

RECORD OF PROCEEDINGS
MINUTES OF ZANE TOWNSHIP TRUSTEES
REVISED– November 13, 2023

The meeting was called to order at 8:00am by Chairman Steve Lithgo. Those present included Steve Lithgo, Jack Graham, Amie Raterman, Rod Watkins, Jim King, Joseph Mears, Joni Cox, Jeremy Burnside, Trudy Burnside, Lee Horton and Tom Scheiderer.

Steve asked if the Trustee's had time to review the October 2023 minutes. Jack said he did and needed clarification on the reimbursements for insurance statement and the Fiscal Officer conveyed that due to Obamacare the only way to allow an elected official to receive the \$800 allowance was to have a health insurance plan in place. The Fiscal Officer went on to explain, therefore at the meeting when Doug Henry made a motion to discontinue the health insurance, it included all insurance reimbursements for the township as you cannot have a bifurcated insurance benefit. The Fiscal Officer stated that in other words, you can't cancel one employee or elected officials insurance benefit and allow other's to receive such benefit in any amount. Jack made a motion to approve the October 2023 minutes with the exception of the following statement (Jack confirmed that no reimbursements for any insurance would be allowed) Seconded by Steve. Motion carries.

The Fiscal Officer provided all financials including invoices, checks, online payments, management reports and mail (red folder). Steve asked for a motion to approve the financial report. Jack made a motion to approve financials and the October 2023 Bank Reconciliation. Seconded by Steve. Motion carries.

Steve asked Jack about the truck that the township currently has on order and Jack stated that he spoke with Matt and it was going in the shop and it should be ready in a couple weeks. Steve also wondered about North Lewisburg wanting to purchase the old truck and Jack conveyed to them that it probably would be around the first of the year as we have to wait until the new truck is received. Steve conveyed that Park National Bank will be closing their North Lewisburg branch in March 2024 and that Rod W. said the Richwood Banking Company would be buying that branch or the bank from St. Paris Oh. The Fiscal Officer advised that she has already spoken to Park National Bank and aside from having to deposit paper checks once a quarter at either the Urbana or Mechanicsburg branch, there didn't appear to be any other significant changes. Also this account is used to pay and receive funds and it would be a huge accounting undertaking to change banks. Jack asked about our safety deposit box and the Fiscal Officer conveyed that she would check and see if the Mechanicsburg or Urbana branch had any available boxes. Steve mentioned that we could store those documents we currently have in the safety deposit box in one of our fire proof safes here at the township building. The Fiscal Officer reminded the Trustee's that the truck title was currently in the fire proof gun safe. Steve asked Jack if he had anything to discuss and Jack suggested allowing the public to speak.

Steve told Lee H. he had 5 minutes to speak. Lee responded with the fact that the book stated the public has 10 minutes to speak. Steve agreed with the 10 minutes. Lee asked if the prosecuting attorney was here and Steve stated that the Assistant Prosecuting Attorney, Brianne Parcels, was supposed to be

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here however she didn't show up. Lee conveyed that since she is absent from this situation that they were told, he was going to get into this pretty simple. Having nothing done is not going to work for him. Steve stated, "Well that's too bad." Then Steve handed Lee H. Brianne Parcels business card and said that if he has legal counsel then he needs to speak to our attorney from now on. Lee said that they did. Lee recapped in saying that since the prosecutors obviously not here and the Trustees are stating that this issue is done and they aren't going to help or do anything... Steve said, "You have to understand that when I first meet you, I asked you to mind your own business. What he does on his property is his business. Not yours, ok." Lee stated that his neighbor has every zone violation in the book. Jack suggested everyone act civilly. Lee stated that he would alert his attorney to send out letters. Steve told him that all future correspondence must go through their attorney. After Lee H. left Steve stated the following, "To all of you who don't know, this man, this is a private dispute between two homeowners. We are not allowed to interfere with anything like that on private property. We are not even allowed to go on the property. He thinks we are the Governor. I tried to tell him that twice on his property that we do not interfere with private property matters." The Trustee's and the zoning inspector discussed this issue further.

