

CHIPPEWA TOWNSHIP TRUSTEES SPECIAL

AT TOWNSHIP HALL                      7:00 PM                      DECEMBER 27,                      07

MEETING CALLED TO ORDER AT 7:00 PM PLEDGE OF ALLEGIANCE

ROLL CALL OF MEMBERS:

L. BROOME, PRESENT; J. PREBISH, PRESENT; E. KERR, PRESENT.

**APPROVAL OF MINUTES**

MOTION TO APPROVE THE NOVEMBER 14, 2007 MEETING WITHOUT A PUBLIC READING, AS ALWAYS THE MINUTES ARE AVAILABLE FOR PUBLIC REVIEW.

MOTION MADE BY: JEFF PREBISH, SECONDED BY EARL KERR,

TRUSTEES INFORMED THE PUBLIC THAT THE TOWNSHIP HAD RECEIVED A FEMA GRANT FOR \$292,553.00. THIS IS TO PURCHASE EQUIPMENT FOR THE FIRE DEPT. MANDATORY EQUIPMENT NEEDED FOR THE YEAR 2008. FIRE CHIEF RON BROWNING PRESENTED A CHECK TO THE TRUSTEES.

**PUBLIC HEARING FOR ZONING CHANGES**

**CHANGE**

Article XII

Section 12.03 Zoning Certificates

**(A) Zoning Certificate Required**

~~A Zoning Certificate is required prior to the issuance of a building permit or health certificate. A Zoning Certificate shall be required as set forth in this Zoning Resolution and for any of the following:~~

- ~~1. Construction or alteration of any building or structure, including accessory buildings, permanent signs, fences, and swimming pools.~~
- ~~2. Change in use of any existing building or accessory building to a use of a different classification.~~
- ~~3. Occupancy and use of vacant land, except for the production of farm products.~~
- ~~4. Change in the use of land to a use of a different classification.~~
- ~~5. Any change in the use of a non-conforming use, as approved by the Chippewa Board of Zoning Appeals.~~

*No person shall change any use of land, a building, or a structure, nor locate, relocate, erect, construct, reconstruct, enlarge or structurally alter any building or structure within Chippewa Township without first obtaining a zoning permit. The Zoning Inspector shall not issue a zoning permit or zoning certificate unless the plans for the proposed building, structure or use of land fully comply with the provisions of this resolution, unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, a variance or conditional use. A zoning certificate shall be required for all dwellings, all principal structures and uses, all accessory structures, all specified accessory uses, and all temporary uses. A zoning certificate shall not be required for the use of land or buildings or structures exclusively used for agricultural purposes.*

**CHANGE**

Article XII

Section 12.03 Zoning Certificates

**(C) Compliance:**

~~Within fifteen (15) days after receipt of the application, the Zoning Inspector shall issue a Zoning Certificate if the application complies with the requirements of this Zoning Resolution and is accompanied by the proper fee, or shall deny the same if it does not comply. Failure to either~~

**PUBLIC HEARING FOR ZONING CHANGES (CONTINUED)**

~~issue or deny the Zoning Certificate within fifteen (15) days, however, shall not constitute approval of the application.~~

*Within 30 days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application and accompanying plans for the proposed building or structure fully comply with the requirements of this zoning resolution, and is accompanied by the proper fee. If the application and accompanying plans do not comply with the zoning resolution, then the Zoning Inspector shall, by dated written notice, bring this to the attention of the applicant to allow the applicant to amend its application in order to fully comply with the zoning resolution; or shall deny the application if it is not amended to fully comply with the zoning resolution. Failure to issue or deny the zoning certificate within 30 days shall not constitute approval of the application.*

*In the case of high impact projects, the Zoning Inspector shall have 90 days after receipt of the application to issue a zoning certificate if the application and accompanying plans for the proposed building or structure fully comply with this zoning resolution and is accompanied by the proper fee, or shall bring the failure to comply to the attention of the applicant who may then amend its application in order to fully comply. If within 90 days of the Zoning Inspector giving notice of non-compliance to the applicant for a high impact project, the application is not amended to fully comply, then the Zoning Inspector shall deny the application. In the case of high impact projects, failure to issue or deny the zoning certification within 90 days of the later of the application date or the notice of non-compliance date shall not constitute approval of the application.*

**CHANGE**

Article XVI

Section 16.05 Procedures for Administrative Appeals and Variances

**(C) Notice and Hearing**

The Board shall immediately place the application upon the calendar for hearing and shall cause notice to be given stating the time, place, and object of the hearing.

