

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, May 10, 2022 at 7:00 PM

Call to order: Steve Gerberry

Pledge: Completed

Prayer: Steve Gerberry

Moment of Silence: For Harlan W. Williams, Jr. William was a former road department employee with the Township. Please keep William and his family in your thoughts and prayers.

Roll Call: Steven Gerberry - Present
Edward Whittaker - Present

Richard Harkins - Present
Fred Bobovnyk - Present

Correspondence/Announcements:

- The **Trustees would like to remind our residents of the dates for this year's Spring Clean-Up Program which will be held the week of May 9, 2022.** Residents should put their material out on the same night as their regular pickup.
- The **Trustees would like to remind our residents of the dates for this year's Scrap Tire Pickup Program. Curbside collection will begin on Monday, May 9, 2022 and continue through Friday, May 13, 2022.** There is a limit of four car tires (off rims) per household, large truck tires will NOT be accepted. You can also drop-off your tires between 8:00 AM and 3:00 PM during the collection week at the Township Administration Building at 1451 Prospect Street, Mineral Ridge, Ohio 44440.
- The **Trustees would like to remind our residents that the 2022 Residential Tree Limb Chipping Program is continuing.** The 2022 Residential Tree Limb Chipping Program will begin on Friday May 6, 2022 and will continue each Friday through Friday October 28, 2022. For tree limb pick-up, you must call the Township by Thursday of each week to be placed on the list for a Friday pick-up. Please keep the following rules and procedures in mind:
 - This program is intended for residential tree limbs up to 3 inches in diameter.
 - The tree limbs must be placed at the curbside with all the cut ends aligned with each other toward the street.
 - No shrubs, stumps, roots, lumber, or railroad ties will be accepted. All tree limbs must be free from vines.
 - We are not a tree removal service; if you are having a tree professionally removed let them do the entire job, you must have them take the tree limbs as well.
- The **Trustees would like to mention that their annual Easter Egg drive-thru event that was held on Saturday, April 16, 2022 went well.** They would like to thank the Fire Department for their help with the event.
- The **Trustees would like to mention that their annual street sweeping program is continuing and should be completed later this week.**
- The **Trustees would like to remind our residents that open burning is not permitted within the Township.** We have had several brush fires that placed our firefighters and our resident's property at risk. Please do not open burn and enjoy the remainder of your spring.
- The **Trustees would like to remind our residents that the Township Gas Aggregation Program with Constellation Energy will be ending with your meter reading in May.** The Trustees would like to remind our residents that they have an opportunity to join the Trumbull County Gas Aggregation Program. The Trumbull County Gas Aggregation Program began in March of this year and continues through February 2026. A fixed rate of \$3.99 per Mcf has been established and there is a senior discount (over 65) at \$3.89/Mcf. For enrollment information please contact Constellation Energy at (844) 809-6834
- **Trustee Steve Gerberry coordinated a roadside trash pickup with the Mineral Ridge High School National Honor Society.** The members of the NHS braved the inclement weather and participated in a roadside clean-up along Seaborn Street and Union Street. Thank you to the students that participated, Mrs. Weaver, Mr. Stevens, and Chief Boring. The Geauga Trumbull Solid Waste Management District provided trash bags, litter pickers, safety vests and gloves.

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- **Trustee Ed Whittaker meet with Jordan Pennell, Regional Representative, from U.S. Senator Sherrod Brown's office this past week** to discuss the Township's request for Congressional Directed Spending funding. The Township has requested \$447,000 from the Senator to be used for our Multi-Jurisdictional/Community Center.
- **Ohio Edison has announced that they will be conducting tree trimming and other vegetation management work in our community** as part of its ongoing efforts to help enhance electric service reliability. The tree-trimming program will help keep power flowing to customers by helping to prevent tree-related outages, such as those that can occur during the spring and summer storm season.

Reports:

- Financial Report – Presented by Fred Bobovnyk
- Administrator's Report – Presented by David Rouan
- Zoning Report – Presented by Melissa Murphy
- Police Report – Presented by Police Chief Michael Naples
- Fire Report – Presented by Fire Chief Tom Lambert
- Lane LifeTrans Report – Presented by Lane's Chief Tom Lambert
- Law Director's Report – Presented by Cherry Poteet

Note: All reports are on file in the Fiscal Officer's office.

