Voter Qualification Story...page 9 Public Hearing on 92 Budget Set for Oct. 13...story and budget on page 6

Shore District Zoning Update ...page 8



Volume I, Number 10

Covering the World from Kelleys Island, Ohio ©

September 27, 1991

# New Ferry Dock Construction Gets Approval

The Kelleys Island Ferry Boat Company cleared what it hopes is the last hurdle for construction of their dock on the Island. The company has not yet received the necessary permits to allow construction of a companion facility on the mainland site in Marblehead.

The Village issued a zoning permit for the dock to be constructed at the west end of the Seaway Marina property on the southeast shore of the Island. Although the issuance of zoning permit by the Village was never a problem itself, it could not be issued until all other regulatory permits were in place, in particular the submerged land lease from the State of Ohio and a permit from the Corps of Engineers.

The submerged land lease was signed by Governor Voinovich on May 7th and will continue in effect for 50 years until the end of February, 2048. The total space to be leased is .3309 acre and will cost \$432.42 a year for the first five years, with reassessment of the fees, and revision of the lease amount, in five year increments after that.

The submerged land lease is required because the State owns the soil under Lake Erie.

The permit from the Corps of Engineers was issued September 13, 1991, and allows

Continued on Page 3, Column 2

# Break-in at The Porthole Restaurant Results In Arrest

A September 20 breakin at the Porthole resulted in an employe being charged with breaking and entering and theft.

Ernest R. Dennison, 25, is currently in the Eric County jail awaiting a preliminary hearing on the two charges. A cash only bond of \$15,000 was continued at an arraignment held on Monday September 23. It is expected a preliminary hearing

continued on Page 2, Column 2

# Kelleys Island Poster is a HOT Item

The "Kelleys Island", No. 1 limited edition print, by part-time Island resident Alex Kovacs, became available to the public in July, 1991. Sales have been reasonably brisk- brisk enough, apparently, to generate an opportunity for some "hot" posters to be offered for sale. Unauthorized posters have surfaced both on the Island and in Elyria.

The unauthorized prints do not have Kovac's hand-signed name, are not numbered, nor do they have a Certificate of Authenticity.

The original plates used to print the limited edition of Continued on Page 2, Column 1

# **Number of Active Candidates to Dwindle?**

It appears that the number of candidates actively seeking the job of Mayor could be pared down in the near future. The Perchie Press learned that a meeting scheduled for Monday September 23 to discuss that topic was postponed until Thursday evening.

Three of the candidates, Kyle Paine, Ted Terry, and Chris Yako were preparing to meet and decide upon one of them to continue the campaign, with the other two resigning to work on behalf of the third. If this action comes about, it would still leave three candidates remaining in the race. The other two announced office seekers are incumbent Mayor McCullagh and Councilman Don Haas.

Since we will have gone to press prior to the meeting, but will distribute the day following the meeting, we offer the concept of a multiple choice story ending. We will check the appropriate box prior to distribution.

			2.6
Nothing	Kyle	Ted	Chris
Decided	Running	Running	Running

# Candidates Forum to be Held October 12.

The Kelleys Island Landowners Association has organized a "candidates forum" where all of the candidates for elective office in November have been invited to speak.

Two years ago the Landowners had a similar type of event, which was well attended and well received by the citizens in attendance.

This year's forum will be held in the Old Town Hall on Saturday, October 12, 1991 and will start at 1:00.

Candidates running for the office of Mayor, for a seat on the Village Council, for the Clerk-Treasurer position, and for seats on the Bureau of Public Affairs and the School Board have all been invited

Each aspiring candidate will be allowed three minutes to address the audience and explain their objectives, goals, and qualifications for the office they are seeking. After the candidates speak, a question and answer period will be allowed with audience

Continued on Page 3, Column 1

Hot Posters from Page 1

1000 posters have been destroyed by the Loraine,OH firm that did the printing. Speculation is that some of the bogus posters circulating were extra copies run off while adjusting the press, and should have been destroyed.

In one instance on the island, witnesses reported seeing unauthorized copies being shown by a male in an Island business. The establishment, not identified due to the ongoing investigation, is not suspected of complicity in the matter.

According to Kovacs, anyone implicated in the theft will be prosecuted and anyone knowingly accepting one of the unauthorized posters could be charged with receiving stolen property. "It's a shame that this kind of thing can happen," Kovacs said, "but I'm flattered that someone would steal my work before I'm dead." The incident hasn't discouraged him apparently, for he has already begun work on a similar offering, scheduled for July of 1992, for Put-in-Bay.

## Put-In-Bay to Get Grants For Sewer Work

For over a year the sewage treatment plant on Putin-Bay has not met all of the EPA discharge requirements. The periods of non-compliance were during the busy season and reflect the additional burden the tourist population put on the system. It appears now that help could be on the way in the form of grants to allow expansion of the treatment plant.

The proposed plant expansion will more than triple the capacity of the current system from 120,000 gpd to 370,000 gpd. A grant from the Ohio Public Works Commission in the amount of \$250,000 is expected to be awarded on October 1.

Porthole Break-in from Page 1

on the charges will be conducted in about two weeks.

