

**SWANCREEK TOWNSHIP  
REGULAR BOARD OF TRUSTEE MEETING  
Monday, June 3, 2019**

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

Prayer

Pledge of Allegiance

Roll call - Board of Trustees present: Travis Weigel-Chairman, Phil Wiland-Vice Chairman,

Rick Kazmierczak-Trustee

Fiscal Officer: Jo Stultz

Maintenance Supervisor: Matt Stout- Absent

GUESTS: See Sign In Sheet

**091-19** Trustee Weigel motioned to accept the Regular Board of Trustee meeting minutes from 5-20-19, and the Special Board of Trustee meeting from 5-23-19 2<sup>nd</sup> by Trustee Wiland.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wiland-Yea**

**092-19** Trustee Kazmierczak motioned to approve expenditures in the amount of \$14,464.50, 2<sup>nd</sup> by Trustee Wiland.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wiland-Yea**

**Special Guest:** Sheriff Roy Miller presented the Board with the Swancreek Township's monthly Sheriff's report. The Board had no questions for Sheriff Miller and Trustee Kazmierczak thanked him and the department for their service.

**Maintenance:** Trustee Weigel informed the Board that Maintenance Supervisor Stout was absent because he was attending his son's baseball game.

**Public Forum:**

Joe Keller from the audience addressed the Board about the drainage issue at his property. He gave a detailed report of measurements he has taken, flow lines, the basin placement, existing tile size, and removed ditch dirt. Mr. Keller outlined what he feels needs to be done to correct the situation which would include some work on his neighbor's property, Mr. Dan Carmean who was also in the audience. Mr. Carmean wants any proposed work to wait until later in the year so minimal damage is done to his property. The Trustees will have Maintenance Supervisor Stout shoot some grades and Trustee Kazmierczak suggests that the Trustees, Maintenance Supervisor Stout along with Mr. Keller have a Special Meeting on what can be done about the drainage issue in front Mr. Keller's property.

Steve Slawinski from the audience addressed the Board about his neighbor on the east side of his property (1671 County Road D). Mr. Slawinski has come filed complaints about this years ago and little has been done about it. Trustee Kazmierczak gave some history on the case that the person who owns the property is not the owner of the blight. A restraining order is in place and this has complicated getting this problem resolved. Zoning Inspector Hallett informed the Board that he feels this is the perfect scenario that was outlined by Fulton County Assistant Prosecutor Jon Whitmore. The Board of Trustees have the ability to hold a hearing on this case and the Trustees can make a determination. Trustee Kazmierczak thinks the Board should contact Mr. Whitmore to find out what the process would involve.

**093-19** Trustee Kazmierczak motioned to contact Fulton County Prosecutor's office to get a release of a legal opinion on the process the Board of Trustees needs to hold a Zoning hearing, 2<sup>nd</sup> by Trustee Wiland.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wiland-Yea**

Walt Lange from the audience addressed Zoning Inspector Hallett and the Board and asked what was going on with the Tressler property on County Road 4. Zoning Inspector Hallett states the case went to court and Mr. Tressler was found guilty. Zoning Inspector Hallett will follow up on this case again. Mr. Slawinski from the audience thinks there should be more than a fine imposed. Renee Walker from the audience informed the Board that there are area churches that are willing to help clean up property.

**Public Forum (continued)**

Susan Wielinski from the audience addressed the Board about her petitioning the Board for a variance for her driveway at 6991 County Road 2. She does not want to connect the two drives to the existing driveway because her son has 2 young children and she doesn't think it would be esthetically pleasing. Trustee Kazmierczak reminded the Board that he and Maintenance Supervisor Stout had been on location and appraised the situation. In his opinion, Trustee Kazmierczak does not think the second drive will be an issue.

**094-19** Trustee Weigel motioned to accept the driveway variance at 6991 County Road 2, 2<sup>nd</sup> by Trustee Kazmierczak.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wiland-Yea**

Sally Wylie, resident from 2194 County Road 2 would like in the minutes a personal statement about her neighbor, Mr. Wayne Kelley. Ms. Wylie proceeded to read her statement outlining her discontent with Zoning Inspector Hallett and how he handles Zoning issues. She addressed each of the Board members on issues she has with them, as well as referencing Maintenance Supervisor Stout. She addressed Public Records requests, zoning, and Swanton Cemetery's unfinished columbarium.

*For the full discussion of drainage and Mr. Keller's findings as well as Ms. Wylie's personal statement please refer to the audio recording of the June 3<sup>rd</sup> Board of Trustee meeting.*

**Fiscal Officer:**

**095-19** Trustee Kazmierczak motioned to approve voided warrant # 34641 to Fulton County Recorder for \$28,000- no charge to record the easement, 2<sup>nd</sup> by Trustee Wiland.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wiland-Yea**

Fiscal Officer Stultz asked the Board what could she legally pay for cemetery work. Specifically, she asked Trustee Wiland how he would like her to handle invoices. He asked that she specify which cemetery when issuing Purchase Orders, Blanket Certificates, and warrants. She agreed to do that.

