

Jackson Township Board of Trustees  
Regular Meeting Minutes  
December 18, 2017

Mr. Moyer asked everyone to stand and say the Pledge of Allegiance. The meeting was called to order by President, Mike Moyer, at 6:01 p.m. with roll call. Trustees: Mr. Moyer and Mr. DeVilbiss were present. Mr. Gillman -absent.

**Visitors:** Larry Clapp, Jimmy Peters, Bob & June Puterbaugh, Mike Kilroy, Mike Jones, Mike Stratton, Tom Wallace, Eli Winkler, Doug Hardyman & Melanny Michael

**Visitor Comments:** Mr. Stratton, a resident who lives on Dechant Road, wanted to discuss with the Trustees his concern regarding a new neighbor firing weapons near his property. Mr. Stratton stated he has spoken with his neighbor and sent letters to his neighbor, asking him to build a back stop if he is going to continue shooting around his property. Mr. Stratton stated he had no response from this neighbor. Mr. Stratton said his neighbor has since built a back stop, but the back stop is not a very good one. Mr. Stratton continued to state his concerns about the possibility of a ricochet from where his neighbor is shooting. Mr. Stratton feels this kind of shooting is not safe in their neighborhood, or any neighborhood. Mr. Stratton stated he and his family do not feel safe walking in their woods or anywhere on their property. Mr. Stratton feels the only way a change would take place is if something bad would happen like someone getting shot or killed. Mr. Stratton would like to know if there are any laws to protect his property and neighborhood and asked if the Trustees could do anything or could they contact this person to discuss this issue. Mr. Stratton said he would like to see more safety laws regarding shooting on one's property. Mr. Stratton asked if it would be possible for the Township to build a shooting range for residents or at least make sure there are earthen works on the property of the shooter. Mr. Stratton stated he understands the Ohio Township Association is looking into this issue of more density in rural areas and possibly passing legislations regarding this issue and would like to see our Township join in this effort. Mr. Stratton stated he is not "anti-gun", but is "pro-safety". Mr. Stratton continued stating his concerns regarding the lack of protection provided and his rights as a citizen to live in safety. Chief Schade asked if there were any others who would like to speak before he addresses this issue. Mr. Kilroy, a resident who lives on Hemple Road, state he owns 30 and an 80 acres of property and is also having problems with people shooting near his property. Mr. Kilroy stated whenever he called the police, each police officer had a different opinion on what a safety berm is. Mr. Kilroy suggested they all read the NRA guidelines regarding safety issues. Discussion followed between visitors regarding this shooting issue. Chief Schade informed those present he has researched the laws and there have been no changes. Technically, you do not need to have a back stop. Chief Schade stated he reached out to the Chief Deputy at the Sheriff's office, and the Miami Township Chief of Police, to see how they deal with these situations. Chief Schade stated we are in line with the County procedures - we cannot stop people from shooting on their own property. Chief Schade agrees that education on this issue is very important, but every situation is different. Mr. Stratton asked if the Township has the authority or ability of issuing a resolution of some kind. Mr. Kilroy asked if Zoning laws could address this issue. Mr. DeVilbiss stated the Township is authorized by the Ohio Revised Code/Laws. The ORC would override any action done by the Township. Mr. Kilroy thought adding a backstop regulation in Zoning would be a start. Discussion followed. Chief Schade said it would still be a civil matter – they would not be able to enforce any zoning laws. Ryan Hodson commented that this would also be a liability issue – if the Township would recommend one height of the back stop, and something happens at another height, the Township would be liable. Discussion followed regarding hunting laws vs. residential laws. Mr. DeVilbiss said he is going to attend the Ohio Township Association's conference in February and will discuss this issue with other OTA members. Mr. DeVilbiss stated this all comes down to using common sense. Mrs. Michael stated there will be a meeting of the BZA board in January or February and they will discuss this issue at the meeting. Discussion followed regarding back stops. Mr. Stratton asked again if the Township could create a range. Mr. DeVilbiss stated this would once again come down to liability. Discussion followed.

Minutes Cont.'d

Mr. Moyer stated they would have to check with the Township's liability insurance company before we consider doing anything. Chief Schade said he has drafted a letter to Mr. Stratton's neighbor stating the concerns and safety issues Mr. Stratton has. Mr. Stratton thanked Chief Schade. Chief Schade asked Mr. Kilroy if the shooting has stopped, to which Mr. Kilroy said yes. Chief Schade said he would work on getting some shooting guidelines set up, but they will be very generic and non-specific. Mr. Stratton thanked the Trustees for their time. No further visitor comments.

**Review/Approval of Minutes – Trustees Regular Business Meeting – November 13, 2017:**

Mr. Moyer asked for the review and approval of minutes from the Trustees' Regular Business meeting held on October 9, 2017. Mr. DeVilbiss made a motion to approve the minutes from November 13, 2017, seconded by Mr. Moyer. Vote: Mr. Moyer-Yes Mr. DeVilbiss- Yes Mr. Gillman- Absent Motion passed.

