

RECORD OF PROCEEDINGS

Minutes of the Vermilion Township Board of Trustees' Regular Meeting

Held Wednesday April 3rd, 2024

The meeting was called to order by Chairman Robert Kurtz at 6:30pm

The Pledge of Allegiance was given.

The roll call resulted as follows: Mr. Kenn Baughman, Mr. Robert Kurtz & Mr. Rodger Scott were present.

Kurtz made a motion to approve the minutes from the March 6<sup>th</sup> 2024 Trustees' Regular Meeting.

Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240403-01**

Kurtz made a motion to approve the minutes from the March 26<sup>th</sup> 2024 Trustees' Special Meeting.

Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240403-02**

Baughman made a motion to receive the treasury reports. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240403-03**

One-hundred-ten bills/warrants totaling \$133,911.19 were submitted for payment. Kurtz made a motion to approve the warrants. Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240403-04**

Vermilion Township Fire Chief Frank Triana reported 73 runs for March & Reports have been submitted to the state. Runs include: EMS-66, EMS/MA (structure fire)-1, MVC with injury-2, Brush Fire (City of Vermilion)-1, Public Assist-1, Burning Odor-1, Commercial fire Alarm-1. Brush Truck 841 was in for service. The 2024 Ohio EPA Permit for car fire training on site at the Township station has been received. Summit Fire Extinguisher Co. inspected building & apparatus fire extinguishers. Hose & ladder testing is scheduled for May 17<sup>th</sup> with Waterway, Inc.

Vermilion Township Administrator & Zoning Inspector Keith Sexton reported issuing 5 permits in March. In response to questions asked at the March 6<sup>th</sup> meeting: A Kneisel Road property owner has been notified that trucks are using the property as a throughway & a review of a Thompson road property has been addressed. Norfolk Southern Railroad has notified of the following road crossing closures at the North set of tracks: Risdan & North Poorman Roads from 4/1/24 – 4/15/24. Frailey Road 4/3/24 – 4/22/24. Hahn Road 4/8/24 – 4/22/24. Sexton asked for approval to move forward with the Coen Road T-147 Project and have the Erie County Engineer's Office initiate the bid process. Vermilion Township received funding from the Erie County Commissioners Infrastructure Grant specifically for this project. The County Engineer's plans for South Cherry Road are estimated to be received in May 2024. Sexton asked for approval the meet with the County Engineer about drainage plans for South Coen Road. Kurtz made a motion to authorize Sexton to work with the Erie County Engineer's Office exploring options to alleviate flooding issues on South Coen Road. Baughman seconded the motion. Baughman asked if there was a list of projects. Sexton replied that is what he is doing, getting projects & plans lined up. Baughman, Kurtz & Scott voted to accept the motion. **20240403-05**

Road Crew Assistant Tom Lalonde reported work as continued on repairing old catch basins with new risers and grates. The crew is working with Erie County's Vactor truck. Quality Overhead Door installed three new garage doors on the Township garage. 2024 culvert inventory and road work bid sheets have been turned in to the Erie County Engineer's Office. The Township will now accept passenger vehicle plus lawn & garden tires for the 2024 Clean-Up Days; provided the wheels/rims are removed. No large truck, construction or agricultural tires will be accepted. Florence Township Road Department would like to purchase Vermilion Township's truck mounted road broom/sweeper for the agreed upon price of \$2000.00 as-is.

Vermilion Township Fiscal Officer Stephanie Johnson asked for approval to utilize Huntington Bank's Online Bill-Pay system to expedite payments.

Kurtz made a motion for minor changes to the meeting rules. Scott stated the rules don't need to be changed. Baughman stated he also had changes, in particular Rule #10: Agenda Provisions for Special and Emergency Meetings. Kurtz said some proposed changes are unnecessary & some he does not agree with. The motion was tabled.

Kurtz made a motion to suspend the "Open to The Audience" portion of the meeting for the time being while the trustees review the request to amend the meeting rules as many of the proposed changes affect the public participation portion of the meeting and also until the meetings are brought under control. To be effective at the next trustees' regular meeting, Wednesday May 1<sup>st</sup>, 2024. Kurtz reminded that these are township business meeting, not public hearings. In accordance with state law, public has the right to attend and listen, but not the right to speak. Speaking is a privilege provided to the audience by the board. This does not deny anyone the ability to speak to their elected officials. Any trustee or the township administrator can be contacted directly anytime with questions or concerns. Scott seconded the motion. Baughman expressed, he understands Kurtz, but the bedrock principle of the American Government was public participation. We could ask the residents to keep a calm tone & state their purpose. Sometimes this is the only opportunity residents have to come in and talk. They can call and email, but there is nothing that replaces talking to someone face-to-face. If they take the time to come in here and stand at the podium, we should give them the courtesy of listening. I cannot and will not vote for anything that suspends that privilege, ever. Kurtz & Scott voted to accept the motion.

