

RECORD OF PROCEEDINGS

1689

Minutes of

Waterville Township Trustees'

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10149

Held at 7:30 pm at the Waterville Township Hall on March 28, 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:**

Michael J. Wilkinson, Waterville Township Acting Police Chief  
 Karen Berger, Reporter for "The Mirror", Maumee, Ohio  
 Bill Imes, 8791 Noward Road, Waterville, Ohio

**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 Leslie 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 28, 2012, 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.

**MINUTES:**

Motion Carried.

The minutes for the February 22, 2012 meeting had been prepared by Fiscal Officer Kay Ann Robertson and sent to each trustee prior to this meeting:

A. Leslie Disher made a motion to dispense with the reading of the minutes of the February 22, 2012 meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by Kyle J. Hertzfeld.

Motion Carried.

**RECEIPTS:**

|   |              |                      |
|---|--------------|----------------------|
| 036-12 - Fifth Third Bank of NW Ohio - February autosweep interest  | \$           | 54.98                |
| 037-12 - Lucas County Auditor - February real estate advance        |              | 89,250.00            |
| 038-12 - Lexis Nexis - Police accident report                       |              | 3.00                 |
| 039-12 - Peinert Funeral Homes - Gruber/Hugill openings - Wakeman   |              | 800.00               |
| 040-12 - Barnes Funeral Chapel - Cordle opening - Whitehouse        |              | 400.00               |
| 041-12 - Lucas County Auditor - February/March allocations          |              | 13,249.50            |
| 042-12 - Maumee Municipal Court - February police fines             |              | 411.00               |
| 043-12 - PNC Bank - Mc Kee police accident report                   |              | 5.00                 |
| 044-12 - Ohio Bureau of Workers Comp - Early premium payment refund |              | 5.27                 |
| 045-12 - John Rublaitus - Lot 445 Space #8 - Rublaitus opening      |              | 500.00               |
| 046-12 - Verizon Wireless - Permit #2012-03 - Replace antenna fee   |              | 25.00                |
| 047-12 - Matthew Zelina - Permit #2012-04 - Replace barn fee        |              | 25.00                |
| 048-12 - Galls - Refund for police equipment returned               |              | 137.85               |
| 049-12 - Timothy D. Berry - #2012-05/2012-06 - Permit denial/appeal |              | 300.00               |
| 050-12 - Lucas County Auditor - Estate tax settlement               |              | 9,863.21             |
| 051-12 - Lucas County Auditor - 1st half real estate tax settlement |              | 22,789.49            |
| 052-12 - Lexis Nexis - Police accident report                       |              | 3.00                 |
|   | <b>Total</b> | <b>\$ 137,822.30</b> |

**WARRANTS:**

|   |    |          |
|---|----|----------|
| #34557 - Ricardo A. Artiaga, Jr. - Road labor                       | \$ | 317.29   |
| #34558 - Jonathan D. Burkett - Police wages                         |    | 860.40   |
| #34559 - Jeffrey M. Graham - Police and D.A.R.E. wages              |    | 911.99   |
| #34560 - Russell E. Heger - Police wages                            |    | 388.88   |
| #34561 - Harry R. Kellett III - Police wages                        |    | 1,003.89 |
| #34562 - David L. Krego - Police wages                              |    | 1,108.68 |
| #34563 - Kenneth M. Kristoff - Police wages                         |    | 76.10    |
| #34564 - Richard R. Ludwig - Supt. wages                            |    | 825.45   |
| #34565 - Norbert J. Miller - Police wages                           |    | 393.22   |
| #34566 - Susan Marie Olman - Police wages                           |    | 211.17   |
| #34567 - Kay Ann Robertson - Fiscal officer salary and zoning wages |    | 826.63   |

continued.....

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Held at 7:30 pm at the Waterville Township Hall on March 28, 20 12

Continued:

|  |           |
|--|-----------|
| #34568 - Michael J. Wilkinson - Police wages                             | \$ 401.16 |
| #34569 - Ohio Public Employees Retirement System - March retirement      | 6,608.23  |
| #34570 - Ohio Child Support - Wilkinson's payment                        | 401.17    |
| #34571 - David L. Krego - Police wages                                   | 900.83    |
| #34572 - David L. Krego - Krego's vacation payment                       | 2,549.66  |
| #34573 - Celley & Sanderson LLP - February solicitor fees                | 2,343.00  |
| #34574 - Medical Mutual of Ohio - April hospitalization                  | 10,426.37 |
| #34575 - J B Web Marketing - Website update services                     | 140.00    |
| #34576 - Direct Computer - Keyboard and printer installation             | 185.00    |
| #34577 - The Mirror - Notice of meeting dates                            | 144.00    |
| #34578 - Fifth Third Bank - March charge purchases                       | 184.24    |
| #34579 - Century Link - March phone payment                              | 88.07     |
| #34580 - Toledo Edison - March electric payment                          | 184.70    |
| #34581 - Municipality of Waterville - March water/sewer payment          | 43.00     |
| #34582 - Waterville Gas Company - March heat payment                     | 317.88    |
| #34583 - Toledo Edison - March township street lighting                  | 172.99    |
| #34584 - General Pro Hardware - Misc. supplies                           | 36.21     |
| #34585 - Waste Management - February trash and recycling                 | 4,268.00  |
| #34586 - Buckeye Telesystem - March police phone payment                 | 99.45     |
| #34587 - Verizon Wireless - Police mobile phones                         | 83.17     |
| #34588 - Waterville Township Acting Police Chief - Misc. police expenses | 217.68    |
| #34589 - Toledo Edison - March Coventry Glen street lighting             | 365.71    |
| #34590 - Ricardo A. Artiaga - Road wages                                 | 375.26    |
| #34591 - Jonathan D. Burkett - Police wages                              | 935.78    |
| #34592 - A. Leslie Disher - March trustee salary                         | 800.60    |
| #34593 - James E. Fischer - March property standards salary              | 639.58    |
| #34594 - Eric H. Gay - March zoning salary                               | 714.16    |
| #34595 - Void.....Void.....Void  | 0.00      |
| #34596 - Russell E. Heger - Police wages                                 | 348.76    |
| #34597 - Kyle J. Hertzfeld - March trustee salary                        | 759.57    |
| #34598 - Harry R. Kellelt III - Police wages                             | 909.09    |
| #34599 - Richard A. Ludwig - Supt. wages                                 | 979.62    |
| #34600 - Norbert J. Miller - Police wages                                | 337.83    |
| #34601 - Susan Marie Olman - Police wages                                | 263.56    |
| #34602 - Kay Ann Robertson - Fiscal officer salary and zoning wages      | 826.63    |
| #34603 - Michelle Lynn Vollmar - Police wages                            | 80.18     |
| #34604 - Brett T. Warner - March trustee salary                          | 748.83    |
| #34605 - Michael J. Wilkinson - Police wages                             | 546.35    |
| #34606 - Jeffrey M. Graham - Police wages                                | 740.84    |
| #34607 - Treasurer of State of Ohio - March state payroll tax            | 798.22    |
| #34608 - Ohio Child Support - Wilkinson's payment                        | 445.95    |
| #34609 - Waterville Commissioner of Taxation - 1st quarter payroll tax   | 15.51     |
| #34610 - Whitehouse Commissioner of Taxation - 1st quarter payroll tax   | 307.73    |
| #34611 - Toledo Commissioner of Taxation - 1st quarter payroll tax       | 639.77    |
| #34612 - Delta Dental Plan of Ohio - April dental insurance              | 311.26    |
| #34613 - A. Leslie Disher - March medicare reimbursement                 | 115.40    |
| #34614 - Kay Ann Robertson - March reimburse medicare                    | 99.90     |
| #34615 - Time Warner Cable - March highspeed internet                    | 51.95     |
| #34616 - Taylor Business Machines - Ribbons and lift-off tapes           | 119.00    |
| #34617 - Lisa L. Cole - March clean hall and police station              | 50.00     |
| #34618 - Century Link - March township phone                             | 94.08     |
| #34619 - John Widmer - Zoning planning services                          | 1,800.00  |
| #34620 - Fifth Third Bank - March charge purchases                       | 939.68    |
| #34621 - Lucas County Treasurer - 2012 EMA charges                       | 418.27    |
| #34622 - Russell L. Robertson - March reimburse medicare                 | 99.90     |
| #34623 - Sandra L. Ludwig - March reimburse medicare                     | 99.90     |
| #34624 - Doris A. Disher - March reimburse medicare                      | 115.40    |
| #34625 - Anthony Wayne Board of Education - February township fuel       | 2,296.08  |
| #34626 - J Bell Technologies - Police computer labor and supplies        | 417.44    |
| #34627 - Hanifan-Obenauf-Robinson - April station rent                   | 950.00    |
| #34628 - Superior Uniform Sales - Wilkinson's uniforms                   | 164.85    |
| #00015 - U.S. Treasury - Voucher for March withholding                   | 3,218.31  |

Total \$ 60,659.46

continued.....

