BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING
BALLVILLE TOWNSHIP HOUSE
TUESDAY, OCTOBER 15, 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 was Trustee Philip F. Klausz. Mr. Geyer was not present in the room.

Moved by Mr. Klausz, seconded by Mr. Kusmer, that the minutes of the October 1, 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: .....$ 139,661.67

Total receipts: .....$ 102,211.25

Cash total in all funds: .....$ 1,285,723.97

It was moved by Mr. Klausz, seconded by Mr. Kusmer, 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.

Mr. Geyer returned to the meeting room.

The trustees also reviewed the list of credit cards as required by the state auditor since the Walmart credit card account has been changed and new three new cards were issued.

The trustees reviewed account activity for the Croghan Colonial 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.

Mrs. Ickes advised that the township received a Bureau of Workers' Compensation (BWC) dividend equal to 88% of the 2017 premium in the amount of $3,747.92.

Mrs. Ickes asked if all of the trustees intended to sign the letter from the trustees to OPERS, as discussed at the last meeting, requesting a determination on the status of volunteers. An email had been sent to trustees on October 2 asking them to stop at the township house to sign the letter. Mr. Geyer added his signature to the letter and it will be sent to OPERS now that all trustees have signed.

PUBLIC COMMENT

A sign-in sheet was passed around and all present were requested to sign in (attached). It should be noted that the township house was filled with a large number of residents and several City of Fremont representatives.

Shane Thomas introduced himself as President of the Seneca County Commissioners, and as a candidate for state representative. He advised that he has a great working relationship in the 88th district. He is seeking to replace Representative Bill Reineke who is now running for a Senate seat.

Sandusky County Commissioner Scott Miller advised that he was here to discuss Sandusky County. Things are good in spite of malware that has struck the county. It is hoped the county's computers are up and running again soon. He compared it to taking your car apart and putting it back together again – it takes lots of time - they need to let the process happen. The commissioners are in constant touch with townships, and each has challenges, just as Ballville does. As Shane had said, there is a common interest in the Mental Health Board which covers Wyandot, Seneca and Sandusky counties.

Representatives of the City of Fremont addressed the installation of the Buckland Avenue waterline, which is looped rather than being a dead-end line. Executive Assistant to the Mayor, Bob Gross, explained that it was installed for the new Lutz Elementary School, currently under construction. The Fremont City School District paid for the installation and worked with the city to put it in. He stated that anything else you might hear is false. Mayor Danny Sanchez, Mr. Gross, and Safety Service Director Ken Frost, stated they were contacted over the weekend by Ballville Township residents regarding a campaign flyer for a trustee candidate that included comments about annexing the township into the city. Mr. Gross advised that there were only two annexations in the past four years, and they were property-owner driven. The city is not actively recruiting people for annexation. The waterline has caused people to be misinformed.

Mr. Gross continued speaking, stating that Ballville Township and the City of Fremont had signed an annexation agreement in 1993 and it was done in 2013, having expired. There had been a series of discussions for a new agreement, mostly in 2017, with the last one taking place in 2018. There is revenue sharing for 12 years which allows the township to hold onto its revenue just a little longer. The township and city didn't come to an agreement for a new annexation agreement, and the city is OK with that. Mr. Gross reiterated that the city is not actively pursuing annexation.

Mayor Sanchez said the reason an agreement wasn't reached was because of the covenant issue, not because of revenue-sharing. Covenants are needed for contiguous property. The mailer in question was misleading and the city representatives were present to set the record straight.

Mayor Sanchez then asked Mr. Geyer about this mailer. Mr. Geyer responded that the mayor had told him he was going to annex Ballville into the city, and that the mayor also wanted a JEDD. The mayor respectfully disagreed with Mr. Geyer's recollection of this conversation. The mayor advised that the only conversations he has had regarding annexation was with Trustees Stotz and Kusmer, and Trustee Geyer was never with them. Trustee Geyer stated that he was against a JEDD, and repeated that the mayor had said, "I want to annex Ballville Township".

