**VILLAGE OF WAYNE LAKES**

**REGULAR COUNCIL MEETING**

**HELD AT THE VILLAGE OFFICE**

 **1052 MAIN ST.**

**November 11, 2019**

Mayor J. Denise Wetzel called the meeting to order at 7:00 p.m. The prayer (Dane Driver), pledge to the flag, and roll call followed. Council members present: Dane Driver, Joan Falknor, Rita Robinett, John Swindler and Linda Clark. There were ten (10) visitors present; Adam Wicker; Rita Neff; Tom Wetzel; George Mitterman; Carolyn Hofacker; Darren Anderson; Patsy Livingston; Dave Flatter; Rod McNutt; and Rick Clark.

**Agenda**: Council approved the agenda, as submitted by the Mayor.

**Minutes:** Driver moved to approve the October 14, 2019 council minutes as written. Robinett seconded. , Driver, Falknor, Robinett, and Clark voted yea. Swindler abstained.

**Expenses:** Swindler moved to approve the expenses and finance reports as of October 31, 2019 (submitted by the fiscal officer to the council members three (3) days in advance for their review.) Falknor 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:**

**Bob Tuco’s Resignation:** Tuco submitted his written resignation confirming his resignation after the October 14, 2019 council meeting. An official vote from council was needed. Clark moved to accept Bob Tuco’s resignation effective after the October 14, 2019 council meeting. Robinett seconded. All present voted yea.

**New Council Member**: The mayor asked if anyone present was interested in being a council member to fill the vacant seat. Darren Anderson stepped up and expressed his interest after a few questions. Anderson has been a village resident for seven years (7). Falknor moved to appoint Darren Anderson as a council member. Seconded by Robinett. All present voted yea. The mayor followed with Anderson’s Oath of office.

**President of Council Pro Tem:** The mayor asked council to elect a president of council, which was needed since Tuco resigned. After a brief discussion, council decided to put this on hold until the December 9, 2019 meeting.

**Awareness: Goose Nest Disruption Easement:** The mayor wanted council to be aware that there is question whether the fishing easements around the lakes would provide access for those volunteers to do the goose nest disruption (which should take place around March, 2020). Discussion followed. It was confirmed that access to the lake easements must start from a public access point. At this time, no one has volunteered to perform the goose nest disruption.

**Resolutions/Ordinances:**

**3rd Reading of Ordinance 2019-9-9-1 – AN ORDINANCE PROVIDED FOR AN AMENDMENT TO THE GOLF CART ORDINANCE 2016-07-01 OF THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, OHIO** was read by title only. This legislation has been discussed during previous council meetings and was needed to be clarified and amended per ORC 4503.10 (effective 7/3/2019). Swindler moved to adopt Ordinance 2019-9-9-1. Driver seconded. All present voted yea.

**3rd Reading of Resolution No. 2019-09-09-1 – A RESOLUTION RENEWING PREVIOUS CONTRACT / AGREEMENT TO PROVIDE SNOW REMOVAL AND DEICING SERVICE FOR THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, FOR YEAR ENDING DECEMBER 31, 2010** was read by title only by the fiscal officer. This Resolution confirms council’s discussion and vote during the August 12th council meeting to renew Rod McNutt’s snow removal contract of 2019 keeping the same prices, etc. for year 2020. Falknor moved to adopt Resolution No. 2019-09-09-01. Seconded by Robinett. All present voted yea. Rod McNutt was here long enough to sign the Resolution and left to clear the roads (due to the weather- with snow fall of 3 inches all ready and still continuing to fall).

**2nd Reading of Resolution 2019 10-14-01 – A RESOLUTION OF THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, OHIO APPROVING AND ADOPTING A PUBLIC RECORDS POLICY** was read by title only by the fiscal officer. This Resolution has been discussed during previous council meetings. Not having this policy is an issue for the village and has been a village noncompliant issue since 2007 in the state audits. Per Ohio Revised Code Section 149.43 (outlined in Auditor of State Bulletin 2007-014), the village should have had a policy in place. This also involves the 2019 Sunshine Law that has been updated. No action was taken at this time.

