

RECORD OF PROCEEDINGS

Minutes of

Waterville Township Trustees'

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held at 7:30 p.m. at the Waterville Township Hall on December 9, 2009

ROLL CALL:

Chairman Brett T. Warner - Present
 Vice-Chairman Kyle J. Hertzfeld - Absent - Out-of-town
 Trustee A. Leslie Disher - Present

OFFICIALS:

Zoning Inspector Eric H. Gay - Present
 Solicitor Walter J. Celley - Excused
 Fiscal Officer Kay Ann Robertson - Present

GUESTS:

Craig Bauer, 7301 Chip Shot Lane, Waterville, Ohio 43566
 William and Jane Imes, 8791 Noward Road, Waterville, Ohio 43566

PLEDGE OF ALLEGIANCE:

Chairman Brett T. Warner called the meeting to order at 7:30 p.m. All who were present were asked to join Chairman Warner in reciting the Pledge of Allegiance. Roll was called and Trustees Brett T. Warner and Leslie Disher were present; and Trustee Kyle Hertzfeld was out of town and excused absent.

AGENDA:

The Agenda had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman Brett T. Warner:

Brett T. Warner made a motion to approve The Agenda for the December 9th meeting with the following additions:

- Old Business: - Discuss Green Waste
- Solid Waste Grant

Seconded by **A. Leslie Disher**.

MINUTES:

Motion Carried.

The minutes for the November 25, 2009, meeting had been prepared by Fiscal Officer Kay Ann Robertson and sent to each trustee prior to the meeting:

A. Leslie Disher made a motion to dispense with the reading of the minutes of the November 25, 2009, meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by **Brett T. Warner**.

RECEIPTS:

Motion Carried.

195-09 - Fifth Third Bank of NW Ohio - November autosweep interest	\$	120.13
196-09 - Lucas County Auditor - 2nd half personal property tax		4,480.42
199-09 - Lucas County Auditor - November allocation		4,292.86
200-09 - William J. Burkett - Permit #2009-27 - Fence		50.00
201-09 - Lonnie Perry Farms LTD - 2009 crop rent for Noward Road		1,800.00
202-09 - Fackler Monument Company - Wilson foundation - Wakeman		185.60
203-09 - Kevin Noward - Lot 288 SE 1/4 - Noward opening - Wakeman		650.00
204-09 - Lucas County Auditor - November allocation		5,610.24
203-09 - Maumee Municipal Court - November police fines		683.25

WARRANTS:

Total \$ 17,872.50

#32607 - Jonathan D. Burkett - Police wages	\$	388.39
#32608 - Russell E. Heger - Police wages		277.41
#32609 - Harry R. Kellett III - Police wages		862.86
#32610 - David L. Krego - Police wages		1,545.75
#32611 - Richard A. Ludwig - Supt. wages		965.47
#32612 - Dennis H. Meyer - Road wages		540.65
#32613 - Kay Ann Robertson - Fiscal officer salary and zoning wages		856.14
#32614 - John H. Sawicki - Police wages		331.85
#32615 - B. Eric Varner - Police wages		1,171.16
#32616 - Michelle L. Vollmar - Police wages		228.46
#32617 - Ohio Public Employees Retirement System - November retirement		5,886.05
#32618 - Toledo Municipal Court - Krego's garnishment		515.25
#32619 - Celley & Sanderson LLP - November solicitor fees		4,224.00
#32620 - Medical Mutual of Ohio - January hospitalization		6,155.96
#32621 - JLS Computer Services - Computer paper		69.87
#32622 - Village of Waterville - December water/sewer payment		37.46
#32623 - Waterville Gas Company - December heat payment		126.06
#32624 - Toledo Edison - December street lighting		165.57
#32625 - General Pro Hardware - November maintenance supplies		134.23

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Continued:

#32626 - D & R Power Equipment - Maintenance supplies	\$ 19.70
#32627 - Whitehouse Grain Inc. - 2009 salt storage	1,200.00
#32628 - Steve Rogers Ford - Police vehicle wheel assembly	140.82
#32629 - Superior Uniform Sales - Uniforms for Graham	171.50
#32630 - Toledo Edison - December Coventry Glen street lighting	361.16
	Total \$ 26,375.77

Brett T. Warner made a motion to pay the warrants that had been prepared by the Fiscal Officer Kay Ann Robertson and presented for payment. Seconded by Leslie Disher.

