

**SWANCREEK TOWNSHIP
BOARD OF TRUSTEE
REGULAR MEETING
Monday, July 17, 2017**

Chairman Holdeman called the meeting to order at 7:00 p.m.

Prayer

Pledge of Allegiance

Roll call - Board of Trustees present: Ron Holdeman-Chairman, Phil Wiland - Vice Chairman, and Rick Kazmierczak- Trustee

Fiscal Officer: Jo Stultz

GUESTS: See Sign In Sheet

GUEST: Fulton County Health Department

135-17 Trustee Kazmierczak motioned to approve 7-3-17 Regular Board of Trustee Minutes, 2nd by Trustee Wiland.

Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea, Trustee Wiland-Yea

136-17 Trustee Kazmierczak motioned to approval of expenditures in the amount of \$127,305.09, 2nd by Trustee Wiland

Roll Call: Trustee Kazmierczak-Yea, Trustee Holdeman-Yea, Trustee Wiland-Yea

Guest: Jeff Crisenberry from Fulton County Health Department

Jeff Crisenberry from the Fulton County Health Department brought more mosquito dunks for the Township to distribute to anyone interested. He has hand-outs that he is leaving about mosquitos, breeding, and Zika Virus. He gave a short informative talk on what the Health Department does. Trustee Kazmierczak asked if there was still grant money available septic inspections. Mr. Crisenberry states as of now there still is. The residents should contact the Health Department on details. Mr. Crisenberry states that he works with Maumee Valley closely on tear down and rebuild of homes as well. Trustee Kazmierczak gave him the contact information for Dennis Miller who is involved with the burned house in the township.

Public Forum other than pipeline or waterline project:

Mr. Walt Lange had requested to be put on the agenda as a guess. He was ready to speak and show a power point presentation when Trustee Wiland asked for the floor. Chairman Holdeman granted Trustee Wiland the floor. Trustee Wiland motioned for a legal opinion on allowing Mr. Lange to talk at the meeting due to the alleged accusation of age discrimination against Mr. Lange by the Township. Chairman Holdeman states he would like to hear what Mr. Lange had to say, motion failed. Mr. Lange started his presentation again with the opening statement that he had received legal counsel and at that point Trustee Wiland again brought up the matter of the Township not allowing Mr. Lange to speak at the meeting until the Township received legal advice on possible litigation of age discrimination. Discussion was had between the Trustees, Mr. Lange, and members of the audience that wanted to hear what Mr. Lange had to say. One member of the audience asked if the Township adhered to Roberts's Rules of Order to which Trustee Wiland responded no.

137-17 Trustee Wiland reminded the board that he had a motion on the table. Fiscal Officer Stultz asked if there was a 2nd, Trustee Holdeman 2nd the motion.

Roll Call: Trustee Kazmierczak-Nay, Trustee Holdeman-Yea, Trustee Wiland-Yea

Mr. Lange's daughter, Denise Heban, stated that she had sought no legal counsel and could she do the presentation. Chairman Holdeman vetoed her request (audio of full discussion is posted on Swancreek Township's website).

Mr. John Slee of County Road W, Liberty Center, has an old tile and said that the Township had worked on the catch basins in his neighbor across the road and now his tile is filling with sand. He states that the Township has worked with him in the past when these type of issues have come up and he is seeing if it would be possible again. Trustee Wiland thinks the Township would need an easement to protected itself in the future. Trustee Kazmierczak suggested that the Township would need an aerial picture of the property to see where the Township could get an easement. Trustee Wiland suggested to Mr. Slee to sit down with the Township's Maintenance Supervisor and one of the Trustees to come to a solution. Mr. Slee is in agreement with that and would like a solution before next spring and possible flooding.

Ms. Sally Wylie asked Trustee Holdeman why he voted to not re-appoint Mr. Lange to the Water Board. Trustee Holdeman informed Ms. Wylie that he is not required to give a reason. Ms. Wylie asked Trustee Wiland if he felt the same way as Trustee Holdeman, which he responded with a "Yes". She then asked the Board if there was written procedures on re-appointment. Trustee Holdeman told her yes, and that actually Mr. Lange had written them for the Township.

