

RECORD OF PROCEEDINGS

Minutes of

Waterville Township Trustees'

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10149

Held at 7:30 p.m. at the Waterville Township Hall on March 23, 20 11

ROLL CALL:

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

OFFICIALS:

Property Standards Officer James E. Fischer - Present
 Zoning Inspector Eric H. Gay - Present
 Solicitor Walter J. Celley - Present
 Fiscal Officer Kay Ann Robertson - Present

GUESTS:

Karen Berger, Reporter for "The Mirror", Maumee, Ohio
 Craig Bauer, 7301 Chip Shot Lane, Waterville, Ohio
 Amy Stone, Ohio State University Extension Lucas County, Ohio
 Jim May, Stevens Disposal, P.O. Box 500, Temperance, Michigan

PLEDGE OF ALLEGIANCE:

Chairman A. Leslie Disher called the meeting to order at 7:30 p.m. All who were present were asked to join Chairman Disher in reciting the Pledge of Allegiance. Roll was called and all three (3) trustees were present.

AGENDA:

The Agenda had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman A. Leslie Disher:

Kyle J. Hertzfeld made a motion to approve The Agenda for the March 23rd meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman A. Leslie Disher. Seconded by **Brett T. Warner**.

Motion Carried.

MINUTES:

The minutes for the February 23, 2011, 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 February 23, 2011, meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by **Brett T. Warner**.

Motion Carried.

RECEIPTS:

026-11 - Fifth Third Bank of NW Ohio - February autosweep interest	\$	75.29
027-11 - Lucas County Auditor - February real estate advance		65,000.00
028-11 - Metropolitan Reporting Bureau - Police accident report		3.00
029-11 - Lucas County Auditor - February allocation		4,920.36
030-11 - Lexis Nexis - Police accident report		3.00
031-11 - Lucas County Auditor - February allocation		5,567.90
032-11 - Maumee Municipal Court - February police fines		235.00
033-11 - Lexis Nexis - Police accident report		3.00
034-11 - Peinert Funeral Homes - House/Bucher openings - Whitehouse		600.00
035-11 - Edwin J. Garety - Lot 28 space #6 - Wakeman Cemetery		200.00
035-11 - Ohio Bureau of Workers' Comp - Early premium payment refund		5.11
036-11 - Peinert Funeral Homes - Metcalf opening and balance on Bucher		550.00
037-11 - Peinert Funeral Homes - Carlton Bucher opening - Whitehouse		400.00
038-11 - Lucas County Auditor - February real estate tax settlement		59,295.77
039-11 - Yark Automotive Group - DARE Program donation		100.00
	Total	\$ 136,958.43

WARRANTS:

#00002 - U.S. Treasury Voucher - February withholding deposit	\$	2,478.04
#33670 - Ryan A. Bellner - Road labor		456.33
#33671 - Cynthia A. Bergfeld - Police secretary wages		206.03
#33672 - Jonathan D. Burkett - Police wages		157.62
#33673 - Jeffrey M. Graham - Police and D.A.R.E. wages		964.35
#33674 - Russell E. Heger - Police wages		177.14
#33675 - Harry R. Kellett III - Police wages		776.11
#33676 - David L. Krego - Police wages		1,517.26
#33677 - Kenneth M. Kristoff - Police wages		171.69
#33678 - Richard A. Ludwig - Supt. wages		980.35
#33579 - Norbert J. Miller - Police wages		726.11

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Continued:

#33680 - Kay Ann Robertson - Zoning wages and Fiscal Officer salary	\$ 783.50
#33681 - James F. Shaw III - Police wages	71.74
#33682 - Michelle L. Vollmar - Police wages	151.21
#33683 - Michael S. Wright - Police wages	244.22
#33684 - Ohio Public Employees Retirement System - March retirement	6,273.10
#33685 - Celley & Sanderson LLP - February solicitor fees	2,068.00
#33686 - Medical Mutual of Ohio - April hospitalization	9,265.93
#33687 - Brett T. Warner - Convention meals	15.21
#33688 - Kyle J. Hertzfeld - Convention expenses	191.64
#33689 - Village of Waterville - March water/sewer payment	43.00
#33690 - The Waterville Gas Company - March heat payment	478.17
#33691 - Toledo Edison - March Coventry Glen street lighting	361.12
#33692 - Toledo Edison - March township street lighting	165.35
#33693 - General Pro Hardware - March misc. supplies	40.40
#33694 - D & R Power Equipment - Boss snowplow oil	15.90
#33695 - Treasurer of State of Ohio - Drug screen - Taylor arrest	144.00
#33696 - Haines & Company - 2011 Criss/Cross directory lease	369.01
#33697 - Steve Rogers Ford - D.A.R.E. vehicle repairs	584.85
#33698 - Sautter's Food Center - Misc. police supplies	14.87
#33699 - Russell E. Heger - (1) speed-feed stock set	77.60
#33700 - Ryan A. Bellner - Road labor	495.64
#33701 - Cynthia A. Bergfeld - Police secretary wages	206.03
#33702 - Jonathan D. Burkett - Police wages	380.72
#33703 - A. Leslie Disher - March trustee salary	798.79
#33704 - James E. Fischer - Property Standards Officer salary	639.13
#33705 - Eric H. Gay - March zoning salary	697.67
#33706 - Jeffrey M. Graham - Police and D.A.R.E. wages	1,082.54
#33707 - Russell E. Heger - Police wages	177.14
#33708 - Kyle J. Hertzfeld - March trustee salary	759.56
#33709 - Harry R. Kellett III - Police wages	875.58
#33710 - David L. Krego - Police wages	1,166.19
#33711 - Richard A. Ludwig - Supt. wages	935.01
#33712 - Norbert J. Miller - Police wages	676.63
#33713 - Kay Ann Robertson - Fiscal Officer salary and zoning wages	841.81
#33714 - James F. Shaw III - Police wages	241.73
#33715 - Michell L. Vollmar - Police wages	243.91
#33716 - Brett T. Warner - March trustee salary	747.37
#33717 - Michael S. Wright - Police wages	468.42
#33718 - Treasurer of State of Ohio - March state payroll tax	484.62
#33719 - Delta Dental Plan of Ohio - April dental insurance	276.68
#33720 - Waterville Commissioner of Taxation - 1st quarter payroll tax	64.21
#33721 - Whitehouse Commissioner of Taxation - 1st quarter payroll tax	163.76
#33722 - Toledo Commissioner of Taxation - 1st quarter payroll tax	423.90
#33723 - Maumee Commissioner of Taxation - 1st quarter payroll tax	25.40
#33724 - Kay Ann Robertson - March reimburse medicare	96.50
#33725 - Ohio Treasurer John Mandel - Local government conference	175.00
#33726 - Time Warner Cable - March highspeed internet	51.95
#33727 - Century Link - March township phone	86.65
#33728 - Toledo Edison - March electric	195.21
#33729 - Sandra L. Ludwig - March reimburse medicare	96.50
#33730 - Russell L. Robertson - March reimburse medicare	96.50
#33731 - A. Leslie Disher - February reimburse insurance	225.00
#33732 - Anthony Wayne Board of Education - February township fuel	2,734.15
#33733 - Waste Management of Ohio - February trash and recycling	3,960.00
#33734 - Norbert J. Miller - March reimburse for insurance	529.70
#33735 - Hanifan-Obenauf-Robinson Inc. - April police station rent	950.00
#33736 - B & L Auto Service - Repairs to Car 96	678.43
#33737 - Verizon Wireless - March police mobile phones	69.54
#33738 - Century Link - March police phone	175.48
#33739 - Fifth Third Bank - March police supplies	63.97
#00003 - U.S. Treasury Voucher - March withholding deposit	2,172.43
Total	\$ 55,199.30

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Continued:

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. A. Leslie Disher seconded the motion.

PUBLIC COMMENTS:

Motion Carried.

None.

PUBLIC HEARING - GARBAGE RFP PROPOSAL OPENING:

In January there were discussions concerning the garbage contract which had been bought from Fondessy Enterprises by Waste Management. The trustees were holding out making a decision until the City of Toledo decided if they were going to a private contractor and if that happened entities in the county were going to be able to piggyback on Toledo's contract. If we did not know anything by March 24, Solicitor Celley was going to send out RFP's to the known garbage haulers in our area. Solicitor Celley sent out ten (10) proposals and four (4) companies did respond. A copy of each firm's complete proposal was then provided only to the four companies who responded. No other proposals were to be accepted. All four firms were then given one opportunity to respond to the other proposals, although a response was not required. While price is one factor, it is not the only one and the contract will not automatically go to the lowest bidder:

- 1) Stevens Disposal, P.O. Box 500, Temperance, Michigan 48182: Up to 6 containers and unlimited bags along with bulk items and unlimited recycling service on an every other week schedule.....\$7.25 per unit *Could be subject to a fuel surcharge.
2) Allied Waste, 11164 County Road #4, Carey, Ohio, 43316: Unlimited garbage.....\$7.95 per unit per month every other week. Unlimited recycling.....\$3.00 per month.
3) Heartland Disposal Service, 7-192 U.S. Route 6, Napoleon, Ohio 43545: 1st & 3rd Tuesday - Garbage not to exceed (10) cans or bags - (1) bulk item \$7.62 per month for each residence. 2nd & 4th Tuesday - Recycling, only.....\$5.16 per month.
4) Waste Management, 1700 North Broad Street, Fairborn, Ohio 45324: (6) containers - unlimited bags - no charge for bulk items unless they contain freon - on an everyother week basis.....\$7.50 per month/unit.

