

Held Tuesday, May 31, 20 22

The meeting was called to order at 6:30pm by Chair James McCaskey, with Trustees Andy Bushman and Irene McMullen and Fiscal Officer Todd Ray present. Mr. McCaskey led the Pledge of Allegiance.

Chair Jim McCaskey opened the meeting by informing those in attendance that the meeting is a Special Meeting and the Board may only address matters that were identified in the public notice for the meeting purpose. Because the public notice did not include public comment, the meeting will not include the usual public comment segment as part of the agenda.

Mr. McCaskey then made a statement regarding Zoning Amendment 2022-01 currently before the Board awaiting action. He indicated that he has reservations about the amendment as currently presented, and believes that it needs more attention and work from the Munson Zoning Commission. He favors sending it back to the Commission to consider alternative language to provide the BZA with additional conditions for limiting development when granting a variance.

Trustee Andy Bushman made a statement. He indicated that he was responding to statements made at the public hearing on the proposed amendment. He noted that he was objecting to the accusation that the Board was censuring anything, and he lamented a “mob mentality” that had developed in opposition to this amendment. He noted that Trustees are expected to “stay in their lane” and not make public comments about pending zoning changes, because their comments can and have been used against the Township in subsequent legal action, with adverse consequences for the community. He commented on an anonymous letter that had been circulated in parts of the Township that included false information, and described the author of the letter as cowardly for not putting their name on it.

Mr. Bushman went on to say that the Trustees have been accused of being self-serving, yet he noted that he does not enroll in the Township health care insurance plan and has listed Munson Fire Department as beneficiary of the Township-funded life-insurance policy he is required to be covered by.

Mr. Bushman stated that the tools for establishing conditions on variances are already in the zoning resolution in other areas of the document.

He stated that if the Trustees do not vote to accept the amendment, it will be the first time in the history of the Munson Zoning Resolution that an amendment approved by both the Geauga County Planning Commission and the Munson Zoning Commission was not approved by the Board of Trustees.

Trustee Irene McMullen stated that she will vote to deny accepting the amendment, but that she does so with full awareness that the language being stricken from the Zoning Resolution by this amendment is legally unenforceable in Munson, and in any other township anywhere in the state of Ohio, because we know that it is not authorized by the Ohio State legislature. It will have to be removed at some point, if not with this amendment.

Chair McCaskey asked if there was any other discussion. With no other comment, he called for a motion.

RESOLUTION 2022-20: Zoning Amendment 2022-01

Andy Bushman moved to approve Resolution 2022-20, a Resolution to deny the recommendations of the Munson Zoning Commission to adopt Zoning Amendment 2022-01. Ms. McMullen seconded.

Roll call vote: Ms. McMullen, “Yes.” Mr. McCaskey, “Yes.” Mr. Bushman, “No”. Motion carried. (The Resolution, in its entirety, is included on a separate page of the minutes.)

RESOLUTION 2022-21 Fund Transfer

Andy Bushman moved to approve Resolution 2022-21, authorizing a set of within fund transfers in the General Fund, Road and Bridge Fund, Gasoline Tax Fund, Motor Vehicle License Fund, and Permissive Motor Vehicle License Fund. Ms. McMullen seconded. With a unanimous vote, the motion carried. (The Resolution, in its entirety, is included on a separate page of the minutes.)

RECORD OF PROCEEDINGS  
MUNSON TOWNSHIP TRUSTEES SPECIAL MEETING

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Tuesday, May 31, 20 22

RESOLUTION 2022-22 Authorization to Move Forward with Demolition Process Abating Dangerous Conditions

Andy Bushman moved to approve Resolution 2022-22, authorizing the Township Zoning Inspector to proceed with steps necessary to complete the demolition of insecure, unsafe, and structurally defective conditions at 10416 Mayfield Road. Ms. McMullen seconded. With a unanimous vote, the motion carried. (The Resolution, in its entirety, is included on a separate page of the minutes.)

Motion to Adjourn

Andy Bushman moved to adjourn the meeting at 6:42pm. Irene McMullen seconded; motion carried with a unanimous vote.

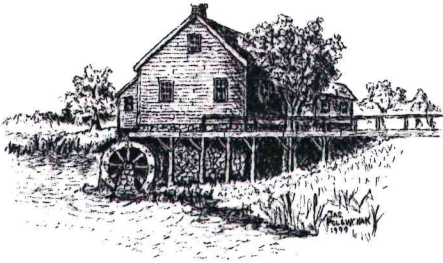


Chairman



Fiscal Officer





## Munson Township Board of Trustees Resolution No. 2022-20

### ZONING AMENDMENT 2022-01 DENIAL 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 special session on the 31st day of May 2022, with the following members present:

Andrew J. Bushman  
James J. McCaskey  
Irene H. McMullen

Andy Bushman moved the adoption of the following resolution:

WHEREAS, on the 26th day of April 2022, the Board of Township Trustees received a recommendation from the Zoning Commission on a proposed amendment, identified as number 2022-01, to the Munson Township Zoning Resolution together with the motion, text, and recommendation of the county Planning Commission relating thereto; and

WHEREAS, on the 24th day of May 2022, 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 31st day of May 2022, hereby denies the recommendations of the township Zoning Commission as attached hereto as Exhibit A.

