

The Board of Liberty Township Trustees met in Organizational/Regular Meeting by teleconference on, January 7, 2021 at 8:30 a.m. with the following members in attendance, Mr. Devon Stanley, Mr. Arnold Clebone and Mr. Gregory Cizmar, presiding.

**In accordance with the instructions issued by Governor DeWine, to limit the risk of community transmission of the virus COVID-19, all members of the public are invited to present their questions or concerns to the Township in writing, by email, or by telephone at any time.**

As a result of the coronavirus pandemic, we are conducting the Reorganizational and Regular Meeting via teleconference.

21-01 Motion to appoint Mr. Greg Cizmar Chairperson for 2021.

Motion: Mr. Clebone. Second: Mr. Stanley.

Roll Call: Mr. Clebone, Yes. Mr. Stanley, Yes. Mr. Cizmar, Yes. Motion carried.

21-02 Motion to appoint Mr. Arnie Clebone Vice Chairperson for 2021.

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

21-03 Motion to adjourn the Reorganizational Meeting and begin the Regular Meeting.

Motion: Mr. Cizmar. Second. Mr. Clebone.

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Mr. Stanley, Yes. Motion carried.

21-04 Motion to approve the minutes of the December 17, 2020 Regular Meeting.

Motion: Mr. Clebone. Second: Mr. Stanley.

Roll Call: Mr. Clebone, Yes. Mr. Stanley, Yes. Mr. Cizmar, Yes. Motion carried.

21-05 Motion to approve warrant/eft expenditures for the month of December 2020 in the amount of \$1,2313.06 and warrants #21645 through #21797 inclusive and Then and Now purchase orders.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Mr. Stanley, Yes. Motion carried.

21-06 Motion that the Board of Liberty Township Trustees shall conduct its meetings in full compliance with the Ohio Sunshine Law and accordingly establishes the following rules for the scheduling and notice of all meetings:

**REGULAR MEETINGS (During COVID 19 Pandemic)** – The Board of Trustees will hold Regular weekly meetings every Thursday beginning at 8:30 a.m. except for November 11, 2021 (Veterans Day) and November 25, 2021 (Thanksgiving). All meetings will be held at the Township administration building or by virtual technology as permitted by law. Notice of the Regular Meetings or changes shall be posted on the Township website. The Township will provide notices to the Vindicator, Warren Tribune and any other media that requests the same at least 24 hours in advance of the meeting, except in an emergency in which case the notices shall be given as soon as practicable.

**SPECIAL MEETINGS** – Notice of special meetings of the Board of Trustees shall be given by posting notice of the meeting on the Township website, and in a conspicuous place outside the Township Hall on a bulletin board or sign provided for that purpose. Notice of all special meetings shall be given to the Vindicator, Warren Tribune Chronicle and any other newspaper or media that requests the same at least 24 hours in advance of the meeting, except in an emergency in which case the notices shall be given as soon as practicable. Additionally, the Township will provide advance notice of regular or special meetings to anyone who provides the Township with postage pre-paid, self-addressed postcards or email address.

Motion: Mr. Clebone. Second: Mr. Stanley.

Roll Call: Mr. Clebone, Yes. Mr. Stanley, Yes. Mr. Cizmar, Yes. Motion carried.

21-07 Motion to set the salaries for the Trustees of Liberty Township for 2021 at the maximum compensation permitted by Ohio Revised Code §505.24(C) Compensation of Trustees, to be paid in equal monthly payments.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Mr. Stanley, Yes. Motion carried.

21-08 Motion to set the salary for the Fiscal Officer of Liberty Township for 2021 at the maximum compensation permitted by Ohio Revised Code §507.09 Compensation of Fiscal Officer, to be paid in equal monthly payments.

Motion: Mr. Clebone. Second: Mr. Stanley.

Roll Call: Mr. Clebone, Yes. Mr. Stanley, Yes. Mr. Cizmar, Yes. Motion carried.

