

RECORD OF PROCEEDINGS

Minutes of the Vermilion Township Board of Trustees' Regular Meeting

Held Wednesday October 4th, 2023

The meeting was called to order by Chairman Rodger Scott.

The Pledge of Allegiance was given.

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

Hill made a motion to approve the minutes from the September 6th, 2023 Trustee's Meeting. Kurtz seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-01**

Hill made a motion to approve the treasury reports. Kurtz seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-02**

One-hundred-six bills/warrants totaling \$85,138.51 were submitted for payment. Kurtz made a motion to approve the warrants. Hill seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-03**

Kurtz read the following two notifications: Firelands High School Hall of Fame is back & taking applications. Erie County Children's Services is having a Holiday Drive. Details to both are on the Vermilion Township website. Fred Miggins from Main Street Vermilion and the Lake Erie Shores & Islands Travel Guide was on hand to discuss the township's annual contribution.

Vermilion Township Fire Chief Frank Triana reported on runs for September & reports are submitted to the state. Runs included 49 EMS, 6 MVC, 4 commercial fire alarm, 1 residential fire alarm, and 1 structure fire. The Firefighter's Association has \$500.00 scholarships available to Vermilion High School students entering into higher learning in the Public Safety field. Vermilion Township Firefighter Justo DelGado III's company Statera Health & Wellness LLC will match with \$500.00. The Firefighter's Association will be purchasing \$2000.00 worth of fire fighting equipment and tools for the township fire department. Engine 821 received new batteries. Engine 822 received new LED beacon lights.

Vermilion Township Zoning Inspector Pete Fisher reported four permits issued (1 lot split, 2 signs, 1 addition to single-family-home) for valuation of \$61,500.00. Following a Vermilion Township Zoning Commission meeting with a 3-1 vote in favor; the commission recommends the property at 1713 State Route 60 in Vermilion is to be rezoned from Commercial-2 to Planned Unit Development (PUD). A public hearing for resident questions will be in mid-November. Fisher reported the property at 15904 Sperry Road has been unkept for years. Kurtz explained the process to take care of the grass and have the properties taxes assessed. The Erie County Health Department has been contacted about the garbage on the property. Kurtz made a motion to declare 15904 Sperry Road, Vermilion, a Nuisance Property and advised the Zoning Inspector to move forward with mowing. Hill seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-04**

Vermilion Township Fiscal Officer Stephanie Johnson reported the Ohio Treasurer of State's StarOhio investment account currently has a return rate of 5.52%, wear as the bank is at .20%. Johnson would like approval to move \$400,000.00 into this account. Scott made a motion to move \$400,00.00 from Huntington Bank to StarOhio. Hill seconded the motion. Hill, Kurtz & Scott voted to accept the motion.

20231004-05

Unauthorized certified letters went out to all township trustee and fiscal officer candidates for the upcoming election. William Via, on behalf of the Friends of Vermilion Township, made a cash donation to cover part of this cost. Scott made a motion to send certified letters to all the township candidates for election. Hill seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-06**

Hill made a motion to accept a cash donation of \$76.92 from the Friends of Vermilion Township toward the cost of the letters. Scott seconded the motion. Hill, Kurtz & Scott voted to accept the motion.

20231004-07

Johnson stated according to ORC, all township business is public record and subject to review by anyone who requests. The requester does not need to provide name or reason. The fiscal officer is the records keeper, not necessarily the "records provider or administrator". One person should be designated. Scott made a motion to make Fiscal Officer Stephanie Johnson "records requests administrator". Hill seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-08**

When the township switched cell phone carriers, the old phones were not turned in for credit. Costing the township \$1184.00 to close out the account. Johnson questioned Hill on why these phones were not turned in for credit, was he selling them on the township eBay account and what was their status. Hill replied he was selling them on his own private eBay account; three phones were sold, the fourth was still processing. Johnson reminded Hill all these transactions, including any fees and taxes, needed to be carefully documented.

Johnson stated she would like to "remind the trustees, specifically Carl & Hill and Rodger Scott that the Fiscal Officer is separate but equal to the trustees. According to ORC the Fiscal Officer is independent of the trustees. Almost everything done in the township involves money, therefor it involves the Fiscal Officer. In reference to that, I will no longer be told to 'stay in my lane', 'mind my own business', run along & do my job', 'sit down & do as I am told'". Johnson continued "I would like to remind the trustees, specifically Carl Hill & Rodger Scott, that they cannot tell the Fiscal Officer who they can & cannot talk to in regards to Fiscal Officer Duties. You will not 'forbid' me to talk to anyone & no longer say 'how dare you' after I do talk to someone. I work for the people of the township under the direction of the Auditor of State, the Ohio Attorney General & the Erie County Auditor".

