

Village of Bluffton Council Meeting Agenda

August 14, 2023 at 7:00 PM



Opening Ceremonies

Call to Order, Mayor Johnson presiding

Pledge of Allegiance



Minutes

Approval of the minutes for the Village Council meeting held on Monday, July 24, 2023

Bills

Public Hearing: 7:05 pm - Alley Vacation petition for 150 Cherry St, Bluffton, OH

Public Comment: Dave Stratton & Cindy Leis – Allen Economic Development Group (AEDG)
Enterprise Zone Agreement with Diamond Manufacturing

Committee Reports

Ordinance Committee: 08/02

Finance Committee: 08/11

Boards & Commissions

Pathway Board: 07/28

LEGISLATION

ORDINANCE NO. 08-2023

1st Reading

AN ORDINANCE TO VACATE AN ALLEY AS REQUESTED BY MATTHEW AND HANNAH ALSPACH

RESOLUTION NO. 23 -2023

3rd Reading

A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS FOR SOUTH SPRING STREET WATER MAIN REPLACEMENT AS REQUIRED

RESOLUTION NO. 24 -2023

3rd Reading

A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS FOR POCONO DRIVE WATER AND SEWER IMPROVEMENTS AS REQUIRED

RESOLUTION NO. 25 -2023

3rd Reading

A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS FOR JACKSON STREET IMPROVEMENTS AS REQUIRED

RESOLUTION NO. 27-2023

1st Reading

Emergency

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF BLUFFTON, OHIO TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH DIAMOND MANUFACTURING OF BLUFFTON, LTD AND DECLARING AN EMERGENCY.

Village Administration Report:

Mayor:

Safety Services Reports:

-EMS-

-Fire Dept.-

-Police Dept.-

Meeting Dates (meetings held at the Town Hall unless otherwise noted*)

Ordinance Committee – Monday August 14th at 5:30 pm

Village Council – Monday, August 14th at 7:00

Tree Commission – Tuesday, August 15th at 6:00 pm at Riley Creek Village

Village Council – Monday, August 28th at 7:00 pm

Public Comment

Adjournment – Motion and Second

Village of Bluffton – Regular meeting July 24, 2023, at 7:00 p.m.

Mayor Johnson presiding. Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner present.

Cupples motioned, seconded by Kingsley, to approve the minutes from the regular council meeting held on July 10, 2023. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Steiner motioned, seconded by Sehlhorst, to approve the bills as presented. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

The Fiscal Officer gave the following readings:

3rd Reading:

Ordinance 06-2023 – An Ordinance to provide for the collection and disposal of garbage, refuse, and recyclables from residential units within the Village; to provide rates for such collection contract; to provide for billing and collection of charges by the Village; to repeal ordinances and resolutions inconsistent therewith. Cupples motioned to adopt the Ordinance, seconded by Steiner. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

1st Reading:

Ordinance 07-2023 – An Ordinance amending ordinance 02-2023 (The Annual Appropriation Ordinance) and declaring an emergency. Kingsley motioned to suspend the rules, seconded by Stahl. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved. Cupples motioned to adopt the Ordinance, seconded by Sehlhorst. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

2nd Reading:

Resolution 23-2023 – A resolution authorizing the Village Administrator to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts for South Spring Street Water Main Replacement as required. Stahl motioned to adopt the Resolution, seconded by Kingsley. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Resolution 24-2023 – A resolution authorizing the Village Administrator to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts for Pocono Drive Water and Sewer Improvements as required. Cupples motioned to adopt the Resolution, seconded by Sehlhorst. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Resolution 25-2023 – A resolution authorizing the Village Administrator to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts for Jackson Street Improvements as required. Kingsley motioned to adopt the Resolution, seconded by Stahl. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Cupples motioned, seconded by Sehlhorst, to approve the special event request from the Greenhorn for a John Dillinger Speakeasy event on August 12, 2023. Vine Street will be closed from Main St. to the Alley from 4:00 p.m. until midnight. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Sehlhorst motioned, seconded by Kingsley, to approve the special event request for the football and cheerleading bridge painting on August 6. The College Ave. bridge by Harmon Field will be closed from 6:00 – 9:00 p.m. on August 6, 2023. The rain date is August 13 at the same time. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Cupples motioned, seconded by Sehlhorst, to enter into executive session to consider the sale of property with Council, Mayor, Solicitor, Administrator, Assistant Administrator, and Fiscal Officer present. Action is expected. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

Cupples motioned, seconded by Steiner, to exit executive session and return to open session. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, and Steiner. No (0), Abstain (0), motion approved.

No action was taken following the executive session.

Cupples motioned to adjourn the meeting.

The following meetings/events were included on the agenda and/or scheduled during the meeting.

Pathway Board on Thursday, July 27 at noon.

Ordinance Committee on Wednesday, August 2 at 5:00 p.m.

Allen County Bike & Pedestrian Taskforce on Wednesday, August 9 at noon.

Council Meeting on Monday, August 14 at 7:00 p.m.

Tree Commission on Tuesday, August 15 at 6:00 p.m.

MAYOR

FISCAL OFFICER

Village of Bluffton – Special meeting August 7, 2023, at 7:00 p.m.

Council President Cupples presiding. Messrs: Cupples, Sehlhorst, Stahl, Steiner, and Talavinia present.

Stahl motioned, seconded by Steiner, to enter into executive session to consider the purchase of property with Council, Mayor, Administrator, and Fiscal Officer present. Action is expected. Roll Call: Yes (5) Messrs: Cupples, Sehlhorst, Stahl, Steiner, and Talavinia. No (0), Abstain (0), motion approved.

Stahl motioned, seconded by Steiner, to exit executive session and return to open session. Roll Call: Yes (5) Messrs: Cupples, Sehlhorst, Stahl, Steiner, and Talavinia. No (0), Abstain (0), motion approved.

Steiner motioned, seconded by Talavinia, that Council approves the actions necessary to complete the vacation of areas of public alleys, public-owned spaces and portions of Thurman St. Roll Call: Yes (5) Messrs: Cupples, Sehlhorst, Stahl, Steiner, and Talavinia. No (0), Abstain (0), motion approved.

Cupples motioned to adjourn the meeting.

