

Spencer Township Trustee Meeting

June 3, 2021

Chair of the Board, Michael B. Hood called the meeting to order.

Roll Call

Trustee Dean Anderson	present
Trustee Shawn P. Valentine	present
Trustee Michael B. Hood	present

Pledge to the Flag

Minutes

Trustee Valentine requested direct quoting of his statements under roads for ditch cleaning.

Trustee Valentine made a motion to accept the minutes from May with the necessary corrections, Trustee Anderson seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Financials

Receipts	\$255,472.20
Payments	\$36,613.89

Fund Balances

General	\$2,354,819.66
Motor Vehicle Tax	\$25,937.19
Gas Tax	\$65,882.06
Fire	\$71,301.43
Permissive Motor	\$57,856.40
Corona Virus	\$2,082.09
Misc. Special Revenue	\$8,781.18
Misc. Capital Projects	\$64,640.60
	\$2,651,300.61

Trustee Valentine made a motion to accept the financials, Trustee Anderson seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Pay the Bills

Trustee Valentine made a motion to pay the bills for the month, Trustee Anderson seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Zoning

Jacob Barnes, Zoning consultant, gave the zoning report.

Permits were processed and onsite review was made for a business on Trade Road in the Industrial Park.

The zoning board wanted the trustee board to be reminded there are still open spots on the zoning board.

Trustee Valentine asked the duplicating of services by Jacob Barnes and the Lucas County Port Authority. They offer some of the same services Mr. Barnes is researching. Mr. Barnes stated he was unaware the Port Authority offered those services.

Trustee Valentine also suggested Mr. Barnes reach out to the businesses that are doing things right to get involved with the JEDZ Board.

Trustee Anderson stated Mr. Bill Rasko, and Mr. Tyran Boyd current alternates be moved to full board members of the zoning commission. Trustee Anderson made the motion, Trustee Valentine seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Trustee Valentine made a motion to go into executive session to discuss a legal matter, Trustee Anderson seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

The Board had a teleconference with Perso risk management consultant, Brad Tucker. Jacob Barnes also was in the executive session.

Trustee Valentine gave a motion to come out of executive session, Trustee Anderson seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Trustee Valentine gave a brief explanation of the Carlton Arnold vs. Spencer Township lawsuit. He explained it would not be in the Boards best interest to settle the lawsuit.

Trustee Hood also the history of the case being approved and then overturned. The next move is the Ohio Supreme Court.

Trustee Valentine made a motion to move the case to the Ohio Supreme Court, Trustee Anderson seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

BZA

No meeting

Road

Tim Bowes gave the report.

Ditch cleaning, street sweeping occurred, both are reimbursable through the MS4 program.

The fire station has requested a tree on the property be cut down as well as painting of the fire station.

Trustee Valentine stated the Board needs to consider what is the next step, fire and rescue equipment is larger now than in the past, we need to consider all of these needs for building modifications.

Trustee Valentine asked if maintenance barn repairs were satisfactory. Mr. Bowes explained for the most part the repairs were satisfactory, but there is still a need for other repairs. Mr. Bowes will investigate this matter.

Trustee Hood explained the stone hauling policy of the Township (once a year/one load). He feels this may not be efficient to alleviate the draining issue for our residents. He is recommending adding another load. Trustee Valentine wanted to be on the record he is not in favor of using government funds for private benefits, he feels it's a waste of public dollars. Trustee Hood stated Trustee Valentine is entitled to his opinion, this helps with mosquito infestations in the Township since Spencer Township is in the Black Swamp area.

Trustee Anderson made the motion to add another load for residents (two 10-ton loads once per year), Trustee Hood seconded. Roll call vote: Trustee Anderson: yes, Trustee Valentine: no, Trustee Hood: yes.

Mr. Bowes explained the Mosquito control program offered by the Toledo Area Mosquito Sanitary District. Trustee Valentine suggested sending out a flyer.

Trustee Valentine asked Mr. Bowes to find out when the residue from the ditch project will be removed off Township residents' property. He will reach out the County Engineers' office.

The maintenance employee schedule has changed, Tim Bowes is now working an extra day (Monday, Wednesday, Thursday, and Friday) and Dean Croskey is working 1 less day (Monday, Tuesday, Wednesday, and Thursday).

Crack sealing joint agreement paperwork was read and signed.

Fire

Chief Cousino sent the fire report for May:

Fire Calls	4
EMS/Rescue	26

JEDZ

LaTonya Boyd, JEDZ Chair, gave the report.

She explained the JEDZ Board used zoom meetings due to the Covid outbreak since April of 2020. She explained the JEDZ Board received a complaint saying the JEDZ board violated the Sunshine law (Open meetings Act). She explained information from the meetings had always been made available including the zoom number. She also explained the meetings including recordings are available on the Township website.

Trustee Valentine disagreed; the meetings were held privately. Trustee Valentine said mistakes were made, Ms. Boyd said mistakes were made on all parts.

There was discussion on the matter.

She feels the complaint/lawsuit was a malicious attack.

Trustee Valentine questioned the Joint Economic Development District that was a possibility a couple of months ago. He wanted the Trustee Board to be aware that is their responsibility to create this proposed Board.

Trustee Anderson stated he feels the lawsuit is pathetic. Things had to be changed due to covid. He feels the person suing is not involved in JEDZ at all. He feels it's wrong to be sued over a mistake. The country just came through a pandemic he retorted.

Trustee Valentine stated this was brought to the Trustee Boards attention 2 meetings ago. There was more conversation on the availability of technology to allow public access.

Ms. Boyd gave the access telephone number and passcode to the person that handles the website.

Mr. Barnes cautioned the Board that the JEDD needs to be s

1st quarter 2021 JEDZ disbursement was received:

Spencer	\$238,512.09
Whitehouse	\$79,504.03
Total	\$318,016.12

Correspondence

Township received correspondence from PERSO regarding the Carlton Arnold versus Spencer Township lawsuit. A settlement is being recommended and the Township must reply in writing on or before July 16, 2021.

The Township received legal notices for the views and first hearings for the Ten Mile Creek Watershed and the Swan Creek Watershed ditch projects.

Legal representative for the Township, David Simko, sent correspondence he is restructuring his law practice to only practice estate planning. He will no longer be able to provide legal services for Spencer Township.

Old Business

The leasing of the Shaffer Road property was discussed. Mr. Bowes will reach out to him and see if he is still interested, then a contract will be drafted. The availability of the land was put in the paper.

New Business

Public Comments

Trustee Hood explained with the mask mandate being lifted public comments are open to the public.

Steven Kester, asked if any of the Trustee Board members was related to the plaintiff in the lawsuit against the JEDZ Board. Bob Barnaby is the plaintiff.

LaTonya Boyd, resident and JEDZ Board Chair asked if the Township had legal representation since Bob Simko was no longer available to Spencer Township.

Trustee Valentine made a motion to go into executive session to discuss land purchase at 8:52pm, Trustee Anderson seconded. Roll Call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Trustee Valentine made a motion to come out of executive session at 9:00pm, Trustee Anderson seconded. Roll Call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

Trustee Valentine made a motion to adjourn, Trustee Anderson seconded. Roll Call vote: Trustee Anderson: yes, Trustee Valentine: yes, Trustee Hood: yes.

X

Dawn E McDonald
Fiscal Officer

X

Michael B. Hood
Chair of the Board of Trustees

X

Dean Anderson
Vice Chair of the Board of Trustees

X

Shawn P. Valentine
Trustee