

RECORD OF PROCEEDINGS

Minutes of

Danbury Township Board of Trustees Regular

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

April 27, 2016

The Regular Meeting of the Danbury Township Board of Trustees held at the Danbury Township Hall building on April 27 2016, was called to order at 6:32 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, Police Chief Mike Meisler, Fire Chief Keith Kahler and Zoning & Planning Administrator Kathryn Dale.

Visitors in attendance were John Paul Dress and Sherry Roberts.

Correspondence Received

The Marblehead Police Department sent an invitation to the 2016 Police Memorial Day Ceremony that will be held on Thursday, May 16, 2016 at Baypoint Resort & Marina located at 10948 E. Bayshore Road, in Marblehead, Ohio. Services will begin at 11:00 am and lunch will be serviced immediately following the ceremony.

The Ohio Insurance Services Agency sent a performance update regarding the Ohio Public Entity Consortium-Healthcare Cooperative(OPEC-HC) that listed February claims were \$3.49 million, which was up from a low in January of \$2.576 million The OPEC-HC finished February with a deficit of \$6.12 million.

Correspondence Sent

The annual letter regarding boat hauling during the summer season was sent to area boat sales and service businesses.

Since the Township received numerous complaints during the summer about noise from live outdoor entertainment, a letter will be sent to area restaurant and bar establishments regarding that "Live Outdoor Entertainment" is prohibited.

Approval of Meeting Minutes for April 13, 2016

Mr. Scott moved to and Ms. Rozak seconded the motion to approve the regular meeting minutes of April 13th, 2016 as written. The vote was unanimous and motion carried.

Roads, Buildings, & Grounds

Road Superintendent reported that the brush collection site is open and staff will be on site to load mulch on Saturday's from 8:00 am until noon. Spring clean-up was very success full and mowing in the parks and along the road-way has begun.

Mr. Waldron reported that the property owner at 8448 North Shore Boulevard had contacted the Engineer's Office regarding installing a lawn tile, however for the installation to move forward permission must be granted by the Board. Ms. Rozak moved and Mr. Scott seconded the motion to give permission to have a lawn tile installed at 8448 North Shore Boulevard, Marblehead, Ohio. The vote was unanimous and motion carried.

Police

Mr. Scott read the report submitted by Police Chief Mike Meisler that listed the department handled 289 incidents thus far in April 2016.

Chief Mike Meisler spoke with the Trustees about applying for the COPS grant through the Department of Justice, which would pay 75% of the wages for a School Resource Officer over the next three years if the grant is awarded. Chief Meisler acknowledged that this was the same grant he and Dan Parent of Danbury Local Schools applied for last year, but did not receive.

A brief discussion occurred and the Trustees agreed that Chief Meisler may reapply this year.

Fire

Mr. Scott read the reported that was submitted by Fire Chief Keith Kahler that listed the department responded to 44 EMS calls, 5 Fire calls, 2 Motor Vehicle crashes, 3 Alarm calls, and 2 Carbon Monoxide investigations thus far in April 2016. Year-to-date calls reported were as follows: 144 EMS calls, 12 Fire calls, 6 Motor Vehicle Crashes, 10 Alarm calls, and 2 Carbon Monoxide Investigations.

Resignation Accepted

Chief Keith Kahler announced that Donald Hess submitted his resignation effective June 1st, 2016 because he is leaving the area, therefore with regret, Mr. Scott moved and Mr. Hirt seconded the motion to accept the resignation of Donald Hess from the Fire Department effective June 1st, 2016. The vote was unanimous and motion carried.

Chief Kahler reported that fire truck specs were distributed at the Fire Department Instructors Conference. The hose nozzles and related equipment has arrived for the Insurance Services Organization inspection coming up in June.

Zoning

Zoning & Planning Administrator Kathryn Dale reported that 11 permits were issued thus far in April

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2016 and fees collected totaled \$1,091.90.

The **Board of Zoning Appeals** held public hearings on April 20 2016, starting at 6:30 p.m. at the Danbury Township Hall building on the following cases:

- Continuation from 02.17.16 & 03.16.16** **DENIED**
- **BZA-2016-011 5401 Maritime Shoreway.** Request for a Conditional Use to allow for a 32 unit Condominium Development in accordance with Section 3.1.10.C.iii and Section 4.3. West Harbor Marina, LLC (William Brown), Owner, Bree Brown, Agent.
 - **BZA-2016-034 8098 Rollie.** **APPROVED**
 - 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-2016-035 9198 E. Bayshore Rd.** **DENIED**
- Request for a Conditional Use to convert an existing commercial building to allow for both a Bed & Breakfast and Tw-Family in accordance with Section 3.1.10.C.iii. and Section 3.1.10.Cvii. Area Variances for the Two-Family use are requested from Section 3.3 & 3.5.9 to have more than one (1) residential structure on the lot with less living space than required for a dwelling. Area Variances from Section 4.5.4, 4.5.5. and 4.5.6 for the B&B are requested since the room is separate from the main residence. Michael Wright Owner/Applicant.

