

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 November 11, 2009

ROLL CALL:

Chairman Brett T. Warner - Present
 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:

William and Jane Imes, 8791 Noward Road, Waterville, Ohio 43566
 Craig and Lori Bauer, 7301 Chipshot Lane, Waterville, Ohio 43566
 George Cole, 5926 Winslow Road, Whitehouse, Ohio 43571
 Lou Leasor, 10020 Hertzfeld 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 all three trustees were present.

AGENDA:

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

A. Leslie Disher made a motion to approve The Agenda for the November 11, 2009, meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman Brett T. Warner. Seconded by **Brett T. Warner**.

MINUTES:

Motion Carried.

The minutes for the October 28, 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 October 28, 2009, meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by **Brett T. Warner**.

RECEIPTS:

Motion Carried.

| | | |
|---|-------|--------------|
| 177-09 - Fifth Third Bank of NW Ohio - October autosweep interest | \$ | 109.13 |
| 178-09 - Lucas County Auditor - Manufactured home settlement | | .21 |
| 179-09 - Avenging Hill Farm - Permit #2009-05 - Deck | | 50.00 |
| 180-09 - James and Karen Cousino - Permit #2009-25 - Garage addition | | 50.00 |
| 181-09 - Wells Funeral Home - Lot 286 NW 1/4 - Louy opening - Wakeman | | 650.00 |
| 182-09 - Witzler-Shank Funeral Home - Wheeldon opening - Wakeman | | 250.00 |
| 183-09 - Lucas County Auditor - October allocation | | 5,650.22 |
| 184-09 - Oberlin-Turnbull Funeral Home - Schmuhl cremation - Wakeman | | 150.00 |
| 185-09 - Patrick O'Riordon - Lot 59 Space #7 - Whitehouse Cemetery | | 200.00 |
| 186-09 - Lucas County Auditor - H.B.66 | | 41,488.07 |
| 187-09 - Maumee Municipal Court - October police fines | | 460.00 |
| | | <hr/> |
| | Total | \$ 49,057.63 |

WARRANTS:

| | | |
|--|----|----------|
| #32545 - Jonathan D. Burkett - Police wages | \$ | 296.44 |
| #32546 - Russell E. Heger - Police wages | | 360.66 |
| #32547 - Harry R. Kellett III - Police wages | | 874.30 |
| #32548 - David L. Krego - Police wages | | 1,141.43 |
| #32549 - Richard A. Ludwig - Supt. wages | | 944.71 |
| #32550 - Dennis H. Meyer - Road wages | | 466.19 |
| #32551 - Brian A. Petrell - Cemetery wages | | 361.98 |
| #32552 - Kay Ann Robertson - Fiscal officer salary and zoning wages | | 852.23 |
| #32553 - John H. Sawicki - Police wages | | 295.29 |
| #32554 - B. Eric Varner - Police wages | | 1,180.34 |
| #32555 - Michelle Lynn Vollmar - Police wages | | 309.64 |
| #32556 - Ohio Public Employees retirement System - October retirement | | 6,279.35 |
| #32557 - Celley & Sanderson LLP - October solicitor fees | | 2,420.00 |
| #32558 - Medical Mutual of Ohio - December hospitalization | | 6,117.38 |
| #32559 - Toledo Metro Area Council of Governments - 2010 Stormwater dues | | 327.00 |
| #32560 - Eric H. Gay - Mileage and expenses | | 69.12 |
| #32561 - Village of Waterville - November water/sewer payment | | 62.68 |
| #32562 - Waterville Gas Company - November heat payment | | 71.70 |

continued.....

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Continued:

| | |
|---|-----------|
| #32563 - Toledo Edison - November street lighting | \$ 165.57 |
| #32564 - General Pro Hardware - October maintenance supplies | 150.46 |
| #32565 - Superior Uniform Sales - Pants for Heger | 50.00 |
| #32566 - Toledo Edison - November Coventry Glen street lighting | 361.16 |
| #32567 - Spengler Nathanson LLP - October attorney fees | 450.00 |
| #32568 - Treasurer of State of Ohio - Financial audit fees | 166.23 |
| #32569 - Toledo Edison - November electric payment | 165.10 |
| #32570 - Anthony Wayne Board of Education - October township fuel | 1,773.47 |

Total \$ 25,712.43

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 **Kyle J. Hertzfeld**.

PUBLIC COMMENTS:

Motion Carried.

None.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From Stapleton Insurance & Risk Mgmt, a Certificate of Liability Insurance in the amount of \$1,000,000.00 for JC's Leaf Collection.
- 2) From Maumee Municipal Court, check number 24465 in the amount of \$460.00 for police fines collected for the month of October.
- 3) From the Lucas County Budget Commission, a certified estimate for the County undivided local government fund for the 2010 calendar year. The county expects to receive \$24,108,347.82 which is down over 4.6 million dollars from last year. Waterville Township's share is estimated to be \$23,492.62 which is \$4,521.06 less than last year.
- 4) A letter from David S. Doane, 5755 Eber Road, in Waterville Township. Mr. Doane addressed the alcohol incident with Waterville Township Police Chief and how it was handled by the township. One of the news reporters did not report the incident correctly thus giving the public the wrong impression as to how it was handled by the trustees. Mr. Doane was contacted by Chairman Warner and given the correct facts. It is important to the township residents and the public in general that the incident was handled properly and above board.

