

**Draft**

HUNTINGTON TOWNSHIP TRUSTEES  
45955 STATE ROUTE 162 WELLINGTON OHIO 44090

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**Minutes of July 5, 2022**

The Huntington Township Trustees met in Public Hearing at 6:45 PM at the Township Hall. Meeting called to order with the pledge of Allegiance by Walter Rollin. Attendees: Walter Rollin, Jed Lamb, Robert Holmes, Sheila Lanning, Matt Combs, Alaina Combs and Abel Combs. The purpose of the Public Hearing was to present the 2023 proposed budget and hear public comment. Fiscal Officer Lanning read the narrative of the budget aloud. No public comments taken. **Motion** by Holmes with a second by Lamb to adjourn the Public Hearing on the 2023 proposed budget at 7:06 PM. Roll call: 3 yeas.

The Huntington Township Trustees opened a regular scheduled meeting at 7:07 PM with the pledge of Allegiance. Attendees: Walter Rollin, Jed Lamb, Robert Holmes, Sheila Lanning, Matt Combs, Alaina Combs and Abel Combs. **Motion** by Lamb with a second by Holmes to approve the minutes of June 20, 2022 and the special session of July 1, 2022 as written. Roll call: three yeas. Checks 9975-9993 and payments totaling \$25,891.42 were approved for payment. **Motion** by Holmes with a second by Lamb to approve the June Financial reports with year to date revenue \$266,511.10, year to date expenditures \$158,711.57 and bank balances \$507,465.61. Roll call: three yeas. **Motion** by Holmes with a second by Lamb to authorize **Resolution 2022-37** for the 2023 Budget with an estimate of \$702,227.70 and appropriations of \$676,404.42. Roll call: three yeas.

**COMMITTEE REPORTS:**

**WATER BOARD:** Lamb: attending training on South Bass Island, 7 sessions and talk about Green Circle growers and how that will work out. It is overnight, regular meeting next week.

**LORCO:** Lamb: meeting next week

**AMBULANCE-** Holmes: defibrillator on order waiting for delivery.

**FIRE-** Rollin: meeting tomorrow, did lease purchase two pickup trucks, will take sirens off one old truck and reuse.

**SHERIFF-** June report of 75 incidents in Huntington, majority were traffic stops.

**OPWC / SWAC:** Application due by 9-2-2022 for round 37, paperwork sent to Combs.

**ZONING-** Lanning: no quorum at 6/21/22 Zoning Commission meeting. John Wilkinson attended and is interested in a Board position to replace Lyn Ickes with term ending 12/31/2026. Lamb to contact John Wilkinson. Zoning Board of Appeals application from Christopher Ferguson of McMillan Road for a home occupancy permit. Meeting set for 7/26/2022 at 7:00 PM. Zoning Commission Board requests Trustee attendance at their 7/19/2022 meeting to discuss thoughts on portable shipping containers. Combs: got together with Tom Mangan on violation letters and next steps for clean up of properties. Got some violations to fill out, if they don't want to do that you guys can make the motion to go into legal matters.

**OFFICE ON AGING-** Rollin: nothing

**CEMETERY-** Lanning: Wilbur Kelsey purchased lot 142 West. Need to invoice for 8 foundations that have been poured. Combs: all foundations complete. Rollin: talked to Beverly Keathley about a foundation stone question and cleared it up. Lanning: Applying for 2023 grant.

**ROADS and EQUIPMENT:** A gentleman delivered a quote to Lamb for road work. Combs: ground hogs digging up under Stewart Road. Twelve loads of black top left before the chip/seal. Holmes: do we make a motion to solicit bids. Lamb: I don't think we make a motion to get bids for anything else, we just get multiple bids. Holmes: email sent the 27<sup>th</sup> about the bid books being ready to pick up from the Engineer. Lamb: Tom Mangan called me about 2 things today, he got an email about our minutes and he was confused because he doesn't normally deal with minutes from Townships. Lanning: you all got the email. Lamb: it was about us not passing the thing, it doesn't matter, if you feel like you need to pass a motion pass it at your regular

