

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 5:45 p.m., on January 11, 2023, at the Danbury Township Hall, 5972 E. Harbor Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. DRESS introduced the following resolution and moved its adoption:

**RESOLUTION NO. 01 - 2023**

**A RESOLUTION ADOPTING AN APPLICATION FOR A MAP AMENDMENT TO THE DANBURY TOWNSHIP ZONING MAP**

**WHEREAS**, Ohio Revised Code section 519.12(A)(1) authorizes amendments to the zoning map initiated by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed, and

**WHEREAS**, Andy Schlotterer, MAWL Properties, LLC, Owner of property at 280 S. Bridge Road (Rear), Part of Lot 4, Section 4, PIN# 0141164115578008 filed Case No. ZC-2022-270 requesting a Map Amendment from "A" Agricultural to "C-2" General Commercial for an 80' x 138' (11,040s.f.) area of a 4.591ac. parcel; and

**WHEREAS**, the Ottawa County Regional Planning Commission held a public hearing on November 15, 2022, and recommended unanimous approval of the proposed map amendment; and

**WHEREAS**, the Danbury Township Zoning Commission held a public hearing on December 7, 2022 and by motion and vote recommended 4-0 approval of the proposed map amendment as presented; and

**WHEREAS**, on January 11, 2023, the Board of Trustees held a public hearing on said amendment, received public comment, and reviewed all pertinent documents; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees at the conclusion of the public hearing, by motion and vote, voted to accept the recommendation of the Danbury Township Zoning Commission and that the application for a Map Amendment be approved as presented, finding that the Decision Criteria "b" of Section 7.7.3.E.ii of the Danbury Township Zoning Resolution is satisfied and that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board does hereby adopt the amendment to the Danbury Township Zoning Map attached hereto as Exhibit A; and
- 2) That this portion of property be subject to the regulations of Article 3 ("C-2" General Commercial) and other applicable sections of the Danbury Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, landscaping, buffering and screening, signage, lighting, and parking standards; and

- 3) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 4) That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. Mr. HIRT seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak YES Mr. Dress YES Mr. Hirt YES

**ADOPTED** this 11<sup>th</sup> day of January, 2023.

Attest:

Carolyn Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Dianne Rozak  
Dianne Rozak

John Paul Dress  
John Paul Dress

David Hirt  
David Hirt

#### AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 11<sup>th</sup> day of January, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular session at 6:00p.m. on January 11, 2023 at the Danbury Township Fire Station, 7870 E. Harbor Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 02 - 2023**

**A RESOLUTION APPROVING THE ENGAGEMENT OF SEMRO HENRY AND BARGA LTD. AS LEGAL COUNSEL FOR THE BOARD OF TRUSTEES IN ZONING MATTERS**

WHEREAS, the Board of Trustees, from time to time, requires the advice of outside legal counsel on zoning matters.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees approves the hiring of Semro Henry & Barga Ltd. as legal counsel for the Board of Trustees for zoning matters as indicated in the attached engagement letter dated December 20, 2022.

BE IT FURTHER RESOLVED that it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr./ Ms. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

ADOPTED this 11th day of January, 2023.

Attest:

Fiscal Officer

Cheryl Adams

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

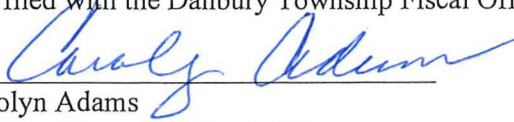
Dianne Rozak

John Paul Dress

David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 11th day of January, 2023 and filed with the Danbury Township Fiscal Officer.



Carolyn Adams  
Danbury Township Fiscal Officer

December 20, 2022

Kathryn A. Dale, AICP  
Danbury Township Zoning & Planning Administrator  
5972 East Port Clinton Eastern Road  
Marblehead, Ohio 43440

Re: SHB Representation for 2023

Dear Kathy:

Thank you for the opportunity to perform legal services for the Danbury Township Board of Trustees ("Township") for the past several years. We propose to provide legal services for the Township at a rate of \$225 per hour, and I will be primarily responsible for the work for the Township. Holly Dye, who also works on Township matters has an hourly rate of \$200. These rates are subject to periodic adjustment by the firm.

We will not charge the Township for travel time or for automobile mileage to or from the Township. As we do not directly bill for services such as faxes, copies, long distance phone calls, etc., we include a charge of 3.5% to our invoices to cover these expenses. This charge does not include out-of-pocket expenses such as filing fees and overnight charges. Also, at no charge to the Township, I would be happy to conduct training for the Township Board of Zoning Appeals during 2023 as I have done previously. This engagement is effective through December 31, 2023.

We look forward to the opportunity of providing services to the Township. Feel free to contact me with any questions.

Very truly yours,



Jeffrey M. Stopar

JMS/een



This letter accurately reflects our understanding of the services to be provided by Semro Henry & Barga Ltd. and the basis for its charges for such services.

Date: 11/11/23

Kathryn A. Dale  
Kathryn A. Dale, AICP

**The Board of Trustees of Danbury Township, County of Ottawa, Ohio**, met in a regular session at 6:00 p.m., on January 23, 2023 at the Danbury Township Fire Station, 7870 E. Harbor Road, Marblehead, Ohio 43440, with the following members present: Mr. John Paul Dress and Ms. Dianne M. Rozak. Mr. David M. Hirt was excused.

## **RESOLUTION #03-2023**

### **RESOLUTION OF THE BOARD OF TRUSTEES OF DANBURY TOWNSHIP OF OTTAWA COUNTY, OHIO, FOR THE PURPOSE OF APPLYING FOR THE OSS SOLID WASTE DISTRICT'S COMPETITIVE FUNDING GRANT.**

Trustee Dress moved the adoption of the following resolution:

WHEREAS, the Danbury Township Board of Trustees find it necessary to apply for grant funding to purchase recycled material picnic tables for Meadowbrook Marsh preserve and recycled material waste containers for Sackett Cemetery; and

WHEREAS, grant funding is available through the OSS Solid Waste District's Competitive Funding Grant:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF DANBURY TOWNSHIP OF OTTAWA COUNTY, OHIO:

THAT, this Board of Township Trustees of Danbury Township declares it shall approve to pursue the application of a grant from the OSS Solid Waste District in the amount of \$5,620 toward the purchase of a three (3) recycled material picnic tables for Meadowbrook Marsh preserve and four (4) recycled material waste containers for Sackett Cemetery and that an original price quote in the amount of \$7,496 has been received from Jack's Amish Country Konnection and that Danbury Township will provide 25% matching funds in the amount of \$1,874 and that Trustee Dianne M. Rozak will be the designated contact person for this project and may be contacted at (419) 340-9359 by telephone and at [dianne@danburytownship.com](mailto:dianne@danburytownship.com) by email.

This Board of Township Trustees of Danbury Township hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board which resulted in this formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including ORC 121.22.

The motion was seconded by Trustee Rozak.

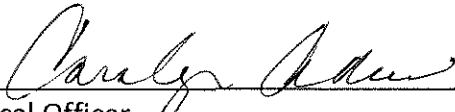
Roll Call Vote:

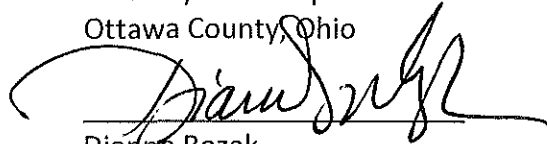
Trustee John Paul Dress    Yes  
Trustee Dianne Rozak     Yes  
Trustee David Hirt        Excused

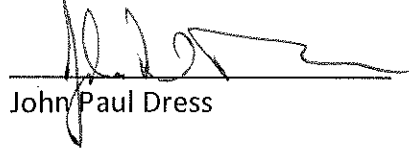
PASSED AND ADOPTED by the Board of Trustees of Danbury Township of Ottawa County at Marblehead, Ohio, on the 23<sup>rd</sup> day of January, 2023.

Attest:

Board of Trustees  
Danbury Township  
Ottawa County, Ohio


  
\_\_\_\_\_  
Fiscal Officer

  
\_\_\_\_\_  
Dianne Rozak

  
\_\_\_\_\_  
John Paul Dress

\_\_\_\_\_  
David Hirt

I, Carolyn Adams, Fiscal Officer of the Board of Trustees of Danbury Township, Ottawa County, Ohio, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by said board at the regularly scheduled and conducted meeting held on the stated date, which resolution is on file and of record in the office of said board.

  
\_\_\_\_\_  
Carolyn Adams –Fiscal Officer



The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular meeting session at 6:00 p.m. on February 8, 2023 at the Danbury Township building, 5972 Port Clinton Eastern Road, Marblehead, Ohio, 43440 with the following members present: Mr. David M. Hirt, Ms. Dianne M. Rozak, Mr. John Paul Dress.