21-09 Motion to renew the appointment of Cherry Lynne Poteet as Township Law Director pursuant to Ohio Revised Code Section 504.15, on the same terms set forth in her contract.

Motion: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

21-10 Motion to authorize membership for the Trustees and Fiscal Officer in the Ohio Township Association, and attendance at the OTA annual Winter Conference in Columbus (virtually this year), and to pay the dues or expenses from the General Fund pursuant to Ohio Revised Code §505.241.

Motion: Mr. Clebone. Second: Mr. Stanley.

Roll Call: Mr. Clebone, Yes. Mr. Stanley, Yes. Mr. Cizmar, Yes. Motion carried.

21-11 Motion to appoint Ray Knight to a five (5) year term on the Liberty Township Zoning Commission, term commencing January 1st, 2021 and term ending December 31st, 2025.

Motion: Mr. Cizmar. Second: Mr. Stanley.

Roll Call: Mr. Cizmar, Yes. Mr. Stanley, Yes. Mr. Clebone, Yes. Motion carried.

21-12 Motion to appoint Thomas Anness to a five (5) year term on the Liberty Township Zoning Appeals Board, term commencing January 1<sup>st</sup>, 2021 and term ending December 31<sup>st</sup>, 2025.

Motion: Mr. Cizmar. Second: Mr. Stanley.

Roll Call: Mr. Cizmar, Yes. Mr. Stanley, Yes. Mr. Clebone, Yes. Motion carried.

21-13 Motion to set the compensation for the members of the Township Zoning Commission at \$20 per meeting and Zoning Board of Appeals at \$45 per meeting for 2021, which is the current rate, pursuant to Ohio Revised Code §519.13.

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

21-14 Motion to set the 2021 mileage reimbursement rate for authorized travel by township officials and employees outside of Liberty Township at the maximum rate per mile permitted by the IRS for 2021 at .56 cents per mile.

Motion: Mr. Cizmar. Second: Mr. Clebone.

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Mr. Stanley, Yes. Motion carried.

21-15 Motion to acknowledge and authorize township officers and full-time employees and their respective dependents who are not covered by a collective bargaining agreement are entitled to the same rights and coverage under any and all health care insurance policies and programs currently in effect or subsequently procured by the Township in accordance with Ohio Revised Code §505.60 et seq. and to set health insurance premium co-payments for the non-bargaining unit employees rate of fifteen percent (15%) of the monthly premium costs of their enrollment in the township Health Insurance Benefit Program.

Motion: Mr. Clebone. Second: Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Mr. Stanley, Yes. Motion carried.

21-16 Motion to approve an annual conversion plan pursuant to Section 145.01 of the Ohio Revised Code and Ohio Administrative Code 145-1-26 for Liberty Township for the conversion of vacation time that is accrued, but not used, during the calendar year, defined as January 1 to December 31, 2021. These earnings are earnable salary on which employee and employer contributions shall be remitted to OPERS. See File for complete conversion plan.

Motion: Mr. Clebone. Second: Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Mr. Stanley, Yes. Motion carried.

21-17 Motion to authorize the Fiscal Officer to prepare and use super blanket certificates for the 2021 fiscal year for the statutorily permitted purposes of: the services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser; fuel oil, gasoline, food items, roadway materials and utilities; purchases exempt from competitive bidding under O.R.C. 125.04 and any other specific expenditure that is a recurring and reasonably predictable operating expense. Each super blanket certificate must identify the specific line-item appropriation

account to which it applies, and an itemized statement of obligations incurred and expenditures made under each super blanket certificate shall be maintained by the Fiscal Officer. Each super blanket certificate shall be in an amount not to exceed \$25,000.00 with the exception of the hospitalization super blanket certificate which shall be in an amount not to exceed \$100,000.00.

Motion: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

21-18 Motion to request from the Trumbull County Auditor advances on Real Estate Property Taxes, Personal Property Taxes and Estate Taxes pursuant to Ohio Revised Code §321.34.

