

BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING
BALLVILLE TOWNSHIP HOUSE
TUESDAY, NOVEMBER 21, 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. Geyer, seconded by Mr. Stotz, that the minutes of the November 7, 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:\$ 33,334.60
Total receipts:\$ 1,334.33
Cash total:\$ 917,497.80

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; the motion carried.

PUBLIC COMMENT

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

Dale Hill of Hayes Avenue, and several of his concerned neighbors, were present at the meeting. In speaking for the group, Mr. Hill advised the trustees there was a problem with a neighbor at 3007 W. Hayes Avenue, a property owned by Chris Williamson, but rented to others. Mr. Hill showed the trustees pictures of the problems. Trustee Geyer and Zoning Inspector Dave Bain stated that they spoke to an occupant of this residence last Thursday, and the person indicated he would take care of things. Mr. Hill and several of the neighbors identified some of the problems at the residence, including a mattress where the front steps should be, rodents will be/are a problem, there is a vehicle with no license plate, with as many as 6-7 vehicles parked there at times, a flatbed trailer with four-wheelers on it, there is both trash and a dog in the yard, and other issues involving behaviors of the resident(s) at 3007 W. Hayes Ave., The resident(s) drive a sport utility vehicle in their own yard and sometimes into a neighboring field. Overall, the problems concern the neighbors because it reduces the value of their properties. It was also stated that there are children in this home.

Upon discussion, the residents advised that they had contacted the Sandusky County Sheriff’s Department in the past, and someone from there spoke to the residents at 3007 W. Hayes, but they have not contacted the Sheriff’s Department lately.

Mr. Kusmer stated that the township does not have jurisdiction over some of these issues, and that zoning regulations do not address all circumstances. He suggested that the concerned neighbors look into contacting various Sandusky County agencies for assistance in resolving these matters (County Health Department, Dog Warden, and Children's Services, and Sheriff's Department). Mr. Bain advised that he will stop out and speak to the residents at 3007 W. Hayes regarding the vehicle without plates because that is a township zoning issue. The neighbors were advised that the zoning regulations are posted on the township's website.

Mr. Kusmer advised that regarding other matters, the township could perhaps send a letter to ask for the clean-up of some of these problems, but the township cannot enforce the clean-up.

Speed enforcement was discussed for Hayes Avenue, and the concerned residents were informed that Hayes Avenue is a county road; therefore, the Sandusky County Engineer should be contacted about the speed limit.

The Hayes Avenue neighbors also expressed concern about the big trucks and high volume of traffic they experience because traffic is coming down Hayes Avenue to avoid the roundabout on Route 53 near Terra State Community College.

Mr. Hill asked Mr. Kusmer if the letter the township would send would include all of the problems with the residents at 3007 W. Hayes Avenue, as he would appreciate as much help as possible. Mr. Kusmer advised that the township would. Mr. Bain looked the property owner up and it is Chris Williamson and Jodi Buehler (deceased mother of Mr. Williamson). Discussion took place, and Mr. Kusmer advised that the township is limited in enforcement on zoning issues, unlike municipalities. Mr. Hill took his photos back in order to pass them on to the Sandusky County Health Department, and the concerned neighbors left the meeting.

Ms. Terri Weickert advised that she was in attendance to observe the meeting, and she stated that Mr. Strickler (township solicitor) has not called her attorney. Mr. Kusmer informed her that he had a call in to Mr. Strickler regarding this matter.

Paul and Christina Shoemaker, neighbors of Ms. Weickert, advised they were present because they expected an answer tonight on the fence matter. Mr. Kusmer explained that attorneys for the township and Ms. Weickert were to have discussed this matter, and apologized that he had no update for them tonight. He further stated that the township will stand by civil and property laws, and he would contact Ms. Weickert when he had information on the status of the matter. Gary Grayson, who was with Ms. Weickert, stated that there was no need for the township to contact him. Mrs. Shoemaker advised they would wait to hear something before they do anything else in their yard.

Ballville Volunteer Fire Department Chief Doug Crowell informed the trustees that the department did not get the FEMA grant, and that they will not be reapplying for it. They will put what they would have spent on the application process toward the purchase of a truck instead. He cited the problem as being unable to show need for the grant. The State Fire Marshall urges departments into action to keep the grant program going.

Chief Crowell reported that the Joyce Sczesny residence at 2124 Roselawn, damaged by fire in April from which Ms. Sczesny died, has been sold to Dearth Construction and they will be fixing up the property. Ms. Sczesny's niece is the executor of the estate and she wants the insurance proceeds the township holds released. Chief Crowell stated that there is no guarantee the property will be repaired to his department's satisfaction, and the house next door that was also damaged was also recently sold. His recommendation is for the township to not release the money at this time.

