

CONCORD TOWNSHIP BOARD OF TRUSTEES
LAKE COUNTY, OHIO
REGULAR MEETING

Held via Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

September 7, 2022
7:30 p.m.

TRANSCRIPT OF PROCEEDINGS

Present on behalf of the Board of Trustees:

Amy Lucci, Chairwoman
Carl Dondorfer, Vice Chairman
Morgan McIntosh, Trustee
Amy Dawson, Fiscal Officer

Also Present:

Andy Rose, Administrator
Michael Lucas, Esq., Legal Counsel
Matt Sabo, Fire Chief
Tim Brown, Service Director
Heather Freeman, Zoning Director
Debra Bechel-Esker, Recreation Director
Sergeant Jerrold Infalvi, Sheriff's Office

Melton Reporting
11668 Girdled Road
Concord, Ohio 44077
(440) 946-1350

1 7:30 p.m.

2 CHAIRWOMAN LUCCI: Good evening. I am calling to
3 order the Concord Township Board of Trustees meeting for
4 September 7, 2022. Would you please join me in the Pledge of
5 Allegiance.

6 (Whereupon, the Pledge of Allegiance was recited.)

7 CHAIRWOMAN LUCCI: Thank you. So we are honored
8 this evening to have some important guests.

9 MR. McINTOSH: Roll call.

10 MR. ROSE: Roll call.

11 MS. DAWSON: Roll call.

12 CHAIRWOMAN LUCCI: I am sorry. Let's do that after
13 roll call. How about that?

14 Mrs. Dawson, roll call, please.

15 MS. DAWSON: Mrs. Lucci?

16 CHAIRWOMAN LUCCI: Present.

17 MS. DAWSON: Mr. McIntosh?

18 MR. McINTOSH: Present.

19 MS. DAWSON: Mr. Dondorfer?

20 MR. DONDORFER: Present.

21 MS. DAWSON: Go.

22 CHAIRWOMAN LUCCI: So now we get to recognize some
23 very important individuals today. We have a, we have some --
24 Andy, do you have --

25 MR. ROSE: I have these. I am ready.

26 CHAIRWOMAN LUCCI: We are doing Mr. Sam Watkins
27 first, if you could please read the proclamation.

28 MR. ROSE: Thank you, Mrs. Lucci.

29 "Eagle Scout Sam Watkins Certification of
30 Recognition.

1 "It is with great pleasure that the Trustees of
2 Concord Township extend their sincere congratulations to Sam
3 Watkins for the attainment of the very prestigious honor of
4 Eagle Scout.

5 "Your hard work and dedication has placed you in a
6 category that is only realized by about 2% of your scouting
7 peers, and as a result, you will stand among those Eagle
8 Scouts who have become great leaders in this country. In
9 earning your Eagle Scout, you have demonstrated outstanding
10 qualities of leadership, good character, determination and
11 discipline. It is impressive that you have chosen scouting
12 from your youngest years as one of your primary guides toward
13 character development. Eagle Scouts are leaders by the nature
14 of their accomplishments, which you will have the opportunity
15 to expand upon through continued education and participation
16 in community service.

17 "Your Eagle Scout project, consisting of building
18 four new raised beds for the Concord Community Garden, is very
19 much appreciated by the Concord Township Board of Trustees.
20 In honor of our Bicentennial year, you also banded each bed
21 marking our -- branded each bed marking our special year and
22 donated your iron template to the Township. The raised beds
23 enhance the Old Stone School Campus and will serve to expand
24 the community garden by providing beautiful and accommodating
25 space for gardeners of all ages and capabilities.
26 Additionally, your coordination with the Recreation Department
27 and Service Department for assistance and aligning with the
28 Concord Township standards and installation protocols ensured
29 the beds were properly built. The result of your Eagle Scout
30 project will benefit Concord Township and its residents for

1 years to come.

2 Congratulations, and we look forward to watching you
3 grow as a future community leader.

4 Sincerely, the Concord Township Board of Trustees."

5 (Applause.)

6 MR. ROSE: I am going to read Mr. Tilk's and then
7 you can present, Mrs. Lucci.

8 The second Eagle Scout Certificate of Recognition is
9 for Eagle Scout Alexander Tilk. I just want to take a half a
10 second before I read this. Alexander, he goes by AJ. He
11 can't be here today because he is currently in Fort Jackson,
12 South Carolina, going through boot camp. That makes me very
13 happy. But his dad, Bill Tilk, is here and he will accept on
14 behalf of his son, AJ.

15 MR. BILL TILK: And his mom.

16 MR. ROSE: Oh, I'm sorry, Mrs. Tilk. I'm sorry.

17 MRS. TILK: That's okay.

18 MR. ROSE: "Eagle Scout Alexander Tilk Certificate
19 of Recognition.

20 "It is with great pleasure that the Trustees of
21 Concord Township extend their sincere congratulations to
22 Alexander Tilk for attainment of the very prestigious honor of
23 Eagle Scout.

24 "Anyone who has known a Scout understands the hard
25 work and dedication that accompanies the achievement of Eagle
26 Scout. However, it is certainly worth noting that only about
27 two percent of your peers will achieve the same rank that you
28 will and that you will stand among those Eagle Scouts that
29 have become great leaders in this country.

30 "By serving and assisting Boy Scout Troop 62 as a

1 Senior Patrol Leader, Assistant Senior Patrol Leader, Patrol
2 Leader, Troop Guide, Quartermaster, Den Chief and a Chaplin's
3 Aid you have exemplified the ideals of scouting.

4 "Your Eagle Scout project consisting of developing a
5 detailed project plan, raising funds, organizing volunteers
6 and building a brick walkway to the flag pole at the South
7 Leroy Meeting Hall in Leroy Township will serve their
8 community for many, many years to come.

9 "We wish you the best in your future endeavors, and
10 we look forward to watching you grow as a future community
11 leader.

12 "Congratulations on becoming an Eagle Scout.

13 "Sincerely, the Concord Township Board of Trustees."

14 (Applause.)

15 MR. ROSE: If we could get Bill and Sam, that would
16 be great. Can we get a photo with the Trustees real quick,
17 please. Thank you.

18 (Whereupon, photographs were taken.)

19 MR. ROSE: If you're here for the Eagle Scout
20 recognitions, now would be a great time to slip out the side
21 door. Thank you very much for coming. That's good stuff.
22 Hey, please tell AJ I said good luck. That's good stuff.
23 Thank you.

24 Thank you, Madam Chair.

25 CHAIRWOMAN LUCCI: Thank you. All right. Always a
26 great way to start a meeting. Let's move on to the approval
27 of minutes.

28 MR. DONDORFER: Madam Chair, I will make a motion
29 approve the August 3, 2022, regular trustees meeting minutes.

30 CHAIRWOMAN LUCCI: And I second. All in favor?

1 MR. McINTOSH: Abstain.

2 (Two aye votes, no nay votes, one abstention.)