**1st Reading of Resolution 2019-11-11-01 – A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH DAVE FLATTER TO PROVIDE LAWN SERVICE FOR THE VILLAGE OF WAYNE LAKES FOR THE YEAR ENDING DECEMBER 31, 2020.** Was read by title only by the fiscal officer. This resolution was discussed during the previous council meeting. Driver moved to waive the three reading rule on Resolution 2019-11-11-01. Seconded by Swindler. All present voted yea. Driver moved to adopt Resolution 2019-11-11-01. Seconded by Swindler. All present voted yea. Dave Flatter was present to sign the contract. The waiver and W-9 attached to the contract to be filled out and returned to council by Dave Flatter.

**1st Reading of Resolution No. 2019-11-11-02 – A RESOLUTION AUTHORIZING THE MAYOR OR ACTING MAYOR OF THE VILLAGE OF WAYNE LAKES TO PREPARE AND SUBMIT AN APPLICATION FOR FUNDING FROM THE WATER & WASTE DISPOSAL LOAN & GRANT PROGRAM THROUGH THE OHIO OFFICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT (USDA/RD) PROGRAM.**  This Resolution is necessary to be able to apply for a grant once the Environmental Study is completed for the new wastewater collection and disposal system project for the village. The mayor stated how she was told by other funding sources would follow if the USDA/RD Grant was awarded. Swindler moved to waive the three reading rule on Resolution No. 2019-11-11-02. Clark seconded. All present voted yea. Swindler moved to adopt Resolution 2019-11-11-02. Clark seconded. All present voted yea.

**1st Reading of Resolution No. 2019-11-11-03 – A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE DARKE COUNTY SHERIFF’S PATROL TO PROVIDE POLICE PROTECTION TO THE INHABITANTS OF THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, OHIO, HEREINAFTER REFERRED TO AS “PATROL” AND THE VILLAGE OF WAYNE LAKES FOR YEAR 2020 AND DECLARING AN EMERGENCY** was read by title only by the fiscal officer. Brief discussion followed. It was noted that this contract refers to the same rates as the 2019 contract. Clark moved to waive the three reading rule on Resolution No. 2019-11-11-03. Seconded by Swindler. All present voted yea. Clark moved to adopt Resolution No. 2019-11-11-03. Seconded by Swindler. All present voted yea. Clark moved to declare an emergency on Resolution No. 2019-11-11-03. Seconded by Swindler. All present voted yea.

**1st Reading of Resolution No. 2019-11-11-04 - A RESOLUTION PROVIDED FOR AN AMENDMENT TO RESOLUTION 2019-10-14-03 TO ENTER INTO A CONTRACT WITH A THIRD PARTY TO PREPARE ENVIRONMENTAL REVIEWS AS NEEDED FOR FUNDING APPLICATION FOR THE NEW WASTEWATER COLLECTION AND DISPOSAL SYSTEM AND DECLARING AN EMERGENCY.**  Was read by title only by the Fiscal Officer. Due to the price presented to the Village of a cost of $8,500 for the environmental study, Access Engineering will contract with the third party for the costs and will be using some of their preliminary engineering fee to cover the environmental costs. Access Engineering will bill the Village of Wayne Lakes in 2020 an additional Three Thousand Dollars and 00 Cents ($3,000) to be added to their remaining costs of Seventeen Thousand Five Hundred Dollars and 00 Cents ($17,500) for the engineering sewer study with balance then due in 2020 of Twenty Thousand Five Hundred Dollars and 00 Cents ($20,500). Falknor moved to waive the three reading rule on Resolution No. 2019-11-11-04. Seconded by Swindler. All present voted yea. Falknor moved to adopt Resolution No. 2019-11-11-04. Seconded by Swindler. All present voted yea. Falknor moved to declare an emergency on Resolution No. 11-11-04. Seconded by Swindler. All present voted yea.

