

RECORD OF PROCEEDINGS

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF TRUSTEES

11420 Millersport Rd. NE, Millersport, OH 43046

REGULAR MEETING MINUTES

June 6, 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.

Invited guest(s) present: Al Gumeer, Sons of the American Revolution.

Number of members of the public present: 18 as recorded on Sign-in sheets.

MEETING PROCEEDINGS

Guests:

Sons of American Revolution - Al Gumeer from the Hocking Valley Chapter of the Sons of American Revolution, stated that his organization, in honor of the 250th Anniversary of the signing of the Declaration of Independence, have taken on the mission of locating the gravesite of every patriot in Licking County, Hocking County, Fairfield County and Perry County and would like permission to put a memorial stone in front of every patriot's headstone and place a placard at the entrance of every Walnut Township Cemetery listing detailed information about each patriot buried in that cemetery.

Trustee Horn made a motion to grant The Sons of the American Revolution permission to place the memorial stones and Placard in the Walnut Township cemeteries. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Ohio Land Liberty Coalition - Tony Zartman addressed the Trustees as to the rights of land owners and the land owners right to do what they wish with their property.

Approval of Minutes:

The minutes for the Regular Meeting on May 2 , 2023 were presented for approval. Trustee Leith made a motion to approve the minutes with corrections. Trustee Horn seconded the motion. The motion passed with 3 yes votes.

Financial Reports – Fiscal Office, Pam Underwood:

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

Trustee Horn made a motion to approve checks # 25849 through # 25917 and Electronic Fund Transfers # 377-2023 through # 404-2023, and approve the Fiscal Officer's financial reports for April 2023. Reports include: Investment Listings, Appropriation Summaries, Cash Summaries, Fund Status, Payment Detail Listings and the Bank Reconciliation Reports for April 2023. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Trustee Horn made a motion to approve payment of Invoice #6488 from JBA Architects dated May 4, 2023 in the amount of \$ 3,260.00 for the Salt Storage Building Architectural Services and Site Survey . Seconded by Trustee Leith. The motion passed with 3 yes votes.

Comments from the public

1. There were several persons from various Labor Unions voiced their support for the potential jobs that are being created by Eastern Cottontail with the proposed solar farms in Walnut Township.

2. There were several Walnut township residents voicing their concerns about the Township's prime farm land in Walnut Township being used for solar projects. These residents do not want the solar farms in Walnut Township.

DEPARTMENT REPORTS

Township Fire Department - Chief Price;

Chief Price stated there were 129 Total Runs in May 2023.

Chief Price made the recommendation to the Trustees that we sell fire department vehicles that were no longer being utilized. The vehicles are the 2006 International 4300 Chassis, 2000 Ford Excursion XLT, and the 1997 Ford F-150 XLT Pickup Truck.

Trustee Leith made the motion and Trustee Yates seconded the motion to approve Resolution 20-2023 to sell, by sealed bid, the 2006 International 4300 Chassis, 2000 Ford Excursion XLT, and the 1997 Ford F-150 XLT Pickup Truck. Bids to be opened and read at 7:00 pm on July 11, 2023. The motion passed with 3 yes votes.

Regional Planning Commission Representative – Robert Slater II;

Mr. Slater reported that he attended the June 6, 2023 meeting. The Regional Planning Commission is, again, looking for a new Executive Director.

Property Maintenance Inspector – Kelly Smith;

Kelly was not in attendance, but had provided a report to the Trustees before the meeting of her activity for the month of May 2023. In Kelly Smith's absence, Trustee Horn stated that Kelly's recommendation is that the Trustees should go to municipal court with three properties. Those properties being: 1350 Shell Beach Road, 557 Alder Road, and 3123 Cottonwood Court. Trustee Horn asked that the Trustees also add two other properties, 13330 Oak Road and 5557 Alder Road, that will be ready for court within the next 30 days.

