

RECORD OF PROCEEDINGS  
MUNSON TOWNSHIP TRUSTEES REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Tuesday, September 13, 2011

PUBLIC HEARING FOR ZONING AMENDMENTS 2011-01 AND 2011-02

The public hearing for Zoning Amendments 2011-01 and 2011-02 was called to order at 6:30pm by Chairman Irene McMullen, at the Notre Dame Educational Center Auditorium, 13000 Auburn Road, with Trustees Andy Bushman and Todd Ray and Fiscal Officer Patricia Bayer present. The Pledge of Allegiance was recited.

Mr. Ray moved and Mr. Bushman seconded to waive reading of the legal notice published Thursday, September 1, 2011, in *The Geauga Maple Leaf*, with a unanimous vote. Motion carried.

Amendment 2011-01 - Mr. Bushman reviewed the text of the amendment for Freestanding Solar Energy Panels and Arrays, and the letter from the Geauga Planning Commission dated August 10, 2011 which made recommendations to the text, and the letter dated August 23, 2011 from the Munson Zoning Commission incorporating their recommendations in the text of the amendment. The floor was opened for public discussion. There was no public comment and the trustees signed Exhibit A-1.

Amendment 2011-02 - Mr. Ray read the text of the amendment to Section 1202.7, Decisions of the Board of Zoning Appeals, and letters from the Geauga County Planning Commission dated August 10, 2011 and from the Munson Zoning Commission dated August 23, 2011 recommending its approval. There was no public comment and the board signed Exhibit A-1. Mr. Ray moved and Mr. Bushman seconded to close the public hearing at 6:45pm, with a unanimous vote. Motion carried.

REGULAR MEETING

The regular meeting opened at 6:45pm. Warrants 9746-9759 dated 8/29, 8/31, and 9/2/11 totaling \$119,737.51 and EFT Vouchers 1796-1801 for the 8/31/11 monthly payroll totaling \$8,079.16 and 1802-1811 for the 9/2/11 bi-weekly payroll totaling \$10,463.10 were signed between meetings. Warrants 9760-9797 dated 9/13/11 totaling \$155,584.10 and EFT Vouchers 1812-1821 for the 9/16/11 bi-weekly payroll totaling \$11,055.46 were signed. Warrant 1116 to transfer EMS collections from the lockbox to the primary account dated September 14, 2011 in the amount of \$19,463.39, was signed. Mrs. McMullen signed a letter to the county engineer requesting his review of the drainage in the right-of-way at 12355 Country Oaks Trail.

RESOLUTION 2011-45/ZONING AMENDMENT 2011-01

Resolution 2011-45 was made by Mr. Bushman and seconded by Mr. Ray to adopt zoning amendment 2011-01, with a unanimous vote. Motion carried

RESOLUTION 2011-46/ZONING AMENDMENT 2011-02

Resolution 2011-46 was made by Mr. Ray and seconded by Mr. Bushman to adopt zoning amendment 2011-02, with a unanimous vote. Motion carried.

MINUTES

Mr. Ray moved and Mr. Bushman seconded to approve the minutes of July 26, 2011, as written, with a unanimous vote. Motion carried.

Mr. Ray moved and Mr. Bushman seconded to approve the minutes of August 9, 2011, as written, with a unanimous vote. Motion carried.

Mr. Ray moved and Mr. Bushman seconded to approve the minutes of August 23, 2011, as written, with a unanimous vote. Motion carried.

ROAD DEPARTMENT

Road Superintendent Jim Teichman submitted a quote from McCaskey Landscaping to mow the newly seeded area at the township hall seven times at \$35 for each cutting.

Mr. Ray moved and Mr. Bushman seconded to approve the additional mowing at the township hall not to exceed \$245, with a unanimous vote. Motion carried.

Mr. Teichman submitted a quote for electrical for the new truck at the state bid price of \$2,573.23. The installation will be done by Concord Road Equipment.

