

RECORD OF PROCEEDINGS

Minutes of Danbury Township Board of Trustees Regular

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

February 9, 2016

The Regular Meeting of the Danbury Township Board of Trustees held at the Danbury Township Hall building on February 9, 2016, was called to order at 6:30 p.m. by President Charles B. Scott; the pledge of allegiance was recited, with Mr. Scott, Ms. Dianne M. Rozak, and Mr. David M. Hirt in attendance. Also present Fiscal Officer Shelley Seamon, Road Superintendent Brett Waldron and Zoning & Planning Administrator Kathryn Dale. Police Chief Mike Meisler & Fire Chief Keith Kahler were excused.

Richard Dale was the only visitor in attendance.

Ms. Rozak moved and Mr. Hirt seconded the motion to table discussion about the Employee Assistance Programs; Workplace Resources vs the Jefferson Plan since Police Chief Mike Meisler and Fire Chief Kahler were not in attendance. The vote was unanimous and motion carried.

Approval of the Minutes

Mr. Scott moved and Mr. Hirt seconded the motion to approve the minutes of the special and regular meetings held of January 27, 2016 as presented. The vote was unanimous and motion carried.

Correspondence Received

Gary Mortus, Area Manager of FirstEnergy Service Company sent information regarding the television ads from the Alliance for Energy Choice attacking FirstEnergy's Electric Security Plan in an attempt to cloud an issue that is important to Ohio's energy future.

John H. Thompson, Director of the U.S. Census Bureau sent notice that soon the Township would receive the 2016 Government Unit Survey (Form GUS-1) in preparation for the 2017 Census of Governments.

Mark Mulligan, Ottawa County Prosecuting Attorney sent notice the in the past he and the Ottawa County Sheriff have requested donations from the Township's and Village's to help assist in the financial operations of the Ottawa County Drug Task Force, however through cautious maintenance of these donation from years past, he believes the balance in this fund is sufficient to carry the program through 2016, therefore they are not requesting donations from Township's or Village's this year.

A copy of the annual report for 2015 for the Ottawa County Municipal Court was received,

Roads, Buildings, & Grounds

Road Superintendent Brett Waldron reported that the department had completed berming of Township roads, vehicle & equipment maintenance is continuing, and one minor snow event was handled.

The Trustees and Mr. Waldron discussed quotes received thus far for masonry repairs for the Keeper's House at this time the following quotes were available: Swain Masonry quoted \$7200.00 and Masonry Construction quoted \$19,572.00. Swain stated it was only an estimate and some sides will take more time than others; not sure until getting into the project. Masonry stated if it is a government grant requires prevailing wage that \$10,240 would need to be added. No action was taken.

Police

Mr. Scott announced that Police Chief Mike Meisler was excused due to illness and he did not have an incident report for tonight's meeting.

Mr. Scott reported that the annual SKYWARN Storm Spotter class, which was coordinated by Fred Petersen Director of the Ottawa County Emergency Management Agency, is scheduled for March 22, 2016 at the U.S. Border Patrol, Sandusky Bay Station, in Port Clinton, Ohio.

Mr. Scott explained that the Cleveland office of the National Weather Service is providing the training at no cost; however attendance for Patrolmen Charles Cunningham, Brandon Taylor, Brad LaMarca, and Brian Sloan would require approval of 4 hours of overtime.

Whereas the goal of the SKYWARN Storm Spotter training is to provide some understanding of storm structure to better prepare spotters to look out for and report extreme and unusual meteorological circumstances; Mr. Scott moved and Mr. Hirt seconded the motion to approve 4 hours of overtime for Patrolmen Charlie Cunningham, Brandon Taylor, Brad LaMarca, and Brian Sloan to attend the SKYWARN Storm Spotter class on March 22, 2016 at the U.S. Border Patrol, Sandusky Bay Station, in Port Clinton, Ohio. The vote was unanimous and motion carried.

Fire

Mr. Scott announced that because the Trustees had changed the first meeting in February to Tuesday, February 9, 2016 from Wednesday, February 10, 2016 because of Ash Wednesday, Fire Chief Kahler was excused because he was instructing an EMT class this evening.

