

BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING
BALLVILLE TOWNSHIP HOUSE
TUESDAY, OCTOBER 3, 2017 – 5:30 P.M.

The meeting was called to order at 5:30 p.m. by Chairman W. Robert Kusmer with the Pledge of Allegiance. Also present were Trustees Richard A. Geyer and David P. Stotz.

Moved by Mr. Stotz, seconded by Mr. Geyer, that the minutes of the September 19, 2017 meeting be approved as written. Upon a vote, Mr. Geyer - Yes; Mr. Stotz –Yes; Mr. Kusmer – Yes; the motion carried.

Ellen Ickes, Fiscal Officer, provided printed financial reports to the trustees, and a financial report as follows:

Total bills:\$ 13,754.80
Total receipts:\$ 66,087.53
Cash total:\$ 989,003.03

It was moved by Mr. Stotz, seconded by Mr. Geyer, that the financial report be approved and the bills be paid. Upon a vote, Mr. Geyer – Yes; Mr. Stotz – Yes; Mr. Kusmer –Yes; motion carried.

PUBLIC COMMENT

A sign-in sheet was passed around and all present were requested to sign in (attached).

Paul and Christina Shoemaker of Pinewood Drive were present regarding the fence erected by Terri Weickert, their next-door neighbor. Mr. Bain, Zoning Inspector, responded to their request for an update by advising that he had consulted with the township’s solicitor, Randal Strickler, regarding the fence issue. Mr. Bain advised that he had posted a returned letter from the post office that had been sent to Ms. Weickert on her door. The 20 days notice given in the letter was up today, and Ms. Weickert has not responded. Mr. Kusmer advised that, if there has been no compliance, the township should start fining Ms. Weickert. Following discussion, the Shoemakers stated that they were not sure what to do; that Ms. Weickert removed a retaining wall on their property and washout was a concern. Mr. Kusmer advised that the township had exhausted all options, and the only one left was to start the fines of \$100.00 per day. Mr. Bain will consult with Mr. Strickler regarding initiating the process for this.

Troy and Gloria Logan of 880 Cleveland Ave. were present and questions were asked about the Weickert fence since they are neighbors. Mr. Logan had specific questions about putting up a fence at their own residence. A brief discussion took place regarding the Weickert property and that if the Logans spend \$8,000-\$10,000 on a fence, they want to make sure it is done right. Mr. Bain advised that the zoning regulations are on the township’s website if it makes it easier to look up something. Mr. Logan also asked about the depth of a pond, needing a pond permit, and at what point is a pond considered a pool. Mr. Bain offered to meet with the Logans to discuss this further.

Chairman Kusmer next asked the two individuals who entered the township hall after the start of the meeting if they had any public comments. The gentleman stood up and spoke, stating that he was present to speak for Terri Weickert regarding a fence issue. He stated that he has requested information and is yet to receive it in black and white to reference it. The gentleman questioned whether the fence companies know about the guidelines for the installation of fences, and stated that he wants a clear designation of Ms. Weickert's violation. Mr. Kusmer stated that the entire fence must be six feet high, or less, from the existing ground under the fence. The gentleman stated that this was not an issue with the neighbors, and he thought it was a zoning issue that the fence was not at the proper height. In further discussion, Ms. Weickert said she was told that someone would get back with her after township representatives met with her recently, but she has heard nothing. Ms. Weickert also stated that this was a matter of discrimination as she had brought pictures of five properties within a half mile of her property that were also clearly in violation if her property was considered in violation.

As the gentleman began to speak again, Mrs. Ickes asked him for his name and relationship for the meeting minutes information. He stated that he was Gary Grayson, Chief Petty Officer, US Navy, retired, and significant other to Ms. Weickert. Mr. Grayson advised that both Adkins Fence and Fremont Fence told him they measure on the project side when installing fence; Ms. Weickert has tried to resolve this matter, but at what point is it an issue? Trustee Kusmer stated that the zoning regulations state a fence must be 6 feet from the ground below. Further discussion took place, including Ms. Weickert mentioning photos of other properties (like hers) that would also then be in violation, and Mr. Grayson asking about documentation on this matter. Ms. Weickert further stated that the neighbors agreed to 18" above the ground if she would give some of her property to them. Chairman Kusmer stated that the measurement is from the ground to the fence. Mr. Grayson said the panels cannot be lowered, and that if everything was OK, Ms. Weickert shouldn't have been getting letters regarding a violation.

The next round of discussion included Mr. Kusmer asking if the measurement was from the original ground location, or after new ground was added. Mr. Grayson stated that they put in sod, and Mr. Kusmer stated that adding the sod modified the original ground level. Ms. Weickert stated that a rock wall had been dug out. Mr. Geyer pointed out that there has been dirt/sod added to raise the ground level height. Both Mr. Grayson and Ms. Weickert questioned who determined that dirt cannot be added, and further discussion included the level of ground, and filling it in. Mr. Grayson also stated that at grade the entire series of ground follows; it was graded, and asked what policy prevents it. Discussion took place with Trustee Kusmer stating that the resident can fill in on the resident's side.

