

# RECORD OF PROCEEDINGS

Minutes of

TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held

April 13,

20

22

Trustee Rozak called the meeting to order at 6:02 PM. The Pledge of Allegiance was recited. Roll call: Trustee Dress, Trustee Rozak and Trustee Hirt were present. Fiscal Officer Carolyn Adams, excused. Fiscal Officer Assistant Lynne James, Fire Chief Kahler and Tim W Almendinger were also present. Prosecuting Attorney James VanEerten was also in attendance.

Mr. Hirt moved approval of March 23<sup>rd</sup>, 2022 meeting minutes from which Mr. Dress was excused, Ms. Rozak seconded. Mr. Hirt and Ms. Rozak, aye. Mr. Dress abstained. Motion carried.

## Correspondence

- Ohio Gas Association sent questionnaire, Mr. Hirt has natural gas and will complete the form.
- Landmark; inquiry to buy cell phone lease. Not applicable, in a long term lease.
- County Board of Elections regarding upcoming election May 3<sup>rd</sup>, 2022. Copy of this letter to Brett Waldron.
- LaFarge implementing fuel surcharge related to production of all Aggregates, effective 04/11/22. Copy to Brett Waldron.

## Roads

- Sackett Cemetery completed insurance claim for accident
- Cemetery cleanup week has concluded.
- Full-time Maintenance position: Out of 10 applicants, top qualifying candidates were contacted for interviews with Brett Waldon and Trustee Dress. They recommend Jason Gdovicak for the position. Ms. Rozak motioned to approve hiring Mr. Gdovicak at first part of June, pay rate \$20/hour with full benefits; pay increase after the successful completion of six-month probationary period. Mr. Hirt seconded, all ayes, motion carried.
- Maintenance staff has been getting parks ready for spring.
- Saturday mulch distribution very successful
- Keeper's House spring meeting coming up.

## Police

Chief Meisler submitted the incident report: 3/1/22 to 3/31/22 the department responded to 224 calls. 4/1/22-4/13/22 the department responded to 120 calls.

All Star Professional Cleaning will begin bi-weekly cleaning April 14<sup>th</sup>, 2022.

D.A.R.E. Graduation 4/1/22 was well attended and appreciated.

Officer Davenport's light duty consisted of organizing the evidence and property cage. Officer Davenport documented items to be disposed and judge signed off on property disposal. At Chief Meisler's request, Ms. Rozak okayed a dumpster for April 27<sup>th</sup> disposal of said property.

## RESOLUTION NO. 07-2022

*Authorizing Increase in Micro-Purchase Threshold  
and Adopt Uniform Guidance Procurement Policy*

*Ottawa County, Ohio*

**Be It Resolved** by the Township Trustees of Danbury Township

**WHEREAS**, this date, April 13, 2022, Trustee Dress moved the adoption of the following Resolution:

**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

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**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:

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.
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).

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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.

**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.

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 April 13, 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.

Trustee Hirt seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**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.

*Adopted the 13th day of April, 2022.*

VOTE RECORD: Ms. Rozak Yes Mr. Dress Yes Mr. Hirt Yes. Motion carried.

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Held \_\_\_\_\_ April 13, \_\_\_\_\_ 20 \_\_\_\_\_ 22 \_\_\_\_\_

Ms. Rozak moved to adopt the Uniform Guidance Procurement Policy and Contract Addendum protocol as set below, Mr. Hirt seconded. All ayes, adoption carried.

## Uniform Guidance Procurement Policy American Rescue Plan Act Funds For Danbury Township, Ottawa County, Ohio

### **I. Purpose**

The purpose of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

### **II. Policy**

**A. Application of Policy.** This policy applies to contracts for purchases, services, and construction or repair work funded with ARPA funds.

The requirements of this Policy also apply to any subrecipient of the funds.

All ARPA-funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance or "UG") codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds.

**B. Compliance with Federal Law.** All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. All applicable local, state, and federal procurement requirements will be followed when expending federal funds. Should the state of Ohio have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.

**C. Contract Award.** All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract in compliance with state and federal law.

**D. No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.

**E. Contract Requirements.** All contracts paid for in whole or in part with ARPA funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R. Part 200, Appendix II. (See Article VII).

**F. Approval and Modification.** The administrative procedures contained in this Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

**G. Settlement of Issues Arising Out of Purchase.** Township is responsible for the settlement of all contractual and administrative issues arising out of procurements and shall use good administrative practices and sound business judgment.

