BALLVILLE TOWNSHIP TRUSTEES – REGULAR MEETING

AUGUST 2, 2022 5:30PM

The meeting was called to order at 5:30 p.m. With Chairperson Rick Geyer leading the Pledge of Allegiance. Also, present were Trustee Bob Kusmer and Trustee Mary Ann Reser.

Moved by Mrs. Reser, seconded by Mr. Kusmer, that the minutes of the July 19, 2022 meeting minutes be accepted with minor grammar changes. Upon a vote, Mr. Geyer – Yes; Mrs. Reser – Yes Mr. Kusmer –Yes.

FINANCIAL REPORT – Tom Ackerman

Tom Ackerman gave trustees fund status report. The only note is the three roads funds have nearly a million dollars in the funds with only major bill coming is Issue II with the normal payroll.

Moved by Mr. Kusmer, seconded by Mrs. Reser, that the rate schedule given by the county auditor known as resolution 6-2022. Upon a vote, Mr. Geyer – Yes; Mrs. Reser – Yes Mr. Kusmer –Yes.

Tom Ackerman is still working with Croghan Bank in trying to get them to get the rest of Oakwood Cemetery money.

PUBLIC COMMENT – Scott Welty of Emmett Drive brought up the grassy area on Emmett drive which is in the cul-de-sac turnaround. Neighbors has asked if we can leave it alone and the residents would maintain it rather then removing it which would allow easier access to trucks to turnaround. Other neighbors have commented that they use the area and kids like to play around that area riding bikes around it. After discussion the trustees decided to just leave the area alone as long as residents take care of the area until the road would need to repaved again which would probably be in ten years or so which then they can look at a different solution.

Dan Penn (zoning board chairman) asked question to Mr. Barney and Mr. Geyer. Dan said Mr. Geyer called him and said Mrs., Reser and Mr. Kusmer were not allowed to be at or partake in the zoning meetings. Mr. Binkley looked at Ohio revised code and did not see anything that would say they could not be there. Dan said he said he considered them public even though they are trustees they are public. Dan asked Mr. Barney for his advice. Rick Geyer said our last attorney said not to come because we could be pressure on you. Mr. Barney commented that there is nothing that requires you to exclude them and it's the boards meeting and it's a public meeting. The public is entitled to come but not entitled to participate. If the board feels pressure then you can exclude them from participating. They can both come but cannot do any business or it would be a trustees meeting. Rick makes good point if you feel they are putting pressure on you. You can keep them from participating. Dan said that answers his question.

Buchman Road residents stopped in to get an update on the tile issues to see what is going on. Mary Ann said she did talk with county commissioners and they need a cost estimate on what the project would cost. The county commissioners have currently given out all the money but if some of the money is not used by everyone that they could push some of that money in our direction. Bob Kusmer said they have talked to the contractors and Bob came up with a rough plan for them to do and the big issue is getting that run out to the river. Ballpark figure could be 175k-200k for that

project and Bob also said he talked to the county engineer to maybe go with us in this project and share some of the cost because they could use an outlet to the river too.

CEMETERY BOARD REPORT –

Chad Lindsay said for last month the income was 8,854.00.

He said they received the new mower and works great and Thank you.

Chad added he got all the stuff ready to go for the sale.

Bob Kusmer said he talked with Greg Streaker and the new excavator should be in by the end of month.

ZONING INSPECTOR REPORT - David Bain, Zoning Inspector

Dave passed out his reports ending August 2, 2022. Dave was not present to go over.

Jim Barney passed out papers regarding the Tim Pollard case. Since he hasn't done anything he has asked the court to grant a judgement on the case in our favor
Rick Geyer read over Dave's report.

Bob Kusmer in regards to zoning appeals. Bob wants to commend Dan Penn he found an error between zoning map and GIS that there is difference in the two areas. The area is general business.

