RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP BOARD OF TRUSTEE REGULAR Meeting

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

Held _____ 20 _____

The Regular meeting of the Auburn Township Board of Trustees was called to order at 7:30 p.m. by Patrick J. Cavanagh. All Trustees were present.

The Pledge of Allegiance was led by Dale Ryan.

FISCAL OFFICER APPOINTMENT:

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to appoint Daniel J. Matsko as Auburn Township Fiscal Officer to complete the current term expiring 03/31/2024. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to approve the minutes of the Regular Meeting of the Board of Trustees held on February 6, 2023. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Michael S. Troyan seconded by Patrick J. Cavanagh approve the minutes of the Regular Meeting of the Board of Trustees held on February 20, 2023. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

REPORTS:

Frank Kitko, Zoning Inspector, submitted a zoning report reflecting 5 applications processed in the month of February resulting in 5 permits issued. Mr. Kitko requested prosecutor action for pending short term rental cases and the prosecutor responded that all actions need to come at the request of the Board of Trustees.

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to send a letter to the Prosecutor requesting action be taken on the two pending short term rental cases. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Emerick P. Gordon, Township Highway Superintendent gave the following report for February:

- February saw four weather events that required 6 rounds plowing and or salting. A total of 150 tons of deicing material was used. This brings our new monthly average to 489 tons.
- There were high winds and an ice event that cause several trees and large limbs to come down. Cleanup was done on Quinn, Stafford and Taylor May Roads as well as Saybrook Dr. and Adam Hall.
- Cold patching was done on various roads and will continue until the asphalt hot mix plants open.
- Preliminary tree and brush clearing were completed on capital improvement paving projects Sanctuary Dr, Golden Pond and Bridge Creek Trail.

Emerick reminded everyone that the Senior Resident Trash Pick-Up Event is scheduled for June 1st and 2nd. We work in conjunction with the Geauga County Department on Ageing and seniors must pre-register with that department.

Michael S. Troyan spoke to the 2023 Auburn Bainbridge Fireworks Event which will be held on Monday, July 3rd with a rain date of Friday, July 7th. The cost of the event will be split using Ohio census calculations resulting in 36% Auburn's responsibility and 64% Bainbridge's responsibility. Mr. Troyan submitted an invoice from Bainbridge for $5,580.00 to cover Auburn's share of the fireworks cost.

Trustee Troyan reported the AVFD received a grant for approximately $270,000.00 to replace air packs for the department. The air pack replacement cost was also included in the ARPA Fund Expenditure Resolution 2022-47, enacted by the Board of Trustees on 12/19/2022. The Fire Department will replace with something that is comparable in cost.

Eugene T. McCune Jr. relinquished his time.

REPORTS (continued):

Patrick J. Cavanagh reported resurfacing costs have substantially increased, Auburn has an approximate $200,000.00 balance in the ARPA Fund and he is currently researching a potential loan for the new 2023 Western Star truck.

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to rescind the position of Deputy Fiscal Officer. VOTE: Troyan, yes; Eugene T. McCune, yes; Cavanagh, yes. The motion passed.

Dan Matsko, Deputy Fiscal Officer, presented Resolution 2023-09 and Resolution 2023-10.

Motion by Patrick J. Cavanagh seconded by Michael S. Troyan to adopt Resolution 2023-10 to Decertify Temporary Appropriations for Fiscal Year 2023 and amend Resolution 2022-48 to reduce Capital Project Fund 4902 Auburn Community Park on the spreadsheet below by $1.00 from $1,656.22 to $1,655.22 reducing total of all funds by $1.00 to $4,927.523.76. In compliance with ORC Section 5705.39 Appropriations Limited by Estimated Revenue.

FUND	APPROPRIATION	
GENERAL FUND	$ 832,177.53	
SPECIAL REVENUE FUNDS:		
2011 MOTOR VEHICLE LICENSE	$ 23,998.25	
2021 GASOLINE TAX	$ 97,109.53	
2031 ROAD AND BRIDGE	$ 1,619,118.30	
2041 CEMETERY	$ 15,212.54	
2191 FIRE LEVY	$ 1,653,240.24	
2231 PERMISSIVE MOTOR VEHICLE	$ 25,877.47	
2272 CORONAVIRUS RELIEF FUND	$ -	
2273 ARPA FUND	$ 446,044.00	
DEBT SERVICE FUNDS		
3101 DEBT RETIREMENT/FIRE STAT	$ 113,371.56	
3101 FIRE DEPT SINKING FUND	$ 99,100.00	$ 212,471.56
CAPITAL PROJECT FUNDS		
4901 Property Acquisition/Imp	$ 619.12	
4902 Auburn Community Park	$ 1,655.22	
TOTAL ALL FUNDS	$ 4,927,523.76	

VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

OLD BUSINESS:

Motion by Eugene T. McCune Jr. seconded by Patrick J. Cavanagh to contract with Geauga Automatic Data Processing Board Department of Information Technology for new IT hardware, software, and IT Services for an initial total of $33,045.96 and a reoccurring annual charge of $6,280.34. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to contract with Cable Communications Inc. for a total of $4,887.93 to install all new data cabling at the Administration Building and relocate existing IT and phone equipment from the kitchen to the copy room. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

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

Holy 20

~~NEW BUSINESS:~~

Motion by Patrick J. Cavanagh seconded by Michael S. Troyan to adopt Resolution 2023-09 for the following Supplemental Appropriation:

- **$20,450.00 Supplemental Appropriation to ARPA FUND Account 2273-730-0000 for Improvement of sites.**

VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Michael S. Troyan seconded by Patrick J. Cavanagh to deposit franchise fees received from Charter Communications in the amount of $5,275.24 to the Land Acquisition and Improvement Fund. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Patrick J. Cavanagh seconded by Eugene T. McCune Jr. to contract with the Auditor of State in the amount of $1,200.00 to prepare 2022 Financial Statement and an Accounts Report. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Patrick J. Cavanagh seconded by Michael S. Troyan to contract with the Auditor of State in the amount of $6,800.00 to prepare a 2022 Bank Reconciliation. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

Motion by Patrick J. Cavanagh seconded by Michael S. Troyan to enter into agreement with Judco, Inc. in the amount of $102,860.00 to furnish the up fit for the new 2023 Western Star chassis. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed.

PUBLIC COMMENTS:

Chief Phillips reported there were 570 people served at the annual pancake breakfast this year.

ADJOURNMENT:

Motion by Michael S. Troyan seconded by Eugene T. McCune Jr. to adjourn the meeting. VOTE: Troyan, yes; McCune, yes; Cavanagh, yes. The motion passed. The meeting was adjourned at 8:29 p.m.

Daniel J. Matsko, Fiscal Officer

Patrick J. Cavanagh, Chairman

Eugene T. McCune Jr., Trustee

Michael S. Troyan, Trustee

4/3/2023

Date

AUBURN TOWNSHIP

Auburn Township Board of Trustees
Meeting Attendance Sheet

Please Sign In

MAR 06 2023

AUBURN TOWNSHIP

	Print Name	Resident	Non-Resident
1.	Sue Matsko	✓	
2.	CARL SCHNEIDER	✓	
3.	DALE RYAN	✓	
4.	Chris/Saran Chaney	✓	
5.			
6.			
7.			
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9.			
10.			
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14.			

Est. 1817

AUBURN
TOWNSHIP

BOARD OF TRUSTEES MEETING AGENDA
Monday, March 6, 2023

REGULAR MEETING –7:30 PM

PLEDGE OF ALLEGIANCE

FISCAL OFFICER APPOINTMENT / Oath of Office

MINUTE APPROVAL:

- Regular Meeting – February 6, 2023
- Regular Meeting – February 20, 2023

SCHEDULED REPORTS:

- Frank Kitko, Zoning Inspector
- Emerick P. Gordon, Township Highway Superintendent

TRUSTEE & FISCAL OFFICER REPORTS:

- Patrick J. Cavanagh, Chairman
- Eugene T. McCune Jr., Vice Chairman
- Michael S. Troyan
- Daniel J. Matsko, Fiscal Officer

OLD BUSINESS:

- Geauga County Department of Informational Technology / Quote $33,045.96
- Cable Communications, Inc. / Quote $4887.93/ rewire administration IT

NEW BUSINESS:

- Resolution 2023-08 /ARPA Fund Expenditures / IT infrastructure updates/ $37,933.89
- Resolution 2023-09 / Supplemental Appropriations
- Franchise fees received / Charter Communications / $5,275.24
- Quote / Kodash Excavating / $14,500.00 / 2 culvert replacements on Bridge Creek
- Services Contract / Auditor of State / 2022 Financial statement & accountants report
- Services Contract / Auditor of State/ 2022 Bank Reconciliation
- Judco Quote / $102,860.00 / up fit for 2023 Western Star

SAVE THE DATES:

03/06/23 - Board of Trustees meeting – 7:30pm @ Auburn Administration Bldg.
03/09/23 - Zoning Commission –CANCELLED
03/14/23 – BZA Meeting -7:00pm @ Auburn Administration Bldg.
03/20/23 - Board of Trustees meeting – 7:30pm @ Auburn Administration Bldg.
03/23/23 - Zoning Commission -7:00pm @ Auburn Administration Bldg.
04/22/23 – Roadside Litter Clean-Up Event (Earth Day) 9:00am – 12:00noon

RESOLUTION NO. 2023-08

Authorizing Expenditure from American Rescue Plan Act Funds

GEAUGA *County, Ohio*

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

WHEREAS, this date**, MARCH 6 2023,** Trustee Patrick J Cavanagh 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

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, Section 603(c) generally provides that:

> (1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -
>
> (A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
>
> (B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
>
> (C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or
>
> (D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published by the Federal Register on January 27, 2022, at Vol. 87, No. 18, 4438 – 4454, and effective April 1, 2022, provides in part that:

Treasury is including an option for recipients to use a standard allowance for revenue loss. Specifically, in the final rule, recipients will be permitted to elect a fixed amount of loss that can then be used to fund government services. This fixed amount, referred to as the ''standard allowance,'' is set at up to $10 million total for the entire period of performance not to exceed the recipient's SLFRF award amount.

WHEREAS, the Rule further observes based on extensive analysis by the Treasury that:

The $10 million level is based on average revenue loss across state and local governments, taking into consideration potential variation in revenue types and losses and continued uncertainty faced by many recipients regarding revenue shortfalls.

WHEREAS, the Rule further clarifies that recipients can use SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the formula set forth in the Rule. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, some common examples of "government services" identified by Treasury in the Rule and in the "Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule" (hereinafter "the SLFRF Overview of Final Rule") are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- School or educational services
- Construction of schools and hospitals
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, the Treasury has recognized in the SLFRF Overview of Final Rule "Government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise" and that "Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements." and

WHEREAS, the SLFRF Overview of the Final Rule further states that funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including generally prohibiting:

- Offsetting a reduction in net tax revenue
- Deposit into pension funds

- Debt service or replenishing financial reserves
- Satisfaction of settlements or judgments
- Contributions to financial reserves or "rainy day" funds
- Use for projects that conflicts with or contravenes the American Rescue Plan Act
- Use in violation of Terms and Conditions of the award or conflict of interest requirements under the Uniform Guidance
- Use of funds in violation of other applicable laws and regulations or outside of SLRF program requirements

Whereas, The Board has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services which consists of the following:

UPDATE TOWNSHIP INFORMATION TECHNOLOGY EQUIPMENT & SERVICES

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

1. The Township elected to use the standard allowance by way of **Resolution 2022-13** and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: **$37,933.89.**

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- ☐ Police protection
- ☐ Fire and emergency medical services
- ☐ Road repair, maintenance and other transportation and safety services
- ☐ Public infrastructure support
- ☒ General government administration and administrative facilities
- ☐ Land use regulations and enforcement
- ☐ Parks and recreational facilities and programs
- ☐ Other

_____

_____

_____

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Trustee Michael Troyan 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 6TH day of March, 2023.

Patrick J. Cavanagh, Trustee

Eugene T. McCune, Trustee

Michael S. Troyan, Trustee

Attest: _____
Daniel J. Matsko
Deputy Fiscal Officer

RESOLUTION 2023-09
FOR SUPPLEMENTAL APPROPRIATIONS

The **Board of Trustees of Auburn Township**, Geauga County, Ohio met in regular session on the **6th day of MARCH 2023**:

Present Were:

Patrick J. Cavanagh

Eugene McCune

Michael S. Troyan

Patrick Cavanagh moved for the adoption of the following resolution:

BE IT RESOLVED by the Board of Trustees of Auburn Township, Geauga County, Ohio, that it is necessary to adopt the following:

> $20,450.00 Supplemental Appropriation to ARPA FUND Account 2273-760-730-0000 for IMPROVEMENT OF SITES.

THEREFORE the Board adopts the aforesaid.

Mike Troyan seconded the resolution and the roll being called upon its adoption the vote resulted as follows:

Patrick J. Cavanagh voted Yes

Eugene McCune voted Yes

Michael S. Troyan voted Yes

Adopted this 6TH day of MARCH, 2023

Daniel J Matsko , Fiscal Officer

RESOLUTION 2023-10
TO DECERTIFY TEMPORARY APPROPRIATIONS
FOR FISCAL YEAR 2023

The **Board of Trustees of Auburn Township**, Geauga County, Ohio met in regular session on the **6th day of MARCH 2023**:

Present Were:

Patrick J. Cavanagh

Eugene McCune

Michael S. Troyan

Patrick J Cavanagh moved for the adoption of the following resolution:

BE IT RESOLVED by the Board of Trustees of Auburn Township, Geauga County, Ohio, that it is necessary to adopt the following:

> Decertify Temporary Appropriations for Fiscal Year 2023 and amend Resolution 2022-48 to reduce Capital Project Fund 4902 Auburn Community Park on the attached spreadsheet by $1.00 from $1,656.22 to $1,655.22 reducing total of all funds by $1.00 to $4,927.523.76. In compliance with ORC Section 5705.39 Appropriations Limited by Estimated Revenue.

