

# RECORD OF PROCEEDINGS

Minutes of Austinburg Township

Meeting

Held January 22, 2008

The regular meeting of Austinburg Twp. held January 22, 2008 was called to order at 7:30pm. Trustees Burke and Spade were present. Also present were Julie and Scott Tenney, Joe Hejduk, Marcy Hejduk, Nelson Hejduk, Shelly Kelner, Wendy Wilms, Marcie and Dave Turk, Brent Carrick, Mike Petro, Ted and Ginny Seifert, Connie Coons, Evelyn and Don Schaeffer, Dave Irons.

Res. 870-08 John Kusar moved to approve the minutes of the previous meeting as written and waive reading. Jerry seconded. The roll; Kusar, aye. Burke, aye.

Res. 871-08 Jerry moved to pay the bills as the lawful obligation to the township. John seconded. The roll; Burke, aye. Kusar, aye.

Receipts totaled \$50,303.15 due to the Sav A Lot tax abatement donation to the township. Bills were \$26,635.20.

In correspondence the township received the renewal of the Cemetery Sexton bond.

We received a notice of new liquor license application by Daghlas Enterprises LLC dba Austinburg BP.

A letter from Ohio EPA on a workshop on asbestos removal.

Ashtabula County EMA information on their staff and a proposed Volunteer Reception Center. An orientation meeting will be held on January 24, 2008 at the Commissioners conference room from 6:00 to 8:00pm.

John reported back on the payment of zoning board members. He found that townships that pay zoning personnel pay between \$15.00-\$25.00 per meeting, paid at year end. The majority he talked to meet quarterly. The issue came up on the acceptance of money when variances, text changes, etc. are requested. John presented a list of questions he has, and recommends getting an opinion from the County Prosecutor.

Ted Seifert stated Albert Dispenza has indicated text amendment change requests should come to the Zoning Commission. Ted stated he talked to the township Fiscal Officer about bonding through the township.

John said a ruling from the Prosecutor would settle any question. Discussion was held on the start of the clock for these change requests. This is an issue the County Prosecutor could address. Jerry stated he believes the clock starts upon the acceptance of an application. Evelyn said that Catherine Colgan advised Morgan Twp. the clock starts when a complete application and fee is received. Ted Seifert said that Al Dispenza stated the ORC does not give authority to a township Zoning Administrator to accept zoning text amendments. Jerry said he agrees an opinion should be requested from the Prosecutor.

John Beninato stated our zoning text now reads that these applications are made through the Zoning Administrator's office. He stated the Zoning Commission should develop a procedure and put it in the text.

John Kusar said he would like a letter sent to the Prosecutor asking who should be accepting the fees and applications, and the legality of the township bonding a zoning representative for that purpose. John Beninato will provide the pages of the text that indicate Austinburg's policy on applications. Jerry requested Barb send that letter to the Prosecutor.

John indicated we should have a set form for the application of text changes. John Beninato said he located one on the computer. John Kusar recommended the Zoning Commission create whatever forms are necessary for the various requests that come in. Ted Seifert stated that could be done and they could then be incorporated into the text.

John discussed a rotation system other township zoning boards are using for chairman, vice chair, etc. Ted Seifert said our boards elect their own board officers.

The fiscal officer reported to the trustees that she had made a revision to the temporary appropriations, adding the fire chief's wages and deductions. The revised amount is \$1,261,483.50.

Res. 872-08 Jerry moved to accept the temporary appropriations in the above stated amount as presented. John seconded. The roll call vote; Kusar, aye. Burke, aye.

Jerry said the next NAD meeting is next Wednesday.

Jerry said a fire proof file cabinet for the zoning office was purchased for \$275.00.

Jerry reported at today's Planning Commission meeting, the Commission approved the Waffle House variance with conditions of sidewalks, and future access be reserved next to Hampton Inn.

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Jerry said he believes the dispatch contract with Geneva City should be looked at again when it runs out.

Jerry said he went with Barb to a seminar put on by Sherrod Brown's office at Youngstown State regarding grants and appropriations.

Jerry asked if Ted had spoken with Saybrook about a meeting between Saybrook and Austinburg. Ted said he has contacted Gary Timonere.

Jerry mentioned it is time to let out bids for our stone, etc. Discussion was held with Mike Petro on amounts and materials. Pete will check over our current bid specs and make recommendations.

Zoning Administrator John Beninato gave his zoning report.

Pete reported Janie had called him and requested he draw up a written road plan. He said a loose road plan has been followed. If a written one is to be made, everyone would have to be on board to discuss money, roads, etc. It will take time and everything would have to be spelled out. Jerry mentioned waiting until bid prices are back so we know what we are up against for costs. John said it can be looked at in a work session, and thinks a 5 - 10 year plan would be good. Bringing road to paved specs, drainage, etc. The plan could be changed as needed but it would provide a goal to work towards.

Pete addressed the problem with the current pay periods. Discussion was held on payroll.

Evelyn Schaeffer stated the Planning Commission approved the Fairwinds plat change. She mentioned Austinburg sending a letter to Mr. Sidley to look at the problems that are occurring in the area of Sidley Ct. and I90. She said it could be beneficial to get together, private developers from both sides of the road, all the players involved, and look at a solution. She will follow up on the ODOT safety money that has been talked about in the past, that was supposed to be used for a traffic light in this area.

Jerry recommended waiting until the meeting between Austinburg, Saybrook, and the Commissioners happens to write to Mr. Sidley. John agreed, saying that way all of us will be on the same page. Jerry will check with Commissioner Claypool about setting up a meeting.

Nelson Hejduk spoke about an air vacuum sewer system he was made aware of. Nelson has set up a meeting on January 26 at 2:00pm with the people from Airvac Co. at Grand River Academy. They will come to explain the system. Discussion was held on the Austinburg sewers.

Don Schaeffer asked if the township has requirements for persons seated on the township zoning boards. Jerry said they really only need to be a township resident. Don said he thinks job requirements should be set, so the township would know the board members will enforce the guidelines they are supposed to.

Joe Hejduk stated he thinks we still live in the U.S., and as far as he knows, a person is still allowed to serve his/her community on a volunteer board if they would like.

Ginny Seifert mentioned the commendations past trustee Lynn Frank received at the ACTA meeting.

Byron Dutton said he knows what Don is saying, but thinks people will be more involved in zoning if they do have an issue within the township. If there is a conflict, however, the board member would excuse himself from any vote on a conflicting issue.

Dave Turk addressed the meeting schedule presented, and pay dates for employees, saying he thinks the employees want an exact schedule of pays that they can rely on.

Res. 873-08 With no other business to come before the board, John moved to adjourn. Jerry seconded. The meeting adjourned at 9:35pm.

*Barbara Schaab*