Trustee Geyer and Mayor Sanchez engaged in a rapid-fire exchange of saying the other was a "liar". Mr. Geyer wanted it noted in the meeting minutes that the mayor had called him a liar. Mr. Geyer advised that he was the only trustee who had voted against a JEDD, keeping it out of the township because the vote for a JEDD had to be unanimous. When several residents asked why he was against it, Mr. Geyer stated that Ballville Township trustees would lose all control of a JEDD; it is a "tax grab". Mr. Gross stated that a JEDD requires a municipality and, in this case, it would not just be the townships of Sandusky and Ballville. He noted that a JEDD is a joint agreement to develop and to revenue-share.

Chairman Kusmer stated that a JEDD takes undeveloped property and creates new revenues by bringing businesses in. For example, Rossford has a JEDD (Home Depot, Lowe's, Kohls, etc.) created by the City of Rossford, and the revenue generated for Perrysburg Township alone is $1,000,000 a year. Further discussion explained that a JEDD has a five-person, unelected, committee that includes representatives from the townships, the municipality, and the businesses. The revenue generated from the JEDD has to stay, in part, for roads, infrastructure, etc., as decided by the committee.

Mayor Sanchez expressed his surprise that annexation issues appeared on a campaign mailer right before an election. He also stated that he was not aware that a JEDD had been voted down by Ballville Township in the past. Mr. Geyer stated that his campaign flyer does not have false information. He is here to protect citizens against annexation, and he is against any agreement to make it easier to annex. It takes 51% of people to annex, and he added that township residents do not want city water.

Upon discussion, it was stated that township residents can keep their wells and they don't have to take city water.

Trustee Geyer advised that Tucker (Frederickson), the city engineer, emailed the township that the Lutz School (Buckland Avenue) water lines were going in 'tomorrow', giving the township only one day's notice, and the township didn't get to vote on it. Discussion included comments that Buckland Avenue is a county road, not a township road, and did not need the township's approval. Mr. Geyer stated that it was common decency to let the trustees know ahead of time. He posited why the water line that went out to Lutz School (on Buckland Ave.) continued out to Tucker Rd.

Ballville Fire Department Chief Doug Crowell advised that the Sandusky County engineer takes care of this, and that he himself knew about this two years ago. A brief discussion with Trustee Geyer was interrupted when Chairman Kusmer struck the Chairman's gavel to maintain order.

Discussion then resumed regarding looping the waterline, and who was notified about the water lines. Trustee Geyer addressed Chairman Kusmer by stating that things need to be discussed at meetings and not on the phone. Mr. Geyer was not in the loop; he was not notified.

Discussion between Trustee Geyer and Mayor Sanchez continued, with the trustee asking the mayor if he was recording a video with his phone. The mayor stated that he was, and Mr. Geyer advised him that he had to keep the recording as a public record. This portion of their exchange ended with both agreeing that that they will work together.

Mr. Gross advised that annexation is initiated by the property owners who are seeking annexation, and that 51% approval is needed when multiple parcels are involved. Chairman Kusmer also advised that the properties to be annexed must be contiguous to the municipality.

Trustee Geyer stated that there was nothing false about his re-election campaign card, and Mr. Gross expressed his disagreement with that statement. Mr. Geyer explained his flyer, as referenced above, and again stated that the mayor is calling him a liar.

Jennifer Geyer introduced herself as Trustee Rick Geyer's wife and recalled when her husband had come home and relayed the conversation about meeting the mayor, and the mayor's statement about annexing the township into the city.

Brian Edwards is a township resident who works at the county Tax Map office, and advised that he has worked with annexations for 32 years. He advised that the City of Fremont has never forced anyone to annex. He further stated that municipalities don't want to add residential properties; it is business they want to bring in. He cited the Ohio Revised Code regarding annexing isolated residences, stating that Smith Rd. is an example of mixed properties. He concluded by stating that he doesn't understand what Trustee Geyer is trying to protect.

