
MINUTES OF SYMMES TOWNSHIP WORK SESSION

MARCH 19, 2018

The meeting was called to order at 5:23 p.m. Elected officials present were: Mr. Phil Beck, Mr. Kenneth Bryant, Ms. Jodie Leis, and Ms. Carol Sims

Also present: Kim Lapensee – Administrator.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Bryant made a motion to approve the Agenda. Ms. Leis seconded the motion. Motion passes.

OLD BUSINESS

None.

NEW BUSINESS

1. Lighting District Assessment Policies. Mr. Bryant read the staff report that states that we have gotten questions about persons not owning their home during the past lighting district assessments. Mr. Bryant stated that the Board will need to decide whether or not we are going to back bill persons for the lighting assessments. He stated that he had asked Mrs. Lapensee how we actually bill for assessments and she stated that we really do not bill the owners, we bill the parcels for the lighting costs. Mr. Bryant stated that he wanted to see how many people were complaining before we made a decision. Mrs. Lapensee stated that Section 515.08 states there are only 4 ways in which we can assess properties for lighting (percentage of tax value, proportion to benefits, foot frontage of the properties or by equal amounts against each lot). Mr. Beck stated that we will still have the same complaint from any of the owners of the parcel no matter what. Mrs. Lapensee stated yes. Mr. Bryant stated that at least we have the ORC adding credence to what we are stating in our policy. Ms. Leis stated that if the owner does not make the payment, then there would be a lien filed against their property for non-payment of taxes. Mrs. Lapensee stated yes. Mr. Bryant stated that everyone paid their taxes, but in this case, people wondered if they would be credited. There was a discussion over how we could credit past paid taxes. Mr. Bryant stated that there are a few persons waiting to see how we are going to respond to these assessments. Mr. Beck stated that no matter what, we are still owed the money to pay the lighting bills no matter who owns the property. He stated that its one thing if you know you owe the money when you buy it vs not knowing. He did say that the amount owed was not a large amount of money.

Mr. Bryant stated that we can look at these assessments in multiple ways. He stated that he sells his house and pays up front for closing costs which include the full tax year. A new seller comes in and has to pay up front as well for escrow plus all the back assessments. Ms. Leis stated that you could also look at it from this way – I buy a house and within a month, the furnace dies and I have to go buy a new one. She stated that it’s the same scenario. Mr. Bryant stated that he did not know what to tell anyone. Ms. Leis stated that she did not want to set a policy and that we should look at it on a case by case basis and wait. Mr. Bryant thinks that we should set a general policy (i.e. we get a bill from Duke, we bill the parcel to pay the bill, we pay the bill). Ms. Sims stated that we can always revisit the policy.

Mr. Beck stated that he feels that there are two categories. The first one is solid law and the second is arbitrary. He used the example of a fence going up without a permit and we

fine them a double fine because they did not get a permit. He feels that is arbitrary. He stated that with an assessment it is not arbitrary; It's an assessment that is based on fact. He stated that the township made a mistake and he feels bad about it, but it still needs to be assessed. He thinks we should solve it from this angle – We made a mistake, we feel bad and to make it up, we would like to offer you a free park shelter reservation. He stated that we can still pay what we need, but offer a heart felt sorry. Ms. Leis stated that she is okay with offering free shelter rentals to make up for our mistake. Mr. Bryant stated that he likes something we can hang our hat on.

2. Cemetery Rules and Regulations. Mr. Bryant read from the staff report that we have been receiving partial payments for cemetery lots and that staff was unaware of this practice and so was he. He stated that he knows of at least 5 or 6 lots out there where we still have money owed on them. He asked what the Board wanted to do going forward. Ms. Sims stated that she has allowed a person to reserve an additional lot after they purchase a lot for their spouse but does not have the money to pay for it all up front. She stated that Mr. Pitman was aware of this practice. She stated that he was present during the selling process on certain occasions. She stated that there are only about 1 or 2 people who are making regular payments on their graves. She also stated that we are not short on grave spaces so why pull those graves away from them? Mr. Beck asked if they were making reasonable payments. Ms. Sims stated yes. Ms. Leis asked how much a grave cost. Ms. Sims stated that it depends on whether they are a resident or not (\$700 vs \$1,700). Mr. Beck asked how long we allow these individuals to make payments. Ms. Sims stated that she usually tells people 6 months. She feels that we should not take away a grave next to a spouse if they can't pay for it. Mrs. Lapensee asked how we track these payments because the township was not using the cemetery program to do it. Mrs. Lapensee stated that when we look up that information in the computer, it does not tell us anything. Ms. Sims stated that it is marked hold in the computer. Mrs. Lapensee wanted to know how much money has been taken already. Ms. Sims stated that we can just call her to see what the balance is for each grave she has on hold. She stated that she gave Mr. Pitman copies of the ledgers so he knows which graves are on hold. Mrs. Lapensee stated that the simple thing to do is allow people to pay for graves via credit card and then we do not need to track the payments and everyone who uses one has to pay for the convenience fee. Mr. Bryant stated that Mr. Pitman told him that he did not want to be caught in a situation where "dad" made partial payments on a grave, "dad" dies and there is an outstanding balance. The "son" does not know how much is left or anything about the grave. He does not want to be caught up in the middle of a family matter over money during a death situation. Ms. Sims stated that there is no grave technically until all payment is made and a deed has been issued. Mr. Bryant stated that we then have to prove that "dad" did not pay the balance. Mr. Beck asked if the person was asked to sign an agreement when they make payments. Ms. Sims stated that there is no agreement; they just send in a check. She stated that they get a statement at the end that it was paid in full then get their deed.