MAYOR

FISCAL OFFICER

VILLAGE OF BLUFFTON
VOUCHER REPORT 8/14/2023

VENDOR	AMOUNT	DEPARTMENT	DESCRIPTION
ALL SERVICE AERATION, INC	482.50	Park	PORTABLE TOILETS
ALL SERVICE GLASS CO.	1,032.87	Rescue	WINDSHIELD & MOLDING
ALLEN COUNTY ENGINEER	6,252.80	Street	CENTERLINE STRIPING
ALLOWAY TESTING	1,872.00	Multiple	TESTING
ALLOWAY TESTING	2,581.00	Multiple	TESTING
AMERICAN ELECTRIC POWER	17,503.45	Multiple	ELECTRICITY
AMERICAN ELECTRIC POWER	2,229.30	Multiple	ELECTRICITY
ATLANTIC EMERGENCY SOLUTIONS, INC.	85.73	Fire	GEAR FOR BEN DOTY
ATLANTIC EMERGENCY SOLUTIONS, INC.	1,070.00	Fire	PUMP TESTS
BADGE & WALLET	111.00	Police	PROBST WALLET BADGE
BAIN ENTERPRISES, LLC	395.25	Water	HYDRANT REMOVAL TOOL
BASINGER PLUMBING & HEATING LLC	414.70	Land & Buildings	EMS AC SERVICE
BASINGER, JAN	100.00	Sewer	CERTIFICATION RENEWAL
BLACKBURN, JESSE	160.17	Administrative	ANNUAL ZOOM LICENSE
BLUFFTON DIESEL SERVICE	253.50	Street	SERVICE TRUCK REPAIR
BLUFFTON DIESEL SERVICE	650.00	Street	SERVICE TRUCK REPAIR
BLUFFTON FLYING SERVICE	5,000.00	Airport	AIRPORT MANAGEMENT
BLUFFTON RILEY CREEK SPORTSWEAR, LLC	297.00	Pool	LIFEGUARD SHIRTS
BRITE	14,517.72	Police	CRUISER COMPUTERS
CHARTER COMMUNICATIONS	43.40	Multiple	CABLE
CHARTER COMMUNICATIONS	169.98	Multiple	CABLE
CHARTER COMMUNICATIONS	159.98	Multiple	CABLE
CHARTER COMMUNICATIONS	169.98	Administrative	CABLE
CHOICE ONE ENGINEERING	7,277.70	Multiple	GENERAL ENGINEERING
CHOICE ONE ENGINEERING	480.00	Multiple	GENERAL ENGINEERING
CHOICE ONE ENGINEERING	325.00	Street	MUNICIPAL LOT
CHOICE ONE ENGINEERING	560.00	Multiple	GENERAL ENGINEERING
CINTAS	76.16	Administrative	UNIFORMS
CINTAS	116.74	Administrative	UNIFORMS
CINTAS	117.90	Administrative	UNIFORMS
CITIZEN'S NATIONAL BANK	19.45	Administrative	CEU CLASS
CITIZEN'S NATIONAL BANK	66.24	Administrative	EPA LICENSE RENEWAL
CITIZEN'S NATIONAL BANK	16.42	Police	NNO SUPPLIES
CITIZEN'S NATIONAL BANK	446.71	Police	NNO SUPPLIES
CITIZEN'S NATIONAL BANK	593.02	Police	SUPPLIES
CITIZEN'S NATIONAL BANK	998.00	Rescue	WASHING MACHINE
CITIZEN'S NATIONAL BANK	4,579.31	Capital Improvements	WTP EQUIPMENT
CLEMANS, NELSON & ASSOCIATES, INC	175.00	Administrative	RETAINER
CONNECT PARENT CORPORATION	218.80	Administrative	PHONES
DYNAMIC AG LLC	125.00	Street	ROUND-UP
EVERETT J PRESCOTT INC	2,424.30	Water	WATER TAP FITTINGS
EVERETT J PRESCOTT INC	1,690.13	Water	WATER TAP FITTINGS
EVERETT J PRESCOTT INC	2,027.27	Water	BRASS WATER PARTS
FAMILY HARDWARE DO IT BEST	359.12	Multiple	SUPPLIES
FULTZ SIGN CO., INC.	2,312.00	Park	SIGN REPAIR & MAINTENANCE
GARY'S REPAIR	24.80	Multiple	PARTS & SUPPLIES
GLOBAL ELECTRIC, INC	2,170.00	Pool	POOL PUMP REPAIR
GLOBAL ELECTRIC, INC	21,963.38	Sewer	INFLUENT PUMP REBUILD
GLOBAL ELECTRIC, INC	863.98	Sewer	INFLUENT PUMP CONTROL PANEL
GLOBAL ELECTRIC, INC	688.64	Sewer	REPLACE FAN MOTOR
GLOBAL ELECTRIC, INC	5,648.00	Sewer	INFLUENT PUMP REPAIR
GLOBAL ELECTRIC, INC	1,220.00	Fire	REMOVE FIRE SIREN
HACKENBERG, FEIGNER, BISHOP & WERTH, LLC	1,000.00	Administrative	SOLICITOR FEES
J&D SNYDER EXCAVATING LLC	4,225.00	Land & Buildings	EXIT 140 IMPROVEMENTS
JUSTIN SHANNON	564.25	Land & Buildings	TOWN HALL CLEANING
Kathy Burkholder	18.00	Police	UNIFORMS
KOI ENTERPRISES, INC.	504.09	Fire	E106 AIR VALVE
KOI ENTERPRISES, INC.	48.75	Multiple	PARTS
LEXIS NEXIS RISK DATA MANAGEMENT INC.	50.00	Administrative	ADDRESS SEARCHES

MARATHON FLEET SERVICES	1,661.20	Multiple	FUEL
MAYORS ASSOCIATION OF OHIO	75.00	Administrative	ANNUAL MEMBERSHIP
MIAMI PRODUCTS & CHEMICAL CO.	1,031.00	Pool	POOL CHEMICALS
MIAMI PRODUCTS & CHEMICAL CO.	1,197.00	Pool	POOL CHEMICALS
NEW HORIZON COMMUNICATIONS	430.65	Administrative	PHONES
NORTHWEST OHIO ADVANCED ENERGY IMP. DISTRICT	5,300.01	Administrative	BFR SPECIAL ASSESSMENT
NORTHWESTERN OHIO SECURITY SYSTEMS	196.00	Land & Buildings	MONITORING
OHIO DEPARTMENT OF AGRICULTURE	35.00	Park	ANNUAL PESTICIDE LICENSE - Blackburn
OHIO DEPARTMENT OF AGRICULTURE	35.00	Park	ANNUAL PESTICIDE LICENSE - Fruchey
OHIO FIRE CHIEFS' ASSOCIATION	100.00	Fire	ANNUAL MEMBERSHIP
PERRY CORPORATION	312.50	Administrative	IT CONTRACT
PERRY CORPORATION	21.99	Administrative	IT CONTRACT
PERRY CORPORATION	28.71	Administrative	IT CONTRACT
PERRY CORPORATION	1,350.00	Administrative	VLAN INSTALL - PHONE SYSTEM
RUMPKE	25,994.50	Refuse	TRASH SERVICES
RUMPKE	2,463.20	Refuse	TRASH SERVICES CLEAN UP
SHELL FLEET PLUS	3,072.84	Multiple	FUEL
SHERWIN WILLIAMS CO.	60.80	Land & Buildings	SPRING ST. BUILDING PAINT
SHERWIN WILLIAMS CO.	121.60	Land & Buildings	SPRING ST. BUILDING PAINT
SMARTBILL	944.83	Multiple	BILLING SERVICES
SMARTBILL	985.70	Multiple	BILLING SERVICES
STAPLES BUSINESS ADVANTAGE	107.97	Multiple	SUPPLIES
STAPLES BUSINESS ADVANTAGE	119.57	Multiple	SUPPLIES
STAPLES BUSINESS ADVANTAGE	43.42	Multiple	SUPPLIES
STEPHENS PUBLISHING CO	181.48	Police	NNO SUPPLIES
STUMP'S FIRE EXTINGUISHER CO.	662.40	Land & Buildings	FIRE EXTINGUISHER SERVICE
TRAFFIC SAFETY ZONE	1,485.84	Street	BARRICADES
TYLER DELONG-CLEM	113.75	Capital Improvements	FIRE BUILDING SUPPLIES
USALCO	20,666.91	Sewer	ALUM
VERIZON WIRELESS	52.26	Multiple	CELL PHONES
VERIZON WIRELESS	160.46	Multiple	CELL PHONES
VETTER LUMBER CO.	253.40	Multiple	SUPPLIES
VILLAGE OF OTTAWA	51,737.43	Water	WATER
WESSLER ENGINEERING	293.75	Sewer	SANITARY ON-CALL SERVICES
Wilson, Jennifer	140.00	Police	NNO FOOD FOR GUARDS
INCOME TAX REFUNDS	14.57	Administrative	INCOME TAX REFUNDS
	<u>240,996.23</u>		

BIWEEKLY PAYROLL 7/28/23	59,995.52
MEDICARE	828.00
OPERS	5,364.08
OP&F	4,134.10

BIWEEKLY PAYROLL 8/11/23	60,465.27
MEDICARE	834.80
OPERS	5,454.26
OP&F	4,193.65

JULY MONTHLY	2,569.00
MEDICARE	37.22
OPERS	269.03
FICA	40.14

JULY FIRE & EMS	12,461.00
MEDICARE	180.66
OPERS	1,300.72
FICA	131.14

Council Signature : _____

Date: _____

Village of Bluffton
Finance Committee Meeting
August 11, 2023 @ 12:00 PM

Committee member present, David Steiner, and Phil Talavinia

Mayor Richard Johnson

Staff present, Jesse Blackburn

The committee was presented with a draft resolution to allow real estate tax abatement for the construction of a new warehouse by Diamond Manufacturing on SR 103. The Bluffton school board has previously approved the abatement. After discussion the committee decided to approve the presentation to the Village Council for a vote.

The meeting was adjourned at 12:40 PM.

David Steiner

Phil Talavinia

ORDINANCE NO. 08 - 2023

AN ORDINANCE TO VACATE AN ALLEY AS REQUESTED BY MATTHEW AND HANNAH ALSPACH

WHEREAS, Matthew and Hannah Alspach have petitioned for the vacation of an alley that is no longer used by the village or the public and;

WHEREAS, O.R.C. 723.04 provides as follows:

The legislative authority of a municipal corporation, on petition by a person owning a lot in the municipal corporation praying that a street or alley in the immediate vicinity of such lot be vacated or narrowed, or the name thereof changed, upon hearing, and upon being satisfied that there is good cause for such change of name, vacation, or narrowing, that it will not be detrimental to the general interest, and that it should be made, may, by ordinance, declare such street or alley vacated, narrowed, or the name thereof changed. The legislative authority may include in one ordinance the change of name, vacation, or narrowing of more than one street, avenue, or alley.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BLUFFTON, OHIO:

SECTION 1: The Council of the Village of Bluffton, Ohio finds that, upon petition and hearing on such petition, finds that there is good cause for such vacation of said alley and that there is no detriment to the general interest, hereby declares that the said alley, as described in the attached exhibit, is and is hereby vacated.

