

VILLAGE OF HAMERSVILLE
Village Council Meeting
May 15, 2023

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The Council of the Village of Hamersville met in regular session at the Village Municipal Building on May 15, 2023 with all members present.

Also, present was: Guy Sutton, Travis Stone, Jason LaRue, Angela Marlow, Bev Coomer, Louie Luttrell, Melissa Zahn, Charlene Bronner, Justin Jones, Andrea Stone, Donna Stone, Jesse Spencer and David Grimes.

Mayor Hill called the meeting to order and led everyone in the Pledge of Allegiance.

Motion by Ms. Trumble, Seconded by Ms. Edwards to approve the regular meeting minutes of April 24, 2023. Motion passed unanimously

Motion by Mr. Wilson, Seconded by Mrs. Spencer to approve and pay the bills. Motion passed unanimously.

Public Participation

Ms. Angela Marlow inquired if the Village had completed certification of forms LES and 1033 regarding military surplus equipment. Chief Sutton expressed the Village is not currently a part of that program.

Ms. Marlow inquired if Council was going to look into annexation of Fite Avenue or if any actions have been taken to do so. Mayor Hill reported that Council had looked into in several years ago but no actions were taken. Chief Sutton expressed that he recalled the discussions regarding the matter but that not all residents were in support of it at that time.

Ms. Marlow inquired if the village sign policy had been completed. Mayor Hill reported that it was not yet complete.

Ms. Marlow inquired if Council had addressed changing the village's building code. She expressed that she seemed to remember Council had agreed to make amendments to it in January 2023. Mayor Hill expressed that no amendments had been made.

Ms. Marlow inquired if the village solicitor had check into the village's noise ordinance. A discussion ensued regarding her inquiry. Chief Sutton confirmed that the Council had chosen to follow the state laws pertaining to the matter and no further action had been taken.

Ms. Marlow inquired about the removal of a tree by the village at 303 W. Main Street. Mrs. Spencer responded informing Ms. Marlow that the village did not remove the tree on the property and that the property owner had the tree removed.

Mrs. Charlene Bronner addressed Council regarding a pothole on Lucas Road. Mr. LaRue, Utility Supervisor, reported he hoped to have it repaired the week of May 15, 2023.

Ms. Marlow addressed Council regarding drainage issues with a village easement that runs through her property. Mr. LaRue expressed he would look into the matter. Mrs. Bronner reported that she had a similar issue on her property.

Chief Sutton requested an executive session to discuss a promotion and salary increase for Officer Travis Stone.

Motion by: Mr. Wilson, seconded by: Mrs. Spencer to go into executive session to discuss a promotion and salary increase for Officer Travis Stone.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes
Time Out: 7:16 p.m.

Motion by: Mrs. Spencer, seconded by: Ms. Trumble to return to regular session.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes
Time Returned: 7:26 p.m.

Old Business

Mrs. Spencer reported the veteran flag program has been finalized. The flags will be two-sided at no extra charge and order forms will be forthcoming.

Mrs. Spencer reported her meeting with the mayor of the Village of Bainbridge was canceled due to time constraints on their part.

Ms. Trumble inquired when the next park clean-up day was scheduled. Mrs. Bronner reported it would be held on Sunday, May 21, 2023 at 3:00 p.m. and that a 4-H group has volunteered to help that day.

Mr. Owsley inquired about the village's July 4th event. A brief discussion ensued regarding the upcoming event.

Ms. Trumble inquired about the status of the recordkeeping system for the body and cruiser cameras. Chief Sutton reported the computer system is currently being built and will be paid for with seized drug monies.

Mrs. Dufau presented a resolution for Council's approval to appropriate the seized drug fund monies.

