BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING
BALLVILLE TOWNSHIP HOUSE
TUESDAY, JUNE 4, 2019 – 5:30 P.M.

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

Moved by Mr. Geyer, seconded by Mr. Stotz, that the minutes of the May 21, 2019 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: Appropriation Status, Payment Listing, Receipt Listing, Fund Status, Cash Summary by Fund, Resources Available for Appropriation, Comparison of Budget and Appropriated, and Revenue Status. A verbal financial report was given as follows for today's meeting:

Total bills: .....$ 11,995.47
Total receipts: .....$ 15,639.55
Cash total in all funds: .....$ 1,275,156.44

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.

The trustees reviewed account activity for the Staples credit cards for the last billing period, and Chairman Kusmer signed the credit card attestation(s). Payment by check is included in the above referenced bills.

PUBLIC COMMENT
There were no public comments. All present were requested to sign the Sign-In Sheet (attached).

Roxanna Ferguson was introduced as a guest by her husband, Jack, at the meeting.

CEMETERY BOARD REPORT - Jack Ferguson and Jim Gillis
Mr. Gillis advised that the cemeteries all look good.

Discussion took place on the Oakwood Mausoleum and the possible reasons for the new roofing problem that has developed. Superintendent Lagrou advised that Deemer Roofing has not been back to look at it.

Mr. Gillis advised that the June 1, 2019 cemetery rate increases are now in effect, and Mr. Lagrou confirmed that all local funeral homes have been advised accordingly.

Solicitor Barney stated that Hartung Title has searched for the township's title to Hill Cemetery, but could find no evidence that the cemetery belongs to the township. Hartung did not charge the township for this research since no title was found.

Mr. Barney suggested that the township could file a quiet title. Hartung can produce a deed listing the last owner. The township could then file a lawsuit, publish a legal notice in the newspaper an appropriate number of times (required) so that anyone with an interest in Hill Cemetery can be notified to come forward. Inevitably, the township will end up getting the title to the cemetery.

Estimated costs for the Hill Cemetery title work is estimated at $300.00 for the filing fee, $500-600.00 for Hartung Title. With legal fees and advertising, $2,500.00 is a good total estimate.

Having a title to Hill Cemetery is necessary to protect the township if the township continues to maintain it. Discussion took place on the events/accidents that have occurred out there in the past. The township spent a lot of money years ago to have the headstones reconditioned.

Solicitor Barney will research the amount of work and costs to get the title to the cemetery and will advise accordingly. Mrs. Ickes would have to make sure the township has appropriations and purchase orders prepared in advance.

Superintendent Lagrou will provide the Ohio Department of Commerce with the township Cemetery Rules and Regulations by July 19, 2019. This is the first time this has been required. Solicitor Barney suggested that resolutions applicable to these Rules and Regulations be sent as well. It is likely the resolutions needed are from 2013.

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector
Mr, Bain advised that zoning permits have really picked up in number.

Mr. Bain reviewed the Ballville Township Zoning Report from June 3, 2019, which was entered into the township's meeting minutes.

PARKS BOARD REPORT - Bill Lagrou and Kerry Wood
Mr. Wood advised that the Parks Board will hold a meeting next Monday, June 10.

The American Cancer Society Relay for Life will be held on Saturday, June 8 from 12:00 noon to 10:00 p.m. There are 24 teams participating this year; last year there were 32.

Mr. Lagrou advised that the American Cancer Society hired four bouncy houses for the event. Discussion took place on liability and what best affords protection for the township. Mrs. Ickes will double check with Wendy French from OTARMA, and Solicitor Barney will provide an agreement that Mr. Lagrou can have the Cancer Society sign to indemnify and release the township from all harm. It is best to have a person from the bouncy house provider be present to monitor them.

Mr. Lagrou received approval from the trustees for Sacred Heart Church to come and take, then bring back, the bleachers they have asked to use for their annual summer festival.

Mrs. Ickes advised that Christy Gooslin accepted the move from an alternate to a regular board member on the Parks Board.

The Parks Board meeting minutes from April 8, 2019 were entered into the township's meeting minutes.

ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou
Mr. Lagrou provided a list of trailers, VIN numbers, and costs as requested by OTARMA for the township's liability insurance renewal policy.

Mr. Lagrou will respond to Columbia Gas regarding their inquiry about permits for the Lutz Elementary new school construction.

Kim Wright of 907 Timpe Rd was present with Mr. Lagrou to discuss the options to correct the drainage problem on her property. Mr. Lagrou advised that S&S Excavating and Hauling has provided an estimate of $13,970.00 to move two catch basins and tile. The first available time the work could be done would be in August or September. S&S will work with the township's crew to keep the costs down if the township can provide labor for the project.

Superintendent Lagrou will obtain a couple other quotes. An easement will be needed for one side of Ms. Wright's property, and Solicitor Barney can take care of that.

Ms. Wright reported that she had five inches of water in her basement last weekend, and that she cannot leave when it is raining. She told the trustees she is very eager to get this work done, and she appreciates them for re-routing the drainage on her property so that this situation is corrected.

Mr. Kusmer stated that in 1954 the then-homeowner petitioned to have tile put in on the property. Ms. Wright advised that everyone, at all levels of government, have been good to work with.

Superintendent Lagrou will have Adkins run a camera through the system. Brandon Shull of S&S thinks that the tile under the road is concrete and it is OK to leave it as is. Discussion took place on the location of the catch basin, tile, existing storm sewer, and the path of waterflow.