All adjoining property owners shall be notified of the request for conditional use or a variance. Notice shall be issued by posting the property with a sign furnished by the Zoning Inspector indicating the time and place of the hearing. Said sign shall be erected by the applicant within ten (10) feet of whatever property line abuts a public street and shall be so placed as to be clearly visible from the road. If no public street abuts the property, then the signs shall be erected on at least two property lines as directed by the Zoning Inspector. The applicant shall erect said sign at least ten (10) days prior to the date of the public hearing. Additional notice shall be by advertisement consisting of one (1) publication in a newspaper of general circulation in the Township at least ten (10) days before the date of such hearing. The Board, at its discretion, may send out further notices to publicize such hearings.

**PUBLIC HEARING FOR ZONING CHANGES (CONTINUED)**

Written notice shall be sent by first class mail, addressed to the parties making the request for appeal or variance and the owners of all property contiguous to and directly across the street from the subject property, at least ten (10) days prior to the date of the scheduled hearing. A list of such contiguous property owners and their addresses of such owners appearing on the County Auditor's current tax list shall be provided to the Zoning Inspector by the applicant for a variance.

At the hearing, any party may appear in person or by agent or by attorney. ~~The Board may recess such hearings from time to time and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.~~

*The Board may continue hearings from time to time if the Board of Zoning Appeals deems it necessary and advisable due to the amount of testimony to be heard, the complexity of the appeal, or the existence of a high impact project. If the time and place of the continued hearing are publically announced at the time that the hearing is recessed to a later date and continued to a later date, then no further notice shall be required. However, in the case of a high impact project, the Board may choose to, but is not required to, provide published notice of its continued hearing or hearings. Subsequent to finally adjourning the public hearings, the Board of Zoning Appeals shall make a decision within 35 days after the hearing is concluded.*

**ADD TO**

**ARTICLE XIX**

**Section 19.01 Definitions**

**32. High Impact Project: Is a project including new residential development containing 50 or more dwelling units; any new non-residential structures over 50,000 square feet, and those under 50,000 square feet if they abut existing residential developments or platted residential units; renovations of existing multi-family and non-residential enlarging the bulk or capacity by more than 50 percent.**

**07-0139-12 ZONING RESOLUTION AMENDMENTS**

RESOLUTION TO ACCEPT THE ZONING COMMISSIONS RECOMMENDATION AS PURPOSED AMENDMENTS. THIS WILL CONCLUDE ALL HEARINGS ON THESE AMENDMENTS.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**07-0140-12 MOTION TO EXTEND THE MORATORIUM UPON THE USE AND DRAW DOWN OF GROUND WATER BY ONE SINGLE SOURCE OF OVER 500,000 GALLONS OF WATER PER DAY FOR ADDITIONAL SIX MONTHS**

RESOLUTION TO EXTEND THE MORATORIUM UPON THE USE AND DRAW DOWN OF GROUND WATER BY ONE SINGLE SOURCE OF OVER 500 THOUSAND GALLONS OF WATER PER DAY FOR ADDITIONAL SIX MONTHS, JUNE 13, 2008. MOTION BY JEFF PREBISH; SECONDED BY EARL KERR, ROLL CALL: ALL AYES

**07-0141-12 RESCIND RESOLUTION 05-0063-05**

RESOLUTION TO RESCIND RESOLUTION 05-0063-05 RON BROWNING, FIRE CHIEF WOULD HAVE THE OPTION FOR POLICE & FIRE OR OPERS.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

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**07-0142-12 ACCEPT RESIGNATION MARYBETH WINTROW-BZA SECRETARY**

RESOLUTION TO ACCEPT THE RESIGNATION OF MARYBETH WINTROW AS SECRETARY OF THE ZONING BOARD OF APPEALS.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**07-0143-12 APPOINT MARYBETH WINTROW - BZA ALTERNATE**

RESOLUTION TO APPOINT MARYBETH WINTROW AS ALTERNATE FOR THE BOARD OF ZONING APPEALS.