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

21-19 Motion to authorize payment of expenses for township officials and employees to attend meetings, seminars, workshops, conferences, schools, training or conventions for fiscal year 2021, after a formal request has been processed and approved.

Motion: Mr. Cizmar. Second: Mr. Stanley.

Roll Call: Mr. Cizmar, Yes. Mr. Stanley, Yes. Mr. Clebone, Yes. Motion carried.

21-20 Motion to authorize the expenditure of township general funds for public community functions and non-profit organizations, in an amount not to exceed \$200 per event, upon approval by the Board of Trustees.

Motion: Mr. Cizmar. Second: Mr. Clebone.

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Mr. Stanley, Yes. Motion carried.

21-21 Resolution of intent to sell unneeded, obsolete or unfit for use personal property by internet auction for the calendar year 2021.

**A RESOLUTION DECLARING THE INTENT OF LIBERTY TOWNSHIP TO CONDUCT INTERNET AUCTIONS FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF LIBERTY TOWNSHIP FOR THE CALENDAR YEAR 2021**

**WHEREAS**, Section 505.10 of the Ohio Revised Code permits a board of township trustees to sell personal property, including motor vehicles, road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete, or is unfit for the use for which it was acquired; and

**WHEREAS**, the Board of Township Trustees of Liberty Township, Trumbull County, Ohio has determined that an internet auction is a cost-effective method of disposing of such property; and,

**WHEREAS**, Section 505.10(D) of the Ohio Revised Code permits a board of township trustees to sell such property by internet auction after adopting a resolution expressing its intent to do so;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Liberty Township, Trumbull County, Ohio, that:

**Section 1:** Pursuant to Ohio Revised Code Section 505.10(D), the Board of Trustees of Liberty Township hereby expresses its intent to sell personal property, including motor vehicles, road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete, or is unfit for the use for which it was acquired, by internet auction in 2021.

**Section 2:** The Board of Trustees of Liberty Township hereby will conduct internet auctions through GovDeals, Inc., 100 Capitol Commerce Boulevard, Suite 110, Montgomery, Alabama, 36117.

**Section 3:** Such internet auctions shall be conducted according to the requirements of R.C. 505.10(D) under the following general terms and conditions:

1. All property will be offered for sale to the public on the [www.govdeals.com](http://www.govdeals.com) website for a minimum of ten (10) days, including Saturdays, Sundays and legal holidays;
2. The Township reserves the right to establish a minimum price for any item and to establish other terms and conditions of sale, including but not limited to requirements for pick-up or delivery;
3. Township property auctioned via internet auction shall be sold to the highest qualified bidder at the conclusion of the auction;

4. The highest qualified bidder shall be required to pay in full for the property at the auctioned price plus the stated buyer's premium and all applicable taxes within five business days from the conclusion of the sale, and to comply with any other conditions or terms of sale;
5. All property is offered for sale "As-Is Where-Is" with Liberty Township making NO warranty, guarantee or representation of any kind, express or implied as to the condition of such property;
6. All vehicles will be sold with a Salvage Title; and
7. The Board of Township Trustees, Liberty Township, Trumbull County, Ohio reserves the right to reject any bids and to withdraw from sale any items listed on its internet auction.

**Section 4:** In the event that the Township reclaims the auctioned property as a result of the highest qualified bidder's failure to comply with the terms and conditions stated above or in the event that there are no bidders for the auctioned property who meet the terms and conditions established for the auction, the Township reserves the right, at its sole discretion, to re-auction the property or to dispose of the property without auction, as permitted by R.C. 505.10(B).

**Section 5:** That after adoption of this Resolution, the Fiscal Officer shall publish, in a newspaper of general circulation in the township, notice of Liberty Township's intent to sell unneeded, obsolete, or unfit-for-use township personal property by internet auction. The notice shall include a summary of the information provided in this resolution. Information regarding the internet auction shall be published on the Township website and posted at the Township office.

