

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_

July 10, 20 24

Trustee Rozak called the meeting to order at 6:06 PM. The Pledge of Allegiance was recited. Roll call: Trustee Rozak, Trustee Dress and Trustee Hirt were present, along with Fiscal Office Brinkley Paul, Township Assistant Lynne James, Zoning Administrator Kathryn Dale, Fire Chief Shawn Hunsicker and Roads Superintendent Brett Waldron. Visitors in attendance: Susan Dress and Sue Ann Lammers.

### Fire

Fire & Ems Run Details						
	EMS	Fire	MVC*	Alarm**	CO***	Mutual Aid
January	39	1	0	4	0	0
February	46	2	3	1	2	0
March	65	1	3	0	0	1
April	56	3	0	2	1	2
May	92	3	3	8	0	0
June	92	5	1	1	1	0
July as of the 10 <sup>th</sup>	48	0	0	4	0	1
August						
September						
October						
November						
December						
2024 Sub-total	438	15	10	20	4	4
Total	491					

\*Motor Vehicle Crash(s)

\*\* Alarm Activation(s)

\*\*\*Carbon Monoxide Investigation(s)

- Chief Hunsicker stated 4<sup>th</sup> of July was the busiest on record and extremely proud of the Fire Department.
- The Fire Association sold 75 meals at the Pancake Breakfast and made \$181.00 with a profit of \$151.00. It went great for the first go around and the members of the Fire Department that participated had a fun time.
- CPR training later the same day, only two participants attended. A few business owners asked for private sessions. Chief Hunsicker plans on contacting them to schedule the training.
- Chief Hunsicker has a meeting with Red Cross tomorrow at 2 pm to possibly set up a Blood Drive at the Fire Department. When he has more details, he will notify the Board.

### Roads

- Sackett Cemetery – 1 cremation burial
- Primary focus was on the Holiday weekend
- Mr. Waldron stated Danbury is a Perpetual Care Cemetery and in charge of maintaining the Cemetery. He submitted from Gravestone Restoration Services a quote for 27 headstones at \$4,000.00 for 2024 weather dependent fall completion. Priority with the selection of stones were those that need the most work and moving up from that point. Mr. Dress made a motion to approve the quoted amount, seconded by Mr. Hirt; all ayes and motion carried.
- Mr. Waldron asked for Two Board signatures on a TRQ form from the Co. Engineer's Office, on 2025 estimate pricing for possible projects. Ms. Rozak and Mr. Dress signed.

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Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

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

Held \_\_\_\_\_ July 10, 20 24

- Ms. Dress asked for an update on the pickle ball courts and was advised that we did not receive the funding we had requested. It is still on the hopeful list and Ms. Rozak stated that with the purchase of the new building on Bridge Road, it is highly possible a front portion of that could be used for said courts.

## Police

- Chief Meisler submitted the incident reports: For the month of June 2024, the Department responded to 444 calls. From 7-1-2024 to 7-10-2024, the Department responded to 195 calls.
- Chief Meisler was pleased to report that the 4<sup>th</sup> of July holiday was extremely peaceful and somewhat uneventful.
- At the request of several officers, Chief Meisler is obtaining quotes from vendors for outer carriers for their new ballistic vests. The new style is much more comfortable to wear. Equipment from their duty belts will attach to the front of the new carriers, relieving lower back pain.

## Zoning

Sue Ann Lammers was present for a requested Resolution Modification 13-2024-B, on her property at 2890 South Danbury North Road; resulting as follows:

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:00 p.m., on July 10, 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. 13 – 2024 - B

#### **RESOLUTION TO MODIFY PREVIOUS TRUSTEE RESOLUTION 13-2024 REGARDING 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 May 21, 2024, the Board of Trustees (the "Board") adopted Resolution 13-2024 determining that the property owned by Peter & Sue Ann Lammers ("Owner(s)") located at 2890 S. Danbury North Road, Port Clinton, Ohio (PIN# 0140846328409000) (the "Property") contained a single family house structure (the "Structure") that was structurally defective, insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code, and

**WHEREAS**, Section 1 of Resolution 13-2024, ordered the Owner(s) of the Property to execute and complete the removal of the structurally defective, insecure and unsafe Structure on the Property and restore the area by planting grass on or before June 30, 2024; and

**WHEREAS**, at the July 10, 2024, Trustee regular meeting, the Owners, Peter & Sue Ann Lammers attended and were present at the meeting. They expressed that they have entered into contract with Innovative Excavating to remove the structurally defective, insecure and unsafe Structure from the property and requested additional time to complete the demolition and clean-up.