The township is also holding \$2,000.00 from the Gonya Farms' recent fire. Chief Crowell said he believes that the building the money was received on has been cleaned up, but will need to investigate this and find out why the much larger outbuilding had no payment to the township. Again, he recommends no release of the funds the township is holding. He will check with the insurance company, and expects that the township should be holding at least \$20,000.00 more based on the \$2,000 payment per \$15,000 in value formula per statute. Mr. Lagrou will provide the contact information to Chief Crowell for the insurance company.

Trustee Geyer asked Chief Crowell about the 3007 Hayes Avenue property, and was advised that the health department would contact the fire department for any assistance in the areas that they can help.

Chief Crowell went on to explain that if the township were to adopt the Residential Maintenance Code, it would give them more "teeth" in resolving issues for zoning, and he stated that Solicitor Strickler has not specifically recommended that the township adopt it. It mostly deals with non-compliers, and has stiffer fines (for example, \$1,000 a day) and any offenses are violations of the state code.

Jackson Township resident Dave Wammes was present to discuss the petition he has been working on regarding a drainage project that starts in Jackson Township and goes through Ballville Township. He stated he wanted to make the trustees aware of this, and wanted to know their interest also in signing it, as he would like to get it filed by the end of the year. He is still going through the steps of the process to correct these water problems. The Jackson Township trustees have signed this "Winters Ditch Project" (Ballville's CR 31). The project ditch will be an open ditch, with no pipe, and will then be put on the county's ditch maintenance. There is a long history of petitioning and subsequent work done on the ditch since the 1800s, but it has never been put on ditch maintenance. Several farmers with lots of acreage have signed, and 329 parcels have been identified at this time. The costs for the project to the property owners will be based on usage. Mr. Lagrou agreed that the area behind CR 31 backs up quite a lot.

Discussion took place regarding the Ballville Dam, watershed, etc. The petition process was also discussed, and the cost will be determined in 2-3 years. The brush gets worse all the time and the costs go up as well. Mr. Wammes' property is right in the middle of the project, and options to correct were discussed: widen, straighten, and the amount of rock in the area. Mr. Wammes asked the trustees if they wanted to be listed in the petition which will be filed before the end of the year.

Mr. Wammes also stated that he is involved in Jackson Township zoning, and they have received a great deal of help from Assistant Prosecutor Mark Mulligan, and that is an option to consider with the Ballville issues he heard discussed tonight.

CEMETERY BOARD REPORT - Jack Ferguson and Jim Gillis

Mr. Gillis said that the cemeteries look good. He suggested the township consider a plan for a columbarium for McGormley Cemetery in the near future, and a sidewalk up to it, but not something that takes away from the Veterans' Section. With the large number of cremations taking place, there will be some ideas for discussion on a columbarium at the next Cemetery Board meeting, in 2018. Trustee Kusmer pointed out that the columbarium could be done in phases, and Mr. Lagrou suggested that whatever the township decides on should compliment the Veterans' Section.

Discussion took place on the possible expansion of McGormley Cemetery.

Mr. Lagrou presented the trustees with three deeds, which were signed:

John Calmes, McGormley Cemetery, Section 13, Lot 25, Grave 5

James Fitzgerald, Section 16, Lot 15, Grave 7

David Fitzgerald, Section 16, Lot 15, Grave 8

Mr. Lagrou brought up the wear and tear on flags at the Veterans' Section of McGormley Cemetery. After discussion, Mr. Ferguson volunteered to ask the VFW to donate flags now that the American Legion is no longer open. The American flag flies higher than the Ohio and MIA flags. It was decided to fly a 3' x '5' American flag during the winter, and a 4' x 6' American flag during the summer months to preserve the flags better.

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector

Mr. Bain reviewed the Ballville Township Zoning Report from November 21, 2017, which was entered into the township's meeting minutes.

The Board of Zoning Appeals approved the variance for a shed at the residence of Jillian Estep at 1503 Buckland Ave.

Mr. Kusmer stated that he will contact Assistant Prosecutor Mark Mulligan regarding the problems reported by the Hayes Avenue neighbors at the property owned by Chris Williamson.

Mr. Bain advised that there is a Board of Zoning Commission meeting December 6, and it is advertised in the News-Messenger, the township's Facebook and website.

Chairman Kusmer updated the issue raised by neighbor Brian Edwards at the November 7 meeting regarding the fence at Community Health Services (CHS). Mr. Liszak of CHS advised that if the neighbors would contact him by December 4, they can meet and discuss this matter before the CHS board meeting on December 11. The CHS board has voted twice to put a fence up. Discussion took place regarding this.

