

RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING

Meeting

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

Held _____

May 21, 20 24

A Special Meeting of the Danbury Township Board of Trustees was held at the Danbury Township meeting room on May 21, 2024. Trustee Dianne Rozak called the meeting to order at 5:28 pm, for the purpose of a public hearing on dilapidated structures and the Pledge of Allegiance was recited.

Present: Trustees Dianne Rozak, John Paul Dress and Dave Hirt, Zoning Administrator Kathryn Dale and Township Assistant Lynne James.

Visitors in attendance were Klaus and Darcy Pfisterer, and Ian Dziat.

Ms. Rozak welcomed everyone and then turned the meeting over the Ms. Dale.

Ms. Dale laid out the guidelines for the evenings proceedings and then began with the properties as follows:

0 Church Road (NW Corner of Church and East Port Clinton Eastern)

After a discussion with the Trustees, Ms. Dale and property owner Michael Ian Dziat, Mr. Dziat stated this would be sufficient time to complete necessary repairs as his father owns a construction company and they plan to build a home on the property. The following resolution was passed:

Resolution 09-2024, Resolution to proceed with the repair and securance of the structurally defective structure on the property located at 0 S. Church Rd & E. Port Clinton Eastern Rd, Danbury Township, Ottawa County, OH:

ATTENDS – FIX UP

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a special meeting session at 5:30 p.m., on May 21, 2024, at the Danbury Township Hall, 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. 09 - 2024

RESOLUTION TO PROCEED WITH THE REPAIR AND SECURANCE OF THE STRUCTURALLY DEFECTIVE STRUCTURE ON THE PROPERTY LOCATED AT 0 S. CHURCH ROAD ALSO KNOWN AS THE NW CORNER OF S. CHURCH & E. PORT CLINTON EASTERN ROAD, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO

PREAMBLE

WHEREAS, on or about March 6, 2024, the Board of Trustees (the "Board") sent Sandra K. Hudson ("Owner(s)"), a courtesy notice that the property at 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio (PIN# 0141127915083000) (the "Property") was being investigated by Danbury Township (the "Township") for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the 24' x 32' barn structure (the "Structure"), including the possibility of demolition, located on the property in the unincorporated area of Danbury Township, Ottawa County, Ohio; and

WHEREAS, on or about April 11, 2024, the Board sent notice via certified mail to the Owner(s) of the Property, and any lienholders of record, that the Board would be providing them an opportunity during a special meeting on May 21, 2024, to be heard and provide any information as to why the Structure should not be repaired, secured, or removed; and

WHEREAS, on or about March 7, 2024, the Board received a letter from the Danbury Township Fire Chief finding that the Structure was insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, on or about April 18, 2024, Sandra K. Hudson sold and transferred the Property to Michael Ian and Amber S. Dziat; and

WHEREAS, on April 18, 2024, Michael Ian Dziat contacted the zoning office indicating that he was the new property owner and was provided a copy of all letters that were provided to Sandra K. Hudson, regarding the investigation into the dilapidated structure and the notice of the scheduled hearing for May 21, 2024.

WHEREAS, during said hearing, May 21, 2024, Owner, Michael Ian Dziat, was present and entered into agreement with the Board, by this Resolution, that they would make arrangements to repair and secure the Structure located at 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio; and

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by Michael Ian and Amber S. Dziat, located at 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio (PIN# 0141127915083000) in Danbury Township, Ottawa County, Ohio contains a 24' x 32' Barn

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Structure that is structurally defective and in need of repair and securance pursuant to Section 505.86 of the Ohio Revised Code, and orders the following actions:

- Section 1:** The Board orders the Owner(s) of the Property to apply for and receive the necessary permits from the Ottawa County Building Department no later than June 17, 2024.
- Section 2:** The Board orders the Owner(s) of the Property to execute and complete the exterior repairs of the Structure in accordance with the Ottawa County Building Permit(s) received, on or before August 16, 2024 (2.5 months after permit issuance).
- Section 3:** Exterior repairs of the Structure includes, but is not limited to; repair or replacement of roof framing & shingling, wall framing, siding, windows, doors, as needed; and
- Section 4:** If the Owner(s) needs an extension of time to complete and execute Section 1-3 herein, the Owner(s) must contact the Zoning Inspector no later than the Friday prior to the 2nd or 4th Wednesday before the deadlines established herein, and report the reasoning for such request in-person before the Board of Trustees at their regular meeting.
- Section 5:** If the Owner(s) fail to obtain necessary permits from the Ottawa County Building Department by June 17, 2024 or execute and complete the exterior repairs, or remain active in construction by August 16, 2024, then pursuant to Section 505.86 of the Ohio Revised Code, it is the Board's intention to enter the property to remove the defective structure, following a thirty (30) days notification of such action to the Owner(s) and any interested party or lienholder; and
- Section 6:** If the Owner(s) fails to obtain necessary permits or to execute and complete the exterior construction repairs, or remain active in construction by the deadlines established herein, the Board authorizes the Zoning Inspector to enter into a contract with a suitable person and/or entity to have the Structure removed and to restore the area by planting grass at a cost not to exceed \$5,000.00 with the Ed Burdue Co., LLC.; and
- Section 7:** The Board hereby directs and orders that all expenses incurred in the removal of the Structure and planting of grass shall be paid from the unappropriated monies in the Township's general fund.
- Section 8:** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Structure and planting of grass 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 Section 505.86 of the Ohio Revised Code.
- Section 9:** The 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 21st day of May, 2024.

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 21st day of May, 2024 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams
Carolyn Adams
Danbury Township Fiscal Officer

OWNER ACKNOWLEDGEMENT

Now comes the Owner(s) of 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio (PIN# 0141127915083000) in Danbury Township, Ottawa County, Ohio who freely and voluntarily were present and participated in said hearing, and acknowledge the agreements set forth in this Resolution on this 21st day of May, 2024 and agree to abide by the stipulations set-in and by the dates established.

Michael Ian Dziat
Michael Ian Dziat, Owner

Amber S. Dziat
Amber S. Dziat, Owner

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Held _____

May 21, 20 24

8180 E Harbor Road.

After a discussion with the Trustees, Ms. Dale and property owners Klaus and Darcy Pfisterer, Mr. Pfisterer stated that repairs have already begun and the time line is sufficient so the following resolution was passed:

Resolution 10-2024, Resolution to proceed with the repair of the defective structure on the property located at 8180 E Harbor Rd, Danbury Township, Ottawa County, OH:

ATTENDS – FIX UP

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a special meeting session at 5:30 p.m., on May 21, 2024, at the Danbury Township Hall, 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. 10 - 2024

**RESOLUTION TO PROCEED WITH THE
REPAIR OF THE DEFECTIVE STRUCTURE FOR THE PROPERTY
LOCATED AT 8180 E. HARBOR ROAD,
DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO**

PREAMBLE

WHEREAS, on or about March 6, 2024, the Board of Trustees (the "Board") sent Klaus Pfisterer ("Owner"), a courtesy notice that the property at 8180 E. Harbor Road, Danbury Township, Ottawa County, Marblehead, Ohio 43452 (PIN# 0140832728340000) (the "Property") was being investigated by Danbury Township (the "Township") for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the former Dry Dock bar & restaurant (the "Structure"), including the possibility of demolition, located on the property in the unincorporated area of Danbury Township, Ottawa County, Ohio; and

WHEREAS, on or about April 11, 2024, the Board sent notice via certified mail to the Owner(s) of the Property, and any lienholders of record, that the Board would be providing them an opportunity during a special meeting on May 21, 2024, to be heard and provide any information as to why the Structure should not be repaired, secured, or removed; and

WHEREAS, on or about March 7, 2024, the Board received a letter from the Danbury Township Fire Chief finding that the Structure was secure pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, during said hearing, May 21, 2024, Owner, Klaus Pfisterer, was present and entered into agreement with the Board, by this Resolution, that he would make arrangements to provide maintenance and repair to the Structure located at 8180 E. Harbor Road, Marblehead, Ohio.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by Klaus Pfisterer, located at 8180 E. Harbor Road, Marblehead, Ohio 43440 (PIN# 0140832728340000), in Danbury Township, Ottawa County, Ohio contains a Structure that is structurally defective and in need of repair pursuant to Section 505.86 of the Ohio Revised Code, hereby ordering the following actions:

- Section 1:** The Board orders the Owner of the Property to execute and complete the exterior maintenance and repairs of the Structure within 45 days or before June 30, 2024.
- Section 2:** Exterior maintenance and repairs of the Structure includes but is not limited to; repair or replacement of flashing along the roof line, paint the entry plywood window coverings brown, repaint the front façade white portions of the building, as needed; and
- Section 3:** If the Owner needs an extension of time to complete and execute Section 2 herein, the Owner must contact the Zoning Inspector no later than June 21, 2024.