According to Island Police Chief Ron Schnittker, Dennison was employed at the Porthole as a cook and bartender and also lived in the apartment located in the rear of the building. It is alleged that he gained entry through a window on the west side of the building, rifled through the office, and left with an undisclosed amount of cash. He apparently left through the front door, and some money was found lying on the floor in that area.

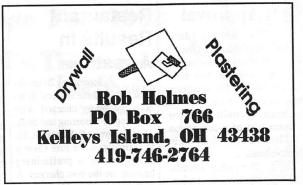
Schnittker was alerted to the incident at about 11:30 PM Friday by several acquaintances of Dennison who worked at the Casino, including a roommate. It is alleged that earlier in the day he had attempted to enlist their assistance in the theft, which they refused. After breaking into the Porthole and obtaining the money, Dennison apparently paid off several people to whom he owed money and was seen purchasing drinks. He also supposedly told witnesses that he had made the theft.

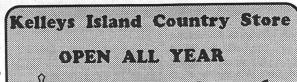
Other witnesses also confirmed that he cashed in a number of one dollar bills at the West Bay Inn, and changed a Canadian \$100 bill at the Village Pump.

Dennison had a prior conviction on a theft charge in Columbus, and was still on probation in that incident. That prior conviction raised the current charges to third degree felonies. That, coupled with the fact he is not from the local area, resulted in the cash only bond of \$15,000.

Chief Schnittker said they had heard that Dennison had been drinking all day, and was known to be intoxicated when they learned of the break-in. Dennison, who is 6 foot six inches tall and weighs 240 pounds, was, therefore, arrested on Saturday morning. He asserted that he had been intoxicated and did not remember the events of the previous evening.







Groceries, Meat, Ice Hardware Camping Supplies Phone 746-2557



Located in Village Plaza-Division St.



Candidates Forum from Page 1

participation.

The following is a list of candidates and the offices they are seeking:

#### **Board of Education**

Pamela A. Betzenheimer Patricia A. Haig Jessie A. Martin Nancy L. Stoup

Clerk -Treasurer

Jean A. Kuyoth

Village Council

Roger C. Carroll Ila B. Dick Charles L. Herndon

Martha M. Mielke

Kenneth E. Neufer Carl A. Yoscovits

Mayor

Donald E. Haas Robert E. McCullagh Kyle S. Paine Theodore W. Terry Chritine M. Yako

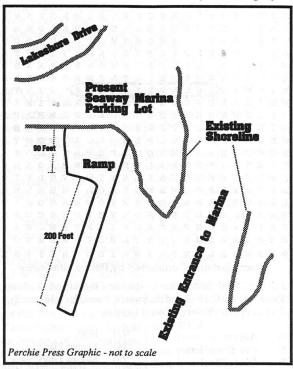
**Public Affairs** 

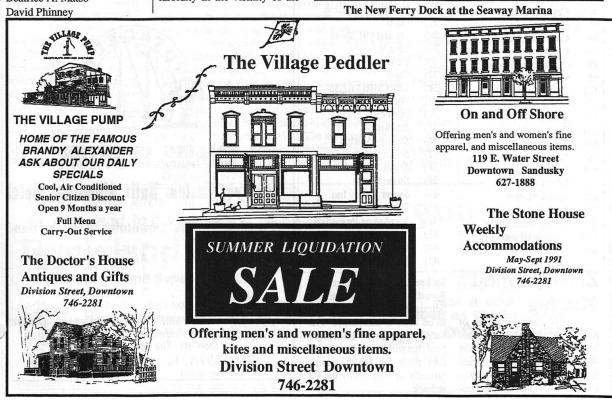
Donna M. Farmer Beatrice A. Matso David Phinney Ferry Dock from Page 1

construction of a stone filled, concrete capped, steel sheet pile pier to provide a loading and unloading facility..." The dock will be 290 feet in length and will be constructed on the west side of the entrance to the Seaway Marina. The main run of the "L" shaped dock will be 200 Ft. long and 20 feet wide. The leg of the dock on the landward side will 90 feet long and 60 feet wide to accommodate the ramp for on and off loading.

The company hopes to have the construction finished by spring. It also expressed hope that the Corps of Engineers permit for the Marblehead location will be issued soon so that work can begin there also. In dispute on the mainland side is the proximity of the planned docking site to the water intake for the Village of Marblehead water supply. The Village asserts the operation of the ferry will cause an unacceptable level of turbidity in the vicinity of the

water intake and wants the intake into the lake at the expense of port to be moved 700 feet farther the KI Ferry Boat Company.





