

Minutes of Special Meeting

February 22, 2022 7 PM

Baughman Township met in special session February 22, 2022 7 PM at Baughman Township Office, 3470 Mt Eaton Rd Burton City, OH. The purpose of the meeting was to discuss electrical aggregate and hiring legal counsel. Mike Geiser, Jeff Kaufman and Bob Graber were present. Chairman Kaufman called the meeting to order and led the Pledge of Allegiance.

Graber made motion, to allow public comments in a special meeting. Failed because of no second.

Arthur Deininger from Buckeye Energy Brokers, Inc spoke to the Trustees about Baughman's energy aggregation. Mr. Deininger review some bullet points: Electric aggregation was approved by voters in May 4, 2010; Aggregation allows a group of customers to join together to form a single, larger buying group. A larger buying group can many times get a better price that individually; Current aggregation from May 2018 to May 2022 is with Energy Harbor; Current aggregation price is 4.83 cents for Ohio Edison Residential and Commercial customers. Mr. Deininger stated that if Baughman Township sign up with Energy Harbor for a two-year contract price would be \$0.0585 per kilowatt hour. Kaufman stated the Trustees need to decide on which aggregation to go with Buckeye Energy Broker Inc or Trebel llc. Kaufman made motion to go with Trebel llc for Baughman Township's electric aggregation. Second Geiser. Graber-yes, Kaufman-yes, Geiser-yes.

Geiser stated that he had spoken to legal firms on the contractual dispute between EWFD and Baughman Township. The first firm was Gallagher Sharp located in Cleveland Ohio, this firm is very capable of representing Baughman and had a lot of resources available. Gallagher Sharp had no conflicts of interest and felt that Baughman Township has a good case. Cost; partner \$225.00/Hr. Associates \$200.00/Hr. Paralegal \$110.00/Hr. The second firm was Buckingham, Doolittle & Burroughs LLC located in Canton OH. Buckingham has offices located in other cities in OH. Buckingham, Doolittle & Burroughs LLC had no conflicts of interest. They also felt that Baughman has a good case. Cost; partner \$335.00/Hr. Associate \$215.00/Hr. Paralegal \$185.00/Hr. Kaufman made statement that Buckingham, Doolittle & Burroughs LLC is closer and asked Geiser which firm he felt is better equipped to represent Baughman. Geiser, both have many resources. Graber, what was the name of representative at Buckingham, Doolittle & Burroughs LLC. Josh O'Farrell. Graber stated that residents want to know what Baughman is going after and is this a civil suit. Graber stated that Dan Lutz, Wayne County Prosecutor, said the court is two years out and this would cost Baughman a lot in legal fees. Geiser replied that the legal case will be based off Ohio Revised code 505.371. Geiser recommended working with Buckingham, Doolittle & Burroughs LLC because of resources and distance. Graber asked what mediation had produced in August. Graber stated that Stoll and Calame participated in this mediation. Graber asked

Stoll what was said, Stoll replied that Graber should talk to Trustees on this issue. Graber stated that Jarred Underwood, Wayne County Auditor, made a determination and that Sugar Creek Township had settled for \$50,000.00. How much is Baughman think it is entitled. Geiser stated it is more than the \$50,000.00 and Kaufman stated it could be \$200,000.00. Graber stated that it did not matter if Baughman Township won the contractual case against EWFD. EWFD will appeal it and EWFD does not have any money. Kaufman made motion to hire Buckingham, Doolittle & Burroughs LLC to represent Baughman Township in the contractual dispute with EWFD. Second Geiser. Geiser-yes, Graber-no, Kaufman-yes. Kaufman made motion to accept Resolution 2022-2 to hire Buckingham, Doolittle & Burroughs LLC, retainer of \$10,000.00 and appoint Mike Geiser be Baughman Township's point of contact for all legal matters pertaining to Exiting the East Wayne Fire District. Second Geiser. Kaufman-yes, Graber-no, Geiser-yes.

Graber motion to adjourn. Second Geiser. Motion carried. 7:49PM

BOARD OF TRUSTEES

Baughman Township, WAYNE COUNTY, OHIO

Resolution No.

2022-2

The Board of Trustees of Baughman Township, Wayne County, Ohio met in special session on February 22, 2022 at the Baughman Township office, 3470 N Mt Eaton Rd, Burton City, OH:

Jeff Kaufman

Mike Geiser

Bob Graber

Mr. Jeff Kaufman moved for the adoption of the following resolution:


WHEREAS, the Board of Trustees have approved the hiring of Buckingham Doolittle & Burroughs LLC to represent Baughman Township in the contractual dispute, (Baughman Township Exiting the East Wayne Fire District) between Baughman Township and East Wayne Fire District. Baughman Township authorizes a retainer fee of \$ 10,000.00. Trustee Mike Geiser, will be Baughman Townships point of contact for all legal matters pertaining to Exiting the East Wayne Fire District.

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

Name	Vote
Jeff Kaufman	<u>yes</u>
Mike Geiser	<u>yes</u>
Bob Graber	<u>NO</u>

Adopted February 22, 2022

Attest:


Fiscal Officer

Chairman _____

Fiscal Officer _____