

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-8338 FORM NO. 10148

Held December 27, 2023

Trustee Rozak called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Roll call: Trustee Rozak, Trustee Dress and Trustee Hirt were present, along with Fiscal Officer Carolyn Adams, Fiscal Office Assistant Lynne James, and Fire Chief Keith Kahler.

Mr. Dress motioned the approval of the December 13, 2023, Trustee Meeting minutes. Mr. Hirt seconded; all ayes and motion carried.

Ms. Rozak motioned the approve of the minutes of the 2024 Organizational Meeting, held on December 13, 2023. Mr. Dress seconded, all ayes and motion carried

Fire

Fire & Ems Run Details						
	EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
January	56	2	1	6	0	1
February	45	5	3	3	0	0
March	53	2	0	2	1	0
April	62	1	3	3	0	0
May	88	2	1	3	1	1
June	78	12	2	6	1	0
July	105	8	0	9	6	0
August	99	6	4	6	2	1
September	77	4	7	4	0	0
October	71	3	0	4	2	0
November	75	5	2	4	0	3
December as of the 27 th	51	2	1	2	0	0
Year to date	860	52	24	52	13	6
Total	1007					

*Motor Vehicle Crash(s)

** Alarm Activation(s)

***Carbon Monoxide Investigation(s)

- Ms. Rozak motioned to approve the annual Hohler Furnace & Sheet Metal maintenance renewal on furnaces, boilers, exhaust fans throughout the fire station, in the amount of \$2,766.00. Mr. Hirt seconded, all ayes and motion carried.
- Mr. Hirt was concerned and recommended it may be beneficial for the new "Chief in training" Shawn Hunsicker, to start earlier than March first; due to end of the year reports, quarterly reports and the host of duties required for the position. Chief Kahler agreed. After a brief discussion, the Trustees agreed to move Shawn's start date to Feb 3, 2024.
- Ms. Rozak stated that Mr. Hunsicker will attend the next meeting in January, to formally introduce himself and his wife.
- Chief Kahler and Trustee Dress presented DGL Consulting Engineers finding regarding the drainage issue on the back road behind the fire station. They determined the fire station is not contributing to the drainage issues at the storage buildings. The Trustees will review and get back with Trustee Dress before the next meeting.
- Ms. Rozak will issue a press release on the hiring of a new Fire Chief. Chief Kahler will inform his employees of the Trustees decision.

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held

December 27, 20 23

- b. **BZA-2023-289** **Approved as Presented**
2389 Knobhill. Request for an Area Variance from Sec. 5.2.1.A.i.b to allow more cumulative accessory building square footage than permitted (1,728s.f. proposed/1,200s.f. allowed). **Gregory Huffman & Cindy Brundage, Owners/Applicants.**
- c. **BZA-2023-291** **Approved w/ Conditions**
0 S. Bridge (PIN# 0140467606665051). Request for a Conditional Use in accordance with Section 3.4 and Section 4.15 for 16 cabins and 67 campsite Recreational Camp/Campground. Also requesting Area Variances from Section 4.15.2.C to allow 10 cabin sites and 10 campsites to encroach into the required 45' south, side-yard setback and 60' east, rear-yard setback and Section 4.15.2.F to reduce the amount of open space (2.5ac. required/ 2 ac. provided). **Samuel Downing, Agent; Steven Isenberg, Owner/Applicant.**

The Zoning Commission -

The Zoning Commission meeting scheduled for January 3, 2024 will be cancelled as there are no cases to be heard and no new information to share with the Commission.

DEPARTMENT UPDATES

- A Resolution is enclosed for your consideration. Last year J. Stopar & I came across language that indicated in order for the Township to retain his services for zoning matters, it needed to be done by resolution. We did this at the beginning of 2023 for the 2023 calendar year, but it needs to be done again for the 2024 calendar year.

VIOLATIONS/COMPLAINTS

Illegal Rentals:

None at this time.

Illegal Use:

None at this time.

Junk & Debris:

7329 E. Harbor Road (*Junk & Debris - Lombardy*)

Open

The property was re-inspected 12.14.23 and a letter sent via email to the property owner & his attorney December 15, 2023 following-up on the December 9th deadline. The letter showed that a number of items were not satisfied. They have been given until January 12, 2024, to complete the clean-up behind the business building, January 31, 2024 to remove items from the road right-of-ways and they still have until May 1 to get the junk boats removed from the property. They were also advised that they had until the end of December to get 3 boats removed from the neighboring residential property.

Prior Info: Complaint received 09.28.23. Certified letter sent 10.11.23. Multiple violations occurring for tall grass, junk vehicles, junk boats, and general junk & debris. There are multiple tanks on the property also that likely are not properly marked that the Fire Chief will be following-up on. Neighbors have complained about Bedford Street being blocked by this business as well and advised to contact Dispatch as it is occurring in order for an officer to respond. The property owner signed for his letter 10.13.23 and called 10.23.23 to set up a meeting 10.25.23 to walk the property and see what they have accomplished and what needs to be done yet. At the 10.25.23 on-site meeting with the property owner, they were clearly told what needed to be done and tasked with providing a timeline/ schedule of when they thought they could complete everything that needed to be done. The owner failed to provide that timeline by the deadline given to them. They were called 10.30.23 and told to have it in ASAP, which they in turn called and said it would be coming from their attorney on 11.01.23 and the property would be ready for reinspection 11.03.23. The attorney faxed a letter over 11.02.23, not addressing a timeline. KAD responded back with a letter 11.03.23 outlining what is needed, a brief overview of the policy we follow and a deadline of November 8, 2023 @11:00a.m. to get the timeline submitted. Through the property owner's attorney, they submitted a timeline to which I responded. They indicated that all the misc. junk & debris would be cleaned up by December 9, 2023. I will reinspect and document the property on December 11, 2023. They were also granted until May 1, 2024 to remove the

