

**RECORD OF PROCEEDINGS****Minutes of Concord Township Board of Trustees Meeting****Held on December 1, 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 December 1, 2021, at 7:30 pm, in Township 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 Amy L. Lucci, Carl H. Dondorfer and Morgan R. McIntosh.

**APPROVAL OF MINUTES:**

November 17, 2021 Public Hearing Meeting. Mrs. Lucci moved to approve the November 17, 2021 Public Hearing Meeting Minutes as written. Mr. Dondorfer seconded. Vote 3 ayes.

November 17, 2021 Regular Trustees Meeting. Mr. Dondorfer moved to approve the November 17, 2021 Regular Trustees Meeting Minutes as written. Mrs. Lucci seconded. Vote 3 ayes.

**ELECTED OFFICIALS REPORTS:****A. FISCAL OFFICER – Amy L. Dawson**

Mrs. Dawson 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**

Andy Rose, Administrator, covered issues pertaining to the general business of the Township.

**B. FIRE DEPT. – Report read by Deputy Chief Ron Terriaco**

Deputy Chief Ron Terriaco reviewed the Fire Department's November activity.

**C. SERVICE DEPT. – Tim Brown, Service Director**

Tim Brown, Service Director, reviewed the Service Department's November activity in Concord Township.

**D. ZONING DEPT. – Report read by Andy Rose, Administrator**

Andy Rose, Administrator read a report prepared by Heather Freeman, Zoning Director, which reviewed the Zoning Department's November activity in Concord Township.

**E. RECREATION DEPT. – Debra Bechel-Esker, Recreation Director**

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

**F. CONCORD LAW ENFORCEMENT REPORT – Sheriff's Office**

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

**AUDIENCE:**

Mr. and Mrs. Vitas of 8075 North Orchard along with Mr. Lazuka of 8130 North Orchard inquired about the status of the preliminary plan for Quail Hollow Planned Unit Development, Ivy Ridge (Parcel 30). Mr. McIntosh commented there has been no final plan submitted and nothing new to review, therefore, they were referred back to the comments the Board made at the July 21, 2021 Trustees Meeting.

Beverly Vitas of 8075 North Orchard also asked about the Indiana Bat in regards to tree removal.

Anita Ferguson of 11236 Wood Duck Avenue asked about community trash contract.

**OLD BUSINESS:**

None

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#### NEW BUSINESS:

- A. NOVEMBER FINANCIAL REPORT. The November Financial Report has been tabled.
- B. RES. 2021-28, SDC SETTLEMENT AGREEMENT.

Mrs. Lucci moved to adopt the following resolution:

#### RESOLUTION NO. 2021-28

**A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP TO ENTER INTO A WRITTEN AGREEMENT WITH THE STEVEN DOUGLAS CORP., AND ENDLESS DISCOVERY HOLDINGS, LLC, TO ESTABLISH IN PART THE IMPOSITION OF A DEFINED INCOME TAX AND RATE TO BE ASSESSED FOR CERTAIN REAL PROPERTY WITHIN THE JEDD DISTRICT.**

**WHEREAS**, Concord Township, Lake County, Ohio, and the City of Painesville, Lake County, are the public entities under the Concord Township-City of Painesville Joint Economic Development District, organized in accordance with Ohio Revised Code Section 715.72, et seq.; and

**WHEREAS**, Concord Township as a member of the JEDD desires to establish a defined income tax rate to be assessed for any and all employees working within certain property included within the JEDD boundary and, secondly, a reduced income taxation rate imposed for the net business profits of any business operating within this identified property;

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

**Section 1.** The Board of Trustees is hereby authorized to enter into a written contract captioned "Agreement for Purchase and Development of Certain Real Property Within JEDD District" with the City of Painesville, Ohio, the Concord Township-City of Painesville Joint Economic Development District, the Steven Douglas Corp., and Endless Discovery incorporated herein, and to execute any and all documentation necessary to formalize the validity and implementation of this Agreement.

**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.

NOW, THEREFORE, this Resolution shall be in full force and effect upon its passage and approval by the Board of Trustees and as further provided under Ohio law.

Mr. Dondorfer seconded. Mr. McIntosh commented briefly on the business coming to Concord. Vote 3 ayes.

