Bullard would like there to be an added handout to explain the advantages for those looking to join the JEDD.

There was a discussion as to when and what needs to be done before an ARB meeting can occur with a prospective applicant.

Township Tee Shirts- The trustees discussed possible shirts ideas. Raehll is going to bring a sample shirt based upon the discussion back to the board for review.

Meeting Video Recordings- Smith has not heard back from the prosecutor.

Fairview Sign- Nothing new.

Assistant Cemetery Sexton- Nothing new.

Additional Life Insurance- O’Brien will be forward to the Fire Department for consideration.

BZC Applicants-

RESOLUTION 23-01-57 RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(1) TO CONSIDER APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE OR OFFICIAL OR THE INVESTIGATION OF CHARGES OR COMPLAINTS AGAINST A PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL, UNLESS THE PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL REQUEST A PUBLIC

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HEARING – THREE TRUSTEES, FISCAL OFFICER, THE FISCAL OFFICER ASSISTANT TO ATTEND- 6:58 P.M.

Motion: Raehll
Second: Bullard
Vote: O'Brien yes, Raehll yes and Bullard yes

RESOLUTION 23-01-58 MOTION TO RETURN TO REGULAR SESSION- 7:36 P.M.

Motion: Raehll
Second: O'Brien
Vote: Raehll yes, Bullard yes and O'Brien yes

Raehll "We met in executive session and no decisions were made and no actions were taken".

RESOLUTION 23-01-59 MOTION TO APPOINT JASPER DECHRISTOPER TO BZC ALTERNATE POSITION #1, EFFECTIVE 1/24/2023 PENDING SUCCESSFUL COMPLETION OF ALL REQUIRED PAPERWORK

Motion: Raehll
Second: Bullard
Vote: Raehll yes, Bullard yes and O'Brien yes

RESOLUTION 23-01-60 MOTION TO APPOINT TARA SHIELDS TO BZC ALTERNATE POSITION #2, EFFECTIVE 1/24/2023 PENDING SUCCESSFUL COMPLETION OF ALL REQUIRED PAPERWORK

Motion: Raehll
Second: O'Brien
Vote: Bullard yes, O'Brien yes and Raehll yes

Road Department-

Road Department Access- Raehll said that Eric from IT Made Real suggested to go wireless for the road department because of the excessive number of wires, this would provide an added access point and coverage to the office and the bay.

RESOLUTION 23-01-61 MOTION TO APPROPRIATE UP TO \$300 TO IT MADE REAL FOR THE PURPOSES OF GOING WIRELESS FOR THE ROAD DEPARTMENT

Motion: Raehll
Second: O'Brien
Vote: Bullard yes, O'Brien yes and Raehll yes

Road Puddling- There is puddling on Ford Street and will be addressed ASAP.

RESOLUTION 23-01-62 MOTION TO APPROVE THE DELAWARE COUNTY ENGINEERS CONSTRUCTION COST ESTIMATE FOR THE 2023 BERLIN TOWNSHIP ROAD IMPROVEMENT PROGRAM IN THE AMOUNT OF \$261,800

Motion: Bullard
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard yes

RESOLUTION 23-01-63 MOTION TO APPROVE THE 2022 MILEAGE CERTIFICATION

Motion: Bullard
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard yes

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Discussion: O'Brien asked that Peden confirm that the numbers are correct. Bullard will have Peden look at the numbers.

Raehll spoke with Stucco and Bon about possibly establishing a Parking Enforcement Authority and asked the trustees their thoughts. Raehll said that most places that have it also have a police department. O'Brien said that it could be a possibility to contract with another township. She is going to have Bon look more into it and see what other townships do.

Bullard asked about non-turnover roads (those that have not been turned over to the township yet) because residents had contacted them regarding the plowing of those streets. O'Brien said that if it has not been turned over to the township then we are not allowed to plow them because we would be held liable if there were to be any damage done to the roads.

Raehll checked with Stucco regarding if the board could determine who is allowed to reach out to the prosecutor. He said that they can do that for employees but should not be able to make that decision for any BZC member. If any BZC member has a question as to if they should be recused from a hearing then they need to reach out to the Ohio Ethics Commission or the Prosecutor's Office. Stucco said that there is an issue in resolution 23-01-13 with the statement about empowering the liaisons to allow those individuals to reach out to external legal counsel. Per statute 3909, there is explicit language that speaks to how the board can procure external counsel and that it requires the full board approval for anyone to attain external counsel.

