

RECORD OF PROCEEDINGS  
WINDHAM TOWNSHIP  
September 7, 2023

Windham Township Board of Trustees met for regular session on September 7, 2023 at 5:30PM. Trustees Brian Miller, Dan Burns, Rich Gano, and Casey Timmons, Fiscal Officer are present.

All board members received their monthly financial packets.

**2023-40**

Rich Gano moved to approve August minutes Dan Burns seconded all voting yes motion carried.

**2023-41**

Rich Gano moved to approve August expenditures Dan Burns seconded all voting yes motion carried.

Guest:

Ryan McLean  
Craig Alderman  
Gayle Poots  
Becky Phillips  
Todd Phillips  
Tammy Hickman  
Tisha Kendrick  
Noah Kendrick  
Jesse Wirick  
Alvin Sweet

Becky Phillips addressed her concerns about the trustees entering into a contract with Nopec. The trustees entered the Nopec contract back in 1998-1999. Becky claims that she is stuck in Nopec due to the contract with the trustees. Other in the audience have had different experience.

Jesse Wirick spoke about his concerns of cats in his neighborhood in the heights. The trustees have worked on this but we received no help from outside agencies. Rich Gano to call the APL to see if we can get some help this time. Jesse asked about a leash law for the cats. The trustees to speak to the Prosecutor to see if we have options.

Roads:

H. Luli has completed the Werger Road and Heights chip seal project.

Mower is now installed on the tractor. The new mower is slower than the old mower but it is working. We will be able to mow with our current tractor.

Tammy Hickman questioned the mowing on Wolfe about the grass on the roadway. Wolfe Road is actual the Village responsibility but the Township is mowing it. Brian will keep an eye on it.

Storm clean up is still underway. Bryant was closed down and Shanks Down and Frazier were hit very bad. Most residence were back with power on by Sunday after the storm.

The employees are trimming up trees in the road right away.

Gotham Road bridge is still being looked at. The engineers will be looking at the bridge to see what needs to be done.

The trustees were awarded the sign grant in the sum of \$10,941.96. We have 18 months to get the signs installed. The township employee will be installing the signs. The fiscal officer will look into how to get it scheduled for delivery so we can install.

#### Cemetery:

The trustees discussed the rules regarding the 2pm cut off rules. On the weekends no burials after 2pm on the weekends.

Jayne Neikirk, the sexton sent the trustees an email about lots that have remained unused for an extended period of time. She sent the ORC Section 517.073 for Authority for reentry for unused lots or right information and suggested they talk to the Prosecutor for guidance. This matter is tabled until they get guidance from the Prosecutor.

Dan Burns to talk to the jail to schedule the imates to help with taking the new cemetery fence so we can install the new fence.

The employees have been busy. The Cemetery looks good.

#### Zoning:

Craig Alderman on behalf of the zoning commission addressed the trustees about the recommendation of side yard setbacks for substandard lots. While the review and recommendation from the zoning commission and regional planning is till being in review by the prosecutor's office. The commission believes the current zoning code currently provided the process to grant set back variations for substandard lots.

The Board of zoning appeals has the ability to grant variations on a case by case basis, while a change to the zoning code will undoubtedly be insufficient and fail as a "one size fits all" solution.

We considered that the original problem was not that the BZA would not consider the case, but that the applicant, as well as some others, considered the fee to apply for a variance was too steep.

With the limited number of substandard lots along with no cases of this nature coming before the board in the recent past. While Todd Phillips and the trustees added that the Daniels case on Horn Road was just handled. Brian added that the variance too far too long. Dan Burns pulled the map of substandard lots within the township.



The commission recommendations simply setting a nominal fee schedule that applies to requests for variance for all substandard lots, if desired. This fee may also be applied towards the zoning permit, should the variation be approved.

There was a lot of discussion between Todd Phillips of the BZA and Craig. The trustees will keep tabs on this matter as we wait for the response of the prosecutor. There is a meeting next Wednesday with Portage County Regional Planning.

There was a lot of discussion about the Purdy House on State Route 303. Rich talked about, ORC Sec 505.86 the zoning inspector to issue the warning to start the clean up process. It will be a tax duplicate to pay for the clean-up. We need to look into condemning it since it is inhabitable. The trustees to look into the Land Bank to help with the clean-up.

The trustees who can attend have RSVP to attend the Fall zoning Seminar on September 16 2023 at Northeast Ohio Medical University.

Alvin received a complaint about dog barking and the mess on Stanley Road. He reported he inspected the property and the dogs were well kept and not barking. Alvin did hear other dogs barking by they were off in the distance. They are cleaning up the garage and it is moving forward quickly.

In the month of August, there were the following permits issued by Alvin.

1. Dan Detweiler on Gotham DD Woodworking in the sum of \$75.00
2. Adam Sweet for LDA Builders in the sum of \$40.00.

Brian spoke with the attorney on the Rubino property and it is still moving forward. We should get the property around the first of the year.