MOTION BY JEFF PREBISH; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**07-0144-12 ZONING THANKS AND APPRECIATION-JEFF GLEASON**

RESOLUTION TO SEND A LETTER OF THANKS AND APPRECIATION FOR THE SERVICE THAT JEFF GLEASON HAS GIVEN THE ZONING COMMISSION. HIS WORK OVER THE YEARS WAS MUCH APPRECIATED BY THE TRUSTEES.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**07-0145-12 ZONING THANKS AND APPRECIATION-JOYCE JOHANYAK**

RESOLUTION TO SEND A LETTER OF THANKS AND APPRECIATION FOR THE SEVEN YEARS OF SERVICE THAT JOYCE JOHANYAK HAS GIVEN THE BOARD OF ZONING APPEALS, HER WORK OVER THE YEARS WAS MUCH APPRECIATED BY THE TRUSTEES.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

MR. DON KOSIER WAS PRESENT, HE IS ON THE BOARD OF ZONING APPEALS, AND HE WAS QUESTIONING THE LETTER TO JOYCE JOHANYAK WHY WE ARE SENDING IT. TRUSTEES INFORMED HIM THE TRUSTEES HAS DECIDED TO GO ANOTHER ROUTE.

**07-0146-12 ROBIN VALENTINE - BOARD OF ZONING APPEALS**

RESOLUTION TO MOVE ROBIN VALENTINE FROM ALTERNATE ON THE BOARD OF ZONING APPEALS TO A REGULAR MEMBER WITH THE TERM ENDING 12-31-12.

MOTION BY JEFF PREBISH; SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

**07-0147-12 FIREFIGHTERS DEPENDENCY BOARD**

RESOLUTION PLACING CRAIG HOLLIS, DAVE EISENHAUER, AS THE FIREFIGHTERS, MIKE DANNEMILLER AS THE PUBLIC REPRESENTATIVE, AND LENNY BROOME & JEFF PREBISH, FROM THE TOWNSHIP ON THE FIREFIGHTERS DEPENDENCY FUND.

MOTION BY EARL KERR; SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

**07-0148-12 APPROVE YEAR 2008 APPROPRIATIONS**

RESOLUTION TO APPROVE THE YEAR 2008 APPROPRIATIONS AND HAVE THE CLERK FILE THEM WITH THE WAYNE COUNTY AUDITOR. ADDITIONALLY TO ALLOW THE FISCAL OFFICER TO PROCESS SUPPLEMENTAL INTRA FUND APPROPRIATIONS WITHIN SPECIFIC FUND THROUGHOUT THE YEAR TO PROVIDE FOR THE PROPER PAYMENT OF TOWNSHIP OBLIGATIONS.

MOTION BY JEFF PREBISH; SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

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**07-0149-12 INVESTMENT THE RESERVE FUNDS**

RESOLUTION TO ALLOW THE FISCAL OFFICER TO INVEST RESERVE FUNDS IN THE CERTIFICATE OF DEPOSIT AT NATIONAL CITY BAND, AS SUCH FUNDS ARE AVAILABLE FOR INVESTMENT FOR THE YEAR 2008  
MOTION BY JEFF PREBISH; SECONDED BY EARL KERR  
ROLL CALL: ALL AYES.

**07-0150-12 PURCHASE ORDERS AND BLANKET CERTIFICATES**

RESOLUTION TO ALLOW THE CLERK TO PREPARE THE PURCHASE ORDERS AND BLANKET CERTIFICATES OF FUNDS AVAILABLE TO MEET REGULAR TOWNSHIP EXPENSES FOR 2008.  
MOTION BY LENNY BROOME; SECONDED BY EARL KERR  
ROLL CALL: ALL AYES.

**07-0151-12 OFFICIALS DISABILITY INSURANCE**

RESOLUTION TO CONTINUE FOR THE YEAR 2008 THE PUBLIC OFFICIAL DISABILITY INSURANCE WITH TEACHER'S PROTECTIVE MUTUAL, THE SAME AS IN THE PAST.  
MOTION BY JEFF PREBISH; SECONDED BY LENNY BROOME  
ROLL CALL: ALL AYES.

**07-0152-12 RETAIN LEGAL COUNSEL**

RESOLUTION TO RETAIN AL SCHRADER AS SUPPLEMENTARY LEGAL COUNSEL FOR THE YEAR 2008.  
MOTION BY JEFF PREBISH; SECONDED BY EARL KERR  
ROLL CALL: ALL AYES.

