

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 04, 2021

This meeting was held via YouTube Live Streaming and Facebook Live. See transcripts for more details.

The Concord Township Board of Trustees met for a Regular meeting on August 04, 2021, at 7:30 pm, in Town Hall, located at 7229 Ravenna Road. Chairman Morgan R. McIntosh called the meeting to order and led in the Pledge of Allegiance. Trustees present were Carl H. Dondorfer, Amy L. Lucci, and Morgan R. McIntosh.

APPROVAL OF MINUTES:

July 21, 2021 Regular Meeting Minutes. Mrs. Lucci moved to approve the July 21, 2021 Regular Meeting Minutes as written. Mr. Dondorfer seconded. Vote 3 ayes.

ELECTED OFFICIALS REPORTS:

A. FISCAL OFFICER – Amy L. Dawson

Mrs. Dawson, Fiscal Officer, reviewed the state of Concord Township finances since the last meeting.

B. TRUSTEES:

Mr. Dondorfer, Mrs. Lucci and Mr. McIntosh discussed Concord Township business since the last meeting.

DEPARTMENT REPORTS:

A. ADMINISTRATION DEPT. – Andy Rose, Administrator

Mr. Rose covered issues pertaining to the general business of the Township.

B. FIRE DEPT. – Chief Sabo

Chief Sabo reviewed the Fire Department's July activity.

C. SERVICE DEPT. – Tim Brown, Service Director

Andy Rose, Administrator, reviewed the Service Department's July activity in Concord Township.

D. ZONING DEPT. – Heather Freeman, Zoning Director

Heather Freeman, Zoning Director, reviewed the Zoning Department's July activity in Concord Township.

E. RECREATION DEPT. – Debra Esker, Recreation Director

Debra Bechel-Esker, Recreation Director, reviewed the Recreation Department's August activities in Concord Township.

F. CONCORD LAW ENFORCEMENT REPORT – Sheriff's Office

Sgt. Infalvi read the Sheriff Department's July activity report in Concord Township.

AUDIENCE:

None

OLD BUSINESS:

None

NEW BUSINESS:

A. JULY FINANCIAL REPORT. Mr. Dondorfer moved to approve the July financial report. Mrs. Lucci seconded. Vote 3 ayes.

B. RES. 2021-15 STREET LIGHT ASSESSMENT. Mrs. Lucci moved to adopt the following resolution:

RESOLUTION NO. 2021-15

**A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO CERTIFY
ASSESSED STREET LIGHTING TO THE COUNTY AUDITOR FOR
THE TAX YEAR 2021, WITH SUCH ASSESSED STREET LIGHTING
BEING COLLECTABLE IN THE CALENDAR YEAR 2022.**

WHEREAS, the Concord Township Board of Trustees wishes to continue the following Concord Township, Lake County, Ohio, lighting assessments:

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 04, 2021

SPEAR ROAD, MARLO DRIVE, FAIRGROUNDS ROAD, MORLEY HILLS 4-A, MORLEY HILLS, QUAIL HOLLOW DEVELOPMENT, CAMBDEN CREEK, NATURE PRESERVE SOUTH, NOBLE RIDGE ESTATES, NATURE PRESERVE NORTH, HUNT CLUB/FREDLE, QUAIL HIGHLANDS INDUSTRIAL PARK, SUMMERWOOD, CONCORD RIDGE, ORCHARD SPRINGS I AND II, AND AUBURN BUSINESS CORRIDOR LIGHTING DISTRICTS.

NOW, THEREFORE, be it resolved by the Board of Trustees of Concord Township, Lake County, Ohio:

Section 1. That the Fiscal Officer of Concord Township is hereby authorized and directed to certify such renewal to the Lake County Auditor for a one (1) year period as specified above for the above-listed lighting districts, as set forth in the attached Schedule which is incorporated by reference as if fully rewritten herein.

Section 2. It is found and determined that all formal actions of the Board of Trustees of Concord Township concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees of Concord Township and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Dondorfer seconded. Vote 3 ayes.

- C. RES. 2021-16 DAVE LEROY 2021 CONCORD TOWNSHIP CITIZEN OF THE YEAR. Mr. Rose read Resolution 2021-16 and Mr. Dondorfer made a motion to adopt the following resolution:

Whereas, Dave LeRoy, friend, neighbor, and good citizen of Concord Township has, through his dedication to home, family, community and profession, consistently set the finest example for the values of good citizenship, and

Whereas, Dave, originally from Geauga County, attended elementary school at the Concord Consolidated School where his mother worked as a cook and beloved lunch lady; Graduated from Riverside High School in 1958 and has been a resident of Concord Township for over 70 Years; Has three sisters and 1 brother and was married to Carol (now deceased) for over 20 years; Together they had 3 children, David, Harry, and Sherry, with 7 grandchildren and 3 great-grandchildren, and currently shares his life with his partner Denise Marie, and

Whereas, after graduating high school, Dave worked for Industrial Rayon in Painesville for 5 years and then as a local meat cutter for 5 years; An injury caused him to recuperate at his Concord Township farm, where he began offering horse riding lessons and renting horses for trail riding throughout the area now known as Quail Hollow, where the streets are named after his horse trails; He began boarding, selling, renting, breeding, breaking and training horses, establishing a successful business; Cornpopper Farm was officially named in 1969 by his young children who thought the markings on the Appaloosa horses they raised resembled popcorn, and

Whereas, Dave remains a dedicated and active member of the Farm Bureau for over 20 years, a dedicated 4H volunteer and sponsor, and continues the traditions of Cornpopper Farm; Dave continues to be a valued and active contributor to the betterment of Concord Township through his volunteer hours and committed service to our community,

Now therefore be it resolved, that we, the Concord Township Board of Trustees, Lake County, State of Ohio, on behalf of the residents of Concord Township, do hereby, with great privilege, recognize and pay honor and tribute to Dave LeRoy as the Concord Township Citizen of the Year for 2021.

