

CONCORD TOWNSHIP BOARD OF TRUSTEES

January 22, 2025

Page 1

Call to Order and Roll Call

The Concord Township Board of Trustees met in regular session on Wednesday, January 22, 2025 at 12:00 p.m. at the Concord Township Community Building, 6385 Home Road, Delaware, Ohio. Vice Chairman Joe Garrett called the meeting to order. The roll was called: Jason Haney-present, Joe Garrett-present, Bart Johnson-absent.

Approval of Minutes

Mr. Haney moved and Mr. Garrett seconded to approve the minutes of the January 6, 2025 meeting. Vote: Haney-yes, Garrett-yes.

Public Input

None.

Financial Report

Mr. Garrett shared Fiscal Officer Davis provided financial reports for the township, and money is available to pay the bills. The current Cash Summary by Fund shows the following balances:

- General Fund	\$11,317,307.10
- Fire,Road,Special Funds	<u>\$2,850,461.21</u>
- Total All Funds	\$14,167,768.31

Mr. Haney moved and Mr. Garrett seconded to approve pending purchase orders, vouchers and warrants # 1-8, 118501-118525, all totaling \$252,475.39. Vote: Haney-yes, Garrett-yes.

Zoning Department

None.

Road Department

- Road supervisor, Nathan Wilgus, presented quotes for flashing 25mph signs for Parkview, Glenmore/Tartan Fields. The flashing signs in Scioto Reserve may need updated also. Discussion was held on styles, placement, and quantity needed. Updated pricing will be obtained for 8 signs and to update the Scioto Reserve signs from Radarsign.
- The new F550 silver truck was delivered with the finished dump and snowplow accessories. It was used for two snow/salt events already and is perfect. Township decals still need applied to match existing trucks. Pricing will be obtained on wrapping trucks since the township's green is no longer available on state bid vehicles.
- An email was received about plowing on Bean Oller near Liberty township.
- Mr. Haney moved and Mr. Garrett seconded to accept the annual highway mileage certification of 51.759 miles of township roads as of December 31, 2024. Vote: Haney-yes, Garrett-yes.
- Salt inventory and usage to date was discussed. 460 tons have been ordered.
- The "first plowable snow" winner was named based on the January 6, 2025 actual date (closest without going over). Chief Cooper guessed January 1st and won bragging rights and peanut M&Ms.

Fire Department

- Fire Chief Todd Cooper discussed the hiring of four new part-time firefighters. Mr. Garrett moved and Mr. Haney seconded to approve the hiring of Ripley Szanati, Clayton Spring, John Garvin, and Enzo DiRocco. Vote: Haney-yes, Garrett-yes.
- Mr. Garrett moved and Mr. Haney seconded to appoint Trustees Haney and Johnson to the 2025 Volunteer Firefighters Dependent Fund committee. Other members include two part-time firefighters and a resident. Vote: Haney-yes, Garrett-yes.
- Fall fest and fire open house date was planned for Sunday, October 5, 2025 from 2-5pm.
- The Horton medic truck that was ordered in 2023 and due initially in August 2024 is now due for delivery in June 2025.
- Mr. Garrett requested fire and EMS call breakdown report for 2024.

CONCORD TOWNSHIP BOARD OF TRUSTEES

January 22, 2025

Page 2

Old Business

- Mr. Haney moved and Mr. Garrett seconded to approve an extension of the 2024 agreement for consulting with legal counsel Rinehart Legal for January, February and March 2025 at \$5,000 per month. Vote: Haney-yes, Garrett-yes.
- As a matter of record, Mr. Steve Martin has supplied the recorded easement required as part of the zoning approval for Emerald Farm/Stallion Ranch. The document will be on file with the zoning and fire departments.
- Mr. Rinehart noted he has reached out to Mr. Rhodes and Mr. Butya regarding possible tax increment financing agreements. He will also reach out to the City of Columbus about meeting with he and Trustee Garrett.
- The township road right-of-way permitting process was discussed and proposed redline changes reviewed. Mr. Haney moved and Mr. Garrett seconded to adopt Resolution # 25-0122-1 to amend Resolution # 24-1126-1 to require any person to obtain a permit before making any excavation in a township road right-of-way (see attached), to amend and replace the Application form (Exhibit 1) and Rules and Regulations (Exhibit 2). Vote: Haney-yes, Garrett-yes.
- The Comprehensive Plan Committee will have an introductory session on January 29 and first meeting on February 5.
- Discussion was held on state, county, and city construction through township roads.

