

# Williamsburg Township Board of Trustees Minutes

## June 13, 2022

The Williamsburg Township Board of Trustees met on Monday June 13, 2022 to transact business. Chairperson Bainum called the meeting to order at 7:00 PM, and all joined in the Pledge of Allegiance to the Flag. Guy Bainum, Bari Henning and Gary Jordan answered the roll call. Also present were Fiscal Officer, Doug Lefferson, Maintenance Supervisor/Zoning Administrator Brian Tatman, EMS Chief Kevin Wiedemann, Christina Sammons, Charlie Maklem, Robert Cahall, Susan Cahall, Ted Drake, Johnny Smithers, Rod Wallace, Bobby Feimster, Tim Carpenter, Dave Sutton, Kristi Hansel, William Frazee, Dylan Arnett, Kathleen Link, Steven Ellis, Randall & Sue Jordan, Bill McTague, Jodi Wiedemann, Amy Ballista, Tom Obermeyer, Ben Arnold, and Ed Boll.

Mr. Henning motioned to approve the minutes of the last meeting. Mr. Jordan second. All yeas. Mr. Lefferson presented a financial report, including a comprehensive account of expenditures and receipts and the trustees accepted it.

Mr. Jordan motioned to pay the attached bills. Mr. Henning second. All yeas.

Chairperson Bainum made an opening statement in regard to Clear Mountain Food Park, recognizing this topic was probably the reason for the larger than normal meeting attendance. Mr. Bainum indicated that it was not the Trustees intention to shut down the Food Park and he expected continued negotiations with ownership. Mr. Jordan added that the Board of Zoning Appeals approved acoustic, low-level music. This is written and audibly documented and must be adhered to as approved. Given the lack of adherence since last year, a civil suit was filed by the Township. A Temporary Restraining Order was issued in regard to amplified music. This Restraining Order was initially violated by Clear Mountain Food Park. A June court date was set and Mr. Jordan expects resolution through this process. He has continued to hear that residents want relief. Mr. Henning reiterated that he wants the Food Park to operate as approved with acoustic low-level music. Mr. Henning also stated the Trustees are not trying to shut the Food Park down.

Chairperson Bainum opened the floor for questions from the audience. Ms. Sammons ask about a possible hearing or revocation of Clear Mountain Food Park's liquor license. Mr. Lefferson, Fiscal officer responded that the Township had requested a hearing as part of the liquor permit renewal process due to issues surrounding the Food Park. Issues being as discussed tonight, zoning violations, civil suit and temporary restraining order, and noise ordinance violations. Ms. Sammons, whose property directly abuts the Food Park, expressed her support for its operation. The Trustees indicated that the Judge still has to enforce the zoning restrictions and consider other surrounding residents. An individual who works at the Food Park expressed she felt the Trustees were not considering the jobs the Park provides. The Trustees indicated they did appreciate her perspective, were not trying to close the business, but still needed to enforce the rules and consider nearby residents. Mr. Wallace asked how the noise is measured. There was discussion about was it measured in decibels. Mr. Jordan indicated the Noise Ordinance is based on noise that can be heard 100 feet from the property line and is not measured in decibels. Brian Tatman, Zoning Administrator, reiterated that in regard to the Food Park what was presented to the Zoning Board of Appeals was acoustic music. Residents stated that their walls vibrated from the music. Several residents spoke up that they support and appreciate the actions the Trustees have taken. Ms. Sammons asked why there was no agenda for the Board of Trustees Meetings. Mr. Bainum indicated that historically because we are a small community and that everyone who attends the meetings is given the opportunity to speak a formal agenda is not prepared. Mr. Lefferson, Fiscal Officer indicated he was looking into the need for an agenda. Ms. Sammons asked about a meeting with Food Park neighboring residents and the Prosecuting Attorney's Office two Fridays ago without her. Mr. Jordan indicated that the Attorney's Office and the Judge were aware of her support for the Food Park. One resident voiced concern that a recent Channel 12 News report did not fairly represent the views of neighbors who had serious noise concerns. Mr. Henning indicated he appreciated the perspective, but had viewed the report and found it relatively balanced. Given no other comments the discussion on Clear Mountain Food Park was closed.

Mr. McTague asked about a rumor of Nestle Purina buying additional land. The Trustees all indicated they were aware of the additional land purchase, however nothing on the other side of SR 32. Mr. Wallace inquired about odor concerns with the new Nestle Purina plant. Mr. Jordan indicated he had posed that question to company officials at least three times. This is a state-of-the-art facility with new technology and filtering systems geared toward mitigating odor issues. Mr. Henning expected strict EPA requirements given it is a new facility.

