

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held at 7:30 p.m. at the Waterville Township Hall on May 25, 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
 Police Chief Norbert J. Miller - Present
 Solicitor Walter J. Celley - Present
 Fiscal Officer Kay Ann Robertson - Present

GUESTS:

John Lewton, Workplace Resources, 3525 Executive Parkway, Toledo, Ohio
 James Bagdonas, Waterville City Administrator, 25 N. 2nd St, Waterville
 Craig Bauer, 6341 Monclova Road, Maumee, Ohio
 Michael Kott, Clean Wood, 6505 West Bancroft Street, Toledo, Ohio
 Bill Imes, 8791 Noward Road, Waterville, 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.

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 May 25th meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman Leslie Disher and with the following additions:

- a) Under Special Presentations - Add John Lewton, Workplace Resources.
- b) Under Old Business - Disposal of Township's brush, leaves and grass clippings.
- c) Under Zoning - Disposal of remaining lots in Coventry Glen Subdivision.

Seconded by Brett T. Warner.

Motion Carried.

MINUTES:

The minutes for the April 27, 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 April 27, 2011, meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by Kyle J. Hertzfeld.

Motion Carried.

RECEIPTS:

074-11 - St. George Equestrian - Permit #2011-03 - Managers Apt.	\$ 25.00
075-11 - William Gernheuser - Permit #2011-08 - Barn addition	50.00
076-11 - Kenneth and Linda Wilson - Permit #2011-10 - Barn	100.00
077-11 - Mary Heilmann - Permit #2011-11 - Deck	50.00
078-11 - Don and Josie Heilmann - Permit #2011-12 - Room addition	125.00
079-11 - Scott and Cindy Killy - Permit #2011-13 - Deck	125.00
080-11 - Molly S. Bopp - Enfield opening - Lot 38 SE 1/4 - Wakeman	1,250.00
081-11 - Buckeye Cablesystem - 1st quarter franchise fees	417.33
082-11 - Time Warner Cable - 1st quarter franchise fees	626.90
083-11 - Malinda Myers - Snyder cremation - (4) grave spaces - Wakeman	950.00
084-11 - Lexis Nexis - Police report	3.00
085-11 - Anton J. Urbas - 2010 and 2011 copies of minutes	14.40
086-11 - Arbors of Waterville - Lot 16 Space #4 for Hazel Ruby - Wakeman	200.00

WARRANTS:

	Total \$ 3,936.63
#33840 - Ryan A. Bellner - Road wages	\$ 567.46
#33841 - Cynthia A. Bergfeld - Police wages	206.03
#33842 - Jonathan D. Burkett - Police wages	384.96
#33843 - A. Leslie Disher - May trustee salary	798.79
#33844 - James E. Fischer - May property standards officer salary	639.13
#33845 - Eric H. Gay - Zoning salary	697.67
#33846 - Jeffrey M. Graham - Police and D.A.R.E. wages	1,068.11
#33847 - Kyle J. Hertzfeld - May trustee salary	759.56

continued.....

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Continued:

#33848 - Harry R. Kellett III - Police wages	\$ 801.52
#33849 - David L. Krego - Police wages	1,440.50
#33850 - Kenneth M. Kristoff - Police wages	267.10
#33851 - Richard A. Ludwig - Cemetery wages	886.66
#33852 - Norbert J. Miller - Police wages	648.95
#33853 - Kay Ann Robertson - Fiscal officer salary and zoning wages	821.84
#33854 - James F. Shaw III - Police wages	71.74
#33855 - Michelle L. Vollmar - Police wages	80.15
#33856 - Brett T. Warner - May trustee salary	747.37
#33857 - Michael S. Wright - Police wages	257.74
#33858 - Treasurer of State of Ohio - May state payroll tax	487.76
#33859 - Delta Plan of Ohio - June dental insurance	276.68
#33860 - Kay Ann Robertson - Reimburse May medicare	96.50
#33861 - A. Leslie Disher - Reimburse April insurance premium	225.00
#33862 - Time Warner Cable - May highspeed internet	58.95
#33863 - OSU Extension - 2011 Urban Program	200.00
#33864 - Century Link - May township phone	87.36
#33865 - Lucas County Treasurer - 2011 EMA operating budget	289.43
#33866 - Lucas Soil & Water District - 2011 appropriation	1,000.00
#33867 - Sandra L. Ludwig - Reimburse May medicare	96.50
#33868 - Russell L. Robertson - Reimburse May medicare	96.50
#33869 - D & R Outdoor Power - Trimmer line	34.47
#33870 - Hanson Aggregates - Cemetery foundation stone	84.23
#33871 - Anthony Wayne Board of Education - April fuel	2,509.82
#33872 - Waste Management - April trash and recycling	3,960.00
#33873 - Norbert J. Miller - May reimburse insurance premium	529.70
#33874 - Signature Graphics - Decorate police car	350.00
#33875 - Alan D. Bruns - Install radios in new car	1,400.00
#33876 - Hanifan-Obenauf-Robinson Inc. - June police station rent	950.00
#33877 - Century Link - May police phone	175.29
#33878 - Verizon Wireless - May mobile phones	142.03
#33879 - Dollar General Corp - Police office supplies	17.00
#33880 - Fifth Third Bank - May charge purchases	219.80
Total	\$ 24,432.30