#### **RESOLUTION**

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

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby agrees to extend additional time to the Owners, 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 begin demolishing and removing the Structure on or before July 19, 2024 and to complete clean-up of the debris and restore the area by planting grass, no later than August 1, 2024.
- Section 2:** If the Owner fails to execute and begin the demolition and removal of the Structure on or before July 19, 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 3:** 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.

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**Section 4.** 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 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 July, 2024.

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Attest:

Brinkley Paul  
Fiscal Officer  
Brinkley Paul

Diana M. Rozak  
Diana 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 July, 2024 and filed with the Danbury Township Fiscal Officer.

Brinkley Paul  
Brinkley Paul  
Danbury Township Fiscal Officer

### OWNER ACKNOWLEDGEMENT

Now comes the Owner of 2890 S. Danbury North Road, Port Clinton, Ohio (PIN# 0140846328409000) who freely and voluntarily was present and participated in said hearing, and acknowledges the agreements set forth in this Resolution on this 10<sup>th</sup> day of July, 2024 and agrees to abide by the stipulations set-in and by the dates established.

Peter Lammers, Owner  
Peter Lammers, Owner

Sue Ann Lammers  
Sue Ann Lammers, Owner

### Zoning continued

#### Permits for June 2024

31 permit applications were processed for the month of June totaling \$2,538.13 in collected fees.

Accessory Building:	5
Addition	
Commercial:	
Residential:	2
Appeals:	
Area Variance:	4
Conditional Use:	
Deck:	3
Dock:	
Fence:	7
New SF Home:	1
New Commercial Structure:	
Other:	1
Refusal:	4
Signage:	2
Swimming Pool:	
Text/Map Amendment:	2
<b>Total:</b>	<b>31</b>

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## Board & Commission Activity

### The Board of Zoning Appeals –

The BZA held adjudication hearings on June 18, 2024, for the following applications:

- a. **BZA-2024-125** **Approved as Presented**  
**8186 E. Bayshore Road.** Request for an Area Variance to Section 5.2.1.A.i.a to allow for the cumulative square footage of all accessory structures to exceed the maximum 2,000s.f. permitted (2,112s.f. proposed) and to Section 5.2.1.D to allow the building height to exceed the 20' maximum allowed (23' proposed). **Terry Slauterbeck, Owner/Applicant.**
  
- b. **BZA-2024-131** **Denied**  
**9451 E. Harbor Road.** Request for Area Variances to Section 6.4 to allow a 3<sup>rd</sup> ground sign on the school property (1 permitted), to exceed the sign square footage (46,974s.f. proposed/ 32s.f. allowed), to allow the height to be exceeded (7'4" proposed/ 6' allowed), to allow the sign width to be exceeded (12'8" proposed/ 12' allowed), to allow the sign to be internally lit (only externally lit allowed) & to Section 6.4.2.B to allow an electronic message center, which is specifically prohibited. **Danbury Local School District, Shane Baumgardner, Treasurer, Applicant/ Owner; Matthew Sagone, Attorney/ Agent.**
  
- c. **BZA-2024-137** **Approved as Presented**  
**2026 Emerald Shores.** Request for Area Variance from Section 3.5 to allow for a deck to encroach into the south, rear-yard setback (22' proposed/ 25' required). **Jonathan Brown, Owner/Applicant.**

### The Zoning Commission -

The Zoning Commission held a public hearing June 5, 2024, on the following case:

- a. **ZC-2024-112 0 & 1697 S. Danbury N. Road. Map Amendment from "A" Agricultural to "R-C" Recreational Commercial** for Lot 20, Part of Section 4, PIN# 0141161115543000 consisting of 5.758ac. of the 8.003ac. parcel and **"C-2" General Commercial to "R-C" Recreational Commercial** for Lot 20, Part of Section 4, PIN# 0141160615537016 - 0141160615537025 consisting of 10.464ac. Total of 16.222ac. to be rezoned. **Robert & Janet Hennig & Stowaway Jeannie, LLC, James Davenport, Owners/Applicants; Keith Brown, DB Development Group, Agent.**

The Zoning Commission made a motion to approve the request, citing decision standard 'b' & 'c' were satisfied of Section 7.7.3.E.ii., but the motion failed, and the recommendation was 3-2 for Denial.

