

UNION TOWNSHIP – WARREN COUNTY

BOARD OF TRUSTEES – Regular Meeting – April 6, 2020

CALLING THE MEETING TO ORDER: The regular meeting of the Union Township Board of Trustees was called to order by President, Fred Vonderhaar on Monday 4/6/20 at 6:00 p.m. at the Union Township Municipal Building. The meeting was opened with the fiscal officer, Shelley Lamb, taking roll call of the trustees: Fred Vonderhaar, Tony Ledford, and Jamie Allen. All were in attendance. Prayer was led by Mr. Ledford. Mr. Vonderhaar led everyone in The Pledge of Allegiance.

CITIZENS IN ATTENDANCE (IF KNOWN): Barbara Aberlin

POLICE SUMMARY: No police were in attendance.

CHIEF'S REPORT: Chief Napier stated he had been contacted by Mr. Montgomery, 2496 Manistique Lake, concerning an old farm road he & a neighbor have been using in and out of the subdivision. He was inquiring if Union Township would help with water/ditch issues on this road. Mr. Vonderhaar stated that it was not a dedicated road and the Township would not be able to help due to that fact. Chief Napier also gave an update on the coronavirus pandemic. His department has received 300 surgical masks and 30 gowns from Warren County EMA. There have been no official reported cases of COVID-19 in Union Township as of this meeting time. He said his department is still waiting on the "surge" that officials are predicting in the next 14 days. He feels that our Township would most likely not be as impacted as some of the other townships in the county, as Union Township is a bit more rural, but they would help these other townships if needed. His department has plans in place and he feels they are prepared for the situation. Chief Napier stated his department's overall emergency runs were down, but the more serious runs did pick up last month. The station is still locked down and all essential people are taking their temperatures & following all safety procedures as instructed. Mrs. Aberlin stated a man in her community had been diagnosed with COVID-19 in early March, but was supposedly clear now and the family is out of quarantine. Chief Napier and Mr. Ledford stated they think the wearing of masks may help with keeping the spread of the virus down. Chief Napier's twenty-one year anniversary with the department was on April 1, 2020. He stated there is the possibility that some of his crew that also work at different area departments, could be told they can only work at one station during this pandemic. Chief Napier hopes this does not happen, but wanted to let everyone know it could in the future.

ROAD SUPERINTENDENT'S REPORT: Road Superintendent Josh Sandlin stated that at 2147 Phillips Road there is a 66" tile that goes across the road and the bottom of the tile is rotted out and needs replaced. Chuck Petty and Jason Fisher, from the Warren County Engineer's Office, came out and looked at it. There is 130 acres of water going into that tile. The homeowner at the address stated the tile is not big enough, but Jason Fisher stated it is big enough, but we could put in a 72" tile. That road (approximately 3,000') is shared with Salem Township and their portion of the road is where the tile is located. Mr. Vonderhaar stated we need to see if there is any road agreement Union Township has with Salem Township concerning the replacement of this tile. Mr. Sandlin then stated at 1257 Shawnee Drive, there is a big ditch where our tile crosses the road. Another resident Paul Redmond, would like a catch basin installed there, as he is worried about his neighbor mowing the ditch and falling into it. Jason Fisher, from the Warren County Engineer's Office, came out and stated it was ok to put a catch basin there, but it is up to the Township to either let Josh do it or the residents can pay someone else to do it, as it is their responsibility to pay for a tile or catch basin anyway. This area is located in the right-of-way. Mr. Vonderhaar stated there is quite a bit of water run-off causing erosion also, so a catch basin would be a good idea. Mr. Vonderhaar made a motion, seconded by Mr. Ledford, to allow the residents at Shawnee Drive to pay for the catch basin & following Warren County & Jason Fisher's recommendations, allow Road Superintendent Josh Sandlin to install the basin when he is able to do so. The motion was carried by all "yeas". Josh Sandlin then wanted to address the speed limit signs on Dry Run Road mentioned at the previous meeting from 3/16/20. He brought up some needed changes due to the fact the original signs/locations were going to interfere with safety concerning mowing in that area. He wanted no chevron signs put up at this time and the addition of two 30 MPH signs to go along with the two 35 MPH "S" curve signs that were already agreed upon.

Mr. Vonderhaar made a motion, seconded by Mr. Allen, to allow the four speed limit signs (2 @ 30 MPH; 2 @ 35 MPH) to be installed and no chevron signs to be put up at this time. The motion was carried by all "yeas". Mr. Sandlin then asked if he could order a couple skids of crack seal for use this year, to which Mr. Vonderhaar told him yes to order it.

FISCAL OFFICER'S REPORT: The Fiscal Officer presented the bills to pay, fund status, cemetery deeds, etc. thru April 6, 2020. All were signed and approved by the Board of Trustees.

NEW BUSINESS: Mr. Allen stated he had heard of black top on some roads in the area being cracked/broken and Mr. Sandlin mentioned he heard it was on Phillips Road where the new power lines are being installed. Mr. Vonderhaar stated Warren County is to fix any road issues caused by the power line construction company, but not until construction is complete. Mr. Allen made a motion to pay the bills, seconded by Mr. Vonderhaar. The motion was carried by all "yeas".

