

Williamsburg Township Board of Trustees Minutes

December 12, 2022

The Williamsburg Township Board of Trustees met on Monday, December 12, 2022 to transact business. Chairperson Bainum called the meeting to order at 7:00 p.m., and all joined in the Pledge of Allegiance to the Flag. Guy Bainum, Bari Henning and Gary Jordan answered the roll call. Also present were Fiscal Officer, Doug Lefferson, Maintenance Supervisor/Zoning Administrator Brian Tatman, Emergency Services Chief Jason McCarthy, Michael Madsen, Bobby Feimster, Dylan Arnett, Eli Mann, Ron Goldston, Richard Malott, Jason Pollitt, Tom Lefker, MaryAnn Lefker, Mary Jo Garthaus, Jean Kinman, Sam Kinman, Donna Yapp, Charles Yapp, Ted Drake, Isabel Drake, Matthew Newman, Rick Wright, Vicky Wright, Tracy Ortman, Joe Winter, Christy Winter, Kati Boll, and Ed Boll.

Mr. Henning motioned to approve the minutes of the November 28, 2022 meeting. Mr. Jordan second. All yeas. Mr. Jordan motioned to approve the minutes of the November 30, 2022 special meeting. Mr. Henning second. All yeas. Mr. Henning motioned to approve the minutes of the December 7, 2022 special meeting. Mr. Bainum second. All yeas.

Mr. Lefferson presented a financial report, including a comprehensive account of expenditures and receipts and the Trustees accepted it.

Mr. Jordan motioned to pay the attached bills. Mr. Henning second. All yeas.

Mr. Bainum stated he had contacted the US Army Corps of Engineers regarding Nestle' Purina's application under provisions of the Clean Water Act regarding a proposed new wet pet food manufacturing facility, but that he had not received a response yet. Mr. Jordan indicated he had reached out to Nestle' Purina directly and company representatives were unable to attend this meeting given the quick turnaround, but did provide an email response. Mr. Jordan indicated that the Corps of Engineers Public Notice did catch the Trustees off guard. He stated that the Trustees were not going to interpret their document and that they had no direct jurisdiction in regard to this application. Mr. Jordan read the email provided by Casey Hansen, Factory Manager, Nestle' Purina. It states as follows:

- "It's important to remember that we are still in the due diligence phase of this process and no decisions have been made on the viability of the project.
- Much like when you prepare food and use the ovens at home, when cooked, the ingredients will generate a cooking aroma, and that's exactly what will happen when Purina starts making food for our pets, except of course it will be on a much larger scale.
- While it is true that you will smell cooking of pet food in the area, they will do their best to minimize cooking aromas with detailed aroma mitigation plans and a significant investment in systems and infrastructure.
- It's important to also understand that environmental conditions such as weather, air temperature, humidity, terrain, wind speed and direction all play a part in whether aromas from any cooking operation noticeable outside of the property are and how far they can travel on any given day and while normal conditions for the area will be factored into the planning process, abnormal weather conditions are unpredictable.
- The wetlands and stream impacted will be filled with soils for developing the site, not any Purina product or waste.
- Purina does and will always follow state, local and federal guidelines in all areas of our operations and business."

Mr. Jordan stated that he has asked Purina about odor issues directly three times and while we do not have an impact on the business they put there, they still have to adhere to EPA and other government regulations. We have to hold them to filters. Mrs. Kinman said she spoke with the EPA and nothing has been applied for there and notification of any application would be in the Clermont Sun. Mrs. Wright stated that at the Zoning Meeting earlier in the year there was discussion of other storage buildings or a school (training facility). Mr. Jordan said he did not dispute that. Mr. Henning indicated that any new buildings would have to be approved. Mr. Tatman indicated the Zoning office had not received any requests in this regard. Mr. Kinman brought up potential septic issues as a result of dredge work, or the impact of flooding. Mr. Henning believes that the work would require retention ponds and should make things better. Mr. Kinman respectfully disagreed. Mr. Kinman indicated another meeting with Nestle' Purina would be helpful. There was additional discussion about the Health Department and other laws in place. There was still resident concern about water runoff. Mr. Jordan stated the Township is growing and it's how we address problems and challenges that's important. He appreciated the residents' concern. Mrs. Wright said it sounds like a done deal. Mr. Jordan stated it is not a done deal. Mr. Bainum said he appreciated the residents' input and indicated the Trustees will stay on it and thinks the Corps of Engineers would not allow issues. Mrs. Kinman stated that residents have until December 29th to submit concerns or comments to the Corps of Engineers regarding the application. Mr. Boll asked the Trustees opinion of the situation. Mr. Bainum said he did not want to over interpret the Corps of Engineers' Public Notice. Township growth has given landowners a lot of opportunity and some landowners a lot of stress.

