

**UNION TOWNSHIP TRUSTEES
MINUTES OF REGULAR MEETING
September 21, 2020**

The Union Township Trustees met in regular session via zoom on September 21, 2020, at 7:00 pm with Trustee Charlie Prince opening with the pledge of allegiance. Roll call by Fiscal Officer Jessica Slater showed Trustees Charlie Prince, John Slater, and Randy Weekly present. Township Administrator Paula Greene and Road Supervisor Dave Cable were present. Guests via Zoom: Rick Black, Ed Parrish, Martha Cable, Refugee Canyon Joint Fire District Chief Clifford Mason, and Licking County EMA Director Sean Grady.

Agricultural Burning – Ed Parrish was present to address agricultural burning in Union Township. During this year's floods, Mr. Parrish said that tremendous corn stalk piling occurred due to the floodwaters, adding it was the worst they have experienced. Where the ground had been tilled, several inches of topsoil was carried away, resulting in erosion.

Mr. Parrish contacted Jason Fister of Ohio EPA for a burning permit to remove cornstalks. Mr. Fister advised burning permits were not required when following the burn guidelines. Ohio EPA rules for burning were provided and were forwarded to the Trustees.

The OEPA rules state October and November burning hours are 6 pm to 6 am. Mr. Fister advised a permit to burn outside of the posted hours a permit could be applied for and issued. During these hours, Mr. Parrish felt that it would be difficult to see they were controlled and monitored burns due to the darkness.

Mr. Fister also advised the State of Ohio authority supersedes local fire regulations, especially in rural areas. Mr. Parrish said this information surprised him. Mr. Fister recommended that the local government adopt OEPA rules and inform the community.

Mr. Parrish asked the Union Township Trustees to adopt the Ohio EPA burning code, which would benefit everyone. There was a significant cost in removing the corn stock debris from roads, culverts, and ditches after the March 2020 flooding.

Mr. Parrish said he plans to burn corn stock instead of tilling to avoid additional topsoil loss in flood-prone areas. Mr. Parrish is asking for a unified procedure, so there is no confusion, and everyone understands.

Mr. Parrish said this would also keep fire equipment off the street when it was not needed.

Jason Fister also advised Mr. Parrish that he had scheduled a training session with the local fire department. The Chief canceled; therefore, no training has been provided by the Ohio EPA on Agricultural burning. Chief Mason said the training was canceled due to COVID-19 and would reschedule with Mr. Fister.

According to the OEPA brochure, Mr. Prince said corn stalks and brush ~~in~~ from fence rows and not moved from another property are considered AG waste. OEPA also requires the burn area not to be wider than 20' and no higher than 10' high (less than 10,000 cf) and at least 1000' from an inhabited area.

Mr. Parrish said as his fields could be over 100 acres in one area, burn areas would be spread evenly across the field. Mr. Slater said it is an effort in residue management, allowing ag debris to be removed before it becomes a problem; adding Ag burning is a part of our past and should continue in the future. Mr. Parrish agreed.

Chief Mason said the Fire District abides by state laws and adopted the State Fire Code when the Fire District was formed. Chief Mason said he and his department support working with Mr. Parrish and any other farmer as long as the Ohio EPA and Fire Department were notified before the burn.

Chief Mason said he wanted the area plowed several times before the burn and then moved to another section. Chief Mason said it would be irresponsible to light a hundred acres on fire and hope nothing happens. Chief Mason said the Fire Department responds because someone has called 911.

Before a burn, Chief Mason wants the fire department to be notified and given contact numbers of persons controlling the fire. The contact numbers would be forwarded to the 911 center. Other calls received by 911 regarding the specific fire would not require sending fire personnel.

Chief Mason said they are willing to work with Mr. Parrish, but the Fire Department and OEPA need to create a plan. Chief Mason asked Mr. Parrish if he intended to burn the residue once the corn was harvested.

Mr. Parrish said Ohio EPA does not want to be notified of a burn unless a variance is needed to burn during the day. Farmers have the authority to burn ag waste under state regulations. Mr. Parrish said tilling the ground around a burn would reduce erosion in flood-prone areas; therefore, he would not agree to this part of Chief Mason's plan.