HUNTINGTON TOWNSHIP TRUSTEES  
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meeting. It doesn't really matter, otherwise you're going to solicit bids, move forward. Then he called me tonight about this bid book thing. Shaun wasn't aware you weren't going with them because of everything we were talking to him. He went downstairs and talked with Shaun and Shaun said feel free to contact him anytime we won't need the books. Combs: they got the workers comp and wage and stuff in them, should we get some. Lamb: we won't need them. Rollin: whoever we pick will still need to provide prevailing wage. Holmes: Matt is saying that if we pull the stuff out of the book it will give us direction. Lamb: call Shaun up and talk to him. Holmes: Matt= pull the stuff out of the books that we might need. Lanning: Shaun attached the bid books to the email. Lamb: yes, it is attached and you can print it, according to Tom you can call Shaun and he will help with questions. Lanning: I disagree with Trustees on annual chip and seal not going out to competitive bid. I believe the estimate from the Lorain County Engineer of \$64,618.20 must be competitively bid under ORC 5575.01. I liken this to not going out for competitive bid for a piece of equipment by getting quotes for a truck body separate from the engine or transmission so that the equipment falls under the competitive bidding threshold. The cost of the stone for the road chip and seal is part of the project and you can't subtract out a portion of the project to make it less than the competitive bidding requirements. One of you will be working the cost of the stone into the calculation. Lanning read aloud from Ohio Township Manual on Roads referencing ORC title 55 "when bidding is necessary". Lamb: we did what legal told us to do. Rollin: we are accepting bids. Lanning: what did legal tell you, you were in executive session and you made no motion. Holmes: all we did is take what the county sent us and we already had the stone because we use it throughout the Township. We asked Tom can we do this legally and he said yes, you don't get quotes, bids you can break it down. We broke it down into convenient sections and they fall under \$45,000.00. Lanning: is that under \$15,000.00 mile. Lamb: that's only for a force account. Lanning: no, that is the cost of the maintenance per mile. Lamb: the force account is where the \$15,000.00 per mile is enacted according to legal. Holmes: so, we broke it down into sections: Baker Rd to Stewart to SR 162 \$17,544.80 and Baker Rd to Griggs to Bursley \$14,693.90 = 32 thousand some odd dollars, then we added the rest of it together came to \$28,364.50 and this is with stone. Of course, when we go to these people and ask for a bid and they come back with bid it will be with stone but we already have the stone. Lanning: read from OTA manual 2021 'Construction or reconstruction, and maintenance and repair of roads, must be done by contract after advertising for bids pursuant to ORC 5575.02. If the contract exceeds \$15,000.00/mile for construction/reconstruction, or the total project exceeds \$45,000.00 for maintenance and repair, it must be let by competitive bidding ORC 5575.01. Why do you not want to proceed the way you have always proceeded. Holmes: we are behind the eight ball. Denny did all that and we are learning, so we are behind. We are trying to get this done this year. Lamb: it needs done sooner. Holmes: we are trying to get it done legally this year. Lamb: if it were a trick I would not have called the County Prosecutor. Lanning: You did call the Prosecutor and he sent an email in which he said: "Earlier today, I discussed with Trustee Lamb a road maintenance contract, valued at less than \$50,000.00, which the Township wishes to pursue. Be advised that competitive bidding, and the paperwork which attaches thereto, is not required in this situation (Ohio Revised Code Section 307.86)." the estimate from the Engineer is not under \$50,000.00 so that is a lie. Lamb: that is not a lie. Lanning: so, I talked to him and sent him the Engineer's estimate. I don't know why you are doing this. Holmes: because we want to get it done before the end of August and cold weather. It is July and we have July and August to get this done and if we can break it down and get it done legally, no trickery and have that done, we're fine. It won't happen again because next year I guarantee ya' we're going to start months earlier. Lanning: you should tell the Township Association how to do this to avoid going to competitive bid and see how many other people agree. Rollin: that's why we called legal and legal came here and talked to us about it because legal oversees the Township Association. Lamb: He (Mangan) talked to Jerry Innes and everyone he thought he needed to talk to, to make an informed decision with all the information. Look, we gave him all the information, the stone here, what more do you want from us. This is not trickery. Lanning: sounds like it is wrong, I asked him if we should ask someone a little higher