POLICE:

- 1) Former Township Police Chief Bonnie Hearndon has been spending some time with Sgt. Eric Varner helping with procedural things in the department until a new chief can be hired. Chairman Brett Warner has received several letters of interest to fill the position of chief. He indicated that he would start to interview in the next several weeks.
- 2) The township has an excellent prospect to fill the D.A.R.E. officer position and started the process to see if the Anthony Wayne School System will accept him as a replacement for D.A.R.E. Officer Hartle.

ROAD AND CEMETERY:

Chairman Brett Warner did not meet with the representative from the spray-patch company but hopes to do so in the near future; however, he did speak with Swanton Township and they indicated that they had access to a spray-patch machine so our road workers could operate it and we would have to pay for the materials - more on the topic at a later date.

continued.....

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Continued:

ZONING:

- 1) Twenty-six (26) permits to date.
- 2) A permit is pending by Bill Burkett on Stitt Road for a fence around his barn.
- 3) A meeting is planned with Russ Schifferly of the Blue Creek Metroparks. He has been very good at keeping the township abreast of happenings at the park on Schadel Road.
- 4) George Cole, Glenn Banas, Kay Robertson and Inspector Eric Gay attended the recent Northwest Planning Conference. The most interesting speaker was Ford Weber director of the Lucas County Improvement Corporation. Mr. Weber stated that things are really deteriorating in Toledo. Also discussed at the conference was the subject of "home occupations." With the advent of the computer, more and more people are working from their homes; however, it is not this township's intent to classify all of these workers as having a home occupation. We are more concerned with the home occupations that have traffic in and out or employ more than family members. Solar panels, wind turbines and geothermo heating and how they could impact us were discussed.
- 5) Craig Bauer and his amendment to his special use permit were mentioned. Insp. Eric Gay had been out and took pictures of the leaves that had been dumped on his property by Whitehouse and Monclova Township. Zoning Chairman George Cole was present and he stated he was going to recommend to his committee that they deny Mr. Bauer's request for the amendment for composting. Reason being that the State of Ohio is in the process of dealing with the term "green waste" and "solid waste" and what is going to be allowed where. Townships all over the state are having the same problem since no one is allowed to burn. The way our zoning resolution reads at the present time is that "green" waste is "solid" waste and is only permitted in an industrial zoning with a special use permit.
- 6) Inspector Gay recently had phone calls from two different residents on US 24 about mounds in their front yards. The township had told them "no" and now the gun shop has a mound.
- 7) There have been questions raised about the bottom of the borrow pits and how far that is from the aquifer - the information we have is incomplete.

SOLICITOR:

- 1) Solicitor Walt Celley drafted a resolution regarding waste disposal facilities which would begin the process of the trustees amending the zoning resolution to permit a waste disposal facility in an M-2 District with a special use permit. Currently, the State of Ohio considers "green" waste and "solid" waste one and the same. Chairman Brett Warner feels that the state may be changing its position on the matter in January. Trustee Disher also states that the Ohio EPA may say grass clippings and leaves are not solid waste. Chairman Warner would like to study the resolution until the next meeting. He has made some contacts he would like to follow up on. In the O.R.C. apparently "green" waste is not defined and he feels that this is the bigger issue. Craig Bauer presented the group with copies of a notice that he was registered as a Class IV composting facility of 11/3/09.
- 2) The updates to the land use plan were reviewed by Solicitor Celley. He said that there seems to be no plan for a commercial area near the intersection of Neapolis-Waterville Road and the US 24 bypass. George Cole stated the committee discussed this and felt that since there was no on/off ramp there, commercial would not work in this area.
- 3) Solicitor Walt Celley mentioned that he would be a presenter at the OTA Law Director's Conference and at the OTA Conference in February, 2010.

BOARD CHAIRMAN:

None.

TRUSTEES:

Kyle Hertzfeld: Trustee Hertzfeld would not be able to attend the December 9th meeting.

Les Disher: Trustee Disher received more 2010 Census materials regarding annexed properties.

continued.....

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Continued:

Les Disher; Trustee Disher asked if anyone had had calls concerning the leaf collection - he noticed that three (3) places on Dutch Road had not been picked up. He will get in touch with the company.

COMMENTS:

Craig Bauer: Mr. Bauer appreciated Zoning Chairman Cole's comments and hoped that the trustees would act on the "green" waste issue.

Lou Leasor: Mr. Leasor pointed out that when they spread straw at the US 24 bypass construction site, they tore up Hertzfeld Road. He hopes they at least fix it for now.

Les Disher: Trustee Disher, Eric Gay and George Cole took a tour of the US 24 bypass site with Stan Allen of Beaver Excavating. It was very informational.

Les Disher: Trustee Disher announced that in observance of Veteran's Day, the township would like to thank all those serving our country.

Brett Warner: In regards to the sheriff's proposed dispatching fees, they are still under discussion. He is also talking with other entities.

Brett Warner: Chairman Warner has met with the Villages of Waterville and Whitehouse regarding the renewal of the fire contracts. He has explained what we are trying to achieve. They have another meeting planned for November 20th.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

There being no further business, Brett T. Warner made a motion to adjourn. Seconded by Kyle J. Hertzfeld.

Motion Carried.

Adjourned at 8:40 p.m.

Attest:

Kyle J. Hertzfeld

Trustees:

Les Disher

Kyle J. Hertzfeld
Brett T. Warner