

## **Minutes of Regular Meeting**

**May 4, 2023 @7PM**

Baughman Township Trustees met in regular session May 4, 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 May 4 ,2023 agenda, (adding electric aggerate to agenda). Second Graber. Graber-yes, Kaufman-yes, Geiser-yes. Graber made motion to approve the April 6, 2023 regular meeting minutes. Second Kaufman. Graber-yes, Geiser-yes Kaufman-yes. Kaufman made motion to pay bills. Second Geiser. Geiser-yes, Kaufman-yes, Graber-yes. (Graber exception Buckingham, Doolittle and Burroughs)

Resident questioned Trustee Graber per diem for March and April. Why using abbreviations SB, DG, and MG. Why not write their names out? Furthermore, what was the issue that these residents had concerning Baughman Township? Graber showed up while road supervisor and part time road worker were berming roads. He needs to let the staff do their work and not bother them. They know what they have to do. What fire perfection discussion was graber having with DG and MG? Baughman has secured its fire protection for 2023. Graber is charging the township for discussions with DG, MG and SB. As well for time spent bothering Baughman Township employees. Resident stated, Baughman Township has filed in the Court of Claims, a plaintiff's motion for order to deposit funds. Requests the court to issue an order requiring defendant East Wayne Fire District to deposit \$200,000.00 in escrow. Graber signed contract on how to get out of fire district and now won't abide by it. Graber stated wants to respond these comments. Resident stated does not want response from graber, because he will not tell the truth. Graber stated that he has right to talk to Baughman staff and that the per diem system for paying Trustees is very antiquated. Most townships do not use it. Resident stated that Stoll does good job writing the minutes. Past Fiscal officer minutes were very vague. Also, that Graber told him that Baughman was only going to get \$100,000.00 for this lawsuit with EWFD and money could only be used for fire/ems protection. How does Graber know this? Graber stated that the Wayne County Auditor had decided on what Baughman was owed. Resident stated that fraud lawsuits are very had to prove and Baughman wasting money on legal costs. Resident asked why don't have comments at end of meeting. Geiser stated that some people want to come in and say what they have to say and then leave, not stay to end of meeting. Feels Baughman wasting money on legal that could be put into roads. Resident felt Baughman should not sell the properties. Geiser stated that Baughman does not use the properties and are costing Baughman money to maintain. Resident asked if Baughman has received reports from Fire Safety Specialist. If you're going to scrutinize Trustees pay then need to do the same to Fire Safety Specialist. Kaufman stated he will look into the reports. Attendee stated that per diem system for pay is not antiquated, a lot of businesses use the system. It is a good system, you get paid when you work.

NLVFD stated that have received a grant from BWC to help with the cost of EMS load system. New fire engine was put into operation. Month of April: 13 EMS, 2 Fire total 15.

Stoll stated needed to move funds around in general fund to cover legal costs. Move \$1000.00 from fund 1000-110-315, \$5000.00 from 1000-320-323 and \$10,000.00 from fund 1000- 760-740. To 1000-930-930. This will give additional \$16,000.00 for legal. Geiser made motion to move funds in general fund for legal costs. Second Kaufman. Graber-no, Kaufman-yes, Geiser-yes.

Geiser gave the road supervisor's update: Moomaw washed plow and salt spreaders and put away for year. Fixed number of washouts on roads and serviced Cat 928 loader. Complete service on grader and fixed a number of leaks. Number of lights burnt out and only one security light working at the garage. Graber stated that last year, he worked with Rehm on fixing lights. Might be good to change bulbs over from florescent light bulbs to LED's. Geiser made motion to have NHR Electric fix the lights. Graber felt should check with legal, if we can use NRH because Howard Calame was on the EWFD Board in 2018 and Baughman is in a lawsuit with them today. No action was taken. Kaufman second. Geiser-yes, Kaufman-yes, Graber-no.

Geiser made motion to make Trustee Kaufman PoC for road supervisor and part time road staff. Geiser stated that there is no need for three trustees to be interrupting the work of the road workers. Graber stated he was insulted by this and should have right to talk to staff anytime. Geiser stated that Josh Rehm left Baughman employment because of Graber and that we have good road workers and there is no need to be micro-managing them. Second Kaufman. Geiser-yes, Kaufman-yes, Graber-no.

