

RECORD OF PROCEEDINGS
Minutes of the Village of South Amherst
REGULAR COUNCIL
February 26, 2024

Call to order:

7:00 p.m. – The council meeting was called to order by Mayor Scott Jones and opened with the Lord's Prayer followed by the Pledge of Allegiance.

The roll was called:

Councilmember Michele Jeffers	P
Councilmember Michael Sangiacomo	P
Councilmember Becky Siesky	P
Councilmember VACANT	
Councilmember David Troike	P
President Pro Tempore Jeanne Maschari	P

Ex officio members:

Fiscal Officer Michelle Henke	P
Records Clerk Laurie Beran	P
Law Director Matthew Mishak	EA
Utility Admin. David Valentine	P
<i>(EA – excused absences)</i>	

APPROVAL OF AGENDA February 26, 2024 Amendments: Fire Command Vehicle.

Councilmember Troike moved to approve the agenda as amended. Councilmember Siesky seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Vacant _ Troike x Motion carried.

APPROVAL OF MINUTES

Councilmember Troike moved to accept the minutes as presented. Councilmember Jeffers seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Vacant _ Troike x Motion carried.

VISITORS

Rick Adkins 124 Maroy Dr
Scott Dolan 220 W Main St
Chris Gallagher 390 Annis Rd.
Robb, Stephanie & Joey Koscho 209 N Lake St
Fire Chief John Crawford

Jeri Leigh Siss 107 Whie Birch Way – presented to the Council a proposal for a Village of South Amherst Economic Development and Community Engagement Committee. (See attached Exhibit A for details.)

Councilmember Maschari moved to eliminate the Community and Economic Development Committee from Council Committees. Councilmember Sangiacomo seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Vacant _ Troike x Motion carried.

Councilmember Maschari moved to make the Village of South Amherst Economic Development and Community Engagement Committee a standalone committee. Councilmember Sangiacomo seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Vacant _ Troike x Motion carried.

MAYOR

Law Director is excused due to exposure to COVID.

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Appointment(s)

Council - Robert Koscho

Councilmember Jeffers moved to approve the appointment of Robert Koscho to council.

Councilmember Sangiacomo seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Vacant Troike x Motion carried.

After the approval of Robb Koscho to Council, he was sworn-in by Mayor Jones then assumed his seat.

Planning Commission

Councilmember Sangiacomo moved to approve the establishment of a Planning Commission.

Councilmember Siesky seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

Secretary to the Mayor

Recommend to appoint Laurie Beran as secretary to the mayor effective March 1, 2024.

Councilmember Siesky moved to approve the appointment of Laurie Beran as secretary to the mayor effective March 1, 2024. Councilmember Maschari seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

FISCAL OFFICER

Payment Listing 2/8/2024-2/22/2024

Presented to council.

Financial Reports

The following February summaries were presented to council: Fund, Revenue and Appropriation.

HB 101 Competitive Bid

Ohio House Bill 101 raised the competitive bid threshold from \$50,000.00 to \$75,000.00.

If a project is over 75,000 you need to involve an engineer and publicly seek bids.

Appropriation Ordinance No. 312

An inaccuracy was noticed in the final draft of the permanent appropriations. The five percent Village match for the FEMA grant of \$12,091.00 was included in the transfer line for the General Fund but not included in the FEMA Fund 4907 appropriations. No. 312 corrects the inaccuracy.

Year End Update

Hinkle Notes were received, and the yearend financials are completed and 2023 is closed.

RECORDS CLERK

Strategic Planning – Zoning/Planning 2/28/24

The second phase of the Strategic Planning process begins on Wednesday at 7:00 p.m. This part of the process will focus on zoning revisions and what the future land use of the village will look like. Council is encouraged to attend.

BZA Meetings

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The board will now meet on the third Monday of the month as needed.

Building Fees

The revised schedule of residential and commercial building fees were presented and once approved will be in effect on February 27.

Councilmember Maschari moved to have the fees included with the ordinance when codified. Councilmember Troike seconded.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

UTILITY ADMINISTRATOR

Water Operator

Medical leave starting on May 8th for 3 months.

Part-time employee

Recommending to approve the hire of a part-time service worker while the water operator is on medical leave.

Councilmember Troike moved to approve a part-time service worker. Councilmember Siesky seconded the motion.

Discussion: Fiscal Officer noted the need for a job description and pay rate ordinance.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

BOARDS

Cemetery (Councilmember Sangiacomo presented.)

