

1 BEFORE THE ALLEN TOWNSHIP TRUSTEES

2 VAN BUREN, OHIO

3 - - -

4 In Re: Allen Township Trustee Meeting

5 - - -

6 TRANSCRIPT OF PROCEEDINGS

7 - - -

8 Tuesday, March 5, 2024

9 7:00 p.m.

10 Allen Township Center

11 12829 State Route 613

12 Van Buren, Ohio 45889

13 - - -

14 SUSAN L. COOTS, RPR

15 REGISTERED PROFESSIONAL REPORTER

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1 APPEARANCES:

2 CINDY LAND, Attorney at Law
3 Hancock County Prosecuting Attorney's Office
4 514 South Main Street
5 Suite B
6 Findlay, Ohio 45840
7 (419) 424-7089
8 lmland@co.hancock.oh.us

9 On behalf of the Allen Township Trustees.

10 BOARD MEMBERS:

11 Milford "Joe" Smith, Chairperson
12 Mark Schimmoeller, Fiscal Officer
13 Roger Clark
14 Kevin Flanagan

15 - - -

1 TUESDAY EVENING SESSION
2 March 5, 2024
3 7:00 p.m.

4 - - -

5 P R O C E E D I N G S

6 - - -

7 BE IT REMEMBERED THAT, on the 5th day of
8 March, 2024, this cause came on for hearing before the
9 Allen Township Trustees. And the parties appearing in
10 person and/or by counsel, as hereinafter set forth,
11 the following proceedings were had:

12 - - -

13 CHAIRPERSON SMITH: We're going to call this
14 meeting to order.

15 If everybody would stand and say the Pledge
16 of Allegiance.

17 - - -

18 And, thereupon, the Pledge of Allegiance was
19 recited.

20 - - -

21 CHAIRPERSON SMITH: We'll start with Mark
22 reading the minutes from last month's meeting.

23 FISCAL OFFICER SCHIMMOELLER: Okay.

24 February 6th, 2024. The Allen Township
Trustees met in regular session at 7:00 p.m. at the

1 Allen Township Center with Smith and Clark in
2 attendance. Flanagan was absent due to COVID
3 quarantine. Cindy Land from the Hancock County
4 Prosecutor's Office was in attendance. Approximately
5 40 members of the public were also in attendance.

6 The minutes of January 2nd, 2024, were read
7 and approved.

8 Fiscal Officer presented a Resolution to
9 permanently appropriate \$1,679,049.21 of the
10 \$4,962,657.90 amount certified by the Hancock Budget
11 Commission for 2024. Smith moved to adopt the
12 resolution and Clark seconded motion. Roll call, all
13 yes.

14 Fiscal Officer presented Blanket
15 Certificates and Purchase Orders for the Trustees to
16 approve for 2024. He presented a list of warrants and
17 electronic payments totaling \$176,910.61 for
18 outstanding bills. Smith moved to pay these bills
19 with Clark seconding. Role call, all yes.

20 The Fiscal Officer provided the Trustees
21 with the year-end 2023 financial reports.

22 Fire Chief Hickman provided an update on the
23 fire department operations. The State of Ohio has
24 established a "Firefighting Foam Grant" that he will

1 be applying for. A Bureau of Workman's Compensation
2 Grant for \$10,100 gear dryer has been approved for the
3 Allen Township Fire Department and it has been
4 ordered.

5 A State-sponsored fire training school is
6 being offered in Bowling Green in March at a cost of
7 \$125 per person. The Trustees approved the attendance
8 of the Allen Township Fire Department.

9 Tony Humphrey provide an update on the roads
10 and cemetery. The Mortimer drainage property is
11 almost completed. The Township Road 232 drainage
12 project to replace 12-inch tile will be taking place
13 in the next couple of weeks.

14 The Trustees gave their monthly activity
15 reports. Clark attended last week's Township Road 230
16 Sheetz meeting with the City of Findlay and the
17 Hancock Engineer. It was noted that the widening is
18 planned for the east non-annexed side of the road
19 right-of-way. Cindy pointed out that a road
20 maintenance agreement between Findlay and Allen
21 Township will need to be executed.

22 Smith met with Habitec personnel about the
23 Township Center's security system not working
24 properly. He also attended a waste management

1 meeting. The main focus of the meeting was regarding
2 Litter Landing issues.

3 Cindy Land advised that, during the recent
4 public records request, in conjunction with the
5 pending One Energy litigation, the 1996 Resolution
6 establishing Adoption of a Rule for Notification of
7 Special and Regular Meetings to the public and news
8 media could not be located. Therefore, now would be a
9 good time to adopt an updated Resolution. She
10 provided an updated Resolution and summarized the
11 changes for the Trustees and Fiscal Officer. After a
12 brief discussion, Smith moved to adopt the Resolution
13 with Clark seconding. Roll call, all yes.

14 The Trustees signed the ODOT 2023 Township
15 Highway System Mileage Certification of 39.24 miles of
16 roads in Allen Township.

17 Cindy advised that Allen Township was served
18 a summons today that One Energy has filed a legal
19 complaint against the Allen Township Trustees for
20 alleged Open Meeting Act violations regarding the
21 Special Meeting held on December 20th, 2023. Smith
22 moved to go into Executive Session at 7:50 p.m. to
23 discuss pending litigation. Clark seconded the
24 motion. Roll call, all yes.

1 Smith moved to come out of Executive Session
2 at 8:19 p.m. Clark seconded the motion. Role call,
3 all yes.

4 The Trustees then proceeded with the
5 meeting.

6 Cindy made some brief remarks regarding the
7 litigation. The alleged violations in the complaint
8 could be argued from both sides. However, moving
9 forward under the existing Zoning Resolution would
10 most likely cause more litigation and additional
11 financial burden on the township. Therefore, she
12 recommended that the Trustees rescind both
13 December 20th, '23, Zoning Resolutions and require the
14 residents of Allen Township to petition the Trustees
15 to have zoning brought before the voters of Allen
16 Township.

17 Clark moved to rescind Resolution
18 No. 122023 dated December 20th, 2023, which declared
19 the Trustees intention to proceed with the zoning per
20 ORC 519.02 to 519.25. Motion was seconded by Smith.
21 Role call, all yes.

22 Smith moved to rescind Resolution
23 No. 122023-A, dated December 20th, '23, which
24 established a Zoning Commission per Ohio Revised Code

1 519.02 and 519.25. The motion was seconded by Clark.
2 Role call, all yes.

3 A short period of public comment ensued
4 which included several questions regarding the
5 petition process to restart the zoning process.

6 Smith moved to adjourn at 8:36 p.m. with
7 Clark seconding. Roll call, all yes.

8 The next regular meeting will be March 5,
9 2024, at 7:00 p.m.

10 CHAIRPERSON SMITH: Does anybody have any
11 corrections or additions to the meeting or to the
12 minutes?

13 (No response.)

14 CHAIRPERSON SMITH: If so, approved as read.
15 All right. We'll going into the financial
16 report.

17 FISCAL OFFICER SCHIMMOELLER: Okay. You've
18 got a statement in there of bills that need to be paid
19 tonight totaling \$117,788 even.

20 And I'll just go briefly down through there
21 and see if there's anything out of the ordinary that's
22 come in this month. It's mostly utility bills. We
23 got our Super Fleet Master Card, that's for fuel
24 purchase for the month for the fire department and

1 maintenance department; that was 1,046.80.

2 We got the credit card bill for 445.73,
3 which was made up of postage, OTA Conference
4 registrations, some Harbor Freight tools for the
5 maintenance shop, et cetera. I think we've already --
6 I passed that around and had you initial it already.

7 Let's see here. We've got all of our
8 payroll stuff.

9 We got a bill here from Hanley Print and
10 Promotions, \$427.95. That was for checks. I was just
11 about out of checks so I had to order some checks and
12 envelopes to go with them.

13 We got the bill from Liberty Township
14 Trustees leaf pickup last year in Hillcrest. That was
15 \$8,500.

16 TRUSTEE FLANAGAN: Do you happen to know how
17 it compared to the year before?

18 FISCAL OFFICER SCHIMMOELLER: Yeah. The
19 year before was 7,500.

20 CHAIRPERSON SMITH: Went up a thousand.

21 FISCAL OFFICER SCHIMMOELLER: Went up a
22 thousand.

23 Let's see. We got bill for the Ram Air, a
24 gear dryer for the fire department for \$10,500.

1 And let's see.

2 TRUSTEE FLANAGAN: There are some seats up
3 front if you'd like to sit down.

4 FROM THE FLOOR: No one wants to sit in the
5 front.

6 (Laughter.)

7 FISCAL OFFICER SCHIMMOELLER: Best seats in
8 the house.

9 We got a bill from Harold Schuck for \$150.
10 He had to do some service on one of the generators out
11 here on the building that wasn't working.

12 Boes Brothers, \$10,300. That was for the
13 catch basin and drain on Township Road 315, and then
14 cleaning and straightening the ditch on Township Road
15 229.

16 Gerken Materials. Tony got some berming
17 stone for 375.63.

18 Atlantic Emergency Solutions, 2,583.90 for a
19 repair to a Kussmaul on the 1020 Pierce Intel
20 firetruck.

21 TRUSTEE FLANAGAN: What is a Kussmaul, Gary?

22 FROM THE FLOOR: It's an air pump.

23 FISCAL OFFICER SCHIMMOELLER: Air pump?

24 TRUSTEE FLANAGAN: Sorry. John, I didn't

1 mean to pass you by.

2 FISCAL OFFICER SCHIMMOELLER: And, then, we
3 got another at Atlantic Emergency Solutions \$750.55
4 for some gloves for the firemen.

5 We got a reimbursement for Jonathan Webber
6 who attended one of the firefighter training
7 conferences for \$125; reimbursing the township fire
8 department for purchasing a new inflatable rescue boat
9 for 3,935.

10 Another Atlantic Emergency Solutions, \$625,
11 for five firefighter hoods.

12 I had a check printing problem, so you'll
13 see another 625 going in and out there.

14 Then we got the bill from OTARMA for our
15 annual insurance on all of the property and vehicles,
16 \$58,164.79.

17 TRUSTEE FLANAGAN: Is that higher than
18 normal?

19 FISCAL OFFICER SCHIMMOELLER: No. I
20 estimated it at 60. So it was about where --

21 TRUSTEE FLANAGAN: Okay.

22 FISCAL OFFICER SCHIMMOELLER: It is a little
23 higher than last year.

24 MS. LAND: That extra bit to pay the

1 attorney from the insurance company.