Mrs. Lucci seconded. Vote 3 ayes.

- D. RES. 2021-17 TERMINATE CONTRACT WITH HULL & ASSOCIATES. Mrs. Lucci moved to adopt the following resolution:

RESOLUTION NO. 2021-17

A RESOLUTION BY THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP AUTHORIZING THE TERMINATION OF BOTH THE ON-CALL PROFESSIONAL SERVICES AGREEMENT AND THE PUBLIC WATER SERVICE STUDY AGREEMENT BY AND BETWEEN CONCORD TOWNSHIP AND HULL & ASSOCIATES, LLC.

WHEREAS, Concord Township and Hull & Associates, LLC ("Hull") have previously entered into both an On-Call Professional Services Agreement on December 16, 2020, and a Public Water Service Agreement Study on May 19, 2021; and

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 04, 2021

WHEREAS, Concord Township's direct relationship and principal communications under these two (2) Agreements with Hull have been with Hull's Sr. Project Manager, Robert B. Parker, P.E. ("Parker"); and

WHEREAS, Concord Township has now been advised by Hull that Parker is no longer under the employment of Hull; and

WHEREAS, Concord Township desires to continue its relationship with Parker for purposes of the engineering services outlined in the herein referenced Agreements, which, of necessity, now requires the termination of its relationship with Hull under these two (2) Agreements;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. That the Concord Township Board of Trustees hereby authorizes the termination of its On Call Professional Services Agreement and Public Water Service Study Agreement, respectively, with Hull & Associates, LLC.

Section 2. In accordance with the termination of these two (2) Agreements, the Concord Township Board of Trustees authorizes the Township Administrator, Andy Rose, to take any and all actions necessary to properly conclude the contractual relationship between Concord Township and Hull and to sign any and all documents necessary for that purpose.

Section 3. It is found and determined that all formal actions of the Board of Trustees of Concord Township concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees of Concord Township and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Dondorfer seconded. Vote 3 ayes.

- E. RES. 2021-18 TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY. Mr. Dondorfer moved to adopt the following resolution:

RESOLUTION NO. 2021-18

A RESOLUTION BY THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Concord Township, Ohio (herein "Township") is a township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and Concord Township has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Concord Township Board of Trustees understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 04, 2021

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the "Settling Distributors") to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, the Concord Township Board of Trustees wish to agree to and accept the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the "Proposed Settlement"):

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES, CONCORD, OHIO.

Section 1. That the Board of Trustees hereby agrees to and accepts the Proposed Settlement on behalf of Concord Township, pursuant to the terms of the OneOhio MOU, and to sign the OneOhio Subdivision Participation Form on behalf of Concord Township.

Section 2. That it is found and determined that all formal actions of the Board of Trustees relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. That this Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of Concord Township; and for the further reason to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Mr. Lucas provided background information. Mrs. Lucci seconded. Roll Call Vote: Mr. Dondorfer – yes; Mrs. Lucci – yes; Mr. McIntosh – yes.

- F. SET PUBLIC HEARING FOR VILLAS AT CANTERWOOD RESIDENTIAL CONSERVATION DEVELOPMENT DISTRICT, AMENDED PRELIMINARY PLAN. Public Hearing for Villas at Canterwood Residential Conservation Development District, Amended Preliminary Plan is set for September 1, 2021 at 6:30 pm.

G. FUTURE MEETINGS & ANNOUNCEMENTS:

8/27	9:00 AM	STAFF MEETING / Town Hall
9/1	CANCELED	TRUSTEE OFFICE HOURS / Conference Room
	6:30-7:30 PM	PUBLIC HEARING / Town Hall
	7:30 PM	TRUSTEE MEETING / Town Hall

- H. EXECUTIVE SESSION FOR PURPOSES OF CONSIDERING CONFIDENTIAL INFORMATION RELATED TO FINANCIAL STATEMENTS OF AN APPLICANT FOR ECONOMIC DEVELOPMENT ASSISTANCE PURSUANT TO ORC 121.22 (G) (8) (a). Mrs. Lucci moved to enter into Executive Session for purposes of considering confidential information related to financial statements of an applicant for economic development pursuant to ORC 121.22 (G) (8) (a). Mr. Dondorfer seconded. Roll Call Vote: Mrs. Lucci – yes; Mr. Dondorfer – yes; Mr. McIntosh – yes.

Mr. Dondorfer made a motion to exit out of Executive Session. Mrs. Lucci seconded. Vote 3 ayes.

Upon proper motion the meeting was adjourned at 8:42 pm.

For financial information go to: checkbook.ohio.gov


 Morgan R. McIntosh, Chairman


 Amy L. Dawson, Fiscal Officer