

# RECORD OF PROCEEDINGS

Minutes of

## Danbury Township Board of Trustees Regular

Meeting

BEAR GRAPHICS 800-325-3094 FORM NO. 10148

Held

July 27, 2016

The Regular Meeting of the Danbury Township Board of Trustees held at the Danbury Township Hall on July 27, 2016, was called to order at 6:36 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.

There were no visitors in attendance.

### Approval of Meeting Minutes for July 13th, 2016

Mr. Scott moved and Mr. Hirt seconded the motion to approve the regular meeting minutes of July 13<sup>th</sup>, 2016 as presented. The vote was unanimous and motion carried.

### Correspondence

Paul Sigsworth, Sheriff of Erie County sent thank-you letter to Chief Meisler for 6 taser batteries and one taser holster his department received from the Danbury Township Police Department.

The Ottawa County Historical Society will hold their Summer Potluck Picnic on Wednesday, August 3, 2016, at 5:00 p.m. at the Keepers House on Bayshore Road.

The Marblehead Peninsula Lions Club in conjunction with the Danbury High School Athletic Booster Club sent an invitation to participate in the 24<sup>th</sup> Annual Perch Fest Parade to be held on August 27, 2016.

A letter was received from Mark Messa, Director of the Ottawa Regional Planning Commission regarding sending information about abandoned and /or vacant properties since the County has created a Land Bank known as the Ottawa County Land Reutilization Corporation. Ms. Rozak acknowledged that Zoning and Planning Administrator Kathryn Dale has already submitted a list to Mr. Messa.

Larry Cunningham, Academy Commander and Amy Anway, Dean of Allied Health & Public Service of Terra Community State College sent a thank-you letter to Chief Meisler for the donation of 6 tasers and 6 holsters they received from the Danbury Township Police Department.

Christopher Collier, Conservation Manager of the Black Swamp Conservancy sent a letter regarding the annual inspection of Meadowbrook since this property is protected by a conservation easement.

Chief Deputy, Ted Patrick of the Huron County Sheriff's Office sent a letter to Chief Meisler acknowledging that his office's intends to purchase the 2011 Crown Victoria (K-9 Unit Car) for \$8,000.00 once it is available.

The Trustees received a letter from John Heminger of Genoa, Ohio suggesting the Township should designate a specific area in Sackett Cemetery for single lot sales. The Trustees and Cemetery Sexton Brett Waldron briefly discussed the letter. Discussion resulted that a single lot area is not necessary.

The Trustees received a Claim Form regarding Case #04CV001080; Merrill vs. ODNR Claims Administrator c/o JND Class Action Administrator, which involves the Lake Point Park property. The Trustees discussed the matter and Trustees agreed to complete the claim form.

### Roads, Buildings, & Grounds

Road Superintendent Brett Waldron reported that 1 cremation burial occurred at Sackett Cemetery and the paving project for Sackett Cemetery has been completed. The July clean-up was average.

Mr. Waldron explained that he attended a pre-construction meeting for the Quarry Road paving project and Holcomb Enterprises was awarded the bid. Mr. Waldron shared that Holcomb Enterprises is a new contractor therefore he would keeping a watchful eye on the project and indicated he will be working with LaFarge regarding shifts for entering and exiting their facility. The project is to start in September.

### Outfitting – Lettering - Bed Liner Costs Approved

Mr. Waldron explained there were additional costs to complete the 2016 Ford F250 pick-up that was purchased from Middletown Ford for his department.

The outfit cost from D.R. Ebel was \$1,039.94, which was for the light bar, lights, brackets and switches, plus labor, the lettering charges from H<sup>2</sup> Designs was \$200.00, and a bed liner purchased from Rocky Ridge X-Liner was \$420.00.

Mr. Waldron acknowledged that all of the additional items for the 2016 Ford F250 pick-up were under his purchasing threshold, therefore the purchases were made, however Mrs. Seamon would like Board to approve the additional costs because all charges were in conjunction with purchasing the 2016 Ford F250 pick-up from Middletown Ford.

Mr. Hirt moved and Ms. Rozak seconded the motion to approve \$1, 039.64 for outfitting payable to D.R. Ebel; \$200.00 for lettering payable to H<sup>2</sup> Designs; and \$420.00 for a bed liner payable to Rocky Ridge X-Liner, for the additional items needed to complete the 2016 Ford F250 pick-up for the Road Department. The vote was unanimous and motion carried.

