

Clinton Township Board of Trustees – Special Meeting

May 28, 2026 – 7:00 p.m.

The Following board members answered Roll Call Trustee Randy Kuhn, Trustee Jim Distel Trustee William McKinney, and Fiscal Officer Steve Welter.

There were twenty-six people who signed the attendance roster.

Trustee Kuhn asked everyone to recite the pledge of Allegiance.

Fiscal Officer Welter read the legal notice as well as the minutes of the zoning board meeting held April 7, 2026, and April 28, 2026.

Jeff Stockner asked the board if they were going to do a consideration on this application tonight. The Trustees said yes. Jeff Stockner asked if one member of the board recuse himself from tonight's meeting and let me tell you why. On February 7 Matt Dysard personally signed an application on behalf of FSD Properties to rezone the property at 2326 S St. Rt 231. At the February 9th Clinton Township meeting Bryce Riggs President and CEO of Seneca Reginal Chamber of Commerce which operates under the trade name of Seneca County Collaborative attended that meeting regarding the parcel to be rezoned adjacent to the Dollar General Store Mr. Riggs asked for a letter of support for Frontier Community Services and I will refer to them as Frontier from now on. A developer of the property.

Mr. Stockner said many of the things that were recited by Mr. Welter in minutes were include at that piacular meeting. One of the things if you go back and look at the minutes of February 9th there was a comment here that really struck me when I had research the minutes and that was that when they were asked about the units it was 66 unites an equal split and the next thing will be a mega project. Trustee Distel you asked if they could put something in the letter that they support the project pending zoning. You also said you sent a letter to the prosecutor asking his opinion and here it is. FSD filed the application on February 7th. Your meeting was on February 9th. How did you know ahead of the meeting that there was going to be a request on behalf of Frontier? Trustee Distel responded that Bryce reached out prior and said he was coming to the meeting. Jeff Stockner replied thank you. Mr Stockner said so beside the critical information it creates this critical time line you pretty much answered that. You knew that letter was coming on February 9th. Jeff Stockner asked Mr. Distel if anyone from FSD tell you that the were filing a rezoning application prior to Feb 7th. Mr. Distel said he did not recall.

Mr. Stockner said so, Seneca County Collaborative which Mr. Riggs is president has a defined purpose to serve as a central business, support economic development, tourism, and promotion for Seneca County. The government parallel agency is Reginal planning. Isn't it true Mr. Distel that you are a member of that reginal planning board? Mr. Distel said yes. Mr. Stockner said yet you have been appointed. Mr. Distel said yes. Mr. Stockner said You work very closely with Seneca County collaborative. Mr. Distel said no. Mr. Stockner asked if Mr. Distel had discussions with Mr. Riggs about this project prior to the filing of the application? Mr. Distel

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said just a couple of days before the meeting when Mr. Riggs called him to tell him he was coming to the meeting. Mr. Riggs said he called all of the Trustees to let them know he was coming to the meeting. Mr. Riggs said his first call was to the Zoning inspector to ask what the process was for rezoning the property and to let him know they had an interested party in the land and might want to rezone the property. Mr. Stockner said he was glad Mr. Riggs contacted Zoning inspector Hohman because he is the proper person to approach about that. Mr. Stockner said so, on February 23rd Bryce you again came to the Clinton township meeting asking for the trustee's support of that frontier project. At that meeting trustee Distel asked you if frontier brings their own builders and contractors to do the work or will they use local contractors you also asked about frontiers other projects, and asked if any engineers have done any type of water studies on the location and if weather retention ponds would be sufficient and then the minutes reflect that Trustee Distel said he understands it is just for 66 units and he is just trying to think ahead to what the people are going to say for zoning.

