

## Minutes of Regular Meeting

April 6, 2023 @7PM

Baughman Township Trustees met in regular session April 6, 2023 at the Baughman Township office, 3470 N Mt Eaton Road, Burton City, Ohio at 7:00 PM. All members were present. Chairman Geiser called the meeting to order and led the Pledge of Allegiance. Kaufman made motion to approve April 6, 2023 agenda. Second Graber. Graber-yes, Kaufman-yes, Geiser-yes, (added Burkhardt Rd driveway). Kaufman made motion to approve the March 9, 2023 regular meeting minutes with the change of resident to attendee. Second Graber. Graber-yes, Geiser-yes Kaufman-yes. Graber made motion to approve March 30, 2023 special meeting minutes, Second Geiser. Geiser-yes, Kaufman-yes, Graber-yes. Kaufman made motion to pay bills. Second Geiser. Geiser-yes, Kaufman-yes, Graber-yes. (Graber exception Buckingham, Doolittle and Burroughs)

Mr. Jarrod Brown spoke on the 42-unit 2-person housing units, that are wanting to be built on Paradise Street, just outside Orrville corporation limit. Mr. Brown is against these housing units being built. Concerns are; Suppose to be for senior citizens 55 older, but could end up being used as low-income housing. Company that is building these units and managing the units, is not from the area. What will these units will look like in 15 years, possibility run down in need of repairs. Could create issues for Baughman Township ditches from water run off and retention ponds. Mr. Brown would like the Trustees to write a letter questioning if the project is right for Baughman Township. Would need letter by April 12, 2023. Trustees agreed to discuss letter later in meeting. Resident stated that ditch down from his home on Fosnight Rd, has two spots where water is setting. Creates area for mosquitoes to grow. Trustees will take a look. Resident asked any info on sirens. Geiser stated has no update on sirens.

NLVFD gave the fire report; 2 EMS, 2 Fire total of 4. Getting new fire engine completed and will start training soon. April 22 pancake breakfast. Is Baughman interested in helping NVLFD purchase an EMS load system for a cost of \$24,527.00. Geiser stated this on agenda and will be discussing later in meeting.

Geiser stated that he would like to see the road supervisor report on agenda taken off. Furthermore, not requiring road supervisor attend the meetings. Road Supervisor would just give a list of accomplishments for the month to Trustees to read off in meeting. Kaufman and Graber had concern with road supervisor not attending. Agrees to try it for three months. Geiser moved to remove road supervisor from agenda for three months. Second Kaufman. Geiser -yes, Kaufman-yes, Graber-yes.

New snow plow truck purchase: Graber stated he had time to look at truck and talk to salesman. Likes that it has a Cummins engine. Truck comes with a five-year warranty but Baughman should consider an extended warranty (possibility ten year). Geiser stated that he had signed up Baughman for SourceWell. SourceWell does the bidding on trucks, this eliminates the need for

Baughman to get three bids, a process required to use ARP funds. Geiser still looking into the stainless-steel chip spreader. Kenworth T480 chassis is \$110,352. Henderson snow package is \$79,957. Baughman requested options through Henderson that will be an additional \$10,644. Total cost \$200,953. Geiser made motion to purchase a T480 Kenworth snow plow truck and snow plow package. Cost not to exceed \$215,000.00. Second Graber. Kaufman-yes, Graber-yes, Geiser-yes. Graber made motion to approve resolution 2023-2, use of ARP funds (not exceed \$215,000.00). Second Kaufman. Geiser-yes, Graber-yes, Kaufman-yes. Geiser made motion to approve resolution 2023-3, amending certificate of appropriations. Second Graber. Kaufman-yes, Graber-yes, Geiser-yes.

Trustees opened and review rock, stone and road oil bid. Kandel Trucking, Orrville Trucking and Grading and Melway submitted bids. Kaufman made motion to accept rock, stone and road oil bids. Second Graber. Graber-yes, Kaufman-yes, Geiser-yes.

Graber stated that Burton City School light is up and running.