Bob brought up another issue with Mr. Bob Turner. Bob asked Rick if he ever wrote letter to the City about that issue. Rick said no I did not and I want down and seen Mr. Turner and he took me through the property and I had no problem with it at all. Bob said it doesn't meet our zoning. Rick said Not down there at the park is where I went. Bob said at the kayak business. Rick said yeah, he cleaned it up and it looks wonderful. Bob said its not regards to that, we now have bait and tackle available which isn't part of the special permit. He got new building done their part of the special permit. They are having ax throwing, football bowling and there are four campers done there and that was not part of the special permit and should be removed or permitted. Rick said I didn't have a problem with it and not saying anything more about it. Bob said you going to let it go. Rick said I'm going to let it go and have no problem with it, zero. Brent Binkley said we have zoning board and you're not follow it. Rick said guess what someone else will have to go down to talk with him and I have no problem with it at all. Mary Ann said but it violates zoning. Rick said why don't you go down and talk to him. Mary Ann said you're the president. Rick said Why don't you go down and talk to him. Seriously why don't you go down and talk with him. Mary Ann said we were going to write a letter. Rick said yeah and I am not going to write a letter and if you want to go talk with him you go down and talk with him. I'm not joking with you. Mary Ann said we are going to allow one entity violate our zoning because you gave him permission so to speak. Rick said I did give per. Mary Ann said you said you don't see anything wrong with this. Is that not silently giving permission. Rick said No, No No. Mary Ann asked what is it? Rick said listen I don't have a problem with it. If you have a problem with it you go down and talk with him. Mary said there is zoning. Rick said then go down and talk with him. Mary Ann said you're the president. Rick it doesn't matter who I am. Who cares? Mary said I care. Rick said who cares what it is. Bob

Kusmer you are supposed to represent the township. Rick said I don't have anything that he says and he took me through the whole thing. No Problem. Someone from public asked if Mr. Bain went down there? Rick said no Mr. Bain did not go down there. Bob Kusmer said we asked Mr. Geyer to write a letter to the city. Rick said I am not going to do that cause the city is in favor of this park. They are in favor of it. The two people who he talked to very much in favor of it. They like it. Brent Binkley asked Does that make it right? Just because Sanchez and Frost probably appreciate it doesn't that make it right? Rick said I don't have any problem with it at all. Brent said why do we have our zoning and why do we spend our time? Rick said I don't, I don't know. Brent said that not an answer. Rick said I'm just saying I'm not going to talk with him anymore. I want don't to talk with him and if these guys have a problem they need to talk to him. Our zoning inspector needs to go talk to him. Brent said if don't have anyone to back him up then its not any use to do it. Rick said he has two people right here. Mary Ann said it's a three-person board. Rick said um huh. Bob asked to Rick your not willing to back him up? That's what your saying? Jack Ferguson said that really does not right the zoning inspector comes back with complaints and its up to you people. Rick said the zoning inspector I didn't think the zoning inspector went down there. Jack said why do we have a zoning board then cause it's there. There protection for all us in the township and why it put in print. We got one guy who wants violate everything and not just there on the river. Look at the garbage hole on Tiffin St. Brent Brinkley said why do you think its right for him to put that building up with a permit. I want to know why you think that alright? Rick said I don't know about that. Brent said that not an answer. Rick said that's my answer. Brent said then anyone else can just pop anywhere in Ballville and its alright with you? Rick uh huh. Mary Ann said nobody needs a apply for a permit for a building? Rick uh huh. Mary Ann asked Rick No we don't need to? Bob said they never got the building on top tied down. Mary said there is a new building down there with no permit. Bob said there probably isn't a commercial permit for it either. Brent Brinkley said there isn't something right about that. We spend our time writing these resolutions in zoning book and even if we don't write them we put our input in we might as well bang our head up against the wall. That's alright with you? Rick said I don't see any problem down there. Brent said why can't see a problem down there. Rick said I don't see a problem down there. Brent said why can't you see a problem down there. Rick said I don't see a problem down there. Brent said then you don't have your eyes open. Rick asked did you see it before. Brent said I seen it before. Why didn't the city take care of it before? Rick said I don't know why they didn't care of it before.

Mary Ann asked Mr. Barney so if nothing is done about the building that is sitting there which is not permitted. There is no permit bought for it. Does that open us up for liability from other residents when we go and tell them they need to have a permit. Jim Barney answered that I don't think it allows other people to put up buildings but I certainly think its hurts the credibility of township if you're only going to enforce certain people. Mr. Pollard put a building that didn't meet zoning and we are going after him. If someone else does it why doesn't the trustees go after that person. Whoever it is.

