

RECORD OF PROCEEDINGS

1413

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 August 12, 2009

ROLL CALL:

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

OFFICIALS:

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

GUESTS:

Karen Berger, Reporter for "The Mirror"
Squire Young, 8656 Noward Road, Waterville, Ohio
Christine Major, 8656 Noward Road, Waterville, Ohio
William Imes, 8791 Noward Road, Waterville, Ohio
Lou Leasor, 10020 Hertzfeld Road, Waterville, Ohio
Michelle K. Tippie, 6644 Texas Street, Whitehouse, Ohio
Ann Cherry, 7656 Shoemaker Drive, Waterville, Ohio
Karen Schneider, 7035 Finzel Road, Whitehouse, Ohio
Peter Rancatore IV - 6133 Connemara Court, Maumee, Ohio
Peter Rancatore, Lucas County Deputy Auditor, 6133 Connemara, Maumee

PLEDGE OF ALLEGIANCE:

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

AGENDA:

The Agenda had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Vice-Chairman Kyle J. Hertzfeld:

A. Leslie Disher made a motion to approve The Agenda for the August 12, 2009, meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Vice-Chairman Kyle J. Hertzfeld. Seconded by Kyle J. Hertzfeld.

MINUTES:

Motion Carried.

The minutes for the July 22, 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 July 22, 2009, meeting and to approve the minutes with no corrections, additions or deletions. Seconded by Kyle J. Hertzfeld.

Motion Carried.

RECEIPTS:

Table with 2 columns: Description and Amount. Includes items like State of Ohio Liquor Control, Fifth Third Bank of NW Ohio, Lucas County Auditor, etc.

WARRANTS:

Table with 2 columns: Warrant Number and Amount. Includes items like Jonathan D. Burkett - Police wages, Kathleen M. Hartle - Police wages, etc.

continued.....

RECORD OF PROCEEDINGS

Minutes of _____

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Held _____ at 7:30 p.m. at the Waterville Township Hall on August 12, 2009 _____

Continued:

#32348 - Kay Ann Robertson - Fiscal officer salary and zoning wages	\$ 852.23
#32349 - John H. Sawicki - Police wages	206.30
#32350 - B. Eric Varner - Police wages	1,149.76
#32351 - Michelle L. Vollmar - Police wages	147.34
#32352 - Ohio Public Employees Retirement System - July retirement	6,692.02
#32353 - Celley & Sanderson LLP - July solicitor fees	2,200.00
#32354 - Medical Mutual of Ohio - September hospitalization	6,064.21
#32355 - Fort Dearborn Life Insurance - August life insurance	61.21
#32356 - Treasurer of State of Ohio - 2006/2007 audit services	1,604.80
#32357 - Hope United Methodist Church - Memorial for Robert Brown	50.00
#32358 - Community of Christ Lutheran Church - Floodplain meeting site	50.00
#32359 - Toledo Edison - August electric	194.07
#32360 - Village of Waterville - August water payment	37.46
#32361 - Waterville Gas Company - August heat payment	33.00
#32362 - Toledo Edison - August township street lighting	168.79
#32363 - General Pro Hardware - July maintenance supplies	6.40
#32364 - Hanson Aggregates Inc. - Berm stone	249.91
#32365 - Anthony Wayne Board of Education - July gasoline	1,142.49
#32366 - Ohio Department of Job & Family Services - Taylor unemployment	941.08
#32367 - Alltel - August mobile police phones	66.06
#32368 - Toledo Edison - August Coventry Glen street lighting	363.14
	<u>363.14</u>

Total \$ 28,388.71

A. Leslie Disher made a motion to pay the warrants that had been prepared by the Fiscal Officer Kay Ann Robertson and presented for payment. Seconded by Kyle J. Hertzfeld.

PUBLIC COMMENTS:

Motion Carried.

Ann Cherry: Ms. Cherry is the President of "AWAKE" an Anthony Wayne Community Coalition for a Safe and Healthy Community. She had some startling figures in regards to the youth in our community and their drug and alcohol use. There have been two (2) heroin overdoses in the past month. Her group is trying to put together a diversion program.

Ann Cherry: The summer park program was a huge success this year and a thank you for the township's part in the program.