New Business

- Mr. Garrett moved and Mr. Haney seconded to adopt Resolution # 25-0122-2 to approve the Delaware, Know, Marion, Morrow (DKMM) Joint Solid Waste Management District's Solid Waste Management Plan Five Year Update. Vote: Haney-yes, Garrett-yes.
- Mr. Haney moved and Mr. Garrett seconded to adopt Resolution # 25-0122-3 to approve the use of township funds for payment of Delaware County Regional Planning Commission (DCRPC) dues in the amount of \$9,399. Vote: Haney-yes, Garrett-yes.
- Mr. Haney noted he will be attending the Delaware Health Advisory Council meeting.

Adjournment

With no further business, Mr. Haney moved and Mr. Garrett seconded to adjourn; unanimously in favor.

ATTEST


Fiscal Officer, Jill Davis

BOARD OF TRUSTEES

Bart Johnson



Joe Garrett



Jason Haney

Concord Township Trustees Meeting

January 22, 2025

Call to Order & Roll Call

Approve Minutes

Public Input

Pay Bills

I would like to certify the Fiscal Officer has provided us with financial statements.
I need a motion to approve purchase orders, pending warrants, and pay bills.

Zoning Department

Road Department

Fire Department

Old Business

New Business

Fiscal Officer/Correspondence

Adjourn

CONCORD TOWNSHIP, DELAWARE COUNTY
Cash Summary by Fund
 Year 2025

Fund #	Fund Name	Balance 1/1/2025	Fund Balance Adjustments	Revenue (excluding transfers in) and advances in)	Transfers In	Advances In	Fund & Adjustments (excluding transfers and advances out)	Expenditures	Transfers Out	Advances Out	Balance 12/31/2025	Non-Pooled Balance	Pooled Balance
1000	General	\$11,347,686.91	\$0.00	\$5,887.13	\$0.00	\$0.00	\$11,353,574.04	\$36,266.94	\$0.00	\$0.00	\$11,317,307.10	\$0.00	\$11,317,307.10
2011	Motor Vehicle License Tax	\$23,547.84	\$0.00	\$1,564.63	\$0.00	\$0.00	\$25,112.47	\$0.00	\$0.00	\$0.00	\$25,112.47	\$0.00	\$25,112.47
2021	Gasoline Tax	\$74,061.29	\$0.00	\$17,230.60	\$0.00	\$0.00	\$91,291.89	\$20,608.76	\$0.00	\$0.00	\$70,683.13	\$0.00	\$70,683.13
2031	Road and Bridge	\$421,811.46	\$0.00	\$591.97	\$0.00	\$0.00	\$422,403.43	\$2,383.52	\$0.00	\$0.00	\$420,019.91	\$0.00	\$420,019.91
2041	Cemetery	\$40,886.96	\$0.00	\$0.00	\$0.00	\$0.00	\$40,886.96	\$0.00	\$0.00	\$0.00	\$40,886.96	\$0.00	\$40,886.96
2111	Fire District	\$1,441,778.51	\$0.00	\$0.00	\$0.00	\$0.00	\$1,441,778.51	\$188,689.92	\$0.00	\$0.00	\$1,253,088.59	\$0.00	\$1,253,088.59
2231	Permissive Motor Vehicle License Te	\$21,362.83	\$0.00	\$3,473.36	\$0.00	\$0.00	\$24,836.19	\$4,526.25	\$0.00	\$0.00	\$20,309.94	\$0.00	\$20,309.94
2272	Coronavirus Relief Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2273	American Rescue Plan Act (ARP)	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00	\$0.00	\$1,000,000.00
2901	OneOhio Opioid Settlement Fund	\$10,046.53	\$0.00	\$0.00	\$0.00	\$0.00	\$10,046.53	\$0.00	\$0.00	\$0.00	\$10,046.53	\$0.00	\$10,046.53
4901	TIF Dublin Strg Pub Infrast Improv	\$10,313.68	\$0.00	\$0.00	\$0.00	\$0.00	\$10,313.68	\$0.00	\$0.00	\$0.00	\$10,313.68	\$0.00	\$10,313.68
4902	TIF Painter Farm Incentive District 1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Report Total:		\$14,391,496.01	\$0.00	\$28,747.69	\$0.00	\$0.00	\$14,420,243.70	\$252,475.39	\$0.00	\$0.00	\$14,167,768.31	\$0.00	\$14,167,768.31

Last reconciled to bank: 12/31/2024 – Total other adjusting factors: \$117,920.59