3 CHAIRWOMAN LUCCI: Our Elected Official Reports, our
4 Fiscal Officer, Mrs. Dawson.

5 MS. DAWSON: Thank you, Mrs. Lucci.

6 As of August 31st, we were 67 percent of the way
7 through the calendar year. Treasury balance for the 21 active
8 funds within the Township Treasury was \$17.2 million. The
9 Treasury balance includes \$9.7 million in funds set aside for
10 specific projects.

11 Year-to-date expenditures were 38 percent of the
12 amount appropriated for 2022. Revenue received year to date
13 is 92 percent. This includes the receipt of the second half
14 of our real estate taxes. Real estate tax revenue will not be
15 received again until late February 2023 when we receive our
16 next advance. The revenue also includes 958,000 which is not
17 appropriated in the American Rescue Plan Act money. That
18 needs to be spent by 2024. This money is very restricted in
19 its use and we are continuing to review projects that that
20 money can be used for.

21 If you have any questions, please do not hesitate to
22 contact my office (440) 354-7516. Thank you very much.

23 CHAIRWOMAN LUCCI: Thank you, Mrs. Dawson.

24 MR. DONDORFER: Thank you.

25 CHAIRWOMAN LUCCI: Trustees, Mr. Dondorfer.

26 MR. DONDORFER: Thank you, Madam Chair. It was
27 great this evening. We had, during office hours, Katie, from
28 LeMay Erickson, in from Virginia to give us some updates to
29 our fire station project. It's progressing quite well. A
30 couple minor challenges along the way but it's nice to be out

1 of the ground and see the structure going up, so that's
2 exciting. And it was good to get an update from her so we can
3 keep on track and on schedule with that project.

4 I did have a few phone calls since our last meeting.
5 I had a call from a resident regarding what the procedures
6 were for the approval of variances by the BZA. There is a
7 development plan that is going to be coming up at the next BZA
8 meeting and some of the residents had some questions on how
9 the variance gets evaluated and whether it's denied or
10 approved and how that goes on and things of that nature. So I
11 answered those questions.

12 I am still working with some residents, we all are,
13 on the west end of the township regarding some noise
14 disturbances that they've encountered. So we are trying to
15 mediate that issue for those residents in that neighborhood.

16 Did have quite a bit of calls -- I am sure we all
17 did -- about the issue with NOPEC and, you know, there is some
18 confusion on that. I think our Administrator is going to
19 handle that in his report. But I did assure our residents
20 that we're aware of the issue and sort of explained how those
21 NOPEC, those changes came to be. So Mr. Rose is going to
22 discuss that further.

23 I would like to let the township know that I
24 recently signed up for my last two classes for the Ohio
25 Township Association's Leadership Academy. So at the end of
26 the month, I will be taking Working with Citizens and
27 Conducting Effective Meetings. So at the next conference, I
28 will be able to graduate Leadership Academy. So it's quite an
29 accomplishment. I think it shows that we're all committed to,
30 you know, township governance and doing the best we can for

1 our residents, so I am looking forward to that.

2 And with that, I think that's it.

3 CHAIRWOMAN LUCCI: Okay, wonderful.

4 MR. DONDORFER: Thank you.

5 CHAIRWOMAN LUCCI: Mr. McIntosh.

6 MR. McINTOSH: Thank you, Madam Chair. I had kind
7 of just a random smattering of things. I did have some
8 complaints or concerns expressed regarding some zoning
9 matters. I've been talking with our Zoning Department about
10 that in regards to some things and developments that need to
11 be finished out, so that's ongoing.

12 I know we did get some questions asked of us about
13 programming on a traffic light, I think, at Morley and Prouty
14 and we did contact the County Engineers about getting that
15 sorted out.

16 I also did talk with some residents about that
17 forthcoming application with the BZA regarding another phase
18 of Quail Hollow development, so I had those procedural
19 questions.

20 Also had phone calls about NOPEC, which is something
21 that not only Concord Township but all of northeast Ohio is
22 dealing with. Obviously, we have those issues with rising
23 costs on everything these days.

24 I did want to take a chance and just, we had a great
25 Community Days that we haven't had a meeting since then, but
26 it was nice to see the community out over two days. I got a
27 lot of compliments. A lot of people said just great, it was
28 really great to be back together after two years.

29 MR. DONDORFER: Right.

30 MR. McINTOSH: The Bicentennial was a special event

1 this year. We got to recognize some citizens, not only
2 Citizen of the Year this year but we did the Legacy
3 recognitions to recognize folks that have served this
4 community. And, boy, it was great to see some of the
5 contributors in our community out, people that have been a
6 part of this, a vibrant part of this community for such a long
7 time.

8 I just want to thank the Rec Department, Deb Esker
9 and her staff, and Tim Brown and his staff in the Service
10 Department, just everything that was done to make it happen.
11 Of course, we had a lot of presence with the Sheriff's
12 Department, too, as well, so we had a lot of support pulling
13 that off and it was great to be back. I know our Fire
14 Department, those guys were there, too. So, I mean, it was a
15 great time. It was a great time. Thank you to everybody who
16 participated.

17 And it was great to get a catch-up with Katie. I
18 know it's exciting to think that we'll be under roof and be
19 able to work interior dry once the inclement weather for the
20 fall starts. I know we don't want to talk about that. And we
21 did get to sign the header beam that's going to go up today.

22 MR. DONDORFER: Right.

23 CHAIRWOMAN LUCCI: Yes.

24 MR. McINTOSH: So it's exciting, a lot of great
25 things happening in Concord. I'm really excited about the
26 fire station moving along. You can see it and progress.

27 MR. DONDORFER: That's great.

28 MR. McINTOSH: So that concludes my report.

29 CHAIRWOMAN LUCCI: All right, thank you.

30 So they kind of get to steal my thunder a little

1 bit. Same thing, thank you to the Rec Department for a
2 fabulous Bicentennial, to our Service, to our Fire, everyone
3 else that helped out. I did get a lot of great feedback from
4 residents and some suggestions for next year. So everybody is
5 already starting to think about next year, which is great. So
6 thank you very much.

7 And it was wonderful getting a little more up close
8 and personal with the fire build and getting to sign the beam.
9 So we're really looking forward to that. It's going to go up
10 really fast.

11 Again, I received calls regarding some NOPEC energy
12 bills, which Andy is going to talk about in his report.

13 I also got a few calls regarding some road repairs
14 which was addressed by our Service Department. I got a thank
15 you from someone who wanted to commend our Service Department
16 for nice quick responses, so thank you to that.

17 I did speak with some residents regarding some
18 future developments, noise complaints, as you mentioned.

19 And that's about it. I look forward to our rest of
20 our events this year, our winter events, our fall events, and
21 we'll continue on with the birthday celebration.

22 So we will move on to Department Reports. We will
23 start with Administration, Mr. Rose.

24 MR. ROSE: Thank you, Mrs. Lucci. Members of the
25 Board, Mrs. Dawson, members of the audience, good evening.
26 Welcome back. It's been a little while since we met. Welcome
27 to September. I can't believe it, September already.

28 But I will start with a couple of the items that are
29 on the agenda. Item B is a Resolution Number 18, that is to
30 declare property as surplus and not needed. This is for the

1 Dodge Durango and the old rescue squad. They have far
2 exceeded their service life, so we will be auctioning those
3 items off as we have items in the past.

