

# RECORD OF PROCEEDINGS

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF TRUSTEES

11420 Millersport Rd. NE, Millersport, OH 43046

## REGULAR MEETING MINUTES

July 11, 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; Property Maintenance Inspector - Kelly Smith; 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.

A motion was made by Trustee Leith and seconded by Trustee Yates to approve Resolution 20-2023 to Dispose of Township Equipment per ORC 505.10. The equipment to be disposed of through a sale by sealed bid, include a 1997 Ford F150 Truck, a 2000 Ford Excursion, and a 2006 International 4300 Chassis. The motion passed with 3 yes votes.

Trustee Leith proceeded with opening the Bids for the Fire Department Equipment. The following bids were opened: Randy Bell bid \$3,501.01 for the 1997 Ford F150 Truck, Randy Bell bid \$4,001.00 for the 1997 Ford F150 Truck, Jeff Schwarz bid \$3,100.00 for the 1997 Ford F150 Truck. Commercial Bus and Vehicles, LLC (Roger D. Koski) bid \$1,573.00 for the 2000 Ford Excursion. All the bids met the minimum bid requirements.

Trustee Leith made a motion and Trustee Horn seconded the motion to accept the bid from Randy Bell in the amount of \$4,001.00 for the 1997 Ford F150 Truck and the bid from Commercial Bus and Vehicles, LLC (Roger D. Koski) in the amount of \$1,573.00 for the 2000 Ford Excursion. 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:** 16 as recorded on Sign-in sheets.

### **MEETING PROCEEDINGS**

**Fairfield County Sheriff's Office – Sgt. Sean Burke** stated he was happy he had not heard much from the Township. Sgt. Burke received good feedback from the public that the Sheriff's office was utilizing the Resource officers who are trained to ride bicycles to patrol various areas on Buckeye Lake during the BLASST celebration.

**Property Maintenance Inspector – Kelly Smith** gave an update on her progress with the Township's Property Maintenance Violations as was presented to the Trustees in her log during June 2023. Trustee Yates and Kelly stated a concern about a property on Hamilton Street because the property is not safe and the structure is compromised. Trustee Yates and Trustee Horn asked that there be public outreach to the resident to aid the resident with any support he may need.

Trustee Horn made the motion to approve that the Property Maintenance Inspector submit the following 9 properties for non-compliance to the City of Lancaster's Law Director for possible court action before the Lancaster Municipal Court. Those properties being: 5328 Orchid (Vandewater); 13448 Pine (Smith); 13476 Pine (Smith); 0 Lancaster-Thornville, New Salem (Terry); 13567 Richards St. (Russell); 11600 Cherry Lane (Sheets); and 12445 Taylor (Purple Munky). Also, two properties that will be ready for court within the next 30 days. Those being 5907 East St., New Salem (Holland); and 3308 Shepard (4 properties) (Dennison). Trustee Leith seconded the motion. The motion passed with 3 yes votes.

### **Approval of Minutes:**

The minutes for the Regular Meeting on June 6, 2023 were presented for approval. Trustee Horn made a motion to approve the minutes. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

The minutes for the Special Meeting on June 29, 2023 were presented for approval. Trustee Horn made a motion to approve the minutes. Trustee Leith seconded the motion. The motion passed with 2 yes votes. Trustee Yates abstained.

**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 # 416-2023, and approve the Fiscal Officer's financial reports for May 2023. Reports include: Investment Listings, Appropriation Summaries, Cash Summaries, Fund Status, Payment Detail Listings and the Bank Reconciliation Reports for May 2023. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

**Comments from the public:**

1. There was concern that the manholes on the roads being covered by asphalt. Suggested collars be put on the manholes and should be added to the specifications when bidding.
2. There was comment that the siding on the Township Building that was missing due to storm damage needs repaired.

**DEPARTMENT REPORTS**

**Township Fire Department - Chief Robert Price;**

Chief Price stated there were 110 Total Runs in June 2023.

Chief Price made the recommendation to the Trustees that we rebid the 2006 International 4300 Chassis with no minimum bid.