### **III. General Procurement Standards and Procedures**

**A. Necessity – Avoid Duplicative Items.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items.

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- B. Use of Federal Excess and Surplus Property.** Best practice is to consider use of federal excess and surplus property prior to buying new items when feasible and less expensive.
- C. Use of Intergovernmental Agreements and Cooperative Purchasing.** Strategic sourcing should be considered with other departments and/or agencies who have similar needs to consolidate procurements and services to obtain better pricing.
- D. Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.
- E. Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offerors must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- F. Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.
- G. Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited. Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a "Not to Exceed" amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.
- H. Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how to reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and "or equal" must be included in the description.
- I. Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach.
- J. Minority Businesses, Women's Business.** Steps to be taken to comply with federal requirements to ensure that minority and women owned businesses and enterprises (M/WBE) are used when possible, include, but are not limited to:
- Placing qualified M/WBE on solicitation lists;
  - Assuring M/WBE are solicited whenever they are potential sources;
  - Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small businesses and M/WBE;
  - Establishing delivery schedules, when feasible, to encourage M/WBE participation;
  - Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

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**K. Documentation.** Documentation detailing history of procurement must be maintained, including the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor's responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed, purchase order, and contract.

**L. Cost and Price Analysis.** A cost or price analysis is required all procurements exceeding \$250,000. A cost analysis requires evaluating the separate cost elements, including profit, and a price analysis requires evaluation of total price. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

Profit is to be negotiated as a separate element in the cost analysis. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work

**M. Contract Requirements.** All contracts must be written and incorporating the provisions referenced in Section II.E of this Policy.

**N. Contractor Oversight.** Oversight of the contractor is required to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.

**O. Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for "or equal" products, or other unnecessary requirements that have the effect of restricting competition.

**P. Geographic Preference.** No contract shall be awarded on the basis of a geographic preference unless permitted by the UG.

**Q. Property.** 2 C.F.R. 200.311-316 will be followed for the acquisition and disposition of real property and equipment purchased with ARPA funds.

**R. Domestic Preference.** Will, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

**IV. Specific Procurement Procedures: Purchase Contracts and Service Contracts (except for Architect/Engineer professional Services)**

**A. Micro-purchase: Less than \$10,000** (or up to \$50,000 if Township self-certified a higher threshold pursuant to pursuant 2 C.F.R. 320(a)(1)(iv)m with the exception of maintenance or road repair contracts, which have a threshold of \$45,000) shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. § 200.320(a)(1)) or comparable Ohio law, whichever is more restrictive:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, purchases must be distributed among qualified suppliers.

**B. Small Purchases: \$10,000** (unless self-certified to higher micro purchase threshold but **less than \$250,000**; shall be procured using the UG "small purchase" procedure (2 C.F.R. § 200.320(a)(2)) as follows:

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1. Obtain price or rate quotes from an "adequate number" of qualified sources;
2. Cost or price analysis is not required;
3. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible);
4. Award the contract to the lowest responsive qualified source.

**C. Large Contracts – Sealed Bid: exceeds \$250,000** shall be procured using a "sealed bid" procedure or competitive proposal method. Sealed bid (2 C.F.R. § 200.320(b)(1)) will be used for publicly solicited for a firm fixed-price contract; preferred method for procuring construction.

**Conditions for Sealed Bid:**

1. Cost or price analysis conducted prior to bidding;
2. A complete, adequate, and realistic specification or purchase description is available;
3. Two or more responsible bidders are willing and able to compete effectively for the business; and
4. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

**Procedures:**

1. Complete specifications must be made available to all bidders.
2. Publicly advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids.
  - a. The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
3. All bids will be opened at the time and place prescribed in the invitation for bids, and must be opened publicly;
4. Awarded in writing to lowest responsive and responsible bidder.
  - a. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest.
  - b. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
5. Any or all bids may be rejected if there is a sound documented reason.

**D. Large Contracts – Competitive Proposal: exceeds \$250,000** "competitive proposal" procedure (2 C.F.R. § 200.320(b)(2)) will be used for a fixed-price or cost-reimbursement type contract is awarded. Generally used when conditions for sealed bid are not appropriate.

1. Request for proposal (RFP) will be publicized;
2. RFP will identify all evaluation factors and their relative importance;
3. RFP will be solicited from an adequate number of qualified offerors;
4. Any response to RFP will be considered to the maximum extent practical;
5. Will evaluate RFPs based upon written method for conducting technical evaluations of RFP's received; and
6. Contract will be awarded to most responsible bidder whose RFP is most advantageous, which price and other factors identified in RFP.

**V. Specific Procurement Procedures: Contracts for Architectural and Engineering Services**

**A. Micro-threshold: Contracts less \$50,000** may be selected through the "direct selection" process available in R.C. 153.71:

1. Select a most qualified single design professional or firm from those who have submitted statement of qualifications in the preceding year; and
2. Negotiate contract to include fair and reasonable fee agreement.

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**B. Small Contracts: Contracts more than \$50,000 and less than \$250,000** shall follow Ohio's Qualifications-Based Selection (QBS) policy, as set forth in R.C. 153.65-153.73:

1. Publicize Requests for Qualifications (RFQ) which is to include:
  - a. Description of project sufficiently detailed to allow for adequate RFQ;
  - b. Project budget and anticipated funding;
  - c. Anticipated project schedule;
  - d. Specific services to be provided by the architect or engineer;
  - e. Deadline; and
  - f. Cannot require RFQ to include fee or estimate.
2. Evaluate the statements of qualifications submitted by interested engineers and architects and – using a specific set of scoring criteria – rank them in order of their qualifications for the project at hand; and
3. Negotiate a contract, including scope of services and fee, with the most highly ranked professional:
  - a. If unable to negotiate a contract with the most highly ranked, notify said firm in writing of termination and begin negotiations with the next most highly ranked.

