

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held at 7:30 p.m. at the Waterville Township Hall on August 24, 2011

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:

Jack Fischer, 8422 Dutch Road, Waterville, Ohio
 Craig Bauer, 6341 Monclova Road, Maumee, Ohio
 Jeff Lohse, Lucas County Office of Engineer, Toledo, Ohio
 Karen Berger, Reporter for "The Mirror", Maumee, Ohio

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:

Brett T. Warner made a motion to approve The Agenda for the August 24th meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman A. Leslie Disher. Seconded by **Kyle J. Hertzfeld**.

MINUTES:

Motion Carried.

The minutes for the July 27, 2011, meeting had been prepared by Fiscal Officer Kay Ann Robertson and sent to each trustee prior to this meeting:

Brett T. Warner made a motion to dispense with the reading of the minutes of the July 27, 2011, meeting and to approve the minutes with no additions, corrections and/or deletions. Seconded by **A. Leslie Disher**.

RECEIPTS:

Motion Carried.

116-11 - Ohio Division of Liquor Control - Undivided liquor permits	\$	523.95
117-11 - Fifth Third Bank of NW Ohio - July autosweep interest		60.84
118-11 - Heilmann Farms/Matt Ditzig - Permit #2011-19 - Fence		50.00
119-11 - Time Warner Cable - 2nd quarter franchise fees		639.70
120-11 - Centurytel, Inc. - Refund to close account		33.81
121-11 - Lucas County Auditor - Tax advance and July allocations		112,557.10
122-11 - Americraft Memorials - Bruton, Mayer and Smith foundations		404.80
123-11 - Nick and Stacy Goetz - Permit #2011-20 - Pole barn		300.00
124-11 - Sisters of Notre Dame - Permit #2011-21 - Pool fence		50.00
125-11 - Always Remember - Patton-Giles/Giles Wright foundation		106.50
126-11 - Catherine Heigel - Edwards Cremation - Wakeman Cemetary		200.00
127-11 - Maumee Municipal Court - July police fines		513.50
128-11 - Richard Rader - Lot #34 - (8) spaces - Whitehouse Cemetary		1,600.00
129-11 - Buckeye Cablesystem - 2nd quarter franchise fees		454.68
130-11 - Randall Evans - Thelma Evans cremation - Wakeman Cemetary		200.00

Total \$ 117,694.88

WARRANTS:

#34032 - Ryan A. Bellner - Road labor	\$	394.34
#34033 - Cynthia A. Bergfeld - Police wages		206.03
#34034 - Jonathan D. Burkett - Police wages		391.34
#34035 - Jeffrey M. Graham - Police and DARE wages		977.43
#34036 - Russell E. Heger - Police wages		348.54
#34037 - Harry R. Kellett III - Police wages		750.71
#34038 - David L. Krego - Police wages		1,634.69
#34039 - Kenneth M. Kristoff - Police wages		267.10
#34040 - Richard A. Ludwig - Supt. wages		859.44
#34041 - Norbert J. Miller - Police wages		475.14
#34042 - Kay Ann Robertson - Fiscal officer salary and zoning wages		825.84
#34043 - Michelle L. Vollmar - Police wages		93.47

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Continued:

#34044 - Ohio Public Employees Retirement System - August retirement	\$ 6,037.48
#34045 - Celley & Sanderson LLP - July solicitor fees	825.00
#34046 - Medical Mutual of Ohio - September hospitalization	8,250.14
#34047 - The Mirror - Advertise trustee zoning hearing	120.00
#34048 - Toledo Edison - August electric payment	288.41
#34049 - Municipality of Waterville - August water/sewer payment	65.34
#34050 - The Waterville Gas Company - August heat payment	40.56
#34051 - Toledo Edison - July township street lighting	180.72
#34052 - Toledo Edison - July Coventry Glen street lighting	370.45
#34053 - General Pro Hardware - Police/maintenance supplies	53.95
#34054 - Waste Management of Ohio - July trash and recycling	4,125.00
#34055 - B & L Auto Service - Police vehicle repair	141.90
#34056 - Verizon Wireless - July police mobile phones	73.47
#34057 - Whitehouse Apothecary - Police shipping charges	24.75
#34058 - Sautter's Food Center - Police office supplies	7.89
#34059 - Qualification Targets Inc. - OPOTA qualified targets	40.96
#34060 - 795 Tire Service Inc. - Police vehicle tires	520.72
#34061 - Joe I. Cooper Florist - Vollmar funeral flowers	73.00
#34062 - D.A.R.E. Association of Ohio - Membership dues	35.00
#34063 - Ryan A. Bellner - Road wages	514.47
#34064 - Cynthia A. Bergfeld - Police wages	257.20
#34065 - Jonathan D. Burkett - Police wages	516.59
#34066 - A. Leslie Disher - August trustee salary	798.79
#34067 - James E. Fischer - Property standards officer salary	639.13
#34068 - Eric H. Gay - August zoning salary	697.67
#34069 - Jeffrey M. Graham - Police and DARE wages	964.35
#34070 - Russell E. Heger - Police wages	348.54
#34071 - Kyle J. Hertzfeld - August trustee salary	759.56
#34072 - Harry R. Kellett III - Police wages	818.43
#34073 - David L. Krego - Police wages	1,649.74
#34074 - Richard A. Ludwig - Supt. wages	1,010.58
#34075 - Norbert J. Miller - Police wages	480.62
#34076 - Kay Ann Robertson - Fiscal officer salary and zoning wages	837.81
#34077 - B. Eric Varner - Police wages	90.50
#34078 - Brett T. Warner - August trustee salary	747.37
#34079 - Treasurer of State of Ohio - August payroll tax	654.20
#34080 - Delta Dental Plan of Ohio - September dental insurance	276.68
#34081 - Kay Ann Robertson - August reimburse medicare	96.50
#34082 - A. Leslie Disher - July reimburse insurance	225.00
#34083 - Time Warner Cable - August highspeed internet	51.95
#34084 - Lisa L. Cole - August clean hall and station	40.00
#34085 - Century Link - August township phone	90.33
#34086 - James E. Fischer - Zoning postage	5.15
#34087 - Sandra L. Ludwig - August reimburse medicare	96.50
#34088 - B & L Auto Service - Chevy and Ford truck repairs	1,247.91
#34089 - Russell L. Robertson - August reimburse medicare	96.50
#34090 - Mc Cabe Power Equipment - Mower parts	76.85
#34091 - Anthony Wayne Board of Education - July fuel	2,578.13
#34092 - Norbert J. Miller - August reimburse insurance	529.70
#34093 - Treasurer of State of Ohio - Annual non-terminal agency fees	900.00
#34094 - Hanifan-Obenauf-Robinson Inc. - September police rent	950.00
#34095 - Buckeye Telesystem - June, July, August police phone	321.93
#34096 - General Pro Hardware - Misc. police supplies	28.88
#34097 - Galls - Police equipment	114.87
#34098 - Kiesler's Police Supply - Police ammunition	202.00
#34099 - Traffic Stop Uniforms - Graham's uniforms	100.95
#34100 - Fifth Third Bank - August charge purchases	64.43
#34101 - Bender Communications - Police microphone	76.00
#00008 - U.S. Treasury - August withholding voucher	2,581.59

Total \$ 51,036.21

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. **Kyle J. Hertzfeld** seconded the motion.

Motion Carried.

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Continued:

PUBLIC COMMENTS:

Jack Fischer: Mr. Fischer lives at 8422 Dutch Road in Waterville Township. He is having an outdoor function in his yard and would like to have the weeds in Coventry Glen mowed before the activity. We all would like to have the weeds in Coventry Glen mowed; however, the property has been sold recently and has not changed hands yet. Not knowing who to contact is the problem. It is unfortunate that the developers went bankrupt. The township has had the subdivision mowed on two occasions but there is a limit as to how much money the township is able to spend knowing full well we will not get it back. Added to the problem is the rest of the acreage that did not get farmed this year and is waist-high in weeds. Chairman Disher said that not a meeting goes by that we do not discuss this issue. Solicitor Celley said that the judge gave his approval of the sale on August 15th, so we should see the sale go through soon. Mr. Fischer stated that at the time of the plat approval, there were a couple of addendums and he wanted to make sure they were still in place.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION - JEFF LOHSE - LUCAS COUNTY ENGINEERS OFFICE:

Jeff Lohse, the township's contact at the Lucas County Engineers Office, was present to go over some options for Noward Road. The US 24 bypass project is winding down and the township will be left with getting Noward Road back into some kind of shape. Since it takes awhile to save up enough money to do a road project, we will have to do repairs piece-meal because of our Davis Road project in 2012 which will take most of our saved moneys. Mr. Lohse said that the county is going to do Neowash Road and we could put a portion of Noward Road in with their OPWC application and save us some money. Whichever portion the township selected would cost approximately \$100,000. Mr. Lohse also said that we should save approximately \$30,000 on the Davis Road Project. Applications for funding need to be received by October 15th.

OLD BUSINESS:

None.