HUNTINGTON TOWNSHIP TRUSTEES  
45955 STATE ROUTE 162 WELLINGTON OHIO 44090

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up and he said “we don’t want to get those people involved”. Sounds suspicious to me. Lamb: you think Tom is being trickery. Lanning: I think you are being trickery, you told him it was under \$50,000.00. Lamb: after you take the stone out it was. Lanning: no, that is not how it works, it is all in here. You send it to the Engineer and he sends it back with the estimate, that is what it is. Rollin: this stone was not bought strictly for the roads. Lamb: we buy stone on a regular basis. Lanning: I hear what you are saying, I heard him (Combs) say how many loads you have and are getting. When the stone cost is added into the cost of these roads and if it comes out to more than \$15,000.00 every one of you is on the hook. Holmes: it’s not the \$15,000.00. Lanning: yes it is, if it were that simple than everyone in the State of Ohio would do exactly what you just did Lamb: why would they do it, we are soliciting all the bids from all the contractors we normally do Lanning: because they don’t want to competitive bid Holmes: we are not doing competitive bid, Tom said we don’t have to, we are going out and get a bid from 3 different people. Lamb: quotes Holmes: we are not going to have Sarver do this piece and Melway do this Lamb: potentially we could Holmes: I don’t want to do that, all I want to do is get it done. And another reason is Sarver is going to be right over here in Rochester within this month. Lamb: probably be the cheapest but they might not be, Erie might be cheaper. Holmes: so, if they got all their stuff there just bring it over and do ours. Lanning: so is there ever a reason to go to competitive bid again. Holmes: maybe next year Lanning: is there ever a reason to, you will just go to the Engineer and do this again. It is trickery, that is why the ORC sets the law. When I got the email from him that told him- Mr. Lamb told me it was under \$50,000.00 Lamb: the way I was looking at it, you can tell me I was looking at it wrong which is what you are doing now Lanning: I saw a 64 thousand dollar figure Lamb: it was 64 and when you pull the stone out Combs: the stock pile of stone is used on all the roads Lamb: is the shimming (blacktop) added in and the answer was no, is the fuel we use in our trucks to do the blacktop, no is all the labor added into the road project, no. How about wear and tear on equipment, no. Lanning: those things are part of the cost if you use Force Account, that is what I believe you are saying and you are trying to do a project have in house and half out so you don’t have to go to competitive bid and I don’t know why you don’t want to go to competitive bid. Lamb: expeditiously, to get it done. Lanning: I called the Engineer because Matt asked me to call him about a budget, I did call and he said no this is not about the budget it is about the dates and your ad in the paper so I can complete the bid books. I looked at the quickest time frame to get it in the paper and open bids and it was August 1<sup>st</sup>. I composed the advertisement and was set to put it in the paper and then I get the email from Mangan that Lamb said it was under \$50,000.00 and no need to bid. Holmes: so here is what we did, the \$64,618.20, we took the first two and added them together and they come out to \$32,238.70 and then we took the rest of them and added them and they came to \$28,364.50 with the stone. Also, they have the maintenance of traffic and I divided that and added half to each and it is still below \$45,000.00. So, we are getting all roads done for 65 thousand but its cut in half, and the reason we cut it in half because you got two different, which allow us to get it done expediently and get it done well. Lamb: and Tom said we are perfectly able and allowed to do that because he said. Holmes: we can’t save money because that is the price but in a round about way we are still getting bids and we are going to choose one or the other to do them and it is still done the same way. Lamb: no one’s got a buddy here, nobody is calling up their friend “heh I’m going to get you this contract” Lanning: I am glad that is on tape because that is exactly what it sounds like. Lamb: why, it is the exact same contractors we’ve used for the past however many years that we are going to solicit quotes from. Lanning: do you want a copy of this, maybe I should send it to Tom. And this is all going to happen 2 weeks sooner than the August 1<sup>st</sup> meeting. Lamb: it is not a big deal Lanning: I don’t know why it became a big deal, I had it all put in text message to you until the email from Mangan. Rollin: no, we decided that before the text message from Mangan. Lanning: when did you decide that Walt, back when you started ordering stone Rollin: we were ordering stone last year for this year but not for all the road, for different projects. Holmes: this is what we are going to do Lanning: I know what you are going to do, I don’t have a vote in this but I told Tom that I am out of this and when it is audited I will be out of this. Holmes: if we can’t get it done by the end of August it is