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### Grinding Quote Approved

The Trustees and Mr. Waldron reviewed the quotes to grind brush and remove the grindings that is currently at the brush collection site Universal Farms - \$3,200.00 and David Price Metal Services – Land Clearing Division -\$2,380.00.

The Trustees briefly discussed the matter with Mr. Waldron and the following action was taken: Ms. Rozak moved and Mr. Hirt seconded the motion to contract with David Price Metal Services – Land Clearing Division at a cost not to exceed \$2,380.00 to grind brush and remove the grindings from the brush collection site located along State Route 269. The vote was unanimous and motion carried.

### Keeper's House Discussion

Mr. Scott acknowledged that the Trustees had received an email from Paul Moon of the Ottawa County Historical Society regarding gutter issues, the direction of mowing around the port-a-potty & Keeper's House, dead tree limbs along Tecumseh, and repair of a cellar window well.

The Trustees and Mr. Waldron discussed each of the above listed concerns and as a result of discussion the following decisions were agreed upon:

- The Trustees agreed that an additional down spout to the west side of the building was the only solution to correct the gutter issues; therefore Mr. Scott has contacted Scott Harris of Highlander Harris to move forward with adding the additional down spout. It was noted that Mr. Harris had installed the down spout on the east side of the building.
- The maintenance staff will mow away from the Keeper's House and port-a-potty to elevate grass blowing into the Keeper's House and port-a-potty.
- The Trustees agreed that the dead tree limbs along Tecumseh are the responsibility of the Association, not the Township.
- Mr. Waldron will address the issues with the cellar window well.

### Police

Mr. Scott read the report submitted by Police Chief Mike Meisler that listed his department handled 545 incidents to date in July.

Chief Meisler reported that last year at this time his department had handled 506 incidents and stated that July is generally the departments' busiest month.

### Unpaid Leave Discussion

Chief Meisler and the Trustees discussed Patrolman Matthew Shark's 40 hour unpaid leave request, which was because he is getting married and going on his honeymoon. Discussion resulted that Chief Meisler will approve Patrolman Shark's unpaid leave request form.

### Donation to the Ottawa County Sheriff's Office Special Response Team (SRT) Approved

Chief Meisler explained to the Trustees that he would like to make a monetary donation or equipment donation to the Ottawa County Sheriff's Office Special Response Team and stated it was his idea since the SRT is funded through the Ottawa County Sheriff's Office and by donations. Chief Meisler spoke briefly about the importance of the SRT and the work they do that includes officer safety.

The Trustees discussed the matter and the following actions were taken: Ms. Rozak moved and Mr. Scott seconded the motion to donate \$500.00 to the Ottawa County Sheriffs' Office Special Response Team and; approved creating line item account #2081-210-591-0000 (Contributions to Other Organizations); and; approved transferring \$500.00 to line item account #2081-210-591-0000 (Contributions to Other Organizations) from line item account # 2081-210-740-0000 (Machinery, Furniture, & Equipment). The vote was unanimous and motion carried.

### Fire

Mr. Scott read the report that Fire Chief Keith Kahler submitted that his department responded to 85 EMS calls, 6 Fire calls, and 4 Motor Vehicle Crashes to date in July. Year-to-date totals were 378-EMS calls, 30 Fire Calls, 17 Motor Vehicle Crashes, 24 Alarm calls, and 2 Carbon Monoxide investigations.

### Cardiac Monitor

Chief Kahler presented a quote from Zoll to purchase a 3<sup>rd</sup> cardiac monitor for the department. Chief Kahler explained that the cost after the MRX trade of \$3,000.00 was \$26,675.98.

Chief Kahler spoke about the Ohio Public Safety Grant being used for this purchase, asking the Association to contribute, and using some of the Kihlken Estate Funds as well.

Mrs. Seamon advised that if the Estate Funds were to be used an amended certificate was necessary.

Discussion will continue once Chief Kahler has information regarding if the Association will donate to this purchase and what the actual cost is the department will incur.

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### Other Discussions

Chief Kahler informed the Trustees that a pine tree by the dry hydrant on Johnson Island needs to be trimmed before winter or the Fire Department will have problems responding to emergency situations.

Chief Kahler shared that this was discovered Monday night when he and his staff were training on Johnson's Island and indicated the staff had a hard time accessing the dry hydrant.

Mr. Scott will contact John Starcher regarding this matter.

