RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP BOARD OF TRUSTEE REGULAR Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held _____ 20 _____

The Regular meeting of the Auburn Township Board of Trustees was called to order at 7:31 p.m. by Chairman, Michael S. Troyan. All Trustees were present.

The Pledge of Allegiance was led by Fire Chief, John Phillips.

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to approve the minutes of the Regular Meeting of the Board of Trustees on April 15, 2024. VOTE: McCune Jr., yes; Cavanagh, yes, Troyan, yes. The motion passed.

REPORTS:

Frank Kitko, Zoning Inspector, submitted a zoning report reflecting 15 applications processed in the month of April. There are two (2) variance cases to be presented to the BZA.

Emerick P. Gordon, Township Highway Superintendent, gave the following report for April:

- April saw one weather event that due to warm road surfaces and rising temperatures required no plowing and or salting. The new yearly average for deicing material usage stands at 1709 tons. After receiving a 1000-ton delivery of road salt, we currently have ~ 1535 tons in our dome. There is room for an additional 400 tons which will be ordered this week. The Resolution to Participate in ODOT's rock salt purchasing aggregate has been uploaded and received with our committed amount reduced to 1800 tons based on data collected.
- There were two high wind events that caused several trees around the township to come down and some minor flooding due to heavy rains. The chipping of the downed trees and additional tree removal was done on several roads.
- The 24 new trees to delineate the western buffer / conservancy boundary were picked up and planted at Auburn Community Park. The security system DVR has been replaced and all cameras are up and running.
- Patching was done on various roads and will continue where needed.

Eugene T. McCune Jr. attended the second Kenston School Board meeting where they discussed two finalists for the open Superintendent position. Bruce Wilmingham Jr. was selected.

Trustee McCune Jr. gave an update to the proposed bathroom facility at the park. He advised soil testing for septic is scheduled for May 13th. The location for the septic is in dispute. The passive space in the wooded area is not acceptable.

Patrick J. Cavanagh attended a CEI demonstration at the Fire Station. It was very informative.

Dan Matsko, Deputy Fiscal Officer, presented the payment listing for payments processed since April 16, 2024, reflecting 10 electronic payments processed ($54,338.58) and 23 warrants processed ($54,914.78) totaling $109,253.36.

He presented the April Bank Reconciliation and the following savings accounts balances totaling $3,086,604.83 as of April 30, 2024: Primary checking account balance - $1,906,748.12; Star Ohio balance = $1,179,856.71.

Mr. Matsko announced that only 1 person, Christine Blaser, applied for assistant to Fiscal Officer position. He plans to hire her on June 10th after she returns from vacation. The Board will acknowledge hiring and approve at the meeting prior to June 10, 2024.

NEW BUSINESS:

Chief Phillips spoke to the condition of the water at the fire station. They are using the original well drilled in 1977 @ 101ft. The Chief submitted a quote of $36,875.00 to drill a new 240'-340' well.

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held 20

~~**NEW BUSINESS (continued):**~~

Motion by Eugene T. McCune Jr. seconded by Michael S. Troyan to approve $36,875.00 expenditure for a new well to be drilled at the Auburn Fire Station. VOTE: McCune Jr., yes; Cavanagh, no; Troyan, yes. The motion passed.

Trustee Cavanagh requested the Fire Department provide additional information regarding the water problem and new well.

Chairman, Michael S. Troyan submitted Resolution 2024-09.

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to adopt Resolution 2024-09 Requesting address recommendations from the Geauga County Engineer's Tax Map Department. VOTE: McCune Jr., yes; Cavanagh, yes; Troyan, yes. The motion passed.

Trustee Troyan advised communications from Altice stating that they do not wish to renew their contract for cable service in Auburn Township. Per the Ohio Revised Code, Trustees must pass a resolution to continue collecting franchise fees.

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to adopt Resolution 2024-10 Establishing a video service provider fee to be paid by any video service provider offering video service in the Township of Auburn. VOTE: McCune Jr., yes; Cavanagh, yes; Troyan, yes. The motion passed.

The Trustees discussed improvement to the detention pond at the park and Soil and Water's request to have them recorded at the County.

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to adopt Resolution 2024-11 Declaration of restrictive covenants for inspection and maintenance. VOTE: McCune Jr., yes; Cavanagh, yes; Troyan, yes. The motion passed.

