

Williamsburg Township Board of Trustees Minutes

October 24, 2022

The Williamsburg Township Board of Trustees met on Monday, October 24, 2022 to transact business. Chairperson Bainum called the meeting to order at 7:00 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, Emergency Services Chief Jason McCarthy, Brian Shrive, Taylor Corbett, Scott Gafvert, Deputy Singleton (for report) Yvonne Malott, Richard Malott, Michael Madsen, Nancy Sullivan, Michael Pope, Tracy Ortman, Allen Heimbold, Bobby Feimster, Dylan Arnett, Ted and Isabel Drake, and Ed Boll.

Mr. Jordan motioned to approve the minutes of the October 10, 2022 meeting. Mr. Henning second. All yeas.

Mr. Lefferson presented a financial report, including a comprehensive account of expenditures and receipts and the trustees accepted it.

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

Clermont County Sheriff Deputy Singleton reported 7 arrests in August and 5 arrests in September.

Brian Shrive from the Prosecuting Attorney's office provided an update on Clear Mountain Food Park. Mr. Shrive recapped that a suit was filed on speaker location, but that had not changed how some immediate neighbors were impacted by the noise level. The Prosecutor's Office is looking at other avenues to resolve the situation including filing a suit specific to the noise resolution. The protest to reissuance of the Food Park's liquor license is in process. There are three possible dates for a hearing with the State Liquor Board. Mr. Henning asked why we cannot get the noise resolution in place enforced. The Sheriff's Department has stated it is reluctant to enforce due to a lack of guidance from the Prosecutor's Office. Mr. Shrive believes the guidance from the Prosecutor's Office is there. Mr. Shrive will circle back to the Sheriff's Department. Mr. Jordan reiterated the Sheriff and Prosecutor need to get on the same page. Mr. Drake said the Sheriff's Department confirmed they can hear the noise at his residence. Mr. Madsen asked if this was a criminal or civil issue. Mr. Shrive responded it is a misdemeanor and civil. Mr. Boll inquired if a noise baffle or acoustical fence was suggested. It was believed that this was mentioned, but Mr. Jordan and Mr. Henning reiterated the key was low level acoustical music as approved and to have the noise resolution enforced. Mr. Jordan stated that the Township has been through it for two years and are not getting off of the issues. He does not want to damage the business, but wants them to live to the rules of the variance. Ms. Sullivan asked if the Sheriff's Department had the equipment needed to measure noise levels. Mr. Henning stated that no equipment is needed as the ordinance is based on noise heard from 100 feet, not a decibel level.

Taylor Corbett and Scott Gafvert from the Clermont County Department of Community and Economic Development presented a PowerPoint presentation on solar energy projects. The presentation included discussion on local government approaches to planning, zoning, and development and its impact on solar energy projects, types & examples of projects, and Ohio Senate Bill 52. Ms. Sullivan asked how many acres were in the Buford solar farm. The acreage was not known, but significant. There was discussion about private industrial solar use. Mr. Madsen asked if Nestle' Purina had applied for solar use. Mr. Corbett responded no. Mr. Corbett stated that it takes probably a minimum of 500 acres for a solar farm to be feasible and he discussed the Ohio Power Siting Board. Mr. Boll inquired about hazardous material when decommissioned. Mr. Gafvert said he would research, but does not know. Mr. Arnett asked about ability to restrict projects. It appears that utility scale projects can be restricted or denied, but cannot restrict private industrial smaller projects. Mr. Madsen asked if current existing residential solar panels were grandfathered. Mr. Corbett stated probably so and that the Senate Bill does not address residential. Mr. Taylor recommends the Township have a plan involving mostly mapping showing County Commissioners where restricted zones are located. If the plan was to exclude the entire township from solar farm projects more specific evidence would be needed as to the reasoning. Jackson Township asked the County if they could help. Mr. Corbett indicated they can create a template and the County is working on it. Ms. Sullivan inquired about timing. Mr. Corbett stated the next two to three weeks. Mr. Madsen asked about the need for a stand-alone functional plan with guidelines for the Zoning Commission and Trustees to follow. Mr. Arnett added about the plan being evidenced based. Mr. Taylor stated some type of plan is needed as the County Commissioners do not want to hear it verbally. He said to look at growth corridors. Mr. Malott asked about eminent domain. Mr. Taylor stated would still have to go through the Ohio Power Siting Board. Mr. Pope talked about how Williamsburg Township is growing and could someday resemble Miami and Union Townships so why not restrict the entirety of the Township. Mr. Jordan said the Trustees would work with Brian Tatman to get our arms around this issue. Mr. Bainum was glad to see several Township Zoning members present. Mr. Henning requested a guide for residential and commercial. Mr. Jordan asked about any experience with farmland reclaimed. Mr. Gafvert said yes in regard to oil wells in North Dakota. Mr. Jordan believes the State of Ohio should address in code to make sure companies follow through with clean up and restoration. Mr. Madsen asked if there was a township that already had a good example of a plan to address solar farms. Mr. Corbett said the plan has to be enforceable and fit into the zoning staff