Trustee Geyer stated that the mayor was not joking when he made his comment about annexing the township in.

Mr. Geyer spoke about a letter that makes it easy to annex. Trustee Kusmer had said he was going to talk to the City of Fremont about the covenant language in the agreement regarding annexation. Mayor Sanchez advised that he is not against removing covenant agreements.

Ballville Fire Dept. Chief Doug Crowell added that there is a positive side to the required waterline that runs up Buckland Avenue, done specifically for Lutz School. It helps the insurance ratings (ISO) for residents within 1,000 feet of the waterline who have city hydrants because their ISO rating is now a 4. He explained that ISO rating 1 is the best, and it goes down to a 10 (no fire department). In Ballville, there is an 8B rating for no fire hydrants. Extra credit is given for locations where water can be hauled in. He encouraged residents to speak with their insurance agents if they have city water hydrants for fire protection because their insurance rates will go down. Rural water users get their water from NORW, and the tops of their hydrants are painted black to indicate they are just for domestic use, maintenance and flushing of lines only. The fire department cannot connect to them. The only hydrants in the township that support fire-fighting are the city's hydrants.

Brent Binkley stated that it was a waste of money for the fiscal officer to send out letters to board members regarding OPERS.

HEALTH DEPARMENT REPORT – Rick Geyer
Commissioner Scott Miller said it is important to form a good opinion about the Health Department and suggested that residents go online and look at what they do for us. Trustee Geyer said this renewal levy has to be passed, and he clarified that it is a renewal. He pointed out that if the levy is not passed, the Health Commissioner can assess the township $80,000 next year, but it could be for any amount. The township will end up paying for it somehow.

Mr. Binkley asked what would keep them from passing the levy and having the Health Department take the township's money anyhow. Commissioner Miller said there are lots of rumors and the amounts are just estimates.

Trustee Geyer apologized and stated that the Health Commissioner's contract was renewed recently, but he misspoke when he said she had received a raise - she did not. Chairman Kusmer said the Health Department assessments are being discussed at the state level and with OTA.

CEMETERY BOARD REPORT - Jack Ferguson and Jim Gillis
Mr. Gillis said there is not much to report. The township will soon start cleaning the cemeteries up.

The sealing of the McGormley Cemetery Veteran's monument, work and materials, has been estimated by Anstead Construction to be $1,000. A purchase order will be prepared for $1,000. Mr. Gillis spoke about the veterans' flags for November 11, Veterans' Day.

Superintendent Lagrou advised that there is a funeral at the end of the month. The township crew will be trimming before winter hits.

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector
Mr. Bain reviewed the Ballville Township Zoning Report from October 15, 2019, which was entered into the township's meeting minutes.

PARKS BOARD REPORT - Bill Lagrou and Kerry Wood
Mr. Wood reported that the board discussed LED lights at last night's meeting. He got information from Valley Electric, and Tom Hoffman from Valley Electric was present tonight. Mr. Wood advised that there are two types of bulbs and the township can either replace ballasts or go with the one with it. There has been a noticeable cost savings with the LED lighting that has been installed.

The children's Halloween party is scheduled for October 30 at 7:00 p.m. in the back shelterhouse.

Chairman Kusmer provided an update on the Chudzinski Johannsen Park. The road and curbs are completed. The contractor is just about done and his bulldozer has broken down. Curb damage will be repaired. The state grant has paid for this, along with donations, etc. Money from the state totaled $300,000. Representative Bill Reineke helped with that. The grant money has to be spent by June, 2020. It is hoped that there will be a second round of grant money available, and part of the process includes looking at what was done with the previous phases.

Todd Lindsay asked about maintenance of the new park, and asked who paid for spraying two years ago. He had paid rent to the township on the farmland. Discussion took place. He compared this to having a pool put in. The maintenance on the new park is coming from the citizens. Mr. Wood explained that we must get the grant money or someone else is going to get it. Mr. Lindsay said sometimes it costs you when you get free money.