4 Item C is a resolution related to the pending
5 litigation that we have coming up. I am sure, at the
6 appropriate time, the Law Director will provide some
7 appropriate words on that.

8 Item D is a vote that authorizes me to attend the
9 required public records training on behalf of the township
10 trustees. This is an annual event that is required by the
11 Ohio Revised Code to keep us fresh and current on public
12 records and Sunshine Law issues.

13 Moving on to NOPEC, I have, as well as the Trustees,
14 have received a good number of phone calls and emails. There
15 has been a ton of conversation in the news regarding NOPEC.
16 NOPEC is an energy aggregate. They supply electric and gas to
17 many of the member communities throughout northeast Ohio, not
18 just Concord Township, not just Lake County.

19 As most of you are aware, and I think a lot of the
20 public has come to realize this, the rate for NOPEC energy
21 electricity has sky-rocketed. I think it's 30 to 40 percent,
22 30 to 40 percent increase. This was based on some market
23 fluctuations and, quite frankly -- and NOPEC will say this as
24 well -- it was bad timing on their energy purchase, which was
25 unavoidable.

26 So NOPEC, we attended a meeting, Mayors and Managers
27 of Lake County, last Thursday, and NOPEC has since sent a
28 letter to all their customers. If you haven't received it
29 yet, you will in the very near future. But NOPEC has made the
30 difficult decision, they are disenrolling all of their

1 electric customers from NOPEC, all of them, a little over
2 500,000 customers. This will result in customers receiving a
3 much lower rate, about 30 percent less than what NOPEC is
4 currently charging. You will roll back over to your parent
5 utility company. In this area, more than likely, you will
6 roll back over to The Illuminating Company under the
7 FirstEnergy umbrella.

8 NOPEC states that, once energy rates stabilize, they
9 will work to bring everyone back. That is anticipated for the
10 spring of 2023. They don't think they're going to be able to
11 get a favorable energy rate by, until the prices stabilize and
12 it can jump back in, and they're anticipating spring of 2023.

13 For what it's worth, I applaud NOPEC. They made a
14 difficult decision but they felt it was in the best interest
15 of the residents. I tend to agree. As I mentioned, the
16 letter has been sent out to all NOPEC customers that explains
17 this change and the process that they're going through. We
18 are going to take a copy of that letter and we're going to
19 post it on our website probably tomorrow but no later than
20 Friday morning, we will have that letter up.

21 Due to the timing and the volume of customers that
22 they're dealing with and that, also, that The Illuminating
23 Company is picking up -- again, it's about 500,000 customers
24 overall -- it's going to take one to two billing cycles to get
25 everybody rolled off of NOPEC. So we ask for your patience.

26 And I also remind residents, I use this tool myself.
27 You have the ability to shop energy rates. The State of Ohio
28 has a specific website called EnergyChoice.Ohio. You can go
29 to it. It's EnergyChoice, all one word, .Ohio.gov, g-o-v. We
30 will also put that link on our website. And you can go on

1 there, punch in your ZIP Code and you can shop for what you
2 feel is the best rate for your household.

3 I am available to answer questions or, if somebody
4 is having difficulty, we have a direct line to our
5 governmental liaison or community liaison at NOPEC. Her name
6 is Genny Costanzo. She is terrific. And if there is an
7 issue, I can have Genny reach out and contact the resident to
8 answer any specifics there.

9 So we're aware of it. All the mayors and managers
10 and administrators are all working through this and trying to
11 help answer questions. And, again, we will have that letter
12 posted on our website, along with the link. So if folks want
13 to go out and compare energy rates and figure out the best
14 rate for their situation, we will also have that on our
15 website.

16 So, again, if anybody has any questions, please give
17 me a call in the office or shoot me an email. I will do
18 everything I can to walk you through the NOPEC process until
19 you are switched over to the appropriate utility. So that's
20 NOPEC in a nutshell.

21 I don't have much else for today other than our
22 featured Bicentennial picture for this meeting.

23 Rick, can you help me out? I know there was a
24 little snafu there.

25 So kids just went back to school. It's good to see
26 the school buses rolling and parents doing cartwheels as the
27 buses are pulling away. All the store shelves are empty. You
28 can't buy a pen or a pencil or box a crayons right now. But
29 our featured Bicentennial picture this meeting, it's a little
30 photo collage on some of the school history in Concord

1 Township. In the upper left is the picture of the old Huntoon
2 School which was initially established in 1858. And then
3 we've got some other pictures which includes some class photos
4 from Concord Elementary. There is a picture of the old
5 Concord Elementary School on the right-hand side in the
6 middle. Concord Elementary School, which is right down the
7 street here on Ravenna Road, that school operated from 1923
8 until it closed as a school in 1982. So I am quite sure that
9 there are folks watching this meeting right now that are
10 Concord Elementary alumnae. So that's what I know. And then
11 we've got some pictures of Old Stone School, accompanied with
12 a class picture from 1910. Incidentally, the teacher in the
13 picture in 1910, the lower right-hand picture, she was paid a
14 dollar a week to teach all those kids. So, yeah, a lot of
15 money in 1910, I think. And then, finally, is the new
16 picture, is the picture of the new Parkside Elementary. That
17 opened in the fall of 2019.

18 So a little bit of school history on back-to-school
19 month for this month's Bicentennial picture, and that
20 concludes my report. Thank you, ma'am.

21 CHAIRWOMAN LUCCI: Thank you, Mr. Rose.

22 MR. McINTOSH: I was -- go ahead.

23 MR. DONDORFER: Go ahead.

24 MR. McINTOSH: I was going to say, I sort of went
25 back in NOPEC conversation.

26 MR. ROSE: Sure.

27 MR. McINTOSH: First, I'd like to acknowledge the
28 fact that, as a NOPEC community, we've received several
29 grants. We've got stuff going into the fire station,
30 Community Center. By the way, I had a compliment on how great

1 that building looks. There is a lot of NOPEC dollars that
2 were put into use. I assume their grant money is drying up.

3 MR. ROSE: Their grant money will be dry, will be
4 significantly less next year because everybody is rolled off
5 the program and then it will have to build back up. So we may
6 see a small, communities may see a small NOPEC energy
7 assistance grant in 2023. I don't anticipate very much. Our
8 last grant was 43,000, so I would expect that it would be
9 significantly less than that this coming grant season in 2023.

10 And then once they bring customers back, once they
11 have more favorable energy rates, I think that will build back
12 up. And there is no such thing as normal anymore, as I am
13 convinced. So, hopefully, things will stabilize and we will
14 get back to where we used to be with the NOPEC grants in '24
15 or '25. That's our guess.

16 MR. DONDORFER: Mr. Rose, one other question I
17 had --

18 MR. ROSE: Yes, sir.

19 MR. DONDORFER: -- from a resident, just to clarify.
20 So if a customer has already opted out of NOPEC, once NOPEC
21 reenrolls their customer base, they will need to opt out
22 again.