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 actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____ 2023 by the governing board of the Village of Bluffton, Ohio by the following vote:

Yes: _____ No: _____ Abstain: _____

Attest:

Fiscal Officer

Mayor

Approved as to Form:

Village Solicitor

CERTIFICATION

The undersigned hereby certifies that the within is a true and correct copy of Ordinance No. 08-2023, passed on third reading by the Council of the Village of Bluffton, Ohio on

_____ day of _____, 2023.

Dated: _____

Kevin Nickel, Clerk/Fiscal Officer

Alley petitioned to vacate is shown outlined in red below.



RESOLUTION NO. 23-2023

A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS FOR SOUTH SPRING WATER MAIN REPLACEMENT AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Village of Bluffton is planning to make capital improvements by the South Spring Street Water Main Replacement project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Bluffton, Ohio:

Section 1: The Village Administrator is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Village Administrator is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this resolution were made 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 accordance with all legal requirements of the Open Meetings Law including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____, 2023 by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Nays: _____ Abstain: _____

Attest:

Clerk

Mayor

Approved as to form:

Elliot T. Werth, Village Solicitor

RESOLUTION NO. 24-2023

A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS FOR POCONO DRIVE WATER AND SEWER IMPROVEMENTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Village of Bluffton is planning to make capital improvements by the Pocono Drive Water and Sewer Improvements, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Bluffton, Ohio:

Section 1: The Village Administrator is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Village Administrator is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this resolution were made 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 accordance with all legal requirements of the Open Meetings Law including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____, 2023 by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Nays: _____ Abstain: _____

Attest:

Clerk

Mayor

Approved as to form:

Elliot T. Werth, Village Solicitor

RESOLUTION NO. 25-2023

**A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATOR TO PREPARE AND
SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS
COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL
TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE
CONTRACTS FOR JACKSON STREET IMPROVEMENTS AS REQUIRED**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Village of Bluffton is planning to make capital improvements by the Jackson Street Improvements project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Bluffton, Ohio:

Section 1: The Village Administrator is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Village Administrator is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this resolution were made 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 accordance with all legal requirements of the Open Meetings Law including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____, 2023 by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Nays: _____ Abstain: _____

Attest:

Clerk

Mayor

Approved as to form:

Elliot T. Werth, Village Solicitor

RESOLUTION NO. 27-2023

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF BLUFFTON, OHIO TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH DIAMOND MANUFACTURING OF BLUFFTON, LTD AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Enterprise Zone Act (“the ACT”), under Ohio Revised Code Section 5709.61 through 5709.66, has authorized counties, with the consent and agreement of any affected municipal corporations or townships, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purposes of establishing, expanding, renovating or occupying facilities and hiring new employees and/or preserving jobs within the Enterprise Zone in exchange for specified local tax incentives; and

WHEREAS, the Council of the Village of Bluffton (“the council”) upon due consideration implemented said ACT and designated an enterprise zone within the boundaries of the Village of Bluffton (“the Municipality”) to promote the economic welfare of said municipality in Ordinance No. 26-94 adopted on September 20, 1994; and

WHEREAS, effective October 11, 1994, the area designated in said Ordinance No. 570-94 contains the characteristics set forth in Section 5709.61 (A) of the Ohio Revised Code and certified said area (#281) as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the Municipality is desirous of providing Diamond Manufacturing of Bluffton (“the Company”) with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, the Company submitted an Enterprise Zone Agreement application to the County, a copy of which is attached hereto as **Exhibit “A”** and incorporated herein by reference; and

WHEREAS, the Economic Development Group of the County and the Village of Bluffton has investigated the application and have determined that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the said Enterprise Zone and thereby improve the economic climate of the Municipality; and

WHEREAS, the Economic Development Group of the County, the Village of Bluffton and the Company desire to enter into a written Enterprise Zone Agreement (the “Agreement”) pursuant to the form required under R.C. Section 5709.631, substantially in the form attached hereto as **Exhibit “B”** and incorporated herein by this reference, in order to facilitate the construction of the Project, which will benefit the economic climate of the County and Village of Bluffton; and

WHEREAS, the project site as proposed by Company is located in the Bluffton School District and the Apollo Vocational School District and the Boards of Education of both Districts have received the notices required pursuant to R.C. Sections 5709.632(C)(1) and 5709.83.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BLUFFTON, STATE OF OHIO, A TWO-THIRDS MAJORITY OF ALL MEMBERS ELECTED THERETO CONCURRING, THAT:

Section 1. The Mayor is hereby authorized to enter into the attached Enterprise Zone Agreement with the Diamond Manufacturing of Bluffton, with its offices located on 505 E. Jefferson Street, Bluffton, Ohio 45817 to grant the Property Owner a real property tax exemption for an additional to the Company's existing manufacturing facility to enlarge and enhance its warehousing as set forth in the said Enterprise Zone Agreement.

Section 2. This Enterprise Zone Agreement must receive approval of the Board of Commissioners of Allen County and be forwarded to the Ohio Department of Development and Taxation and the County Auditor within fifteen (15) days of approval to finalize.

Section 3. It is hereby declared to be an emergency measure necessary for the public, health, safety and welfare and for the further reason that the Enterprise Zone Tax Abatement must be approved prior to commencement of the Project.

Section 4. That the passage of this Resolution and all deliberations relating to the passage of this Resolution were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

Passed and adopted this _____ day of _____, 2023 by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Nays: _____ Abstain: _____

Attest:

Clerk

Mayor

Approved as to form:

Elliot T. Werth, Village Solicitor

- 2c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred)
-
- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).
Partnership
-
3. Name of principal owner(s) or officers of the business (attach list if necessary).
Jan Langhals, Tom Langhals, Brian Langhals, Tammy Gladwell
-
- 4a. State the enterprise's current employment level at the proposed project site:
61
-
- 4b. Will the project involve the relocation of employment positions or assets from one Ohio location to another?
Yes ___ No X
- 4c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:
-
-
- 4d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):
61
-
- 4e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:
- 4f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?
5. Does the Property Owner owe:
- a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?
Yes ___ No X

- b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes ___ No X
- c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not. Yes ___ No X
- d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

6. Project Description (attach additional pages if necessary):

Additional warehouse approximately 30,000 sq ft

Steel Storage additional 8,125 sq ft

7. Project will begin September, 2023 and be completed December , 2023 provided a tax exemption is provided.
- 8a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary): 3
- 8b. State the time frame of this projected hiring: 3 years
- 8c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees): 1 full-time 2024, 1 full-time 2025, 1 Full-time 2026
- 9a. Estimate the amount of annual payroll such new employees will add \$ 93,600 (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).
- 9b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ 2,610,210.43

10. Estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

	<u>Minimum</u>	<u>Maximum</u>
A.Acquisition of Buildings:	\$	\$
B.Additions/New Construction:	\$ 1.75 M	\$ 2 M
C.Improvements to existing buildings:\$		\$
D.Machinery & Equipment:	\$	\$
E.Furniture & Fixtures:	\$	\$
F.Inventory:	\$	\$
Total New Project Investment:	\$ 1.75 M	\$ 2 M

11a. a. Business requests the following tax exemption incentives: 60 % for 10 years covering real _____ and/or personal property including inventory _____ as described above. Be specific as to type of assets, rate, and term.

b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

Off set operating costs for expansion with the increased material prices

Submission of this application expressly authorizes _____ and/of Allen County to contact the Ohio Environmental Protection Agency and other agencies to confirm statements contained within this application including item #5 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66 (C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Janice J Langhals

Name of Property Owner

6/29/2023

Date

Jamara Whitlow

Signature

Jammy Whitlow VP

Typed Name and Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

Please note that copies of this application must be included in the finalized Community Reinvestment Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Department of Development within fifteen (15) days of final approval.

