

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/JUNE 22, 2005

The regular meeting of the Prairie Township Board of Trustees was called to order by the Chairperson Mr. Stormont, with Ms. Keller, Mr. Wharton and Ms. Montag present. Also attending were: Chief Feustel, Mr. Hatmaker, Ms. Swisher, Mr. McAninch and Ms. Deuschle. (See attached list).

Mr. Stormont led the Pledge of Allegiance.

Mr. Elie Sabbagh updated the Board on the Lincoln Village North and South Sidewalk and Curb Improvement project. The total project cost is \$368,200.00 with \$218,540.00 from CDBG grant for a total of \$149,660.00 Township portion.

Mr. Elie Sabbagh requested the Board to approve and sign the plans for the Lincoln Village North and South Sidewalk and Curb Improvement Project.

Ms. Keller moved, Mr. Stormont seconded the Board to approve and sign the plans for the Lincoln Village North and South Sidewalk and Curb Improvement Project. Vote; Aye.

Mr. Elie Sabbagh requested the Board to approve the following dates; advertise on June 28, 2005 and July 5, 2005, bid opening on July 14, 2005 at 11:30 a.m. with recommendation on July 20, 2005 at regular Trustee Meeting.

Ms. Keller moved, Mr. Stormont seconded the Board to approve the following dates; advertise on June 28, 2005 and July 5, 2005, bid opening on July 14, 2005 at 11:30 a.m. with recommendation on July 20, 2005 at regular Trustee Meeting.

The Clerk presented the following items:

After the Trustees reviewed the pending warrant list, Mr. Stormont moved, Ms. Keller seconded the Board approve the payment of the ADP payroll in the amount of \$98,657.46 and approve payment of the following bills. Vote; Aye. (See pending warrant list).

The Clerk requested the Chair to sign the Memorandum of Agreement for the independent public accountant for the Auditor of State audit.

Ms. Keller moved, Mr. Wharton seconded the Chair to sign the Memorandum of Agreement for the independent public accountant for the Auditor of State audit. Vote; Aye.

Chief Feustel addressed the Board with the following Fire Department matters:

1. Chief Feustel performed the swearing in ceremony of full-time firefighter Daniel Hirsch.
2. Chief Feustel requested the Board to approve releasing firefighter Dan Ellinger from probation status and placing him to permanent full-time status.

Mr. Stormont moved, Ms. Keller seconded the Board to approve releasing firefighter Dan Ellinger from probation status and placing him to permanent full-time status. Vote; Aye.

3. Chief Feustel announced the Annual Fish Fry will be June 24th & 25th, 2005. Chief Feustel requested the Board to approve covering the No Parking signs on Palmetto Street on June 24, 2005 and June 25, 2005 for the Annual Prairie Township Fire Department Fish Fry.

Mr. Wharton moved, Ms. Keller seconded the Board to approve covering the No Parking signs on Palmetto Street on June 24, 2005 and June 25, 2005 for the Annual Prairie Township Fire Department Fish Fry. Vote; Aye.

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4. Chief Feustel requested the Board to approve \$3,616.00 for the purchase of the communication equipment for the new fire apparatus.

Mr. Wharton moved, Ms. Keller seconded the Board to approve \$3,616.00 for the purchase of the communication equipment for the new fire apparatus. Vote; Aye.

5. Chief Feustel requested the Board approve \$1,290.00 for class A and B foam for the new fire apparatus.

Ms. Keller moved, Mr. Stormont seconded the Board approve \$1,290.00 for class A and B foam for the new fire apparatus. Vote; Aye.

6. Chief Feustel requested the Board to approve \$5,500.00 for the purchase of loose equipment for the new fire apparatus.

Mr. Stormont moved, Ms. Keller seconded the Board to approve \$5,500.00 for the purchase of loose equipment for the new fire apparatus. Vote; Aye.

7. Chief Feustel updated the Board on National Stand Down Day on June 21, 2005.

Ms. Connie Swisher, Zoning Inspector, addressed the Board with the following Zoning Department matters:

1. Ms. Swisher updated the Board on the rezoning application at 480 South Greener. Ms. Swisher requested the Board to approve July 6, 2005 at 7:00 p.m. for a public meeting for rezoning application 172-RZ-05, 480 South Greener.

Ms. Keller moved, Mr. Stormont seconded the Board to approve July 6, 2005 at 7:00 p.m. for a public meeting for rezoning application 172-RZ-05, 480 South Greener. Vote; Aye.

