

RECORD OF PROCEEDINGS

BROWN TOWNSHIP TRUSTEES

REGULAR SESSION

Held: July 15, 2025

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REGULAR MEETING of BROWN TOWNSHIP TRUSTEES convened in Regular session from 6:00 P.M. to 7:14 P.M. At the TOWNSHIP OFFICE.

TRUSTEE-CHAIR JOHN DUSTMAN called the meeting to order.

Attendance:

TRUSTEE-CHAIR JOHN P. DUSTMAN	Present
TRUSTEE-VICE CHRISTOPHER ROTONDO	Present
TRUSTEE BROCK HUTCHISON	Present
FISCAL OFFICER PEGGIE CONNER	Present
SUPERINTENDENT: LEWIS WARNER	Present

VISITORS:

None

1. Public Comment Period

2. Additions or Corrections to the Agenda

None

3. Minutes

Trustee Hutchison made a motion (42-2025) to approve the minutes for the June 16, 2025 Regular Meeting. Trustee Rotondo seconded the motion.

ROLL CALL:	Trustee-Chair John Dustman	yes	
	Trustee Brock Hutchison	yes	
	Trustee Chris Rotondo	yes	Motion carried

4. Report from Road Department

Mowing has been a priority.

Working with the durapatcher. The rain has the road department behind.

Gas and oil company repaired Knight Road.

Starting asphalt on South Linden Road.

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5. Report from Cemetery

Trustee Rotondo found a grant opportunity while working with Bodo Surveying. The grant was forwarded on to Sexton Shearer.

6. Report From Fiscal Officer

Fiscal Officer Conner is concerned about the gas tax and the cemetery fund. Fiscal Officer Conner is considering moving interest from StarOhio to the gas tax fund or asking Local Government Services if she can pay salaries out of a different fund.

Trustee Rotondo made a motion (R43-2025) to approve the 2026 Budget. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

Trustee Hutchison made a motion (R44-2025) to approve the payment listing. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

Trustee Hutchison made a motion (R45-2025) to approve all remaining financial reports. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

7. Report from Trustees:

Trustee John Dustman
Nothing to report.

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Trustee Brock Hutchison

- Update from Fire Department
- Update regarding Pet Cemetery:

From the Ohio Township Association:

Brock,

Thank you for your email. You raise an interesting question and one that I have never been asked before. In doing some research, I found an Attorney General opinion from 1994 that states a county cannot do a pet cemetery.

<https://www.ohioattorneygeneral.gov/getattachment/41580679-17fa-490b-99b4-087c23c314f1/1994-018.aspx> You will want to work with your county prosecutor of legal counsel on whether the opinion (specifically #1) would also apply to townships.

The reason I say this is because Ohio Revised Code Ch. 961 pertains to pet cemeteries. In 961.01, there are definitions and “person” is defined as it is found in another section of the Code, which does not mention political subdivisions, like townships. Again, you will want to work with your prosecutor/legal counsel for their opinion.

Please let me know what your legal counsel says, as this could be something we explore legislatively to allow townships to do it.

Sincerely,

Heidi

Trustee Rotondo made a motion (R46-2025) to submit the pet cemetery inquiry to the County Prosecutor’s Office. Trustee Hutchison seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes

Motion carried

- Malvern Village Council - Recycling Update
- Tongo Road business - new address number
- Property Complaint - ORC Section 505.87 | Abatement, control, or removal of vegetation, garbage, refuse, and other debris

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Trustee Hutchison made a motion (R47-2025) to determine the property at 7228 Brown Road, Malvern, OH 44644 to be a nuisance due to the long grass based on ORC Section 505.87. Trustee Rotondo seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

Trustee Dustman made a motion (R48-2025) to determine the property at 5161 Stires Drive NW, Malvern, OH 44644 to be a nuisance due to garbage, refuse and other debris based on ORC Section 505.87. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

Trustee Rotondo made a motion (R49-2025) to submit resolutions 47 and 48 to the County Prosecutor's Office for an opinion and assistance drafting a letter template. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

Trustee Chris Rotondo

- Lee Road - Trustee Rotondo discussed abandoning a portion of Lee Road.

Trustee Rotondo made a motion (R50-2025) to submit an inquiry to the County Prosecutor's Office for an opinion on abandoning a portion of Lee Road. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

- Road analysis should be completed soon. A report will be mailed soon and the report will be given to the Trustees in a regular session.

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- Sign grant has been submitted and announcements will be made in August.
- Still waiting on call back from road surfacing estimates
- **Old Business - None**
- **New Business**
- Tongo Road Washout - The Township will need to visit Tongo Road during the next heavy rain to determine what needs to be done to address the washout.
- Message from County Engineer and Representative Blasdel's Office:
Dear Trustees,

I received a call from the above resident concerning drainage issues at her property along Linden Rd. I informed the resident that my office is not involved in township road maintenance issues, but I would pass along her concerns to the Trustees. I am aware that that you have spoken to this property owner several times in the past regarding these issues. I drove by the property to familiarize myself with the area. The resident's complaint concerned changes that she believes were made to the "pitch" of the road that now direct drainage toward her property. I am passing along the complaint as I told the resident I would. If we may be of any assistance, let us know.

Trustee Rotondo made a motion (R51-2025) to have the County Engineer's Office come out to review this issue. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

Trustee Hutchison made a motion (R52-2025) to adjourn the meeting at 7:14 pm. Trustee Rotondo seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison yes
Trustee Chris Rotondo yes Motion carried

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TRUSTEE-CHAIR JOHN DUSTMAN

TRUSTEE-VICE CHAIR CHRIS ROTONDO

TRUSTEE BROCK HUTCHISON

FISCAL OFFICER PEGGIE CONNER

All formal actions of the REGULAR MEETING of BROWN TOWNSHIP concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.