NEW BUSINESS:

The Lucas County Solid Waste Management District was formed as a single county district in 1989. They are currently in the process of doing the five year plan update for a planning period of 20 years (1/1/2010 to 12/31/2030). As can be expected, fees will increase. They are asking for a resolution of approval:

RESOLUTION #2011-11 APPROVING THE LUCAS COUNTY SOLID
WASTE MANAGEMENT DISTRICT AMENDED DRAFT SOLID WASTE
MANAGEMENT PLAN.

Summary/Background: The Plan is prepared in accordance with Ohio Revised Code ("ORC") Section 3734, the State of Ohio's 1995 Solid Waste Management Plan and the Ohio Environmental Protection Agency's guidelines. The Plan provides for adequate disposal, composting and recycling capacity through a designation process outlined in the Plan. The designation process includes the authorization of the Board of County Commissioners acting in their capacity as Board of Directors for the District to designate solid waste management facilities in accordance with ORC Section 3734.53. Sufficient capacity has been secured for the planning period of 2010-2030. The Plan also describes strategies and programs that will be implemented to meet or exceed the minimum state waste reduction goals and objectives.

Budget Impact: The Plan also provides for a proposed fee schedule that generates the required revenue to cover the costs of implementing the strategies and programs designed to meet or exceed the minimum state waste reduction goals and objectives. In 2012, the District proposes to collect \$5.20 per ton on all solid waste generated and disposed in designated landfills through the planning period. Additionally, the proposed fee schedule includes a new rate and charge which will be applied to all improved parcels within the County. In 2014, the proposed rate and charge will be \$5.00 per year and will be assessed per improved parcel throughout the remainder of the planning period

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Continued:

Statutory Authority/ORC: 3734.50

Mr. A. Leslie Disher moved the adoption of the following Resolution #2011-11:

WHEREAS, in consideration of the above; now therefore,

BE IT RESOLVED, by the Trustees of Waterville Township, Lucas County, Ohio, that:

Section 1. These Trustees hereby acknowledge receipt of the amended draft plan as adopted by the Policy Committee and delivered to the Waterville Township Trustees for approval.

Section 2. That, the Waterville Township Trustees further acknowledges the amended draft plan contains strategies and programs, a schedule of implementation and a fee schedule which includes a contract fee increase of \$2.00 per ton in the year 2012. Additionally, the proposed fee schedule includes a new rate and charge which will be applied to all improved parcels within the County. In 2014, the proposed rate and charge will be \$5.00 per year and will be assessed per improved parcel throughout the remainder of the planning period for the purposes of funding the strategies and programs required to meet the goals and objectives of the State of Ohio's Solid Waste Management Plan.

Section 3. That, the Waterville Township Trustees hereby approve the amended draft plan and agree to use their good faith efforts to take such measures as are reasonably necessary to implement the amended draft plan as required and in accordance with Section 343.01 et.Seq. and Section 3734.50 et.seq. of the Ohio Revised Code.

Section 4. That, the Waterville Township Trustees find and determine that all formal actions of the Trustees concerning the adoption of this resolution were adopted in an open meeting of the Trustees, and that all deliberations of the Waterville Township Trustees and of any of its committees that resulted in such formal action were in a meeting open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. That this resolution shall be in full force and effect immediately upon its adoption.

Mr. Kyle J. Hertzfeld seconded Resolution #2011-11 and the roll being called upon it's adoption, the vote resulted as follows:

A. Leslie Disher, Aye.
Kyle J. Hertzfeld, Aye.
Brett T. Warner, Aye.

Adopted August 24, 2011.

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

FISCAL OFFICER - CORRESPONDENCE:

- 1) From the Ohio Township Association Risk Management Authority (OTARMA), a copy of their 2010 Annual Report.
- 2) From the Ohio Department of Public Safety Bureau of Motor Vehicles, the July, 2011, License Tax Statistics Report. Also from the Department, the July, 2011, Permissive Tax Computation Report. Due the township is the sum of \$229.50.
- 3) From Maumee Municipal Court, check number 25440 in the amount of \$513.50 for police fines collected for the month of July, 2011.
- 4) From Wade Kapszukiewicz, Lucas County Treasurer, a notice of the estimated estate tax distribution amounts. From the Estate of Rolland Moosman the amount of \$33,046.67. The final amount will be less due to state refunds and auditor fees.
- 5) From the Fifth Third Bank of Northwest Ohio, the Public Funds Pooled Asset Account as of June 30, 2011:

Fifth Third Bank (All Ohio Affiliates)

Total Pooled Deposits:	\$1,379,689,381.64
Total Market Value of Pooled Assets:	\$1,636,606,528.77
Required Collateral (O.R.C. 105%):	\$1,448,673,850.72

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6) From the Ohio Public Employees Retirement System (OPERS), guidelines for processing contribution corrections.

