

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held at 7:30 pm at the Waterville Township Hall on January 25, 20 12

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:

Phil Johnson, Savage & Associates, 4427 Talmadge Road, Toledo, Ohio
 David Bowers, Bowers Asphalt, 6157 Walbridge Road, Walbridge, Ohio
 Craig Bauer, Bauer Landscape, 6341 Monclova Road, Maumee, Ohio
 Karen Berger, "The Mirror", 113 W. Wayne Street, Maumee, Ohio
 Karen Schneider, Zoning Commission, 7035 Finzel Road, Whitehouse, Ohio
 Tom Borck, Appeals Board, 8040 Schadel Road, Waterville, Ohio
 Sgt. Michael Wilkinson, Waterville Township Police Department

PLEDGE OF ALLEGIANCE:

Chairman A. Leslie Disher called the meeting to order at 7:30 p.m. All those 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 January 25, 2012 meeting as it had been prepared by Fiscal Officer Kay Ann Robertson at the direction of Chairman Disher. Seconded by Brett T. Warner.

MINUTES:

Motion Carried.

The minutes for the January 10, 2012 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 January 10, 2012 meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by Kyle J. Hertzfeld.

RECEIPTS:

Motion Carried.

015-12 - Swanton Township - Reimburse for sale of crackseal machine	\$ 865.00
016-12 - Shelly Company - Plans for Davis Road improvement	30.00
017-12 - Construction Software Technology - Plans for Davis Road	30.00
018-12 - Diversified Road & Pipe - Plans for Davis Road improvement	30.00
019-12 - Bowers Paving - Plans for Davis Road improvement	30.00
020-12 - Lexis Nexis - Police accident report	3.00
021-12 - Jennite Company - Plans for Davis Road improvement	30.00
022-12 - Ward Construction - Plans for Davis Road improvement	30.00
023-12 - Time Warner Cable - 4th quarter 2011 franchise fees	669.63
	669.63

WARRANTS:

Total \$ 1,717.63

#34440 - Ricardo A. Artiaga, Jr. - Road labor	\$ 266.15
#34441 - Jonathan D. Burkett - Police wages	945.23
#34442 - A. Leslie Disher - January trustee salary	800.59
#34443 - James E. Fischer - January property standards officer salary	639.58
#34444 - Eric H. Gay - January zoning inspector salary	714.16
#34445 - Jeffrey M. Graham - Police and D.A.R.E. wages	859.53
#34446 - Russell E. Heger - Police wages	263.20
#34447 - Kyle J. Hertzfeld - January trustee salary	759.56
#34448 - Harry R. Kollett III - Police wages	915.00
#34449 - David L. Krego - Police wages	1,108.68
#34450 - Kenneth M. Kristoff - Police wages	76.10
#34451 - Richard A. Ludwig - Supt. wages	865.54
#34452 - Norbert J. Miller - Police wages	387.69
#34453 - Susan M. Olman - Police wages	214.46
#34454 - Kay Ann Robertson - Fiscal officer salary and zoning wages	843.84

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#34455 - Michelle L. Vollmar - Police wages	\$	151.44
#34456 - Brett T. Warner - January trustee salary		748.83
#34457 - Michael J. Wilkinson - Police wages		531.81
#34458 - Treasurer of State of Ohio - January payroll taxes		724.16
#34459 - Delta Dental Plan of Ohio - February dental insurance		276.68
#34460 - Ohio Child Support Payment Central - Wilkinson's support		445.95
#34461 - A. Leslie Disher - January reimburse medicare		115.40
#34462 - Kay Ann Robertson - January reimburse medicare		99.90
#34463 - Time Warner Cable - January highspeed internet		51.95
#34464 - Solutions for Documents - Toner and repair contract		394.49
#34465 - The Mirror - Two (2) year subscription		63.00
#34466 - Century Link - January township phone		87.23
#34467 - Lucas County Recorder - Record 2011 zoning amendments		20.00
#34468 - Russell L. Robertson - January reimburse medicare		99.90
#34469 - Sandra L. Ludwig - January reimburse medicare		99.90
#34470 - Doris A. Disher - January reimburse medicare		115.40
#34471 - Lucas County Engineers - Final payment on Whitehouse-Spencer	1,196.78	
#34472 - Mc Cabe Power Equipment - Innertube		26.24
#34473 - Anthony Wayne Board of Education - November/December fuel	4,918.63	
#34474 - Waste Management of Ohio - December trash & recycling	4,125.00	
#34475 - Mrs. Mary Kellett - Reimburse for out-of-pocket insurance		970.93
#34476 - Norbert J. Miller - January reimburse insurance		529.70
#34477 - Criminal Justice Coordinating Council - 2012 Norris services	2,475.00	
#34478 - Treasurer of State of Ohio - Adams drug screen		144.00
#34479 - Haines & Company - 2012 Criss/Cross lease		369.50
#34480 - Hanifan-Obenauf-Robinson Inc. - February police rent		950.00
#34481 - B & L Auto Service - Repairs to Car 93		595.88
#34482 - Sautter's Food Center Inc. - Police office supplies		6.88
#34483 - Matthew Bender & Company - Ohio Criminal Law Handbook		62.89
#34484 - Fifth Third Bank - January charge purchases		580.80
#34485 - Galls - Two (2) taser holsters		119.98
#34486 - Municipality of Waterville - 1st half 2012 fire contract	26,010.00	
#34487 - Village of Whitehouse - 1st half 2012 fire contract	25,500.00	
#00013 - U.S. Treasury - Voucher for January withholding		2,980.12
Total	\$	85,247.68