RESOLUTION 23-01-64 MOTION TO REPEAL AND REPLACE RESOLUTION 23-01-13 TO STATE: MOVE THAT THE CEMETERY SEXTONS, FISCAL OFFICER, ZONING INSPECTOR, AND FIRE CHIEF ARE AUTHORIZED TO CONTACT THE DELAWARE COUNTY PROSECUTOR AS NEEDED AND COPY THE FISCAL OFFICER AND BOARD OF TRUSTEES FOR NOTIFICATION PURPOSES ONLY NOT FOR APPROVAL, EFFECTIVE IMMEDIATELY

Motion: Raehll
Second: Bullard
Vote: Raehll yes, Bullard yes and O'Brien yes

Fiscal Officer Items-

1st Amended Certificate of Estimated Resources-

RESOLUTION 23-01-65 APPROVE 2023 FIRST AMENDED CERTIFICATE OF ESTIMATED RESOURCES AND APPROVE PERMANENT APPROPRIATIONS NOT TO EXCEED \$14,273,318.66

1ST AMENDED CERTIFICATE OF ESTIMATED RESOURCES

1000 General Fund	\$3,559,948.83
2011 Motor Vehicle License Tax Fund	\$ 50,250.70
2021 Gasoline Tax Fund	\$ 510,753.61
2041 Cemetery Fund	\$ 229,399.09
2111 Fire Fund	\$6,703,721.50
2181 Zoning Fund	\$ 929,929.56
2231 Motor Vehicle Permissive License Tax Fund	\$ 356,893.72
2272 Coronavirus Relief Fund	\$ 1,651.64
2273 American Rescue Plan	\$ 498,478.13
4303 Capital Project - Park	\$ 2,255.88
4401 Public Works	\$ 500,000.00
4901 Capital Project - Fire	\$ 930,000.00
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Total First Amended Certificate	\$14,273,318.66

Motion: O'Brien
Second: Bullard
Vote: Raehll yes, Bullard yes and O'Brien yes

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Bullard left the meeting at 8:25 p.m.

*****7:00 P.M. TIME CERTAIN BZC 22-003 BERLIN TWP COMPREHENSIVE LAND USE**

Raehll called to order the BZC 22-003 Berlin Twp Comprehensive Land Use hearing at 8:25 p.m.

Raehll reviewed the comprehensive land use agreement and finds it to be ethereal and in some instances rather problematic. There is a lot of prospective given about concerns that townships need to think through when they engage in different scenarios but not a lot of concrete solution representation. She feels it needs to be in more of the townships voice. To resolve it, Raehll proposes a rather significant structural change to the plan and essentially eliminate the Delaware County portions of a number of the chapters.

O'Brien and Raehll went through the Berlin Twp comprehensive land use page by page and made significant changes to the wording. This will continue to be discussed and revised by the board of trustees on February 27, 2023 at 7:00 p.m.

Recess at 8:58 p.m. Returned at 9:02 p.m.

RESOLUTION 23-01-66 MOTION TO RECESS AND CONTINUE BZC 22-003 BERLIN TOWNSHIP COMPREHENSIVE LAND USE TO FEBRUARY 27, 2023 AT 7:00 P.M. AT 3271 CHESHIRE RD

Motion: Raehll
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard absent

Fire Department-

Paper Towel Dispensers- Smith said that the fire department brought down all of the paper towel dispensers they had and the road department said they had toilet seat covers that were bought with the Covid Relief Act money. They are not going to use them since the ones they have been using are in working order. O'Brien said that he thinks that they need to be kept and can be used for back up when an existing one breaks. Raehll asked Smith to have Peden put a paper towel dispenser up in the kitchen of the township hall and put the toilet seat covers up in all of the restrooms.

Telephones- Smith said that they tried to sell the old phones on GovDeals twice, to no avail and asked what can be done with them. O'Brien said that they can be destroyed and declare them as disposed of.

RESOLUTION 23-01-67 MOTION TO DECLARE SIX PHONES THAT WERE PREVIOUSLY USED BY THE TOWNSHIP AND HAVE BEEN OFFERED FOR SALE ON GOVDEALS ON TWO OCCASIONS, TO BE OBSOLETE AND OF NO VALUE AND ORDERED THEM DESTROYED AND DISPOSED OF

Motion: O'Brien
Second: Raehll
Vote: O'Brien yes, Raehll yes and Bullard absent

Cemetery- Nothing new.

Trustee Items-

Grant Writer- Raehll has not heard back and hopes to have an update at the next trustee meeting.