23 MR. ROSE: That is correct. They will, everybody
24 will get a letter in, they're anticipating the spring of 2023.

25 MR. DONDORFER: Right.

26 MR. ROSE: Because whether you voluntarily opted out
27 or they've opted you out in order to save you money, in the,
28 they anticipate the spring of 2023, they will put letters back
29 out saying, "Hey, we're bringing you back into the fold. And
30 if you wish to opt out, you can do that by contacting us at

1 this number, this email address."

2 MR. DONDORFER: All right, thank you.

3 MR. ROSE: That is correct.

4 CHAIRWOMAN LUCCI: I agree. I thought what they did
5 was commendable for the community.

6 We will move on to Fire Department, Chief Sabo.

7 CHIEF SABO: Good evening, everyone.

8 CHAIRWOMAN LUCCI: Good evening, Chief.

9 CHIEF SABO: So September is National Preparedness
10 Month. The 2022 theme is "A Lasting Legacy." The life you
11 have built is worth protecting. Prepare for disasters to
12 create a lasting legacy for you and your family. And a good
13 place to start is to sit down with your family and make an
14 emergency plan. Visit [Ready.gov/Plan](https://www.ready.gov/plan) for guidance on
15 establishing your unique family plan. And, usually, Karen
16 does a great job in keeping our website, our side of the
17 website updated with some tips and tricks and things to do to
18 keep your family engaged in safety.

19 For the month of August, we had a total run volume
20 of 270. This included a 192 EMS events with 140 transports
21 and 78 non-EMS events and five fire events. Inside of
22 Concord, we had three fires, one vehicle fire, one grass fire,
23 and one commercial building fire that the crew did a fantastic
24 job containing and it limited the extension to any other room
25 in the building. So it was a small bathroom that was
26 affected. So they did a great job. Outside of Concord, we
27 assisted on two commercial building fires. Mutual aid: We
28 gave mutual aid 18 times and we received mutual aid 21 times,
29 and we had 102 overlapping calls, for about just over 37
30 percent.

1 Our fire prevention bureau was, again, busy. They
2 did 38 total inspections, did five plan reviews. They
3 assisted in the fire investigation in Concord, as well as two
4 mutual aid fire investigations outside of Concord that we
5 helped with.

6 In terms of education, they helped with, the Concord
7 fire prevention bureau assisted in a First Aid CPR class for
8 Painesville Christian Academy and they were pleased to be part
9 of the Concord Community Center's Senior Appreciation Day. So
10 thanks, Deb, for that invite. They appreciated being part of
11 that. They also installed one residential lock box and,
12 actually, had one returned. They also helped us with four
13 open burning and grilling complaints.

14 So just as a reminder, in Concord Township in multi-
15 family residential units, grilling has to take place at least
16 10 feet away from the structure, and you're not allowed to
17 store propane in the garage or in the home at all, so just as
18 a reminder of that. And we'll be reaching out to homeowners'
19 associations just as a reminder to -- of those rules.

20 They've been checking on, the fire prevention bureau
21 has been keeping a close eye on some recent construction
22 sites, such as Ranpak. Their remodel is very close to
23 completion. Dr. Tina Joyce's office, the second building
24 windows are in. There was a little bit of delay in windows,
25 like everyone has been experiencing. Stephen Douglas Corp on
26 Discovery Lane is really popping up out of the ground quick.
27 They're doing a really good job and it's progressing nicely.
28 Doctor -- if I pronounce this incorrectly, I apologize --
29 Mohseni's building on Auburn Road is framed and roofed, ready
30 to go. And UH TriPoint, they're remodeling five rooms on the

1 first floor x-ray unit with the replacement of two CT
2 scanners, replacing and upgrading components of the fire alarm
3 system. And the fire prevention bureau approved a permit to
4 change one patient room into a sleeping area for doctors.

5 So that's all I have, if you have any questions.

6 MR. DONDORFER: Thanks, Chief.

7 CHAIRWOMAN LUCCI: Thank you very much.

8 MR. ROSE: Thank you very much.

9 CHAIRWOMAN LUCCI: All right. Service Department,
10 Mr. Brown.

11 MR. BROWN: Good evening, everyone.

12 CHAIRWOMAN LUCCI: Good evening.

13 MR. ROSE: Good evening.

14 MR. BROWN: Service Department in the month of
15 August wrapped up the crack sealing operations to our asphalt
16 roadways and parking lots, along with the Dura-Patch repairs
17 to asphalt roads. Our concrete crew has poured over 650 yards
18 of concrete for the concrete slab replacement program to date.
19 The crew is currently working throughout the Brightwood Lake
20 subdivision.

21 The pickleball courts received the addition of a
22 court divider net, and Ball diamond mix as added to -- I'm
23 sorry -- Ball diamond mix was applied to the baseball fields
24 at the Town Hall complex. Upgrades to the players' benches on
25 ball field number one will be made after the fall season is
26 over. New aluminum benches will be made in-house by our
27 maintenance department.

28 The Service Department is offering the yard waste
29 dropoff again this fall. The dropoff is open Monday through
30 Friday, from 7:30 a.m. to 2:30 p.m. Residents may drop off

1 yard waste in paper biodegradable bags in the material bin
2 located in the Service Department.

3 The Lake County Engineers performed street sweeping
4 for the township to all of our roadways and completed the
5 erosion repairs and road repairs to Nancy Ann Drive bridge.

6 The Service Department encourages residents to
7 contact us with any questions or concerns Monday through
8 Friday from 7:00 a.m. to 3:30 p.m. at (440) 350-3225 or by
9 email at ConcordTwp.com under Service Department.

10 That concludes my report.

11 CHAIRWOMAN LUCCI: Thank you.

12 MR. DONDORFER: Thanks, Tim.

13 CHAIRWOMAN LUCCI: Next is Zoning, Mrs. Freeman.

14 MS. FREEMAN: Good evening.

15 CHAIRWOMAN LUCCI: Good evening.

16 MR. ROSE: Good evening.

17 MS. FREEMAN: So the month of August, the Zoning
18 Department staff processed 43 zoning permit applications and
19 collected \$5,500 in fees. Additionally, I issued 62 zoning
20 certificate of compliances for the completion of projects that
21 we had open zoning permits for. I also received and followed
22 up on ten new complaints about potential zoning violations.

23 Last night the Zoning Commission met and held their
24 regular meeting. They continued a work session on some
25 potential changes to the Zoning Resolution. The Commission
26 also had a public hearing on proposed zoning amendments. They
27 did close that public hearing and will be transmitting their
28 positive recommendation to the Trustees for future
29 consideration.

30 Next week the Board of Zoning Appeals will hold

1 their meeting. There is five public hearings scheduled. The
2 Trustees have been getting some calls on one in particular
3 that was mentioned this evening. The detailed agenda is
4 posted on the township website. If you go to Public Meetings,
5 you can view it there. If there is any questions, feel free
6 to contact my office. I can be reached at (440) 350-7506.
7 Thank you.

