

Minutes of Leesburg Township Regular Meeting

Monday, June 7, 2021

The Trustees of Leesburg Township met in a regular session.

Members present: Chairman Jeff Robinson, Bill Lowe and Fiscal Officer Mellisa Weigand.

Others in attendance: Chief Cook, Ben Laird, Riley Hall, Brad Bodenmiller & Deputy Rocklin

Jeff Robinson called the meeting to order at 7:30 p.m. The trustees reviewed the May 3, 2021 meeting minutes. Bill made a motion, seconded by Jeff, to approve the minutes. The motion passed unanimously.

Old Business:

Pathmaster completed the work on the speed sign and hooked it up. The placement needs readjusted, otherwise, it works great.

The flag poles at Hopewell and Maple Dell Cemeteries are up. The lights that were purchased for the tops of the flag poles do not fit. The Trustees discussed alternative options to light the flag poles.

New Business

While digging a grave at Hopewell Cemetery a head stone was chipped in the process. Jeff will look into the options for fixing it. Once we know the details of that we will contact the family that owns it.

Jeff made a motion to move into executive session for the hearing of the new zoning resolution. Brad Bodenmiller, LUC Planning, was present to explain the changes. See attached public hearing minutes.

Ben was contacted by Sally (Slone) Rose regarding her plots at Hopewell Cemetery. She questions whether or not another head stone is to close to her spots. Mellisa will meet at the cemetery this week with the Trustees to visualize and address her concerns.

The Trustees received a complaint regarding a vacant property in Pharisburg on Route 4, north of 347, on the east side of the road. The complaint was regarding the lawn that has not been mowed this year. The Trustees will contact Thayne to find out options for getting it mowed. Ben will send out a notice to another homeowner in the township that needs to mow their lawn.

Bill made a motion, seconded by Jeff, to appoint Nigel Pence to Assistant Zoning Inspector. Motion passed. This will allow Nigel to learn and get familiar with the position before Ben retires.

Chief Cook announced that Drew Goings has resigned his position at Leesburg Township Volunteer Fire Dept. Bill moved to accept his resignation, seconded by Jeff, motion passed.

Chief is looking into the American Rescue Plan (ARP) for additional funds for the firehouse. These funds could potentially be used to staff the fire department. He also mentioned purchasing extraction gloves for the firemen. The gloves cost \$44/pair and CARES Act monies can be utilized for that purchase. Bill made a motion, seconded by Jeff, to purchase the gloves. Motion passed unanimously.

Chief Cook presented the Trustees with a spreadsheet outlining the costs of staffing the firehouse seven days a week for 10 hours each day. The Trustees are working through the idea of adding another levy in hopes of helping to staff the fire department. There needs to be a decision regarding adding the levy to November 2021 ballot by August. Bill made a motion, seconded by Jeff, to pursue a 3-mil levy for November election. Motion passed unanimously.

Bill made a motion, seconded by Jeff, to donate the Sims Recycling check back to the Leesburg Township Firefighters Assoc. for their help on clean-up day. Motion passed unanimously.

The Trustees signed a resolution from the Union County Engineers office to approve road repairs and chip & seal on Pine Lane. Bill made the motion with a second from Jeff, motion passed unanimously.

The F.O. circulated warrants, purchase orders, vouchers and receipts for trustee approval. Bill made a motion, seconded by Jeff, to adjourn the board meeting. The motion passed unanimously.

Jeff Johnson
Leesburg Township Trustee

K. S. D.
Leesburg Township Trustee

Will R. Lowe
Leesburg Township Trustee

Melissa Wiegand
Leesburg Township Fiscal Officer



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Melissa Weisner
Leesburg Township Fiscal Officer

