

April 13, 2021

The Board of Trustees of Marion Township, Marion County, Ohio met in a regular meeting. Ms. McCleary called the meeting to order 5:34 pm. with the following members and visitors present:

Ms. Karen McCleary	Present	Mr. Larry Ballinger	Present
Mr. Lynn Thomas	Present	Ms. Sheila Perin	Present

**EMPLOYEES:** Chief Meddles, Mark McCleary

**GUESTS:** Denny Smith, Sarah Moser, Taylor Christian  
Roger Dietrich (excused)

Mr. Ballinger made a motion to approve the March 2, 2021 meeting minutes. Mr. Thomas seconded. Motion carried.

Correspondence – No correspondence received.

**Guest Presenters:**

Sarah Mosher spoke about the upcoming solar project. Application will be submitted on March 5 to the Ohio Power Siting Board. Ms. McCleary asked Ms. Mosher how the township would benefit financially from this project. Ms. Mosher explained that it is based on the township millage.

Taylor Christian from Ohio Land and Liberty Coalition. He is an advocate for solar energy. His company works with local government, etc. to show the benefits of solar energy.

Denny Smith spoke about the water problem at Garden Place and Greenway Dr. Roger Dietrich visited the site and assessed the problem. Mr. Dietrich is recommending that a company be hired to mill down the pavement so that the water can drain.

**OLD BUSINESS**

Ms. Perin reported that the report which was due April 6 to OBM for Covid Relief Funding was submitted on April 5.

Ms. McCleary reminded the board about Sunshine Laws.

Accident protocol following snow plow truck incident on Yorkshire Drive back in February was discussed. The township needs to follow protocols whenever there is any type of an incident involving a vehicle.

Door lock upgrades to township buildings – Chief Meddles reported that there was delay in getting finished. Paperwork should be signed tomorrow.

Mr. Ballinger reported that a gentleman was interested in purchasing the property behind the Children's Home but that he is no longer interested.

Ms. McCleary discussed with the increase in Covid vaccinations; that moving forward she feels comfortable with in person meetings as well as the zoning commission holding their meetings in person.

**NEW BUSINESS**

Ms. McCleary presented to the Board the Larry J. Brown Memorial Plaque for memorial tree.

Chief Meddles would like to have a celebration to commemorate the 50<sup>th</sup> anniversary of the fire dept. He would like to hold an open house either in June or September and invite past employees of the fire dept. Discussion was held that this would preferable be held outside with boxed lunches or some kind of food that would be served safely. Ms. McCleary made a motion to support the 50<sup>th</sup> anniversary event; Mr. Thomas seconded the motion. All voted aye. Motion carried.

Road paving priorities – Mr. Thomas presented figures for road paving. After a lengthy discussion, the Board members are not in agreement with the roads that were proposed for paving. It was suggested that perhaps the trustees drive the roads to see which need paving in their opinion. Mr. Thomas presented six roads for paving based on the recommendation of the Marion County Engineer. Mr. Ballinger, Mr. Thomas and Ron Phillips visited a test paving site in Galena Ohio and do not think this type of paving meets the township needs.

Ms. McCleary read a resolution for septic system addendum for submittal to Sandy Bridenstine from Health Dept.

**MARION TOWNSHIP**

**ORIGINAL RESOLUTION 2018-0306 –**

**Amended 2021- 0413**

**A RESOLUTION ALLOWING APPROVED SEPTIC SYSTEMS**

**TO LEACH INTO MARION TOWNSHIP STORM SEWERS**

WHEREAS, Marion Public Health Department Sanitarian, Sandy Bridenstine verified that failing septic systems exist on certain properties located within Marion Township, and

WHEREAS, Township homeowners who have failing septic systems, no working leach fields or insufficient land to install a new leach field, will be required to install an NPDES system which would result in treated effluent. Township road tile drains could then receive this household wastewater discharge without harm to the environment per Ohio EPA standards, and

WHEREAS, replacement septic systems will be NPDES (National Pollutant Discharge Elimination Systems) with an Ultraviolet light for extra disinfection and homeowners are required to maintain a service contract on the system, and

WHEREAS, each septic system approved by the Public Health Department must be equipped with an inspection port for EPA monitoring with homeowners sampling through a registered service provider from a pre-approved list on the Health Department website, and

WHEREAS, any outlet of non-potable water from these septic systems may, with Township approval, be permitted to leach into Marion Township storm sewer drains, and

WHEREAS, Homeowners will be required to obtain a tap-in-fee permit from the Marion Township Zoning Website and pay a \$100.00 fee to the Marion Township Fiscal Officer. Homeowners will also be required to contact the Marion Township Road Foreman forty-eight (48) hours prior to the tap-in, to schedule an inspection to ensure the connection is done properly, with no work or inspections to occur during a weekend from Friday through Sunday or on national holidays, and

WHEREAS, any homeowner or contractor who damages existing road tile during the “tap-in” process will be responsible for any repairs or replacement at the homeowner’s expense.