Trustee Dress introduced the following resolution and moved for its adoption:

### **RESOLUTION #04-2023**

#### **A RESOLUTION TO APPLY TO THE PARK DISTRICT OF OTTAWA COUNTY FOR THEIR 2023 PARKS AND TRAILS IMPROVEMENT GRANT**

**WHEREAS;** the Danbury Township Board of Trustees are the owners of Meadowbrook Marsh located at 8577 E. Bayshore Road in Danbury Township; and

**WHEREAS;** the Ottawa County Park District is providing an opportunity to apply for funding for park improvements; and

**WHEREAS;** the Danbury Township Board of Trustees desires to participate in this grant program;

#### **NOW THEREFORE BE IT RESOLVED THAT:**

The Danbury Township Board of Trustees agrees to the terms and conditions of this grant program and designates Trustee Dianne Rozak to apply for this funding for improvements to amenities at Meadowbrook Marsh

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to ORC 121.22, except as otherwise permitted thereby.

This resolution shall take effect and be in force from or after the earliest period allowed by law.

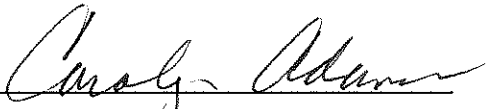
Trustee HIRT seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:

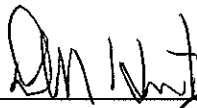
Vote Record: Mr. Hirt Yes Ms. Rozak Yes Mr. Dress Yes

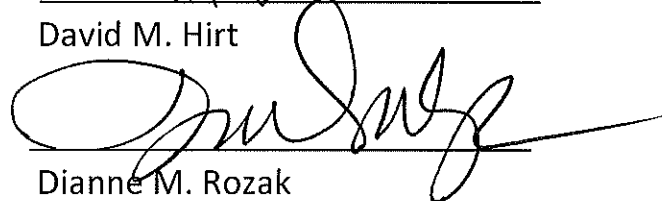
ADOPTED this 8th Day of February, 2023

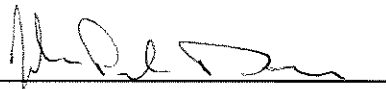
Board of Trustees, Danbury Township  
Ottawa County, Ohio

Attest:

  
Fiscal Officer Carolyn Adams

  
David M. Hirt

  
Dianne M. Rozak

  
John Paul Dress

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session February 8, 2023 and filed with the Danbury Township Fiscal Officer.

  
Carolyn Adams, Danbury Township Fiscal Officer

## RESOLUTION NO. 05-2023

*Authorizing Expenditure from American Rescue Plan Act Funds  
Meadowbrook Park Paving Projects*

*Ottawa County, Ohio*

**Be It Resolved** *by the Township Trustees of Danbury Township*

**WHEREAS**, this date, February 22, 2023, Trustee HIRT moved the adoption of the following Resolution:

**WHEREAS**, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

**WHEREAS**, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Provision of police, fire, and other public and safety services.

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the Board of Trustees has identified projects which, in the judgment of the Board, qualify as permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

**Concrete base for Meadowbrook shelter house and ADA accessible path to shelter.  
Catch basins, pipe and drain and repair of walking path.  
Paving mowed path.  
Wildflowers**

**NOW THEREFORE**, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution 03-2022 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.
2. The Projects were authorized and paid for from the ARPA Funds in an amount not to exceed \$23,000.00.
3. The Projects described herein serve the objectives of the Act by providing services traditionally provided by a government, namely:
  - Parks and recreational facilities
4. Accordingly, these Projects are in the best interests of the Township and deemed a priority for the community.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.
6. These Projects will be categorized as Expenditure Category EC 6.1 – Provision of Government Services.

Trustee Dress seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 22<sup>nd</sup> day of February, 2023.

[Signature]  
[Signature]  
[Signature]  
Township Trustees

Attest: [Signature]  
Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 5:45 p.m., on March 8, 2023, at the Danbury Township Hall, 5972 E. Harbor Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

~~Mr.~~ (Ms) ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 06 - 2023**

**A RESOLUTION ADOPTING AN APPLICATION FOR A MAP AMENDMENT TO THE DANBURY TOWNSHIP ZONING MAP**

**WHEREAS**, Ohio Revised Code section 519.12(A)(1) authorizes amendments to the zoning map initiated by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed, and

**WHEREAS**, Larry Cook, Owner of property at 7241 E. Bayshore Road, Part of Lot 6, Section 2, PIN# 0141138615251000 & 0141138615247001 consisting of 0.905 total acres filed Case No. ZC-2023-001 requesting a Map Amendment from "M-1" Light Manufacturing to "A" Agricultural; and

**WHEREAS**, Arthur & Nancy Kihlken, Owner of property at 7275 E. Bayshore Road, Part of Lot 6, Section 2, PIN# 0141999530434000 consisting of 0.34 acres co-signed and joined Case No. ZC-2023-001 requesting a Map Amendment from "M-1" Light Manufacturing to "A" Agricultural; and

**WHEREAS**, the Ottawa County Regional Planning Commission held a public hearing on January 17, 2023, and recommended unanimous approval of the proposed map amendment; and

**WHEREAS**, the Danbury Township Zoning Commission held a public hearing on February 1, 2023 and by motion and vote recommended 5-0 approval of the proposed map amendment as presented; and

**WHEREAS**, on March 8, 2023, the Board of Trustees held a public hearing on said amendment, received public comment, and reviewed all pertinent documents; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees at the conclusion of the public hearing, by motion and vote, voted to accept the recommendation of the Danbury Township Zoning Commission and that the application for a Map Amendment be approved as presented, finding that the Decision Criteria "a" & "b" of Section 7.7.3.E.ii of the Danbury Township Zoning Resolution is satisfied and that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board does hereby adopt the amendment to the Danbury Township Zoning Map attached hereto as Exhibit A; and
- 2) That this portion of property be subject to the regulations of Article 3 ("A" Agricultural) and other applicable sections of the Danbury Township Zoning Resolution, including but not necessarily limited to area regulations, building

setbacks, landscaping, buffering and screening, signage, lighting, and parking standards; and

- 3) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 4) That this Resolution shall be effective at the earliest date allowed by law.

Mr. Ms. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

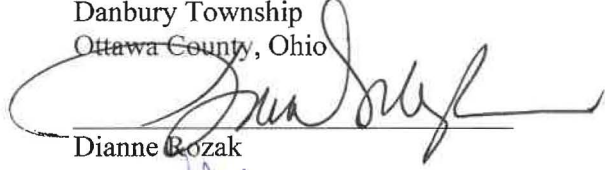
Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes


**ADOPTED** this 8<sup>th</sup> day of March, 2023.

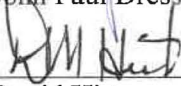
Attest:

  
\_\_\_\_\_  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio


  
\_\_\_\_\_  
Dianne Rozak

  
\_\_\_\_\_  
John Paul Dress

  
\_\_\_\_\_  
David Hirt

#### AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 8<sup>th</sup> day of March, 2023 and filed with the Danbury Township Fiscal Officer.

  
\_\_\_\_\_  
Carolyn Adams  
Danbury Township Fiscal Officer

## RESOLUTION NO. 07-2023

### RESOLUTION TO MODIFY PREVIOUS TRUSTEE RESOLUTION 32-2022 REGARDING:

Authorizing Expenditure from American Rescue Plan Act Funds  
Purchase of Danbury Township meeting room chairs and window blinds

#### PREAMBLE

**WHEREAS**, on October 26, 2022, the Trustee adopted Resolution 32-2022 authorizing ARPA funds for Township Hall chairs and blinds in an amount not to exceed \$2500.00

**WHEREAS**, the remaining amount for the purchase of blinds is \$617.14

#### RESOLUTION

**WHEREAS**, on this date, March 8, 2023, Trustee HRT moved to adopt the following Resolution:

**WHEREAS**, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;



(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

**WHEREAS**, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Provision of police, fire, and other public and safety services.

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the Board of Trustees has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

**Purchase window blinds in the Township Hall meeting room.**

**NOW THEREFORE**, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution 03-2022 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: **\$2000.00**.

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- General government administrative facilities

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

6. This Project will be categorized as Expenditure Category EC 6.1 – Provision of Government Services.

Trustee Dress seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 8<sup>th</sup> day of March, 2023.

[Signature]

[Signature]

[Signature]

Township Trustees

Attest: [Signature]  
Township Fiscal Officer

The Board of Trustees of Danbury Township, Ottawa County, Ohio met in regular session on the 22nd day of March, 2023 at 5972 E. Port Clinton Eastern Road, Marblehead, OH 43440 with the following members present: Mr. John Paul Dress; Mr. David M. Hirt; ~~Ms. Dianne Rozak~~. excused.

Mr Dress introduced the following resolution and moved its adoption:

**Resolution No. 08-2023**  
**A Resolution adopting the 2023 Road Striping Program**

**WHEREAS**, the Danbury Township Trustees deem it in the best interest of the public safety and general welfare of said Township and its residents to stripe the roads in the Township.

**NOW THEREFORE BE IT RESOLVED** by the Township Trustees of Danbury Township, Ottawa County, that the following roads be striped:

1. Center lines only on Meter Road, Channel Grove Road, and Buck Road-139A
2. Center and edge lines on, Buck Road-139, Hartshorn Road, Marblewood Drive, Quarry Road, North Shore Blvd. and Englebeck Road both to the beginning of the round-about
3. Center and edge lines on Erie Beach Road to include School zone and crosswalk markings
4. Center and edge lines on Lightner Road to include Rail Road Crossing, and additional lines on the overpass, with 1/2 of the cost for Lightner Road to be shared with Portage Township.

