

LEROY TOWNSHIP TRUSTEE MEETING  
MINUTES

The Leroy Township Trustees met in regular session on Monday, June 6, 2016, at 7 p.m., at the Leroy Township Hall.

Present were: Heather Shelton, Chuck Klco, Rich VanPelt, and Sharon Rodgers.

Heather Shelton, chairman opened the meeting with the pledge to the flag.

**Guests:**

Fire Chief, Frank Huffman introduced Mike Shoff, who has been a Leroy resident for 13 years, and a member of our fire department since 2003. Mike is a certified fire instructor as well as a CPR instructor, and a member of the Fire Investigation Unit. The Fire Chief requested that he be sworn in as Leroy Township's Assistant Fire Chief. Fiscal Officer, Sharon Rodgers administered the oath for Assistant Fire Chief. A small gathering was held at the fire department after the meeting to congratulate Mike.

Minutes of the previous meeting were read and approved.

**Correspondence:** A copy of a letter sent to David Novak, Barrington Consulting Group, Inc. from the Lake County Planning & Community Development was sent to the trustees. It is with regards to the final plat changes to the old Stein property on Leroy Thompson Road. Phases 1, 2, 3, & 4. Mr. Novak was requesting an extension of the time for the final plat changes to phases 1, 2, 3, & 4. It will be placed on their agenda for the meeting on Tuesday, May 31, 2016. This letter was received in May. The Plats are currently considered approved according to the County Planning Commission. A letter from Carmen Carbone of JJJ Properties, LLC was sent to our zoning inspector, Myron Telencio. They formally requested to withdraw their zoning change requests applications 1, 2, & 3 regarding property at 5811 Vrooman Rd.

**Department Reports:**

**ZONING:** Myron reported 18 calls received and 9 permits issued since the last meeting, which includes one new home. He has received a request for one variance to go before the Board of Appeals. This is for an addition to a home which originally had a setback requirement of 50 feet. Our zoning now says 100 feet. There are 26 open inspections. Three inspections were completed. JJJ Properties has been issued a citation for their storage of materials at their site. They have until July 27<sup>th</sup> to start work on their temporary asphalt plant. A 30 day extension was granted from June 27<sup>th</sup> because of mitigation and the Army Core of Engineers. It was the recommendation of the County Prosecutor that they be granted an extension of 60 days total. Myron has also had discussions with the County Prosecutor about the pre-trial against Osborne and his property by I-90 & Vrooman and their dumping and storage of stuff on the property. The Mahr Farm investigation is still on-going. Myron is trying to contact their attorney. So far he has not returned any calls. The Lake County Prosecutor's office will issue a citation for failure to comply with the clean-up. Jamie Eck is leaving the prosecutor's office so we will have to be starting over again with someone else. The buyer of the Girl Scout camp on Kniffen Road wants to drop the lot sizes and put up "tiny homes". Myron told them no, also Chuck Klco talked to the Lake County Planning Commission and they stated it does not comply with our zoning. Dennis Keeney from the Zoning Commission and Myron met with Jamie Eck from the county prosecutor's office regarding the regulations the zoning commission has developed for businesses. They feel the wording makes permits selective. Heather stated if we grant a permit to those legal businesses which conform to our zoning, then we will prosecute those illegal businesses. The prosecutor's office thinks this is selective zoning. They will review and get back to Myron.

**FIRE:** The Fire Chief, Frank reported 34 calls since the last meeting and year to date, 203. Kyle Friebertshauser has completed all of his training and therefore, should be promoted to permanent part-time. Our front line tanker had to be towed, the serpentine belt broke. The new fire engine is ready to be decaled. An account has been set up and the old engine will be put on Gov. Deals. Our other old engine is still be used by the road department to blow out culvert pipes.

**ROAD:** Chuck stated the material for Chadwick, North end of Leroy Center and Seeley will be here on Monday. When those roads are done, patching will start up again. The men have three more culverts to put in on Mildon. The church on Radcliffe wants to put up signs directing people to their church. They were informed that there is a zoning fee of \$100.00 per sign.