Vacancies on the Board of Zoning Appeals as of January 1, 2018 were discussed. There is currently a vacancy for an alternate, and Jim Gillis will not be renewing his term that ends December 31, 2017. Richard Hoffman submitted a letter of interest in the appointment as a board member on January 1, 2018 from the alternate position he currently holds. Mr. Stotz moved, seconded by Mr. Kusmer, to move Richard Hoffman to the position as member of the Board of Zoning Appeals as of January 1, 2018. Upon a vote, Mr. Kusmer – Yes; Mr. Stotz, Yes, the motion carried. Mr. Geyer abstained from the vote as Mr. Hoffman is a family member.

Alternate positions on the Board of Zoning Appeals, and the vacancy created by Ben Decker's non-renewal at the end of his term on December 31, 2017 on the Board of Zoning Commission were discussed as several individuals have expressed interest. No action was taken by the trustees at this time, but this will be addressed at the next meeting. Mr. Bain is to report to the trustees at the next meeting regarding interest in these positions.

PARKS BOARD REPORT - Bill Lagrou and Kerry Wood

Mr. Lagrou advised that the last Parks Board meeting was very short. Mr. Wood was not able to be present at that meeting.

The township is looking into prices for the shelterhouse fascia and eavespouts following their recent re-roofing.

Mr. Lagrou stated it appears that there is not a lot of competition for the Parks grant, so the township is hopeful it will receive something.

The Parks Board discussed future Halloween parties, and dates and times when it might be easier for families to attend with their children.

ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou

Mr. Lagrou confirmed Fire Chief Crowell's earlier statement that there is a much larger, second, outbuilding damaged in the Gonya fire.

The tree removal process is coming along, and Ax-Pro keeps working on it. Some people are keeping the wood from the removed trees. Another tree needs to be added to the township's removal list. It is at 1480 CR 37 - the roots were pulled out when it was last ditch-dipped, and it is leaning toward the power lines and the house there. Ax-Pro's quote to remove the tree is \$300.00 and the resident will take the wood. Mr. Stotz moved, seconded by Mr. Geyer, that Ax-Pro remove this tree for the quoted price of \$300.00. Upon a vote, Mr. Geyer - Yes; Mr. Stotz - Yes; Mr. Kusmer - Yes; the motion carried.

Mr. Stotz moved, seconded by Mr. Geyer, to hire Jason Good as a part-time maintenance employee as he has passed the background and drug screen test. Upon a vote, Mr. Geyer - Yes; Mr. Stotz - Yes; Mr. Kusmer - Yes; the motion carried.

High water issues following a 3-inch rain in one day recently had the township and the Sandusky County Sheriff's Department putting up "high water" signs. Mr. Lagrou reported that CR 201 and Buchanan Rd. had a big problem, and at TR 113 and 75 Ballville Township is getting water from a Seneca County issue. Larry Bowers had complained that he had water problems in spite of the Stahl Road Drainage Project just completed recently. Discussion took place.

Mr. Lagrou advised that the Ballville Bridge green garland is up, and the Parks Board voted to use color lights instead of white lights this year. Ax-Pro may assist the township in hanging banners on the bridge.

OLD BUSINESS

NEW BUSINESS

Mr. Stotz made a motion, seconded by Mr. Geyer, for a resolution to hold the annual holiday party in December. The motion passed following a roll call vote: Mr. Geyer - Yes; Mr. Stotz - Yes; Mr. Kusmer - Yes; as Resolution 2017-46:

RESOLUTION 2017-46

A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS FOR A HOLIDAY PARTY

Mr. Geyer made a motion, seconded by Mr. Stotz, for a resolution for the sending of flowers at the time of death of an employee or employee's family member, as suggested by the Auditor of State's office. The motion passed following a roll call vote: Mr. Geyer - Yes; Mr. Stotz - Yes; Mr. Kusmer - Yes; as Resolution 2017-47:

RESOLUTION 2017-47

A RESOLUTION ESTABLISHING A POLICY FOR THE PURCHASE OF MEMORIAL FLOWERS FOR DECEASED EMPLOYEES AND/OR MEMBERS OF THEIR FAMILY

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 7:45 p.m. Upon a vote, Mr. Geyer - Yes; Mr. Stotz - Yes; Mr. Kusmer - Yes; the motion carried. The motion passed and the meeting was adjourned.

Respectfully submitted,

Ellen K. Ickes, Fiscal Officer

W. Robert Kusmer, Chairman