

BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING
BALLVILLE TOWNSHIP HOUSE
TUESDAY, JULY 17, 2018 – 5:30 P.M.

The meeting was called to order at 5:30 p.m. with Chairman David P. Stotz leading the Pledge of Allegiance. Also present was W. Robert Kusmer. Chairman Stotz advised that Trustee Geyer called him late this afternoon and advised that he would not be present because he was out-of-town.

Moved by Mr. Kusmer, seconded by Mr. Stotz, that the minutes of the July 3, 2018 meeting be approved as written. Upon a vote, Mr. Kusmer – Yes; Mr. Stotz –Yes; the motion carried.

Ellen Ickes, Fiscal Officer, provided printed financial reports to the trustees: Appropriation Status, Payment Listing, Receipt Listing, Fund Status, Cash Summary by Fund, Resources Available for Appropriation, and Comparison of Budget and Appropriated. A verbal financial report was given as follows for today’s meeting:

Total bills:\$ 30,423.37

Total receipts: \$ 3,514.32

Cash total in all funds:\$ 1,039,936.80

It was moved by Mr. Kusmer, seconded by Mr. Stotz, that the financial report be approved and the bills be paid. Upon a vote, 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).

Ms. Sian McGirt, 832 Barton Rd, was present regarding an issue she is having with a neighbor and an unmowed patch of grass, as well as a property line dispute. In the discussion that followed, it was discussed that the neighbor in question was not cooperative, and she asked if Mr. Bain, the zoning inspector, had taken pictures of the problem area, with Mr. Bain responding that this has been a problem before.

Larry Bowers was present to discuss follow-up on last year’s Stahl Road drainage project. Superintendent Lagrou stated this topic was in his Roads report for tonight, and added that S & S lowered a catch basin behind Tim Grabenstetter’s property by 6 inches. To do the same for the Bowers residence would be about \$230.00 with an extra two inch fall to the west of Mr. Bowers’ home. Mr. Lagrou requested that this be discussed further when he gave his Roads report.

David Rimelspach, a former township trustee, asked if the zoning laws had changed since he was a trustee, and Mr. Stotz replied that they had not. Mr. Rimelspach said he was aware that notices were given out for zoning issues, and that the township used to give 30 days to become compliant, with another 30 days given if progress was shown.

Mr. Rimelspach informed the trustees that he has received two letters, and a visit and a call every week, from the zoning inspector about his business property at Rt. 53 and CR 201. He explained that his market is closed and the materials at his business include beams from barns he has taken down. He said that the situation with the zoning inspector is out of hand, and the zoning inspector seems to be around there a lot. Mr. Kusmer pointed out that Mr. Rimelspach has quite a few bowling balls in a boat in the front of the business, and Mr. Rimelspach stated this was just different tastes in decorating, and questioned who gets to decide how he decorates. Additional discussion took place, including Mr. Bain stating that he has watched Mr. Rimelspach's progress, but the back of the business is full of stuff and there are tires up against the building. After Mr. Rimelspach replied that the business looks good from most directions, the trustees advised that they will look into this further and discuss it with Mr. Bain. Mr. Rimelspach added that he wants the township to be clean, too. He said he has heard that Mr. Bain has a court case against him and that he (Mr. Rimelspach) is not the only one who has a problem with Mr. Bain. Mr. Bain stated that he has received comments from residents about the Rimelspach property and they would like it cleaned up – the front looks neat, but there are problems there. Mr. Rimelspach stated that it was all a matter of opinion.

CEMETERY BOARD REPORT - Jack Ferguson and Jim Gillis

Mr. Gillis said that the cemeteries all look good, and the grass looks good. He is proud of our township crew for the good care they take of the cemeteries.

Sue Geraghty of the Sandusky County Veterans' office spoke to Mr. Lagrou recently about additional veterans' grave purchases. Our veterans' grave prices are high, but we have a dedicated veterans' sections while other cemeteries do not. The veterans' office has four graves left in McGormley Cemetery, and Mr. Lagrou asked if another 16 graves could be purchased for the same price as the last time - \$5,000. That is \$312.50 each, and it doesn't matter if the veteran was a township resident, or not.

Mr. Lagrou compared our rates with other cemeteries, and asked whether the July 1, 2018 rate increase applied to veterans' graves. Both Mr. Ferguson and Mr. Gillis suggested keeping the same pricing for veterans' graves as before, even though the cemetery rates went up effective July 1, 2018. Mr. Kusmer made a motion, seconded by Mr. Stotz, to keep the same pricing for the purchase of a veteran's grave at \$312.50, with no change after the township's price increase effective July 1, 2018. Upon a vote, Mr. Stotz - Yes; Mr. Kusmer - Yes; the motion carried.

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector

Mr. Bain reviewed the Ballville Township Zoning Report from July 17, 2018, which was entered into the township's meeting minutes.

Mr. Bain advised the trustees that township resident Veronica Rohm has filed a Civil Protection Order against him and that he has court next Tuesday. He advised that he contacted Solicitor Jim Barney about this.