Ottawa County Regional Planning Commission held a hearing June 18, 2024, on the following case and recommended approval as presented.

- a. **ZC-2024-140 5826 E. Harbor Road. Request for a Map Amendment from "C-2" General Commercial to "R-C" Recreational Commercial** for Part of Lot 2, Section 4, PIN# 0141152415425000 consisting of 3.261ac. **Doug & Rose Sabin, Owners/Applicants.**

### Department Updates

- Dilapidated Structures:
  - Extensions were granted by the Trustees for both the Orshoski's and Pfisterer properties until June 26<sup>th</sup>.
- Storage Study Update:
  - Anticipate a final report by the end of June.

### Office Activity

During the month of June, the Department went on 140 site visits, responded to 595 total calls, e-mails and in-person inquiries as follows:

- Outgoing 41
- Incoming 125
- Other 45
- Emails 382
- Violation Letters 6

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GOVERNMENT FORMS & SUPPLIES 844-224-3336 FORM NO. 10148

Held \_\_\_\_\_

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## PERMITS through July 10, 2024

To-date this month there have been 3 permit applications submitted/processed totaling \$287.10 collected in fees and application balances.

## BOARD & COMMISSION ACTIVITY

### The Board of Zoning Appeals –

The BZA will hold their adjudication hearings July 17, 2024 @ 6:00p.m. on the following cases:

- a. **BZA-2024-159**  
**233 Bedford.** Request for Area Variances from Section 5.2.D.iii to allow for the installation of an accessory structure to encroach into the north, side-yard setback (1.5' proposed/ 5' required) and into the east, rear-yard setback (0' proposed/5' required) and to Section 3.5 to allow the lot coverage to be exceeded (40% allowed/ 41% proposed). **Kent & Jen Brandeberry, Owners/ Applicants.**
- b. **BZA-2024-164**  
**344 Hidden Beach.** Request for Area Variances from Section 5.2.D.iii to allow for the installation of an accessory structure to encroach into the west, rear-yard setback (1.5' proposed/ 5' required), into the north, side-yard setback (2' proposed/ 5' required) and to be separated from the house less than 5' (4.25' proposed). **Todd & Kirsten Cassaro, Owners/ Applicants.**
- c. **BZA-2024-165**  
**2488 Knobhill.** Request for Area Variances from Section 5.2.D.iii to allow for the installation of an accessory structure to encroach into the south, side-yard setback (1' proposed/ 5' required) and into the west, rear-yard setback (1' proposed/5' required). **Patrick & Roseanne O'Keeffe, Owners/ Applicants.**
- d. **BZA-2024-167**  
**304 Walnut.** Request for Area Variances from Section 3.5 to allow for an addition on the existing home to exceed the lot coverage (55% allowed/ 62.8% proposed) and to Section 7.12.3.A to allow more square footage onto a nonconforming structure than permitted (20%; 197.6s.f allowed/ 22.1%; 218s.f. proposed). **Dexter & Melanie Woods, Owners/ Applicants.**

### The Zoning Commission -

The Zoning Commission held a public hearing July 3, 2024, on the following case:

- a. **ZC-2024-140 5826 E. Harbor Road.** Request for a Map Amendment from "C-2" General Commercial to "R-C" Recreational Commercial for Part of Lot 2, Section 4, PIN# 0141152415425000 consisting of 3.261ac. **Doug & Rose Sabin, Owners/Applicants.**

Ottawa County Regional Planning Commission held their hearing June 18, 2024, on this same case and recommended approval as presented.

Ottawa County Regional Planning Commission is scheduled to hold a hearing July 16, 2024, on the following case:

- a. **ZC-2024-168 6114 E. Port Clinton Eastern Road.** Request for a Map Amendment from "A" Agricultural to "R-C" Recreational Commercial for Lot 13, Section 4, PIN# 0140400022988000 consisting of 22.6ac. **David & Edith Dlubak, Owners/Applicants.**

The Board of Trustees held a special hearing July 10, 2024, at 5:15p.m. on the following case:

- a. **ZC-2024-112 0 & 1697 S. Danbury N. Road.** Map Amendment from "A" Agricultural to "R-C" Recreational Commercial for Lot 20, Part of Section 4, PIN# 0141161115543000 consisting of 5.758ac. of the 8.003ac. parcel and "C-2" General Commercial to "R-C" Recreational Commercial for Lot 20, Part of Section 4, PIN# 0141160615537016 - 0141160615537025 consisting of 10.464ac. Total of 16.222ac. to be rezoned. **Robert & Janet Hennig & Stowaway Jeannie, LLC, James Davenport, Owners/Applicants; Keith Brown, DB Development Group, Agent.**

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DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

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

Held \_\_\_\_\_ July 10, \_\_\_\_\_ 20 \_\_\_\_\_ 24 \_\_\_\_\_

## DEPARTMENT UPDATES

- Dilapidated Structures:
  - Received a phone call 06.27.24 (day after last Trustee meeting) from Sue Ann Lammers. She stated that they have Innovative Excavation lined up to take down the house and they would get to it as their schedule allowed. KAD told her we would need a date-certain. Her daughter Jackie called the next day, 06.28.24 and said the demo is scheduled for July 19, 2024. A resolution is enclosed for your consideration for an extension if the property owners appear at your meeting.
  - Ed Burdue Company was contacted to make them aware of the potential extension on this demo.
- Storage Study Update:
  - July 1, 2024, we received the final Storage Study report from Miami University. The essential takeaway is that we have a surplus of 50 acres of storage space as it is now with the potential to be in a total surplus of 403 acres if we keep developing at the pace we have. The report is included for your review.
- Legal Fees
  - The invoice for attorney fees involving the school's variance request came in higher than my threshold to authorize, so I need the Trustees to specifically approve this for payment.

## VIOLATIONS/COMPLAINTS

### Other Misc.:

#### **5650 E. Harbor Road** (*Loss of NC Sign – Fort Firelands*)

There has been some activity to clear out the heavy brush around where this sign is on the property. Anticipate they are working to get to the sign to get it down, but we shall wait and see.

Prior Info: Letter was sent to the property owner 04.23.24 notifying them of the loss of the large billboard sign along the west property line and asked that it is removed by May 24, 2024. The week of May 20, 2024, George Wilber, attorney for the property owner called asking for information on the Township's signage regulations.

#### **999 N. Buck Road** (*Loss of NC Sign – Harbor's Edge*)

##### **CLOSED (06.28.24)**

Sign has been reoccupied and currently being used. Sign may have actually had a sign on it at the time the letter was sent in April. Will let it be as long as it is continuously being used. The sign frame was installed in 2001-2002, so it was in relatively decent shape.

Prior Info: Letter was sent to the property owner 04.24.24 notifying them of the loss of a billboard sign along the east property line & SR 269 and asked that it is removed by May 24, 2024.

#### **29 S. Bridge Road** (*Loss of NC Sign – Wedco Realty/Canvas Shop*)

Letter was sent to the property owner 04.24.24 notifying them of the loss of the large pole sign along the south property line and asked that it is removed by May 24, 2024. The owner called 05.16.24 and said they are working on getting the sign removed but needs more time. The owner was given until June 28, 2024, to remove the sign.

#### **49 S. Bridge Road** (*Loss of NC Sign – Summit Properties*)

Letter was sent to the property owner 04.24.24 notifying them of the loss of the large pole sign along the south property line and asked that it is removed by May 24, 2024.

### Illegal Rentals:

None at this time.

### Illegal Use:

None at this time.

### Junk & Debris:

None at this time.

### Tall Grass:

#### **185 Forest Green** (*Tall grass – 5/3 Bank*)

Sheriff lockout (eviction) was scheduled for 06.27.24. Still some belongings on the property but appears the bank is working to clear out.

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05.07.24 contacted 5/3 Bank (937-324-7000) and left message for "Nathan" to discuss cleaning up property. 05.10.24 email sent to propertypreservation.bancorp2.com. 05.15.24 received email from (Emily) stating the property is still occupied and will be sent eviction notice in the next few days. Will continue to monitor & stay in contact with the bank, but patience will be needed until the bank retains full control. Once they do, the property will likely be placed on a 2-3 week mow rotation. Can't see pursuing this hard, to the point of abating & using General Fund monies since the bank will take control eventually.

## **Camper Occupied:**

### **1614 Heritage** (*Camper Occupied - Garrad*)

07.03.24 while out on inspections, noticed camper that was connected to electric and water source. Letter sent to property owner notifying them the camper is not permitted to be occupied.