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Held at 7:30 pm at the Waterville Township Hall on March 28, 2012

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. Motion seconded by A. Leslie Disher.

Motion Carried.

PUBLIC COMMENTS:

Bill Ines, 8791 Noward Road, asked if there was any news as to what would be done by ODOT regarding his portion of Noward Road. Chairman Disher stated that he had some good news. When Chairman Disher met with the Lucas County Engineers at their annual meeting, he was told that ODOT had set aside some money to do repairs to Neowash Road after the US 24 construction was completed. Apparently damage to Neowash Road was minimal so ODOT is willing to put those funds toward repairs to Noward Road between old US 24 and Neapolis-Waterville Road. So very good news indeed.

PUBLIC HEARING:

None.

SPECIAL PRESENTATION:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

FISCAL OFFICER - CORRESPONDENCE:

- 1) From Workplace Resources LLC, a Certificate of Liability Insurance. Also, from Workplace Resources, an Utilization Report for the period 12/1/2011 to 2/29/2012.
2) From the Ohio EPA, a notice of a public hearing about a mercury variance request for the discharge from Envirosafe Services of Ohio's wastewater treatment system on March 21st. The meeting will begin at 6:30 pm at the Lake Erie Center, 6200 Bayshore Road, Oregon, Ohio. Also from the Ohio EPA, a public information session and hearing at 6:30 pm on March 29th to accept comments on a proposal for the annual dredging of the Toledo Harbor federal navigational channel. The meeting will take place at Toledo City Council Chambers, One Government Center, 640 Jackson Street, Toledo, Ohio.
3) From Maumee Municipal Court, an invitation to attend a presentation by Judge Gary Byers of the Maumee Municipal Court's 2011 Annual Report on March 20th from 6 pm to 7 pm in the Courtroom of the Maumee Municipal Building, 400 Conant Street, Maumee, Ohio.
4) From the Ohio Department of Public Safety Bureau of Motor Vehicles, the February License Tax Statistics Report. Also from the Department, the Permissive Tax Compensation Report for February. Due the township is the sum of \$277.50.
5) From the Ohio Department of Commerce, a notice to legislative authorities that all permits to sell alcohol in our subdivision will expire on June 1, 2012. Every permit holder must file a renewal application. There are no complaints from our residents or trustees.
6) From the Ohio Public Employees Retirement System, an update regarding GASB Statements 27 and 45.
7) From Barb Bruno, Waterville City Council, an invitation for Waterville Township to be a part of "Bring Back the Boom!" They did not have the fireworks last year due to budget restrictions. Everyone is having to do more with less:

Kyle J. Hertzfeld made a motion to contribute \$200.00 to the City of Waterville 4th of July Fireworks celebration. Seconded by A. Leslie Disher.

FISCAL OFFICER - OTHER MATTERS:

Motion Carried.

At the January 10, 2012 Organizational Meeting, the trustees accepted the bonds of Chairman Disher and Fiscal Officer Robertson. Fiscal Officer Kay Robertson

continued.....

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Continued:

was sworn in on March 15th by Judge Gary L. Byers of the Maumee Municipal Court in Maumee, Ohio. The trustees signed her bond at this meeting and a copy will be filed with the Lucas County Treasurer's office.

The settlement sheet for the February real estate settlement brought with it a new charge for land reutilization fees from the special assessment fund for the street lighting for Coventry Glen:

RESOLUTION #2012-11 AMENDING THE WATERVILLE  
TOWNSHIP 2012 ANNUAL APPROPRIATIONS.

Mr. A. Leslie Disher moved the adoption of the following Resolution #2012-11:

**BE IT RESOLVED**, by the Board of Trustees of the Township of Waterville, Lucas County, Ohio, that to provide for current expenses and other expenditures of said Board of Trustees, during the said fiscal year ending December 31, 2012, 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:

2401 - STREET LIGHTING DISTRICT FUND - 2401

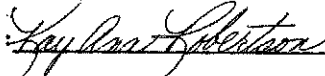
|                   |                     |          |             |
|-------------------|---------------------|----------|-------------|
| 2401-310-314-0000 | Tax Collection Fees | Add      | \$ 1,500.00 |
| 2401-310-360-0000 | Contracted Services | Subtract | 1,500.00    |

Mr. Kyle J. Hertzfeld seconded Resolution #2012-11 and the roll being called upon its adoption, the vote resulted as follows:

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

Adopted March 28, 2012.

