

**BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING**  
**BALLVILLE TOWNSHIP HOUSE**  
**TUESDAY, MARCH 6, 2018 – 5:30 P.M.**

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

Moved by Mr. Geyer, seconded by Mr. Kusmer, that the minutes of the February 20, 2018 meeting be approved as written. Upon a vote, Mr. Geyer - Yes; Mr. Kusmer – Yes; Mr. Stotz –Yes; the motion carried.

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

Total bills: .....	\$ 15,752.76
Total receipts: .....	\$ 15,153.72
Cash total: .....	\$ 851,988.71

It was moved by Mr. Kusmer, 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).

Gary Grayson wanted to ‘correct the record’ from November’s meeting minutes: Ms. Terri Weickert sent a certified mail letter to the township; it was signed for by Bill Lagrou on September 11, 2017 – there was a zoning appeal application and information in it. The letter was taped to her front door. He asked why it was returned and why there was no communication from the township. He discussed the appeal option that came and went, and stated that the attorneys have gone back and forth on this matter.

Mr. Grayson wanted an update on Chris Williamson (Hayes Avenue property), and he wants a copy of the letter from the county Prosecutor that was sent to Mr. Williamson. He stated that Ellen Ickes (Fiscal Officer) will be receiving a request for this.

Mr. Grayson took issue with a statement in which he said Trustee Geyer had used the word “scare” in order to get zoning violation compliance.

Mr. Grayson said that the fence issue (Ms. Weickert) has been going on for seven months now, and an agreement has been accepted. He stated there was so much misrepresentation and misinformation from the township; he questioned the township’s public trust and integrity. He added that in Ms. Weickert’s case, it has been costly – time and stress on Ms. Weickert.

Mr. Grayson stated that he will send a request for the Williamson letter by email to Mrs. Ickes. The township’s solicitor, James Barney, stated that he is still working with Ms. Weickert’s attorney on this matter.

Carol Hetrick of 1803 SR 12 (corner of Routes 12 and 53) was present with her two sons – Russell, who lives with her, and Lamar. The Hetricks stated that Zoning Inspector Bain stopped at the residence about zoning issues – vehicles and storage facility trailers that have been there since the late 1980s. One unit holds shop equipment to keep it out of floodwater. The family asked why this was the first time they had been told there was a problem. Russell advised that he needs time to correct the problems. The trustees advised that they will look at the property. Discussion also took place regarding licensed vs. unlicensed vehicles. Upon Mr. Grayson entering the discussion between Russell Hetrick and Mr. Bain, a loud and brief vocal exchange took place.

It was agreed that the trustees will go out to the Hetrick property this Friday after 4:00 p.m. when Russell would be home. Russell pointed out that there are other properties like his that the trustees should also look at, and named a few. Trustee Kusmer advised that the trustees were working on them. Discussion took place with Mr. Bain regarding trailers. Mr. Grayson asked why there was nothing in writing.

Tim Grabenstetter of 1953 Morrison was present to complain about the conditions on his property since last year's drainage project on Stahl Road was completed. He informed the trustees that he had helped the project along by signing an easement, but the back 50 feet of his property is unusable since the project was done. Mr. Kusmer stated that settling occurs, and was expected. As part of the contract, the contractor will come back to correct the settling and the low areas will be filled in.

Ballville Volunteer Fire Department Chief Doug Crowell handed a letter to Mrs. Ickes regarding the Joyce Sczesny fire loss on Roselawn Drive. The property has been approved for the township to release the insurance money being held from the fire loss in April, 2017 that resulted in Ms. Sczesny's death.

Chief Crowell further advised that the fire department has become the recipient of 1,000 nine-volt batteries for smoke detectors from a joint project with Seneca County. The donations were made due to a number of fire deaths. Between Seneca, Sandusky, and Wyandot Counties, 37,000 batteries were donated. Anyone interested in a battery can call the Ballville Volunteer Fire Department, and residents are encouraged to get the word out that they are available. Saturday, March 10 is a brush drop-off day and a good time for residents to get their batteries since it is also a "time change day" - always a good time to change batteries in smoke alarms. Trustee Kusmer said he would get this out on the township's website.

Sandusky County Commissioner Scott Miller was present and stated that he was familiar with the township's drainage project on Stahl Road from last year, and recommended that the trustees look into this. Mr. Kusmer said the trustees are aware of the settling, knowing that it would happen. Mr. Miller stated that Mr. & Mrs. Larry Bowers have expressed satisfaction with the results of the drainage project.

Mr. Grayson stated that he wanted to follow-up; he asked Mrs. Ickes why there was no audio or video recordings of the trustees' meetings. Commissioner Miller interjected that he could answer that, responding that audio/video is not required. Discussion took place between Mr. Grayson and Mrs. Ickes regarding this. Mr. Grayson wanted to know why it took six weeks for the township to put the meeting minutes on the township's website.