The board is seeking to raise lot prices from \$860 to \$960 and cremation lots from \$315 to \$510 effective April 1, 2024. Mayor Jones clarified that the rate increase was only proposed at this time.

COMMITTEES

Bldg. & Grounds (Councilmember Troike presented.)

Exterior Door – Village Hall

New door is installed, is recommended to be painted in the next 5 years before the primer wears off.

Councilmember Troike moved to paint ASAP choose color according to the interior color.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

Gas Pumps Gate

Elyria Fence will be out this week to repair.

Painting

Will begin on Wednesday through the remainder of the week. Some office staff may be working remotely during the project.

Retaining wall

Still waiting for proposals.

Bollards

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On order.

Street-Sidewalk-Service (Councilmember Siesky presented.)

Signs

Street Supervisor will get new quotes for the flashing speed signs and flashing stop signs for S. Lake and Russia.

Sidewalks

There will be an article in the newsletter regarding the responsibility of the homeowners and maintain safe sidewalks.

Streets

Recommended to just use cold patch for now, the holes that are happening are from the hot patch that was done last year.

Action plan to be developed after the newsletter is distributed.

Ordinance

Part One – Administrative Code:

Updates are needed to the Administrative Code for Planning Commission, Board of Zoning Appeals and Zoning Inspector. The records clerk will work with the committee to have ordinances completed by the March 25th meeting.

Safety (Councilmember Jeffers presented.)

Meeting March 4th

Committee will meet to discuss Fire Department SOP's and the Eclipse. Two firefighters have signed up to be on station that afternoon.

Firefighter Approvals

All paperwork including drug test/physical (medical) paperwork must be completed and submitted to the fiscal officer prior to council approval.

Fire Command Vehicle

The fiscal officer and council asked the fire chief for clarification on what the actual final estimate is for the command vehicle to be outfitted with the proper equipment. The fire chief will have an accurate estimate by the March 11th meeting to be voted on.

Administrative (Councilmember Maschari presented.)

Research on Consortium

Residents need to be in attendance at the meeting when the representatives are present so their opinions can be heard.

Councilmember Maschari moved for Council to negotiate improved trash collection for the Village residents. Councilmember Troike seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

ORDINANCE

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Ordinance No. 1799-24 An ordinance repealing Section 1303.02 of the Codified Ordinance of the Village of South Amherst, pertaining to fees for Residential Code of Ohio for one, two, and three family dwellings and declaring an emergency.

Councilmember Troike moves to suspend the rules and pass as an emergency Ordinance No. 1799-24. Councilmember Maschari seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.
Councilmember Troike moved to approve Ordinance No. 1799-24. Councilmember Maschari seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

Ordinance No. 1800-24 An ordinance repealing Section 1305.02 of the Codified Ordinance of the Village of South Amherst, pertaining to Fee Schedule and enacting new Section 1305.02 Fees and declaring an emergency.

Councilmember Maschari moved to suspend the rules and pass as an emergency Ordinance No. 1800-24. Councilmember Siesky seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.
Councilmember Maschari move to approve Ordinance No. 1800-24. Councilmember Koscho seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

RESOLUTION

Resolution No. 725-24 *(Second Reading/Emergency)* Regional Inspection Services Agreement Effective 11 March 2024.

Councilmember Troike moved to suspend the rules and pass on the second reading as an emergency Resolution No. 725-24. Councilmember Siesky seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.
Councilmember Troike moves to approve Resolution No. 725-24. Councilmember Siesky seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

APPROPRIATION

Appropriation No. 312

Councilmember Siesky moved to approve Appropriation No. 312. Councilmember Troike seconded the motion.

Jeffers x Maschari x Sangiacomo x Siesky x Koscho x Troike x Motion carried.

MISCELLANEOUS

ADJOURNMENT Time 8:57 p.m.

Respectfully submitted,

Fiscal Officer Michelle Henke

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Mayor Scott Jones

DRAFT

Financial Reports are included
in the
Council Packet dated 3/11/2024.

March 11th meeting was cancelled
due to lack of quorum
caused by illness.

**RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST**

Ordinance No. 1801-24

Passed:

**AN ORDINANCE CREATING THE POSITION OF SERVICE WORKER 1
PARTTIME AND DECLARING AN EMERGENCY**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF SOUTH AMHERST, LORAIN COUNTY, STATE OF OHIO THAT:**

SECTION 1: The Council of the Village of South Amherst hereby creates the following position for the Village of South Amherst:

- (a.) Service Worker 1 Parttime
- (b.) Per duties outlined in Exhibit A.
- (c.) Position becomes effective on March 11, 2024.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance is declared to be an emergency measure necessary for the efficient and orderly operation of the Village of South Amherst and services to the Village, and the immediate preservation of the public health, safety and welfare of the Village, wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED:

Scott Jones, Mayor

ATTEST: _____
Fiscal Officer

GENERAL DESCRIPTION

Performs a variety of village maintenance activities involving manual labor and equipment operation in one or more public works/public utilities areas. Performs semi-skilled work requiring some training and experience. The position is supervised by the Utilities Administrator or authorized representative and requires some independent judgment.

EQUIPMENT TO BE USED AND JOB LOCATION

Pick-up truck, dump truck, lawnmowers, chainsaw, weed eater, chemical sprayers, blowers, hand tools, shovels, rakes, pneumatic and hydraulic equipment, sweeper, backhoe, asphalt roller, sprayer, and woodchipper. This position is based at the village garage and performs duties on village property, right-of-ways, and the village park.

RESPONSIBILITIES AND ACTIVITIES AS ASSIGNED

Street Maintenance

- Installs street signs and maintains or adds pavement markings.
- Cleans gutters, culverts, and other drainage structures required to maintain roads.
- Loads and unloads stone, gravel, dirt, asphalt, timber, debris, etc.
- Removes snow, applies salt to village roads, and puts up snow fencing.
- Monitors and provides simple maintenance for traffic signals.
- Fills pavement cracks and holes with asphalt, shovels, and rakes asphalt paving mix in road repairs.
- Pours small concrete areas to repair roads; includes preparing an area for forms and concrete.
- Removes deceased animals from roadways.
- Keeps growth back from road signs and eliminates visual impairments for drivers, and removes any fallen branches.

Landscaping / Grounds Maintenance

Provides landscape services in all village parks, streets, village property, and right-of-ways;

- Plants and maintains trees, shrubs, and flower beds.
- Application of herbicides and pesticides where needed, including the parking lot at the park.
- Mows lawn areas and berms.
- Trims around buildings.
- Maintains ornamental planting areas; may include diagnosis of plant pests and diseases.
- Rakes, loads grass, cuts back brush, and overall cleaning of lawns.

- Removes animal waste from village parks and village grounds.
- Removes trash from village parks and village grounds.

Building Maintenance

Provides minor maintenance of buildings; Includes but is not limited to,

- Replaces/checks Furnace Filters.
- Maintains exterior of buildings.
- Verifies proper operation of emergency lighting and exit signs on a bi-yearly basis.
- Verifies fire extinguishers are working and up to date.
- Provides snow removal and salt applications during inclement weather.
- Flag and monument maintenance.

Equipment Maintenance

- Performs daily routine maintenance and minor repairs on equipment.
- Ensures cleanliness of equipment.
- Cleans equipment, vehicles, shop facility, and service grounds.
- Documents, tags, and reports any non-working equipment.

Cemetery

- Empties trash cans

Other required duties

- Operates a motor truck transporting sand, gravel, stone, and supplies; salts icy streets during snow removal; operates a light truck carrying tools, equipment, and supplies; operates a backhoe and similar rubber-tired equipment; operates power rollers, tar kettles, pneumatic equipment, and various equipment powered by electrical generators; operates and maintains riding mowers and small tractors.
- Works when necessary for 24-hour emergency service, Lorain County Beautiful, Dumpster Days, and possible weekend/holiday on-call duty.
- Performs other duties as assigned.

PHYSICAL DEMANDS

- Involves frequent walking or standing.
- Some lifting and carrying of objects weighing 20-50 pounds, with occasional lifting of items weighing 100 pounds.
- Bending or stooping.
- Working in confined spaces.

- Frequent operation of vehicles, shop, or hand tools requiring manipulative skills and hand-eye coordination.
- Position requires working under adverse weather conditions.

QUALIFICATIONS

- Completion of a standard high school course.
- Experience in performing heavy manual labor preferred.
- Experience in the operation of ground maintenance, equipment, plant pest & disease diagnosis, and treatment.
- General knowledge of maintenance tasks.
- Good physical strength and stamina are required, and a willingness and ability to work under varying climatic conditions.
- Must be able to understand and follow oral instructions and write.
- Must possess or obtain appropriate licensing requirements as required.
- Possession of valid Ohio Driver's License.

