

SWANCREEK TOWNSHIP BOARD OF TRUSTEES

Board of Trustees
Regular meeting
Monday July 30, 2007

The regular meeting of the Board was called to order at 7:00 p.m.

Pledge of allegiance

Board members present were Chairman Ron Holdeman, Vice chairman Phil Wiland, and Trustee Randal R. Ruge
Employee Tim Lambert and Chris Lauch

Guests: Jim Gilliam, Ivan Smith, Tom Sallows, Sally Wylie, Jim Leu,

111-07 Trustee Wiland motions to approve the July 16th minutes 2nd by Trustee Holdeman.

Roll call: Ruge - Yea, Holdeman - Yea, Wiland - Yea

112-07 Trustee Ruge motions to pay bills in the amount of \$ 2nd by Trustee Wiland.

Roll call: Ruge - Yea, Wiland - Yea, Holdeman - Yea

Public Forum

Jim Gilliam complained about tar & chip seal being put on Winding Way, said it's not going to work, that it needs repaved with asphalt. He asked why the twp. isn't asphaltting it. He complained that Hunter's Ridge has a brand new road when it didn't need it.

Randy told him that Hunters Ridge did, in fact, need it and that the road wasn't taken all the way down to the surface.

Ron also told him there is not enough money in the budget for Winding Way this year. Jim said the twp. is wasting money because it will not last all winter and complained about sealing the cracks. Ron explained the process explained to him and he was told it will last until such time that his road will be asphalted.

Randy told him that it will preserve the bed of the road until the road can be asphalted and that if the twp. did nothing to the road right now, it would get extremely worse.

He asked who makes the decision of which roads get what, Randy told him that the Twp is advised by, and relies on the Fulton County Engineer's office's assessment and recommendations. Jim stated that his road is the worse in the twp., he was told by Phil that there are roads that are in extreme need currently and that Winding Way isn't as in poor of shape as some of the roads that are getting asphalted and that they also take in consideration the traffic count when considering what roads will get done.

Mr. Gilliam wanted to know the cost for asphalt and the difference b/t costs of the chip seal and the asphalt. Phil told him the cost to micro-seal is approx. \$20,000.00 per mile and the chip seal is about \$10,000.00 per mile.

Mr. Tom Sallows told Mr. Gilliam that asphalt is about 3x more and that is only for 1.5 inch. Ron said and that's also not including the cost of the base coat. Randy told him there was a levy on the ballot for roads and it got turned down, so the Twp has to allocate the funds the best they can. Mr. Gilliam suggested getting an asphalt company whose business is slow right now. Ron told him it's still the same cost to buy the asphalt.

Ivan Smith of Winding Way also, complained that he can't ride bikes, etc because the chip seal picks up tar and throws it everywhere and that it will end up all over carpets, etc. in his home and that it causes a mess. Tom Sallows stated that if the road is swept on the 2nd pass there will be no stones and dust.

Ron said until the budget allows it, the road will be chip sealed and that the twp. is trying to take care of as many roads as possible with the amt of money we have to work with.

~Mr. Gilliam also had a complaint about Time Warner's cable still laying in his yard. He was advised that we contacted Time Warner at the time of his 1st complaint. Time Warner has not implemented our request as of yet. Mr. Gilliam stated that he got someone out to fix the pile of dirt and reseed the ground, but they didn't bury the wire like they were suppose to and stated that he will take some bolt cutters and cut the wires himself if he needs to. His concern is that someone will ride over the wires and get injured. Ron told him we would contact them again and get it taken care of. Chris will send a letter to them.

~Tom Sallows said he signed up for his tax reduction and asked where that money is going. Ron told him he would have to check with Gov. Strickland's office about that.

~Sally Wylie asked if the Trustees have met with the Prosecutor since the last meeting when they went into Exec Session in regards to the Wylie proposed settlement and asked if they came up with an agreement with Wylie. Randy told her that anything that was discussed in Exec. Session cannot be discussed with the public. He stated that the Trustees gave instruction to the Prosecutor as to their recommendations and reiterated attorney./client privilege. Sally and Jerry Kmotorka have concerns to make sure that something is resolved before the court date and didn't want to go to court with out some type of resolution to the problem. He said there needs to be time for negotiation because they have to live with the end results of the court's decision.

Ron told her the prosecutor will notify the Trustees as to any final agreements. Randy told her and Mr. Kmotorka that it would be helpful to have their recommendations in writing specifically what will not be acceptable to them. Randy said that the Trustees have an obligation to satisfy all 3 parties involved. Randy told them we would follow up with the Prosecutor.

Sally Wylie asked if the Trustees were aware of a chemical spill located in front of the Wylie property and wanted to know the substance. She stated that the Sheriffs Dept., fire dept. and the EPA were notified. She is going to get that info to the prosecutor. The Trustees were aware of the spill, but didn't know what the substance was yet.