Leesburg Township Board of Trustees
Public Hearing
June 7, 2021, 7:30 PM

1. Opening of Hearing – Time 7:38 PM by Chair
2. Purpose of Public Hearing – Chair
 - To consider proposed zoning amendments, initiated by motion of the Zoning Commission. The proposal is a zoning text amendment.
3. Overview of proposed amendments – Chair
4. Reading of Recommendation Letters – Chair
 - Regional Planning Commission (LUC)
 - Zoning Commission
5. Public Comments
 - State your name and address first. Try to limit comments to 3 minutes.
6. Township Discussion & Questions
7. Township Action on Zoning Amendment
 - Options for Action – Approval, denial, or approval with modifications of the Zoning Commission recommendation. (Any modifications should be specific and stated.)
 - Motion: Pass changes as presented
 - First Motion: Bill Lowe Second Motion: Jeff Robinson
 - Roll Call Vote
8. Next Steps – Chair
 - Once the Trustees hold the hearing, it shall either approve, approve with modifications, or deny the Zoning Commission recommendation within 20 days.
 - Zoning changes do not become effective for 30 days. After becoming effective, the Trustees should take 2 copies to the Recorder. Have them record and keep 1 copy. Have them stamp only the top page of the other copy for the Township's records. Send a copy to LUC. (If the Trustees would like new book copies made, please let LUC know.)
9. Adjourn – Time 7:59 PM
 - First Motion: Bill Lowe Second Motion: Jeff Robinson

Members Present: Chairman Jeff Robinson, Bill Lowe, Mellisa Weigand

Guests: Ben Laird, Brad Bodenmiller, Chief Cook, Asst. Chief R. Hall



RESOLUTION**COPY****To The Union County Engineer**

BE IT RESOLVED this 7 day of June, 2021, by the Trustees of
Leesburg Township of Union County, Ohio that the Union County
Engineer has prepared estimates for the required work:

Road Number	Road Section	Road Name	Description of Work	Estimated Cost
		Leesburg Twp Fire Dept Lot	Prep work to chip seal lot	\$ 4,688.53
		Leesburg Twp Fire Dept Lot	Chip Seal lot	\$16,650.05
TOTAL				\$21,338.58

NOW, THEREFORE, we hereby approve the estimates as submitted by the Union County Engineer and
authorize the Union County Engineer to undertake and perform the above work.

William Lowe moved and Jeff Robinson seconded the adoption of this
resolution.

Roll Call Vote:

Jeff Robinson yes
William W. Lowe no

I, Melissa Wiegand, Fiscal Officer of Leesburg Township of Union County,
Ohio, hereby certify that the funds required to pay the costs expressed above have been lawfully appropriated, are
in the Gas Tax Fund, Motor Vehicle License Fee Fund or Road and Bridge Fund, or are in the process of
collection, and are free from previous obligation.

10/7/2021 Melissa Wiegand
Date Fiscal Officer

Minutes of Leesburg Township Special Meeting Wednesday June 23, 2021

The Trustees of Leesburg Township met in a special session.

Members present: Chairman Jeff Robinson, Vice-Chairman Kevin Dotson, Bill Lowe and Fiscal Officer Mellisa Weigand.

Others in attendance: Ben Laird, Thayne Gray, Nigel Pence

Jeff Robinson called the meeting to order at 6:00 p.m.

New Business

This meeting was called to discuss the Cell Phone Tower the GPD Group wants to install on the corner of Kaiser Rd and State Route 4.

Leesburg Township Trustees received a letter from homeowners with property concurrent to the cell phone tower property that strongly object to the install. The Trustees also oppose the project, therefore, we will send a copy of our zoning resolution Section 1033 and a copy of the adopted resolution from tonight's meeting (see attached).

Bill made a motion, seconded by Kevin, to accept the resolution regarding the proposed wireless communications tower and related equipment. Motion passed unanimously.

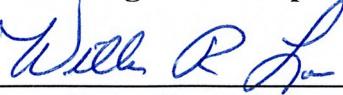
Bill made a motion to adjourn the meeting. Kevin seconded the motion, motion passed unanimously.



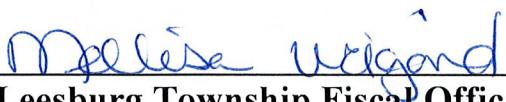
Leesburg Township Trustee



Leesburg Township Trustee



Leesburg Township Trustee



Leesburg Township Fiscal Officer

Leesburg Township

Union County, Ohio

11700 Hopewell Road Marysville, Ohio 43040 Phone: 937-243-3984
Fiscal Officer: Mellisa Weigand

Brad M. Laucher
GPD Group
520 S. Main Street, Ste 2531
Akron, OH 44311

Re: Proposed Telecommunications Tower
Leesburg Township, Union County, Ohio
SOH3470 Pharisburg South
Parcel 200180190000

Dear Mr. Laucher:

On June 23, 2021, the board of Township Trustees, Leesburg Township, Union County, Ohio, met in regarding the letter you sent dated June 11, 2021.