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to deposit franchise fees received from CSC Holdings, LLC (dba Altice) in the amount of $1,557.65 in the Land Acquisition and Improvement Fund. VOTE: McCune Jr., yes; Cavanagh, yes; Troyan, yes. The motion passed.

The Trustees discussed the fee schedule for the community trash event.

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to charge $10 per carload and small truck, $15 per full size truck load and 0 charge for senior residents at the Large Item Drop Off Event. VOTE: McCune Jr., yes; Cavanagh, yes; Troyan, yes. The motion passed.

PUBLIC COMMENT:

Karl Schneider asked when will a group meet at the park next to discuss the septic system. The Trustees answered that the next meeting is on Monday, May 13, 2024.

A resident questioned if the township was thinking of selling or developing the 13-acre, township owned property, south of the freeway because he saw someone walking it.

A resident questioned the status of previous road levy monies collected illegally and wondered if it would be refunded to the residents. Trustee Cavanah answered it is in the hands of the state.

ADJOURNMENT:

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to adjourn the meeting. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed. The meeting was adjourned at 8:35 p.m.

RECORD OF PROCEEDINGS

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held, 20

~~ADJOURNMENT (continued):~~

Daniel J. Matsko, Fiscal Officer

Michael S. Troyan, Chairman

Eugene T. McCune Jr., Trustee

Patrick J. Cavanagh, Trustee

MAY 20, 2024

Date

AUBURN TOWNSHIP

BOARD OF TRUSTEES MEETING AGENDA
Monday, May 6, 2024



CALL TO ORDER -7:30 PM
- Michael S. Troyan, Trustee Chairman

PLEDGE OF ALLEGIANCE

GUESTS:

MINUTE APPROVAL:
- Regular Meeting – April 15, 2024

SCHEDULED REPORTS:
- Frank Kitko, Zoning Inspector
- Emerick Gordon, Township Highway Superintendent

TRUSTEE & FISCAL OFFICER REPORTS:
- Eugene T. McCune Jr.
- Patrick J. Cavanagh, Vice Chairman
- Daniel J. Matsko, Fiscal Officer

OLD BUSINESS:
- NatureWorks Grant / Proposed Auburn Community Park restroom facility

NEW BUSINESS:
- **Resolution 2024-09** Requesting address recommendations from the Geauga County Engineer's Tax Map Department.
- Franchise Fees received / CSC Holdings (Altice) / $1557.65
- **Resolution 2024-10** Establishing a video service provider fee to be paid by any video service provider offering video service in the Township;, authorizing the Trustees to give notice to the video service provider of the video service provider fee and declaring an emergency.
- Set fee schedule for 2024 Large Item Trash Drop-Off Event

SAVE THE DATE:

5/09/24 - Zoning Commission Meeting / Auburn Administration Bldg. / 7:00pm
5/14/24 - BZA Meeting / Auburn Administration Bldg. / 7:00pm
5/20/24 - Board of Trustees Regular Meeting / Auburn Administration Bldg. / 7:30pm
5/26/24 – Memorial Day Event /8:45am Mapleshade /9:00am Adam Hall /10:00am Shady Side
5/30 & 5/31 – Senior Trash Pick-Up Event. MUST PRE-REGISTER with the Geauga County Dept. on Ageing – 440-279-2130
6/01/24 – Resident Large Item Trash Drop Off Event – Adam Hall Community Center, 8:00am – 1:00pm
6/03/24 – Board of Trustees Regular Meeting / Auburn Administration Bldg. / 7:30pm

AUBURN TOWNSHIP

Auburn Township Board of Trustees
Meeting Attendance Sheet

MAY 06 2024

AUBURN TOWNSHIP

Please Sign In

	Print Name	Resident	Non-Resident
1.	CARL SCHNEIDER	✓	
2.	Shari Bailey	✓	
3.	Jeff Bailey	✓	
4.	DALE RYAN	✓	
5.	Jo Brown	✓	
6.	Christopher Chaney	✓	
7.	Ann Wishart		MC
8.			
9.			
10.			
11.			
12.			
13.			
14.			