- C. RES. 2021-29, CRA TAX ABATEMENT FOR SDC. Mr. Dondorfer moved to adopt the following resolution:

#### RESOLUTION NO. 2021-29

**A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP TO ENTER INTO AN OHIO COMMUNITY REINVESTMENT AGREEMENT WITH ENDLESS DISCOVERY HOLDINGS, LLC.**

**WHEREAS**, Concord Township and Lake County, Ohio have encouraged new construction and development of real property located within the Concord Township Community Reinvestment Area; and

**WHEREAS**, Endless Discovery Holdings, LLC is desirous of constructing a new seventy-five thousand (75,000) square foot facility to conduct operations and permit expansion of its product lines within the boundaries of the aforementioned Community Reinvestment Area;

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**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 pursuant to Chapter 3537 of the Ohio Revised Code, the Board of Trustees is hereby authorized to enter into the Ohio Community Reinvestment Agreement with Endless Discovery Holdings, LLC, in a form substantially similar to the Agreement annexed as Exhibit A and incorporated herein, and to execute any and all documentation necessary to formalize the validity and implementation of this Agreement.

**Section 2.** That the Board of Trustees further authorizes the Township's Administrator to do all other actions that are necessary to carry out the requirements of this Resolution and the terms of the annexed Ohio CRA Agreement.

**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.

Mrs. Lucci seconded. Vote 3 ayes.

D. RES. 2021-30, ARPA FUNDS TRANSFER. Mrs. Lucci moved to adopt the following resolution:

#### RESOLUTION NO. 2021-30

**A RESOLUTION BY THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP AUTHORIZING THE FISCAL OFFICER OF THE TOWNSHIP TO TRANSFER AMERICAN RESCUE PLAN ACT FUNDS TO REPLACE LOST REVENUE WITHIN CERTAIN FUNDS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020.**

**WHEREAS**, Concord Township has received a distribution of monies (the "ARPA Funds"), from the American Rescue Plan Act of 2021 (the "ARPA", or the "Act"); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Corona Local Fiscal Recovery Fund, which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease; and

**WHEREAS**, Section 603(c) in part generally provides that:

- (1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local self government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local self government, or county, by December 31, 2024-

\* \* \*

(C) for the provision of government services to the extent the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency, and

**WHEREAS**, the Board of Trustees acknowledges that the use of ARPA Funds for the mitigation of the impact of the pandemic on the Township and the public in responding to the negative economic impact resulting from the pandemic are priorities for the Township that can be addressed through the proper use of the ARPA Funds;

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

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**Section 1.** That the Fiscal Officer is hereby authorized to transfer the amount of \$119,514.18 from the ARPA Special Revenue Fund No. 2273 to the following specifically identified Funds and in the lost revenue and growth adjustment amounts: (a) General Fund No. 1000 in the amount of \$20,604.00 to replace lost revenue from the State of Ohio Liquor Permit Licensing Fees, and corresponding growth adjustment of \$844.77; (b) Fund No. 4901 Capital Projects in the amount of \$22,891.89, to replace lost revenue and corresponding growth adjustment of \$938.57; (c) Fund No. 4903 SD Capital Projects in the amount of \$17,168.93 to replace lost revenue and corresponding growth adjustment of \$703.93; (d) Fire Department Capital Projects Fund No. 4904 in the amount of \$17,168.93 to replace lost revenue and corresponding growth adjustment of \$703.93; and (e) Concord Township JEDD Fund No. 2905 in the amount of \$36,973.54 to replace lost revenue and corresponding growth adjustment of \$1,515.91.

**Section 2.** The ARPA Fund transfers described herein to replace public sector revenue loss for the fiscal year ending December 31, 2020, are in accordance with U.S. Treasury guidelines recognizing any diminution in actual revenue calculated using the formula that would be presumed to have been "due to" the COVID-19 public health emergency.

**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. Mr. Lucas stated a clerical error was made with the word Funds missing in the title and read where the missing word should be in of Resolution 2021-30. Mr. Dondorfer made a motion to adopt Resolution 2021-30 as stated by Mr. Lucas. Mrs. Lucci seconded. Vote 3 ayes.