JIXYKSUDNASCAPTAINBOBSWY FANIRAMYAWAESSOUTHSHOREZ LPNPARTYESUOHSROTCODIDSO OSEITREPORPNEKUANAVTTNTK WOALCICOUNTRYSTOREQRAXBC EUWONEUMANBOATLINEOCVPAA RIMNAGSSERPEIHCREPFOKIYH PHTZDAFACTEKTAMDNALSIMIS MWSWNMORNINGGLORYFARMANY UIEIAELOHTROPSJCNGMDZTND PNNNLFERRYISLANDCAFEQSYD EDSESLKJSHPQUYFHPAXUDOTA GSERITROPRIAUDNBHWRIOSEC ABLYSWEETVALLEYINNVTDPIC LEGOYESUOHENOTSQLAMHNLNO LDAUENBWEROHSFFODNANOAIU IAEKLGSDIEGDOLTEKCIRCCSN V R R E L D D E P E G A L L I V A V R M J E A C DAMSEMOHNWOTYABOTRAXESCI PPRMKELLEYMANSIONCRAFTSL Compiled and Contibuted by Renee Greenway

All of the words listed below can be found in the block of letters above. Words can be listed backwards, forwards or diaganally. An example is shown of a word location

1)	Airport	23)	Map
2)	Bay Town Homes	24)	Matsos Place
3)	Caddy Shack	25)	Moring Glory Farm
4)	Captain Bob's	26)	Neuman Boat Line
5)	Cart	27)	Ohio
6)	Casino	28)	On and Off Shore
7)	Condo	29)	Parade
8)	Council	30)	Park
9)	Country Store	31)	Party
10)	Crafts	132)	PERCHIE PRESS
11)	Cricket Lodge	33)	Port
12)	Davids	34)	Porthole
13)	Doctors House	35)	Sandusky
14)	Eagles Nest	36)	Seaway Marina
15)	Ferry	37)	South Shore
16)	Flower	38)	South Winds
17)	Island Cafe	39)	Stone House
18)	Island Market	40)	Sweet Valley Inn
19)	Janices Antiques	41)	Taxes
20)	Kelley Mansion	42)	VanAuken Properties
21)	Kelleys Island	43)	Village Peddler
22)	Lonz Winery	44)	Village Pump
,	Long White	45)	West Bay Inn

## **Zoning Appeal** Meeting

A special meeting of the Zoning Board of Appeals has been scheduled for 10AM Wednesday, October 9 to decide on a request from Bob Gruly to allow a variance from the set-

backrequirements of R3 zoning. Specifically, he is requesting permission to install a building to be used in association with the Quarry Condo swimming pool that will be less than the 40 foot from the Caddy Shack property as required by the R3 setback.

## Other Minutes Meetings

#### September 1971

Mayor reports Hi-Way department will resurface #575 and widen the west dock bridge as soon as possible. County will be here shortly after Labor Day to resurface the entire length of North/ South runway.

Petitions presented containing a total of two hundred seventy-five (275) signatures of Island residents and property owners requesting Council not to abandon the lake shore road which Mr. Morse has requested. Mayor acknowledges receipt of this petition.

#### October 1961

Elfers asks what we are going to do about open gambling. Mayor reports he has asked for a special Council meeting concerning same, but Chamber of Commerce had stated there would be no more gambling at the clam bake than there had been at the Church's or Fireman's doings.



#### SAILING CHARTERS WHERE GREAT ADVENTURES STILL HAPPEN'

# 40 Foot Custom Built Aluminum Ket

#### Portside Marina Downtown Kelleys Isla

7 Sunset Sails \* Weekend Packages 7 Day Sails 7 Corporate Retreats 7 Sailing Lessons 7 Birthdays \* Snorkeling 7 Anniversaries

Captain Mike and Brenda McKenney, Owi Reservations Requested But Not Required Stop By The Boat or Phone (216) 299-9132

This Phone is on the Boat

(216) 282-7343

## Letters to the Editor

To The Editor:

The Island's playground equipment at the school is outdated and inadequate.

A well planned playground facility will enhance the attractiveness of the Island for both residents and visitors. Why not allocate a portion of the funds donated for <u>fireworks</u> to a new playground? We would increase our donation for a more lasting project.

Bob and Gretchen Larson Pepper Pike, Ohio

Dear Perchie Press,

I made my 19th annual visit to Kelleys Island last week and was delighted to discover the existence of the Press. The material in the August 30th issue was important, timely and should be of real interest to Islanders and tourist alike. I especially appreciated your extensive coverage of the shore district zoning and port master planning issues. Your reporting on these issues was excellent.

Yours truly, William Peterman Associate Professor College of Architecture, Art and Urban Planning University of Illinois at Chicago

note: A little proofreading, however, would be helpful. There were some serious glitches, particularly in your printing of the proposed shoreline ordinance.

To the Editor,

You printed a list of Registered Voters in your last issue (September 13) of the "Perchie" and listed my name as Joanna M. Bartel. My name is Jame M. Bartel on Johanna Lane. Will you please correct same?

Truly Jane M. Bartel Kelleys Island, OH

We apologize for that mistake, as well as for omitting the name of Leonand M. Dalpiaz from the roster of registered voters

# 911 Delayed Until February

The Erie County-wide 911 emergency phone network implementation, originally scheduled for the middle of December, has been delayed until the middle of February.

The specifics of the Island's preparations for the new system are being handled by Police Chief Schnittker and Assistant Village Clerk Beth Schmitz. Street numbers are currently being assigned to all lots on the island. Owners will be notified of the address assignments in the near future.