Name

Date

Witness

Date

TED'S FLOORS

1125 N. Ridge Rd., E, Lorain, Oh 44055
440-233-4700/fax 4704/Cell 440-935-0373
tedkalo@yahoo.com

03-02-2024

Village of South Amherst
103 W. Main St.
South Amherst, Oh 44001
440986-1162
c/o Dave Valentine
streetsservice@southamherst.org

Council Chambers :

Option #1: Mohawk Get Moving	\$2775.00
Option #2: Mohawk CityScope	\$2966.40
Option #3: Mohawk Streaming Online	\$3158.40
Tear out & Haul away 960 sq. ft. old carpet	\$432.00
Primer-Adhesive- Installation of new carpet	\$1560.00

Option #1 Total Installed: \$4767.00

Option #2 Total Installed: \$4958.40

Option #3 Total Installed: \$5150.40

Offices:

Option #1: Mohawk Get Moving	\$3641.40
Option #2: Mohawk CityScope	\$3839.40
Option #3: Mohawk Streaming Online	\$4145.40
Tear out & Haul away 1260 sq. ft. old carpet	\$567.00
350 linear feet of cove base	\$437.50
Primer-Adhesive- Installation of new carpet and cove base	\$2391.20

Option #1 Total Installed: \$7037.15

Option #2 Total Installed: \$7235.15

Option #3 Total Installed: \$7541.15

Thank You,
Ted Kalo

Rockwood Flooring
12077 Leavitt Road
Oberlin, OH 44074
+1 4407768984
<http://www.rockwoodflooring.org>



Proposal

ADDRESS

South Amherst Town Hall
103 W Main ST
South Amherst, Ohio 44001

SHIP TO

South Amherst Town Hall
103 W Main ST
South Amherst, Ohio 44001

PROPOSAL # 12175

DATE 03/05/2024

SERVED BY

Matt Martin

DESCRIPTION	QTY	RATE	AMOUNT
BIG AREA GETTING DONE FOR SURE	1	4,300.00	4,300.00
1. Remove and trash old carpet.			
2. Supply and install special order carpet square style and color to be selected.			
3. Install brushed silver flat bars at door ways			
Back area and offices.	1	6,100.00	6,100.00
1. Remove and trash old carpet and cove base.			
2. Supply and install new black 4 inch cove base.			
3. Supply and install special order carpet squares style and color to be selected in back area and offices.			

Customer to move all furniture. All jobs subject to prep that could not be seen at time of field measure.

Thank you for the opportunity. Quote is good indefinitely. If manufacturer's price or labor costs increase, then estimate may increase.

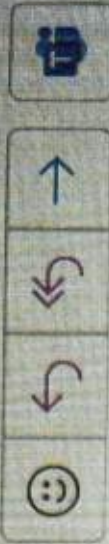
SUBTOTAL	10,400.00
TAX	0.00
TOTAL	\$10,400.00

Full payment due if ordering materials only. 50% deposit required on all installed jobs, and balance to be given to installer upon completion. 0% financing offered and all major credit cards accepted. No refunds or credit will be issued for left over materials on "installed" jobs.

FW: Jamie's Quote



streetsservice
To RecordsClerk



Wed 2:00



3-4-24 Terms JACoverm

PURCHASER:

Village of South Amherst
103 West Main

South Amherst

David

PHONE: 986-1162

PURCHASER:

[]

[]

PHONE:

SHIP TO:

[]

[]

PHONE:

Give down

Mohawk Aladdes Commercial Carpet Style Color

12 Conference rooms, Offices and Reception Area. We will take up
and haul away old flooring + base. New Vinyl Base where needed Color

Floor Prep where needed.

\$19103.93

If Just conference room

\$7170.86

RESOLUTION NO. 727-24

*Thomas Horseman Services Agreement
Effective 11 March 2024*

Lorain County, Ohio

Be It Resolved, by the Council of the Village of South Amherst

WHEREAS, this date, March 11, 2024 council moved to adopt the following Resolution:

WHEREAS, the Village of South Amherst authorizes the Mayor all actions necessary to enter into an agreement with Thomas Horseman for Building Official services to include residential and commercial building permitting; and

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

the Village of South Amherst wishes to enter into an agreement with Thomas Horseman for residential and commercial building permitting effective the 11th day of March, 2024 in accordance with the attached agreement, known as Exhibit A; and

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council 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.

