

**LITCHFIELD BOARD OF TRUSTEES**  
**REGULAR MEETING**  
February 24, 2020

The Litchfield Township Board of Trustees met in regular session on Monday, February 24, 2020, at the Litchfield Town Hall after the requirements of the Sunshine Law were met by notification and posting. Chairman Reynolds called the meeting to order at 6:00 p.m. with Trustees Horvath and Pope present. There was an audience of 14. All stood to recite the Pledge of Allegiance. Trustee Horvath made a motion to approve the minutes from the January 27<sup>th</sup> regular meeting as written; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried.

Erica Graffain, from the auditor's office, stated that the CAUV apps are due on March 2<sup>nd</sup> and that the applicant should be sure to list the Ag district information which protects the farm owner regarding neighbors' complaints on farm noises, smells, etc. and can defer water and septic costs for 10 years. March 31<sup>st</sup> is the last date to dispute your property value. Erica reminded everyone to be sure to bring good evidence of other properties for comparison.

Andy McDowell from the Western Reserve Land Conservancy addressed the trustees and stated that they are asking for a resolution of support from the board for a farmland preservation from Charles Swingle, Jr. The land being preserved is 47.8 acres with frontage on Rt. 18 and Spieth Rd. The trustees stated that they had no issues with this application. Trustee Horvath made a motion to adopt Resolution 7-20 supporting the Western Reserve Land Conservancy's application on behalf of Charles Swingle, Jr.'s farmland preservation of 47.8 acres; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried.

Joel Bender, from Whitaker Myers, was present for his annual discussion of the insurance policy. Joel stated that the values of the properties have been increased by 2% and a law enforcement liability has been added. Trustee Horvath stated that after the last trustee meeting he contacted Joel regarding the section of our policy dealing with liability for the deputies while patrolling the township. Joel explained that the contract between the township and the sheriff department means that if there is a problem the primary responsibility would be the sheriff department's but the township could be drawn into a lawsuit. Joel stated that this additional coverage would cover the township when the deputies are in our car during their 100 hours/month. Trustee Pope stated that he did not like paying more for insurance but feels it is needed coverage and would be worth the additional \$270/year. Trustee Horvath stated that Asst. Prosecutor Karris recommended adding it to the policy. Joel stated that the trustees and the zoning inspector could be covered under the "dishonest employee coverage" for up to \$5000 – which is the amount of the trustees' bonds - as long as the trustees adopt a resolution according to HB 291. This would save the township \$50 which is the fee for the zoning inspector's bond; there is no charge for the trustees' bonds. The fiscal officer bond is for \$160,000 so a separate bond is required. Trustee Horvath made a motion to adopt

Resolution 8-20 Authorization for the Township to Purchase and Use “Employee Dishonesty and Faithful Performance of Duty Policy” Instead of Individual Surety Bonds for Officers, Employees and Appointees; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried. Joel stated that the policy had a miscellaneous assailant coverage previously but has been replaced by a Malicious Act coverage at an additional charge. Joel stated that the township is at the end of a 3-year policy; the township could again lock in the premium for 3 years. Trustee Horvath made a motion to continue the insurance coverage with the Ohio Plan through Whitaker Myers for 3 additional years for \$30,452 with an advantage credit of \$4568 for a premium of \$25,884; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried. Trustee Pope stated that he checked the road crew's driver's licenses and showed Joel the report he printed off. Joel stated that the report was good.