Mrs. Dale reported that on April 22, 2016 she received notice that Gordon Wahlers is filing an appeal of the Board of Zoning Appeals decision with the Ottawa County Court of Common Pleas regarding the Beerman Property on State Route 163 (BZA-2016-010; 5831 E Harbor Road) that Rospert Enterprises was granted a Conditional Use for 26 condominiums units (13 duplex buildings). **BZA-2016-010 5831 E. Harbor Rd.**

The **Zoning Commission** will not meet on May 4, 2016 as there are no cases to be heard.

Violations/Complaints

1. **1070 Englebeck** (Inhabited camper, storage of boats & vehicles)
The owner has made some progress on removing items and organizing the property. The owner has also started to install the fence posts for the permit issued a year ago. Case status is monitoring
2. **1825 Bayview** (New Mobile Home not installed to zoning standards-Filut)
Nothing new was reported. Case status is monitoring.
3. **1805 Arlington** (Junk & Debris-Holmes)
Email sent to Lafarge since little progress has been made. Case status is open.
4. **180 Elizabeth** (Timber stock-pile)
Follow-up inspection 4/25/16 and all wood is cut & stacked. Case status is closing.
5. **0 Gravel Bar** (Hudak property)
Follow-up inspection 4/25/16 found no indication of yard debris being dumped on the property. Case status is closing.
6. **2016 Walleye** (Tall Grass & Debris)
The neighbor who filed the complaints last year called weeks ago asking if anything more had come about with the sale of this property. Mrs. Dale reached out to the Attorney in charge with filing the foreclosure actions to get a status update and was told the foreclosure action was on hold since 3/31/16. Mrs. Dale confirmed the court records indicate the same. The property preservation coordinator with the law firm asked Mrs. Dale to email that everything showing how she tried to get the problem rectified. On 4/5/16, Mrs. Dale received a reply that they would be putting an escalated status for the property preservation and would let Mrs. Dale when she heard something more. Mrs. Dale sent a follow-up email Monday, since nothing has been received and upon driving by the property, the swing set is now strewn across the property and nothing has been done about the overgrowth around the home. Whereas Mrs. Dale was seeking direction from the Board discussion was held and resulted with the Trustees agreeing pursuing abatement on the property was not a good use of taxpayer dollars since it was likely the Township would not be repaid because the property taxes are delinquent and the potential for foreclosure. Mr. Scott will attend the next Association meeting that will be held this coming Saturday.

Mrs. Dale provided details involving properties where neighbors had called her and complained about the conditions of the properties, however did not file a formal complaint. The properties receiving verbal complaints were: **1839 & 1941 S. Bayview** (Veverka property), **1864 S. Bayview** (Slade/Capella property), and **66 Erie Beach** (Junk & Debris-Haar).

The Trustees and Mrs. Dale discussed the conditions for each property, however in order for the Township to move forward formal complaints must be received.

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Comment & Concerns Prior to Dismissing the Department Heads

Sherry Roberts asked Fire Chief Keith Kahler if he knew the length of each of the fire trucks. Chief Kahler responded he did not, but he would measure each fire truck and send the information to Ms. Roberts. There being no more comments or concerns, the Department Heads were dismissed at 7:17 p.m.

Savings Account

Mr. Scott reported that he had Deb Stephens of the Marblehead Bank prepare the documents to open a savings account at the Marblehead Bank, however he had not yet heard back from the Ottawa County Prosecutor regarding signatories for the account or if Mrs. Seamon has the authority to do online transfers without Board approval.

Mrs. Seamon shared that she felt all 3 Trustees and herself should be on the account and if the Board moved forward to open the savings account then she would ask for a motion to transfer funds from the Marblehead Bank checking to the Marblehead savings.

Discussion was held and resulted as follows: Mr. Scott moved and Ms. Rozak seconded the motion to open a savings account at the Marblehead Bank and authorize Fiscal Officer Shelley Seamon to transfer \$500,000.00 from the Marblehead Bank checking account to the Marblehead Bank savings account until such time an opinion regarding online transfer is received from the Ottawa County Prosecutor Mark Mulligan. The vote was unanimous and motion carried.

Certificate of Deposit

Ms. Rozak moved and Mr. Scott seconded the motion to cash in the Certificate of Deposit at the Marblehead Bank and have the funds (principal & interest) deposited into the Marblehead Bank Savings account. The vote was unanimous and motion carried.

Worker's Compensation Claim

Ms. Rozak reported that Danny Bergman was injured during the clean-up and required stitches, therefore was unable to work until his doctor released him to return to work.

