

# Kinsman Township Trumbull County Records of Proceedings

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## Regular Meeting Held on August 12, 2019 at 6:00 P.M.

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Chairman Greg Leonhard called the meeting to order. All elected officials were present.

Greg Leonhard asked that all present stand to recite the Pledge of Allegiance.

Greg Leonhard made a motion, seconded by Linda Miller, to waive the reading of the minutes of the July 22, 2019, meeting until the August 26<sup>th</sup> meeting. The motion passed unanimously.

Greg opened the one bid for the township's old dump truck that was received.

[RN2019-074] Linda Miller made a motion, seconded by Fred Stahl, to accept the \$5,000 bid for the Ford F450 dump truck that was put out for bid. It was dated August 2, 2019, and the bid was from Jamin Banning.

The vote was as follows:

Linda Miller	Yes
Fred Stahl	Yes
Greg Leonhard	Yes

Passed this 12<sup>th</sup> day of August, 2019.

### Correspondence:

1. The Trumbull County Auditor's office sent the trustees the 2020 Rates and Amounts for Kinsman Township levies and inside millage.

[RN2019-075] Linda Miller made a motion, seconded by Greg Leonhard, to accept the Rates and Amounts as received from the Trumbull County Auditor for Kinsman Township levies and inside millage for the year 2020.

The vote was as follows:

Linda Miller	Yes
Greg Leonhard	Yes
Fred Stahl	Yes

Passed this 12<sup>th</sup> day of August, 2019.

2. OTARMA send the trustees their 2018 Annual Report and the state of their fund.

### Old Business:

1. Linda has a meeting with the Army Corps of Engineers on Monday. She has not yet received the report to fill out regarding the park inspection. She has sent an email to them requesting it.
2. Fred thanked Chuck Battison and all of the Family Fun Day that was held Saturday. All of their proceeds went to our local food pantry, NESFACE.
3. A fuel tank that came up missing from Morford East after the July 20<sup>th</sup> flood was found. The engineer's office will get it to the owners.

4. Greg has scheduled a meeting at the administration building on Thursday, August 15<sup>th</sup> at 6 p.m. to get an update from our elected officials regarding access to the Lakelands. Anyone from the public is invited to attend. The trustees have invited the Trumbull County Commissioners, Trumbull County Engineer, Senator Sean O'Brien, Representative Michael O'Brien, our county EMA Director, and a representative of Congressman David Joyce's office. The public are encouraged to attend. Greg said that we need to make sure this issue is kept on the front burner. Greg was on a conference call with several different organizations regarding this last week. The county engineer has about \$500,000 towards this project so far. He is concerned that this will not be enough to complete the job. Greg said that the Trumbull County Engineer has been working continually on this project.

Greg asked if the public has any questions. A resident said that others besides the Lakelands residents have been affected, as well. Another question was asked about why there is so much water collecting on Main Street. Marge explained that she has a list for plumbing needs and furnace needs with local contractors to evaluate those needs. She can supply a request form for reimbursement to be submitted to the foundation.

### **New Business:**

1. Fred thanked Karen Ellwood for setting up a Benefit Ride for Saturday, September 21 with a dinner at the Kinsman Fire Hall at 5 p.m. All of the proceeds from the ride will go to the Kinsman Relief Fund.  
The Arts and Crafts Walk in the Park, organized by Kyndel Miller, will be held on October 5, with all of the proceeds to go to the Kinsman Relief Fund, as well. Fred thanked her for doing that and it is nice to see the community helping out.
2. Greg reminded everyone that the Kinsman Police Golf Outing will be held Saturday, August 24 at Bronzwood Golf Course. They are in need of hole sponsors. If you are interested, you can see Officer Shawn Rentz.
3. Greg said that Janice Ellwood reached out to him yesterday. A black SUV drove through the barricade on her property to get back into the Lakelands. Greg understands the frustration of not being able to get to the homes in the Lakelands, but trespassing is not the answer. Janice and their family have been very generous in letting people use their property to get back to their homes, but people should not be abusing it. Linda mentioned that Karen Sullinger has likewise been very understanding, as well, in letting people use her property. Property should always be respected.
4. Zoning- Mark said that in July he was kept busy. A copy of his report can be obtained by contacting the fiscal officer.
5. Bruce of the Zoning Board mentioned that there is a new business in town called Kinsman Car Repair at the old Harmon's property.
6. Road- Tim wanted to publicly thank the county engineer's office for how they stepped up to keep our roads open. Morford East is officially opened as of today. It may be closed from time to time for the township to do their repairs on it. They are currently working on the Delin Thomas Issue I project. The county is looking into reducing the speed limit on Delin Thomas. There was a ditch elimination years ago that did not show on the contract. They dug them up and laid them down deeper. There was an additional cost to that fix of about \$1500. Farmdale North and Wayland Avenue has been tar and chipped. Fred said they did a very good job. A resident asked about when Delin Thomas Road would be opened and Tim said it may be opened in about three weeks. There will be additional tar and chipping done on a portion of the road.