Mrs. Hetrick asked Mr. Bain about the next stop at her property. Russell Hetrick stated that he does want to clean up the property. His father bought the property in 1982, and Russell is left to deal with his dad's "junk". Zoning Inspector Bain agreed that the property does look better. Discussion took place, and Mr. Bain said that the trustees will review this. Russell wants more time, and is working on the problems.

Jack Ferguson stated that after the township's November meeting, someone had gone to the VFW to complain about the VFW's donation of flags to the Veterans' Section of McGormley Cemetery. Mr. Ferguson noted that no complaint was made to the VFW about the various (sizeable) monetary donations they had recently made to local groups - only about the flags given to the township for the Veterans' Section.

**CEMETERY BOARD REPORT - Jack Ferguson**

Superintendent Lagrou had two deeds which were signed by the trustees:

Charles Bruggeman, McGormley Cemetery, Section 15, Lot 15, Grave 8  
Douglas Winter, McGormley Cemetery, Section 15, Lot 15, Grave 7

The Cemetery Board will have its semi-annual meeting on the first Monday in May, May 1 at 12:00 noon. A legal notice needs to be published and this should be posted at the township house and the township's website.

Mrs. Ickes advised that John Willey's three-year term is up this year in May.

**ZONING INSPECTOR REPORT - David Bain, Zoning Inspector**

Mr. Bain reviewed the Ballville Township Zoning Report from March 6, 2018, which was entered into the township's meeting minutes.

Trustee Geyer and Mr. Bain reported that they attended the Soil & Conservation meeting yesterday.

**PARKS BOARD REPORT - Bill Lagrou and Kerry Wood**

Mr. Wood stated he had nothing to report.

Superintendent Lagrou informed the trustees that the red garland for the Ballville Bridge will be here March 8.

Mr. Lagrou said the township is getting ready for Spring in Conner Park – both wells will be tested, and baseball and soccer will be starting up. The shelterhouses will open soon.

The annual Easter Egg Hunt will be held Saturday, March 24 at noon. They are getting the word out and hoping for good attendance this year.

The first well testing has to be done between April 1 and June 1.

Trustee Kusmer stated that the township will be awarded \$300,000 from the Capital Appropriations bill for the Chudzinski-Johannsen Park. With the township's money that has been set aside (approximately \$190,000 – none of it tax dollars), there will be approximately \$500,000 to work with. The first items to be worked on will be curbs, parking lot base and paving, and the bridge.

Mr. Kusmer hopes the township will get a land and water grant, using the \$190,000 as matching funds. Trustee Stotz stated that the township can reapply in two years if progress on the park is shown by the filing of reports and documentation. State Representative Bill Reineke will help the township.

Commissioner Miller asked about having purpose-built pollination spaces (micro-pollination areas for bees and butterflies) in the Chudzinski-Johannsen Park, and that the Farm Bureau and Seneca County are good resources for this. Further discussion took place, including Commissioner Miller describing pollination spaces as win-win – they are functional and aesthetically pleasing. There is a Sandusky County Beekkeepers group.

It was discussed that Jeff Finn from US Fish & Wildlife wants to come in and burn the weeds early in the year while the ground is still moist so that the grass will come up again, presumably coming back in with less mares tail, a weed. Fire Chief Crowell stated that a permit will be needed for the burn. It was discussed that maybe Mr. Finn could attend the April 9 Parks Board meeting.

#### **ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou**

Superintendent Lagrou has been working on the Sandusky County Engineer's mileage form, and has been numbering the catch basins. The trustees signed the form stipulating 55.142 miles of township roads.

Mr. Lagrou advised that Denny Snyder called him regarding filling in the ditch at his residence (corner of Smith & McGormley Roads). The ditch drains; Mr. Snyder's yard does not. The trustees will look into this.

The Southland Meadows ownership issue is still being researched. Mr. Lagrou has gone through resolutions from 1998-2004 and has found nothing. He will be advising Crystal in the Sandusky County Prosecutor's office accordingly.

Adkins Sanitation was called in due to flooding in Rhoda's subdivision. The clay tile was full of tree roots.

The township purchased used guardrail from Firelands in Norwalk to replace guardrail on Darr Road that was damaged by a dead tree that had fallen, and a little extra for future use while they were there.

Tile on Timpe Road was cleaned out by the township. Mr. Lagrou reported that the backyards are all full of water. Solicitor Barney was asked about the Timpe Road drainage tile issues. He stated that the township could consider correcting the problem if it benefits the township. The township would have to obtain easements and then assess the residents for the cost of the work. In discussing costs, it was noted that Timpe Road residents are already being assessed sanitary sewer fees. Mr. Barney advised that this was not a township issue. The construction and waterflow of the area was discussed.

