

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Wednesday, April 12, 2023 at 6 p.m. 20

PUBLIC NOTICE SPECIAL MEETING ON WEDNESDAY APRIL 12, 2023 - 6:00 PM AGENDA: PUBLIC MEETING SET FOR BOWLING GREEN TOWNSHIP BOARD OF TRUSTEES FOR PURPOSE OF DISCUSSING AND SIGNING OF THE PROPERTY SERVICES CONTRCT BY ORDER OF TRUSTEE WOLF - TRUSTEE WOLF POSTED PUBLIC NOTICE BY 4/10/23 ON TOWNSHIP WEBSITE "bgtownship.com" - PUBLIC NOTICE POSTED BY 6PM ON 4/7/23 AT WEST ENTRANCE OF TOWNSHIP BUILDING

TRUSTEE ROLL CALLS: Township officials present Chairman Trustee Holcomb calling meeting to order with Trustee Duane J. Wolf and Trustee David K. Trihaft.

VISITORS SIGN IN SHEET: Tyler Howell 9669 LaRue Mt. Victory Road Sharon Schwaderer and Ben Schwaderer 8092 Guthery Road Abraham F. Lambright 10596 Allen Road Wilbur F. Hostetler 10432 Allen Road Steve Schultz 2040 Mt. Olive Agosta Road

BOWLING GREEN TOWNSHIP SUPPORTING DOCUMENTATION PRESENTED:

- Property Services Contract Subject of text from Trustee Wolf on Friday, April 7, 2023@12:46 PM If I can get Tyler on board everyone ok with a Monday night special meeting for the property services contract
Trustee Trihaft text@12:47 PM Good for me.
Township Office text@12:48 PM Anytime from 6PM on
Trustee Wolf text@12:57 PM Ok my fault. My wife just reminded me I have something Monday night. So, either we can do without me or how about Wednesday. Sorry
Tyler said he could do 5:30 weds or 6 on Monday
Trustee Trihaft text@1:14 PM Set time I will be there.
Trustee Wolf text@1:14 PM Richard is good with weds at 5::30 if Robin is too
Trustee Trihaft text@1:14 PM Ok
Township Office text@1:15 PM Anytime 6PM or later
Trustee Wolf text@1:18 PM If we can do it in a few mins 6 would be fine. He has a meeting with the village at 6:30. I can check if he wants to do it that soon together or not otherwise u can have it Monday without me
Tyler said he was good for weds at six we just need to keep it moving so he can be back in town by 6:30.
So, let's do it then
Trustee Trihaft text@1:28 PM Ok
Township Office text@1:35 PM So please provide agenda for the special meeting Wed., April 12, 2023 to be posted at township building and on township website
Trustee Wolf text@1:46 PM How's. For the purpose of discussing and signing of the property services contract
Township Office text@1:58 PM Okay sounds good
Township Office posted@5:51 PM "picture of public notice of special meeting"
Trustee Trihaft text@5:55 PM
Trustee Wolf text@7:37 PM Thanks

Documentation:

- Trustee Wolf documented "Property Services contract" email
To: bowlinggreen\_twp\_0740@yahoo.com Date: Thursday, April 6, 2023 at 01:49 PM EDT Afternoon, Can you update the property services contract with this year's information so hopefully we can get it signed at the meeting or do you want me to do it? We will have to change the number of payments unless we want to approve it to be done at the meeting and sign a check later. I didn't know which was best. I am also going to ask the others if they want an earlier special meeting since we are getting all this rain and is going to be warm for the next week to see if we want to approve someone or if we are going to do it til we get someone under contract. Thanks Duane Wolf Bowling Green Township Trustee, Scioto Valley Fire District Board, 740-361-5008
Township Office Reply "yes to update" Re: Property Services contract Date: Monday, April 10, 2023
Trustee Wolf documented Monday, April 10, 2023 at 08:42 AM EDT Thank you, I sent this before the special meeting request and I'm not at my computer. So I would think that we wouldn't have to change the number of payments just the amount whenever we know what that is. I may be wrong. Thanks

Bowling Green Township Property Services Contract 2023 document presented to Trustee Wolf review. Trustee Wolf dialog meeting to discuss property services, Tyler here to do property services.