Chief Kahler reminded the Trustees that the bid open for the purchase a new pumper truck was next Wednesday, August 10, 2016 beginning at 6:00 p.m. Discussion was held regarding that the bid specs have been posted on the Township's website and the Chief has received inquiries. However it was noted that the bid opening was not advertised, therefore a special meeting needed to be scheduled.

### Zoning

Zoning & Planning Administrator Kathryn Dale reported that 21 permits were issued to date in July and fees collected totaled \$1,175.40.

The **Board of Zoning Appeals** held public hearings on July 20<sup>th</sup>, 2016, starting at 6:30 p.m. at the Danbury Senior Center located at 8470 E. Harbor Road, Marblehead, Ohio 43440 on the following cases:

1. **BZA2016-017-177 Laurel Avenue** **APPROVED**  
Request for an Area Variance to Section 3.1.5.D to allow for a porch addition to setback 2.7' (32'4") from the front property line (5' required). Ed Elbrecht-Owner/Applicant
2. **BZA-2016-018 5401 Maritime Shoreway** **CONTINUED**  
Request for a Conditional Use to allow for a 4 unit Condominium Development in accordance to Section 3.1.10.C.iii and Section 4.3. West Harbor Marina, LLC (William Brown), Owner, Bree Brown, Agent.
3. **BZA-2016-110-501 Miley** **CONTINUED & WITHDRAWN**  
Request for a Conditional Use to allow for a 64 unit Condominium Development in accordance with Section 3.1.1.C.iii and Section 4.3. Also requesting an Area Variance from Section 4.3.2.A to allow 4 more units than permitted. Limpert's Marina, LTD, Owner in Contract w/F@ Companies, Michael Fite & Edward Foster, Agents.

There are 3 cases scheduled for August and possibly 2 more cases by the end of the week. The location of the August Board of Zoning Appeals meeting will be announced once the number of cases is determined.

The **Zoning Commission** did not meet in July.

### Other Discussions

On July 2, 2016 Gordon Wahlers withdrew the appeal in the Ottawa County Court of Common Pleas of the Board of Zoning Appeals decision over the Beerman/Rospert property along State Route 163.

Lakeside has contacted the Zoning staff regarding the new pool and wellness complex they wish to construct. There are some approval processes they will need to go through before construction begins.

The Zoning staff has gathered comparisons of permit fees from across the County and work is being done on fee averages. Once the comparison is completed a proposal will be presented to the Trustees.

### Violations/Complaints

- **1070 Englebeck** (Inhabited camper, storage of boats & vehicles)  
Contact has been made with Prosecutor's office regarding how to proceed. Owner is non-responsive. **Monitoring**
- **1825 Bayview** (New Mobile Home not installed to zoning standards-Filut)  
Nothing reported- **Monitoring**
- **194 Strause Lane** (Illegal Rental-Hammer)  
No indication that the property is being rented on a weekly basis. **Closing.**
- **256 Christopher** (Illegal Rental-Sullivan)  
House is for sale –no indication that the property is being rented. **Closing**
- **5849 Dennis** (Illegal Rental-Northcoast/Anchor's Away)  
Neighbor who complained has indicated renting has stopped. **Closed**
- **2405 Harbor Bay** (Construction w/out Permit-Dock – Morrow)  
2<sup>nd</sup> letter sent. **Open**
- **9370 Miami** (Tall grass-Cieslak)

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As of July 20, 2016 grass has been cut, one of the vehicles have been removed and much of the junk & debris is being worked on. **Open**

- **302 Willowdale** (Dilapidated structure, tall grass, & junk vehicle)  
The owner is still working to get structural issues corrected. The Zoning staff will continue to work with the owner on this before proceeding with any action. – **Open**
- **2097 Arlington** (Addition, No permit. Green)  
Letter sent to property owner July 14, 2016. Owner has contacted Zoning staff regarding what is needed. **Open**
- **92 Erie Beach** (Deck, No Permit-Bischoff)  
Letter sent July 22, 2016. Permit issued July 26, 2016. **Closed**
- **9268 E. Bayshore** (Mobile Vendor-Swartz)  
Cease & Desist issued July 15, 2016. **Closed**
- **1766 Jeannie** (Fence, No permit-Best)  
Letter sent July 14, 2016. **Open**
- **321 Sackett** (Junk & Debris-Garner/Boehler)  
Complaint received July 20, 2016. **Open**
- **126 Hidden Beach** (Illegal Rental-Porkorny)  
Letter sent July 27, 2016. **Open**

There were no visitors, therefore the Department Heads, were dismissed at 7:19 p.m.