Bill Imes: Mr. Imes questioned what Craig Bauer's situation is. Solicitor Walt Celley states he just heard of Mr. Bauer's plan to present a power-point show outlining his proposal for a recycling facility on his property. Solicitor Celley states there are legal issues to be addressed, namely, if Mr. Bauer's special use permit needs to be amended to allow him to add a recycling facility. Solicitor Celley recommended to Mr. Bauer that he not make his presentation.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION:

1) Craig Bauer had been scheduled to put on a power-point presentation in support of adding a grass and yardwaste recycling facility to his special use permit at his Noward Road address. Mr. Bauer thought he could just add the facility but zoning officials felt he needed to amend his special use. He was advised to not make the presentation until legal issues could be worked out. Solicitor Celley made the request not to attend.

2) At the July 22, 2009, meeting, the trustees had passed a resolution in support of adding a nine-tenths of one mill garbage levy on the November ballot. The Ohio Revised Code section cited granting townships the ability to put the issue on the ballot was wrong. Peter Rancatore, Lucas County Deputy Auditor, was present to return the resolution passed and get a new resolution with the proper Ohio Revised Code section:

RESOLUTION #2009-12 OF THE WATERVILLE TOWNSHIP TRUSTEES WHICH RESCINDS RESOLUTION #2009-11 CONCERNING THE NECESSITY TO RENEW A NINE-TENTH MILL LEVY, EXCEEDING THE TEN MILL LIMITATION, TO PROVIDE FOR THE COLLECTION OF RECYCLING AND DISPOSAL OF WASTE AND TREE LEAVES.

continued.....

RECORD OF PROCEEDINGS

1415

Minutes of Waterville Township Trustees

Meeting

HARBETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held at 7:30 p.m. at the Waterville Township Hall on August 12, 2009

Continued:

The Board of Trustees of Waterville Township, Lucas County, Ohio met in a regular session of the Board on August 12, 2009, at 7:30 p.m.; whereupon the following was placed in consideration on the regular agenda of the Board:

WHEREAS, Resolution 2009-11, adopted by this Board on July 22, 2009, contained an incorrect statutory reference;

IT IS HEREBY RESOLVED, that Resolution 2009-11 shall be, and hereby is, rescinded and held for naught.

Trustee A. Leslie Disher moved and Trustee Kyle J. Hertzfeld seconded the adoption of the resolution and the roll was called on the question of the adoption; resulting as follows:

Brett T. Warner - Excused Kyle J. Hertzfeld - Yes A. Leslie Disher Yes

ATTEST:

I certify that this is a true and accurate copy of Resolution No.2009-12 passed in the regular meeting of the Board of Trustees, asforesaid.

Date signed: August 12, 2009.

Kay Ann Robertson
Kay Ann Robertson, Township Fiscal Officer

RESOLUTION #2009-13 OF THE WATERVILLE TOWNSHIP TRUSTEES CONCERNING THE NECESSITY TO RENEW A NINE-TENTH MILL LEVY, EXCEEDING THE TEN-MILL LIMITATION, TO PROVIDE FOR THE COLLECTION OF RECYCLING AND DISPOSAL OF WASTE AND TREE LEAVES.

The Board of Trustees of Waterville Township, Lucas County, Ohio, met at a regular session of the Board on August 12, 2009, at 7:30 p.m.; whereupon the following was placed in consideration on the regular agenda of the Board:

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation is not sufficient to provide adequate funding for the collection of recycling and disposal of waste and tree leaves for Waterville Township: and,

WHEREAS, there is currently existing a levy providing funds for the collection of recycling and disposal of waste and tree leaves at a rate not exceeding nine-tenths of one mill for each dollar of valuation for the purpose aforesaid; and

WHEREAS, there is a necessity to renew the currently existing levy with a resolution declaring the necessity of levying a tax under O.R.C.5705.19(V) outside the ten-mill limitation and certification of the same to the Lucas County Auditor, as will permit the Board of Trustees to consider the levy of such a tax and request that the Auditor certify to the Board of Trustees the total current tax valuation of the Township and the dollar amount of revenue that would be generated by the tax; and,

WHEREAS, the proceedings and hearings on this Resolution, and any necessary notices of such proceedings and hearings have all been undertaken, conducted and given in accordance with applicable law: now therefore,

BE IT HEREBY RESOLVED, by the Board of Trustees for Waterville Township, who voted as certified below; that is necessary to levy a renewal not exceeding nine-tenths of one mill for each dollar of valuation, in excess of the ten-mill limitation, for the collection of recycling and disposal of waste and tree leaves, and that such renewal should be in effect for another five-year period; and,