Answers to above proposals must be received at the solicitor's office by April 13. A decision will be made at the trustees' meeting on April 27, 2011.

SPECIAL PRESENTATION:

- 1) Amy Stone from the Ohio State University Extension office was present to try and answer any more questions the trustees might have. They are asking for a \$875.00 contribution for their 2011 program. They began serving the area when there was the gypsy moth outbreak. They have worked on Monclova Township's tree inventory. Also the Davis Besse emergency program. The question was asked if they had any way of knowing how many calls come into their agency from residents in Waterville Township. Ms. Stone thought she could get that number for the trustees. They will make a decision at the April meeting.
2) Craig Bauer was present to announce that his compost facility at 10839 Sager Road, Swanton, Ohio 43558 is now open. It is called Ohio Compost and will be open Monday - Friday 8am to 6pm and Saturday and Sunday 9am to 5pm. He asked if we would object to putting a link on our website to his. Clean Wood has a link on our site now. The trustees had no objection. There will be a charge to drop off the waste: Bulk materials \$5.00 per cubic yard - Bagged material \$1.00 per bag up to 4 bags. Over (5) bags will get a cubic yard price. He will be also be selling mulch and topsoil as well as compost. A resident can haul in yard waste and haul the finished product back out.

OLD BUSINESS:

None.

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held at 7:30 p.m. at the Waterville Township Hall on March 23, 2011

Continued:

NEW BUSINESS:

None.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From Wade Kapszukiewicz, Lucas County Treasurer, an estimated estate tax distribution amount for the estate of Connie Mae Sterling - \$8,000.88.
- 2) From Maumee Municipal Court, check number 25230 in the amount of \$235.00 for police fines collected for the month of February, 2011. Also, from the Court, a CD copy of the Maumee Municipal Court's 2010 Annual Report. In regards to the annual report, Judge Gary Byers will be making a presentation on Tuesday, March 29, 2011, from 6 pm to 7 pm in the Courtroom of the Maumee Municipal Bldg. 400 Conant Street, Maumee, Ohio.
- 3) From the Ohio Department of Public Safety Bureau of Motor Vehicles, the March License Tax Statistics Report. Also from the Bureau, the March Permissive Tax Computation Report. Due the township is the sum of \$265.50.
- 4) From the Ohio Department of Transportation (ODOT), notice that they are developing the State Fiscal Year 2012-2015 Statewide Transportation Improvement Program (STIP). In conjunction with the program, ODOT District Two is hosting two (2) Open Houses. The first on 4/6/2011 at the District Two office in Bowling Green and the second at the TMACOG office on 4/13/11 in Toledo.
- 5) From the Ohio Department of Commerce Division of Liquor Control, a notice that on June 1st all permits to sell alcoholic beverages in our township will expire. The township can object to a renewal and request a hearing on any or all permits.
- 6) Mr. Robert Neubert, Lucas County, sent an email stating the Lucas County Ohio, Preliminary Digital Flood Insurance Rate Maps (DFIRM) will be final on August 16, 2011. For more information go to: <http://www.co.lucas.oh.us/index.aspx?NID=1302>.
- 7) The Lucas Soil and Water Conservation District sent a letter thanking the township for their support last year and asking for an appropriation for this year. It will be on the April agenda.

FISCAL OFFICER - OTHER FINANCIAL MATTERS:

The Ohio Local Government Officials Conference will be held in Columbus, Ohio, at the Hyatt Regency Hotel beginning April 5th through April 7th and the Fiscal Officer will be attending and would like her expenses covered:

Brett T. Warner made a motion to pay all annual Ohio Local Government Officials conference expenses for the fiscal officer. Expenses to include mileage, meals, parking, lodging, registration fees, etc. Seconded by A. Leslie Disher.

POLICE/FIRE:

Motion Carried.

- 1) One of our township residents had had an occasion to use an EMS transport to the hospital and he lives in the Waterville Fire District. He was billed for the transport. When this incident was brought to the township's attention, Trustee Brett Warner called the Village of Waterville. He was told that in May of 2010, they changed their billing practices and will be doing what they describe as "soft billing." What this means is they will send a resident a bill for transport services and they should then submit the bill to their insurance company. The village will then accept whatever payment the insurance company makes as payment in full. The township is not sure if Whitehouse is "soft billing", too.
- 2) The township police department has been flooded with vehicle accidents. Their count is up 75%. The reason could be weather and construction zones on SR 64 and US 24. If there is a fatality, they let the Ohio State Highway Patrol handle it.
- 3) Trustee Brett Warner spoke with DARE Officer Jeff Graham about the upcoming DARE graduation. Officer Graham has been doing an outstanding job and has restored integrity to the program. He is dealing with limited funds due to a lower grant funding which should be back on track next school year. His concern is that he would like to give out DARE t-shirts at the graduation (This has been a time-honored tradition) and he does not have the funds:

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Continued:

A. Leslie Disher made a motion to purchase DARE t-shirts for the graduation classes. Cost not to exceed \$2,000.00 and to be paid from the General Fund. Seconded by **Kyle J. Hertzfeld**.

