

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

MINUTES OF REGULAR MEETING of March 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 of February 15, 2022. Mr. Mike Willis seconded motion. Vote as follows: Mr. Lotycz - yes, Mr. Willis - yes, Mr. Lotycz - yes.

Mr. Paul Lotycz made motion to accept the minutes of the Special Meeting on March 7, 2022. Mr. Mike Willis seconded motion. Vote as follows: Mr. Lotycz - yes, Mr. Willis - yes, Mr. Lotycz - yes.

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

Ms. Zienta reported the following Revenue and Expenditures:

	2-16-2022 through 3-15-2022	Year to Date
Revenue	43,102.09	67,676.07
Expenditures	104,450.89	220,635.50

Trustees reviewed Management Reports.

The Credit Card Account Transaction Detail was reviewed and approved.

Attorney Casey Talbott, representing Norfolk & Southern Railroad, attended meeting to discuss closing the railroad crossing on Sand Road. Mr. Talbott explained the States and Railroads have been under pressure from the Federal Government to reduce railroad crossings across the country by 25%. The fewer crossings, the better the safety.

Attorney Talbott offered the following information:

- Norfolk & Southern has identified the Sand Road crossing as one that should be closed.
- They do not like the skew of the road
- It is .06 miles from the North Street Railroad Crossing making them right on top of each other. Both lead to the same place.
- Funding will be provided to shore up the crossing if the Board of Trustees agree to close it voluntarily. N&S will provide \$25,000 and the State incentive is \$5,000.
- If the Board does not agree to close, it becomes an imminent issue
- N&S will then file a petition with the Public Utilities Commission of Ohio to close it.
- Once it goes to petition, all offers of funds are off the table.
- It will be set for public hearing in Fremont and concerns will be heard.
- An evidentiary hearing will then be held in Columbus and then the PUCO will make a decision.
- The Sand Street traffic is not significant and will be rerouted.

Fire Chief Dean Schneider has concerns about the City of Fremont having 50 million in infrastructure with the sewer plant being there. If the North Street crossing would be out of commission for a day there would have to be a temporary crossing.

Atty. Talbott stated the Rail Road does upgrades on crossings every 7 years. If the crossing is closed for a period of time, a temporary crossing will be established.

Mr. Mike Willis asked if the Sand Road crossing could just be locked with gates that can be used in case of emergencies instead of barricading it. Mr. Talbott said he would look in to it but any incentives would be off the table.

Mrs. Barb Bristley attended meeting. She thanked the Board for recording the meetings. Ballville Township and the City of Fremont also record their meetings. When she speaks to candidates, she is asking them to consider recording the meetings. She recommended the recordings be put on the Facebook page. Mr. Mike Willis cautions against that as people are not seeing facial expressions and may take it the wrong way.

Mrs. Bristley feels it is her civic duty to read the minutes and Ms. Zienta does an excellent job with the minutes. Upon reading the minutes, she has noticed the township has paid Attorney Albers \$9,000 for a JEDD (Joint Economic Development District) in 2021. Mrs. Bristley has no opinion on JEDD's and asked Trustees to explain this particular JEDD and what property it is for.

Mr. Paul Lotycz explained the township is working with the City of Fremont on a JEDD and he is not at liberty to tell what property it is yet. There are three entities involved and if he lets it out, they will pull the plug on it.

Mr. Mike Willis stated at some point, Trustees will have to approve the JEDD and this will be done in open meeting.

Mrs. Bristley, in trying to understand the Sunshine Laws, stated there are 8 reasons you do not have to disclose public information in a public forum. The purchase of property is one of them.

Mr. Lotycz stated this is not a purchase of property.

Mrs. Bristley read three buildings will be built and bring in 300 jobs. If it is for bringing in business and jobs, she will back off.

Trustees explained Economic Development said that was a possibility. They believe it is industrial based.

Trustees went on to explain how a JEDD works and by having one, the township does not lose any property to annexation.

Mrs. Bristley believes Trustees are violating Sunshine Laws.

Attorney Jim Barney does not believe they are. If a question is asked in a public meeting, Trustees have no responsibility to respond. If a records request is submitted and that record exists, they have an obligation to provide it assuming there is no exception.

Mr. Lotycz received an email from Attorney Albers on the percentage rates for the JEDD agreement.

Mr. Mike Willis made motion to approve a 60/40 split. The city receives 60 and the township receives 40. Mr. Paul Lotycz seconded motion. Vote as follows: Mr. Willis - yes, Mr. Lotycz - yes, Mr. Overmyer - yes.

Mr. Al Woessner, 2146 W Birchard Avenue, attended meeting. He lives on the corner of Cook and Birchard. When Adkins Sanitation trucks round the corner, they are cutting into his yard. The sidewalk is starting to break up. His wife has talked with Mrs. Adkins and she said she would fix it but it hasn't stopped. He does not want to pay to fix the sidewalk. Trustees advised him to report this to the Sheriff's Department. Trustees will also speak to the Chief Deputy and have them watch the area.

Mr. Woessner also has a concern with the standing water at the corner. When school kids are waiting for the bus, vehicles will come by and splash water onto them. The township put a French drain in many years and it worked until the gas company did some work in the area a couple years ago.

Mr. Gilbert Overmyer told him they would get it resolved.