PUBLIC COMMENTS:

Motion Carried.

Business Owner Craig Bauer asked what, if anything, the township was doing about the leaves that the Village of Whitehouse dumped at a private residence on the corner of Neapolis-Waterville Road and SR 295. There are an estimated 100-150 loads. Both Trustee Warner and Trustee Disher have spoken to the village and so has the township's legal advisor. The Township is actively seeking to have the leaves removed due to zoning issues.

PUBLIC HEARING - Z22-C102 - BAUER'S SPECIAL USE AMENDMENT - GREEN WASTE:

Craig Bauer, Bauer Lawn Maintenance, had requested to amend his special use permit to permit "green waste" at his 8736 Noward Road location. The zoning commission had held their hearing and voted to deny the request. The trustees have a hearing scheduled for December 23rd. Craig Bauer presented the following letter this evening:

"To Whom It May Concern:

This letter is being written to notify appropriate authorities that Bauer Lawn Maintenance, Inc. is withdrawing its application No. Z22-C102 to amend the special use permit to accept green waste.

Thank you, Craig Bauer, President"

SPECIAL PRESENTATION:

None.

OLD BUSINESS:

- 1) At the November 11, 2009, meeting, Solicitor Walt Celley drafted a resolution to initiate an amendment to the Waterville Township Zoning Resolution regarding waste disposal facilities. Chairman Brett Warner asked to have the resolution put on the agenda for next meeting and to put it ahead of "Public Comments."
- 2) Last meeting there was a discussion concerning the township's need to buy a new chipper. The one we have has seen better days. The township already has a grant that was going to be used for a green waste purpose and so far a site has not been located that was suitable by everyone involved. If we do not use the grant soon it will be lost. We need to issue a letter on township stationery requesting the funds. Using the money for a chipper in no way implies we are giving up on a green waste facility but rather using the money instead of losing the money.

NEW BUSINESS:

None.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From the Lucas County Engineer, the 2009 Bridge Inspection Report:
 - a. Davis Road Bridge No. 779 over Swan Creek Very Good
 - b. Winslow Road Bridge No. 782 over Lone Oak Ditch As Built
- 2) From the Lucas County Engineer, the 2009 Annual County Highway Mileage Certification Forms. Waterville Township has 7.24 miles of roadways. The forms were signed by the trustees and returned.
- 3) From the Lucas County Engineer, a notice that the Township's application for the Davis Road Improvement Project had scored a 94 and we have been awarded a grant of \$170,520.00 to do the project. This will take place in 2011.

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4) From the Lucas County Board of Elections, the certified results from the November 3, 2009 General Election for Waterville Township - Township Trustees (2 to be elected):

Kyle J. Hertzfeld	2422 votes
Brett T. Warner	1845 votes

5) From the Lucas County Auditor's Office, the 2010 Official Certificate of Estimated Resources. Projected Township Budget for 2010 is \$1,537,611.00.

6) From Mary Taylor Auditor of State, Bulletin 2009-013 concerning the electronic filing of audit reports.

7) From Richard Cordray, a request to return the unused D.A.R.E. funds for the 2008-2009 year in the amount of \$1,494.10. This amount had been paid back on July 8, 2009, with check number 32297.

8) From Richard Cordray, a notice that Waterville Township had been awarded a D.A.R.E. grant for 2009-2010 in the amount of \$5,733.00.

9) From Maumee Municipal Court, check number 24510 in the amount of \$683.25 for police fines collected for the month of November, 2009.

10) From Lonnie Perry, payment of the 2009 farm rent for the Township property on Noward Road. He will be in after the first of the year to make arrangements to farm the property next year.