Ms. Leis wanted to know if we could use the credit card for other items such as park rentals. Mrs. Lapensee stated yes and then we just make the person who uses the card pay the convenience fee. Mr. Bryant asked if we wanted to continue with taking payments or make the payment due at the time of sale. Mr. Bryant stated that we could say we aren't going to take any more payments, but then we still have some out there that have not yet paid. Mrs. Lapensee stated yes, but we could give them until the end of the year to pay in full or refund what they have paid to date. Mr. Beck asked if that was what we wanted to do – drop the hammer or work something out with each individual. Ms. Leis stated that we are running a business. Mrs. Lapensee stated that we do need the money to continue to take care of the cemetery and the only way to do that is sell graves and bury people. Ms. Sims stated that at least we could make money on the grave over time if we allow payments. Mrs. Lapensee stated that if we allow credit card payments, we get our money up front. Ms. Sims stated that she feels that we should do a lot of research on taking credit cards before we do something like that. She stated that we would need to protect people's personal information. Ms. Lapensee stated it would be the same as if you went to Kroger and paid for your groceries. Ms. Sims stated that how many times have we seen it on the news where personal information has been stolen. Ms. Leis stated that

whomever is hacking will be going after the larger providers instead of us small users. Ms. Sims stated that she would like to get more information on that. Ms. Leis stated that many people just do not carry cash anymore. Ms. Sims asked how we would handle the return of the deposits. Ms. Leis stated that we could just return it on the credit card. Mrs. Lapensee stated that a lot of the residents do not have checks and we have to send them down the street to their bank to get a check made out for the deposit. Mrs. Lapensee stated that it would really help to have a credit card machine for the parks.

Mrs. Lapensee stated that we also need to add and delete certain items from our rules and regulations. She went over the changes 1) payment for graves – no partial payments, 2) burials – all money is due at the time of burial, 3) only accept human or their cremains for burials, 4) sign a location agreement, 5) decorations – second week of March all decoration are removed, 6) memorial garden – OT fees already built into the price, 7) columbarium – no containers shall be left unattended, 8) Cremation authorization form – need this and can't be moved unless you have authorization to move or remove, 9) not responsible for any personal property.

Mrs. Lapensee asked if they wanted to move forward with the credit card option. The Board agreed to look into it further.

3. Room and Facility Agreements and Reservation Form. Mrs. Lapensee stated that she bringing this item forward because of the lawsuit we recently received regarding the use of the room. She recommends that we have everyone fill out the form (letting us know who will be using the room, what the use will be and to let everyone know that it's a public building and that all meetings are open to the public. She suggested that we start charging a nominal fee to use the buildings or house(s) for cleaning. She stated that each group using our building really should also have insurance. This will protect us from lawsuits and the like or in case they burn the building down. She stated that not everyone will have insurance. Mr. Beck stated that we built that building and opened it up for the public to use and they should be allowed to use it. He stated that we did open ourselves up with the Republican Club and now we will have to allow any political affiliation to use it. She recommends that everyone use a form. Mr. Bryant stated that he would like to review this draft. Mrs. Lapensee stated that it is the same draft the Chief Huber and Mr. Eliff worked on previously. Mrs. Lapensee stated that she can tweak the form any way anyone wants. She also recommends that we do it for our houses too. Mr. Beck suggested a cleaning deposit. Ms. Leis stated that we will also need to talk about other organizations who store their belongings in our buildings. Mrs. Lapensee stated that yes, we have a lot of stuff at the Meade House that is not ours. Mr. Bryant stated that the Boy Scouts store stuff at our maintenance building as well. Ms. Leis stated that they also need to tell us what they are storing. Mr. Beck suggested that we send it to the Police to review. There was a discussion about security. Mr. Beck asked how we wanted to handle the insurance part. Mr. Bryant stated that his wife's charity event has to have it at the church they use. Mrs. Lapensee stated that if they already have insurance, they can just get a special certificate for the use. Mr. Beck asked who uses the room. Mrs. Lapensee stated that mainly the HOA's and government uses (BZA, Trustees, Zoning Commission) and all staff meetings. The safety center is used by Homeland Security, EMA, ODNR and sometimes the Historical Society. Mrs. Lapensee stated that the Historical Society has been using the Meade House for their regular meetings.

Mr. Bryant made a motion to adjourn the meeting. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mr. Beck - 'aye'; Ms. Leis- 'aye'.

Meeting adjourned at 6:25 p.m.

Approved:

Kenneth Bryant, Board President

Carol Sims, Fiscal Officer