2 FISCAL OFFICER SCHIMMOELLER: That's right.
3 Yeah.

4 And, then, lastly, we got a bill from
5 Casey's Sales and Service. Tony bought a hose for the
6 F-450 maintenance truck.

7 TRUSTEE FLANAGAN: Question. Back on that
8 rescue boat, are we to use ARC money for that?

9 FISCAL OFFICER SCHIMMOELLER: Yeah. We
10 reimbursed the fire department and used ARC money to
11 do so.

12 TRUSTEE FLANAGAN: Okay.

13 FISCAL OFFICER SCHIMMOELLER: I was going to
14 talk about that later and let you know where we're at.

15 TRUSTEE FLANAGAN: I move we pay the bills.

16 TRUSTEE CLARK: I second that.

17 FISCAL OFFICER SCHIMMOELLER: Kevin.

18 TRUSTEE FLANAGAN: Yes.

19 FISCAL OFFICER SCHIMMOELLER: Roger.

20 TRUSTEE CLARK: Yes.

21 FISCAL OFFICER SCHIMMOELLER: And Joe.

22 CHAIRPERSON SMITH: Yes.

23 FISCAL OFFICER SCHIMMOELLER: I've got some
24 other stuff for you to sign while you're signing

1 those. I'll pass these around as well.

2 We got the February bank reconciliation. We
3 got a purchase order for reimbursing the fire
4 department for that inflatable boat for 3,935. And
5 I've got a purchase order here for the gear air dryer
6 that we talked about for \$10 -- or, no. This is for
7 \$400. We already had a purchase order for \$10,000, so
8 we needed another 400 bucks. That's what that's for.

9 We've got a couple cemetery deeds here for
10 you to sign. Make sure you sign both pages. I think
11 that's it for signing right now.

12 Did everybody get a chance to sign that
13 clipboard that was being passed around?

14 FROM THE FLOOR: Not yet.

15 FISCAL OFFICER SCHIMMOELLER: I guess, while
16 you're signing, I could bring this up. We did receive
17 a request from the Friends of Van Bureau State Park to
18 have free use of the Township Center to have a couple
19 of meetings all summer -- each month this summer; and
20 so she's requesting that you waive the fee and let
21 them use the facility like they have in the past few
22 years.

23 CHAIRPERSON SMITH: We usually do that,
24 don't we?

1 TRUSTEE FLANAGAN: Yeah.

2 FISCAL OFFICER SCHIMMOELLER: We have been
3 doing that. I think it's April through October, I
4 think, they meet.

5 TRUSTEE FLANAGAN: Once a month or two?

6 FISCAL OFFICER SCHIMMOELLER: I think it's
7 one; the second Tuesday of the month.

8 TRUSTEE FLANAGAN: I move we waive the fee
9 for them.

10 CHAIRPERSON SMITH: I second.

11 FISCAL OFFICER SCHIMMOELLER: Okay. Kevin.

12 TRUSTEE FLANAGAN: Yes.

13 FISCAL OFFICER SCHIMMOELLER: Joe.

14 CHAIRPERSON SMITH: Yes.

15 FISCAL OFFICER SCHIMMOELLER: Roger.

16 TRUSTEE CLARK: Yes.

17 TRUSTEE FLANAGAN: Judy Stevens.

18 FISCAL OFFICER SCHIMMOELLER: Yeah, Judy
19 Stevens.

20 While you're still signing, we can talk
21 about this maybe, too. We mentioned earlier with the
22 bills, we did receive the insurance bill for the year.
23 In the past, Mike Stacy is usually the one that's
24 going through and flipping through everything and

1 making sure everything has the appropriate coverages,
2 as far as you thought. I didn't know who you wanted
3 to have do that this year.

4 TRUSTEE FLANAGAN: How about Mike?

5 TRUSTEE CLARK: He likes to come to these
6 meetings, so put him to work wherever he's at.

7 FISCAL OFFICER SCHIMMOELLER: It's not that
8 bad.

9 TRUSTEE FLANAGAN: He's just so familiar
10 with the insurance stuff. That's why.

11 FISCAL OFFICER SCHIMMOELLER: Yeah. Be a
12 good experienced for Roger, the new guy. Whoever you
13 want to assign that to, Joe.

14 CHAIRPERSON SMITH: All right. You could do
15 that, Roger?

16 TRUSTEE CLARK: Yeah.

17 FISCAL OFFICER SCHIMMOELLER: You would
18 learn all of the equipment stuff we have.

19 TRUSTEE CLARK: What's that?

20 FISCAL OFFICER SCHIMMOELLER: It would be a
21 good way to learn all the equipment we have.

22 TRUSTEE CLARK: Okay.

23 CHAIRPERSON SMITH: Gary, ready to for the
24 fire department report.

1 FIRE CHIEF HICKMAN: Yeah. So the gear
2 dryer is in and came. We used it a couple times.

3 We have more training this weekend up in
4 Rossford up at PENA, which is the NOVFA fire school.

5 We ordered some gloves, hoods, helmets, and
6 boots for some gear that was outdated and needed
7 replaced. We got the hoods and gloves, obviously, by
8 the invoices. The other stuff probably won't be in
9 for six weeks or so due to the backup.

10 FISCAL OFFICER SCHIMMOELLER: Any idea what
11 that's going to cost roughly, Gary, for that stuff?

12 FIRE CHIEF HICKMAN: The helmets are -- I
13 know the boots close to \$300 each. I think we ordered
14 four sets of boots. The helmets are going to be
15 around \$350. I believe we ordered five. And, with
16 that, we did get that Marshal's grant we applied for
17 couple a months ago; we did get that, and that was
18 \$14,000.

19 TRUSTEE FLANAGAN: Great. Thanks for
20 filling that out.

21 FIRE CHIEF HICKMAN: Yeah. We did get two
22 of the grants that we applied for from the Marshal's
23 office. The only two we applied for were the MARCS
24 Grant and the PP Grant.

1 So the only other question I got is we were
2 going to sell some stuff on GovDeals that's just
3 outdated and sitting around the station that we need
4 to get rid of. What's the value -- this is probably
5 for Cindy. What's the value of something that can be
6 sold without going through --

7 MS. LAND: \$2,500. And it's per item. It's
8 not like a lot.

9 FIRE CHIEF HICKMAN: And the Trustees set
10 that price, correct?

11 MS. LAND: They have to do a Resolution
12 indicating that, if it's something that we can find a
13 price for, like a vehicle, the Blue Book, then, we
14 have to go by that. But if there's something wrong
15 with it, or it's outdated or obsolete, if some of the
16 stuff is, like, some turnout gear you can't use
17 anymore, that value drops.

18 FIRE CHIEF HICKMAN: Some of it's radio
19 chargers and MARCS radios that just got replaced. We
20 had a bank charger that we used for all the radios.
21 So somebody might want it. That's not --

22 MS. LAND: More than \$2,500?

23 FIRE CHIEF HICKMAN: I would doubt it
24 because you can't -- none of the MARCS in the state

1 can use it anymore, so it would probably be like an
2 independent.

3 MS. LAND: Make a list of all of the stuff
4 and your estimated cost, you know. You don't have to
5 have a dollar amount, just over or under the \$2,500.
6 I'll do a Resolution for you guys to pass that you can
7 take it off your inventory and then it's all good to
8 go.

9 FIRE CHIEF HICKMAN: Okay. Then the other
10 thing was I think we still have some air packs that
11 the County bought forever ago. We turn those back in
12 to Lee?

13 MS. LAND: Yeah.

14 FIRE CHIEF HICKMAN: Okay. Good.

15 MS. LAND: He probably has them on
16 inventory.

17 FIRE CHIEF HICKMAN: He'll love that. We've
18 got them piled up there, so we'll get ahold of Lee and
19 turn them back into him. We've got a list. So I'll
20 get it to you before.

21 MS. LAND: If there's anything on the list
22 that you think is more than \$2,500, we have to do that
23 in a separate Resolution. Then you have to set it
24 either for auction or -- but you can probably use

1 GovDeals for the auction process. We just have to
2 notice it differently.

3 FIRE CHIEF HICKMAN: Okay. I think that's
4 all I've got, unless you guys have something for me.

5 CHAIRPERSON SMITH: We have that pizza up
6 there. That's at -- be there at 6:30?

7 FIRE CHIEF HICKMAN: Yeah. 6:30 or so.

8 The other thing was the surprise tornado
9 today. I guess they had a touchdown over in Leipsic.
10 So I was kind of surprised that the sirens went off.
11 I thought somebody pushed the wrong button.

12 CHAIRPERSON SMITH: Sure. They held all the
13 kids at school after, getting them on the bus.

14 FIRE CHIEF HICKMAN: Yeah. It was right
15 around 3:00.

16 TRUSTEE FLANAGAN: I didn't hear it.

17 FIRE CHIEF HICKMAN: Theirs was just a
18 little bit late going off because we had a run at ten
19 after 3:00, or something like that. I think they were
20 just sending Wood County out, so theirs was quite a
21 bit later.

22 FISCAL OFFICER SCHIMMOELLER: We heard it at
23 our house.

24 FIRE CHIEF HICKMAN: Did you? I think the

1 ones in the village went off just before 3:00.

2 TRUSTEE FLANAGAN: Did it touch down?

3 FIRE CHIEF HICKMAN: Yeah. Did some damage.

4 FISCAL OFFICER SCHIMMOELLER: Hit in the
5 middle of the field, didn't it?

6 FIRE CHIEF HICKMAN: Took out a barn and
7 part of a house.

8 FISCAL OFFICER SCHIMMOELLER: I was watching
9 on the news and they had some pictures.

10 MS. LAND: At least they held the kids. Bad
11 enough -- we had a bad day for buses already.

12 FISCAL OFFICER SCHIMMOELLER: Yeah.

13 FIRE CHIEF HICKMAN: That's all I've got,
14 unless you guys got something.

15 CHAIRPERSON SMITH: That's it.

16 FIRE CHIEF HICKMAN: All right.

17 CHAIRPERSON SMITH: We'll do the road report
18 and cemetery report.

19 Tony was not able to be here tonight so he
20 left me a little list. If I can read his writing
21 here.

22 Picked up a deer on Township Road 14. He
23 got some stone so he could start berming work.

24 Finished up the tile on Mortimer; helped Moe's do

1 that. And then fixed a hole on 218 by the campground.
2 He had to dig where that sunk in.