**C. Large contracts: Contracts more than \$250,000** shall be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(b)(2)(iv)) as follows:

1. Publicly advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms;
  - a. Price (other than unit cost) shall not be solicited in the RFQ.
  - b. Geographical location may be selection criteria (2 C.F.R. 200.319(c)).
2. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ;
3. Proposals must be solicited from an “adequate number of qualified sources”;
4. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm;
5. Consider all responses to the publicized RFQ to the maximum extent practical;
6. Evaluate qualifications of respondents and select the most qualified firm;
7. Once a firm is selected, negotiate fair and reasonable compensation. If negotiations are not successful, repeat negotiations with the second-best qualified firm;
8. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated.

**Limitations:**

1. Competitive proposal method for selecting A/E services can only be used for architectural and engineering professional services
2. Cannot be used for other services even if those services can be performed by architectural and engineering firms (such as general consulting services)

**VI. Noncompetitive Proposals**

Procurement by noncompetitive proposals for purchases over the micro-purchase threshold are permitted only when one or more of the following apply:

- A. Sole Source.** Item is available from only one source. The justification for and lack of available competition for the item shall be documented.
- B. Emergency.** Sole source procurement permitted when there is a public emergency, which exists when the time required to act in accordance with regular procurement procedures would endanger life or property.



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**C. Inadequate Competition.** When competition is determined to be inadequate after attempts to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.

**D. Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedules of contracts.

**E. Awarding Agency Approval.** A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

## **VII. Conflicts of Interest**

This policy applies when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects funded in part or whole with ARPA funds. This policy also applies to any subrecipient of the funds.

The employee or body responsible for managing the ARPA funds shall review the notice of award to identify any additional conflicts of interest prohibitions or requirements associated with the award, and shall notify all employees, officers, and agents, including subrecipients, of the requirements of this policy and any additional prohibitions or requirements.

**A. Agency Conflicts of Interest.** In addition to the prohibition against self-benefiting from a public contract under R.C. 2921.42 and 2921.43, no officer, employee, or agent of the Township may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:

1. the employee, officer, or agent involved in the selection, award, or administration of a contract;
2. any member of his or her immediate family;
3. his or her partner; or
4. an organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

**B. Agency Gifts.** In addition to the prohibition against accepting gifts and favors from vendors and contractors prohibited by Ohio Ethics Law, officers, employees, and agents of the Township are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value, valued at less than \$25, which fall into one of the following categories may be accepted:

1. promotional items;
2. honorariums for participation in meetings; or
3. meals furnished at banquets.

Any officer, employee or agent who knowingly accepts an item of nominal value allowed under this policy shall report the item to his or her immediate supervisor.

**C. Contractors' Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of

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work, invitation for bids or requests for proposals shall be excluded from competing for such requirements.

**D. Violations.** Employees violating this policy will be subject to discipline up to and including termination. Contractors violating this policy will result in termination of the contract and may not be eligible for future contract awards.

**VIII. Contract Requirements Pursuant to Part 200, Appx II**

**A. Remedy provisions** – *applies to all contracts exceeding \$250,000.* Contract must address administrative, legal, and legal remedies in the event a contractor breaches the terms of the contract.

**B. Termination Clause** – *applies to all contracts exceeding \$10,000.* Contract must contain termination clause, including the manner in which it will be effected.

**C. Equal Employment Opportunity** – *applies to all construction contracts.* Contractor must agree to comply with all provisions set forth in 41 C.F.R. Part 60-1.4(b), including, but not limited to:

Prohibiting discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity, national origin, or for inquiring about, discussing or disclosing compensation. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity or national origin.

**D. Contract Work Hours and Safety Standards Act** - *applies to contracts in excess of \$100,000 that involve the employment of mechanics or laborers.* Contractor must comply with the Act (40 USC 3702 and 3704), as supplemented by Department of Labor regulations (29 CFR Part 5). The Act requires, in part:

1. Computation of the wages of every mechanic and laborer on the basis of a standard work week of 40 hours.
2. Work in excess of the 40-hour work week for compensation at rate of not less than one and a half times the basic rate.
3. Prohibition of work in conditions which are unsanitary, hazardous or dangerous.

Note: Act not applicable to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

**E. Rights to Inventions Made Under a Contract or Agreement** - *applies to contracts with small businesses or nonprofits for the performance of experimental, developmental or research work.* Contract must incorporate patent rights clause at 37 CFR 401.14 by reference.

