

RECORD OF PROCEEDINGS

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF TRUSTEES

11420 Millersport Rd. NE, Millersport, OH 43046

REGULAR MEETING MINUTES

May 02, 2023 -7:00 PM

Township Officials present:

Trustees Terry W. Horn, William R. Yates, and Douglas G. Leith. Fiscal Officer (FO) Pam Underwood was absent.

Department Heads/Staff present:

Roads & Parks Supervisor - Nate Wagner; Regional Planning Commission Representative - Robert W. Slater II, Fire Chief - Robert Price; Zoning Inspector - Mike Berry; and Recording Secretary and Fiscal Accounting Clerk - Tammy Oliver;

The meeting was called to order at 7:00 PM by Trustee Chairman Yates and the Pledge of Allegiance to the Flag was recited.

Trustee Horn proceeded with opening the Bid for the 2023 Road Paving per the Bid Requests with alternates.

1. Shelley Company, total bid, with all alternates \$ 347,638.05. All required documentation was included with the Bid.

Trustee Yates moved and Trustee Horn seconded the motion to accept the Bid from Shelley. The motion passed with 3 yes votes.

Invited guest(s) present: Fairfield County Sheriff's Office – Sgt. Sean Burke.

Number of members of the public present: 24 as recorded on Sign-in sheets.

MEETING PROCEEDINGS

Fairfield County Sheriff's Office - Sgt. Burke stated that issues on Shepard and Richards were addressed. Another issue on Fairfield Beach was addressed and criminal charges were filed. Sgt Burke asked if there were any other Issues that needed addressed. Trustee Yates brought up there were complaints about the roadways need to be cleared on South Bank and Leibs Island. Sgt. Burke said he would investigate the issue.

Approval of Minutes:

The minutes for the Regular Meeting on April 4 , 2023 were presented for approval. Trustee Horn made a motion to approve the minutes with corrections. Trustee Yates seconded the motion. The motion passed with 3 yes votes.

The minutes for the Special Meeting on April 20, 2023 were presented for approval. Trustee Horn made a motion to approve the minutes with corrections. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Trustee Yates moved to table the approval of the minutes for April 27, 2023. As a result of all the Trustees attending the Fairfield County Ohio Township Associations meeting and, with the intent of the Trustees being transparent to the public, Trustee Yates stated he will get a copy of the OTA meeting minutes and will then have the trustees approve the April 27, 2023 minutes.

Financial Reports – Fiscal Office, Pam Underwood:

Approval of Checks and Electronic Fund Transfers (EFT's):

Trustee Yates made a motion to approve checks # 25842 through # 25848 and Electronic Fund Transfers # 210-2023 through # 242-2023, after being certified that funds are available and appropriations have been made by Fiscal Officer, Pam Underwood. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Trustee Horn made the motion to approve the Fiscal Officer's financial reports for March 2023. Reports include: Investment Listings, Appropriation Summaries, Cash Summaries, Fund Status and Payment Detail

Listings and the Bank Reconciliation Reports for March 2023. Trustee Yates seconded the motion. The motion passed with 3 yes votes.

Trustee Horn made the motion to adopt "Resolution # 09-2023 – Resolution to Establish a New Pick-up Plan". The resolution states that the Township will pay the full-time Fire Fighter/EMT employee's 12.25 % mandatory contributions of the Ohio Police and Pension Fund as was written into the Safer Grant that is providing funds for the hiring of three Full-time Fire Fighters/EMT's for the next 3 years. The motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

Trustee Horn made a motion to approve payment of Invoice #6144061-00-11 from MS Consultants dated March 9, 2023 in the amount of \$ 10,772.14 from the ARPA Grant Funds/Stormwater Subgrant. Seconded by Trustee Yates. The motion passed with 3 yes votes.