The trustees received a written objection from Michael Pheifer and Lorraine Pheifer, who live at 14547 Kaiser Road, and own Parcel Nos. 2000180200000 and 2000180231000, each of which adjoin the Parcel you have identified.

In addition, at that meeting each of the Trustees registered his own objection to the location of the proposed telecommunications tower.

The Board of Trustees adopted a resolution that the proposed telecommunication tower is subject to Leesburg Township Zoning as authorized by R.C. 519.211. I have enclosed a copy of that Resolution. I have also enclosed a copy of Section 1033 of the Leesburg Township Zoning Resolution, which relates to telecommunications towers. The Leesburg Township Zoning Resolution is available online at https://2614136b-fd50-499b-9466-d7a47425c09.filesusr.com/ugd/540e57_43b55bc38aad4df2b1aee17fce604ce5.pdf.

Ben Laird is the Township Zoning official. You can contact him at 937-537-0618.

Very truly yours,

Mellisa Weigand
Fiscal Officer

BOARD OF TRUSTEES

LEESBURG TOWNSHIP, UNION COUNTY, OHIO

A RESOLUTION

A RESOLUTION UNDER R.C. §519.211(B)(4) REGARDING THE NOTICE OF PROPOSED WIRELESS TELECOMMUNICATIONS TOWER AND RELATED EQUIPMENT IN LEESBURG TOWNSHIP, PARCEL NO. 2000180190000, AT STATE ROUTE 4 AND KAISER ROAD.

The Board of Trustees (the Board) of Leesburg Township, Union County, Ohio (the Township), met in Special session pursuant to notice, on June 23, 2021, at 12985 State Route 347, Marysville, Ohio, with the following members present: Bill Lowe, Jeff Robinson, and Kevin Dotson.

Bill Lowe moved the adoption of the following resolution:

WHEREAS, GPD Group, on or about June 11, 2021, sent written notice to the Board of Township Trustees regarding a proposed wireless telecommunications tower and related equipment to be located in Leesburg Township, on Parcel 2000180190000; and

WHEREAS, GPD Group sent written notice of the said project to the adjoining landowners; and

WHEREAS, the Board has received written notice from Michael & Lorraine Pheifer, each a property owner adjoining on Parcel 2000180190000, at State Route 4 and Kaiser Road, objecting to the proposed location of the telecommunications tower; and

WHEREAS, Bill Lowe & Jeff Robinson, each a member of the Board of Township Trustees, Leesburg Township, Union County, Ohio, objected to the proposed location of the telecommunications tower; and

WHEREAS, the said objections were made within the time allowed by R.C. 519.211; and

WHEREAS, the Board finds that all proceedings regarding the action on this matter were taken in compliance with the applicable laws, including, but not limited to, the Open Meetings laws, Ohio Rev. Code §§121.22, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of [Click here to enter text.](#)
Township, Union County, Ohio, that

1. The Fiscal Officer shall send GPD Group written notice that the tower is subject to the power conferred by and in accordance with R.C. §519.211(B)(2).
2. The Fiscal Officer shall send the notice no later than five days after June 23, 2021, the date the Board first received a notice from a property owner and the date upon which a board member objected to the proposed telecommunications tower.
3. That upon the date of mailing of the notice to GPD Group, R.C. §§519.02 to 519.25, inclusive, as implemented in the Leesburg Township Zoning Resolution, shall apply to the proposed telecommunications tower.

Kevin Dotson seconded the motion, after discussion of the Motion, the roll was called on the question of its adoption. The vote was as follows:

<u>Trustee</u>	<u>Vote</u>
Bill Lowe	<input checked="" type="radio"/> Yes / No / Abstain
Jeff Robinson	<input checked="" type="radio"/> Yes / No / Abstain
Kevin Dotson	<input checked="" type="radio"/> Yes / No / Abstain

Date: 6/23/2021

Attest:

Mellisa Wiegand
Fiscal Officer

Jeff Robinson
Trustee

J. R. D.
Trustee

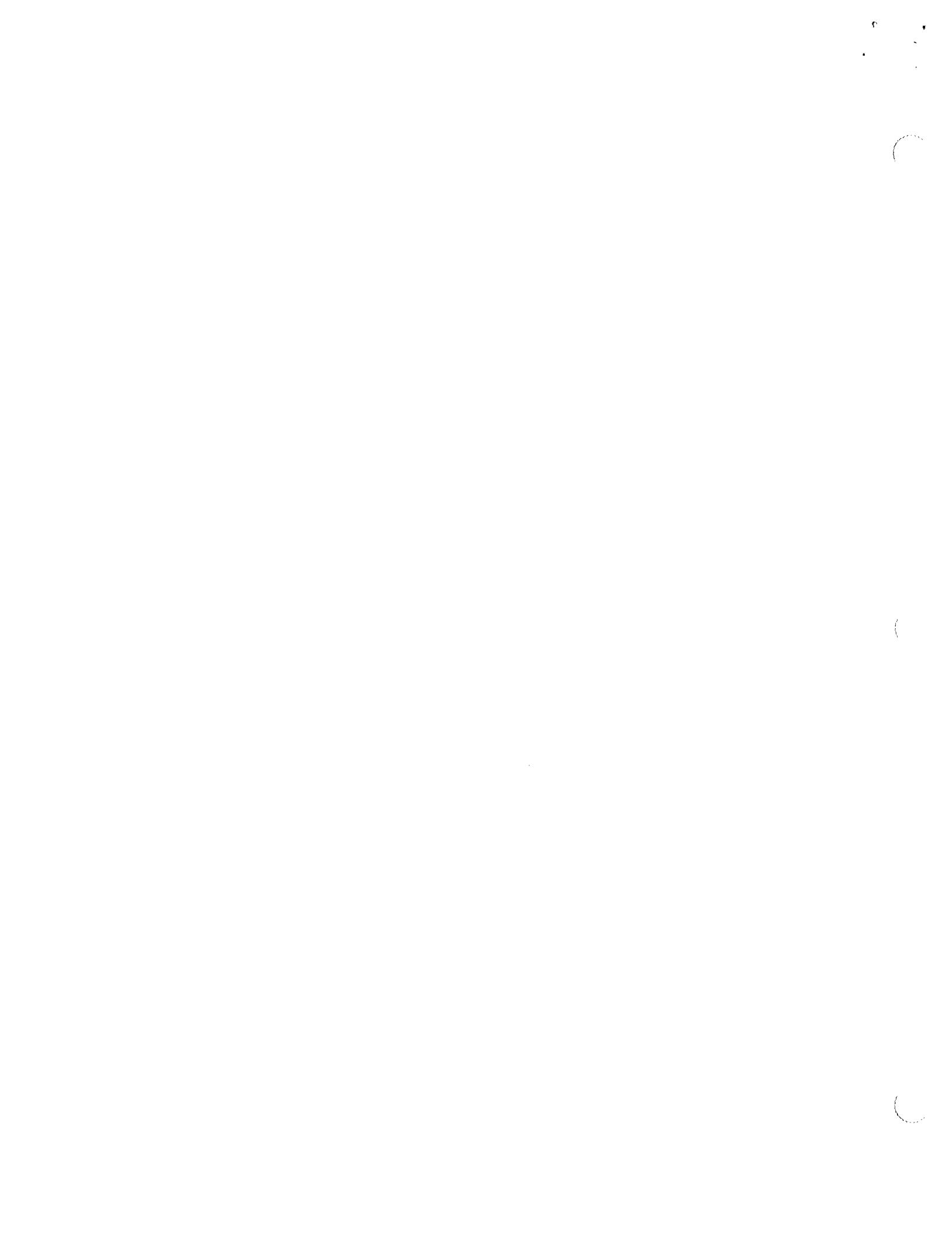
Willie R. Lowe
Trustee

CERTIFICATE

I the undersigned Fiscal Officer of Leesburg Township, Union County, Ohio, certify that the foregoing Resolution is taken and copied from the record of proceeding of the township, and that I have compare it with the action on the record, and it is a true copy.

Date: 6/23/2021

Mellisa Wiegand
Fiscal Officer



Section 1033 Telecommunications Towers.