Fiscal Officer Stultz handed out a copy of a letter from Farmers and Merchants State Bank requesting Swancreek Township release pledged securities due to the fact that the Sweep Account that the Township has is fully insured. She also handed out a copy of the letter she asked the Board to review and approve to mail back to Farmers and Merchants State Bank agreeing to release the pledged securities.

**096-19** Trustee Kazmierczak motioned to approve the letter to Farmers and Merchants State Bank releasing the pledged securities, 2<sup>nd</sup> by Trustee Weigel.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wiland-Yea**

Fiscal Officer Stultz suggested that the Maintenance Department have a form to complete comparable to the Township's Public Request and Citizen's Concern form to be kept on file in the Administration Building. The Trustees felt this was a good idea and will have the Administrative Team create one for review.

Trustee Kazmierczak gave a report on the Township's Vac truck and how many gallons were removed from the Keller's property. He feels that the Township should plan ahead to replace the one that we have. He estimates amounts in the \$350,000.00+ area. Fiscal Officer Stultz feels the Township should wait until the two truck loans are paid off, in approximately 5 years.

**New Business:**

Trustee Weigel informed the Board that Fire Chief Crosley will be performing a site visit on June 13, 2019 at 10:00 a.m. at Swanton Fire Department, and 1:00 p.m. at Delta Community Fire Department. Providence Fire Department never responded so he will not be visiting their department.

Lot Split on County Road EF- Resident Tim and Carol Austin are proposing a lot split on County Road EF. There is an 80ft. filter strip so that the lots are not over 2 acres. Discussion was had about the left over 80 ft. and Trustee Kazmierczak asked Zoning Inspector Hallett to formulate his thoughts about the split and get back with the Board in a couple of days.

New Business (Austin lot split) Continued

**097-19** Trustee Wiland motioned to deny Tim and Carol Austin's request to split the lot, 2<sup>nd</sup> by Trustee Kazmierczak.

**Roll Call:** Trustee Kazmierczak- Yea, Trustee Weigel- Yea, Trustee Wiland- Yea  
Trustee Kazmierczak will notify Tammy Richardson of Fulton County Regional Planning Commission of the Board's decision.

**Unfinished Business:**

Public Hearing July 1<sup>st</sup>, 2019 at 6:30 p.m. - Reminder to the Board

Randy McQuillin Tile Work- Trustee Kazmierczak reports to the Board that Hal Brehm contacted him about the tile issues. The Board decided to leave this under Unfinished Business as it is too wet to do anything about it now.

JEDD- Trustee Wiland is not comfortable with the Township paying \$5,000.00 without some conditions. Trustee Wiland feels the entities involved should get together first. Trustee Kazmierczak encouraged Trustee Wiland to continue to contact Matt Gilroy about this. Discussion was had about paying the bills as they come in being an option.

**Zoning:**

Zoning Inspector Hallett expressed his concerns of the frustrations on all sides. Trustee Wiland asked zoning Inspector to explain the process of a Zoning violation, to which Zoning Inspector did. After the courts have decided, but the violators have done nothing to correct the issue, Zoning Inspector Hallett states you have to start the whole procedure over again.

**Fire/Rescue:**

Fire Study- Discussed above

**Cemetery:**

None

**Employee Reports:**

None

**Trustee Reports:**

**Trustee Weigel:**

None

**Trustee Wiland:**

Trustee Wiland would like to direct Maintenance to place the arrow signs the Township has. Trustee Kazmierczak states that there is one up on the northbound before 5-1 at McCullough's for the curve.

**Trustee Kazmierczak:**

Trustee Kazmierczak reminded the Board of Breakfast on the Farm June 15<sup>th</sup>. Gerken has posted work signs on Lee High Drive and County Road EF.

**098-19** Trustee Kazmierczak motioned to go into Executive Session per O.R.C. 121-22 (G) (1) to consider employment, and O.R.C. 121-22 (G) (2) to consider the purchase of property for public use at 8:58 p.m., 2<sup>nd</sup> by Trustee Weigel.

**Roll Call: Trustee Kazmierczak-Yea, Trustee Wiland-Yea**  
Meeting adjourned

**099-19** Trustee Kazmierczak called the meeting back into order at 9:20 p.m., 2<sup>nd</sup> by Trustee Weigel.

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

**100-19** Trustee Kazmierczak motioned to have a Special Board of Trustee Meeting Monday, June 10 at 8:30 a.m. for the purpose of interviewing for part time Maintenance position, 2<sup>nd</sup> by Trustee Weigel.

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

Trustee Kazmierczak motioned to adjourn at 9:21 p.m.

**Swancreek Township Board of Trustees**

  
Attest: Jo Shultz, Fiscal Officer  
Swancreek Township  
June 17, 2019

  
Trustee Travis Weigel, Chairman

  
Trustee Phil Wiland, Vice Chairman

  
Trustee Rick Kazmierczak