FISCAL OFFICER - OTHER FINANCIAL MATTERS:

A letter was received from the Rotary Club in cooperation with the City of Waterville asking the township to help with the 6th Annual Family Fun and Fishing Derby. Due to budget constraints, the trustees decided to contribute one-half of what was contributed in 2010 (\$100.00 was contributed):

A. Leslie Disher made a motion to contribute \$50.00 to the 6th Annual Family Fun and Fishing Derby. Seconded by Kyle J. Hertzfeld.

Motion Carried.

POLICE/FIRE:

None.

ROAD/CEMETERY/REFUSE:

While meeting with Jeff Lohse from the Lucas County Engineers, there was a discussion concerning snow plowing and salting township roads for the 2011-2012 season. The county gave the township a price of \$31.10 per mile - that includes labor, equipment and salt. There was a yearly budget figure of \$4,400.00. It is something to think about.

ZONING:

- 1) Twenty-three (23) permits to date.
- 2) Mary Heilmann, 10200 Neapolis-Waterville Road, obtained a permit for a fence.
- 3) Keith Moosman, 9953 Neapolis-Waterville Road, obtained a permit for a pole barn.
- 4) All in all, Inspector Eric Gay states everything has been quiet.

PROPERTY STANDARDS OFFICER:

- 1) Property Standards Officer Jim Fischer has been in phone contact with Carol Lewis who owns a land-locked piece of property on Neapolis-Waterville Road at the US 24 bypass. She states she has contacted both Lucas County and ODOT about access to her property and has gotten no cooperation. She has decided to list the property for sale. The trustees have stated that the township will not be building her a bridge.
- 2) Visits to the Lou Leasor property at 10020 Hertzfeld Road indicate that an attempt to clean up the property is progressing. Trash has been hauled away and lawn has been rough cut; however, progress has slowed considerably recently.
- 3) A professional planner, John Widmer, has been hired to work with the Architectural Review Committee. He plans to start September 1st.
- 4) Contact has been made with Johns Manville to get the field of weeds mowed to the west of their plant on Dutch Road. He is still working on getting in touch with the right person.
- 5) Mr. Fischer spoke with a Dale Meyer concerning the land-locked piece of property between the Kroger store and SR 64 at the US 24 bypass. Mr. Meyer had indicated that he had an agreement with the developer of the Waterville Landings that he would provide Mr. Meyer with an access to his property and so far that has not happened. What it boils down to is that the Meyer property is a little island of Waterville Township surrounded by the City of Waterville. While we understand that Kroger's does not like the unsightliness, they would have a better chance of putting pressure on the developer than the township would. This is not a problem created by any actions the township took. Our township solicitor was appalled by the actions of ODOT creating the situation. Mr. Fischer will still send Mr. Meyer a letter.

SOLICITOR:

- 1) Waste Management has new contact information and Solicitor Celley has made sure it is on the website.
- 2) Solicitor Celley has spoken to Trustee Brett Warner and Police Chief Norb Miller concerning door-to-door solicitation.

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Continued:

3) Everything is in place to form a joint economic district with the City of Waterville and all we need is a piece of property. Waterville is in agreement and likes our proposal so once we have a parcel we can proceed. Whitehouse wants another meeting, also.

BOARD CHAIRMAN:

None.

TRUSTEES:

Trustee Brett Warner says he is still thinking about what he could do to help Jack Fischer out with his weed problem. Bottom line, he is going to see if he can get hold of a field chopper and see if he can't mow some of the field that borders Mr. Fischer.

EXECUTIVE SESSION:

Brett T. Warner made a motion to go into executive session to discuss road labor issues. Seconded by Kyle J. Hertzfeld.

Disher; Hertzfeld; Warner all voted Aye.

It was indicated that the public could wait for the trustees to go back into regular session; however, no action would be taken when the meeting was back in session.

A. Leslie Disher made a motion to go out of executive session and back into regular session. Seconded by Kyle J. Hertzfeld.

A. Leslie Disher, Aye.
Kyle J. Hertzfeld, Aye.
Brett T. Warner, Aye.

ADJOURNMENT:

There being no further business to come before the Board of Trustees, Kyle J. Hertzfeld made a motion to adjourn. Seconded by A. Leslie Disher.

Adjourned at 9:30 p.m.

Motion Carried.

Attest: [Signature]

Trustees: [Signature]
[Signature]
[Signature]