3 TRUSTEE FLANAGAN: That was bad.

4 TRUSTEE CLARK: Yeah.

5 CHAIRPERSON SMITH: Then he went and got an
6 estimate for a sprayer for the Gator over there and it
7 was 1,164.95. That's for a self-contained sprayer
8 that will spray out 12 feet on each side, good for
9 ditches. He said that would be good for in the
10 cemetery spraying in between the lots and stuff for
11 dandelions and that stuff.

12 TRUSTEE CLARK: Who is that estimate from?

13 CHAIRPERSON SMITH: He got that from
14 Botkins, the fertilizer dealer supply.

15 TRUSTEE CLARK: Yeah.

16 TRUSTEE FLANAGAN: I move we approve getting
17 that sprayer.

18 FISCAL OFFICER SCHIMMOELLER: How much is
19 it?

20 CHAIRPERSON SMITH: 1,164.95.

21 TRUSTEE CLARK: I second that.

22 CHAIRPERSON SMITH: Do you want that, Mark?

23 FISCAL OFFICER SCHIMMOELLER: Yeah.

24 CHAIRPERSON SMITH: I think they left some

1 papers for, like, a credit app or if you wanted to use
2 cash, card, or whatever.

3 TRUSTEE FLANAGAN: Sales tax.

4 CHAIRPERSON SMITH: Yeah. Sales tax and all
5 that.

6 FISCAL OFFICER SCHIMMOELLER: Okay. Kevin.

7 TRUSTEE FLANAGAN: Yes.

8 FISCAL OFFICER SCHIMMOELLER: Roger.

9 TRUSTEE CLARK: Yes.

10 FISCAL OFFICER SCHIMMOELLER: Joe.

11 CHAIRPERSON SMITH: Yes.

12 So as far as Tony, that's all he gave me.
13 He said -- and then I did have a call from a guy down
14 the road from me. There's a couple holes starting on
15 109 there between 142 and 75, right along the edge of
16 the road there.

17 TRUSTEE FLANAGAN: Okay.

18 CHAIRPERSON SMITH: It's getting bigger. So
19 I stopped and told Tony about it this morning, so he's
20 going to get cold patch and patch those up.

21 That's all he had.

22 Do we want to go on to Old Business first?

23 FISCAL OFFICER SCHIMMOELLER: Yeah.

24 CHAIRPERSON SMITH: Go to the Trustees'

1 report.

2 Roger, you got anything?

3 TRUSTEE CLARK: Just since our last meeting,
4 all three of us attended the conference down in
5 Columbus, and I learned some things, so that was good
6 to attend.

7 I was at both of the projects you just
8 talked about, Mortimer and the ditch on 229. That
9 ditch is right along our farm grounds, so I kind of
10 wanted to watch what was going on there. We hired
11 Boes -- I say "we," our farm -- to haul some of the
12 dirt out in our field with his dump truck while he's
13 doing it.

14 And I responded -- or I've been responding
15 daily to the OUPS notices. That's about it.

16 CHAIRPERSON SMITH: Kevin.

17 TRUSTEE FLANAGAN: I've got a couple things.
18 I'll do the road thing first since we're talking about
19 the roads.

20 Keith Pottieger, down on Township Road 232,
21 if you recall, he looks -- kind of looks after that
22 lady, that Norma -- and I don't remember what her last
23 name is -- that had the trees clear out on the road,
24 and we wanted to take the road clear out. This is

1 probably a year and a half ago, two years ago. And he
2 talked to her and she didn't want them taken out
3 because her late husband had planted them.

4 CHAIRPERSON SMITH: Okay.

5 TRUSTEE FLANAGAN: So we said they're going
6 to look pretty butchered up when we hired Casey's to
7 do that. She said she'd rather have that than taken
8 clear out.

9 So that was -- I'd have to look it up, or if
10 one of you can look it up, when it was. But anyway,
11 he called me the other day and said there's a bunch of
12 debris down there that never got picked up and it was
13 his understanding it was going to get picked up. And
14 I'm, like, clear back from that? Because I don't know
15 if any of you saw -- I'm sure AEP was in there, or one
16 of their subcontractors, trimming trees a couple weeks
17 ago.

18 TRUSTEE CLARK: I don't know.

19 TRUSTEE FLANAGAN: Anyway, he said he works
20 from home and he never saw AEP there, so he still
21 thinks it's from the other. He's trying to help her
22 out, and as he's trimming some things, there's debris
23 that got caught from that when that flailed it all
24 over. He wondered if we could help pick that up

1 because he's a little afraid of having his trailer out
2 there with as busy as that road is. He doesn't have
3 any "Road Closed" signs, et cetera.

4 So the day that he called me originally, he
5 didn't tell me quite all that story, and so I went and
6 looked. I had Tony go and look. And they're, like,
7 it's not great, but we don't really think it's from
8 way back then.

9 He told me it was what he that was caught up
10 in the trees. I said we'd talk about it tonight and
11 see if we could do something. So I was hoping to talk
12 to Tony tonight.

13 What are your guys' thought? I mean, it
14 is -- a lot of these branches are laying almost on the
15 road so it is a hazard for us as well. Normally, we
16 don't make a habit of picking up other people's
17 branches. But if it did actually all come from when
18 we did that, I don't know.

19 FISCAL OFFICER SCHIMMOELLER: Which road is
20 that again, Kevin?

21 TRUSTEE FLANAGAN: 232.

22 FISCAL OFFICER SCHIMMOELLER: 232.

23 TRUSTEE FLANAGAN: The west side because
24 that's our side, you know.

1 CHAIRPERSON SMITH: Yeah.

2 TRUSTEE FLANAGAN: That's the township side.

3 TRUSTEE CLARK: When Tony and I went by
4 there today it looked like it was fresh cut.

5 TRUSTEE FLANAGAN: That's what he said. He
6 has cut some stuff that was hanging out towards the
7 road, but that has brought down other old stuff that
8 was caught up there.

9 MS. LAND: Is it on the road right-of-way?

10 TRUSTEE FLANAGAN: Yes.

11 MS. LAND: Then you guys have a liability if
12 it's on the road right-of-way and you know it's there.

13 TRUSTEE FLANAGAN: I don't know if Tony will
14 be real happy, but if we tell him, Hey, we've got to
15 do it.

16 CHAIRPERSON SMITH: Yeah.

17 TRUSTEE FLANAGAN: Okay. With that, I'll
18 get ahold of Tony tomorrow.

19 The next thing I had was a call from John
20 Heyrman (phonetic) who lives on Township Road 99, next
21 to where Dick Kelly used to live. I don't have his
22 address written down. I think you all know where I'm
23 talking about.

24 He said he got a letter from the City and he

1 was pretty confused what it meant. He wasn't home
2 with the letter when I first started talking to him,
3 so I figured it was the letter telling him about the
4 sewer line that they need to access his property for.
5 I don't know the date on that.

6 They found out that there's not enough
7 easement there, so they're either going to have to put
8 this one connection thing on there under Township Road
9 99, which doesn't sound great to me.

10 TRUSTEE CLARK: Right.

11 TRUSTEE FLANAGAN: Or get some property from
12 where Dick Kelly did live and from this guy.

13 CHAIRPERSON SMITH: That's two houses.

14 TRUSTEE FLANAGAN: Yes.

15 CHAIRPERSON SMITH: Yes.

16 TRUSTEE FLANAGAN: But that was not what he
17 was talking about at all. When he got home and read
18 me the letter, it was about this zoning hearing today
19 to change the zoning for the intersection of 99 -- I'm
20 sorry -- Township Road 230 and County Road 212, the
21 northwest corner. They're changing the zoning from Ag
22 to Industrial 1.

23 MS. LAND: The part that had been annexed?

24 FISCAL OFFICER SCHIMMOELLER: Yeah, that

1 would be it.

2 TRUSTEE FLANAGAN: He had to get notice
3 since they were changing the zoning. It had nothing
4 to do -- he didn't know anything about this sewer
5 thing. I'm, like, Well, they were already supposed to
6 have talked to you I thought.

7 MS. LAND: I think that's the State --

8 TRUSTEE FLANAGAN: Okay.

9 MS. LAND: -- is supposed to be doing that.

10 TRUSTEE FLANAGAN: I said, Somebody is
11 supposed to be talking to you. And he said, Well,
12 what I'd really like to do is sell my whole place.
13 I said, Well, I was told that Sheetz... -- well,
14 actually I didn't tell him that. I talked to
15 Kyle Parker first before I said this next part.

16 And Kyle Parker says, in the meeting that
17 they have every week, they were told that both of
18 those houses, the owners were approached when Sheetz
19 was buying the whole farm and neither one of them
20 wanted to sell. So I called John Heyrman back, and he
21 says, I was never contacted by anybody about selling.
22 So they're supposed to bring it up tomorrow at this
23 weekly meeting.

24 I don't know if any of you are planning on

1 going. I can go if we need -- we don't have to be
2 there because the County's covering for us. But
3 anyway, so I told him about the sewer line, and, so,
4 he said, Who can I call to sell my whole property?
5 I said, I don't know.

6 I did tell -- when I talked to Kyle Parker,
7 I said, If you've got any contact info for Sheetz, I
8 mean, it would clean it up if they just took those two
9 houses, too.

10 CHAIRPERSON SMITH: Sure.

11 TRUSTEE FLANAGAN: I have no idea what the
12 other people feel.

13 MS. LAND: The two houses have not yet been
14 annexed?

15 FISCAL OFFICER SCHIMMOELLER: Right.

16 TRUSTEE FLANAGAN: They didn't annex them.

17 MS. LAND: Okay.

18 TRUSTEE FLANAGAN: I know the one they did
19 for sure because he didn't -- this John Heyrman did
20 not want to annex. I can't speak to the other one,
21 but I doubt they took one and not the other.

22 MS. LAND: I think they only took the farm
23 that was the Buchannon farm.

24 TRUSTEE FLANAGAN: Yeah. So the meeting is

1 at 9:00 a.m. tomorrow, if any of us choose to attend.

