

**BOARD OF TRUSTEES OF SANDUSKY TOWNSHIP  
SANDUSKY COUNTY, OHIO**

MINUTES OF REGULAR MEETING of February 15, 2022

The Trustees of Sandusky Township met in regular session at Sandusky Township Hall at 6:00 p.m., with the following members present:

Mr. Paul Lotycz

Mr. Mike Willis

Mr. Gilbert Overmyer

Mr. Mike Willis made motion to accept the minutes. Mr. Paul Lotycz seconded motion. Vote as follows: Mr. Overmyer - yes, Mr. Willis - yes, Mr. Lotycz - yes.

Mr. Mike Willis made motion to accept and pay the bills. Mr. Paul Lotycz seconded motion. Vote as follows: Mr. Overmyer - yes, Mr. Willis - yes, Mr. Lotycz - yes.

Ms. Zienta reported the following Revenue and Expenditures:

	2-2-2022 through 2-15-2022	Year to Date
Revenue	0.00	24,573.98
Expenditures	22,878.70	116,184.61

Mr. Jake and Belle Belcher, 1620 E State Street, attended meeting. His property is located in Ballville Township with 40 feet of the rear of the lot located in Sandusky Township. Ballville Township Zoning Inspector Dave Bain contacted Mr. Belcher about animals on his property and that he received a complaint from a neighbor.

Mr. Belcher thought the neighbors were okay with the animals. The neighbor that complained recently threw pumpkins over the fence for the animals. Mr. Belcher contacted the Health Department and was told the animals are not in Ballville Township jurisdiction. The animals are all penned up on the Sandusky Township portion.

Mr. Belcher had three goats, ten chickens and one miniature pony. The goats are now gone and the pony will go to a pasture. All that is left is the chickens and they will be taken to his mother's property. Mr. Belcher asks for time to get something setup at his mother's property once the weather breaks. He will then move the chickens.

Trustees are okay with giving Mr. Belcher time to move the chickens once the weather breaks. It was noted, Trustees would like to look at the updating the Zoning Resolution to allow chickens.

Mr. Joe Garrett, Trebell LLC, attended meeting to update Trustees on the electric aggregation contract. Mr. Garrett provided detailed information on how aggregation works and how the utility market is figured when it goes out to auction.

Mr. Garrett stated with inflation, this is the highest prices they have ever seen. The market is not good as there has been a huge spike in costs. The current program will expire April 2022.

Trebel is working on a mechanism to use in order to lock in on a low price quickly. Their legal department has developed two contracts that will give them authority to purchase if it reaches a certain level. One contract is for dealing with suppliers that have a contract and the other contract is for any supplier.

One contract has been approved by the Sandusky County Prosecutor. The Prosecutor will be given the second contract this week. Mr. Garrett will email the contracts to Trustees.

Land Bank Coordinator Brian Woods has received 70 applications for building removals. Out of them, 15 owners agreed to forfeit the building and maintain the properties.

Mr. Woods explained updates to the program. He thought they could wait until the near the end to file nuisance on the property but this will fall past the deadline. He will not be able to help with getting structures torn down once the timeframe is done. His solution is to have the Fire Chief's declare property nuisances right now on any properties they want removed. The township crew can go out and board up the property and the Land Bank can help with some of the costs to do this. This will show the township made an effort liability wise.

Attorney Jim Barney advised Mr. Woods that title searches need to be done on every property in Sandusky Township where the Land Bank will be removing the structure.

All lien holders need to be notified by certified mail and given 30 days to remediate the violation.

Mr. Dean Schneider sent a certified letter to the property on North Street. He obtained the address from the Auditor's website. The post office informed Mr. Schneider the address was not valid. Mr. Barney explained that once the certified letter is returned, post the nuisance violation on the property. This will complete the notification requirements.

Mr. Barney added that from a legal standpoint, it is not the township's responsibility to board up properties. The township is exempt from liability.

After discussing, the township will start with structures on Everett Road and St. Thomas Drive.

Fire Chief Dean Schneider received an estimate from Burkett Industries to convert all light at the township hall and maintenance building to LED lamps. After reviewing, Mr. Mike Willis made motion to hire Burkett Industries to replace all indoor and outdoor lighting fixtures at the township house and maintenance building with LED lamps for \$13,884.00. Mr. Paul Lotycz seconded motion. Vote as follows: Mr. Overmyer - yes, Mr. Lotycz - yes, Mr. Willis - yes.