8 CHAIRWOMAN LUCCI: All right. Thank you.

9 MR. DONDORFER: Thank you, Heather.

10 CHAIRWOMAN LUCCI: Recreation, Mrs. Esker.

11 MS. ESKER: Good evening, everybody.

12 CHAIRWOMAN LUCCI: Good evening.

13 MR. ROSE: Good evening.

14 MS. ESKER: As we head into the last few precious
15 months of our Bicentennial year, the Recreation Department has
16 planned many more ways to celebrate our beautiful township,
17 and we invite our residents to fully enjoy everything we have
18 planned for fall. But before we talk about that, I would like
19 to take a look at some of our premier summer programs and
20 thank people who have made them so successful.

21 So, Rick, PowerPoint, please. Thank you.

22 Thank you, Concord residents. It was wonderful, as
23 the Trustees have said, it was wonderful to see friends and
24 neighbors celebrating our township together at our Summer
25 Concert Series and our Bicentennial Community Days. Thank you
26 to all of our community leaders. Thank you, Trustees. Thank
27 you, Fiscal Officer Amy Dawson, Administrator Andy Rose, all
28 of our Commissioners, our judges. Thank you, our Fire
29 Department, the Service Department, our Lake County Sheriff's
30 Office. Everybody came together to make this happen. Thanks

1 to all of those in leadership positions in our township for
2 their tireless efforts to keep our township safe and moving
3 forward in the best direction possible. We celebrate you all
4 as we celebrate our Bicentennial.

5 Thanks to the bands who played at our Summer Concert
6 Series and our Bicentennial Community Days. Ella Fitzgerald
7 once said, "Music is the universal language and it brings
8 people closer together," and she is so right. We are thankful
9 for the summer filled with a great variety of music and the
10 residents who enjoyed it with the company of neighbors and
11 friends.

12 Thanks to everybody who made our Bicentennial
13 Community Days a success. From our Friday evening cocktail
14 hours to the fireworks grand finale on Saturday, it was filled
15 with great moments and keepsake memories.

16 And as the Trustees have said, in addition to
17 celebrating our beautiful township at our premier Bicentennial
18 events this summer, we also announced several very important
19 awards. Congratulations, again, to our 2022 Citizen of the
20 Year, Ron Terriaco. Ron has a distinguished career in the
21 Fire Department, from where he retired earlier this year, and
22 he continues to dedicate his time to a number of causes,
23 including assisting the families of fallen firefighters.

24 In honor of our Bicentennial year, we also awarded
25 Legacy Citizen of the Year status to 14 other people who have
26 been instrumental to the development of Concord Township over
27 the past 200 years, and details on our Legacy citizens can be
28 found on our website.

29 And congratulations to the four recipients of a
30 special Bicentennial Year Honoree Award, Jean Bonchak, Shane

1 Morrison, Tim Calvin, and Ray Poyer.

2 And we must thank the many businesses and
3 individuals who became Bicentennial donors, sponsors and
4 partners. They generously donated funds or goods and services
5 to support our special programs and allowed us to amp up our
6 entertainment and make our events the best they could be. And
7 a list of these are also on our website and have been shared
8 on social media.

9 Thank you to the lovely ladies of the Concord Garden
10 Club for their year-round beautification of Concord Township
11 properties. Thanks also to the special Garden Club committee
12 and the Maple Ridge Garden Center for the lovely plants that
13 decorated the main tent at our Community Days celebration.

14 And thanks shout out to the Concord Alliance Church
15 who generously hosted that awesome Kids World area. Pastor
16 Bryon, his lovely wife Vicki, events coordinator Patti, and
17 many, many wonderful parishioners volunteered their time to
18 make Kids World a resounding success. And they generously
19 donated all of those toys and prizes as well.

20 And thanks to all the community volunteers whose
21 generous gift of time and expertise helped the event run
22 smoothly.

23 Now let's take a look forward at our fall classes
24 and events. The Recreation Department's leisure class
25 offerings in September include the kids' dance class, a youth
26 tennis camp, Martial Arts for adults and kids, Introduction to
27 Pickleball -- and there are still places available in that
28 class -- Gentle Morning Yoga, Yoga Pilates Fusion, Tai Chi,
29 something new we're trying called "Prosecco on the Patio, The
30 Thinking Girls Night Out," a stained glass class featuring a

1 forever flower, make and take bath and body product classes,
2 Let's Write Right to improve writing skills, a smart investing
3 class, and Getting Started with Medicare. And those are all
4 the class offerings just in September. So space is still
5 available in classes. Sign up at ConcordTwp.com or just call
6 the Recreation Department for personal assistance.

7 Our next Senior Social is Wednesday, September 14th,
8 when guests will get together for a craft day. Then on
9 September 21st, favorite local author and lecturer Dennis
10 Sutcliffe is back with the trivia show featuring Lost Memories
11 of Cleveland. And we round out the month with Bingo on
12 September 28th. All of our Senior Socials are on Wednesday
13 afternoons and begin at 1:00 p.m., and they're free and open
14 to the public and we always welcome new friends.

15 And if you're looking for a new hobby or a new
16 friend, check out our variety of social groups and clubs that
17 meet regularly at the Community Center. From gardening to
18 music to cards to art, there are a lot of opportunities to
19 meet new people, and new members are always welcome. So,
20 again, call the Recreation Department for details and joining
21 a club and start your new adventure.

22 And mark your calendars for Halloween Spooktacular
23 with the Chardon Polka Band on Saturday, October 29th,
24 starting at noon at the Town Hall Gazebo. Residents and
25 guests are invited to wear Halloween costumes and bring treat
26 bags to collect the goodies and give-aways and enjoy a special
27 Halloween concert from the Chardon Polka Band, everybody's
28 favorite polka band. Bring your lawn chairs. It is a
29 concert. Make sure you bring those treat bags because we will
30 have lots of little stations of activities and games for kids

1 to collect treats at, as well as refreshments. Check out the
2 fall *Grapevine* for more details on our Halloween Spooktacular.

3 And I'm thrilled to announce that our Bicentennial
4 year will end with a bang at our Annual Holiday Tree Lighting
5 Celebration on Friday, December 2nd. Santa and Mrs. Clause
6 will be ready to greet families immediately after we kick off
7 the holiday season with our Annual Tree Lighting Ceremony.

8 And our year-long Bicentennial celebration comes to a
9 spectacular closing with a fireworks display to appropriately
10 end our monumental year with the fanfare it deserves.

11 So, once again, we've got a lot to celebrate about
12 beautiful Concord Township. Author Lauren DeStefano summed up
13 a perfect sentiment about fall that is befitting Concord
14 Township as we head into the precious last few months of our
15 Bicentennial year. She says, "Fall has always been my
16 favorite season, the time when everything bursts in its last
17 beauty, as if nature had been saving up all year for the grand
18 finale." So thank you so much for your time tonight,
19 everybody.

