

## RECORD OF PROCEEDINGS

### Minutes of the Vermilion Township Board of Trustees' Regular Meeting

Held Wednesday November 5th, 2025

The Pledge of Allegiance was given.

The meeting was called to order by Chairman Kenneth Baughman at 6:30pm

The roll call resulted as follows: Mr. Kenn Baughman & Mr. Don Rowe were present. Mr. Kurt Johnson was absent.

The October 1st, 2025 Trustees' Regular Meeting Minutes & the May 21<sup>st</sup>, 2025 Public Hearing Minutes were approved as written. **20251105-01**

Ninety-two bills/warrants totaling \$107,145.99 were submitted for payment. Rowe made a motion to approve the warrants and receive the treasury reports. Baughman seconded the motion. Baughman & Rowe voted to accept the motion. **20251105-02**

Vermilion Township Fire Chief Frank Triana reported 65 runs for October & reports have been submitted to the state. Runs include: EMS-54, Motor vehicle crashes-5, Open burn-3, Residential fire alarm-1, CO alarm-2. Squads 811, 812 and 813 had repairs. The Hindmarsh Foundation will be presenting the Fire Department with a \$2,500.00 check. Triana asked for approval to purchase ten Unication G1 pagers at a cost of \$5,139.20; minus the \$2,500.00 check) for a total of \$2,639.20.

Vermilion Township Road Crew Foreman Steve Young reported road striping and the Risden Road overlay are complete. The woodchipper is in for repairs. Nine street lights are out. Young reminded the residents to check the stability of mailbox posts before the winter snow and not to place trash cans in the road, this is a hazard when the crew is snow plowing. The last round of road-side mowing for the year has been started. Young advised to keep signs out of the right-of-way and off utility poles.

Vermilion Township Administrator & Zoning Inspector Joe Baxter reported he would like to start a committee to help those in need and another to address the holidays. Brightspeed Cable Company has damaged Cemetery Road and Sassafras Drive. The company has not responded to multiple inquiries. A stop-work order was issued to Brightspeed as they attempted to work on Chardonnay Drive. Mass communication systems to get information and alerts to residents is being researched. With all the growth happening in the Township Baxter would like the trustees to consider bringing the Building Department back to the Township. Year-to-date the City of Vermilion has collected \$110,000.00 of building permit fees for work in the Township. Contractor registration fees could also be collected, just like the City does. Baxter's experience as a contractor qualifies him to become an interim building inspector and an application has been sent to the Ohio Department of Commerce. As Baxter is performing zoning inspections, he is coming across many buildings that are 3/4ths of the way complete and there has been no permitting or inspections at all. This is very concerning and also a safety hazard, the homeowner needs to be protected. There is no communication from the City about this. ArcGIS training continues. The Hart Asphalt change-order to grind the road down to direct the water away from a driveway and house has had the opposite effect and needs addressed. In regards to Brightspeed,

Baughman suggested placing a 30-60-90 day moratorium on any boring. In regards to Risden Road, Rowe said there was an issue with the elevation of the road versus that one particular driveway. There were several discussions of ideas to alleviate the problem. It seems none of the input was followed and during the next rain, water was flowing into the homeowner's garage. When Rowe and Baxter discussed concerns with Hart Asphalt, Hart agreed to adjust the price to reflect this.

Vermilion Township Fiscal Officer Stephanie Johnson reported the Ohio Auditor of State Agreed-Upon-Procedures audit is complete and a fully clean audit report was received. The trustees thanked Johnson for her due diligence and being so fiscally responsible.

Baughman introduced *Resolution 2025-22 Authorizing The Fire Chief To Enter Into A Contract With Raylecom Communications LLC; For The Purchase Of Ten (10) New Pagers*; and moved for its adoption. WHEREAS, the Vermilion Township Fire Department relies on its equipment to be in proper working order to ensure the safety of the residents and finds it in the best interest of the Vermilion Township to provide efficient and professional fire protection services and equipment. NOW THEREFORE, BE IT RESOLVED, by the Vermilion Township Board of Trustees, Erie County, State of Ohio approves and authorizes the Fire Chief to enter into a contract with RayleCom Communications LLC. 1966 Spruce St. Defiance, Ohio for the purchase of ten (10) Unication G1 pager units, and with an included three (3) year extended warrantee at a cost not to exceed \$5,139.20. IT IS FURTHER RESOLVED: this Resolution is declared to be an Emergency Measure necessary for the immediate preservation of the public peace, health, safety and welfare of this township. The reason for the emergency is to award this contract to ensure proper and timely purchase of the specified public safety equipment needed. Rowe seconded the resolution. Baughman & Rowe voted to adopt the resolution. **20251105-03**