**F. Clean Air Act and the Federal Water Pollution Control Act** - *applies to contracts exceeding \$150,000.* Contractor must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

**G. Debarment** – *applies to all contracts.* No contract shall be awarded to a contractor included on the Ohio or Federal debarred bidder's list.

**H. Byrd Anti-Lobbying Amendment** - *applies to contracts exceeding \$100,000.* Contractors must file the required certification:

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TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held

April 13,

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1. Each tier certifies to the tier above that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. 1352.
2. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
3. In this context, "tier" references the awarding agency, as well as contractors and any subcontractors.

**I. Recovered Materials** – *applies to purchases of items which cost \$10,000 or more during the course of a fiscal year.* Contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, specifically the guidelines set forth in 40 CFR part 247.<sup>1</sup>

1. In the performance of this contract, the Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired:
  - a. Competitively within a timeframe providing for compliance with the contract performance schedule;
  - b. Meeting contract performance requirements; or
  - c. At a reasonable price.
2. The Contractor also agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act.

**J. Domestic Preference** – *applies to all contracts.* As appropriate, and to the extent consistent with law, the contractor should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. This includes, but is not limited to iron, aluminum, steel, cement, and other manufactured products.

**K. Prohibition on Contracting for Covered Telecommunications Equipment or Services** – *applies to all contracts.* Consistent with Public Law 115-232, Section 889, Contractors are prohibited from obligating or expending funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

**Covered Telecommunications Equipment and Service Under this Provision:**

1. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
2. For the purposes of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by:
3. Telecommunications or video surveillance services provided by such entities or using such equipment;
  - a. Hytera Communications Corporation;
  - b. Hangzhou Hikvision Digital Technology Company; or

<sup>1</sup> See <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>

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c. Dahua Technology Company (or any subsidiary or affiliate of such entities).

4. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense . . . reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

## CONTRACT ADDENDUM

APPLICABLE TO ALL CONTRACTS FUNDED IN WHOLE OR IN PART BY FUNDS MADE AVAILABLE BY THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA).

### Conflicts of Interest

- E. Applicability.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals are excluded from competing for such requirements.
- F. Violations.** Contractors who violate this policy will result in termination of the contract and may not be eligible for future contract awards.

### Contract Requirements Pursuant to Part 200, Appx II

- L. Equal Employment Opportunity – for all construction contracts.** Contractor agrees to comply with all provisions set forth in 41 C.F.R. Part 60-1.4(b), including, but not limited to:

Agrees it will not discriminate against all individuals based on their race, color, religion, sex, sexual orientation, gender identity, national origin, or for inquiring about, discussing or disclosing compensation. Further agree to take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity or national origin.

- M. Contract Work Hours and Safety Standards Act – for all contracts in excess of \$100,000 which involve the employment of mechanics or laborers.** Contractor agrees to comply with the Act (40 USC 3702 and 3704), as supplemented by Department of Labor regulations (29 CFR Part 5). Specially, Contractor agrees that:
  4. It will compute of the wages of every mechanic and laborer on the basis of a standard work week of 40 hours.
  5. It will compensate all labor excess of the 40-hour work week at rate of not less than one and a half times the basic rate.
  6. It will not require mechanics or laborers to work in conditions which are unsanitary, hazardous or dangerous.
- N. Rights to Inventions Made Under a Contract or Agreement - for contracts with small businesses or nonprofits for the performance of experimental, developmental or research work.** To the extent applicable, this contract incorporates by reference the patent rights clause at 37 CFR 401.14.
- O. Clean Air Act and the Federal Water Pollution Control Act – for all contracts exceeding \$150,000.** Contractors agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

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**P. Debarment – *applies to all contracts.*** Contractor asserts it is not included on either the Ohio or Federal debarred bidder's list.

**Q. Byrd Anti-Lobbying Amendment – *for all contracts exceeding \$100,000.*** Contractors agrees to file the required certification and therefore:

4. Certifies that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. 1352.
5. Will disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
6. Agrees to incorporate this provision into any agreement with subcontractors.

**R. Recovered Materials – *for any purchases of items which cost \$10,000 or more during the course of a fiscal year.*** Contractors agrees to comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, specifically the guidelines set forth in 40 CFR part 247.<sup>2</sup>

3. In the performance of this contract, Contractor agrees to make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired:
  - d. Competitively within a timeframe providing for compliance with the contract performance schedule;
  - e. Meeting contract performance requirements; or
  - f. At a reasonable price.
4. Contractor agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act.

**S. Domestic Preference – *for all contracts.*** Contractor will, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. This includes, but is not limited to iron, aluminum, steel, cement, and other manufactured products.