### **2306 Meter** (*Camper Occupied - Meyers*)

07.03.24 while out on inspections, noticed motorcoach camper that was connected to utilities and bump outs fully extended. Letter sent to property owner notifying them the camper is not permitted to be occupied.

### **2084 Meter** (*Camper Occupied - Kopp*)

07.03.24 while out on inspections, noticed camper has a bump out extended. Letter sent to property owner notifying them the camper is not permitted to be occupied.

### **262 Sackett** (*Camper Occupied - Roush*)

07.01.24 Complaint received, transferred to Zoning from the Police Department regarding an occupied camper. Prior violation in 2022. 07.03.24 photo taken and warning letter sent regular US mail.

### **146 Strause** (*Camper Occupied - Fleenor*)

06.27.24 received complaint about occupied camper. Photos taken of camper and appeared to be valid complaint. 06.28.24 Cease and Desist letter sent to property owner.

### **1805 Chandler** (*Camper Occupied - Reed*)

Camper is still being stored on the property and bump-outs are in as requested. Will monitor the situation.

Prior Info: 06.12.24 observed camper on property with bump-outs and newly constructed stairs. Letter sent via regular mail to the property owner 06.13.24. Owner called 06.18.24 to say sturdier steps are not attached and were put in for his wife who recently had knee surgery. They are not staying in it but do go into it because they are storing items inside of it in order to work on the construction/finishing of the inside of the house. Said he will retract the pop-outs. Says that electric needs to be extended to it so the battery remains charge in order for all the hydraulics to work. Will monitor the situation.

### **2337 Debra Drive** (*Camper Occupied - Ayers*)

Letter sent via regular mail to the property owner 06.13.24. Owner called 06.19.24 and left VM stating they are not staying in the unit. Owner to be contacted asking them to remove the stairs added to the unit and retract the bump-outs. Will monitor the situation.

## **Construction without Permits:**

### **4934 Ronel** (*Pool- Radloff*)

06.26.24 Pictures of pool on property taken and no permit filed. 06.27 Letter sent via regular mail.

### **1855 Arlington** (*Pool - Veverka*)

#### **CLOSED 07.02.24**

06.26.24 Pictures of pool on property taken and no permit filed. 06.27 Letter via regular mail. Tenant came in and obtained Permit #2024-171 on 07.02.24.

### **6935 E Bayshore Rd** (*Pool- Szuch*)

#### **CLOSED 07.02.24**

06.12.24 observed pool in back yard while checking on fence permit. 06.13.24 sent email to owners. 06.20.24 spoke to owners and stated never received email and pool has been on property for 10 years. Found aerial photo from March 2021 without pool in yard. Attached photo and sent new email. 06.26.24 SZUCH responded to email with questions

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and stated she would be in soon to file permit. 07.02.24 Jennifer came in and obtained Permit # 2024-172.

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

Anticipate a formal decision to be rendered by end of July/early August.

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 6<sup>th</sup> 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. In 6<sup>th</sup> 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. In 6<sup>th</sup> District Court of Appeals. The Township was granted an extension to file the reply brief which is now due March 8, 2024. J. Stopar filed the reply brief on behalf of the Township 03.08.24. Appellant will have the opportunity to submit a reply brief to our reply which is due in 10 days so as long as no further extensions are requested. 4-6 weeks after that, oral arguments will be scheduled. Will have to report back what those dates are once scheduled. Bilton's attorneys have requested an extension to file their last brief by March 28<sup>th</sup>. The property owner attorney filed their last brief on March 28<sup>th</sup> and we are now just awaiting word on when oral arguments will be scheduled. Oral arguments were held 06.05.24 in Toledo. The hearing lasted approximately a half hour. Many of the same, expected arguments were made from the briefs that have been filed. The panel of judges asked the Appellants attorney a number of questions, but overall, had a feeling that the BZA's decision may be upheld.

### **Demo's:**

#### **Bergman's Barn:**

Notice of Trustee Decision (Res. 11-2024) sent 05.22.24 via Certified Mail (70210950000011788353). Letter claimed 05.24.24. Owner must clean up remaining debris and grass the area by June 30, 2024.