**Electronic Payments & Warrants:**

Mr. Moyer asked for the review and approval of the electronic payments and warrants totaling **\$129,607.95**. Mr. DeVilbiss made a motion to approve the payments totaling \$129,607.95, seconded by Mr. Moyer. Vote: Mr. Moyer-Yes Mr. DeVilbiss- Yes Mr. Gillman- Absent Motion passed.

**Fire:** Chief Wallace said he had no new business. Chief Wallace stated he will give a copy of the end of year reports to the Trustees when they are completed after the first of the year. Chief Wallace said the South Fire levy will be up next year. Mr. DeVilbiss stated that at the Auditor's end of year meeting it was said that levies can only be placed on ballots of the Primary and General Elections. Chief Wallace had no further business.

**Police:** Chief Schade gave the following report: Chief Schade told the Trustees the contract with Miami Regional Crime Lab is due and he needs the Trustee's signatures. It would cost approximately \$1,200.00 for crime lab services. Chief Schade presented the Trustees with the 2018 Police Budget and Salary Benefit package plan. Chief Schade informed the Trustees he has spoken with our representative from McGohan Brabender about our Anthem Health Insurance. Chief Schade stated there is another option we can choose which will lower our premium by approximately 11%. Chief Schade stated he spoke with Mrs. Winkler and Mr. Pohl regarding the changes which will include a higher deductible. Chief Schade stated he feels this is still a good plan and would recommend the Township go with the Anthem D-55 plan. Discussion followed. Chief Schade stated that since we are late in getting these changes made, our January premium will remain the same, and then a credit will show on the February invoice. Chief Schade said a vote is required for the change in the insurance plan as well as his 2018 Budget and Salary Benefit plan. Mrs. Winkler stated the Trustees can vote on the Budget portion after the entire 2018 Budget is presented later in the meeting. Mr. Moyer made a motion to change the Anthem Insurance Policy to Plan D-55, seconded by Mr. DeVilbiss. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed. Mr. DeVilbiss made a motion to approve the 2018 Police Salary and Benefit Plan, seconded by Mr. Moyer. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent. Motion passed. Chief Schade continued his report by stating there was a theft from 2 vehicles and 1 property in the Township on Havermale Road near Clayton Road. They have a suspect. Chief Schade told the Trustees he was contacted by the London Times who wanted information on the Opium crisis. The article was in the London Times – (yes, London, England). Chief Schade stated Detective Dave Potts will be resigning the first of the year because he does not want to participate in any extra training associated with CPT. Chief Schade stated he has a very qualified person in mind to replace Mr. Potts on a part time basis. Mr. DeVilbiss asked if Chief Schade read they were going to suspend the CPT's next year because of the budget. Chief Schade responded by saying he heard they ran out of money, but they still put it in the budget. Mr. Moyer asked what is CPT. Chief Schade said it stands for Continuing Professional Training. Mr. DeVilbiss thanked Chief Schade for looking into the shooting issue. Chief Schade had no further business.

## Minutes Cont.'d

**Road:** Mr. Pohl stated the Havermale Phase I Project is shut down for the rest of the year due to weather issues. Mr. Pohl stated they were trying to finish it up in November, but rain caused flooding issues. Mr. Pohl said he spoke with Barrett Paving about closing the job down, as well as speaking with Kramer, our engineer, who looked over the job. Kramer agreed that work on Havermale Road should be shut down until next spring. Discussion followed regarding berm gravel and asphalt, as well as how late the project was in getting started. Mr. Pohl stated work will start back up in the spring, but no start date has been scheduled. Mr. Pohl continued his report by stating they have been doing tree work on Lower Gratis Road and still doing some road mowing. Mr. Pohl stated they did repair work on Fort Anthony Road due to a wash-out and working on some pot holes in the Township. Mr. Pohl stated they did some plowing on the 9<sup>th</sup> due to snow fall, as well as on the 12<sup>th</sup>. Mr. Pohl had no further business.

**Park:** Mr. Hardyman stated the Park Board is looking for a second bid on repairs to the bathrooms at the ball diamonds – possibly getting a metal roof instead of a shingled roof. They are waiting on Mr. Pohl to dig up around the baby pool to be able to fix the leak. Mr. Hardyman stated there will be interviews for pool manager tomorrow. There are 4 applicants that will be interviewed. Mr. Hardyman feels this next year will be a better year – there are some good, qualified candidates who have applied. Mr. Moyer asked if we have received the price for repairing the edge of the pool. Mrs. Michael responded by stating she emailed it to the Trustees on Friday. Mr. Moyer asked if she would re-email it to him. Mrs. Michael said she would do that. Discussion followed. No further park business.