Alvin Sweet, is resigning at the end of the month. He received a letter from OPERS stating that he loses the medical benefits because he is receiving income and contributing to OPERS. The trustees asked that for fiscal officer advertise that we are looking for a zoning inspector. They asked that we give the applicates 2 weeks to get their letter on interests. Alvin to get his official letter to them and he will be officially resigning at the end of the month.

According to the ORC sec 519.16, that the fiscal office will be the zoning inspector until the trustees hire a replacement.

#### Fire Department:

Fireman went to the Village to help with turn out gear. The village will be discussing in counsel meeting. Dan Burns stressed that the fire department needs the turn out gear. Most of the current gear is outdated and we need to protect the firemen and women.

Rich requests that the firemen's association should also chip in for the turn out gear.

The trustees would look at matching the villages' donation for turn out gear. Brian reminds the trustees that the Village did not match the money that the township donated to the fire district for

the purchase of the new ambulance. The township gave \$50,000 and the village gave approximately \$20,000.

The department is short staffed. They have been relying on coverage from Newton Falls and Community EMS.

Fiscal Officer

Ohio Auditor of State, Keith Faber, has a continuing education training on October 24, 2023 in Twinsburg. The cost of the course is \$100.

**2023-42**

Brian Miller moved to approve paying for the Fiscal Officer continuing education course in the sum of \$100.00 Dan Burns seconded, all voting yes, motion carries.

New Business:

Memorial Trees at the Village Park and there are 2 that are dead. The Isler asked if they would like them to replace them.

**2023-43**

Rich Gano moved to approve having Islerscaping LLC, replace the trees with the township covering the cost of the trees Dan Burns seconded, all voting yes, motion carried.

Old Business:

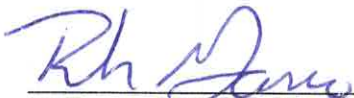
Yellow Jacket Heating & Cooling LLC, Dean & Matt Berecek of Garrettsville gave us a quote to replace the furnace and install central air with duct work. Rich reported that he spoke to other HVAC people but none would give us a quote. Yellow Jacket Heating & Cooling, LLC's total cost is \$10,100. The costs will be covered by the NOPEC grant money. A portion of the grant money expires on November 30, 2023.


**2023-44**

Dan Burns moved to approve hiring Yellow Jacket Heating & Cooling LLC to install a new energy efficient furnace with central air to include the duct work. The cost of this project not to exceed \$10,100.00 Rich Gano seconded, all voting yes, motion carried.

Rich and Alvin have gathered the information on a solar farm that is looking to be installed on the Phil & Helen King property. The trustees discussed and will be looking into this more. Rich suggested a zoning variance and setting a fee schedule for these types of permits.

There being no further business, meeting was adjourned at 7:00PM.

  
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Rich Gano, Chairman

  
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Casey Timmons, Fiscal Officer



RECORD OF PROCEEDINGS  
WINDHAM TOWNSHIP  
September 21, 2023

Windham Township Board of Trustees met for special session on September 21, 2023 at 6:00PM. Trustees Brian Miller, Dan Burns, Rich Gano, and Casey Timmons, Fiscal Officer are present. The trustees were provided with the letter from the Portage County Engineer and Proposal of R Byler Masonry. The meeting was attempted to be advertised in the record courier but due to the short notice, the meeting did not make the paper but was posted on your township website.

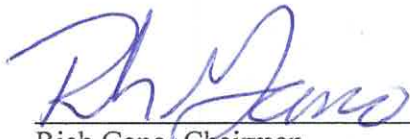
The purpose of this meeting is to discuss the Gotham Road bridge project. The trustees have been working with the Portage County Engineer and on September 12, 2023 the Engineer issued his opinion on the bridge. Due to the concerns of the residence and traffic on Gotham Road, the trustees closed the bridge until further notice. The trustees met with R. Byler Masonry who gave them a written proposal in the sum of \$39,890.00 to restore, stabilize and repair the existing sandstone culvert bridge that was damaged in the last big storm that hit the area in August 2023.

Since the damage was done due to natural disaster, the ARPA funds could be used to complete this project.

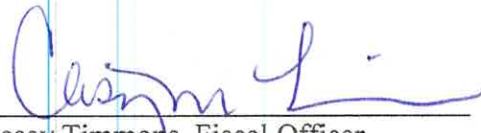
**2023-45**

Dan Burns moved to approve the proposal of R. Byler Masonry in the sum of \$39,890.00 to repair the Gotham Road bridge, Rich Gano seconded, all voting yes, motion carried. The ARPA funds will be used to complete this project.

There being no further business, meeting was adjourned at 6:07PM.



Rich Gano, Chairman



Casey Timmons, Fiscal Officer