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.

No public comments; however, Chairman Leslie Disher did thank Waterville City Administrator Jim Bagdonas for attending the meeting.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION:

John Lewton, owner of a small business called "Workplace Resources" was present to explain his Employee Assistance Program. Currently he is counseling fourteen (14) police departments and seventeen (17) fire departments. He does trauma and marriage counseling, fitness for duty, on-site crisis response intervention, O.D.O.T. assessments and follow-up evaluations, and pre-employment psychological testing. He sends out quarterly reports concerning what was done but he protects the identity of his clients. He would be hired to solve problems. Chief Norb Miller states Mr. Lewton is a very good instructor, his courses are free and very beneficial. The Chief highly respects Mr. Lewton's advise. Solicitor Walt Celley states the Township's liability insurance carrier (O.T.A.R.M.A.) has recommended using "Workplace Resources." It would cost \$1,000.00 per year.

A. Leslie Disher made a motion to enter into a contract with "Workplace Resources" for a period of one year beginning June 1, 2011 and ending May 31, 2012, unless terminated by either party, at a cost of \$1,000.00. A copy of the contract to be on file at the Waterville Township Hall, 621 Farnsworth Road, Waterville, Ohio. Seconded by **Kyle J. Hertzfeld**.

Motion Carried.

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Continued:

OLD BUSINESS:

1) At the March 23rd meeting, bids were received and opened for the trash and recycling contract which was due to expire May 31, 2011. The contract has been discussed at several open meetings and everyone's questions and concerns have been addressed:

A. Leslie Disher made a motion to approve a contract with Waste Management for the collection of trash and recycling on an every other Tuesday basis, unlimited, at a cost of \$7.50 per household (currently 550 households in Waterville Township) payable from the Garbage District Fund. Seconded by Kyle J. Hertzfeld.

*Copy of the contract on file at the Township Hall. Motion Carried.

Waste Management is putting an insert in the Township Newsletter listing the particulars along with a calendar. They are picking up the entire cost of the printing and postage for the newsletter. It will be sent prior to the next scheduled collection day. (6/7/11)

2) At the May 11th meeting, Michael Kott, Clean Wood, had announced that he was going to build a transfer station in Waterville on US 24 just south of Dutch Road. He has contracted with the City of Waterville and offered to let the township residents haul their brush, leaves, grass clippings, etc. to his facility for a fee of \$5,000.00 per year for five (5) years. He would also not charge the Township a fee to let our leaf hauler dump our leaves in the fall. The trustees then indicated they would make a decision at their May 25th meeting. Mr. Kott was asked at this meeting if he was firm on his price.

Craig Bauer, Ohio Compost, was present to make a presentation for his business located at 10839 Sager Road in Monclova Township. Mr. Bauer's operation is similar to Clean Woods in that he will receive all yard waste however his will be processed on site and not transferred. He will cover the leaves from our fall collection and will offer our residents 10% off of items he sells at his site. Craig's cost will be \$4,500.00 for a one-year contract or \$4,000.00 per year for a five (5) year contract. Chairman Disher stated that a decision needs to be made tonight so a notice can go in the Township Newsletter. Trustee Brett Warner states his decision will be cost-driven. Chairman Disher added that the money is a legitimate expense that can be paid with Garbage Levy money. The only other problem is that currently Mr. Bauer is in litigation with the Township over a decision made by our Appeals Board and the Trustees did not feel they could contract with Mr. Bauer under those circumstances; however, Solicitor Walter Celley stated that the pending litigation is being dismissed. Chairman Disher said that the Township still has \$5,000.00 in grant money that can be used to pay Mr. Bauer. Trustee Brett Warner said then he was fine in contracting with Ohio Compost:

Brett T. Warner made a motion to accept Craig Bauer's proposal for a period of five (5) years at a total cost of \$20,000.00 to accept Waterville Township's brush, leaves, grass clippings, pruning debris, etc. Seconded by Kyle Hertzfeld.