Geiser stated on sale of properties, that in event of a tie, the earlier bid shall have priority. Bids will need to be time stamped when received. Graber stated he is against selling the properties. Geiser made motion to advertise the six real properties for sale and open bids at the May 4, 2023, regular meeting. Second Kaufman. Geiser-yes, Kaufman-yes, Graber-No.

Geiser stated that he had received a letter, that Legal council is going into mediation this month with EWFD. Baughman needs to appoint a representative. Geiser would like to be that person. Kaufman made motion to appoint Geiser the representative for mediation. Second Geiser. Kaufman-yes, Geiser-yes, Graber-No. Graber asked if mediation does not work what next. Geiser stated not sure.

Trustees were confused by legal response on the Burkhardt driveway issue. Geiser said that it might be to Baughman's benefit, when residents installing cement driveways, Township check to make sure cement proper distance from road. Graber is going to visit with resident.

Trustees discussed the Woda project and letter Mr. Brown had asked for earlier in meeting. Trustees do not have authority over the project. Graber concerned with what project will do to community services, water runoff into Baughman ditches and retention ponds run off. Graber feels that Orrville should move their city limits so the housing units will be in Orrville. Kaufman feels that this could be a slippery slope, when governments starts telling land owners what they can or cannot do with their land. Graber is going to write a letter.

Trustees stated approx. 100 tons of road salt left. Need approx. 100 tons more. Also, Kaufman is going to contact Rupp's on what grits cost, for mixing with salt. Kaufman made motion to approve resolution 2023-4 and participate in ODOT road salt program. Purchase 100 tons for 2023-2024. Second Geiser. Geiser-yes, Kaufman-yes, Graber-yes.

Geiser stated that he would like to see Baughman cover cost of one load system for NLFD squad using ARP funds. Cost is \$24,527.00. Graber stated that Baughman could really use the ARP

funds for township projects. Would like to know how much money NLVFD is setting on. Private fire dept. harder to know the answer to this question. Stoll stated that Baughman has \$296,196.84 ARP funds remaining. Note the truck cost needs to be taken out of this figure. Graber would like to know if any other townships are contributing to lifts. Geiser moved to full fund one load system for NLVFD, at a cost of 24,527.00, using ARP funds. Second Kaufman. Geiser-yes, Kaufman-yes, Graber-yes. Kaufman made motion to make Geiser POC for legal. If ARP funds can be used to purchase load system. Second Geiser. Geiser-yes, Kaufman-yes, Graber-yes.

Geiser motion approve finances. Second Kaufman. Graber-yes, Kaufman-yes, Geiser-yes.

Kaufman motion to adjourn. Second Geiser. Motion Carried. 8:53 PM.