OHIO ENTERPRISE ZONE AGREEMENT

This Ohio Enterprise Zone Agreement (the "Agreement") is made and entered into by and among the Village of Bluffton, a political subdivision of the State of Ohio, with its main offices located at 505 East Jefferson Street, Bluffton, Ohio 45817 (hereinafter referred to as "VILLAGE"); Allen County, Ohio, a County, with its main offices located at 204 N. Main Street, Suite 301, Lima, Ohio 45801 (hereinafter referred to as "COUNTY") and Diamond Manufacturing of Bluffton, LTD an Ohio Corporation, with its main offices located at 505 East Jefferson Street, Bluffton, Ohio 45817 (hereinafter referred to as "ENTERPRISE"); or its assign

WITNESSETH;

WHEREAS, the Council of Bluffton, Ohio of the municipality by Ordinance No. 26-94 adopted September 20, 1994 designated the specified area as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, the Board of Allen County, Ohio by Resolution No. 1017-98 adopted November 24, 1998 designated the specified area as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective October 11, 1994, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Ordinance and Resolution contains the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and certified said area as Enterprise Zone under said Chapter 5709; and

WHEREAS, the VILLAGE and COUNTY have encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, CITY and COUNTY, having the appropriate authority for the stated type of project, are desirous of providing ENTERPRISE with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, ENTERPRISE has submitted a proposed agreement application (herein attached as Exhibit A) to the ALLEN ECONOMIC DEVELOPMENT GROUP (hereinafter referred to as "APPLICATION"); and

WHEREAS, ENTERPRISE has remitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the application to be forwarded with the final agreement; and

WHEREAS, the Economic Development Group of the COUNTY has investigated the application of ENTERPRISE and has recommended the same to the VILLAGE and the COUNTY on the basis that ENTERPRISE is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of VILLAGE and COUNTY; and

WHEREAS, the project site as proposed by ENTERPRISE is located in the Bluffton Exempted Village School District and the APOLLO Career Center Joint Vocational District and the Boards of Education of both Districts have been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 5709.632 and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows;

1. ENTERPRISE will invest in a \$1.75 - \$2 million-dollar new capital investment at 505 East Jefferson Street in Bluffton, Ohio to construct a new 30,000 square foot warehouse and an 8,125 square foot additional storage building as a result of new business being undertaken (the "Project") and will create three (3) new jobs with an annual payroll of \$93,600 over a 3-year period after occupancy. The said facility shall be constructed on Parcel # 28-0112-08-002.003 as the same is known and designated on the Auditor's list in Bluffton, Ohio.

The PROJECT will begin in September 2023 and all construction and installation of the project will be completed by December 2024.

2. ENTERPRISE shall create by December 31, 2027 the equivalent of 3 new full-time permanent jobs.

ENTERPRISE's schedule for hiring is as follows: create and hire 3 new full-time permanent job opportunities upon completion of PROJECT the first year, hire 1 new full-time permanent job, the second year will hire 1 new full-time permanent job and the third year hire 1 new full-time permanent job prior to December 31 2027.

This increase in the number of employees will result in approximately \$93,600 total over three years of additional annual payroll, excluding benefits, for ENTERPRISE.

3. ENTERPRISE shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the Council.
4. VILLAGE and COUNTY hereby grant ENTERPRISE a tax exemption for real property improvements made to the PROJECT site pursuant to Section 5709.632 of the Ohio Revised Code which shall be in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
YR 1	60%
YR 2	60%
YR 3	60%
YR 4	60%
YR 5	60%
YR 6	60%
YR 7	60%
YR 8	60%
YR 9	60%
YR 10	60%

Each identified project improvement will receive a sixty percent (60%) exemption for a ten-year exemption period. The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence before December 31, 2024 nor extend beyond December 31, 2034.

ENTERPRISE must file the appropriate tax forms (DTE 23) with the County Auditor.

5. ENTERPRISE shall pay an annual fee of five hundred dollars. The fee shall be made payable to the Treasurer of Allen County once per year for each year the Agreement is in effect on the anniversary date of the Agreement in the form of a check. The fee is to be paid to the Allen County Administrator and made out to the Treasurer of Allen County. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with Section 5709.68 of the Revised Code and by the Tax Incentive Review Council created under Section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that Section.
6. ENTERPRISE shall pay such real taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If ENTERPRISE fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
7. VILLAGE and COUNTY shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
8. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Department of Development revokes certification of the zone, or VILLAGE and COUNTY revoke the designation of the zone, entitlements granted under this Agreement

shall continue for the number of years specified under this agreement, unless ENTERPRISE materially fails to fulfill its obligations under this agreement and VILLAGE and COUNTY terminate or modify the exemptions from taxation granted under this agreement.

9. If ENTERPRISE materially fails to fulfill its obligations under this agreement, or if VILLAGE and COUNTY determine that the certification as to delinquent taxes required by this agreement is fraudulent, VILLAGE and COUNTY may terminate or modify the exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement.
10. ENTERPRISE hereby certifies that at the time this agreement is executed, ENTERPRISE does not owe any delinquent real taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which ENTERPRISE is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Revised Code, or, if such delinquent taxes are owed, ENTERPRISE currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against ENTERPRISE. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
11. ENTERPRISE affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
12. ENTERPRISE, VILLAGE and COUNTY acknowledge that this agreement must be approved by formal action of the legislative authority of VILLAGE and COUNTY as a condition for the agreement to take effect. This agreement takes effect upon such approval.
13. VILLAGE and COUNTY have developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, ENTERPRISE is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
14. Exemptions from taxation granted under this agreement shall be revoked if it is determined that ENTERPRISE, any successor enterprise, or any related member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671

or Section 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

15. In any three-year period during which this agreement is in effect, if the actual number of employee positions created or retained by ENTERPRISE is not equal to or greater than seventy-five percent of the number of employee positions estimated to be created or retained under this agreement during that three-year period ENTERPRISE shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this agreement during that three-year period. In addition, the VILLAGE, and COUNTY may terminate or modify the exemptions from taxation granted under this agreement.
16. ENTERPRISE affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of ENTERPRISE has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, ENTERPRISE shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66 (C) (2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(F)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.
17. This agreement is not transferrable or assignable without the express, written approval of VILLAGE and COUNTY, which shall not be unreasonably withheld.

(signature page to follow)

IN WITNESS WHEREOF, Allen County, Ohio by _____, its Board President, and pursuant to Resolution No. _____ has caused this instrument to be executed this ____ day of _____, 2023; The Village of Bluffton, Ohio by _____ its Mayor and pursuant to Ordinance No. _____ has caused this instrument to be executed this ____ day of 2023; and Diamond Manufacturing of Bluffton LTD has caused this instrument to be executed this ____ day of _____, 2023.

ALLEN COUNTY BOARD OF COMMISSIONERS

President

Approved as to Form:

Commissioner

County Prosecutor

Commissioner

APPROVAL BY VILLAGE OF BLUFFTON, OHIO

The Council of The Village of Bluffton, Ohio, hereby approves and consents to the foregoing Agreement pursuant to Section 5709.63(A) of the Ohio Revised Code.

Date

Mayor, Village of Bluffton, Ohio

Clerk of Council, Village of Bluffton Council

Diamond Manufacturing of Bluffton, LTD

Its: _____

Exhibit A
Application for Enterprise Zone Agreement

Village of Bluffton

Administration's Report

To: Mayor Johnson & Council Members



08-14-23

2023 - UPCOMING PROJECTS:

1. S.R. 103 Pedestrian Pathway -

ODOT:

Construction to begin this week.

- 2. **Co. Line Rd. Pathway:** To be determined (TBD). Spectrum & Brightspeed remain on the old wooden poles and have been informed of the August start date. Scheduled to remove their facilities soon.
- 3. **S.R. 103 Resurfacing – ODOT:** Project will begin in the fall with Helms & Sons as the prime contractor on this job as well.

S.R. 103 Pedestrian Pathway 



Construction to begin August 14th!!!!

The fundraising campaign by the Bluffton Lions Foundation will continue through September. Call 419-905-6876 with questions.




Bluffton Bike and Pedestrian Pathway Board

Recent Project Updates:

- 1. Water Main replacement in drive between Subway & Dunkin
- 2. Storm Sewer install along Dave's Way

LEGAL NOTICE

See following page for Legal Notice advertising a Public Hearing at the next Council Meeting.

Bluffton Community Pool 2023 Season will end on Sunday, August 20th.

Thanks to all the staff who made another season possible!