BE IT FURTHER RESOLVED, that the levy shall be placed upon the tax lists of the current tax year, commencing in 2009, first due in calendar year 2010, in compliance with O.R.C. 5705.19(V), if a majority of the electors vote in favor thereof; and,

BE IT FURTHER RESOLVED, that the question of such tax levy shall be submitted to the electors of Waterville Township at the election to be held on Tuesday, November 3, 2009; and,

BE IT FURTHER RESOLVED, that the Township Fiscal Officer is hereby directed to certify this Resolution to the County Auditor and Board of Elections, Lucas County, Ohio, with a request for a Certificate of Estimated Property Tax Revenue issued by the Lucas County Auditor.

continued.....

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 August 12, 2009

Continued:

Trustee Kyle J. Hertzfeld moved and Trustee A. Leslie Disher seconded the adoption of the resolution, and the roll being called on the question of the adoption, the vote resulted as follows:

Brett T. Warner - Excused Kyle J. Hertzfeld - Yes A. Leslie Disher - Yes

ATTEST:

I certify that this a true and accurate copy of Resolution #2009-13, passed in a regular session of the Board of Trustees; as aforesaid.

Kay Ann Robertson

Kay Ann Robertson, Township Fiscal Officer.

Date signed: August 12, 2009.

Certificate of Estimated Property Tax Revenue

The county auditor of Lucas County, Ohio, does hereby certify the following:

1. On August 12, 2009, the taxing authority of the Waterville Township certified a copy of its resolution adopted August 12, 2009, requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by nine-tenths (0.9) mills, to levy a tax outside the ten-mill limitation pursuant to O.R.C. §5705.19(V), for the purpose of collection of recycling and disposal of waste and tree leaves to be placed on the ballot at the November 3, 2009, election. The levy type is renewal.

2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$55,957.00.

3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$58,923,243.00.

Signed by Lucas County Auditor Anita Lopez.

Dated August 12, 2009.

Instructions:

1. "Total tax valuation" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of personal and public utility personal property for the first year the levy will be collected as set forth on the worksheet prescribed in conjunction with this form. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.

2. For purposes of this certification, "subdivision" includes any agency, board, commission or other authority authorized to request a taxing authority to submit a tax levy on its behalf.

3. "Levy type" includes the following: (1) additional; (2) renewal; (3) renewal with an increase; (4) renewal with a decrease; (5) replacement; (6) replacement with an increase; and, (7) replacement with a decrease, levies.

4. Please file this certificate with the subdivision as soon as possible, so the taxing authority can pass a resolution to proceed not later than 75 days before the election.

RESOLUTION #2009-14 OF THE WATERVILLE TOWNSHIP TRUSTEES TO PROCEED TO RENEW A NINE-TENTH MILL LEVY, EXCEEDING THE TEN-MILL LIMITATION, TO PROVIDE FOR THE COLLECTION OF RECYCLING AND DISPOSAL OF WASTE AND TREE LEAVES.

The Board of Trustees of Waterville Township, Lucas County, Ohio, met in regular session of the Board on August 12, 2009, at 7:30 pm, whereupon the following was placed in consideration on the regular agenda of the Board:

WHEREAS, on August 12, 2009, the Board of Trustees for Waterville Township passed a Resolution declaring the necessity to levy a renewal tax in excess of the ten-mill limitation under O.R.C. 5705.19(V), for the collection of recycling and disposal of waste and tree leaves for Waterville Township, at a rate not exceed-

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RECORD OF PROCEEDINGS

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Minutes of Waterville Township Trustees'

Meeting

BARRYT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form #101

Held at 7:30 p.m. at the Waterville Township Hall on August 12, 2009

Continued:

ing nine-tenths of one mill for each dollar of valuation, as is required to generate \$279,785.00 over five (5) years, based on the current assessed valuation of the Township in the amount of \$58,923,243.00; and,

WHEREAS, the Lucas County Auditor has certified to the Board of Trustees that the renewal dollar amount of revenue that would be generated by the tax levy during the first year of collection is \$55,957.00; and,

WHEREAS, the proceedings and hearings on this Resolution, and any necessary notices of such proceedings and hearings have all been undertaken, conducted and given in accordance with applicable law; now therefore,