20 MR. DONDORFER: Thanks, Deb.

21 CHAIRWOMAN LUCCI: Thank you very much, Deb.

22 All right. Our Sheriff's Office, Sergeant Infalvi.

23 SERGEANT INFALVI: Good evening.

24 CHAIRWOMAN LUCCI: Good evening.

25 MR. DONDORFER: Good evening.

26 MR. McINTOSH: Good evening.

27 SERGEANT INFALVI: For the month of August, the
28 Sheriff's Office received 1,160 calls for service, two being
29 injury accidents, nine property damage accidents. August must
30 have been the month for female arrests because we had two

1 females for endangering children and then three females for
2 possession of narcotics and a female for disorderly conduct
3 and trespass, and then a male for falsification, obstruction,
4 resisting arrest and a warrant, and a male for possession of
5 methamphetamines. Most of those, three of those were on
6 Concord-Hambden, two on Johnnycake, one on Crile, one on 44
7 and 90, the other one at TriPoint. We had 65 alarms, ten
8 citations for traffic violations, 143 warnings for traffic
9 violations. Of the big numbers, suspicious circumstances,
10 vehicles and persons, was 58 and we had 42 disabled vehicle
11 assists and 19 disturbances.

12 The Concord festival was really good. Our deputies
13 were proactive. They enjoyed themselves. Deputy Arko and
14 Tekavic even enjoyed the frog races.

15 MR. ROSE: They did.

16 SERGEANT INFALVI: They did, yeah. It was a good
17 picture. They enjoyed it. They even came up to me like,
18 "We've got to do this next year." So that was great to spend
19 time with the community like that.

20 We swore in three deputies, Deputy Tusek, Deputy
21 Niemi, and Deputy Underwood. They're in training right now.
22 They've been in training for just for a couple weeks now. So
23 I think you're looking at probably two more months and then
24 they will be solo.

25 K-9 Sado and K-9 Ryker are in service and they've
26 been doing a great job. K-9 Ryker has had multiple arrests as
27 a result of his work and tracking for missing people. K-9
28 Sado actually, on my way here, had a drug bust on my way in
29 from a traffic stop. So good for them.

30 Our SROs are in full service. Right now, we have

1 two at Riverside, since we have students from Concord
2 attending the Riverside School District. We have two full
3 time SROs at Riverside, one security officer who is a deputy
4 but under the position of a security, so SSO, school security
5 officer, Karen Sweet. She is at the front desk. At LaMuth,
6 we have retired detective from Mentor Mike Bruening who is
7 covering LaMuth full time and we have Deputy Chris Collins.
8 He used to be the chief for Willoughby Hills. He is covering
9 Melridge and covering Buckeye for the time being until we can
10 get three more deputies to cover Parkside, Melridge full time
11 and Riverview full time. So that's in the works, hopefully,
12 soon.

13 Our mounted unit is in full service and they're
14 actually going to a training here later this month.

15 Our speed trailers have been out, Tanglewood,
16 Majesty Lane, Auburn, Hermitage. Auburn, I am going to put it
17 at Spear and Auburn here after one of them gets charged, so
18 that's moving along, too.

19 So that is it for the month of August unless you
20 guys have any questions or concerns.

21 CHAIRWOMAN LUCCI: I do not. Thank you very much.

22 MR. McINTOSH: Thank you, Sergeant.

23 MR. ROSE: Thank you.

24 CHAIRWOMAN LUCCI: All right. It's time for
25 audience portion. Anybody here that would like to speak?
26 Sir, please come on up.

27 MR. MASSIE: Brian Massie, 8196 Rainbow Drive. I've
28 got three items to mention, Budget Commission, Lake County
29 Prosecutor, and the FBI.

30 I had attended the Budget Commission meeting and it

1 confirmed what I, what I felt all along. And I want people in
2 not only Concord but all of Lake County to know, that the
3 Budget Commission, a product of the Ohio Revised Code, they
4 are not concerned about excessive taxation of the property
5 taxes. There is no one, no entity that is looking out for the
6 average taxpayers on these property taxes, and it stems from
7 Prosecutor Coulson and his interpretation of a Supreme Court
8 ruling. Mr. Coulson may be in the minority in the state.
9 Geauga County, for example, their Budget Commission will take
10 a look at the, let's say, the revenue and expenses and they
11 will make adjustments. They recently made adjustments to
12 their, I think it's the health commission or the mental
13 health, yeah, the mental health commission had surplus funds.

14 And I, all I have to do is point out to the
15 residents of Lake County and Concord Township, Deepwood Center
16 has got \$55 million in rainy day funds, the Crime Lab has
17 accumulated close to \$7 million. The Crime Lab is, their
18 revenue in excess of their expenses every month is \$1.6
19 million. So they're pulling out \$1.6 million that they don't
20 need every month from the citizens of Lake County.

21 And, quite frankly, I am now of the mind to say, Why
22 would we vote for any additional property taxes? Don't take
23 that personal. I'm not disparaging anybody in the room here.
24 But if there was no one, if there are no checks and balances
25 in our system -- and there are none -- why would a citizen
26 believe that the revenue that is being requested will not be
27 excessive taxation? Prosecutor Coulson said that he needed
28 the \$1.6 million so that he can accumulate it so he didn't
29 have to go back to the taxpayers for 15 to 20 years. Well,
30 that's not an excuse in my mind. He should be going back

1 every three to five years to justify their existence.

2 But I point out to you, I don't know if you heard,
3 we posted about Ron Young's parting words. The two top
4 priorities of government is to grow and to protect itself.
5 The two top priorities of politicians, according to Ron Young,
6 is to get reelected and to protect themselves. Not one word
7 of what is the best interest of the citizens of the county,
8 not one word.

9 So we have to be very mindful of what's going on in
10 our world today. I've mentioned several times that we're
11 pricing seniors and those on fixed incomes out of their
12 homes. Now that we have double-digit inflation, we're in for
13 a real problem in 6, 12 months going on. There is going to be
14 some real problems that you're going to have to face.

15 What's the solution? Well, at the Budget
16 Commission, Auditor Galloway said that, he has said to me, you
17 know, offline that he really basically agreed but he can't
18 really do anything because he's got to listen to the legal
19 authority and he's going to, not going to put himself in
20 personal financial risk if he goes outside of that. I always
21 thought people were bonded, you know, so that there would not
22 be a financial risk but, obviously, Treasurer Zuren and
23 Auditor Galloway feel that they have some personal financial
24 risk if they go against Prosecutor Coulson's advice.

25 That brings me to the second issue. Ultimately, it
26 is probably going to be a state legislative action that's
27 going to be required that better defines the role of the
28 Budget Commission. I've been asking, What is the role of the
29 Budget Commission? And, you know, I am not really getting
30 some real strong answers. Either people don't know or -- But

1 as property taxes keep going up, I am just wondering, Why
2 would I vote, if I don't see the financial ramifications and
3 if Prosecutor Coulson says you can't do anything about it
4 because, once it's voted on by the taxpayers, nobody can
5 change anything? So taxpayers better, I am telling everybody,
6 you better know what you're voting on on these property taxes
7 because they're not going to be changed, according to
8 Prosecutor Coulson.

9 I can tell the Trustees that I have lost total faith
10 in the Prosecutor's Office of Lake County. I've got half a
11 dozen reasons. I have sent an email to Prosecutor Coulson to
12 be able to redress my grievances against him. I have not
13 heard back from the Prosecutor's Office. If I don't hear from
14 them, then I will publish and I will tell everybody why I've
15 lost faith in the Prosecutor's Office.