Jeremy explained that the tile on TR 157 had to be jetted out and he reseeded everything however he needs to create an invoice for that job. He also conveyed that the ditch on the other side of the road needs addressed. Jack said to go ahead and get that done to remedy the water problem. Jeremy said he would add it to the TR 157 invoice. Jack mentioned that they just got word from Brightspeed regarding the work done on SR 287 and they didn't approve the bill and could've gotten that work completed for \$2000. Jack's suggestion is to have Amie contact Brightspeed to get them to pay whatever they will pay on the invoice. The Fiscal Officer advised she spoke to Branden Clark, Supervisor Regional Operations for Brightspeed, and he gave a special number for their claims department, which is called UNICall. The Fiscal Officer asked Jack to continue taking care of this and call the UNICall number to file the claim. However more importantly is the email that Branden Clark sent. The Fiscal Officer read the letter which is as follows:

Amie,

After reviewing photos of the work completed, I have multiple areas of concern. Our underground cable of copper and fiber haven't had any work completed on them in my 10+ years in my current role at this location. The owner of the drive-thru requested we move our equipment a few years ago when they placed their new building, but the cost didn't align with what they wanted to spend. No cable, poles, or terminals were moved or disturbed to my knowledge.

The only excavation I am aware of is placement of utilities for the new building that was built and Brightspeed (United Telephone of Ohio) were not involved in any of that work.

Our cable appears to parallel the tiles in the ground which would be common for underground utility placement. I believe this to be a joint trench and the tile that was repaired was in fact collapsed, and not bored through with our cable because we had no pipe in the ground and only direct buried cable that was trenched and not bored.

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Lastly, we have a damage claim process and I have provided you the phone number to dispute my position if anyone feels the need. The cost on this repair is not within industry standard. There were \$500 in supplies for piping and gravel, with \$5500+ in excavation processes. My contractors that doing tile repairs on a regular basis would have repaired this for less than \$2000 and I don't believe these repair costs to be market value for the work performed.

Hopefully, this information is helpful.

After which the Fiscal Officer explained that there are multiple issues. Brightspeed is stating they aren't at fault and that the invoice presented is above industry standards. Jack said he agrees that the cost seems high but that included Kelly's part. Jack verified with Jeremy that the Kelly's part was the majority of the work and Jeremy confirmed such. Jack stated that he thought that was out of line but we had it done and he wasn't sure if the charge was for the camera use or the flushing or what it entailed. Jack said he knew Jeremy had some physical work to fix the tile. Jack said we need to move on but his thought was that he believes this issue was generated from their problem in his opinion. Jack went on to ask Jeremy if he can confirm this. Jeremy said he can definitely confirm that and he believes the clay tile was an existing tile and that those utilities were installed afterwards. Jeremy went on to explain that the damage was done during that time. He will agree that it wasn't touched since the initial damage. Jack said it takes time for these things to appear. Jack said he would call that number and talk to them. Jack said he hates that he is holding the bag of the bill. Jeremy said he has already paid the people who did the work for him and hopes that this can be addressed sooner rather than later and that he appreciates it. Jack said that the sad part is that it could be another month before this transpires. He will call Branden Clark. Jack still believes it is Brightspeed's problem and that maybe we were too gung-ho in getting this job done. Steve asked for clarification and the Fiscal Officer explained that in the last 10 years they have not done any excavation of that area. Branden did mention that the only thing that has done within the last few years is that the drive through was built and it's possible that the weight of that may have caused it. Jack asked for the telephone number to file the claim with Brightspeed. The Fiscal Officer recited the number given by Branden C and reiterated that they are called UNICall and it's Brightspeed's claim department. Joni C. asked how does this work, you can't pay him (Jeremy her brother) and then get reimbursed? Jack said we can pay Jeremy but it will all come back to the township regardless if there is any reimbursement. Therefore Jack's recommendation is to go ahead and pay Jeremy and that the township is at fault to have the job done when they should've waited on the telephone company to complete the repair as well as getting it to the right person. The Fiscal Officer conveyed that the Trustee's didn't follow proper protocol to get this invoice paid by requesting an estimate as well as the possibility that the invoice presented is possibly exorbitant. She went on to explain that this is a prime example for a possible finding during an audit. Jeremy explained that normally this would have been a \$10,000 invoice however he is doing this work at his cost as he lives here and that's what he charges on a daily basis. The Fiscal Officer said that normally the invoice's he has presented in the past has a per hour rate. Jeremy explained that it depends upon the type of job. Steve made a motion to get Jeremy paid and in the future we will get an

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estimate from anyone doing work for the township from now on. Seconded by Jack. The Fiscal Officer mentioned that Jeremy did a good job on TR 157 and it looks really nice. Steve asked the Fiscal Officer if someone was doing something in front of her house and she conveyed that Jeremy had cut the telephone line while digging out the tile. The Fiscal Officer requested if Jeremy could let the Township know when he will be completing any work so they can let the Zane Township homeowners know. Rod W. said that it's the township right of way. Jack said that it would be the township that would alert the property owners and they will do that. The Fiscal Officer thanked Jack.