Trustees opened six real properties bid packets. Baughman received four bids. Scott and Laurie Warner \$21,500.00, Seven Pine Holding LLC \$16,010.00, Patrick Sword \$16,100.00, Kenneth Jones \$16,650.00. Geiser made motion to accept Scott and Laurie Warner's bid for \$21,500.00. Second Kaufman. Geiser-yes, Kaufman-yes, Graber-no.

Geiser stated that he had attended the mediation hearing between Baughman and EWFD. Nothing was resolved. Graber ask what is the next step and that he would like to know what went on in mediation. Graber would also like to have a meeting with Baughman legal counsel to ask questions. Geiser stated that he cannot comment on ongoing litigation.

Geiser proposed changes for Employee Handbook. After probation period full-time employee will receive five (5) days of vacation. After one year of service, ten (10) vacation days. The maximum amount of vacation time a full-time employee can earn per year is ten (10) days. Personal leave: All full-time, non-probationary employees who have accumulated the maximum yearly vacation time. Are eligible for personal days. Accumulate one personal day per year served, max up to five personal days after five years of service. Personal leave can be used for absence due to mandatory court appearances, legal or business matters, family emergencies, unusual family obligations, medical appointments, weddings, religious holidays identified under 7.2.3., or any other matter of a personal nature. Trustees table this until next meeting, to do additional research.

Geiser informed the Trustees that since NLVFD received a grant from BWC for the EMS load system, they require less financial assistance from Baughman. Geiser made motion to amend last month's motion. For ARP funds of \$24,527.00 to \$13,547.28 for NLVFD EMS load system. Second

Graber. Graber-yes, Geiser-yes, Kaufman-yes. Geiser made motion to accept resolution 2023-5 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. Second Kaufman. Geiser-yes, Kaufman-yes, Graber-yes. Geiser made motion to approve Resolution 2023-6, amending supplemental appropriation. Second Kaufman. Kaufman-yes, Graber-yes, Geiser-yes.

Stoll informed Trustees that there is approx. \$75,649.56 ARP fund remaining. Depending on the final cost of new snow plow truck.

Trustees reviewed which roads they would like to chip and seal for 2023. Geiser felt that Baughman should chip and seal Bodine Rd, Tannerville Rd and Gettysburg Allotment. These roads were not able to be done due to costs in 2022. Trustees talked about trying to keep costs for chip and seal between \$70,000.00 and \$90,000.00. Kaufman stated that Rehm before leaving Baughman employment, felt if could berm the roads and clean the catch basins in Gettysberg, would do a lot for roads. Trustees are going to get with Adam Moomaw and get his input before making final decision.

Geiser stated that Trebel LLC was able to get Baughman an electric aggregate rate of \$.069/kWh for its Ohio Edison customers. Resident stated that Baughman residents should receive an aggregation notice in mail if you are an Ohio Edison customer.

Kaufman informed Trustees on bids he had received for a mini excavator. This type of machine would help with Baughman digging capabilities, especially deep digging (up to 12 feet). Kaufman would like to use remaining ARP funds to purchase excavator. CAT cost would be around \$96,000.00 vs Kubota cost of \$85,000.00. Trustees do agree that CAT is better machine. Geiser stated that would also need a trailer able to haul 18,000 lbs. Trustees decided to have CAT bring out a 305 CAT excavator for Moomaw and Trustees to try.

Salt shed rebar is rusting and causing the concrete walls to break. Trustees are going to visit with MooMaw on what can be done to correct this. Possibility of epoxy coating on rebar.

Graber stated since Rehm took his toolbox out of the township shop. Baughman needs some tools. Going to have Moomaw write list of tools needed.

Geiser motion to approve financials. Second Graber. Kaufman-yes, Graber-yes, Geiser-yes.

Graber stated that there is water laying in ditch by Hahn Farms on Tannerville Rd. Kaufman is going to take a look at this.