HUNTINGTON TOWNSHIP TRUSTEES  
45955 STATE ROUTE 162 WELLINGTON OHIO 44090

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done, we will do it next year. Lanning: I thought with the preparation done you have to do it this year. Holmes: no, if we can not get it done in August, just like we did before we will wait till next year. Here is the same deal, if we can't get it done by August, no trickery just two different packages, we're done. Lanning: ok, I will send this to Mr. Mangan because he was asking me questions and I am not legal. He said I just need to understand because I have never been involved in this before. Holmes: Tom came out and we went into executive session. Lanning: I was not invited into executive session, you have to invite me Holmes: it was executive session and we did not ask you to leave, Lanning: but you did not ask me to stay Lanning: do you want to talk about the sunshine law now, you have to invite people into an executive session. Holmes: quit trying to override all this Lanning: I am not trying to override, I want you to do what is legally right because when they come back I am going to be on the record as stating I did not partake in this. Holmes: that's fine, we are trying to get it done by the end of August, if we can't than we will hold it over till the following year Lanning: And you decided this is the quickest way, I suspect you already decided because you were ordering stone some time ago. Lamb: we order stone all year long Lanning: I told Tom I was willing to let this go until Lamb questioned the acknowledgement to the Elyria Chronicle about the date and time of the special meeting. Lamb: Tom said he would like to meet but have to hold a special meeting, I asked what is the procedure for a special meeting. Anybody can call a special meeting but you have to notify any media outlet that requested to be notified, they have a request in. You have to notify them 24 hours in advance. So, my question was for the Chronicle or any other media outlet, do they have a standing order to be notified. I want to make sure they are notified so that we do it properly. And you did not respond, that's all I was curious about. Lanning: I did respond with the second half of that ORC that maybe Tom did not tell you about. The flip side of that is the Trustee's must have a procedure, what is your procedure. Holmes: is there any Lanning: not that I have been made aware of since I started here in 2012. Holmes: Tom said contact and find out if they have any request Lamb: we wanted to know, it's nice thing that you contacted them Lanning: it is set by the Trustees, the Auditors did ask for the bid process and this just blew all that away, so the next time they ask I am going to point to this meeting and what I said, I don't care what happens with you guys. Holmes: when you have a meeting with them I would like the three of us in on that meeting also. Lanning: You are always invited to the Auditor's meetings. Rollin: I would make a motion to put out bids in the paper for bids for chip/seal for 2022 and have them opened up on our next meeting. Holmes: no Walt, basically he told us to call these companies get a bid and open those bids Lamb: its like everything we do around here, we get prices from contractors. If we put a roof on we get pricing from different contractors. Holmes: Matt is going to break this down, call Sarver, Melway, Erie. Get these broken down like we talked with Tom and ask them to submit, if they don't submit by next meeting we will go with what we have. Rollin: no motion to be made.

**RECYCLING-** Lanning: The Township missed the deadline to apply for the 2022 Community incentive grant of \$1,407.45. Lamb: we got pricing and were not happy with it and we did not have any viable option. Lanning: should have purchased the trash receptacles for the Cemetery.