Mr. Ray moved and Mr. Bushman seconded to approve the electrical equipment for the new truck not to exceed \$2,600, with a unanimous vote. Motion carried.

Mrs. Bayer left the meeting at 7pm.

NOTABLE RECEPTION

Chairman Irene McMullen greeted those who were present to honor 2011 Munson Notables George W. Collins II and Jack L. Schinness. She introduced resident Sophie Horvath, who spoke about her role in the formation of the program. Mrs. Horvath suggested that Jane and Bob Bushman and Gale Hazen be included posthumously in the roster of honored residents for their contributions to the community. She also suggested that a wall be dedicated in the new township



Held

Tuesday, September 13,

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NOTABLE RECEPTION (continued)

hall to those who have been recognized as notables and to others in the community, who in some capacity, have done something notable for the Munson Township community. The trustees gave brief biographical sketches of the residents who have been honored since the inception of the program, Helen Stewart and Ruth Hawkins [November 18, 2003], Roger Emmons and Dick Ruth [May 25, 2004], Charles Poutasse and Joseph & Betty Koelliker [October 26, 2004], Sister Mary Dorotheus Wise and Sister Margaret Hess, Sisters of Notre Dame [May 24, 2005], Bruce Ward [May 23, 2006], Louise Alexander and Willard “Bill” Herrington [May 22, 2007], George Edgar and Bernard & Catherine Taylor [May 27, 2008], Fred & Betty Klatka and Walter & Gloria Leagan [May 26, 2009], Roy Williams, Bill Gullo, and Sophie Horvath [May 25, 2010]. Joe and Betty Koelliker, Sister Margaret Hess, Walter & Gloria Leagan, and Sophie Horvath were present in the audience and were recognized.

Trustee Todd Ray introduced George W. Collins II and shared his biographical information and contributions. Mr. Collins has been a strong supporter of the Boy Scout program and is currently Unit Commissioner for Troop 91. He is a Trustee-at-large for the Chagrin River Watershed Partners and was instrumental in influencing the township to become a member. He volunteered for 10 years on the Munson Zoning Commission, was involved in the development of Observatory Park with the Geauga Park District, and is a member of Munson’s Community Emergency Response Team. Trustee Bushman introduced Jack L. Schinness and shared his biographical information. Mr. Schinness is best known for his contributions to the community’s youth programs, especially baseball and softball, which he coached and umpired for over 20 years, and for his involvement in Civil War reenactments. [Their biographical summaries are included on a separate page as part of the minutes.] Both recipients received an engraved clock from the township and were invited to address the audience. Commissioner Mary Samide presented each with a resolution of appreciation from the Geauga County Commissioners. The proceedings were taped by G-TV.

The meeting was recessed for refreshments at 7:40pm and reconvened at 8:20pm.

RECYCLING AREA

Road Superintendent Jim Teichman submitted quotes from Auburn Fence for 152 feet of 6 foot or 8 foot wood or vinyl fencing for the recycling area; 6 ft. wood, \$3,190, vinyl, \$4,850; 8 ft. wood, \$4,715, vinyl, \$7,696. The board agreed that six foot fence would be high enough to block the view of the containers. The length from catch basin to catch basin is 120 feet. Only 80 or 90 feet would be needed to block the view from the neighbor. The board asked Mr. Teichman to mark out the location for the fence.

Mr. Ray moved and Mr. Bushman seconded to encumber \$3,200 for six foot high wood fencing for the recycling area by Auburn Fence Corporation, with a unanimous vote. Motion carried.