Mr. Schneider received two quotes from 419 Signs to replace the lettering on the front of the building. The quotes are as follows;

- "Sandusky Township Fire & Rescue" Illuminated channel letters - \$5,955.43
- "Sandusky Township Fire & Rescue" formed plastic letters - \$2,643.00

Mr. Mike Willis made motion to hire 419 Signs to replace the lettering on the front of the building with plastic letters for \$2,643.00. Mr. Gilbert Overmyer seconded motion. Vote as follows: Mr. Overmyer - yes, Mr. Willis - yes, Mr. Lotycz - yes.

The fire department has not heard from Norm at Baumann's regarding the new pickup truck. Mr. Paul Lotycz will contact Baumann's.

Mr. Schneider stated the purchase of a new fire pumper truck replacement will be at least a 2 year wait to receive it. Mr. Schneider asked if the committee should start spec'ing it out.

Mr. Schneider answered questions about the current fleet of vehicles and what the pumper truck would replace. Mr. Willis stated the fire department should move forward in spec'ing the truck.

Road Superintendent provided the following update:

- He hired Matt Merrill right before the last snow storm. He got stuck on Northcrest Avenue and a neighbor pulled him out. For his first time plowing, he did a good job.
- Mr. Saionz hit a mailbox on Thomas Drive and repaired it and replaced it.
- Received a complaint of a down mailbox on North River Road. Looked at it and determined it was not hit by a snow plow. Repaired an old mail box that was hit before and put that up.
- Going through cabinets in the shop and found a lot of stuff that will never be used like filters and headlights. Also found an International windshield replacement tool. Mr. Gilbert Overmyer advised him to check if the County Engineer can use any of the items.
- Received a quote from O.E. Meyer for a mig welder for \$3,749.00.

Mr. Paul Lotycz made motion to purchase a Millermatic 252 Mig Welder from OE Meyer for \$3,749.00. Mr. Gilbert Overmyer seconded motion. Vote as follows; Mr. Willis - yes, Mr. Overmyer - yes, Mr. Lotycz - yes.

Mr. Willis provided an update on the Sand Road RR crossing. Norfolk and Southern wants the township to tear it out. They stated there are two ways to close the railroad crossing:

1. Voluntarily - Norfolk and Southern would pay the township to closed it.
2. N&S would petition the PUCO to have it closed.

The township did send a letter in 2018/2019 to Norfolk and Southern opposing the closing of the crossing.

Mr. Dean Schneider provided the following additional information:

- He will talk to the city of Fremont Water Department about the closing
- Fremont Chief Halbeisen is not in favor of closing it because of the amount of money in the infrastructure.
- There are safety issues because of the angle of the road.

Trustees will request N&S representative attend a township meeting in a month to discuss the closing.

Mr. Mitten called Mr. Mike Willis last week. Mr. Mitten spoke with Mr. Scott Kiefer at the Taxmap office and discussed vacating the alley. Mr. Willis called Mr. Kiefer and they understand the issues of the township with the building encroachment.

Mr. Rich Randolph of the County Engineer's Department can handle vacating the alley 100%. Even is the alley is vacated, there is still things located in the setback that will need to be removed. Trustees discussed offering Mr. Mitten that if they clean up the property on the west side, Trustees will file to vacate the alley.

If this happens, the township will need an easement to maintain the catch basin.

Sandusky County Auditor talked with Mr. Paul Lotycz about her concerns on the ½ mill additional road levy that is up for renewal this year. Because the road fund is high, the budget commission will not approve the renewal levy unless the township submits a 5-year plan showing the projects that will be done.

Ms. Cyndi Zienta stated the last 5-year road plan was done in 2014. Ms. Zienta will forward the last 5-year plan to Trustees.

Trustees noted they have not done any road repairs other than the Issue II projects because the roads have not needed it.

Mr. Tom Willis, part-time road department, would like a raise. He is currently receiving \$12.36/hour.

Mr. Mike Willis made motion to raise Mr. Willis' wage to \$15.00/hour (21.25%). Mr. Gilbert Overmyer seconded motion. Vote as follows; Mr. Willis - yes, Mr. Overmyer - yes, Mr. Lotycz - yes.

Cemetery Sexton Jim Ellis receives \$12.62/hour. Mr. Mike Willis made motion to raise Mr. Ellis' pay to \$13.00/hour (3%). Mr. Gilbert Overmyer seconded motion. Vote as follows; Mr. Willis - yes, Mr. Overmyer - yes, Mr. Lotycz - yes.

Part-time road department Matt Merrill currently receives \$12.36/hour. Mr. Gilbert Overmyer made motion to raise Mr. Merrill's pay to \$14.00/hour (13.25%). Vote as follows; Mr. Willis - yes, Mr. Overmyer - yes, Mr. Lotycz - yes.