Sharon Schwaderer dialog proposed two people take care of cemetery, myself get Guthery cemetery mowed without pay and interrupting sleep, 2-two times each week on Tuesday and Friday, get rest before work and Ashton Monday thru Thursday work, take care of myself and family. Trustee Wolf dialog as long as we could get Ben's liability insurance, more monuments are on ground. Sharon dialog noticed monuments knocked over, picked up sticks, used push mower, big mower in front another twenty minutes. Ben dialog certificate of liability. Trustee Holcomb dialog good no parking lot. Trustee Wolf dialog no we still need parking there for people who visit Guthery cemetery Trustee Trihaft Motion Trustee Wolf second vote roll calls three ayes. Board understanding oral agreement by and between Trustee Wolf and Sharon and Ben (D & B Excavation Certificate of Liability).

Tyler Howell proposed Property Services Contract amount \$7500 in accordance with 2022 Property Services contract - Bowling Green Township Property Services Contract updated for 2023 and reviewed Trustee Wolf Motion to approve his contract for \$7500 season year 2023 Property Services Contract This Agreement made and entered into on this 12th day of April 2023, by and between The Board of Trustees for Bowling Green Township of Marion County, of LaRue, Ohio 43332 ("First Party") and Tyler Howell ("Second Party"). This agreement shall be construed in accordance with the laws of the State of Ohio, and the parties jointly agree and intend that this Property Services Contract, taken together with the attached Appendix A, constitutes the parties' whole and complete agreement and supersedes all other written or oral agreements. The parties further agree that any alteration of this agreement as articulated above must be written and agreed upon by both parties in order to be given effect. In the event that any portion of this contract is found to be void and/or unenforceable for any reason, the parties intend that the remainder of the contract shall continue to be in full force and effect. Second Party hereby agrees to furnish to and perform for First Party all the



**RECORD OF PROCEEDINGS**  
Bowling Green Township Board of Trustees Special Session

Minutes of

Meeting

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Wednesday, April 12, 2023 at 6 p.m.

Held

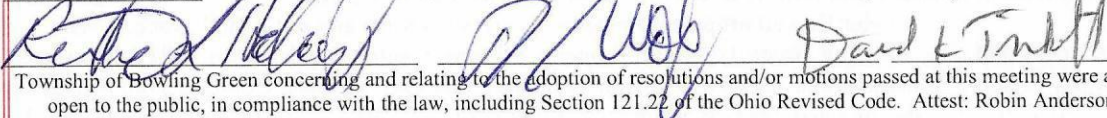
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labor required for the mowing, trimming, cleaning, and general maintenance, including flower pick-up, at three (3) cemeteries within Bowling Green Township: Fairview; Bonner; and Guthery, and one (1) Township Building lot located at 8500 Guthery Road in the township. The parties may agree to one (1) of two (2) separate and distinct performance and payment structures under this agreement: (1 Fairview Cemetery refers to the cemetery itself as well as the adjacent property comprising less than a quarter of an acre upon which there is a stone monument. The land bears parcel number 030 1 40000900.) The first performance and payment structure requires the Second Party to mow and trim the premises described above individually as laid out in the attached Appendix A for a maximum of thirty (30) complete mowing sessions in return for a payment of N/A-left blank per complete mowing session and maximum of 15 total trimmings for a sum of N/A-left blank per complete trimming session. (2 For purposes of this agreement and the addendum attached thereto, "mowing" requires the second party to completely cut all grass on all properties one (1) time.) The First Party may require additional mowing and/or trimming work to be done dependent upon weather conditions; if such is the case, the Second Party will be compensated for such work in the amounts indicated above. Under the second performance and payment structure, the Second Party shall perform the same general sort of work at the same locations as set forth above and as set forth in and in accordance with the attached Appendix ~However, the First Party shall pay to the second party an aggregate sum of \$7500 split into 9 number equal monthly payments of \$850 e/c  $833.33 \times 9 = 7499.97 + 3 \text{cents}$  beginning at the April monthly meeting and ending at the December monthly meeting. All payments under this framework shall be made at the relevant monthly meeting conducted by the First Party. Second Party further agrees to furnish said labor and to do the said work promptly and in a workmanlike manner, without hindrance or delay. If it becomes reasonably necessary for First Party to provide extra assistance to make certain the cemeteries and township lot described above are maintained, the First Party may contract with such parties and take any steps necessary in order to ensure that the work is done, and the expended amount will be deducted from the Second Party's then-upcoming payment(s) in order that the First Party may recoup its funds. And said First Party, for and in consideration of the true and faithful performance by the Second Party of the work described in this contract, hereby agrees to compensate said Second Party for the previous month's work in accordance with the performance and payment structure mutually agreed upon or the monthly payment at the First Party's regular monthly meetings when the labor described in this contract shall have been performed and said labor shall have been completed and documentation has been provided to the First Party's office no later than one ( 1) week prior to the First Party's monthly meeting. It is mutually agreed that no credit card is available for purchase of fuel for the smaller equipment. (3 The term "smaller equipment" within the meaning of this contract and its appendix means, by way of elucidation but not limitation, the township's trimmer, leaf blower, and, should any be acquired, the township's walk-behind lawn mower.) Fuel will be reimbursed monthly when signed receipts are provided to the First Party's office. Diesel fuel will be provided by the First Party for the larger equipment. (4 The term "larger equipment," within the meaning of this contract and its appendix means, by way of elucidation but not of limitation, the township's riding lawn mower(s) and its trailer. The Second Party shall fully comply with all relevant laws and regulations and shall provide the following and submit signed documents to the First Party's Fiscal Officer prior to the performance of any services under the contract: Certificate of Insurance with Bowling Green Township named as Certificate Holder. Affidavit Personal Property Tax Liability and Certificate, the ORC section 5719.042. Certificate In Compliance with Section 3517.13 of the ORC. OPERS / Independent Contractor Acknowledgement, PEDACKN form. W-9 Certification of Taxpayer Identification Number. Witness our hands, Signatures on the day and year first above written, Signature of Contractor Tyler Howell 9669 LaRue Mt. Victory Road Bowling Green Township Board of Trustees: Duane J. Wolf, David K. Trihaft, Richard L. Holcomb. Fiscal Officer Certification. Howell dialog start Friday received duplicate of property services contract, big project tomorrow with Richard. Trustees Wolf and Trihaft dialog key.

