**VILLAGE OF WAYNE LAKES**

**REGULAR COUNCIL MEETING**

**HELD AT THE VILLAGE OFFICE**

**1052 MAIN ST.**

**October 14, 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: Bob Tuco, Dane Driver, Joan Falknor, Rita Robinett, and Linda Clark. John Swindler had an excused absence. There were eleven (11) visitors present; Rita Neff; Cindy Ploch; Ronnie & Martha North; Tom Wetzel; Curtis Yount; Darren Anderson; Patsy Livingston; Mr. & Mrs. Kuhn Custer; and Rick Clark.

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

**Minutes:** Tuco moved to approve the September 9, 2019 council minutes as written. Driver seconded. Tuco, Driver, Falknor, and Clark voted yea. Robinett abstained.

**Expenses:** Falknor moved to approve the expenses and finance reports submitted by the fiscal officer to the council members three (3) days in advance for their review. Tuco 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:**

**Payments to Neave Township**: The Village has been paying Neave Township Five Hundred and Forty Dollars per month ($540.00) for years with no contract in place and no understanding why. In the past (1985), this payment was for services provided by the Township (use of their equipment, a landfill dump and a recycle dumpster in the Village, which has not been the case for many years). Township claims it is for access to their Transfer Station, which the village residents are in the Township and they already pay the township for access thru their property taxes paid to the Township (not the village). As discussed during the September 9th council meeting, further discussion continued. **No decision was made.** **Council felt they still need further input from the residents.** Also, Neave Township has been talking about closing the Transfer Station for years (due to safety factors for one). A decision may not have to be made at this point, if no written contract will be presented to the Village for consideration, because they have decided to close. It is believed Neave Township is the only Township in the state of Ohio that still has a Transfer Station. The Mayor noted that almost half of the Village residents have already contracted with Rumpke for trash pickup at their resident for convenience. Falknor shared different options for village trash pickup, if the Township decides to close their Transfer Station.

**2020 Lawn Mowing Contract**: Like the snow removal contract, the Village is considering taking bids for mowing the park and other property owned by the Village. A brief discussion followed. Council felt that the volunteer (Dave Flatter) who has done the village mowing as a volunteer for many years will be contacted to see if he would be interested in a contract for a certain amount that the village can afford.

**Resolutions/Ordinances:**

**2nd 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. It was noted that the cost this year has been around $3,200. If it snows more, then the cost will be more. No action taken at this time.

**2nd 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). No action was taken at this time.

**1st 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. Not having this policy is an issue for the village and has been a village noncompliant issue since 2007 in the state audits. Having this policy would have been hard for the village to even consider it possible, due to the fact that the village records have been scattered thru out the village in several resident homes for years. Now that effort has been made to gather all the records in one place (with a lot of work yet to be done); a policy can now be considered. 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 No. 2019-10-14-02 – A RESOLUTION OF THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, GREENVILLE, OHIO FOR COUNCIL TO DESIGNATE AUTHORITY FOR THE MAYOR, FISCAL OFFICER AND PRESIDENT PRO TEMPORE TO SIGN A LAND CONTRACT TO PURCHASE THE REAL ESTATE LOCATED AT 1052 MAIN DRIVE, GREENVILLE, OHIO 45331, AND DECLARING AN EMERGENCY** was read by title only by the fiscal officer. This legislation confirms council vote at the September 9, 2019 council meeting to move forward with a ten year land contract to purchase this building at $675 a month (including insurance, 3.25% interest, etc.). At the signing, $5,000 to be paid as a down payment with balloon payments $10,000 for the next two years with hopes at the end of the ten years the balance would have been paid off (because of less audit costs involved). This contract will be written up by the Village Solicitor, Paul Wagner (with Anderson paying half of the legal cost involved). Different options and resources have been discussed for several months along with the state laws that the village has been noncompliant for years at a high cost to the village. In the long term, becoming compliant with the state with less audit cost would be considered best use of the taxpayer’s money. In fact, purchasing this building would be an investment that one could recoup cost with several options, if necessary. It was noted that the closing is tentative scheduled for October 30, 2019 at the solicitor’s office. The contract to be in effect starting November 1, 2019. Tuco moved to waive the three reading rule for Resolution No. 2019-10-14-02. Seconded by Driver. All present voted yea. Tuco moved to adopt Resolution No. 2019-10-14-02. Seconded by Falknor. All present voted yea. Tuco moved to declare an emergency for Resolution No. 2019-10-14-02. Seconded by Robinett. All present voted yea.