Bryce Riggs said that all of the Trustees he spoke to all communicate the same concern about the flooding. Bryce Rigs said he communicated that to the developers. Mr. Stockner asked Mr. Riggs if he knew what exparta communications was. Do you know what that means? Communications with people who are determiners on a particular issue. Separate and apart from an open meeting like this. You can say certain things that influence in a way that other people can't. That's not the way the process works. Mr. Stockner said the process is the Zoning inspector says you need to go to the Zoning commission first. If hey come to the Trustees and start talking about the project the Trustees need to say look do not bring this up now it needs to go the zoning commission first, we have a process. Trustee Distel you were actually seeking to find out evidence. Trustee Distel said what evidence? Mr. Stockner said you asked questions like do they use local builders? Trustee Distel said he was telling them to take that to Zoning.

Bryce Riggs said at the first zoning meeting there was no decorum in that meeting so there was no process. Mr. Stockner said he was going to respectfully disagree. He said he has been a chief civil prosecutor for twenty years and he has never seen a better run meeting they managed it very well. The problem that has occurred is that you acted as a quasi-judicial role on this appeal. Fact finding occurs at the zoning commission level and then comes to you and tonight if there is any additional information it comes to the meeting tonight. You do not inject yourself into the process because you are to remain as a natural arbiter on this situation. In relation to the applicate and the citizen. That was breached when you asked questions directly about that piacular thing. The response should have been you go the zoning inspector. He will tell you when the meeting is and to bring your information. That is the down fall of the process not the people who ran the meeting.

Accepting evidence from a party with an interest which is the developer in an application prior to the zoning commission's hearing your cert there zoning process which is established by Ohio revised code and your own zoning book and regulations as enacted by you as trustees. Actually, asking questions solicit facts from one party and not others who may be impacted only serves to exacerbate the inappropriation of the appropriateness of ovulating the process. What is even worse is that you abandoned your objectiveness according to the minutes Trustee Distel when you said that you would much rather have this project in Seneca County and even better in Clinton Township. Trustee Distel said that it was before that that it needed to pass zoning. Mr. Stockner said that had been mentioned prior. With that Trustee McKinney seconded your

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motion to have the trustees sign an edited version of the letter of supporting Frontier's project. Your statement stands alone indicates a positive predisposition of FSD. On March 20th Jim Fruth secretary of the township zoning commission mailed out notices to interested and affected parties within 500 feet of the affected parcel which he was required to do. It indicated an April 7th meeting. Included with that notice was a copy of the application a list of property owners, maps drawings and a letter from Mr. Fruth indicating that any questions should be directed to Mr. Hohman the zoning inspector. That is how it is supposed to happen that's the process. In order to protect the integrity of rezoning process so that interested or effected parties didn't have exparta communication and provide evidence to members of the zoning Commission or trustees so that that information couldn't be contested in an open meeting like it is now.

Mr. Stockner said by you trustee Distel questioning without other interested parties being present that exparta communications violate the integrity of this process and you abandon your neutrality as a trustee and acting fairly of in regards to the decision of the zoning commission. By example you were provided information on February 9th about this is the first step in a mega project and again that was never presented in the zoning commission meeting itself. I think that is pretty big to the people in this room. Between March 21th and April 7th you placed in the mailboxes of the residence on Tecumseh a letter advising of the upcoming zoning meeting to rezone the property. The letter itself provided nothing different from that that was properly sent from Mr. Fruth the Secretary of the Zoning Commission. However, you signed the letter as Clinton Township Trustee. You include information regarding Frontier the company wanting to develop the property, the same site maps that Mr. Fruth sent and a two-page list of developments that Frontier had done in Ohio. First of all, The Board of trustees acts as a board not individual. Individual trustees do not possess independent administrative or executive authority outside of what is explicitly delegated to them by a law or the board itself. Official Township business can only be transacted via motion or resolution passed during public meetings that comply with the states open meetings act. I find nothing in any minutes were the Clinton Township Trustees authorized you Mr. Distel to contact residents already contacted by Mr. Fruth, assist in the promotion of frontier by providing their name and a list of other properties that they have developed That was their responsibility or to replace or duplicate the duties of the secretary of the zoning commission. The parcel at issue for rezoning in before Clinton Township is from FSD not Frontier, once again Trustee Distel you engaged in behavior that could be interpreted as directly or indirectly supportive of Frontier. There fore the rezoning itself instead of remaining as a neutral decision maker on that application. The use of signing that letter as a Clinton Township Trustee Suggests the impunent impropriety favoritism or bias by the board or at least you individually. I know your intent was good.