Brent Binkley asked who owns that property? Bob answered city of Fremont. The city did get a permit to run a kayak business out of that location. They got a special permit for that A-Frame building and to run a kayak business.

Bob is wondering if the county inspectors and have inspected the buildings there. Bob said he will go talk with the city since Mr. Geyer will not do it and we got to keep control of our zoning and we have to enforce no matter what your personal opinion and we are here to represent the township and the residents of the township and not our own individual feelings.

PARKS BOARD – Kerry Wood and Bill Lagrou

Bill said still working on bicentennial celebration.

Brown painting will get to the front restroom sometime in August.

ROADS SUPERINTENDENT – Bill Lagrou

Barker Road trying to get some prices to replace catch basin there. We might be able to do this job ourselves once we get that mini excavator.

Trustees Comments –

Rick Geyer – No comment.

Bob Kusmer – No comment.

Mary Ann Reser – Mary Ann connected the department of commerce because there was some question about the money from Oakwood and asked how someone could do an audit. The said they are currently auditing the endowment trust fund which they are currently doing. If someone wants to initiate an audit on the other funds you would have to on your own and going to the county prosecutor. They did not say how long the audit could take. Mary Ann said personally she is ok with the funds and everything I saw I don't believe anyone got their fingers in the funds and everything was in the market and markets are currently awful.

Old Business –

Newsletter.

Mary Ann told Rick at the last meeting we discussed this and left a copy of it. Rick said he got a copy of it. Mary Ann asked Is this something we want to do before we send too much time something that we really want to do? Rick said I don't care what you going to do? Mary Ann asked you care if we do it or don't care to do it? That's two different things. Rick said whatever let's move on. Mary Ann the reason I'm asking is there a part called the chairman's corner. Rick said that's what you put in there. Listen to me. You didn't even ask me if you could put my name in there. Ok you just put it in there cause you and I are on the same level. Ok, you are not my boss ok. So, you just put my name in there. You didn't even ask me about it. Mary Ann said you weren't here. Rick said yes, I was here I saw this the meeting before I left. This was on my (slams his desk), Mary Ann said you were not at last meeting when I brought this up. Rick said listen to me this was here before that last meeting and you had my picture already in there. You already did it ok. You didn't even ask if you could put it in there. You are not my boss. Ok Get it seriously. Bob Kusmer said this is just a rough draft. Rick said I understand that. Bob said if you don't want it in there we will pull it off. Rick said no problem but you didn't discuss it with me. Mary said I didn't discuss with anybody and what I said was this isn't it. It can be whatever we want it to be. Rick um huh. Mary Ann said if you don't like it or you don't want something then that's ok. Rick no problem. Mary said we can fix it and you don't have nasty, upset or get in my face. If you don't want a chairman's corner or you don't want to write it because there's a difference you don't want

to wire because you don't know what to say or you don't want in their cause you don't think it appropriate. Rick said here is what I wrote and passed out a letter to trustees. Also, I don't like that picture in there. I like the one with the hat. Mary said that's what on website. I asked them to change it but they didn't change it. (Letter attached at end of minutes). Mary said so. Rick said I think you should jump on board with me on this one. Mary asked who should? Rick said you two should jump on board with me on this one. Mary Ann said what I can say and again you don't have to do it, we can do, we should, shouldn't. When I read this, it sounds like a little bit of platform to me and I don't think this should be political or used as a platform. I think its to inform the residents about what's going on in Ballville township. Its to get news out there. If you want this I think you should put it on a postcard and send it to all the residents. Rick said no I don't need to do that. I tell you what if you don't want to include that then keep me off of it. No problem. Mary said I like part of it like calling people to action. Bill Lagrou said it would be nice to have more people get involved like zoning, cemetery or park boards and stuff. WE have to look for them and ask for people. Rick said if you don't want to include the whole thing, if you don't want to include the whole thing then leave me off and take my picture out. Then we send out whatever you got there. Mary Ann said oh Rick you make some things so difficult sometimes. Rick said I think you make difficult things. Jack Ferguson asked Rick do you realize you are public official part of this township? Rick answered this is what I wrote for this letter. Jack said that you don't want your picture or anything. Rick said not really, we are just going to sent out this thing informing them of other things and we don't have to have our picture on there. Jack said when I go places and see a public official. Rick said I don't have to have my picture on there no problem. Let's just send out you got out there the information no problem. Information no problem. That's what there attending to do. Mary said ok.

