

TOWNSHIP BOARD OF TRUSTEES REGULAR

February 12 20

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, February 12, 2020 and called to order at 6:30 p.m. by President John Paul Dress.

The pledge of allegiance was recited the roll was called and the following members were present: Mr. John Paul Dress, Ms. Dianne M. Rozak and Mr. David M. Hirt. Also present were, Fiscal Officer Carolyn Adams, Road Superintendent Brett Waldron, Police Chief Mike Meisler, Fire Chief Keith Kahler, and Zoning & Planning Administrator Kathryn A. Dale. Mr. Pocock attended.

APPROVAL OF THE MINUTES

Ms. Rozak moved and Mr. Hirt seconded the motion to approve the regular meeting minutes for January 22, 2020 as presented. Roll call was unanimous and motion carried

CORRESPONDENCE

- Notice of the Park District of Ottawa County meeting February 20th at 3:00 pm. at the Ottawa County Courthouse, Emergency Operations Center.
- Thank you note from Sydnee Perram, Danbury Student, applicant for an OTA scholarship.
- Invitation to the "Spouse" appreciation dinner from the Danbury Township Fire Department.
- Ottawa County Community Foundation winter newsletter.
- State Senator Theresa Gavarone acknowledging Ohio Township Day, and recent work in the legislature update.

ROADS-BUILDINGS-GROUNDS

Road Superintendent Brett Waldron reported the following: Sackett Cemetery had two cremation burials. The department worked several snow events. Buck Road curve stablilation methods are being reviewed, high water in the area has created erosion. Temporary signage will be added to areas of Meadowbrook where high water has undermined trails.

- Ms. Rozak motioned and Mr. Hirt seconded the renewal of the Truegreen Contract. This contract is for Lake Point Park, Battlefield Park, and the athletic complex at a cost of \$1957.51 for the season. Roll Call all voted in the affirmative.

Winter service and maintenance on equipment continues.

Regatta Passage Drive was accepted as a Township Road February 6th by the Ottawa County Commissioners, the roadway has been satisfactorily maintained in accordance with the Ottawa County Subdivision Regulations and in agreement with the Township Trustees who will accept maintenance of the road. A Street sign and light to be installed at entrance. Road tour available dates to been sent to County Engineer.

- Ms. Rozak motioned acceptance of Bill's Implement contract to lease three mowers for \$3900.00. Mr. Dress seconded the motion. Roll Call Mr. Dress, YES, Ms. Rozak, YES, Mr. Hirt, excused from meeting.

POLICE

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 233 incidents for the month of January and 109 to date in February. The 2019-2020 Drug Use Prevention Grant Mid-Year Report Certification has been filed and approved. Chief Meisler to apply for the COPS Grant, a long shot but worth trying. Officer Schrader has completed his probationary period. Chief requested he receive a \$2.00 per hour raise as has been past practice. The request will be reviewed.

FIRE

Chief Kahler indicated the land for the future Fire Department has been surveyed and cleared of trees and stumps. Mr. Hirt read the report submitted by Chief Keith Kahler. Details are listed below:

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	Fire & Ems Run Details					
	EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
As of 2-12-	15	0	0	0	0	1
As of 2-12-2020	65	0	3	4	0	1
Year-To-Date	73					

*Motor Vehicle Crash(es)
 ** Alarm Activation(s)
 ***Carbon Monoxide Investigation(s)

ZONING

Permits

To-date this month there has been 3 permit applications submitted/processed totaling \$ 271.70.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA will hold adjudication hearings February 19, 2020 on the following cases.