Chief Price presented a letter to the Trustees that he would like to send to the Village of Thurston regarding a property at 8095 High Street, Thurston, Ohio regarding his safety concerns. Chief Price visited the site on June 16, 2023 and stated that the property should be condemned for the following reasons:

1. Building has been unsecured for months, allowing entry by trespassers and unwanted animals.
2. The first floor is covered in trash.
3. Trash and Combustibles are piled on exterior sides of building, posing a risk of catching the structure on fire.
4. The entire structure is compromised and unsafe. There are holes in the floors, walls and ceilings.

A motion was made by Trustee Leith and seconded by Trustee Horn that the letter be presented from the chief with support from the Trustees to the Village of Thurston. The motion passed with 3 yes votes.

Chief Price announced that there was concern that the ratio of supervisors to fire fighters was not sufficient. Chief Price would like to add another officer position. Chief Price would like to recommend Jerry Murphy, a current Walnut Township Fire Department employee who also works for the Heath City Fire Department to fill that position. A motion was made by Trustee Horn and seconded by Trustee Leith to approve Jerry Murphy to fill the open officer position effective immediately. The motion passed with 3 yes votes.

Chief Price stated there was no issues during the Buckeye Lake Fireworks.

Chief Price also stated he is struggling to find workers for the Millersport Sweet Corn Festival and the Luke Bryan Concert on Geiger Road during August and September 2023.

**Regional Planning Commission (RPC) Representative – Robert Slater II;**

Mr. Slater reported that the RPC meeting was delayed to July 19, 2023 at 5:30pm. The RPC is still working on hiring an executive director.

**Zoning – Mike Berry;**

14 permits issued in June 2023: 4 homes, 1 addition, 2 accessory buildings, 3 fences, 1 deck, 2 pools, 1 Ag-exempt. No outstanding fees.

8 letters issued: 1 violation – 2256 Canal Road, owner came in and filed for Ag-Exempt; 7 letters for Tourist Home/Short Term Rentals (STR) Violations. Second round of letters were sent to the following properties: 3780 South Bank Road, 3788 South Bank Road, 4003 North Bank Road, 4139 North Bank Road, 4445 North Bank Road, 5051, Dahalia, and 5271 Lakeshore Road.

There was discussion on the Short-Term Rentals (STR) in the Township. It was mentioned that the Class action suit filed against the Township was withdrawn with prejudice and cannot be refiled. The federal judge agreed with the Township that the Township Zoning Resolutions does not allow Short-term Rentals.

Mr. Berry stated there would be a Zoning Commission meeting on July 20, 2023 for the requested rezoning of the Township's property where the proposed Salt Storage Facility will be built. July 19, 2023 there will be a hearing to discuss the proposed new solar zoning resolution. August 1, 2023 there will be a Trustees' Hearing at 6:30 pm for the rezoning of the Township's Salt Storage Facility.

Trust Leith made a motion, seconded by Trustee Yates to approve the following meetings: Hearing on July 19, 2023 at 6:00 pm regarding the proposed Solar Zoning Resolution for solar installations, including Industrial over 50 MW. Trustee Horn stated that the Townships have no authority to regulate solar over 50 MW. Trustee Yates said that his intention was to regulate all solar facilities; Special Trustee Meeting on July 19, 2023 7:00 pm to potentially approve and adopt the Solar Zoning Resolution; Hearing on August 1, 2023 at 6:30 pm for discussion on approval of the Township's request to change the zoning district for the proposed Salt Storage facility property. Motion passed with 2 yes votes. Trustee Horn abstained.

Trustee Horn asked Mr. Berry if the BZA could meet on August 10th to hear the salt barn conditional use setback variance.

Returned 79 phone calls.

#### **Parks and Roads Supervisor – Nate Wagner;**

##### **Roads:**

Nate updated the Trustees that they were working on the second mowing for the summer.

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

Shelly Company will be starting the paving on Monday July 24th and will start on Jaegar Road.

The guardrails on Cherry Lane have been repaired at a cost of \$3,543.75 done by M. P. Dory. He was very pleased with their speed and the quality of the job.

Mowers have been repaired.

Summerland Beach Road will be closed for culvert repairs by ODOT during the week of July 17, 2023.