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

NEW BUSINESS:

None.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From Hospice of Northwest Ohio, a thank-you for a contribution in memory of Michael Kristoff, father of one of our police officers.
- 2) From the Ohio Department of Public Safety Bureau of Motor Vehicles, the April License Tax Statistics Report. Also from the Department, the April Permissive Tax Computation Report. Due the Township is the sum of \$273.75.
- 3) From the Lucas County Commissioners, information regarding the 2010 Census figures and what effect it could have on our yearly EMA charge. Waterville Township's population went from 1,908 to 1,644 a loss of 244 residents or 12.8% decrease. The loss is a direct result of all of the annexations done by the Village of Whitehouse.

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Continued:

4) From Toledo Edison, a notice that the electric meter in the Whitehouse Cemetery has not moved since September and they wanted to know if we wanted the service turned off. They were notified that the electric runs the well pump in the cemetery and is only needed when the people water their plants on the grave sites - spring; summer and maybe into fall.

FISCAL OFFICER - OTHER MATTERS:

1) Verna Rose, Waterville Historical Society, sent an e-mail asking if the Waterville Historical Society and the Greater Toledo Roundtable could plan a walk in Wakeman Cemetery on October 9th at 2 pm with a rain date the following Sunday. The Battery H 1st Ohio Light Artillery/US Sharpshooters re-enactment unit would like to do a 21-gun salute using muskets at the program. Apparently they did a similar program several years ago. Waterville City Administrator Jim Bagdonas said that they had come to the city first and they directed them to the trustees:

A. Leslie Disher made a motion to allow the Waterville Historical Society and the Greater Toledo Roundtable to do their Wakeman Cemetery Walk and 21-gun salute on October 9th at 2 pm with a rain date of the following Sunday.
Seconded by Kyle J. Hertzfeld.

Motion Carried.

2) Katie Weis, from the state auditor's office, phoned and has completed the township's audit covering 2009 and 2010. There were no findings or citations, so we can waive the exit conference:

A. Leslie Disher made a motion to waive the exit conference for the Agreed-Upon Procedures Audit for the years 2009 and 2010 due to no findings or citations.
Seconded by Kyle J. Hertzfeld.

Motion Carried.

** A copy of the report is on file at the Township Hall.

3) In compiling the figures for the annual township appropriations, the fiscal officer under estimated what would be needed for retirement in the Cemetery Fund. Funds needed to be transferred from salaries to retirement so wages can be paid:

RESOLUTION #2011-10 AMENDING THE WATERVILLE TOWNSHIP 2011 ANNUAL PERMANENT APPROPRIATIONS.

Mr. A. Leslie Disher moved the adoption of the following Resolution #2011-10:

BE IT RESOLVED, by the Board of Trustees of the Township of Waterville, Lucas County, Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees, during the said fiscal year ending December 31, 2011, the following sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year and are to be transferred from one code to another within the same fund:

2041 - CEMETERY FUND - 2041

2041-410-190-0000 Salaries Subtract \$ 3,000.00
2041-410-211-0000 Ohio Public Employees Retirement System Add

Mr. Kyle J. Hertzfeld seconded Resolution #2011-10 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 May 25, 2011.

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

POLICE/FIRE:

1) Police Chief Norbert Miller was present to report that everything is going well - no problems. Crime is down. He states it is a nice area and he loves working here. There have been break-ins in Monclova and Providence Townships and they are looking for jewelry. We would like to think that our police presence is a deterrent. The new car is on the road. Chief Miller has hooked up the CB's in the police cars. The school bus drivers and truckers are using them. He finds them useful when the bus drivers are discharging students on the curves on US 24. He also follows the bus on US 24 and puts on his red

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lights to alert people that the bus is ahead and to slow down. The bus driver really appreciates this. D.A.R.E. has had another great year thanks to D.A.R.E. Officer Jeff Graham.

2) Trustee Brett Warner mentioned that there will be an article in the township newsletter concerning the "soft billing" procedure now being used by both of the fire departments - Waterville and Whitehouse.