Attest:



Kay Ann Robertson, Fiscal Officer  
for the Township of Waterville,  
Lucas County, Ohio.

POLICE/FIRE:

1) Acting Chief Mike Wilkinson stated that March had been a slow month compared to February. He distributed copies of the police reports to the trustees.

2) This date Acting Chief Mike Wilkinson had sent an email to Solicitor Walter Celley that the unmarked car had been decommissioned from the fleet and all of the emergency equipment had been removed. The vehicle is ready for sale and he needed to know what steps needed to be done to sell it. Solicitor Celley said that Monclova Township has had alot of success in using the internet auction site - GovDeals.com. It's use requires a resolution by the trustees and printing a notice in the paper:

RESOLUTION #2012-12 DECLARING THE INTENT TO SELL  
PROPERTY BY INTERNET AUCTION.

Mr. Brett T. Warner made a motion to adopt the following Resolution #2012-12:

**WHEREAS**, Ohio Revised Code §505.10 provides the authority for a township board of trustees to sell by internet auction, personal property including, but not limited to, motor vehicles, road machinery, equipment, tools or supplies that are not needed for public use, is obsolete or is unfit for the use for which it was acquired; and

**WHEREAS**, The Waterville Township Board of Trustees intends to sell such property by internet auction; now therefore,

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

Section 1: Items approved for disposition will be listed on GovDeals.com according to Waterville Township's Policy for Disposition of Obsolete Equipment via Internet Auction; and,

Section 2: All auctions will be of no less than ten days duration, including Saturdays, Sundays and legal holidays; and,

Section 3: All property will be offered "As Is, Where Is"; and,

continued.....

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Continued:

Section 4: All auctions will be conducted according to the standard GovDeals Sellers Agreement Terms and Conditions; and,

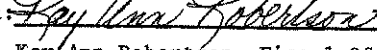
Section 5: A notice of the Waterville Township Board of Trustees intent to sell unneeded, obsolete or unfit for use, township personal property by internet auction will be published in "The Mirror" once per year; and,

Section 6: A similar notice shall be posted continually in a conspicuous place in the township administrative offices and on the township's internet web site.

Mr. Kyle J. Hertzfeld seconded the adoption of the amendment and the roll being called upon its adoption, the vote resulted as follows:

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

Adopted March 28, 2012.

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

3) D.A.R.E. graduation is scheduled for May and it would be nice to get T-shirts as we have done in the past. Trustee Disher said he would contact the Spring Green Educational Foundation and see if they had any funds that could help.

ROAD/CEMETERY/REFUSE:

1) The Office of Lucas County Engineers, Walter Harris, Records Department, sent three (3) copies of the 2011 Annual County Highway Mileage Certification forms for the trustees' signatures. All three were signed and two (2) copies were returned and one (1) copy was retained for the township records. There are officially 7.240 miles of township roads in the unincorporated portion of Waterville Township.

2) Two (2) copies for the Davis Road Project were received from Gerken Paving. The trustees signed both copies and one copy was returned to Gerken Paving.

3) Trustee Kyle Hertzfeld indicated that he and Supt. Richard Ludwig would be taking a tour of the township and observe the roads and taking notes.

4) Last fall it was noted that the pump in Whitehouse Cemetery was not operating properly and the power was turned off because the pump was running constantly. We had a gentleman come out and take a look at the pump and he gave the township a quote for a new pump. Chairman Les Disher took the quote and was going to talk to Whitehouse and see what they wanted to do. There is city water that runs in front of the cemetery and maybe their crews could hook it up which would eliminate the need for electricity and the cost of a new pump.

ZONING:

1) Nine (9) permits to date.

2) At the zoning commission March meeting, Chris Kelly (Rudolph-Libbe) was present to discuss the administrative site plan review. Almost all of the issues were resolved. The new building panels were not of an acceptable material and Mr. Kelly was going to contact GM (Yark Automotive) to see if they had anything different. Mr. Kelly had given the impression he may know the next day but so far nothing.

3) Kirk Hester, 8507 Dutch Road, met with Inspector Gay and responded in writing also. Although the timetable to get everything taken care of depends on the weather, Inspector Gay feels everthing can be worked out.

4) Tim Berry, 9063 South River Road, has filed a zoning appeal to build his garage in his front yard. He had filed an appeal for the same thing in 2006 and his request for a variance had been denied. The appeals board had ruled that he had other options. Now he has a letter from the county health board stating he has to save the side yards and the back yard for a possible new leach field should his current leach field fail. The public hearing is scheduled for April 23, at 7:30 pm at the Waterville Township Hall.

continued.....