Kaufman made motion to adjourn. Second Graber. Motion carried. 9:18PM

**Payment Listing**  
4/16/2023 to 5/31/2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
22-2023	05/04/2023	05/01/2023	EW	IRS Department of Treasury	\$4,208.59	0
23-2023	05/04/2023	05/01/2023	EW	School District Income Tax - Ohio Dept of Tax	\$36.40	0
24-2023	05/04/2023	05/01/2023	EW	Treasurer of State of Ohio	\$710.85	0
25-2023	05/04/2023	05/01/2023	EW	PUBLIC EMPLOYEES RETIREMENT SYSTE	\$2,194.11	0
8674	04/17/2023	04/17/2023	PR	Jeffery A Hartzler	\$1,123.45	C
8675	05/04/2023	05/01/2023	PR	Michael C Geiser	\$463.55	0
8676	05/04/2023	05/01/2023	PR	Robert E Graber	\$479.72	0
8677	05/04/2023	05/01/2023	PR	Jeffery A Hartzler	\$1,195.26	0
8678	05/04/2023	05/01/2023	PR	Jeffrey M Kaufman	\$654.42	0
8679	05/04/2023	05/01/2023	PR	Adam T Moomaw	\$2,002.72	0
8680	05/04/2023	05/01/2023	PR	TODD E STOLL	\$1,712.92	0
8681	05/04/2023	05/01/2023	AW	Don Smith Auto Parts	\$42.15	0
8682	05/04/2023	05/01/2023	AW	ORRVILLE MUNICIPAL UTILITIES	\$389.62	0
8683	05/04/2023	05/01/2023	AW	Dalton Hardware Inc	\$71.27	0
8684	05/04/2023	05/01/2023	AW	Commercial & Savings Bank	\$114.90	0
8685	05/04/2023	05/01/2023	AW	Yoder Hydraulics Ltd	\$173.77	0
8686	05/04/2023	05/01/2023	AW	DAILY RECORD	\$319.62	0
8687	05/04/2023	05/01/2023	AW	Buckingham, Doolittle & Burroughs LLC	\$737.00	0
8688	05/04/2023	05/01/2023	AW	Mast Lepley	\$78.52	0
8689	05/04/2023	05/01/2023	AW	Ohio CAT	\$138.41	0
8690	05/04/2023	05/01/2023	AW	Wayne County Township Association	\$315.00	0
8691	05/04/2023	05/01/2023	AW	AUDITOR OF STATE	\$164.00	0
8692	05/04/2023	05/01/2023	AW	Buford L. Kandel	\$912.66	0
8693	05/04/2023	05/03/2023	AW	ORLO AUTO PARTS INC	\$149.37	0
8694	05/04/2023	05/03/2023	AW	WAYNE COUNTY COMMISSIONERS	\$3,484.94	0
8695	05/04/2023	05/03/2023	AW	Aultworks	\$15.00	0
Total Payments:					\$21,888.22	

**RESOLUTION NO. 2023-5**

**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 4th day of May 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. Mike Geiser 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 Act17 (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. 2023-5 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:

NLVFD Load System Project  
\_\_\_\_\_ (“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: 13,547.28.

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. Mike Geiser made the motion to adopt the Resolution and Mr. Jeff 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 2023-5 adopted on the 4th day of May, 2023.

**CERTIFICATE**

State of Ohio )

Wayne County )

I, the undersigned Fiscal Officer of Baughman Township, Wayne County, Ohio, certify that the foregoing Resolution No. [2023-5] 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]

[Signature] 5-4-2023

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

**Resolution No.2023-6**

The Board of Trustees of Baughman Township, Wayne County, Ohio met in regular session on May 4, 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. Mike Geiser moved the adoption of the following resolution:

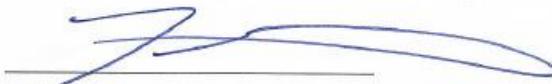
**WHEREAS**, the Board of Trustees are approving Resolution 2023-6. Approving the amending of 2023 budget in appropriations for American Rescue Plan Funds. The Board approves to submit a request to amend the Certificate of Supplemental Appropriations to the Wayne County Auditor.

Mr. Jeff Kaufman 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 May 4, 2023

Attest:

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

Chairman \_\_\_\_\_

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