BE IT RESOLVED, by the Board of Trustees:

- (1) That the Board desires to proceed with the submission of the question of a renewal tax levy for the collection of recycling and disposal of waste and tree leaves for Waterville Township, at a rate not exceeding nine-tenths of one mill for each dollar of valuation to the electors of Waterville Township; and,
- (2) That the tax levy will be for five (5) years, commencing in calendar year 2009 and first due in calendar year 2010, if approved by a majority of the electors voting thereon; and,
- (3) That the question of such tax levy shall be submitted to the electors of Waterville Township at the election to be held on November 3, 2009; and,
- (4) That the Township Fiscal Officer is hereby directed to certify to the Board of Elections, Lucas County, Ohio, not less than 75 days prior to the election, a copy of this Resolution #2009-14 to proceed on the question of levying the necessary tax as required by law.

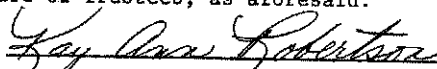
Trustee A. Leslie Disher moved and Trustee Kyle J. Hertzfeld seconded the adoption of the resolution and the roll being called, the vote resulted as follows:

Brett T. Warner - Excused Kyle J. Hertzfeld - Yes A. Leslie Disher - Yes

TO THE BOARD OF ELECTIONS, LUCAS COUNTY, OHIO:

ATTEST:

I certify that this a true and accurate copy of Resolution No. 2009-14, passed in the regular session of the Board of Trustees, as aforesaid:



Kay Ann Robertson, Township Fiscal Officer,
Waterville Township, Lucas County, Ohio.

Date signed August 12, 2009.

Peter Rancatore, Deputy Auditor for Lucas County, states that if the Township should find that they do not need all of the money that is being collected for the proposed levy, they can make an adjustment and collect a lesser amount.

Mr. Rancatore also discussed the re-evaluation of area farm ground. This is a process the state does every so often. Lucas County has not done this lately. They use various soil samples to establish the rate of tax. Mr. Rancatore states the farm values have gone up 83%. They have an outreach department at the county auditor's office, so you can talk with them.

Karen Berger: Ms. Berger is a reporter for "The Mirror" and she asked Peter Rancatore, Deputy Auditor, what an average property owner with a home worth \$150,000.00 could expect to pay in taxes for a nine-tenth mill for the garbage levy and his answer was \$42.53 per year. By letting the Township contract for the collection of garbage, the home owner is saving a lot over what they would have to pay if they hired for pickup on their own.

OLD BUSINESS:

At the last zoning meeting, Lucas County Plan Commission Planner Molly Maguire stated she could not submit the updates to the township land use plan until it was in its final form. What the zoning commission had received was a separate document not the updates incorporated into the existing document. Everyone felt that the original contract with Poggemeyer Design Group called for a final document with updates incorporated into one document. Solicitor Walt Celley will check the contract and resolve the issue.

continued.....

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Form 6101

Held at 7:30 p.m. at the Waterville Township Hall on August 12, 2009

Continued:

NEW BUSINESS:

Resident Don Heilmann had contacted the Township to see about releasing his conservation easement. Solicitor Walt Celley said that it was not a process he could handle - it had to be initiated by the resident. There are currently three (3) conservation easements recorded by the township. Solicitor Celley suggested the three property owners get together and hire one lawyer to get all three (3) released. That would be cheaper for everyone. So far, Trustee Les Disher has not heard back from Don Heilmann.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From the Toledo Regional Chamber of Commerce, a notice that they are replacing the Township's current life insurance carrier with a new one (Old: Fort Dearborn Life Insurance; New: Consumer Life Insurance). The Chamber sent the necessary paperwork to be completed and returned.
- 2) From the Village of Waterville, a letter stating they were going to form a 12-member "Comprehensive Plan Steering Committee" consisting of representatives of the various Village Boards and Commissions and representatives from the Waterville Chamber of Commerce, Waterville Township and the Anthony Wayne Schools. Les Disher stated he would be willing to represent Waterville Township. A letter was sent advising the Village.
- 3) From the Village of Waterville, a request to be a part of their 4th Annual Family Fun & Fishing Derby to be held on September 12th from 8:00 am to 1:00 pm at Waterworks Park. A decision will be made at the August 26th meeting.
- 4) From Fifth Third Bank, information regarding the Public Funds Pooled Asset Account as of June 30, 2009:

Fifth Third Bank (All Ohio Affiliates)

Total Pooled Deposits:	\$ 525,813,313.61
Total Market Value of Pooled Assets:	\$ 552,202,700.47
Required Collateral (O.R.C. 105%):	\$ 552,103,979.29

It is noted that the Pooled Assests had been running from one and a half billion and two billion dollars at the end of 2008. With all of the money problems in the country, Fifth Thirds assets dipped to four hundred and ninety-five million in March and have risen to five hundred and twenty-five million as of 6/30/09. It is hoped the upswing continues.