Bowling Green Township Citizen Complaint / Service Requests (CSR) received 4/6/2023 from Ryan Gibson - received 4/12/23 from Steve Schultz – received 4/12/23 from Abraham Lambright - documented by township fiscal officer added to township board agenda for discussion at next regular meeting 4/20/23 - FYI all 3-three township trustees are informed by township office text message 4/12/23 today@11:20AM and 1:43PM township residents (Steve Schultz Abraham Lambright Joseph Bontrager) dialog they are coming to open meeting tonight, want to ask questions on TR-11 Allen road digging. Understanding on 4/6/23 Ryan Gibson approached subject with township office, township office documented citizen service request, informed all 4-four residents CSR(s) for Allen road digging is on next regular meeting 4/20/23 agenda. - Today 4/12/23@6:18PM Township Vice Chair Trustee Duane J. Wolf dialog here to listen to signed in guests Abraham F. Lambright Wilbur F. Hostetler Steve Schultz, dig out, provide tile we'll put it in, double wall tile, stone, length water back department of transportation box at both ends, we'll work with you, water, water standing, ground level, come up on other side. Trustee Richard L. Holcomb dialog figure out how far on road right of way, water running down road, hard to plow snow there in winter. Trustee David K. Trihaft dialog road right of way. Board understanding Trustee Holcomb answers "no" to question did you give prior notification to property owner. Board understanding Abraham Lambright answers "absolutely not" to question did you ask for any ditch work (10596 Allen Road Property Owner). Board understanding Abraham Lambright answers "yes" to question did you have damage to your fence (10596 Allen Road Property Owner). Board understanding there is no prior authorization dialog or documentation on public meeting record of proceedings protocol plan purpose for Township Trustee Holcomb digging ditch, destroying Abraham Lambright fence (10596 Allen Road Property Owner). Board understanding township government service with transparency, accountability, responsibility, hereby providing information references (co.marion.oh.us - Marion County Engineer – Marion County Road Right-of-Way Widths, pp. 40' TR11-A Allen) and (ohioauditor.gov - Ohio Auditor of State Keith Faber, Ohio Township Handbook pp. Road Drainage H-1).

ADJOURNMENT:

Trustee Wolf Motion Trustee Trihaft second, three ayes 6:26PM

  
Township of Bowling Green concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code. Attest: Robin Anderson, Fiscal Officer.