FISCAL OFFICER REPORT MAY 06, 2024

Fiscal officer Dan Matsko presented the payment listing for payments processed since April 16, 2024.

PAYMENT LISTING

• 10 ELECTRONIC PAYMENTS PROCESSED:	$ 54,338.58
• 23 WARRANTS PROCESSED:	$ 54,914.78
TOTAL:	$ 109,253.36

Fiscal officer Dan Matsko presented the April Bank Reconciliation and savings account balances.

SAVINGS ACCOUNTS AS OF APRIL 30, 2024

• PRIMARY CHECKING ACCOUNT BALANCE:	$ 1,906,748.12
• STAR OHIO BALANCE:	$ 1,179,856.71
TOTAL:	$ 3,086,604.83

Dan Matsko
5-6-24

Payment Listing

4/16/2024 to 5/6/2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
59-2024	04/16/2024	04/20/2024	CH	VISION SERVICE PLAN - (OH)	$256.86	C
60-2024	04/17/2024	04/20/2024	CH	BUREAU OF WORKERS COMPENSATION	$655.24	C
61-2024	04/18/2024	04/20/2024	CH	BURNHAM & FLOWER	$199.00	C
62-2024	04/18/2024	04/20/2024	CH	AHOLA CORPORATION	$27,325.00	C
63-2024	04/23/2024	05/01/2024	CH	OHIO DEFFERRED COMPENSATION	$1,405.00	C
64-2024	04/30/2024	05/01/2024	CH	BURNHAM & FLOWER	$3,699.40	C
65-2024	04/30/2024	05/01/2024	CH	MIDDLEFIELD BANKING COMPANY	$25.00	C
66-2024	05/02/2024	05/03/2024	CH	SUN LIFE FINANCIAL	$229.49	O
67-2024	05/02/2024	05/03/2024	CH	VISA	$1,437.30	O
68-2024	05/02/2024	05/03/2024	CH	AHOLA CORPORATION	$19,106.29	O
8281	05/01/2024	05/01/2024	AW	CASH	$180.00	O
8282	05/06/2024	05/06/2024	RW	MELISSA FRANSKO	$170.00	O
8283	05/06/2024	05/06/2024	RW	MIRACLE FARM RESCUE / BARB SASAK	$300.00	O
8284	05/06/2024	05/06/2024	RW	KENDRA RENNER	$150.00	O
8285	05/06/2024	05/06/2024	RW	KALYNN APPLEWHITE	$150.00	O
8286	05/06/2024	05/06/2024	AW	MORTON SALT	$46,927.81	O
8287	05/06/2024	05/06/2024	AW	JOHN SZOKA	$349.40	O
8288	05/06/2024	05/06/2024	AW	OHIO EDISON	$24.58	O
8289	05/06/2024	05/06/2024	AW	F&S AUTOMOTIVE INC.	$495.00	O
8290	05/06/2024	05/06/2024	AW	QUADIENT	$100.00	O
8291	05/06/2024	05/06/2024	AW	CASH	$225.00	O
8292	05/06/2024	05/06/2024	AW	NANCY DOLEZAL	$32.04	O
8293	05/06/2024	05/06/2024	AW	CCM RENTAL	$276.36	O
8294	05/06/2024	05/06/2024	AW	TRIVISTA-OHIO	$1,236.55	O
8295	05/06/2024	05/06/2024	AW	MATTHEW BLOWERS	$310.00	O
8296	05/06/2024	05/06/2024	AW	SUNRISE SPRINGS WATER COMPANY	$80.50	O
8297	05/06/2024	05/06/2024	AW	ARIS	$121.50	O
8298	05/06/2024	05/06/2024	AW	WEX BANK	$395.65	O
8299	05/06/2024	05/06/2024	AW	DAVID BALLENTINE	$175.00	O
8300	05/06/2024	05/06/2024	AW	GEAUGA COUNTY TOWNSHIP ASSOCIATI(	$105.00	O
8301	05/06/2024	05/06/2024	AW	BRUCE GREIG	$225.00	O
8302	05/06/2024	05/06/2024	AW	21st Century Media-Ohio	$104.25	O
8303	05/06/2024	05/06/2024	AW	DOMINION EAST OHIO	$2,781.14	O
				Total Payments:	$109,253.36	
				Total Conversion Vouchers:	$0.00	
				Total Less Conversion Vouchers:	$109,253.36	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.