Payment Listing
 1/1/2025 to 1/22/2025

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status	
1-2025	01/09/2025	01/09/2025	CH	PNC BANK	\$184.01	0	
	Purpose:	BANK MONTHLY FEE					
2-2025	01/13/2025	01/21/2025	CH	HR BUTLER, LLC	\$100,953.28	0	
	Purpose:	PAYROLL PROCESSING FEES					
3-2025	01/21/2025	01/21/2025	CH	CBIZ BENEFITS	\$9,274.60	0	
	Purpose:	HRA INSUR CLAIM REIMBURSE PLAN					
4-2025	01/21/2025	01/21/2025	CH	EQUITABLE	\$514.78	0	
	Purpose:	GROUP TERM LIFE,AD&D,VISION INSUR					
5-2025	01/21/2025	01/21/2025	CH	DELTA DENTAL	\$2,925.12	0	
	Purpose:	DENTAL INSURANCE PREMIUMS					
6-2025	01/21/2025	01/21/2025	CH	ANTHEM BCBS OH GROUP	\$39,220.95	0	
	Purpose:	MEDICAL INSURANCE +MEWA QTR1					
7-2025	01/21/2025	01/21/2025	CH	Ohio Public Employees Retirement System	\$7,603.38	0	
	Purpose:	TWP PENSION CONTRIB DEC24					
8-2025	01/21/2025	01/21/2025	CH	Ohio Police & Fire Pension Fund	\$51,452.77	0	
	Purpose:	FIRE DEPT PENSION CONTRIB DEC24					
118501	01/21/2025	01/21/2025	AW	OHIOHEALTH EMERGENCY MEDICAL SER'	\$647.50	0	
	Purpose:	FIRE DEPT MEDICAL DIRECTOR MAY-APR					
118502	01/21/2025	01/21/2025	AW	TAYLOR TIRE COMPANY, LTD.	\$1,233.94	0	
	Purpose:	ROAD DEPT TRK348 DUAL TIRES REPAIR					
118503	01/21/2025	01/21/2025	AW	MADISON ENERGY COOP ASSOC INC	\$226.50	0	
	Purpose:	ROAD DEPT UTILITIES					
118504	01/21/2025	01/21/2025	AW	OHIO EDISON	\$5,026.24	0	
	Purpose:	UTILITIES - FIRE DEPT					
118505	01/21/2025	01/21/2025	SW	Skipped Warrants 118505 to 118505 Series 1	\$0.00	V	
	Purpose:	Skipped Warrants 118505 to 118505 with Payment Series of 1					
118506	01/21/2025	01/21/2025	AW	BROSIUS, JOHNSON & GRIGGS, LLC	\$67.50	0	
	Purpose:	TWP LEGAL COUNSEL PERSONNEL+					
118507	01/21/2025	01/21/2025	AW	CHARTER COMMUNICATIONS	\$242.64	0	
	Purpose:	UTILITIES - ADMIN DEPT					
118508	01/21/2025	01/21/2025	AW	RIC IRVINE, ZONING INSPECTOR	\$50.00	0	
	Purpose:	ZONING CELL PHONE REIMB JAN-MAR					
118509	01/21/2025	01/21/2025	AW	NATHAN WILGUS	\$100.00	0	
	Purpose:	ROAD DEPT CELL PHONE REIMBURSE					
118510	01/21/2025	01/21/2025	AW	SOUTHEASTERN EQUIPMENT CO., INC.	\$188.17	0	
	Purpose:	ROAD DEPT CASE321 LOADER PARTS					
118511	01/21/2025	01/21/2025	AW	RINEHART LEGAL SERVICES, LTD.	\$5,000.00	0	
	Purpose:	TWP LEGAL COUNSEL ZONING+					
118512	01/21/2025	01/21/2025	AW	COLUMBIA GAS	\$1,137.65	0	
	Purpose:	UTILITIES - FIRE DEPT					
118513	01/21/2025	01/21/2025	AW	ATLANTIC EMERGENCY SOLUTIONS	\$966.04	0	
	Purpose:	FIRE DEPT 4x FIRE HOSE SECTIONS					
118514	01/21/2025	01/21/2025	AW	THE WONDER WITHIN LLC	\$680.00	0	
	Purpose:	FIRE DEPT YOGA WEEKLY PROGRAM					
118515	01/21/2025	01/21/2025	AW	3F FITNESS LLC	\$900.00	0	
	Purpose:	FIRE DEPT WEEKLY FITNESS PROGRAM					
118516	01/21/2025	01/21/2025	AW	DATA RESOLUTIONS INC	\$435.00	0	
	Purpose:	ADMIN SERVER/STATIONS MONITORING					
118517	01/21/2025	01/21/2025	AW	PORTA KLEEN	\$293.75	0	
	Purpose:	PARK PORTABLE RESTROOM, PARK PORTABLE - KLONDIKE					
118518	01/21/2025	01/21/2025	AW	DONE RIGHT HVAC LLC	\$1,019.00	0	
	Purpose:	FIRE DEPT FURNACE CIRCUIT BOARD SVC CALL					
118519	01/21/2025	01/21/2025	AW	STRYKER SALES CORP.	\$2,702.00	0	
	Purpose:	FIRE DEPT AED/MONITORS 3YR.SVC AGMT					
118520	01/21/2025	01/21/2025	AW	FIRST ARRIVING LLC	\$1,461.92	0	
	Purpose:	FIRE DEPT SOFTWARE LICENSE					
118521	01/21/2025	01/21/2025	AW	BEEM'S BP DIST INC	\$2,257.49	0	
	Purpose:	FIRE & ROAD DEPT FUEL					
118522	01/21/2025	01/21/2025	AW	O.E. MEYER CO.	\$262.85	0	
	Purpose:	FIRE DEPT O2 GAS SUPPLY					
118523	01/21/2025	01/21/2025	AW	CDK STRUCTURES INC.	\$150.00	0	
	Purpose:	FIRE DEPT SEPTIC ALARM SERVICE					