7. Police- Shawn asked the trustees for a resolution to get rid of firearms.

[RN2019-076] Greg Leonhard made a motion, seconded by Linda Miller, to allow the Kinsman Police Department to sell two firearms that were confiscated during a routine traffic stop to an active firearms dealer. The firearms were forfeited to the police department by a sitting judge of the Eastern District Court in Brookfield during a judicial process.

The vote was as follows:

Greg Leonhard	Yes
Linda Miller	Yes
Fred Stahl	Yes

Passed this 12<sup>th</sup> day of August, 2019.

Shawn told the trustees that the six MARCS radios that he thought he could get from Columbus for the Kinsman Police Department are no longer a possibility because they cannot be encrypted. He talked with Hudson Communications regarding Kenwood brand MARCS radios and they seem to be very good and the best choice down the road. The cost is about \$2500 each. Shawn gave the trustees his June, July, and Quarterly Reports. A copy of these reports can be obtained by contacting the fiscal officer.

8. Cory sent an email stating that he was unable to attend the meeting and that the Kinsman Fire Department was awarded a \$4,377 ODNR equipment grant. He will go to Columbus to pick up the equipment when he is told it is available. He would also like to send two new members to EMT classes.

[RN2019-077] Linda Miller made a motion, seconded by Greg Leonhard, to send Amerissa Minor and Sophia Minor to EMT classes at UH Geneva Medical Center, located at 870 West Main Street, in Geneva, beginning August 28 through December 20, 2019. Classes will be held Mondays and Wednesdays from 6 p.m to 10 p.m., for a cost of \$1,100, which includes books.

The vote was as follows:

Linda Miller	Yes
Greg Leonhard	Yes
Fred Stahl	Yes

Passed this 12<sup>th</sup> day of August, 2019.

9. Public- Karen Ellwood thanked those that helped her with the Benefit Ride and Fred for printing the flyers. A resident said that in an effort to stir the community she would like to start a newsletter. She provided me with the following:

**COMMUNITY NOTICE**

In an effort to provide all residents of Kinsman Township with a more up to date means for learning of new, and old, ongoing, and anticipated activity within the community the “possible” introduction of a newsletter for Kinsman Township residents has been in the making for some time.

Testing of the water for same has been initiated by providing a Post Office box at the post office. The address for mailings is:

**TOWN CRIER-KINSMAN TOWNSHIP  
PO BOX 114, Kinsman, OH 44428**

The implementation of the PO Box is to give all residents a venue for sharing concerns about known, and unknown, issues being shared in daily conversations. Not everyone in town: can attend township meetings; utilizes the internet and social media; and, do not get local newspapers.

All efforts will be made to get answers to questions, but a guarantee may not be possible. By utilizing the PO Box, a sense of acceptance from community members will provide the necessary input to initiate the future newsletter.

The resident said that notification of the proposed newsletter will be sent to all Kinsman residents and may be posted in Kinsman Happenings.

Items that are received into the PO Box may be discussed at township trustee meetings.

Residents discussed proposed plans for a fire emergency in the Lakelands before permanent vehicle access is built. A 1500-gallon tank, 600' of hose, generators, and Lakelands residents giving permission for their property to be used for emergency was discussed. Marcie Campbell wanted to be on record to say that they give permission to use their property in case of emergency.