Sally inquired about the Strayer easement. Phil informed her that he has talked to Mr. Strayer several times and that he thought he was going to sign it, but has yet to. Phil stated that the twp. will go around Mr. Strayer if need be or possibly

clean Strayer's portion of the ditch and proceed with the rest of the ditch. We will talk to the prosecutor about possible eminent domain due to the safety issues surrounding the ditch.

Phil said that a meeting will be set once Mr. Rod Kreiger gets his figures together.

Will hold off on eminent domain until Mr. Rod Kreiger gets back to us. Ron asked if we could just dip Mr. Strayer's portion of the ditch and set back the rest. Jim Leu felt there would be issues of the ditch bank eroding away the road if we just dipped that portion.

Discussion of Mr. Strayer's concerns of his corn being destroyed, etc., and why he hasn't signed the easement yet.

Employee Report

Road: Tim said he is pretty much done with the sealing of the roads 4 & Winding Way, he still has a some leveling to do. If he has enough fluid left over he is going to patch a spot in Swanton Cemetery.

Phil asked for board approval to place a "Stop Ahead" sign on Co. Rd. E.

113-07 Trustee Ruge motioned to place a stop ahead sign on north (and south if needed) heading of Rd. E 2nd by Trustee Wiland.

Roll call: Ruge - Yea, Holdeman - Yea, Wiland - Yea

Tim will make a list of all roads that don't have the "Stop Ahead" signs to give to the board.

Phil asked Tim for an outline of a time table of maintenance work to be done.

Tim said he's waiting for the signed Woodkey easement for that project.

Phil asked why there is a catch basin laying on 4 between C & D. Tim said it was put there to replace catch basin that is there, not a priority job, he will pick it up until the job is scheduled at a later time.

Phil questioned Zellar's puddle issue. Tim said he did engineering on it and gave it to the Trustees. They discussed how to fix the problem. All agreed to take the "French drain" approach first and if that doesn't work to tile it.

Ron said the Water Board wants to know about Road 1 washout. Phil said it was the contractors fault. Ron said the hole needs to be fixed. Tim is to keep track of time and material for fixing it.

Cemetery: Phil said he has an issue with the mowing of the Cemeteries. It is not being done to his satisfaction. He feels that Tex is not doing as good of a job as he did in the past. Tim told him that Tex was at the Swanton Cemetery mowing right now. He wants Tex to give Tim a mowing schedule.

Tim updated the Trustees about the Kenneth Dick complain about the cleaning of the headstone. Mr. Dick met Tim at Raker Cemetery, inspected the stone and was very happy.

Administrative/ Financial

- A cash summary report was received by all Trustees
- Woodkey Easement: Discussion of dollar amount on easement form (needs to be filled in) Ron will check with Engineers office on the amount.
- The road marking will be held to next meeting after all quotes have been received.

Zoning

- Inspector report

Cemetery

- There is an easement at the Swanton Cemetery that needs to be made void. If the easement is not vacated and the land is sold due to how the easement is now the purchaser of that land could put a drive over about 40 g graves.

114-07 Trustee Wiland motioned to send the documentation to our legal council 2nd by Trustee Ruge.

Roll call: Ruge - Yea, Wiland - Yea, Holdeman - Yea

Fire & Rescue

- **York contract:**

Trustee Ruge has drafted a proposed contract for York Twp. Swancreek Twp. received a letter from the prosecutor stating that York Twp. was inquiring as to why they have not received payment for 2nd and 3rd quarters and wanted a letter of commitment for the purchase of a new fire truck. Randal will redraft the letter to address their questions.

Randal proposes that Swancreek Twp. pay the truck as a part of an annual agreement. Phil: or make apart of operating expenses.

Phil suggested asking the Delta counsel about being part-owner of the new truck. Discussed proposed contract details.

Discussion of ISO regulations and costs to pull out of agreement/contract with them, discussed Twp. vs. operating own service.

Old Business

- **Self Insurance:** no word recently still at Attorney Generals office.
- **Website:** OK to publish the new webpage to web once the internet is working again due to the storm taking out our broadband.

New Business

Meetings attended

Trustee Holdeman attended the committee meeting in Swanton.

Trustee Ruge motioned to adjourn the meeting 2nd by Trustee Holdeman.

All agree
Meeting Adjourned at 9:15pm.

Swanecreek Township Board of Trustees

Randal R. Ruge

Ronald Holdeman

Phil Wiland

Attest: Dawn Wheatley, Fiscal Officer
Entered: Aug. 10, 2007

Minutes recorded by Chris Lauch Admin. Asst.
Entered: Aug. 10, 2007