Mr. Kusmer advised that the township's solicitor, Randal Strickler, would be present at the next township meeting, and this matter could be discussed with him at that time.

Ms. Weickert asked about the properties she had photos of that were also in violation if her property was in violation. Trustee Geyer stated that she could file a complaint on the properties that she had pictures for and that she had mentioned earlier. Mr. Bain advised that he would look at those addresses.

CEMETERY BOARD REPORT - Jack Ferguson and Jim Gillis

Mr. Gillis stated that the Oakwood Cemetery Mausoleum has been pressure washed, and Mr. Lagrou stated that the back and top need to be done yet. The mausoleum will be treated with a sealant. A lift was used to perform the work, and was included in the price quoted from Mike Binsack of Northwest Pressure Wash.

Mr. Gillis stated that the VFW will pull veterans' flags after November 11, and that there is a flag-burning ceremony held in conjunction with a Boy Scout troop. Mr. Lagrou stated that he will take flags that the township takes from veterans' graves and give them to the VFW for proper disposal.

A deed was signed by the trustees for Dean Leemaster for McGormley Cemetery, Section 16, Lot No. 14, Grave 4.

Mr. Gillis reminded the trustees that there would be no six-month Cemetery Board meeting in the fall this year.

Superintendent Lagrou informed the trustees that the Oakwood Mausoleum would be used by Lutz School students only for emergency evacuations, which is different than what was discussed previously. If not an emergency evacuation, the church just this side of the Ballville Bridge will be used (United Church of Christ), even though it is approximately one mile from the school. Discussion took place that if the American Legion across the street from the school re-opens upon being sold that the students may be able to go back there if needed. The trustees advised Mr. Lagrou that the township employees can assist in the planned evacuation for Lutz Elementary School's drill next week for safety and traffic purposes.

Mr. Gillis and Mr. Ferguson reviewed the Mt. Lebanon Cemetery map with Mr. Lagrou and the trustees regarding the addition of a fifth grave in a four-grave section (Lot 34) for the Misner family. Mr. Lagrou said the family has made the request to add a grave for a recently-deceased family member by the last name of Oberman (daughter to Misner family). This would be a full burial at this time with an eventual cremation (husband) on top. With the wide lots, this additional grave would fit with no problem, per Mr. Lagrou. Mr. Stotz made a motion, seconded by Mr. Kusmer, to add this fifth grave to the Misner family section (Lot 34) in Mt. Lebanon Cemetery. Upon a vote – Mr. Geyer – Yes; Mr. Kusmer – Yes; Mr. Stotz – Yes; the motion passed.

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector

Mr. Bain apologized to the trustees for an outburst earlier in the meeting, and then continued with a review of the Ballville Township Zoning Report from October 3, 2017, which was entered into the township's meeting minutes.

Mr. Bain stated that the Board of Zoning Commission workshop to review changes to the zoning resolution on October 11 will be advertised in the newspaper and the township's Facebook page.

Ms. Weickert questioned the date of the meeting of Zoning Appeals appeal hearing for Jillian Estep and Mr. Bain clarified that it was set for Wednesday, October 18.

PARKS BOARD REPORT - Bill Lagrou and Kerry Wood

Mr. Wood advised that the Parks Board has a meeting next week.

Mr. Lagrou said that the Rusch shelterhouse in Conner Park re-roofing with metal roof is not done because the wind caught a piece of metal and bent it over, and it needs to be replaced.

Superintendent Lagrou brought up the topic of eaves for the shelterhouses which were not included in S&S Construction's quoted prices for re-roofing. Also, the color of paint for the soffits, trim, and sides of the shelterhouses was discussed. Mr. Kusmer advised that the trustees would look into this.

The trustees were reminded that the Halloween Party for township children would take place on Wednesday, October 25. Mrs. Ickes suggested that the Parks Board seek donations for the candy handouts instead of the township paying for everything (i.e. buy a bag of candy or two, and get one free). Mr. Lagrou said that this event would be advertised on the township's new web page (Ballville.org) and on Facebook.

The gizmo broken toy part on the playground equipment will be ordered from Gametime, as discussed at the September 19 meeting.

Mr. Lagrou said that he has found a different company for his EPA water license certification that will give him the 8 hours that is required for \$70.00 online. Discussion took place on whether the EPA will accept the credits even though the vendor advertised that the EPA accepts the accreditation. Mr. Lagrou will look into this as he has until 2018 to renew, and he will report back.

Mr. Wood asked Chairman Kusmer to attend the next Parks Board Meeting to review his vision and plans for the Chudzinski-Johannsen Park with the board for planning purposes.

Mr. Lagrou updated the trustees on the status of what is growing out at the Chudzinski-Johannsen Park. He offered the advice he had been given that included not planting more grass until we get some rain, and that the ground might be tilled before planting the new grass. He said that the old grass has been sprayed and mowed. Chairman Kusmer stated that he wants to get the grass planted and get going on the new park. Maretail grass came up and it is unclear whether Jeff Finn from US Department of Fish and Wildlife planted it intentionally, as it is a grass that spreads rapidly and local farmers don't want it planted near their crops. Since Mr. Lagrou has had no response from Mr. Finn, Chairman Kusmer will contact him regarding this matter in order to get an answer.