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Mr. Boll stated that it seems Nestle' Purina was not up front about their latest plans. There was additional discussion about how wetland mitigation works, the Wetland Bank, etc. Mr. Kinman said they were advised to take water samples.

Mr. Drake inquired about updates to the Clear Mountain Food Park noise. Mr. Jordan stated that an amended lawsuit was filed on November 14, 2022 against the owner in order to enforce the Williamsburg Township Noise Resolution. A hearing with the Ohio Liquor Board in regard to Clear Mountain Food Park's liquor permit is expected to be scheduled in January 2023. Assistant Prosecuting Attorney Shrive is also addressing enforcement of the noise resolution with the Sheriffs' Department.

Mr. Feimster said he respects the job the Trustees are doing, but if Nestle' Purina does not do what they say will the Trustees hold them as liable as they are the Food Park. Mr. Jordan stated the Trustees are looking for consistency, do not care what business it is, will hold them accountable. Mr. Jordan reiterated we are trying to be respectful, but not everybody will always be happy, looking for consistency. Mr. Bainum stated we will try to hold Nestle' Purina accountable. Mr. Arnett said he does not believe that Nestle' Purina decided on a wet-food plant on the expansion land recently. They are a multi-billion-dollar company planning for this would be done well in advance and it is naïve to think otherwise. The Township should be more proactive. The talking points provided were just Purina's position. Mr. Arnett believes it will go through. Mr. Jordan said the Township upgraded zoning regulations significantly a few years ago, but you cannot just stop business. Mr. Feimster asked what if the plant smells. Mr. Jordan said we have been addressing with them all along and will continue to address as it comes.

Mr. Yapp of Kain Run Road asked about Altafiber internet activity. They were told they would have new lines, but it has been five years now. He also mentioned some poor road conditions. Mr. Henning said they can take care of the road, but have limited impact on utilities such as Altafiber.

Zoning Report

Mr. Tatman provided a report. They completed a zoning certificate for a detached garage. Mr. Tatman spoke with Mrs. Conway of Clover Road and she indicated she had received the Township's letter regarding violations associated with an airsoft gun park operating on the property and related structures and setbacks. She indicated she was not aware the Sheriff has been out there five times. Mr. Tatman will continue to follow up on the issues.

Cemetery and Maintenance Report

Mr. Tatman provided a report. The newest section in the Cemetery is open. He has sold eight or nine graves. Will still pour some concrete tomorrow. They are beginning maintenance for the winter on equipment. The small backhoe had two fuel lines repaired.

Emergency Services Report

Chief McCarthy provided a report. There were 89 EMS runs and 36 Fire runs for the month of November. He indicated the Emergency Services team members helped the Village hang banners for the Christmas Walk and helped Williamsburg PD with toys for needy kids at the Fill The Cruiser event at Family Dollar. The 2019 Squad received recall work and the Chief's car was sent for a recall as well and needs parts replaced that are on order. Chief McCarthy recommended the Township sponsor and pay for Mark Greg Matthews for a Fire 1 class through Brown and Clermont Adult Career Campuses. The cost is \$1,925 that will be reimbursed through a grant at the end of the next year after completion of the class. Mr. Henning motioned to pay for Mark Greg Matthews Fire 1 Class at a cost of \$1,925. Mr. Bainum second. All yeas. Chief McCarthy recommended hiring Adam Daniel as a Firefighter and Paramedic, Molli Doyle as a Firefighter Basic EMT, and William Welch as a Firefighter EMT. Mr. Jordan motioned to hire Adam Daniel as a Firefighter and Paramedic, Molli Doyle as a Firefighter Basic EMT, and William Welch as a Firefighter EMT to part-time positions. Mr. Bainum second. All yeas. Chief McCarthy is going to meet with the Director of Communication for Goshen in regard to an old generator we may obtain at no cost. Mayor Lefker thanked the Township for their help with the Christmas Walk.

Mr. Lefferson said that he attended the Clermont County Tax Incentive Review Council meeting today along with Mr. Wells from the Williamsburg Schools and all the TIF's and Enterprise Zone Agreements were reviewed and accepted for continuance. Mr. Bainum motioned to appoint Doug Lefferson, Fiscal Officer, Williamsburg Township to the Clermont County Tax Incentive Review Council (TIRC), with Mr. Bari Henning as an alternate with proxy voting powers. Mr. Jordan second. All yeas.