Mr Hirt seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Dress yes Mr. Hirt yes Ms. Rozak \_\_\_\_\_

**ADOPTED** this 22nd day of March, 2023

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Attest: Carolyn Adams  
Fiscal Officer

John Paul Dress  
David M. Hirt

\_\_\_\_\_  
Dianne M. Rozak

The state of Ohio, Ottawa County, ss

I, Carolyn Adams, Fiscal Officer of Danbury Township do hereby certify that the foregoing is taken and copied from the Record of Proceedings of said Danbury Township Board of Trustees, that the same has been compared by me with the Resolution on said Record and that is a true and correct copy thereof.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

## RESOLUTION NO. 09-2023

*Authorizing Expenditure from American Rescue Plan Act Funds*

*Ottawa County, Ohio*

**Be It Resolved** *by the Township Trustees of Danbury Township*

**WHEREAS**, this date, April 12, 2023, Trustee HIRT moved the adoption of the following Resolution:

**WHEREAS**, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

**WHEREAS**, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the Board of Trustees has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

**10 New XL-45P Portable Single Band 7/800 Radios. Single Key Encryption \$21,751.30**

**NOW THEREFORE**, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution 03-2022 and 03A-2022 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of \$21,751.30.

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- Police protection

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

6. This Project will be categorized as Expenditure Category EC 6.1 – Provision of Government Services.

Trustee DRESS seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 12<sup>th</sup> day of April, 2023.

[Signature]

[Signature]

[Signature]

Township Trustees

Attest: [Signature]  
Township Fiscal Officer

The Board of Trustees of Danbury Township, Ottawa County, Ohio met in regular session on the 12<sup>th</sup> day of April, 2023 at 5972 E Port Clinton Eastern Rd., Marblehead, OH 43440 with the following members present: Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt.

MR. HIRT introduced the following resolution and moved for its adoption:

**RESOLUTION NO. 10-2023**

**A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE OTTAWA-SANDUSKY-SENECA JOINT SOLID WASTE MANAGEMENT DISTRICT**

WHEREAS; DANBURY TOWNSHIP is located within the jurisdiction of the Ottawa-Sandusky-Seneca Joint Solid Waste Management District.

WHEREAS; The District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54 and 3734.55.

WHEREAS; the District has provided a copy of the Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities of the District.

WHEREAS; Danbury Township must decide whether it approves of said Solid Waste Management Plan within ninety days of receipt of the Final Draft Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Danbury Township:

1. Danbury Township:

- a.  approves the District Solid Waste Management Plan
- b.  disapproves the District Solid Waste Management Plan

2. The Fiscal Officer is hereby directed to send the District a copy of this resolution to the attention of Mr. Gary Baty, District Director, Ottawa-Sandusky-Seneca Joint Solid Waste Management District, 1875 East State Street, Fremont, OH 43420 or by email at [gbaty@recycleoss.org](mailto:gbaty@recycleoss.org).

BE IT FURTHER RESOLVED that it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board that resulted in such formal action, were taken in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

MR. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows.

Vote Recorded: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

*Adopted this 12th day of April, 2023.*

Attest:

  
\_\_\_\_\_  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

  
\_\_\_\_\_  
Dianne Rozak

  
\_\_\_\_\_  
John Paul Dress

  
\_\_\_\_\_  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a Resolution duly passed by this Board of Trustees in session this 12<sup>th</sup> day of April, 2023 and filed with the Danbury Township Fiscal Officer.

  
\_\_\_\_\_  
Carolyn Adams  
Danbury Township Fiscal Officer



**RESOLUTION AUTHORIZING PARTICIPATION 11-2023**  
**IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

**WHEREAS,** (Danbury Township, Ottawa County) (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees that each party hereto shall be responsible for liability associated with that party's own errors, actions, and failures to act.
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1<sup>st</sup>, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE,** be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

	(Authorized Signature)	<u>4/26/23</u>	Approval Date
	(Authorized Signature)	<u>4-26-23</u>	Approval Date
	(Authorized Signature)	<u>4-26-23</u>	Approval Date
_____	(Authorized Signature)	_____	Approval Date
	(Authorized Signature)	<u>4-26-23</u>	Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 1<sup>st</sup>, 2023.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular meeting session at 6:00 p.m. on May 10, 2023 at the Danbury Township building, 5972 Port Clinton Eastern Road, Marblehead, Ohio, 43440 with the following members present:

Ms. Dianne M. Rozak, Mr. John Paul Dress and Mr. David M. Hirt

Mr./Ms. DRESS introduced the following resolution and moved for its adoption:

**RESOLUTION #12 - 2023**

**A RESOLUTION AUTHORIZED BY ORC 505.10(A)(6) PERMITTING THE SALE OF TOWNSHIP PROPERTY KNOWN AS PIN #0142088134272001 LOCATED AT 150 SR 269 AND CONSISTING OF .6050 ACRES OF LAND INCLUDING THE FIRE STATION BUILDING**

**WHEREAS;** the Danbury Township Board of Trustees are the owners of a .6050-acre parcel and building located at 150 SR 269 PIN #0142088134272001 and; **WHEREAS;** J. Terry’s Properties desires to purchase this parcel and building for \$285,000 plus the cost of all related recording and closing fees; and **WHEREAS;** the Danbury Township Board of Trustees desires to complete this transaction.

**RESOLUTION**

**NOW THEREFORE BE IT RESOLVED THAT:**

The Danbury Township Board of Trustees, in accordance with ORC 505.10(A)(6) and by unanimous vote agrees to sell the above-referenced parcel to J. Terry’s Properties for the above price and terms and that Trustee Dianne Rozak is hereby authorized to complete and sign all applicable documentation on behalf of the Danbury Township Board of Trustees.

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including by not limited to ORC 121.22, except as otherwise permitted thereby.

This resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./Ms. HIRT seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:

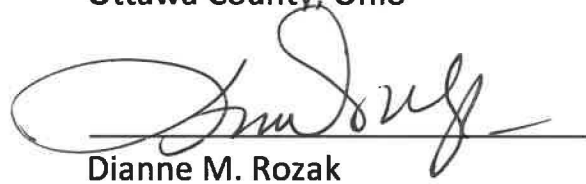
Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

ADOPTED this 10th Day of May, 2023

Board of Trustees, Danbury Township  
Ottawa County, Ohio

Attest:

  
Fiscal Officer Carolyn Adams

  
Dianne M. Rozak

  
John Paul Dress

  
David M. Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session May 10, 2023 and filed with the Danbury Township Fiscal Officer.

  
Carolyn Adams, Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:00 p.m., on May 10, 2023, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. Dress introduced the following resolution and moved its adoption:

**RESOLUTION NO. 13-2023**

**A RESOLUTION DECLARING THE PROPERTY OWNED BY  
WALLY WOWK & MARIANNE GEDEON, LOCATED AT  
140 TIBBELS (PIN# 0142030032207000 & 0142030032208000)  
IN DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO,  
A NUSIANCE AND ORDERING ABATEMENT**

**PREAMBLE**

**WHEREAS**, the Danbury Township Board of Trustees (the "Board") has found the property owned by Wally Wowk & Marianne Gedeon, and located at 140 Tibbels, (PIN# 0142030032207000 & 0142030032208000) Lot 2 of Tibbels Allotment Subdivision and real property, to be littered with weeds, debris and uncontrolled vegetation (the "Vegetation and Debris"), exceeding 12", and;

**WHEREAS**, Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

**WHEREAS**, On June 8, 2022 by Trustee Resolution 16-2022, the Board determined that the same landowner and land constituted a nuisance and the Property was subsequently abated by the property owner; and

**WHEREAS**, it is in the best interests of Danbury Township (the "Township") and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the Vegetation and Debris from the Property.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Board of Trustees of Danbury Township, Ottawa County, Ohio has found that the property owned by Wally Wowk & Marianne Gedeon, and located at 140 Tibbels, (PIN# 0142030032207000 & 0142030032208000) Lot 2 of Tibbels Allotment Subdivision and real property, in Danbury Township, Ottawa County, Ohio is littered with weeds, debris and uncontrolled vegetation, exceeding 12", and the Board hereby determines that the maintenance of the Vegetation and Debris on the Property constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

**Section 1.** The Board orders the owner of the Property to remove the Vegetation and Debris or make arrangements for the removal within four (4) days after receipt of notice of this Resolution;

**Section 2.** The Board authorizes the Zoning Inspector or their designee to notify the record owner and lienholders of the Property as provided in §505.87(C) of the Ohio Revised Code;

**Section 3.** If the record owner does not remove the Vegetation and Debris or make arrangements for the removal within four (4) days from the receipt of notice hereof, the Trustee designated as the Zoning Department liaison is authorized to order Township employees, or enter into contract with any persons with adequate materials and equipment to be used to remove and abate the Vegetation and Debris, and all costs and expenses so incurred shall, when approved by the Board, be paid out of the unappropriated monies in the general fund;

**Section 4.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Vegetation and Debris to the Auditor of Ottawa County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in §505.87 of the Ohio Revised Code;

**Section 5.** This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

This Resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./ Ms. HIRT seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

**ADOPTED** this 10<sup>th</sup> day of May, 2023.

Attest:

Carolyn Adams  
Fiscal Officer  
Carolyn Adams

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Dianne M. Rozak  
Dianne M. Rozak  
John Paul Dress  
John Paul Dress

David M. Hirt  
David M. Hirt

#### AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 10<sup>th</sup> day of May, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 5:30 p.m., on May 24, 2023, at the Danbury Township Hall, 5972 E. Harbor Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./~~Ms.~~ ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 14 - 2023**

**A RESOLUTION ADOPTING AN APPLICATION FOR A TEXT  
AND MAP AMENDMENT TO THE DANBURY TOWNSHIP  
ZONING RESOLUTION**

**WHEREAS**, Ohio Revised Code section 519.12(A)(1) authorizes amendments to the zoning map initiated by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed, and

**WHEREAS**, The Lakeside Association, Owner of property filed on February 15, 2023 a request for a Text and Map Amendment to the Danbury Township Zoning Resolution to establish a new "LMO" Lakeside Municipal Overlay zoning district; and

**WHEREAS**, said text and map amendments were forwarded to the Ottawa County Regional Planning Commission (OCRPC) February 17, 2023, and considered by the Ottawa County Regional Planning Commission (OCRPC) on March 21, 2023, where the Commission recommended approval of said text amendments as presented; and

**WHEREAS**, the Danbury Township Zoning Commission held a Special public hearing on April 12, 2023 and by motion and vote recommended 2-1 approval of the proposed text and map amendment as presented; and

**WHEREAS**, on May 24, 2023, the Board of Trustees held a public hearing on said amendment, received public comment, and reviewed all pertinent documents; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees at the conclusion of the public hearing, by motion and vote, voted to accept the recommendation of the Danbury Township Zoning Commission and that the application for a Text and Map Amendment be approved as presented, finding that the Decision Criteria "b" of Section 7.7.3.E.i and Decision Criteria "c" of Section 7.7.3.E.ii of the Danbury Township Zoning Resolution is satisfied and that the amendments would be in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board does hereby adopt the amendment to the Danbury Township Zoning Resolution attached hereto as Exhibit A; and
- 2) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the

public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and

3) That this Resolution shall be effective at the earliest date allowed by law.

Mr. Ms. HIRT seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

**ADOPTED** this 24<sup>th</sup> day of May, 2023.

Attest:

Carolyn Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Dianne Rozak  
Dianne Rozak

John Paul Dress  
John Paul Dress

David Hirt  
David Hirt

#### AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 24<sup>th</sup> day of May, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:00 p.m., on June 14, 2023, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak and Mr. David Hirt

Mr./ Ms. ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 15-2023**

**A RESOLUTION DECLARING THE PROPERTY OWNED BY  
DONALD W. BROWN, LOCATED AT  
1935 ELLSWORTH (PIN# 0140277515360000)  
IN DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO,  
A NUISANCE AND ORDERING ABATEMENT**

**PREAMBLE**

**WHEREAS**, the Danbury Township Board of Trustees (the "Board") has found the property owned by Donald W. Brown, and located at 1935 Ellsworth, (PIN# 0140277515360000), to be littered with weeds, debris and uncontrolled vegetation (the "Vegetation and Debris"), exceeding 12", and;

**WHEREAS**, the Board determined that the same landowner and land constituted a nuisance in 2021 and the Property was subsequently abated twice by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, the Board determined that the same landowner and land constituted a nuisance in 2022 and the Property was subsequently abated twice by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, pursuant to §505.87 of the Ohio Revised Code, the Board is authorized to determine that the maintenance or vegetation, debris upon a property constitutes a nuisance and order the property owner to remove such vegetation and debris within seven (7) days, and if the owner fails to remove the vegetation and debris or make arrangements for the removal within the allotted time period, the Board may proceed to remove the vegetation and debris and enter the cost of such removal upon the tax duplicate for the property; and

**WHEREAS**, Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

**WHEREAS**, it is in the best interests of Danbury Township (the "Township") and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the Vegetation and Debris from the Property.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Board of Trustees of Danbury Township, Ottawa County, Ohio has found that the property owned by Donald W. Brown, and located at 1935 Ellsworth, (PIN# 0140277515360000), in Danbury Township, Ottawa County, Ohio is littered with weeds, debris and uncontrolled vegetation, exceeding 12", and the Board hereby determines that the maintenance of the Vegetation and Debris on the Property constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:




- Section 1.** The Board orders the owner of the Property to remove the Vegetation and Debris or make arrangements for the removal within seven (7) days after receipt of notice of this Resolution;
- Section 2.** The Board authorizes the Zoning Inspector or their designee to notify the record owner and lienholders of the Property as provided in §505.87(B) of the Ohio Revised Code;
- Section 3.** If the record owner does not remove the Vegetation and Debris or make arrangements for the removal within seven (7) days from the receipt of notice hereof, the Trustee designated as the Zoning Department liaison is authorized to order Township employees, or enter into contract with any persons with adequate materials and equipment to be used to remove and abate the Vegetation and Debris, and all costs and expenses so incurred shall, when approved by the Board, be paid out of the unappropriated monies in the general fund;
- Section 4.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Vegetation and Debris to the Auditor of Ottawa County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in §505.87 of the Ohio Revised Code;
- Section 5.** This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

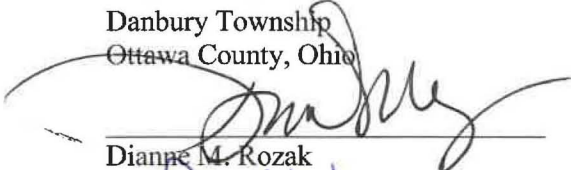
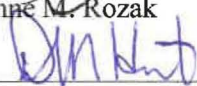
This Resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./ Ms.    HIRT    seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak    Yes    Mr. Hirt    Yes   


**ADOPTED** this 14<sup>th</sup> day of June, 2023.

Attest:  
  
 Fiscal Officer  
 Carolyn Adams

Board of Trustees  
 Danbury Township  
 Ottawa County, Ohio  
  
 Dianne M. Rozak  
  
 David M. Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 14<sup>th</sup> day of June, 2023 and filed with the Danbury Township Fiscal Officer.

  
 Carolyn Adams  
 Danbury Township Fiscal Officer

**1935 Ellsworth**  
(PIN# 0140277515360000)





The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular meeting session at 6:00 p.m. on June 14, 2023 at the Danbury Township building, 5972 Port Clinton Eastern Road, Marblehead, Ohio, 43440 with the following members present:

Ms. Dianne M. Rozak and Mr. David M. Hirt. Mr. John Paul Dress was excused.

Mr./Ms. ROZAK introduced the following resolution and moved for its adoption:

### **RESOLUTION # 16 - 2023**

#### **A RESOLUTION ESTABLISHING ENGINE BRAKE RESTRICTIONS AUTHORIZED BY ORC 505.17(a) and 4513.221(E)(4)**

**WHEREAS;** the Danbury Township Board of Trustees have received complaints about engine brake noise on ODOT maintained highways and roads within the boundaries of Danbury Township, and

**WHEREAS;** the Danbury Township Board of Trustees desires to eliminate this nuisance as the township noise resolution does not address engine brake noise; and

**WHEREAS;** the Ohio Office of the Attorney General has determined that, pursuant to ORC 505.17(A) and 4513.221(E)(4), township trustees may enact a regulation prohibiting the use of engine brakes on vehicles within the unincorporated area of the Township:

#### **RESOLUTION**

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of Danbury Township in accordance with ORC 505.17(a) and 4513.221(E)(4) and by unanimous vote that a restriction is established on the use of engine brakes within the unincorporated area of the township from township line to township line including ODOT maintained roads and County and Township maintained roads as provided by law. The Board authorizes ODOT, Ottawa County and the Danbury Township Road Superintendent to install **NO ENGINE BRAKE** signs at appropriate locations, as needed, within the township. The Township shall furnish all necessary signs fabricated in accordance with ODOT design standards and material specifications. Public service, public safety and emergency vehicles are exempt from this restriction.

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken open meetings of this Board and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including by not limited to ORC 121.22, except as otherwise permitted thereby.

This resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./~~Ms.~~ HIRT seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:

Vote Record: Ms. Rozak yes Mr. Hirt yes (Mr. Dress is excused)

ADOPTED this 14th Day of June, 2023

Board of Trustees, Danbury Township  
Ottawa County, Ohio

Attest:

Carolyn Adams  
Fiscal Officer Carolyn Adams

Dianne M. Rozak  
Dianne M. Rozak

David M. Hirt  
David M. Hirt

Excused  
John Paul Dress

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session June 14, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams,  
Danbury Township Fiscal Officer

## RESOLUTION NO. 17-2023

*Authorizing Expenditure from American Rescue Plan Act Funds  
Danbury Township: Meadowbrook driveway / Market Analysis of Storage Buildings and Development /  
New Maintenance Building Downpayment*

*Ottawa County, Ohio*

**Be It Resolved** by the Township Trustees of Danbury Township

**WHEREAS**, this date, June 28, 2023, Trustee ROZAK moved the adoption of the following Resolution:

**WHEREAS**, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- General government administration, staff, and administrative facilities
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the Board of Trustees has identified projects which, in the judgment of the Board, qualify as permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

- **Meadowbrook Park driveway to parking lot repair**
- **Market Analysis of Storage Buildings and Development**
- **Down payment on new building for Maintenance Department**

**NOW THEREFORE**, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution 03-2022 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Projects are hereby authorized and shall paid for from the ARPA Funds in the amounts as follows:

- **Meadowbrook Park driveway repair not to exceed \$40,000.00.**
- **Market Analysis of Storage Buildings and Development not to exceed \$50,000.00.**
- **Down payment on new building for Maintenance Department \$83,882.00.**

3. The Projects described herein serve the objectives of the Act by providing services traditionally provided by a government, namely:

- Road repair, maintenance & other transportation and safety services
- Public infrastructure support
- General government administration and administrative facilities
- Parks and recreational facilities and programs

4. Accordingly, these Projects are in the best interests of the Township and deemed a priority for the community.

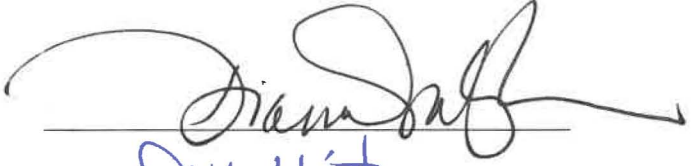
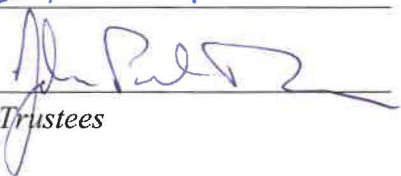
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

6. These Projects will be categorized as Expenditure Category EC 6.1 – Provision of Government Services.

Trustee Dress seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

*Adopted the 28<sup>th</sup> day of June, 2023.*

  
\_\_\_\_\_  
AM Idit  
\_\_\_\_\_  
  
\_\_\_\_\_  
Township Trustees

Attest: Carly Adams  
Township Fiscal Officer



## RESOLUTION NO. 17-2023 -Amended

*Authorizing Expenditure from American Rescue Plan Act Funds  
Danbury Township: Meadowbrook driveway / Market Analysis of Storage Buildings and Development /  
New Maintenance Building Downpayment*

*Ottawa County, Ohio*

**Be It Resolved** by the Township Trustees of Danbury Township

**WHEREAS**, this date, October 11, 2023, Trustee ROZAK moved the adoption of the following Resolution:

**WHEREAS**, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- General government administration, staff, and administrative facilities
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the Board of Trustees has identified projects which, in the judgment of the Board, qualify as permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

- **Meadowbrook Park driveway to parking lot repair**
- **Market Analysis of Storage Buildings and Development**
- **Down payment on new building for Maintenance Department**

**NOW THEREFORE**, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution 03-2022 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Projects are hereby authorized and shall paid for from the ARPA Funds in the amounts as follows:

- **Meadowbrook Park driveway repair not to exceed \$44,513.00. AMENDED**
- **Market Analysis of Storage Buildings and Development not to exceed \$50,000.00.**
- **Down payment on new building for Maintenance Department \$106,000.00. AMENDED**

3. The Projects described herein serve the objectives of the Act by providing services traditionally provided by a government, namely:

- Road repair, maintenance & other transportation and safety services
- Public infrastructure support
- General government administration and administrative facilities
- Parks and recreational facilities and programs

4. Accordingly, these Projects are in the best interests of the Township and deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

6. These Projects will be categorized as Expenditure Category EC 6.1 – Provision of Government Services.

Trustee Dress seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

*Adopted the 28<sup>th</sup> day of June, 2023.*

Attest: Carolyn Alderman  
Township Fiscal Officer

[Signature]  
[Signature]  
[Signature]  
Township Trustees

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 6:00 p.m., on July 18, 2023, at the Danbury Township Hall, 5972 E. Harbor Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 18 - 2023**

**A RESOLUTION ADOPTING AN APPLICATION FOR A MAP AMENDMENT TO THE DANBURY TOWNSHIP ZONING MAP**

**WHEREAS**, Ohio Revised Code section 519.12(A)(1) authorizes amendments to the zoning map initiated by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed, and

**WHEREAS**, Scott Harris, Owner of Kott's Camp on the Lake, LLC, which is property at 7931 E. Harbor Road, Part of Lot 16, Section 2, PIN# 0141169815647000 consisting of 8.1 of the 14.62acre parcel and PIN# 0141126815457000 consisting of 2.0 acres or 10.1 acres of the 16.62 total acres filed Case No. ZC-2023-061 requesting a Map Amendment from "R-3" High Density Residential to "R-C" Recreational Commercial; and

**WHEREAS**, the Ottawa County Regional Planning Commission held a public hearing on May 16, 2023, and recommended unanimous approval of the proposed map amendment; and

**WHEREAS**, the Danbury Township Zoning Commission held a public hearing on June 7, 2023 and by motion and vote recommended 4-1 approval of the proposed map amendment as presented; and

**WHEREAS**, on July 18, 2023, the Board of Trustees held a public hearing on said amendment, received public comment, and reviewed all pertinent documents; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees at the conclusion of the public hearing, by motion and vote, voted to accept the recommendation of the Danbury Township Zoning Commission and that the application for a Map Amendment be approved as presented, finding that the Decision Criteria "ii" of Section 7.7.3.E.ii of the Danbury Township Zoning Resolution is satisfied and that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board does hereby adopt the amendment to the Danbury Township Zoning Map attached hereto as Exhibit A; and
- 2) That this portion of property be subject to the regulations of Article 3 ("R-C" Recreational Commercial) and other applicable sections of the Danbury Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, landscaping, buffering and screening, signage, lighting, and parking standards; and

- 3) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 4) That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

**ADOPTED** this 18<sup>th</sup> day of July, 2023.

Attest:

Carolyn Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Dianne Rozak  
Dianne Rozak

John Paul Dress  
John Paul Dress

David Hirt  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 18<sup>th</sup> day of July, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 6:00 p.m., on July 18, 2023, at the Danbury Township Hall, 5972 E. Harbor Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. Dress introduced the following resolution and moved its adoption:

**RESOLUTION NO. 19 - 2023**

**A RESOLUTION ADOPTING AN APPLICATION FOR A MAP AMENDMENT TO THE DANBURY TOWNSHIP ZONING MAP**

**WHEREAS**, Ohio Revised Code section 519.12(A)(1) authorizes amendments to the zoning map initiated by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed, and

**WHEREAS**, Paul Gerrard, Owner of the property located at 319 S. Bridge Road, Part of Lot 3, Section 4, PIN# 0140467606665003 consisting of 13.165 ac. filed Case No. ZC-2023-074 requesting a Map Amendment from “R-3” High Density Residential and to rezone 0.505 ac. to “C-2” General Commercial and 11.1 ac. to be rezoned to “R-C” Recreational Commercial; and

**WHEREAS**, the Ottawa County Regional Planning Commission held a public hearing on May 16, 2023, and recommended unanimous approval of the proposed map amendment; and

**WHEREAS**, the Danbury Township Zoning Commission held a public hearing on June 7, 2023 and by motion and vote recommended 3-2 to deny the proposed map amendment; and

**WHEREAS**, on July 18, 2023, the Board of Trustees held a public hearing on said amendment, received public comment, and reviewed all pertinent documents; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees at the conclusion of the public hearing, by motion and vote, voted to overturn the recommendation of the Danbury Township Zoning Commission and that the application for a Map Amendment be approved as presented, finding that the Decision Criteria “ii” of Section 7.7.3.E.ii of the Danbury Township Zoning Resolution is satisfied and that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board does hereby adopt the amendment to the Danbury Township Zoning Map attached hereto as Exhibit A; and
- 2) That this portion of property be subject to the regulations of Article 3 (“C-2” General Commercial and “R-C” Recreational Commercial respectively) and other applicable sections of the Danbury Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, landscaping, buffering and screening, signage, lighting, and parking standards; and
- 3) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its

committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and

4) That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. HIRT seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

**ADOPTED** this 18<sup>th</sup> day of July, 2023.

Attest:  
Carolyn Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio  
Dianne Rozak  
Dianne Rozak  
John Paul Dress  
John Paul Dress  
David Hirt  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 18<sup>th</sup> day of July, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular meeting session at 6:00 p.m. on August 9, 2023 at the Danbury Township building, 5972 Port Clinton Eastern Road, Marblehead, Ohio, 43440 with the following members present: Mr. David M. Hirt, Ms. Dianne M. Rozak, Mr. John Paul Dress.

Trustee HIRT introduced the following resolution and moved for its adoption:

### **RESOLUTION #20-2023**

#### **A RESOLUTION TO CEASE COLLECTION OF THE .3 MILL LEVY - DANBURY TOWNSHIP FIRE DISTRICTS TOWNSHIP HYDRANT FINANCE**

**WHEREAS;** a Levy was enacted to pay specifically for financing Danbury Township Fire Hydrants beginning in 1995.

**WHEREAS;** the 25-year loan has been satisfied.

**WHEREAS;** the Danbury Township Board of Trustees desire to cease collection of the .3 mill levy.

#### **NOW THEREFORE BE IT RESOLVED THAT:**

The Danbury Township Board of Trustees agrees to cease collection of the .3 mill levy due to specificity of said levy ceasing when the loan for Danbury Township Fire Hydrants was satisfied.