**1st Reading of Ordinance No. 2019-11-11-1 – AN ORDINANCE PROVIDED FOR AN AMENDMENT TO THE 2019 APPROPRIATIONS OF THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, OHIO AND DECLARING AN EMERGENCY**  was read by title only by the fiscal officer. The fiscal officer explained how this resolution was necessary to bring the estimated revenue and appropriations more in line with the actual receipts and expenses to date. Estimated revenue was amended decreasing estimated revenue for the Swim Beach to actual receipts and for the appropriations involved for the Capital Fund (Sewer Study). Council also approves the necessary allocations within the funds that were necessary throughout the year. Clark moved to waive the three reading rule on Ordinance No. 2019-11-11-1. Seconded by Robinett. Driver, Falknor, Robinett, Swindler and Clark voted yea. Anderson abstained. Clark moved to adopt Ordinance No. 2019-11-11-1. Seconded by Robinett. Driver, Falknor, Robinett, Swindler and Clark voted yea. Anderson abstained. Clark moved to declare an emergency on Ordinance No. 2019-11-11-1. Seconded by Robinett. Driver, Falknor, Robinett, Swindler and Clark voted yea. Anderson abstained.

**Mayor Updates**: Again, Appreciations to all the volunteers and for their support was mentioned. The mayor updated the following: 1) the leaves/dumpster fall cleanup has been running smoothly and has been extended through December 17, 2019. Hopes of having also a spring cleanup may be approved in 2020 if this fall cleanup of leaves continues with no abuse. 2) The fountain aerators in the lakes have been removed for the winter months. 3) The sewer billing process is in progress with the Darke County Auditor’s office updating addresses, etc. It was reported by the county the earliest this monthly billing can begin would be July, 2020. 4) Reminder was also mentioned on RITA and paying estimated tax this year for residents and owners in the village. Required filing for 2019 will be by April 2020; and 5) the contract on the office building at 1052 Main Street has been signed and filed (as discussed during several meetings previously).

**Request for Council approval:**

**Preventive Maintenance on the Village mowers:** Council approved to have the mowers serviced so they will be ready for the 2020 mowing season.

**Payments to Neave Township**: The mayor requested council to make a decision on whether the Village should continue to pay Neave Township Five Hundred and Forty Dollars per month ($540.00) with no contract in place and no understanding why the money is needed. This discussion has taken place during several previous council meetings (relating to the Township Transfer Station). Since the Township is already receiving property tax revenue from the Village residents for the Transfer Station more information is needed from the Township. Monthly payments have been stopped until a decision has been made by council. We will owe Neave Township $2,700 by year end (if approved to continue). A lengthily discussion followed with no official action taken. Council agreed they need to be presented with a proposed contract from Neave’s Township for the village to consider at the December 9, 2019 council meeting. The contract requested should include proposed terms as follows: 1) clearly stated purpose and justification for the payments, 2) monthly payment amount related to #1, with rationale. 3) guarantee for the transfer station to remain open for the agreed upon life of the contract, and 4) requirement for the Township to provide the Village with a minimum of sixty (60) days’ notice prior to closing the transfer station in the future.

**Community Group Updates:**

**F.o.W.L.:** Adam Wicker reported that F.o.W.L. will not have a December meeting. Also, the group decided they did not want to handle the village pop machines as discussed at the previous council meeting

**Bob Weaver Bait Shop**: The Fiscal Officer reported as of 10/31/2019, the Village has received a total of $11,894 for fishing passes sold. This will all be appropriated next year for the lakes. .

**E-Bird – Cindy Ploch –** It was reported that Wayne Lakes is in the lead for the number of species reported as of 10/31/2019 at 115.

**Village Updates:**

**Community Building**: Troy Stewart was not present. The fiscal officer reported income received from rentals as of 10/31/2019 is $3,450. Community Building Expenses as of 10/31/2019 is $6,186.09. Tom Wetzel reported on the chinking proposal for the community building: An approximate estimate of $3,500. The contractor is too busy this year and hopes to be able to work on it in the spring of 2020. No action was taken.

**Sewer Project Information Meeting** was reported to be held on Tuesday, December 17, 2019 at the Community Building at 7:00 p.m.

Due to the weather, the committee reports were waived. Driver moved to adjourn. Seconded by Swindler. All present voted yea. Meeting was adjourned at 9:06 p.m.

Respectfully submitted by

Carolyn L. Robinson, Fiscal Officer

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