Dan Matsko 5-6-24

AUBURN TWP ZONING REPORT

APRIL 2024

	Ja	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Agr/Other Exmptions	1			2									3
Amendment													
Billboard													
Commercial Additions													
Comm Fence													
Comm New													
Comm Remodel													
Comm Sign													
Comm Sub Lease,													
Use Change													
Culvert/Ditching													
Dev Plan Review													
Denial	1	3	2	2									8
Duplex													
Ind Addition, Exist.Use													
Ind Use Change, SubLease													
Ind Fences													
Ind Remodeling													
Ind New Structure													
Ind Non-Res. Permitted													
Ind Sign													
Lake													
Land Use Plan, Dev activities													
Pond													
Res Acc Bldg Under 200													
Res Acc Bldg Over 200 sf	1	1	5	2									9
Res Addition				2									2
Res Deck		2		1									3
Res Fences			1	1									2
Res Interior Completion													
Res Other													
Res Patios													
Res Remodel													
Res Signs													
Res Signs Temp													
Res Signs Temp Bldg Const	1	2											3
Res Signs S/D													
Single Family Dwelling	1	3		1									5
Swim Pool Above Ground													
Swim Pool In Ground				2									2
Transient Vendor													
Variance/Cond Use/		4	3	2									9
Voided Receipts/Copies/Other													
TOTAL ISSUED PROCESSED	5	15	11	15									46

RESOLUTION 2024-09

RESOLUTION OF THE BOARD OF TRUSTEES OF AUBURN TOWNSHIP TOWNSHIP REQUESTING ADDRESS RECOMMENDATIONS FROM THE GEAUGA COUNTY ENGINEER'S TAX MAP DEPARTMENT

The Board of Trustees of AUBURN Township, Geauga County, Ohio, met in special/regular session on the ~~6TH~~ day of ~~MAY~~, 2024, at the AUBURN TOWNSHIP ADMINISTRATION BUILDING with the following members present:

Michael S. Troyan

~~Patrick J. Cavanagh~~

~~Eugene T. Mc Cune Jr.~~

WHEREAS, the Board of Trustees of [insert township name] Township, Geauga County, Ohio ("the Township") is authorized to assign numbers for houses on streets and roads in unincorporated areas of the [insert township name] Township pursuant to R.C. 503.30;

WHEREAS, pursuant to R.C. 325.14, the Geauga County Engineer is the county tax map draftsman, and appoints necessary assistants and draftsmen to serve in the Geauga County Tax Map Department per R.C. 5713.09 -.10;

WHEREAS, to ensure countywide consistency and accuracy in the assignment of addresses, the Township desires to request recommendations for address assignments from the Geauga County Engineer's Tax Map Department when address assignments are needed in [insert township name] Township; and

WHEREAS, the Geauga County Engineer agrees that countywide consistency and accuracy of address assignment is in the best interest of the Township, the County and benefits the public welfare; and

WHEREAS, the Township will consider address recommendations from the Geauga County Engineer's Tax Map Department and will take action to either accept or reject the address recommendation and communicate its decision to the Geauga County Engineer's Tax Map Department;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of [insert township name], Geauga County Ohio, that:

1. The Township will seek address recommendations from the Geauga County Tax Map Department for the assignment of house numbers on the streets and roads in the unincorporated areas of the Township;
2. The Township will review said recommendations for approval or rejection, and will communicate its decision to the Geauga County Engineer's Tax Map Department;

3. In the event the Township rejects a recommended address assignment, the Township must instead provide an alternative address assignment for the location at issue.

Adopted on: 05/06/2024

Motion made by Mike Troyan and seconded by

Gene McCune. The Resolution and the roll being called upon its adoption the vote resulted as follows:

Township Trustees voting thereon:	Vote:
EUGENE T. McCUNE JR. Trustee	YES
PATRICK J. CAVANAGH Trustee	YES
MICHAEL S. TROYAN . Trustee	YES

I, DANIEL MATSKO Fiscal Officer of AUBURN TOWNSHIP, Geauga County, Ohio, certify that the foregoing is a true and correct copy of the resolution adopted at a legally convened Township Board of Trustees meeting held on the 6th day of MAY, 2024.