Mr. Dean Schneider provided the following report:

- February 2022 responses - 7
- Provided update on blighted properties to Mr. Brian Woods.
- The Land Bank is completing an environmental study on the North Street property.

- Posted letters on the Lopez and Koebel property on February 25, 2002. Received the signed registered letter from Lopez
- Received a call from Polter Realty about the demo of the Lopez house. She has gone through the property and has an investor interested in it. The house will be up for sale soon.
- The Lopez's have 14 days to clean out the house. It looks like they are putting all the items from that house in to the front yard on the daughter's property at 1598 CR 128.
- The new thermal imaging camera has been received.
- Informed Burkett's they were awarded the work to replace the township hall lighting.

Mr. Schneider informed Ms. Zienta he could not find the receipt for the Walmart charge on the Croghan Colonial Bank credit card.

Mr. Brent Saionz presented a quote from Northcoast Security on a camera system for the fuel pump area. Total amount to install a camera is \$1,350.00.

Mr. Mike Willis stated the putting a camera up at the fuel pump area is not going to solve the problem. Nothing will correct the deficiency in the gallons. Trustees will discuss at another meeting.

Mr. Saionz provided the following report:

- The brush pile is gone and the grindings have been removed
- Solid Waste District requested information on the amount that has been recycled at the township hall. Mr. Overmyer will contact Solid Waste District.
- Received an estimate from Bark Creek to weed and feed the entire park for \$830.80. After discussing, it wasn't clear if it is 1 or 2 applications. Mr. Saionz will obtain clarification.
- New mowers have been received. Needed to put a new deck on the trailer to accommodate them.
- All machines are ready for mowing season.
- Cut back the trees on the corner of North River Road.
- Reported the wood on the guardrail at North River Road is rotted. The river bank is also sinking. May need to move the guardrail. Trustees will have the County Engineer look at the area.

Trustees received emails from Mr. Jacob Brewer and Ms. Amy Witter. Both are concerned about the speed bumps being removed at the township park. Both have asked they be put back for safety concerns.

Trustees discussed the current speed bumps. Mr. Willis contacted M&B Asphalt for information on a permanent speed bump. Something the snow plows can go over easily. Trustees will look at different options at the next regular meeting.

Trustees will have the road superintendent replace one speed bump temporarily.

Mr. Lotycz discussed the road renewal levy. County Auditor Jerri Miller informed Mr. Lotycz the township road fund is high. The township needs to submit a list of projects to her or she will not approve the levy renewal. On Thursday, Trustees will drive the roads and look for any needed repairs.

Mr. Schneider and Mr. Saionz report the internet service at the township hall is poor. Currently, the township obtains service from 5G Mesh. Mr. Overmyer will contact Amplex to receive a cost for service.

Mr. Willis will contact Mr. Mike Mitten to obtain an update on the clean-up process at his property.

Zoning Board Secretary Kay Saionz did not present the missing Zoning Board meeting minutes. Ms. Saionz stated she is still working on them.

Ms. Cyndi Zienta reported The Delux Inn has provided the outstanding bedtax due to the township and is current.

Ms. Zienta received a legal opinion from Assistant Prosecutor Laura Alkire regarding releasing meeting recordings per public records request.

Ohio Attorney General Opinion 2008-019 *“opining that an audio tape recording of a meeting that is created for the purpose of taking notes to create an accurate record of the meeting is a public record for purposes of R.C. 149.43, that the audio tape recording must be made available for inspection and copying, and retained in accordance with the terms of the records retention schedule for such a record.”*

The township records retention Schedule Number 72-82 states the township retains the recordings for one year. Ms. Alkire stated the township can amend the records retention schedule to permit the destruction of the recording sooner than one year.

She suggested that having a recording of the meeting is valuable in drafting minutes.

She also added that while the recordings are not the official minutes, they are a public record. The failure to provide the recordings in response to a valid public records request would potential violate Ohio public records laws.

Ms. Zienta asked if anyone had questions about the legal opinion.

Mr. Lotycz still was not clear on it, therefore Attorney Jim Barney explained the legal opinion.

Hayes Ohio Star Quilt Guild use the township hall to construct quilts. They would like to purchase an iron board, cutting mat and iron and store them at the township hall. This way they will always have their supplies available while they have their sewing meeting.

After discussing, Trustees do not want to allow personal items be stored at the township hall. Mr. Overmyer will inform the group.


Ms. Amy Hoffman, Palmer Energy Company, is a consultant to the county’s electric aggregation program. She asked if Trustees are interested in a refresh of their electric aggregation program. Ms. Hoffman is happy to come to a meeting and speak about their program.


Trustees are not interested at this time. Mr. Overmyer will contact Ms. Hoffman.

Trustees discussed the electric aggregation contract with Trebul Management. Attorney Jim Barney suggested two changes to the contract. Trustees will contact Trebul Management.

Ms. Cyndi provided a copy of the Township’s 2022 Budget and explained how to read the information. Ms. Zienta answered questions from Mr. Lotycz.

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.

  
\_\_\_\_\_  
Mr. Paul Lotycz, Trustee

  
\_\_\_\_\_  
Ms. Cynthia Zienta, Fiscal Officer

  
\_\_\_\_\_  
Mr. Mike Willis, Trustee

  
\_\_\_\_\_  
Mr. Gilbert Overmyer, Chairman