**Zoning and Refuse:** Mrs. Michael said the refuse bills have been mailed. Discussion followed on whether or not to increase the refuse bills to help with the financial expenditures coming from the Refuse Fund. Mr. Moyer asked if Mrs. Michael has had time to research the surrounding areas regarding how much they charge for refuse. Mrs. Michael responded by saying everyone but Perry Township is higher than us. Mrs. Michael stated we are now at \$50.79 per quarter. Discussion followed on how much we should raise our fee and when it should be in effect. Mrs. Michael suggested any change should take place before the first quarter bills go out. Mr. Moyer asked if they could table this discussion until the first of the year when all trustees will be in attendance. All agreed to table this until the January meeting. No further zoning/refuse business.

**Fiscal Officer:** Mrs. Winkler asked if the trustees had any questions regarding the UAN Appropriation, Fund Status reports or the Resolutions she emailed to them for review. No questions. Mrs. Winkler went over the revenue status and Resolution 2017-34, explaining she would like the Trustees to give her authorization to do revenue maintenance in order to submit a request for an Amended Certificate for year end. Mrs. Winkler then presented the Trustees with **Resolution 2017-31**, which states there was a transfer of \$60.00 from the General Fund appropriation account 1000-110-599 (Other Expenses) to account 1000-810-810 (Principle Payment – Bond) in order to make the December VV Water District Debt payment. Mr. DeVilbiss made a motion to approve Resolution 2017-31, seconded by Mr. Moyer. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed. Mrs. Winkler presented the Trustees with **Resolution 2017-32** which states both the South and North Fire Districts received more tax revenue than was budgeted, therefore making it necessary to increase both of these revenue funds. Mrs. Winkler stated there was no State administration fee for the August settlement rollback revenue, so she transferred the remaining tax collection funds to the “Contracted Services” appropriation accounts of both the South and North Fire funds. Due to the increase in revenue, Mrs. Winkler told the Trustees she emailed Cheryl Miller at the Mont. Co. Auditor’s office requesting an Amended Certificate showing the changes to the South and North Fire Funds. Mr. Moyer made a motion to approve Resolution 2017-32, seconded by Mr. DeVilbiss. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed. Mrs. Winkler presented the Trustees with **Resolution 2017-33** which shows the transfer of funds between both the Police and the Road appropriation accounts in order to make payroll and Medicare payments for year end.

Minutes Cont.'d

Mr. DeVilbiss made a motion to approve Resolution 2017-33, seconded by Mr. Moyer. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed. Mrs. Winkler presented the Trustees with **Resolution 2017-34** giving her authority to do end of year maintenance on all Township funds. Mr. Moyer made a motion to approve Resolution 2017-34, seconded by Mr. DeVilbiss. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed.

Mrs. Winkler explained to the Trustees she needs a motion to file “Regulatory” for the Annual Financial Report. Mr. DeVilbiss made a motion to file “Regulatory” on the AFR, seconded by Mr. Moyer. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed. Mrs. Winkler explained to the Trustees she has had 4 bids from 4 different Independent Public Accountants to perform our 2016 – 2021 audits. The State Auditor’s office would like each entity to give points to the IPA firm they would like to do the audit, but the State would make the final decision. Mrs. Winkler suggested taking the lower bid for their choice of IPA. After some discussion, Mr. DeVilbiss made a motion to give 3 points to BHM CPA Group, seconded by Mr. Moyer. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed. Mrs. Winkler gave the OTARMA recommendations paperwork she received in the mail to Mr. Pohl, seeing it was for the Road and Service Department. Mrs. Winkler told the Trustees she would like to do the 2018 Temporary Budget discussion at the end of the meeting. Mrs. Winkler had no further business.

**Trustees:**

**Mr. Moyer:** Mr. Moyer asked Mr. Pohl if he had any information on the new garage doors. Mr. Pohl stated he spoke to them last Thursday, and they should be in Wednesday. Mr. Moyer had no further business.

**Mr. DeVilbiss:** Mr. DeVilbiss stated he is excited about the new year and appreciates the support from the community and hopes everyone has a great Christmas.

**Mr. Gillman:** Not present

Mr. Moyer asked if there was a need to go into executive session. There was no need for executive session.

Mr. Moyer stated they will now discuss the 2018 Temporary Budget. Mrs. Winkler told all those present they are more than welcome to stay for the budget session. Mrs. Winkler went over the revenue and appropriation budgets, as well as each department’s appropriations with the Trustees. Mrs. Winkler explained this is only temporary, that she will present a permanent budget once the 2018 tax rates are approved. Once the tax rates are approved, changes can be made to the temporary budget before approving the permanent 2018 budget. After much discussion, Mr. Moyer made a motion to approve the 2018 Temporary Budget, seconded by Mr. DeVilbiss. Vote: Mr. Moyer – Yes Mr. DeVilbiss – Yes Mr. Gillman – absent Motion passed.

With no further business, Mr. Moyer made a motion to adjourn.

Meeting was adjourned at 8:10 p.m.

Submitted by: \_\_\_\_\_  
Diana Winkler, Fiscal Officer

Attested by: \_\_\_\_\_  
Michael Moyer, President