- a. **BZA-2020-005**
63 Erie Beach Road. Request for an Area Variance from Section 5.1.C.ii to allow an accessory structure to be located in the rear-yard setback (5' required/ 3'7" proposed). **Colette & Mark Twarek, Owners/Applicants.**

- b. **BZA-2020-006**
240 Tibbels. Request for an Area Variance from Section 7.9.3.A to allow for an addition onto the nonconforming home to exceed 20% of the original square footage [291s.f. allowed/ 588s.f. all new (47%) or 1,260 w. garage attachment (86%) proposed]. **Roy Edward & Diane Velej, Owners/Applicants.**

- c. **BZA-2020-009**
7487 E. Harbor Road (Rock Harbor Cottages). Request for a Conditional Use in accordance with Section 3.1.10.C.v & 4.4 to designate an additional parcel (PIN# 0141175415717000) & the property as a Resort. Area Variances requested from Sec. 4.4.1. for side-yard setbacks on the additional lot (45' required/ 5' proposed), and Sec. 4.4.5. to allow less than minimum acreage requirement (5 ac. required/ 2.8 total ac. proposed). **Bradley Miller, Owner/Applicant.**

The Zoning Commission -

The Zoning Commission was scheduled to hold a public hearing February 5, 2020 on the following case:

- a. **ZC-2019-233 7356 E. Harbor Road. Map Amendment** from "R-2" Suburban Residential to "R-C" Recreational Commercial for PIN# 0141178715753000 (Sec. 2, Pt. of Lot 18 Firelands Survey) consisting of approximately 0.63acres. **Herbert Beidel, Sr. Owner & Applicant/ Don Lombardy, Agent.**

However, on 02.04.20 the owner of the property withdrew the request and the hearing was cancelled. Not that it matters at this point, but we had misunderstood how the vote was taken by the OCRPC. We reported at your last meeting that OCRPC had recommended approval, but they actually voted to recommend denial. At the hearing we did not hear correctly that

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the motion made was to “Approve Staff’s Recommendation”, which was for denial. We thought they had made a motion to recommend approval.

Two applications have been received from gentlemen interested in serving on either of our Boards. Copies are enclosed for the Boards review. The only open position we have at this time is an Alternate term due to expire 12/31/2023 on the Zoning Commission.

Department Updates

- In January the Website hosting renewal and SSL Certificate were renewed for 1 yr. It was cheaper to do a one-year renewal at this time as opposed to a longer term.
- On February 3, 2020 we received notice from the State that the zoning files for properties now in the Village of Marblehead had been approved for transfer. The files were dropped off to Bob Hruska on February 4.
- On February 3, 2020, we received notice that myself, Chief Meisler along with the County Commissioners, Health District and Building Department were named in what appears to be an Administrative Appeals case in the Common Pleas Court. Since it is active and pending litigation, there is not much to share in the meeting other than just to note that the Prosecutor’s Office is handling it for us.

Violations/ Complaints:

DILAPIDATED STRUCTURES:

7597 E. Harbor Road (Mazur Barn)

Open

Owner has until March 9, 2020 to remove the barn. KAD contacted Mr. Mazur 02.07.20 to get an update on where things stand. He shared that Scott Harris is removing some items from the barn that he wanted to keep and that Vince Gresh is removing the barn. He said he has been told that they anticipate that the barn will be removed in 10 days (week of February 17th). He also said that he will be back in the area 02.09.20 due to a rental issue.

7857 E. Harbor Road (Karns House)

CLOSED

House was demolished January 27, 2020

ILLEGAL RENTAL:

0 E. Harbor Road (Rock Harbor - Miller)

Open

Owner has filed a BZA request to have the parcel that this illegal rental was on, to be located and part of the Conditional Use with the rest of the Resort.

Prior Info: Certified letter sent to the property owner letting them know the recent change of use from a storage building to a SF home is not part of the Rock Harbor Cottages property, thus cannot be rented for a period of less than 30 days as they are advertising online.

353 Miley (Illegal Rental - Brugnone)

Open

The owner never made contact regarding the initial letter. A second attempt was sent Certified on February 7, 2020.

Prior Info: Letter sent to the property owner 01.17.20 letting them know the SF home cannot be rented for a period of less than 30 days as they are advertising online.

CONSTRUCTION WITHOUT PERMITS:

1696 Jeanie (Deck/Bridge w/out Permit – Henderson)

Open

On 01/27/20, the day before the scheduled mediation, the association’s attorney called for background information and stated they refuse to sit at the table for mediation. I contacted the Prosecutor because this case could result in claims that I wanted to see if he would be able to pursue or represent the Township on.

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He in turn contacted the attorney on behalf of the property owner in question and the association's attorney and they are supposed to all sit down and meet together without the formal process of mediation.