Ms. Rozak explained that she had contacted the Township's BWC representative regarding whether the employee should be paid for lost hours or if the employee should use sick time if it is available.

Ms. Rozak also explained that BWC does not cover lost wages during the 1st week of a claim, benefits start in the second week.

A brief discussion of the matter resulted with the trustee agreeing an employee should not have to use sick time due to an injury occurring on the job and the current policy does not address the situation, therefore Ms. Rozak will draft language and forward it to the Ottawa County Prosecutor Mark Mulligan. Discussion will continue.

Cemetery Deed Signed

The Trustees signed a Cemetery Deed for Charles J. Keller, lot 2, grave 5, 2nd at addition at Sackett Cemetery.

Amended Certificate

Mr. Hirt moved and Ms. Rozak seconded the motion to approve obtaining an amended certificate from the County Auditor to include \$40,000.00 received in to Police Donations (distribution from the estate of Gerald Kihlken) and appropriate said funds to the machinery, furniture and equipment line item within the Police District in order that the funds may be spent in 2016. The vote was unanimous and motion carried.

Advance Repayment/Transfer Out

Ms. Rozak moved and Mr. Hirt seconded the motion to approve repayment of the advance totaling \$2,218.00 to the general fund from the 2015 Solid Waste Grant fund and transfer \$0.34 from the 2015 Solid Waste Grant fund back to the general fund. (Grant reimbursement was received). The vote was unanimous and motion carried.

Dog Show

Ms. Rozak publicly thanked Andy Schlotterer of Bayside Comfort for his generous donation of maintenance agreements and a Wi-Fi thermostat as raffle prizes for the May 22, 2016 dog show. All proceeds from this event will be given to the Ottawa County Humane Society.

Township Hall

Mr. Scott reported that Bodner & Kerik will obtain pricing for additional remodeling options at the Township Hall.

Approve Payroll & Payment of Bills

After examining payroll and bills totaling \$91,551.24 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.

331-2016	John L Belcher	Wages 3/26/16-4/8/16	\$1,144.63
332-2016	Daniel J Bergman	Wages 3/26/16-4/8/16	\$1,290.69
333-2016	Bradley L Biers	Wages 3/26/16-4/8/16	\$372.01
334-2016	Terry L Conaway	Wages 3/26/16-4/8/16	\$241.09
335-2016	J. Charles Cunningham	Wages 3/26/16-4/8/16	\$1,108.36
336-2016	Kathryn A. Dale	Wages 3/26/16-4/8/16	\$1,880.35

RECORD OF PROCEEDINGS

Minutes of

Danbury Township Board of Trustees Regular

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BEAR GRAPHICS 800-325-8094 FORM NO 10148

