

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

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

Held _____ January 24, 20____ 24

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, Fire Chief Keith Kahler, Shawn Hunsicker, Zoning and Planning Administrator Kathryn Dale. Visitor in attendance was Susan Dress.

Mr. Dress motioned the approval of the January 10, 2024, Trustee Meeting minutes. Ms. Rozak seconded; all ayes and motion carried.

Mr. Dress motioned the approve Special Meeting minutes from January 22, 2024; Executive Session for the purpose of discussing employee compensation. Ms. Rozak seconded, all ayes and motion carried.

Fire

		Fire & Ems Run Details					
		EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
January as of the 24 th		27	1	0	3	0	0
February							
March							
April							
May							
June							
July							
August							
September							
October							
November							
December							
2024 Sub-total		27	1	0	3	0	0
Total		31					

*Motor Vehicle Crash(s)

** Alarm Activation(s)

***Carbon Monoxide Investigation(s)

- Ms. Rozak moved to approve the VASU quote in the amount of \$5,126.76 for 4 additional mounted radios for the fire vehicles. Mr. Dress seconded, all ayes and motion carried.
- Layne McNeal is now a Paramedic. Ms. Rozak moved to increase his pay from \$18.77 to \$20.93 an hour. Mr. Hirt seconded, all ayes and motion carried.
- Ms. Rozak moved to approve the hiring of John Mendofik and Garrett Cellar at \$20.93/hour, pending the passing of all Firelands testing. Mr. Dress seconded, all ayes and motion carried.
- Ms. Rozak moved to accept Matthew Scott Uhinck’s resignation due to retirement. Mr. Hirt seconded, all ayes and motion carried. She will draft a letter to Mr. Uhinck on behalf of the Board.
- Mr. Hirt moved to remove Isaiah Caraballo, Jamie McDonald and Megan Rakosky from the fire roster for non-performance. Mr. Dress seconded. Roll call: Mr. Dress, yes. Ms. Rozak, yes. Mr. Hirt, yes. Motion carried, letters to each were signed by the Board and Chief Kahler will send them to the individuals.
- Ms. Rozak moved that herself and Mr. Dress remain on the Fire Fighter Dependent Board. Mr. Hirt seconded. Roll call: Mr. Dress, yes. Ms. Rozak, yes. Mr. Hirt, yes. Motion carried.

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- Mr. Dress confirmed Chief Kahler received a copy of the DGL drainage findings. Any further questions regarding this from anyone will be referred to DGL. Mr. Dress is requesting copies of all letters Josh sent for our file.
- Ms. Rozak had a meeting with James Van Eerten and Mark Stahl yesterday regarding issues we are having with the Building Department and half of that was about Storm Water Management Regulations which currently do not exist within Ottawa County. When the drainage problem surfaced, Ms. Rozak was shocked the Ottawa Co Engineer has no involvement in looking at properties when they are being developed. This is due to lack of staff and lack of funding. So next week, someone from Lucas County Engineer's Office is going to meet with the Ottawa Co Commissioners, and present to them how they are doing the process. She would like a copy of the DGL drainage study sent to Ron Lajti.

The other half was the Building Department issuing permits without Zoning having the opportunity to issue zoning permits. Building permit applications are available on line as well, and they were not even sure there is an area on the application to check off zoning permit issued. They said that could be added to the application. Discussions continue and Ms. Rozak will keep everyone updated.

Roads

- Sackett Cemetery – 1 cremation burial.
- Several winter storm events have taken most of the crew's time.
- Mr. Waldron has interviewed two applicants.
- Winter maintenance program on equipment.
- Mr. Dress, Mr. Waldron and Ms. James met with Andy Welch and Craig Pickerel from PMBA regarding the New Maintenance Building and are good moving forward with the project. James VanEerten has approved documents emailed thus far and project is now moving along.
- 2024 Clean up weeks and brush drop off opening have been posted on the website and they are in the spring newsletter.
- Ms. Rozak met with Ellie, from Black Swamp, with reference to a couple more non-paved, non-mulched trails. She met with Mr. Waldron and they will get this on a schedule to proceed.
- Ms. Rozak is in the process of writing the grant for tennis/pickle ball court. Once submitted, notification is relatively quick. Ms. Susan Dress asked about the noise it would produce and the Trustees were not concerned, stating it would be minimal, due to the fact that it will be located behind Townhall.

Police

- Chief Meisler submitted the incident report: From 1-1-2024 to 1-24-2024, the department responded to 174 calls.
- Officer Nolan Berkey is still in field training awaiting OPOTA to send his certificate; once received he will be on patrol by himself.
- Chief Meisler expects to take delivery of the new patrol car from Montrose Ford tomorrow. It should have been picked up, but weather has caused a delay.
- Mr. Dress motioned to approve the DR Ebel quote of \$12,269.64 to outfit the new patrol car. Ms. Rozak seconded, all ayes and motion carried.

