

# Williamsburg Township Board of Trustees Minutes

## September 12, 2022

The Williamsburg Township Board of Trustees met on Monday, September 12, 2022 to transact business. Chairperson Bainum called the meeting to order at 6:59 p.m., 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, Emergency Services Chief Kevin Wiedemann, Jason McCarthy, Bobby Feimster, Dylan Arnett, Sharon Wood, Greg Hoover, Rich & Connie Parker, Ted & Lisa Drake, John Walker, and Ed Boll.

Mr. Henning motioned to approve the minutes of the August 22, 2022 meeting. Mr. Jordan second. All yeas. Mr. Jordan motioned to approve the minutes of the August 29, 2022 special meeting. Mr. Henning second. All yeas. Mr. Henning motioned to approve the minutes associated with the interviews for a new Emergency Services Chief of the August 15, 16, 17, 18, 22 and 24, 2022 special meetings. Mr. Jordan second. All yeas with Mr. Bainum abstaining from the approval of the August 15 and 16 minutes as he was unable to attend.

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.

Ms. Wood inquired about the 190+ acres recently shown for sale on Old S.R. 32 in regard to future development. Mr. Henning provided a brief update on where sewers were and were not available and Mr. Jordan mentioned the nearest lift station. Ms. Wood ask about the potential for a Township donation to the Williamsburg Christmas Walk as the event represents the community well. Mr. Bainum indicated the Township had helped Harmony Hill in the past, but were very careful about spending tax dollars on donations. Mr. Bainum said he would contact another local business. While the Trustees were not willing to give a cash donation, Mr. Henning said they may be able to have a fire truck available and they would work on that.

Mr. and Mrs. Drake stated they had another bad weekend in regard to noise from Clear Mountain Food Park and had contacted the Sherriff at 12:30 a.m. Mr. Jordan indicated the county prosecutors were aware. Mr. Jordan reiterated that we have zoning rules and a noise resolution and the Township is looking for enforcement. He said the Trustees may invite the prosecuting attorney's office to a Township meeting to take questions. Mr. Jordan indicated the Trustees are frustrated, but the rules have not changed and anything different has to be approved by the Trustees. The prosecuting attorneys' office has to provide the Sheriff direction on how to enforce. The noise ordinance has a 100-foot rule and is not measured in decibels. Mr. Jordan closed by saying zoning needs to be enforceable. Mr. Henning reiterated the Food Park received a variance for acoustical music, a noise resolution was prepared by the prosecutor's office and we adopted it, we are waiting for guidance.

Mr. Walker addressed the Trustees in regard to the backup of water at times on a Hageman's Crossing Road culvert. He indicated he was also representing a neighbor, Mr. Applegate, whose basement floods when the backup occurs. Mr. Walker stated the issue arises when the ground is really dry and we get 3 inches of rain or when the ground is saturated. Mr. Walker has installed underground piping on his property (farmland) with assistance from a governmental soil and conservation group. He presented pictures of the water backing up at the culvert and flowing over the road. He stated that the issue can happen twice a year. Mr. Tatman indicated the issue could be difficult to correct especially when it is occurring in extreme conditions and with high amounts of rain. Mr. Walker was asked if this was a more recent development and he indicated that it has always flooded. Mr. Henning said with 3 inches of rain, issues like this are going to happen. He asked how quickly the water goes down and Mr. Walker indicated that it dissipates rather quickly. Mr. Bainum said the Trustees would look into the situation. Mr. Jordan acknowledge there is an issue worth looking into and we may want input from the county.

Mr. Parker of Todds Run Foster Road discussed issues he had with the maintenance crew running the bush hog. He provided the Trustees his resume indicating a facilities services background. He stated he had his paper shredded in front of his residence by the mowing crew. Mr. Tatman was aware of the issue and when he inquired about it the employee indicated he did not see the paper. Mr. Parker also stated that the mower was also in the center of the road and cut up some trees at various times. He felt he was being harassed by the bush hog crew and filed a complaint with the Sheriff. It was indicated the paper could have been a dog or a child. The Sheriff said to call them first if there were any issues. Mr. Parker indicated he wanted the mowing to go back to the way it was in previous years he had owned the property. Mr. Bainum apologized to Mr. Parker for any issues and said Mr. Tatman was aware of the situation and would address mowing concerns. Mr. Bainum also indicated that the individual who ran over the paper no longer works for the Township.