2 TRUSTEE CLARK: Yeah. Okay.

3 TRUSTEE FLANAGAN: I told you about Keith
4 Pottieger.

5 I want to remind you of the County meeting
6 tomorrow night at 7:30, if any of you want to go.

7 CHAIRPERSON SMITH: Yeah.

8 TRUSTEE FLANAGAN: And, then, I don't know
9 if any of you noticed, I don't know if we brought it
10 up before, but Township Road 229, right over here, the
11 east edge is deteriorating some more. Like, we had
12 those places that Wood County fixed because the
13 muskrats had mined it out and the bank was slipping.
14 Then they did some more the next year down toward
15 where the McMurray house is. It's continuing on down
16 north of that. There's more spots. If you drive on
17 the right edge, you can feel it.

18 TRUSTEE CLARK: Yeah, I agree.

19 CHAIRPERSON SMITH: That all started -- not
20 to lay blame, but it all started when they lowered
21 that ditch because of Meadowridge over here. They
22 didn't have enough fall to get to the ditch so they
23 lowered the ditch, actually went below the original
24 bottom of the ditch.

1 TRUSTEE CLARK: Yeah.

2 TRUSTEE FLANAGAN: I talked to Steve Wilson
3 about that at the time, the county engineer, and
4 I said, I'm told that that makes the bank slip, and we
5 are concerned about our road. He says, Well, it's not
6 my problem. It's a township road. Thanks, Steve.

7 So I don't know. I'm going to try and call
8 Wood County Ditch Maintenance again and see if they'll
9 come down and take a look and see what we can do.
10 Take a look, if you go that way sometime, drive clear
11 over on the east berm, and you'll feel little spots.

12 TRUSTEE CLARK: Yeah.

13 TRUSTEE FLANAGAN: So it's not going to get
14 better, I'm sure.

15 Oh, the other thing that, if any of us go to
16 that meeting tomorrow, and, if not, I did tell Kyle
17 Parker, I said, What did they ever decide about
18 renaming that section of 230? They want to make it
19 Crystal Avenue. And I said, Did you ever find out if
20 the City has that power?

21 Only half the road is theirs; half the road
22 is ours. And we do have the maintenance agreement
23 with them, so they are going to take care of it. So
24 I said, I just wondered how it came out. And Kyle

1 said that his feeling, and Doug's, is we'd be belter
2 off letting that name it. He thinks they do have the
3 right to name it.

4 And he said it would be -- it would be
5 clearer to people because that will be, you know, that
6 farm is going to be Findlay. Sheetz is going to be
7 Findlay, so let it be Crystal Avenue until you get to
8 99, and, then, it will go back to Township Road 230.

9 I didn't know what your feelings were on
10 that, if we want to cause a fuss, or, like, Yeah, it's
11 okay. Any thoughts?

12 CHAIRPERSON SMITH: There's not really any
13 houses in there?

14 TRUSTEE FLANAGAN: No. Dick Kelly's house
15 is right there.

16 CHAIRPERSON SMITH: You get right to the 99,
17 yeah.

18 TRUSTEE FLANAGAN: Right.

19 FISCAL OFFICER SCHIMMOELLER: His address is
20 probably on 99.

21 TRUSTEE FLANAGAN: Yeah. So I would think
22 there would be no houses on that section.

23 TRUSTEE CLARK: As far as I'm concerned it's
24 Going to look like a City road when they put curbs in.

1 FISCAL OFFICER SCHIMMOELLER: Yeah.

2 TRUSTEE FLANAGAN: That's what I said. I
3 said, I don't think we'll have any heartburn over it.

4 MS. LAND: It would be the advantage -- if
5 it's still a township road name, if something goes
6 wrong with it, they call you guys and complain, and
7 it's a City problem. This way, they'll call the City
8 first.

9 TRUSTEE FLANAGAN: Right. All right.

10 That's all I've got.

11 CHAIRPERSON SMITH: All right. I talked to
12 Mark Reas (phonetic), and we had those four-ways put
13 on at 109 and 142. They put double stop signs on
14 every side, so there's eight stop signs there.

15 TRUSTEE FLANAGAN: Okay.

16 CHAIRPERSON SMITH: If you go -- they come
17 down 109 and turn -- 142 and turn onto 109 West and
18 they turn into their field right there. It's not a
19 big entrance they have there, so he's really concerned
20 that he's going to take that stop sign out with his
21 four-wheel-drive tractor or digger and all of that
22 stuff and wanted to know if there is something we can
23 do about that; either make their entrance bigger for
24 them, or -- but I've looked and, like, the four-ways

1 we've got over here on -- what is it? 229 and where
2 you had your accident?

3 TRUSTEE FLANAGAN: Uh-huh.

4 CHAIRPERSON SMITH: There's only one stop
5 sign on each corner. I don't see why we couldn't take
6 that stop sign out at that northwest corner. It's for
7 the opposite direction anyhow.

8 TRUSTEE FLANAGAN: Right.

9 CHAIRPERSON SMITH: So that's my opinion on
10 that. I don't know. Tomorrow night you might say
11 something to Mike Cook or somebody at Clark --

12 TRUSTEE FLANAGAN: Yeah.

13 CHAIRPERSON SMITH: -- that makes the sings.

14 TRUSTEE CLARK: Yeah.

15 CHAIRPERSON SMITH: That's better than
16 having to put a drive in.

17 TRUSTEE FLANAGAN: That's a good idea.

18 FROM THE FLOOR: When we did that, I think
19 the County was told we didn't want double stop signs
20 down there and I think they just put them up.

21 CHAIRPERSON SMITH: Put them up.

22 FROM THE FLOOR: I'm pretty sure we
23 stipulated we only wanted the stop signs on the
24 right-hand side of the intersections, but he put a

1 double set up.

2 CHAIRPERSON SMITH: I already mentioned
3 Jack Kurtz (phonetic) about the holes on 109.

4 Kyle Parker called me, also from the county
5 engineers, and talked about those trees on 99 and
6 wanted to know if it was all right if they took those
7 out.

8 TRUSTEE FLANAGAN: They're going to take out
9 those pines trees?

10 TRUSTEE CLARK: Yeah.

11 CHAIRPERSON SMITH: He talked about running
12 that new sanitary line all the way down to 230. He
13 talked about either getting access across those two
14 houses' property, or going underneath the road. But
15 if they did do that, he was going to make them repave
16 the whole road and not just where they put that
17 through.

18 TRUSTEE FLANAGAN: Good.

19 CHAIRPERSON SMITH: But they was hoping they
20 could get access through the property, offer them a
21 free hookup into the sanitary for letting them do it.

22 TRUSTEE FLANAGAN: Okay.

23 CHAIRPERSON SMITH: And, then, there was
24 a -- I couldn't -- he was hard to understand. He was

1 from the engineer's office. Bevel?

2 TRUSTEE FLANAGAN: It was probably Ben
3 Lindhorst. I listened to it when you sent it. That's
4 who it was.

5 CHAIRPERSON SMITH: Okay. He called and
6 Syperts (phonetic) are putting those condos in behind
7 their place on 99, and they wanted access to hook onto
8 Silver Creek Lane back in there. They're intending to
9 go out into there because the County will not give
10 them access on 99 because there's not enough spaces in
11 between the drives.

12 TRUSTEE FLANAGAN: I should have brought
13 that up. Did you end up talking to anybody again? I
14 got called.

15 CHAIRPERSON SMITH: He called me back.

16 TRUSTEE FLANAGAN: I called and talked to
17 Doug Cady, and I said, What's the deal here? I said,
18 They wanted access off of 99. You guys denied them.
19 I said, Can we deny them off of Silver Creek? He
20 said, The problem, if you do, he has no access. And
21 he says, originally, when that all was all laid out,
22 Silver Creek was supposed to go on through. He said,
23 That's really where it should go.

24 I said, Well, I know a lot of people on

1 Silver Creek that aren't going to be real happy if we
2 have 200 more cars going down there. He's, like,
3 well, it's only for 80 condo units. I said, Yeah.
4 Right now. But he's got a lot of ground back in
5 there. I said, What's the ultimate plan? He's, like,
6 I don't know that. He said that it's just really a
7 driveway permit. He's not expecting to us --

8 CHAIRPERSON SMITH: Maintain.

9 TRUSTEE FLANAGAN: -- maintain the street or
10 make the street and he said no.

11 MS. LAND: It's going to be a condo property
12 and those belong to the condo association so it will
13 just be the cut out onto the road.

14 TRUSTEE FLANAGAN: Well, like, in Findlay
15 where there's all those condos up where my parents
16 have them, Cobblestone, Silverstone, those have all
17 City streets.

18 MS. LAND: Right. It's just a different way
19 they set them up.

20 TRUSTEE FLANAGAN: Okay. So there's no
21 chance they could go backwards and end up wanting
22 those to be roads, you don't think?

23 MS. LAND: No. No.

24 TRUSTEE FLANAGAN: Okay.

1 MS. LAND: They won't be dedicated that way
2 to be able to become City or Township roads.

3 TRUSTEE CLARK: I drove up there and looked
4 at that. Who's going to tell the guy that has his car
5 parked there at the end of the street, Kyle Lumber and
6 stuff, there's no longer an area for him.

7 FISCAL OFFICER SCHIMMOELLER: There's no
8 basketball hoop up there now?

9 TRUSTEE CLARK: No, I don't think so.

10 FISCAL OFFICER SCHIMMOELLER: Sometimes they
11 do that.

12 TRUSTEE FLANAGAN: Of some of those other
13 stubs have that.

14 MS. LAND: Motor homes park in those spots a
15 lot.

16 CHAIRPERSON SMITH: So I also mentioned to
17 Gary about the pizza.

18 TRUSTEE FLANAGAN: Yeah.

19 CHAIRPERSON SMITH: We usually do that.
20 Want to do those again?

21 TRUSTEE FLANAGAN: Yeah, I do.

22 CHAIRPERSON SMITH: And that's it.

23 TRUSTEE FLANAGAN: That's on the 18th.

24 CHAIRPERSON SMITH: The 18th.

1 And, then, also on Township Road 142,
2 there's getting to be a lot of those dips north of 613
3 on the edge of that road at Segue (phonetic). I don't
4 know who we need to get to look at that, but there's
5 getting a lot of --

6 TRUSTEE FLANAGAN: That's probably not on
7 Main Street. That's the only reason we can have them
8 look is because, even though it's in Hancock, that
9 section is by them.