Fred Stahl made a motion, seconded by Greg Leonhard, to adjourn. The time was 6:42 p.m. The bills were paid.

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Trustees  
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Fiscal Officer

# Kinsman Township Trumbull County Records of Proceedings

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## Special Meeting Held on August 15, 2019 at 6:00 P.M.

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A special meeting was held at the Kinsman Township Administration Building to discuss remediation of access to the Lakelands property.

Many elected officials were present. State Senator Sean O'Brien thanked the trustees, Trumbull County Engineer Randy Smith, Trumbull County Commissioners, Governor Mike DeWine, and ODNR, for their continued efforts to restore access to residents.

State Representative Michael O'Brien stated that the Governor's office is very aware of the access issue, and it is the number one priority in the 64<sup>th</sup> District. He stated that Randy Smith has a detailed presentation.

President of the Trumbull County Board of Commissioners, Mauro Cantalamessa, said that the commissioners are working closely with the Governor to the declaration of emergency for the project.

County Commissioner Dan Polivka thanked Congressman Joyce's office for their continued efforts to gain funding for the project.

County Commissioner Frank Fuda stated that we are very fortunate to have the highway department and elected officials working diligently. He offered anyone to call him with questions and he will answer the best he can.

Local EMA Director, Linda Beil has been working to get information to the state and FEMA.

Greg recognized Kyle English of the Community Foundation who helped raise approximately \$60,000 for the emergency.

Randy Smith began his presentation. The preferred option is to restore the roadway embankment and install a culvert. They would locate and open the existing drain. The estimated cost is \$1,850,000. Funds redirected by ODOT are \$463,140, and they have submitted an OPWC application for emergency funding of \$462,500. It is estimated that they have been able to secure about \$1,000,000 so far, taking into consideration that FEMA has funded other communities and may have some unused funds.

Cory asked about restoring lake elevation for firefighting purposes. Randy answered that after the county prosecutor's opinion, there can be no funding between the Lakelands Association and government for purposes of restoring the lake since it is owned by the association.

Public and private funds cannot be commingled to restore the lake. Some legal issues need to be resolved.

Jet Excavating has materials and they are mobilized and ready to go.

Mosquito spraying in the area will be discussed by trustees.

Linda Beil of the EMA said that there are two Polaris vehicles that can be used for access into the Lakelands until they are needed to be returned.

The Foundation has donated monies that are being used for security in the Lakelands. The Lakelands Association has donated \$2,000 to the Foundation to be used towards security.

A question was asked about farmers being granted federal disaster relief funds, but Kinsman residents who have suffered damage cannot. A local farmer said that there is no direct assistance offered to farmers. Crop insurance does not cover damages and farmers do not qualify.

Congressman David Joyce's representative Ariann Barile said she will take names of those affected by the flood and give them her card. She explained that the difference between farmers and private citizens has to do with the USDA. Funding provided \$3,000,000 for hurricane damage that happened in 2018-2019. The funding can only be tapped into when the state allows.

Greg said that it is unfortunate that FEMA has their 25 home damage policy.

Ariann Barile said that Congressman Joyce's office has sent letter of support for Kinsman to FEMA and other organizations requesting relief.

Randy said that there will be two 96" culverts placed to direct waters in the Lakelands. Discussion was had between Randy and Larry Garlock, a property owner concerned with the diameter of the pipes. Randy said that the spillway will not be removed and waters will be channeled back into the creekbed.

Tom Yakubick, property owner in the Lakelands had questions regarding the lake as privately or publicly owned since it has been used by the public throughout the years.

Andy Jackson was concerned with the timeframe of construction since winter conditions are approaching in the next 60 to 90 days. Randy answered that may be postponed until spring if not completed by winter, but headwalls, pipe, and backfill will definitely take place this year.

Marcy Campbell has safety concerns with current conditions and feels they are one step away from disaster with muddy conditions. She recognized the ongoing police presence for their role in keeping residents safe.

Karen Sullinger stated that she and her father wanted to drain the lake at one point but were denied by the association.

Rep. Michael O'Brien stated that though Randy Smith is engineer for the entire county, his focus has been continually on the situation in Kinsman.