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Held May 21, 20 24

and report the reasoning for such request in-person before the Board of Trustees at their regular meeting June 26, 2024.

- Section 4:** If the Owner fails to execute and complete the exterior repairs, or request an extension, or remain active in the work being conducted by June 30, 2024, then pursuant to Section 505.86 of the Ohio Revised Code, it is the Board's intention to enter the property to repair the exterior of the defective structure; and
- Section 5:** The Board authorizes the Zoning Inspector to enter into a contract after said date, with a suitable person and/or entity to have the Structure repaired at a cost not to exceed \$7,000.00.
- Section 6:** The Board hereby directs and orders that all expenses incurred in the exterior repair of the Structure shall be paid from the unappropriated monies in the Township's general fund.
- Section 7.** The Fiscal Officer shall report all expenses that the Township incurs in the exterior repair of the Structure 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 Section 505.86 of the Ohio Revised Code.
- Section 8.** The 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 21st day of May, 2024.

Attest:

Carolyn Adams
Fiscal Officer
Carolyn Adams

Board of Trustees
Danbury Township
Ottawa County, Ohio

Diann M. Rozak
Diann M. Rozak
John Raul Dress
John Raul 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 21st day of May, 2024 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams
Carolyn Adams
Danbury Township Fiscal Officer

OWNER ACKNOWLEDGEMENT

Now comes the Owner of 8180 E. Harbor Road, Danbury Township, Ottawa County, Marblehead, Ohio 43440 (PIN# 0140832728340000) who freely and voluntarily was present and participated in said hearing, and acknowledges the agreements set forth in this Resolution on this 21st day of May, 2024 and agrees to abide by the stipulations set-in and by the dates established.

Klaus Pfisterer
Klaus Pfisterer, Owner

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

Held _____

May 21, 20 24

711 S. Bridge Rd or 5395 E Port Clinton Eastern.

After a discussion between the Trustees and Ms. Dale, as property owners John and Donna Bergman did not attend the hearing, the following resolution was passed:

Resolution 11-2024, Resolution to proceed with the removal of the debris of an unsafe, insecure and structurally defective structure from the property located at 711 S. Bridge Rd also 5395 E Port Clinton Eastern Rd., Danbury Township, Ottawa County, Ohio; declaring a nuisance and ordering abatement:

DOES NOT ATTEND

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a special meeting session at 5:30 p.m., on May 21, 2024, at the Danbury Township Hall, 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. 11 - 2024

RESOLUTION TO PROCEED WITH THE REMOVAL OF THE DEBRIS OF AN UNSAFE, INSECURE AND STRUCTURALLY DEFECTIVE STRUCTURE FROM THE PROPERTY LOCATED AT 711 S. BRIDGE ROAD OR ALSO KNOWN AS 5395 E. PORT CLINTON EASTERN ROAD, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO AND DECLARING A NUISANCE AND ORDERING ABATEMENT.

PREAMBLE

WHEREAS, on or about March 6, 2024, the Board of Trustees (the "Board") sent, John & Donna Bergman ("Owner(s)"), a courtesy notice that the property at 711 S. Bridge Road, also known as 5395 E. Port Clinton Eastern Road, Port Clinton, Ohio (PIN# 0141137815232000) (the "Property") was being investigated by Danbury Township (the "Township") for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the 24' x 36' barn structure (the "Structure"), including the possibility of demolition, in the unincorporated area of Danbury Township, Ottawa County, Ohio; and

WHEREAS, on or about April 11, 2024, the Board sent notice via certified mail to the Owner(s) of the Property, and any lienholders of record, that the Board would be providing them an opportunity during a special meeting on May 21, 2024, to be heard and provide any information as to why the Structure should not be repaired, secured, or removed; and

WHEREAS, on or about March 7, 2024, the Board received a letter from the Danbury Township Fire Chief finding that the Structure was insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, on or about April 11, 2024, the Owners voluntarily razed the Structure and began the clean-up and removal of the Structure's debris; and

