

**SWANCREEK TOWNSHIP
BOARD OF TRUSTEE SPECIAL MEETING**

Tuesday July 14, 2020

Chairman Kazmierczak called the meeting to order at 8:03 a.m.

Pledge of Allegiance

Roll call Rick Kazmierczak-Chairman, Travis Weigel-Vice Chairman, Gene Wilson-Trustee
Fiscal Officer: Jo Stultz

Maintenance Supervisor: Matt Stout

Administrator: Suzanna Chandler

Guests: Fulton County Prosecutor Scott Haselman

Fulton County Engineer Nate Wilhelm

Fulton County Registered Sanitarian- Jeff Crisenbery

Chairman Kazmierczak turned the floor over to Fulton County Prosecutor Haselman. Prosecutor Haselman explained what Township's responsibilities are in regards to drainage. He started by saying due to the area we live in water is in abundance. Standing water can be a problem for residents, but for Townships the only relevance is what does the water do to the Township roads. If it affects the roads, Township's are allowed to install drainage to fix the problem. If there is standing water in a resident's yard, per O.R.C. it is not the Township's responsibility to remedy the problem. The Board gave many different scenarios and the answer always came back to, if it affects the Township's roads, the Township can fix it. He explained if a tree is in a resident's yard but the roots and limbs are in the Township's right of way, the Township is allowed to trim or cut what is in the Township's right of way. If a tile the Township installed years ago is in a farmer's field and the tile collapses, if it doesn't affect the road, the Township has no responsibility to repair it. Prosecutor Haselman asked the Board if they have easements to these field tiles. He states if there is no easement the Township legally shouldn't be on the property, as they don't own the land. Trustee Kazmierczak asked if a unanimous vote is needed for drainage work. The Board also asked about repairs of driveways that were in the Township's right of way. Prosecutor Haselman states that these were good questions and he will find out. Fulton County Engineer Wilhelm was asked if his department would come out and assess drainage projects for percentages of residents and Township responsibilities and he said yes. Chairman Kazmierczak thanked the Fulton County representatives for coming.

Zoning- Administrative Assistant Ford reported on the work being done with hired consultant Jacob Barnes. He is recommending new Zoning regulations for new splits and/or builds. He states though that if property is owned prior to the new regulations, they are grandfathered in. She states that resident Jim McConkey had paid for a Zoning Appeal that his property had been grandfathered in to that the Township was unaware of. Administrative Assistant informed the Board per this information, the Township needs to refund Mr. McConkey's \$200.00 and cancel the Board of Zoning Appeals meeting July 16th to review the case.

125-20 Trustee Wilson motioned to refund Jim McConkey \$200.00 for the Zoning Appeal, 2nd by Trustee Kazmierczak.

Roll Call: Trustee Kazmierczak-Yea, Trustee Weigel-Yea, Trustee Wilson-Yea

Administrative Assistant Ford will notify the Board of Zoning Appeals members of the decision and cancel the meeting.

Trustee Wilson motioned to adjourn at 9:19a.m., 2nd by Trustee Kazmierczak

Jo Stultz

Attest: Jo Stultz, Fiscal Officer
Swancreek Township
July 20, 2020

Swancreek Township Board of Trustees

Rick Kazmierczak
Trustee Rick Kazmierczak, Chairman

Travis Weigel
Trustee Travis Weigel, Vice Chairman

Gene Wilson
Trustee Gene Wilson