**VILLAGE OF WAYNE LAKES**

**REGULAR COUNCIL MEETING**

**HELD AT ADMIN BLDG 1052 MAIN ST.**

**July 08, 2019**

Mayor J. Denise Wetzel called the meeting to order at 7:00 p.m. The prayer, pledge to the flag, and roll call followed. Council members present were Dane Driver, Rita Robinett, John Swindler, and Bob Tuco. Joan Falknor is out of town and was excused. There were seventeen (17) visitors present including; John McRoberts; Troy Stewart; George Mitterman; Rita Neff; Cindy Ploch; Ronnie & Martha North; Adam & AngieWicker; and Curtis Yount.

**Agenda**: Tuco made the motion to approve the agenda as submitted by the mayor. Robinett seconded. All present voted yea.

**Minutes:** Tuco made the motion to approve the June 10, 2019 council minutes. Swindler seconded. All present voted yea.

**Expenses:** Tuco made the motion to approve the expenses and finance reports submitted by the fiscal officer to the council members three (3) days in advance for their review. Driver seconded. All present voted yea. (Council members also signed the bank reconciliations showing the detail expenses, etc.) Month end Reports are always available for anyone interested to review.

**Council Business:**

**Vacant Council:** No one present expressed an interest for council to appoint for the vacant council seat vacated May 13, 2019. The term would be through 12/31/2021. The mayor urged everyone to get the word out for those who would be interested. The mayor also reminded everyone that there will be two other council seats available at the end of the year and also for the mayor position. Anyone interested to be part of the election process, the petitions have to be into the Board of Elections by August 7, 2019.

**Awareness Section:**

**Cucumber – ESS Connection:** As a reminder, the mayor wanted everyone to be aware of items that needed to be fixed. First on the list to address were the problems involved with the drains from Cucumber to ESS lakes. Doug Hollinger from Hollinger Excavating Company submitted two proposals back in February, 2019. The first proposal involved a permanent fix estimating $34,900. The second proposal was at $4,800 which involved piping repair but would be considered as a temporary fix. Tuco noted the ideal time for this work would be in late August or early September while the water is at the lowest level. This work would have to come out of the General Fund. The fiscal officer confirmed no appropriations are in place this year for the work. The catch basin portion can be charged to the streets, the rest would have to be out of the General Fund. To be addressed at the August Meeting.

**Request for Fish Camp Access (or property purchase for such)**: The mayor informed council she had a request from a person looking for property to purchase or property where he could park his camper to be able to come to the village on weekends to fish. Brief discussion followed. Swindler believed there is an ordinance (back in the 80’s or 90’s) that addresses this issue.

**Carp Hunting Ordinance**: There is an ordinance in place that governs types of carp hunting (some allowed or some not allowed in the village). It has been recommended by the Solitude Lake Management Company for the village to stock “Grass Carp” for biological aquatic vegetation control. Grass carp rely almost entirely on aquatic plants such as Pondweeds, Coontail, Duckweek, watermeal, etc. This ordinance needs to be updated to accommodate stocking of the “Grass Carp”.

**Fairy Cottage**: The Fairy Cottage was also rezoned for special use and should be reconsidered to change. Discussion followed. John McRoberts noted he was involved in the original special use rezoning and believes the ordinance states if the building should change ownership, the new owner will have to address council for approval. McRoberts to check with the owner for documentation. Curtis Yount, zoning inspector stated if the zoning was changed for a conditional use it would automatically expire when the current owner left.

**Mohawk Drive**: There is a very short section that use to be a road that is called Mohawk Drive. There have been some questions whether this road has or has not been abandoned by the village. This drive use to go between two properties. McRobert’s believes there has never been any action on this by council and that the drive was just blocked off. McRobert’s also believes there is a state law that will address this issue on abandoned roads. It was noted by the mayor that the mailing address of the property owners are using Mohawk Drive as their address (which McRobert’s noted was his place). Tuco noted that council needs to check with the county on this issue or will perhaps need to reopen the road. Since this is a road, it is considered to be Village property and if the village chooses to reopen the road it will be up to the village to maintain. If the village chooses to abandon the road the two property owners involved would split the road section in half. A brief discussion followed. Apparently, one of the owners is claiming around 150ft. more than they should. McRobert’s stated that this should be his worry and that there was a survey done by Tim Wagner and he wants to check if this has been recorded with the county. McRobert’s assured council he would check further with the Darke County court house on this issue and inform council of his findings.