**T. Prohibition on Contracting for Covered Telecommunications Equipment or Services – *for all contracts.*** Consistent with Public Law 115-232, Section 889, Contractors understands it is prohibited from obligating or expending funds to:

4. Procure or obtain;
5. Extend or renew a contract to procure or obtain; or
6. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

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<sup>2</sup> See <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>

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7. Telecommunications or video surveillance services provided by such entities or using such equipment;
  - a. Hytera Communications Corporation;
  - b. Hangzhou Hikvision Digital Technology Company; or
  - c. Dahua Technology Company (or any subsidiary or affiliate of such entities).
8. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense . . . reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

**CONTRACTING AGENCY:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

**RESOLUTION NO. 08-2022:** ARPA Funds; Trustees are waiting for more information to pass this resolution for funding of Radios and Computers. Police and Fire will work together to get quotes to move forward with this resolution.

Per legal counsel, Tonya J Rogers, Esq., at Baker, Dublikar, Beck, Wiley & Mathews, she said the fact that the other two companies were reached out to and could make no guarantee on delivery of a vehicle by end of 2022, that this was sufficient bid data to secure ARPA funds for the police cruiser.

**RESOLUTION for OCFAC regarding donation;** need more information from Tonya J. Rogers.

**Fire**

		Fire & Ems Run Details					
		EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
January		59	0	2	3	2	1
February		52	0	0	4	1	1
March		59	0	0	2	0	0
April as of 3/13/2022		31	0	1	1	0	0
Year to date		201	0	3	10	3	2
Total		219					

\*Motor Vehicle Crash(s)

\*\* Alarm Activation(s)

\*\*\*Carbon Monoxide Investigation(s)

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Update on new fire department: All kitchen equipment did arrive. Office furniture is here, being held at warehouse:

ITEM	COST	PAID	OUTSTANDING
Drive	188,600.00	178,850.00	9,750.00
Furniture	23,819.45	11,910.00	11,910.00
Kitchen			
Refrigerator	2,500.00	0.00	2,500.00
Microwave	0.00	0.00	0.00
Reg Stove	0.00	0.00	0.00
Commercial Kitchen:			
Gas Range	5,531.00	5,531.00	0.00
Dishwasher	4,794.00	4,794.00	0.00
Convection Oven	3,829.00	3,829.00	0.00
Commercial Refrigerator	6,783.00	6,783.00	0.00
Antennae	11,551.02	11,551.02	TBD
Alert System	28,752.13	14,000.00	14752.13
SCUBA	1,000.00	0.00	1,000.00
Exercise	11,323.00	5661.50	5661.50
Sign	38,200.00	19,100.00	19,100.00
Recliners/Lockers	13,938.68	13,938.68	0.00
Flagpole	TBD		
Washer/Dryer	4,000.00	0.00	4,000.00
<b>TOTAL</b>	<b>344,621.28</b>	<b>275,948.20</b>	<b>68,673.63</b>
<b>From Association:</b>			<b>-55,000.00</b>
<b>OUTSTANDING:</b>			<b>13,673.63</b>

Suggestion on what to do with existing Lakeside fire station and Bridge Road fire station. Mr. Dress will speak with Brett on feasibility of Maintenance Department buying Bridge Rd station instead of new build and compare cost difference.

Attorney VanEerten stated, if building will be put into use with another political subdivision, cost comes down to what is fair and reasonable. Township could also look into getting a realtor's assessment; obtain three commercial realtor assessments and take mean average. Trustees will continue to get more information.

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## Zoning

### DANBURY TOWNSHIP ZONING DEPARTMENT MARCH 2022 MONTHLY REPORT

**To:** Honorable Trustee's  
**From:** Kathryn A Dale, AICP, Zoning Inspector  
**Date:** March 31, 2022

#### Permits

15 permit applications were processed for the month of March totaling \$1,786.91 in collected fees.

Accessory Building: Addition	1
Commercial: Residential:	1
Appeals: Area Variance: Conditional Use:	1 2
Deck:	1
Dock:	
Fence:	1
New SF Home:	2
New Commercial Structure:	
Other:	3
Refusal:	3
Signage:	
Swimming Pool:	
<u>Text/Map Amendment:</u>	
<b>Total:</b>	<b>15</b>

#### Board & Commission Activity

##### **The Board of Zoning Appeals –**

The BZA held an adjudication hearing March 16, 2022, on the following case:

- a. **BZA-2022-021** **Approved as Presented**  
**526 E. Second Street.** Request for an Area Variance from Section 3.5 to allow for a front porch addition to encroach into the east, front-yard setback (0' proposed/ 5' required). **Lawrence & Nancy Gerbetz, Owners/ Applicants.**
- b. **BZA-2022-030** **Approved as Presented**  
**214 Margaret.** Request for an Area Variance from Section 5.2.1.A.ii to allow for a 36' x 36' accessory structure which will exceed the cumulative square footage of all accessory structure space allowed (1,200s.f. allowed/ 1,296s.f. proposed) and to Section 5.2.1.C.i to allow said building to exceed the maximum allowable building height (20' allowed/ 24' proposed). **Doug Caldwell, Owner/Applicant.**
- c. **BZA-2022-033** **Approved as Presented**  
**0 Bayshore Road (PIN#0141129715134001) (West of 7699 E. Bayshore).** Request for an Area Variance from Section 3.5 to allow a lot-split of property where the new lot will be 123' wide (150' required). **Stefini Gregus, Trustee/ Owner.**
- d. **BZA-2022-040** **Approved as Presented**  
**531 Cedar.** Request for an Area Variance from Section 3.5 to allow for a front porch addition to encroach into the west, front-yard setback (2.2' proposed/5' required) and south, side-yard setback (1.7' proposed/ 3' required). **Carolyn Becker, Owner/Applicant; Steve Becker, Agent.**