Tom S. presented a conditional use permit from Jerry Robinson for property he owns in Zane Township across from Harding Machine Company now Global Precision Parts. It's a little over 5 acres and what he wants to do is put in a transportation terminal. He is getting ready to sell this property to the company that does all the trucking for Midwest, NEX, and NKP. Basically they run their freight back and forth during that day and need a place for safe parking for their trucks. As well as a building for maintenance. Tom thinks it was rezoned to M1 which is an approved use in that area with the approval of a conditional use. Jack verified that he is asking for a conditional use permit because it is not zoned for that. Tom said it is zoned for that however the zoning book states you must get a conditional use permit from the BZA (Board of Zoning Appeals) even though it's listed as an approved use. The BZA has to approve what he will be doing. The definition in the zoning book states that a transportation terminal is for pick up and drop off of things you will be delivering however that is not what he will be doing per Tom. When he receives the conditional use permit he will sell the property. Jack asked if a conditional use permit has a time frame and once that person is no longer an owner it reverts back to the original use. Tom said the conditional use goes with the property. Jack verified that it goes forever because he said they had an issue with a conditional use permit for a mobile home in town and it is still there. Steve stated that they have to contact the BZA and submit this permit. The Trustee's discussed who the BZA chairman was and that currently there was not a chairman as Jim King has resigned. Tom explained the difference between the BZA and they Zoning Commission. Steve will contact Jim King and ask if he will reconsider remaining as BZA chairman for this permit. Tom suggested that both boards have at least one annual meeting to verify who will be remaining. Tom also mentioned that Doug was contacted by Mr. Orahood and said that he'd be taking down his chimney from his home that burned down.

Joni C. asked if when doing work for the township, should Jeremy always present an estimate. Jack said that he trusts Jeremy.

Rod said that they got the park bathrooms winterized and closed up. Rod had a few calls regarding cemetery lots and finding graves. Rod hasn't gotten the snow plow to Urbana. Jack said to get it there as soon as possible. Jack explained that the bushing is possibly broke and needs repaired. Rod will take it today to Joe Rees Welding in Urbana as this is the same place Jack's son, Beau Graham recommended. Rod said the small red truck needs an oil change and normally he gets the supplies and does it himself. However there may be a short in the window switch so he will take it to Spain's and get both things taken care of.

Jack made a motion to approve the estimate from the Logan County Engineer for \$5050.46 for Dura-Patching on TR 227, TR 157, TR 177, TR 160, TR 29, Western Street, and North St. Seconded by Steve. Jack and Steve signed

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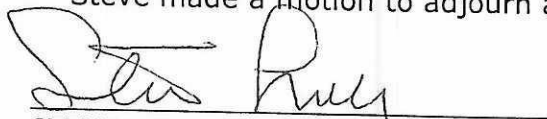
estimate and Jack will submit estimate. Jeremy said that CR 146 now has no engine brake signs. Rod mentioned that in wintertime every road will be snow covered except for CR 146. Jack said that the tractor is at Doug Henry's shop and will take a major job to replace the windshield. Rod and the Trustee's discussed what needs done to get the tractor repaired. The Fiscal Officer verified that she doesn't need to pay any invoices because Doug has filed a claim with insurance. Jack also mentioned that no repairs have been completed yet so there isn't anything to pay. The Fiscal Officer mentioned that Ryan Caudill with Ag Pro contacted her with regard to possible state pricing increasing and if we are going to trade in the lawnmower then we may need to do it before the end of this year to lock in current pricing. The Trustee's said that Doug takes care of that and the Fiscal Officer had already given him Doug's number.

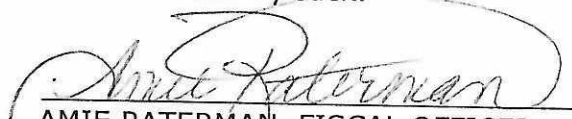
Steve mentioned that the annual meeting with Allen Township is December 4, 2023 at 5:30 to discuss the Fire and Ems contract. The Fiscal Officer will publish this information in the Bellefontaine Examiner and on the website as anytime the Trustee's gather, the public must be informed.

Regular monthly meetings will be on the second Monday of each month at 8:00 am in the Zane Township Building at 10495 Columbus St. Middleburg Oh 43336. (Jan. 9, Feb. 13, Mar. 13, Apr. 10, May 8, Jun. 12, Jul. 10, Aug. 14, Sep. 11, Oct. 9, Nov. 13, & Dec. 11, 2023)

The trustees observed, discussed, reviewed and signed all approved documents & reports submitted at this meeting.

Steve made a motion to adjourn at 9:09am. Seconded by Jack.


STEVE LITHGO, CHAIRMAN


AMIE RATERMAN, FISCAL OFFICER