Several Ordinances dealing with the 911 system will be introduced, perhaps as soon as the next Council meeting. One will authorize the Village's participation in the system, and the other will set specifications for the size and location of address signs for individual property.

# Marinas Change Strategy?

There is an advertisement in this issue of the Perchie Press offering seasonal dockage at both the Portside Marina and The Anchor Inn Marina. This appears to be a change in policy for both marinas, and could have an impact on the downtown area.

In the past, both marinas have catered primarily to transient boaters. The boaters could visit the downtown establishments with a minimum of walking, as compared to Continued on Page 10, Column 3

#### The Perchie Press

PO Box 472 Kelleys Island, Oh 43438 419-746-2361

**PUBLISHERS** 

Tim & Vicki Sullivan



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# Quick Quip Quote:

This little section reserved for the best quip or the most outrageous comment of the period as heard at public meetings. This one happened at the Planning Commission meeting on Saturday September 7. The meeting was a special session to discuss written comments on the Shore Distric Zoning and Port Master Plans

Discussing a question on shoreline zoning by Bud Yoscovits about who determines reasonable use, Chuck Herndon opines that it would be what a reasonable man would do. To which Ramie Dick retorts "Where are we going to find one of those on Kelleys."

Ah tis sad, but true

S
°8°.
Constitution of the second

THE PERCHIE PRESS PO Box 472 Kelleys Island, OH 43438

NAME		
Address	The state of the s	
Спу	STATE_	ZIP

Next Edition Scheduled for October 11,1991

Subscription Information Yearly subscription to the Perchie Press is \$15 for a planned 18 issues (twicemonthly May-Sept, Monthly Oct- April). Simply fill out coupon at left and send to address shown.

# Only Three Interested in **EMT**

#### Classes

The Village is encouraging anyone interested in taking a class to become an EMT to contact Russ Matso, Chairman of the Public Safety Committee. To date only three individuals have expressed an interest, while six to eight are needed to conduct the class.

In discussing the structure of a new program, Mayor McCullogh said "We will have a training program which we will pay for but holding a bond of the participants which would say that we expect of anyone who completes the course will be an active EMT for a year's period of time." This might prevent a recurrence of a situation experienced with the previous class of EMT recruits, he said, where, for various reasons, the majority of the graduating members resigned service after a relatively short period of time. "Its not harsh" he said, "it's not going to cost anybody

anything" unless they don't fulfill their one year service obligation.

The previous class graduated eleven individuals, but only three or so are currently active. Many resigned the service in May in a protest of inadequate insurance coverage by the Village for unemployment compensation.

# **General Fund Budget**

GENERAL FUND REVENUES	Actual 1989	Actual 1990	Estimate 1991	Estimate 1992
Local Taxes			9	
General Property Tax - Real Estate	\$72,388	\$63,789	\$63,464	\$65,000
Tangible Personal Property	\$2,103	\$3,094	\$4,500	\$7,000
Other Local Taxes Incl. Island Excise	\$43,672	\$34,397		\$108,000
Total Local Taxes	\$118,163	\$101,280	\$127,964	\$180,000
Intergovernmental Revenues				
State Shared Taxes and Permits				
Local Gevernment	\$43,551	\$38,436	\$43,708	\$45,000
Estate Taxes	\$502	\$7,043	\$8,500	\$8,500
Cigarette Tax	\$148	\$152	\$150	\$150
Liquor and Beer Permist	\$9,857	\$8,811	\$9,000	\$9,000
State Grants or Aid	\$0	\$11,250	\$0	\$0
Total Intergovernmental Revenues	\$54,058	\$65,692	\$61,358	\$62,650
Charges for Services	\$820	\$355	\$250	\$250
Fines, Licenses, and Permits	\$31,273	\$21,802	\$22,000	
Miscellaneous	\$17,804	\$14,297	\$11,500	\$11,500
TOTAL REVENUE	\$222,118	\$203,426	\$223,072	\$284,400
EXPENDITURES				
Security of Persons and Property				
Personal Services	\$28,964	\$20,258	\$27,600	
Travel Transportation	\$1,562	\$1,493	\$1,500	
Contractual Services	\$11,512	\$8,204	\$9,000	
Supplies and Materials	\$6,063	\$2,957		
Capital Outlay	\$4,300	\$3,722		
Total Security of Persons and Property	y \$52,401	\$36,634	\$44,600	\$51,500
Community Environment				100
Travel Transportation	\$145	\$0		
Contractual Services	\$539	\$0		
Supplies and Materials	\$0	\$2,548		
Capital Outlay	\$0	\$86		
Total Community Environment	\$684	\$2,634	\$6,090	\$5,100
Transportation				
Personal Services	\$51,094	\$39,007		
Total Transportaion	\$51,094	\$39,007	\$30,000	\$36,000
General Government				
Personal Services	\$19,375	\$18,887		
Travel Transportation	\$1,544	\$1,010		
Contractual Services	\$59,578			
Supplies and Materials	\$9,945	\$6,526		
Capital Outlay	\$20,969			
Toal General Government	\$111,411	\$110,822	\$121,450	\$137,500
Other Uses of Funds				12.01
Transfers	\$19,000			
Contingencies	\$0	\$0	\$7,500	
Total Other Uses of Funds	\$19,000			
TOTAL EXPENDITURES	\$234,590	\$194,997	\$213,240	\$242,100
Revenues over/(under) Expenditures	(\$12,472)	\$8,429		
D. J. J. Harmannhand Belence	694 709		\$30.65	9 \$40 491

The regular Village Council meeting on October 10 will include a public hearing on the proposed budget for 1992. The draft copy of the budget is presented on this page and elsewhere to give interested individuals time to study the document.