**07-0153-12 LEGAL COUNSEL ELIGIBLE FOR HOSPITALIZATION**

Motion by JEFF PREBISH; Seconded by LENNY BROOME  
WHEREAS, the Township and its part-time law director, Alfred E. Schrader, have discussed attorney fees/salary for the year 2008; and  
WHEREAS, the Township attorney has agreed to forego any wage increase in return for access to the Township's health care and hospitalization policy and health insurance.  
NOW, THEREFORE, be it resolved by the Board of Trustees of Chippewa Township that:  
1. The compensation for the part-time law director shall remain \$100.00 per hour in the year 2008, the same as in year 2007.  
2. The part-time law director shall be eligible for the Township's hospitalization (including optical) OPERS, but no other benefits.  
3. The part-time Township law director shall pay 80% of the cost of those health insurance policies with the Township paying 20% of the cost of those policies.  
4. This shall be in effect as of January 1, 2008, and the part-time law director shall be covered by health insurance as of January 1, 2008.  
This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Revised Code.  
This Resolution shall be effective immediately or at the earliest date allowed by law.  
Upon roll call on the adoption of the resolution, the vote was as follows: L. BROOME YES; J. PREBISH, YES; E. KERR, YES

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**07-0154-12 WAYNE COUNTY SHERIFF CONTRACT FOR 2008**

RESOLUTION TO ACCEPT THE SHERIFFS CONTRACT FOR 2008 AT A COST OF \$150406.00.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**DEPARTMENT REPORTING:**

**ZONING INSPECTOR:** LARRY LEMASTER WAS NOT PRESENT JEFF PREBISH GAVE HIS REPORT.

**ROAD DEPT:** DAVE BUSSON TURNED IN REPORT.

**SHERIFF DEPT:** TOM BALLINGER GAVE THE REPORT FOR THE MONTH OF NOVEMBER.

**FIRE DEPT:** RON BROWNING WAS PRESENT AND GAVE HIS REPORT.

**07-0155-12 DALE YOUNGBLOOD JR. - LEAVE OF ABSENCE**

RESOLUTION ACCEPTING A LEAVE OF ABSENCE FOR DALE YOUNGBLOOD JR. FOR 6 MONTHS.

MOTION BY, LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**BOARD OF ZONING APPEALS:** NO REPORT

**ZONING COMMISSION:** MEETING ON JANUARY 14<sup>TH</sup> AT 7:00 PM.

**VILLAGE OF DOYLESTOWN:** TONI LINDEMAN WAS NOT PRESENT.

**FISCAL OFFICER:**

RECEIPTS AND EXPENDITURES APPROVAL FOR NOVEMBER 2007

RECEIPTS:                      96,592.01

EXPENDITURES:                98,716.99

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**07-0156-12 APPROVE THE SUPPLEMENTAL EXPENSES**

RESOLUTION TO APPROVE THE SUPPLEMENTAL EXPENSES AS FOLLOWS:

1000-100-221 TO 1000-100-141-\$7,000.00, FROM 100-110-331 TO 100-110-112 \$5,000.00, FROM 2192-760-740 TO 2191-220-190 , \$15000.00, FROM 2192-760-740 TO 2192-220-211, \$ 7000.00, FROM 1000-110-221 TO 1000-110-211 \$449.91, FROM 1000-110-221 TO 1000-110-213 \$57.33, ALSO FROM 2192-220-230 TO 2191-220-212 \$584.63.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**07-0157-12 ACCEPT THE CONTRACT WITH ROGUES HOLLOW HISTORICAL SOCIETY**

RESOLUTION ACCEPTING THE CONTRACT WITH THE ROGUES HOLLOW HISTORICAL SOCIETY, WITH THE CONTRACT LASTING 99 YEARS WHICH INCLUDED 24 ½ ACRES.

MOTION BY LENNY BROOME; SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

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**PUBLIC COMMENT - JOHN JOHANYAK** WAS PRESENT AND WANTED TO KNOW WHO PUT IN THE CULVERT AT CLINTON & VALLEY VIEW. HE FEELS THAT OUR ROAD DEPT. SHOULD NOT BE PUTTING IN THE CULVERTS. HE DOES NOT LIKE THE FACT THAT WE ARE DOING THAT. ALSO, PUTTING IN YARD PIPE FOR THE RESIDENTS, HE FEELS TAX PAYER DOLLARS SHOULD NOT BE SPENT. HE FEELS THE PROPERTY OWNER SHOULD PAY FOR IT.

DON KOSIER GAVE HIS OPINION ABOUT THE GRANT MONEY WE RECEIVED. RON BROWNING EXPLAINED TO HIM THAT IS SAVING THE TAX PAYERS MONEY BY US GETTING IS GRANT. THIS IS AN EXPENSE THAT WE WOULD HAVE TO DO IN 2008. DON JUST WISHES THE GOVERNMENT WOULD QUITE GIVING OUT THESE GRANTS.

**OATH OF OFFICE - JEFF PREBISH**

AT THIS TIME OF THE MEETING AL SCHRADER SWORE IN JEFF PREBISH FOR HIS TERM STARTING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2011.

