

## RECORD OF PROCEEDINGS

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

Held Wednesday August 6th, 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. Kurt Johnson & Mr. Don Rowe were present.

The July 2nd 2025 and July 14<sup>th</sup> Trustees' Regular Meeting Minutes were approved as written.

#### **20250806-01**

One-hundred twenty-nine bills/warrants totaling \$192,900.89 were submitted for payment. Baughman, Johnson & Rowe voted to approve the warrants & accept the treasury reports as submitted. **20250806-02**

Vermilion Township Fire Chief Frank Triana reported **52** runs for July & reports have been submitted to the state. Runs include: EMS-37, Motor vehicle crash-2, Motor vehicle crash (mutual aid to the City of Huron)-1, Open burn-1, Water rescue-1, Trees on wire-1, Unknown issue (mutual aid to the City of Vermilion)-1, Vehicle fire (mutual aid to the City of Vermilion)-1, Residential alarm-3, Natural gas odor-1. The hydraulic pump for 831 was replaced in-house by firefighter Anthony Basso. The turbo actuator on squad 812 was recalibrated at L&M Towing. Engines, yanker and rescue trucks have completed pump maintenance and testing by Atlantic Emergency Services. Cost for replacement tires on Squad 813 is \$2,859.52. Upper vacuum lines were replaced in-house also by Basso. The Fire Department participated in the Volunteer Bay Independence Day parade and was on-site for Mitiwanga's July 5th fireworks display. On July 30th, the Department was on scene at a tree-limbs-on-power-lines on West Lake Road. The roadway was closed and blocked with fire apparatus as well as the emergency lighting activated on all vehicles. A westbound motorist failed to yield to emergency vehicles and struck squad 813 in the right front tire area. The damage to the squad is presently being evaluated at Liberty Ford and all the documentation from the incident has been forwarded to the Fiscal Officer for processing with our insurance company, neither first responders or the westbound motorist sustained injury in the crash and all denied treatment on scene. The trustees all expressed gratitude that no one was hurt. Rowe thanked the fire department and the road crew for all the hard work and quick responses during the previous bad storm that flooded many township roads.

Vermilion Township Road Crew Foreman Steve Young reported the road crew continues to clean ditches and tiles. The crew completed a drainage project at the Township salt shed to alleviate standing water and did maintenance on the garage doors. The next round of roadside mowing will start soon. The fall Township clean-up day is scheduled for Saturday, September 13, 2025 from 7:30am to 3:30pm. The crew is starting in-house crack sealing and asked for a part-time pick-up truck driver for a few days to expedite the work. Johnson stated if he is given a few days' notice to rearrange his schedule, he would be happy to help. Baughman made a motion to hire a temporary part-time driver at \$22.00 per hour, not to exceed 50 hours. Johnson seconded the motion. Baughman, Johnson & Rowe voted to accept the motion. **20250806-03**

Vermilion Township Administrator & Zoning Inspector Joe Baxter reported estimates have been received for tree and brush clearing at Orchard Beach-Cuddeback Cemetery. Ohio Tree & Excavating had the lowest price. The junk and debris in the brush will need to be cleared, with scrap metal possibly recycled. Baxter asked for 2 iPads, one for the road department and one for the zoning department, so the ArcGIS software can be utilized out in the field. Training of the ArcGIS software by Erie County is scheduled for the road crew and Baxter. The Township tech service has upgraded the Wi-Fi & internet security. The J&J Door has ordered the fire department bay doors. West roofing is scheduled for the roof repairs. Baxter met with the Mitiwanga HOA to help with plot plans. Baxter met with some Waterwood project managers to address some concerns. The developer has agreed to provide car washes to neighboring residents that were affected by construction dust. No response back from Norfolk Southern on the loose tie-back that was reported four weeks prior. Rowe made a motion to purchase two 11", A16 iPads with rugged, stock cases not to exceed \$750.00. Johnson seconded the motion. Rowe elaborated that according to Emma Farahay from the Erie Soil & Water Conservation District, the ArcGIS system will be able to locate telephone poles, culverts, the type of culvert, install date, service dates, etc. Farahay recommends iPads, as they best support the software. Baughman, Johnson & Rowe voted to accept the motion. **20250806-04**