Mr. Wood said the new park will help the community. Mr. Lindsay asked about all the projects the township has going, yet it needs money. Ballville has always had money. He stated that the estate tax was taken away and there was no plan. Discussion ensued. Trustee Kusmer explained budget cuts that have been made. Scott Goodwin asked about new buildings.

Mr. Kusmer said that the township has saved for the salt building because the existing steel salt storage building is falling apart; salt storage has been hard on it. The storage building in Hydraulic Park is falling apart. The township plans to move items stored at Hydraulic Park to the township's current salt storage location, and add the salt building to store salt. The township did purchase three acres across the road to centralize township maintenance/storage instead of using 3-4 places.

Salt contracts vary from $30-$110 a ton. The township wants to hold a three year supply of salt and purchase it when the cost is down. Currently, there is salt stored (at no charge) with the city and at the township's facility, but oftentimes the crew has to travel with their equipment to get the salt. Mr. Kusmer said the plan to add the salt bin is a solution because there is a building that is falling down at Hydraulic Park. The salt bin should pay for itself in 3-4 winters.

Mr. Binkley said that he overheard comments from the mitigation meeting at 4:30, and that the mitigation plan would allow a township house building to be built. It was discussed that this was the first the township had heard of this option with the hazard mitigation plan, which is for the whole county. The federal government will give 75% for problems - storm water, etc. There is a new program coming called BRICK which is all infrastructure. It was discussed that perhaps this could be used for the new facility across the road.

Mr. Lagrou has training next Wednesday for well-water training.

Discussion took place on the Chudzinski Johannsen Park development. Chairman Kusmer advised that he met with Camp Fire to explain the project and address any concerns they may have. Camp Fire will post "No Trespassing" signs on their property for users of the park. Chairman Kusmer will draw up an easement. Camp Fire will be able to use the new park property.

The Conner Park Restrooms will be closed at the end of the month.

Discussion took place on the Expression swingset and the completion of the Conner Park roofing project, recently discussed by the township. Mr. Lagrou received a written estimate from S &S of $4,800.00 to complete the work, the same price as quoted when the roofing project began a few years ago. A reallocation resolution to allow POs for these items, as well as reallocation from the trustee salary line item to township house repairs was presented.

Mr. Klausz made a motion, seconded by Mr. Geyer, for reallocations in the General Fund. The motion passed following a roll call vote: Mr. Geyer - Yes; Mr. Klausz – Yes; Mr. Kusmer - Yes; as Resolution 2019-27:

RESOLUTION 2019-27
A Resolution of the Board of Trustees of Ballville Township reallocate among account line items within the General Fund.

The OSS grant is still open-ended. Lagrou said there is no penalty if we do not use it now. After discussion, it was agreed that the OSS grant pays 25% and the other 75% would come from township. The township made such a high obligation in order to get the grant.

The Parks Board meeting minutes from October 14, 2019 were entered into the township's meeting minutes.

ROAD SUPERINTENDENT REPORT – Superintendent Bill Lagrou
Dave Zimmerman advised Mr. Lagrou that the Kim Wright/Timpe Road work will probably be done at the end of October or early November. Maybe the township can use mitigation money toward the Timpe Road long-term drainage issues. The township's 25% share would probably be $150,000, and it was discussed that the assessments to those residents would be about $2,500. In the case of an emergency, the federal government might go as high as 100%.

A PO for $375.00 is needed for Wonderly Collision to hot-wax only the plow trucks. The pickups will be scheduled next year. Superintendent Lagrou believes there is a benefit from having this maintenance done on the trucks.

Superintendent Lagrou advised that the Garner PO should be good for year-end maintenance.

Mr. Lagrou's notary has been renewed through 2024.

Ed Delarosa signed the easement regarding the Kim Wright/Timpe Road drainage work.