WHEREAS, pursuant to §505.87 of the Ohio Revised Code, the Board is authorized to determine that the maintenance, vegetation, garbage refuse, or debris upon a property constitutes a nuisance and order the property owner to remove such vegetation or debris within seven (7) days, and if the owner fails to remove the vegetation or debris, or make arrangements for the removal within the allotted time period, the Board may proceed to remove the vegetation or 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, 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, during said hearing, May 21, 2024, Owner(s), John & Donna Bergman, or any lienholders of record, failed to appear before the Board and exercise their opportunity to be heard or enter into agreement with the Board of possible corrective measures; and

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Held _____ May 21, 20 24 _____

WHEREAS, it is in the best interests of Danbury Township and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the vegetation, garbage refuse, and debris from the Property.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by John & Donna Bergman, located at 711 S. Bridge Road, also known as 5395 E. Port Clinton Eastern Road, Port Clinton, Ohio (PIN# 0141137815232000) in Danbury Township, Ottawa County, Ohio contains the material & debris from a 24' x 36' Barn Structure's demolition, which constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

- Section 1:** The Board orders the Owner(s) of the Property to remove the remaining debris on the property from the Structure and to restore the area by planting grass within 45 days or before June 30, 2024.
- Section 2:** The remaining debris on the property from the demolished Structure includes, but is not limited to; removal of wood beams, woods planks, hay and straw, and signage panels that were on the former barn; and
- Section 3:** If the Owner fails to execute and complete the removal of the remaining debris and planting of grass, or remain active in the work being conducted before June 30, 2024, the Board authorizes the Zoning Inspector to enter into a contract after said date, with a suitable person and/or entity to have the remaining debris removed and to restore the area by planting grass at a cost not to exceed \$4,500.00 with the Ed Burdue Co., LLC.
- Section 4:** The Board hereby directs and orders that all expenses incurred in the removal of the Structures debris and to restore the area by planting grass shall be paid from the unappropriated monies in the Township's general fund.
- Section 5.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Structure's debris and to restore the area by planting grass 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 Section 505.87 of the Ohio Revised Code.
- Section 6.** The 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 21st day of May, 2024.

Attest:


Fiscal Officer
Carolyn Adams

Board of Trustees
Danbury Township
Ottawa County, Ohio

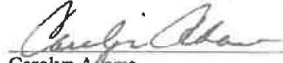
Dianne M. Rozak

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 21st day of May, 2024 and filed with the Danbury Township Fiscal Officer.


Carolyn Adams
Danbury Township Fiscal Officer

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Held

May 21, 20 24

5275 E Port Clinton Eastern Road.

After a discussion between the Trustees and Ms. Dale, as property owners Scott and Alice Orshoski did not attend the hearing, the following resolution was passed:

Resolution 12-2024, Resolution to proceed with the removal of the debris of an unsafe, insecure and structurally defective structure from the property located at 5275 E Port Clinton Eastern Rd., Danbury Township, Ottawa County, Ohio; declaring a nuisance and ordering abatement:

DOES NOT ATTEND

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a special meeting session at 5:30 p.m., on May 21, 2024, at the Danbury Township Hall, 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. 12 - 2024

RESOLUTION TO PROCEED WITH THE REMOVAL OF THE DEBRIS OF AN UNSAFE, INSECURE AND STRUCTURALLY DEFECTIVE STRUCTURE FROM THE PROPERTY LOCATED AT 5275 E. PORT CLINTON EASTERN ROAD, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO AND DECLARING A NUSIANCE AND ORDERING ABATEMENT.