Baughman voted against. **20240403-06**

Kurtz gave an update on the possible zoning permit overcharges. Due to the severity, the information has been forwarded to the Erie County Prosecutor's Office and Erie County Auditor's Office for review. Baughman noted Bridget Triana from the City of Vermilion Building Department was looking into permits and payments (through the iWorq permit software). Kurtz stated the system was not used in its entirety, no receipts were generated. Even though a permit was generated, the system doesn't show if it was paid.

Kurtz gave an update on the Redwood Development Referendum Petitions. The Township received an official notice from the Erie County Board of Elections. The Board rejected the petitions due to insufficient valid signatures. The petition contained 69 of the required 323 signatures.

Kurtz made a motion to authorize the Fiscal Officer to utilize Huntington Bank's Online Bill-Pay.

Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240403-07**

Kurtz made a motion to accept the renewal of the Anthem Health Insurance for Township employees. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240403-08**

Kurtz moved *Resolution 2404-19 forward: Authorizing the Sale of the 2008 Rotary Broom to Florence Township*. Kurtz read: Now Therefore, Be It Resolved, the Board of Trustees authorize the sale of the 2008 B Company Model SHL-TR 7' Truck Mount Broom, Serial #12-3932 to the Florence Township Board of Trustees for the agreed upon price of \$2000.00. Baughman seconded the resolution. Baughman, Kurtz & Scott voted to accept the resolution. **2404-19**

Kurtz moved *Resolution 2404-20 forward: Accepting the Erie County Commissioners' Infrastructure Funding*. Kurtz read: Now Therefore, Be It Resolved, the Vermilion Township Board of Trustees accept the Erie County Commissioners' Infrastructure Grant in the amount of \$311,111.11 to be applied toward the cost of Coen Road Ditch Rehabilitation Project T-147, to be completed as soon as possible, in order to preserve the integrity of Coen Road. Baughman seconded the resolution. Baughman, Kurtz & Scott voted to accept the resolution. **2404-20**

Kurtz made a motion to have current website provider Sterling PC Maintenance update the Township website, cost not to exceed \$2000.00. Scott seconded the motion. Baughman asked if iPanda could create the website and have Sterling PCM manage it. The motion was tabled for further review.

Baughman received three proposals for installing sidewalks on the township hall property and would like to open them to discuss. Scott stated he feels the infrastructure and buildings (at Redwood) should be built first. Kurtz said this was not the time for sidewalks. Baughman expressed funds have been sitting in a building fund for years. If the Township installs sidewalks now, Redwood can easily fill in the gap. Kurtz said problems with the existing concrete parking lot need addressed first. Also, sidewalks are a Township Capital Improvement. The County Engineer's Office would need to prepare drawings. Baughman asked what time timeframe would we be installing sidewalks. Kurtz did not respond, but indicated he wants to wait to see what happens with the Redwood Development first. Baughman expressed that students (people) were walking between the ditch and the roadway. The safe, smart thing to do would be to put in sidewalks.

Kurtz open the floor to the audience.

Diana Ladrach of State Road said she is not against development, but that residents did not know 137 units were planned for the Redwood Development. She stated there are no rules for the development and it contributes to the area's flooding. Things should benefit everyone in the community. The residents have lost confidence in the trustees, please listen the people. If a woman runs for trustee, the women of the Township will back them.

Dan Ladrach of State Road explained how much trouble there was getting the Redwood Referendum Petitions signed, however most people don't want the increased traffic and flooding. He asked how the County can sue the Dunn's (for flooding issues) when they bought property that was never maintained. Cherry Road is the oldest road in the Township and it has always flooded. It is not fair to the residents that they cannot speak at meetings to relay their issues.

Brain Novotny of State Street asked if the trustees are going to look at violations written by (former Building/Zoning Inspector) Bob Baker and stated a larger meeting room is needed.

Nancy Hall of Stanley Road asked what number to call when something is needed. She stated her septic/leach bed was under water. Road Crew Assistant Tom Lalonde raked debris plus moved a boulder from storm drains, then the water flowed properly. The Meeting room is over capacity.

Don Rowe of Kneisel Road stated Erie County Prosecutor Charles Bennett asked the trustees why you would not want the residents to speak. Don't set up a situation where the residents can't speak, they have great ideas. Bennett got out of hand at the last meeting. Rowe asked about the erroneous zoning permits. Rowe asked about Redwood Resolution 2401-02 where the Zoning Commission voted unanimously to move ahead with the project, but amended the motion keep the first 300-feet of property, zoned commercial. The Zoning Commission's motion should have been read in the Redwood Meeting. Why do we need a Zoning Commission if their recommendation is not going to be taken into account? The process was not followed. Due to an oversight by previous trustees, the Township is responsible for sidewalks in the original Redwood Development. Is it possible to negotiate that they will take them back?

Kurtz announced the next Board of Trustees meeting to be Wednesday, May 1<sup>st</sup>, 2024 @ 6:30pm.

Kurtz made a motion to adjourn at 7:38pm. Scott seconded the motion. Kurtz & Scott voted to accept the motion. Baughman voted against.