

**ELIZABETH TOWNSHIP BOARD OF TRUSTEES
MIAMI COUNTY, OHIO
SPECIAL MEETING MINUTES OF APRIL 7, 2020**

The Elizabeth Township Board of Trustees held a Special Meeting on April 7, 2021 at 5710 E. Walnut Grove Road, Troy, Ohio at 5:00 p.m. William D. Sutherly, President, called the meeting to order and the Fiscal Officer called the roll. The following members were present:

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| President | William D. Sutherly | Sam Buchman | Anthony Kendall |
| Vice Pres. | Greg D. Dilts | Eric Carey | Randy Mott |
| Trustee | John R. Ryman | Darrell Davis | Walt Pemberton |
| Fiscal Officer | Mary Ann Mumford | Chris Englert | |

The following order of business was established:

ITEM # 1 Casstown Cemetery

ITEM # 2 Adjournment

ITEM # 1 Both boards met with the Miami County Prosecutor's office to discuss their options for the Casstown Cemetery. Nic Rice and the Casstown Cemetery Board has notified both Elizabeth Township and Lostcreek Township their intention of walking away from the Casstown Cemetery when their money runs out. Leaving it for both Elizabeth Township and Lostcreek to take over the cemetery as it lies in both townships.

Mr. Buchman said he does not want to see the cemetery abandoned and would like the townships to work together to keep it going. The boards discussed that the cemetery is active on the Lostcreek Township side, with few plots active on the Elizabeth Township side. The board agreed that the cemetery was once self-supporting and Robert Baird gave Mr. Sutherly some ideas on how to generate more revenue.

According to the most recent data 14.113 acres are located in Lostcreek Township and 10.451 acres being located in Elizabeth Township. The boards discussed how to care for the cemetery fairly between the two townships, with each paying for their portion of the cemetery.

The boards looked at out sourcing the maintenance of the cemetery and the opening and closing of the graves.

The Lostcreek board said they would have to place a levy on the ballot to generate the funds for maintaining the cemetery. Elizabeth Township board discussed that they would not be able to put a levy on the ballot due to their current financial situation, so ultimately it would come from funds already in the township.

The boards discussed forming a Cemetery Union or Partnership with the Village of Casstown and the two townships. Chris Englert shared ideas on forming the union/partnership, and how that could be accomplished, if that was something that the boards wished to pursue. Mr. Sutherly said Mr. Maxson quit the cemetery because he was not getting retirement and it sounds like he wants to come back. Mr. Sutherly said we are looking at hiring full time tonight ourselves.

The latest projections of the cemetery was discussed between the boards. The Village of Casstown has less than 300 residents and a levy may still not be sufficient for carrying the cemetery. The Lostcreek Board doubted a levy would pass for them to maintain the cemetery. Mr. Buchman suggested that the two township boards could carry the difference that the Village of Casstown cannot meet with a passed levy. It was discussed that there is no guarantee a levy would pass in Casstown.

Walt Pemberton said Casstown Cemetery has \$40,000.00 in an endowment that is not included in their current \$80,000.00 balance.

Mr. Kendall asked the boards why they are under the understanding that the townships have to take the Casstown Cemetery if they run out of funds. Mr. Kendall advised Elizabeth Township to pull out their Legal Opinion that was issued and look at paragraph I. Paragraph I states that neither township is legally obligated to take over the Casstown Cemetery should the cemetery run out of funds in this particular circumstance. Both townships are completely under no obligation to take over the Casstown Cemetery and the Village of Casstown cannot just walk away from their situation they are in, and force Lostcreek and Elizabeth Township into taking the cemetery.

SPECIAL MEETING MINUTES OF ELIZABETH TOWNSHIP APRIL 7, 2021 CONTINUED:

After clarification from Anthony Kendall, Miami County Prosecutor; A Motion by Greg D. Dilts, Seconded by John R. Ryman to waive the Attorney Client Privilege to share Paragraph I of the Elizabeth Township Legal Opinion Number 21-11, dated March 3, 2021, from the Miami County Prosecutor with a third party notifying Casstown Cemetery that Lostcreek and Elizabeth Township are under no obligation of taking the cemetery due to the current circumstances. VOTE: Mr. Ryman-yes, Mr. Dilts-yes, Mr. Sutherly-yes. William D. Sutherly, President, declared the Motion carried. Mr. Sutherly will give Nic Rice a copy of paragraph I of the Legal Opinion Dated March 3, 2021. Both boards agreed that they would not be taking over the Casstown Cemetery, and there could be resources available for Casstown to explore to move forward. They may be able to apply for grants, or speak to someone who is facing the same financial situation, but they need to take the initiative to do something and figure it out.

ITEM # 2 A Motion by Greg D. Dilts, Seconded by William D. Sutherly to adjourn at 6:00 p.m.

APPROVED APRIL 21, 2021

Greg D. Dilts, President

John R. Ryman, Trustee

William D. Sutherly, Vice President

Mary Ann Mumford, Fiscal Officer