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Mr. Scott read from the reported that was submitted by Fire Chief Kahler for tonight's meeting, which listed his department had responded to 13 EMS calls and 2 Alarm calls to date in February.

Ladder Testing-Ohio CAT

The Trustees reviewed an estimate from Ohio CAT for ladder testing that totaled \$987.50. Review and discussion of the ladder testing estimate for the Fire Department resulted in the following action: Mr. Scott moved and Ms. Rozak seconded the motion to approve ladder testing with Ohio CAT at a cost of \$987.50 and authorize Trustee Charles Scott as the signatory for said estimate. The vote was unanimous and motion carried.

Zoning

Zoning & Planning Administrator Kathryn Dale reported that during the month of January 2016 her department issued 11 permits, handled 412 calls, emails, and in-person inquires and conducted 76 site visits. Mrs. Dale also reported that to date in February 2016, her department has issued 5 permits and the fees collected totaled \$88.60.

The **Board of Zoning Appeals** is scheduled to meet February 17, 2016. The following cases have been submitted: to date the following cases have been submitted.

BZA-2016-002 8098 Rollie Request for Area Variance from Section 3.5.7 to allow a storage shed addition onto the existing house to encroach into the west, 5' required side-yard setback (10' proposed) Peter & Linda Neura Appellant/Owner.

BZA-2016-007 518 Erie Beach Request for Area Variance from Section 5.8.1.B to allow a 12' x 25' in ground pool in the side yard (3 sided front with no rear yard) to be 5' from the northern side property line (10' required). Tom & Cathy Dearth. Appellant/Owner.

BZA-2016-009 2109 Tecumseh Request for Area Variance from Section 5.3.7 to allow for the construction of a new home to encroach into the north, 20' required front-yard setback (11' proposed). Don & Judy Kiser Appellant/Owner.

BZA-2016-010 5831 E Harbor Request for a Conditional Use to allow for a 26 unit Condominium Development in accordance with Section 3.1.10.Ciii and Section 4.3. Larry & Linda Beerman, Owner in Contract with Rospert Enterprises Inc. William & Bree Brown, Agents.

BZA-2016-011 5401 Maritime Shoreway Request for a Conditional Use to allow for a 26 unit Condominium Development in accordance with Section 3.1.10.Ciii and Section 4.3. West Harbor Marina LLC (William Brown), Owner, Bree Brown, Agent.

With reference to **BZA-2016-010 5831 E Harbor** and **BZA-2016-011 5401 Maritime Shoreway**; Mrs. Dale reported that she is anticipating a large turn-out for these cases; therefore Attorney Jeffrey Stopar and a court reporter will be present.

Per the request of the appellant **BZA-2016-006 Lot 21, Plat II of Harbor Bay Estates (Roche Pointe Condominiums)** has been postponed until March 2016. Request for a Major Modification to a previously approved Conditional Use (BZA-2007-217) to eliminate 4 structures/8 condo units and replace with 2 detached garage buildings containing 6 garage bays/units for the owners of Roche Pointe Condo units. Dan Talip, Agent/Appellant, American Title Agency, Inc. /Owner.

Mrs. Dale announced that BZA training will be held on Tuesday, April 12, 2016 at 6:30 p.m. at the Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio.

Board of Zoning Appeals Appointment

Ms. Rozak reported that she met with Sharon Michaels regarding Ms. Michael's interest in serving on either Zoning Board. Ms. Rozak recommended to appointment Sharon Michaels as an Alternate Board of Zoning Appeals member.

Based on the recommendation of Trustee Dianne Rozak and discussion amongst the Trustees regarding the appointment of Sharon Michaels, Ms. Rozak moved and Mr. Scott seconded the motion to appoint Sharon Michaels as an Alternate Board of Zoning Appeals member to fulfill the unexpired term ending December 31, 2018, appointment effective February 9, 2016. The vote was unanimous and motion carried.

The **Zoning Commission** is scheduled to meet on March 2, 2016.

Violations/Complaints

1. **1070 Englebeck** (Inhabited camper, storage of boats & vehicles)
There has been no progress made on the fence. Permit is set to expire February 27, 2016. Case status is monitoring.
2. **1825 Bayview** (New Mobile Home not installed to zoning standards-Filut)
Nothing new was reported. Case status is monitoring.