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. Brett T. Warner seconded the motion.

BID OPENING:

Motion Carried.

This being the date, place and time advertised in The Toledo Blade newspaper for the opening of the bids for the Davis Road Improvement project, the following bids had been received and were opened:

1. The Shelly Company, 1700 Fostoria Avenue, Suite 200, P.O. Box 3100, Findlay, Ohio 45840		\$ 311,791.60
2. Geddis Paving & Excavating, 1019 Wamba Avenue, Toledo, Ohio 43607		\$ 299,618.75
3. Bowers Asphalt & Paving, 6157 Walbridge Road, Walbridge, Ohio 43465		\$ 291,628.65
4. Crestline Paving & Excavating, 1913 Nebraska Avenue, P.O. Box 3356, Toledo, Ohio 43507		\$ 284,879.30
5. Gerken Paving Inc., 9-072 U.S. Highway 24, Napoleon, Ohio 43545		\$ 269,157.60

Apparent low bidder was Gerken Paving from Napoleon; however, all of the bids will be turned over to Jeff Lohse from the Lucas County Engineer's Office. He will review all of the paperwork and make sure that everything is in order. The contract will be awarded at the next regularly scheduled meeting of the trustees on February 22, 2012, at 7:30 pm at the Waterville Township Hall.

PUBLIC COMMENTS:

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DAYTON LEGAL BLANK INC. FORM NO. 10148

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Continued:

Property Standards Officer James E. Fischer was present to introduce the newest member of the Waterville Township Appeals Board, Tom Borck. Mr. Borck is filling in for Rich Hertzfeld who moved up to the zoning commission spot left by Thomas Overmyer who is planning to build a home in another township, thus he can no longer serve on that board since residency in the unincorporated portion of the township is a requirement.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION:

Phil Johnson, Savage & Associates, was present to discuss health insurance with the township trustees. His focus was medicare participants. Currently, there are five medicare recipients on the township's health plan at approximately \$700. each. The problem area is the way prescriptions are handled. The person obtaining the prescription must pay for it in full and then they are reimbursed 80%. The regular township employees have a co-pay for prescriptions. The trustees are trying to find something similar for the medicare employees (spouses). What Mr. Johnson is proposing is individual plans for each of the five (5) at approximately \$250. each; however they would be billed to each individual and not as a group to the township. Fiscal Officer Kay Robertson stated that was not a problem since she reimburses them already for the out-of-pocket medicare premium. The five members involved will arrange a meeting with Phil Jounson and his medicare expert and work out a better plan.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From the Village of Whitehouse, an invitation to participate in their second annual "Whitehouse Winterfest." It will be held on February 11th along with their "Snowy Night Light Parade".
- 2) From the Ohio Rail Development Commission, a letter reminding the trustees that they should be performing inspections of public passive railroad crossings to make sure that they are in conformance with the standards as set forth in the Manual of Uniform Traffic Control Devices (MUTCD). The Commission will be doing field inspections and hope to have them completed by June 30, 2012.
- 3) From Maumee Municipal Court, check number 25666 in the amount of \$420.00 for police fines collected for the month of December, 2011.
- 4) From Time Warner Cable, a Certificate of Liability Insurance which covers the period of 01/01/2012 to 01/01/2013.
- 5) From the Ohio Department of Public Safety Bureau of Motor Vehicles, the License Tax Statistics Report for December, 2011. Also from the Department, the Permissive Tax Computation Report for December, 2011. The amount due the township is the sum of \$282.86.
- 6) From Fifth Third Bank, information regarding the Public Funds Pooled Asset Account as of December 31, 2011:

Total Pooled Deposits:	\$ 948,480,759.45
Total Market Value of Pooled Assets:	\$1,232,894,381.16
Required Collateral (O.R.C. 115%):	\$ 995,904,797.42

- 7) From the Waterville Fire Department, the runs/incidents for the 4th quarter of 2011:

Fire Runs	1
EMS Runs	10

- 8) From the Whitehouse Fire Department, the runs/incidents for the 4th quarter of 2011:

a. Whitehouse Fire District:	b. Waterville Fire District
Fire Runs 7	Fire Runs 1
EMS Runs 20	EMS Runs 7

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Continued:

9) From O.P.E.R.S., new rules and amendments effective January 1, 2012, which include: Definition of earnable salary; Service purchase; Purchases made with a rollover distribution; Purchases of service credit by payroll deduction; Disability appeals; Disability benefit recipient's annual statement; Additional annuity accounts; Internal Revenue Code limitations on benefits; Mandatory direct deposit; Health care coverage; Amendments required by the Heroes Earnings Assistance Relief Tax (HEART) Act of 2008; Eligible rollover distribution from this plan; Impact of weekend or holiday on initial plan selection; Purchase of exempted service credit; Service credit in the traditional pension plan for participation in combined plan or member-directed plan; Effective date of health care coverage; etc.

POLICE/FIRE:

Trustee Brett Warner reported that he had held a departmental meeting with the Police Chief and police officers and it went very well.

Trustee Leslie Disher mentioned that he has attended meetings in Waterville and Whitehouse and both state their fire departments have been very busy.

ROAD/CEMETERY/REFUSE:

- 1) The township got a check from Swanton Township for our portion of the crack seal machine. Sharing the use of the machine did not work out. Providence Township now has the machine.
- 2) In speaking with the Road Supt. Richard Ludwig, it was learned that keeping up with the snow has not been a problem so far this year. An inspection will be done of the township roads to get an idea of what needs to be done in the way of maintenance.
- 3) The 2011 Bridge Inspection Report was received from the Lucas County Engineer. Their staff inspected two (2) bridges in Waterville Township:

<u>Location</u>	<u>2011 Condition</u>
Davis Road Bridge No. 779 over Swan Creek	Very Good
Winslow Road Bridge No. 782 over Lone Oak Ditch	Excellent

ZONING:

- 1) No permits issued to date.
- 2) At the January zoning commission meeting, Glenn Banas was elected Chairman and Karen Schneider was elected Vice-Chairman.
- 3) Inspector Eric Gay stated he had a call in reference to a cell tower on Dutch Road and he instructed the call that a permit was needed.
- 4) Kirk Hester, 8507 Dutch Road, has been contacted about the equipment out in the open on his property. Mr. Hester currently has a "Home Occupation" permit.
- 5) Jeffrey Stump, 6935 North River Road, Waterville, Ohio, Parcel No.91-33851, was sent a certified letter. The house has the beginnings of a huge addition on the back and there has been no zoning permit issued. The letter was sent on February 1, 2012 and he has ten (10) days to respond.
- 6) Jody Krise, 9756 Dutch Road, inquired about a "home occupation" permit. Her son would like to operate an auto detailing business out of the accessory bldg. Inspector Gay advised her that she needs a permit and letters of approval from her neighbors would be helpful. They would probably want to put some sort of sign in the front.
- 7) Lucas County Plan Commission Planner Molly Maguire has been sick so she was not able to attend the last zoning commission meeting. She had new zoning books printed up and will bring them out the next time she comes out.
- 8) Inspector Gay attended the last Swan Creek Watershed meeting. There was alot of discussion regarding the new floodplain maps. Many residents are getting notices that their property is now in the floodplain. Feller-Finch are getting as many as fifty (50) calls a day. If a resident is in the floodplain, they now must obtain flood insurance.
- 9) The Lucas County Hazard Mitigation Plan is now ready for review. Waterville Township has not been very involved in the process.

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Continued:

10) Trustee Brett Warner asked if anyone had heard if the borrow pits were ready to be turned back over to the owners. It was learned that they are on schedule to be done next fall.