### Zoning Report

Mr. Tatman presented a zoning report. Twelve courtesy letters were sent out for high grass, debris or junk in the yards, and unlicensed vehicles, after 30 days violation letters will be sent. Three zoning certificates have been completed since last meeting, a pole barn, signage for storage units on James E. Sauls Road, and an inground pool. On June 3<sup>rd</sup> a Temporary Restraining Order was issued restricting the use of loud speakers at Clear Mountain Food Park. This order was violated that

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weekend. Zoning Board of Appeals granted the variance for Mr. Anderson's property on Tollgate Road. On June 2<sup>nd</sup>, Mr. Tatman met with Raelynn Kohlhepp, Fischer Homes Land Acquisition Manager, in regard to areas available for new subdivisions and the community in general. She indicated she would be getting back in contact with Mr. Tatman at a later date.

### Cemetery & Maintenance Report

Mr. Tatman presented a report. There have been 37 funerals year-to-date, six for the month of May. Memorial Day decorations are being removed from the cemetery. The Maintenance team did a great job preparing for the holiday despite abnormally wet weather. Barrett Paving will be starting repairs on Bass Road in the next week or so and then blacktopping depending on weather. Township Maintenance will have ditch work complete prior to blacktopping. The salt bid was completed and 200 tons of salt has been ordered for the upcoming winter. Mr. Tatman had requested bids for a new road mower. Our current ditch and bank mower is approximately two decades old and barely operable. Woods discontinued the model last year and has not released a new design. Mr. Tatman priced new 10-foot offset bush hogs which is what the State and County use. After multiple bids Mr. Tatman recommended the lowest cost option, \$14,900.00 for a brand new 2020 model from Bane Welker in Georgetown. A new model would cost between \$17,000.00 to \$18,000.00. This option was also available for delivery in one week versus a year out or unknown delivery dates offered by other vendors. After discussion, Mr. Henning motioned to purchase the recommended mower from Bane Welker. Mr. Bainum second. All yeas.

### Emergency Services Report

Mr. Wiedemann submitted Emergency Services statistics for the month of May. Mr. Wiedemann requested that we hire Makenna Weaver. She takes her State Paramedic test at the end of June and also has firefighter training. Mr. Jordan motioned to hire Makenna Weaver in Emergency Services. Mr. Bainum second. All yeas.

Mr. Bainum indicated that the Board of Trustees of Jackson Township had proposed and presented an amendment to their Emergency Medical Services Contract wherein they would add a \$10.00 per run fuel cover fee. Mr. Bainum and the Trustees were appreciative of this offer and proactive outreach by Jackson Township. Mr. Bainum motioned to execute the Second Amendment to Contract For Emergency Medical Services with Jackson Township. Mr. Jordan second. All yeas.

Mr. Lefferson, Fiscal Officer discussed the annual adoption of a resolution regarding the distribution of the Undivided Local Government Funds. This applies to certain tax revenue received by the Township. The County receives a 48.545% share of the funds before distribution to the Townships, Cities, and Villages. The Fiscal Officer and Trustees were in agreement that the distribution model for the remaining amount after the County's share representing a 50% equal split between Townships and Villages/Cities and the remaining 50% split distributed per capita was the fairest model overall. Mr. Henning motioned to adopt Resolution 2022-04 authorizing an alternative method of apportionment of the Undivided Local Government Fund. Mr. Bainum second. All yeas.

RESOLUTION AUTHORIZING ADOPTION OF AN ALTERNATIVE METHOD OF APPORTIONMENT OF THE UNDIVIDED LOCAL GOVERNMENT FUND (LGF) FOR CALENDAR YEAR 2023 THAT PER OHIO REVISED CODE SECTION 5747.53 EXCLUDES THE APPROVAL OTHERWISE REQUIRED OF THE LEGISLATIVE AUTHORITY OF THE CITY, LOCATED WHOLLY OR PARTIALLY IN THE COUNTY, WITH THE GREATEST POPULATION

Mr. Lefferson presented a letter from Clermont County with approved updates to the 5-Year Capital Improvement Plans for the Water and Wastewater Systems. The Trustees had no issues with the only Township project, Afton elevated tank rehab.

Mr. Lefferson presented a letter he received from the Clermont County Board of Elections which enclosed a Certificate of Result of Election for the May 3, 2022 Primary Election regarding the proposed Fire & EMS Additional 5 mill Tax Levy. Official results were 1,019 votes cast, 435 for the levy, 584 against. The Trustees and Fiscal Officer are in continued discussions on next steps as a result of the failed levy.

Mr. Jordan motioned to go into Executive Session pursuant to ORC 121.22 (G)(1) for the purpose of competitive bid at approximately 8:45 p.m. Mr. Henning second. All yeas. The Trustees came out of Executive Session at approximately 9:10 p.m. Mr. Henning motioned to authorize Mr. Jordan to transact real estate discussions in conjunction with the Fiscal Officer. Mr. Bainum second. All yeas.

Mr. Jordan motioned to adjourn at approximately 9:20 p.m. Mr. Henning second. All yeas.

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Fiscal Officer

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Chairperson