FIRE DEPARTMENT

Fire Chief Bernie Harchar updated the board on the new lighting for the fire station. NEO Electrical Supply is experiencing difficulty in getting quotes from more than one contractor as the contractors believe that one has already been selected. Contractors were told that time will also be a consideration in awarding the project, as it needs to be done by the end of the month. The new command vehicle will be a 2012 vehicle for a 2011 state bid price. Red is considered a special order color and will cost an additional \$1,900. All of the fire vehicles are currently red. The vehicle has been ordered and a change in color now may delay the delivery date or may not be possible. The board asked Mr. Harchar to check to see if the vehicle can still be ordered in white. The Chief recently returned from a visit to the fire departments in Harrisburg, PA. Because Pennsylvania does not use calcium chloride for snow and ice control, their vehicles do not experience nearly as much rust and electrical corrosion as is experienced in Ohio.

TOWNSHIP HALL PROJECT

The board interviewed architects Rick Brown and David Leber from LB Architects. Rick Brown recapped the project to build a new town hall, which was begun in 2008. Dave Leber discussed the architectural projects that they have done in the community including the Loretta Paganini School of Cooking and several housing authority projects. One major issue was that the township hall project spanned two administrations. Mr. Leber has done most of their work in the local community, is experienced in renovation projects, and would take the leadership role in the new project. As a resident of the community he would be available to inspect the project during the construction phase. The architects discussed the role of engineering consultants, Rick Brown’s LEED certification, and “green” construction. Checkpoints will be built into the project



RECORD OF PROCEEDINGS

0779

Minutes of MUNSON TOWNSHIP TRUSTEES PUBLIC HEARING & REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Tuesday, September 13, 2011

TOWNSHIP HALL PROJECT (continued)

to make sure that everyone is in agreement before the next step is taken. They offered a fixed fee. If changes are made, additional costs will be addressed as they come up. Rick Brown brought in a team to inspect the current roof. The metal roof that was installed over the fire apparatus bay was designed for more slope, and also has fasteners exposed. Seamless metal roofing is available that will work for the current roof conditions. If the load will allow, a new roof can be placed over the existing roof. The architects also discussed the alternative of increasing the pitch. The board inquired about having a model built to communicate the project to the public. The architects advised the cost would be approximately \$1,500. Pictorial renderings are also available and can be produced as the project commences. Mr. Bushman advised that new legislation may make it necessary to get voter approval for a town hall project. The prosecutor will be consulted.

TRICK OR TREAT

Mr. Ray moved and Mr. Bushman seconded to set the date for trick or treat for Munson Township for Monday, October 31, 2011 from 6-8pm, with a unanimous vote. Motion carried.

GROUNDS USE

Let the record reflect the football/soccer field at the Munson Township Park was leased to Chardon Youth Football (Purchase) for practices on September 8 and 29, 2011 from 6-8pm. Mr. Ray moved and Mr. Bushman seconded to waive the fees, with a unanimous vote. Motion carried.

Mr. Ray moved and Mr. Bushman seconded to lease the varsity ball field at the Munson Township Park to Chardon Alumni Baseball (Leikala) Saturday, October 1 and Saturday, October 8 (raindate), 2011, and to waive the fees, with a unanimous vote. Motion carried.

PAVILION RENTAL

Let the record reflect Pavilion no. 2 was leased for a child's birthday party (Owens) on September 3, 2011 from 11:30am-2:30pm, approx. 25-30 persons, for a \$25 fee and \$25 security deposit.

Let the record reflect the Emmons Pavilion was leased for a Breeders and Feeders 4-H picnic (Teichman) on September 11, 2011 at noon. Mr. Ray moved and Mr. Bushman seconded to waive the fees, with a unanimous vote. Motion carried.

COMMUNITY ROOM RENTAL

Let the record reflect the community room was leased for CYF cheerleading (Evans) on September 1, 2011 from 6-8pm, approximately 25. Mr. Ray moved and Mr. Bushman seconded to waive the fees, with a unanimous vote. Motion carried.

Mr. Ray moved and Mr. Bushman seconded to lease the community room for a birthday party (McGraw/Riedel) on September 24, 2011 from 3-8pm, approx. 25, \$75 room, \$50 kitchen, \$50 security deposit, with a unanimous vote. Motion carried.