Daniel Matsko

Fiscal Officer

RESOLUTION 2024-10

A RESOLUTION ESTABLISHING A VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE TOWNSHIP

The Board of Trustees of Auburn Township, Geauga County, Ohio, met in [special/general] session on the _6___ day of _May_ 2024, at the Auburn Administration building, 11010 Washington Street, with the following members present: Eugene T. McCune Jr., Patrick J. Cavanagh, and Michael S. Troyan.

WHEREAS, the Ohio General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide "uniform regulatory framework" for the provision of cable television and/or other video service (the "Video Law"); and

WHEREAS, under the Video Law a video service provider that is providing video service to subscribers in the Township pursuant to a state-issued video service authorization must pay the Township a video service provider fee ("VSP Fee") based on a percentage of the provider's gross revenues received from providing video service in the Township, not to exceed five percent (5%) of such gross revenues; and

WHEREAS, the Video Law requires that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in the Township (the VSP Fee Percentage") or, if there is no effective franchise agreement under which franchise fees are payable for a given calendar quarter, the VSP Fee percentage shall be zero percent (0%) of gross revenues unless the Township determines by Resolution that the VSP Fee will be a percentage of gross revenues not to exceed five percent (5%) of gross revenues; and

WHEREAS, the Video Law further requires the Township to provide a video service provider with written notice of the VSP Fee Percentage within ten (10) days of receiving notice from the video service provider, pursuant to R.C. 1332.27(A), that it will begin offering service in the Township; and

WHEREAS, the Video Law provides that advertising revenues will not be included in the gross revenues base upon which the VSP Fee Percentage is applied unless the Township specifically enacts an Resolution uniformly applicable to all video service providers requiring that advertising revenues also be included in the gross revenues base; and

WHEREAS, the Video Law requires the Township to promptly notify affected video service providers of the Resolution that requires the inclusion of advertising revenues in the gross revenues base and that requirement will not take effect until the first day of the first calendar quarter that begins more than thirty (30) days after giving such notice of the Resolution; and

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee Percentage and of the inclusion of advertising revenues in the VSP Fee gross revenues base, it is necessary for the Board of Trustees of Auburn Township, Geauga County, Ohio (i) to establish the VSP Fee Percentage; (ii) to include advertising revenues in the VSP Fee gross revenues base, and (iii) to authorize the Fiscal Officer to provide the appropriate notice of the VSP Fee Percentage and the inclusion of advertising revenues in gross revenues to a video service provider within ten (10) days of the Township receiving notice that a video service provider will begin providing service in the Township.

BE IT RESOLVED, by the Board of Trustees of Auburn Township, Geauga County, Ohio:

Section 1. That the Board of Trustees of Auburn Township hereby establishes a VSP Fee that is calculated by applying a VSP Fee Percentage of five percent (5%) to the video service provider's gross revenues as defined in Section 1332.32(B) of the Video Law. For purposed of calculating the VSP Fee, the provider's gross revenues shall include advertising revenues in accordance with Section 1332.32(B)(2)(g) of the Video Law. The VSP Fee Percentage and Video Law gross revenues definition, as modified in this Resolution, shall apply equally to all video service providers and cable television operators providing video service in the Township.

Section 2. That the VSP Fee shall be paid by each video service provider providing service in the Township on a quarterly basis but not sooner than forty-five (45) days nor later than sixty (60) days after the end of the each calendar quarter. R.C. §1332.32(A).

Section 3. That the Auburn Township Fiscal Officer is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage and gross revenues definition as determined by this Board above, which notice shall be given by certified mail, upon receipt of notice from such video service provider that it will begin providing video service in the Township pursuant to a state-issued video service authorization.

Section 4. That it is found and determined that all formal actions of the Board concerning and relating to the adoption of the Resolution were adopted in an open meeting of this Board, and all deliberations of the Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Resolved: May 6, 2024

Vote on motion:

Eugene T. McCune Jr.	YES
Patrick J. Cavanagh	YES
Michael S. Troyan	YES

I, ___Daniel J. Matsko__, Fiscal Officer of _Auburn Trustees do hereby certify that the above resolution is a true and correct transcript of the Resolution as adopted by the Board of Trustees of Auburn Township, __Geauga__ County , Ohio. At a regular public meeting on _05/06/2024.