In the interest of brevity, certain line items have been omitted if there was no forecast of revenue or expense.

The special funds for the airport, for police and for the fire department were approved by the voters in May of 1991, so no historical data is presented. Only the estimated amount to be realized in the 1992 Budget year has been shown. Also, the road maintenance fund shows no income for the current year (1991) since it was defeated when brought up for renewal in November of 1990. It was subsequently passed at the special election in May.



We incorrectly spelled the last name of the bride-to-be Engagement Announcement of the August 30 issue. It should have been Suzanne SCHOCK.

An unintentional lengthening of Chris and Frank Yako's B&B's name was included in the story on candidates in the August 30 edition. There is no "Hollow" in the Cricket Lodge.

**Beginning Unencumbered Balance** 

**Ending Cash Fund Balance** 

The sole classified ad appearing in this issue was supposed to run in the August 16 edition as part of our free classified ad promotion. Although we apologize for the delay, a trailer in the Florida Keys has more appeal now than it did in the middle of August.

\$30,659

\$40,491

\$22,230

\$30,659

\$34,702

\$22,230

And our front page story about Neuman's running late boat on Fridays neglected to give the time - 8:30pm. The schedule will be included in their ad through the end of Neuman's season.

# **Barn Remodeling Is Criticized**

A barn on the property of John Morse on Long Point has been the subject of some attention approved request to install a recently. Reports have indicated that the interior of the barn has been remodeled into a two or three bedroom living quarters.

The subject was brought up in public at the September Council meeting by Martin indicated the Council

REVENUE

General Property Tax

**Conractual Services** 

Salaries and Wages

TOTAL EXPENDITURES

Revenues Over/(Under) Expenditures

**TOTAL REVENUE** 

**EXPENDITURES** 

Capital Outlay

Neufer's previously paved entrance to his hangar from the runway had just been put on hold because of concerns brought to the Council, according to Councilman Jake Martin.

had discussed the matter. This discussion apparently took place in Executive Session, since no record of the matter can be found in minutes of any public meeting.

Neufer wanted to know how the remodeling, being done by Martin, could be allowed without permits from the Village. Also brought up was the adequacy

1992

15640

15640

8000

7000

15000

640

of the septic system. Martin responded that there was nothing in the zoning ordinance that prevented such a change of use of a property.

However, section 901-3 of the Village Zoning Ordinance states "Before constructing, changing the use of, or altering any building, or changing the use of any premises, application shall be made to the Zoning Inspector for a zoning certificate." The Zoning Inspector, Jack Terry, also had been in contact with Karen Cote of the Erie County Health Department. In a written response, Cote wrote that the application for the septic system listed the use as a barn-shop. If it was known that the use would be changed to a living quarters, the size of the septic system requested would not have been approved. Moreover, she wrote, if the application was made with knowledge of the eventual use, then the application was made "under false pretense."

There is no other house on the property in question, and reports indicate the remodeling was done to accommodate occasional visitors. application for the septic system. just approved this past spring, was made on behalf of Morse by Martin.

# Museum Stewardship Committee Meets

Stewardship Committee for the holdings of the Cleveland Museum of Natural History met on Saturday. September 21. After the meeting a field trip was conducted to inspect the clearing of an access driveway to the restoration of a red cedar savannah on Museum property on the north side of Bookerman Road. Museum Natural Areas Coordinator Jim Bissell, assisted by Beverly Danielson, conducted the trip.

The clearing work was performed by Kyle Paine.

# **Special Funds Budget**

	Actual 1989	Actual 1990	Estimate 1991	Estimate 1992
ROAD CONSTRUCTION				
REVENUE				
General Property Tax	\$35,806	\$0	\$36,500	\$36,500
Tangible Personal Property	\$914	\$0	\$2,000	\$2,000
TOTAL REVENUE	\$36,720	\$0	\$38,500	\$38,500
EXPENDITURES				
Contractual Services	\$680	\$0	\$3,000	\$3,000
Capital Outlay	\$27,421	\$812	\$20,000	\$19,000
Other Depreciation and Maintenance	\$560	\$1,500	\$1,500	
Salaries and Wages	\$14,000	\$15,000		
TOTAL EXPENDITURES	\$28,101	\$1,372	\$38,500	\$38,500
Revenues over/(under) Expenditures	\$8,619	(\$1,372)	\$0	\$0
Beginning Unencumbered Balance	\$1,163	\$9,782	\$8,410	\$8,410
Ending Cash Fund Balance	\$9,782	\$8,410	\$8,410	\$8,410
MEDICAL SERVICES				
REVENUE				
Property Tax	\$11,774	\$13,677	\$14,000	\$14,000
Tangible Personal Property	\$274	\$385	\$300	
Miscellaneous Local	\$135	\$20	\$20	\$20
TOTAL REVENUES	\$12,183	\$14,082	\$14,320	\$14,320
EXPENDITURES				
Contractual Services	\$2,272	\$4,119	\$3,500	
Supplies and Materials	\$2,217	\$953		
Capital Outlay	\$11,020	\$4,519	\$5,000	\$6,000
County Auditor Expense	\$169	\$170		
Salaries and Wages	\$200	\$200		
TOTAL EXPENDITURES	\$15,509	\$9,760		
Revenues over/(under) Expenditures	(\$3,326)	\$4,322	\$1,450	
Beginning Unencumbered Balance	\$17,878	\$14,552	\$18,874	\$20,324
Ending Cash Fund Balance	\$14,552	\$18,874	\$20,324	\$21,474
	Fire Fund	Police	Fund Al	rport Fund
	Estimate	Estima	te Es	stimate