Vermilion Township Fiscal Officer Stephanie Johnson reported needing to amend Resolution 2025-12. The resolution is for annual truck pump testing and maintenance on four trucks in the Vermilion Township Fire Department, not to exceed \$12,000.00. The revised invoice is \$14,598.52. Rowe made a motion to amend Resolution 2025-12 to \$14,598.52. Johnson seconded the motion. Baughman, Johnson & Rowe voted to accept the motion. **20250806-05**

Baughman introduced *Resolution 2025-18 AUTHORIZING VERMILION TOWNSHIP TO ENTER INTO A CONTRACT WITH OHIO TREE & EXCAVATING FOR TREE AND LANDSCAPING MAINTENANCE OF THE ORCHARD BEACH-CUDDEBACK CEMETERY*. And moved it forward. NOW THEREFORE, BE IT RESOLVED, by the Vermilion Township Board of Trustees, Erie County, State of Ohio approves and authorizes a contract with Ohio Tree & Excavating 12212 Bellamy Road, Berlin Heights, OH 44814, at a cost not to exceed \$9,500.00 for tree removal(s) and appropriate landscaping services upon the site Orchard Beach-Cuddeback Cemetery, a one-acre site, Parcel Number; 12-63002.000, Legal Description; 3-9 ORCHARD BEACH CEMETERY 1A. AND FURTHER BE IT RESOLVED THAT; No work shall be performed until such time as all required bonds, certificates and other instruments required by the Fiscal Officer are presented as current and on file with Vermilion Township and that final payment will be made only after a statement of satisfactory completion is executed by the Township Administrator. AND FURTHER BE IT RESOLVED THAT; The Board of Township Trustees directs the Township Administrator to cause all trash, refuse, and other debris found to be present upon said parcel and cemetery lot to be removed by the owners of said waste, scrap, vehicles, debris or other refuse if the owner(s) can be reasonably determined within thirty (30) days after the passage of this resolution or have any items in question removed by township personnel on 12 September 2025. Rowe seconded the resolution. Baughman stated there are vehicles and a boat that could have titles. He directed Baxter to look into this and give 30 days for owners to remove. Johnson commented on how many things were dumped in the brush and even an old truck has been sitting there. Johnson stated there are many nice, old trees and asked Baxter if the good trees will be tagged to let the tree company know. Baxter said the tree company will assess the trees and consult with the Township on the findings before any removal. Rowe stated there is an old tractor, refrigerators and freezers amongst the brush. Rowe asked if the road crew could pull the junk out in the open, to give the owners more time to claim and not hold back the tree work. Johnson said

heavy equipment cannot be used because all the graves are right there. He and Young agreed there are also too many guy wires and big equipment won't fit. Baughman, Johnson & Rowe voted to approve Resolution 2025-18. **20250806-06**

Baughman introduced *Resolution 2025-19A DECLARING A HEALTH AND SAFETY EMERGENCY UNDER THE PROVISIONS OF ORC 505.82 FOR A PERIOD OF SIX (6) MONTHS EFFECTIVE BEGINNING AUGUST 6 TH 2025 AND DECLARING AN EMERGENCY TO MAKE EMERGENCY REPAIRS TO VERMILION TOWNSHIP FIRE DEPARTMENT VEHICLE; SQUAD #813*. And moved it forward. NOW THEREFORE, BE IT RESOLVED, by the Vermilion Township Board of Trustees, Erie County, State of Ohio in accordance with ORC 505.08 and ORC 505.82 formally declares a health and safety emergency now exists that threatens life or property within the unincorporated territory of the township or that such an emergency is imminent, including but not limited to an emergency due to a traffic incident that significantly damaged and disabled the Vermilion Township Fire Department ambulance, Squad #813, which is an essential appurtenance to the on-going and continuing health and safety mission of the Vermilion Township Fire Department. 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 make expedient and necessary repair to Squad #813 in a manner consistent with preserving the public health and safety mission of the Vermilion Township Fire Department, and in an amount not to exceed \$9,000.00. Rowe seconded the resolution. Baughman, Johnson & Rowe voted to approve Resolution 2025-18. **20250806-07**

Rowe made a motion to enter into executive session per ORC §121.22(G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Johnson seconded the motion. Baughman, Johnson & Rowe voted to accept the motion. (The Trustees will adjourn to Executive Session after the business portion of the meeting.) **20250806-08**

Johnson made a motion to enter into executive session per ORC §121.22(G)(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. Rowe seconded the motion. Baughman, Johnson & Rowe voted to accept the motion. (The Trustees will adjourn to Executive Session after the business portion of the meeting.) **20250806-09**

Tim Herbst from National Pavement Analysis, LLC gave a presentation on how his company can perform a detailed evaluation of Township roads, give status reports on their conditions, then offer recommendations on repairs, surface material, etc.