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you have. Mrs. Malott stated that in the past they had put a lot of work into zoning regulations on specific topics only to have the politics change and the rules change. Mr. Boll asked if the power upgrades through out the Township or new substation has to do with the proposed nearby solar farm. Neither the Trustees or County officials believed it did. Ms. Ortman stated Jackson Township probably did not have the plans in place to say no. Mr. Jordan asked if we can stop all solar projects until we have the proper zoning in place. Mr. Taylor said he would check. Mr. Henning agreed with the concept of keeping solar farm projects off of the State Route 32 corridor. Mr. Jordan stated we want a thought-out approach. Mr. Pope thought the County should have already been working on more proactively.

Mr. Jordan asked, not related to solar farms, if the County representatives could get information on any zoning variance approvals that have been rescinded. Mr. Taylor said he would check on rescinded zoning variances.

Zoning Report

Mr. Tatman did not attend the meeting but provided a report in advance. The Zoning Commission hearing for the old Schumacher property will be November 16, 2022 at 7:00 p.m. at the Township Hall. A resident requested information from the last zone change on the property. A company contacted the Zoning Department in regard to a sign at Design Within Reach, wanting to know what the requirements were, what they needed to do if the sign was too big, and how the variance process works.

Cemetery and Maintenance Report

Mr. Tatman did not attend the meeting but provided a report in advance. The following roads have been patched: Sally Drive, Musgrove Road, Henning's Mill Road, and part of Hockstock Road. There have been two funerals. Started mulching leaves and levelling up graves. They are seeded and fertilized. Pouring concrete November 7th for foundations. Another pour will be scheduled after that to finish all foundations. Concrete has been hard to get scheduled due to funerals and material issues. Concrete companies are still two weeks out on delivery.

Emergency Services Report

Chief McCarthy provided a report. In regard to community participation, fire safety talks were provided for the kindergarten class and at the public library. The Chief indicated a donation of 288 9-volt batteries and 144 AA batteries was secured from Energizer to help replace batteries in smoke detectors within the community. The generator on the 2007 Sutphen was serviced and a relay was ordered and a new control panel was quoted at \$618.56 to fix the issue with the generator shutting down. The 2019 ambulance has an uneven tire wear in the front tires and needs an alignment along with two new tires. The Chiefs car needs 4 new tires. Chief McCarthy recommended purchasing 20 used Minitor pagers from Adams County EMS for \$25.00 per pager, \$500.00 total. To purchase new pagers the cost would be \$450.00 per pager. This purchase from Adams County will save \$8,500.00. Mr. Jordan motioned to purchase the used pagers from Adams County EMS for \$500.00. Mr. Bainum second. All yeas. Mr. Henning motioned to purchase the new control panel for the generator on the 2007 Sutphen. Mr. Bainum second. All yeas. Mr. Jordan stated the Trustee's appreciation for Chief McCarthy's participation in the Levy Meeting.

Mr. Jordan provided an update on OPWC funding for the Commons of East Fork Roads. At the District Meeting, our project scored well within the group of funded projects. The District will officially approve the list of projects in November, but we are positioned well. If we get final approval, the estimated \$550,000 project would be funded through a grant of \$269,500, a 0% interest loan of \$100,000 over ten years, and additional Township funds of \$180,500.

Mr. Bainum recognized over \$500 in donations to EMS received in Memory of Betty Rice. We are grateful the Boothby family requested this.

Mr. Malott mentioned a large hole at the side of the road at the intersection of Dela Palma Road and Cobb Road. The Trustees believe this may be the County's responsibility, but they will check into it.

Mr. Jordan motioned to adjourn at approximately 8:50 p.m. Mr. Henning second. All yeas.

Fiscal Officer

Chairperson