Payment Listing
1/1/2025 to 1/22/2025

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
118524	01/21/2025	01/21/2025	AW	FRONTIER	\$915.71	O
	Purpose: UTILITIES - FIRE DEPT					
118525	01/21/2025	01/21/2025	AW	CARGILL, INC	\$14,382.60	O
	Purpose: ROAD DEPT WINTER ROCK SALT MATERIAL					
Total Payments:					\$252,475.39	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$252,475.39	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.



RESOLUTION 25-0122-1

RESOLUTION AMENDING RESOLUTION 24-1126-1 WITH RESPECT TO REQUIRING ANY PERSON TO OBTAIN A PERMIT BEFORE MAKING ANY EXCAVATION IN A TOWNSHIP HIGHWAY OR HIGHWAY RIGHT-OF-WAY WITHIN CONCORD TOWNSHIP'S JURISDICTION, EXCEPT AN EXCAVATION TO REPAIR, REHABILITATE, OR REPLACE A POLE ALREADY INSTALLED FOR THE PURPOSE OF PROVIDING ELECTRIC OR TELECOMMUNICATIONS SERVICE.

The Board of Trustees of Concord Township, Delaware County, Ohio met at the Concord Township Hall on January 22, 2025 with the following members present:

Mr. Harny moved for the adoption of the following resolution:

WHEREAS, on November 26, 2024, the Board of Trustees of Concord Township adopted Resolution 24-1126-1 to require any person to obtain a permit before making any excavation in a township highway or highway right-of-way within Concord Township's jurisdiction, except an excavation to repair, rehabilitate, or replace a pole already installed for the purpose or providing electric or telecommunications service; and

WHEREAS, the Board of Trustees of Concord Township have determined to make certain amendments to the rules and regulations and application form adopted pursuant to Resolution 24-1126-1.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Concord Township, Delaware County, State of Ohio:

- Section 1.** Concord Township hereby adopts the Right-of-Way Excavation Application Form, attached hereto as Exhibit 1, to replace such form attached as Exhibit 1 to Resolution 24-1126-1.
- Section 2.** Concord Township hereby adopts the Right-of-Way Excavation Permit Rules and Regulations, attached hereto as Exhibit 2, to replace such rules and regulations as Exhibit 2 to Resolution 24-1126-1.
- Section 3.** All other items contained in Resolution 24-1126-1 shall remain in full force and effect.

Section 4. That this Board hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Garrett seconded the motion and the roll being called upon the question of its adoption the vote resulted as follows:

Voting Aye thereon:

Bart Johnson, Chairman



Joe Garrett

Jason Haney

Voting Nay thereon:

Bart Johnson, Chairman



Joe Garrett



Jason Haney

I, Jill Davis, Fiscal Officer of Concord Township, hereby certify, as official custodian of the records of Concord Township, Delaware County, Ohio, that the foregoing is taken and copied from the Record of Proceedings of Concord Township and that the same is a true and accurate copy of the original on file in the township hall at 6385 Home Rd, Delaware, OH.



Jill Davis

Date: Jan. 22, 2025.

Approved as to form:

/s/ Christopher A. Rinehart

**CONCORD TOWNSHIP
DELAWARE COUNTY, OHIO**

**APPLICATION FORM
RIGHT-OF-WAY EXCAVATION PERMIT**

Application Received by Concord Township:

Application Review Dates by Concord Township Staff:

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Application Determined Complete by Concord Township Staff:

Permit Number Assigned by Concord Township:

Total Amount Due:

Date of Approval:

APPLICANT INFORMATION*:

Applicant Name:

Address:

Telephone Number:

E-mail Address:

* Please attach additional pages, if necessary, to complete this section.