Mr. Tracy Hatmaker, Administrator, addressed the Board with the following Administrative matters:

1. Mr. Hatmaker requested the Board to approve a public hearing on the 2006 Budget on July 6, 2005 at 7:00 p.m.

Ms. Keller moved, Mr. Stormont seconded the Board to approve a public hearing on the 2006 Budget on July 6, 2005 at 7:00 p.m. Vote; Aye

2. Mr. Hatmaker requested the Board to approve advertising for the public hearing on the 2006 Budget on July 6, 2005 at 7:00 p.m.

Mr. Stormont moved, Ms. Keller seconded the Board to approve advertising for the public hearing on the 2006 Budget on July 6, 2005 at 7:00 p.m. Vote; Aye.

3. Mr. Hatmaker requested the Board to adopt Resolution To Request The Franklin County Budget Commission To Grant The Additional Inside Millage For the Purpose of Providing Needed Funds For The Prairie Township Road District.

Mr. Stormont moved, Ms. Keller seconded the Board to adopt Resolution To Request the Franklin County Budget Commission To Grant The Additional Inside Millage For the Purpose of Providing Needed Funds For The Prairie Township Road District. A roll call resulted as follows: Mr. Wharton; Nay, Ms. Keller; Aye, Mr. Stormont; Aye.

Mr. Stormont moved, Ms. Keller seconded the Board adjourn into executive session at 7:35 p.m. pursuant to Ohio Revised Code Section 121.22(G)(1) for the purpose of considering the appointment, employment and/or promotion of a public employee. A

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roll call resulted as follows: Mr. Wharton; Aye, Ms. Keller; Aye, Mr. Stormont; Aye.

Mr. Stormont moved, Ms. Keller seconded to resume the regular meeting at 8:25 p.m. pursuant to Ohio Revised Code Section 121.22(G)(1) for the purpose of considering the appointment, employment and/or promotion of a public employee with no action taken. A roll call resulted as follows: Mr. Wharton; Aye, Ms. Keller; Aye, Mr. Stormont; Aye.

Old Business:

New Business:

Steve Kennedy asked if the Trustees knew that the documents were filed with the EPA on the opt out petition. Ms. Keller responded she knew after Ohio American Water filed it. Mr. Stormont responded he was not aware until last meeting. Mr. Wharton responded he was aware of it. Mr. Kennedy asked why the information wasn't available to all the Trustees and to the residents before it was filed. Mr. Wharton responded that it has nothing to do with the current Board. Ms. Keller responded that Ohio American Water did this independently. A discussion followed.

Mr. Stormont stated on June 1, 2005, a petition to "opt out" of the Columbus 208 Plan was filed by Ohio American Water Company for Prairie Township. This petition states that one requirement is that the petition must be supported by the affected local government. I had no knowledge of the filing of this petition.

In this petition, Ohio American lists the following items as establishing the Township supports the petition.

1. The Township adopted Resolution 17-02 authorizing a franchise agreement with Ohio American Water.
2. The Township and Ohio American are "currently" negotiating a contract to establish the terms of the franchise.
3. The Prairie Township Board of Trustees has determined that the City of Columbus has conditions for sewer service which are unacceptable to the Board.

To my knowledge, the Board has taken no action authorizing the supporting of this petition. Resolution 17-02 is ineffective in that it was not properly adopted and no contract was authorized or signed with Ohio American. Also, the Board has not taken any action authorizing the negotiation of a contract with Ohio American. The Board has also taken no action making a determination that the City of Columbus has conditions for sewer service which are unacceptable. Finally, the only action lawfully taken by this Board was the adoption of Limited Home Rule Resolution 06-05 which is now on referendum.

The Board, as a public body, takes action only through a vote of its members as reflected in the minutes. No single Board member has the authority to take action on behalf of the Board.

For these reasons, I would propose a motion to require that the Board of Trustees first approve any action, transaction, document or expenditure proposed to be taken, entered into, submitted or incurred on behalf of the Township by any members of this Board relating to the securing of water and/or sewer services for any portion of Prairie Township or the granting of any franchise agreement for these services or contracting for these services.

Mr. Wharton moved, Ms. Keller seconded the Board approve Mr. Peter Griggs to draft a resolution to rescind Resolution 06-05.

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Public Comment:

Announcements:

There being no further business to come before the Board, the meeting was adjourned at 8:50 p.m.

Chairperson

Clerk