Township Fiscal Officer

RESOLUTION 2024-11

DECLARATION OF RESTRICTIVE COVENANTS FOR INSPECTION & MAINTENANCE

This Declaration of Restrictive Covenants for Inspection and Maintenance (hereinafter the "Declaration of Agreement") is made on the 6th day of May 2024 by Auburn Township Board of Trustees (hereinafter the "Owner"), for itself and its successors and assigns, for the benefit of Geauga Soil and Water Conservation District (hereinafter the "District").

RECITALS

WHEREAS, Owner owns real property located in Auburn Township, Geauga County, Ohio, the legal description for such real property being attached hereto as Auburn Community Park, 17848 Munn Road (hereinafter the "Property"); and

WHEREAS, Owner will construct certain improvements on the Property and, in connection therewith, will cause to be constructed on the Property a storm water retention basin; and

WHEREAS, Owner desires to describe herein its agreements with respect to the inspection and maintenance of the said storm water retention basin, and certain other agreements in connection therewith, all of such agreements to be for the benefit of the District.

NOW, therefore, Auburn Township Board of Trustees hereby declares the following agreements and covenants for the Property:

1. DEFINITIONS: As used in this Declaration of Agreements, the following terms shall have the designated meanings:

   (a) Facility: That certain storm water detention basin facility consisting of an approximate ¼ acre pond and all associated appurtenances on the Property.

2. MAINTENANCE:

   (a) It is the Owner's responsibility to maintain and make all necessary repairs to the Facility located on the Property to ensure its original designed function including but not limited to the following:

      1) Stormwater Pond Monthly Maintenance
         1. Removal of floating debris
         2. Removal of woody vegetative growth from pond area including embankments
         3. Removal of trash and/or sediment accumulation
         4. Removal of obstructions in orifices and/or outlets
         5. Mowing of pond, banks, and dam
      2) Stormwater Pond Annual Maintenance
         1. Repair erosion to the outfall or spillway
         2. Repair and/or replace any damaged structures (i.e. catch basins, risers, pipes, headwalls)
         3. Debris should be removed from overflow spillway and grates.

3. CHANGES: Owner will not eliminate or make structural changes or modifications to the Facility without the prior written approval from the District.

2. ACCESS: Owner hereby grants to the District the right to inspect the Facility. The District shall give the Owner at least ten days prior written notice of its intent to inspect the Facility. Owner hereby grants to the District the right to enter upon the Property for purpose of inspection of the Facility, subject to requirements for notice described above.

3. RECORDING: This Declaration of Agreements shall be recorded in the Geauga County Recorders' Office.

4. BINDING EFFECT: This Declaration of Agreements shall be binding upon and shall inure to the benefit of, the parties hereto and their successors and assigns; provided, however, upon a sale of the Property, the owner of the Property, including without limitation the Owner, shall be released from any and all liabilities and obligations under this Declaration of Agreements which accrue from and after the date of sale. The Owner, and its successors and assigns, shall only be obligated hereunder so long as it or they own fee simple title to the Property. This Declaration of Agreements shall run with the land and shall be binding upon future owner thereof.

5. NOTICE: Any notice permitted or required to be given pursuant to the terms of this Declaration of Agreements shall be deemed properly given if either hand delivered, or mailed by certified U.S. mail, return receipt requested, or sent by overnight courier requiring signature of receipt, to the following addresses:

IF TO THE OWNER:	IF TO DISTRICT:
Auburn Township Board of Trustees	Geauga Soil and Water Conservation District
11010 Washington Street	12611 Ravenwood Drive, Suite 240
Auburn Township, OH 44023	Chardon, OH 44024

A party hereto may change its address for the purpose of Notice hereunder by giving written notice to the other party pursuant to requirements of this Section 7.

IN WITNESS WHEREOF, Auburn Township Board of Trustees has signed this Declaration of Agreements on the 6th day of May, 2024.