Mr. Ledford presented a written policy for the road employees work attendance during the pandemic, as he stated he would during the special meeting held on 3/24/20.

Mr. Ledford brought up his concerns of holding the Township meetings in person due to the coronavirus situation. He said another township was holding meetings via conference call. Mr. Vonderhaar said he heard they were having their meeting as usual. Mr. Vonderhaar said we were following the state guidelines and being safe during this meeting but could re-visit the situation in 2 weeks. Chief Napier said he heard the other township had just the 3 trustees in attendance and if anyone else wanted to listen in, they could via an app. Chief Napier said we need to be cautious and follow the mandated guidelines. Mr. Ledford then stated Salem Township was only doing 1 meeting per month. Mr. Ledford then asked Road Superintendent Josh Sandlin about the cemetery guidelines during the pandemic. Mr. Sandlin stated the funeral homes were supposed to be following the state guidelines with any procession. Chief Napier stated these are set forth by the Department of Commerce and at this time there was confusion as to how many people were allowed at the cemetery for a funeral, but he would check into it for confirmation. Mr. Ledford asked if information on the Families First Coronavirus Response Act had been posted for the employees and Chief Napier said it had.

Mr. Ledford made a motion to approve the minutes from the special meeting on March 24, 2020, seconded by Mr. Allen. The motion was carried by all "yeas".

Mr. Ledford made a motion to approve the minutes from the regular meeting on March 16, 2020, seconded by Mr. Vonderhaar. The motion was carried by all "yeas".

After thorough discussion concerning the correct procedure of requesting a "special meeting", Mr. Vonderhaar moved for adoption of Resolution 040620-1 (please see attached copy), seconded by Mr. Allen. The motion was carried by all "yeas".

Mr. Vonderhaar presented a rough draft that he wants to send to Neil Tunison, Warren County Engineer, concerning the road damage on Cox-Smith Road from a previous waterline that was installed by the City of Cincinnati with approval through the Engineer's Office. He is requesting that needed road repairs be taken care of. Mr. Vonderhaar made a motion to finalize and send the letter, seconded by Mr. Allen. The motion was carried by all "yeas".

Mr. Vonderhaar presented a letter from the Warren County Engineer's Office, Chad Harville, stating the re-surfacing project bid materials had gone up roughly \$2,500. All three trustees were in agreement that this was acceptable.

Mr. Vonderhaar presented a letter from the State of Ohio Department of Taxation concerning the re-allocation of funds that were incorrectly paid out. They stated we did not have to contact them, so we can proceed with this fund transfer of \$23,855.29 from SPECIAL LEVY-FIRE 2191-910-0000 to ROAD & BRIDGE 2031-931-0000, as earlier discussed at the meeting on 3/16/20.

Mr. Vonderhaar read an anonymous letter that was received from "concerned citizens" that the Township was not following the Governor's orders concerning the employees' welfare during the coronavirus. They said they may have to report the Township to the Health Department. This letter was very vague, did not specify any particular incidents or employees, had no signature, and no return address.

Mr. Vonderhaar reported that there was an incident with a resident from Turtlecreek-Union Rd. He wanted to speak to Sergeant Boylan concerning the removal of gravel from the power line construction project by this resident. The gravel has been returned, but some other residents of Turtlecreek-Union Road are concerned and do not want the matter dropped, but Mr. Vonderhaar is not sure of the Township's authority in this case.

Mr. Vonderhaar asked if the logs had been removed from the cemetery. Chief Napier said they were not gone yet due to the coronavirus situation.

Mr. Vonderhaar asked if the garbage had been taken care of at 3314 Trovillo Road that was brought up in previous meetings. Mr. Sandlin said he would check on it and let him know.

ADJOURNMENT: There being no further business, Mr. Vonderhaar made a motion, seconded by Mr. Allen to adjourn the meeting at 7:12 p.m. The motion was carried by all "yeas".

The next meeting will be Monday, April 20, 2020 at 6:00 p.m.

UNION TOWNSHIP BOARD OF TRUSTEES
WARREN COUNTY, OHIO

Resolution Number: 240620-1

Date of Resolution: 4-6-2020

RESOLUTION: ESTABLISHING A RULE FOR CALLING SPECIAL AND EMERGENCY MEETINGS AND GIVING NOTICE IN COMPLIANCE WITH SECTION 121.22 (F) OF THE OHIO REVISED CODE

WHEREAS, in accordance with section 121.22 (F) of the Ohio Revised Code, a public body must establish, by rule, a reasonable method that allows the public to determine the time, place and purpose of a special meeting; and,

WHEREAS, pursuant to section 121.22 (F) of the Ohio Revised Code, a special meeting, other than a regular meeting or an emergency meeting, must conform with the following:

- a public body must provide at least 24-hours advance notification of a special meeting to all media outlets that have requested such notification, except in the event of an emergency requiring immediate official action; and,
- the statement of the special meeting's purpose must specifically indicate the issues necessitating a special meeting, and the public body may only discuss those specified issues at the special meeting; and,