#### **Orshoski's Barn:**

Notice of Trustee Decision (Res. 12-2024) sent 05.22.24 via Certified Mail (70210950000011788339) to owner & lienholder (70210950000011788346). Letter claimed



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July 10, 20 24

05.28.24 by lienholder. Owner must clean up remaining debris and grass the area by June 30, 2024.

**Hudson/Dziat Barn:**

Ian Dziat present at Trustee Hearing and provided copy of Trustee Decision (Res. 09-2024). The owner agrees to fix up barn. Has until 06.17.24 to get the necessary Co. Bldg. permits and work completed by 08.16.24 or barn will be torn down. 05.28.24 call received from someone stating the lot has a "For Sale" sign on it again.

**Dry Dock:**

Klaus Pfisterer present at Trustee Hearing and provided copy of Trustee Decision (Res. 10-2024). The owner agrees to fix up the building facade. Has until 06.30.24 to complete the work or Township will contract with someone to complete the work. 05.31.22 some work has been done.

**P. Lammers House:**

Notice of Trustee Decision (Res. 13-2024) sent 05.22.24 via Certified Mail (70210950000011788360). Letter claimed 05.24.24. Owner must tear down house by 06.30.24 or Township will enter property to remove.

- Ms. Rozak motioned and Mr. Dress seconded to approve the Semro Henry invoice for attorney's fees regarding the Danbury School variance application, in the amount of \$3,528.32. All ayes and motion carried.
- Ms. Dale recommended waiting until the meeting next month to discuss the Commercial Storage Study. She recommended and the Board agreed on a Special Meeting on August 7, 7:30 pm for further discussion regarding the study.

**Comments and Concerns**

Ms. Rozak asked if Ms. Dress had anything further for discussion before going into Executive Session. Ms. Dress inquired about the Fire Department Association and embezzlement of funds and if there was a relationship between the Fire Department Association and the Trustees.

All Trustees stated, no.

Ms. Dress further asked if this was something the Trustees would have to "sign off on."

Ms. Rozak said that the Association is an independent organization. Chief Hunsicker said the Non-profit Association and is similar to a club, formed by members of the fire department, in which they participate in fund raising.

Ms. Dress asked if the Fire Department Association had requirements in place, that people having access to funds be monitored. Chief Hunsicker stated there are measures in place, but due to the fact that it is on ongoing case, he could not answer any further questions.

Ms. Rozak asked if Ms. Dress had anything further before the Board went into the Executive Sessions. Ms. Dress asked how long that would be. Ms. Rozak stated at least half an hour. Ms. Dress opted to wait and she excused herself. She will be called back into Regular Session when it resumes.

**Executive Session:** Ms. Rozak moved to go into Executive session with the Fire Chief, Shawn Hunsicker, at 6:27 pm, to discuss employment of public employees. Mr. Hirt seconded, all ayes and motion carried.

Ms. Rozak motioned and Mr. Hirt seconded to come out of Executive Session and back into Regular Session at 6:47 pm; all ayes and motion carried.

Ms. Rozak motioned and Mr. Hirt seconded, that effective Aug 1, 2024:

Timothy J. Almendinger to move from part-time to full-time as a Fire fighter 1/EMT at a 53-hour work week that will equate to \$59,621.38 annually.

Garrett Cellar to move from part-time to full-time as a Fire fighter 2/Paramedic at a 53-hour work week that will equate to \$66,304.42 annually.

# RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

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

Held \_\_\_\_\_ July 10, 20 24 \_\_\_\_\_

John Mendofik to move from part-time to full-time as a Fire fighter 2/Paramedic/Fire & EMS Instructor at a 53-hour work week that will equate to \$66,304.42 annually.

All ayes and motion carried.

**Executive Session:** Ms. Rozak motioned and Mr. Hirt seconded to move into Executive Session at 6:47 pm, for a conference with an Attorney for the Board concerning pending or imminent court action. All ayes and motion carried.

Ms. Rozak motioned to come out of Executive Session at 7:21 pm and back into Regular Session at 7:22 pm, seconded by Mr. Hirt. All ayes and motion carried.

No action is being taken at this time.

Ms. Dress asked for clarification on Fire Department full time appointments and was the given names and the information; and that due to change in hours, this will significantly reduce overtime and trying to fill department shifts moving forward.

## Correspondence

APWireless inquiry about cellular site. Ottawa Co. Budget Commission notice of meeting on Aug 13, 2024 at 11 am; location 315 Madison Port Clinton. American Planning Assoc. Magazine. Letter received from the court reg State of Ohio vrs Jeffrey Clemens.