Trustee Horn made the motion to approve that the Property Maintenance Inspector file the Townships complaints with the Fairfield County Municipal Court. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Parks and Roads Supervisor – Nate Wagner;

Parks:

The ODNR Nature Works Grant to make improvements to Township Parks on Lieb's Island was submitted on May 25, 2023. The township should know if it is approved in the late summer or early Fall.

Roads:

Nate updated the Trustees that they had done the first mowing and spraying for the summer.

Nate and Mike are doing the prep patching for the 2023 road resurfacing projects.

They have unplugged or improved 3 culverts and repaired a ditch blow out on Cherry Lane.

Truck #6 repairs were completed. Nate replaced brakes and 2 tires on the equipment trailer.

Nate recommended that the Trustees approve the replacement of guardrails on Cherry Lane.

Trustee Horn made the motion to approve the guardrail being replaced on Cherry Lane and the motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

Nate received an email from the Bike Buckeye Lake group asking us to send a letter to the ODOT Safety Program asking for funds for the signs that are being applied for. Walnut Township will be responsible for 91 signs.

Nate gave an update on the Tornado Shelter Project. Schorr Architects, Inc. is putting together dates for when things will go out for bid.

Trustee Leith let the Trustees be aware that he had notified the Fairfield County Sheriff's office to make a drive by on South Bank Road where there is several construction sites and the road is being blocked. Fire Department vehicles are not able to pass through because of the road being blocked creating a serious safety issue.

Zoning – Mike Berry;

11 permits issued in May 2023: 4 homes, 1 addition, 1 shed, 1 fence, 1 deck, 2 pools, 1 ZR amendment. No outstanding fees.

1 letter issued: 1 violation, Prior violations: Accessory Building on 5351 Alder and Ivy, Prosecuting Attorney working on it. No response from resident living in a camper at 5557 Alder Road, sent 2nd notice in February 2023 with no response from the home owner. Citation to be issued. Continued zoning violations include New Salem SR 188 a Shed with no permit. Working on this issue with surveyor. Zoning violation at 13050 Shell Beach Road. Persons living in 2 campers. Letter was sent to 2nd owner. Zoning Violation at 13062 Ivy has a shed with no permit (Lot Tie in process), and 13516 Newark Road has a Semi Trailer parked on property with several emails sent to owner with no response from owner. Citation to be issued.

There are no hearings for the BZA or Zoning Commission in June 2023.

Returned 76 phone calls.

Mike Berry presented the Trustees with a letter from the Walnut Township Zoning Commission recommending the Trustees approve the proposed Walnut Township Solar Energy System Regulation with Zoning Commission Modifications. The Zoning Commission also approves the Regional Planning Commission staff recommendations of the Solar Energy System Regulations, but not in agreement with the Flood Plain Hazard District restriction.

The Trustees decided to hold the hearing in regards to the Salt Storage Building zoning issues to be held on July 11, 2023 at 6:00 pm.

Motion was made by Trustee Horn and seconded by Trustee Leith that if the four Short-term rental violators from January 2023 do not respond to their violations, then the Trustees authorize Mike Berry to contact the prosecutor's office to proceed with the next steps in the legal process. The motion passed with 3 yes votes.

OLD BUSINESS

1. **Salt Storage Facility** - Trustee Horn stated that the Site plan for the Salt Barn Facility for the Township was complete. There was an in-depth discussion on how the Trustees should ask for the Building Site of the Salt Storage Facility should be rezoned. There was concern with the location of the building and the easement requirements.

Trustee Horn made the motion to accept the general arrangement concept site plans for the Salt Storage Facility construction. The motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

Trustee Horn made the motion to submit the revised site plan for the Salt Storage Facility to the Zoning Commission to change west portion of the 6.28 acres from "I-2" to approximately a 1.5-acre area with a north/south line that is 75 feet east of the southeast corner of parcel 04600061-10. Motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

Trustee Horn will handle re-submitting a new amended application to the Zoning Board for the Zoning Board meeting July 20, 2023.

