



WAYNE TOWNSHIP
BUTLER COUNTY, OHIO

REGULAR TRUSTEES MEETING MINUTES
APRIL 15, 2024

5967 Jacksonburg Road, Trenton, Ohio 45067 Phone 513-217-7317

Wayne Township Trustees

BILL JONES
ED TRUSTER
TIM TAYLOR

Fiscal Officer/ Zoning

LAURA DALEY

CALL TO ORDER

Trustee Bill Jones called the April 15th Regular Trustees Meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

Everyone stood for the pledge of allegiance.

ROLL CALL

Roll call was taken; all members of the board were present.

PRESENTATIONS

None.

AUDIENCE OF PUBLIC

Matt Barnes – 5780 Jacksonburg Rd. – asked the trustees to look into a request for a contract cruiser and passing a noise abatement resolution. He explained that he is having issues with a neighbor having band practice in his garage during the day over the weekend and the noise was extreme, he went onto explain that he tried to talk to the neighbor but he refused to stop the noise. He stated he was forced to call the sheriff's office, whom explained to him that Wayne Township does not have a noise ordinance, and that the best thing for him to do if the neighbor refused to quiet down was to document the incident and if it became an issue, the most the sheriff could do is look into it and that if they found it to be a problem and he still was a nuisance that he could possibly be charged with disorderly conduct. He did not proceed with having the sheriff talk to the neighbor but plead to the Trustees to look into passing a noise abatement resolution. His complaint is attached hereto. Laura Daley, the Zoning Inspector, stated that he was correct a noise abatement resolution could not be passed in the township unless we had businesses that held a class D liquor license or if the township was in contract with the Sheriff's department. As of now, the Township had no legal right to do anything with noise complaints. She went on to explain that she has already looked into this as she received a handful of complaints last year regarding noise. She went onto explain that to contract a deputy for 8 hours a day, five days a week would cost the township over \$126,000.00 a year plus possibly the cost of his cruiser and maintenance on said cruiser. She went onto explain that even if the Township could afford to enter into a contract, all noise complaints she had received were from activities happening during the day into the evening, nothing after 9pm, and that said noise resolution would not be able to take effect until after 10pm. It seems most people in the Township were respectful enough to quiet down at night. Mr. Barnes explained that the



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noise of the band practice stopped by around 7:30pm but that his neighbor continued making racket well into the night to be spiteful. The Trustees stated that due to this just being presented to them at this time they would like to have time to look into the information they learned tonight and would be ready to discuss further at the next Trustees meeting, in the meantime, it sounded as though Mr. Barnes had the information from the sheriff deputy of what he could do civilly if the issue persisted.

APPROVAL OF MINUTES

- March 20th, 2024 Regular Meeting Minutes

A motion to approve the minutes of the March 20th, 2024 meeting was made by Tim Taylor, followed by a second by Bill Jones. Roll call was taken; 2 ayes, 0 nays, 0 absent, 1 abstain.

REPORTS – All reports are attached hereto.

- Fiscal Officer
- Fire
- Road – *Absent-will add to May report*
- Zoning

UNFINISHED BUISNESS

1. None.

NEW BUSINESS

1. A PAY RATE INCREASE FOR THE CURRENT ZONING INSPECTOR, LAURA DALEY, IN A MOTION TO APPROVE THE AMOUNT OF TWO DOLLARS AND SEVENTY-TWO CENTS (\$2.72) PER HOUR AND FOR THE FISCAL OFFICER TO GIVE THIS INCREASE RETROACTIVE TO APRIL 1ST, 2024.

A motion to approve was made by Trustee Tim Taylor, followed by a second by Trustee Bill Jones. Roll call was taken; 3 ayes, 0 nays, 0 absent.

LEGISLATION

1. NONE.

AUDIENCE OF PUBLIC

None.

