BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING
BALLVILLE TOWNSHIP HOUSE
TUESDAY, AUGUST 6, 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 Philip F. Klausz , along with James Barney of Kocher & Gillum, Solicitor.

Moved by Mr. Geyer, seconded by Mr. Klausz, that the minutes of the July 16, 2019 meeting be approved as written. Upon a vote, Mr. Geyer - Yes; Mr. Klausz –Yes; Mr. Kusmer – 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: .....$ 14,672.22

Total receipts: .....$ 22,958.10

Cash total in all funds: .....$ 1,185,211.35

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

CREDIT CARDS
Semi-annual credit card review by the trustees was performed as required – Exhibits A and C of the Credit Card Policy and the forms used for the monthly charges on credit cards. This is in compliance with the new state credit card policy passed earlier in the year, and a copy is attached.

A new signature card was signed by the three trustees so that Mr. Klausz is able to sign checks for the township tonight. Mrs. Ickes will drop this off at Croghan Colonial Bank's Ballville branch tonight as arranged previously with the bank.

Mrs. Ickes advised that the Dell black-only printer that she uses, provided by the State Auditor's office for use with UAN, will be donated to the township in October because a new printer will be arriving. Every four years these printers are replaced and given to the entities that use them.

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

Mr. Kusmer welcomed Phil Klausz who was appointed as interim trustee following the death of trustee Dave Stotz.

Election of Vice Chair. Mr. Geyer made a motion, seconded by Mr. Kusmer, to elect Phil Klausz as Vice Chair. Upon a vote: Mr. Geyer – Yes; Mr. Kusmer – Yes; motion carried. Mr. Klausz accepted the position as Vice Chair.

John Rettig noted the township's problems with Oakwood Cemetery and the Health Dept. He stated that we really have to support the Health Dept. levy because the township cannot afford to pay the assessment that will take place if their levy does not pass. He urged everyone to get signs for passage of the levy. As a renewal levy, it will not cost residents more; and renewal levies usually pass. As far as the Health Dept. assessments, even if there is an Attorney General's opinion, it is just an opinion and not law.

Mr. Rettig met with State Representative Bill Reineke about Oakwood Cemetery, and he advised that Mr. Reineke will research to see if townships get whatever cash a cemetery has at the time the township acquires the cemetery. Discussion took place.

Brad Steyer advised that he has owned a rental-property house located on the west side of the river on Darr Road by the Gillmor Bridge for about three years. He just met with Zoning Inspector Dave Bain because the back of the house is about a year away from falling off and into the river due to erosion. He is trying to get someone who does erosion-prevention work up at the lake to look at it. Chairman Kusmer advised that maybe ODNR has jurisdiction over this, and also suggested that he contact the Army Corps of Engineers, ODNR Coastal in Sandusky, and John Willey at Regional Planning. Mr. Steyer is checking on zoning restrictions for a retaining wall, and it was agreed this was not a structure and is not in need of a zoning permit. It was noted that it cannot impede flow of river since this is considered scenic river.

Matt Stotz, son of recently-deceased trustee Dave Stotz, welcomed new trustee, Phil Klausz, who was appointed to take his dad's seat. He turned in keys to the township's facilities to Bill Lagrou. He thanked everyone at the township. Mr. Kusmer said there are plans to create a sitting area in Conner Park and landscape it, calling it "Dave's Place" near Dave's tree in the park. Matt offered to pick up whatever is not paid for by donations.

CEMETERY BOARD REPORT - Jack Ferguson and Jim Gillis
Mr. Gillis reported that the cemeteries are all wet.

Solicitor Barney reported that Hill Cemetery deed work will move along once we make sure money is all in the right places, and we know about how much it will cost. Mrs. Ickes advised they have been working on this and a resolution for tonight will increase the appropriation for $4,200.00 in the Cemetery Fund for these expenses. The County Auditor must approve the increased appropriation before a purchase order can be prepared.