- E. RES. 2021-31, CONTRACT WITH PINNACLE CONSTRUCTION AND DEVELOPMENT GROUP, INC., FOR CONSTRUCTION OF FIRE STATION 1. Mr. Dondorfer moved to adopt the following resolution:

#### RESOLUTION NO. 2021-31

#### A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES FOR CONCORD TOWNSHIP TO ENTER INTO A WRITTEN CONTRACT WITH PINNACLE CONSTRUCTION AND DEVELOPMENT GROUP, INC., FOR THE ON-SITE NEW CONSTRUCTION OF CONCORD TOWNSHIP FIRE DEPARTMENT STATION NUMBER 1, TO BE LOCATED ON CONCORD-HAMBDEN ROAD.

**WHEREAS**, the Concord Township Board of Trustees previously accepted and awarded the bid of Pinnacle Construction and Development Group, Inc., for the on-site construction of Concord Township Fire Department Station Number 1, to be located on Concord-Hambden Road;

**NOW, THEREFORE, BE IT RESOLVED** by the Concord Township Board of Trustees, Lake County, Ohio that:

**Section 1.** The Board of Trustees is hereby authorized to enter into the written contract captioned "AIA Document A101-2017" between Concord Township as Owner, and the Pinnacle Construction and Development Group, Inc., as Contractor, in a form substantially similar to the contract annexed as Exhibit A and incorporated herein, and to execute any and all documentation necessary to formalize the validity and implementation of that contract.

**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.

Mrs. Lucci seconded. Vote 3 ayes.

- F. FIRE DEPT. APPROVE REASSIGNMENT OF KEVIN BRUENING FROM PART-TIME REGULAR FIREFIGHTER/PARAMEDIC TO PART-TIME SENIOR FIREFIGHTER/PARAMEDIC. Mrs. Lucci moved to approve reassignment of Kevin Bruening from Part-time Regular Firefighter/Paramedic to Part-time Senior Firefighter/Paramedic. Mr. Dondorfer seconded. Vote 3 ayes.

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G. FIRE DEPT. APPROVE CONDITIONAL OFFER OF EMPLOYMENT TO SETH HERENDEEN, PART-TIME PROBATIONARY FIREFIGHTER/EMT-BASIC PENDING BACKGROUND CHECK AND PHYSICAL. Mr. Dondorfer moved to approve conditional offer of employment to Seth Herendeen, Part-time Probationary Firefighter/EMT-Basic pending background check and physical. Mrs. Lucci seconded. Vote 3 ayes.

H. FUTURE MEETINGS & ANNOUNCEMENTS:

12/3	7:00 PM	HOLIDAY TREE LIGHTING CELEBRATION / Town Hall Gazebo
12/7	7:00 PM	ZONING COMMISSION / Town Hall
12/8	7:00 PM	BZA / Town Hall
12/13	6:00 PM	BRIGHTWOOD LAKE DAM/KELLOGG CREEK RESTORATION / Concord Community Center
12/15	6:30-7:30 PM	TRUSTEE OFFICE HOURS /Conference Room
	7:30 PM	TRUSTEE MEETING / Town Hall
12/30	9:00 AM	SPECIAL MEETING / Town Hall

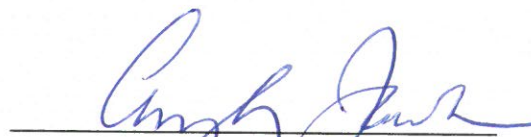
I. EXECUTIVE SESSION FOR THE PURPOSE TO DISCUSS CONTRACT NEGOTIATIONS PURSUANT TO OHIO REVISED CODE 121.22 (G) (4). Mrs. Lucci moved to enter into Executive Session for the purpose to discuss contract negotiations Pursuant to Ohio Revised Code 121.22 (G) (4). Mr. Dondorfer seconded. Roll Call Vote: Mrs. Lucci – yes; Mr. Dondorfer – yes; Mr. McIntosh – yes.

Mr. Dondorfer moved to exit out of Executive Session. Mrs. Lucci seconded. Vote 3 ayes.

Upon proper motion the meeting was adjourned at 9:07 pm.

For financial information go to: [checkbook.ohio.gov](http://checkbook.ohio.gov)

  
Morgan R. McIntosh, Chairman

  
Amy L. Dawson, Fiscal Officer