Mike Dunfee asked Randy that if the 10' of sediment can be removed and the pipe valve opened on the dam it may take care of the low flow and may ease construction if opened.

Mrs. Hoover asked about the time frame of returning to her home.

Greg recognized Linda Miller's efforts in the emergency, as well as Marge. He also said that not a day has gone by that Randy Smith has not been on the phone regarding Kinsman. A lot of roads have been fixed in Kinsman by the county engineer's department.

Jet Excavating has plans to start immediately. Work can be done sooner if there are no obstructions, so please stay off of the dam.

Skip LaPlante gave thanks for this opportunity to voice concerns. He said it has been a journey and he is appreciative for the trustees, police, and fire department.

Randy stated that there are still issues and concerns to work through. He will meet with the Lakelands Association next week.

The Special Meeting was adjourned.

# Kinsman Township Trumbull County Records of Proceedings

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## Special Meeting Held on August 21, 2019 at 6:00 P.M.

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Chairman Greg Leonhard called the meeting to order. All elected officials were present.

Greg Leonhard asked that all present stand to recite the Pledge of Allegiance.

Greg told those present that the primary reason for this meeting is to discuss finances and construction of an access road into the Lakelands.

Trumbull County Engineer Randy Smith asked for Skip LaPlante, President of the Lakelands Association to be present, as well as property owner Mike Murphy.

Randy asked if the township was represented by legal counsel. Greg told him we are working with the prosecutor's office for legal representation. Randy will check with the prosecutor's office to see if they perceive anything as a conflict.

Randy suggested the trustees pass the following resolution:

WHEREAS, the Board of Kinsman Township Trustees requires the assistance of Trumbull County in restoring access to the Lakelands Development, and

WHEREAS, the necessary work includes the construction of roadway embankment, culvert(s), base material, asphalt, concrete, guardrail, and any other materials that are generally necessary to construct a roadway, and

WHEREAS, the culvert(s) to be placed, by definition, constitute a bridge which will be owned by said Trumbull County, and

WHEREAS, the State of Ohio through the Department of Transportation has released funds to Trumbull County for the purpose of restoring Lakeview Drive, and

WHEREAS, R.C. 5535.08 provides authority for a Board of County Commissioners and the Board of Township Trustees to contribute to the repair and maintenance of the roads under the control of the other.

NOW THEREFORE, be it resolved that the Board of Kinsman Township Trustees enter into an agreement with the Board of Trumbull County Commissioners for the purpose of restoring access to the Lakelands Development.

Randy thinks that the first order of business is to pass the resolution to be in agreement with the county since contractors will need to be paid.

Financing scenarios will need to be discussed. A home may have to be taken down for right of way. It is more prudent for the township to acquire the property and county funds to be transferred to the township to pay for it.

The repair itself has issues. Dealing with the property owners, the association, and it boils down to where are we at now. There are potential liabilities that the prosecutor's office can address.

In order to put the water courses back into their original channel, the spillway would have to be removed. There are challenges with that. There are potential concerns with the bridge and abutments and the spillway itself. It is not necessarily viable.

If the determination is made that the spillway be removed, the bridge would be removed and they would need an agreement from the owners of the spillway, the Lakelands Association. The association would never utilize the spillway again. The county would own it by statutory law since they own structures greater than 10' in diameter.

Option #1 would be to remove the spillway.

Option #2 is to put in a pair of culverts 96" in diameter to the west of the spillway. The county will not take anyone's property to do this.

Option #3 is to put in a large culvert where the breach currently exists. Property owner at that location would like to seek legal counsel. Property would then become township right of way. The county would secure temporary and permanent easement to make repairs.

Option #4 is to move access to the Lakelands to Park Avenue building an 850' connector road. There is an existing right of way there from Main Street. Approval would be needed from the Lakelands Estates. The present hole would not be filled.

Greg spoke with Matt Smith of ODNR. There is a meeting next Thursday at 6 p.m. There may be money available to beautify the devastated Lakelands area.

The township will need to enter into an agreement with Jet Excavating and MS Consultants for their proposed work on the project.

Skip LaPlante of the Lakelands Association said that Option #2 seems to be the best option, to install culverts west of the spillway.