## **OLD BUSINESS**

### **NEW BUSINESS**

Mrs. Ickes advised that the township's current contract for fire protection services with Ballville Volunteer Fire Department will be expiring soon as it runs from May 15, 2015 – April 30, 2018. The trustees will be discussing this at upcoming meetings.

Mr. Kusmer made a motion, seconded by Mr. Geyer, per the fiscal officer's request, for a correcting resolution regarding the posting of interest as passed in Resolutions 2018-4 and 2018-8 due to issues she encountered with the resolutions and posting in UAN. The motion passed following a roll call vote: Mr. Geyer - Yes; Mr. Kusmer - Yes; Mr. Stotz – Yes; as Resolution 2018-9

### **RESOLUTION 2018-9**

*A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO RESCIND RESOLUTION 2018-8 PASSED FEBRUARY 20, 2018 AS IT WAS A DUPLICATION OF RESOLUTION 2018-4 PASSED FEBRUARY 6, 2018 REGARDING THE TRANSFER OF INTEREST EARNED IN THE AMOUNT OF \$916.90 IN FUND 1000, GENERAL FUND, TO FUND 4901 PARK DEVELOPMENT FUND, FOR INTEREST ATTRIBUTABLE TO THE CHUDZINSKI-JOHANNSEN PARK FUND BALANCE FROM JULY-DECEMBER, 2017; TO REVERSE THE REALLOCATION MADE IN RESOLUTION 2018-8 AND TO CORRECT FUND 4901 APPROPRIATIONS TO \$192,988.55*

The trustees discussed the most recent invoice from Great Lakes Internet Service (GLIS) for \$216.75 for its previous website through them (ballville.org). The fiscal officer had prepared a check, #28286, for payment. The trustees discussed that the township's website through GLIS had not worked for more than two years; the GLIS website could not be updated and the information on it was not current; phone calls to Great Lakes were not returned; and the township received no assistance or correction from GLIS on the non-functioning website. In 2017, the township incurred the expense of hiring another company to develop a website that works (ballville.org). Mr. Kusmer made a motion, seconded by Mr. Geyer, to not pay the invoice to GLIS. Upon a vote, Mr. Geyer - Yes; Mr. Kusmer - Yes; Mr. Stotz - Yes; the motion carried. Check #28286 will be voided. The fiscal officer will prepare and send a letter to Great Lakes informing them that the township will not pay the invoice for the reasons listed above.

Commissioner Miller brought up the Pinewood Drive (Weickert) fence issue and stated that Mr. Grayson had approached the county commissioners about the matter, and they referred him back to the Ballville Township trustees.

Trustee Geyer brought up the structure and format for the trustees' meetings. Solicitor Barney stated that, in Ohio, trustees give the public the right to speak at their (trustees') meetings. The township should establish meeting rules and then follow them. The chairman's gavel can be used to enforce rules. Comments from the public should be accepted and then closed.

Solicitor Barney briefly discussed the Sunshine Law with the trustees.

The trustees signed a letter that will be sent to former solicitor, Randal Strickler, regarding the township receiving documents in his possession from his years of affiliation with the township. The documents are the property of the township. The deadline for these files to be given to the township is April 10, 2018.

Mrs. Ickes advised the trustees, as the township's Audit Committee, that additional cash is needed to pay obligations for the next meeting's bills. Property tax settlements are expected March 13, but cash may need to be moved from STAR Ohio to the checking account if the property tax settlements from the county are not received in time.

Trustee Kusmer discussed the township's General Fund and advised that the township will need to scale back expenses from the General Fund due to lower receipts compared to what the township received years ago which has reduced the cash available and affected carryovers. Cuts have been made all over to local governments, including townships.

Commissioner Miller, also a township resident, updated the trustees on a "hum" in his home that he has discussed with them over the past few years. The source is unknown. Recently, the whole electric grid in his neighborhood was shut off, but the humming could still be heard.

Mr. Miller, as county commissioner, also discussed budgets at the county level. He invited those present that they were always welcome to come the county commissioners' meetings, held on Tuesdays and Thursdays at 8:00 a.m. with a public forum at 10:00 a.m. The commissioners' office should be contacted first for the public forum.

The February 28, 2018 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. Geyer, seconded by Mr. Stotz, to adjourn the meeting at 7:30 p.m. Upon a vote, Mr. Geyer - Yes; Mr. Kusmer - Yes; Mr. Stotz - Yes; the motion passed and the meeting was adjourned.

Respectfully submitted,

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Ellen K. Ickes, Fiscal Officer

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David P. Stotz, Chairman