Trustee Kazmierczak stated that the Board had voted on the entire process for re-appointment for all the Boards and it has been past practice if the recommendations were favorable the Board re-appointed the person. Trustee Wiland asked Trustee Kazmierczak if the Board had to re-appoint due to recommendations to which Trustee Kazmierczak responded no. Trustee Wiland suggested that the Water Board positions be an elected position and that this would take the burden off of the Trustees of the Township. Trustee Kazmierczak asked to be able to speak which Chairman Holdeman granted. Trustee Kazmierczak feels that the Board does owe a person who is not reappointed the reason why. Dale Brunner from the audience who is on the Water Board asked to Board was the non re-appointment of Mr. Lange because of something the Water Board had done or was this because of something Mr. Lange had done. Trustee Holdeman stated that the biggest complaint he had gotten about Mr. Lange was because of his vote to change the requirement of more than 51% of the residents in a proposed project had to be in favor of the project.

Fiscal Officer:

Fiscal Officer Stultz had Purchase Orders and checks to sign. Trustee Kazmierczak questioned the Ohio Tax on TriCounty Electric. Fiscal Office Stultz will call and see if the Township is required to pay this.

The Bank Reconciliation and Monthly Financial Reports were presented for signatures.

Fulton County Soil and Water sent a letter to the Township invited the elected officials on a public tour that they were sponsoring.

Resolutions: None

New Business:

None

Old Business

Items for County Auction- The Township still has time to get items around for this.

Morton Salt Contract (Update) Maintenance Supervisor Stout has requested a price from them and hasn't heard back.

Window Replacement (Update)- Trustee Wiland has requested estimates from two companies and states they will be coming. He is working on a third company for an estimate.

OPWC (Update) Fiscal Officer Stultz has the last of the paperwork. She has signed it and Chairman Holdeman needs to sign it as well. Chairman Holdeman signed it and handed it back to Fiscal Officer Stultz. She will mail it to OPWC in Columbus in the morning. Trustee Wiland asked Trustee Kazmierczak about the estimates for Swanton School's portion, it didn't include equipment and he feels labor costs were too low. Trustee Kazmierczak informed the Board he had refigured Swanton School's portion and had put it in each of their bins along with the Fiscal Officers approximately two weeks ago.

County Road 1- Trustee Kazmierczak states that Fulton County Engineer's Office will dip the ditch on County Road 1. He feels we shouldn't put the sludge back in it once the drain is placed and before it's enclosed. Lammon Brothers might be interested in it, would like a sample of it first. Trustee Kazmierczak asked the Board if they know of anyone that might be looking for fill dirt. Trustee Holdeman will call Hayley at the Engineer's Office and see if she knows of anyone.

Swanton Cemetery Title (Update)- The Village of Swanton has asked for an extension. Assistant County Prosecutor Whitmore states this is normal. Ms. Becky Clark from the audience asked how much money was in the Cemetery Fund and what gets paid out of it. Fiscal Officer Stultz had the Fund Balance Report and was able to give the to-date balance. Ms. Clark asked what was paid out of the Fund and the Board told her upkeep of all the Cemeteries and listed to her what that included. She asked the Board did they think that court case with the Village of Swanton and the Township would be resolved in 30 to 60 days. The Board informed her that they were unsure as a court date hadn't been set yet. Trustee Kazmierczak told Ms. Clark of the estimate the Township had received from Toledo Fence last year and it was between \$10,000 and \$15,000. She asked if we had asked the owners of Paige-Lynn subdivision if we had asked for financial help, and Trustee Kazmierczak told her the Township had sent them a letter asking them for financial help and they had never responded back. At this point the Township will have to wait until ownership of Swanton Cemetery is decided by the court. She states that fireworks were being shot out of the west side of the cemetery area and feels a fence would take care of that problem. Trustee Kazmierczak told her that a new fence would have to tie into the old one so as to deter people from just walking around a new one.