Mr. Distal said let me respond to that. And he apologized for it coming out looking bad Mr. Distill said that he had multiple people approach him at his work and multiple phone calls at home because there are not many households within 500 feet of the property asking why they were not notified. Mr. Distel said that a resident said that he is only giving it to one side of Tecumseh. So, he gave the information to all of Tecumseh\ and Crestview. Mr. Stockner asked what should you have done. Mr. Stockner said that you should have directed them to Mr. Hohman the zoning inspector and explained that you are at the end of the process. If you have questioned the zoning inspector is the one who handles that. On March 21st this is the most egregious thing you placed Distel for Commissioner signs in Seneca County relevant to your campaign located right next to the parcel that is at issue. One was on the parcel in question.

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You have been a trustee for over 20 years you've been involved in six or more elections, political campaigns you should have known better than to place a political sign on the property of persons that were currently having business before Clinton Township and Especially A project that is likely to have a large financial benefit to the property owner FSD. The signs remained until April 11th. When they were finally removed. So, for nearly three weeks those signs were on FSD's property. Which included the specific property being rezoned. Only FSD could give you permission to place a sign on that property and you did. Ohio revised code section 102.3 Prohibits a public official from using their authority to secure a thing of value. Having a campaign sign and I have supporting law if you want to see it, on a public property implies a personal connection to a property owner. If a rezoning vote provides a definite direct financial benefit or detriment to that property a Trustee must recuse themselves from all discussions and votes on the matter. The Trustee must refrain from doing discussion reviewing or recommending or taking any other action regarding that zoning case. The trustee should publicly disclose the conflict that there was a sign there and recuse themselves from the entire rezoning process. This is commonly referred to as the pay to play provision under conflicts of interest's law. Where a property owner provides a benefit the placement of a political sign which has a value for the purposes of campaigning and then receives a regulatory benefit a rezoning vote from the official. This risks violating Ohio's conflicts of interest laws even if there is no exchange of money. The safest course of action to maintain integrity is to avoid placing signs on the properties that are currently undergoing the rezoning process. which now is too late. but there's still hope the alternative is to fully disclose the relationship I don't think you will deny the signs were there and recuse yourself from these proceedings which you still have time to do tonight. That is way I am doing this. I know you think I am probably attaching you but I am trying to save you from doing something that would be very detrimental to you in your pursuit of political agenda or personal.

Mr. Stockner said the truth is you chose to place signs on the property when you knew the property was going to be rezoned and there for you have to recuse yourself from these proceedings or you're going to face the consequence of a penalty from the Ohio ethics commission if they investigate the matter. I think you were overwhelmed and confused by the multiplicity of hats you have had too wear. Township Trustee, Reginal Planning. I think you were under a lot of pressure during the campaign. I think you got overwhelmed made some bad discission. Trustee Distel said he agrees and is considering recusing himself.

Zoning inspector Hohman asked how are the Trustees supposed to respond when someone comes to one of their public meetings and asks questions or for support for something. Mr. Stockner said you have to stand your ground and following the procedures of the township.

Mr. Distel said this is why every development down Spayth St. down Cherry St all over and surrounding Tiffin annex in because with in thirty days they can get things done and we make them wait 4 to five months to do anything and they can annex in the city and get it done faster.

Mr. Stockner said that is politics. Twenty years ago, townships had the upper hand. It changed twenty years ago. Mr. Stockner said he does not like it either. Mr. Stockner asked Mr. Distel if he was recusing himself. Mr. Distel responded that he has not decided yet.

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Aaron Smith 1979 S Winfield. asked if Mr. Stockner was the counsel for the township. Mr. Stockner said no he was in the prosecutor's office for 20 years he is a practicing attorney currently.