That this resolution is declared an emergency measure necessary for the immediate effectiveness of this Resolution. Wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

Adopted the 18th day of March 2024.

PASSED:

Scott Jones, Mayor

ATTEST: _____
Fiscal Officer

I, Michelle Henke, the Fiscal Officer of the Village of South Amherst, certifies that the forgoing Ordinance No. 727-24 is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

Fiscal Officer

APPROVED AS TO FORM:

Matthew A. Mishak, Law Director
SA/727-24 Thomas Horseman Building Official

AGREEMENT

This Agreement entered into by and between Thomas Horseman, hereafter called "Building Official" and the Village of South Amherst, hereafter called "Village" on the 11th day of March, 2024.

WHEREAS, (1) the Village desires to enforce the Ohio Building Code (hereinafter referred to as the OBC) and the Residential Code of Ohio (hereinafter referred to as the RCO) for the purpose of providing uniform standards and requirements for the erection, construction, repair, alterations, and maintenance of buildings including one, two, or three family dwellings.

WHEREAS, (2) the Village seeks to have the authority to enforce the provisions of the OBC and the RCO through certification by the Ohio Board of Building Standards pursuant to Section 3781. 10 (E) of the Revised Code.

WHEREAS, (3) it is the desires of the Village to engage Building Official as a independent contractor pursuant to Revised Code Section 505.75 as the Building Official.

THEREFORE, IN CONSIDERATION OF the mutual promise contained herein, the parties agree as follows:

1. Thomas Horseman shall serve as your Building Official on behalf of the Village. Building Official shall assign and coordinate the duties necessary to comply with the requirement of the OBC and RCO with other contractors engaged by the Village. Building Official shall also be responsible for calculating payment due to other contractors for completing their required assignments.
2. The Village is interested only in results to be achieved; the conduct and control the services shall be within the discretion of the Building Official. Building Official shall not be entitled to the benefits of employees of the Village, and the Village shall not be responsible to withhold sums for PERS, Workman's compensation, unemployment compensation, federal, state or local taxes, social security or Medicare. Building Official is solely

This contract shall be construed in accordance with the laws of the State of Ohio and any disputes arising here from shall be decided in the courts of Lorain County.

IN WITNESS WHEREOF, the parties have executed this Contract as of the day and year first written above.

Scott Jones
Mayor, Village of South Amherst

Thomas Horseman
Building Official

RESOLUTION NO. 728-24

*LORCO Board of Trustees Appointment
Commencing the 28th day of March 2024*

Lorain County, Ohio

Be It Resolved, by the Council of the Village of South Amherst

WHEREAS, this date, March 18, 2024, council moved to adopt the following Resolution:

WHEREAS, the Village of South Amherst confirms the Mayor's appointment of Laurie Beran to represent the Village of South Amherst on the LORCO (Lorain County Rural Wastewater District) Board of Trustees; and

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

the Village of South Amherst confirms the three (3) year appointment of Laurie Beran to the LORCO Board of Trustees commencing on the 28th day of March 2024.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council 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.

That this resolution is declared an emergency measure necessary for the immediate effectiveness of this Resolution. Wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

Adopted the 18th day of March 2024.

PASSED:

Scott Jones, Mayor

ATTEST: _____

Fiscal Officer

I, Michelle Henke, the Fiscal Officer of the Village of South Amherst, certifies that the forgoing Ordinance No. **728-24** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in an open meeting held in compliance with O.R.C. 121.22

Fiscal Officer

APPROVED AS TO FORM:

Matthew A. Mishak, Law Director
SA/728-24 LORCO Bd Trustee Appointment

RESOLUTION NO. 729-24

*LORCO Board of Trustees Alternate Appointment
Commencing the 28th day of March 2024*

Lorain County, Ohio

Be It Resolved, by the Council of the Village of South Amherst

WHEREAS, this date, March 18, 2024, council moved to adopt the following Resolution:

WHEREAS, the Village of South Amherst confirms the Mayor's appointment of Thomas Lahetta to represent the Village of South Amherst on the LORCO (Lorain County Rural Wastewater District) Board of Trustees as an alternate; and

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

the Village of South Amherst confirms the three (3) year appointment of Thomas Lahetta to the LORCO Board of Trustees as an alternate commencing on the 28th day of March 2024.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council 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.