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to ORC 121.22, except as otherwise permitted thereby.

This resolution shall take effect and be in force from or after the earliest period allowed by law.




Trustee DRESS seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:

Vote Record: Mr. Hirt yes Ms. Rozak yes Mr. Dress Yes

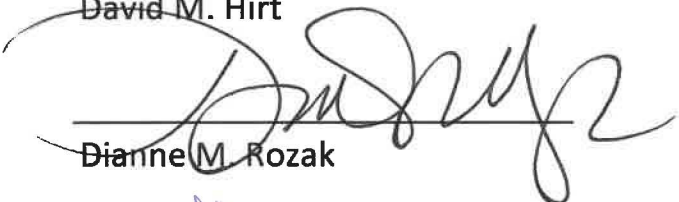
ADOPTED this 9<sup>th</sup> day of August, 2023

Board of Trustees, Danbury Township  
Ottawa County, Ohio

Attest:

  
Fiscal Officer Carolyn Adams

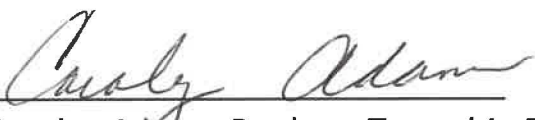
  
David M. Hirt

  
Dianne M. Rozak

  
John Paul Dress

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session August 9, 2023 and filed with the Danbury Township Fiscal Officer.

  
Carolyn Adams, Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:00 p.m., on September 13, 2023, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 21 -2023**

**A RESOLUTION DECLARING THE PROPERTY OWNED BY  
DONALD W. BROWN, LOCATED AT  
1935 ELLSWORTH (PIN# 0140277515360000)  
IN DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO,  
A NUSIANCE AND ORDERING ABATEMENT**

**PREAMBLE**

**WHEREAS**, the Danbury Township Board of Trustees (the “Board”) has found the property owned by Donald W. Brown, and located at 1935 Ellsworth, (PIN# 0140277515360000), to be littered with weeds, debris and uncontrolled vegetation (the “Vegetation and Debris”), exceeding 12”, and;

**WHEREAS**, the Board determined that the same landowner and land constituted a nuisance in 2021 and the Property was subsequently abated twice by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, the Board determined that the same landowner and land constituted a nuisance in 2022 and the Property was subsequently abated twice by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four (4) days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

**WHEREAS**, On June 14, 2023, by Trustee Resolution 15-2023, the Board determined that the same landowner and land constituted a nuisance and the Property was subsequently abated by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, it is in the best interests of Danbury Township (the “Township”) and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the Vegetation and Debris from the Property.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Board of Trustees of Danbury Township, Ottawa County, Ohio has found that the property owned by Donald W. Brown, and located at 1935 Ellsworth, (PIN# 0140277515360000), in Danbury Township, Ottawa County, Ohio is littered with weeds, debris and uncontrolled vegetation, exceeding 12”, and the Board hereby determines that the maintenance of the Vegetation and Debris on the Property constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

**Section 1.** The Board orders the owner of the Property to remove the Vegetation and Debris or make arrangements for the removal within four (4) days after the passage of this Resolution;

- Section 2.** The Board authorizes the Zoning Inspector or their designee to notify the record owner and lienholders of the Property as provided in §505.87(C) of the Ohio Revised Code;
- Section 3.** If the record owner does not remove the Vegetation and Debris or make arrangements for the removal within four (4) days from the passage of this Resolution, the Trustee designated as the Zoning Department liaison is authorized to order Township employees, or enter into contract with any persons with adequate materials and equipment to be used to remove and abate the Vegetation and Debris, and all costs and expenses so incurred shall, when approved by the Board, be paid out of the unappropriated monies in the general fund;
- Section 4.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Vegetation and Debris to the Auditor of Ottawa County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in §505.87 of the Ohio Revised Code;
- Section 5.** This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

This Resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./ Ms. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

**ADOPTED** this 13<sup>th</sup> day of September, 2023.

Attest:

Carolyn Adams  
Fiscal Officer  
Carolyn Adams

Board of Trustees  
Danbury Township  
Ottawa County, Ohio  
Dianne M. Rozak  
Dianne M. Rozak  
John Paul Dress  
John Paul Dress  
David M. Hirt  
David M. Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 13<sup>th</sup> day of September, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer

**1935 Ellsworth**  
September 7, 2023



The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:00 p.m., on September 13, 2023, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr. Ms. Hirt introduced the following resolution and moved its adoption:

**RESOLUTION NO. 22 - 2023**

**A RESOLUTION DECLARING PART OF THE PROPERTY OWNED BY  
JAKEJOSH LAND COMPANY, LLC, LOCATED AT  
LIGHTHOUSE OVAL & NORTHSHORE BLVD. (PIN# 0142099134670103)  
IN DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO,  
A NUISANCE AND ORDERING ABATEMENT**

**PREAMBLE**

**WHEREAS**, the Danbury Township Board of Trustees (the "Board") has found the property owned by JakeJosh Land Company, LLC, and specifically the portion of the property located to the west of the intersection of Lighthouse Oval & Northshore Blvd., (PIN# 0142099134670103), to contain landscaping and uncontrolled vegetation (the "Vegetation and Debris"), which obstructs the view of motorists, and thereby creates a traffic hazard, and furthermore exceeds 12" in height, and;

**WHEREAS**, pursuant to §505.87 of the Ohio Revised Code, the Board is authorized to determine that the maintenance or vegetation, debris upon a property constitutes a nuisance and order the property owner to remove such vegetation and debris within seven (7) days, and if the owner fails to remove the vegetation and debris or make arrangements for the removal within the allotted time period, the Board may proceed to remove the vegetation and debris and enter the cost of such removal upon the tax duplicate for the property; and

**WHEREAS**, Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four (4) days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

**WHEREAS**, it is in the best interests of Danbury Township (the "Township") and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the Vegetation and Debris from the Property.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Board of Trustees of Danbury Township, Ottawa County, Ohio has found that the property owned by JakeJosh Land Company, LLC, and specifically the portion of the property located to the west of the intersection of Lighthouse Oval & Northshore Blvd., (PIN# 0142099134670103), in Danbury Township, Ottawa County, Ohio contains landscaping and uncontrolled vegetation, exceeding 12" in height, and the Board hereby determines that the maintenance of the Vegetation and Debris on the Property constitutes a nuisance which obstructs the view of motorists, and thereby creates a traffic hazard, and pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

- Section 1.** The Board orders the owner of the Property to remove the Vegetation and Debris as specifically described herein, or make arrangements for the removal within seven (7) days after the passage of this Resolution;
- a.) On the west side of the entrance into Lighthouse Bluffs, in an area identified on Lighthouse Bluffs, Phase III record plat Vol. 74, Page 95, as an existing 20' Utility Easement and Existing Sight Easement as recorded in Plat Vol. 40, Page 29, and to the north of Lot 110; and

- b.) In an east to west direction from the west side of the intersection of Lighthouse Oval and Northshore Blvd., the landscaping and mound shall be removed or relocated and moved to the south end of the Lighthouse Bluffs identification sign to clear the line of sight for motorist pulling out of the Lighthouse Bluffs Subdivision onto Northshore Blvd.; and
- c.) The primary area that needs to be removed or relocated is the portion of the landscaping and mound between the first two telephone/ power poles to the west of the entrance drive.

**Section 2.** The Board authorizes the Zoning Inspector or their designee to notify the record owner and lienholders of the Property as provided in §505.87(C) of the Ohio Revised Code;

**Section 3.** If the record owner does not remove the Vegetation and Debris or make arrangements for the removal within seven (7) days from the passage of this Resolution, the Trustee designated as the Zoning Department liaison is authorized to order Township employees, or enter into contract with any persons with adequate materials and equipment to be used to remove and abate the Vegetation and Debris, and all costs and expenses so incurred shall, when approved by the Board, be paid out of the unappropriated monies in the general fund;

**Section 4.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Vegetation and Debris to the Auditor of Ottawa County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in §505.87 of the Ohio Revised Code;


**Section 5.** This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

This Resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./ Ms. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak yes Mr. Dress yes Mr. Hirt yes


**ADOPTED** this 13<sup>th</sup> day of September, 2023.

Attest:  
  
 Fiscal Officer  
 Carolyn Adams

Board of Trustees  
 Danbury Township  
 Ottawa County, Ohio  
  
 Dianne M. Rozak  
  
 John Paul Dress  
  
 David M. Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 13<sup>th</sup> day of September, 2023 and filed with the Danbury Township Fiscal Officer.

  
 Carolyn Adams  
 Danbury Township Fiscal Officer

**Lighthouse Bluffs Subdivision**  
**Lighthouse Oval & Northshore Blvd.**  
September 13 , 2023



Area where vegetation is to be removed circled in RED.