Discussion took place on three properties on Siler St. that are not being mowed, and their respective owners. One of the properties is believed to be scheduled for a Sheriff's sale in August.

TAX BUDGET HEARING

At 6:15 p.m. the Tax Budget Hearing began. The trustees reviewed information from the fiscal officer. The Fiscal Officer's notes are attached to the meeting minutes.

Permissive motor vehicle tax was not pursued at the county level as a county-wide endeavor. The trustees take no action to implement this within the township.

Mrs. Ickes advised that the state Tax Commission has not conveyed a decision on the transfer from Road and Bridge Fund to the General Fund for the purchase of the Tiffin Road property. Additional information was mailed to them in late June, and she was advised that they received it July 9.

A resolution on tonight's agenda would reduce Road and Bridge appropriations by \$73,000.00 (increasing carryover into 2019) since there is no activity on the proposed salt bin at this time. This will be a change to the 2019 Tax Budget the trustees were given tonight. Assistant Prosecutor Mark Mulligan has been asked for an opinion on the use of Road and Bridge money for this, as suggested by State Auditor Joe Weininger.

PARKS BOARD REPORT - Bill Lagrou and Kerry Wood

Mr. Wood advised that there are no meeting minutes from their July meeting yet.

Mr. Lagrou stated that the OSS grant will not permit switching the benches the township applied for to mulch, which would be cheaper in the end. He will also meet with the Sandusky County Parks about replacing the wear mats with mulch, or maybe even using sand instead for a while. He explained that KLA Loss Prevention did not endorse sand, even though the township keeps it soft and fluffed up.

The township property down by the river (given to the township by the county) has not been discussed any further other than in an informal conversation with Mr. Lagrou and a county employee.

Mr. Wood reported that the Parks Board members will be staying on, choosing to volunteer their time since the township will not be paying for these positions as of July 1, 2018.

The 2022 township bicentennial was discussed. Christy Gooslin is interested in getting the word out and for seeking donations, and this received a nod of approval by Mr. Stotz and Mr. Kusmer. Mr. Lagrou noted that the township received mostly donations for its last landmark celebration – the township had a chicken barbeque, bands, a car show, fireworks, and shaved ice treats to name a few attractions. A Friday-Saturday-Sunday format and committee formation was discussed. Mr. Lagrou suggested that we start seeking artifacts, and old pictures (which can now be scanned and returned to owners). The old schoolhouse at the new park would be a good place to display these items.

Mr. Lagrou advised that the township found a dead deer on Lutz St. and buried it out near Tindall Bridge. He will be getting signs made to address the motorized vehicles on this property if the township does not already have suitable signs.

Mr. Kusmer made a motion, seconded by Mr. Stotz, to allow the Sandusky Township Association free use of the Eagle Nest Shelter House on Thursday, July 19 for its quarterly meeting. Upon a vote, Mr. Stotz - Yes; Mr. Kusmer - Yes; the motion carried.

ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou

Superintendent Lagrou informed the trustees that Brandon of the former S & S (contractors who performed the 2017 Stahl Road drainage project) worked on a six inch catch basin. There has been no rain since it was replaced, and it is hard to tell if it worked, and dirt was moved.

Larry Bowers of Morrison Road asked the trustees if the township could do the same at his residence. Mr. Lagrou advised it would be a \$230 cost for the catch basin, with a six inch rise, and would lower dirt by four inches, with this project taking approximately four hours. Mr. Bowers advised that this would make “Rose” (his wife) very happy. Mr. Kusmer made a motion, seconded by Mr. Stotz, to have Spoerr Concrete make the catch basin for Mr. Bowers’ residence at a cost of \$230.00. Upon a vote, Mr. Stotz - Yes; Mr. Kusmer – Yes; the motion carried.

Mr. Lagrou noted that Mary Sachs, a long-time township resident, has passed away.

Mr. Kusmer stated that he has advised the other townships on our joint Issue II road repaving project (Green Creek, Sandusky, Scott, Townsend and York) that the Request to Proceed is going to be submitted soon. He also requested that the townships provide proof that they accepted the low bid with Erie Blacktop by providing a copy of their meeting minutes.

Millings for the driveway at the new township property on Tiffin Road was discussed. As far as the Ballville Dam removal, no materials are being hauled out, as approved by ODNR. Scott Ickes was present, and advised that he has watched the Ballville Dam removal on Facebook as shown through Bruce Chambers’ drone and that they showed three eagles on the footage. Additional discussion took place regarding the Sandusky River and the Ballville Dam removal.

Mr. Lagrou said that they are finished with catch basin repairs on Elm, Pinewood, River Run, and Meadowbrook.

Tomorrow the township’s fire extinguishers and alarms will be tested as they are done on an annual basis.

Mr. Lagrou would like to order a dozen or so T-shirts for township employees – fluorescent for safety purposes – with the township logo. Mrs. Ickes will look into this a little further.