#### Township Hall Renovation Levy Language

Mr. Scott spoke briefly about preparing the Resolution language to place 1.65 mill levy on the November ballot to complete the renovation of the Township Hall.

Mr. Scott acknowledged that he had not heard from Attorney DJ Swearingen and stated currently he is working with the Ottawa County Auditor regarding this matter. Mr. Scott also stated that he will be contacting the Fiscal Officer at Put-in-Bay Township since they may have placed similar levies for renovation projects.

Mr. Scott announced that Fiscal Officer Shelley Seamon would be helping with this matter also.

Mr. Scott reported that in order to meet the filing deadline of the Board of Elections Office, which is August 10<sup>th</sup>, 2016 before 4:00 p.m.; two (2) special meetings will be necessary, unless the County Auditor is able to attend to certify the rate, than only one special meeting will be held.

Mr. Scott will keep the Board and Mrs. Seamon informed as to when the language will be ready in order that proper notice of the special meeting(s) is sent to the local newspapers and posted on the Township website.

#### Sign Cemetery Deed

The Trustees signed Cemetery Deeds for the following residents: William J. & Suzanne Clark on behalf of the Clark Family Trust, Lot 141; Graves 7 & 8; 2<sup>nd</sup> addition Sackett Cemetery and Gayle Biedenbach, Lot 164, Graves 3 & 4 2<sup>nd</sup> addition at Sackett Cemetery.

#### Approve Payroll & Payment of Bills

After examining payroll and bills totaling \$143,983.34 Mr. Scott 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.

610-2016	John L Belcher	Wages 7/2/16-7/15/16	\$1,410.64
611-2016	Daniel J Bergman	Wages 7/2/16-7/15/16	\$1,290.70
612-2016	Bradley L Biers	Wages 7/2/16-7/15/16	\$428.98
613-2016	Terry L Conaway	Wages 7/2/16-7/15/16	\$241.09
614-2016	J. Charles Cunningham	Wages 7/2/16-7/15/16	\$1,300.44
615-2016	Kathryn A. Dale	Wages 7/2/16-7/15/16	\$1,880.35
616-2016	John D. Grieve	Wages 7/2/16-7/15/16	\$298.58
617-2016	Jared E Griffith	Wages 7/2/16-7/15/16	\$1,196.05
618-2016	Cheryl K Harmsen	Wages 7/2/16-7/15/16	\$766.40
619-2016	Dean G Heberlein	Wages 7/2/16-7/15/16	\$250.50
620-2016	David M Hirt	Trustee Salary July	\$800.71
621-2016	James S Holzhauer	Wages 7/2/16-7/15/16	\$442.06
622-2016	Stephanie A Hunsicker	Wages 7/2/16-7/15/16	\$410.34
623-2016	Matilda A Johnson	Wages 7/2/16-7/15/16	\$469.39
624-2016	Keith M Kahler	Wages 7/2/16-7/15/16	\$1,381.95
625-2016	Tammy J Kahler	Wages 7/2/16-7/15/16	\$61.74
626-2016	Lindsey N Knox	Wages 7/2/16-7/15/16	\$485.95
627-2016	Bradford K LaMarca	Wages 7/2/16-7/15/16	\$1,417.64
628-2016	Austin Lucas	Wages 7/2/16-7/15/16	\$494.63
629-2016	Brian C McCune	Wages 7/2/16-7/15/16	\$847.57