10498

10498

5000

5000

10000

498

41948

41948

8500

8000

25000

41500

448

#### Everywhere Water Vater.

(But None of it is Yours)

The Planning Commission has held two meetings to discuss changes to the proposed shoreline zoning ordinance. Many changes have been made, incorporating both the input from citizens and from Commission members.

One of the most heavily criticized elements of the recommended zoning ordinance was that which specified "in no way shall these regulations interfere with the opportunity for water related commerce, navigation, fishing, and public access to Lake Erie. Many respondents thought that meant individual property rights would be trampled, so to speak, by the encouragement of public access.

Others questioned the fact of ownership of the lake by the State, and their right to regulate its uses.

As a result of these concerns, the Planning Commission omitted the references to public access. Unfortunately, in our hierarchical scheme of government, all of the tiers above the Village level have something to say about public access (as well as commerce, and navigation etc.). A lot of it has to do with Coastal Zone management, which will be a subject of presentation in this

edition of the Perchie as well as the next.

The Coastal Zone Management Act of 1972 was passed by the US Congress went into effect on October 27, 1972, and is the genesis for the Coastal Management legislation in Ohio. The act encompasses all coastal zones of the United States including the Great Lakes. In this act, the Congress declares that it is a national policy to "preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations..."

The States are encouraged to exercise their authority and responsibility in the coastal zone. This should be done through development and implementation of programs to achieve "wise use of the land and water resources in the coastal zone." The plans so developed should give consideration to "ecological, cultural, historic, and esthetic values as well as to needs for economic development...."

The plans developed by the States should provide for protection of the natural resources, the prevention of loss of life and property from things such as erosion or flooding. The plans should also provide for "public access to the coasts for recreation purposes...'

Ohio's implementation of Coastal Zone Management generally echoes these themes. The Ohio Coastal Management Act (Chapter 1506 of the Ohio Revised Code) contains the following definition:

"Coastal management program" means the comprehensive action of the state and its political subdivisions cooperatively to preserve, protect, develop, restore, or enhance the resources of the coastal area and to ensure wise use of the land and water resources of the coastal area giving attention to natural, cultural, historic, and aesthetic (sic) values; agricultural, recreational, energy, and economic needs; and the national interest. "Coastal zone management program" includes the establishment of objectives, policies, standards and criteria concerning, without limitation, protection of air, water, wildlife, rare and endangered species, wetlands and natural area, and other resources in the coastal area; management of coastal development and redevelopment; preservation and restoration of historic, cultural, and aesthetic coastal features; and public access to the coastal area for recreation purposes."

The ownership of Lake Erie by the State was established in the Ordiance of 1797 whereby Congress established the Northwest Territory. Ohio was formed from land in the Northwest Territory

The applicable section of the Ohio Revised Code that discusses the ownership of the lake is 1506-10, and it speaks rather forcfully:

"It is hereby declared that the waters of Lake Erie consisiting of the territory within the boundaries of the state, extending from the southerly shore of Lake Erie to the international boundary line between the United States and Canada, together with the soil underneath and their contents, do now belong and have always, since the organization of the state of Ohio, belong to the state as proprietor in trust for the people of the state, for the public uses to which they may be  $adapted, subject to the \,powers fo \,the \,United \,States \,government,$ to the public rights of navigation, water commerce, and fishery and to the propoerty rights of littorial owners, including the right to make reasonable use of the waters in front of and flowing past their lands."

Since the State owns Lake Erie and the soil beneath it, they can control the objects placed therein. That is embodied in the system of submerged land leases. That topic and other aspects of Coastal Management, such as provisions dealing with the erosion hazard area, will be discussed in the next issue.

# Port Plan Modified

As a result of the comments and criticisms received concerning the Master Port Plan, several changes are been incorporated into the document.

The proposal to direct traffic departing from the Seaway Marina location of the new ferry dock down Addison Street drew heavy criticism from residents on Addison Street. The Planning Commission is changing the plan to call for signs to direct only vehicle with trailers down Addison, leaving passenger cars to select their own route to their destination.