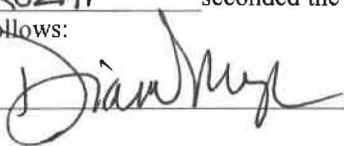
TOTAL	\$ 823,500.00	\$ 2,482,900.00	1.80	7.35

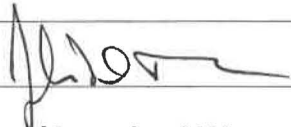
SCHEDULE B		
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES		
FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
Fire and EMS levy authorized by voters on 11/8/2022 not to exceed 5 years	1.50	\$ 669,700.00
Police levy authorized by voters on 11/07/06 for a continuing period of time	1.50	\$ 290,600.00
Police levy authorized by voters on 3/2020 for a continuing period of time	2.00	\$ 712,600.00
Fire and EMS levy authorized by voters on 11/3/2020 for a continuing period of time	0.75	\$ 369,200.00
Police levy authorized by voters on 11/99 for a continuing period of time	1.00	\$ 173,000.00
Current Expense levy authorized by voters on 11/8/2022 not to exceed 5 years	0.6	\$ 267,800.00

And be it further

RESOLVED, That the Clerk of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Ms. ROZAK seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

 Yes

 Yes

Adopted the 27<sup>th</sup> day of September, 2023.

Clerk of the Board of Township Trustees of  
Township, Ottawa County, Ohio

\_\_\_\_\_  
Danbury

CERTIFICATE OF COPY  
ORIGINAL ON FILE The

State of Ohio, Ottawa County, ss.

I, \_\_\_\_\_, Clerk of the Board of Township Trustees of Danbury Township, in said County, and in whose custody the Files and Records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original \_\_\_\_\_ now on file with said Board, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 27<sup>th</sup> day of September, 2023.

Clerk of the Board of Township Trustees of

\_\_\_\_\_  
Danbury Township, Ottawa County, Ohio.

No.  
BOARD OF TOWNSHIP TRUSTEES  
Danbury Township, Ottawa County, Ohio

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND  
AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.  
(Board of Township Trustees)

Adopted \_\_\_\_\_, 2023

\_\_\_\_\_  
Clerk. Township

Filed \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Auditor. County

By \_\_\_\_\_ Deputy



TOTAL	\$	\$	0.00	0.30
	-	-		

SCHEDULE B		
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES		
FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
Current Expense levy authorized by voters on 11/95 for a continuing period of time - ceased TY2023	0.30	\$ -

And be it further

RESOLVED, That the Clerk of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. MS. ROZAK seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

*Diana J...* yes

*[Signature]* NRS

Adopted the 27<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
Clerk of the Board of Trustees of  
Danbury Fire District, Ottawa County, Ohio  
CERTIFICATE OF COPY  
ORIGINAL ON FILE The

State of Ohio, Ottawa County, ss.

I, \_\_\_\_\_, Clerk of the Board of Trustees of Danbury Fire District, in said County, and in whose custody the Files and Records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original \_\_\_\_\_ now on file with said Board, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 27<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
Clerk of the Board of Trustees of  
Danbury Fire District, Ottawa County, Ohio.

No. \_\_\_\_\_  
BOARD OF TRUSTEES  
Danbury Fire District, Ottawa County, Ohio

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND  
AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.  
(Board of Trustees)

Adopted \_\_\_\_\_, 2023

\_\_\_\_\_  
Clerk.

Filed \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Auditor. County

By \_\_\_\_\_ Deputy.

**RESOLUTION 25-2023**

The Board of Township Trustees of the Township of Danbury, Ohio, County of Ottawa, State of Ohio, met in regular session at Danbury Township Hall at 6:25pm on October 11, 2023, with the following members present: Trustee: Dress, Trustee: Rozak, Trustee: Hirt

Trustee Dress moved the adoption of the following Resolution and Trustee Hirt seconded the motion.

**A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$800,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF CONSTRUCTING, FURNISHING AND EQUIPPING TOWNSHIP BUILDING IMPROVEMENTS AND RELATED APPURTENANCES AND IMPROVEMENTS**

BE IT RESOLVED by the Board of Township Trustees of the Township of Danbury, County of Ottawa, State of Ohio, that:

Section 1. It is necessary to issue bonds of this Township in the aggregate principal amount of \$800,000 (the Bonds) to pay a portion of the costs of constructing, furnishing and equipping Township building improvements and related appurtenances and improvements.

Section 2. The Bonds shall be dated approximately October 1, 2024, shall bear interest at the now estimated rate of 6% per year, and are estimated to mature in 25 annual principal installments. The first principal installment is estimated to be December 1, 2025.

Section 3. It is necessary to issue and this Board determines that notes in the aggregate principal amount of not to exceed \$800,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall bear interest at a rate or rates not to exceed 6% per year (computed on a 360-day per year basis), payable at maturity or at any date of earlier prepayment as provided for in Section 5 of this resolution and until the principal amount is paid or payment is provided for. The principal amount of the Notes shall be the amount as determined by an Authorized Officer in the certificate awarding the Notes in accordance with Section 6 of this resolution to be the amount necessary to pay costs of the improvements described in Section 1 hereof and any issuance costs, after taking into account any other moneys available to the Township and appropriated for those purposes. The rate or rates of interest on the Notes shall be determined by an Authorized Officer (defined below) in the certificate awarding the Notes in accordance with Section 6 of this resolution.

Section 4. The Notes shall be signed by the members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities; provided that, any or all of those signatures may be a facsimile. The Notes shall be issued only as fully registered notes and in the denominations and numbers as requested by the original purchaser and approved by the Fiscal Officer or any member of this Board, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the Fiscal Officer or any member of this Board and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this resolution and Section 505.262 of the Revised Code.

No Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this resolution unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, this resolution.

The Fiscal Officer or any member of this Board (each an Authorized Officer) is authorized to determine in the Certificate of Award the bank or trust company to act as authenticating agent, note registrar, transfer agent (the Note Registrar) and/or paying agent for the Notes after having determined that the payment at that bank or trust company will not endanger the funds or securities of the Township and that proper procedures and safeguards are available for the purpose; provided, however, such official may determine in the Certificate of Award that the Fiscal Officer shall act as Note Registrar and/or paying agent.

So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its office all books and records necessary for the registration, exchange and transfer of Notes as provided in this Section (the Note Register). The person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of this resolution. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; the Township and the Note Registrar shall not be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.

Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the principal amount of the Note or Notes surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the County. In all cases of Notes exchanged or transferred, the Township shall sign and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of this resolution. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under this resolution, as the Notes surrendered upon that exchange or transfer.

Section 5. The debt charges on the Notes shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America if so requested by the original purchaser, and shall be payable, without deduction for services of the Township's paying agent, upon presentation and surrender, at the office of the Note Registrar, to the persons in whose names the Notes are registered on the Note Register. The Notes shall be dated the date of issuance and shall mature not more than one year from the date of issuance as determined by the Fiscal Officer or any member of this Board in the certificate of award after determining such maturity to be in the best interests and financial advantages of the Township. If agreed to by the original purchaser, the Notes shall be prepayable without penalty or premium at the option of the Township at any time prior to maturity as provided in this resolution. Prepayment prior to maturity shall be made by deposit with the Note Registrar of the principal amount of the Notes together with interest accrued thereon to the date of prepayment. The Township's right of prepayment shall be exercised by mailing a notice of prepayment, stating the date of prepayment and the name and address of the Note Registrar, by certified or registered mail to the original purchaser of the Notes not less than seven days prior to the date of that deposit, unless that notice is waived by the original purchaser of the Notes. If money for prepayment is on deposit with the Note Registrar on the specified prepayment date following the giving of that notice (unless the requirement of that notice is waived as stated above), interest on the principal amount prepaid shall cease to accrue on the prepayment date, and upon the request of the Fiscal Officer, the original

purchaser of the Notes shall arrange for the delivery of the Notes at the designated office of the Note Registrar for prepayment and surrender and cancellation.

Section 6. The Notes shall be awarded and sold at private sale by the Fiscal Officer as shall be set forth in the certificate of award, at a purchase price of not less than par in accordance with law and the provisions of this resolution. The Fiscal Officer or any member of this Board shall sign the certificate of award referred to herein (Certificate of Award), cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The members of the Board of Trustees and the Fiscal Officer and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this resolution.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the Township, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent funds from the Township voted levies or other sources are available and appropriated for the purpose of paying debt charges on the Notes or the Bonds, the amount of that tax shall be reduced by the amount so available and appropriated.

Section 10. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest on the Notes will not be treated as an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Any Authorized Officer having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes as the Township is permitted to or required to make or give under the federal income tax laws,



including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code or any declarations of official intent on behalf of the Township in connection with any reimbursement expenditures, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. In that connection, the Township hereby represents and covenants that it, together with all of its subordinate entities or entities which issue obligations on its behalf, or on behalf of which it issues obligations, in or during the calendar year in which the Notes are issued (i) have not issued and will not issue tax-exempt obligations designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, including the Notes, in an aggregate amount in excess of \$10,000,000; and (ii) have not issued, do not reasonably anticipate issuing, and will not issue, tax-exempt obligations (including the Notes, but excluding obligations, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code, that are private activity bonds as defined in Section 141 of the Code and excluding refunding obligations that are not advance refunding obligations as defined in Section 149(d)(5) of the Code) in an aggregate amount exceeding \$10,000,000, unless the Township first obtains a written opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not adversely affect the status of the Notes as "qualified tax-exempt obligations". Further, the Township represents and covenants that, during any time or in any manner as might affect the status of the Notes as "qualified tax-exempt obligations," it has not formed or participated in the formation of, or benefited from or availed itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3) of the Code, and will not form, participate in the formation of, or benefit from or avail itself of, any such entity. The Township further represents that the Notes are not being issued as part of a direct or indirect composite issue that combines issues or lots of tax-exempt obligations of different issuers.