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630-2016	Mark A Meisler	Wages 7/2/16-7/15/16	\$1,654.09
631-2016	Michael S Meisler	Wages 7/2/16-7/15/16	\$2,070.65
632-2016	Randy R Rakosky	Wages 7/2/16-7/15/16	\$503.47
633-2016	Trevor J Ross	Wages 7/2/16-7/15/16	\$475.45
634-2016	Dianne M Rozak	Trustee Salary July	\$837.03
635-2016	Matthew J Salyers	Wages 7/2/16-7/15/16	\$428.19
636-2016	Charles B Scott	Trustee Salary July	\$904.32
637-2016	Shelley J Seamon	Fiscal Officer Salary July	\$1,342.82
638-2016	Gregory W Shadler	Wages 7/2/16-7/15/16	\$267.02
639-2016	Matthew M Shark	Wages 7/2/16-7/15/16	\$1,311.05
640-2016	Timothy N Taylor	Wages 7/2/16-7/15/16	\$145.18
641-2016	Mark M Turinsky	Wages 7/2/16-7/15/16	\$1,070.01
642-2016	Brett A Waldron	Wages 7/2/16-7/15/16	\$1,560.09
643-2016	Joshua P. Young	Wages 7/2/16-7/15/16	\$1,722.06
646-2016	Internal Revenue	Federal WH	\$7,273.66
647-2016	Ohio Public Employees Deferred Comp.	Voluntary Contributions	\$565.00
648-2016	Treasurer of State of Ohio	State WH	\$2,152.27
649-2016	Public Employees Retirement System	OPERS-G	\$6,151.47
650-2016	Public Employees Retirement System	OPERS-L	\$11,007.13
651-2016	Ohio Police & Fire Pension Fund	Ohio Police & Fire	\$2,517.43
40866	Postmaster	Postage Stamps	\$188.00
40867	Lakeland Auto & Marine Inc.	Repairs/Supplies Roads & Fire Depts.	\$382.20
40868	Luckey Farmers, Inc.	June Fuel Costs	\$5,218.84
40870	Christopher J Suppelsa	Wages 7/2/16-7/15/16	\$797.99
40872	Brian P. Sloan	Wages 7/2/16-7/15/16	\$1,400.01
40873	Ohio Child Support Payment Central	Child Support	\$214.35
40874	Ohio Insurance Services Agency, Inc.	August Premiums Employee Share	\$1,333.00
40875	Ohio Insurance Services Agency, Inc.	August Premiums Employer Share	\$31,334.14
40876	Ohio Edison	Electricity	\$2,207.19
40877	Rakich & Rakich, Inc.	Other Supplies/Materials Police & Fire	\$227.96
40878	D.R. Ebel Police & Fire Equipment	2016 Ford Explorer Outfit Costs -Police	\$6,675.81
40879	Capital Tire, Inc.	Tires Police Vehicle # 425	\$474.52
40880	Catawba Clean Scene	Car Wash Coupons-Police Dept.	\$360.00
40881	Jane & Jerome Piechocki DBA Piechocki's Pro-Carpet Cleaning	Carpets Cleaned -Police Dept.	\$540.95
40882	JVS Garage Door Co.	Garage Door Repair Fire Station 1	\$462.52
40883	Keith Kahler	Travel & Meeting Expenses	\$73.37
40884	Cheryl Harmsen	Postage Stamps for Zoning	\$47.00
40885	Verizon Wireless	Cellular Services Police Dept.	\$361.93
40886	Law Enforcement Foundation Inc.	Training Registration-Police Dept.	\$1,000.00
40887	Gene Ptacek & Sone Fire Equipment co.	Annual Inspection of Fire Extinguishers Twp. Hall and Roads	\$184.17
40888	Gordon Lumber Company	Police & Park Supplies	\$86.26
40889	Henry W. Bergman, Inc.	Paving at Sackett Cemetery	\$25,040.00
40890	Time Warner Cable Northeast	Telephone/Internet -Various Depts.	\$656.71
40891	Severe Service Inc.	Mower Repairs	\$398.19
40892	John Deere Financial	K-9 Supplies	\$235.92
40893	Garner Sanitation Services	Portable Restrooms	\$425.00
40894	Walmart Community	Supplies for Various Depts.	\$464.59
40895	H2 Designs, LLC	Lettering for 2016 Ford F250 Road Vehicle	\$200.00
40896	D.R. Ebel Police & Fire Equipment	Outfit Costs for 2016 Ford F256 Road Vehicle	\$1,039.94
40897	Allure Advertising	Lake Point Park Sign	\$798.00
40898	Charles B. Scott	Certified Mailing for Zoning	\$6.68
40899	Jude Zeller DBA Bugs Be Gone West LLC	Spider Control -Various Depts.	\$265.00
40900	O.E. Meyer CO.	Oxygen/Masks/Magnetic Lights	\$1,049.00
		Total Payments:	\$143,983.34

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**Amended Certificate Approved**

Ms. Rozak moved and Mr. Hirt seconded the to obtain an amended certificate to include \$0.34 as revenue to transfer this amount out of the 2015 Solid Waste Grant Fund that is the used portion and appropriate \$0.34 as a transfer in to the General Fund retroactive to July 21, 2016. The vote was unanimous and motion carried.

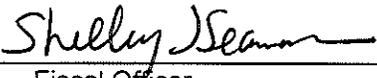
**Fund Status Report**

The Trustees signed the fund status report dated July 27, 2016.

**Comments & Concerns**

There were none.

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



Fiscal Officer







Danbury Township Board of Trustees