Resolution 23-11

Motion by: Mrs. Spencer Seconded by: Ms. Edwards

To approve increasing the revenue budget per the amended certificate dated May 9, 2023 as follows:

<u>Drug Law Enforcement Fund</u>	
2081-619-0000 Fines & Forfeiture	\$ 4,500.00

And to further approve the following appropriation for the increased revenue budget:

<u>Drug Law Enforcement Fund</u>	
2081-110-690-0000 Other	\$ 4,500.00

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes

New Business

Mr. Louie Luttrell presented information for a 2014 Dodge Ram 5500 bucket truck for the village electric department and requested Council's approval to purchase the truck which would include trading in one of the department's current bucket trucks. A discussion ensued regarding the matter.

Resolution 23-12

Motion by: Mr. Wilson Seconded by: Mr. Owsley

To approve the purchase of a 2014 Dodge Ram 5500 bucket truck at a purchase price of \$42,215.00 with a trade-in credit of \$24,000.00, total payment to be issued is to be \$18,215.00. The truck to be purchased from monies in the village's electric fund.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes

Mayor Hill reported Chief Sutton had requested Council's approval for him to join the Board of Ohio Police Advisory Council/Committee. A brief discussion ensued regarding the matter.

Motion by: Mrs. Spencer, seconded by: Ms. Edwards, to approve Chief Guy Sutton joining the Board of Ohio Police Advisory Council/Committee. Motion passed unanimously.

Police Department/Administrator's Report

Chief Sutton reported the police department has seized property that has been forfeited that can be disposed of. There are only a few items that have a value of over \$1,500.00. He requested Council's approval to list those items for sale on Govdeals.com. He further expressed that any forfeited guns would have to be sold by auction by a licensed FFL dealer.

Motion by: Mr. Wilson, seconded by: Ms. Trumble, to approve the listing and auctioning of forfeited property on Govdeals.com. Motion passed unanimously.

Chief Sutton requested Council approve the promotion of Officer Travis Stone to Police Sargent.

Resolution 23-13

Motion by: Mrs. Spencer Seconded by: Mr. Wilson

To approve promoting Officer Travis Stone to Police Sargent. Sargent Stone to be compensated at the Sargent pay rate established in the police department pay scale.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes

Mayor Hill administered the Sargent oath to Officer Stone.

Chief Sutton reported he anticipates receipt in the next three weeks of the ARPA grant funds that will be utilized for Sargent Stone's promotion and salary increase.

Chief Sutton reported the following issues with the sewer lift station:

- Generator not working properly - recommended getting a stand-by generator that would handle both pumps that comes on automatically should the power go out.
- Flowmeter not working properly - need to fix or replace
- Current alert system does not work properly
- Warning light on the top of the building is not working.

A discussion ensued regarding the repairs as well as utilizing some of the American Rescue Plan funds to fund the necessary repairs.

Resolution 23-14

Authorizing Expenditure from American Rescue Plan Act Funds

Brown County, Ohio

Be It Resolved by the Council of the Village of Hamersville

WHEREAS, this date, May 15, 2023, Council Member, Mr. Owsley moved the adoption of the following Resolution:

WHEREAS, the Village 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 on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund "government services." [The "standard allowance"].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund's smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

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 [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, some common examples of "government services" expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- 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, "Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;" and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or "rainy day" funds

WHEREAS, the Village Council has identified a project which, in the judgment of the Council, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

Sewer Lift Station Repairs and Improvements (the "Project").

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

1. The Village elects to use the standard allowance 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: \$20,000.00.

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
- X 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 Village 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.

Council Member, Ms. Edwards 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 Village concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village Council, and that all deliberations of the Village 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.

Adopted the 15th day of May, 2023.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes

Chief Sutton reported the Village's current contract with American Electric Power (AEP) expires in 2027. The Village is currently paying thirty-seven percent (37%) below market rate for electricity and over the course of the contract will incur a savings of \$500,000.00 to \$1,000,000.00. He proceeded to inform Council that the Village has an opportunity to extend the current contract by one to two years but the rate would increase but would be locked in for 2028 and 2029. He requested Council's approval to negotiate with AEP for a contract extension.