The new Ohio Department of Commerce Cemetery Grant is $1,000.00 maximum and the deadline is August 14. Mr. Kusmer said not much is known about it. Mr. Lagrou advised that $1,000 would pay for 4-6 sections of 8 foot fence at McGormley Cemetery. Suggestions for the grant were discussed, including paying for legal costs for the Hill Cemetery titlework, which is estimated at $4,200.00. It is believed that special requests would be considered. Mr. Kusmer will check with Heidi Fought at OTA. We can apply each year for the grant.

Mr. Lagrou reported that the Oakwood Mausoleum roof will be discussed with Deemer next week after several attempts to get together and look at it.

The township received footers for graves from Seislove's - 12 veterans and 12 brass plaque slabs. They are installed after someone passes away.

The trustees signed a deed for one grave at McGormley Cemetery:
Craig Swartz, Section 12, Lot 21, Grave 1

HEALTH DEPARTMENT REPORT

Mr. Geyer handed out minutes from the District Advisory Council (DAC) in May, of which he is the president, to the other trustees. In that meeting the Health Commissioner, Bethany Brown, had stated that even if they were successful in passing a levy in November that they would assess the townships, and Ballville's share is $13,491.69. The township is charged $4,995 a year right now. Discussion took place on when this assessment would occur. If the Health Dept. levy does not pass the November, 2019 levy, $80,950.13 will be assessed to Ballville Township starting next year. Mr. Geyer told them at the meeting in May that Ballville could not afford the $13,000.00. Mr. Geyer asked the others at the meeting if they could afford the assessments, and no one really responded. Bob Gross of the City of Fremont said that he didn't have a problem with the assessments.

Mr. Kusmer added that letters were submitted to Senator Burke and Representative Reineke looking for some type of change in the law with regard to how the Health Department can take the township's appropriations. A letter will be sent to our County Commissioners opposing the Health Department's assessments, and only two elected persons in the townships did not sign the letter. Mr. Kusmer advised that there is an Attorney General opinion that says that a county health department cannot bankrupt a township.

At the July 18 Sandusky County Township Association meeting held at the Ballville Township house, Heidi Fought, director of Governmental Affairs, and soon the director of the Ohio Township Association, spoke about the Health Dept. assessment. Mr. Kusmer explained the options that were discussed, and there will be a meeting with the county commissioners on this soon. Mr. Kusmer stated that the commissioners seem to understand the situation of the townships. Mr. Kusmer said we are fighting this ability of the Health Department to take the townships' money. Health Commissioner Bethany Brown did not give firm numbers when she attended the SCTA meeting.

Mrs. Ickes read an Ohio Township Association article that discussed composition of the Health Dept. District Advisory Council (DAC) which says the president of the trustees' board should represent the township on the DAC. Mr. Geyer explained it was decided years ago that he should represent the township at these meetings. The DAC meets once a year, and it had to approve voting on the levy. Mr. Klausz made a motion to re-elect Rick Geyer as representative to the District Advisory Council. Mr. Kusmer seconded the motion, and upon a vote: Mr. Geyer – Yes; Mr. Klausz – Yes; Mr. Kusmer – Yes; the motion carried.

Discussion took place about the Health Department. John Rettig advised that when he was a county commissioner, he was their Health Dept. representative. He advised that the commissioners have no authority on the Health Dept wages. We are obligated to support the Health Dept. whether there is money or not. The county commissioners have to supply the Health Dept. with a building, but the Health Dept. doesn't have to occupy that space, it just has to be provided for them. Mr. Rettig said the levy has to pass. If the renewal levy passes, we will still have assessments. Mr. Geyer stated that the Health Dept.'s first levy was a renewal with an increase, which failed, and then Mrs. Brown learned that assessments from other public entities can be made to provide a revenue stream.

Mr. Kusmer advised the townships are fighting the Health Department's ability to take the township's money. The handouts from the Heath Department showing the assessments were passed out (handout attached).

Mr. Geyer made a motion, seconded by Mr. Kusmer, to accept the resignation of Phil Klausz from the Board of Zoning Commission with regret. Upon a vote, Mr. Geyer – Yes; Mr. Kusmer – Yes; motion passed. Trustees Kusmer and Geyer signed a letter for Mr. Klausz.