Council Committee Meetings: Request for meetings with:

- Parks & Recreation – SR 103 Drive Access -
- Streets, Alleys, Lights & Sidewalks – Monday, August 28th at 6:30 pm – Public Hearing



VILLAGE OF BLUFFTON

154 N. MAIN STREET * P.O. BOX 63 * BLUFFTON, OHIO 45817-0063
(419) 358-2066 * FAX (419) 358-8137

RICH JOHNSON, Mayor
JESSE BLACKBURN, Village Administrator

KEVIN NICKEL, Fiscal Officer
BRYAN LLOYD, Assistant Administrator

www.bluffton-ohio.com

August 14, 2023

Notice of a public hearing on August 28, 2023 at 6:30 pm in the Community Room on the 3rd floor of the Town Hall regarding the vacation of Village-owned property within and bordering the Municipal Parking Lot

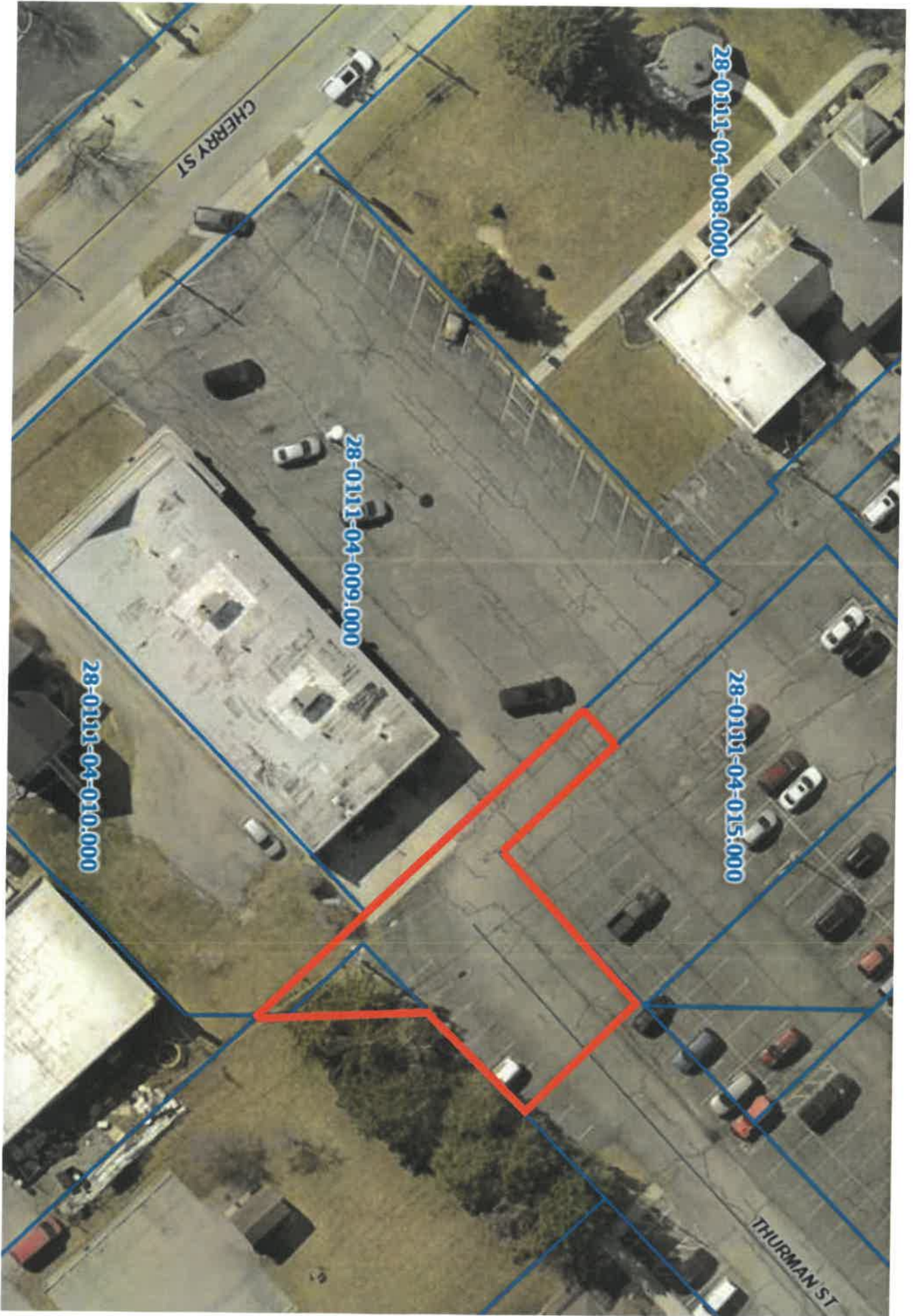
The Village of Bluffton has received a petition from the Village Administrator to vacate portions of Thurman St, a public alley and other publicly-owned land found within and bordering the Municipal Parking Lot. A public hearing will be held before the Streets, Alleys, Lights & Sidewalks Committee of Village Council on the date listed above.

You are receiving this notice because of your proximity to the alley. Please refer to the enclosed picture which shows the property to be vacated outlined in red.

Questions regarding this issue can be directed to me at blackburnj@bluffton-ohio.com , or at 419-358-2066 ext. 102. Thank you.

Sincerely,

Jesse Blackburn
Village Administrator



CHERRY ST

28-0111-04-009.000

28-0111-04-009.000

28-0111-04-010.000

28-0111-04-015.000

THURMAN ST



Date: August 1, 2023

To: Mayor Johnson and Council

From: Chief Ryan M. Burkholder

Reference: Police Department Monthly Report

POLICE ACTIVITY SUMMARY

July 2023

Police Calls for Service - 570

Police Chief Calls for Service- 140

Traffic Stops - 37

Citations - 4

CRIMINAL COMPLAINTS

Animal Complaint	-	1
Domestic Violence	-	1
Deceased	-	1
Theft	-	1
Warrant Pick Up	-	1
Total	-	5



Incident Breakdown By Month Report

Print Date/Time: 08/01/2023 15:46
 Login ID: rburkholder
 Year: 2023

Bluffton Police Department
 ORI Number: OH0020100
 Incident Type: All

Incident Type	January		February		March		April		May		June		July		August		September		October		November		December		Yearly Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Accident Property	10	25.6	3	7.7	9	23.1	3	7.7	7	17.9	5	12.8	2	5.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	39
Accident w/Injuries	2	20.0	0	0.0	0	0.0	3	30.0	0	0.0	4	40.0	1	10.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	10
Administrative	178	15.2	134	11.5	186	15.9	166	14.2	130	11.1	234	20.0	139	11.9	1	0.1	0	0.0	0	0.0	0	0.0	0	0.0	1168
Aiding Other	12	13.5	14	15.7	18	20.2	7	7.9	14	15.7	12	13.5	12	13.5	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	89
Alarm	7	14.0	4	8.0	5	10.0	8	16.0	10	20.0	10	20.0	6	12.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	50
Animal Complaint	2	12.5	0	0.0	1	6.3	2	12.5	2	12.5	3	18.8	6	37.5	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	16
Assist Police	26	18.6	18	12.9	13	9.3	19	13.6	37	26.4	16	11.4	11	7.9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	140
B&E	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	3	75.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Civil Complaint	1	4.5	2	9.1	2	9.1	2	9.1	5	22.7	3	13.6	7	31.8	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	22
Court	0	0.0	0	0.0	4	80.0	0	0.0	0	0.0	0	0.0	1	20.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Criminal Damage	1	20.0	0	0.0	1	20.0	0	0.0	2	40.0	1	20.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Deceased	0	0.0	1	33.3	0	0.0	1	33.3	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Domestic	2	25.0	0	0.0	1	12.5	2	25.0	1	12.5	1	12.5	1	12.5	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	8
Drug Abuse	2	50.0	0	0.0	0	0.0	0	0.0	0	0.0	1	25.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Escort	1	14.3	0	0.0	2	28.6	0	0.0	2	28.6	0	0.0	2	28.6	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7
Fight Complaint	0	0.0	2	28.6	0	0.0	2	28.6	2	28.6	0	0.0	1	14.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7
Fire	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Follow Up	16	18.6	15	17.4	25	29.1	2	2.3	9	10.5	14	16.3	4	4.7	1	1.2	0	0.0	0	0.0	0	0.0	0	0.0	86
Forgery	0	0.0	1	50.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Hazmat	2	66.7	0	0.0	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Hit Skip	2	20.0	0	0.0	0	0.0	3	30.0	0	0.0	2	20.0	3	30.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	10
House/Building	289	16.6	221	12.7	290	16.6	250	14.3	218	12.5	238	13.6	234	13.4	4	0.2	0	0.0	0	0.0	0	0.0	0	0.0	1744
Intoxicated Driver	0	0.0	0	0.0	1	50.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Investigate Vehicle	20	10.2	29	14.7	24	12.2	36	18.3	26	13.2	31	15.7	31	15.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	197
K9 Request	1	25.0	1	25.0	1	25.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Lock Out	6	14.3	10	23.8	1	2.4	7	16.7	5	11.9	6	14.3	6	14.3	1	2.4	0	0.0	0	0.0	0	0.0	0	0.0	42