Mr. Ray moved and Mr. Bushman seconded to lease the community room for Chardon Youth Football cheerleading practice (Fisher) Thursdays, September 22 and October 6, 2011 from 6-7:30pm, approx. 25, and to waive the fees, with a unanimous vote. Motion carried.

ENCUMBRANCE SHEET APPROVAL

Mr. Ray moved and Mr. Bushman seconded to approve the encumbrance sheet for September 13, 2011 as written:

McCaskey Landscaping	Additional Mowing – Township Hall	245.00
Concord Road Equipment	Electrical System for New Truck	2,573.23
Auburn Fence Company	Wood Fencing & Installation	3,200.00

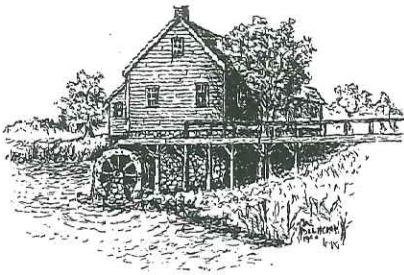
with a unanimous vote. Motion carried. The board signed the encumbrance sheet.

MEETING ADJOURNED

Mr. Ray moved and Mr. Bushman seconded to adjourn the meeting at 9:50pm, with a unanimous vote. Motion carried.

Ernie H. McMullen Chairman Patricia A. Bryan Fiscal Officer





# Munson Township

12210 Auburn Road, Chardon OH 44024-9454

Phone: (440) 286-9255 Fax: (440) 286-1180

## RESOLUTION 2011-45

### ZONING AMENDMENT 2011-01

#### ADOPTION OF RECOMMENDATIONS OF ZONING COMMISSION BY BOARD OF TOWNSHIP TRUSTEES R.C. 519.12 (H)

The Munson Township Board of Township Trustees, Geauga County, Ohio met in regular session on the 13th day of September, 2011, at the Notre Dame Educational Center auditorium at 13000 Auburn Road in Munson Township, with the following members present:

Andrew J. Bushman

Irene H. McMullen

Todd R. Ray

Mr. Bushman moved the adoption of the following resolution:

WHEREAS, on the 23<sup>rd</sup> day of August, 2011, the board of township trustees received a recommendation from the township zoning commission on a proposed amendment, identified as number **2011-01**, to the Munson Township Zoning Resolution together with the motion, text and recommendation of the county planning commission relating thereto; and

WHEREAS, on the 13th day of September, 2011, the board of township trustees conducted a public hearing on the proposed amendment as provided by law; therefore be it

RESOLVED, that the Munson Township Board of Township Trustees, Geauga County, Ohio this 13th day of September, 2011, hereby adopts the recommendations of the township zoning commission as attached hereto as Exhibit A-1 and incorporated herein.

And be it further

RESOLVED, that the Munson Township Board of Township Trustees, Geauga County, Ohio, this 13th day of September, 2011 hereby adopts an amendment to the Munson Township Zoning Resolution as set forth in the text attached hereto as Exhibit A-1 and incorporated herein.

Mr. Ray seconded the motion and the roll being called the vote of the Munson Township Board of Township Trustees was as follows:

Trustee	Yes or No
<u>Andrew J. Bushman</u>	<u>yes</u>
<u>Irene H. McMullen</u>	<u>yes</u>
<u>Todd R. Ray</u>	<u>yes</u>

Adopted the 13th day of September, 2011.

Attested to by:

Patricia A. Bayer  
Patricia A. Bayer, Township Fiscal Officer

EXHIBIT A-1

SECTION 202

DEFINITIONS

Freestanding Solar Energy Array – is any combination of Solar Energy Panels or combination of devices or elements not roof or wall mounted which rely on direct sunlight as an energy source, including but not limited to, any substance or device which collects sunlight for use in generating electricity, heating or cooling.