And be it further

RESOLVED, that the Munson Township Board of Township Trustees, Geauga County, Ohio, this 31<sup>st</sup> day of May 2022, hereby denies an amendment to the Munson Township Zoning Resolution.

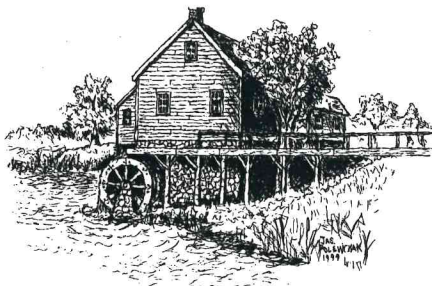
Irene McMullen seconded the motion and the roll being called the vote of the Munson Township Board of Township Trustees was as follows:

Trustee	Vote: Yes or No
<u>Andrew J. Bushman</u>	<u>no</u>
<u>James J. McCaskey</u>	<u>yes</u>
<u>Irene H. McMullen</u>	<u>yes</u>

Adopted this 31st day of May 2022.

I certify that the above was adopted by the Board of Trustees of Munson Township, Geauga County, at its May 31, 2022, meeting.

Todd R. Ray May 31, 2022  
Todd R. Ray, Fiscal Officer



# Resolution Authorizing a Fund Transfer

## Resolution 2022-21

Be it resolved by the Trustees of Munson Township, in a Special session on the 31st day of May, with the following members present, James J. McCaskey, Andrew J. Bushman and Irene H. McMullen, that

Andy Bushman moved the adoption of the following resolution:

That the 2022 Permanent Appropriation be amended, as follows:

### Transfers Within Funds

In the General Fund, a within fund transfer, as follows:

\$9,000.00 to 1000-760-730-0220 Improvement of sites – Fire Department  
From 1000-760-730-0610 Improvement of sites – Parks and Recreation, and

\$7,000.00 to 1000-110-221-0000 Medical/Hospitalization (HRA)  
from 1000-930-930-0000 Contingencies

In the Road and Bridge Fund, a within fund transfer:

\$200,000.00 to 2031-330-360-0002 Contracted Services- Road Improvement Projects  
From 2031-330-360-4401 Contracted Services- OPWC

In the Gasoline Tax Fund, a within fund transfer:

\$100,000.00 to 2021-330-360-0002 Contracted Services- Road Improvement Projects  
From 2021-330-360-4401 Contracted Services- OPWC

In the Motor Vehicle License Fund, a within fund transfer:

\$10,000.00 to 2011-330-360-0002 Contracted Services- Road Improvement Projects  
From 2011-330-360-4401 Contracted Services- OPWC

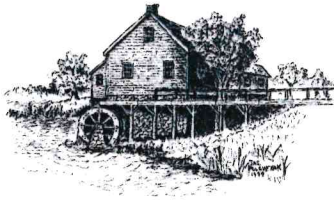
In the Permissive Motor Vehicle License Fund, a within fund transfer:

\$31,850.00 to 2231-330-360-0002 Contracted Services- Road Improvement Projects  
From 2231-330-360-4401 Contracted Services- OPWC

Irene McMullen seconded the motion and the roll being called, resulted as follows:

<u>Andrew J. Bushman</u>	Voting
<u>James J. McCaskey</u>	yes
<u>Irene H. McMullen</u>	yes

Attest: Todd R. Ray, May 31, 2022  
Todd Ray, Fiscal Officer



# A Resolution of the Munson Township Trustees No. 2022-22

## RESOLUTION TO MOVE FORWARD WITH THE DEMOLITION PROCESS ABATING DANGEROUS CONDITIONS PURSUANT TO O.R.C. 505.86

WHEREAS, the Munson Township Board of Trustees had found that the property at 10416 Mayfield Road was insecure, unsafe, and structurally defective; and



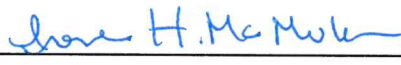

WHEREAS, the Munson Township Board of Trustees held a public hearing pursuant to O.R.C. 505.86 on May 3, 2022, per the request of the party in interest, Mr. Andrew Pado, in regards to his property at 10416 Mayfield Road; and

WHEREAS, as a result of the public hearing, the Munson Township Board of Trustees requested of Andrew Pado to prepare a written plan of action, detailing a scope of work with concrete action steps and a timeline for execution, and to submit the plan to Zoning Inspector James Herringshaw by May 23, 2022, and

WHEREAS, the Munson Township Board of Trustees did not receive a plan from Andrew Pado;

NOW THEREFORE, BE IT RESOLVED that the Munson Township Board of Trustees in accordance with the above-mentioned determinations seeks to abate the insecure, unsafe, and structurally defective conditions at 10416 Mayfield Road, Chardon, Ohio and orders the Township's Zoning Inspector to continue with the process of demolition of the structure at 10416 Mayfield Road pursuant to O.R.C. 505.86

Approved this 31st day of May 2022, by the Munson Township Board of Trustees, voting

	
Andrew J. Bushman, Trustee	
	yes
Irene H. McMullen, Trustee	
	yes
James J. McCaskey, Chair	

Attest:  May 31, 2022  
Todd R. Ray, Fiscal Officer