Steffanie Hardin, from Ohio Stands United, asked the trustees for a resolution supporting the Bill of Rights. Trustee Reynolds stated that the trustees will look into it. **Fire and Rescue:** Chief Davis' report: from 1/25 – 2/21 there were 20 medical emergency calls and 5 fire calls. We received mutual aid once from Grafton for an EMS call. We gave mutual aid three times to Wellington for a fire call. There was no training on Jan. 30<sup>th</sup> since it was the 5<sup>th</sup> Thursday. Chief Davis and Lt. Comuzie held fire training on pump operations on Feb. 6<sup>th</sup>. Capt. Kean and Lt. Yoroko held EMS training on CPAP, Narcon, and airway management. Chief Davis attended the monthly chiefs' meeting on Feb. 18<sup>th</sup> and the AHAC meeting at the EMA on Feb. 20<sup>th</sup>. All American came out on Feb. 19<sup>th</sup> to do the pre-construction meeting for the new truck which saved the township traveling to South Dakota for the meeting. Capt. Yoroko held work night on Feb. 20<sup>th</sup> where building and truck maintenance was performed. Lt. Butcher and Lt. Comuzie have started mentoring the new department members. The vests purchased for use in an active shooter incident need to be outfitted with the necessary medical supplies. Chief Davis stated that these items can be purchased from Bound Tree for \$1593.12. Trustee Horvath made a motion to approve \$1593.12 for the medical supplies from Bound Tree to outfit the vests for the squads; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried. Chief Davis stated that the MARCS subscription agreement needed to be signed by the trustees. This subscription for \$10/month/radio will be paid from the grant awarded to the departments in the county. The trustees signed the contract. Chief Davis asked the trustees if they wanted to adopt a resolution in accordance with the Fire Loss Section 3929.86 ORC which would require a property owner's insurance company to hold back money in case the property owner did not tear down an uninhabitable structure after a loss. Chief Davis stated that he would confirm the wording of the resolution that Seville is using. Trustee Reynolds stated that Chief Davis should check on Seville's resolution. Chief Davis stated that Road Rescue came out with their demo unit to go over any changes that the department might want to consider while starting the process of looking at a new squad since 47-2 is a 2009 and the department is replacing squads every 10 years. Chief Davis stated that they received a quote of \$198,829 for another squad exactly like 47-1; in 2015 the new squad was \$181,839.

Both prices are state bid prices. Trustee Pope asked if this purchase would be feasible fund-wise. Chief Davis stated that the squad could be ready for purchase in 120 days so the ambulance could be purchased before the tender truck. Chief Davis stated that the goal of the department is to replace the ambulances every 10 years and the fire trucks every 20-25 years. Trustee Horvath stated that he would like to sit down with Chief Davis to look over the funds available. Chief Davis stated that the trustees could meet with the officers also.

**Roads:** Trustee Pope read the road report from 1/25 – 2/21: plowed and/or salted the roads as needed; performed maintenance on trucks and backhoe; replaced cutting edge on red International truck; washed and cleaned trucks and backhoe as needed; ordered and received 150 tons of salt; put gravel down in front of the salt bin and the recycle bins at the garage; cleaned sump pump pit in the annex building; cut a hanging tree limb on Erhart Rd.; checked out damage on culvert on Yost Rd. (just south of Crow on east side) where a vehicle ran off of the road and bent one of the culvert ends; spoke with Dan Becker and the road bids will be going out in March. Trustee Pope stated that he was considering holding the township clean-up days on May 1 & 2; he is waiting to hear back from Junkbox, the trash collection company. (Later in the evening, Trustee Pope received a confirmation from Junkbox for those dates.) Trustee Horvath asked if a company has been hired to go up and down the township roads to trim the tree branches. Trustee Pope stated not at this time.

**Safety:** Trustee Pope attended the MC Safety Council meeting on Feb. 18<sup>th</sup> dealing with an active shooter in the work place.

**Police:** For the month of January: days worked: 21; hours worked: 100; miles driven: 1160; calls/complaints investigated: 12; police/fire personnel assisted: 1/1; citizens assisted: 27; suspicious people/vehicles checked: 0/1; business checks: 141; traffic stops: 4; traffic citations issued: 1; warning issued: 3; arrests: 1. Traffic citations: speed: 1. Traffic warning: speed: 2; marked lanes: 1. Arrests: felonious assault.

**Town Hall:** Trustee Reynolds read the February report: town hall used 3x for meetings and 10x for groups; 3 town hall rentals at no charge; set up and cleaning for/after meetings and events; ordered and picked up a water heater which was installed by AJ Contractor; went to Reinhardt's for supplies; purchased a sink basin from Home Depot and installed it; monthly check of generator; emptied the dehumidifier; shoveled and salted walkway; changed out burnt bulbs; total hours: 24.5. Trustee Horvath stated that it has been a while since the town hall floors have been sanded and stained. Trustee Reynolds stated that Patti is obtaining estimates for the work. Trustee Pope stated that Patti is planning on waxing the annex floor herself.

**Historical Building/Museum:** There was no report.

**Cemetery and Park:** Trustee Pope read the report for Feb.: 4 funerals, 1 lot sale, and 2 inquiries; 7.5 hours. Trustee Reynolds asked if Trustee Pope has decided anything about the township road crew digging the graves at the cemetery. Trustee Pope stated that he has not done anything regarding this but it is something to consider. The trustees signed 2 deeds.