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Zoning

- Ms. Rozak stated that she has been working on the website with Ms. Dale to update and remove out dated data and it is now complete.

PERMITS

To-date this month there have been 9 permit applications submitted/processed totaling \$1,381.80 collected in fees and application balances.

BOARD & COMMISSION ACTIVITY

The Board of Zoning Appeals –

The BZA held an adjudication hearing Wednesday, January 17, 2024, on the following case:

a. **BZA-2024-001**

Approved as Presented

2301 Split Rock. Request for an Area Variance to Section 3.5 to allow for a new house to be constructed and encroach into the front, side & rear setbacks (35' west, front required/ 33.14' proposed; 10' south, side required/ 9' proposed; 35' east, rear required/ 34' proposed). **Timothy Lubbe & Kathryn Lenz, Owners/ Applicant; Wayne Homes, Jeremy Parish & Kerri Voges, Agents.**

The Zoning Commission -

The Zoning Commission is scheduled to meet February 7, 2024. We plan to meet, but it will also be weather dependent.

DEPARTMENT UPDATES

- Phone meeting with Miami University today regarding the storage study project. They will get started on the project and will update the fourth Monday as they go.

VIOLATIONS/COMPLAINTS

Illegal Rentals:

None at this time.

Illegal Use:

None at this time.

Junk & Debris:

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

CLOSED

The property was reinspected January 12, 2024. Upon inspection, the property owner has completed all requested tasks, including the removal of junk boats by May 1st. He was asked to remove a minimum of 3 junk boats and has removed 9-10 junk boats from the property. We will continue to monitor the situation, especially when spring launch occurs to ensure that the property owner now maintains the work, he has put into cleaning the place up.

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

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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 junk boats from the property. I was not in the office 12/11/23, thus I did not get the property photographed and documented. I emailed the property owner and his attorney and let them know that would take place this week yet and they would be hearing more from me. 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. The property owner removed 3 of the boats as requested from the neighboring residential property by the deadline established. Follow-up for the clean-up behind the building is set to take place this Friday, January 12, weather permitting.

1805 Arlington (*Junk & Debris - Holmes*)

Open

On January 10, 2024, the property was inspected, and I was pleased to see that the owner has approximately 90%-95% of the property cleaned up. There is a very small area that he is still sorting and working on. After speaking with him, he intends to complete this and work on it even through the winter, but not when temperatures are below freezing and snow on the ground.

Prior Info: Letter was sent April 27, 2023. Have not heard from them. Will continue to follow-up and monitor. Asked that this all be wrapped up by the end of the summer. Drove past property 05.30.23 to see if anything more has been worked on. Doesn't appear to be. The owner of the property passed away 05.31.23. The wife is still living, but ill herself. The youngest son has been the one cleaning up the property. Will continue to monitor. Was by the property 07.11.23 and some progress has been made, just not to the piles that I'd like to see tackled on the property. Very slow going. The neighbor is doing some work on their house and has a dumpster in for that. The neighbor said once they are done with their project, they have offered to allow the Holmes' to use what space is left.

Tall Grass:

None at this time.

Camper Occupied:

None at this time.

Construction without Permits:

0. Arlington (*Fence & Shed Installation – Veverka*)

CLOSED

The owner was contacted January 15, 2024, about a fence installed and shed replaced on the property without proper permits. He did not think permits were needed since they were replacements but came in the next day and got everything taken care of and proper permits in order.

2170 N. Buck Road (*Breezeway Addition – Crow's Nest*)

Open

Nothing new to report.

Prior Info: A letter was sent to Crow's Nest 06.29.23 for the construction of an addition/ breezeway connection from the restaurant to the pavilion out back without proper permits. The restaurant manager submitted an application while I was on vacation, but it was incomplete. He stopped in the office this past Friday, 07.22.23 and now fully understands what is needed. He stated that he will get this taken care of as fast as he can. He is likely going to need professional drawings made by an architect and have it inspected to see if it will even meet commercial building code. I asked him to keep me updated on his progress. The restaurant Manager has been in to discuss what is needed and is remaining in contact about their progression. They have been in touch with an architect and contractor to determine if what was installed will meet code and then are also working on the proper plans to submit for permits. It's not that this won't be allowed, they just need to get their permits in order properly. The manager of the restaurant claims that the Fire Chief has inspected what they did and has no objections. They were scheduling a special inspection with the Building Department as well to determine if there are any code requirements that would have

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to be corrected before finalizing any plans & drawings. 10.25.23 report: I have contacted the restaurant manager requesting an update on the outcome of the County's special inspection. The manager responded back and indicated he had waited 2 weeks for a response, but here to find out he sent the information to the wrong person. The interim CBO indicated they are no longer offering "Special Inspections" and he asked the girls in the officer to let the manager know that drawings need to be submitted before they proceed with any inspections.