2. **North Walnut Township Storm Water** - Trustee Horn made the motion to approve Resolution #19-2023 to hire Evans, Mechwart, Hambleton & Tilton, Inc. (dba EMH&T, Inc.) to perform Professional Engineering Services for the North Walnut Township Lakeside Phase One Drainage Project for the sum of \$48,300.00. The sources of funds will be \$31,577.00 from ARPA funds (2273) and \$16,723.00 from the Roads and Bridge fund (2031). The motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

Trustee Horn made the motion and Trustee Leith seconded the motion to approve the Agreement between the Fairfield County Commissioners, and EMH&T, Inc. for \$48,300.00 to provide detailed drainage improvements for the North Walnut Township Stormwater Conveyance Study. The motion passed with 3 yes votes.

3. No parking Signs/Stones and Post, hazards in township right of ways – Nate was directed to follow-up with Fairfield County to find out what remedies the County uses to deal with obstacles in the Roadways.

Trustee Horn made a motion to direct the Roads department to install "no parking" signs on Greenlawn and Chestnut and to remedy obstacles that are in the road right-a-ways anywhere in the township. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

NEW BUSINESS

1. Solar and Zoning – A date was set for the Zoning Hearing for the proposed Solar Zoning Resolution change. The hearing date is July 11, 2023 at 6:00 pm and is open to the public.

2. Short Term Rentals - Trustee Yates would like the Zoning Inspector to follow-up with the Prosecuting Attorney's office to get a recommendation as to when the township should proceed with handing the short-term rental violations over to the prosecuting attorney's office for legal action. The Township Trustees agreed to accept the recommendation of the Prosecuting Attorney's office.

3. Traffic Closure for 33rd annual SCF 5k Run on 9/2/2023 - The Millersport Lions Club is planning its annual Sweet Corn Festival 5k run on Saturday, September 2, 2023 and will work with the Fairfield County Sheriff's Office, Millersport Police Department and the Walnut Township Fire Department with the safe traffic closures on Bright, North, Summerland Beach and South Bank Roads. Flyers will be distributed to Road Closure residents.

Trustee Leith made the motion to approve allowing the Millersport Lions Club to close off a portion of South Bank Road to conduct the 33rd annual SCF 5k Run on September 2, 2023. The motion was seconded by Trustee Horn. The motion passed with 3 yes votes.

4. Road Closure for Apostolic Church for Summer Camp - Apostolic Church is asking that the traffic closure be limited during the 3 weeks of camp starting June 5, 2023. Trustee Yates asked that the Church Camp officials coordinate with Nate Wagner and Public Safety officials.

Trustee Leith made the motion, seconded by Trustee Horn, to allow the Apostolic Church to have their Camp and that the Township will work with the camp for limited road closures during camp. The motion passed with 3 yes votes.

4. Economic Development – The Trustees discussed potential entities to possibly set-up a JEDD (Joint Economic Development District). Trustees discussed the impact a JEDD may have on various types of businesses in the communities. More information will be collected.

5. Trustee Emails – Trustee Yates would like Innovative Technology Support to investigate why the Township's general "contact" emails from the website are delayed in getting to the Trustees. Trustees would like to know who is getting the "contact" emails.

6. July 2023 Trustee Meeting Date Change - Due to the 4th of July Holiday, the July 4th, 2023 Regular Trustee Meeting will be moved to Tuesday, July 11, 2023.

7. Boat Docks – Trustee Leith asked for guidance on how the Township should handle the 1 to 2 open docks. Trustees agreed to open the rental for a one-year period to residents off the islands if there is no waitlist. Notices are being sent to remind the dock renters to put their 2023 Dock stickers on the dock placard.

Comments from the public:

1. There were additional comments from the public Walnut Township residents on how the Solar Panels would devalue property values.
2. There were also comments that the solar farms and the "Air BNB's" were going to hurt the Walnut Township School District from a property tax standpoint. The properties being utilized for these two purposes would not help with growing the student population in the schools.

Adjournment: At 9:29 PM, Trustee Leith made a motion to adjourn. Trustee Horn 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