16 The third thing is the FBI. I don't know if you
17 know but I did have, I had an hour and a half meeting,
18 interrogation with four FBI agents on the, my article about
19 voter fraud in Lake County, and I found that very interesting.
20 But whoever dropped the dime on me with the FBI, I just would
21 like to thank them because they have increased my readership.
22 I know that I, at least, have two FBI agents that are reading
23 my online newspaper and they see everything.

24 There was a, someone tried to impersonate Lobbyists
25 For Citizens by writing an email through a Proton Millicon,
26 which is encrypted, and they -- it was Lobbyist, singular,
27 Lobbyist for Citizens going to the Prosecutor's Office. And
28 how do I know that is because Dave Hackman says, "Mr. Massie,
29 I've got your records request all set for you."

30 I said, "I didn't ask for anything."

1 He said, "Well, I will give it to you anyway."

2 I found that very interesting. But he later showed
3 me it was Lobbyist for Citizens. So what I did is I contacted
4 the FBI immediately and I said, "Just in case something
5 nefarious happens, there is somebody that's trying to
6 impersonate Lobbyists for Citizens and I am concerned."

7 And they said to me, "Mr. Massie, if you feel
8 physically threatened, the first thing you do is call 911 and
9 then you call the FBI."

10 Thank you for the time.

11 MR. DONDORFER: Thank you.

12 MR. ROSE: Thank you.

13 CHAIRWOMAN LUCCI: Thank you for sharing.

14 MS. DAWSON: Madam Chair, I would just like to point
15 out, I was at the Budget Commission meeting and we don't have
16 a significant carryover. So while other entities may, we do
17 not.

18 MR. McINTOSH: I think, along the lines of
19 Mrs. Dawson's comments, I do have a couple things. I'd just
20 like to thank Mr. Massie for coming this evening. And you're
21 always welcome to, obviously, speak to the Trustees about some
22 of these matters. A lot of things that you addressed aren't
23 really in the township's purview, as you and I have talked
24 about online.

25 But I think you raised a question, I think, that's
26 relevant for us to answer, and that's the fact that I think
27 you have some concern. I don't really want to comment one way
28 or the other because you know more about some of these issues
29 than I do and I wouldn't want to say I agree or disagree with
30 you, but I think you bring up valid concerns. And I think

1 where people aren't giving you answers, you are certainly
2 entitled to that as a taxpayer and a voter.

3 With respect to levies, just because Concord
4 Township is responsible for it, to Mrs. Dawson's point about
5 our finances, I would just respectfully request that, if we
6 don't have a level of trust here in the township as far as
7 what we're doing with our finances, that we would have an
8 opportunity to talk, possibly, offline about that from the
9 simple standpoint that there is something that I've had to
10 take three years, coming from business into government, to
11 understand and that's fund accounting. And everything has a
12 different fund and those funds all have guidelines. So it's
13 complex the way various government entities ask for funds.
14 And just because one entity that has a levy collects heavy
15 doesn't necessarily mean -- Now, it's not, it's a challenge
16 for a taxpayer if you live in the community where some levy or
17 some fund or some entity is over collecting, as is maybe the
18 case with a few things here, because you're paying for it and
19 maybe you're not getting something for it.

20 But to Mrs. Dawson's point, we don't see that here
21 in Concord Township. And if there is any question about it, I
22 respectfully request that you approach us because, certainly,
23 we would like to be transparent and have a constructive
24 dialogue. And I would like to assure you that we are doing
25 everything we can to be very responsible with our funds here
26 in Concord Township.

27 So I would also like to say, you know, you bring up
28 an interesting point about asking for money every three to
29 five years because, earlier this year, we had a request from a
30 resident to do exactly the opposite of that, which was to save

1 money and we should have rainy day funds and a war chest built
2 up for costs, which there are statutory limitations on that
3 kind of a thing for townships in particular. So that is a
4 debatable thing and that's certainly something, as township
5 trustees, that when we take up the cause of taxation. And
6 when we just make decisions about levies and whatnot, that's
7 certainly part of it goes into the thought process.

8 So I would, at least, like to, again, say that I
9 think renewable levies or continuous, there is merit both ways
10 and voters should just do due diligence and reach out to their
11 elected officials to get clarity on those issues because here
12 in the township we have both and there is, I would like to
13 think, good reasons for both of them. And this Board didn't
14 make all of those decisions, some of our predecessors did.
15 But, again, there was valid and lucid thought process that
16 went into that and it's not a black and white issue.

17 CHAIRWOMAN LUCCI: Anything you wish to address?

18 MR. DONDORFER: No, ma'am.

19 CHAIRWOMAN LUCCI: Yeah, and I just, you know, I
20 commend you for coming up and speaking your mind. You do a
21 lot of homework. We realize that. But I sort of agree, you
22 know, you mentioned checks and balances. And I think, from a
23 local government standpoint, we certainly prove that with
24 transparency. Everything is open and honest in that regard.
25 So, but I appreciate your words about some of the
26 county issues.

27 MR. DONDORFER: Yeah, thank you, Mr. Massie.

28 CHAIRWOMAN LUCCI: Okay. Moving on to Old Business,
29 seeing that there is none, we will move on to New Business,
30 please.

1 MR. McINTOSH: Madam Chair, I make a motion to
2 approve the August financial report as noted.

3 MR. DONDORFER: And I will second.

4 CHAIRWOMAN LUCCI: All in favor?

5 (Three aye votes, no nay votes.)

6 MR. DONDORFER: Madam Chair, I will make a motion to
7 approve Resolution 2022-18 declaring certain personal property
8 of the Concord Township Fire Department surplus and not needed
9 for public purpose and obsolete and unfit for the use for
10 which the property was acquired and approving the sale of this
11 property by internet-based auction.

12 MR. McINTOSH: I will second.

13 CHAIRWOMAN LUCCI: Any discussion?

14 MS. DAWSON: Yes. I would like to mention that it
15 is a 2008 Ford E-450 Braun ambulance and a 2007 Dodge Durango
16 motor vehicle.

17 CHAIRWOMAN LUCCI: This requires a roll call vote.
18 Roll call, please.

19 MS. DAWSON: Mr. McIntosh?

20 MR. McINTOSH: Yes.

21 MS. DAWSON: Mr. Dondorfer?

22 MR. DONDORFER: Yes.

23 MS. DAWSON: Mrs. Lucci?

24 CHAIRWOMAN LUCCI: Yes.

25 Okay. Moving on.

26 MR. McINTOSH: Are we having the longer discussion
27 or do we need to make the motion first?

28 MR. ROSE: I think you make the motion.

29 MR. McINTOSH: All right. Madam Chair, I will move
30 to approve Resolution 2022-19, a resolution authorizing the

1 settlement agreement and release.

2 MR. DONDORFER: I will second.

3 CHAIRWOMAN LUCCI: And for discussion, Mr. Lucas,
4 can you please kind of fill the residents in on what this is
5 about, please, and your recommendation.