Baughman opened the floor to the audience.

Katherine Schwanitz from Cherry Road thanked the Trustees for being out during the last bad storm, observing the roads and warning residents of high water. Schwanitz asked the status of the fire levy; if the monthly, informal gathering for residents could be reinstated; the status of a new electronic sign for out in front of the hall and that her injured veteran fiancé would be interested in helping the road crew. Baughman responded: the sign has been tabled for now; the levy documents have been submitted to the Erie County Board of Elections and are approved. The informal meeting was not well attended. But all the Trustees are happy to meet individually with anyone or are glad to take any phone calls.

Johnson made a motion to direct the Erie County Engineer to make an estimate of the cost of work, which shall include labor, material, freight, fuel, only use of machinery and equipment, and all other items necessary for the repair and the maintenance of Daylon Court, a township road, and the associated drainage appurtenances. In the accordance with ORC §5575.01 and ORC §5573.02. So that such work may be put on for acceptance of seal bids if such costs should exceed the \$35,000.00 per mile threshold required by law under ORC. Rowe seconded the motion. Baughman commented that Daylon Court needs plans and bid specs from the Engineer's Office. Baughman noted preliminary estimates are \$75,000.00 to \$99,000.00. The bidding threshold is \$105,000.00. However, ORC also states, if the project is over \$35,000.00 per linear mile, bidding is still needed. Daylon Court is much less than one mile. Baughman, Johnson & Rowe voted to accept the motion. **20250806-10**

Johnson made a motion to direct the Erie County Engineer to make an estimate of the cost of work, which shall include labor, material, freight, fuel, use of machinery and equipment, and all other items necessary for the repair and the maintenance of Stanley Road, a township road, and the associated drainage appurtenances. In the accordance with ORC §5575.01 and ORC §5573.02. So that such work may be put out for all acceptance of seal bids if such costs should exceed the \$35,000.00 per mile threshold required by law under ORC. Rowe seconded the motion. Baughman, Johnson & Rowe voted to accept the motion. **20250806-11**

The Trustees talked about getting estimates for concrete repairs to the Township all parking lot and installing concrete sidewalks around the hall property to match up to the new Redwood development.

Baughman said he would meet with Baxter to work on OPWC and Round 40 of the SCIP and LTIP road grants, possibly for Haber Road. The City of Vermilion needs to repair a water line that runs under Haber Road before it would be paved. Young stated Haber Road has not been paved for the 20 years that he has worked for the Township.

Rowe made a motion to have the board of trustees attend the pending Vermilion Township Board of Zoning Appeals (BZA) appeal hearing on the legal matter involving the Erie County Commissioners, the Vermilion Township Board of Trustees and parcel number 12-00200.000, commonly known as 12809 Cherry Road scheduled for August 12<sup>th</sup>, 2025. Erie County Assistant Prosecutor Charles Bennett has submitted an appeal to a zoning decision. The Trustees will be available to answer any questions the BZA member have on this matter. Johnson seconded the motion. Baughman commented the Trustees weren't the ones that approved the appeal, but were there as an interested party to secure the safety of the roads; not to weigh in on zoning issues. Rowe replied he wanted to clarify the Trustees position is always roads, bridges, ditches and that would be the intention going into that meeting. Johnson agreed and noted it is the BZA's meeting, board and discussion. The Trustees are here just for clarity of the roads, bridges and ditches. Johnson & Rowe voted to accept the motion. Baughman abstained. **20250806-11**

Baughman recessed the meeting at 7:31. The Trustees went into to Executive Session. Erie County Prosecutor Charles Bennett, Baxter, S. Johnson and BZA Chair Ken Bilancini were asked to join.

Baughman called the meeting back to order at 9:54pm. The roll call resulted as follows: Mr. Kenn Baughman, Mr. Kurt Johnson & Mr. Don Rowe were present.

Baughman announced the next meeting would be Wednesday September 3rd, 2025 at 6:30pm

Baughman made a motion to adjourn at 9:54pm.