

RECORD OF PROCEEDINGS

1124

Minutes of

In Person REGULAR Meeting

JACKSON TOWNSHIP TRUSTEES

Held July 12, 2022

6:00 pm

Present – Trustee Frost, Trustee Jakubec, Trustee Hemphill, Fiscal Officer Patton, Police Chief Rozzi, Road/Cemetery Sexton Scott Hupko, Fire Battalion Chief McDougal/Battalion Chief Mortimer, Zoning Inspector D'Avignon and 11 guests.

RESOLUTION #22-058: Mr. Jakubec moved and Mr. Frost seconded the motion to approve the minutes of the June 21, 2022 Regular In Person Trustee Meeting. Roll Call Vote was Unanimous.

Vouchers and warrants #30048 thru #30094 and Vouchers #270-2022 thru #307-2022 were approved for payment.

CORRESPONDENCE:

- Received an email from Progressive Energy Consultants for utility electric. We now have a contract rate of \$0.052 through December 2022. The best fixed rate they are offering now for 36 mos. is \$0.07223. I suggest we wait and see where the rates will be. If they are still high in the fall after our contract rate expires we would just go on our variable monthly utility rate.
- Mr. Hemphill attended the E911 Executive Board Meeting. They discussed training for all dispatchers.
- Mr. Frost met with Steve Christen about Broad Band Expansion areas in our township. Mr. Frost recommended he get with the school for a survey that Eastgate needs to build out areas that have no service.

OLD BUSINESS:

- Shaffer Road Paving was completed on June 30, 2022. We received a signed payment request from Vernal along with change order no. 1 changing the contract price from \$57,904.00 to a final contract price of \$50,186.00, a reduction of \$7,718.00. We will receive grant money of \$50,000 from Mahoning County Commissioners. Gary Diorio recommends payment to the contractor. Also payroll reports received from the contractor. There is a one-year warranty on the asphalt.

RESOLUTION #22-059: Mr. Frost moved and Mr. Hemphill seconded the motion approving payment to RT Vernal for Shaffer Road Resurfacing for an amount of \$50,186.00. Roll Call Vote was Unanimous.

- Discussion for additional Scope of work for Shaffer Road. Additional ditching, berm work tree trimming and cutting.

RESOLUTION #22-060: Mr. Jakubec moved and Mr. Frost seconded the motion approving the additional Scope of work for Shaffer Road and Gault Road Scope of work as written to be sent to various contractors for bidding of work. Roll Call Vote was Unanimous.

- Mr. Hemphill advised that an entity that was considering of constructing a new business did core samples on one of our roads0 without our permission. We should consider doing something about this so it doesn't happen again.

NEW BUSINESS:

RESOLUTION #22-061: Mr. Hemphill moved and Mr. Jakubec seconded the motion approving the following: Cash Summary by Fund, Appropriation Payment Register, Appropriation Register, Revenue Status, Fund Status, Bank Reconciliation and Credit Card Attestations for June 2022. Roll Call Vote was Unanimous.

RESOLUTION #22-062: Mr. Frost moved and Mr. Jakubec seconded the motion to adopt the Uniform Guidance Procurement Policy American Rescue Plan Act Funds. This will be applied to all ARPA expenditures. Roll Call Vote was Unanimous.

RESOLUTION #22-063: Mr. Frost moved and Mr. Jakubec seconded the motion authorizing increase in Micro-Purchase Threshold and Adopt Uniform Guidance Procurement Policy as follows: WHEREAS, the Township has received a distribution of monies (the "ARPA Funds") from the American Rescue Plan Act of 2021 ("ARPA" or the "Act"); and WHEREAS, Congress passed the Act effective March 11, 2021; and 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); and WHEREAS, expenditure of ARPA funds is subject to the federal Uniform Guidance requirements set forth in 2 C.F.R. 200; and WHEREAS, the Township is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1; and WHEREAS, 2 C.F.R. 200.318 requires all recipients of federal funds to maintain documented procurement standards and policies; and 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; and 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; and 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; and 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"; and WHEREAS, under Ohio law, Townships are required to conduct competitive bidding purchases and contracts if such purchases and contracts exceed the following threshold:

- 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.
- 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.
- Contracts for the construction and erection of a memorial building or monument when the amount involved exceeds \$50,000. R.C. 511.12(B).
- 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.
- Contracts for street lighting systems where the cost exceeds \$50,000. R.C. 515.01.
- 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.
- 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.
- 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.