## Old Business

- Mr. Dress asked if we had heard from Ms. Gordon yet and Ms. James said she has not received anything to date. Ms. Rozak said to let her know if there is no response before the next meeting and she will give her a call.

## New Business

- There is required training for all public employees from the Auditor of State; an 8 min video regarding fraud. Ms. Rozak will send out an email to all department heads; they will inform their employees and all will take the test and report certificates back the Ms. James.
- Mr. Hirt motioned and Mr. Dress seconded the approval of the annual propane price for the Township; all ayes and the motion carried. For 7-1-24 to 7-31-25 the price decreased 3 cents from last year to \$1.719/per gallon.

## Fiscal Business

Mr. Dress motioned and Mr. Hirt seconded, to approve payroll and bills in the amount of \$100,578.88 for the period June 27 to July 10, 2024. All ayes and motion carried. (See next page)

# RECORD OF PROCEEDINGS

Minutes of

## DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

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

Held \_\_\_\_\_

July 10, 20 24

DANBURY TOWNSHIP, OTTAWA COUNTY  
**Payment Listing**  
 6/27/2024 to 7/10/2024

7/9/2024 10:41:03 PM  
 UAN v2024.1

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
126-2024	03/01/2024	03/13/2024	CH	Cintas	\$14.48 *	V
126-2024	07/09/2024	07/09/2024	CH	Cintas	-\$14.48	V
129-2024	03/20/2024	03/20/2024	CH	Cintas	\$35.00 *	V
129-2024	07/09/2024	07/09/2024	CH	Cintas	-\$35.00	V
133-2024	03/20/2024	03/20/2024	CH	Cintas	\$14.48 *	V
133-2024	07/09/2024	07/09/2024	CH	Cintas	-\$14.48	V
175-2024	03/29/2024	04/02/2024	CH	Cintas	\$14.48 *	V
175-2024	07/09/2024	07/09/2024	CH	Cintas	-\$14.48	V
176-2024	03/29/2024	04/02/2024	CH	Cintas	\$35.00 *	V
176-2024	07/09/2024	07/09/2024	CH	Cintas	-\$35.00	V
211-2024	04/24/2024	04/24/2024	CH	Cintas	\$35.00 *	V
211-2024	07/09/2024	07/09/2024	CH	Cintas	-\$35.00	V
377-2024	06/26/2024	06/26/2024	CH	Genoa Bank	\$1,368.29 *	V
377-2024	06/27/2024	06/27/2024	CH	Genoa Bank	-\$1,368.29	V
378-2024	07/01/2024	07/09/2024	CH	Ohio Edison	\$67.87	O
379-2024	07/01/2024	07/09/2024	CH	Ohio Edison	\$67.87	O
380-2024	07/01/2024	07/09/2024	CH	Ohio Edison	\$67.87	O
381-2024	07/10/2024	07/09/2024	CH	Ohio Edison	\$216.38	O
382-2024	07/01/2024	07/09/2024	CH	Ohio Edison	\$67.87	O
383-2024	07/01/2024	07/09/2024	CH	Ohio Edison	\$67.87	O
384-2024	07/05/2024	07/09/2024	CH	Ohio Edison	\$72.42	O
385-2024	07/05/2024	07/09/2024	CH	Ohio Edison	\$13.98	O
386-2024	07/09/2024	07/09/2024	CH	Ohio Edison	\$536.68	O
387-2024	07/05/2024	07/09/2024	CH	Ohio Edison	\$207.22	O
388-2024	07/05/2024	07/09/2024	CH	Ohio Edison	\$67.84	O
389-2024	07/08/2024	07/09/2024	CH	Guardian	\$1,692.12	O
391-2024	07/10/2024	07/09/2024	CH	Culligan of Northern Ohio	\$32.24	O
392-2024	07/10/2024	07/09/2024	CH	Cintas	\$35.00	O
393-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$47,914.11	O
394-2024	07/03/2024	07/09/2024	CH	OPERS	\$7,054.51	O
395-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$2,283.02	O
396-2024	07/03/2024	07/09/2024	CH	Ohio Police & Fire Pension Fund	\$1,930.97	O
397-2024	07/03/2024	07/09/2024	CH	OPERS	\$4,504.20	O
398-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$274.55	O
399-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$4,092.76	O
400-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$1,304.80	O
401-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$69.15	O
402-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$1,824.74	O
403-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$121.83	O
404-2024	06/27/2024	07/09/2024	CH	Ohio Public Employees Deferred	\$2,045.00	O
405-2024	06/27/2024	07/09/2024	CH	Ohio Public Employees Deferred	\$2,075.00	O
406-2024	07/03/2024	07/09/2024	CH	Paychex of New York, LLC	\$2,002.12	O
48200	06/27/2024	06/27/2024	AW	Genoa Bank	\$1,368.29	O
48201	07/10/2024	07/09/2024	AW	Trugreen	\$628.27	O
48202	07/10/2024	07/09/2024	AW	Trugreen	\$628.87	O
48203	07/10/2024	07/09/2024	AW	Bell Heating and Electric	\$373.00	O