Fred Stahl made a motion, seconded by Linda Miller, to adjourn. The motion passed unanimously.

# **Kinsman Township Trumbull County Records of Proceedings**

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## **Special Meeting Held on August 22, 2019 at 6:00 P.M.**

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Trustee Linda Miller opened the special meeting at 2 p.m. at the Kinsman Administration Building.

Trustees Linda Miller and Fred Stahl met with Lakelands property owner Nancy Ruby of 6684 Lakeview Drive to discuss the township purchase of her property for the purpose of obtaining a right of way necessary for excavation and repair of the access road into the Lakelands. The Trumbull County Engineer's office had a contract for the sales and purchase agreement of the property for \$50,000, with the stipulation that the contract is signed by all parties by 3 p.m.

After discussion with the attorneys of both the seller and the township, the contract was signed and agreed upon with the approval of the Trumbull County Engineer's office, as the county would be supplying the funds to purchase the property.

Linda Miller made a motion, seconded by Fred Stahl, to adjourn. Greg Leonhard was not present at the meeting.

# Kinsman Township Trumbull County

## Records of Proceedings

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### Regular Meeting Held on August 26, 2019 at 6:00 P.M.

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Chairman Greg Leonhard called the meeting to order. All elected officials were present.

Greg Leonhard asked that all present stand to recite the Pledge of Allegiance.

Linda Miller made a motion, seconded by Fred Stahl, to accept the reading of the minutes of the July 22, 2019, regular trustees meeting, as corrected. The motion was unanimous.

Fred Stahl made a motion, seconded by Greg Leonhard, to accept the reading of the minutes of the August 12, 2019, meeting, as corrected. The motion was unanimous.

[RN2019-078] Fred Stahl made a motion, seconded by Greg Leonhard to waive the reading of the August 15, August 21, and August 22, 2019, special meetings. The minutes of these special meetings will be available to be read by the public on the township website, or copies can be provided by request to the fiscal officer. The motion passed unanimously.

#### **Correspondence:**

1. The Ohio EMA sent notification that they could not award Kinsman a grant for a tornado siren. The 70 grant applications they received amounted to well over \$50 million, while they only had grant funds in the amount of about \$5.8 million.
2. The Trumbull County Engineer's office sent notice that they are rescinding the posted 3 ton limit on the newly replaced Morford East Bridge. Weight limits on the new bridge will now be in accordance with the "coded truck type/weight limit in tons" legal limits.
3. The Ohio Department of Taxation sent their Itemized Report on Distribution of Estimated Undivided Local Government Fund for 2020. Kinsman's LGF amount for 2020 is reduced by almost \$6,000 to \$20,986.91 from 2019. This is making maintaining the General Fund expenses very difficult.
4. The Trumbull County Engineer's office sent the trustees a Permit to bore under & work in the right-of-way of Kinsman Pymatuning Rd. (C.H. 360A) in Kinsman Township. The trustees agreed with the permit.

#### **Old Business:**

1. Greg acknowledged and thanked Alexander Pest Control for donating their service to spray in the Lakelands area. It was a very generous help to our community.  
The Kinsman Police Department had a very successful golf outing Saturday at the Bronzwood Golf Course. Greg thanked all those that worked to make it a great day.  
Greg received a phone number from Ken Stafford for a repair person for the antique clock that was donated to the Kinsman Administration Building. He will be contacting that person soon.

Greg asked Bruce if he had received word from Cory regarding the water tank to be used for firefighting in the Lakelands. He has not heard back from Cory yet.

Greg said that the storm had caused damage to Delin Thomas Road that has cost about \$1,500 to repair, and there may be around \$12,000 in overruns cost.

2. Linda Met with the Army Corps of Engineers and filed her report with them regarding our park property lease.

She contacted the Office of Elderly Affairs to discuss the unhealthy living conditions at 5942 Mayburn Barclay and the Trumbull County Combined Health District said that they will take a serious approach.

On Thursday, a contract of sale and purchase agreement for the Clute/Ruby home on Lakeview Drive was signed by all parties. The demolition of the home has begun, and excavation for the new access road into the Lakelands has begun, as well.

3. Marge requested that the Special Fund for the Delin Thomas Road Project be closed. The township share will be paid from the Gas Tax Fund.