Pursuant to the Telecommunications Act of 1996 and the ORC Section 519.211, and the Leesburg Township Trustees being duly notified of the person's intent to construct a telecommunications tower in any area zoned for residential use; public utilities or other functionally equivalent providers may site a telecommunications tower as a conditional use in the residential districts provided the following conditions are met:

- 1) The applicant must provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communications Commission, Federal Aviation Administration, Ohio Department of Transportation; Ohio Building Basic Code).
- 2) Applicant is required to show cost of construction at this time;
- 3) The applicant shall provide proof of notification to contiguous or directly across the street property owners as required by ORC Section 519.211;
- 4) The applicant must demonstrate at the time of application that no other existing towers are feasible for co-location, and that no technically suitable and feasible sites are available in a nonresidential district. There shall be an explanation of why co-location is not possible and why a tower at this proposed site is technically necessary;
- 5) All underground installation shall be trenched and not plowed in. Damage to anything must be repaired, and ground restored to original condition;
- 6) Co-location. Applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other users on the same tower to the extent possible. All co-located and multiple-use telecommunication facilities shall be designed to promote facility and site sharing;
- 7) Setbacks from all platted residential uses and residential districts. All new towers shall be setback from the closest subdivision boundary line for all platted residential subdivisions, and for all non-platted residential districts from the closest residence, a distance equal to the height of the tower plus fifty (50) feet;
- 8) Setbacks from all streets and private buildings and public road right of ways. All new towers shall be setback from all road right of ways public and private, a distance equal to the height of the tower plus fifty (50) feet;
- 9) Setbacks from all other uses allowable in the zoning district. All new towers shall be setback from any building that is not associated with or accessory to the telecommunications tower facility a distance equal to the height of the tower plus fifty (50) feet;
- 10) Any and all base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery, or other screening materials.
- 11) The applicant shall notify the Zoning Inspector within thirty (30) days of ceasing operations at the site and shall remove all structures within one hundred and twenty (120) days of ceasing operations;
- 12) Lighting. Telecommunication towers shall not be artificially lighted unless required by the Federal Aviation Administration or other applicable regulatory authority. If lighting



is required, the lighting design that would cause the least disturbance to the surrounding views shall be chosen. All telecommunication facilities shall be unlit except for security lighting, or when authorized personnel are present;

- 13) No advertising or illumination other than that required by law may be located on the structure or on the required screening;
- 14) An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the zoning office every five (5) years, which details the structural integrity of all towers and support structures on the property. The results of such inspections shall be provided to the Union County Building Regulations Department and Leesburg Township Zoning Inspector. Based upon results of an inspection, the Township Trustees may require repair or removal of a communication tower. Any and all necessary repairs to the tower and/or support structures shall be made within a seven (7) day period or the tower and/or structures shall be removed. The tower owner (applicant) is responsible to cover the cost of all inspections, repair and/or removal;
- 15) The unstaffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure. Setbacks for accessory uses/structures will comply with distances in the zoned district of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage or broadcast studios except for emergency purposes;
- 16) A six (6) foot safety fence with a locked gate surrounding the tower is required. If high voltage is necessary, signs must be posted every twenty (20) feet along the accessory building and fence saying, "Danger – High Voltage." The operator must also post "No Trespassing" signs.
- 17) Lot shall be mowed and maintained to control weeds;
- 18) Performance Bond. For each telecommunication tower, the owner or operator shall provide to the Township a surety bond or a bank letter of credit so as to assure the Township that the terms and conditions of Section 1033 are performed and complied with, including necessary repairs, repairs to public highways and roads, and the costs and expenses of removal in the event of abandonment; Bond shall equal anticipated demolition, and debris removal cost; The Leesburg Township Board of Trustees may draw upon the performance bond to recover any costs, damages or expenses incurred by the Township that may arise out of the violations of Section 1033 or the abandonment or discontinuance of the tower.

Section 1034 Ponds.

Ponds shall be excavated as a permitted use provided the following standards are met (also, see definition of "ponds"):

- 1) Union SWCD (Soil and Water Conservation District) must review the proposed construction site with the landowner. Test pits must be dug prior to design.
- 2) The pond shall be designed in accordance with NRCS (Natural Resource Conservation Service) Standards and Specifications along with the USDAS (United States Department of Agricultural Services) Engineering Field Manual for Conservation Practices. Tile on site must be rerouted around proposed pond. Soil must be spread in a manner not to encroach on adjacent properties.