PREAMBLE

WHEREAS, on or about March 6, 2024, the Board of Trustees (the "Board") sent Scott & Alice Orshoski ("Owner(s)"), a courtesy notice that the property at 5275 E. Port Clinton Eastern Road, Port Clinton, Ohio (PIN# 0140051300377000) (the "Property") was being investigated by Danbury Township (the "Township") for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the 40' x 50' barn structure (the "Structure"), including the possibility of demolition, located on the property in the unincorporated area of Danbury Township, Ottawa County, Ohio; and

WHEREAS, on or about April 11, 2024, the Board sent notice via certified mail to the Owner(s) of the Property, and any lienholders of record, that the Board would be providing them an opportunity during a special meeting on May 21, 2024, to be heard and provide any information as to why the Structure should not be repaired, secured, or removed; and

WHEREAS, on or about March 7, 2024, the Board received a letter from the Danbury Township Fire Chief finding that the Structure was insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, on or about May 16, 2024, the Owners voluntarily razed part of the Structure and began the clean-up and removal of the Structure's debris; and

WHEREAS, pursuant to §505.87 of the Ohio Revised Code, the Board is authorized to determine that the maintenance, vegetation, garbage refuse, or debris upon a property constitutes a nuisance and order the property owner to remove such vegetation or debris within seven (7) days, and if the owner fails to remove the vegetation or debris, or make arrangements for the removal within the allotted time period, the Board may proceed to remove the vegetation or 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, 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, during said hearing, May 21, 2024, Owner(s), Scott & Alice Orshoski, or any lienholders of record, failed to appear before the Board and exercise their opportunity to be heard or enter into agreement with the Board of possible corrective measures; and

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Held _____ May 21, 20 24

WHEREAS, it is in the best interests of Danbury Township and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the vegetation, garbage refuse, and debris from the Property.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by Scott & Alice Orshoski, located at 5275 E. Port Clinton Eastern Road, Port Clinton, Ohio (PIN# 0140051300377000) in Danbury Township, Ottawa County, Ohio contains the material & debris from a 40' x 50' Barn Structure's demolition, which constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

- Section 1:** The Board orders the Owner(s) of the Property to remove the remaining debris on the property from the Structure and to restore the area by planting grass within 45 days or before June 30, 2024.
- Section 2:** The remaining debris on the property from the demolished Structure includes, but is not limited to; removal of wood beams, woods planks, hay and straw, and other material that was inside the said Structure; and
- Section 3:** If the Owner fails to execute and complete the removal of the remaining debris and planting of grass, or request an extension from the Board, or remain active in the work being conducted before June 30, 2024, the Board authorizes the Zoning Inspector to enter into a contract after said date, with a suitable person and/or entity to have the remaining debris removed and to restore the area by planting grass at a cost not to exceed \$5,000.00 with the Ed Burdue Co., LLC.
- Section 4:** The Board hereby directs and orders that all expenses incurred in the removal of the Structures debris and to restore the area by planting grass shall be paid from the unappropriated monies in the Township's general fund.
- Section 5.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Structure's debris and to restore the area by planting grass 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 Section 505.87 of the Ohio Revised Code.
- Section 6.** The 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.

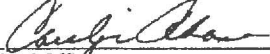
This Resolution shall take effect and be in force from or after the earliest period allowed by law.

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 21st day of May, 2024.

Attest:


Fiscal Officer
Carolyn Adams

Board of Trustees
Danbury Township
Ottawa County, Ohio

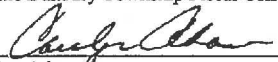

Dianne M. Rozak


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 21st day of May, 2024 and filed with the Danbury Township Fiscal Officer.


Carolyn Adams
Danbury Township Fiscal Officer

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DANBURY TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING

Meeting

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

Held _____

May 21, 20 24

2890 S. Danbury North Road.

After a discussion between the Trustees and Ms. Dale, as property owners Peter and Sue Ann Lammers did not attend the hearing, the following resolution was passed:

Resolution 13-2024, Resolution to proceed with the removal of the unsafe, insecure and structurally defective structure from the property located at 2890 S. Danbury North Rd., Danbury Township, Ottawa County, Ohio:

DOES NOT ATTEND

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a special meeting session at 5:30 p.m., on May 21, 2024, at the Danbury Township Hall, 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. 13-2024

RESOLUTION TO PROCEED WITH THE REMOVAL OF THE UNSAFE, INSECURE AND STRUCTURALLY DEFECTIVE STRUCTURE FROM THE PROPERTY LOCATED AT 2890 S. DANBURY NORTH ROAD, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO

PREAMBLE

WHEREAS, on or about March 6, 2024, the Board of Trustees (the "Board") sent Peter & Sue Ann Lammers ("Owner(s)") a courtesy notice that the property at 2890 S. Danbury North Road, Port Clinton, Ohio (PIN# 0140846328409000) (the "Property") was being investigated by Danbury Township (the "Township") for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the single family house structure (the "Structure"), including the possibility of demolition, located on the Property in the unincorporated area of Danbury Township, Ottawa County, Ohio; and