10 CHAIRPERSON SMITH: I think that's on even
11 both sides of the road, isn't it, Mark?

12 FISCAL OFFICER SCHIMMOELLER: Those little
13 dips?

14 CHAIRPERSON SMITH: Yes. Is it more on the
15 west side?

16 FISCAL OFFICER SCHIMMOELLER: More on the
17 east side that I noticed along the ditches.

18 CHAIRPERSON SMITH: 142 north of 602.

19 FISCAL OFFICER SCHIMMOELLER: I didn't
20 notice them on the other side.

21 CHAIRPERSON SMITH: Yeah.

22 TRUSTEE FLANAGAN: Okay.

23 CHAIRPERSON SMITH: I don't know if the
24 County can look at that.

1 TRUSTEE FLANAGAN: Soil and Water is really
2 who is over ditch maintenance, per se. That would
3 probably be the first contact.

4 MS. LAND: Yeah.

5 TRUSTEE FLANAGAN: I would think.

6 MS. LAND: Definitely stepping up their
7 game, too.

8 TRUSTEE FLANAGAN: Good.

9 MS. LAND: The young guy they've got working
10 there now, Jason, he's out there getting stuff done.

11 TRUSTEE FLANAGAN: Well, good.

12 CHAIRPERSON SMITH: Okay.

13 TRUSTEE FLANAGAN: Do you want to call them
14 and make the contact?

15 CHAIRPERSON SMITH: Yeah.

16 TRUSTEE FLANAGAN: I'll check when I call
17 Wood County about this ditch, but I'm pretty sure that
18 one is probably not on.

19 MS. LAND: Probably not, unless it's a joint
20 county ditch.

21 TRUSTEE FLANAGAN: It wouldn't cross the
22 county line, would it?

23 CHAIRPERSON SMITH: No. It don't cross till
24 way down close to Carlson's.

1 That's all I have then.

2 MS. LAND: I've got one Old Business thing
3 for you guys to discuss.

4 The first one has to do with some of the
5 things you guys were talking about with the Sheetz
6 property and with the way they're improving that
7 intersection. They're going to the east and they
8 didn't have the -- that wasn't the part that was
9 annexed, so it was still Township property. You
10 currently already have a road agreement in place. It
11 went in and was done in conjunction with the
12 annexation.

13 CHAIRPERSON SMITH: Uh-huh.

14 MS. LAND: Last I heard, they were going to
15 be obtaining easements along there and just put them
16 in your name since you guys will own all of that, and
17 then they can continue to take care of it all. It
18 will just be more your right-of-way added do it. So
19 we won't have to do anything. They've taken care of
20 it for you guys. You've already got yourselves
21 protected to have them take care of what it is.

22 TRUSTEE FLANAGAN: That won't require
23 another agreement?

24 MS. LAND: No. I had a conversation with

1 Kyle and with Doug. We went through the agreement and
2 we think it's solid for that.

3 TRUSTEE FLANAGAN: Okay. That's off of that
4 lease property.

5 TRUSTEE CLARK: Yeah.

6 MS. LAND: I don't know how they are doing
7 it or who is doing it. That's just what they are
8 aiming to do.

9 TRUSTEE FLANAGAN: Okay.

10 MS. LAND: And I'd also as, part of Old
11 Business, like to request Executive Session to go over
12 the current status of the pending litigation.

13 TRUSTEE FLANAGAN: I would move that we go
14 to Executive Session and discuss legal matters.

15 CHAIRPERSON SMITH: Second that.

16 FISCAL OFFICER SCHIMMOELLER: Kevin.

17 TRUSTEE FLANAGAN: Yes.

18 FISCAL OFFICER SCHIMMOELLER: Joe.

19 CHAIRPERSON SMITH: Yes.

20 FISCAL OFFICER SCHIMMOELLER: Roger.

21 TRUSTEE CLARK: Yes.

22 (And, thereupon, the Trustees held an
23 Executive Session.)

24 TRUSTEE FLANAGAN: I would move that we come

1 out of Executive Session with no official action being
2 taken.

3 TRUSTEE CLARK: I second that.

4 FISCAL OFFICER SCHIMMOELLER: Kevin.

5 TRUSTEE FLANAGAN: Yes.

6 FISCAL OFFICER SCHIMMOELLER: Roger.

7 TRUSTEE CLARK: Yes.

8 FISCAL OFFICER SCHIMMOELLER: Joe.

9 CHAIRPERSON SMITH: Yes.

10 Okay. I guess we'll go on to New Business.
11 We're going to go into the zoning petition.

12 FISCAL OFFICER SCHIMMOELLER: Okay.

13 I received -- if I can find the right folder here.

14 Last week I received nine petitions with
15 141 signatures on it from Denise requesting that
16 zoning be placed on the ballot.

17 The day after, I took them to the County
18 Board of Elections and had them certify the
19 signatures, which they did. I can pass that around
20 and let you see it. I believe on the front it said,
21 Joe, how many were good signatures?

22 CHAIRPERSON SMITH: 129 valid; 12 invalid;
23 total of 141.

24 FISCAL OFFICER SCHIMMOELLER: I believe the

1 required amount was, like, 90, upper 80s or 90s.

2 CHAIRPERSON SMITH: I think 70, 80, right in
3 there, if I remember right.

4 TRUSTEE FLANAGAN: That's a lot of people.

5 TRUSTEE CLARK: Okay.

6 CHAIRPERSON SMITH: Anyone want to comment
7 on that?

8 MS. LAND: Yeah. Since you received those,
9 and now they've been certified valid with the adequate
10 number of signatures, the ORC says you shall proceed
11 with the process of zoning then.

12 Your next step is you'll have to pass a
13 Resolution to initiate zoning. I think the petition
14 requested zoning in the entire township because
15 there's the option of a portion of the township to be
16 zoned, not all of it.

17 However, those portions that can be zoned
18 have to follow a voting district. And since you're
19 east and west, it would have to be, you know, in both
20 of them or one or the other. You can't do it north or
21 south or something like that. I don't think there was
22 any request in the petitions for apportionment.

23 So, at the next meeting, I would suggest you
24 do a Resolution establishing the need or the necessity

1 to proceed with the zoning process, and also a second
2 Resolution appointing a Zoning Commission. I think,
3 before then, if you guys could gather names of people.

4 TRUSTEE FLANAGAN: Okay.

5 MS. LAND: There is no -- although it was
6 implied the last time that some sort of improper
7 manner was followed to be able to select your Zoning
8 Commission, there is no direct way that you have to do
9 it.

10 You can make an announcement that if anybody
11 wants to give you their name, they can. You don't
12 have to interview. You don't have -- you can just
13 select from whatever list of people you have, or you
14 can contact people and ask them to serve on one of
15 your boards for you.

16 I would like to have that information before
17 the meeting so I can put together the Resolution with
18 the list of people and then what their term is. A
19 Zoning Commission, normally they serve for a five-year
20 term. But in the initial one, they're all staggered;
21 there's a five, a four, a three, two, and a one, of
22 the five that are in there.

23 The person who is the one usually ends up
24 with a six because we won't be done, most likely, with

1 the process during that year and they'll have to re-up
2 for another five years.

3 TRUSTEE FLANAGAN: If zoning were to pass,
4 they would be the first Zoning --

5 MS. LAND: First. Yeah, commission.

6 TRUSTEE FLANAGAN: -- Commission.

7 TRUSTEE CLARK: Okay.

8 TRUSTEE FLANAGAN: If it didn't pass, their
9 job would be done after it was over?

10 MS. LAND: Correct.

11 If it passes, they continue as the Zoning
12 Commission, and, then, you also have the
13 responsibility then to appoint five more people to a
14 Board of Zoning Appeals. You have to have both boards
15 and a zoning inspector.

16 TRUSTEE FLANAGAN: Okay.

17 TRUSTEE CLARK: Okay.

18 CHAIRPERSON SMITH: All right. I think
19 that's everything on our agenda that I see.

20 Need a motion to adjourn.

21 TRUSTEE FLANAGAN: Do you want to take any
22 public comment or not?

23 CHAIRPERSON SMITH: Any public comment or --

24 TRUSTEE FLANAGAN: This is your chance.

1 FROM THE FLOOR: Do you need to do a
2 Resolution of appointments, a first, second, or it's
3 already in play?

4 MS. LAND: I'm sorry. What are you saying?

5 FROM THE FLOOR: Do they need to say, Okay,
6 we agree to keep going with the zoning process, and
7 this is -- I first it, I second it, and I third it?
8 Do you have to do that process?

9 MS. LAND: Yes. They'll have to do it. The
10 Resolution -- it's a freestanding Resolution, like
11 they had the last time, that they have to sign it.

12 They did it for the last time, but, then, we
13 rescinded it because there were questions. Once that
14 question gets put out there, it's tainted, so that
15 anybody -- you know, anything that comes from that
16 can't be used. And since they raised that issue, we
17 didn't want to have anything muddied.

18 If we go forward with this, we want it to be
19 very clean and, this, I think, will make it very
20 clean.

21 FROM THE FLOOR: By waiting a further month?

22 MS. LAND: Well, I can't -- we couldn't
23 really do it until they had the petitions presented to
24 them. There is no conceivable way that it could have

1 been in November now anyway. No possible way.

2 Because zoning -- the zoning book is a huge
3 document, and there's a lot to be done in it. And if
4 we rush through it, the damage that can be done to all
5 of the rest of the residents just so you can solve one
6 problem is just not what you want to do. It's not
7 something that I would ever advise them to do or want
8 to be involved in. And I don't think any of you guys
9 would either because the backlash from the rest of the
10 residents, other than whatever your primary purpose
11 may be, would be too, too much. Too much damage.

12 FROM THE FLOOR: Well, what if we, as far as
13 working on the zoning itself, could do a cleaner one
14 and get it in by November?

15 MS. LAND: It's not November the date,
16 though; it's the end May.

17 FROM THE FLOOR: Yeah. Well, you're saying
18 it can't, but why don't we keep an open mind?

19 MS. LAND: I'm not going to let you keep an
20 open mind on that and go out there with hope saying
21 that it can go on in November because it just can't be
22 done that quickly.