BAUGHMAN TOWNSHIP, WAYNE COUNTY

4/7/2023 1:14:53 PM

Payment Listing

UAN v2023.2

3/16/2023 to 4/7/2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
16-2023	04/06/2023	04/03/2023	EW	IRS Department of Treasury	\$529.19	O
17-2023	04/06/2023	04/03/2023	EW	School District Income Tax - Ohio Dept of Tax	\$23.20	O
18-2023	04/06/2023	04/03/2023	EW	Treasurer of State of Ohio	\$184.00	O
19-2023	04/06/2023	04/03/2023	EW	PUBLIC EMPLOYEES RETIREMENT SYSTE	\$2,933.16	O
8646	03/16/2023	03/16/2023	PR	Robert J Cornell	\$40.10	O
8647	03/16/2023	03/16/2023	PR	Jeffery A Hartzler	\$1,048.05	C
8648	03/16/2023	03/16/2023	PR	Josh Rehm	\$1,947.50	C
8649	04/06/2023	04/03/2023	PR	Michael C Geiser	\$463.55	O
8650	04/06/2023	04/03/2023	PR	Robert E Graber	\$419.90	O
8651	04/06/2023	04/03/2023	PR	Jeffery A Hartzler	\$1,051.64	O
8652	04/06/2023	04/03/2023	PR	Jeffrey M Kaufman	\$654.42	O
8653	04/06/2023	04/03/2023	PR	Josh Rehm	\$2,731.89	O
8654	04/06/2023	04/03/2023	PR	TODD E STOLL	\$1,712.92	O
8655	04/06/2023	04/03/2023	PR	Josh Rehm	\$10,485.45	O
8656	04/06/2023	04/03/2023	AW	ORRVILLE MUNICIPAL UTILITIES	\$392.97	O
8657	04/06/2023	04/03/2023	AW	Don Smith Auto Parts	\$639.21	O
8658	04/06/2023	04/03/2023	AW	Commercial & Savings Bank	\$114.90	O
8659	04/06/2023	04/03/2023	AW	AloNovus Corp	\$57.00	O
8660	04/06/2023	04/03/2023	AW	DAILY RECORD	\$136.04	O
8661	04/06/2023	04/03/2023	AW	NORTH LAWRENCE FIRE DEPARTMENT	\$37,350.00	O
8662	04/06/2023	04/03/2023	AW	Sedgwick	\$530.00	O
8663	04/06/2023	04/03/2023	AW	Buckingham, Doolittle & Burroughs LLC	\$1,608.00	O
8664	04/06/2023	04/03/2023	AW	WAYNE COUNTY COMMISSIONERS	\$6,969.88	O
8665	04/06/2023	04/03/2023	AW	Ohio CAT	\$281.54	O
8666	04/06/2023	04/03/2023	AW	Roderick Linton Belfance LLP	\$250.00	O
8667	04/06/2023	04/03/2023	AW	AUDITOR OF STATE	\$762.00	O
8668	04/06/2023	04/03/2023	AW	LOWE & YOUNG INC	\$97.25	O
8669	04/06/2023	04/05/2023	AW	SCHLABACH ENGINE	\$157.94	O
8670	04/06/2023	04/05/2023	AW	Orville Plumbing & Heating, Inc	\$200.00	O
8671	04/06/2023	04/05/2023	AW	World Fuel Services Inc	\$2,363.23	O
8672	04/06/2023	04/05/2023	AW	Dalton Gazette, Llc.	\$60.00	O
8673	04/06/2023	04/05/2023	AW	Aultworks	\$263.00	O
Total Payments:					\$76,457.93	



1816-2023

# Baughman Township

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## RESOLUTION # 2023-1

### Appointing Point of Contact for Mediation Meeting April 2023.

Mr. Kaufman moved for the adoption of the following resolution.  
Second Mr. Geiser

Be it resolved, by the Board of Trustees of Baughman Township, Wayne County; Ohio, that:

WHEREAS, Trustee Mike Geiser, will be the representative in attendance for Baughman Township at the mediation to be held in April 2023 at the Court of Appeals in Akron Ohio.

WHEREAS, Resolution 2023-1 is granting, Trustee Mike Geiser, the authority to negotiate a proposed settlement, Between Wayne County Auditor and East Wayne Joint Fire District, that would need to be approved by the majority of Baughman Township Trustees.

WHEREAS, the Board of Baughman Township met in a regular session on April 6, 2023 at 7:00pm in an open meeting pursuant to notice duly given in accordance with the provisions of Ohio Open Meetings Act.

THEREFORE, be it resolved this 6<sup>th</sup> day of April 2023, the Board of Baughman Township has duly moved and seconded.

DULY PASSED BY ROLL CALL VOTE ON April 6<sup>TH</sup>, 2023.

Mike Geiser, Trustee yes

Jeff Kaufman, Trustee yes

Bob Graber, Trustee NO

Todd Stoll, Fiscal Officer [Signature]

**RESOLUTION NO. 2023-2**

**IN THE MATTER OF AUTHORIZING THE EXPENDITURE TO COVER THE COST  
OF THE IDENTIFIED PROJECT UNDER THE ELIGIBLE CATEGORY OF REVENUE  
LOSS-STANDARD ALLOWANCE OF THE AMERICAN RESCUE PLAN ACT**

The Board of Township Trustees of Baughman Township, Wayne County, Ohio ("Township") met in regular session on the 6th day of April 2023, at the Baughman Township Office 3470 N. Mt Eaton Rd, Burton City OH with the following members present:

Jeff Kaufman

Mike Geiser

Bob Graber

Mr. Graber moved the adoption of the following Resolution:

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act ("ARPA") was signed into law effective May 17, 2021. Section 9901 of ARPA amended Title VI of the Social Security Act<sup>17</sup> (the Act) to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Fund (together, the "Funds"). The Funds are intended to provide support to State, local, and Tribal governments (together, recipients) in responding to the impact of COVID-19 and in their efforts to contain COVID-19 on their communities, residents, and businesses; and

**WHEREAS**, Section 603(c)(1)(C) of ARPA allows use of the Funds for the provision of government services to the extent of the reduction in revenue of such \*\*\* non-entitlement unit of local government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the non-entitlement unit of local government to the emergency; and

**WHEREAS**, some examples of "government services" expressly recognized by the U.S. Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health Services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; and

**WHEREAS**, aside from "government services" being the most flexible use category under the Final Rule it continues to impose restrictions on use of the Funds, including offset a reduction in



net tax revenue, deposit into pension funds, no debt service or replenishing financial services; no satisfaction of settlements and judgments; and

**WHEREAS**, the Township has elected to use the Standard Allowance by way of Resolution No. 2023-2 and its presumption of revenue loss due to public health emergency; and

**WHEREAS**, the Township has identified a project which, in the judgment of its board, qualifies as a permitted use of the Funds, in direct support of governmental services, which consists of the following:

    Snow Plow Truck      
\_\_\_\_\_ ("Project").

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Baughman Township, Wayne County, Ohio that:

- Section 1. The Township elects to use the Standard Allowance and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services, namely the afore-identified Project.
- Section 2. The Project is hereby authorized and shall be paid for from the Funds in the amount not to exceed:     215,000.00    .

It is hereby declared that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of the Board which resulted in passage of this resolution were taken in meetings open to the public, in full compliance with the requirements of Ohio Revised Code Section 121.22.

Mr.     Graber     made the motion to adopt the Resolution and Mr.     Kaufman     seconded that said motion. On the roll being called the vote resulted as follows:

- Mr. Jeff Kaufman,     yes
- Mr. Mike Geiser,     yes
- Mr. Bob Graber,     yes

Resolution 2023-2 adopted on the 6th day of April, 2023.

**CERTIFICATE**

State of Ohio             )  
Wayne County            )

I, the undersigned Fiscal Officer of Baughman Township, Wayne County, Ohio, certify that the foregoing Resolution No. [2023-3] is taken and copied from the record of proceedings of the township, and that it has been compared by me with the resolution on the record and is a true copy.

[Date]      Jedid 5/6/11         4-6-2023

**BOARD OF TRUSTEES**  
**BAUGHMAN TOWNSHIP, WAYNE COUNTY, OHIO**

**Resolution No.2023-3**

The Board of Trustees of Baughman Township, Wayne County, Ohio met in regular session on April 6, 2023 at the Baughman Township Office, located at 3470 N Mt Eaton Rd, Burton City OH with the following members present:

**Jeff Kaufman**

**Mike Geiser**

**Bob Graber**

Mr. Geiser moved the adoption of the following resolution:


**WHEREAS**, the Board of Trustees are approving Resolution 2023-3. Approving the amending of 2023 budget in appropriations for American Rescue Plan Funds. The Board approves to submit a request to amend the Certificate of Supplemental Appropriations to the Wayne County Auditor.

Mr. Graber seconded the motion, and the roll was called on the question of its adoption. The vote was as follows:

Name	Vote
Mike Geiser	<u>yes</u>
Bob Graber	<u>yes</u>
Jeff Kaufman	<u>yes</u>

Adopted April 6, 2023

Attest:

  
\_\_\_\_\_  
Fiscal Officer

**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023-4**

**WHEREAS**, the Baughman Township hereinafter referred to as the "Political Subdivision" hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1<sup>st</sup>, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE**, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

 (Authorized Signature) 4/6/2023 Approval Date  
 (Authorized Signature) 4-6-2023 Approval Date  
 (Authorized Signature) 4-6-2023 Approval Date  
 \_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date  
 \_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 1<sup>ST</sup>, 2023.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

**Chairman** \_\_\_\_\_

**Fiscal Officer** \_\_\_\_\_