That this resolution is declared an emergency measure necessary for the immediate effectiveness of this Resolution. Wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

Adopted the 18th day of March 2024.

PASSED:

Scott Jones, Mayor

ATTEST: _____

Fiscal Officer

I, Michelle Henke, the Fiscal Officer of the Village of South Amherst, certifies that the forgoing Ordinance No. 728-24 is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

Fiscal Officer

APPROVED AS TO FORM:

Matthew A. Mishak, Law Director
SA/728-24 LORCO Bd Trustee Appointment

RESOLUTION NO. 730-24

*2023-2024 Ohio Law Enforcement Body Armor
Program Award Acceptance*

Lorain County, Ohio

Be It Resolved, by the Council of the Village of South Amherst

WHEREAS, this date, March 18, 2024 council moved to adopt the following Resolution and declaring an emergency:

WHEREAS, the Village of South Amherst authorizes the Police Chief Michael Frazier all actions necessary to accept the 2023-2024 Ohio Law Enforcement Body Armor Program Award.

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

the Village of South Amherst authorizes the Police Chief Michael Frazier all actions necessary to accept the 2023-2024 Ohio Law Enforcement Body Program Award in the amount of \$10,695.00 in accordance with Exhibit A;

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council 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.

That this resolution is declared an emergency measure necessary for the immediate effectiveness of this Resolution. Wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

Adopted the 18th day March, 2024.

PASSED:

Scott Jones, Mayor

ATTEST: _____
Fiscal Officer

I, Michelle Henke, the Fiscal Officer of the Village of South Amherst, certifies that the forgoing Ordinance No. 730-24 is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in an open meeting held in compliance with O.R.C. 121.22

Fiscal Officer

APPROVED AS TO FORM:

Matthew A. Mishak, Law Director
SA/730-24 23-24 OH Law Enforce Body Armor Award



DAVE YOST
OHIO ATTORNEY GENERAL

2023–2024 Ohio Law Enforcement Body Armor Program Award Acceptance

This award acceptance contains the terms and conditions of the 2023-2024 Ohio Law Enforcement Body Armor Program award received by your agency. The Chief or Sheriff must review and sign this document prior to submission.

Award payments cannot be processed until a signed award acceptance has been received.

**AWARD ACCEPTANCE AND REQUESTS FOR DISBURSEMENT ARE DUE BY
September 30, 2024**

Ohio Attorney General's Office

- 30 East Broad St, 17th Floor • Columbus, Ohio 43215 • PHONE: (614) 466-4166 •
- Email: OhioLEBodyArmor@OhioAttorneyGeneral.gov

INSTRUCTIONS

- The Chief or Sheriff must sign the following Award Acceptance and comply with the terms and conditions listed below.
- Award payments cannot be disbursed before this signed Award Acceptance has been submitted.
- Please contact Attorney General's Office via e-mail at OhioLEBodyArmor@OhioAttorneyGeneral.gov with any questions regarding the Ohio Law Enforcement Body Armor Program.

Please send the completed form to OhioLEBodyArmor@OhioAttorneyGeneral.gov

AWARD ACCEPTANCE AND REQUESTS FOR REIMBURSEMENT ARE DUE BY September 30, 2024

AGENCY INFORMATION

Recipient Organization: South Amherst Police Department

Award Amount: \$10,695.00

Award Period End Date: September 30, 2024

ACCEPTANCE

The Recipient Organization agrees as follows:

I. **Funding Purpose and Recapture of Funds.** In accordance with the terms hereof, the Recipient Organization (the "Recipient") agrees to receive certain award funds under the Ohio Law Enforcement Body Armor Program (the "Funds") for a 75% reimbursement of the purchase price of bulletproof vests purchased pursuant to the Ohio Law Enforcement Body Armor Program. The Recipient agrees that it will be liable to repay any Funds spent in a manner inconsistent with this Agreement or the stated purpose as determined by the Ohio Attorney General (the "Attorney General"). This Award Acceptance may only be modified in a writing signed by the Attorney General and the Recipient.

II. **Limitations on Use of Funds.** Funds received under the Ohio Law Enforcement Body Armor Program will not be used for any political campaign or governmental lobbying in a partisan manner. Purchases of bulletproof vests must have been made during the Award Period as stated above in order to be reimbursed.