WHEREAS, pursuant to section 121.22 (F), a public body may convene an emergency meeting when a situation requires immediate official action and it complies with the following:

- a public body must provide notice of the time, place and purpose of the emergency meeting only to any media outlets that have specifically requested such notice – there is no minimum advance notification prior to an emergency meeting; and,
- the statement of the emergency must specifically indicate the situation(s) necessitating an emergency meeting, and the public body may only discuss those specified situation(s) at the meeting; and,

WHEREAS, in accordance with section 121.22 (F), the rule for calling a special meeting must provide that any person, upon request and payment of a reasonable fee, may obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed, such provisions for advance notification may include, but are not limited to, mailing the agenda of meetings to all subscribers on a mailing list or mailing notices in self-addressed, stamped envelopes provided by each person making the request; and,

WHEREAS, in addition to the aforementioned notice requirements, the Board desires to establish the means and manner for calling a special or emergency meeting, and the means and manner for notice to the public of a special or emergency meeting.

THEREFORE, BE IT RESOLVED by the Board of Trustees of Union Township, Warren County, Ohio, at least a majority of all Trustees casting a vote concur as follows to establish a rule for calling special and emergency meetings, and giving notice:

Section 1. The means and manner to call for a special or emergency meeting to be scheduled must conform with all of the following in order to conduct such a meeting:

- a) one trustee shall initiate contact with both of the other two trustees by telephone or electronic means, unless there are only two trustees due to a vacancy under sections 503.24 or 503.241 of the Ohio Revised Code, requesting that a special or emergency meeting be scheduled, and such task may not be delegated to any other township official; and,
- b) the trustee requesting that a special or emergency meeting be scheduled shall state to the other trustees with specificity the proposed issue(s) and why such issue(s) necessitate a special meeting, or the situation(s) requires immediate official action by emergency meeting, however, no discussion or deliberations of the issue(s) necessitating a special meeting, or situation(s) requiring immediate official action, shall occur among the trustees; and,
- c) at least two trustees must be in agreement with scheduling a special or emergency meeting, and the date and time of such meeting; and,
- d) in the event two trustees agree with scheduling a special or emergency meeting, and the date and time of such meeting, the trustee initiating the request must provide to the fiscal officer or township administrator a written agenda prior to the special meeting for the fiscal officer or township administrator to timely provide notice, except no written agenda is required prior to an emergency meeting; and,

Section 2. Unless otherwise provided by law, including without limitation in the event of a public health emergency where teleconference, video conference or any other similar electronic technology may be used, a special meeting must be scheduled to occur at the same location as all regularly scheduled meetings; and, an emergency meeting may occur anywhere in Union Township that the situation necessitates.

Section 3. The means and manner to give notice of a special meeting shall be as follows:

- a) The fiscal officer or administrator shall provide at least 24-hours advance notification of the time and place of, and a copy of the specific limited agenda for, a special meeting to any media outlets that have requested such notification; and,
- b) Posting the date, time and limited agenda of the special meeting on the entry door of the room where the regularly scheduled meetings of the Union Township Board of Trustees are held; and,
- c) Posting notice of the special meeting on the marquee sign; and,

d) Posting notice on the Union Township website; and,

e) Mailing notice to any person who has submitted a written request and provided self-addressed stamped envelopes to the fiscal officer, without paying a fee, to obtain reasonable advance notification of special meetings; however, no such request will delay the right to conduct a special meeting after complying with Section 3 paragraphs a-d, nor effect the validity of any action taken.

Section 4. The means and manner to give notice of an emergency meeting shall be as follows:

a) The fiscal officer or administrator shall provide advance notification of the time and place of, and the purpose of, an emergency meeting to any media outlets that have requested such notification; and,

b) As soon as reasonably possible, mailing notice to any person who has submitted a written request and provided self-addressed stamped envelopes to the fiscal officer, without paying a fee; however, no such request will delay the right to conduct an emergency meeting after complying with Section 3 paragraph (a), nor effect the validity of the action taken.

Section 5. There shall be a written agenda for a special meeting that specifically identifies the limited issue(s) necessitating such a meeting; and, the Board of Trustee may only discuss and take action on such limited issue(s) during the special meeting.

Section 6. The Board of Trustees shall discuss the situation(s) that necessitates immediate official action by emergency meeting; and, the Board of Trustees may only take action on such situation(s) during the emergency meeting.

Section 7. the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 8. that the action taken relating to this resolution constitutes an administrative act of the Board.

Section 9. that it is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


Mr. Vonderhaar moved adoption of the foregoing Resolution, being seconded by Mr. Allen. Upon call of the roll, the following vote resulted:

Mr. Vonderhaar	-	<u>yes</u>
Mr. Ledford	-	<u>yes</u>
Mr. Allen	-	<u>yes</u>

Resolution adopted this 6th day of April, 2020.

I hereby certify that the foregoing is a true, accurate and complete copy of the Resolution No. 040620-1, adopted on April 6, 2020, by the Board of Trustees of Union Township, Warren County, Ohio.

UNION TOWNSHIP BOARD OF TRUSTEES


BY: SHELLEY LAMB, FISCAL OFFICER