Motion: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

21-22 Motion to allocate and authorize the Fiscal Officer to transfer each month immediately upon receipt, all funds received as reimbursement for police overtime, plus fifty percent of the remaining funds received by Liberty Township from the Traffic Camera Program, to the Police Fund.

Motion: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

21-23 Motion to authorize the Fiscal Officer to move money within a fund from one line item to another in cases where funds must be made available before the next trustees meeting provided the Fiscal Officer notifies the Trustees in writing of such transfers as soon as practicable.

Motion: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

21-24 Motion to approve the Declaration of Restrictions for Little Squaw Creek as required for the OPWC Clean Ohio Grant, and to authorize Trustee Arnold Clebone to sign the Declaration on behalf of the Board of Trustees.

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

21-25 Motion to extend the below policy (20-56) through March 31, 2021:

20-56 Motion to approve the Liberty Township Emergency Paid Sick Leave and FMLA-Public Health Emergency Leave Policy

We appreciate and recognize all that our employees have done to continue to serve the public during the ongoing COVID-19 (coronavirus) pandemic. This pandemic has presented all of us with unprecedented challenges, as a township and individuals. Protecting the health and safety of our employees and the public is paramount.

Effective immediately, in order to assist our employees in meeting some of these challenges, and in order to comply with the Families First Coronavirus Response Act (the Coronavirus Response Act), Liberty Township has established the following leave policies. These policies are temporary and will go into effect April 1, 2020 and expire on December 31, 2020 and may be amended at any time.

#### EMERGENCY PAID SICK LEAVE

The Coronavirus Response Act created a new form of paid sick leave called Emergency Paid Sick Leave (EPSL) for up to two weeks for certain leave events related to COVID-19.

Eligible Employees. Full-time and part-time employees who have worked for at least 30 days are eligible to use EPSL. Emergency Responders are excluded from this leave. “Emergency responder” is defined as law enforcement, fire fighters, EMTs, physicians, and nurses, military and National Guard.

Reasons for Using Leave. EPSL may be used for the following reasons:

1. To comply with a federal, state, or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

Pay Rate. EPSL for any of the above three reasons (1-3) will be paid at the employee’s regular rate of pay, as determined under the Fair Labor Standards Act (FLSA). The maximum pay for leave taken for any of the three reasons listed above is the employee’s full regular rate, capped at \$511 per day (\$5,110 in total).

1. To care for an individual who is subject to an order as described in (1) above or has been advised as described in (2) above.
2. To care for the employee’s son or daughter if a school or place of care is closed, or the childcare provider is unavailable, due to COVID-19 precautions; or
3. The employee is experiencing any other substantially similar condition as specified by the designated Federal agencies.

Pay Rate. EPSL for any of the above three reasons (4-6) will be paid at the employee’s regular rate of pay, as determined under the Fair Labor Standards Act (FLSA). The maximum pay for leave taken for any of the three reasons listed above is two-thirds (2/3) of the employee’s regular rate, capped at \$200/day (\$2,000 in total).

Amount of Leave. Full-time employees are eligible for eighty (80) hours of EPSL. Part-time employees are eligible for EPSL based on the average number of hours they worked a week over the last six months.

Notice and Certification Requirements. Employees using EPSL should provide reasonable notice of the need for leave and the reason for leave by telephone call to your Department head, followed up with written notice. The Township may request reasonable documentation to support the request for leave, including the qualifying reason for requesting leave and documentation from a health care provider or childcare provider as applicable.

Termination of Leave. EPSL shall cease beginning with the employee’s next scheduled work shift immediately following the termination of the need for EPSL as described above. EPSL will not carryover from one year to the next or be paid out upon separation for any reason.