**The Zoning Commission -**



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The Zoning Commission met March 2, 2022, and held a worksession to begin discussing accessory building sizes on property over 1 acre. The Commission has decided that they would like to hear from the Chief Building Official regarding rules and regulations these types of buildings need to follow as well as some contractors specific in this industry before they decide how changes to the language should be set-up. The Commission does not want to propose language that is unattainable, or unreasonable.

### Department Updates

- Appeals for the 2 Lakeside cases regarding the Board of Zoning Appeals decision on February 16, 2022, to deny requests for variances have been filed with the Ottawa County Court of Common Pleas. The requirement to have a transcript submitted by a Court Reporter has been ordered. We have until April 13, 2022, to submit a copy of that transcript and a copy of the BZA case file with the Court.
- Spoke before the Ohio House State & Local Government Committee 03.22.22 regarding HB 563.

### Office Activity

During the month of March, the Department went on 53 site visits, responded to 622 calls, e-mails and in-person inquiries as follows:

- Outgoing 104
- Incoming 90
- Other 97
- Emails 331
- Violation Letters 4

## DANBURY TOWNSHIP ZONING

April 13, 2022, Trustee's Meeting Report

**To:** Honorable Trustee's

**From:** Kathryn A Dale, AICP, Zoning Inspector

**Date:** April 11, 2022

### PERMITS

To-date this month there have been 14 permit applications submitted/processed totaling \$1,437.70 collected in fees and BZA balances.

### BOARD & COMMISSION ACTIVITY

#### The Board of Zoning Appeals –

The BZA will hold adjudication hearings Wednesday, April 20, 2022, at the Township Hall on the following cases:

- BZA-2022-049**  
**327 Worthy.** Request for an Area Variance from Section 5.1.7 to allow for a new house to connect to an existing garage with a 3' south, side-yard setback where 5' is required and to Section 3.5 to allow more lot coverage than permitted (43.3% proposed/ 40% required). **David & Angela Dixon, Owners/ Applicants; Lee Short, Architect/Agent.**
- BZA-2022-053**  
**325 & 327 Cherry.** Request for Area Variances, from Section 7.12.3.A to allow more square footage than allowed on a nonconforming structure [20% (227.4s.f.) allowed/ 53.2% (605s.f.) new proposed; 106% (1,204s.f.) total proposed], and Section 7.12.3.C to allow more than 75% of the floor area of the nonconforming structure to be altered. Also requesting a Conditional Use in accordance with Section 3.4 to allow the property to continue to be used as a two-family. **Barbara Clark, Owner/ Applicant; Feick Design Group, Architect/Agent.**
- BZA-2022-055**  
**5644 E. Harbor Road.** Request for a Conditional Use in accordance with Section 3.4. and 4.7 to allow for a two-family dwelling. Also requesting an Area Variance from Section 4.7.2.H to allow less open space than required (2,914s.f. or 10% required; 0% proposed). **The Bennico Dilly Group, Phil Strine, Owner/ Applicant.**

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## **The Zoning Commission -**

The Zoning Commission was scheduled to meet April 6, 2022 and The Chief Building Official, Tracy Buhrow was to be present to discuss rules and regulations for pole-barn type of buildings. However, only 3 ZC members were going to be present. The meeting was cancelled. The Commission is scheduled to meet May 4, 2022 next, however, my son has an award banquet that evening, so the next meeting for the ZC will not be until June 1, 2022.

## **DEPARTMENT UPDATES**

- Nothing new to report at this time.

## **VIOLATIONS/COMPLAINTS**

### **Illegal Rentals:**

### **Illegal Campers/ Trailers:**

### **Junk & Debris:**

**122 Strause** (*Junk & Debris, Junk Vehicles & Boat - Hurst*)

#### **Open**

Contact was made with the owner 04.11.22. He indicated that he is going to back in the area 04.20.22 and be here for about 1.5 week. He anticipates making more progress on the property during that time. I expressed to him that I'm willing to work with him within reason if he continues to make progress. I may also be meeting with him out at the property during that time to discuss expectations and establish a timeline for completion if he thinks that is needed.