**1st Reading of Resolution No. 2019-10-14-03 – A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF WAYNE 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. The mayor noted why this study is necessary for the village to be able to obtain funding commitments for the new sewer system. The mayor was told by Access Engineering that the cost for this study would be rolled into the cost of the sewer system project. Driver moved to waive the three reading rule on Resolution No. 2019-10-14-03. Seconded by Tuco. All present voted yea. Falknor moved to adopt Resolution No. 10-14-03. Seconded by Robinett. All present voted yea. Clark moved to declare an emergency on Resolution No. 10-14-03. Seconded by Tuco. All present voted yea.

**Mayor Updates**: Again, Appreciations to all the volunteers and for their support was mentioned. 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.

**2017-2018 Audit Status**: We have received the audit from the state. The noncompliant issues were expected but thankful there were no “findings for recovery” cited. The audit was available for anyone interested in reviewing. Also, the audit can be obtained at the State Auditor’s website. At the same time, we received the invoice for the audit costing $9,850 (which is far less than previous audits.) The third party accountants were awarded their bid of $9,850. The bid was for three audits at $9850 each. The next audit should take place in 2021 for years 2019-2020.

**Sewer Project – Billing:** The mayor again reminded everyone to get the word out that there is an expectation for a monthly billing to start early 2020 per household (discussed at several meetings). As far as vacant lots, if down the road, to build the owner would have to file and pay a Tap-In Fee (per Curtis Yount). The mayor was also told that the final completion of the sewer study will NOT be completed by year end. Trying to work with New Madison in trying to have our waste tied into their system needs to be worked out in detail and more time is needed. As far as the monthly billing, the purpose is to start building funds to show funding institutions that Wayne Lakes is serious about this sewer project. The Funding is built on a point system. If we have the billing in place the village would be more likely to receive more grants and loans that are available and to have funds when unexpected expenses are involved. The billing will start out at a minimal amount and will likely start at the beginning of 2020 or shortly thereafter. The mayor noted for the village residents to watch for a notice in a later newsletter about a Wayne Lakes Community Sewer Project Information Meeting in December hosted by Brice Schmitmeyer, President of Access Engineering Solutions.

**Pop Machines located at 1052 Main Drive**: The question came up by the mayor if the Village would want to be responsible for the pop machines. A brief discussion followed. The village would have to buy Anderson’s inventory and the question was asked if this was good use of the taxpayers’ money. The fiscal officer stated as long as the money spent is recouped It was mentioned that perhaps F.o.W.L. would be interested. Council decided to address this issue at the next council meeting in November.

**Request for Council approval:**

**Permission for Trapping**: The mayor received their annual request from the Anderson family requesting permission to trap the lakes and streams in Wayne Lakes for the 2019-2020 trapping season (on village property only). Tuco moved to approve the trapping permit for the Anderson family for 2019-2020. Seconded by Driver. Tuco, Driver, Falknor, and Clark voted yea. Robinett voted nay. Motion passed. If a property owner has a problem with muskrats on their property, Tuco noted that the property owner can contact the Anderson family if they want them to trap them.

**Telephone located at the Beach:** The phone at the beach can now be turned off or put on seasonal hold for six months. The mayor was told the cost would be $5 a month while on hold. The mayor requested council’s advice since a decision to open or not for the beach next year has yet been determined. Since there would be a potential cost if the phone was cancelled and the need would be to have a phone, Council approved to put the seasonal hold on the phone for now.