Parks and Trails MORPC Technical Assistance Program Updates- Jonathon Miller is going to be the senior planner on this, he worked under Scott Sanders prior to joining MORPC. They are going to be on a fact-finding mission for a number of months. After information is collected, they will provide maps for the board's consideration.

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Trustee Meeting

January

23,

2022

Building Access Policy- Raehll memorialized what the board has been discussing as to the building's access policy. After consideration, Raehll feels that the internal door to the zoning office should only be able to be accessed by the fiscal officer.

**RESOLUTION
23-01-68**

**MOTION TO ADOPT THE ACCESS POLICY REVISED VERSION
SENT VIA EMAIL TO THE FISCAL OFFICER AT 10:11 P.M ON
JANUARY 23, 2023**

Building Access Key/Code Policy

Elected Officials (Trustees and Fiscal Officer)

Master Key to access Admin Building*

All doors and double presentation

Early Access capability to the Zoning Office

Access to all doors at the Fire Station to be provided by the Fire Chief

Fire Chief (Currently AJ Miller)

Master Key for Fire department*

All Access to doors at Fire Station

All Access to Roads Department by use of a code.

Roads Superintendent or acting in the role of Roads Superintendent (Currently Jesse Peten)

Physical Key to Access Roads doors in Township Hall only*

admin building all doors except the zoning door

double presentation capabilities to the township hall door

Access to the Fire Station as provided by the Fire Chief

Fiscal Office Support (Currently Theresa Taylor)

All doors for admin building

Double presentation for township hall door

All Cemetery and Roads Department (currently Tim Foor, Larry Buell, Sam Dingus, Jeff)

admin building all doors except the zoning door

double presentation capabilities to the township hall door

Access to the Fire Station as provided by the Fire Chief

Zoning Staff (currently Cathy, Jacob, Sherry)

All doors for admin building

Double presentation for township hall door

All Zoning staff should have the "early access" so when used first in the morning it keeps unlocked as of 8am.

Seasonal Roads (Currently Snow Plowing)

Assigned a temporary code

The three doors to the roads

Seasonal driver must coordinate with Roads/Fire Chief for access to the building

Contract Workers (Currently companies and IT support companies)

One code attached to one individual – single presentation to the township hall door in the admin building only.

Chairs of Committee (Currently Jerry Valentine, Jerry Harmon, Zachary Brown)

One code attached to Chair only – single and double presentation to the township hall door in the admin building only

*Anyone presented with a key shall communicate with all elected officials if they require the use of the key to enter the building. It is the expectation that all individuals, including elected officials, utilize the access code to enter the building. Any need for use of the key shall be reported and include the building, door, time, and reason for needing to utilize the key.

Motion: Raehll

Second: O'Brien

Vote: Raehll yes, Bullard absent and O'Brien yes

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Permitting/Payment Software- This will be discussed at the February 13, 2023 trustee meeting.

Technology Updates- The Berlntwp.us domain is now solely Berlin Township’s. RDI has been completely removed.

Server Room- Eric from It Made Real wants confirmation that the old phone lines are no longer being used in the township. Smith will call Accent and ask if there is any use for the old phone lines.

Zoning Department- Nothing new.

Future Meetings-

- 01/26/23 Regional Planning Commission**
- 01/30/23 Special Trustee Meeting**
- 02/09/23 Parks & Trails Meeting**
- 02/13/23 Trustee Meeting**
- 02/27/23 Trustee Meeting**

Late Items- Bullard asked that all articles be given to him by February 28, 2023, for the newsletter.

RESOLUTION 23-01-69 MOTION TO APPROVE UP TO \$75 PER ELECTED OFFICIAL FOR ATTENDANCE AT THE THIRD THURSDAY’S CHAMBER OF COMMERCE, FOR UP TO THREE TIMES PER YEAR FOR EACH ELECTED OFFICIAL

Motion: O’Brien
 Second: Raehll
 Vote: Raehll yes, Bullard absent and O’Brien yes

Raehll stated that in regard to the National Opioid Settlement she is going to reply that no letter is necessary, we will not be accepting the funds (\$2) and we can then close that case with the prosecutor’s office.

Adjourn-

RESOLUTION 23-01-70 MOTION TO ADJOURN

Motion: O’Brien
 Second: Raehll
 Vote: O’Brien yes, Raehll yes and Bullard absent

Meeting was adjourned by Chairman Raehll at 10:30 P.M.

 Meghan Raehll, Chair

ATTEST:

 Ron Bullard, Vice-Chair

 Theresa Taylor, Fiscal Officer Assistant

 Ken O’Brien, Trustee