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April 27, 2016

337-2016	John D. Grieve	Wages 3/26/16-4/8/16	\$463.51
338-2016	Jared E Griffith	Wages 3/26/16-4/8/16	\$1,211.47
339-2016	Cheryl K Harmsen	Wages 3/26/16-4/8/16	\$754.00
340-2016	Dean G Heberlein	Wages 3/26/16-4/8/16	\$535.26
341-2016	David M Hirt	March Trustee Salary	\$800.71
342-2016	James S Holzhauer	Wages 3/26/16-4/8/16	\$382.65
343-2016	Stephanie A Hunsicker	Wages 3/26/16-4/8/16	\$466.65
344-2016	Matilda A Johnson	Wages 3/26/16-4/8/16	\$594.48
345-2016	Keith M Kahler	Wages 3/26/16-4/8/16	\$1,269.43
346-2016	Tammy J Kahler	Wages 3/26/16-4/8/16	\$232.89
347-2016	Lindsey N Knox	Wages 3/26/16-4/8/16	\$362.53
348-2016	Bradford K LaMarca	Wages 3/26/16-4/8/16	\$1,247.47
349-2016	Austin Lucas	Wages 3/26/16-4/8/16	\$374.13
350-2016	Brian C McCune	Wages 3/26/16-4/8/16	\$765.49
351-2016	Mark A Meisler	Wages 3/26/16-4/8/16	\$1,447.23
352-2016	Michael S Meisler	Wages 3/26/16-4/8/16	\$1,573.16
353-2016	Zachary D Miramontes	Wages 3/26/16-4/8/16	\$266.74
354-2016	Randy R Rakosky	Wages 3/26/16-4/8/16	\$494.00
355-2016	Dianne M Rozak	March Trustee Salary	\$837.03
356-2016	Matthew J Salyers	Wages 3/26/16-4/8/16	\$361.36
357-2016	Charles B Scott	March Trustee Salary	\$904.32
358-2016	Shelley J Seamon	March Fiscal Officer Salary	\$1,342.82
359-2016	Gregory W Shadler	Wages 3/26/16-4/8/16	\$149.00
360-2016	Brian P. Sloan	Wages 3/26/16-4/8/16	\$1,360.53
361-2016	Brandon L Taylor	Wages 3/26/16-4/8/16	\$1,343.16
362-2016	Timothy N Taylor	Wages 3/26/16-4/8/16	\$355.07
363-2016	Mark M Turinsky	Wages 3/26/16-4/8/16	\$1,094.03
364-2016	Brett A Waldron	Wages 3/26/16-4/8/16	\$1,557.29
365-2016	Joshua P. Young	Wages 3/26/16-4/8/16	\$1,497.86
367-2016	Internal Revenue	Federal WH	\$6,624.23
368-2016	Ohio Public Employees Deferred Comp.	Voluntary Contributions	\$565.00
369-2016	Treasurer of State of Ohio	State WH	\$1,996.02
370-2016	Marblehead Bank	Bank Fees-March 2016	\$30.76
40579	Trevor J Ross	Wages 3/26/16-4/8/16	\$419.87
40580	Ohio Child Support Payment Central	Child Support WH	\$363.04
40581	Staples Business Advantage	Office Supplies-Fire/Police Depts.	\$570.06
40582	O.E. Meyer CO.	EMS Supplies	\$188.45
40583	Rakich & Rakich, Inc.	Other Supplies/Materials-Police Dept.	\$254.96
40584	AmeriGas Propane LP	Final Billing	\$35.49
40585	Danbury Hardware	Road Supplies	\$39.01
40586	Luckey Farmers, Inc.	Fuel Cost-March 2016	\$2,841.18
40587	Ohio Insurance Services Agency, Inc.	May Premiums(Employee Share)	\$1,431.00
40588	Ohio Insurance Services Agency, Inc.	May Premiums(Employer Share)	\$32,631.35
40589	Garner Sanitation Services	Park Operating Supplies	\$150.00
40590	Spoerr Precast Concrete, Inc.	Footer	\$26.00
40591	Ohio Edison	Electricity	\$2,119.99
40592	D.R. Ebel Police & Fire Equipment	Repairs Police Vehicle	\$150.98
40593	Culligan of Northern Ohio	Bottled Water	\$35.90
40594	Time Warner Cable Northeast	Telephone/Internet	\$274.07
40595	VFW Post 7572	Flags	\$395.00
40596	Trugreen	Lawn Care	\$338.00
40597	Physio-Control, Inc.	Contracted Services-EMS	\$1,245.00
40598	S & D Industrial Supply & Equipment	EMS Supplies	\$215.17
40599	CCI Investments, LLC DBA CareWorksComp	Annual Fee	\$1,655.00
40600	Chief Law Enforcement Supply	Police Operating Supplies	\$108.43
40601	Foster Auto Body	Repairs Police Vehicle	\$150.00
40602	H2 Designs, LLC	License Plates Police Dept.	\$125.00

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40603	Sub-Aquatics Inc. DBA Breathing Air Systems	Fire Dept. Supplies	\$97.23
40604	Rakich & Rakich, Inc.	Other Supplies/Materials-Fire Dept.	\$95.98
40605	Vanguard-Sentinel Career & Technology Center	CPR Card Fees- EMS	\$55.00
40606	Advantage Equipment Inc.	Dispenser/Detergent-Fire Dept.	\$1,335.00
40607	Oak Harbor Veterinary Hospital, Inc.	Vet Services - K-9	\$318.32
40608	Catawba Clean Scene	Car Wash Coupons-Police Dept.	\$360.00
40609	John Deere Financial	Supplies/Minor Equip. Hall/Police/Fire	\$450.74
40610	Verizon Wireless	Cellular Services	\$361.77
40611	Staples Business Advantage	Police Office Supplies	\$219.99
40612	Lafarge North America Inc.	Stone-Parks	\$395.12
40613	Walmart Community	Supplies all Depts.	\$508.90
40614	Glovinsky Construction	Repair Key pads-Fire Dept.	\$1,646.14
40615	Streacker Tractor Sales, Inc.	Part for Backhoe	\$148.00
40616	Winzer Corporation	Road Supplies	\$347.56
40617	Tuffman Equipment & Supply	Road Supplies	\$57.13
40618	Postmaster	Stamps-Admin	\$94.00
		Total Payments:	\$91,551.24

Approve Payment to Bill's Implement Sales

Mr. Scott moved and Ms. Rozak seconded the motion to approve payment for \$333.16 to Bill's Implement Sales for supply purchases for the Road & Fire Departments. The vote resulted as follows: Mr. Hirt-abstained, Ms. Rozak-yes, Mr. Scott-yes and motion carried.

Fund Status Report

The Trustees signed the fund status report dated 4/27/16.

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 7:30 p.m. The vote was unanimous and motion carried.

Shelley Seaman

Fiscal Officer

Charles B. L...

Tom...

DMH

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