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:

- \$50,000 for the purchase of materials, machinery and tools to be used in constructing, maintaining and repairing roads and culverts;
- \$45,000 for contracts for the maintenance or repair of roads;
- \$50,000 for contracts for the construction and erection of a memorial building or monument;
- \$50,000 for contracts for equipment for fire protection, mechanical resuscitation, underwater rescue and recovery, and communication;
- \$50,000 for contracts for street lighting systems;
- \$50,000 for contracts for street lighting improvements;
- \$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
- \$50,000 for contracts for private sewage collection tiles.

2. The self-certification made herein shall be effective as of the date hereof and shall be applicable until the end of the current fiscal year of the Township, but shall not be applicable to Federal financial assistance awards issued prior to July 12, 2022 including ARPA funds.

3. 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.

4. 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. Roll Call Vote was Unanimous.

RESOLUTION #22-064: Mr. Frost moved and Mr. Jakubec seconded the motion to make Juneteenth, June 19th a township holiday. The Ohio legislature added June 19th/Juneteenth as a recognized holiday effective September 30, 2021 for townships. R.C. 511.10 Personnel employment; holidays; uniforms for maintenance workers provides: any township employee working on a salary or hourly full time basis is entitled to eight hours of holiday pay for Juneteenth day provided that the employee is a regular employee with at least six months full-time township service prior to the month when such holiday occurs. The township employees who were eligible received the holiday in the pay period 6/26-7/9/2022. Roll Call Vote was Unanimous.

- Update Hall Rental Rates and Policy. We need to look at increasing Hall Rental-Residents-\$150/Non- \$250; Deposit Rates – Residents \$150/Non \$200. Also discuss consequences for cooking in the kitchen. The Health Department deemed our kitchen as a Caterers Kitchen only. Some individuals have been cooking all their food on site. Breach of contract penalties. .0

RT Vernal –
Shaffer Rd
Payment
Shaffer/Gault Rd
Scope

Financials for
June 2022

Procurement
Policy ARPA
Funds
Micro-Purchase
Threshold for
ARPA Funds

RECORD OF PROCEEDINGS

Minutes of

Regular Meeting

JACKSON TOWNSHIP TRUSTEES

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6:00pm

Hall
Rental Rate
Increase

Tri-Area

RESOLUTION #22-065: Mr. Hemphill moved and Mr. Frost seconded the motion for increase in Hall Rental Rates – Residents \$200/Non Residents - \$350; Deposit Rates – Residents - \$200/Non Residents - \$300. Also we will amend our contract for consequences for cooking in our kitchen and any breach of contract. Roll Call Vote was Unanimous.

RESOLUTION #22-066: Mr. Frost moved and Mr. Jakubec seconded the motion to pay Tri-Area Electric Co. invoice for Jackson Fire Department Electrical Upgrades per their proposal dated May 27, 2022- \$7,350.00. This Resolution was approved at June 21, 2022 Trustee Meeting. Roll Call Vote was Unanimous.

- Mr. Jakubec advised that that we should go with a metal roof for the dugouts at Liberty Park. He will get with Mr. Hemphill for a building scope for the roof.
- Mr. Frost stated that we will have a Special Trustee Meeting for ARPA funding for department funding.