Roof and Wall Installed Solar Panels – is any voltaic cell or device which gathers light for the purpose of generating energy and which is incorporated into a wall or roof of a structure and becomes an integral part thereof.

Solar Energy Panel – is a solar photovoltaic panel or solar hot air or water panel collector device, including any accessory equipment and mounting structures or hardware, which relies upon solar radiation as an energy source for the generation of electricity or transfer of heat.

SECTION 526

FREESTANDING SOLAR ENERGY PANELS AND ARRAYS

526.1

Freestanding Solar Energy Panels and/or Arrays may be permitted in any district, provided the following provisions are met:

- a. The number of Freestanding Solar Energy Panels and/or Arrays permitted in any district shall encompass no more than twenty percent (20%) of the total area of the lot upon which the panels and/or arrays are installed.
- b. Freestanding Solar Energy Panels and/or Arrays shall not be located in front of a principal structure in a Residential District
- c. A freestanding Panel and/or Array shall be no higher than thirty-five (35) feet from ground level.
- d. All panels and/or arrays shall comply with the minimum setback requirements for the zoning district in which they are located.
- e. An application and site plan for a Zoning Certificate shall be submitted to the Zoning Inspector on forms provided by the Zoning Inspector.
- f. Freestanding Solar Energy Panels and/or Arrays shall have a ground installed, a storage battery, and/or a secured cover in place over each light gathering panel for safety reasons.
- g. All freestanding Solar Energy Panels and/or Arrays shall be able to withstand wind velocities of no less than one-hundred thirty (130) MPH or more.

526.2

All freestanding Solar Energy Panels and/or Arrays shall be walled or fenced and said wall or fence shall:

- a. Not be less than four (4) feet in height;
- b. Not be less than four (4) feet nor more than fifteen (15) feet from the Solar Energy Panel and/or Array's edge; and
- c. Maintained in good condition with a gate and lock.

## SECTION 527

### ROOF AND WALL INSTALLED SOLAR PANELS


- 527.1 All Roof or Wall Installed Solar Panels shall require a Zoning Certificate prior to installation. Within thirty (30) days after installation the owner shall provide the Zoning Inspector with a certified letter from a qualified person or entity that reflects that the system has been installed in compliance with Section 526.
- 527.2 An application and site plan for a Zoning Certificate shall be submitted to the Zoning Inspector on forms provided by the Zoning Inspector.
- 527.3 All Roof or Wall Installed Solar Panels or multiples of these shall have a ground installed, a storage battery, and/or a secured cover in place over each light gathering panel for safety reasons.

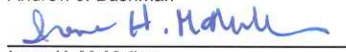
## SECTION 528

### DECOMMISSIONING

- a. The owner of the Panels and/or Arrays shall keep all equipment functional and in good order. When a panel and/or array ends its useful life, the owner of the panel and/or array shall remove the panel(s) and/or array(s) within one-hundred eighty (180) days from the date on which the system last functioned, unless the Applicant produces evidence of mitigating circumstances. The cost and expense of removal shall be borne by the owner.
- b. Solar Energy Panels and/or Solar Energy Arrays will be dismantled using best management practices. Non-panel and/or array components such as foundations, anchor bolts, rebar, conduit, construction pads, and other subsurface components to be removed to a minimum of thirty-six (36) inches below grade. Items not known to be harmful to the environment buried greater than thirty-six (36) inches below grade may be left in place at the applicant's discretion. Once removal is complete, the excavation will be backfilled with material of quality soil comparable to the immediate surrounding area. The disturbed soils of the site will be rehabilitated including appropriate grading and reseeded of the area.