Mr. Parrish said that he was more than willing to work with someone directly and invited the Fire Department to monitor the burn. Mr. Parrish said burning in the fall is difficult to plan due to less dry hours and sunlight. A right amount of dryness and wind is required for a successful burn. Mr. Parrish plans to burn right after harvest if the adjacent field has been harvested.

Chief Mason said he wanted to understand that Mr. Fister said OEPA didn't need to be notified the burn was to occur outside of the OPEA time frame. Chief Mason said they needed to coordinate a plan so the District's grass fire truck could be there, and they could contact 911 if the fire became out of control. Chief Mason asked if they could have a tractor on-site, and then he would be okay with a burn.

Mr. Parrish thanked Chief Mason and said there is a need for oversight from the elected officials. Mr. Parrish feels the Fire District has an image that they are unreachable unless they contact 911 and that there is now a distance that did not exist before.

Chief Mason said there are elected officials on the Fire Board, two township trustees, and a Hebron Council member. Mr. Parrish said he feels the representation should come from the Township Trustees as they represent the township and their constituents for oversight.

Director Grady noted the 911 center could be notified directly before a burn. Chief Mason said he notifies the 911 center of a controlled burn and gives them a call number to contact at the burn. Chief Mason said they want to avoid sending emergency equipment on a controlled burn.

Trustee Weekly asked Mr. Parrish if the State Route 37 fields were the flood-prone area he was addressing. Mr. Parrish said some of the problem areas were in that location; however, he would not burn near this area due to Pilot Oil's location. The problem area for flooding is west of Bell Run, where it approaches the South Fork of the Licking River adjoining Slater Farms.

Trustee Weekly asked Mr. Parrish if a written pre-plan could be submitted, showing where he wanted to burn. Mr. Parrish said they do not go in and burn.

As Hebron Fire Chief, Mr. Weekly said he worked with the Hebron Fish Hatchery yearly or bi-yearly on controlled burns and would be at the Fish Hatchery during the burn. Mr. Weekly said he appreciated Mr. Parrish clearing the debris before a flood could occur.

Mr. Prince said Chief Mason is readily available, more so than Chief Weekly's availability had spoiled the former Fire Chief and everyone. Mr. Prince agreed that a burn plan should be submitted but did not believe the trustees have the authority to set burning regulations. He added that burning agricultural waste helps prevent flooding problems, especially for the Village of Hebron.

Mr. Prince asked Trustees Slater and Weekly if they agreed with the plan, both said they did.

Martha Cable requested any burn plan submitted to be reviewed immediately and not held for days, weeks, or a public meeting for approval. Mrs. Cable said there are small windows of time-optimal for ag burning or negatively affecting their income.

Mr. Prince said he did not intend a lengthy review, but feels some advanced notice needs to be given. Chief Mason said a day or two notice would be sufficient and that he is available 24/7. Chief Mason and Mr. Parrish noted they have each other's contact numbers.

Mr. Parrish said he hoped the public understands the agricultural waste burning regulations and would like it addressed in the minutes. Chief Mason agrees and believes the Ohio EPA burning regulations are on the Fire District's website. It is unknown whether people would look for this information or understand ag waste burning.

Mr. Parrish thanked everyone. Mr. Prince said we now have a plan, and any problems could be worked out.

Minutes

Mr. Slater moved to approve the September 8, 2020 minutes. Mr. Weekly seconded. Motion passed.

Bills

The clerk certified the money to pay the bills was in the treasury or is in the process of collection. Included in the payment list is the distribution of fire levy funds to the Refugee Canyon Fire District in the amount of \$559,973.47, a \$25,000 payment for apparatus building (due on delivery), and a reimbursement for the purchase of anchor bolts made by Mr. Prince in the amount of \$201.12. Mr. Weekly motioned to pay the bills. Seconded by Mr. Prince. Motion passed.

Road and Bridge

New Pickup Truck – The pick-up truck has been ordered and should arrive by the end of the year. The tax-exempt loan rate for three years is 3.24 percent and for four years is 3.23 percent. Mr. Prince said he thought the truck could be paid for without a loan. Mrs. Slater said it could, but the road and bridge fund is tight.

Mr. Weekly asked if the truck could be paid for on delivery. Mr. Prince said one dump truck loan was paid off last year, leaving approximately \$40,000 available for the new pick-up. Mr. Slater and Mr. Weekly agreed to not obtaining a loan for the pick-up if possible. Mr. Prince recommended waiting until the truck arrives and revisiting the financial situation with Mrs. Slater.