Incident Breakdown By Month Report

Print Date/Time: 08/01/2023 15:46
 Login ID: rburkholder
 Year: 2023

Bluffton Police Department
 ORI Number: OH0020100
 Incident Type: All

Incident Type	January		February		March		April		May		June		July		August		September		October		November		December		Yearly Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Medical Call - BLS	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Menacing	0	0.0	0	0.0	2	66.7	0	0.0	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Mentally Ill Person	2	15.4	2	15.4	0	0.0	3	23.1	5	38.5	1	7.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	13
Miscellaneous	71	19.8	52	14.5	62	17.3	47	13.1	30	8.4	59	16.5	36	10.1	1	0.3	0	0.0	0	0.0	0	0.0	0	0.0	358
Missing Juvenile	0	0.0	0	0.0	1	33.3	0	0.0	1	33.3	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Motorist Assist	2	6.9	5	17.2	3	10.3	3	10.3	8	27.6	2	6.9	5	17.2	1	3.4	0	0.0	0	0.0	0	0.0	0	0.0	29
Paper Service	3	10.3	5	17.2	6	20.7	4	13.8	3	10.3	3	10.3	5	17.2	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	29
Patrol Check	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Pedestrian Stop	0	0.0	1	16.7	0	0.0	0	0.0	1	16.7	2	33.3	2	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	6
Prisoner Escort	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Prowler	0	0.0	1	33.3	1	33.3	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Range Training	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Receiving/Recover	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Sex Offense	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Sexual Abuse	0	0.0	0	0.0	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Shots Fired	0	0.0	1	33.3	0	0.0	0	0.0	2	66.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Stolen Vehicle	0	0.0	1	50.0	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Suspicious Person	3	13.0	1	4.3	1	4.3	5	21.7	5	21.7	6	26.1	2	8.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	23
Telephone	0	0.0	0	0.0	0	0.0	2	66.7	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Theft	0	0.0	1	56.6	2	11.1	4	22.2	1	56.6	8	44.4	2	11.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	18
Traffic Obstruction	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Traffic Stop	36	11.9	31	10.3	67	22.2	59	19.5	32	10.6	40	13.2	37	12.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	302
Unmuly Juvenile	0	0.0	2	18.2	2	18.2	1	9.1	1	9.1	4	36.4	1	9.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	11
Unsecured Door	2	6.7	1	3.3	2	6.7	10	33.3	5	16.7	4	13.3	6	20.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	30
Unwanted Guest	1	50.0	0	0.0	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Violating PTO	2	66.7	0	0.0	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3



Incident Breakdown By Month Report

Print Date/Time: 08/01/2023 15:46
 Login ID: rburkholder
 Year: 2023

Bluffton Police Department
 ORI Number: OH0020100
 Incident Type: All

Incident Type	January		February		March		April		May		June		July		August		September		October		November		December		Yearly Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Warrant Service	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	50.0	2	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Total:	703	15.5	559	12.4	738	16.3	655	14.5	572	12.6	717	15.9	570	12.6	9	0.2	0	0.0	0	0.0	0	0.0	0	0.0	4523



Ticket Statistics

Print Date/Time: 08/01/2023 15:51
 Login ID: rburkholder
 Stature: All

From Date: 07/01/2023
 To Date: 07/31/2023
 Ticket Type: All

Bluffton Police Department
 ORI Number: OH0020100

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Totals
Traffic													
4511.21B3 Speed 35 MPH	0	0	0	0	0	0	2	0	0	0	0	0	2
4503.11A Expired License Plates	0	0	0	0	0	0	1	0	0	0	0	0	1
4511.13 Traffic Control Device (Red Light)	0	0	0	0	0	0	1	0	0	0	0	0	1
Traffic Totals	0	0	0	0	0	0	4	0	0	0	0	0	4
Totals	0	0	0	0	0	0	4	0	0	0	0	0	4



Ticket Statistics

Print Date/Time: 08/01/2023 15:57
 Login ID: rburkholder
 Statute: All

From Date: 07/01/2023
 To Date: 07/31/2023
 Ticket Type: All

Bluffton Police Department
 ORI Number: OH0020100

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Totals
Traffic													
4511.21B3 Speed 35 MPH	0	0	0	0	0	0	2	0	0	0	0	0	2
4503.11A Expired License Plates	0	0	0	0	0	0	1	0	0	0	0	0	1
4511.13 Traffic Control Device (Red Light)	0	0	0	0	0	0	1	0	0	0	0	0	1
Traffic Totals	0	0	0	0	0	0	4	0	0	0	0	0	4
Totals	0	0	0	0	0	0	4	0	0	0	0	0	4

Ohio Attorney General's
Consumer Advocate Newsletter
Keeping Consumers Safe and Informed



August 2023



New federal law helps inform consumers about “high-volume” sellers in online marketplaces

A new federal law that took effect in June provides consumers with more information about some of the most active sellers in online marketplaces such as Amazon Marketplace and eBay.

The INFORM Consumers Act – which stands for Integrity, Notification and Fairness in Online Retail Marketplaces – requires online marketplaces to provide the contact information for “high volume” third-party sellers on the seller’s product page in order confirmation messages and account transaction histories.

This information, in turn, allows consumers to research the company; report stolen, counterfeit or unsafe products; and/or contact the company directly. In general, a high-volume seller is one who logs more than 200 sales and grosses over \$5,000 in the past year.

Specifically, the marketplaces must share a qualifying seller's complete name, physical address and contact information (including a working phone number, working email address or other methods of direct electronic messaging provided by the seller).

Those that fail to collect, verify and disclose these details could face financial penalties. States also have enforcement authority.

According to the Federal Trade Commission (FTC), "online marketplaces also must give shoppers a way to report suspicious conduct," such as counterfeit merchandise, expired products and items that look different than advertised.

For more information about the INFORM Consumers Act, including what action consumers can take if they suspect a violation, visit the FTC to read [Informing Businesses about the INFORM Consumers Act](#).

When shopping on online marketplaces, consumers should:

- **Stick within the marketplace.** One sign of a potential scam is a seller who wants to do business outside of the online marketplace. Business outside the marketplace might not be covered by the site operator's consumer protections, and the operator might not be able to monitor the transaction in an effort to catch scammers.
- **Beware of unusual payment methods.** Be wary of sellers who request payment by wire transfer, gift card or other unusual methods. Try to steer clear of peer-to-peer payment systems. Popular services such as Venmo and Zelle may work well when transferring money to a close friend or family member, but a seller who wants you to use such a payment method should be a red flag to consumers. Different payment methods have varying levels of consumer protections against fraud, so do your research.
- **Recognize "overpayment" scams.** A phony buyer may send you a check for more than the agreed-upon amount, ask you to deposit the check and request that you give the extra money to a shipping agent. In the end, the check will not clear the bank, and you'll be out of your money and merchandise. When buying merchandise, do not provide financial information such as your bank account number or Social Security number to a stranger.

Consumers who suspect a scam or an unfair business practice should contact the Ohio Attorney General's Office at www.OhioProtects.org or 800-282-0515.

Travel safety tips

Vacations are an ideal time to rest and relax – and to explore new locations and enjoy family adventures. Follow these tips to protect your physical safety as well as your personal identification, financial information and digital devices:

- Research companies before doing business with them. Look for complaints filed with the Ohio Attorney General's Office and the Better Business Bureau. Search for lawsuits that the Ohio Attorney General has filed against individuals and businesses that violate the state's consumer laws. And search online for reviews using the company's name and words such as "reviews" and "complaints."
- Double-check any travel website you use to make sure you're on the correct site. Some third-party booking agents may have websites and URLs that make it appear as if you're booking directly through an airline, hotel or rental car company.
- If you use a search engine, carefully review your search results. Be cautious of sponsored ads, often found at the top of your search-engine results. Search engines often first list results that are paid for, then results based on popularity, usefulness and such. A purchased listing usually contains the word "ad" or something similar to indicate that the result is paid for/sponsored.
- Use secure Wi-Fi. Look at the address bar in your internet browser; secure sites typically begin with https (the "s" stands for *secure*). Depending on the browser, the address bar may turn green or show a padlock to indicate that you're doing business on a secure website.
- When booking with an AirBnB or other short-term rental company, compare the final price of each listing. Different rental companies may apply additional charges for cleaning or additional guests. A rental with a higher up-front cost may actually be less-expensive after the additional charges are included. An AirBnB or other company also might charge a service fee for providing the booking platform.
- Be cautious of companies that ask you to pay before confirming reservations. Most reputable travel agents will confirm before payment.
- Get verbal promises in writing. Otherwise, they're not guaranteed.
- Consider paying with a credit card. You generally have stronger protections to dispute credit card charges if something goes wrong.
- Be wary of vacation offers that are "good today only."
- Verify your reservations. If you book a trip through a third party, call the resort or hotel where you will be staying to confirm your reservation.
- Make your financial institution aware of your travel plans, to prevent any confusion over charges that might otherwise look fraudulent.
- Avoid oversharing. Consider waiting until after you have returned from vacation to post pictures of your trip on social media. Posting in real time alerts potential thieves that you're out of town.
- Pack a digital wallet. A digital wallet is an app you can use to store your debit and credit cards. A digital wallet will not replace your cards but is a good way to organize your financial information while traveling.
- Keep printed travel documents secure. Travel documents can contain personal identifiable information and may leave you exposed to identity theft if they fall into the wrong hands.