23 If you try to do it that quickly, you're
24 going to cut corners and you're going to cause

1 problems that you aren't expecting to cause. There is
2 a lot of work that these five people are going to have
3 to put in, a lot of reading, a lot of understanding, a
4 lot of discussion. And I'm --

5 FROM THE FLOOR: Well, we know because it
6 has been done before. We've actually placed it on the
7 ballot before.

8 MS. LAND: Not that quickly. It took months
9 to get that book together, and you want to put it
10 together in weeks. That's not feasible.

11 TRUSTEE CLARK: Don't you have to have,
12 like, 30 days for a public hearing?

13 MS. LAND: Yeah. That's why we need to have
14 it done, basically, the Comprehensive Plan. That's
15 what the charge of the Zoning Commission is: They
16 have to write a Comprehensive Plan and identify the
17 comprehensive use on a map. They have to have that
18 completed in time to have a 30-day notice and Resol --
19 hearing by the Zoning Commission.

20 FROM THE FLOOR: Right.

21 MS. LAND: And, then, another 30-day notice
22 and a hearing by the Township Trustees to be able to
23 have it certified to the Board of Elections by
24 August 7th. So we have to take August 7th and move

1 backwards, so we're about at the end of May to be able
2 to fit all that legal part in there. So we'd have to
3 have the Comprehensive Plan written by the end of May.

4 FROM THE FLOOR: Well, let see what happens
5 and let's see how fast we can move on this. So you
6 said by next -- the next meeting, which is next -- we
7 would be choosing the zoning committee, correct?

8 Would you take people who are here now that
9 would want to volunteer, or are you just wanting to
10 hold off until next week?

11 TRUSTEE FLANAGAN: No. If anybody here
12 wants to volunteer, we'll certainly take names.

13 MS. LAND: They could not appoint them
14 today.

15 FROM THE FLOOR: That's okay. But at least
16 get some names to discuss.

17 TRUSTEE FLANAGAN: We can't guarantee you a
18 spot, but we're always willing to take names.

19 FROM THE FLOOR: I have a question. You
20 said that we can split into east and west. Are we
21 allowed to split it into east and west and, if both
22 get approved, then both are zoned? And if just one
23 side gets approved, that side is zoned?

24 MS. LAND: You have to have a Comprehensive

1 Plan written to apply to the various sections, and
2 they would each go on as a separate ballot issue.

3 FROM THE FLOOR: Okay.

4 MS. LAND: And, then, one could, and one
5 could not, or they could both. Or they could have
6 different zoning.

7 FROM THE FLOOR: Could they basically read
8 the same and because -- basically use the same book
9 for both, but vote on them separately so that both
10 sides can --

11 CHAIRPERSON SMITH: Well, why would you
12 separate them if you're using the same book? I just
13 -- to me, that --

14 FROM THE FLOOR: If one side wants to be
15 zoned and the other doesn't. That's why.

16 FROM THE FLOOR: Correct. Yeah.

17 CHAIRPERSON SMITH: Gotcha. That makes
18 sense.

19 FROM THE FLOOR: I think that's the feeling
20 we got.

21 MS. LAND: That's not what was petitioned.
22 It was petitioned for --

23 TRUSTEE FLANAGAN: I was just going to say.
24 If they wanted to do that, you'd have to do petitions

1 again to state that up front. We have to get
2 petitions with enough signatures from each side.

3 FROM THE FLOOR: I think it just said Allen
4 Township on there.

5 TRUSTEE FLANAGAN: Right.

6 FROM THE FLOOR: I don't think anyone knew
7 that it had to or anything like that.

8 MS. LAND: It doesn't have to. There are no
9 partial townships zoned in the county now, so it would
10 be one of the first ones to do that if you wanted to.
11 But there are partially zoned townships around the
12 state, different counties.

13 FROM THE FLOOR: Okay.

14 FROM THE FLOOR: Can I ask anybody in the
15 group, is there anybody here that would like to be on
16 the zoning committee?

17 FROM THE FLOOR: I'd like to be on it.

18 FROM THE FLOOR: Okay. Could you -- would
19 you guys like to take their names?

20 TRUSTEE FLANAGAN: Sure.

21 FROM THE FLOOR: John Timmberman (phonetic).

22 TRUSTEE FLANAGAN: Okay. There was a hand
23 toward the back.

24 FROM THE FLOOR: Zoey Zerger (phonetic).

1 TRUSTEE FLANAGAN: Okay. If you'd stop up
2 after the meeting and give us your contact info. You
3 don't need to announce it in front of everybody.

4 FROM THE FLOOR: I have a question. Once
5 you have a zoning board, do they have their own
6 meetings?

7 MS. LAND: Yes.

8 FROM THE FLOOR: Are they always public
9 or --

10 MS. LAND: Yes.

11 FROM THE FLOOR: -- can they meet
12 together and talk about these --

13 MS. LAND: It's always public. It's always
14 public.

15 FROM THE FLOOR: Will the original Zoning
16 Commission be approached?

17 TRUSTEE FLANAGAN: Sure.

18 FROM THE FLOOR: The original five, would
19 they be approached for the possibility?

20 TRUSTEE FLANAGAN: I believe so. Yeah.

21 We have one that's going to be moving out of
22 the area, so she said she would rather not serve
23 because she won't be able to be here for the whole
24 process.

1 FROM THE FLOOR: I've got a question. So
2 I know we ran into some issues when we called for that
3 emergency meeting last time just to kind of get
4 things, you know, kind of --

5 TRUSTEE FLANAGAN: Right.

6 FROM THE FLOOR: -- up to speed. Is there
7 any way to do that cleanly with an emergency meeting?
8 Are we able to announce that on time so we don't get
9 in trouble but still move that?

10 TRUSTEE FLANAGAN: Do you want to handle
11 that?

12 MS. LAND: You can always have --

13 FROM THE FLOOR: I mean, because it said
14 seven days, correct? They have to have a seven-day
15 notice for a meeting.

16 MS. LAND: Yeah. Whatever -- is the rule
17 seven days? Is that what you adopted in your rule?

18 FISCAL OFFICER SCHIMMOELLER: I think so.
19 I'd have to revisit it, but I believe it's a week.

20 CHAIRPERSON SMITH: We thought we did things
21 right on the last one, and you can see that we didn't.

22 TRUSTEE FLANAGAN: Right.

23 FISCAL OFFICER SCHIMMOELLER: We'll have
24 another lawsuit.

1 FROM THE FLOOR: I'm just trying anyway.
2 It's okay. There's a gray area that we apparently
3 fell into, so I'm trying to make that clean. If it
4 says seven days, you guys can make that, you know,
5 agreement --

6 MS. LAND: Yeah. I'm not --

7 FROM THE FLOOR: -- and announce it.

8 MS. LAND: I don't think their complaint was
9 that we didn't have enough time. I think they were
10 complaining that the agenda wasn't clear enough to
11 know what it was we were supposed to be talking about.

12 FROM THE FLOOR: He should have shown up at
13 the meeting.

14 FROM THE FLOOR: We got that covered. If we
15 can maybe try to get the ball rolling.

16 MS. LAND: That's up to you guys.

17 FROM THE FLOOR: I don't think you guys
18 understand that we are motivated, ambitious.

19 TRUSTEE FLANAGAN: I understand your
20 eagerness. But I think you need to understand our
21 being a little reserved to not get our hands slapped
22 again, to just do it the normal -- the normal way.

23 Because the last time, if you recall, you
24 know, in my knowledge, never had zoning for Allen

1 Township ever been tried with a special meeting and
2 the Trustees passing a Resolution to start the
3 process. It was always by petition. So we skipped
4 the petition step and it kind of bit us.

5 So I'm a little hesitant to have a special
6 meeting. I understand it would save some time, but
7 I think it would get us right back into a possible
8 problem that would actually delay the whole process
9 again.

10 CHAIRPERSON SMITH: Even the whole --

11 TRUSTEE FLANAGAN: I think we're safer to
12 just go with our regular meeting and proceed that way,
13 would be my opinion.

14 TRUSTEE CLARK: I would agree with that.

15 FROM THE FLOOR: I was just going to ask.
16 So in the case that we would not be able to make the
17 November election, which seems to be, I think, the
18 consensus there, what are the possibilities of being
19 able to do a special election?

20 MS. LAND: There is not -- that's not an
21 option.

22 FROM THE FLOOR: I believe I read the Ohio
23 Revised Code and it said, like, 75 days on a special
24 election for --

1 MS. LAND: This isn't something that can be
2 for a special election.

3 FROM THE FLOOR: Well, I think that I
4 understand your reserve-ness. I absolutely
5 understand, but I think it's going to -- some people
6 are -- have used the lawsuits as a tool.

7 TRUSTEE FLANAGAN: Sure.

8 FROM THE FLOOR: And I think that's going to
9 continue no matter where we move forward. So I think
10 we have to be careful of not letting that be a scare
11 tactic being used.

12 TRUSTEE FLANAGAN: I don't disagree.

13 FROM THE FLOOR: It's an expensive scare
14 tactic.

15 FROM THE FLOOR: So if I could just ask. So
16 your opinion is valid that it probably is -- there's
17 no way it can happen, right, for the general? When is
18 the next --

19 MS. LAND: May.

20 FROM THE FLOOR: May. Okay.

21 CHAIRPERSON SMITH: We have to do that whole
22 backing up thing there to figure out a date. It would
23 give us probably about two more months. Which I think
24 three more months we could probably be able to make

1 that.

2 TRUSTEE FLANAGAN: So we can do it on the
3 primary; doesn't have to be the general?

4 MS. LAND: Yeah. It can be general or
5 primary.

6 TRUSTEE FLANAGAN: Okay. Any other public
7 comment? It doesn't have to be about the zoning. If
8 you're here and you've got an issue that you want to
9 share with us, this is your chance.

10 FROM THE FLOOR: Can they keep the paperwork
11 to theirselves and not send us all their crap?

12 FROM THE FLOOR: And I actually had a
13 question, I think, about what you're referencing
14 there.

15 We've received -- or we have not, but
16 neighbors have been receiving this Neighborhood
17 Agreement from One Energy. Are you familiar with --

18 TRUSTEE FLANAGAN: I had one resident that
19 called asking questions about it or made comments that
20 they had gotten that, but we know nothing as a
21 township formally about it.