Ditching – The street department has been clearing ditches.

Fire District

Apparatus building – The building is to arrive on Friday with construction to begin on Monday.

Barn fire - Mr. Prince said a barn fire on Gale Road occurred Sunday morning with the loss of horses and other barn animals. The satellite station's fire engine arrived on the scene a minute before the engine stationed in Hebron. With the new satellite station, there were three additional firefighters available and 1000 gallons of water. Refugee-Canyon responded with two engines, a medic unit, and Chief Mason. The barn was engulfed upon arrival.

Administrative

Cares Act Funds - After the last meeting, Paula learned HVAC systems were a permitted Cares Act Fund purchase. The heating and cooling units in the building are approximately 20 years old. Three companies were contacted for replacement estimates for the front office unit and replacing two inoperable units to the meeting room. KMA Electric did not respond with an estimate. Replacing both HVAC units exceeded our funding; therefore, Paula recommended the meeting room units be replaced. The estimates received are as follows:

Right Way estimate for all the units - \$24,525.00

Performance Heating and Cooling estimate for the two units - \$17,040.00

(with UV light and HEPA bypass filtration)

Mr. Prince and Mr. Weekly asked for confirmation that the HVAC would be an accepted CARES Act expense. It is. Mr. Prince confirmed that two of the four HVAC units for the meeting room are not functioning. Two of the four units are in working order.

Mr. Prince asked if the units could be installed before the November elections. Paula would ask the company.

Motion - Mr. Slater moved to accept the bid from Performance Heating & Cooling in the amount of \$17,040.00 for two HVAC units with UV light and HEPA filtration. Mr. Weekly seconded. Motion carried.

Paula plans to replace bathroom fixtures (paper towels/faucets) with touchless fixtures with the remaining \$1788.00 in the CARES Act fund.

Licking County Soil & Water – Denise Brooks Natoli will be leaving Soil and Water. She has taken a position with Central State University Extension to develop the Agricultural and Natural Resource program for southeast Ohio. Mrs. Natoli was instrumental in leading Licking County's MS4 program and River Round-up.

Williams – Filed a complaint to overturn Licking County Common Pleas Court ruling with the Supreme Court of Appeals, who dismissed it due to the lack of a brief.

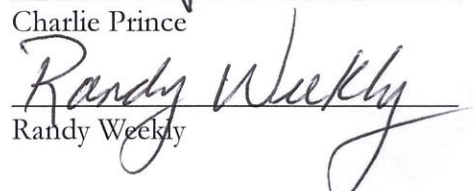
Map Amendment - The owner of a property on Lancaster Road has filed a map amendment.

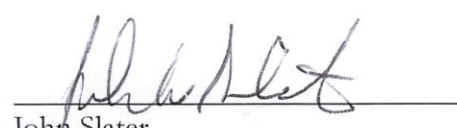
McNamara – Ms. McNamara sent letters to all three trustees along with a signed settlement agreement for the expired settlement offer and one agreeing to accept payment for the logs sent to a lumber mill rather than being turned into firewood. Mr. Weekly said Ms. McNamara agrees to the payment for the logs.

Noise Complaint – John and Nancy Shontz sent a letter of complaint regarding the National Trail Raceway racing late into the night. Paula spoke with Jay Livingston, NTR owner, who advised two Saturday night races had run past midnight due to oil spills on the track. Mrs. Shontz believed the races were to end at 10 pm. Mr. Livingston tries to end each weekend's race by 11:00 pm. Paula has explained to Mrs. Shontz that the track is not abusing their use. Mr. Prince said he has heard the track at his house and asked Paula to respond to Mrs. Shontz explaining the situation. Paula also discussed the Christmas lights show with Mr. Livingston. There are to be additional signage and three more miles of off-the-highway staging for the lights show. Mr. Slater said he wanted to iterate that Mr. Livingston wants to be part of the community and is anxious to work with the township and residents.

Mr. Weekly moved to adjourn the meeting. Mr. Slater seconded. Meeting adjourned at 8:14 pm.


Charlie Prince


Randy Weekly


John Slater


Jessica L. Slater

Fiscal Officer