LOCATION OF EXCAVATION / CONSTRUCTION SITE*:

Name:

Address:

Delaware County Parcel Identification Number(s):

Telephone Number:

E-mail Address:

* Please attach additional pages, if necessary, to complete this section.

EMERGENCY CONTACT INFORMATION*:

Individual Name:

Business Name (if applicable):

Address:

Telephone Number:

E-mail Address:

* Please attach additional pages, if necessary, to complete this section.



PROPOSED CONSTRUCTION DATES*:

Estimated Start Date:	
Estimated Completion Date:	

* Please attach additional pages, if necessary, to complete this section.

NATURE OF EXCAVATION AND/OR WORK TO BE UNDERTAKEN:*

* Please attach additional pages, if necessary, to complete this section.

TERMS AND CONDITIONS OF PERMIT:

1. Applicant acknowledges he / she / it has read the Concord Township Right-of-Way Excavation Permit Regulations and agrees to be bound by such regulations and the terms and conditions contained in this application.
2. Applicant agrees to provide and place such warning devices as are necessary to protect travelers on the road and to ensure their safety.
3. Applicant agrees to complete all work to be performed under this application as soon as reasonably possible and to completely restore the entire road and right-of-way to the condition that existed before such work was undertaken, in accordance with the Concord Township Right-of-Way Excavation Permit Regulations.
4. Applicant agrees to notify Concord Township staff, the Concord Township Fire Department, and all applicable utility providers of the right-of-way excavation and to obtain all required permits prior to the commencement of any work or excavation in the road right-of-way. Further, the applicant agrees to provide copies of any such required permits to Concord Township.
5. Applicant agrees to indemnify and hold harmless Concord Township, its board of trustees, and all officers, employees and agents of Concord Township, for any loss, cost, liability, damage, claim, demand, or cause of action arising from, under or connected with the excavation and work covered by this application, and has properly executed the attached indemnification and hold harmless agreement.

6. This application is accompanied by a \$50.00 fee (O.R.C. §5571.16). In addition, Applicant agrees to reimburse Concord Township for all costs incurred by Concord Township to review plans submitted by the applicant and for any inspection activities associated with this application, which Applicant agrees to pay prior to Concord Township's issuance of a permit pursuant to this application.
7. Plans, as required by Concord Township, are attached to this application.
8. A list of materials to be used is attached to this application.
9. A security bond in the amount of \$_____ accompanies this application.
10. The Applicant's proposed contractor(s) is / are identified in Exhibit A attached hereto. (If more than one contractor, please provide an exhibit for each contractor performing work subject to the permit application.)

BOND REQUIRED:

- A. If open-cutting pavement, \$150.00 per square yard of pavement to be cut with a minimum bond of \$500.00.
- B. If working in right-of-way but outside pavement, \$100 per linear foot of work area length.
- C. If setting new poles for utilities (6 or more overhead utility lines, 1 or more for underground utility lines), \$50.00 per pole.

Security bonds shall not be refundable if it has been determined by inspection that the applicant has not met all conditions, standards and requirements contained in this application and in the Concord Township Right-of-Way Excavation Regulations. It is the responsibility of the applicant to notify Concord Township when ready for inspection. No refund will be granted until inspection has taken place and it has been determined by the responsible Concord Township official that the work has been completed to the required standards.

11. Persons failing to comply with the standards and regulations, or failing to obtain a permit, shall be notified in writing by Concord Township that they have 30 days from the date of notification to eliminate the violation and return the right-of-way to its original condition.

Persons failing to come into compliance within the 30-day period will forfeit their bond and may be prosecuted pursuant to Section 5571.99 of the Ohio Revised Code. The Concord Township Trustees will recommend to the Court that violators be ordered to eliminate the violation at the violator's expense; or that the Court appoint a qualified company to remove the violation, and the costs of same be placed on the tax duplicate as lien, to be collected with other taxes.

SIGNATURE: _____
 (Must be signed by property owner or owner's authorized agent)

PRINTED NAME: _____

TITLE: _____

DATE: _____

EXHIBIT A

PROPOSED CONTRACTOR(S)

The Applicant is required to state, in the spaces provided below, any contractor which will be performing any part of the proposed work. Copy this sheet as necessary to provide information for all contractors.