22 FROM THE FLOOR: So reading it, it noted
23 that there was -- that essentially it's going to be
24 for 100 -- or One Energy is guaranteeing 110 percent

1 of property values for all these residents that they
2 send it to, correct? Right?

3 The concern is that, in this agreement, they
4 directly state that One Energy is exempt from this
5 110 percent and they have first buyer rights. I think
6 that is kind of a bit of a warning sign that people
7 should be aware of, and maybe something -- it might be
8 worth sending out a note or something to say, Hey, be
9 wary.

10 TRUSTEE FLANAGAN: We really can't speak to
11 that. And, you know, a private party is able to send
12 out whatever they choose to do and it's kind of let
13 the public beware. I understand what you're saying,
14 that, hey, maybe we should tell the public to beware,
15 but we have to be a little careful on that, too.

16 MS. LAND: They aren't doing anything
17 illegal.

18 FROM THE FLOOR: Have you got this one?

19 TRUSTEE FLANAGAN: I haven't seen it. I've
20 just heard.

21 FROM THE FLOOR: The Black Swamp Combinator
22 where they are inviting people to come in and join
23 them, and it sounds like it's not just the USA, but it
24 says that they have 500-plus acres that's under

1 contract.

2 500-plus-acre industrial campus, North
3 Findlay wind campus, home to one of the largest
4 behind-the-meter renewable energy projects in the U.S.
5 Three major industrial energy users with on-site
6 generation.

7 And it also says in here that they want to
8 make this -- oh, where is it? Their vision: To make
9 Findlay the Menlo Park of Energy Tech.

10 Now, to me, that's near Silicon Valley of
11 California. I think California is a beautiful state.
12 I have many relatives there. I've been there many
13 times. I really love Ohio, and I never, ever, in my
14 wildest dreams, would imagine wanting it to look like
15 their picture with all of this energy stuff in it.

16 FROM THE FLOOR: My house is right there
17 (indicating), and he's not getting it.

18 FROM THE FLOOR: It's just all industrial.
19 There's no greenery. There's nothing left.

20 TRUSTEE FLANAGAN: I might suggest to any of
21 you that are concerned about the way some things are
22 going is there's that Ohio Power Siting Board that has
23 regulations.

24 FROM THE FLOOR: They aren't regulated by

1 it.

2 TRUSTEE FLANAGAN: I know. But that's what
3 I'm saying. Maybe if you talk to your legislators and
4 say, There's these things that are kind of under the
5 radar. Maybe we need to change something so those are
6 regulated. I don't know. It's just a thought.

7 The legislators can change the laws. We
8 can't change the laws here. We can't make laws here
9 as Trustees. But you would have a chance of talking
10 to them and saying, Hey, this is what's happening,
11 because maybe they are not aware of what's happening.

12 FROM THE FLOOR: Isn't the previous mayor
13 from Findlay on that siting board?

14 TRUSTEE FLANAGAN: I think so.

15 FROM THE FLOOR: Does the development group
16 in Findlay want people to come from all over the world
17 and build factories?

18 TRUSTEE FLANAGAN: But she's -- but the
19 siting board's not the one -- they are the ones
20 determining the permission or not, but they are not
21 the ones writing the laws, to my knowledge. It's the
22 legislators still writing the laws that gives the
23 power to the siting board, so she's not making the
24 laws up herself.

1 FROM THE FLOOR: So the County Commissioners
2 don't have any ruling over this area?

3 FROM THE FLOOR: I have spoken with both the
4 commissioners and our state legislators, and the main
5 sentiments I get is, Well, then you need to get zoned.

6 FROM THE FLOOR: So it's our problem, and
7 you guys are saying, Pump the brakes.

8 FROM THE FLOOR: Like Marathon Oil on their
9 website.

10 FROM THE FLOOR: I understand you guys want
11 to pump the brakes. But we already have proposed
12 zoning from years ago that apparently was good enough
13 to make the ballot then.

14 MS. LAND: That would have been changed a
15 number of times over the 23 years.

16 FROM THE FLOOR: I get that. But it's a
17 good starting point.

18 MS. LAND: It is a good starting point. But
19 it's also about 80 pages, and the people who are doing
20 this are going to have to go through each one of those
21 items, discuss it, figure out how they want it to be
22 and move on. They can't just rubber stamp, because
23 they're responsible for creating new law that
24 everybody has to live with.

1 And, yeah, I guess you can rush it, if you
2 want to. But I don't advise it because it's going to
3 cause you a lot of more mess later because this
4 applies to everybody, not just the people you don't
5 like.

6 FROM THE FLOOR: I get it.

7 MS. LAND: And in doing that --

8 FROM THE FLOOR: But this is a lot of
9 problem later, too.

10 FROM THE FLOOR: Yeah.

11 MS. LAND: You would be surprised at the
12 trickle-down amount of problems you can have with
13 zoning if you don't pay attention to what you're
14 doing. It's not something that can be used as a
15 weapon. It's something that should be used a tool.

16 FROM THE FLOOR: I agree.

17 FROM THE FLOOR: They have weapons against
18 us, weapons against us for our livelihood that many of
19 us have lived and worked years and years, you know.
20 And, then, somebody is coming in our backyard, finding
21 loopholes -- which there are loopholes. They're going
22 through it and destroying our township, and we feel
23 like we have no say.

24 People that we have elected, you know, they

1 kind of have their hands tied because they don't make
2 the laws. I mean, we've got to do something to
3 protect our livelihood, our families, our land,
4 instead of having big corporations. And Marathon is
5 on that paper, too.

6 TRUSTEE FLANAGAN: Yeah.

7 FROM THE FLOOR: Colleges, you know. And
8 city officials, you know. And we're at a loss. What
9 can we do? So why can't we, you know, have a team
10 that can really be focused. Is it you that don't want
11 to rush the process because you don't want to do it?

12 That sounds -- I'm sorry.

13 FROM THE FLOOR: She's been helpful.

14 TRUSTEE FLANAGAN: Let me speak up a minute.

15 Cindy Land is our representative from the
16 prosecutor's office. She is our legal counsel and she
17 has always done an excellent job for your township.

18 FROM THE FLOOR: I'm sorry.

19 TRUSTEE FLANAGAN: I don't want you people
20 throwing stones at her because she has been top notch.

21 FROM THE FLOOR: I'm sorry.

22 TRUSTEE FLANAGAN: It's going to be a lot of
23 extra work for her too because she's going to have to
24 be at all of these meetings.

1 So if she says it's not enough time, if you
2 recall when we had the original thing that we set up,
3 she said, That's pretty ambitious to think we can get
4 it on the November ballot then, and now we're two
5 months down the road from that.

6 So I'm going to take her at her word, and
7 I would defend her to the end because, like I said,
8 she's been great for us.

9 MS. LAND: I appreciate that.

10 FROM THE FLOOR: Yea, Cindy.

11 (Applause.)

12 FROM THE FLOOR: My apologies. It's just
13 so --

14 MS. LAND: I understand.

15 FROM THE FLOOR: No, no. It's not a
16 personal attack. I just feel so bad.

17 TRUSTEE FLANAGAN: It's frustration. I
18 understand.

19 FROM THE FLOOR: It's scary. It is scary.

20 FROM THE FLOOR: I feel like you do have
21 129 valid signatures and you've gotten the feedback
22 from the public saying that we're ready to move
23 forward. By delaying it another month and not
24 allowing another meeting to happen sooner than later,

1 it's just delaying the process even more.

2 Having the meeting to start to enact it was
3 not an issue with them. It was the posting or agenda.
4 If your agenda is clear, and you have 129 signatures,
5 moving forward with an emergency meeting in a week or
6 two weeks allows us the time to get two more weeks out
7 of the process.

8 TRUSTEE FLANAGAN: It's still --

9 FROM THE FLOOR: I know that it's too soon.

10 TRUSTEE FLANAGAN: It still wouldn't be
11 enough time, though.

12 FROM THE FLOOR: I don't think that you're
13 not giving us the benefit of the doubt to try.

14 TRUSTEE FLANAGAN: I'm giving Cindy the
15 benefit of the doubt. She's been through with this
16 multiple townships. She knows how much you can
17 squeeze it and the dangers you risk by trying to rush
18 it.

19 MS. LAND: And how quick you can turn five
20 people's brains to mush trying to do something too
21 much, too fast.

22 FROM THE FLOOR: I was just going to -- how
23 many times has your teenager listened to you? I'm
24 serious. They gotta make mistakes by learning.

1 MS. LAND: Mine, pretty well.

2 FROM THE FLOOR: And yeah, I mean, I would
3 let -- let's bail. Let's bail. Let's show them --

4 MS. LAND: You know, I'm not going to say
5 you guys can't try ambitiously to get it done. But
6 I'm not going to be sitting up here, and I'm not going
7 to have these guys attacked when we get to that
8 deadline there in May and we want to go with something
9 that's basically incomplete to be able to make sure we
10 can shove it down the pipe to get it on there by
11 November and have something that's going to hurt you
12 more than help you.

13 And I don't know how much -- and that's not
14 something you want to say, Oh, well. Let us fail.
15 Because, believe me, that hurting is going to never go
16 away. It's going to take a really long time to get
17 yourselves back on track. You need to do it right the
18 first time.

19 And if we can get it done right in that
20 amount of time, yeah. But I would be -- I think
21 somebody would have to spend -- not have another life,
22 not have another job, because you're going to be
23 reading a lot. You're going to be interpreting a lot
24 and deciding on a lot.

1 We can't have five-hour meetings. You go
2 more than hour and a half and nothing gets done. It
3 just -- nothing gets accomplished. We can't meet
4 every week or every other day because there's too much
5 to do in between. It's not like when you're in
6 college and you can pull an all-nighter and do nothing
7 else but cram for class. It doesn't work that way.

8 It might have when I was teenager, but
9 I know I can't. I don't know how many of you guys
10 can. It's not there anymore.

11 We can try. But I don't think there's any
12 real -- if we can make it to November, how about
13 everybody be pleasantly surprised we made it, instead
14 of disappointed we didn't make the deadline. If we
15 approach it that way, then maybe you can work on it.
16 But I don't want to say, yeah, we're going to make it
17 for November, and then everybody is ticked off because
18 we didn't get there.

19 FROM THE FLOOR: I think I would like to
20 have the opportunity to that. Like, that's where
21 we're at.

22 FROM THE FLOOR: Yes, please.

23 FROM THE FLOOR: Like, can we at least try?
24 And I get that two weeks might not be a drop in the

1 bucket in this process, but it is two weeks.