Trustee Stotz asked Mr. Lagrou why the gates are locked out at the new park, and Mr. Lagrou responded that it is because there is drug activity that takes place down at the secluded river access.

ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou

Superintendent Lagrou advised that he would provide copies of the prevailing wage information for the Stahl Road drainage project to Mrs. Ickes for the township's files.

Fred Tolhurst has offered 10 acres of land between St. Joseph Cemetery and the existing orchard on Siler Street. No action was taken by the trustees, and Chairman Kusmer suggested that Mr. Lagrou

contact county engineer Jim Moyer regarding this very wooded wetlands area as it might be good for relief drainage regarding Minnow Creek.

The township will order safety equipment as has been discussed previously after the township receives the \$500.00 from the OTARMA MORE grant, per Mr. Lagrou.

A tree removal list for 10 trees is hoped to be under \$10,000 for this year. Six of the trees are poplars in Conner Park, and Hydraulic Park has two smaller trees that are not in good shape as they are growing on rock and should be removed in anticipation of making room for additional parking which will probably be needed. Mr. Lagrou will make sure the quotes are broken down by department.

Tim Wasserman and Jim Darr from OSS have advised that Republic Services have replaced Rumpke for the recycling dumpsters and the dumping schedule changed October 1. OSS will not be adding any dumpsters at this time.

Mr. Lagrou advised that the township replaced 150 feet of clay tile that was broken down on Cole Road and that they were only able to salvage sections in two foot pieces. They encountered sinkholes and used 8" replacement pipe.

Morrison Rd. catch basin was replaced today and the township crew found a very large root ball in it. The drainage should be much-improved.

Further down on Morrison Road, Adkins was called in and used their camera. Upon speaking with a neighbor, Mr. Lagrou was told that there is a catch basin in there somewhere that was closed up when a home was built. He will look into this.

Mr. Lagrou told the trustees that now that the Ballville Dam on the Sandusky River has been notched prior to demolition, and the water level is lower, a safe was found in the river near Tindall Bridge. The township crew helped retrieve it. The door was still on it, and there were papers in it even though the bottom was cut out.

Mr. Lagrou toured the new ODOT complex on north Rt. 53 recently, and informed the trustees that their outbuildings have canvas tops that can be tightened as needed, but they have a limited life.

Baker and Rice Roads have been striped and they look good, and Mr. Lagrou advised that no bill has been received.

Chairman Kusmer advised that we got the maximum points on the 2018 Issue I grant application. The township hopes to receive an award letter in February for the joint project for six county townships: Ballville, Green Creek, Sandusky, Scott, Townsend, and York townships.

A brief discussion took place on paving projects for next year.

Superintendent Lagrou told the trustees that he has been receiving complaints about the stone berm on CR 198. The complainants are unhappy about the stone in the berms flaking off into residents' yards, and they were referred to the county engineer as this was the county's project.

OLD BUSINESS

Mrs. Ickes asked for a motion to pass a Then and Now Purchase order for S&S Builders and Excavating LLC for Stahl Road Drainage Project work to attach to drainage system - \$3,164.56. This was on the agenda from the September 19, 2017 meeting, but was either not acted on, or just omitted from the meeting minutes. Mr. Stotz made a motion, seconded by Mr. Geyer, to approve this Then and Now Purchase Order for S&S Builders for \$3,164.56. Upon a vote: Mr. Geyer – Yes; Mr. Kusmer – Yes; Mr. Stotz – Yes; the motion passed.

NEW BUSINESS

Mrs. Ickes informed the trustees that the township's audit for 2015 and 2016 began yesterday, October 2. The township's crew took the needed documents to the Sandusky County Courthouse for the audit.

Health insurance quotes are being worked on by Sprouse Insurance. Renewal date is January 1, 2018.

A request was made by Mrs. Ickes that any purchases for the end of the year be made as much as possible before December 1 so that all bills and invoices are received before year-end which makes the whole process go smoothly.

Mr. Stotz asked if the trustees wanted to contribute \$2,500.00 again this year to the Sandusky County Economic Development Corporation as the township has done annually in the past. He has been asked about the township's commitment for this year. Mr. Stotz made a motion, seconded by Mr. Geyer, to once again make a \$2,500.00 contribution to the Sandusky County Economic Development Corporation this year. Upon a vote – Mr. Geyer – Yes; Mr. Kusmer – Yes; Mr. Stotz – Yes; the motion passed. Mr. Stotz will advise accordingly that the township will be making the contribution.

The September 30, 2017 Bank Reconciliation, purchase orders and checks for bills were signed by the trustees at this meeting.

There being no further business, it was moved by Mr. Stotz, seconded by Mr. Geyer, to adjourn the meeting at 7:15 p.m. Upon a vote, Mr. Geyer - Yes; Mr. Kusmer - Yes; Mr. Stotz - Yes. The motion passed and the meeting was adjourned.

Respectfully submitted,

Ellen K. Ickes, Fiscal Officer

W. Robert Kusmer, Chairman