Johnson went on to state "Since the FO is an official of equal rank to the trustees, it is unprofessional, inappropriate & unethical that the trustees have a camera in the office of a fellow official, facing my desk. If it was truly about security, the camera would be facing the door, not me working at the desk. It would be one thing if it was just archived footage. But there is a 'LIVE FEED' that only Carl Hill & Rodger Scott have access to on their phones. Carl Hill & Rodger Scott can pull up a 'live feed' on their phones at any time & surveillance on me at any time. It is bad enough to be able to surveil a fellow official, But it's worse because it is 2 men being able to surveil a woman. Making this extra unprofessional, inappropriate & unethical. I was shocked when I called the camera company to gain access to the live feed just on that camera, only to be told I need trustee approval.

I emailed the trustees to gain access. Only trustee Kurtz tried to help by responded with an email (and phone calls) to the camera company. When I told Rodger Scott that he needed to call to give me access.

He argued with me for quite some time, telling me (in regards to live feed camera access) Quote: You're not going to get it".

Kurtz made a motion to remove the "Live Feed" from the camera in the Fiscal Officer office. There was no second.

Vermilion Township Road Crew Foreman Steve Young reported dura-patching on township roads is complete. For the Township Fall Clean-Up Day three trash dumpsters, one scrap dumpster and 60 tires were collected. It will cost \$1900.00 to dispose of tires. Young recommended not accepting tires anymore. Young asked if credit card limits for the road crew could be raised. Repairs have been made to the backhoe & a roadside mower. Young is looking into gates at the Barnes Road property with estimates coming in around \$2000.00. The 2023 Township Road Project list is completed and will be turned in the county by 10/22/23. The road crew is working on a roadside drainage policy. Scott made a motion to not accept tires at future clean-up days. Hill seconded motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-09**

Hill discussed blocked drainage tile on South Cherry Road. Young recommended consulting with the Erie County Engineer. Hill stated Coen Road was having drainage issues too. Hill reported drainage pipes on Colonial Court were blocked from debris from Lake Erie storms. In an attempt to remove the blockage, a special tool from Erie County has broken off inside the pipe. Hill said due to an accident at the intersection of Route 60 and Darrow Road, he asked officials for a traffic study to see if flashing lights are appropriate. Officials stated a study was recently done and lights/flashers are not warranted.

Kurtz asked for details on the blocked drains and broken tool on Colonial Court. Young explained what happened, what is needed to fix and it is time-sensitive to get the special tool back to the county. Kurtz made a motion that pending confirmation of the availability of funds to hire Cowboy Rocks to do the work. Project not to exceed \$5000.00. Scott seconded the motion. Hill, Kurtz & Scott voted to accept the motion. **20231004-10**

Kurtz met with a representative from DiGeronimo Development regarding the Waterwood property. Kurtz clarified the final development plan has not been approved by the township board. Erie County Regional Planning and Erie County Water & Sewer have both approved Phase One. Kurtz made a motion to approve the final development plan for Waterwood Estates Subdivision Phase One only. Scott seconded the motion. Hill, Kurt & Scott voted to accept the motion. **20231004-11**

Scott opened the floor to residents.

Melanie Lalonde from Sperry Road thanked Kurtz & Fisher for declaring the nuisance property and stated she did not agree with cameras.

Kenn Baughman from State Street stated the meeting rules on audience participation have changed again. In a past meeting during audience participation Hill made a disparaging remark about a resident. Baughman stated that is not appropriate in a public meeting and asked for an apology to that resident. Baughman thanked Kurtz for attempting to help Johnson with the camera issue, stating "you have the courage to do the right thing by a female who is uncomfortable with the situation."

Leona Phillips from Risdan Road questioned about the camera live feed and why it is only on Johnson.

Nancy Hall from Stanley Road asked about the rules for chickens and why has is continued to be brushed under the rug. Adding Scott just told her to “not worry about it.”

Bill Via from West Lake Road on behalf of the Friends of Vermilion Township, invited all residents to a Meet the Candidates Night at German’s Villa on Wednesday, October 25th at 6:00pm.

Don Rowe from Kneisel Road apologized to Johnson for the treatment she has received, then told Hill & Scott that they “should be ashamed of themselves”, and thanked Kurtz for trying to help. Rowe asked all the women in attendance how they felt and they all agreed. Rowe stated it took too long to get the property on Sperry Road to be declared a Nuisance Property and thanked Kurtz & Fisher for their help. Rowe then referenced the Vermilion Township Zoning Commission vote on moving forward with the Redwood project for Route 60. He stated the vote was two for, one against and one abstain- (citing not enough information), at which point the matter should have been stopped. However, it was pushed forward. Fisher stated the abstaining voter was confused. Rowe said “not enough information” is not confusion. The trustees agreed to look into the matter.

Scott made a motion to adjourn at 7:40pm. Hill Seconded the motion. Hill, Kurtz & Scott voted to accept the motion.