#### FAMILY AND MEDICAL LEAVE – PUBLIC HEALTH EMERGENCY

The Coronavirus Response Act also added a new reason for employees to take FMLA leave in relation to the current COVID-19 pandemic. The length of FMLA leave available has not changed - each employee is entitled to a maximum of twelve (12) weeks of FMLA leave a year.

Eligible Employees. An employee who has been employed for at least thirty (30) calendar days may qualify for FMLA-Public Health Emergency leave. Emergency Responders are excluded from this leave. “Emergency responder” is defined as law enforcement, fire fighters, EMTs, physicians, and nurses, military and National Guard.

Reason for Using Leave. FMLA-Public Health Emergency leave can be used when an employee is unable to work (or telework) due to caring for the employee’s son or daughter under age 18, if the son or daughter’s school or place of childcare has been closed, or the child care provider is unavailable as a result of a COVID-19 related emergency declared by Federal, State, or local authority.

Interaction with Other Paid Leave Policies. The first ten (10) days of FMLA-Public Health Emergency leave will be unpaid. During this two-week period the employee may use EPSL leave, or to receive a higher amount, may choose to use paid leave they have available such as vacation, sick, holiday or personal leave.

Pay Rate. After the first ten (10) days, eligible employees taking FMLA-Public Health Emergency leave will be entitled to pay at two-thirds (2/3) of their regular rate of pay, as determined under the FLSA, for the number of hours that the employee would normally be scheduled to work, capped at \$200/day and \$10,000 in the aggregate for the entire FMLA-Public Health Emergency leave period.

Termination of Leave. Paid FMLA-Public Health Emergency leave will continue until the employee has exhausted his/her twelve (12) week entitlement or the reason for using the FMLA leave ends.

FMLA Rules and Procedures. All administrative provisions of the FMLA relating to such issues as notice, certification, and reinstatement continue to apply to FMLA-Public Health Emergency leave. Sick Leave and Other Leave Available

The Township provides employees other forms of paid leave, including vacation, sick, holidays and personal leave. The new leave available under the Coronavirus Response Act is in addition to those other forms of leave, and employees may use their existing sick leave in accordance with existing policies and contracts for absence due to their own illness, exposure to a contagious disease which could be communicated to other employees, illness, injury or death in the immediate family, or for medical exams.

Employees may use personal leave or vacation leave for any reason, subject to approval by the Department head as necessary to maintain staffing.

Advance Leave

If an employee needs to take time off because of symptoms of Covid-19 or to care for someone with symptoms Covid-19, but the employee has exhausted all leave time available, upon request and if the request can be reasonably accommodated by budget and manpower, Liberty Township will advance up to six weeks of paid leave to the employee. The advanced time is to be paid back in the future when additional sick leave or other leave, including compensatory time, is earned.

Motion to extend the date through March 31, 2021:

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

Discussion:

Administrator Martha Weirick thanked the Board of Trustees for the opportunity to continue to service the needs of the residents and staff of Liberty Township and wished everyone a happy and healthy New Year.

Police Chief Toby Meloro stated the Liberty Township Police will continue strive to do a great job in 2021 and become stronger each and every year thereafter.

Fire Chief Gus Birch reported the Firefighters are being trained on the LUPIS CPR Device, which performs chest compressions. Firefighter Abigail Buday successfully secured a \$20,000.00 grant for the equipment. Once trained, the device will be a useful tool. The Chief will contact Hubbard's grant writer to see if she would be available to help write a FEMA grant pending Boards approval. Chief expressed his gratitude for the Trustees support during an extremely difficult year for the department and appreciates their continued support.

Trustee Remarks:

Motion to adjourn the meeting at 9:01 a.m.

Motion: Mr. Stanley. Second: Mr. Cizmar.

Roll Call: Mr. Stanley, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

Next Meetings: Thursday January 14, 2021 at 8:30 a.m. via teleconference.

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STEVE SHELTON, FISCAL OFFICER

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GREG CIZMAR, CHAIRPERSON