Another change to the plan is being incorporated as the result of a letter from a tourist who also happens to be a Professor of Urban Planning at the University of Chicago. His letter pointed out the conflict of use that would develop further in the areas at the foot of Addison St and Craft's marina. The Port Plan recommended these area be given a "Port" Classification, which would put it in conflict with surrounding residential classification. He suggested zoning the area residential, which would make the current uses nonconforming, but allow them to continue as at present. In time the properties would revert to residential usage, he felt.

#### Residency Voter

This is the second of series dealing with the right to vote in Ohio. This installment will examine more closely the statutory provision concerning Elector qualifications.

Electors, among other things, must be "a resident of the state thirty days next preceding the election at which he offers to vote..." Naturally, the question will arise, especially given the nature of the mobility of lifestyles, what constitutes residency.

There are statutory guidelines that govern how registrars and judges of elections are to reach a determination of a persons residency. There is a common misconception that residency is acquired by a physical presence of 30 days in a year. The words "next preceding" would argue against such an interpretation, as would the general theme that residency is not mere physical presence.

First specified in a list of seven factors[3503.02(A)] is the dictum that residence shall be considered to be the place where a person's "habitation is fixed and to which, whenever he is absent, he has the intention of returning."

The fourth guideline [3503.02 (D)] is one that also attempts to make a positive test of residence; except that when his or her place of residence." the husband and woman have

of residency. "The place where separated and live apart, the place the family of a married man or where he or she resides the length guidelines address the loss of woman resides shall be of time required to entitle a person considered to be his or her place to vote shall be considered to be

# A Short History of Voting in Ohio

The qualifications for voting in Ohio are set forth in the Ohio Constitution and further defined in the Revised Code. The Ohio Constitution specifies, in Article V. ELECTIVE FRANCHISE, "Every citizen of the United States, of the age of eighteen years, who has been a resident of the state, county, township, or ward, such time as may be provided by law, and has been registered to vote for thirty days, has the qualifications of an elector, and is entitled to vote at all elections."

It wasn't always so, however. The first Constitution adopted in Ohio (1802) provided that only white males, aged 21 or older and who had either worked on the roads or paid a state or county tax could vote. There was no mention of citizenship as such, and the qualifications reflected the norms of the time - "free, white and twenty-one". They were less restrictive than some other states that required, for instance, the ownership of property or a certain level of income. During the preparation of that first State Constitution, Ohio almost took the historic step of granting black males the right to vote, but it was defeated when the President of the Convention cast the tie breaking vote to defeat the measure.

The next Constitution adopted in Ohio was in 1851 which added the requirement that an elector be a United States Citizen, but dropped the qualifying effect of road work.

Voter qualifications as codified in the Ohio Constitution weren't altered again until 1923 when the phrase "white male" was finally deleted from the document. This was 53 years after blacks were given the right to vote by the adoption of the Fifteenth Amendment to the United States Constitution in 1870, and three years after women were give "suffrage" (after failed initiatives in the State to grant it in 1912 and 1914) by the Nineteenth Amendment to the US Constitution in 1920. The lowering of the voting age to eighteen was the final change in the form of qualifications, and was required by passage of the Twenty-Sixth Amendment to the US Constitution in 1971.

The remaining five residency, once established. The second [3503.02(B)] states that a person does not lose residency by leaving the county or state on a temporary basis, as long as there is an intent to return. Conversely, someone who comes to the state on a temporary basis is not granted residency if he comes " without making such county his permanent place of abode."[3503.02(C)]

The intent theme along with the permanency of moving into or out of the state or county seems to be the operative elements of the residency requirements.

Section [3503.02(E)] of the guidelines specifies that if a person leaves for another state with the intent to make that state his home, then residency will be lost. If a person moves to another state with the intent of staving there for an indefinite amount of time, and makes that state his residence, then residency in Ohio is lost. This is true even if the there is a consideration to return at some unspecified future date.

If a person leaves the county or state to work for the government, state or federal, residency will not be lost. And finally, a person who goes into another state, and while there, exercises the right to vote, will lose Ohio residency.

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## **New Teacher Likes to Talk!**

By Karrah Trainor

There is a new primary teacher at Kelleys Island school and her name is Caryn Lee. Miss Lee, a native of Vermillion, Ohio teaches grades K-4. She graduated from Bowling Green State University three months ago after receiving a Bachelor of Science degree from the College of Education.

Miss Lee has two siblings, an older sister, and an older brother. Her sister is an advertiser for the Loraine Journal and her brother is a student at Kent State, majoring in graphic design. Miss Lee's interests outside of school include boating, basketball, her dog and talking. "I love to talk," she says. She also enjoys most outdoor sports.

The unique educational system and the island's location attracted her to this small community. She applied for the job after an islander mentioned to her mother that a teaching position was open on the Island. Miss Lee is impressed with the way the students help each other in school and the community interest and support the students receive. This is Miss Lee's first teaching job and she finds it very challenging. She finds teaching several grades fun and she likes being able to give more individual attention to each student. However, she finds it more difficult to work five grades as a group. Miss Lee enjoys the island more each day, especially the historical sites and wildlife.