**Zoning:** ZI Noderer's report for Jan.: site visits: 2; meetings attended: 5; miles driven: 84; zoning certificates issued: commercial sign; 1; area variance: 1 which was denied. Lot split: 8060 Norwalk Rd. - 18.412 acre split from an existing 50.2276 acre parcel creating a build-able frontage lot on Norwalk Rd. and the balance of 31.8156 acre combined with an existing 1.6559 acre access parcel to create a rear lot on Stone Rd. totaling 33.4715 acre. Zoning violations: 8109 Branch Rd. Blueberry Barn – Case #15CIV0677; #18CA0023-M, monitor for agricultural compliance, awaiting Ohio Supreme Court decision on Feb. 13, 2020; 9696/9706 Crow Rd. - zoning certificates pending MCE ECSW permit; monitor use status of building south of the creek; motion to show cause case #09 CIV 2309, awaiting prosecutor disposition. ZI Noderer stated that he received correspondence from tax map office requesting a date be included on the lot split mylar. Trustee Horvath stated that he attended the Ohio Supreme Court hearing for the Blueberry Farm case and thought that Asst. Prosecutor Karris did an excellent job. Trustee Horvath stated that it might be 6 months before we hear the outcome. Trustee Horvath stated that before the meeting the trustees interviewed Jason Davis who is interested in being appointed to the zoning seat vacated by Melissa Clifford. Trustee Horvath stated that Jason would make a good addition to the zoning board. Trustee Pope stated that Jason would be a good fit for the board. Trustee Horvath made a motion to appoint Jason Davis to the zoning commission for the term expiring on Dec. 21, 2021; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried.

**Trustees:** The trustees had no report.

**Fiscal Officer:** Fiscal Officer Shaw stated that the trustees received their monthly reports and signed the bank reconciliation statement. Fiscal Officer Shaw stated that the trustees received the permanent appropriations resolution. Trustee Pope made a motion to adopt Resolution 6-20 for Permanent Appropriations; second by Horvath. Voting yes: Reynolds, Pope, Horvath. Motion carried. Fiscal Officer Shaw stated that a new date needs to be chosen for the next meeting. After considering several options, Trustee Horvath made a motion to change the March trustee meeting from March 23<sup>rd</sup> to March 30<sup>th</sup> at 6:00 at the town hall; second by Pope. Voting yes: Reynolds, Pope, Horvath. Motion carried.

**Old Business:** There was no old business.

**New Business:** There was no new business.

**Public Comment:** Christine, who lives on a back lot on Richman Rd., stated that she had concerns about her safety due to the large volume of gun shooting by her neighbor. Christine stated that she understands the right to bear arms but living on a back lot she is worried about her safety and she wondered where the trustees stood on this issue. Trustee Horvath stated that he knew there are more people moving out here and more people shooting on their property but the trustees' "hands are tied." Margo Roman, from Richman Rd., stated that she is also concerned with her safety because of the neighbor shooting in his backyard. Trustee Pope stated that they can call the sheriff department to make sure the neighbor is shooting in a safe manner. Margo's husband stated that there is

an unique configuration of their houses/properties on Jones and Richman Roads. Trustee Pope stated that Ohio law states that the shooter's projectile has to stay on the shooter's property. Mitch Hook stated that the sheriff deputies can stop someone from shooting if there is not an adequate back stop. Chief Davis stated that at an OTA class he attended a few years ago, it was pointed out that a township can't enforce any law that is greater than the state laws. Trustee Horvath stated that we are a township and not a city and a township is only allowed to make laws that the state allows them to pass. Trustee Horvath suggested they contact our state representative. Trustee Pope stated that people need to take personal responsibility for their actions. Chief Davis asked if they have spoken to this neighbor. They said they have and they checked his back stop. Trustee Pope made a motion to approve Purchase Orders 04-20 to 11-20 and Blanket Certificates 36-20 to 39-20 and authorize payment of vouchers 27239-27316; second by Reynolds. Voting yes: Reynolds, Pope, Horvath. Motion carried. Trustee Pope made a motion to adjourn; second by Horvath. Voting yes: Reynolds, Pope, Horvath. Motion carried. Meeting adjourned at 8:00 p.m.