6 MR. LUCAS: Yes, thank you, Madam Chair.

7 At the present time, there is two pending and
8 independent lawsuits that were filed against the Concord
9 Township Board of Trustees and the Concord Township Zoning
10 Commission. The first is based on a decision, two separate
11 decisions made by the Zoning Commission regarding the Sheetz
12 proposed design review and development review. The Zoning
13 Commission denied both of the components of that after two
14 meetings. And a lawsuit was then filed by the applicants,
15 which included Sheetz and Normandy Properties Limited
16 Partnership LTD, alleging that they made error on both
17 decisions and it's in the court as a, Lake County Common Pleas
18 Court as an administrative appeal.

19 Subsequent to the filing of the administrative
20 appeal, and, again, for the same underpinning that both Sheetz
21 and Normandy Properties Limited Partnership LTD felt that the
22 decision was incorrect as a matter of law, they also filed a
23 separate second action for declaratory judgment, a mandatory
24 injunction and money damages.

25 So there is two pending lawsuits. These were filed
26 as a matter of public record in early May of this year. At
27 the commencement of both cases, there was discussion with
28 legal counsel, both myself, the three attorneys that are
29 representing Sheetz and Normandy Properties, and our insurance
30 defense counsel, who is engaged only on the second lawsuit

1 because it was a claim for money damages. And during the
2 course of the discussions, Sheetz and Properties brought up
3 the point that, you know, before we really get hunkered down
4 in litigation on both fronts, that can we try to resolve this
5 in some way?

6 The end result was that there was a lot of
7 discussion between legal counsel. A proposed settlement
8 agreement and release was prepared. It has to be approved,
9 obviously, by the Board of Trustees and, correspondingly, the
10 Zoning Commission. And it was a recommendation by myself and
11 also by the insurance defense counsel, with specific reference
12 to the second litigation for money damages, in part, that the
13 resolution was probably in the best interest of the township
14 and that.

15 So that's what's subject to discussion tonight. And
16 if approved, the end result is that both lawsuits will be
17 dismissed by Sheetz and the second plaintiff and the site plan
18 and development plan will be considered approved as part of
19 the settlement. And, again, it was a recommendation of myself
20 and also the insurance defense counsel on the second
21 litigation, John Latchney, that this was a good compromise in
22 terms of bringing this to an end, saving protracted litigation
23 and attorney fees and legal expenses as we proceed forward and
24 that.

25 So that's my recommendation but, again, it's up to
26 the Trustees. But that's sort of a nutshell of the two cases.
27 So thank you.

28 MR. DONDORFER: Thank you.

29 CHAIRWOMAN LUCCI: Thank you, Mr. Lucas.

30 Discussion?

1 MR. McINTOSH: I know we've talked about this quite
2 a bit. We've had multiple executive sessions and we were
3 briefed Friday in the office hours about this. So I would
4 agree with the Law Director that it's the best interest of the
5 community not to take this, drag it out and we should just
6 move to an amicable resolution.

7 MR. DONDORFER: Right, I agree.

8 CHAIRWOMAN LUCCI: Mrs. Dawson, for the vote we need
9 a roll call, please.

10 MS. DAWSON: Mr. Dondorfer?

11 MR. DONDORFER: Yes.

12 MS. DAWSON: Mr. McIntosh?

13 MR. McINTOSH: Yes.

14 MS. DAWSON: And Mrs. Lucci?

15 CHAIRWOMAN LUCCI: Yes. Thank you.

16 MR. DONDORFER: Madam Chair, I will make a motion to
17 approve our Administrator to attend on behalf of the Trustees
18 required public records training pursuant to Ohio Revised Code
19 Section 109.43(B) and 149.43(E).

20 MR. McINTOSH: I enthusiastically second that
21 motion.

22 CHAIRWOMAN LUCCI: Any discussion?

23 MR. DONDORFER: No. I mean, we've all been to the
24 initial --

25 MR. McINTOSH: We've been through it, yeah.

26 MR. DONDORFER: -- public records training and
27 Sunshine Law training and follow-up.

28 CHAIRWOMAN LUCCI: Yes. Mr. Rose is a great stand
29 in.

30 MR. DONDORFER: Thank you. Yes.

1 MR. ROSE: Thank you so much.

2 MS. DAWSON: Unfortunately, he is not attending on
3 my behalf. So --

4 MR. ROSE: The law doesn't allow me to attend on the
5 Fiscal Officer's behalf.

6 CHAIRWOMAN LUCCI: You are irreplaceable,
7 Mrs. Dawson.

8 All in favor of this?

9 (Three aye votes, no nay votes.)

10 MR. McINTOSH: Madam Chair, I vote to approve
11 conditional offer of employment to Ryan Nappi as part-time
12 probationary fire/medic pending background check and physical.

13 MR. DONDORFER: And I will second.

14 CHAIRWOMAN LUCCI: All in favor?

15 (Three aye votes, no nay votes.)

16 CHAIRWOMAN LUCCI: And for Item F, we had voted on
17 these items in our staff meeting on the 2nd. Mr. Rose, would
18 you like to read those?

19 MR. ROSE: Yeah, I am happy to read those.

20 CHAIRWOMAN LUCCI: Thank you.

21 MR. ROSE: Items that were voted on in the staff
22 meeting on September 2, 2022, there was a vote to establish a
23 separate escrow bank account at First Federal Lakewood.
24 Mr. McIntosh moved to establish the separate bank account.
25 Mr. Dondorfer seconded. The vote was three ayes.

26 The other item voted upon was a vote to enter into
27 executive session for the purpose of discussing pending
28 litigation pursuant to Ohio Revised Code Section 121.22(G)(3).
29 At 10:55 a.m. Mr. McIntosh moved to enter into executive
30 session pursuant -- or for the purpose of discussing pending

1 litigation pursuant to ORC 121.22(G)(3). Mr. Dondorfer
2 seconded. The roll call vote: Mrs. Lucci voted yes,
3 Mr. Dondorfer voted yes, Mr. McIntosh voted yes. At
4 11:14 a.m. Mr. McIntosh moved to exit out of executive
5 session, Mr. Dondorfer seconded, and the vote was three ayes.

6 And that concludes the items that were voted on
7 during the staff meeting.

8 CHAIRWOMAN LUCCI: Thank you, Mr. Rose.

9 MR. ROSE: Yes, ma'am.

10 CHAIRWOMAN LUCCI: And then Future Meetings and
11 Announcements, Mrs. Dawson, would you care to read those,
12 please.

13 MS. DAWSON: Thank you, Mrs. Lucci.

14 On September 14th, at 7:00 p.m., the Board of Zoning
15 Appeals meeting will be held here at Town Hall.

16 On the 21st of September, from 6:30 to 7:30 p.m.,
17 trustee office hours will be held in our conference room; and
18 at 7:30 p.m., trustee meeting will be held here at Town Hall.

19 CHAIRWOMAN LUCCI: All right. Well, thank you,
20 everyone. Thank you for attending, and we are officially
21 closing the meeting for this evening. Thank you.

22 (Whereupon, the meeting was adjourned at 8:32 p.m.)
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