11) From the Ohio Public Employees Retirement System: a. Rules change means penalties will be assessed for late payments on Early Retirement Incentive plans; b. Forms revised to accommodate Roth IRA rollovers; new editions available via OPERS Web site; and, c. 2010 IRS Compensation and Contribution Limits.

12) From the Lucas County Common Pleas Court, a notice that the Township is a defendant in a case involving 4D Farms with Earl J. Rice as their attorney. 4D Farms had filed a conservation easement with the township in hopes of preventing US 24 from constructing the highway across their property. That failed and now in order to sell the property to ODOT, the conservation easement must be revoked.

POLICE:

Chairman Brett Warner has been in touch with Sgt. Eric Varner and Jeffrey Graham has been sworn in. Trustee Disher asked to have Officer Graham attend a meeting so everyone can meet him.

ROAD AND CEMETERY:

1) Regarding the proposed purchase of a new chipper, a bid has been obtained from Mc Cabe Equipment and one from D & R Equipment. The trustees would like a third bid. Craig Bauer is in that line of work and he stated that right now there are a number of rental businesses going out of business and maybe we could get a better heavy duty chipper for less money.

2) The spray-patch man was going to do some work on Davis Road. If he has another nice day he will see what he can do with Noward Road. Even though we did not designate Noward Road as a haul route, it is taking a beating. We feel Beaver Excavating should be maintaining the road. Chairman Warner has been having ongoing discussions with them.

ZONING:

1) Twenty-eight (28) permits to date.

2) Inspector Eric Gay spoke with Russ Schifferly about what they expect our police department to do when their park rangers are not on duty at the Blue Creek facility on Schadel Road. Chairman Warner will speak to Sgt. Varner.

3) With the work finished on the updates to the Land Use Plan, the zoning commission is suggesting we consider an overlay district for the US 24 Bypass corridor. The Land Use Plan updates have been sent to the Lucas County Plan Commission and they will be on their January agenda. There was a question as to whether the zoning commission has to have a hearing on the updates or just the Trustees. Planner Molly Maguire will not be at the December zoning meeting.

4) Solicitor Walt Celley is working on language for a zoning amendment regarding "green waste." Inspector Gay and Planner Maguire are letting him do the research. Chairman Brett Warner is also in touch with various entities throughout the state via email. We will discuss it next meeting.

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Continued:

SOLICITOR:

Excused.

BOARD CHAIRMAN:

1) On December 14th, Chairman Brett Warner plans to attend the Village of Waterville council meeting. They plan to discuss the fire contract renewal. Chairman Warner has also been in discussions with private ambulance companies in case things do not go well with Waterville. Whitehouse is also willing to take on more territory. We are keeping all of our options open.

2) Chairman Brett Warner has been talking to the EPA and other attorneys about the green waste situation. It is a problem all over the state. He would also like it to be on the agenda at the Ohio Township Winter Convention.

3) A letter was sent to the county sheriff concerning the amount Waterville will be able to pay for dispatching. It was received and acknowledged but we have not heard back.

TRUSTEES:

Leslie Disher: Trustee Disher mentioned he had been at a gathering at Wheeler's Christmas Tree Farm and other township trustees had been present. None of them had signed an agreement with the county sheriff's office for dispatching or for police protection.

Brett Warner: Trustee Warner explained that the 9-1-1 levy funds were for the purchase of equipment only not for dispatchers. No operating costs were included. Currently, the sheriff picks up the tab for dispatching.

Leslie Disher: The Village of Whitehouse was supposed to do a drainage project on Cemetery Road of which the township would have a share in the cost, but they have not gotten to it yet.

Kay Robertson: Judy Clemens had called to let us know that the leaf collection fee this year is almost \$3,000.00 higher - they did not raise their price this year, there were more leaves.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

There being no further business, Brett T. Warner made a motion to adjourn. Seconded by A. Leslie Disher.

Motion Carried.

Adjourned at 8:32 p.m.

Attest: Kay Ann Robertson

Trustees Leslie Disher
Kay Robertson
Brett T. Warner