FIRE:

- CALL TOTALS – June 20, 2022 through July 10, 2022 at 1500 - Fire Calls: 2 - Mutual Aid: 4 - Service/Assist: 2 - MVA: 2
- Alarm Drop/Poss. Fire 3 (This includes any open burns/smoke invest./controlled burns) - Extrication: 0
- Medical: 17 - HazMat/Gas Leak/CO: 0 - TOTAL: 30 (#230-259)
- Researching repair of light tower on Engine 600. Total amount of repairs is \$1926.50. The department is having trouble getting this repair covered under warranty. Mr. Hemphill will look into this matter. Mr. Frost suggested if we don't get it resolved we will contact the Mahoning County Prosecutor's Office.
- Thank you to community for participating and attending July 4 Parade
- Reminder of Community/Safety Day on August 13 with Police Department
- Congratulations to Gethsemane Lutheran Church on serving the community for 50 years

ROAD:

- Vehicle/Sign Inspections are done for June 2022.
- Cemetery Report - Burials – 1; Foundations –1; Graves – 1.

POLICE:

- 166-Total calls, 108-Calls for Service, 8-Observed Calls, 50-Assist other agencies, 74-Traffic Stops, Resulting in 63-Warnings, 11-Citations, 8-Traffic Crashes, 2-DUS and 3-OVI Arrest
- 93-Residential Security Checks, 3-Senior citizen welfare checks , 8-Arrests, 1 Felony & 7 Misdemeanant by our Detective and Patrol Division's
- Reserve Officers worked a total of 8 hours. Officers traveled 6,552 miles patrolling the township. An average of 70.5 miles per shift.
- Unit 99 - 2010 Chevy Impala sold at Auction on July 7th 2022 for \$4900.00.
- On July 8th 2022 we were notified we were awarded the 2022 ARPA Grant for Officer Retention Bonus for \$35,846.64. No local match required.
- Body Cameras have arrived and we are in the testing phase.
- Requesting to Purchase a 2023 Ford Explorer.

ZONING:

- Permit and Fees - Zoning permits - (1) \$202.50 - Residential Addition - Appeals/Zone Change Fees— 2 - \$950
Total all Fees \$ 1,152.50
- Year-to-Date Total Collected: \$24,692.50 - Year-to-Date Permits Issued: 28;
- Year-to-Date Total Valuation of New Investment: \$3,685,000
- Projects in the pipeline: Approved - American Transmission Systems – 12185 Bailey Court East
Possible - Sheetz – Bailey Rd and Bailey Court E; New signage – Macy's; New Warehouse/office 13001 Mahoning Ave.;
- Public Meetings: Zoning Commission – Did not meet June. Will meet July 13.
Zoning Appeals Board – Did not meet June. Will meet July 28 – 2 cases on the agenda.
- Complaints and Violations - Total 15 Open Complaints - 0 New Complaints - 1 Closed cases - 14 Cases ongoing (4 – 2022, 4 - 2021, 3 – 2020, 3 – 2019)
- Zoning ARP wish list: A recording device for the appeals board meetings or continued GoToMeeting subscription. Will use instead of stenographer for appeals cases.
- Met with Mr. Hemphill and Sheetz representatives on justification for a widening of Bailey Court East for all truck traffic that their facility would generate. Also a traffic signal would be warranted. Sheetz will provide additional information for a traffic study.
- Shaffer Road Surety Bond that was supplied to our Zoning is not we asked for. The company provided a bond that was for county roads and not township roads.
- Mr. D'Avignon is applying for a cemetery grant for \$2500.00 for our active Jackson Township Cemetery. It is for replacing foundations that need to be straightened.

PUBLIC COMMENT:

- Ms. Jean Sudimak thanked the trustees for speaking on behalf of residents at the Jackson Milton Water District Public meeting with Mahoning County Commissioners.

There being no further business to come before the Board, the meeting adjourned at 7:08pm.

Tom Frost, Trustee Chair

John Jakubec, Trustee Co-Chair

Alan Hemphill, Trustee

Judy A. Patton, Fiscal Officer