Swapping costs with the county engineer for their use of mowing equipment and the township's mowing of the county's detention pond was discussed. County Engineer Carlos Baez will have to approve this, and it is believed the costs will come out close in the end.

Chairman Kusmer advised that the Issue II road repaving work for 2020 has been discussed with Mr. Baez.

Chuck Steinbauer does not want to be hired for this winter. Mr. Lagrou thinks it will be OK to finish the fall and winter with the four guys that currently work for the township.

OLD BUSINESS

The OPERS letters recently sent by Mrs. Ickes to volunteer board members regarding having to become members of OPERS was discussed. Jack Ferguson advised that he has talked to OPERS and other people, including a fiscal officer, who have told him the letter didn't make any sense to them.

Mr. Binkley said that the reason the two (zoning) board members whose resignations are on tonight's agenda quit was because of Mrs. Ickes. Mrs. Ickes advised that one of them had indicated about two years ago that he was considering quitting because of personal obligations. She said that Mr. Binkley's blame will rest on her shoulders. Mr. Binkley stated that he does not serve on a board, and this is why.

Mrs. Ickes explained that OPERS had advised her this action needed to be taken after she requested a determination of volunteer status from OPERS after the passage of the June 18, 2019 new employee handbook. This is information she has gathered from discussion and emails with OPERS and they had indicated their determination was that volunteers must become members of OPERS. She had informed the trustees of this at a meeting recently. The trustees took no action and, since this is more administrative in nature, she sent the letters to the volunteer board members. This letter has apparently been very upsetting. She also advised that there will be a new fiscal officer for the township.

She stated that she has made some very unpopular changes in the township. There are things that had always been done that have been discontinued; new things have been implemented that were not done previously; the fiscal officer is "mean". She advised that she does not just act, but researches things first. She noted that she has done her job.

Mrs. Ickes then reported that the state auditor just completed a two-year audit of the township and it was a good audit.

Mrs. Ickes added that OPERS is like the IRS – they have rules, and ignorance is no defense. She has told OPERS this OPERS membership requirement seemed unreasonable and would leave the township unable to fill their boards.

Mrs. Ickes apologized that so many people are upset by the letter; however it would be a disservice to not notify board members that there may be adverse affects from OPERS membership based on their personal circumstances.

At the October 1 meeting, the trustees indicated they wanted a written, formal request from them to OPERS for the determination to be made regarding membership in OPERS for volunteer board members. The letter will be sent to OPErS now that all of the trustees have signed the letter.

Dick Hoffman advised that this OPERS membership did not affect him. Sue Babione thanked Mrs. Ickes for looking into this.

Mr. Geyer made a motion, with a second by Larry Bilbrey, to accept the resignation of Brad Stearns, Board of Zoning Commission member, and Larry Bilbrey, Board of Zoning Appeals, with regret. Upon a vote, Mr. Geyer – Yes; Mr. Klausz – Yes; Mr. Kusmer – Yes; the motion carried.

NEW BUSINESS

Mrs. Ickes, fiscal officer has submitted her resignation as fiscal officer as of November 30, 2019. Brief discussion took place on the appointment of new fiscal officer through March 31, 2020.

There is nothing available at this time on the health insurance renewal information.

River Drive assessments will need to be done before September next year.

Mr. Geyer received a request for a security light on Tucker Road. A lighting assessment requires a petition, estimates, and assessments. It is an option for them to put up their own light(s). He also said he has received complaints about speeding on Tucker Road.

Tom Halm on Roselawn and his neighbor have asked about a catch basin. The township has done the first phase of this drainage project. Mr. Halm would still like a tree.

The September 30, 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 7:26 p.m. Upon a vote, Mr. Geyer - Yes; Mr. Klausz – Yes; Mr. Kusmer - Yes; the motion passed and the meeting was adjourned.

Respectfully submitted,

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Ellen K. Ickes, Fiscal Officer

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W. Robert Kusmer, Chairman