DANBURY TOWNSHIP, OTTAWA COUNTY  
**Payment Listing**  
 6/27/2024 to 7/10/2024

7/9/2024 10:41:03 PM  
 UAN v2024.1

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
48204	07/10/2024	07/09/2024	AW	O.E. Meyer CO.	\$108.00	O
48205	07/10/2024	07/09/2024	AW	All Star Professional Cleaning, LLC	\$200.00	O
48206	07/10/2024	07/09/2024	AW	Cintas	\$35.00	O
48207	07/10/2024	07/09/2024	AW	Ottawa County Safety Council	\$120.00	O
48208	07/10/2024	07/09/2024	AW	H.B. Magruder Hospital	\$29.19	O
48209	07/10/2024	07/09/2024	AW	H.B. Magruder Hospital	\$120.18	O
48210	07/10/2024	07/09/2024	AW	LOGO TO A TEE	\$20.00	O
48211	07/10/2024	07/09/2024	AW	Port Clinton Ford Mercury Inc.	\$1,112.45	O
48212	07/10/2024	07/09/2024	AW	All Star Professional Cleaning, LLC	\$300.00	O
48213	07/10/2024	07/09/2024	AW	Port Clinton Ford Mercury Inc.	\$291.40	O
48214	07/10/2024	07/09/2024	AW	Kuras Aeration Systems LLC	\$345.00	O
48215	07/10/2024	07/09/2024	AW	Kuras Aeration Systems LLC	\$80.00	O
48216	07/10/2024	07/09/2024	AW	All Star Professional Cleaning, LLC	\$200.00	O
48217	07/10/2024	07/09/2024	AW	Galls,AN Aramark Company	\$179.06	O
48218	07/10/2024	07/09/2024	AW	Zoll	\$823.20	O
48219	07/10/2024	07/09/2024	AW	Miami University	\$7,500.00	O
48220	07/10/2024	07/09/2024	AW	Firelands Regional Medical Center	\$125.00	O
48221	07/10/2024	07/09/2024	AW	Beck Suppliers, Inc.	\$5,197.03	O
48222	07/10/2024	07/09/2024	AW	Beck Suppliers, Inc.	\$91.84	O
48223	07/10/2024	07/09/2024	AW	Huntly Reporting Service, Inc.	\$185.00	O
48224	07/10/2024	07/09/2024	AW	David Young	\$20.00	O
48225	07/10/2024	07/09/2024	SW	Skipped Warrants 48225 to 48225 Series 1	\$0.00	V
48226	07/10/2024	07/09/2024	AW	AccuShred, LLC	\$163.75	O
48227	07/10/2024	07/09/2024	AW	Semro Henry & Spinazze Ltd.	\$1,141.09	O
Total Payments:					\$100,578.88	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$100,578.88	

# RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

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

Held \_\_\_\_\_

July 10, 20 24

## Comments and Concerns

Ms. Dress mentioned that the front door blew open while she was waiting through the Executive Session. That door doesn't latch until it is locked. Mr. Waldron will be notified.

Mr. Hirt stated he will not be at the next meeting due to vacation.

Ms. Rozak confirmed meeting August 7<sup>th</sup> 7-7:30 pm after Zoning Commission meeting.

## Adjourn

There being no further comments, concerns or business before the Board, Ms. Rozak motioned and Mr. Dress seconded, to adjourn at 7:34 pm. All ayes and motion carried.

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

  
\_\_\_\_\_

  
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Danbury Township Board of Trustees