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3. **1805 Arlington (Junk & Debris-Holmes)**

No response coming from Lafarge despite being asked. Case status is open.

4. **180 Elizabeth (Timber stock-pile)**

An email complaint was filed February 2, 2016 with concerns of the property owner bringing in large tree trunks and 2 potential junk vehicles on this property. Mrs. Dale reported that she did a drive-by inspection of the property and the timber is in the front yard, but does not obstruct the street and neither vehicle appear to fit all criteria for a junk vehicle. Case status is monitoring.

5. **0 Gravel Bar (Hudak property)**

A written complaint was received February 2, 2016 from the neighbor to the SW & caddie corner to Ms. Hudak's lot. The complaint indicates that yard waste is being piled on the lot. Mrs. Dale explained that she did a drive-by inspection of the property and there is a patch of trees in the rear center of the lot and some typical undergrowth but nothing that appeared to have been piled or dumped. Case status is monitoring.

Community Development Block Grants (CDBG) & County Land Bank

Discussion resumed again regarding list of abandoned and vacant homes that is to be submitted to Mark Messa, Director of the Ottawa County Regional Planning Commission.

Mrs. Dale acknowledged that she and Trustee Scott met to review the list and as result of this meeting she has categorized each property based on contact and/or non-contact of each property owner regarding whether or not property owners were interested in participating in the CDBG funding program.

Mrs. Dale reviewed the newly categorized list with the Trustees and spoke specifics about most properties with the Board. Discussion was held amongst the Trustees and Mrs. Dale and resulted as the Trustees agreed to submit the revised listing that was discussed at tonight's meeting to Mark Messa Director of Ottawa Regional Planning Commission.

Litigation Update

With regard to the non-compliance of the taxi service (the Steinbrick case), Mrs. Dale reported that there has been no contact made with John Coppeler or Township Staff from George Wilber in response to the second letter Mr. Wilber received regarding the taxi service continuing to operate. Mrs. Dale informed the Trustees that if no contact is made after this week, she and Mr. Coppeler are prepared to start the next necessary course of action next week.

2016 Budgets

Mrs. Seamon reported that she had given preliminary budget numbers to Road Superintendent Brett Waldron, Police Chief Mike Meisler, and Zoning & Planning Administrator Kathryn Dale and would have fire department numbers to Keith Kahler by the end of the week.

Mrs. Seamon stated that the preliminary budget numbers for the General Fund would be completed by Monday, February 15, 2016.

Mrs. Seamon provided that Trustees with copies of each budget and a copy of the letters that were given to Mr. Waldron, Police Chief Meisler, and Mrs. Dale.

Mr. Scott provided information to the Board regarding Chief Meisler's request to hire a part-time officer sometime in June 2016 and replacing 2 police vehicle's in 2016. These requests were discussed and resulted that the Board may look to replace the 1984 Police levy in 2017 or replace 1 police vehicle instead of 2 in 2016 to hire a part-time officer for the department in June of 2016.

Mrs. Seamon acknowledged that Chief Meisler had also provided a list of items for the proceeds to be received from the Kihlken Estate. Mrs. Seamon stated that none of these items were in the 2016 Police Budget because special funds are needed and until the funds are received she does not recommend including these items in the current budget.

Ms. Rozak reported that she and Mrs. Dale had spoken about Cheryl Harmsen ordering supplies for departments other than zoning and asked Mrs. Seamon how she was disbursing payment for the supplies Mrs. Harmsen is ordering for departments.

Mrs. Seamon responded that Cheryl Harmsen may order supplies for departments other, however the Department Head requesting the supplies completes a requisition for what is ordered, therefore the payment of the supplies are being disbursed to the correct department.

Mrs. Seamon acknowledged that she orders copy paper for use at the Township Hall regularly and the cost is charged to the General Fund.

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Mrs. Seamon asked the Trustees to set a special meeting to finalize the 2016 budgets and suggested the Trustees to limit each department head to 15 minute increments if the Board chooses to require department heads to attend.

The Trustees agreed to schedule a work session to discuss finalizing 2016 Budget for all departments with Fiscal Officer Shelley Seamon on February 18, 2016 at 6:00 p.m. at the Danbury Township Hall in the lower meeting room.

Danbury and Carroll Township Joint Resolution for 2016 Road Projects

Mr. Scott acknowledged that he had just received a voice message from Trustee Rodney Biggert of Carroll Township; therefore he listened to the message and returned Mr. Biggert's call.

Mr. Scott reported that Mr. Biggert has agreed to meet on February 18, 2016 at the Danbury Township Hall building to move forward with the joint resolution to apply for 0% financing through the Ohio Public Works Commission for 2016 road projects for both Township's.

Therefore the special meeting to finalize the 2016 Budgets for Danbury Township will include the passage of a joint resolution between the Danbury and Carroll Township Trustees to apply for 0% financing through the Ohio Public Works Commission. Said meeting shall begin at 6:00 p.m. in the lower meeting at the Danbury Township Hall located at 5972 E. Port Clinton Eastern Road, Marblehead Ohio. Mrs. Seamon will send notification to the newspapers and have the notice placed on the Township's website.

Comment & Concerns Prior to Dismissing the Department Heads

There were no comments or concerns and the Department Heads were dismissed at 7:11 p.m.

Federal Siren Maintenance Agreement -TransCore

Mrs. Seamon announced that the Federal Siren Maintenance Agreement with TransCore was received and the annual cost had increased to \$3,900.00 from \$3,785.00. Mrs. Seamon explained that the agreement was for the 5 emergency sirens and expressed that may be someone should contact Fred Petersen Director of Ottawa County Emergency Management Agency regarding their Federal Siren Maintenance Agreement to compare costs of such agreements.

Ms. Rozak explained that the Fred Petersen had implemented the agreements and the Township was only paying for their sirens.

Mrs. Seamon clarified she was not asking for Mr. Petersen to pay for the Township's agreement, she was simply suggesting, that may be the Township could enter into agreement with the Ottawa County Emergency Management Agency or their provider for the Federal Siren Maintenance Agreement at a lower cost.

Discussion concluded and the following action was taken: Mr. Scott moved and Ms. Rozak seconded the motion to approve the renewal agreement for Federal Siren Maintenance with TransCore at an annual cost of \$3,900.00 and authorize Fiscal Officer Shelley Seamon as the signatory for said agreement. The vote was unanimous and motion carried.

Cemetery Deeds

The Trustees signed the cemetery deeds for June & Thomas Gahrts, lot 123, graves 1 & 2 in the 2nd addition at Sackett Cemetery and for William & Mary Younce, lot 150, graves 3 & 4 in the 2nd addition at Sackett Cemetery.

Approve January Financial Reports & Bank Reconciliation

Mr. Scott moved and Mr. Hirt seconded the motion to approve the January financial reports and bank reconciliation as submitted by Fiscal Officer Shelley Seamon. The vote was unanimous and motion carried. (Note: The Trustees received said reports via email on January 31, 2016).

Approve Payroll & Payment of Bills

After examining payroll and bills totaling \$46,751.80, Mr. Hirt moved and Ms. Rozak seconded the motion that they are accepted and warrants or electronic transfers for the various amounts be processed. The vote was unanimous and motion carried.

100-2016	Marblehead Bank	January Bank Fees	\$78.42
101-2016	John L Belcher	Wages 1/16/16 - 1-29-16	\$1,285.25
102-2016	Daniel J Bergman	Wages 1/16/16 - 1-29-16	\$1,321.40
103-2016	Bradley L Biers	Wages 1/16/16 - 1-29-16	\$256.69
104-2016	Paul Blaho	Wages 1/16/16 - 1-29-16	\$236.14
105-2016	Terry L Conaway	Wages 1/16/16 - 1-29-16	\$125.15
106-2016	J. Charles Cunningham	Wages 1/16/16 - 1-29-16	\$1,298.40
107-2016	Kathryn A. Dale	Wages 1/16/16 - 1-29-16	\$1,624.65

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108-2016	John D. Grieve	Wages 1/16/16 - 1-29-16	\$507.73
109-2016	Jared E Griffith	Wages 1/16/16 - 1-29-16	\$1,235.21
110-2016	Cheryl K Harmsen	Wages 1/16/16 - 1-29-16	\$797.11
111-2016	Dean G Heberlein	Wages 1/16/16 - 1-29-16	\$653.19
112-2016	James S Holzhauser	Wages 1/16/16 - 1-29-16	\$442.06
113-2016	Stephanie A Hunsicker	Wages 1/16/16 - 1-29-16	\$382.17
114-2016	Matilda A Johnson	Wages 1/16/16 - 1-29-16	\$469.39
115-2016	Keith M Kahler	Wages 1/16/16 - 1-29-16	\$1,456.75
116-2016	Tammy J Kahler	Wages 1/16/16 - 1-29-16	\$141.65
117-2016	Lindsey N Knox	Wages 1/16/16 - 1-29-16	\$130.67
118-2016	Bradford K LaMarca	Wages 1/16/16 - 1-29-16	\$1,365.84
119-2016	Austin Lucas	Wages 1/16/16 - 1-29-16	\$374.13
120-2016	Brian C McCune	Wages 1/16/16 - 1-29-16	\$251.74
121-2016	Mark A Meisler	Wages 1/16/16 - 1-29-16	\$1,588.99
122-2016	Michael S Meisler	Wages 1/16/16 - 1-29-16	\$1,789.15
123-2016	Zachary D Miramontes	Wages 1/16/16 - 1-29-16	\$412.46
124-2016	Randy R Rakosky	Wages 1/16/16 - 1-29-16	\$448.90
125-2016	Trevor J Ross	Wages 1/16/16 - 1-29-16	\$484.67
126-2016	Matthew J Salyers	Wages 1/16/16 - 1-29-16	\$241.39
127-2016	Gregory W Shadler	Wages 1/16/16 - 1-29-16	\$267.02
128-2016	Brian P. Sloan	Wages 1/16/16 - 1-29-16	\$1,423.67
129-2016	Brandon L Taylor	Wages 1/16/16 - 1-29-16	\$1,569.60
130-2016	Timothy N Taylor	Wages 1/16/16 - 1-29-16	\$289.67
131-2016	Mark M Turinsky	Wages 1/16/16 - 1-29-16	\$1,104.17
132-2016	Brett A Waldron	Wages 1/16/16 - 1-29-16	\$1,568.04
133-2016	Joshua P. Young	Wages 1/16/16 - 1-29-16	\$1,638.96
135-2016	Internal Revenue	Federal WH	\$6,489.50
136-2016	Ohio Public Employees Deferred Comp.	Voluntary Contributions	\$530.00
137-2016	Time Warner Cable Northeast	Telephone/Internet -Twp. Hall/Roads/Zoning	\$374.51
138-2016	Time Warner Cable Northeast	Telephone/Internet -Fire Dept.	\$137.76
139-2016	Columbia Gas	Natural Gas-Fire Dept.	\$117.33
140-2016	Columbia Gas	Natural Gas-Fire Dept.	\$220.48
141-2016	Columbia Gas	Natural Gas-Police Dept.	\$98.77
40398	Megan A. Rakosky	Wages 1/16/16 - 1-29-16	\$117.98
40399	Ohio Child Support Payment Central	Child Support WH	\$185.95
40401	Ottawa County Sanitary Engineering	Water/Sewer Services Gen/Fire & Police Depts.	\$241.54
40402	Frontier	Telephone Services Keepers House-Police Dept.	\$75.32
40403	Truck Sales & Service Inc.	Electric Switch-Roads	\$72.09
40404	The Dexter Company	Plow Parts-Roads	\$380.75
40405	MT Business Technologies, Inc.	Copier Maint./Color Copies/Hall/Zoning/Police	\$217.42
40406	St. Vincent Mercy Medical Center	Life Flight Registration Fees - EMS	\$480.00
40407	Verizon Wireless	Cellular Services EMS & Police Depts.	\$549.76
40408	Danbury Twp. Vol. Fire Fighter's Assoc.	Reimburse Drug License Fee	\$150.00
40409	Matilda Johnson	Reimburse Life Flight Registration-EMS	\$120.00
40410	Winzer Corporation	Road Supplies	\$112.98
40411	Rakich & Rakich, Inc.	Badge/Uniform Shirts Police Dept.	\$437.94
40412	JVS Garage Door Co.	Garage Dorr Repairs -Police Dept.	\$225.00
40413	Oak Harbor Veterinary Hospital, Inc.	Vet Services -K-9	\$173.99
40414	Staples Business Advantage	Office Supplies -Police Dept.	\$169.95
40415	Danbury Hardware	Fire Dept. Supplies	\$19.83
40416	Cyclone Services Inc.	Trash Services	\$100.00
40417	Village Pro Hardware	Lights/Ballast- Fire Dept.	\$151.09

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40418	Liberty Auto Parts-Napa	Road Supplies	\$7.98
40419	Luckey Farmers, Inc.	Fuel-January 2016	\$2,535.79
40420	Port Clinton Ford Mercury Inc.	Vehicle Maint. - Police Dept.	\$120.02
40421	Midway Inc.	Brake Value-Fire Dept.	\$46.56
40422	Bound Tree Medical LLC	EMS Supplies	\$1,703.62
40423	Staples Business Advantage	Office Supplies - Fire Dept.	\$212.44
40424	Lafarge North America Inc.	Stone-Roads	\$76.05
40425	MNCO	Legal Ad-Admin.	\$44.40
40426	Lowe's	Road/Fire & Police Dept. Supplies	\$88.57
40427	Lakeland Auto & Marine Inc.	Road/Fire Dept. Supplies Vehicle Repair-Fire Dept.	\$2,444.72
40428	Cheryl Harmsen	Reimburse Stamps -Zoning Dept.	\$49.00
40429	Spoerr Precast Concrete, Inc.	Footer	\$43.00
40430	Interstate All Battery Center	Battery- Fire Dept.	\$125.00
40431	Culligan of Northern Ohio	Bottled Water-Garage	\$27.80
40432	Chief Law Enforcement Supply	Operating Supplies -Police Dept.	\$16.48
Total Payments			\$46,751.80

January Revenue & Expenditure Report

Fund	Revenues	Expenditures
General	\$4,037.58	\$24,540.46
Motor Vehicle License Tax	\$4,025.77	\$0.00
Gasoline Tax	\$6,951.74	\$2,532.75
Road and Bridge	\$0.00	\$28,974.26
Cemetery	\$536.40	\$297.98
Police District	\$39.50	\$57,897.20
Fire District	\$0.00	\$0.00
Zoning	\$755.20	\$578.67
Fire Levy	\$0.00	\$150.91
Drug Law Enforcement	\$0.00	\$0.00
Enforcement & Education	\$0.00	\$0.00
Fire & EMS Levy	\$32,282.06	\$36,440.79
CPT-2015	\$0.00	\$0.00
Totals	\$48,628.25	\$151,413.02

With regard to revenues received to date in February, Fiscal Officer Shelley Seamon acknowledged that the franchise fee received from Time Warner Cable was \$56,370.42, which was \$11,370.42 more than estimated. Mrs. Seamon stated that if the Board intended to spend the additional funds and amended certificate must be obtained from the County Auditor prior to spending any of the additional funds and she did not recommend obtaining an amended certificate.

A brief discussion regarding the additional funds received occurred amongst the Trustees, however no action resulted.

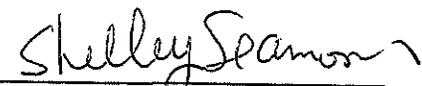
Fund Status Report

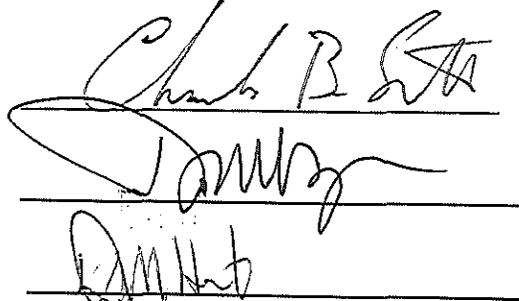
The Trustees signed the Fund Status Report dated February 10, 2016, which included payroll for the 10th of February.

Comments & Concerns

There were none.

There being no further business before the Board, Mr. Scott moved and Ms. Rozak seconded the motion to adjourn at 7:23 p.m. The vote was unanimous and motion carried.


Fiscal Officer



Danbury Township Board of Trustees