WHEREAS, Township approval is conditional that individual property owners maintain their septic systems in proper working order, including use of an EPA inspection port and that all service contracts will be continued, therefore

THE AFFORSAID matter came before the Board of Marion Township Trustees on April 13th, 2021 at a regular scheduled Board of Trustee meeting.

Mr. Ballinger made a motion to approve the amended resolution, 2nd by Mr. Thomas.

Roll call as follows: Mrs. McCleary, yes; Mr. Ballinger, yes; Mr. Thomas, yes.

Motion carried.

THEREFORE, BE IT RESOLVED, that all formal actions of this Board of Trustees concerning and relating to the adoption of this amended Resolution were adopted in an open meeting of this Board and that the deliberations of the Board that resulted in those formal actions were in a meeting open to the public in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.

WHEREAS, this revised resolution was declared adopted on April 13th, 2021.

Ms. McCleary read resolution to retain legal services with Brosius, Johnson & Griggs, LLC.

**MARION TOWNSHIP RESOLUTION  
NO. 2021 – 0413-02**

**RESOLUTION TO EMPLOY ATTORNEYS ON AN ANNUAL BASIS OTHER THAN THE PROSECUTING  
ATTORNEYS TO REPRESENT MARION TOWNSHIP AND Its OFFICERS, BOARDS AND  
COMMISSIONS IN THEIR OFFICIAL CAPACITIES AND TO ADVISE THEM ON LEGAL MATTERS**

WHEREAS, SECTION 309.09(B) of the Ohio Revised Code (ORC) provides that no such attorney may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorney’s legal services shall be fixed; and,

WHEREAS, the Board finds it necessary to appoint attorneys to counsel and represent the Township on an annual basis for calendar year 2021 in such matters as the Board or its designee may refer to them; and

**WHEREAS**, the Board has appropriated the sum of \$5,000.00 for legal services for 2021;

**IT WAS MOVED BY** Larry Ballinger, seconded by Karen McCleary to authorize the board of Marion Township Trustees to enter into contract with the law firm of Brosius, Johnson & Griggs, LLC.

Vote on motion: Ms. McCleary, yes; Mr. Ballinger, yes; Mr. Thomas, yes

**WHEREUPON** the resolution was declared adopted this 13<sup>th</sup> day of April 2021.

**NOW THEREFORE BE IT RESOLVED** by the Board of Township Trustees of Marion Township, Marion County, Ohio, that:

**SECTION 1.** Peter N. Griggs of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC, are hereby employed on an annual basis for calendar year 2021 as the Township's legal counsel to represent the Township and its officers, boards and commissions in their official capacities and to advise them in connection with such matters as may be referred to said Counsel by or on behalf of the Board or its designee.

**SECTION 2.** The compensation for such counsel during 2021 shall be paid as follows: \$225.00 per hour partner attorney time; \$120.00 per hour law clerk time; and \$105.00 per hour legal assistant time; plus, out-of-pocket expense reimbursements; provided that the total compensation shall not exceed \$5,000.00 without further action by this Board.

**SECTION 3.** The attorneys may be discharged at any time by the majority vote of the Board.

**SECTION 4.** The Township Fiscal Officer is directed to send a copy of this Resolution to the law firm.

**SECTION 5.** It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without limitation, Section 121.22 of the ORC.

**SECTION 6.** This Resolution shall take effect and be in force from and after the date of its adoption.

Township drainage issues were discussed in the Lusch addition. Monies have become available for an OPWC loan in the amount of \$106,825.00 with 0% interest over 20 years. Mr. Thomas is recommending that we accept the loan at a payback of \$5,341.25 per year for the next 20 years. He is recommending installation of catch basins in the Lusch Addition to alleviate drainage issues in that area. Without Roger Dietrich in attendance at the meeting, there were some concerns regarding what actually needs to be done in the Lusch addition and whether or not catch basins would solve the problem. It was decided that the township should wait and apply for grant monies in the fall of 2021 in order to understand what needs to be done in Lusch addition. Mr. Thomas will contact Jotika Shetty and inform her of the Board's decision not to accept the OPWC loan at this time.