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held

December 27, 2023

through their legal counsel has filed their Notice to Appeal the BZA decision to the Court of Common Pleas. Transcript has been ordered, case file and transcript must be filed with the court no later than March 7, 2023. Jeff Stopar will be handling the case for us. The transcript was submitted by the Court Reporter and case filed 02.23.23 with the Court. Attorney Conference call is scheduled to be held the morning of 03.13.23. Would assume at that time a briefing scheduled will be laid out. The Attorney Conference call took place 03.13.23. The Bilton brief is due May 4, 2023. The Township response brief will be due June 8, 2023, and then their final counter brief will be due June 29, 2023. At any point, the attorneys from either side can request extensions. On May 1, 2023, the appellants and property owner requested a 14-day extension to file their brief, to now be due May 18, 2023. This will push all subsequent briefs back equally in time. A second extension was requested from the appellant's attorney and their brief was submitted to the court on May 23, 2023. The Township brief is due June 27, 2023. J. Stopar was going to request a 10-day extension for filing our brief that was due 06.27.23. Should now be due 07.07.23. J. Stopar filed the Township's Brief & Response 07.07.23. The Appellant's final brief will now be due 07.28.23. The Appellant's final brief was supposed to be due 07.28.23 but they filed another extension request to file it no later than 08.11.23. The Appellants final brief was submitted to the Court 08.08.23. Have not had a chance to touch base with J. Stopar on what the "Next Steps" are. I believe the options will be for either to request Oral Arguments or just let the briefs speak for themselves and wait for the Judge's Decision. The local, Court of Common Pleas Judge's Decision came in on November 20, 2023, affirming or upholding the BZA's decision. The homeowners had 30 days to file a further appeal with the 6th District Court of Appeals. This Appeal was filed December 8, 2023, and we will now be at the disposal of that Court's timeline on this matter. I will keep the Board abreast of what occurs.

Resolution 29-2023 Legal Counsel for Zoning:

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:

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 27th day of December, 2023 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams
Carolyn Adams
Danbury Township Fiscal Officer

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held

December 27, 2023

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

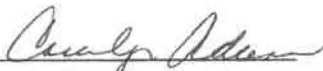
Trustee DRESS seconded the resolution and the roll being called upon the question of its adoption the vote resulted as follows:


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

ADOPTED this 27th Day of December, 2023

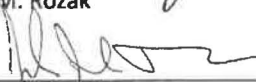
Board of Trustees, Danbury Township
Ottawa County, Ohio

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

New Business

- After requesting and receiving a lengthy letter from Prosecuting Attorney James VanEerten describing what the Ottawa County Drug Task Force 2024 Funding request covers, Ms. Rozak motioned to approve Danbury's appropriate share of \$3,250.00 annual contribution. Mr. Dress seconded, all ayes and motion carried.

Fiscal Business

- Mr. Hirt motioned and Mr. Dress seconded, to approve bills and payroll totaling \$120,738.40 for the period Dec 14, 2023 through December 27, 2023. All ayes and motion carried. (see next page)
- Appropriation Fund, Revenue Fund and Fund Summary were provided to the Trustees.
- Mr. Dress motioned and Mr. Hirt seconded the approval of the November bank reconciliation. All ayes and motion carried.
- Ms. Rozak requested a budget number for the 2024 parks grant from Ms. Adams. Ms. Adams estimated that it would be \$8,909,670.47.
- Ms. Rozak stated the board will hold a public meeting on January 2nd, 2024 at noon at Township Hall, for the purpose of approving temporary appropriations. This being announced during the public meeting and Ms. James will type it up and place on the front door to Township Hall. Ms. Rozak will advise the newspaper of this as well.

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3339 FORM NO. 10148

Held

December 27, 20 23

Comments and Concerns

- Ms. James will be gone on vacation January 2nd through the 5th, 2024. She will be back in the office on January 8th, 2024.
- Mr. Hirt asked about the stop light at 269 and Port Clinton Eastern becoming permanent. Ms. Rozak has already checked into this with ODOT. The lights will be removed once the detour is over and then a study must be conducted once normal traffic resumes. Nothing further can be done.

EXECUTIVE SESSION: Ms. Rozak motioned and Mr. Hirt seconded to move into Executive Session at 7:09 pm, for the purpose of Employee Compensation. All ayes and motion carried.

Ms. Rozak motioned and Mr. Hirt seconded to move out of Executive Session at 7:36 pm; all ayes and motion carried.

Ms. Rozak motion and Mr. Hirt seconded to move back into Regular Session at 7:36 pm, all ayes and motion carried.

Ms. Rozak moved to adjust the starting salary for Chief Shawn Hunsicker to an hourly rate that equates to \$65,000.00 per year and that his start date be adjusted to Feb 3, 2024. Mr. Hirt seconded, all ayes and motion carried.

Ms. Adams asked about the long distance he will be traveling from Lorain during the winter months. Mr. Hunsicker has advised the Board he is staying at the fire station should bad weather be in the forecast and is looking at moving to the area and enrolling children in Danbury Schools.

Adjourn

There being no further comments, concerns or business before the Board, Ms. Rozak motioned and Mr. Dress seconded, to adjourn at 7:41 pm. All ayes and motion carried.



Fiscal Officer



Danbury Township Board of Trustees