Comments from the public will be heard on agenda items at this time; there will still be an opportunity for individuals to address the Board during our public comments part of the meeting.

Old Business:

None

New Business:

22-070 Motion to **approve the minutes from the Regular Meeting that was held on Tuesday, April 12, 2022 at 7:00 PM.**

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

22-071 Motion to **approve the drawing warrants upon our treasury and paying township bills.**

Motion by: Rich Harkins Seconded by: Edward Whittaker
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

22-072 Motion to **approve the Then and Now's pursuant to the list provided by the Fiscal Officer.**

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

22-073 Motion to **donate \$100.00 to the Girard American Legion in support of the Memorial Day Ceremony** preparations for the decorating the of Veteran's graves in Township cemeteries.

Motion by: Rich Harkins Seconded by: Edward Whittaker
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

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22-074 Motion to **donate \$300.00 to the Mineral Ridge VFW Post 4192 in support of the Memorial Day Ceremony** preparations for the decorating of the Veteran's graves in Township cemeteries.

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

22-075 Motion to **donate \$100.00 to the Mineral Ridge Volunteer Fire Department Association in support of the Memorial Day decoration of the graves of former firefighters that have passed.**

Motion by: Rich Harkins Seconded by: Edward Whittaker
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

22-076 Motion to **Authorize an Increase in the Micro-Purchase Threshold and to adopt Uniform Guidance Procurement Policy.**

WHEREAS, the Township has received a distribution of monies (the "ARPA Funds") from the American Rescue Plan Act of 2021 ("ARPA" or the "Act");

WHEREAS, Congress passed the Act effective March 11, 2021;

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19);

WHEREAS, expenditure of ARPA funds is subject to the federal Uniform Guidance requirements set forth in 2 C.F.R. 200;

WHEREAS, the Township is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1;

WHEREAS, 2 C.F.R. 200.318 requires all recipients of federal funds to maintain documented procurement standards and policies;

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(ii), a non-Federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-Federal entity files accordingly;

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iii), a non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures;

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-Federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a Federal awarding agency and auditors in accordance with 2 C.F.R. § 200.334;

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a "higher threshold consistent with State law";

WHEREAS, under Ohio law, Townships are required to conduct competitive bidding purchases and contracts if such purchases and contracts exceed the following threshold:

1. Purchase of materials, machinery, and tools to be used in constructing, maintaining and repairing roads and culverts, where the amount involved exceeds \$50,000. R.C. 5549.21.

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2. Contracts for the maintenance or repair of roads, where the amount involved exceeds \$45,000. The board must advertise once, not later than two weeks prior to the letting of the contract, in a newspaper of general circulation in the township. The award must be to the lowest responsible bidder. R.C 5575.01.
3. Contracts for the construction and erection of a memorial building or monument when the amount involved exceeds \$50,000. R.C. 511.12(B).
4. Contracts for equipment for fire protection, mechanical resuscitation, underwater rescue and recovery, and communication estimated to exceed \$50,000. R.C. 505.37 and 505.376.
5. Contracts for street lighting systems where the cost exceeds \$50,000. R.C. 515.01.
6. Contracts for street lighting improvements where the cost exceeds \$50,000. The board shall accept the lowest and best bid, if the successful bidder meets the requirements of section 153.54 of the Revised Code. The board may reject all bids. R.C. 515.07.
7. Contracts for building modifications for energy savings pursuant to R.C. 505.264, where the estimated cost exceeds \$50,000 (with certain exceptions). Award must be to the lowest and best bidder in accordance with the provisions of R.C. 307.86 to 307.92.
8. Contracts for private sewage collection tiles where the cost exceeds \$50,000. R.C. 521.05. The successful bidder must meet the requirements of R.C. 153.54.