**Community Group Updates:**

**F.o.W.L.:** Adam Wicker was not present. Tom Wetzel reported on F.o.W.L.’s behalf. Wetzel reported on four subjects: 1) the dumpster they had at the beach will be picked up within a week or two. 2) F.o.W.L. decided not to rent the concession stand at the beach next year. The final report for the concession stand endeavor this year should be ready to present to council at the next meeting. 3) Wayne Lakes Trick or Treat (hosted by F.o.W.L.) will be on Sunday, October 27th. Hay wagons will meet at the Community Building at 1:45 p.m. with the party to start afterwards. Costume contest, free food (chili and hotdogs) will be provided. 4) F.o.W.L.’s regular meetings take place at the Community Building on the first Wednesday of every month at 7:00 pm. Later in the meeting, Driver questioned and it was confirmed by Tom Wetzel that F.o.W.L. gets the profits off of the village recycled cans.

**Bob Weaver Bait Shop**: The Fiscal Officer reported as of 09/30/2019, the Village has received a total of $11,314 for fishing passes sold. This will all be appropriated next year for the lakes. Brief discussion followed. Daily passes are still being sold. The seasonal passes sold will be good until March, 2020. A question was asked if the passes could be sold online. Whether Bob Weaver continues to be open next year was also questioned.

**E-Bird – Cindy Ploch** reported as of 9/30/2019 there has been 113 species of birds recorded for the year in Wayne Lakes. Shawnee Prairie has reported 112 as of 9/30/2019. Ploch reported her program “Bird Watching for Beginners – featuring the Birds of Wayne Lakes” that took place on October 3rd went well with 18 people in attendance. When asked by Falknor if she would be willing to have a class here in Wayne Lakes, Cindy indicated she would. Date to be set at a later date.

**Village Updates:**

**Community Building**: Troy Stewart was not present. The fiscal officer reported income received from rentals as of 9/30/2019 is $2,850. Community Building Expenses as of 9/30/2019 is $5,360 (this expense does not include the dumpster). Tuco reported he found a local contractor who came to look at the Community Building and is now waiting to receive the quote for “Chinking”. A brief discussion followed in reference to a wedding that took place over the weekend.

**Golf Cart Inspections**: Jim Weaver was not present. The mayor reported from what she could tell on record, there has only been a few inspections this year. Brief discussion followed. Rita Neff reported she has seen what looks like a four or five year old driving a golf cart. Golf cart drivers are treated as any other vehicle on the road: Drivers to be 16 years old or above with an up-to-date driver’s license.

**Zoning:** 1). the garage that has been built on top of a drainage tile between two of the lakes that needs repaired: Curtis Yount reported that the owner did not obtain a permit when they built the garage on top of the tile. However, the garage was built on skids and can be moved. Yount reported that the owner does not like the idea very well of having to move the garage. The owner has also asked for the village to prove they have an easement. 2). the van and tent where people were residing long term are both gone. 3). Building reported built on the property line is right on the line: Mohawk Drive is not a road. As of 1968 the address was changed to North Drive. Yount recommends that the owner of the house still who is still using Mohawk Drive as an address should go to the post office and have it changed to North Drive. Yount confirmed the address then would get updated with the county, etc.

**Tri-Village Rescue**: Rita Robinett was not able to attend the last meeting. Curtis Yount reported that the Tri-Village Rescue decided to stager the meetings to one every other month.

**OPEN FORUM** – Nothing questioned that has not been talked about.

**Village Special Project Reports:**

**Sewer**: John Swindler was not present. The mayor updated council earlier in the meeting.

**Council Committee Reports:**

**Finance Committee**: Swindler was not present. The mayor reported in his absence. The 2020 Appropriations planning is in process, and working on the details about the building and projects that can be done down the road. The appropriations will have to be voted on in the December meeting and to the county auditor before January 1, 2020.