AUDIENCE OF TRUSTEES

Trustee Tim Taylor asked Laura to speak with Austin when he was in tomorrow regarding the semi-truck traffic on Howe and Wayne Madison roads. He realizes there is a no truck sign on Wayne Madison but feels there needs to be one on Howe Road as well. These are not truck roads and they have no business being on them. Next he stated that someone has taken out part of the fence and gate at the corner of 73 and 127 at the lot the Township currently rents to Service electric. He would like to see those repairs made. Laura explained that the fence belongs to service electric but she would attempt to reach out to them, she then stated Austin



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was aware of the damaged posts and cable that were ours but the weather has not allowed for him to fix those yet. He stated that maybe it would be better to reach out to ODOT and see if a guard rail would be a better fix for that area. Next, he stated that he would like to see the speed sign repaired and put to use within the township.

Trustee Ed Truster asked for her to also ask if there has been an update to the date of the bridge replacement on Shurz Rd. for him to look into what the County's timeline was for that replacement and the paving of Tolbert rd. Fire Chief Doug Hoit stated that he believed the County was still trying to find funding for the bridge replacement on Shurz Rd.

Trustee Bill Jones had no reports.

EXECUTIVE SESSION

1. REQUEST FOR AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS ORC 121.22(G)(1) – REFERRING TO THE EMPLOYMENT OR DISCIPLINE OF A PUBLIC EMPLOYEE OR OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL.

A motion to go into executive session was made by Trustee Tim Taylor, followed by a second by Trustee Ed Truster. Roll call was taken; 3 ayes, 0 nays, 0 absent. The Trustees asked that Laura join them. They went into executive session at 8:00pm stating that no other business would be conducted after they came out of executive session other than to adjourn. The live feed was ended after the next meetings were announced.

A motion to come out of executive session was made by Trustee Tim Taylor, followed by a second by Trustee Bill Jones. Roll call was taken; 3 ayes, 0 nays, 0 absent. They came out of executive session at 9:00pm.

NEXT MEETING

- May 20th, 2024, Monday at 7pm - Regular Trustees Meeting.
- August 29th, 2024 at 7pm - Zoning Commission Meeting
- April 25th, 2024 at 5pm – Butler Rural Electric Coop Annual Meeting @ Spooky Nook

ADJOURNMENT

Trustee Bill Jones made a motion to adjourn, followed by a second by Trustee Tim Taylor. Roll call was taken; 3 ayes, 0 nays, 0 absent. The regular trustees meeting was adjourned at 9:01pm.

April 15, 2024

Wayne Township Board of Trustees
5967 Jacksonburg Road
Trenton, OH. 45067

Subject: Investigation Request For Contract Cruiser Contract & Noise Abatement Resolution

Dear Board of Trustees,

This past weekend on Saturday 4/13/24 at 5780 Jacksonburg Road, the property owner held a garage band practice. The music/noise started at approximately 2:00/2:30pm and went on until 7:30pm when I walked over to the neighboring property and asked them to do something to reduce the noise. We have a baby and we could not lay her down for bed in her room due to the noise. The noise from the practice was obscene as there was not a single room in our home that we could escape the noise. Issues with this property have existed for a while as the owner likes to play music on a stereo as well late into the evening. I have exhausted all means to try and find work arounds to deal with the noise in a neighborly manner. On Sunday 4/14/2024, the day following the garage band practice, I was shouted down and cussed out by the property owner while I grilled out.

Like many other residents we purchased our home in the township to try and find a quite place to live and raise our family. It seems as of late there have been a rash of issues concerning residents having issues with excessive noise issues with neighbors. Yes, everyone has rights, but it seems when looking into things pertaining to my circumstances, the township has no legal ground to take action against bad actors. This leaves the township and the county sheriffs to only lean on the Ohio Revised Code to prosecute these types of matters.

When speaking with the sheriff's office they provided several legal actions that they could take against such actors but encouraged me to get the township to look into a contract cruiser agreement and noise resolution that would allow for more regulation to help deter from these types of issues from occurring. Upon their recommendation I would like to ask the township trustees to look into the financial costs for a contract cruiser agreement so that a potential noise ordinance could be discussed and possibly implemented.

Attached in this letter are copies of the ORC that pertain to noise control and remedies that the sheriffs can enact. But as you can see the interpretation of things is broad and leaves a great deal of discretion to the sheriff that would be making the call.