Auburn Township Board of Trustees Vote

Michael S. Troyan YES

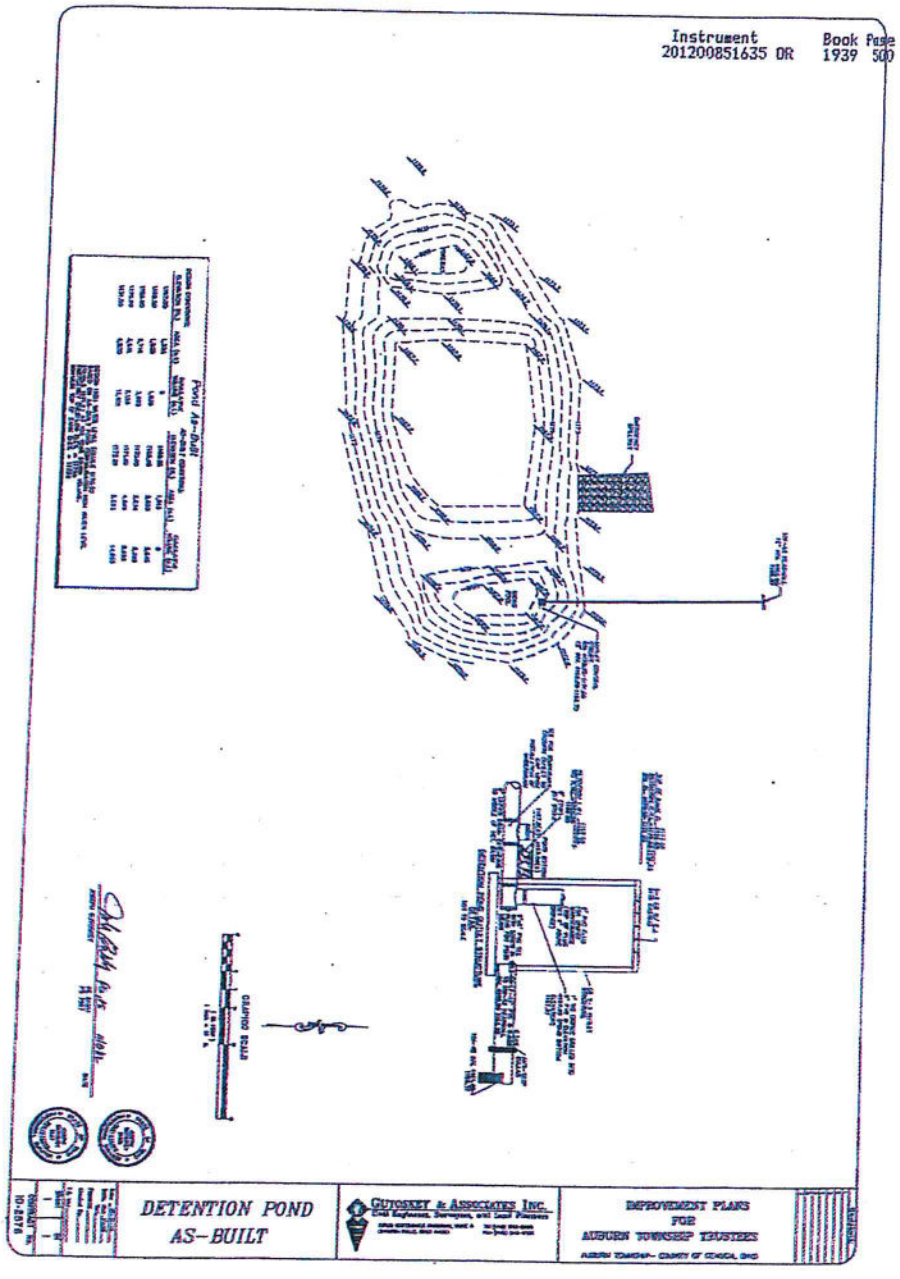
Patrick J. Cavanagh YES

Eugene T. McCune Jr. YES

I, Daniel J. Matsko, Fiscal Officer of Auburn Township, Geauga County, Ohio certify that the foregoing is a true and correct copy of a resolution adopted at a legally convened Board of Trustees meeting held on the 6th day of May 2024.

Daniel J. Matsko, Fiscal Officer

Instrument 201200851635 OR Book 1939 Page 500



DETENTION POND
AS-BUILT

GUTOSKEY & ASSOCIATES, INC.

IMPROVEMENT PLANS
FOR
AUBURN TOWNSHIP TRUSTEES