Prior Info: Complaint received 09.13.21 regards the junk and debris on this property. Certified letter was sent to the property owner 09.17.21. I met with the Ottawa County Health Department that day also to determine if any joint effort could be taken on the condition of this property. There are certain items they said that would kick EPA into joining in, but this property didn't have those items. Also, the OCHD representative said that they tend to be more willing to go after properties where someone is living on it as opposed to vacant and abandoned properties. Certified Letter was returned as unclaimed. Letter was resent via regular mail 10.07.21. Owner called 10.19.21 and said he was coming up 10.25.21 to work on cleaning the property up. Told him I expected to see a lot accomplished, and we would touch base again by 11.01.21 to see how far he gets and what more needs to be done. Owner contacted 11.01.21 since he did not show up when he said he'd be there. Apparently had some medical issue and now says he will be coming 11.11.21. Some grass on the vacant lot across the street was mowed 11.08.21. As of 11.12.21 the vacant lot had been mowed and cleared better in order to access the junk, but all of the junk and vehicles are still on both properties. Nothing more appears to have been accomplished, and certainly not as much as he said would get done. Owner stated 11.19.21 he was still in the area and would be continuing to work on over the weekend. 12.08.21 Nothing major to report. They have not made as much progress as I had hoped but as of 12.01.21 there is a bobcat on the property that appears to be assisting in some clearing of the vacant lot and loading junk into. As of 12.07.21 there has been 1 vehicle removed from the vacant lot and nothing has been done to the house lot. The vacant lot continues to be worked on. Some brush has been cut on the house lot to be able to access where the junk & debris are at the back of the lot. Some items have been cleared in front of the house. Still a lot of items that need to be addressed. As long as they continue to show some progress, I don't plan to ride them hard thru the winter months.

### **Tall Grass:**

### **Construction without Permits:**

**5686 E. Harbor Road, Unit C24** (*Illegal Residential Occupancy - Audiano*)

#### **Open**

Complaint was filed with Municipal Court 03.18.22. Arraignment was scheduled for 04.13.22 at 8:30a.m. However, on April 8, according to the Municipal Court's website, the defendant has hired an attorney, entered a written not guilty plea, and waived appearing at the arraignment. A Pre-trial will now likely be scheduled, but I have not received that notice yet.

Prior Info: 09.27.21 we received notice from the Ottawa County Sanitary Engineer's office about a joint meeting with other County agencies to discuss a storage unit in Safe Harbor Development that has been illegally converted into a residence without proper permits. Joint meeting was held 09.30.21. Certified Letter was sent to the property owner 09.30.21. Notice left 10.04.21 that letter can be picked up. Certified Letter returned as unclaimed. Letter was resent via regular mail 10.19.21. The owner has not made any contact with us.

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Waiting on County to coordinate how this will proceed and if any action will be taken by the Prosecutor's Office on behalf of everyone. The Prosecutor's Office sent out a letter on behalf of the Building Department but told the Building Department that they wanted to send separate letters for the other departments. On December 2, 2021, I sent an email to the Prosecutor's office requesting that they also send a letter on behalf of zoning. I have not heard back from them. On December 8, 2022, I received a copy of the letter that the Ottawa County Prosecutor's office sent to the property owner warning them if they do not contact us, charges will be pursued. They gave the owner until January 31, 2022, to make contact. The owner of this unit made an unexpected visit into my office 01.28.22. He was advised that he also needed to be in contact with the County Prosecutor's Office, Building Department & Sanitary Engineer's Office. I was able to obtain a current contact number for him and shared with all the other departments. Essentially at this point, the County issues need to be resolved in order to resolve the zoning violation and the ball is in the County's court to ensure follow-ups with this gentleman. I followed up with the Prosecutor's office, Sanitary Engineer's Office and Building Department on February 28, 2022, to see if any of the departments had ever heard from Mr. Audiano after he visited my office January 28, 2022. No one had. I then asked that the Prosecutor's office proceed with preparing the necessary documents to file charges on behalf of Danbury Zoning. I was asked to provide a copy of my file to the Prosecutor's Office so that an Assistant Prosecutor could prepare the charges. That was all completed February 28, 2022, and I have yet to hear anything more and nothing has been filed on our behalf to-date.

**560 S. Church** (*Shed w/out permit – Molnar*)

**Open**

Letter sent to property owner via regular mail 03.14.2022. Owner had until April 4, 2022, to contact my office. They reached out 03.21.22 with questions about applications, were responded to. But then haven't heard anything more. They were contacted again 04.11.22 and said he would be in yet this week.

**94 Hidden Beach** (*Carport w/out permit – Cragel*)

**Open**

Letter sent to property owner via regular mail 03.14.2022. Owner had until April 4, 2022, to contact my office. The owner came into my office 03.23.22 and learned that a variance would be needed to allow the structure to remain on the property or separate the 2 lots. The owner is working on separating his 2 lots.

**142 Hidden Beach** (*Pole Barn w/out permit – Troyer*)

**Open**

Letter sent to property owner via regular mail 03.14.2022. Owner had until April 4, 2022, to contact my office. The daughter on behalf of the owner emailed over an application for the building, but more information is needed. They were contacted again 04.11.22 outlining what is needed.