Mr. Lefferson reported on the official Certificate of Result of Election, November 8, 2022 Fire and EMS tax levy received from the county. The total number of votes cast was 2,097, 1,192 for the tax levy, 905 against the tax levy.

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Mr. Henning motioned to go into Executive Session pursuant to ORC 121.22 (G) 1 for the purpose of discussion of the investigation of a complaint involving a public employee at approximately 8:18 p.m. Mr. Bainum second. All yeas. The Trustees came out of Executive Session at approximately 9:10 p.m. having discussed the investigation of a complaint involving a public employee with no action taken and no decisions made.

Chairman Bainum turned the meeting over to the Fiscal Officer Doug Lefferson to take nominations for Chairman for next year. Mr. Bainum nominated Mr. Henning for Chairperson. Mr. Jordan second. Mr. Lefferson closed the nominations hearing no further motions. All yeas. Mr. Lefferson asked for nominations for Vice Chairperson. Mr. Bainum motioned to nominate Mr. Jordan for Vice Chairperson. Mr. Henning second. Mr. Lefferson closed the nominations hearing no further motions. All yeas. Mr. Lefferson turned the meeting back over to current Chairman Bainum.

Mr. Bainum motioned to re-appoint Brian Tatman as Cemetery Sexton & Road Maintenance Supervisor/Zoning Administrator. Mr. Jordan second. All yeas.

Mr. Jordan motioned to re-appoint Jason P. McCarthy as Emergency Services Chief. Mr. Henning second. All yeas.

Mr. Henning motioned to increase the hourly rate for Paramedic Subs or Part-time to \$18.15 per hour from \$17.14 per hour, a 5.89% increase. Mr. Bainum second. All yeas. Mr. Bainum motioned to maintain the same hourly rate of \$15.54 for EMT Subs or Part-time. Mr. Jordan second. All yeas. Mr. Jordan motioned to increase the hourly rate for EMT Advanced to \$16.55 from \$16.07, a 2.99% increase. Mr. Henning second. All yeas. Mr. Henning motioned to maintain the same hourly rate of \$15.54 for Fire subs. Mr. Bainum second. All yeas.

Mr. Bainum motioned to give all other employees, not covered in the motions just passed, a 5.0% raise. Mr. Jordan second. All yeas.

Mr. Jordan motioned to pay all EMS and fire volunteers \$40.00/run. Mr. Henning second. All yeas. Mr. Henning motioned to pay Cadets \$20.00/run. Mr. Bainum second. All yeas.

Mr. Bainum motioned to pay all zoning board and ZBA members \$55.00/meeting. Mr. Jordan second. All yeas.

Mr. Jordan motioned to pay the Trustees and Fiscal Officer the maximum compensation allowed per ORC and to pay in 12 equal installments and to allocate across departments as allowed per ORC if necessary. Mr. Henning second. All yeas.

Mr. Henning motioned to pay the Emergency Services Chief, Cemetery Sexton/Zoning Administrator, Trustees and Fiscal Officer's expenses to both the winter and summer conferences if they decide to attend. Mr. Bainum second. All yeas.

Mr. Bainum motioned to pay the IRS rate/mile for personal automobile use on township business. Mr. Jordan second. All yeas.

Mr. Jordan motioned to pay \$55.00/day without receipts for meals at any conference or out of town trip on township business. Mr. Henning second. All yeas.

Mr. Henning motioned to pay \$200.00 for Memorial Day expenses. Mr. Bainum second. All yeas.

Mr. Bainum motioned to continue to provide health, dental, & vision for all eligible employees and elected officials and to continue to fund the HRA. Mr. Jordan second. All yeas.

Mr. Jordan motioned to pay the Fiscal Officer and Trustee's state and local township association dues. Mr. Henning second. All yeas.

Mr. Henning motioned to appoint the chairperson and vice-chairperson to the Fire Dependency Board. Mr. Bainum second. All yeas.

Mr. Bainum motioned to pay up to \$400.00 per firefighter volunteer for clothing. Mr. Jordan second. All yeas.

Mr. Jordan motioned to set meeting dates as the second and fourth Monday of each month at 7:00 p.m., with only one December Meeting to be held on the 11th. Mr. Henning second. All yeas.

Mr. Henning motioned to set the temporary budget equal to approximately 25% of the current budget. Mr. Bainum second. All yeas.

Mr. Jordan motioned to adjourn at approximately 9:34 p.m. Mr. Bainum second. All yeas.

Fiscal Officer

Chairperson