Comments from the public

1. There were several persons voicing their concerns about the Township's prime farm land in Walnut Township being used for solar projects. They do not want the solar farms in Walnut Township.
2. Robert Slater, Regional Planning Commission (RPC) Representative, covered the solar discussions from the RPC meeting he attended earlier.

DEPARTMENT REPORTS

Township Fire Department - Chief Price;

Chief Price stated there were 122 Total Runs in April 2023. The Township's Fire Department is still challenged with hiring Part-time Fire personnel, but are still working of hiring.

Chief Price Updated the Trustees on the maintenance and repairs of the Fire Department vehicles. The Medic was having a seat belt issue with parts being on back-order taking the Medic out of service for 3 weeks, but it was back in service.

Updated the Trustees on the damage to the driveway at the Thurston station by a large truck. The Village of Thurston stated anything that Walnut Township decided to do with adding a fence or adding concrete barricades would need to be funded by Walnut Township.

The Drug Take Back Day was a success. The Department collected 43 pounds of prescription drugs and many electronics were turned in for recycling.

The Chief made comments that a plumber had to be hired to take care of issues with the drain lines backing-up. The plumber said that the lines were not correctly installed when the building was originally built.

Regional Planning Commission Representative – Robert Slater II;

Mr. Slater reported that he attended the May 2, 2023 meeting.

Zoning – Mike Berry;

10 permits issued in March 2023: 3 homes, 2 additions, 3 fences, 1 deck, 1 variance. No outstanding fees.

Mike stated he made a numbering mistake with assigning permit Numbers. Mike voided permit numbers 30-23 to 39-23.

8 letters issued: 2 violation, Prior violations: Accessory Building on 5351 Alder and Ivy, owner has seeked advice from an attorney. No response from resident living in a camper at 5557 Alder Road, sent 2nd notice in February 2023 with no response from home owner. New Zoning Violations include New Salem SR 188 a Shed with no permit. No response, and Zoning violation at 13050 Shell Beach Road. Persons living in 2 campers. There will be 1 variance hearing on May 11, 2023. The Solar Amendment was presented to regional Planning. Regional Planning will review at the May 2, 2023 meeting. The Zoning Commission will be meeting on May 18, 2023 and will only be discussing the Solar Amendment. There is a need for permit fees to be updated to include addition for commercial structures.

Returned 95 phone calls.

Mike updated the Trustees that we still have active lawsuits regarding the short-term rentals (Air BNB's), but 2 parties have withdrawn from the lawsuit. The parties who have withdrawn have started renting their properties again. Trustee Yates directed Mike to contact the Fairfield County Prosecuting Attorney's office to decide how to handle what the next steps the Trustees should take to stop these violations.

Property Maintenance Inspector – Kelly Smith;

Kelly was not in attendance, but had provided a log before the meeting of her activity for the month of April 2023.

Parks and Roads Supervisor – Nate Wagner;

Parks:

Nate would like to amend Resolution 13-2023 for the ODNR Nature Works Grant to make improvements to Township Parks on Lieb's Island. ODNR wanted rewording of the resolution to include the township Fiscal officer acknowledging that there are available funds to cover the Initial Grant funds and the additional contingency amount of \$2,600.00. Trustee Leith suggested using the Boat Dock Fees to help with funding the Parks.

Trustee Horn made the motion to amend Resolution #13-2023 titled "A Resolution to Apply for ODNR NatureWorks Grant" to include the \$2,600 funding from the General Fund (1000) and the Leib's Island Parks Boat Dock Fund (2905) to be part of the Grant. The motion was seconded by Trustee Leith. Trustee Leith suggested using the Boat Dock Fees to help with funding the Parks. The motion passed with 3 yes votes.

Roads:

Nate updated the Trustees that they had put down several 100 tons of berm this spring.

They have 3 culverts they were going to address in early May to open inlets and outlet to assist with flow.

They will be begin mowing the roadsides in the coming weeks.

The county is replacing the culvert at the end of Summerland Beach and fix the water issue where it drains across the road. The road will be closed on June 19, 2023 for a week.