Walter Lamson has moved to Sandusky Township. His resignation from the Board of Zoning Commission was accepted with regret. Mr. Geyer made a motion, seconded by Mr. Kusmer, to accept the resignation of Mr. Lamson. Upon a vote, Mr. Geyer – Yes; Mr. Klausz – Yes; Mr. Kusmer – Yes; the motion passed. A letter signed by the trustees will be sent to Mr. Lamson.

Jack Ferguson asked about the problems at the Haunted Hydro. He has missed a few township meetings, but nothing seems to have changed at the Hydro. Zoning Inspector Bain reported that Mr. Turner has not been in touch with him. Solicitor Barney reported that Mr. Turner's attorney, Ron Mayle, had inquiried about grandfathering in the Haunted Hydro. Mr. Barney will review a copy of the township zoning resolution and he will also contact John Willey about this. Mr. Klausz asked if the Haunted Hydro was in there before the zoning was enacted. The Haunted Hydro is in an R-1 district and Mr. Klausz said the Hydro is non-compliant for R-1. The Haunted Hydro has been there for 23-24 years. Discussion took place. Jim Barney will look into it.

Jack Ferguson suggested the township impose fines to put some teeth into zoning, and added that "thunder is impressive but lightning does the work".

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector
Mr. Bain reviewed the Ballville Township Zoning Report from August 6, 2019, which was entered into the township's meeting minutes.

PARKS BOARD REPORT - Bill Lagrou and Kerry Wood
Mr. Wood said their Parks Board meeting is next week.

Mr. Kusmer and Mr. Lagrou met with the Chudzinski Johannsen Park road contractor, and they are expecting work to start in about two weeks. The contractor was backed up in May and June from the weather. It is estimated that the work will be done in three weeks once started. The roadway will be curbed on one side and open for drainage on the other side.

The Chudzinski Johannsen pond project may have to be bid out, and the township will need to check first. If the ground is suitable for a pond, it was mentioned that it would be convenient to put one in while they are out there working on the roads.

Four signs for the Chudzinski Johannsen Park were received, but one sign was broken and one was cracked. It is believed the damage happened during shipping and Mr. Kusmer will contact Performance Signage about this. The crack is hard to see from a distance, but is all the way through. Mrs. Ickes advised that reimbursement for one-half of the Chudzinski Johannsen Park signs cost was received from the state.

Discussion took place on shelter house fees and costs. Current fees are $40.00 for township residents and $50.00 for non-residents. There are several rentals for 2020 already. Mr. Lagrou suggested perhaps one fee of $50.00 for each renter. Mr. Lagrou stated that it takes an hour on Saturday and 1-2 hours on Sundays to work on the shelter houses on the weekends. Renters usually clean up, but the township always blows the shelters out, and tables may have to be wiped down. This work is done at the overtime rate for employees. Mr. Klausz suggested a flat use fee rate. Mr. Kusmer suggested a $55.00 flat fee. A shelter house rental is for the whole day. Mr. Lagrou suggested $50.00 resident and $60.00 non-resident rates. Mr. Geyer made a motion for 2020 rentals to be $50.00 for township residents and $60.00 for non-residents. Mr. Klausz seconded the motion. Upon a vote, Mr. Geyer – Yes; Mr. Klausz – Yes; Mr. Kusmer – Yes; the motion carried.

Mr. Wood asked about the Park District Grant and was told it is there until we decide if we want it. Mr. Lagrou is looking into the price for completion of the work earmarked for the grant.

The meeting minutes from July 8, 2019 were entered into the township's meeting minutes.

ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou
Crews have been working on Stahl Road trees. Everything is seeded except for the Voggenthalers's property because they wanted to put their own seed in.

The township has been hauling grindings out of Universal Landscaping and down to the new property. Mr. Lagrou wants to wait to put them at the new park so they are not sitting on the grass.