WHEREAS, on or about April 11, 2024, the Board sent notice via certified mail to the Owner(s) of the Property, and any lienholders of record, that the Board would be providing them an opportunity during a special meeting on May 21, 2024, to be heard and provide any information as to why the Structure should not be repaired, secured, or removed; and

WHEREAS, on or about March 7, 2024, the Board received a letter from the Danbury Township Fire Chief finding that the Structure was insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, on or about April 1, 2024, the Board received a letter from the Ottawa County General Health District finding that the Structure was insecure pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, during said hearing, May 21, 2024, Owner(s), Peter & Sue Ann Lammers, or any lienholders of record, failed to appear before the Board and exercise their opportunity to be heard or enter into agreement with the Board of possible corrective measures; and

WHEREAS, it is in the best interest of the Township and its residents to proceed under Section 505.86 of the Ohio Revised Code in order to remove the structurally defective, insecure and unsafe conditions of the Structure on the Property.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by Peter & Sue Ann Lammers, located at 2890 S. Danbury North Road, Port Clinton, Ohio (PIN# 0140846328409000) in Danbury Township, Ottawa County, Ohio contains a single family house Structure that is structurally defective, insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code, and orders the following actions:

Section 1: The Board orders the Owner(s) of the Property to remove the Structure and to restore the area by planting grass, within 45 days or before June 30, 2024.

RECORD OF PROCEEDINGS

Minutes of

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- Section 2:** The Board orders the Zoning Inspector or their designee to send certified notice to the property owners and any lienholders of record of the Boards intentions to exercise Section 505.86 of the Ohio Revised Code of this resolution.
- Section 3:** If the Owner fails to execute and complete the removal of the Structure and planting of grass, or remain active in the work being conducted before June 30, 2024, the Board authorizes the Zoning Inspector to enter into a contract after said date, with a suitable person and/or entity to have the Structure removed and to restore the area by planting grass at a cost not to exceed \$13,500.00 with the Ed Burdue Co., LLC.
- Section 4:** The Board hereby directs and orders that all expenses incurred in the removal of the Structure and planting of grass shall be paid from the unappropriated monies in the Township's general fund.
- Section 5.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Structure and planning of grass 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 Section 505.86 of the Ohio Revised Code.
- Section 6.** 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:

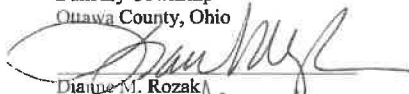
Vote Record: Ms. Rozak - Yes; Mr. Dress - Yes; Mr. Hirt - Yes

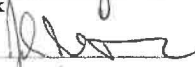
ADOPTED this 21st day of May, 2024.

Attest:


Fiscal Officer
Carolyn Adams

Board of Trustees
Danbury Township
Ottawa County, Ohio

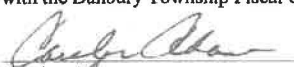

Diane M. Rozak


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 21st day of May, 2024 and filed with the Danbury Township Fiscal Officer.


Carolyn Adams
Danbury Township Fiscal Officer

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20

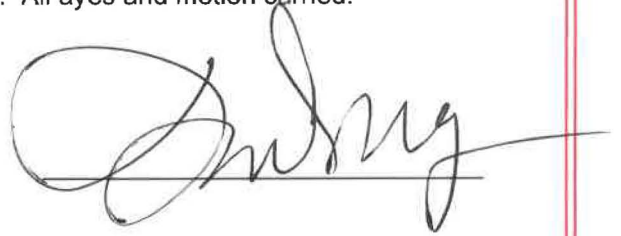
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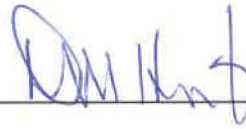
Adjourn

There being no further comments, concerns or business before the Board at this Special Meeting of Dilapidated Structures, Ms. Rozak motioned and Mr. Hirt seconded, to close the public hearing at 6:40 pm. All ayes and motion carried.



Fiscal Officer







Danbury Township Board of
Trustees

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Held _____ **May 21,** _____ 20 **24**

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