Prior Info: Owner came in 07.01.19 after receiving letter. He provided a copy of letter sent to his association asking for approval of the bridge that may be in the private drainage easement. Association member came in 07.03.19 and 07.08.19 asking for clarification on what is and is not allowed. Awaiting decision by the association. Letter sent to the property owner 06.26.19 regarding a deck/bridge being constructed without proper permits which so happens to be over a drainage ditch easement. Awaiting decision by the association. Association emailed over 09.28.19 weekend and stated that the bridge had been denied and asked the homeowner to remove what of the structure was in place by November 1, 2019. Will monitor to see if that work takes place before pursuing any zoning action further. 11.07.19 spoke with homeowner and they indicated that they have been in touch with their attorney over this issue. Spoke to homeowner's attorney on 11.12.19 regarding the matter. Homeowners & their Atty met 12/3/19. As of 12/5/19 they are going to request mediation with the Association. They are giving the Association until 12/23 or 12/30 to respond. Received an email from the Association 12/16/19 indicating that they have not heard anything from the Henderson's or their attorney regarding this matter. Follow-up was requested from the Attorney, he indicated he got behind in some of his paperwork and intends to file the mediation request 12/23/19. To-date the attorney representing this homeowner has failed to follow thru and submit the necessary paperwork to Ottawa County Municipal Court requesting mediation. He has assured me for over a month that this was being taken care of. A certified letter has been sent out to both the property owner and attorney requiring that the bridge/deck be removed by February 1, 2020. Atty. & property owner received their certified letters 1/10 & 1/11 respectively. Atty. called 1/17 to say they have filed mediation paperwork. Court has confirmed this has been filed and the mediation date is to be held at 10:00a.m. on 1/28.

8786 Northshore (Fence w/out Permit – Camp Runinmuck)/Open

Letter was sent 01.31.20 to Runinmuck regarding some wire mesh fencing extended above the split rail and 2x4 boards located in the road right-of-way supporting this additional fence. They were asked to remove or take out necessary paperwork no later than February 17, 2020.

7209 Tanglewood Structure sustained significant damage from a fire September 9, 2019. Chief Kahler and Zoning Inspector Kathryn Dale have made contact with the insurance company to advise, according to Resolution 25-2015, the Township is authorized the use of the Fire Loss Procedures set forth in ORC 3929.86.

OLD BUSINESS

Ms. Rozak motioned and Mr. Hirt seconded Ms. Dale's continuing education courses, to maintain certification, in Huston Texas. Total cost not to exceed \$3000.00 Roll Call all voted affirmative.

NEW BUSINESS

Susan Dress discussed **Better You, Better Ohio** a program designed to provide health and wellness resources and services to qualifying Ohio workers who work for small employers [150 or fewer workers] in high-risk industries. Fire, police, and public employers are considered high-risk for this program. The program is free to employees, and is no cost/ no paperwork for employers. All the employer needs to do is make its employees aware of the program and its benefits; including health & wellness awareness, education and training; health assessments and biometric screenings; member engagement website; a mobile app; digital coaching; and a \$75 gift card if they complete the health assessment and biometric screening.

The biometric screening can be done at a patient service center, by the employees personal physician [subject to doctors office fees and charges], or with at-home test materials. The test results are not shared with employer or with the BWC. The signup process takes a bit of

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time; not active time, but waiting. Fill in an online application, submit it, then wait for email confirmation of acceptance before actually creating an account. I took the first step today, to see how it goes.

Trustees approved participation in this program. All voted yes.

- Ms. Rozak was notified the Keepers House is in need of painting and possible repairs.

FISCAL BUSINESS

A motion by Ms. Rozak and seconded by Mr. Dress to approve the payroll and bills totaling \$149,186.58. Roll call was unanimous and motion carried. Ms. Rozak motioned and Mr. Hirt seconded the acceptance of the January bank reconciliation. Roll Call all voted yes. There being no further business before the Board, Mr. Dress moved and Ms. Hirt seconded a motion to adjourn at 7:50p.m. Motion carried.

Fiscal Officer

Danbury Township Board of Trustees