Issue II work for next year might be repaving on Cole Road from Morrison to Tiffin, and we are waiting for County Engineer Carlos Baez to provide a price, and a traffic count and estimate is needed. It was suggested to hire someone else do the milling work and not have the township mill it. September 6 is the due date on Issue II. York, Green Creek, Townsend and Scott would like to go in, and we should hear back from Sandusky Township who also meets tonight.

Mr. Klausz made a motion, seconded by Mr. Geyer, to authorize Mr. Kusmer to prepare and execute the application and other documents as required for the Ohio Public Works Commission grants for road repaving. The motion passed upon a roll call vote: Mr. Kusmer – Yes; Mr. Geyer – Yes; Mr. Klausz – Yes; as Resolution 2019-16

RESOLUTION 2019-16
A RESOLUTION AUTHORIZING W. ROBERT KUSMER, BALLVILLE TOWNSHIP TRUSTEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

Mr. Lagrou advised that the summer season crew will work their last days soon: Robbie Baez - August 9, Paige Miarer - August 19, and Brooklyn Baptista - August 23.

GTE Roads from Archbold contacted Mr. Lagrou about crack filling. The useful life of roads was discussed.

Mr. Lagrou informed the trustees that the township's display board in the county engineer's tent at the Sandusky County Fair will include information on brush drop-offs, a dedication for former trustee Dave Stotz, will feature roads that have already been paved and drainage work that has been done.

Mr. Lagrou asked Solicitor Barney about golf carts on roads. Trooper Sorg had asked about them. Solicitor Barney agreed with Mr. Lagrou that, even with licenses from the Sheriff's Department, there needs to be an ordinance to ride them on the township's roads. Golf carts are not allowed unless the township allows them by taking affirmative action, and it applies to 35 mph and under speed limits. This does not means golf carts go 35 mph. They are low- and under- speed vehicles, not slow-moving. Solicitor Barney advised that it is up to the trooper to decide if it is permissible because it is hard to define. If used for agricultural purposes, it is fine. The trustees requested Solicitor Barney to prepare a resolution to allow golf carts on the roads.

Minors pulling lawnmowers on trailers with slow moving vehicle signs was discussed as it has been observed in the township. Again, this is the trooper's call. There are safety concerns since no driver's license is needed and the lawnmowers are driven at slow speeds. Even when the vehicles are properly licensed, with plates, horns, and lights, the driver still has to have a driver's license to be on the roadway. It is unlawful, but up to law enforcement to enforce.

The recently updated Employee Handbook was discussed. Mr. Lagrou would like to see the work week changed from Sunday through Saturday to Monday through Sunday to make time calculation easier. Discussion took place. Mr. Klausz made a motion to change the work week from Monday through Sunday and to make this change to the handbook. Mr. Geyer seconded the motion. Upon a vote, Mr. Geyer – Yes;

Mr. Klausz – Yes; Mr. Kusmer – Yes; the motion passed. Mr. Kusmer advised that forty hours governs per week even though the normal work day is an eight hour day.

Mrs. Ickes advised that OPERS has made a determination on the township's volunteers that they must be OPERS members and also must be reported on the OPERS Non-Contributing List.

Superintendent Lagrou advised that Chad Myers, who began full-time employment with the township in June is doing a good job and is working on his CDL. It was agreed that his 90 day evaluation would be done by Mr. Lagrou.

The trustees were happy with the work Gerken Paving did on the Buchman Road repaving, and advised that the retainage of $1,895.32 should be paid.

Mr. Geyer advised that Herb Lehman has complained about three potholes on Finley Drive and Cole Rd. by the stop sign.

Mr. Kusmer advised that tomorrow Windows 10 will be installed on township computers that are running earlier versions. The township will use the OTARMA MORE grant toward this upgrade.