DAYTON LEGAL BLANK, INC. FORM NO. 10146

Held at 7:30 pm at the Waterville Township Hall on March 28, 20 12

Continued:

- 5) The Fallen Timbers Community Church, 7215 Noward Road, has put up an Easter banner at the corner of Noward and SR 64. It is just temporary. Inspector Gay will call them and ask them to take it down if it becomes a nuisance.
- 6) Acting Chief Mike Wilkinson said that there is a problem with brush, etc. at the intersection of Obee and Whitehouse-Spencer Roads. It is obstructing the view of oncoming traffic. He believes it is a safety hazard. It was stated that if the homeowners will not trim, the township can at least trim in the road right of way.

PROPERTY STANDARDS OFFICER:

- 1) There was one nuisance complaint on Neowash Road (uncertain if 9035 or 9055). Chairman Les Disher knew the son of the property owner and the matter has been taken care off.
- 2) Property Standards Officer James Fischer had a call from Dale Myers who owns the property along SR 64 in front of the Kroger store. The developer has hired a Paul Avery to clean up the blighting on the property. Mr. Avery is working closely with ODOT on the cleanup.
- 3) The Architectural Review Committee (ARC) met March 6th and made the final corrections and the "draft" has been distributed to everyone. The zoning commission should be ready to send it to the plan commission after their April meeting.
- 4) Karen Schneider and Jim Fischer had a meeting with the City of Waterville about lighting and signs. They are also very interested in our new ARC regulations. They permit pole signs and the township does not so they may rethink that choice. Mr. Fischer also attended the City of Waterville Comprehensive Plan meeting.

SOLICITOR:

- 1) Solicitor Walt Celley stated he had a public records request and the Township responded in a timely manner. It involved information regarding the police department and future plans.
- 2) There were also a few inquiries concerning upcoming public meeting on March 29, 2012.
- 3) The Township is finished with former Officer David L. Kregg. He has resigned and he has been paid in full for back wages and vacation time. As far as the township is concerned, the case is closed.

BOARD CHAIRMAN:

- 1) Two (2) out of the three (3) trustees had calls regarding the trash collection last pickup. Some were missed, some picked too early so not picked up at all. Trustee Brett Warner stated each resident that has a problem needs to report it themselves. If they report their problems to a trustee then five (5) calls are counted as one which does not show the scope of the problem. The Township contact at Waste Management is going to take a new position. He will bring his replacement to a township meeting and introduce him.
- 2) Chairman Les Disher recently attended the annual meeting with the Lucas County Engineers office. He brought back a map with county projects planned for our township in the near future. In 2014, there are two (2) round-abouts planned for both intersections of Waterville-Monclova Road and Dutch Road. The Discovery Center will be moving its driveway to the other side of their property. They plan on doing both of them at the same time - when school is out. In 2015, they plan on doing a round-about at Finzel Road and SR 64. Although not in our township but next door, they plan on doing a round-about at Waterville-Monclova Road and Stitt Road in 2015.
- 3) The Village of Whitehouse plans to do more resurfacing on Cemetery Road this year. There is also some drainage work on Cemetery Road in front of the Witte property that will be done this year.
- 4) When conferring with the county engineers, the question was asked about the completion of the US 24 bypass. ODOT stated completion - September 2012, Maumee to Fort Wayne, Indiana.

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Continued:

5) Last year the county was pushing for the township to contract with them to plow and salt the township roads. If we did that, there would be nothing for the Road Supt. to do in the winter time. The county suggested some kind of shared services - more on that later.

6) In reference to the Davis Road Resurfacing Project, Chairman Les Disher has met with each resident that had some sort of plantings in the road right-of-way. He let them know that if there were any plantings they wanted saved, they would be responsible for moving them. The contractor was not going to replace them. Some of the residents asked about drainage in connection with the paving project and the answer was - no drainage in the project.

EXECUTIVE SESSION:

Kyle J. Hertzfeld made a motion to go into executive session to consider the matter of discussing police personnel issues. Seconded by Brett T. Warner.

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, Brett T. Warner made a motion to adjourn. Seconded by A. Leslie Disher.

Motion Carried.

Adjourned at 9:47 p.m.

Attest:

[Handwritten signature of Kay Ann Robertson]

Trustees:

[Handwritten signatures of Les Disher, Kyle J. Hertzfeld, and Brett T. Warner]