Mr. Kusmer made a motion, seconded by Stotz, to accept Gerken Paving’s low bid for the Poorman subdivision repaving, a joint project with Sandusky Township, in the amount of \$140,808.50. Upon a vote, Mr. Stotz – Yes; Mr. Kusmer - Yes; the motion carried.

OLD BUSINESS

NEW BUSINESS

Mr. Kusmer made a motion, seconded by Mr. Stotz, for appropriation changes. This is a reduction in the amount of buildings, for the salt bin, in Roads and Bridges since there will be no activity in 2018; and to establish an appropriation for the state's share of the OPWC road repaving project. The motion passed following a roll call vote: Mr. Stotz – Yes; Mr. Kusmer - Yes; as Resolution 2018-26:

RESOLUTION 2018-26

A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO ADJUST APPROPRIATIONS OF CERTAIN ACCOUNT LINES IN FUND 2031 – ROAD AND BRIDGE AND FUND 4401 – 2018 OPWC ROAD REPAVING

Mr. Kusmer made a motion, seconded by Mr. Stotz, for approval of the 2019 Tax Budget, reviewed earlier tonight. The motion passed following a roll call vote: Mr. Stotz – Yes; Mr. Kusmer – Yes; as Resolution 2018-27:

RESOLUTION 2018-27

A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO APPROVE THE 2019 TAX BUDGET

Mr. Kusmer made a motion, seconded by Mr. Stotz, for a General Fund current operating expenses levy (1.25 additional mil) to appear on the November 6, 2018 ballot. The motion passed following a roll call vote: Mr. Stotz – Yes; Mr. Kusmer – Yes; as Resolution 2018-28:

RESOLUTION 2018-28

A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY AT THE MAXIMUM RATES AUTHORIZED BY LAW WITHOUT THE VOTE OF THE ELECTORS TO BE INSUFFICIENT AND DECLARING THE NECESSITY OF AN ADDITIONAL LEVY IN EXCESS OF SUCH RATES

Mr. Kusmer made a motion, seconded by Mr. Stotz, for approval of the 2019 rates and amounts from the Sandusky County Budget Commission and certifying them to the County Auditor. The motion passed following a roll call vote: Mr. Stotz – Yes; Mr. Kusmer - Yes; as Resolution 2018-29:

RESOLUTION 2018-29

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Zoning Inspector Bain discussed a contract for his representation in a Civil Protection Order hearing filed by township resident Veronica Rohm. Mr. Kusmer made a motion, seconded by Mr. Stotz, to approve a contract for representation by Kocher & Gillum (Jonathan McGooney) for Mr. Bain in this matter. Upon a vote, Mr. Kusmer - Yes; Mr. Stotz - Yes; the motion carried and the contract was signed by the trustees.

Discussion turned to zoning fees for zoning appeals hearings. There has been a great deal of confusion recently, and the township has received complaints from persons who have filed zoning appeals who claim they were told they would receive some of their money back. Due to the miscommunication, the trustees discussed that they would like to waive the certified mailing and legal notice advertising fees for the recent zoning appeals for Joe Walby, Jeremy & Amber Addair, and Stephanie Rusher as they have disputed the additional fees. Universal Farms should receive a refund of their fees as Mr. Crowell also disputed, but paid, the fees. Mr. Stotz advised he would contact the Addairs since he had spoken to them.

Mr. Stotz made a motion, seconded by Mr. Kusmer, to waive the certified mailing and legal notice advertising fees for Walby, Addair, and Rusher zoning appeals; and to refund these fees to Universal Farms since they were paid. Upon a vote, Mr. Kusmer - Yes; Mr. Stotz - Yes; the motion carried.

Letters regarding these waivers and the refund will be signed at the next meeting by the trustees. All other complaints will be handled accordingly if the additional fees come up in the future.

Mr. Stotz stated that the township should have a flat fee for zoning appeals and that all costs (filing, certified mailing and legal notice advertising) would be considered part of the flat fee (no additional certified mailing or legal notice advertising fees). It was discussed that the zoning fee structure should be addressed at the next meeting.

Mr. Bain informed the trustees that a request for assistance was received by the zoning inspector from a Mr. Snodgrass. No action was taken.

Upon further zoning issues discussion, Mr. Kusmer made a motion, seconded by Mr. Stotz, to change the zoning rates to a flat fee of \$500.00 for Special Use, Home Occupancy, Variance, and Zoning Appeals, effective August 1, 2018. Upon a vote, Mr. Kusmer - Yes; Mr. Stotz - Yes; the motion carried.

Purchase orders and checks for bills were signed by the trustees at this meeting.

There being no further business, it was moved by Mr. Kusmer, seconded by Mr. Stotz, to adjourn the meeting at 7:52 p.m. Upon a vote, Mr. Kusmer - Yes; Mr. Stotz - Yes; the motion passed and the meeting was adjourned.

Respectfully submitted,

Ellen K. Ickes, Fiscal Officer

David P. Stotz, Chairman