OLD BUSINESS

NEW BUSINESS

Mr. Klausz made a motion, seconded by Mr. Geyer, for a resolution approving new signatures for persons who should have access to the safety deposit box at Croghan Colonial Bank due to a change in trustees (Mr. Klausz replaced Mr. Stotz). The motion passed following a roll call vote: Mr. Geyer - Yes; Mr. Kusmer – Yes; Mr. Klausz – Yes; as Resolution 2019-17:

RESOLUTION 2019-17

RESOLUTION: AUTHORITY OF A CORPORATION, SOCIETY, LODGE, CHURCH, OR SIMILAR ORGANIZATIONS TO SECURE A SAFE DEPOSIT BOX AND TO DESIGNATE THE PERSON OR PERSONS TO HAVE ACCESS THERETO. (Croghan Colonial Bank Safety Deposit Box)

Mr. Geyer made a motion, seconded by Mr. Klausz, to transfer the cash needed for the third and final payment on the 2017 Kenworth truck which is due in September. The motion passed following a roll call vote: Mr. Kusmer - Yes; Mr. Geyer – Yes; Mr. Klausz – Yes; as Resolution 2019-18:

RESOLUTION 2019-18

A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO TRANSER CASH OF $10,767.19 FROM 2031 - ROAD AND BRIDGE FUND TO 3101 - DEBT SERVICE – 2017 KENWORTH/ACCESSORIES FUND

Mr. Geyer made a motion, seconded by Mr. Klausz, for the increase in appropriations to meet expected expenses and allow for unknown expenses The motion passed following a roll call vote: Mr. Klausz – Yes; Mr. Kusmer – Yes; Mr. Geyer - Yes; as Resolution 2019-19

RESOLUTION 2019-19

A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO INCREASE APPROPRIATIONS IN VARIOUS FUNDS

Mr. Geyer made a motion, seconded by Mr. Klausz, to reallocate line items in various funds. Mrs. Ickes advised that Social Security is needed for a trustee; the state auditor has advised the audit costs for 2017-2018 will be higher than quoted and should be allocated to the General and Special Revenue Funds if allocated to more than just the General Fund. The motion passed following a roll call vote: Mr. Geyer - Yes; Mr. Klausz – Yes; Mr. Kusmer – Yes; as Resolution 2019-20:

RESOLUTION 2019-20
A RESOLUTION OF THE BOARD OF TRUSTEES OF BALLVILLE TOWNSHIP TO REALLOCATE AMONG ACCOUNT LINE ITEMS WITHIN VARIOUS FUNDS

Mrs. Ickes reviewed the annual resolution setting the rates and amounts of revenue for 2020. This resolution must be passed and filed with the County Auditor by October 1 each year and passing the resolution also accepts the Original Certificate of Estimated Resources Available for 2020.

Mr. Geyer made a motion, seconded by Mr. Klausz, for acceptance of the Rates and Amounts for 2020 as determined by the Budget Commission, and also accepting the Original Certificate for 2020 which shows anticipated revenues. The motion passed following a roll call vote: Mr. Klausz - Yes; Mr. Geyer – Yes; Mr. Kusmer – Yes; as Resolution 2019-21:

RESOLUTION 2019-21
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

Mr. Kusmer advised that the township's website was recently updated by Josh Randell of Liamer.

The River Drive Lighting Assessment was also discussed. Next year, in 2020, the township needs to increase the assessments for River Driver residents when the rates are submitted, something done every five years. The township receives about $185.00 a year in resident assessments and the bill runs around $22.00 a month on average. Mrs. Ickes advised that once the township receives the assessment disbursement that is expected soon, the General Fund will have to advance whatever cash is needed to make sure the utility can be paid into next year until the first assessment is received

Thank you notes were received from the family of David Stotz. Sacred Heart Parish also thanked the township for the use of bleachers for their SummerFest.

The July 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. Geyer, seconded by Mr. Klausz. to adjourn the meeting at 8:40 p.m. Upon a vote, Mr. Geyer - Yes; Mr. Klausz – Yes; Mr. Kusmer – Yes; the motion passed and the meeting was adjourned.

Respectfully submitted,

_____
Ellen K. Ickes, Fiscal Officer

_____
W. Robert Kusmer, Chairman