11) Township Zoning Commission Vice-Chairman Karen Schneider welcomed Rich Hertzfeld as the newest member of the commission. She also asked that the trustees recognize Tom Overmeyer for his years of service on the commission. Chairman Les Disher stated he already has plans to do so when Tom returns from Florida.

PROPERTY STANDARDS OFFICER:

Property Standards Officer Jim Fischer spoke with Dale Myers, owns property that is between SR 64 and the new Kroger Store and has a blighting issue. Mr. Myers states that all of the paperwork is completed. The developer is in conversations with the Kroger Store and ODOT to work out the details.

ARC met twice in January. They hope to have the final draft ready for the zoning commission's March meeting.

SOLICITOR:

Solicitor Walt Celley and Chairman Les Disher have been meeting with the City of Waterville concerning a JEDD between the two entities. The last time they met the meeting included the Ronnie Perry family on Waterville-Swanton Road and the township thought the Perry family would be the first JEDD with the city. However, it was learned that the Perry family wanted to annex to the City of Waterville. Currently, their property is in an area that the city has agreed not to annex. Before the US 24 bypass was started, apparently the Perry's had the city's water and sewer services extended to their property at their own expense. This news caught the township completely off guard. Our representatives went into a meeting to talk about a JEDD and were hit with annexation issues. Since that January meeting, the solicitor and trustees have had time to reflect on the issue and come up with some talking points:

1. Annexations under such an agreement would be limited to portions of territory within the City water & sewer service area, west of the US 24 bypass and north of Neapolis-Waterville Road, as described in the 2008 memoranda of understanding with Lucas County.
2. Annexations under such an agreement would be limited to annexations under O.R.C. §709.023:
 - a) 100% of property owners must petition for annexation; and,
 - b) Property annexed shall not be excluded from the Township per O.R.C. §709.023(H); and,
 - c) City would provide local government services per O.R.C. §709.023
3. City would agree not to abate real property taxes being received by Township.
4. Annexations under such an agreement would be limited to properties intended for commercial zoning and uses, as opposed to residential uses.
5. City would agree to sharing of some portion of the income taxes collected on annexed parcels.
6. City would agree to conform its boundaries pursuant to O.R.C. §503.07 prior to adopting any ordinances or resolutions to annex territory under O.R.C. §709.023.

Jim Fischer wondered what kind of a trend this action would be setting. Karen Schneider wondered if the township had decided to negotiate. Solicitor Celley said that the township has had a request from a resident and the township has an agreement that would prohibit the annexation. Everyone felt that a decision of this magnitude needed to have input from the residents of the unincorporated portion of the township. At this point the City is willing to talk and the trustees wanted to have resident input. Tentatively, the trustees would like to hold a public meeting in March. At the same meeting, the trustees would like to discuss the police department and their funding. The last time the trustees put a levy on the ballot, an error in calculation by the auditor's office resulted in not getting the amount of funds that was needed. The department has been operating bare bones, but a new set of circumstances has put a strain on the budget that no amount of "bare bones" can offset. Personal property taxes have been phased out causing at least a \$30,000 shortfall. Hospitalization has been rising at least 10% a year and employer share of retirement has gone up.

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Continued:

BOARD CHAIRMAN:

- 1) Both Trustees Warner and Disher and Fiscal Officer Robertson attended the Lucas County Township Association Annual Dinner meeting at The Pinnacle. The Auditor of State David Yost was the guest speaker.
- 2) Nothing but good comments for the leaf pickup and Chairman Les Disher relayed the compliment to Craig Bauer, who was in attendance.

TRUSTEES:

Brett Warner: Trustee Warner introduced Officer Mike Wilkinson who had been promoted to Administrative Sergeant of the Waterville Township Police Department.

Brett Warner: Trustee Warner stressed the point that the trustees needed the residents to attend the public meeting and voice their feelings about the proposed annexation request and the police department.

EXECUTIVE SESSION:

A. Leslie Disher made a motion to go into executive session to consider the discipline of a public employee. Seconded by Kyle J. Hertzfeld.

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

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 this Board, Kyle J. Hertzfeld made a motion to adjourn. Seconded by Brett T. Warner.

Motion Carried.

Adjourned at 9:50 p.m.

Attest: Kay Ann Robertson

Trustees: Les Disher
Kyle J. Hertzfeld
Brett T. Warner