Nate presented the Trustees with a copy of the Fairfield County's policy on right-of-way infractions and their process for dealing with them. Nate would like to streamline them and present a resolution to the Trustees during the August 1, 2023 meeting.

Nate gave an update on the Tornado Shelter Project. Schorr Architects has determined the pre-bid meeting will be July 20, 2023. The bid opening date for the project will be at 7:00 pm on September 5, 2023.

A motion was made by Trustee Leith and seconded by Trustee Horn to have Nate move forward with the date schedule presented by Schorr Architects. Motion passed with 3 yes votes.

Nate is getting a quote to have the contents of the barrels behind the Township buildings tested and will dispose of the contents as required.

A motion was made by Trustee Horn to give the Roads and Bridges Supervisor a blanket authorization to place NO PARKING signage on any residential road/street or portion of a road/street within Walnut Township per Resolution #19-2022 (Parking Signs). Seconded by Trustee Leith. Motion passed with 3 yes votes.

## **OLD BUSINESS**

1. **Salt Storage Facility** - Trustee Horn provided an updated cost estimate for the project of \$486,654.00.

Trustee Horn made the motion to accept the proposal dated July 7, 2023 from Geotechnical Consultants not to exceed \$8,000.00 for all special inspections. The motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

Trustee Horn made the motion to adopt Resolution 12a-2023 to authorize additional expenditures for the New Salt Storage Facility. Additional expenditures include costs for Building Permit Fees, Printing costs of plans and specifications, Special Inspection fees, internal Township printing and zoning permit costs. Motion was seconded by Trustee Leith. The motion passed with 3 yes votes.

2. **North Walnut Township Storm Water (Lakeside/Phase 1)** - Trustee Horn updated the Trustees that He and Nate met with Eric McCrady and EMH&T on July 7, 2023 to start the project design and walked the project site. The Survey work to start July 17, 2023. Utility easement work to begin in a few weeks. The final design to be completed by November 3, 2023. We are applying for a state grant for \$624,000 for Phase 1 that we may have the 1st quarter of 2024. Certification of funds need to be completed at the October 2023 meeting for the OPWC Grants that are due prior to November 3 2023. Township should know sometime between September and December 2023 on the approval of the Federal Community Project Funding earmark grant in the amount of \$2,000,000.00 through Congressman Troy Balderson's office to complete the remaining phases of the project.

## **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 19, 2023 at 6:00 pm and is open to the public. A special meeting is scheduled to follow the hearing.

2. **County Land Use Plan** – There will be a meeting on August 24, 2023 at the Liberty Center in the evening with County Township Trustees, Zoning Commission members, and Zoning Inspectors. The Walnut Township portion of the County Land Use Plan can be adopted as presented, or all or portions amended. Trustee Horn suggested that the current Walnut Township Zoning Resolution be reviewed and updated by a professional.

3. **BLRC Logo** - Buckeye Lake has proposed to cover 90% of any cost for Walnut Township to adopt the new Buckeye Lake Region Logo. There was extensive discussion on choosing from the many designs proposed. Comments that Township will not give up its' identity as Walnut Township, but would consider using "Buckeye Lake Region" in its signage and the logo in some form. A motion was made by Trustee Horn and seconded by Trustee Yates to adopt the use of the BLRC Logo. The motion passed with 3 yes votes.

4. **Boat Docks** – Trustee Leith updated the Trustees that there is 1 open dock. The Trustees Notices are being sent to remind the dock renters to put their 2023 Dock stickers on the dock placard. If they do not display their stickers, the Trustees discussed letting the resident know that they may lose their dock for next year. There is still concern that Realtors are stating that docks are attached to properties, which is not the case.

### **Comments from the public:**

1. There were additional comments from the public Walnut Township residents on how the solar panels would devalue property values and that they are against the solar projects.
2. There were members of the Local 18 Union members and Engineers that spoke in support of the jobs the solar project will be creating.

**Adjournment:** At 9:50 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

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Pam Underwood, Fiscal Officer

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William R. Yates, Chairman

Terry W. Horn, Vice Chairman

Douglas G. Leith, Trustee