**EMPLOYEES-** Lamb: At the last meeting there was an accident, no one involved was cited. Sheriff came out. Contacted the insurance and was also told there was no need for a drug test. Combs: Aaron does what I tell him, Robert is doing good. Lanning: FLSB standards dictate a ½ hour lunch and two 15-minute breaks. Make sure to show the lunch on timecards.

**PREVIOUS BUSINESS:** none

**NEW BUSINESS:**

The Township will be audited by BWC. Robert and Matt are going to attend the spraying training offered by the County.

HUNTINGTON TOWNSHIP TRUSTEES  
45955 STATE ROUTE 162 WELLINGTON OHIO 44090

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**CORRESPONDENCE/ ANNOUNCEMENTS**

Farm Bureau Policy Development meeting 7/19/2022 at LCCC. NEXUS pipeline safety and emergency information pamphlet received. Grassroots clipping of July 2022 contained the new mileage rate of \$.625 for the second half of 2022. Wage rate update notification for changes in prevailing wage received. First Energy Project notification and complaint resolution plan sent certified to Trustees and Fiscal Officer. OTARMA 2021 annual report received.

**Motion** by Holmes with a second by Lamb to adjourn. All favorable, meeting adjourned at 8:15 PM.

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Signed Chairman

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Attest, Fiscal Officer

**Payment Listing**

July 2022

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
64-2022	07/17/2022	07/04/2022	CH	RURAL LORAIN COUNTY WATER AUTHOR	\$58.26	O
65-2022	07/05/2022	07/04/2022	CH	BP	\$1,119.45	O
68-2022	07/08/2022	07/05/2022	EW	TREASURER OF STATE OF OHIO	\$194.63	O
69-2022	07/08/2022	07/05/2022	EW	PUBLIC EMPLOYEES RETIREMENT SYSTE	\$3,103.36	O
70-2022	07/06/2022	07/05/2022	EW	UNITED STATES TREASURY	\$246.74	O
71-2022	07/08/2022	07/05/2022	EW	UNITED STATES TREASURY	\$1,000.43	O
9975	07/05/2022	07/04/2022	AW	Medina Material	\$10,144.68	O
9976	07/05/2022	07/04/2022	AW	CHRONICLE TELEGRAM	\$47.80	O
9977	07/05/2022	07/04/2022	AW	Rumpke	\$459.00	O
9978	07/05/2022	07/04/2022	AW	WELLINGTON IMPLEMENT	\$53.99	O
9979	07/05/2022	07/04/2022	AW	POLEN IMPLEMENT INC	\$303.20	O
9980	07/05/2022	07/04/2022	AW	LaGrange Hardware & Rental	\$75.00	O
9981	07/05/2022	07/04/2022	AW	WM DAUCH CONCRETE CO INC	\$1,021.00	O
9982	07/05/2022	07/04/2022	AW	WELLINGTON AUTO PARTS	\$239.13	O
9983	07/05/2022	07/04/2022	AW	FARM & HOME HARDWARE	\$152.70	O
9984	07/05/2022	07/04/2022	PR	Robert Leroy Bort	\$908.76	O
9985	07/05/2022	07/04/2022	PR	MATTHEW A COMBS	\$1,877.07	O
9986	07/05/2022	07/04/2022	PR	JILL DEMARCO	\$100.44	O
9987	07/05/2022	07/04/2022	PR	ROBERT DUGALD HOLMES	\$970.07	O
9988	07/05/2022	07/04/2022	PR	Jed Lamb	\$532.88	O
9989	07/05/2022	07/04/2022	PR	SHEILA D. LANNING	\$1,149.81	O
9990	07/05/2022	07/04/2022	PR	JOHN PIPCAK	\$98.68	O
9991	07/05/2022	07/04/2022	PR	Aaron J Ramsey	\$401.10	O
9992	07/05/2022	07/05/2022	PR	WALTER C ROLLIN	\$883.13	O
9993	07/05/2022	07/05/2022	PR	Dimitri Szynal	\$750.11	O
Total Payments:					\$25,891.42	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$25,891.42	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

\* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.