**253 Hidden Beach** (*Fence w/out permit – Connor*)

**CLOSED**

Letter sent to property owner via regular mail 03.14.2022. Owner had until April 4, 2022, to contact my office. On April 7, 2022, they were issued their permit.

**2050 Sauger** (*Shed Addition w/out permit – Richardson*)

**Open**

Letter sent to property owner via regular mail 04.05.22. Owner has until April 15, 2022, to contact my office.

**Demo Updates:**

- The back of the Shupp house on Bayshore Road is now complete. That file will be closed.
- The Brito property on Englebeck has until the end of April to get his foundation in.

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## EXECUTIVE SESSION APRIL 13, 2022

Ms. Rozak motioned and Mr. Dress seconded to suspend regular meeting and move into Executive Session with Prosecuting Attorney James VanEerten, at 7:02 pm, to discuss pending/imminent court action. All ayes, motion carried.

Ms. Rozak motioned and Mr. Dress seconded, to adjourn Executive Session at 7:45 pm. All ayes. No action taken.

7:45 pm, Ms. Rozak called the regular meeting back to order.

### **Old Business**

- Ms. Rozak signed Marina Owners Letters to remind of "Gentleman's Agreement". No boat hauling will occur from noon on Friday through 7:00 pm on Sundays, on the major roads within the township: SR 163, SR 269 North, and Bayshore Rd.
- Ms. Rozak motioned and Mr. Hirt seconded, all ayes and motion carried to extend Officer Charles Shuff's part time hours from 24 to 28 hours per week, for Summer Season beginning pay period 4/30/22 through Labor Day. He will work part-time, two - 10 hour shifts and one - 8 hour shift. No benefits with part-time employment. If Officer Shuff's hours are to be extended after Labor Day, it will be brought to the board, after Labor Day.
- Standard discussion of Employee evaluations by Trustees will be at the end of next Trustee meeting; 04/27/22.

### **New Business**

- Request for Township to coordinate an event at the Keeper's House for 200<sup>th</sup> anniversary. Ms. Rozak will refer this to the Historical Society.
- Ottawa Co Township Association Meeting 4/12/22, attended by Mr. Dress. Commissioners will be sending information asking Townships for Zoning Resolutions regarding solar and wind farms. Ms. Rozak confirmed, Township has that information in place. Ottawa County Health Department gave out survey form at meeting, Trustee Dave Hirt, will complete.
- Ottawa Co Parks Executive Director, Jannah Wilson will speak at 4/27/22 meeting.
- \$200,000 in grant funds are available for Townships to apply for with Ottawa Co. Parks. Meadowbrook could use more park benches, picnic table, update Meadowbrook sign. Will look into applying for \$10-12,000.00 worth of amenities and discuss further at next meeting.

### **Cemetery Deed Signed**

Ms. Rozak motioned to approve issuance of cemetery deed to B. Waugh for Lot 24, Grave 8, in the 1<sup>st</sup> addition of Sackett Cemetery. Mr. Hirt seconded, all ayes, issuance approved and deed signed.

### **Fiscal Business**

A motion by Mr. Dress and seconded by Mr. Hirt to approve the payroll and bills totaling \$610,917.14 for the period 3/24/10 – 4/13/2022. Roll call was unanimous and motion carried.

Mr. Hirt motioned acceptance of the February bank reconciliation, seconded by Ms. Rozak, Roll call was unanimous and motion carried.

A motion by Ms. Rozak and seconded by Mr. Hirt to authorize removal of Susan Dress as Dual Contact of direct deposit at Marblehead bank. Ms. Rozak and Mr. Hirt ayes. Mr. Dress abstained. Motion carried.

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Minutes of

TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 1014B

Held

April 13,

20

22

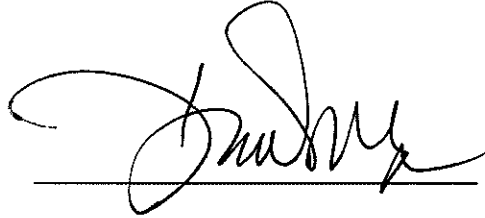
## Comments and Concerns

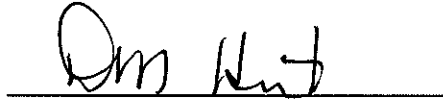
Annual drug free safety training requirement has begun and to date, Zoning, Fiscal Officer/Safety Coordinator and Police Department staff have completed the training. A reminder update was sent to everyone, to request completion.

## Adjourn

There being no further business before the Board, Ms. Rozak motioned and Mr. Dress seconded, to adjourn at 8:00 pm. All ayes, motion carried.

  
\_\_\_\_\_  
Fiscal Officer

  
\_\_\_\_\_

  
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Danbury Township Board of Trustees

# RECORD OF PROCEEDINGS

Minutes of

TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held \_\_\_\_\_ April 13, 20 22

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