**Rod McNut Shelter**: It has been reported that the Rod McNut shelter needs some repairs. Tuco noted he would check on what needs to be repaired and if the village still has some shingles, if needed.

**Issue with Dogs and spraying in the fields at South Creek:**  The mayor reported on the dog issue and believes the dog warden will address this issue with the property owner involved. She also noted it may take a while before this issue will be resolved. As far as the field spraying, the mayor and Tuco noted that someone new owns this property and understands the new owner is trying to make some changes which involved spraying at the construction site.

**Ordinance:**

**1st Reading of Ordinance No. 2019-7-08-1 – AN ORDINANCE REPEALING ORDINANCE NO. 2012-06-1, DATED JUNE 18, 2012, WHICH WAS REQUESTING A ZONING CHANGE SOLELY FOR A RETAIL BAIT SHOP IN THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, GREENVILLE, OHIO** was read by title only by the Fiscal Officer. A Brief discussion followed. Tuco moved to table this ordinance giving time for further follow-up with the property owner. Seconded by Swindler. All present voted yea.

**Mayor Updates**: The mayor noted one main appreciation and a special thank you to Ronnie North and Martha for the new chairs donated for the village council use. Another special thank you went out to Dave Flatter for all the mowing of village property and also volunteering to mow the property rented by the village (Anderson Bldg), which is the Village responsibility to maintain.

**Hooked on Fishing Program:** This program is going in to the second month. John Wenger informed the mayor that they were going to stock fish again in July (Lake Iroquois). In doing so, the mayor sent an email to ODNR asking permission for this stocking and also made them aware of the potential of stocking carp this fall. What ODNR need is BC’s and numbers for them to give the village written permission. Asking permission is a new rule as of July, 2019. The reason why permission needs to be given before stocking the lakes is the fact that our lakes empty eventually in public waterways (explaining issues ODNR had in 2018).

**RITA Reminder**. The mayor noted another reminder on RITA and paying estimated tax this year for residents and owners in the village and will require filing for 2019 by April 2020.

**Sewer Project – Billing**: The mayor also reminded everyone to get the word out that billing for the sewer will likely start at the beginning of 2020 (as discussed during the June 10th council meeting). The estimated monthly amount has not yet been established.

**Community Group Updates:**

**F.o.W.L**.: Adam and Angie Wicker reported to council in reference to the Nanobubbles Aeration treatment on Shawnee. The process of the Nanobubbles was discussed and how the bubbles initiated under water would provide the oxygen turbulence needed for the bacteria that would also be initiated to virtually eat up the muck at the bottom of the lakes (caused by decaying algae, etc.). The Concern was expressed on the costs and as to whether F.o.W.L or the village should enter into the contract with Solitude for the Nanobubbles treatments. The contract would be for one year involving a monthly payment of $745 a month. They were told this equipment could be moved from lake to lake when needed during the year and also during the winter months when ice was on the lakes, since this is initiated under water. F.o.W.L. reported they currently have $1,500 of donations to be given to the Village to go towards this expense. The fiscal officer pointed out that $500 of the $1,500 has already been appropriated previously and used for chemicals. Also, F.o.W.L. plans on having money making projects (including the 5K Run) to help with this monthly expense. They would need residents on the lakes to volunteer to use their electric to use this machine. However, Solitude does have a generator for the village to use (which would be quite noisy). Village would have to pay for the fuel, which would be over and above the $745 a month. A plus also was mentioned with the Nanobubbles that no chemicals would be needed (if it works). Discussion followed as to the village appropriations to go towards this expense (thinking the money made from selling fishing passes this year would go toward this expense.) The fiscal officer explained how the appropriations for 2019 was determined and voted on in December, 2018. The estimated appropriations for 2019 were based on actual revenue received in 2018. Estimated revenue for the General Fund goes in one “pot”. The finance committee will determine the estimates for 2020 (based on revenue received in 2019). It was also noted there has been amended appropriations already this year (due to additional passes sold and donations) to cover additional chemicals ordered (Sonar AS). **Tuco moved to have the Village enter into the year contract with Solitude for the Nanobubbles treatments at a monthly cost of $745. Robinett seconded. All present voted yea.** The fiscal officer was given permission by council to reallocate appropriations within the General Fund to cover this monthly expense through December, 2019. The fiscal officer again confirmed from council if what was appropriated for the parks and garage can be reallocated. Also, she expressed her concerns in reallocating because she has not received the final bill from Rod McNut for the snow removal and wondering how the weather (as far as expense) will be for this November and December.