Baughman introduced *Resolution 2025-23 Declaring A Health And Safety Emergency Upon All Township Roads Under The Provisions Of ORC §5571.08 For A Period Of Six (6) Months Effective Beginning November 1st And Ending April 30th of Each Year Hereafter, To Be Commonly Known As "The Winter Parking Ban"*; and moved for its adoption. WHEREAS, the Vermilion Township Board of Trustees have a statutory responsibility under Section 5571.08 | Removal of obstructions. Except as provided in section 5571.20 of the Revised Code, the board of township trustees shall cause all the township roads within the township to be kept free from obstruction by snow. And to maintain township roads to ensure the public health and safety of the township residents and other members of the public trans versing those roads. WHEREAS, Ohio Revised Code provides that the cost and expense thereof shall be paid from the road funds of the township or from the funds allocated to the township by ORC 5735.27. In the interest of health and safety, that this resolution allows the Vermilion Township to spend funds to erect signage on certain Township Roads, specifically; Ashmont, Bailey, Barnes, Cabernet, Cemetery, Chardonnay Circle, Cherry, Coen, Colonial Court, Dayton, Dean — West Side Only, Frailey, Furnace, Haber — South Side Only, Hickory, Holiday, Joppa — North of Route 6, Kneisel, Poorman, Risden — North of Route 6, Sassafras, Sperry, Stanley, Thompson, Trinter, Wine Street, informing vehicle owners to know that whenever it snows or icy conditions exist, or when the Erie County Sherriff's Office declares a Level One or higher Road Conditions Emergency where roadways are hazardous due to accumulated snow or ice, they must move their vehicles, trailers or other equipment so that State, Erie County or Township Snow Removal Equipment can safely navigate the rights-of-way to plow or treat these roads as needed. Failure to do so may result in towing of vehicles, as provided by the posted warning signs and the public notice posted on the township's website. WHEREAS, If an owner of any vehicles, trailers or other equipment left within the rights-of-way or upon any township road in the unincorporated territory of the township has not provided for its removal during the periods required for the removal of snow, ice, water, debris, or other obstructions from the roads or rights-of-way, the

township may provide for that removal immediately and directly or in cooperation with the Erie County Sheriff's office at any times between the first day of November and the last day of April of each year where snow or other precipitation is present upon the road surfaces. The cost and expense of erecting "Winter Parking Ban" signs thereof shall be paid from the road funds of the township or from the funds allocated to the township by section ORC 5735.27 of the Ohio Revised Code. WHEREAS, Prior to providing for the removal, the board, its designated employees, or the Erie County Sheriff's office shall give, or make a good faith attempt to give, oral notice to the owner or owners of the vehicles, trailers or other equipment within the rights-of-way or upon the road of the boards intent to clear the road by removal of the vehicles, trailers or other equipment and to impose a service charge for doing so, by proxy of a reputable vehicle towing and removal service company of it's or the Erie County Sheriff's Office choice. The board shall establish just and equitable service charges for the removal to be paid by the owner at an amount not exceeding one hundred dollars (\$100.00) for each infraction requiring any removal of any vehicles, trailers or other equipment. Such service charge is to be paid directly to the reputable vehicle towing and removal service company responsible for removal of the vehicles, trailers or other equipment in question from within the rights-of-way of any township roads. NOW THEREFORE BE IT RESOLVED, by the Vermilion Township Board of Trustees, Erie County, State of Ohio in accordance with ORC 5571.08 formally declares a health and safety emergency exists within the public rights-of-way at all times where snow and ice are present upon the township roadways between 1 November and 30 April of each year; and that the board may exercise the powers described within this resolution following the adoption of this resolution; and all the provisions of applicable Ohio Revised Code within Title Five and Title Fifty-Five. IT IS FURTHER RESOLVED: this Resolution is declared to be an Emergency Measure necessary for the immediate preservation of the public peace, health, safety and welfare of this township. The reason for the emergency is to preserve the statutory responsibility of the township trustees to maintain township roads and public rights-of-way in a manner consistent with preserving the public health and safety while traveling upon township roads during periods of inclement weather events. Rowe seconded the resolution. Baughman & Rowe voted to adopt the resolution. **20251105-04**

Baughman introduced *Resolution 2025-24 To Revise And Update The Road Opening Policy And Establish Fees, Permits And Bond Requirements For Making Excavation In a Township Highway Or Highway Right-Of-Way On Accordance With ORC §5571.16*; and moved for its adoption. WHEREAS, the Vermilion Township Board of Trustees have a statutory responsibility under Section 5571.16 | Obtaining permit before installing driveway culvert or making excavation in township highway or highway right-of-way. WHEREAS, Ohio Revised Code provides that the board of township trustees, by resolution, may require any person to obtain a permit before installing a driveway culvert or making any excavation in a township highway or highway right-of-way within its jurisdiction, except an excavation to repair, rehabilitate, or replace a pole already installed for the purpose of providing electric or telecommunications service. WHEREAS, ORC 5571.99 provides that "Whoever violates section 5571.16 of the Ohio Revised Code shall be fined not more than two hundred dollars or imprisoned not more than thirty days, or both." for illegal acts committed within the rights-of-way of any township roads. NOW THEREFORE BE IT RESOLVED, by the Vermilion Township Board of Trustees, Erie County, State of Ohio in accordance with ORC 5571.16 formally, by resolution, adopts a "Road Opening" policy for any person or entity desiring to order, create or perform any form of excavation within the public rights-of-way, including upon, through or under the roadway surface, to include any form of digging or boring. That it shall be the duty of the Township Administrator to establish the necessary forms and required standards of documentation for any and all such "Road Openings" as outlined in ORC 5571.16; AND FURTHER RESOLVED, that a fee of one hundred dollars (\$100.00) be paid to the Vermilion Township Fiscal Officer and evidence of a fifty-thousand-dollar (\$50,000.00) bond must be secured and written proof of said bond be provided to the Vermilion Township Administrator prior to the issuance of