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iv), the Township desires to adopt higher micro-purchase thresholds than those identified in 2 C.F.R. §§200.67, 200.321(a), and 48 C.F.R. § 2.101; and

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. In compliance with the Uniform Guidance, and specifically 2 C.F.R. 200.318, the Township adopts the attached Uniform Guidance Procurement Policy to be used for all expenditures of ARPA funds.
2. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of Ohio law, the Township hereby self-certifies the following micro-purchase thresholds, each of which is a "higher threshold consistent with State law" under 2 C.F.R. §200.320(a)(1)(iv)(C) for the reasons set forth in the recitals to this resolution:
 - A. \$50,000 for the purchase of materials, machinery and tools to be used in constructing, maintaining and repairing roads and culverts;
 - B. \$45,000 for contracts for the maintenance or repair of roads;
 - C. \$50,000 for contracts for the construction and erection of a memorial building or monument;
 - D. \$50,000 for contracts for equipment for fire protection, mechanical resuscitation, underwater rescue and recovery, and communication;
 - E. \$50,000 for contracts for street lighting systems;
 - F. \$50,000 for contracts for street lighting improvements;
 - G. \$50,000 for contracts for building modifications for energy savings, subjects to the exceptions set forth in R.C. 307.86 to 307.92; and
 - H. \$50,000 for contracts for private sewage collection tiles.
3. The self-certification made herein shall be effective as of the date hereof and shall be applicable until December 31, 2022, the end of the current fiscal year of the Township, but shall not be applicable to Federal financial assistance awards issued prior to the adoption of this resolution, including ARPA funds.
4. In the event that the Township receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the Township shall comply with the more restrictive threshold when expending such funds.

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5. The Township shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

- 22-077 Motion to **authorize Township Fiscal Officer Fred Bobovnyk to advertise for bids for the Township Wide Residential Refuse and Garbage Collection with Recycling contract.**

Motion by: Rich Harkins Seconded by: Edward Whittaker
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

- 22-078 Motion to **reject the bids for the Weathersfield Township Multi-Jurisdictional Center.** The Trustees are awaiting notification on several grant requests for the remaining funding for the Multi-Jurisdictional Center and hope to proceed with the construction of the project next spring.

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

- 22-079 Motion to **authorize Township Administrator David Rouan, on behalf of the board of Trustees, to apply for Appalachian Regional Commission (ARC) funding through Eastgate Regional Council of Governments and to execute the Memorandum of Understanding for the ARC grant application.** The ARC funding request will be for an amount between \$250,000.00 – \$500,000.00 and if awarded, the ARC funding will be used for the construction of the Multi-Jurisdictional Center.

Motion by: Rich Harkins Seconded by: Edward Whittaker
 Steven Gerberry - Vote Vote: Richard Harkins - Vote Edward Whittaker - Vote
 Motion Status

- 22-080 Motion to **participate with the Western Reserve Port Authority's Partnerships for Opportunity and Workforce and Economic Revitalization (POWER) Initiative proposal for the Trumbull County Broadband Preliminary Engineering and Feasibility Study and to commit up to \$2,500.00 towards the local match for the study.** The Port Authority will apply for Appalachian Regional Commission (ARC) funding through Eastgate Regional Council of Governments to conduct a Regional Broadband Engineering and Feasibility Study for the city of Warren, city of Niles, Howland Township, and Weathersfield Township. The ARC funding request will be for an amount of \$50,000.00.

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Steven Gerberry - Yes Vote: Richard Harkins - Yes Edward Whittaker - Yes
 Motion Carried

- 22-081 Motion to **officially acknowledge and thank Paul Armeni for his service with our Road Department during this past winter.** Paul agreed to work part-time and assist our crews with snow removal from our roadways. Paul was filling-in for one of our employees while they were off on sick leave.

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Motion by: Rich Harkins
Steven Gerberry - Yes
Motion Carried

Seconded by: Edward Whittaker
Vote: Richard Harkins - Yes Edward Whittaker - Yes

Public Comments:

Open Comments

Next Meetings:

Next Meetings: Thursday, May 19, 2022, at 3:30 PM; Thursday, June 9, 2022 at 3:30 PM;
and Tuesday, June 14, 2022 at 7:00 PM.

Adjournment:

22-082 Motion to *adjourn the meeting*.

Motion by: Edward Whittaker
Steven Gerberry - Yes
Motion Carried

Seconded by: Rich Harkins
Vote: Richard Harkins - Yes Edward Whittaker - Yes

Fred Bobovnyk, Fiscal Officer

Steven J. Gerberry, Trustee

Richard T. Harkins, Trustee

Edward K. Whittaker, Trustee