Mark McCleary, Zoning Inspector is requesting the use of law enforcement presence when serving zoning code violations.

There has been a request to place a food truck on a business property within the township. There is nothing in the zoning regulations specific to food trucks. Mark McCleary will follow up with the zoning commission and contact Pete Griggs for more information

Chief Meddles reached out to Aqua and discussed the option of water in Yorkshire. Email will be sent from Aqua to residents of Kingwood, Brookpark, Yorkshire and Dublin Rds.

Website update will be provided at the next meeting on May 4.

### **Zoning Committee**

Mr. McCleary reported he is still receiving complaints about "tent city" out in Grandview.

<b>1</b>	<b>March 2021</b>	
Storage Shed	Glenn Maddy	
50	2840 Burris	
Total \$50.00		

**Road Department**

Fixed catch basin at Virginia Ave and Laura Drive.

Corrected street signs knocked down during snow removal.

Reworked yards – damaged by our snow removal in township.

Filled potholes in need of patching.

Changed oil in Truck # 392- pickup.

Found riser on Kingwood Drive with Roger.

Cleaned up litter and waste along Phoenix and Eastlawn Drives.

Did oil & lube change in zero turn mowers.

Replaced blades (new)on brush hog mower.

Prepared dura patch machine, now ready for spring.

Opened Quarry park for season.

Removed salt boxes from trucks.

Now machinery is prepared and ready for mowing.

**Fire Department**

Marion Townships ladder truck arrived April 6th. The crews have been going over truck and training with it. Seems to be a good addition.

Responded to structure fire on Seiter Rd. for mutual aid with New Vision in Big Island Twp. Both Station 2 and Station 1 arrived before any New Vision Firefighters. When they arrived, they had very little involvement. Scioto Valley Fire were requested to assist, and they refused all requests for tanker truck and medic for victim. Chief tried to meet with one trustee at Big Island to discuss the issues and was denied a private meeting but was invited to their next board meeting. Chief has declined. This is a major issue that needs addressed but seems as though they have no concerns. Chief would like to extend our coverage area to include Big Island.

Currently New Vision receives \$66,000.00 to cover Big Island south of SR 309 and Salt Rock receives \$13,000.00 to cover the north side of SR309. I believe we can provide superior services for close to that.

Had a cot break down and the cost of repair was over \$2,000.00. It did not cause disruption in service due to Chief purchasing a new cot for a backup. It worked out.

Promotional Exam has been scheduled for May 14th. This is a requirement per union contract. Must be given every 4 years.

Fire department continues to receive revenue from Grand Prairie and Salt Rock for unhandled EMS calls. Chief met with Medicare rep and they are changing their role and hope to show a more consistent response.

Replaced the lights in the Admin building. The majority of the lights were out, and the fixtures needed updated. Chief tried replacing the bulbs and that didn't fix the issue. This could not wait for a meeting as it affected my operations.

Both stations have completed the flooring and kitchen remodel. Next is a fresh coat of paint.

Chief has 2 fire fighters on extended sick leave for off the job injuries. They are on different shifts and causing limited staffing issues.

Still working on Vector Security for the key fobs. Chief hopes to have update soon as to install date.

The 2 new firefighters are working out good so far. Brad Lee is attending his required medic school as needed and Jeff is learning the trucks and response area.

Department has responded to 561 calls for the first quarter. 119 or 21.21% of those calls happened while another call was being handled.

Average time to respond after alert is 1.27 minutes.

Responses are as follows:

- Fires 20-3.57%
- EMS 424-75.58%
- Good intent calls 44-7.84%
- False Alarms 34-6.06%
- Service Calls 28-4.99%
- Hazardous Conditions 10-1.78%
- Overpressure rupture 1-.18%

Just a breakdown of 1st quarter calls.

With no further business to discuss, Mr. Ballinger made a motion to adjourn; Mr. Thomas seconded. Roll call was as follows: Ms. McCleary, yes; Mr. Ballinger, yes; Mr. Thomas, yes. The motion carried and the meeting adjourned at 8:21 pm.

_____	Ms. Karen McCleary, Chairman
_____	Mr. Larry Ballinger, Vice-Chairman
_____	Mr. Lynn Thomas, Trustee
_____	Ms. Sheila Perin, Fiscal Officer

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