EXHIBIT A-1  
MUNSON TOWNSHIP TRUSTEES

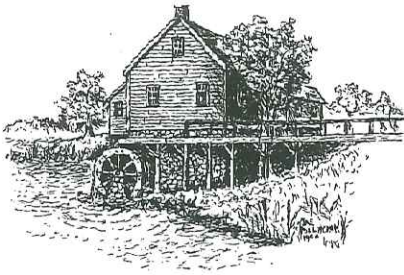
  
Andrew J. Bushman

  
Irene H. McMullen

  
Todd R. Ray

Attest:   
Patricia A. Bayer, Fiscal Officer September 13, 2011





# Munson Township

12210 Auburn Road, Chardon OH 44024-9454

Phone: (440) 286-9255 Fax: (440) 286-1180

## RESOLUTION 2011-46

### ZONING AMENDMENT 2011-02

#### ADOPTION OF RECOMMENDATIONS OF ZONING COMMISSION BY BOARD OF TOWNSHIP TRUSTEES R.C. 519.12 (H)

The Munson Township Board of Township Trustees, Geauga County, Ohio met in regular session on the 13th day of September, 2011, at the Notre Dame Educational Center auditorium at 13000 Auburn Road in Munson Township, with the following members present:

Andrew J. Bushman

Irene H. McMullen

Todd R. Ray

Mr. Ray moved the adoption of the following resolution:

WHEREAS, on the 23<sup>rd</sup> day of August, 2011, the board of township trustees received a recommendation from the township zoning commission on a proposed amendment, identified as number **2011-02**, to the Munson Township Zoning Resolution together with the motion, text and recommendation of the county planning commission relating thereto; and

WHEREAS, on the 13th day of September, 2011, the board of township trustees conducted a public hearing on the proposed amendment as provided by law; therefore be it

RESOLVED, that the Munson Township Board of Township Trustees, Geauga County, Ohio this 13th day of September, 2011, hereby adopts the recommendations of the township zoning commission as attached hereto as Exhibit A-1 and incorporated herein.

And be it further

RESOLVED, that the Munson Township Board of Township Trustees, Geauga County, Ohio, this 13th day of September, 2011 hereby adopts an amendment to the Munson Township Zoning Resolution as set forth in the text attached hereto as Exhibit A-1 and incorporated herein.

Mr. Bushman seconded the motion and the roll being called the vote of the Munson Township Board of Township Trustees was as follows:

Trustee	Yes or No
<u>Andrew J. Bushman</u>	<u>yes</u>
<u>Irene H. McMullen</u>	<u>yes</u>
<u>Todd R. Ray</u>	<u>yes</u>

Adopted the 13th day of September, 2011.

Attested to by:

Patricia A. Bayer  
Patricia A. Bayer, Township Fiscal Officer

EXHIBIT A-1

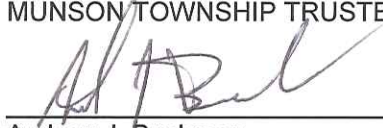
1202.7

Decisions of the Board of Zoning Appeals - shall be in accordance with the following:

- a. All decisions are recorded in the minutes and shall include findings of fact of the board in support of the decisions.
- b. Adoption of the minutes and findings of fact shall be made at a public meeting of the board. The minutes and findings of fact of the board shall be in writing and signed at a public meeting of the board by all members voting affirmatively thereon no longer than thirty-five (35) days from the last date of public hearing.
- c. The original written minutes and findings of fact of the Board of Zoning Appeals and all applications, notices of appeal, documents, exhibits and evidence relating to the proceeding shall be filed by the Board of Zoning Appeals with the township fiscal officer within five (5) days of the signing of the written minutes and findings of fact by the Board of Zoning Appeals.
- d. A notice of action will be provided to the appellant within two days of the decision of the Board of Zoning Appeals.

EXHIBIT A-1

MUNSON TOWNSHIP TRUSTEES

  
\_\_\_\_\_  
Andrew J. Bushman

  
\_\_\_\_\_  
Irene H. McMullen

  
\_\_\_\_\_  
Todd R. Ray

Attest:  September 13, 2011  
Patricia A. Bayer, Fiscal Officer

MUNSON TOWNSHIP ZONING RESOLUTION  
ZONING AMENDMENT 2011-02