

Washington Township Special Board Meeting
May 9, 2018 — 6:30 PM
Held at: Washington Township Government Center
311 Production Drive, Avon, Indiana 46123

Call to Order and Pledge

Board meeting was called to order at 6:30 PM and the pledge to the American flag was given.

Quorum

Quorum was established. Doug Elmore, Fred Palmer and Suzanne X Conger present. Also in attendance: Trustee Don Hodson, Township Legal Counsel Tony Jost, Parks Director Lora Lacey and public.

Public Comment: None

New Business- (all resolutions and supporting information are attached to the Township Website.)

1. 2018 Salary Resolution 050918-01 Amended

Trustee Hodson presented for approval the amended salary resolution to show the Human Resource salary at \$52,000. He explained the budgeted amount was this amount. The position would still be Part Time-Exempt. However, the prior resolution was never corrected to reflect the amount of \$52,000; but instead had a pay range that was maxed at \$31.00 per hour. After a thorough discussion, the resolution was tabled for a lack of a motion.

2. Avon Trail Project

Trustee introduced representatives from the Town of Avon: town Manager Tom Klein, Public works Director Ryan Cannon and the Town's Trail Design Engineer, Ryan Payton.

Parks Director Lora Lacey gave an overview of the Town Trail Project 2b concerning the location; the erosion issues; the Township's concern on safety, etc. She stated that the desire of the special board meeting was to allow discussion between the Township and the Town. She reviewed a proposed agenda for the meeting:

Overview by Lora Lacey and Don Hodson

Town Presentation by Ryan Cannon, Tom Klein and Ryan Payton

- a. Short history of the project
- b. Project Engineer's findings on the erosion issues
- c. Project Options going forward
- d. Proposed solutions from the Town

Questions form the Township Board

Review of the Park Easement by Legal Counsel-Tony Jost

Where do we go from here?

Ryan Cannon gave an overview history of the Project. He stated the project cost was \$1.2 million- with \$1 million being the bridge over White Lick Creek further south of the Township Park on CR 100 S. He stated the Federal Highway Works Administration had provided grant funding for the bridge. He also said the Indiana Dept. of Transpiration (INDOT) bid the project and the Town was paying for the project. He said after the federal guidelines had been met, the Funding was done in 2013, the project started in 2014 with construction beginning in 2018.

Ryan Payton, the Trail Design Engineer, reviewed the issues of erosion of the trail and answered questions.

Ryan Canon reviewed the options that the Town were considering for the project as a result of the erosion issues:

Option 1- Abandon the Project - Ryan stated that was the option of last resort.

Option 2- Build the trail where designed

- A. Repair and armour the eroded bank
- B. Drive sheet pile to secure the ground under the path
- C. Construct a boardwalk
- D. Build a retaining wall

Option 3- Move the trail to an alternate location- Ryan stated that would involve additional fees and time delay due to new permitting and securing Federal and INDOT approval.

- A. Move the trail to the west side of the pond
- B. Move the trail to the west side of the Pavilion Center.

During the Township Board Question period, Fred Palmer outlined what he saw as four issues facing the Township:

- 1. Creek Erosion
- 2. Path Relocation
- 3. Pond Relocation
- 4. Easement Relocation

Legal Counsel, Tony Jost, outlined his findings concerning the Town Easement that was given by Township Trustee Ronnie Austin and was recorded on the plat plan that was approved by the Town of Avon Planning Commission in 2010. He told the Board and the those present, that Mr. Austin had signed the Easement as the Township Trustee at that time period. Mr. Jost reviewed the state statues governing the Park Governor powers and concluded that those did not apply at that time because Mr. Austin DID NOT sign as such and the code did not give such latitude of giving an easement. Mr. Jost also stated that in order for the Trustee to sign the easement would require the Township Board directing him to do so. Trustee Hodson advised present he had reviewed the Township Board Meeting Minutes and the Township Resolutions for 2008, 2009 and 2010 and DID NOT find any such action by the Township Board at that time directing Trustee Austin to do so. Mr. Jost then reviewed the actual Easement language. He advised even if the easement was accepted as written, the Town was required to pay for all cost of the trail including making sure that the park was put back in the condition prior to the project. He concluded by stating the easement needed to be amended so that the state statues governing. Such action by the Township were done legally and a better defined easement for both sides was outlined once both sides concluded what direction to take.

After much discussion, it was decided that once Ryan Cannon decided on the option to recommend he would advise the Trustee and Park Director. After that the consensus was to hold another meeting of those present to work through the issues and the easement. Trustee Hodson stated maybe when that occurred that the Town Council be included. Town Manager Tom Klein stated he would rather not include the Town Council.

Public comment: None

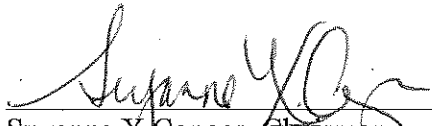
Wishes to be heard- None

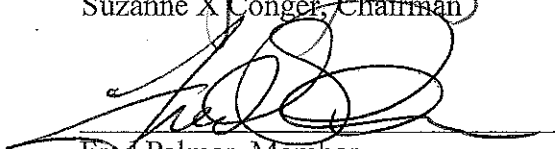
Adjournment

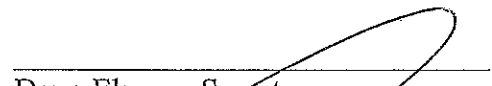
Doug Elmore moved to adjourn the meeting and Fred Palmer seconded the motion. **Motion carries 3-0.**
Meeting adjourned at 8:03 PM.

The next regularly scheduled Board meeting is August 14, 2018 at 6:00 pm for a budget workshop with the board meeting at 7:00pm. All meetings are held at Washington Township Government Center, 311 Production Drive.

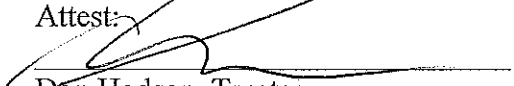
Minutes Approved ^{August 14} April 10, 2018:


Suzanne X. Conger, Chairman


Fred Palmer, Member


Doug Elmore, Secretary

Attest:


Don Hodson, Trustee