**07-0158-12 ACCEPT WARNER CABLES VIDEO PROVIDER SERVICE FEES**  
 RESOLUTION ACCEPTING WARNER CABLES CHANGE FROM US RECEIVING 3% FRANCHISE FEE TO RECEIVING 5% OF GROSS REVENUE.  
 MOTION BY EARL KERR; SECONDED BY LENNY BROOME  
 ROLL CALL: ALL AYES.

**07-0159-12 PAY RATES FOR 2008**

RESOLUTION TO ACCEPTING THE PAY RAISES AS FOLLOWS

	2007		2008
	CURRENT		NEW
JOB TITLE	RATES	PER	RATES
TOWNSHIP OFFICIALS		SALARY BASED PAY	
ZONING INSPECTOR	\$618.	MONTH	636.54
MILEAGE ALLOWANCE		MILE	.505
HEALTH INSURANCE	825.71	MONTH	854.61
FULL TIME AND OFFICIALS ELIGIBLE FOR HEALTH INSURANCE			
BUILDING & GROUNDS	12.20	HOURLY	12.20
ZONING COMMISSION	40.00	MEETING	45.00
BOARD OF ZONING APPEALS	40.00	MEETING	45.00
BZA SECRETARY	50.00	MEETING	75.00
FIRE CHIEF	58,349.50	+POLICE & FIRE	60,099.98
ASS'T. FIRE CHIEF	300.00	QUARTER	300.00
FIRE OFFICERS	300.00	QUARTER	300.00
CAPTAIN	350.00	QUARTER	350.00
FIREFIGHTER & FIRST RESPONDER	11.33	RUN HOUR	11.67
FIREFIGHTER & EMT BASIC	12.36	RUN HOUR	12.76
FIREFIGHTER & EMS TRNG		HOURLY NORMAL HRLY RATE	
FIREFIGHTER & EMT INTERMEDIATE	12.87	RUN HOUR	13.26
FIREFIGHTER & EMT PARAMEDIC	13.39	RUN HOUR	13.79
FIREFIGHTER & DRIVER	6.00	RUN HOUR	6.18
CADET WITH DRIVER COURSE	1.00	RUN HOUR	1.00
ADMINISTRATIVE ASSIST.	\$17.26	HOURLY	17.78
ROAD SUPERINTENDENT	\$21.32	HOURLY	21.96
ASSIST. SUPERINTENDENT	\$19.05	HOURLY	19.62
PART-TIME ROAD	\$13.52	HOURLY	13.93
AND TO PAY 1 & ½ TIMES RATES DURING HOLIDAY AND WEEKENDS DURING ICE AND SNOW REMOVAL.			
MILEAGE IRS GOING RATE	.44.5	MILE	.50.5
MEAL ALLOWANCE	40.00	DAY PER TWP. POLICY	

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**07-0159-12 PAY RATES FOR 2008 (CONTINUED)**

FOR WORK AWAY FROM THE TOWNSHIP, PARKING, AND LODGING AT NOT TO EXCEED THE SEMINAR LOCATION, PARKING DECK RATES AND HOTEL RATES. UPON COMPLETION, ALL EXPENSES MUST BE ITEMIZED INCLUDING INVOICES AND/OR RECEIPTS SHOWING PROOF OF PAYMENT OF SUCH CLAIMS TO BE SUBMITTED WITH THE "CLAIMS FOR EXPENSE" FORM.

MOTION BY EARL KERR; SECONDED BY LENNY BROOME  
ROLL CALL: ALL AYES.

**LENNY BROOME HAD TO LEAVE THE MEETING AT 7:40 PM**

**MOTION TO GO INTO EXECUTIVE SESSION FOR PERSONNEL**

MOTION TO GO INTO EXECUTIVE SESSION FOR PERSONNEL AT 7:45 PM BY JEFF PREBISH; SECONDED BY EARL KERR

ROLL CALL: J. PREBISH, YES; E. KERR, YES; L. BROOME, EXC.

**LENNY BROOME CAME BACK DURING EXECUTIVE SESSION**

**TRUSTEES RECONVENED**

MOTION TO COME OUT OF EXECUTIVE SESSION AT 9:48 PM BY JEFF PREBISH; SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

**NO ACTION FROM EXECUTIVE SESSION**

**MOTION TO ADJOURN**

MOTION TO ADJOURN BY JEFF PREBISH; SECONDED BY LENNY BROOME  
ROLL CALL: ALL AYES.

MEETING ADJOURNED AT 9:53 PM

TRUSTEES \_\_\_\_\_

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FISCAL OFFICER

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