ROAD/CEMETERY/REFUSE:

Motion Carried.

- 1) The Lucas County Engineer's Office sent the 2010 Township Highway System Mileage Certification. Waterville Township currently has 7.240 miles of roads it is responsible for. Three (3) copies were sent, all were signed and two (2) were returned to the engineer's office per their request, and one (1) copy was for the township file.
- 2) Noward Road is really bad and it is questionable if the township can wait until ODOT is finished with the US 24 Bypass project. Chairman Leslie Disher will contact them and see if they can attend the April 27th meeting.
- 3) The Road Superintendent Richard Ludwig put in a request to have a John Deere gator for use in the cemeteries. In some areas of the cemeteries, it is hard to get equipment maneuvered around so as not to damage existing grave spaces. If only one person is working, it would be a greater help. There could be a possibility of getting an used one. It will be discussed more at the 4/27/11 meeting.
- 4) A Gene Boros, 10040 South River Road, has mentioned that the refuse company is only dumping one of his garbage cans.

ZONING:

- 1) Two (2) permits to date.
- 2) The St George Equestrian Center has expressed a desire to put living quarters in the loft of the barn. The size of the operation requires two (2) people be living on the site. They can go one of two ways: File an appeal with the Twp. Appeals Board or split the parcel in two.
- 3) Keith and Lisa Tymiak, 7820 Finzel Rd, have applied for a home occupation to operate his vehicle repair business out of his garage. He has no employees and is going to put up a privacy fence to shield the operation from his neighbors.
- 4) Inspector Eric Gay has been working with Betty Schultz, Dutch Road. Her son fixes trucks in her horse arena. The son has promised to have only one semi tractor and one trailer. They've been given until 4/15/11 to comply.
- 5) The cell tower companies have been making inquiries concerning various areas for installations. Solicitor Walt Celley will check it out.
- 6) Bill Gernhueser, 7670 Noward Road, has inquired about an addition to his existing barn.
- 7) Internet gaming facilities are springing up all over. If one were to apply for a permit, it would require commercial zoning. Monclova Township is doing some zoning work in that area so we will wait and see what they come up with.
- 8) The office trailer at Coventry Glen has been there for five (5) years. The owners of the property have walked away. Solicitor Walt Celley will look into what can be done - he doesn't think it would take too much.
- 9) Inspector Eric Gay has been to the county auditor's for extensive training on the new ARIES applications.

PROPERTY STANDARDS OFFICER:

- 1) Last meeting it was mentioned that the zoning fee schedule had not been updated since 2007. The trustees asked the newly appointed Property Standards Officer if he could take that project on. Mr. Fischer came back with a proposal for the trustees to review and also some questions - particularly concerning billboards. Inspector Gay stated he would talk to our county planner John Nagy and also the zoning commission. Solicitor Walt Celley said he would also review the fee schedule and see if there is any recommendations he would make.
- 2) There is a rental home owned by Mr. Helminiak on SR 295 and the renters have recently moved out and left a huge pile of items that looks like they intend to set it on fire. Trustee Warner is going to contact Whitehouse Fire Dept. to notify him if this happens.

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Held at 7:30 p.m. at the Waterville Township Hall on March 23, 20 11

Continued:

3) At the February 23rd meeting, Mr. Fischer was asked to look into the blighting matter at 10020 Hertzfeld Road (Lou Leasor). Mr. Fischer looked at the property and said it did not appear to be a blighting issue to him. It could use a spring cleanup but so could many properties on that stretch of road. There was no blowing debris or trash laying around. Trustee Warner will discuss the matter with Mr. Leasor, however we cannot respond to the complaint because the letter was unsigned.

SOLICITOR:

Solicitor Walt Celley stated that all of his agenda items had already been covered.

BOARD CHAIRMAN:

The township's annual meeting at the engineer's office is scheduled for 3/31/11. Chairman Leslie Disher said one of the topics he wanted to cover with them is the condition of Noward Road. He was hoping they might be able to lean on ODOT to do something.

TRUSTEES:

None.

EXECUTIVE SESSION:

None.

ADJOURNMENT.

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

Motion Carried.

Adjourned at 10:13 p.m.

Attest: Kay Ann Robertson

Trustees: Les Disher
Kyle Hertzfeld
Britt Warner