2991 Waterside Court (Lanai w/out permit – Bilton)

Open

In 6th District Court of Appeals. The Appellants filed a brief January 18, 2024, and requested Oral Arguments. The Township's reply brief is due by February 5, 2024, but J. Stopar has indicated that he will likely take an automatic 10-day extension.

Prior Info: Letter sent to property owner 10.26.22 notifying them that a permit is necessary for the lanai, screened-in porch they constructed without any permits on the rear of the condo unit. The owner contacted me 11.04.22 and understands that a variance will be necessary. Paperwork has begun for them to be able to get on the December meeting agenda. Application was denied at the December BZA Meeting. The owner has retained legal counsel and is indicating they intend to proceed with an appeal with the Ottawa County Court of Common Pleas. On January 26, 2023, the property owner 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.

Correspondence

- Letter from Carolyn for Dianne to include in the Grant for Pickel ball/Tennis court verifying funds available in the amount of \$32,650.00, which is the remaining balance due based on the Kreimes quote of \$46,650.00; the Grant would cover \$14,000.00. African safari is also applying for this Grant and Ms. Rozak sent a letter of support on behalf of Danbury Township.

Barco products catalog. Thank you for donation from Wreaths Across America. Letter from Susan Dress to look into Ohio Memory Project. There is a cost to join, but they will support and train the efforts to digitize early days of Trustee Minutes.

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Old Business

- Ms. Rozak moved to approve the Cleveland Communication Siren maintenance quote in the amount of \$7500.00 for the 2024 year. Mr. Hirt seconded, all ayes and motion carried.
- Mr. Dress motioned to approve the spring newsletter, Mr. Hirt seconded; all ayes and motion carried.
- Ms. Rozak stated that the Employment Application form on line has been updated for credits and background checks.
- Mr. Hirt motioned to approve the ODOT 2023 Mileage certification of 16.272 miles. Mr. Dress seconded, all ayes and motion carried.
- Ms. Jamse provided the vacation, sick and personal day policies for the Trustees to review.
- After a discussion regarding wage increases and 2023 revenue minus expenses for departments, Ms. Adams agreed with the Board, and Ms. Rozak made the following motion regarding employee compensation:

- All Roads employees will receive a 5% increase in their hourly pay, effective with first pay period in March.

All Police employees will receive a 5% increase in their hourly pay, effective with the first pay period in March.

Fire Chief Keith Kahler and Brian McCune will receive a 5% increase in their hourly pay, effective with the first pay period in March.

Kathryn Dale, Marcel Sorgi, Michelle Teresi, and Lynne James will receive a 5% increase in their hourly pay, effective with the first pay period in March.

Bonuses:

- Department heads: Brett Waldron, Mike Meisler and Kathryn Dale will each receive \$8,000.00. \$4,000.00 to be paid on May 1st, 2024 and \$4,000.00 to be paid on December 1st, 2024.

Department head Keith Kahler will receive \$4,000.00 for past service, to be paid on May 1st, 2024. Department head Shawn Hunsicker will receive the remaining \$4,000.00, to be paid on December 1st, 2024.

Remaining full time employees will each receive \$6,000.00. \$3,000.00 to be paid on May 1st, 2024 and \$3,000.00 to be paid on December 1st, 2024.

Mr. Hirt seconded and there was a call for a vote: Mr. Dress, yes. Ms. Rozak, yes. Mr. Hirt, yes. Motion carried.

- Mr. Hirt stated he attended the first of six or seven trail committee meetings that will go through August, with Ottawa County Parks. They are looking for ways to add and/or connect bike/walking trails throughout the county. They did not discuss Kayac trails, but Ms. Rozak stated that ODNR has had a Kayac trail for years.
- Ms. Rozak signed RC2 forms. Department heads will sign and they will be turned in to begin approval process with the state.

New Business

- Ms. Rozak submitted for reimbursement to the OSS Solid Waste Grant; three picnic tables at Meadowbrook and four recycle material waste containers; three at Sackett and one at Meadowbrook. We will be getting back \$5,620.00.

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Fiscal Business

- Mr. Dress motioned and Mr. Hirt seconded, to approve bills and payroll totaling \$71,371.17 for the period January 11th to Jan 24th, 2024. All ayes and motion carried. (see below)
- Appropriation Fund, Revenue Fund and Fund Summary were provided to the Trustees. 2023 will be received when it is closed out.
- Mr. Dress asked Ms. Adams about 2023 close out. Ms. Adams is working on an issue with Police and Fire pension before December can be reconciled and 2023 can be closed out.