CONTRACTOR: _____

PRIMARY CONTACT PERSON: _____

SECONDARY CONTACT PERSON: _____

ADDRESS: _____

CITY / STATE / ZIP: _____

WORK DESCRIPTION: _____

TELEPHONE: _____

FAX: _____

E-MAIL: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY CONTRACTOR:

The Contractor accepts the terms and conditions stated hereby by signing this application below:

AUTHORIZED SIGNATURE: _____

PRINTED NAME: _____

DATE: _____

CONCORD TOWNSHIP
DELAWARE COUNTY, OHIO

RIGHT-OF-WAY EXCAVATION PERMIT
INDEMNIFICATION AND HOLD HARMLESS
AGREEMENT

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Now comes the undersigned being _____, (hereinafter the "Indemnitor") and the Board of Township Trustees of Concord Township, Delaware County, Ohio, (hereinafter the "Township") and enter into this Agreement on this _____ day of _____, 20__.

WHEREAS, The Indemnitor desires to engage in excavation or construction activities within a Township Right-of-Way, pursuant to an application for such authority submitted to the Township, and

WHEREAS, the Township agrees to permit such excavation or construction activities but requires the execution of this Agreement pursuant to the Ohio Revised Code §5571.16,

NOW, THEREFORE, the Indemnitor and the Township, in consideration of the mutual covenants and agreements, hereby agrees as follows:

The Indemnitor agrees to indemnify and hold harmless the Township and each member of the Board of Trustees of the Township and each officer of said Board (and their heirs, executors, administrators and assigns) who is made a party or is threatened to be made a party to any litigation, action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that he is or was a trustee, officer, employee or agent of the Board or is or was serving at the request of the Board against expenses, attorney's fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding in connection with any activity by the Indemnitor, or his designee, employee, agent, assign or contractor permitted under this agreement including, but not limited to, any negligent or intentional act which results in any harm or damage to another or to property of another. The foregoing right of indemnification shall not be exclusive of other rights or remedies to which such Board or Township official, or their heirs, executors and administrators may be entitled.

IN WITNESS WHEREOF, we have set our hands on the date set forth above.

INDEMNITOR:

Signature

Printed Name

Title

CONCORD TOWNSHIP

RIGHT-OF-WAY EXCAVATION PERMIT
INDEMINIFICATION AND HOLD HARMLESS
AGREEMENT

PAGE 2 OF 2

CONCORD TOWNSHIP BOARD OF TRUSTEES:

By:

4. **CONTRACTOR REGISTRATION:** All contractors for a project shall be registered with Concord Township. The applicant will assume responsibility for all contractors during the execution of the proposed work. The applicant must identify all contractors proposing to perform any part of the proposed work. All terms and conditions of an issued permit are also applicable to all contractors authorized by the applicant to executed the proposed work.
5. **OHIO UTILITIES PROTECTION SERVICE (OUPS):** Prior to any work being performed pursuant to a permit issued pursuant to these rules and regulations, a permit holder shall contact the Ohio Utilities Protection Service (OUPS) to locate all existing utilities in the right-of-way and work areas at least two (2) days prior to construction. All utilities which are not members of the OUPS shall be contacted directly.
6. **TRENCHLESS EXCAVATION:** Any contractor using trenchless excavation methods (e.g. directional drilling) to install a proposed utility shall perform the following:
 - (A) Expose and confirm all underground utility facilities at each crossing point by the proposed excavation in a non-destructive manner.
 - (B) Expose all parallel underground utility facilities in a non-destructive manner at the beginning and end of each trenchless excavation. Any parallel underground utility facility that is within five (5) feet of the proposed alignment shall also be exposed every one hundred (100) feet. Any parallel underground utility facility that is within three (3) feet of the proposed alignment shall be exposed every fifty (50) feet.
 - (C) Ensure that the final product installation maintains a minimum 12-inch or other agreed upon clearance of existing underground utility facilities.
7. **ROAD CLOSURE:** Whenever the full closure of a road is needed, the permit holder or its contractor shall provide the Concord Township with a set of plans showing the proposed traffic control signs, detour route maps, notes, etc. Upon approval of plans, contractor must notify Concord Township and the Concord Township Fire Department five (5) working days prior to actual closure of road.
8. **RESTORATION:** Whenever any party is issued a permit to excavate in any roadway or right-of-way of any road or public way, such party causing such excavation shall restore the same in such a manner and by the time as required by Concord Township. All road and driveway repairs shall conform to any required township or county standards and specifications. Permanent repairs to any road, open-cut for the purpose of installing, extending or repairing any pipe, utility, wire, cable, conduit or any other repair shall be made in accordance with current specifications and conditions approved by Concord Township. In addition to the foregoing, all excavation under and within five (5) feet of the edge of pavement and the 1:1 zone of influence will require premium backfill with ODOT #304 limestone. Compaction efforts shall be in accordance with ODOT standards. If settlement does occur within a two (2) year period after completion of construction, the applicant shall place additional fill as required and also perform the associated restoration of the area disturbed.
9. **EMERGENCY REPAIRS:** When any public agency, private utility company or contractor must excavate within the roadway to make emergency repairs for the safety and convenience of the public, the same shall request a permit the following working day. All permanent repairs shall conform to these regulations.