III. **Disbursement of Funds.** Direct payments will be made by Electronic Funds Transfers to Recipients that have submitted an Authorization Agreement for Direct Deposit of EFT Payments form to the Attorney General. Otherwise, payment will be made by check from the Office of Budget and Management. For all awards, the Funds will be disbursed upon receipt from the Recipient of this signed Award Acceptance and a completed Request for Payment Form including all necessary documentation of the purchase, and upon Attorney General approval. In order to be reimbursed, all required documentation must be submitted by September 30, 2024 via e-mail to OhioLEBodyArmor@OhioAttorneyGeneral.gov. Disbursements are contingent upon the timely submission and approval of all required documentation (which may include, but is not limited to, original invoices and receipts). No payments will be made after November 30, 2024.

IV. **Liability.** Recipient agrees that the Attorney General and the Ohio Bureau of Workers' Compensation are not responsible for the operation of the bulletproof vests purchased pursuant to this program. In the event of an injury or occupational disease arising from the implementation of the program, the Recipient and the employee's sole and exclusive remedy shall be pursuant to the workers' compensation laws of the appropriate jurisdiction.

V. **Ethics/Conflict of Interest.** The Recipient, by signature on this Award Acceptance, certifies that it has reviewed and understands the Ohio ethics and conflict of interest laws, and will take no action inconsistent with those laws.

VI. **Non-Discrimination.** Pursuant to R.C. 125.111 and the Attorney General's policy, Recipient agrees that Recipient and any person acting on behalf of Recipient shall not discriminate, by reason of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry against any citizen of this state in the employment of any person qualified and available to perform the work described herein. Recipient further agrees that Recipient and any person acting on behalf of Recipient shall not, in any manner, discriminate against, intimidate, or retaliate against any employee hired for the performance of work described herein on account of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry.

VII. Campaign Contribution Limits. The Recipient hereby certifies that neither Recipient nor any of Recipient's partners, officers, directors or shareholders, if any, nor the spouses of any such person, have made contributions in excess of the limitations specified in R.C. 3517.13.

VIII. Compliance with Law. The Recipient, in expending the Funds, agrees to comply with all applicable federal, state and local laws, rules, regulations and ordinances.

IX. Authority to Bind Parties. The person signing this Award Acceptance on behalf of Recipient is legally authorized to obligate the Recipient.

X. Certification of Funds. It is expressly understood and agreed by Recipient that none of the rights, duties, and obligations described herein shall be binding until all relevant statutory provisions of the Ohio Revised Code, including, but not limited to, R.C. 126.07, have been complied with, and until such time as all necessary funds are available or encumbered and, when required, such expenditure of funds is approved by the Controlling Board of the State of Ohio, or in the event that grant funds are used, until such time that the Attorney General gives Recipient written notice that such funds have been made available to the Attorney General by the Attorney General's funding source.

XI. Reporting Requirement. Recipient shall submit one report one (1) year after the purchase of the vests describing the utilization of the vests and the outcome received from the expenditure of the Funds. The report shall be completed online to provide data on the utilization of the vests and workers' compensation claims of injury related to shooting incidents over a period of twelve (12) months following the purchase of the vests. Additional data elements include reporting the number of hours worked by law enforcement officers utilizing the vests over a period of twelve (12) months. The report shall be completed through the Ohio Bureau of Workers' Compensation Ohio Law Enforcement Body Armor Program web page. This report shall be submitted within ninety (90) calendar days following the one year anniversary of the purchase of the vests. If the report is not filed, or if the report is not completely filled out, the Recipient shall be liable to repay the full amount of the Funds received.

XII. Time of Performance. Notwithstanding the foregoing, this Award Acceptance shall expire when the obligations set forth herein are complete.

By my signature on behalf of the Recipient, I agree to fully comply with the terms and conditions of this Award Acceptance and the Ohio Law Enforcement Body Armor Program and to use all Funds solely for the purposes intended. I further understand I may be subject to civil, criminal and/or administrative penalties as the result of any false, fictitious and misleading or fraudulent statements made and/or if the Funds are not used, or are misused, misapplied, or misappropriated in any way and/or are used for purchases and/or services not associated with the approved application submitted.

IN WITNESS WHEREOF, the Recipient has caused this Award Acceptance to be executed by its authorized officers.

OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM AWARD RECIPIENT

Award Amount: \$10,695.00

Chief/Sheriff Printed Name: _____

Title: _____

Chief/Sheriff Signature: _____

Date: _____