

RECORD OF PROCEEDINGS

Minutes of the Vermilion Township Board of Trustees' Special Meeting

Held Wednesday November 20th, 2024

The meeting was called to order by Chairman Robert Kurtz at 8:00am

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 go into Executive Session at 8:05am to conference with an attorney for the Board of Trustees regarding a dispute that is subject to pending litigation, in accordance with ORC 121.22(G)(3). Baughman raised a Point of Order regarding which litigation was to be discussed. Kurtz responded with the Novotny (Farm Market) case. Baughman stated based on a conflict of interest, Scott should recuse himself. Mrs. Montgomery is a "party of interest" in the case. Scott mows her lawn and receives compensation. Kurtz deferred to the legal counsel in attendance. Erie County Assistant Prosecutor Jason Hinnners remarked if there is accuracy to that statement he would need to look into it. Kurtz interjected that Baughman rents from Novotny and there is also an exchange of compensation. It would be Kurtz and Hinnners going into executive session. Baughman responded if that is the case then executive session is not needed, a recess could be taken for a private conversation. Hinnners added there still is a potential issue with how the Board moves forward if two recuse themselves. Scott remarked he mowed Montgomery's lawn one time about a year ago and asked Hinnners if compensation amount was material. Hinnners answered amount is not material and was not as concerned with a "one-time-deal". Baughman commented he does not question the integrity of his fellow trustee, but does not agree with the statement made by Scott. Kurtz wanted to move forward and asked Hinnners' where to go from here. Hinnners replied to continue with the motion and roll call to go into executive session. Scott seconded the motion. Kurtz and Scott voted to accept the motion. Baughman abstained. Kurtz invited Vermilion Township Administrator & Zoning Inspector Keith Sexton to join the session. Baughman, Kurtz, Scott, Sexton and Hinnners adjourned to executive session. **20241120-01**

Kurtz made a motion to call the Regular Session back to order at 9:01am. Baughman seconded the motion. The roll call resulted as follows: Mr. Kenn Baughman, Mr. Robert Kurtz & Mr. Rodger Scott were present.

Kurtz introduced the following *RESOLUTION 2411-34 AUTHORIZING THE FIRE CHIEF TO ENTER INTO AN AGREEMENT WITH STRYKER FOR THE PURCHASE OF (3) LIFEPAK 35 MONITORS/DEFIBRILLATORS* and moved it forward. NOW THEREFORE, BE IT RESOLVED, the Vermilion Township Board of Trustees authorize the Fire Chief to enter into an agreement with Stryker, 1941 Stryker Way, Portage, MI 49002 for the purchase of (3) Life Pak 35 monitor/defibrillators (Product #70335-000042) including all accessories listed in their 10/31/24 Quote #10936195 at a total cost of \$177,881.90, to be paid over a five-year period at a cost of \$41,250.00 per year with funds coming from the Fire Budget. To be passed by emergency and effective immediately. Baughman seconded the resolution. Baughman, Kurtz & Scott voted to accept the resolution by emergency and becomes effective immediately. 2411-34

Kurtz introduced the following *RESOLUTION 2411-35 AUTHORIZING SPECIFIC EXPENDITURES FROM AMERICAN RESCUE PLAN FUNDS* and moved it forward. WHEREAS, the Board of Trustees has identified a project which, in the judgement of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

~Purchase of a Laerdal LSU Suction Machine (Product #78002001) from Source Products, Ltd., 541 Perkins Jones Rd., Suite 200, Warren, OH 44483 in accordance with their 11/1/2024 Quote "Chief" at a cost of \$1,175.95.

~Purchase of three Life Pak 35 Snap Mounts (Product #SNAP-35) from NCE Empowering Safety, 8885 Hwy 101 W, Savage, MN 55378 in accordance with their 11/1/2024 Quote #1003 at a total cost of \$3,585.00.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD THAT: 1) The Township elected to use the standard allowance by way of Resolution 2402-09 and its presumption of revenue loss due to the public health emergency and to use the amount herein to fund government services. 2) This Project is hereby authorized and shall be paid for from the remaining ARPA Funds in the total amount of \$4006.44 with the remaining balance of \$754.51 being paid for from the Fire Department Budget. 3) The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely: a) Fire and Emergency Medical Services 4) Accordingly, the Project is in the best interest of the Township and is deemed a priority for the community. 5) No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021. To be passed by emergency and effective immediately. Baughman seconded the resolution. Baughman, Kurtz & Scott voted to accept the resolution by emergency and becomes effective immediately. **2411-35**

Baughman made a motion adjourn at 9:07pm. Kurtz seconded the motion. Baughman, Kurtz & Scott voted to accept the motion.