Ohioans who suspect unfair or deceptive business practices should contact the Ohio Attorney General's Office at www.OhioProtects.org or 800-282-0515.

Beware of fake ticket scams

Summer is a popular season for concerts and sporting events, including high-profile attractions that sell out quickly. Here are some tips for avoiding scammers who sell fake tickets:

- **Be skeptical of offers that seem too good to be true.** Sellers using online marketplaces may offer tickets at face value (or below) for events that are sold out or in high demand, but these offers may be scams. Some might offer “Hail Mary” explanations for why they need to sell tickets quickly – falsely claiming, for example, that they have a medical emergency or an overseas military assignment.
- **Review the location seating chart.** One way to check whether the tickets are valid is to familiarize yourself with the venue's seating chart. If the seller is offering a seat in a row number not listed on the chart, it's likely a scam.
- **Ask for the original ticket confirmation.** When buying from an individual who purchased the tickets through an online ticket seller, ask the person to send you the confirmation email sent by the original seller. Don't send any money until you verify that the tickets are real.
- **Be careful dealing with individual third-party sellers.** To protect yourself, deal with reputable businesses instead of third-party individuals who are not associated with an event. Sophisticated but illegitimate websites can easily impersonate logos. Before providing any payment or personal information, research a seller's reputation, especially that of an individual seller. Search the seller's name, username, email address, phone number and other details for information. Even if you find no negative information, don't assume that the seller is trustworthy. Some con artists change names regularly.
- **Think twice if the seller approaches you to purchase the tickets.** If someone you do not know contacts you out of the blue offering tickets to a sold-out sporting event or concert, it might be a scam.
- **Be wary of sellers who change the requested form of payment.** Con artists often request payment methods that are difficult to trace or recover, such as wire transfers, cash or gift cards. If you're using a mobile wallet or peer-to-peer payment service such as Venmo or Zelle, be sure that you understand the protections the service does (or does not) provide before making a transaction. If buying from a ticket resale site, understand the protections that it offers, too.
- **Consider paying with a credit card.** If a problem arises, you generally have greater protections and the ability to dispute charges on a credit card. The same isn't true for some other payment methods.

Consumers who believe they have been defrauded should immediately report the details and contact the company they used to make the payment.

Ohioans can report scams to the Ohio Attorney General's Office at www.OhioProtects.org or by calling 800-282-0515.

'Consumer Protection Up Close'

Consumer Protection Up-Close examines and explains cases filed by the Ohio Attorney General's Consumer Protection Section.

In May 2023, a Cuyahoga County Common Pleas judge dropped the hammer on a northeast Ohio home-improvement contractor who repeatedly broke Ohio's consumer protection laws, ordering him and his company to pay \$2.4 million in restitution and civil penalties.

Judge Michael Russo assessed the maximum civil penalties possible – \$1.775 million, or \$25,000 for each of 71 violations – against Neil Wolfe and Neil Construction.

"The judge's decision says it all, imposing the maximum civil penalties allowed," Ohio Attorney General Dave Yost said. "This should serve as a strong deterrent to any business owner who thinks they can get away with stealing from Ohioans."

The final judgment resolved the state's lawsuit against Wolfe and Neil Construction, filed in February 2021, and brought to a close a case in which Wolfe was twice held in contempt of court for failing to follow court orders.

The lawsuit stemmed from an investigation by the Ohio Attorney General's Consumer Protection Section that found that Wolfe took customers' down payments for home-improvement work but did not perform any work or performed shoddy or incomplete work. He also failed to obtain permits, failed to register as a contractor, wrote unfair and one-sided contracts, and stalled and evaded other legal obligations.

In October 2021, Judge Russo issued a preliminary injunction order against Wolfe and, at the request of Yost's office, appointed a receiver to oversee Neil Construction. The receiver was to have complete oversight over Wolfe's business, forbidding him to, for example, sign contracts on his own. By March 2022, after Wolfe had repeatedly flouted the judge's rulings, Russo ordered him to cease all operations, and the receiver proceeded to permanently shut down Neil Construction.

In winding down the business, the receiver determined that consumers were owed \$663,300, but the company had assets totaling only about \$37,000 for distribution. The judge's restitution order against Wolfe personally – \$625,873 – covered the difference.

Wolfe is currently serving three years in prison for a criminal theft conviction in a separate case involving a consumer he defrauded.

Before signing a home-improvement contract, consumers are advised to make sure that

- All project financing is pre-approved.
- You have checked with local officials to see whether any permits are required for the project.
- The contractor has given you references, which you have checked.

- The contractor has shown you proof of licenses, insurance and bonding. State law does not require home-improvement contractors to be licensed, but many Ohio cities do.
- You have checked with the local Better Business Bureau at www.bbb.org and the [Ohio Attorney General's Office](#) for any complaints on file against the company.
- You have received at least three written estimates from three contractors.
- You always ask for the manufacturer's warranty in writing on items such as siding, windows, roofing materials, and heating and cooling equipment.

Avoid entering into a home-improvement deal unless it is in writing and is signed by both you and the contractor. The contract should detail all of the necessary information for completing the work, such as:

- A complete description of the work to be done, time frame, and the materials to be used.
- A provision requiring written approval for any changes.
- A clear statement explaining any contractor guarantee or warranty, and all of the contractor's oral promises.
- A provision stating the total cost for the work and the specific terms for payment of materials and labor.
- A provision that does not require you to pay attorney's fees, court costs, or damages in case of a dispute or cancellation.
- A requirement for the contractor to obtain all necessary permits and inspections.

Remember, too, that the contract should not have a requirement for a large down payment or payment in full until the project is complete and has been inspected. Make sure the contract does not include a mandatory arbitration clause, which means you waive your right to sue.

Ohioans who suspect unfair or deceptive business practice contact the Ohio Attorney General's Office at www.OhioProtects.org or 800-282-0515.

'SPOTLIGHT' series

The Robocall Enforcement Unit

The Consumer Protection Section's Robocall Enforcement Unit helps fight fraudsters who bombard Ohioans with illegal calls, hoping to get their hands on the hard-earned money of unwitting consumers.

In 2022, the unit received more than 15,000 reports of unwanted calls — information the Ohio Attorney General's Office is using in its effort to halt such fraudulent calls and texts. Information from these calls is shared by the unit with various industry participants to try to identify patterns and practices of bad behavior.

A recent example of the REU's work is Ohio's leadership – along with the states of Arizona, Indiana and North Carolina, the unit took the lead in suing Avid Telcom, a Voice over Internet Protocol (VoIP)

service provider for allegedly violating two federal laws, the Telephone Consumer Protection Act and the Telemarketing Sales Rule.

The lawsuit, filed in May 2023, marked the first legal action of the bipartisan Anti-Robocall Multistate Litigation Task Force, which was formed last year. The 50 task force member states are combining resources and expertise as they work to eradicate the heavy volume of illegal robocalls making their way into and throughout the United States.

Between December 2018 and January 2023, the lawsuit says, Avid Telecom sent or attempted to transmit more than 24.5 billion calls. More than 90 percent of those calls lasted less than 15 seconds, indicating that they likely were robocalls.

In addition, the company – using spoofed or invalid caller ID numbers – helped to make hundreds of millions of calls, including more than 8.4 million that appeared to be coming from government and law enforcement agencies or private companies.

Avid Telecom allegedly sent or transmitted calls purportedly from the Social Security Administration, Medicare, auto warranty companies, Amazon, DirecTV, credit card companies, and various employers.

A TIMELY REMINDER

A reminder to Ohio consumers: The state's 2023 sales-tax holiday is scheduled for Aug. 4-6. When shopping, make sure you understand which items are eligible for the sales-tax exemption. Also, be sure to exercise sound shopping practices, such as keeping your receipts and knowing the return policies for the stores where you shop.