### **Emergency Services Report**

Chief Wiedemann and Mr. McCarthy presented reports on Fire and EMS runs for the month of August. Mr. Wiedemann and Mr. McCarthy also provided the Trustees with a written proposal for a new fire reporting and scheduling software. The current reporting software used to enter and send reports to the state has discontinued its service. Mr. Jordan inquired about one-time costs versus recurring costs. Total recurring fees are \$5,330 with one-time set up fees of \$1,190. Total cost of the proposal is \$6,520. Mr. Wiedemann indicated most of the county uses this software and Mr. McCarthy stated he has used at previous employers. Mr. Bainum motioned to approve the Fire Reporting and Scheduling Software at a cost of \$6,520. Mr. Henning second. All yeas.

Mr. Hoover, attorney representing Mr. Wagner, was present to discuss a potential civil lawsuit against his client's neighbor and to request the Township's position on enforcement of potential zoning violations. The property in question off of Clover Road is being used for airsoft gun games with small structures and an old airplane. Mr. Hoover presented a detailed PowerPoint presentation which included pictures, maps, and survey information. Mr. Hoover outlined many issues including explosions, leaving debris on neighbors' property, old tires on the site, excavating into a creek bed, creek set back issues, potential permit issues, and buildings erected on neighbors' property. Mr. Hoover indicated the Sheriff has been called 8 times and a Sergeant has been out twice, but no action has been taken. Mr. Jordan asked if it was zoned agriculture. Mr. Tatman indicated it was. Mr. Hoover was not taking issue with the overall zoning because the definitions are broad. Mr. Henning stated Mr. Tatman needed to research further and maybe talk to the prosecutor. Mr. Hoover thought an injunction through the Township might be more cost effective. Mr. Jordan asked if the property owners acknowledge the property line

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issues. Mr. Hoover indicated no. Mr. Henning said the Trustees need to discuss. Mr. Boll referred to the property owners having a website and asked if this is a business or a hobby. Mr. Hoover believes it is a business.

### Zoning Report

Mr. Tatman provided a report. The current owner of the old Schumacher model homes property submitted a Zoning Commission application to change the zoning from B-1 to B-2. This will be on the Planning Commission agenda this month and there will be a Zoning Commission hearing in October. Proposed plans are to use a portion of the property as a travel trailer/RV park along the river. The Zoning Board of Appeals approved the setback change on the 32 Storage building front. One Zoning Certificate was issued for a pool. A couple more letters were sent for high grass and junk vehicles. Vorys, Sater, Seymour and Pease, LLP local attorneys for Nestle Purina called requesting a letter for the zone change for Nestle Purina completed in March of this year. Mr. Bainum stated that one high grass complaint is supposed to be mowed this week and another had been cut.

### Cemetery and Maintenance Report

Mr. Tatman provided a report. There were four funerals for the month of August. Two mowers were inoperable last week. One has been fixed and the other should be repaired by Tuesday. The Ford backhoe used for cemetery work is having issues and is going to Baxla Tractors this week to be repaired. We are still out mowing along roads; however, the boom mower is also in need of repair and should be operational this week.

Mr. Lefferson reported that an Ohio Public Works Commission Grant application for major road rehabilitation for the Commons of East Fork was filed August 31<sup>st</sup>. Mr. Jordan and Mr. Lefferson will present details of the project at a September 14<sup>th</sup> county meeting. The project is estimated to cost \$550,000. The grant request is for \$269,500. The Township would contribute \$180,500 directly and obtain a loan of \$100,000 payable over 10 years with a zero percent interest rate through the program.

Mr. Lefferson introduced Resolution 2022-11 certifying current tax levies to the Clermont County Auditor. This is a standard annual process. Mr. Jordan motioned to approve Resolution 2022-11 certifying the amounts and rates of existing tax levies to the County Auditor. Mr. Henning second. All yeas. Mr. Lefferson discussed Resolution 2022-12 which would reallocate dollars within the General Fund from other expenses to fiscal officer salary to cover for support expenses associated with transitioning to a new Fiscal Officer this year. Mr. Henning motioned for Resolution 2022-12 to amend appropriations to move from one account to another within the same fund. Mr. Jordan second. All yeas.

Mr. Jordan motioned to go into Executive Session pursuant to ORC 121.22 (G)(1) for the purpose of discussion of the investigation of a complaint involving a public employee at approximately 8:24 p.m. Mr. Henning second. All yeas. The Trustees came out of Executive Session at approximately 8:56 p.m.

Mr. Henning motioned to adjourn at approximately 9:00 p.m. Mr. Jordan second. All yeas.

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Fiscal Officer

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Chairperson