any permit and in accordance with the posted fee schedule of the Vermilion Township Zoning Department, adopted on 23 April, 2025, effective 1 June 2025, entitled "Item # 23. ROAD OPENING PERMIT: \$100.00 plus \$50,000.00 Bond." AND FURTHER RESOLVED, that any permit fee collected shall be refunded within ninety (90) days if the appropriate permit is denied, for any reason, by the Township Administrator. AND FURTHER RESOLVED, that any violation of this policy shall be limited to the statutory maximum of two hundred dollars (\$200.00) established under ORC 5571.99 and not the prescribed amount set forth in the Vermilion Township Zoning Fee Schedule adopted 23 April 2025.

IT IS FURTHER RESOLVED: this Resolution is declared to be an Emergency Measure necessary for the immediate preservation of the public peace, health, safety and welfare of this township. The reason for the emergency is to preserve the statutory responsibility of the township trustees to maintain township roads and public rights-of-way in a manner consistent with preserving the public health and safety while traveling upon township roads. Rowe seconded the resolution. Baughman & Rowe voted to adopt the resolution. **20251105-05**

Baughman talked about correspondence from the Ohio Utilities Protection Service (OUPS) about flags marking yards and the timeframe utility companies have to dig. Baughman read correspondence from the Erie Regional Planning Commission scheduling a meeting on 11/14/2025 for the Route 60 drainage issue.

Baughman opened the floor to the audience.

Martha Dickle of Barnes Road was concerned about a Barnes Road property with a trailer in front of a house and tall grass at a property on Barnes and Darrow Roads.

Diana Ladrach of State Route 60 is not happy that the City is taking the building permit fees for the Township but is not responding to the township or answering questions. Much growth is going on in the Township and our own building inspector is needed.

Dan Ladrach of State Road is concerned about the City saying it was alright for a resident to build a barn with no building or zoning permits, plus giving different plans to the City than he gave to the Township.

John Wisnieski of Darrow Road asked about the fire levy.

Baughman asked Baxter to elaborate on the Brightspeed-Road damage issue. Baxter said all contacts lead to third parties and he can't get a straight story from anyone. Rowe made a motion to place a moratorium on any boring or permits for telecommunications for 90-days. Baughman seconded the motion. Baughman & Rowe voted to accept the motion. **20251105-06**

Baughman noted Young and Vermilion Township Roads Assistant Ryan Kohl cataloged all the burned-out streets lights. They will be reported to Ohio Edison.

Tim Herbst of National Pavement Analysis gave a presentation of his work establishing the quality of each Township Road and the recommended repair processes.

Baughman commented Erie County Engineer drawing and specs for the Stanley Road Drainage Project should be ready soon.

Baughman announced the Vermilion Township Public Legislative and Organizational Training (PLOT) Committee would be meeting on Thursday, November 6<sup>th</sup>, 2025 at 6:00pm to work on getting better education for the Zoning Commission and the Board of Zoning Appeals.

Baughman made a motion that the Fiscal/Zoning/Administrative offices be by *appointment-only* from Friday, December 19<sup>th</sup>, 2025 through Monday, January 5<sup>th</sup>, 2026. Rowe seconded the motion. Baughman & Rowe voted to accept the motion. **20251105-07**

Baughman asked for a fire levy review and noted if a smaller levy is to be put on the May 2026 ballot, the work would need to begin soon.

Rowe stated the Vermilion Township Building Department was moved to the City of Vermilion three and a half years ago on a temporary basis; stipulating it could be returned at any time. The reason it was moved was the building inspector's employment with the Township was terminated and there was no one to perform the services. Rowe is not happy with the lack of communication from the City Building Department and the permit fees the Township is missing out on are substantial. There is much building activity in the Township and no one is aware of it. No one is inspecting. When this City is asked about stopping work because there are no permits, no response is given. Rowe made a motion to move the Building Department back to the Township. Baughman seconded the motion. Baughman said maybe there is miscommunication as he usually gets responses from the city building department. Also, since there will be a turnover in City administration, perhaps it should wait until then. Baughman agreed the building department should be back as it gives the Township greater control. Baughman and Rowe agreed to table the motion.

Baughman announced the next meeting would be Wednesday November 19th, 2025 at 6:30pm

Baughman adjourned the meeting at 8:16pm.