Miss Lee has several upcoming projects planned for her students including a field trip to Oceana to see the dolphin show, cooperative training, and extensive computer work.

Miss Lee said in her closing comments "I feel very fortunate to have a job here and I'm looking forward to meeting new people."

# Airport Bids Judged Too High

The opening of bids submitted for the widening of the East/ West runway at the Village Airport was conducted at noon in Municipal Building on September 19th. The original plan called for the bids to be evaluated by County Engineer Ed Feick and Village Officials and a recommendation made to the Village Council at a special meeting to held on Saturday September 21.

There were two bids received for the work, one from \$245,963 from Erie Blacktop Inc. of Sandusky and one for \$329,185 from F. W. Franks of Cleveland. Although the bid from Erie Blacktop was less than the County Engineering estimate of \$256,312, it was still more than the money the Village has available for the project. The Village will have funds of about \$225,000 to pay for the work.

Mayor McCullagh canceled the special meeting to allow Village Solicitor Lee McDermond time to research whether the Village could eliminate or scale down elements of the bid without having to advertise for new bids.

A meeting was to be held on September 25 in Sandusky with State Officials, the Village Solictor, Mayor McCullagh, Village Clerk Kuyoth, and Councilman Haas to decide what items might be deleted from the bids.

A special Council meeting has been called for September 28 in case a resolution to the problem results from the meeting in Sandusky which the Council would then ratify. The hope is to award the bid so the project could be completed before the winter starts.



Beth Schmitz was the victim of a surprise birthday party at the old Village Hall. The party was masterminded by Mark Naufel, her fiance.

Vicki Finnegan roars into her 40th year on September 28.

Lori and Steve James are back from a trip that took in England, Austria and Switzerland.

The Phinneys, the Yakos and Penny Kyle were spotted at the Fogcutter in Port Huron Michigan on September 11th.

Happy second anniversary to Steve and Pam (Mack) Avarello who were wed on the Island on 9-23-89. Parents Paul and Gail Mack gave the ultimate gift - a subscription to the Perchie.

And Happy birthday to George Marcus, who also received a subscription from his daughter Dorethy Kreiger. We hate to mention his birthday was Friday the 13th - in September

#### **New C of C Director**

The Kelleys Island Chamber of Commerce, acting at its September meeting, hired Vicki C. Sullivan to be the new Executive Director, replacing Sandy Kilko who is leaving the post effective the end of September. Sandy served as director of the Chamber for eight years.

The Chamber of Commerce is sponsoring a clam bake at the Village Pavillion on September 28(tickets \$17). It is hoped that those who attend will take the opportunity to thank Sandy for her productive service and to welcome Vicki to her new challenge.

Vicki has been searching for a job on the Island since being fired as proofreader for the Perchie Press, effective immediately. It is not expected readers will notice any degradation in the quality of the publication.

Continued from Page 5

Phases and Seasons

transient dockage at the Seaway marina. Conversely, Seaway marina attracted a lot of seasonal dockage because of the ample parking and remoteness from the congestion of the downtown area.

If the usage patterns of marinas switch, as well they could if there is enough economic incentive for seasonal dockage at the Anchor Inn and Portside marinas, then there would be more competition for already scarce central parking. At the same time their would be an increase in the pedestrian traffic from the Seaway marina to the downtown area as transient boaters have little choice but to dock at Seaway, if the Casino docks are occupied.

There has been a shortage transients slips on the Island, especially since the spring storm damaged Popeyes facilities.



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#### **MONDAY THROUGH THURSDAY**

			- E		
Leave Marblehead		Leave Kelleys I	Leave Kelleys Island		
7:30 am	1:30 pm	8:00 am	3:00 pm		
8:30 am	3:30 pm	10:00 am	4:00 pm		
10:30 am	4:30 pm	1:00 pm	5:00 pm		

	Leave Marbierlead		Leave Kell	eys island	
	7:30 am 1	:30 pm	8:00 am	3:00 pm	
	8:30 am 3	3:30 pm	10:00 am	4:00 pm	
	10:30 am 4	:30 pm	1:00 pm	5:00 pm	
	-3	FRI	DAY		
	Leave Marblehead		Leave Ke	leys Island	
	7:30am 10	):30 am	8:00 am		
	8:30 am 1:	2:00 N			
	1:00 pm			12:30 pm	
	thru	EVERY 1	1/2 HOUR	thru	
	7:30 pm			7:00 pm	
	8:30 pm	(Until further	notice)		
		SATU	IRDAY		
	Leave Marblehead		Leave Kell	eys Island	
	7:30 am			8:00 am	
	8:30 am			9:00 am	
	thru	EVERY 1	1/2 HOUR	thru	
	1:30 pm			2:00 pm	
	2:30 pm			3:00 pm	
	thru	EVERY	/ HOUR	thru	
	6:30 pm			6:00 pm	
		SUN	IDAY		
Leave Marblehead			Leave Kell	eys Island	
	8:30 am	9:30 am	8:00 am	9:00 am	
	10:30 am			10:00 am	
	thru	EVERY :	1/2 HOUR	thru	

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