Section: 505.172 Noise Control – Grants power to trustees to enact noise resolution

Section: 2917.11 Disorderly Conduct – No reckless cause of inconvenience or annoyance

Also, included is a copy of Ross Townships noise abatement resolution. I was informed they do have their own patrolman who would enforce this on behalf of their township. Should you have any questions regarding this letter of request, please do not hesitate to call me on my cell at (513) 416-7915.

Wayne Township

Fiscal Officer Report

APRIL 15th, 2024

- All Invoices, Receipts, and Payroll are complete to date.
 - Filed and paid monthly and quarterly payroll taxes.
 - Monthly Bank Reconciliation and Finance Reports have been completed and presented to Trustees.
 - March regular meeting minutes were completed.
 - April meeting agendas prepared.
 - Compared 2023 1st half settlement of property taxes received this March to 2022 year's collection received March of last year, finding an increased revenue of \$47,961.65. The general fund saw an increase of \$10,463.54. The Road fund saw an increase of \$37,498.11. These amounts include the valuation increase and any new construction in the Township. First half collection tends to be more than second half collection by about 28%. I will reassess the increase again when we have collected a full year. As of now we are on track to receive just over the \$78,000.00 amount that I guesstimated.
 - Shared Energy Alliance contact information with Wayne Township residents' whom had questions regarding opt-out letters.
 - In the process of trying to contact IRS regarding a letter stating there were discrepancies' in 941's paid and filed in 2020. Mailed all paperwork and reports showing proof of payment and proof of filing, also requested copies of all tax transcripts for this period. All financial documents for this time frame have already been through an audit and no discrepancies were found in the auditing period. Waiting for response from IRS.
 - Fund reports and current budgets are available upon request.
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WAYNE TOWNSHIP
FIRE DEPARTMENT

4575 OXFORD MIDDLETOWN ROAD



Trustee Report April 15, 2024

March Calls for Service:

Total Calls: 38

- *5 calls for FD only
- *8 calls for EMS only
- *25 calls EMS/FD both (19 Medic related, 3 MVA, 3 Fire Related)

- *4 missed calls (3 Dual dispatch, 1 EMS only)
- *2 First Responder
- *3 Mutual Aid Provided

*EMS

- *14 Transports
- *10 Non-Transports
 - * 1 Death
 - * 4 Pt Refusals
 - * 5 No Pt Contact/Cancelled/Asst FD

*FIRE

- *2 Contract Area
- *2 Fire Alarm Activation
- *2 Mutual Aid Fire Responses
- *3 MVA
- *1 Grass Fire

- *BWC grant- Zoll Auto Pulse is on order.
- *EMS Ohio Grant application submitted
- *New pagers in and in use

WAYNE TOWNSHIP
ZONING DEPARTMENT
5967 JACKSONBURG ROAD

April 15th, 2023

- Zoning Certificates
 - Lot Split – 3756 Taylor School Road
 - Structure Addition – 4460 Somerville Jacksonburg Road
 - Structure Addition – 5149 West Elkton Road
- Violations (letters sent)
 - 4460 Somerville-Jacksonburg Road – permit renewed
- Complaints
 - Jacksonburg Rd, trash on curb for multiple weeks, letter will be sent.
- Resident request
 - Multiple- requests for information regarding multiple Parcels for sale within Township.
- Board of Zoning Appeals
 - No new business.
- Zoning Commission
 - The Zoning Commission met again on April 11th at 7:00pm to review the land use map that was created in 1999, this meeting was open to the public. Discussion was held to determine if the map should be updated. This is like a comprehensive plan for the future land use in Wayne Township. You can request a copy of the current zoning map and or the land use map from the zoning office. It was decided that the board would like to get public feedback to determine if a committee needs to be created to make changes to the land use map or if the Township residents prefer to see the township continue to be rural in nature. The Committee plans to create a questionnaire for resident's and to set up a booth at the September 14th, 2024 Fire Dept. festival to gather input. The next Zoning Commission meeting is scheduled for August 29th at 7:00pm. This meeting as always is open to the public.