**Shawnee Lake and Financial Reminders**: A resident expressed his concern for Shawnee Lake and why it always looks the way it does. Further discussion followed wondering the source of the problem. It was noted that Wayne Lakes is not the only place having problems with their lakes. Hope was expressed in working with the Lake Management Company and gaining knowledge needed would make a difference long term. Swindler noted also as a reminder that money has been really tight and last year not much was available for the lakes. We succeeded in paying off the auditor fees for the 2013-14 audit by the end of 2018 along with writing off the debt of over $11,000 caused by mismanagement of funds. This year we are still paying on the 2015-2016 audit and we have the 2017-2018 audit hanging over us not knowing the outcome. When all this happened, the village had to focus on what the state was worrying about. As far as the state is concern, spending money on the lakes would be the last expense on the list. Thanks to F.o.W.L. this year and donations given has made a difference in what we can do financially for the lakes. Further discussion followed as to other big expenses expected to hit us yet this year. The fiscal officer reminded everyone to think about all the audit fees (over $40,000) paid over the last two years or so what would have been available*. (This is why it is important to follow the state rules and guidelines outlined for villages.)*

**Bob Weaver Bait Shop**: The Fiscal Officer reported as of 06/30/2019, the Village has received $9,097 this year for fishing passes sold.

**E-Bird – Cindy Ploch** reported as of 6/30/2019 there has been 105 species of birds recorded in Wayne Lakes. Wayne Lakes is still second to Shawnee Prairie (106 species). Ploch reported her free public program at the Darke County Parks Nature Center will be on Thursday, October 3rd at 6:30 p.m. The program is called “Bird watching for Beginners – featuring the Birds of Wayne Lakes.” Reservations are required and can be made after Sept 1st by calling the Nature Center 937-548-0165.

**Village Updates:**

**Community Building**: Troy Stewart updated the number of rentals reserved for the month of July. Rental income received as of 6/30/2019 is $2,370. Troy reported on two bids received for a new metal roof for the community building. Both bids included different options as to a metal roof or replacing with a shingle roof. (For example: One bid came in at $35,000 to replace with shingles versus $47,000 for a metal roof. To add 5ft to the porch area $25,500. The other bid proposed $23,782 for a metal roof versus $15,558 for a shingle roof. To extend the roof line to match up with restroom area $5,500.) Both bids broken down with several options. It was mentioned, the purpose of getting the quotes were to perhaps apply for grants and/or to be considered in the 2020 appropriations.

**Golf Cart Inspections:** The current legislation for golf cart inspections still needs to be updated.

**Zoning:** Curtis Yount had nothing to report.

**Tri-Village Rescue**: Rita Robinett had nothing to report. Curtis Yount reported that the Tri-Village Rescue is happy with the adjustments they made to the radio system for the new pagers, etc.

**Open Forum**: A resident reported he was pleased with the Sonar treatment on the lake. He is starting to see the bottom.

**Village Special Project Reports:**

**Sewer**: John Swindler had nothing new to report. Brice with Access Engineering cancelled the sewer committee meeting scheduled before the council meeting tonight due to illness.

**Village Office**: Dane Driver had nothing new to share in reference to financing, etc. on the proposed village office building. Discussion followed as to a piece of property for sale in the Village and what would have to be done before building, etc. The mayor spoke of the options that must be decided soon. Either utilize a current property owned by the village (if financially feasible). Also, discussed the options we have with the Anderson Building. Currently, the Village is renting the property until November 1st. We could continue with another rental contract, land contract, or financing to purchase.