Jane Dundore asked why Seneca News Daily came out that we really need this extra housing that we don't have any and a few days later they say that they are putting up new housing at the DofA. Why was the public not informed? Bryce Riggs explained that the DofA filed with Medicare and Medicaid subsidy prior and it became public record on that day.

Jane Dundore said she would rather have actual property owners who have a stake in their property instead of transient renters.

Trustee Distel said on the recusal of myself sitting here I would prefer to seek council and I don't know if there is a way to delay this.

Ann Fretz 2435 S St Rt 231 said I can understand what you are saying I was shocked to see the sign right next to the rezoning. So, she took it that he knew them. Trustee Distel said he agreed and that is why he moved it. He said he went to school with them and had been an athlete with them all his life.

Ann Fretz said that is fine but this is business and business and friend ship never mix. Mrs. Fretz said she is watching all the wild life being pushed out and does not like it.

Aaron Smith said he was speaking on behalf of FSD. Mr., Stockner objected. Ohio law says that FSD is an LLC the only person that can represent it at this meeting can be a licensed attorney. Aaron Smith then said he would speak as a citizen. Mr. Stockner then read Ohio law In Ohio a non-attorney member or manger can not represent an LLC at a zoning change hearing as this constitutes the unauthorized practice of law. The Ohio Supreme court prohibits non lawyers from representing business entities in legal proceedings where records are taken and he is taking the records. Only licensed attorneys can represent LLC's. LLCs are separate legal entities. Ohio law restricts the practice of law to licensed attorneys. The consequences if you attempt to represent an LLC as a non-lawyer could result in the findings being struct down and the Ohio Supreme court can sanction you. Aaron Smith said he would not speak on behalf of the LLC. Aaron Smith said he has been to two of these things in his life and both of them Jeff you have reigned holy hell on the meetings and basically strong armed the whole situation. I would like to know if you are for community growth? Mr. Stockner said that is irrelevant to these proceedings. He is about the sanctity of the proceedings. Mr. Smith then would like to see the issue tabled until the company gets proper representation. Mr. Kuhn said he was not interested in tabling the meeting. Mr. Smith said does not know what Mr. Stockner said is factual but he is strong arming me into thinking that I can not speak my opinion on behalf of the company. So, I guess take that for what it is worth.

Mr. Kuhn asked if there was anything else.

Mrs. Huth asked if Jim Fruth ever got to see some of the things, he was asking for in the minutes of the zoning commission meeting. Mr. Welter said it is unknow if he received them.

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Mr. Distel said he is recusing himself from the meeting and then left.

Zoning Inspector Hohman asked with Mr. Distel recusing himself and it requiring that it be a unanimous vote does it have to be three or can it be two. Mr. Stockner said it would need to be unanimous for those who participate in the vote.

Trustee McKinney makes a motion to accept the zoning boards recommendation to deny the application for rezoning. Trustee Kuhn seconds.

Mr. Smith asked for clarification of the order. The motion was read back to him.

Mr. Stockner asked for a point of order deny the request of the application? Mr. McKinney said to deny the request for zoning change. Mr. Stockner said that should be in the motion. Mr. Smith asked Mr. Stockner if he was legally advising them. Mr. Stockner said I am asking for clarification. Mr. Smith said no you said that should be in the motion I want to know if you are legally advising them. Mr. Stockner said I want them to be sure of what they are voting on. Mr. Smith said I want that to be in the minutes that you are legally advising them to put it in. Mr. Stockner said he is here as a citizen. Mr. Smith said so am I.

Trustee McKinney repeated the motion to make a motion to accept the zoning board recommendation to deny the application for rezoning. Trustee Kuhn seconds.

Mr. Kuhn Y, Mr. McKinney Y

Motion Carried.

Mr. Smith said he would like to thank Mr. Stockner for his legal advice for today much appreciated.

Mr. McKinney made a motion to adjourn the meeting at 8:14 pm.

Mr. Kuhn Y, Mr. McKinney Y

Randy Kuhn, Ch., Trustee

William McKinney, Trustee

Steve Welter, Fiscal Officer