- 5) A notice from the Lucas County Auditor, Anita Lopez, that the auditor's office renently received the adjusted 2009 soil values from the State of Ohio and their office has recently scheduled a workshop on August 20, 2009, at the Region 2B UAW Hall, 1691 Woodlands Drive, Maumee, Ohio, beginning at 10:00 am.
- 6) From the Maumee Municipal Court, check number 24334 in the amount of \$941.00 for police fines collected for the month of July, 2009.
- 7) From the Frank Gates Service Company, a thank you for continued participation in the Ohio workers' compensation group ratings program. Membership in the group plan saves the township thousands every year.

POLICE:

Monclova Township has requested a bid from our township to provide police coverage for their township. This will be discussed at the August 26th meeting.

ROAD AND CEMETERY:

- 1) Trustee Les Disher has the bids to repair the drives in Wakeman Cemetery so he asked to discuss this at the August 26th meeting.
- 2) The hoist is broken on the old one-ton truck and Road Supt. Ludwig was asking if he should call Kalida or try to fix it himself. One of the trustees would talk to the Supt.
- 3) Apparently there had been a request for T-shirts and sweatshirts for the maintenance workers. The road supt. had gotten prices from "Look at Me". A decision will be made next meeting.
- 4) A Township Road Review was received from the Lucas County Engineers office. It will be on the August 26th agenda when all three trustees are present.

continued.....

RECORD OF PROCEEDINGS

1419

Minutes of Waterville Township Trustees'

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 8101

Held at 7:30 p.m. at the Waterville Township Hall on August 12, 2009

Continued:

ZONING:

- 1) Seventeen (17) permits to date.
- 2) There is another complaint of grass not being mowed at the property owned by Lawrence Anderson, 6135 North River Road. Solicitor Celley will send a letter.
- 3) Rob Burkett, 9441 Dutch Road, is filling out an "ag" exempt form. He wants to build an equipment barn.
- 4) James and Terry Bersee, 9220 Noward Road, are filling out an "ag" exempt form. They would like to plant an orchard and have a farm market in the future.
- 5) It was thought it would be a good idea to have a representative from Mosser/Beaver Construction come to a trustees' meeting once a month (last meeting of the month). They are already doing this in Providence Township with Miller Bros. It will be a good way to keep track of the construction progress on the US 24 bypass and to answer any questions that come up. Blasting starts on August 17th.
- 6) Inspector Gay has been contacted by the church using the Rocky Ridge property about putting their sign over the Rocky Ridge sign - there was already a permit for the sign so the wording doesn't make any difference.
- 7) A complaint was received from Mrs. Robert Zeigler, 9175 Neapolis-Waterville Road, concerning the weeds not being mowed across the street from her. Trustee Brett Warner has the address to contact the property owner and he will make an attempt.

SOLICITOR:

- 1) Solicitor Walter Celley has reviewed his billings from January 1, 2009, and he finds there have been approximately \$3,400.00 spent on the borrow pit process. Starting this month, he will do a breakdown on his fees so the trustees can see how much the township is spending on what.
- 2) Craig Bauer's attorney and Solicitor Celley have been in contact to see how they should proceed with the handling of the proposed "green waste" facility Mr. Bauer wishes to add to his Noward Road property.

BOARD CHAIRMEN:

None - Excused out of town.

TRUSTEES:

Kyle Hertzfeld: Trustee Hertzfeld suggested he invite Jim Bell, who manages the township website, to a meeting so we can address issues directly.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

There being no further business, A. Leslie Disher made a motion to adjourn. Seconded by Kyle J. Hertzfeld.

Motion Carried.

Adjourned at 8:37 p.m.

Attest:

Gay Ann Robertson

Trustees:

A. Leslie Disher
Kyle J. Hertzfeld
Brett Warner