**Council Committee Reports:**

**Finance Committee**: Swindler and the fiscal officer explained in detail how the **2020 Tax Budget** was prepared. This budget has to be in to the County Auditor by July 15th. At this time, the fiscal officer felt the important thing is the estimated revenue for 2020. The County Budget Commission will then determine the final tax figures receipts for Wayne Lakes. As far as appropriations for 2020, the receipts estimated were also estimated to be utilized for the 2020 expenses. Tuco moved to accept the 2020 Tax Budget as estimated. Seconded by Swindler. All present voted yea. The fiscal officer pointed out the actual budget or appropriations for 2020 will be determined by the end of the year. The final estimated tax receipts from the County Commission for 2020 (and other actual revenue received in 2019) will guide us for the 2020 estimated appropriations. The key word here is estimated. For example: If people do not pay their property taxes then that would affect the estimated amount.

**Swim Beach**: The mayor reported to council the financial status in reference to the Swim Beach. Total income received from the Swim Beach thru weekending 7/3/2019 is $2,186.00. Expenses for the Swim Beach portion is $2,698.47 (including labor weekending 7/3/2019). Concession building (including maintenance, utilities, and repairs) is $1,799.79. Combined total of expenses is $4,498.26. The number of days the swim beach has been opened is way under what was estimated (due to weather, health department closing it down for one weekend, etc.) The mayor also had figured (from the attendance logs) the number of people who have attended the beach for the last six weeks is 416 (average is about 41 a day). We have only had to have one lifeguard every day (instead of the estimated two). Plus, with volunteers, we did not have to pay for a gatekeeper every day. The logs also include where the people are from. A very interesting factor is that the majority of the people attending the swim beach do not live in the village (70%). This information should be helpful when the time comes in having to make future decisions about the beach. August 11th is the last day that the beach is scheduled to be open. Tuco moved to continue to keep the Swim Beach opened as scheduled for the rest of the summer. Swindler seconded. All present voted yea. A brief discussion followed in reference to the original village permit to run the beach and the problems involved with the concession in preparing food, etc. Since F.o.W.L. was handling the concessions and submitted the application as such, the original permit for the village was voided. Thus, this opened up some problems with the health department and the EPA, which involves the septic system that was an issue a few years ago. The EPA feels the system is not efficient enough for preparing food , thus prepackaged food is the only thing F.o.W.L. can sell. The assumption council had from the beginning was that this permit was a renewal. If the above fact was known in the beginning, things may have been handled differently. The septic tank needs to be a “holding tank”. Not knowing for sure if the tank has been plugged (as requested from the EPA years earlier), plus other factors, a roundabout estimate to make the needed expected repairs (depending on the condition of the current tank, etc.) is $2,000. This estimate was prepared by Access Engineering and includes their fee. Due to the timeframe (six weeks to get the application approved), this work can’t be done to benefit this year, but is being considered to be done if opening the beach next year. Council agreed to table any further decision at this time.

**Lake Management**: Tuco reported on all the lakes that that he and Troy Stewart treated recently: Shawnee; Iroquois; Chippewa, Cherokee; Kickapoo; Minnetonka; and enough to do Mohawk. Tuco explained (using Sonar AS that kills about everything) how every other year we do it differently. Next year they will get ESS Lake; Navajo again; Pontiac, Seneca; Miami and Winnebago if it needs it. They have concentrated this year on the worse lakes we have. Discussion followed in reference to the condition and maintenance of some of the lakes. Finding the source creating the problems on some lakes need to be resolved. The mayor reported on the study by the Solitude Lake Management for Lake Seneca in detail. (For example: They found Seneca Lake to have a very high rate of phosphorous among other problems.) Installing a submerse irrigation system has been recommended; stocking Grass Carp, which is beneficial for the pond weed; and clearing out the access channels; removing the partially sunken boats; algaecide treatments, etc. Tuco mentioned he knew of someone who could possibly dredge out Seneca Lake and plans to obtain an estimate.

**Village Maintenance**: Tuco reported he is looking into some more patch work that is needed on some of the streets. He is also asking for volunteers to try to get some of the tree limbs cut back away from the roads.

**Newsletters**: Reminder for newsletter items to be in on a Wednesday by 5:00 p.m. after every council meeting.

**Domestic Animal/Wildlife/Littering**: Robinett had nothing more to report at this time.

**Social Media:** The mayor reported that George Mitterman has the Village Website up and working (villageofwaynelakes@.com ). Newsletters are now being uploaded along with council legislations and approved council minutes.

Motion was made by Tuco to adjourn. Robinett seconded. All present voted yea. Meeting was adjourned at 9:01 p.m.

Respectfully submitted by

Carolyn L. Robinson, Fiscal Officer

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