2 TRUSTEE FLANAGAN: I personally don't think
3 two weeks is risk -- is worth risking another
4 lawsuit --

5 FROM THE FLOOR: No.

6 TRUSTEE FLANAGAN: -- to set the whole
7 process back another two months.

8 FROM THE FLOOR: I would say to that, you're
9 right to a point. But no matter what we do, if it's
10 to the letter, they're going to file another lawsuit,
11 and they're going to file another one after that, and
12 another one after that.

13 And the question was raised a few meetings
14 ago that, obviously, this one company has legal
15 representation coming out of their ears probably. The
16 Trustees have legal representation.

17 MS. LAND: That's me.

18 FROM THE FLOOR: What about the citizens who
19 are living here and someone is allowed to plant a
20 600-foot-tall monolith in their backyard that
21 encroaches -- if it were to fall, it encroaches on
22 their property.

23 FROM THE FLOOR: We'll be the ones that will
24 be dead. That's us. Right back here. Us too.

1 FROM THE FLOOR: I cannot, for the life of
2 me, understand why there is not some urgency in this
3 process for, I'm sorry to say, someone as a bad actor
4 in this whole thing and we need to be aware of that.
5 It is -- what is happening is not right. And the
6 people's property values are going to be decimated by
7 this.

8 And this baloney 110 percent is a joke.
9 Okay. It is a joke. It doesn't even touch all those
10 that are going to be affected.

11 So I think as citizens, and a lot of us
12 signers on this petition, we want some urgency on
13 someone's part. And I would hope that, when you're
14 interviewing people to be on your commission, your
15 board, if somebody is not as eager to get something
16 happening, maybe we should not have them on the board.
17 This is -- this is serious what is happening. And we
18 just -- I think I speak for everybody here.

19 FROM THE FLOOR: Yes.

20 FROM THE FLOOR: What are -- everybody is
21 just saying, Oh, I don't know. There's nothing we can
22 do. They've got more lawyers than we do.

23 FROM THE FLOOR: Do we need to hire more
24 lawyers? I'm -- I'm sorry. I don't -- you

1 represent -- you said you represent --

2 MS. LAND: There are two of us working on
3 this.

4 FROM THE FLOOR: -- we up here. Do you
5 represent the people of the township or just the
6 Trustees?

7 MS. LAND: Well, the Trustees represent the
8 people of the township.

9 FROM THE FLOOR: I understand that.

10 MS. LAND: I represent them.

11 FROM THE FLOOR: You represent the Trustees?

12 MS. LAND: Yes. And they represent your
13 interests.

14 FROM THE FLOOR: And should the people of
15 the township go out and hire private counsel?

16 MS. LAND: To do what?

17 FROM THE FLOOR: To represent us.

18 MS. LAND: To do what?

19 FROM THE FLOOR: To get this done.

20 MS. LAND: You mean --

21 FROM THE FLOOR: To stop them from doing
22 what they're doing.

23 FROM THE FLOOR: Yeah. You can't -- not the
24 township to stop --

1 FROM THE FLOOR: Maybe to protect the
2 people.

3 FROM THE FLOOR: -- One Energy from taking
4 over.

5 MS. LAND: You know, you're welcome to go
6 talk to attorneys, sit down with them and explain what
7 you want.

8 FROM THE FLOOR: Thank you.

9 MS. LAND: I'm going to speculate that
10 they're going to say, What can we possibly do? We
11 don't -- there's nothing we can do on this. It's not
12 because we can't win; it's because there's no place in
13 it for them. I mean, but you're welcome to go and
14 ask. There's nothing we could ever do to stop you
15 from doing that.

16 FROM THE FLOOR: What you're saying is
17 there's no place for an attorney in the zoning, the
18 whole zoning picture?

19 MS. LAND: Well, for the people to push them
20 to do it, you know, they're doing it. They've
21 received the petition. They are going through the
22 process.

23 I mean, no attorney would be able to make
24 them have a special meeting. No attorney would be

1 able to make them get it done by the end of May.

2 There's nothing you could do. No lawsuit you could
3 file to make that happen.

4 FROM THE FLOOR: I don't think anyone is
5 proposing an attorney to attack the Trustees or the
6 Township. I think they want someone to protect them
7 because everybody is scared.

8 MS. LAND: Protect them from what?

9 FROM THE FLOOR: This 600-foot --

10 MS. LAND: I get that.

11 FROM THE FLOOR: There's your answer.

12 Protect them from what?

13 MS. LAND: Because it's not illegal. What
14 they're doing is not illegal. If you want protection
15 from that, you need to have the law changed to make
16 what they're doing illegal. Then you can be protected
17 from it.

18 But as for now, he's doing maybe not
19 something you like or something that's nice for the
20 area, but it's not illegal. That's why they have no
21 ability to do anything about it other than zoning.

22 FROM THE FLOOR: When the zoning -- I
23 understand your position and all the legalese. I get
24 that.

1 MS. LAND: Yeah.

2 FROM THE FLOOR: I don't understand why,
3 when there is a zoning board, like, they cannot meet
4 without having it to be a public time every time
5 because these companies never invited us in.

6 MS. LAND: But they're private and we're
7 public. When we're public, everything we have to do
8 has to be transparent, has to be in a public meeting.

9 FROM THE FLOOR: We are private citizens.

10 MS. LAND: That board, once they are
11 appointed, are a public board, and they have to have
12 everything public.

13 FROM THE FLOOR: I think one of the things
14 we have to remember, too, I mean, we're all
15 frustrated. We're all frustrated.

16 FROM THE FLOOR: There's a bully in the
17 sandbox.

18 FROM THE FLOOR: But these guys all live in
19 the township, too. They all own farmland in the
20 township, too. They don't want this any more than we
21 do. So they're not -- they're not trying to --
22 I mean --

23 TRUSTEE FLANAGAN: We're just trying do it
24 right.

1 TRUSTEE CLARK: We tried to rush it once,
2 and you see what happens.

3 FROM THE FLOOR: Well, that's going to
4 happen no matter what we do. Any step forward we
5 make, they're going to play their little hand game of
6 a lawsuit. I mean, we might as well just -- we're
7 going to call an ace an ace. So, I mean, we have to
8 make decisions of what's best.

9 FROM THE FLOOR: Where is he tonight? Maybe
10 he can go to Menlo Park if he likes it that much and
11 just stay there.

12 MS. LAND: Where is Menlo Park?

13 TRUSTEE CLARK: California.

14 MS. LAND: Is it in California?

15 FROM THE FLOOR: If one falls down on a
16 house, you can sue the daylights out of him because
17 the turbine fell on the house.

18 FROM THE FLOOR: It won't bring anybody back
19 to life.

20 FROM THE FLOOR: So here's a question. If
21 one of these catches on fire, which we've seen several
22 videos of them catching on fire, is our fire
23 department equipped to handle this, especially a
24 600-foot one when they've got a fire --

1 TRUSTEE FLANAGAN: The fire chief is right
2 there so I'll let him address it.

3 FIRE CHIEF HICKMAN: Really, the only option
4 is to let them burn. That's the only option. I mean,
5 there's no way to actually put one out that's clear up
6 on top.

7 FROM THE FLOOR: Will you foam my house?

8 FIRE CHIEF HICKMAN: I mean, the only --
9 actually to put one out, the best strategy is just let
10 them come down to the ground and put them out.

11 FROM THE FLOOR: So if they're going to come
12 down when they're 500 feet away from someone's home
13 and they're 600-foot turbines, they're going to come
14 down on someone's home burning?

15 FROM THE FLOOR: Yeah.

16 FIRE CHIEF HICKMAN: That's out of
17 my league. You just deal with it when they are hot.
18 They come down, then I'll deal with it.

19 FROM THE FLOOR: I'll get my hot dogs out.

20 FROM THE FLOOR: Was it ever decided what
21 the awful smell around Findlay was, and then it all
22 disappeared once the prop fell off the turbine?

23 FROM THE FLOOR: Which was knocking all
24 summer long.

1 MS. LAND: I have not heard anything about
2 it.

3 FROM THE FLOOR: There was no more mention
4 of the smell around Findlay.

5 FROM THE FLOOR: There was no mention about
6 it and, then, I realized just the other day nobody is
7 talking about it.

8 FROM THE FLOOR: Smell -- the same day that
9 prop fell.

10 FROM THE FLOOR: Why did it fall?

11 FROM THE FLOOR: Yeah. Why did it fall?

12 FROM THE FLOOR: When's the investigation
13 going to be done on that? Are we going to hear from
14 it?

15 MS. LAND: I don't know.

16 FROM THE FLOOR: That's a good question.
17 The investigation, are we going to hear about it at
18 all?

19 FROM THE FLOOR: He's supposed to be
20 transparent.

21 MS. LAND: That's a question for them
22 because I don't know.

23 CHAIRPERSON SMITH: Tony, since you're here,
24 do you want to say anything? I went over the stuff

1 you gave me.

2 TRUSTEE FLANAGAN: We did approve the
3 sprayer.

4 MR. HUMPHREY: Okay. Thank you.

5 TRUSTEE FLANAGAN: Yeah.

6 CHAIRPERSON SMITH: So any other comments?

7 MS. LAND: I think one thing I would -- at
8 the next meeting that you appoint or do the Resolution
9 and appoint the commission, we could set up that the
10 Zoning Commission will meet, have notice posted that
11 they will have their first meeting immediately after
12 your meeting. That way they can start the process
13 that day.

14 FROM THE FLOOR: Thank you.

15 MS. LAND: Does that work?

16 (Applause.)

17 TRUSTEE FLANAGAN: Sounds good. I would
18 move we adjourn then.

19 CHAIRPERSON SMITH: I second.

20 FISCAL OFFICER SCHIMMOELLER: Okay. Kevin.

21 TRUSTEE FLANAGAN: Yes.

22 FISCAL OFFICER SCHIMMOELLER: Joe.

23 CHAIRPERSON SMITH: Yes.

24 FISCAL OFFICER SCHIMMOELLER: Roger.

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TRUSTEE CLARK: Yes.

FISCAL OFFICER SCHIMMOELLER: Thanks for
coming.

- - -

And, thereupon, the proceedings were
concluded at 8:41 p.m.

- - -

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