DANBURY TOWNSHIP, OTTAWA COUNTY

1/24/2024 12:37:33 PM

Payment Listing
1/11/2024 to 1/24/2024

UAN v2024.1

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
15-2024	01/12/2024	01/08/2024	CH	Columbia Gas	\$1,132.55	0
22-2024	01/17/2024	01/16/2024	CH	Ohio Edison	\$903.97	0
23-2024	01/15/2024	01/16/2024	CH	Aflac	\$996.24	0
24-2024	01/16/2024	01/16/2024	CH	Ohio Edison	\$73.42	0
25-2024	01/16/2024	01/16/2024	CH	Ohio Edison	\$388.09	0
26-2024	01/16/2024	01/16/2024	CH	Auditor of State	\$820.00	0
27-2024	01/17/2024	01/17/2024	CH	Ottawa County Sanitary Engineering	\$66.84	0
28-2024	01/19/2024	01/17/2024	CH	Ottawa County Sanitary Engineering	\$108.42	0
29-2024	01/17/2024	01/17/2024	CH	Ottawa County Sanitary Engineering	\$24.00	0
30-2024	01/18/2024	01/17/2024	CH	Ottawa County Sanitary Engineering	\$24.00	0
31-2024	01/19/2024	01/19/2024	CH	Culligan of Northern Ohio	\$32.24	0
32-2024	01/21/2024	01/21/2024	CH	dotnet technologies llc	\$2,192.53	0
33-2024	01/24/2024	01/24/2024	CH	Time Warner Cable Northeast	\$195.98	0
34-2024	01/24/2024	01/24/2024	CH	Time Warner Cable Northeast	\$218.80	0
35-2024	01/17/2024	01/24/2024	CH	Paychex of New York, LLC	\$41,996.15	0
36-2024	01/17/2024	01/24/2024	CH	Paychex of New York, LLC	\$1,491.11	0
37-2024	01/17/2024	01/24/2024	CH	Paychex of New York, LLC	\$1,615.73	0
38-2024	01/17/2024	01/24/2024	CH	Paychex of New York, LLC	\$3,836.75	0
39-2024	01/17/2024	01/24/2024	CH	Paychex of New York, LLC	\$1,186.83	0
40-2024	01/17/2024	01/24/2024	CH	Paychex of New York, LLC	\$116.59	0
47803	01/22/2024	01/22/2024	AW	Miami University	\$7,500.00	0
47804	01/22/2024	01/22/2024	AW	Gannett Ohio LocalIQ	\$98.94	0
47805	01/22/2024	01/22/2024	AW	Cyclone Services Inc.	\$130.00	0
47806	01/22/2024	01/22/2024	AW	Kuras Aeration Systems LLC	\$255.00	0
47807	01/22/2024	01/22/2024	AW	Lowe's	\$47.50	0
47808	01/22/2024	01/22/2024	AW	Liberty Auto Parts	\$98.70	0
47809	01/22/2024	01/22/2024	AW	Advance Stores Company, Incorporated	\$74.40	0
47810	01/22/2024	01/22/2024	AW	Beck Suppliers, Inc.	\$1,145.05	0
47811	01/22/2024	01/22/2024	AW	Bound Tree Medical LLC	\$1,031.16	0
47812	01/22/2024	01/22/2024	AW	Port Clinton Ford Mercury Inc.	\$82.45	0
47813	01/22/2024	01/22/2024	AW	Creative Product Sourcing, Inc.	\$10.80	0
47814	01/22/2024	01/22/2024	AW	D.R. Ebel Police & Fire Equipment	\$152.89	0
47815	01/24/2024	01/24/2024	AW	Ohio School Resource Officers Assoc.	\$380.00	0
47816	01/24/2024	01/24/2024	AW	H2 Designs, LLC	\$250.00	0
47817	01/24/2024	01/24/2024	AW	Lakeland Auto & Marine Inc.	\$152.58	0
47818	01/24/2024	01/24/2024	AW	Judco, Inc.	\$2,306.98	0
47819	01/24/2024	01/24/2024	AW	Cyclone Services Inc.	\$132.00	0
47820	01/24/2024	01/24/2024	AW	Verizon Wireless	\$122.70	0
Total Payments:					\$71,371.17	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$71,371.17	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ

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Comments and Concerns


- Reminder of county meeting in Elmore, tomorrow night, January 25th, at 6 pm.
- Visitor Susan Dress asked about the APAR funds; Talemon retainage "left to pay" and asked if there was still monies owed them. Ms. James will contact her with an answer. Ms. Dress and the Trustees had a discussion about the new police cruisers and the police budget.

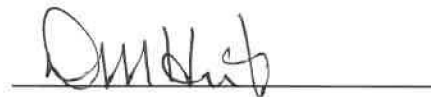
Adjourn

There being no further comments, concerns or business before the Board, Ms. Rozak motioned and Mr. Hirt seconded, to adjourn at 7:29 pm. All ayes and motion carried.



Fiscal Officer







Danbury Township Board of
Trustees