3) Solicitor Walt Celley is working on a "ride along" policy for the police department. Chief Miller said students at Owens Tech that are interested in law enforcement would like to have the chance to ride with an officer. With something in place, we would be able to reach out to schools and neighboring jurisdictions. Trustee Warner is also helping with the policy.

ROAD/CEMETERY:

Fiscal Officer Kay Robertson mentioned that she only paid the Whitehouse Legion for Memorial Day expenses since the Waterville Legion is disbanding. The Boy Scouts are taking care of some of the Memorial Day activities in Waterville this year but Solicitor Walt Celley said they were not financially structured for the township to pay them for their Memorial Day expenses.

ZONING:

- 1) Fourteen (14) permits to date.
- 2) Inspector Gay and Zoning Commission Chairman Cole attended the county plan commission's public hearing on the proposed text amendments to the township zoning resolution which included the following:
 - a. A required engineer's seal on all site plans, or inspector's discretion.
 - b. One dwelling - one parcel in "ag or "residential."
 - c. If internet cafes are permitted and where - special use permit required?
 - d. Discretionary off-street parking requirement.
 - e. Cell towers - if residential then need a special use permit.
- 3) Yark Automotive is interested in a remodeling project.
- 4) A Mark Langenderfer is anticipating a career change and wondered if he could park a semi at his residence on Whitehouse-Spencer Road.
- 5) Goetz at 7055 Finzel Road have inquired about building a barn on their property.
- 6) Inspector Gay had a mowing issue come up and he has turned that over to Property Standards Officer Jim Fischer.
- 7) There is a new residence pending on Whitehouse-Spencer Road.
- 8) Trustee Brett Warner stated that he had a resident of Coventry Glen contact him about the bank who has taken over for bankrupt Hafner & Shugarman and the fact that they are going to auction off the remaining platted lots in the subdivision. The residents concerns and the township's concerns are the unfinished entrance to the subdivision. Solicitor Walt Celley said he would notify the sellers that no zoning permits would be issued until the entrance issue was resolved. If these lots are sold individually then we would need to re-evaluate the township's position. If a developer purchases the lots - we need a plan. Solicitor Celley will research what is going on.

PROPERTY STANDARDS OFFICER:

- 1) Property Standards Officer Jim Fischer will take a look at Inspector Gay's weed problem and take the appropriate action.
- 2) Mr. Fischer has attended Waterville's meeting on updating their Comprehensive Plan and they are in the process of sending out a survey.
- 3) The zoning commission and the appeals board met jointly at the commission's regular meeting on May 16th. The purpose of the joint meeting was to go over the newly adopted zoning fee schedule. The only real problem they had was the raise in fee for a handicap ramp. Solicitor Walt Celley said he would look into the matter and have something ready for the next meeting.

continued.....

RECORD OF PROCEEDINGS

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Continued:

4) Mr. Fischer met with the solicitor and trustee chairman to discuss future plans for the township architectural review committee. May of the documents they have been reviewing are geared more toward cities and villages and they have more authority than townships do. Solicitor Celley suggested that the trustees may want to hire a planner for a short time to ensure greater accuracy and completeness in our plan. Chairman Disher stated it was important to do the job right. He and Mr. Fischer would put their heads together and see who they can come up with to help with the planning. Solicitor Celley said he would think it would cost from \$5,000.00 to \$10,000.00. They hope to have something by next meeting.

5) Property Standards Officer Fischer stated he would not be at the next zoning or trustee meeting - he and his wife will be on vacation.

SOLICITOR:

The newsletter is ready to go. Due to the enhanced trash and recycling schedule Waste Management has agreed to pay for the cost of the printing and the postage. The township wishes to thank them for that.

BOARD CHAIRMAN:

1) Chairman Les Disher attended the recent District Advisory Council to the health board meeting at Springfield Township. He said the meeting was quite heated. In this day and age where everyone is doing more with less and their employees have been asked to take decreases in pay, the county health board is giving raises and expecting the townships to foot the bill. They are asking for a 5% increase in township payments and the townships are saying 0% increase. There is another meeting planned.

2) Chairman Disher mentioned a weed situation on Neapolis-Waterville Road across from Zieglers at 9175. It is the property where the Kott brothers originally wanted to put their Clean Wood transfer station.

3) Coventry Glen needs to be mowed again. Hopefully we can get some residents of the area to attend the next meeting.

TRUSTEES:

None.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

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

Motion Carried.

Adjourned at 9:23 p.m.

Attest:

Kay Ann Robertson

Trustees

Les Disher, Kyle J. Hertzfeld, Brett T. Warner