Mr. Paul Lotycz talked with Zoning Board Secretary Kay Saionz and she will be presenting all the outstanding zoning board minutes at the next meeting.

Mr. Paul Lotycz asked Ms. Cyndi Zienta how the minutes are kept. He understands they are given away on a records request along with meeting recordings. Mr. Lotycz was given Ohio Administrative Code 4731-9-01 that states *“the minutes of board meetings, upon approval by the board, shall constitute the official record of its proceedings. Audio recordings of meetings made for the purpose of facilitating the transcription of minutes shall be considered transitory documents”*. He was told they should not be given out.

Ms. Cyndi Zienta stated when the official meeting minutes are approved, they are put on the township website. The meeting recording is not the minutes, it is a public record.

Mr. Lotycz was told the recordings are just transcripts and not to be given out.

Attorney Jim Barney stated the minutes and recordings are two different things. The written minutes are the official minutes and the recordings are just transcripts.

Mr. Mike Willis remembers at his last Sunshine Law Training, it was said that if the meetings are recorded or videotaped, it is to be kept and is a public record. It is no different than someone coming in to the meeting recording it.

Mr. Lotycz asked if it has to be recorded. Attorney Barney stated it is up to Ms. Zienta on how it is done. It is her job to keep the minutes.

Mr. Lotycz doesn't have a problem with it helping with minutes but Ms. Zienta is passing them out to people and that is when the issues start.

Ms. Zienta stated she is not passing out the recordings. She received a public records request for them and provided it to them. She has to fulfill public records requests.

Mr. Willis questioned that she requested the recording before the official minutes were approved.

Ms. Zienta explained that is what she has a public records request in for.

County Commissioner Scott Miller told Ms. Zienta that she cannot give out the meeting recordings. Which she did not agree with.

Mr. Lotycz stated Commissioner Miller is the person that gave him OAC 4731-9-01 and is the one that thought the recordings should not be given out.

Commissioner Miller went on to say to Ms. Zienta the meeting recordings should not be given out before the meeting minutes are approved.

Ms. Zienta explained the recordings are not approved minutes, not approved at all and are public records. She then told him she understands his question; does not agree with it but would get a legal opinion as he requested.

Mr. Lotycz asked Mr. Barney that because the recordings are public record, they have to be given out. Mr. Barney said they have to be.

Mr. Lotycz then questioned if the meetings need to be recorded because if they are not recorded, they can't be given out.

Ms. Zienta stated she will still record the meetings. Mr. Barney agreed with Ms. Zienta. The recordings can be given out as soon as it is turned off because the recordings will never change. The written minutes, once made official, are public record and the official minutes.

Mr. Lotycz asked that the Trustees be informed when any public records requests are received.

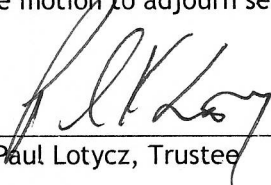
Mr. Mike Willis made motion to approve and send a letter to Sandusky County Commissioners opposing residential coding in Sandusky County. Mr. Paul Lotycz seconded motion. Vote as follows; Mr. Willis - yes, Mr. Overmyer - yes, Mr. Lotycz - yes.

Mr. Gilbert Overmyer and Mr. Mike Willis will not be able to attend the next regular Trustee meeting. Therefore, the meeting on March 1, 2022 is cancelled due to lack of quorum. Since there will be no meeting on March 1, 2022, Trustees will have the Fiscal Officer complete payroll on 2-24-2022 (through 2-28-2022). Mr. Willis will sign on 2-25-2022 and Mr. Lotycz will sign on 3-1-2022.

Ms. Zienta has not received the 3% bed tax from the Delux inn since September 2021. They typically reimburse the township every three months. She contacted the owner and was told the motel was sold in September 2021. Ms. Zienta contacted the County Auditor regarding the bed tax they collect and they have received bed tax from the new owner on time.

Ms. Zienta provided all the information to Mr. Barney and requested he send a letter to the new owner informing him of the delinquent bed tax due to the township. Mr. Barney will send a letter.

At 8:19 p.m. with there being no further Business to come before the Board of Trustees, Mr. Willis made motion to adjourn seconded by Mr. Lotycz.



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Mr. Paul Lotycz, Trustee



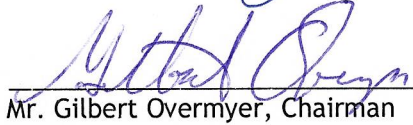
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Ms. Cynthia Zienta, Fiscal Officer



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Mr. Mike Willis, Trustee



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Mr. Gilbert Overmyer, Chairman