**CEMETERIES:** Nothing to report.

**PARKS:** Nothing to report.

**OLD BUSINESS:** Heather Shelton stated she spoke with Jessica DeLong about the capitol budget monies of \$50,000.00 for the repairs to the meeting house. The money will be released after August 16<sup>th</sup>. A plan and scope of the work has to be submitted to the State before any work can be started. Chuck stated he met with the Heritage Association and will be looking for possible contractors who could do the windows on the building. There is a two year time limit on use of the Capitol Budget monies. Chuck stated that the wire that ends at Seeley Rd. is a C.E.I., wire. There is not any cable wire. As far as Mrs. Hendrickson's property and the Dominion East Ohio gas line located on her property, Dominion stated they will be working on clearing around it.

**NEW BUSINESS:** Chuck will be sending a letter to AT&T and Time Warner asking for better and more available service. He has requested a meeting with a Time Warner representative. Chuck also said a resident on Leroy Center is upset about the number of geese on the wet lands property next to him, because they land on his pond. Osborne still owns this property between Leroy Center & Rt. 86. Osborne also owes \$169,250.00, in back taxes on this property, and, \$99,000.00 in back taxes on the property at I-90 & Vrooman. Charlie is going to talk with the County Prosecutor about what can be done. We would see about 16% of this tax money if he paid. Rich Sr. made a motion to appoint Kyle Friebertshauser as a permanent part-time member of the Leroy Fire Dept. Chuck 2<sup>nd</sup> the motion, all were in favor.

**FISCAL OFFICER:** Request by fiscal officer to increase appropriation 04A05 culvert pipe installation by \$3,000.00, transfer of April & May interest \$12.96 & 14.30 into investments, and 1.20, & 1.35, into M.V. & 2.3, & 2.83, into Gas Tax. Motion to approve transfers by Heather, 2<sup>nd</sup> by Rich, all were in favor.

Motion to pay all bills made by Heather, 2<sup>nd</sup> by Chuck, all in favor.

Next meeting: July 11<sup>th</sup> at 7 p.m.

Audience: Regarding the property on Leroy Center across from Taylor which reaches back to Rt. 86, it is wet lands which Osbornes had to purchase because of using wet lands elsewhere for his business. Metro Parks was going to buy it, but they won't pay the back taxes which Osborne owes.

Myron explained that JJJ Properties had a permit for storage of materials, on the property at Vrooman and Carter which expired. He has been following the legal process by sending him a notification on April 27<sup>th</sup>, giving him 30 days to remove all of the storage and road barriers. On May 22<sup>nd</sup> he issued a citation which gave them another 60 days to clean it up. He now has until July 27<sup>th</sup> before Myron can file an affidavit with the Courts asking for a court order. On June 24<sup>th</sup> JJJ Properties permit for their asphalt plant expires. He has to show significant progress in order to continue. Myron says he is showing progress. JJJ Properties is also in mitigation with the Army

Corp. of Engineers, which gives him an additional 30 days in which he has to pay to the State \$250,000.00 for the establishment of another wetlands; in order to disturb the small wet lands that is currently on his property at Vrooman and Carter.

Motion to adjourn made by Heather to close the public meeting and go into executive session to discuss hiring an attorney to represent us concerning zoning issues. Chuck 2<sup>nd</sup> the motion all were in favor.

Discussion was held.

Heather made a motion to open back into public session, 2<sup>nd</sup> by Rich, all were in favor. Chuck made a motion to hire Attorney Ron Graham to represent Leroy Township Zoning issues. The retainer fee shall be \$475.00 per month, to attend the Trustee meetings, one – two per month, as well as the zoning meetings effective July 1<sup>st</sup>, 2016.

A \$105.00 per hour fee, in 10 minute increments will be charged for all other zoning matters. Rich VanPelt seconded the motion. Poll of the vote: Heather abstain, (she personally knows Atty. Ron Graham, VanPelt, aye, Klco, aye. Resolution 16-13.

Heather made a motion to appoint Susan Hanna to the Zoning Board of Appeals, 2<sup>nd</sup> by Rich VanPelt, all were in favor.

Motion by Chuck to adjourn meeting, 2<sup>nd</sup> by Heather, all in favor.

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Heather Shelton, Chairman

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Sharon E. Rodgers, Fiscal Officer