Section 11. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 12. This Board hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all the deliberations of this Board and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code;

Section 13. This Board determines that all acts and conditions necessary to be done or performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township, pursuant to Section 505.262 of the Revised Code, have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described herein) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 14. This Resolution shall be in full force and effect immediately upon its adoption.

Upon roll call on the adoption of this Resolution, the vote was as follows:

James H. ... yes ... YRS- ... yes

The foregoing is a true and correct excerpt from the minutes of the meeting on October 11, 2023, of the Board of Township Trustees of the Township of Danbury showing the adoption of the Resolution hereinabove set forth.

Carol Adams

Fiscal Officer  
Township of Danbury, Ohio

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular session at 6:00 p.m., on November 29, 2023, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. HIRT introduced the following resolution and moved its adoption:

**RESOLUTION NO. 27 - 2023**

**A RESOLUTION REGARDING ADULT USE CANNABIS OPERATORS, CULTIVATORS, PROCESSORS, AND DISPENSARIES**

**WHEREAS**, pursuant with Ohio Revised Code Section 3780.25 and Issue 2 of the General Assembly Election by Initiative Petition November 7, 2023, effective December 7, 2023, the Township Board of Trustees by resolution has the authority to prohibit, or limit the number of licensed adult use cannabis operators, cultivators, processors, and dispensaries within the unincorporated territory of the township; and

**WHEREAS**, Danbury Township Board of Trustees finds it to further the interests of the township that there be a limit on the number of licensed adult use cannabis operators, cultivators, processors, and dispensaries within the unincorporated areas of the township; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio, that the Board does hereby order:

- 1.) Adult Use Cannabis Operators, as defined in Section 3780.01(A)(2) of the Ohio Revised Code, are prohibited; and
- 2.) Adult Use Testing Laboratories, as defined in Section 3780.01(A)(8) of the Ohio Revised Code, are prohibited, except as exempted by Section 3780.25(G)(1) of the Ohio Revised Code; and
- 3.) All provisions of Resolution No. 06-2017, passed by the Danbury Township Board of Trustees on April 12, 2017, shall remain in full force and effect.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:


- 1.) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 2.) That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. ROZAK seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress NO Mr. Hirt Yes

**ADOPTED** this 29<sup>th</sup> day of November, 2023.

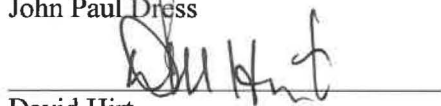
Attest:

  
\_\_\_\_\_  
Carolyn Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

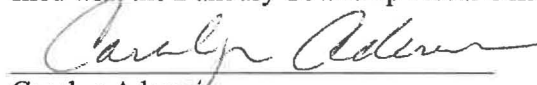
  
\_\_\_\_\_  
Dianné Rozak

  
\_\_\_\_\_  
John Paul Dress

  
\_\_\_\_\_  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 29<sup>th</sup> day of November, 2023 and filed with the Danbury Township Fiscal Officer.

  
\_\_\_\_\_  
Carolyn Adams  
Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular meeting session at 6:00 p.m. on November 29, 2023 at the Danbury Township building, 5972 Port Clinton Eastern Road, Marblehead, Ohio, 43440 with the following members present: Mr. David M. Hirt, Ms. Dianne M. Rozak, Mr. John Paul Dress.

Trustee Dress introduced the following resolution and moved for its adoption:

**RESOLUTION: 28-2023**

**A RESOLUTION TO APPLY TO THE PARK DISTRICT OF OTTAWA COUNTY  
FOR THEIR 2024 PARKS AND TRAILS IMPROVEMENT GRANT**

**WHEREAS;** the Danbury Township Board of Trustees are the owners of Meadowbrook Marsh located at 8577 E. Bayshore Road in Danbury Township; and  
**WHEREAS;** the Ottawa County Park District is providing an opportunity to apply for funding for park improvements; and  
**WHEREAS;** the Danbury Township Board of Trustees desires to participate in this grant program;

**NOW THEREFORE BE IT RESOLVED THAT:**

The Danbury Township Board of Trustees agrees to the terms and conditions of this grant program and designates Trustee Dianne Rozak to apply for this funding for improvements to amenities at Meadowbrook Marsh

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to ORC 121.22, except as otherwise permitted thereby.

This resolution shall take effect and be in force from or after the earliest period allowed by law.

Trustee HIRT seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:

Vote Record: Mr. Hirt Yes Ms. Rozak Yes Mr. Dress Yes

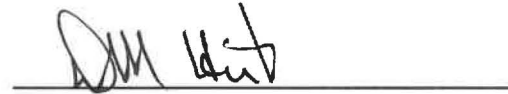
ADOPTED this 29th Day of November, 2023

Board of Trustees, Danbury Township  
Ottawa County, Ohio

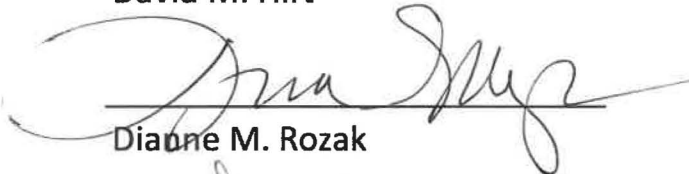
Attest:



Fiscal Officer Carolyn Adams



David M. Hirt



Dianne M. Rozak



John Paul Dress

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session November 29, 2023 and filed with the Danbury Township Fiscal Officer.



Carolyn Adams, Danbury Township Fiscal Officer

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular session at 6:00p.m. on December 27, 2023 at the Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 29 - 2023**

**A RESOLUTION APPROVING THE ENGAGEMENT OF SEMRO HENRY AND BARGA LTD. AS LEGAL COUNSEL FOR THE BOARD OF TRUSTEES IN ZONING MATTERS**

WHEREAS, the Board of Trustees, from time to time, requires the advice of outside legal counsel on zoning matters.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees approves the hiring of Semro Henry & Barga Ltd. as legal counsel for the Board of Trustees for zoning matters for the 2024 calendar year as indicated in the attached engagement letter dated December 6, 2023.

BE IT FURTHER RESOLVED that it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr./ Ms. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes

ADOPTED this 27th day of December, 2023.

Attest:  
Cathy Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio  
Dianne Rozak  
Dianne Rozak  
John Paul Dress  
John Paul Dress  
David Hirt  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 27th day of December, 2023 and filed with the Danbury Township Fiscal Officer.

  
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Carolyn Adams  
Danbury Township Fiscal Officer



The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular meeting session at 6:00 p.m. on December 27, 2023 at the Danbury Township building, 5972 Port Clinton Eastern Road, Marblehead, Ohio, 43440 with the following members present: Mr. David M. Hirt, Ms. Dianne M. Rozak, Mr. John Paul Dress.

Trustee HIRT introduced the following resolution and moved for its adoption:

### **RESOLUTION #30-2023**

#### **A RESOLUTION TO APPLY TO SHORES & ISLANDS OHIO FOR THEIR 2024 DESTINATION DEVELOPMENT GRANT**

**WHEREAS;** the Danbury Township Board of Trustees desire to install a pickleball/tennis court that would be available at no charge to the public on the grounds of Danbury Township Hall located at 5972 Port Clinton Eastern Rd., Marblehead, OH (Danbury Township); and

**WHEREAS;** Shores & Islands Ohio is providing an opportunity to apply for funding that will enhance the quality of life for residents and enhance tourism within Ottawa County; and

**WHEREAS;** the Danbury Township Board of Trustees desires to participate in this grant program;

#### **NOW THEREFORE BE IT RESOLVED THAT:**

The Danbury Township Board of Trustees agrees to the terms and conditions of this grant program and designates Trustee Dianne Rozak to apply for this funding for this new amenity.

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to ORC 121.22, except as otherwise permitted thereby.

This resolution shall take effect and be in force from or after the earliest period allowed by law.

Trustee Dress seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:

Vote Record: Mr. Hirt Yes Ms. Rozak Yes Mr. Dress Yes

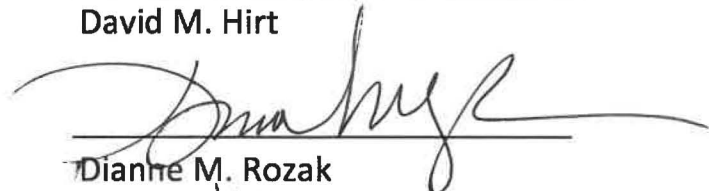
ADOPTED this 27th Day of December, 2023

Board of Trustees, Danbury Township  
Ottawa County, Ohio

Attest:

  
Fiscal Officer Carolyn Adams

  
David M. Hirt

  
Dianne M. Rozak

  
John Paul Dress

#### AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session December 27, 2023 and filed with the Danbury Township Fiscal Officer.

  
Carolyn Adams, Danbury Township Fiscal Officer