**Lakes Management**: Bob Tuco reported nothing new to talk about. It was mentioned by several people present that the lakes are looking much better now than they have been. Tuco said it will take a couple more years to look even better by following the schedule for lake treatments. Also, it was noted the next Lake Management Committee Meeting on November 5th will be held at the village office due to that day is Election Day and the Community Building will be used for the election.

**Newsletters**: The mayor noted that she noticed there were more newsletters taken out of the green box (in front of the garage) this month, which she believes is a good sign. She printed off sixty copies this time and usually the number has been only thirty or forty. Reminder for newsletter items to be in on a Wednesday by 5:00 p.m. to Karen Sink after every council meeting. The mayor then uses the Village printer for making copies. Those who have provided emails will get them sent to them. Copies will also be put in the green box in front of the garage and in the Village Office. Newsletters will also be posted on the village website. The fiscal officer mentioned she does post copies still at the community building, sign at the park, bait shop, and office building. The state requires for the postings to be posted at five different places.

**Village Maintenance**: Tuco reported they still need to get some work done on the village boat motor. Tuco also mentioned the diesel gas tank should be checked before the snow flies. The heat in the garage is propane and normally the chemical room is the only room heated. The mayor reported that she asked Mike Bland to winterize the beach building and whatever needs to be winterized. Bland plans to get that work done within the next week or two.

**Welcome Packets/Wayne Lakes History:** Falknor passed around her summary of what should be included in the Welcome Packets and was opened for any suggestions. Falknor reported she had gathered information from over the years and kind of put all the information together. This way with all of the information together one can decide what should be in/or not be in the packet. Discussion took place on the advantages of having this welcome packet (example: So realtors will have more information for perspective buyers and for good information for new residents.)

**Village Sanitation and Parks**: Falknor announced she is trying to get in touch with Fresh Aire Farms to bring a dumpster for fall leaves only on October 25-27 and November 1-3. *(Falknor confirmed with the fiscal officer and mayor the next day after the meeting that Fresh Aire Farms will be bringing the dumpster.)* The mayor also noted that the Neaves Township Transfer Station does not take yard waste and there is not a good composting place in the village for the residents to use. The dumpster will be located at the Beach parking lot where functional cameras will be recording. This will be a trial run and if it works out with no abuse (as far as dumping things other than leaves), Falknor stated she hoped this could be an annual spring and fall event for the village residents. If at all possible, it is suggested to mulch the leaves before bringing them to the dumpster.

**Domestic Animal/Wildlife/Littering**: Robinett asked for residents having problems with wild animals to call her for she cannot always be at both ends of the village.

**Social Media:** George Mitterman has the Village Website up and working ([villageofwaynelakes@.com](mailto:villageofwaynelakes@.com) ). Newsletters, council minutes and legislations can now be viewed online.

**Grants Research – Submissions**: Falknor had nothing new to report at this time but she is still looking. The mayor mentioned again that Access Engineering is working to get that first important USDA grant loan application in.

**Resignation Announced**: To the surprise of many, Bob Tuco announced his resignation due to health problems. Tuco stated, “He hated to do this for there are so many things that need to be done but physically he is unable to do so. Tuco's resignation goes in effect after tonight's meeting (October 14, 2019). Tuco mentioned he will still try to be around to help in any way he can. Tuco was not only a council member; he was also the Council President. The mayor (and many others) thanked Tuco for all his work over the years and mentioned he will be missed. The mayor also asked everyone to get the word out that there is a vacant seat again on council. Come the first of the year, the President of Council will have to serve as Acting Mayor until the next election (2 yrs.). This will have to be addressed at the November meeting. Hopefully, someone would be present and interested in filling this council seat and also if one of the council members would be willing to step up to fill in as the Council President.

Motion was made by Tuco to adjourn. Robinett seconded. All present voted yea. Meeting was adjourned at 8:46 p.m.

Respectfully submitted by

Carolyn L. Robinson, Fiscal Officer

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