Mary asked Bill Lagrou if had anything written. He said no yet and will get information on what is going on with brush drop off and stuff.

She asked Tom Ackerman if he had anything and he said he talked about doing something about property taxes and where the money goes. What the township receives and where all the other money goes.

Bill asked if there was a cemetery section that him and Chad can work on. Mary Ann said yes there is and it can say whatever you want it to say. I'm a very visual for me to see things I need to type things in there so I can see what it looks like and doesn't have to be my words. This is just an example. Rick said informational, Mary said to use media to inform the residents. I am not in charge of this by any means I'm just bringing to the table to talk about it and set some deadlines for get it. Rick said I think you are in charge of it. Mary Ann said I'm not in charge of it. Rick said you wrote it up didn't you. Mary Ann said that doesn't make me in charge of it, just trying to get something done.

Legal notices came up in discussion. Jim Barney passed out a letter about the legal notices. Jim stated that everything needs to be published once with all this information. If you publish more then once then them could be done is a reduced form.

It was discussed that they way the notices are being done now will currently stay the same.

New Business – Bob Kusmer brought up he received a letter from Lori about the county road zoning issue with update that was going on. There is a trucking business still going on with it.

There being no further business, Mr. Kusmer made motion, seconded by Mr. Geyer, moved it to adjourn the meeting. Upon a vote, Mr. Geyer – Yes/A; - Mr. Kusmer – Yes; Mrs. Reser – Yes, the motion passed and the meeting was adjourned.

Respectfully submitted,

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Thomas Ackerman, Fiscal Officer

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Rick Geyer, Chairperson

These past several years have shown us many things. The most important thing is that citizens need to be involved in their local communities, holding their elected officials accountable. For far too long, your elected officials have gotten away with making decisions that are not always in the best interest of their constituents. They have gotten away with breaking the rules. This is not acceptable. I would like to give the residents of Ballville Township a call to action. Involved yourself in what is happening in your community. Acquaint yourself with Ohio's Sunshine Laws. A representative republic only works if those voting know what is going on. "It is the first responsibility of every citizen to question authority" (Benjamin Franklin).

Dr. Richard A. Geyer, Chairman

Richard Geyer
1909 Robert Ave.
Fremont, Ohio 43420

July 13, 2022

Ballville Township
2220 Tiffin Road
Fremont, Ohio 43420

Pursuant to 5 U.S.C. § 552a(b), this serves as my notice that I **do not** give consent to Ballville Township to publish my picture, name and title, or any personal contact information, including but not limited to, my personal email, my personal telephone number, or my personal cell phone number, in any form of media or publication made by the Township or by any officers or representatives of the Township. Serving as the Chairman of the Board of Township Trustees or as a member of the Board of Township Trustee does not require public disclosure of personal contact information. Personal contact information which has been provided to Ballville Township is private information which includes records subject to privacy rules and regulations. As such, I do not consent to any of my private contact information records being disclosed by Ballville Township or any representative of Ballville Township to the residents of the Township by any means of communication – written, oral, electronic, or mechanical. Should Township residents wish to contact me as it regards an issue within the Township, they can do so by the normal and customary means of contacting the Township office.

The only two exceptions to this do not consent notification are the currently published picture and biography on the Ballville Township website (which contains no private contact information) and the picture presentation normally displayed at the Sandusky County Fair in the Sandusky County Engineer's tent (which also should not contain any private contact information). Otherwise, no other personal contact information shall be disclosed at any time or for any reason. Any such disclosure of personal contact information and likeness shall be considered a violation of 5 U.S.C. § 552a(b) and subject to legal action.

Respectfully,

Richard A. Geyer

Richard A. Geyer