10. **INSPECTION:** Personnel of Concord Township, or its designee, shall perform inspections and approve acceptance of work performed under these permits. It is the permit holder's responsibility to request inspections. If, in the opinion of Concord Township, additional inspections are needed due to the size or nature of the work, the contractor shall place on deposit funds necessary to pay for said inspections. If a deposit is required, the amount will be negotiated with the contractor.
11. **TRAFFIC CONTROL:** If traffic control devices are required, all such devices shall be furnished, erected, maintained and removed by the contractor in accordance with the Ohio Uniform Manual of Traffic Control Devices with current revisions. Copies are available at the Ohio Department of Transportation, 25 S. Front Street, Columbus; or ODOT District 6, Delaware, Ohio.
12. **NEW PAVEMENT OR REPAVEMENT:** No permit will be granted to open-cut new pavement or repavement of a road, except for the purpose of emergency repairs, until after three years from the completion of such new pavement or repavement. When any emergency repairs are necessary, such repairs shall be made in accordance with any conditions or requirements of these regulations and Concord Township.
13. **FEES:** A permit fee of **\$50.00** shall be charged (ORC §5571.16). In addition, plan review and inspection fees will be charged for all new work. See Application for fee schedule. No permit or fee is required if work involves only the installation of U.S. Postal Maintenance approved mailboxes on breakaway posts. If full stand-by inspection is requested by the contractor, a fee will be negotiated which must be deposited with Concord Township prior to commencement of work.
14. **CONSTRUCTION BOND:** In addition to permit fees, plans review fees, and inspection fees, a bond shall be required for the following: open-cutting of pavement; work in right of way outside of paved area; installation of culvert pipes. No bond shall be required for replacement of existing driveway culvert pipe so long as the replacement is the same diameter and alignment as the existing culvert pipe (application and permit still required).
15. **No bond shall be refunded if the construction does not meet the required standards, is in violation of these regulations, or is not carried out according to the application and approved permit. Bond will be refunded if work is corrected within 30 days of initial inspection and the correction meets the standards and regulations. It is the applicant's responsibility to request both the inspection fee and refund of bond.**
16. **MATERIALS TO BE USED:** All materials to be used shall be listed on the application for excavation in the right-of-way and shall be approved by Concord Township, or its designee.
17. **SUBSTANDARD OR INCOMPLETE WORK:** Substandard or incomplete construction or restoration will result in forfeiture of bond in the amount required for Concord Township to complete, repair or restore the excavation at a rate of **\$50.00** per hour plus materials. Severe nonconformance with these standards may result in the issuance of a stop work order by the Road Superintendent or, if unavailable, such other Township representative as may be designated by the Concord Township Board of Trustees.

17. **ENFORCEMENT:** Notwithstanding any of the foregoing, these Rules and Regulations may be enforced by the Concord Township Road Superintendent, or his or her designee, or, if the Road Superintendent is unavailable for any reason (including vacancy in the position), by any official or representative designated by the Concord Township Board of Trustees. If the Township incurs any costs associated with such enforcement, such costs shall be borne by the party or parties against whom enforcement is sought. If a violation of these rules and regulations results in an immediate risk of danger to any affected party, as a condition of any issued permit, an applicant consents to the immediate enforcement of these rules and regulations by the Township to the extent necessary to eliminate the identified risk of danger.

Date: January 22, 2025

Resolution No. 25-0122-2

Resolution to Approve the Delaware, Knox, Marion, Morrow Joint Solid Waste Management District's Solid Waste Management Plan Five Year Update

Whereas, the Delaware, Knox, Marion, Morrow Joint Solid Waste Management District (District) Policy Committee, prepared and adopted a final draft of the Solid Waste Management Plan Five Year Update (Plan) over an 18-month period in accordance with Ohio Revised Code Section 3734.