The Ohio Department of Taxation has detailed information about the sales-tax holiday to help you better understand what is and isn't exempt. You should also research the reputations of retailers by reading customer reviews and checking for complaints on file with the Ohio Attorney General's Office and Better Business Bureau.

ON THE JOB

CRIMINAL JUSTICE UPDATE

COVER STORY

VETS helping VETS

More law enforcement agencies are working with in-house military veterans and local partners to make sure that struggling vets in their communities get the help they deserve.

It's a challenge that law enforcement officers often face — how to help military veterans who are homeless or addicted to drugs or battling psychological demons, or all the above.

With the ongoing support and encouragement of the Ohio Attorney General's Office, more law enforcement agencies in the state are now considering how to better help veterans in crisis by using the vets they have on staff and the resources in their communities.

In one case, in Stark County, more than 20 agencies are teaming with government and community partners to launch a veterans response program in the next several months. Meanwhile, other agencies across the state are in the early stages of discussion with the Attorney General's Office.

All these efforts, in one way or another, are the outgrowth of programs that have already taken root — programs that are uniquely adapted to the needs and resources of their communities.

Continued on Page 4

In the end, the best way to help vets in crisis is to involve the key players in a community.

— Attorney General Dave Yost

Continued from Page 1.

The Lucas County Sheriff's Office, for example, has focused on vets locked up in the county jail. The Cincinnati Police Department, which started the Military Liaison Group in 2014, emphasizes outreach by cops on the beat. And the Dayton Police Department works with the Dayton VA Medical Center to incorporate veteran-specific training for its crisis intervention team, which dates to 2002.

"My office is here to help law enforcement agencies understand how this concept can work for their situation," Attorney General Dave Yost said. "This is not a top-down, one-size-fits-all approach. In the end, the best way to help vets in crisis is to involve the key players in a community."

The push to expand local veterans response programs has been a collaborative effort involving Yost and Supreme Court Chief Justice Sharon Kennedy, a former police officer. Regional directors from the Attorney General's Office work directly with law enforcement agencies to find out whether they operate veterans response programs and, if not, how they can help them start one.

The AG's team has created a quick-reference guide for starting a veterans response program. To that end, regional directors also frequently sit in on the initial organizational meetings. Additionally, the AG's office offers military plans for veterans response programs so officers can indicate their branch of military service — a small detail that often opens the door to better communication with struggling veterans. Training is another important area, so the team is working with the Ohio Peace Officer Training Academy to provide a free video course on dealing with vets in crisis.

Ohio has the fifth-largest veteran population in the United States — nearly 73,000. Research shows that troops of the post-9/11 era have had more frequent and longer deployments, higher levels of exposure to combat, and a higher incidence of serious disability, including post-traumatic stress, than did their predecessors. It follows, then, that veterans of the Iraq and Afghanistan wars have significantly higher rates of suicide and mental illness, homelessness, and drug and alcohol dependence than the civilian population.

Tragically, this is true despite the government and non-government services that exist for veterans — a safety net that also includes 29 veterans treatment courts in Ohio that collaborate with local Veterans Affairs offices.

The problem is, a lot of veterans don't know what resources exist or how to access them. And many have no idea about the health care benefits they're entitled to.

Law enforcement agencies are a logical means of connecting with veterans, both to direct them to

Starting a veterans response program

The Ohio Attorney General's Office offers a booklet with tips on starting a veterans response program.

Programs differ from agency to agency because the first step is to identify local needs and available resources.

- Is there a Veterans Affairs Office or VA hospital in or near the jurisdiction?
- Who is the Veterans Justice Outreach (VJO) specialist assigned to the area?
- Does the jurisdiction have a veterans treatment court or a veterans-specific unit in the local jail?
- What other government and community resources exist for veterans in the area?

The next step is two-pronged — identifying a champion to lead the program and building a coalition that includes military vets on staff and community partners.

Together, a strategic plan should be developed that considers details such as:

- Training.
- Information sharing between the law enforcement agency, the VA and the justice system.
- Printed resource cards.
- Military pins.
- Creation of a trained team of first responders specifically for veterans in crisis.
- The cost of the program and available financial resources.

The booklet is available at www.OhioAttorneyGeneral.gov/Veterans-Response-Guide.

► **Attorney General Dave Yost is president of the National Association of Attorneys General and has encouraged his colleagues to promote veterans response programs in their states. A short video about Ohio's efforts is available at <https://www.youtube.com/watch?v=B1P1W1W1AMU>**

VETERANS RESPONSE PROGRAM GUIDE



The Outreach team
Carrie Bartunek, the AGO's external affairs director, and her team are available to work with law enforcement agencies that are considering starting a veterans response program. She can be reached at Carrie.Bartunek@OhioAGO.gov or by calling 614-728-4128.
 The rest of her team:

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Timothy.Glens@OhioAGO.gov
 614-328-9601

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 614-214-5952

North Central
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 614-270-7669

East
Daniella Mason
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 614-958-1038

resources and help defuse crisis situations.

Officials in Lucas and Stark counties developed their programs in conjunction with the Attorney General's Office and after consulting other agencies, including the Cincinnati PD's Military Liaison Group.

Dave Corlett, who helped start the group nine years ago as a patrol sergeant, served in the military and knew firsthand that vets in crisis respond better to fellow vets.

"I'd tell them, 'I'm not here as the police. I'm here as your brother veteran,'" he said.

'Get your act together, son!'

One of Ohio's early veterans response programs took root after a frustrating traffic stop in 2014

a suicidal, yet anywhere in the country, they called me. I did this for about 10 months and it suddenly occurred to me that I had never told the command staff what I was doing."

So Corlett met with Chief Jeffrey Blackwell. "He loved the program and ordered me to start one in our own department. At that point, the Military Liaison Group was born."

As word got out, area departments requested training. "And then things just continued to expand," Corlett said. "The next thing you know, we're getting calls from places like San Diego and Dallas about issues they're having."

In 2021, the Justice Department honored the Military Liaison Group for innovative law enforcement and community partnerships.

Corlett, who is retired now and working as a consultant, is often asked what became of the young vet he stopped in 2014. He doesn't know but hopes that the man did, in fact, get his act together and might someday appreciate how the encounter has since helped fellow veterans.

"I knew at that moment that if I had had something to give this kid, he would have taken anything I had to offer," Corlett recalled thinking. "If I could have taken him to treatment, he would have gone with me right away. But I didn't know what to do for him. He didn't need to be in jail. He wasn't a violent felon. But here I was a senior patrol sergeant and a combat veteran, and I had no idea how to help him."

Corlett went back to the station and wanted to two buddies, both also veterans. "I gotta do better." He began volunteering with a national peer support group called Battle in Distress, where he served as a crisis intervention officer.

"Whenever the organization got a call from



We found we were dealing with a lot of veterans who weren't eligible for VA care. So we had to develop a network of nonprofits that were willing to help any veteran regardless of their circumstances.

— Dave Corlett

An Army vet and former police sergeant who helped start the Cincinnati PD's Military Liaison Group

In Stark County, meanwhile, Andrew Turowski, the police chief and assistant city manager of Louisville, is leading a countywide coalition of 20+ law enforcement agencies.

The initiative began slightly more than a year ago after representatives of the Attorney General's Office met with Judge Taryn Heath of the Stark County Honor Court to discuss veterans response programs. Judge Heath then broached the idea to the county Police Chiefs Association, citing the success of the Military Liaison Group in Cincinnati. The collaboration now includes the county's Veterans Service Commission, Criminal Justice Information System, and the Mental Health and Addiction Services Board, as well as the Attorney General's Office.

In addition to issuing military pins and training officers to deal with veterans in crisis, the program will work closely with the county Criminal Justice Information System. The system integrates data from all courts of record in Stark County into one database, which the Veterans Service Commission can then access to reach out to vets and provide services.

Turowski said law enforcement agencies are enthusiastic, and he expects the program to roll out fully in the next several months.

"We're full steam ahead," he said. "We want our veterans to get the support they need to be productive members of society. We owe them that."



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Coming in October

LEC

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2023 Law Enforcement Conference

Oct. 24-25, 2023 | Hyatt Regency Columbus

Mark your calendar to attend Ohio's preeminent gathering of state, county and municipal law enforcement. Information about registration and accommodations will be available online in August. The annual conference includes more than a dozen workshops covering a range of topical subjects. In addition, Ohio's distinguished law enforcement officers and civilian supporters will be honored at the awards luncheon.

Go to www.OhioAttorneyGeneral.gov/LEC for updated information closer to the event.

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