Motion by: Mrs. Spencer, seconded by: Ms. Edwards, to approve Chief Sutton negotiating a contract extension with American Electric Power on behalf of the Village. Motion passed unanimously.

Chief Sutton informed Council that from his recent meeting with the representative with AEP, he had learned by 2026 the electric grid will be unable to sustain the electric demand which could result in black/brown outs. He recommended Council preplan for this should it occur and provided the possible options for Council to consider:

- Participation in the 1033 program for military surplus items - possibly securing military generators which would provide power to the village customers.
- Notification of all residents that the possibility of black/brown outs could occur in the future and encouraging them to prepare themselves for their own needs.
- Village purchase generators for village owned buildings that could be utilized as public shelters if needed.

New Business

Mrs. Spencer recommended Council consider obtaining a piece of plexiglass as well as a lock for the village's sign in order to secure information placed on it.

Mrs. Spencer inquired if there were any vacant business buildings in the village. A brief discussion ensued regarding the matter.

Mrs. Melissa Zahn, Utility Clerk, informed Council that a gentleman had brought business cards to the village office and had requested he be permitted to leave them making them available to the public. After a brief discussion, it was general consensus of Council to permit him to do so.

Mrs. Zahn presented a form she had prepared for the receipt of public records request and requested Council's approval of the form. All council members were in agreement to utilize the form presented.

Mrs. Zahn informed Council that an ordinance had been previously passed addressing the charges for the repairs of damages to village utilities however Council still needed to address the charge for having utility taps removed per a property owners request. A brief discussion ensued with no formal action being taken.

Mrs. Zahn presented her vacation/PTO that she had earned and used during the course of her employment with the village and requested Council approve the correct vacation accrual be posted to her personnel file in the village's accounting system.

Resolution 23-15

Motion by: Mr. Owsley

Seconded by: Ms. Edwards

WHEREAS, Melissa Zahn has been an employee of the village since September 2014, and earned vacation time as a part-time and full-time employee, and

WHEREAS, the village fiscal officer, Tammie Ogle, did not properly maintain records of her vacation time earned and used, and

WHEREAS, Mrs. Zahn has requested that her personnel record reflect 186.16 hours of unused earned vacation time,

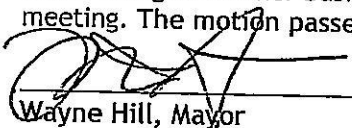
THEREFORE, BE IT RESOLVED, that Council approve 186.16 hours of unused earned vacation and direct the village fiscal officer to record such time on Melissa Zahn's personnel record.

Vote: Ms. Edwards, Absent; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Yes

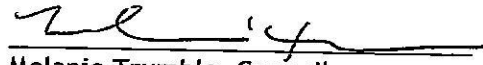
Chief Sutton requested Council consider approving a resolution or ordinance permitting village employees to donate vacation or comp time to another village employee. A brief discussion ensued with Mayor Hill stating he would check into the matter further and report back to Council.

There being no further business, Motion by: Mrs. Spencer, Seconded by: Ms. Edwards, to adjourn the meeting. The motion passed unanimously.

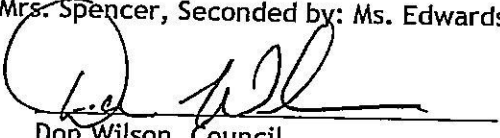
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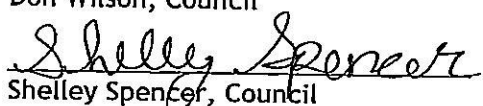

Wayne Hill, Mayor

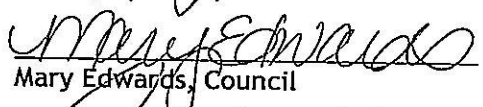

Dale Owsley, Council


Melanie Trumble, Council


Sheila G. Dufau, Fiscal Officer


Don Wilson, Council


Shelley Spencer, Council


Mary Edwards, Council