Whereas, the District conducted a 30-day public comment period and held one public hearing where no comments were received;

Whereas, the District provided a copy of the Solid Waste Management Plan and a one-page summary to each of the legislative authorities of the District;

Whereas, the Plan must be approved by legislative authorities within the District during the designated 90-day ratification period between **January 13, 2025, and April 12, 2025**;

Now, Therefore be it Resolved, that the Concord Township Board of Trustees :
(name of county, city, village, township)

1. is located within the jurisdiction of the District;
2. acknowledges receipt of the Solid Waste Management Plan and factsheet
3. either (please indicate):
 - a. approves the District Solid Waste Management Plan; or
 - b. disapproves the District Solid Waste Management Plan
4. Directs the Clerk to send the District a copy of this resolution to the attention of Ms. Jenna Hicks, District Director, DKMM Joint Solid Waste District, 619 West Marion Road, Suite 107, Mount Gilead, Ohio 43338.
5. Finds and determines that all formal actions concerning and relating to the passage of this resolution were adopted in an open meeting(s) and of any committees that resulted in such formal actions were made in meetings open to the public in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.
6. Finds that this resolution shall be in full force and effect immediately upon its adoption.

[Signature] 1/22/25
Date

Signature of Appropriate Officer (Trustee)
Jill M. Davis 1/22/25
Attest (Fiscal officer)



Delaware • Knox • Marion • Morrow Solid Waste Management District
619 West Marion Road, Suite 107, Mount Gilead, Ohio 43338

PLEASE pass a resolution in support of the Plan Update! It counts as a “no” vote if you don’t vote at all.

RATIFICATION OF THE DELAWARE, KNOX, MARION, MORROW

SOLID WASTE MANAGEMENT PLAN UPDATE (2026-2040)

RATIFICATION PERIOD JANUARY 13, 2025 through APRIL 12, 2025

Every solid waste district in Ohio must develop and update their solid waste management plan periodically. Once updated, the plan must be ratified by each political subdivision. **The plan becomes ratified when city/village councils and township trustees representing 60% of a district’s population**, including its largest cities and the legislative authority of the counties, vote to approve the plan. If the plan is not ratified, the Ohio EPA will write a plan without local input and order the district to implement it. **This fact sheet provides general information about the District’s solid waste plan update which is now out for ratification. The ratification period is from January 13, 2025 through April 12, 2025.**

The Delaware, Knox, Marion, Morrow Solid Waste Management Plan

This Plan Update describes the waste management programs to be implemented during the planning period and how these programs meet the nine waste reduction and recycling goals established in the State Solid Waste management Plan. The Plan Update includes a five-page executive summary followed by 23 appendices which include detailed program descriptions, historical data, and data projections for the planning period.

How to Review the Plan Update

The Plan Update can be viewed at the District’s website- dkmm.org, or at the District’s office located at The Morrow Community Services Center, 619 West Marion Road, Entrance B, Suite 107, Mount Gilead.

Plan development

The Plan Update was written by the District in conjunction with the District’s Policy Committee through an 18-month process. The Policy Committee consists of one representative of each category from each county and one member at large for a total of 29 members. Members represent the following categories: commissioners, largest city, townships, health commissioner, industrial sector, citizen, and public interest.

Plan Implementation and Funding

The District employs two staff who are responsible for overseeing the implementation of the Plan Update. The District is funded by a designation fee. This fee of \$6.00 is collected for each ton of waste produced within the four-county district. The District’s current fee of \$6.00 has not changed since 2012. To continue current programming and allow for new initiatives to be implemented, an increase in the fee is needed. **With this Plan Update, the designation fee will increase to \$7.50 per ton.** This Plan continues to authorize the District to establish facility designations in accordance with Ohio Revised Code.

Programs and Services

All of the existing programs and services offered will continue with the ratification of this Plan Update and several new programs will be initiated as well.

Current & Ongoing Programs	New & Upgraded Programs
Drop-Off Recycling Locations Robust Education Program Residential Yard Waste Composting Technical Support for Businesses & Industries Municipal Tire Grant Solid Waste Monitoring & Enforcement	Downtown Business Recycling Open Dump & Tire Dump Cleanup Funding Waste Audit Implementation Grant More Hazardous Waste Collection Opportunities More Electronics Recycling Opportunities DKMM Recycling Grant Residential Food Waste Composting

For more information please contact Jenna Hicks, District Director at jhicks@dkmm.org or by phone at 419-751-2290.

RESOLUTION NO. 25-0122-3

Delaware County, Ohio

Mr. Haney moved for the adoption of the following Resolution:

Be It Resolved by the Board of Trustees of Concord Township, to approve use of township funds for payment of Delaware County Regional Planning Commission dues calculated as follows:

End of 2024 Population Estimate of 12,532 x \$0.75/person for a total of \$9,399.

Mr. Garrett seconded the motion.

Vote:	Johnson	_____
	Garrett	_____ <u>yes</u>
	Haney	_____ <u>yes</u>

Adopted this 22nd day of January, 2025

Attest:

Jill M. Davis
Fiscal Officer

Board of Trustees:

