

RECORD OF PROCEEDINGS

Minutes of

Danbury Township Board of Trustees Regular

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

October 28, 2015

The Regular Meeting of the Danbury Township Board of Trustees held at the Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio on October 28, 2015, 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. Also present Fiscal Officer Shelley Seamon, Road Superintendent Brett Waldron, Police Chief Mike Meisler, Fire Chief Keith Kahler, and Zoning & Planning Administrator Kathryn Dale.

The only visitor attending was Tony Novak.

Approval of the Minutes

Mr. Scott moved and Mr. Hirt seconded the motion to approve the minutes of the regular meeting held on October 14, 2015 as presented. The vote was unanimous and motion carried.

Correspondence Received

The Trustees received an invitation to the Ottawa County Historical Society's Annual Meeting, which will be held on Sunday, November 1, 2015 at the Catawba Island Club, in Port Clinton, Ohio.

Larry Windau of Otto's Inc., sent notice that he will be retiring and his business will close on October 31, 2015. Gundlach Heating & Air Conditioning will be taking Otto's Inc. accounts.

Sara Toris Director of the Ottawa County Veterans Service Office sent a letter thanking the community for their support in bringing Wreaths Across America for all veteran graves in Ottawa County cemeteries in December 2014. Ms. Toris also respectfully requested financial support to bring Wreaths Across America for approximately 745 veteran graves in Danbury Township and the Village of Marblehead cemeteries in December 2015. The wreaths may be sponsored for \$15.00 each and funds should be sent to the Veteran's Office, 8444 W State Route 163, Suite 102, and Oak Harbor, Ohio 43440.

Roads, Buildings, & Grounds

Road Superintendent Brett Waldron reported that the fall clean-up was very well attended and the parks are in the beginning stages of winterizing. The new road mower is completed and will be ready for delivery the first week in November. The project to elevate water and mud issues at the dog park entry has been dug out and the stone donated by Lafarge was installed. The letter of intent to commit to the 2016 road projects was prepared and submitted to the Ottawa County Engineer's Office.

Keeper's House

Trustee Dave Hirt provided a brief overview regarding the meeting he had with Paul Moon at the Keeper's House. Discussion was held regarding a quote to install a 5" brown seamless aluminum gutter and downspout on the front of the Keeper's House. The quote from Peter Aluminum Company totaled \$192.00.

As a result of discussion, Mr. Hirt will get 2 more quotes from local contractors. Whereas the Trustees agreed that Mr. Hirt may make the decision regarding, which contractor to go with, Ms. Rozak moved and Mr. Scott seconded the motion to allow Mr. Hirt to spend up to \$200.00 for the materials and installation of a gutter and downspout for the front of the Keeper's House. The vote was unanimous and motion carried.

With regard to a cover for the port-a-potty at the Keeper's House, the Trustees discussed the option Kathryn Dale provided in a photograph. Ms. Rozak asked Brett Waldron if he and his staff would construct the cover for the port-a-potty if the Ottawa County Historical Society would pay for the materials. Mr. Waldron responded that he and his staff would construct the cover for the port-a-potty at the Keeper's House.

The Trustees briefly discussed the drainage in the basement of the Keeper's house and acknowledged that additional masonry quotes are being obtained.

Police

Trustee Charles Scott read the report that was submitted by Police Chief Mike Meisler that listed the police department handled 332 incidents to date in October.

Ohio Peace Officer Training Academy Approved

Chief Meisler and the Trustees discussed a "Core Criminal Investigation Training Program" that is being offered by the Ohio Peace Officers Training Academy (OPOTA) November 16-20 in London, Ohio at the Tactical Training Center since Patrol Officer Charlie Cunningham has voiced interest to attend. Tuition for the OPOTA course is \$350.00 and lodging at the London main campus is \$15.00 per night.

Discussion concluded and resulted in the following action: Mr. Scott moved and Mr. Hirt seconded the motion to approve all costs related for Patrol Officer Charlie Cunningham to attend the "Core Criminal Investigation Training Program", in London, Ohio from November 16, 2015 to November 20, 2015. The vote was unanimous and motion carried.

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Trustee Dianne Rozak shared that Cheryl Harmsen has been taking the zoning back-up tape home and indicated that she would rather have the tape kept on Township property, therefore discussion was held regarding keeping the zoning back-up tape at the Police Department. These discussions lead to discussion regarding the back-up system for the Police Department, which had been through "Go Daddy".

Other discussion of the matter involved whether the Police Department should use BizTech out of Toledo, Ohio as the Zoning Department had or per Chief Meisler's suggestion remain local and contact Marty Veverka at Port Clinton Computer Products. Discussion of the matter resulted that Ms. Rozak will have Cheryl Harmsen give Chief Meisler the contact information for BizTech and the documentation of the Zoning Departments purchase of their storage unit in order that Chief Meisler may contact BizTech. The Trustees agreed with Chief Meisler about contacting Marty Veverka at Port Clinton Computer Resources as well regarding back-up of the departments computer files.

Fire

Trustee Charles Scott read the report that was submitted by Fire Chief Keith Kahler listing that the Danbury Township Fire Department responded to 32-EMS calls, 6-Fire Calls, 1-Motor Vehicle Crashes, and 3-Alarm calls to date in October. Year-to-date totals reported were 517-EMS-calls, 41-Fire calls, 35-Motor Vehicle Crashes, 34-Alarm calls, and 5-Carbon Monoxide Investigations.

Chief Kahler spoke to the Trustees regarding paging issues his department is having, which is in relation with the new dispatch system at the Ottawa County Sheriff's Department. Chief Kahler provided an option to resolve the matter that was to purchase a VHF radio system for about \$1,000.00 as a back-up system to the County's system.

The Trustees, Chief Kahler, and Chief Meisler discussed the matter briefly. Discussion resulted that Chief Kahler should contact Fred Peterson the Director of Emergency Management first, before purchasing a VHF radio system.

Chief Kahler reported the Self Contained Breathing Apparatus cylinders have arrived.

Zoning

Zoning & Planning Administrator Kathryn Dale reported that the Zoning Department issued ⁴⁵ permits to date in October and fees collected totaled \$630.40.

Board of Zoning Appeals (BZA)

The BZA held 2 adjudication hearings on October 21, 2015 on the following cases

- **BZA-2015-139 - Approved with Conditions**
9491 E. Bayshore Road - The Captain's Lodge. Request for an expansion of a previously approved Conditional Use for a bed and breakfast with a request for an Area Variance to Section 4.5.3 to allow for more than 4 rooms for rent. **Gary Mol/Rocks LLC**
Applicant/Owner
- **BZA-139-2015 - Approved as Presented**
352 Meadowbrook - Request for an Area Variance to Section 3.1.4.D for a side yard setback of 2' 6" (5' required) and Section 7.92 to exceed the 20% addition requirement onto a nonconforming structure (367s.f. allowed/416 s.f. proposed) for the conversion of the existing garage into living space with a bump out addition on the ground floor and a full second story addition over the existing garage. **Ronald Stalle & Lucille Walker, Owners/ J. Boss Construction, Agent.**

Zoning Commission

The Zoning Commission intends to cancel their November 4, 2015 meeting as there are no cases to be heard.

Violations/ Complaints

1070 Englebeck (*Inhabited camper, storage of boats and vehicles*)
Nothing new was reported.

1825 Bayview (*New Mobile Home not installed to zoning standards - Filut*)
Nothing new was reported.

1805 Arlington (*Junk & Debris - Holmes*)
Nothing new was reported.

561 John Street (*Shed w/out permit*)

Mrs. Dale explained that a summons was delivered to Mr. Elkington and he appeared in court on October 21, 2015. Mrs. Dale also explained that the magistrate fined Mr. Elkington \$500.00, of which \$50.00 was paid and \$450.00 was suspended for the time being provided he corrects

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the violation within in 2 weeks (by November 4, 2015). Mrs. Dale reported the proof of compliance (or noncompliance) will have to be submitted to the court by November 4, 2015.

2061 S Walleye (Tall grass-Cieslak)

Mrs. Dale reported that she had spoken to Steve Riesterer, President of the North Coast Canal Association and he indicated the Association had started taking care of the property, but stopped when the crew started showing up, thinking they would handle it. Mrs. Dale also reported that Mr. Riesterer said the Association has placed a lien on the property for delinquent association dues and the expenses they incurred for lawn care. Mrs. Dale informed the Trustees that Mr. Riesterer said that now that the bank owns the property, the association has no interest in continuing any care of the property because they have no guarantee they will get their monies back for their portion of the delinquency. Mrs. Dale also informed the Trustees that she had not yet ordered a lien report to verify anything that Mr. Riesterer had shared, however indicated the taxes for the property appear to be paid and current.

Mrs. Dale shared that she had contacted the Auditor's Office and was told they could have taken an assessment as late as November 1st since this assessment was pretty simple and straightforward. Mrs. Dale indicated that if the Trustees passed the resolution to declare this property a nuisance and order the abatement tonight and the property is cut quickly after the 7 day waiting period has passes it may still be possible to get the assessment on for this year. If not the assessment will just sit at the Auditor's Office and be applied to the next round.

The Trustees and Mrs. Dale held a lengthy discussion regarding the property. Mr. Scott reiterated that the company the bank hired to clean up the property should be held accountable and not the Township at this time with the pending Sheriff's Sale. Ms. Rozak and Mr. Hirt also agreed that the bank should be held accountable, however Ms. Rozak suggested that she contact the complainant and explain the situation the Board is faced with.

Since the property is scheduled for Sheriff Sale on December 4, 2015, the Trustees did not pass the resolution to declare this property a nuisance and order the abatement. Mrs. Dale will contact the Ottawa County Prosecutor to see if he will write a letter to the property management company making them aware of the potential nuisance and abatement resolution. Ms. Rozak will contact the complainant. Discussion will resume after the Sherriff Sale takes place

Advertising of Legal Notices

The Trustees and Mrs. Dale discussed state mandates for legal advertising and pricing difference received from the News Herald and the Beacon because the Peninsula News is no longer in business.

As a result of discussion, Mr. Scott moved and Ms. Rozak seconded the motion to approve publishing legal notices in the News Herald based on the advisement of Attorney Jeffery Stopar. The vote was unanimous and motion carried.

Supervisor Training

Ms. Rozak discussed "Supervisor Training" that is being sponsor by the Ottawa County Commissioners' Office of Human Resources with the department heads.

The training will be held on Wednesday, January 6, 2016 at the Ottawa County Resource Center from 8:00 a.m. to 4:30 p.m. The cost is \$15.00 per participation.

The Trustees agreed and encouraged department heads to attend. Fiscal Officer Shelley Seamon will provide the registration form to all department heads.

Comment & Concerns Prior to Dismissing the Department Heads

Ms. Rozak answered Tony Novak's question regarding the roundabout rumor at State Route 163, Northshore Boulevard, and Englebeck Roads.

Department heads were dismissed at 7:30 p.m.

Historical Preservation Grant Opportunities

Ms. Rozak provided information on a historic preservation grant for masonry restoration at the Keeper's House, which would fund up to 60% of the cost. The Trustees agreed to revisit applying for the masonry grant once the additional masonry quotes are obtained.

Bureau of Worker's Compensation Exemptions for Zoning Board Members

Ms. Rozak reported that she spoke with Pam Briggs who is the Township's business consultant at the Bureau of Worker's Compensation (BWC) regarding making an amendment to the Township's Drug Free Workplace Safety Program for appointed members of the Zoning Commission (ZC) and the Board of Zoning Appeals (BZA) and recommended the following to Ms. Briggs:

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1. ZC & BZA members are covered under the Township's Worker's Compensation plan.
2. ZC & BZA members are not subject to pre-employment drug testing.
3. ZC & BZA members will receive a copy of the Township's drug-free policy and any written materials that are provided relating to the program and policy.
4. ZC & BZA members are not required to attend annual mandatory drug-free training.
5. ZC & BZA members are subject to post-accident testing should an accident occur during the course of their regular assigned work.

Ms. Rozak shared with the Board that Ms. Briggs stated to her that as long as you're County Prosecutor signs off on the changes BWC would accept them. Ms. Rozak indicated that if the Board wanted her to forward the above information to the Ottawa Prosecutor she would.

A brief discussion of the matter occurred and resulted with the Trustees agreeing to have Ms. Rozak forward the above information to Mr. Mulligan for his review and approval.

OSS Solid Waste District Grant for the Township Hall Sign

Ms. Rozak reported that she spoke with Amy Drummer of the OSS Solid Waste District and learned all was approved for ordering the grant-funded sign for the Township Hall. Ms. Rozak shared that Michelle at Allure will send an invoice and get the sign ready and indicated to Mrs. Seamon that she will need a copy of the invoice and check to submit paperwork to the OSS Solid Waste District for the Township's portion of the cost of the sign.

Mrs. Seamon shared that she was not aware that everything was approved and asked the Board for authorization to create the necessary revenue and appropriation accounts to obtain an amendment certificate from the County Auditor since this was not a part of the 2015 budget.

Therefore, Ms. Rozak moved and Mr. Scott seconded the motion to authorize Fiscal Officer Shelley Seamon to create the necessary revenue and appropriation accounts to obtain an amendment certificate from the County Auditor for the grant-funded sign for the Township Hall. The vote was unanimous and motion carried.

Healthcare Renewal

Discussion resumed regarding the OPEC Healthcare renewal for 2016, Mrs. Seamon read information she received from Frank Harmon of the Ohio Insurance Services Agency regarding the "Assessment of Deficit Recovery " (ADR) fee, which explained that some entities were requesting to pay the ADR fee up front rather than as a separate line item monthly. The ADR cost for the Township was \$38,000.00. Mrs. Seamon advised that she was obtaining clarification from Local Government Services whether or not the ADR fee was to be distributed per fund or must come from the general fund. Discussion will continue at the next regular meeting.

Property & Liability Insurance Renewal

Fiscal Officer Shelley Seamon acknowledged that the property and liability insurance premium renewal was received today via email and this year's premium was lower than last year. Mrs. Seamon explained that she was unclear if the renewal also included the cost of the bonds for the Police Officers and Zoning Inspector. Discussion will continue at the next regular meeting.

Approve Payroll & Payment of Bills

After examining payroll and bills totaling \$99,233.55, Mr. Scott moved and Mr. Hirt 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.

749-2015	John L Belcher	Wages 9/26/15-10/9/15	\$1,138.70
750-2015	Daniel J Bergman	Wages 9/26/15-10/9/15	\$1,303.60
751-2015	Bradley L Biers	Wages 9/26/15-10/9/15	\$540.47
752-2015	Paul Blaho	Wages 9/26/15-10/9/15	\$167.41
753-2015	Terry L Conaway	Wages 9/26/15-10/9/15	\$241.19
754-2015	J. Charles Cunningham	Wages 9/26/15-10/9/15	\$1,160.51
755-2015	Kathryn A. Dale	Wages 9/26/15-10/9/15	\$1,896.30
756-2015	Jared E Griffith	Wages 9/26/15-10/9/15	\$1,213.61
757-2015	Cheryl K Harmsen	Wages 9/26/15-10/9/15	\$753.13
758-2015	Dean G Heberlein	Wages 9/26/15-10/9/15	\$594.02
759-2015	David M Hirt	Trustee Salary 10/1/15-10/31/15	\$801.16
760-2015	Matilda A Johnson	Wages 9/26/15-10/9/15	\$532.23
761-2015	Keith M Kahler	Wages 9/26/15-10/9/15	\$1,272.82
762-2015	Tammy J Kahler	Wages 9/26/15-10/9/15	\$478.57
763-2015	Lindsey N Knox	Wages 9/26/15-10/9/15	\$485.85
764-2015	Bradford K LaMarca	Wages 9/26/15-10/9/15	\$1,224.60

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765-2015	Brian C McCune	Wages 9/26/15-10/9/15	\$390.75
766-2015	Mark A Meisler	Wages 9/26/15-10/9/15	\$1,449.49
767-2015	Michael S Meisler	Wages 9/26/15-10/9/15	\$1,647.64
768-2015	Zachary D Miramontes	Wages 9/26/15-10/9/15	\$481.32
769-2015	Randy R Rakosky	Wages 9/26/15-10/9/15	\$550.82
770-2015	Trevor J Ross	Wages 9/26/15-10/9/15	\$439.80
771-2015	Dianne M Rozak	Trustee Salary 10/1/15-10/31/15	\$871.16
772-2015	Matthew J Salyers	Wages 9/26/15-10/9/15	\$241.39
773-2015	Charles B Scott	Trustee Salary 10/1/15-10/31/15	\$904.32
774-2015	Shelley J Seamon	Fiscal Officer Salary -October	\$1,338.96
775-2015	Gregory W Shadler	Wages 9/26/15-10/9/15	\$982.52
776-2015	Brian P. Sloan	Wages 9/26/15-10/9/15	\$1,257.78
777-2015	Brandon L Taylor	Wages 9/26/15-10/9/15	\$1,441.55
778-2015	Mark M Turinsky	Wages 9/26/15-10/9/15	\$1,095.76
779-2015	Brett A Waldron	Wages 9/26/15-10/9/15	\$1,565.04
780-2015	Joshua P. Young	Wages 9/26/15-10/9/15	\$1,392.07
782-2015	Internal Revenue	Federal WH	\$6,343.72
783-2015	Ohio Public Employees Deferred Comp.	Voluntary Contributions	\$530.00
784-2015	Treasurer of State of Ohio	State WH	\$1,893.66
785-2015	Ohio Police & Fire Pension Fund	OH P&F Contributions	\$2,564.93
786-2015	Public Employees Retirement System	OPERS-L Contributions	\$10,739.10
787-2015	Public Employees Retirement System	OPERS-G Contributions	\$6,767.94
788-2015	Columbia Gas	Natural Gas Services -Fire Station 1	\$27.13
789-2015	Columbia Gas	Natural Gas Services -Fire Station 2	\$25.74
790-2015	Columbia Gas	Natural Gas Services -Police Dept.	\$28.97
40110	James S Holzhauser	Wages 9/26/15-10/9/15	\$128.16
40111	Austin Lucas	Wages 9/26/15-10/9/15	\$374.23
40112	Timothy N Taylor	Wages 9/26/15-10/9/15	\$205.50
40113	Ohio Child Support Payment Central	Child Support WH	\$185.95
40114	Madison Local Board of Education	Training Fire Safety Inspector CE's	\$60.00
40115	Verizon Wireless	Cellular Services-Police Dept.	\$390.83
40116	Time Warner Cable Northeast	Telephone/Internet-Variou Depts.	\$646.24
40117	Harry R Bell DBA Bell Heating & Electric	Annual Furnace Maint.-Twp. Hall	\$140.00
40118	Jamie I. Taylor DBA Jamie's Stitches	Alterations-Police Uniforms	\$18.00
40119	Garner Sanitation Services	Portable Restrooms-Parks	\$321.25
40120	Business Technical Consulting, LLC	Final Bill for Storage Unit-Zoning	\$57.50
40121	Shell Credit Card Center	Fuel -Police	\$26.74
40122	Staples Business Advantage	Office Supplies -Various Depts.	\$523.29
40123	Trugreen	Lawn care Services	\$163.00
40124	Treasurer, State of Ohio	Semi-Annual Assessment VFFDF	\$150.00
40125	Ohio Insurance Services Agency, Inc.	November Premiums	\$27,641.33
40126	Ohio Edison	Street Lights	\$583.89
40127	Ohio Edison	Electricity-Variou Depts.	\$997.91
40128	American Planning Association	Annual Fee-KAD	\$400.00
40129	Midway Inc.	Road Supplies/ Fire Dept. Repairs #555	\$455.22
40130	John Deere Financial (Rural King)	Road & K-9 Supplies	\$445.86
40131	Al Baumann Chevrolet-Buick, Inc.	Repair/Maint.-Police Car #400	\$444.24
40132	Capital Tire, Inc.	Tires-Police Dept.	\$1,976.00
40133	Bradley S. Meek DBA Logo to a Tee	Embroidery Services-Police Dept.	\$50.00
40134	Rakich & Rakich, Inc.	Other Supplies/Materials-Police Dept.	\$638.91
40135	Catawba Clean Scene	Car Wash Coupons-Police Dept.	\$360.00
40136	Oak Harbor Veterinary Hospital, Inc.	Vet Services-K-9	\$176.48
40137	Wal-Mart Community	Misc. Supplies-Variou Depts.	\$409.79
40138	Portage Township	½ Cost -Contract Services - Lightner Road	\$1,537.50
40139	Daniel A Eggert DBA Dan's Tree Service	Tree Removal-Wolcott Cemetery	\$950.00
		Total Payments	\$99,233.55

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Approve Line Item Transfers

Mr. Hirt moved and Ms. Rozak seconded the motion to approve transferring \$88.77 from 2281-230-420-0000 to 2281-230-360-00 and; transferring \$1,290.35 from 22281-230-599-000 to 2281-230-360-0000 to correct line item account codes for Memo-Receipt #395-2015 and; making approval retroactive to October 15, 2015. The vote was unanimous and motion carried.

Fund Status Report

The Trustees signed the Fund Status Report dated October 28, 2015

Comments & Concerns

There were none.

Executive Session

Mr. Scott moved and Ms. Rozak seconded the motion to move into executive session from regular session at 7:50 p.m. to discuss a complaint filed about a public employee. The vote was unanimous and motion carried.

Mr. Scott moved and Mr. Hirt seconded the motion to reconvene to regular session from executive session at 7:54 p.m. *The vote was unanimous and motion carried. ss*

As a result of discussion held during executive session, Mr. Scott moved and Mr. Hirt seconded the motion that the complaint dated April 4, 2012 be removed from Patrol Officer Brad LaMarca' s personnel file and a copy of these minutes be placed in Mr. LaMarca' s personnel file due to excellent performance. The vote was unanimous and motion carried.

There being no further business before the Board Mr. Hirt moved and Mr. Scott seconded the motion to adjourn at 7:55 p.m. The vote was unanimous and motion carried.

Shelley J. Stroman

Fiscal Officer

Charles B. Scott

Sam M. [unclear]

[unclear]

Danbury Township Board of Trustees