Annexed Road Maintenance vs Improvements (Update) The Township hasn't heard back from the County Prosecutor on how the Township should proceed.

Ohio Plan Risk Management Forms- Trustee Kazmierczak states the last thing that needs to be done is one more post placed in front of the fuel pumps and everything will be complete.

Water Board Reappointments- County Prosecutor Scott Haselman responded back to the legal request the Trustees had issued in respect to possibly appointing to the Water Board a resident who has a pending lawsuit against Swancreek Water District. Prosecutor Haselman informed the Board they can in fact appoint a resident who has a pending law suit against the District, they would be required to recuse themselves in any discussions about said lawsuit.

RUMA-Nexus (Update) Trustee Kazmierczak, Prosecutor Haselman, and representatives for Nexus have a meeting scheduled for July 26th. Nexus does not want to give grant money to an organization who has made a Resolution against them. The meeting is to see what options are available to the Township for receiving funds to build a new Salt Building.

Roadside Check List (Update)- Trustee Wiland complimented Trustee Kazmierczak on the Roadside Checklist he created. It was agreed to keep it on the agenda for future discussion. A resident on Glenmar approached Trustee Kazmierczak about his approach to his driveway has tipped. He is going to visit the resident and evaluate the situation. Trustee Kazmierczak states that none of the driveway approaches on Chaudhary Drive were sealed after the road work was complete.

Economic Development-Mediation of Airport Highway Corridor (Update) Trustee Kazmierczak will attend the scheduled meeting tomorrow. They plan on meeting once every month or two and would like a representative from each area concerned separate from the Mediation panel. Trustee Wiland feels Trustee Kazmierczak should be the representative since he has been involved since the start.

Zoning

Zoning Inspector Hallett has resigned from being the Zoning Inspector for Swanton Township. Trustee Kazmierczak would like to set up a meeting soon with Zoning Inspector Hallett to discuss with him what the Township's expectations are and see what he expects from the Township. Trustee Kazmierczak will email him to set up a time. Trustee Holdeman talked to prospective Zoning Inspector Alternate, Steve Brown. He is willing to work for the Township. Discussion was had about property on E.F. that Mr. Hallett sold through his Real Estate company. It has been declared non-conforming in the past but it seems there is a driveway on it now. Dale Brunner from the audience who is also a member of Swancreek Water Board will see if there is an assessment on the property for water. Ms. Denise Heban from the audience asked the Trustees why Zoning Inspector Hallett was still employed by the Township. Ms. Heban also stated that she would like to see Zoning Inspector Hallett's evaluations.

Fire/Rescue

Trustee Kazmierczak reminded the Board that the Fire Fund District meeting will be tomorrow at Delta Community Fire Hall at 5:00p.m. Fulton County Auditor Brett Kolb will be there along with the Village of Swanton, Village of Delta, Fulton Township and York Township.

Cemetery

No Deeds to sign

Maintenance:

None

Trustee Reports:

Trustee Kazmierczak:

None

Trustee Holdeman:

Trustee Holdeman is still working on weights for the John Deere tractor. Bader and Sons in Tecumseh, Michigan carries a lot of specialty items. He will check with them.

Trustee Wiland:

Trustee Wiland drove the area of County Road 4 that a resident had asked the Township to look at due to overhanging limbs. Trustee Wiland reported that the resident was correct and that he will talk to Maintenance Supervisor Stout about trimming the limbs back off of the road.

Public Forum - Pipelines or Water Line Project:

None

Trustee Kazmierczak motioned to adjourn, 2nd by Trustee Wiland: 8:19p.m.

Swanecreek Township Board of Trustees

Attest:Jo Stultz, Fiscal Officer
Swanecreek Township
August 7, 2017

Trustee Ron Holdeman, Chairman

Trustee Phil Wiland, Vice Chairman

Trustee Rick Kazmierczak