[RN2019-079] Greg Leonhard made a motion, seconded by Linda Miller, to close the Capital Project Delin Thomas Issue II Fund and to amend the appropriations with the Trumbull County Auditor to zero dollars.

The vote was as follows:

Greg Leonhard	Yes
Linda Miller	Yes
Fred Stahl	Yes

Passed this 26<sup>th</sup> day of August, 2019.

### **New Business:**

1. Greg was contacted by the Lakelands Association. They would like to have a meeting with Lakelands residents on September 19 or September 26 at the Kinsman Administration Building. Greg will be able to let them into the building and will lock up after the meeting.

[RN2019-080] Greg Leonhard made a motion, seconded by Linda Miller, to allow the Lakelands Association to meet at the Kinsman Administration Building on either Thursday, September 19 or Thursday, September 26, 2019.

The vote was as follows:

Greg Leonhard	Yes
Linda Miller	Yes
Fred Stahl	Yes

Passed this 26<sup>th</sup> day of August, 2019.

2. Linda said that park pavilion renters have been placing trash bags next to the trash cans at the pavilions, rather than placing the full bags into the dumpster at the park. The bags have been ripped open by animals and Jim has had to clean up the mess. She asked if Fred will follow the list of renters and tell them to be sure to put trash bags into the dumpster when they contact him for rentals.

Linda got a letter from the Ohio EPA regarding an algae bloom that covers the creek near 8179 State Route 5 at the intersection of State Route 7. Residents and pets should avoid walking or swimming in the water where this algae is present, as it is considered a health hazard.

3. Zoning- Mark and Linda visited the Land Bank to discuss two homes on Main Street. Neighboring property owners of either property can purchase the properties from the Land Bank for \$1, providing they pay for demolition of the existing structures. Mark submitted his zoning report to the trustees for their review. A copy of the zoning report can be obtained by contacting the fiscal officer. Mark has written a lot of yard sale permits. There will be a 60-mile yard sale that goes through Kinsman this weekend.
4. The trustees made the following resolution in regards to the Lakelands access road.

[RN2019-081] Greg Leonhard made a motion, seconded by Linda Miller, to accept the following resolution with the understanding that it may be amended following review by the Trumbull County Prosecutor’s office.

WHEREAS, the Board of Kinsman Township Trustees requires the assistance of Trumbull County in restoring access to the Lakelands Development, and

WHEREAS, the necessary work includes the construction of roadway embankment, culvert(s), base material, asphalt, concrete, guardrail, and any other materials that are generally necessary to construct a roadway, and

WHEREAS, the culvert(s) to be placed, by definition, constitute a bridge which will be owned by said Trumbull County, and

WHEREAS, the State of Ohio through the Department of Transportation has released funds to Trumbull County for the purpose of restoring Lakeview Drive, and

WHEREAS, R.C. 5535.08 provides authority for a Board of County Commissioners and the Board of Township Trustees to contribute to the repair and maintenance of the roads under the control of the other.

NOW THEREFORE, be it resolved that the Board of Kinsman Township Trustees enter into an agreement with the Board of Trumbull County Commissioners for the purpose of restoring access to the Lakelands Development.

SO MOVED,	Greg Leonhard	Yes
	Linda Miller	Yes
	Fred Stahl	Yes

Passed this 26<sup>th</sup> day of August, 2019.

5. Trumbull County Engineer’s representative Steve Papalas said that all went well at the Lakelands site today. Greg said that the trustees appreciate the constant contact that the county engineer’s office has provided since the storm, along with help with road repairs in Kinsman.
6. Public- Ron of TCAP Headstart told the trustees and public that there are still openings at their Kinsman location. They will provide bussing, a.m. and p.m. classes for preschool students, and

lunch, as well as snacks, for the students. He left his contact information to provide to the community.

7. Greg said that there will be a Pymatuning Creek meeting on Thursday. Matthew Smith of ODNR will discuss possible ODNR grants that may be available to beautify the devastated Lakelands area.

Linda Miller made a motion, seconded by Fred Stahl, to adjourn. The time was 6:42 p.m. The bills were paid.

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Trustees

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Fiscal Officer