THEREFORE the Board adopts the aforesaid.

Michael Troyan seconded the resolution and the roll being called upon its adoption the vote resulted as follows:

Patrick J. Cavanagh voted Yes

Eugene McCune voted Yes

Michael S. Troyan voted Yes

Adopted this 6TH day of MARCH, 2023

Daniel J Matsko , Fiscal Officer

2023 AUBURN TOWNSHIP TEMPORARY APPROPRIATIONS
REVISED MARCH 6, 2023

FUND	APPROPRIATION	
GENERAL FUND	$ 832,177.53	
SPECIAL REVENUE FUNDS:		
2011 MOTOR VEHICLE LICENSE	$ 23,998.25	
2021 GASOLINE TAX	$ 97,109.53	
2031 ROAD AND BRIDGE	$ 1,619,118.30	
2041 CEMETERY	$ 15,212.54	
2191 FIRE LEVY	$ 1,653,240.24	
2231 PERMISSIVE MOTOR VEHICLE	$ 25,877.47	
2272 CORONAVIRUS RELIEF FUND	$ -	
2273 ARPA FUND	$ 446,044.00	
DEBT SERVICE FUNDS		
3101 DEBT RETIREMENT/FIRE STAT	$ 113,371.56	
3101 FIRE DEPT SINKING FUND	$ 99,100.00	$ 212,471.56
CAPITAL PROJECT FUNDS		
4901 Property Acquisition/Imp	$ 619.12	
4902 Auburn Community Park	$ 1,655.22	
TOTAL ALL FUNDS	$ 4,927,523.76	
TRUSTEES:		
Eugene T. McCune, Jr.	DATE 3/6/23	
Patrick J. Cavanagh	DATE 3-6-23	
Michael S. Troyan	DATE 03/06/23	
Dan Matsko, Fiscal Officer	DATE 3/6/23	

OATH OF OFFICE Elected or Appointed Township Officials

I, **DANIEL J. MATSKO** do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and Constitution of the State of Ohio and that I will discharge the duties of **FISCAL OFFICER** in **AUBURN** Township, in **GEAUGA** County with high fidelity.

Signature: _____
Daniel J. Matsko

Administered by Trustee Chairman, Patrick J. Cavanagh, at the REGULAR Meeting of the Auburn Township Board of Trustees on Monday, March 6, 2023.

Sworn and subscribed to before me this **6st** day of **MARCH, 2023**

by _____
Nancy Rae Dolezal

SEAL

NANCY RAE DOLEZAL
NOTARY PUBLIC, STATE OF OHIO

Nancy Rae Dolezal
~~NOTARY~~ PUBLIC
STATE OF OHIO
My Commission Expires
May 03, 2025

My commission expires May 03, 2025

AUBURN TWP ZONING REPORT

FEBRUARY 2023

	Ja	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Agr/Other Exmptions													
Amendment													
Billboard													
Commercial Additions													
Comm Fence													
Comm New	1												1
Comm Remodel													
Comm Sign													
Comm Sub Lease,													
Use Change													
Culvert/Ditching													
Dev Plan Review													
Denial													
Duplex													
Ind Addition, Exist.Use													
Ind Use Change, SubLease													
Ind Fences													
Ind Remodeling													
Ind New Structure													
Ind Non-Res. Permitted													
Ind Sign													
Lake													
Land Use Plan, Dev activities													
Pond													
Res Acc Bldg Under 200	1	1											2
Res Acc Bldg Over 200 sf													
Res Addition		1											1
Res Deck													
Res Fences		1											1
Res Interior Completion													
Res Other													
Res Patios													
Res Remodel													
Res Signs													
Res Signs Temp													
Res Signs Temp Bldg Const		1											1
Res Signs S/D													
Single Family Dwelling		1											1
Swim Pool Above Ground													
Swim Pool In Ground													
Transient Vendor													
Variance/Cond Use/	1												1
Voided Receipts/Copies/Other													
Sub Total	3	5											8
TOTAL ISSUED	2	5											7