Nate Updated the Trustees on equipment repairs. They were taking Truck #6 to Zanesville to repair the windshield wipers and on the road the engine fan exploded and took out the radiator and the shroud and needed towed. Repairs totaled \$6,975.16 which Nate was requested approval of payments.

Trustee Leith made the motion to approve the payments and was seconded by Trustee Horn. The motion passed with 3 yes votes.

Zoning Inspector - Mike Berry asked to add an item to the Zoning updates. Since he had been asked, often, what the procedures for filing an amendment were, Mike noted he had provided a "Township Zoning Amendment Procedure" flow chart showing the steps or procedures for filing a zoning amendment. He stated that the solar energy system is at step C (Regional Planning Commission) on the flow chart.

OLD BUSINESS

1. Salt Storage Facility - Trustee Horn stated that the Site plan for the Salt Barn Facility for the Township will be done in the next week. The two parcels will need to be rezoned to I-2. Trustee Horn would like that request submitted to Regional Planning on May 8, 2023. He also stated that the Township will need to ask for a Conditional Use Permit through the BZA for the storage of a chemical which will be the salt. The Trustees discussed getting a legal opinion as to what EPA issues the Township may have to deal with. There were questions about the Future MS4 Reporting requirements that are part of our engineering contract which will need to be addressed. Funds to pay for the Salt Barn Facility will be paid from the Roads and Bridges Funds.

Trustee Horn made the motion to rezone parcels 0460006110 and parcel 046-0005970 for the purpose of construction of the Salt Storage Facility. The motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

2. **North Walnut Township Storm Water** - Trustee Horn updated the Trustees regarding Phase One funding. Phase One cost will be approximately \$150,000. The prosecuting Attorney's office is reviewing Phase one contract and there may need to be a special Board Meeting later in May to approve the contract so it can get started. Trustee Horn was expressing his hopes for future funding possibilities from Troy Balderson's office and the OPWC.
3. **Progress on Boat Dock renewal for 2023** – We have had great response with the Boat Dock Fees. There are two docks available. All boat dock fees, but two, have been paid. Notices have been sent and we will follow-up. If we have any docks available, we allow residents of Leibs Island to apply for them for a one-year time period.
4. **No parking signs** - 2 vehicles have been removed.

NEW BUSINESS

1. **Road Bid Action** – Trustee Horn moved that the Township adopt Resolution #17-2023 – 2023 Annual Road Paving approving a contract with Shelly Company, including all alternates, for a total cost of \$347,638.05. \$250,000 of the funds will be paid from the ARPA Grant Funds (Fund 2273) with the remaining cost of \$97,638.05 to be paid from the Roads and Bridges Fund (Fund 2031). Motion was seconded by Trustee Leith. The motion passed with 3 yes votes.
2. **Economic Development** - Discussion was for the Township to partner with a neighboring municipality to sharing commercial Income Tax revenue. Walnut Township cannot tax. It was agreed that Trustee Horn will represent the Township with initiating some discussions with the various municipalities.
3. **Property Maintenance** - Trustee Yates voiced concern with Trustee Leith and Trustee Horn that the Trustees should be approving all property maintenance issues that are filed in court before any court action is taken with Township residents.
4. **Luke Bryan September 15, 2023 Concert** - Trustee Yates suggested that Trustee Leith organize the communication between the various Township departments and the Luke Bryan Staff. Trustee Leith was willing to handle this matter.

Comments from the public:

1. There were additional comments from the public regarding moving two utility poles at the corner of Bickel Church Road and SR 37 for safety reasons.

Adjournment: At 10:34 PM, Trustee Horn made a motion to adjourn. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Minutes Recorded By: Tammy Oliver

Pam Underwood, Fiscal Officer

William R. Yates, Chairman

Terry W. Horn, Vice Chairman

Douglas G. Leith, Trustee