Uniliance has provided a quote of $4,955.00 for labor, equipment, and material to repair the erosion problem at Darr Rd. and CR 173. This work is simply a "band-aid" until the work needs to be done again. Trees planted there would be helpful in stopping the erosion. It was discussed that there is a sand ridge below the surface that is causing the problem. Mr. Lagrou advised that the road has sunk another two feet. Corrective work was last done about eight years ago. Mr. Stotz made a motion, seconded by Mr. Geyer, to have Uniliance perform the work. Upon a vote – Mr. Geyer – Yes; Mr. Kusmer – Yes; Mr. Stotz – Yes; the motion passed.

Superintendent Lagrou discussed personnel. Following discussion, Mr. Stotz made a motion, seconded by Mr. Geyer, to hire Chad Myers as a full-time maintenance employee starting June 17, 2019. Upon a vote – Mr. Geyer –Yes; Mr. Kusmer – Yes; Mr. Stotz – Yes; the motion passed.

Mr. Lagrou also requested the trustees permit the hiring of a seasonal, part-time employee. The trustees approved the hiring of a minor, B.R.B., for the summer, at an hourly rate of $8.55. Mr. Lagrou advised that this employee would be starting as soon as possible.

Brad Lawrence contacted Mr. Lagrou about flooding on Emmett Drive.

OLD BUSINESS
Chairman Kusmer has not heard back from Josh Randall about updating the township's computers to Windows 10, which can be reimbursed up to $500.00 through the OTARMA MORE grant.

Mrs. Ickes advised that Cal Anderson from OTARMA Cyber Security might be in the area later this week, and she had suggested that he work with Zoning Inspector Bain on suggestions made in previous discussions.

Mr. Kusmer advised that he had made a few, small changes to the proposed Employee Handbook, including a change to jury duty, but everything else is pretty much the same. Mr. Geyer advised that the trustees want Superintendent Lagrou to be able to use a township vehicle when responding to a fire department call. The proposed new handbook will be voted on at the June 18, 2019 meeting.

Mr. Kusmer advised that he will be absent for the July 2 meeting, so Vice-Chair Dave Stotz will conduct the meeting.

Chairman Kusmer said that the townships need to fight back hard against the potential Health Department assessment if the Health Department's November, 2019 levy fails. There is a Sandusky County Township Association meeting on Thursday this week regarding this, and a petition/letter for townships to sign that will be sent to the County Commissioners. Solicitor Barney advised that it does not look good for the township (that the assessment can be made), but noted that the Health Department's assessment cannot bankrupt a township. Discussion took place.

Mr. Kusmer continued by stating that looking at the net General Fund property taxes, the township will be adversely affected by the proposed Health Department assessments. He has talked to the County Commissioners who have indicated they want a favorable outcome for the townships. Mr. Kusmer has also sent correspondence to Representative Bill Reineke regarding the need to change the law and cap the ability to assess the townships and others in this manner. He will also be meeting with the Ohio Township Association regarding changes to protect townships.

Mr. Kusmer stated that, if the Health Department assessments occur, and if Ballville also had to take on Oakwood Cemetery, the township would be "hurting". There was additional discussion.

NEW BUSINESS

Mrs. Ickes asked about scheduling the tax budget hearing, and it was set during the trustees' next regular meeting on Tuesday, June 18 at 7:30 p.m. Solicitor Barney advised that it needed to be advertised in the newspaper. The Sandusky County Health Department's possible assessment of the township of almost $81,000.00 next year, if their November, 2019 levy fails, was discussed. Mrs. Ickes advised that she had talked to Mark Mulligan of the Sandusky County Prosecutor's office today, and she was advised that the potential assessment should probably appear in the township's General Fund budget. It was discussed that this potential Health Department assessment was communicated by the District Advisory Council at its annual meeting, and not the County Budget Committee (County Prosecutor, Auditor, and Treasurer).

She advised that the 2020 budget will have to be prepared for the expenditures that might occur with the Health Department assessment, the outcome of which will not be known until after the November election. It could be a reality no matter how much we don't want it to happen.

Mrs. Ickes read a memo from Health Dept. Commissioner Bethany Brown stating that Assistant Prosecutor Mark Mulligan advised that the townships cannot use "general funds" for the Health Department's levy campaign. However, private donations could be accepted from trustees.

Solicitor Barney offered several scenarios for the township to avoid the potential increased assessment, and he advised that an injunction was a possible, but not a viable option.

Phil Klausz stated that the word has to get out, perhaps by holding a meeting, to let people know what is going on with the Health Department. It was discussed that this was a transparency issue.

The township's Disaster Recovery Plan is part of the Sandusky County EMA plan.

Upon discussion, the trustees agreed that they would like to see the 1.25 mill renewal road levy on the ballot in November, 2019. Solicitor Barney will prepare the appropriate resolution of necessity to get the county auditor's certificate of revenue that will be generated by a renewal levy. Another resolution will follow passage of the necessity resolution. Both resolutions must be filed with the Board of Elections in early August for the issue to appear on the November election ballot.

Mr. Stotz made a motion, seconded by Mr. Geyer, to reallocate items in the Road and Bridge Fund to appropriate for the HRA account for new employee Chad Myers. The motion passed following a roll call vote: Mr. Kusmer – Yes; Mr. Geyer - Yes; Mr. Stotz – Yes; as Resolution 2019-9:

RESOLUTION 2019-9
A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO REALLOCATE AMONG ACCOUNT LINE ITEMS WITHIN THE ROAD AND BRIDGE FUND

The City of Fremont waterline is being installed out to the new Lutz Elementary School, and beyond to Tucker Road. It probably will eventually go down Tucker and connect at Hayes Ave.

The May 31, 2019 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 7:20 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