

# RECORD OF PROCEEDINGS

## Minutes of Concord Township Board of Trustees Meeting

Held on January 15, 2025

The Regular Trustees meeting was held via YouTube Live Streaming.

The Concord Township Board of Trustees met for a Regular meeting on January 15, 2025, 6:00 pm, in Town Hall, located at 7229 Ravenna Road. Vice-Chairperson Morgan R. McIntosh called the meeting to order and led in the Pledge of Allegiance. Trustees present were Carl H. Dondorfer and Morgan R. McIntosh. Amy L. Lucci was absent.

### APPROVAL OF MINUTES:

January 3, 2025 Organizational and Regular Meetings Minutes. Mr. Dondorfer moved to approve the January 3, 2025 Organizational and Regular Meetings Minutes. Mr. McIntosh seconded. Vote 2 ayes.

### ELECTED OFFICIALS REPORT:

#### A. FISCAL OFFICER REPORT – John Patriarca, Fiscal Officer

Mr. Patriarca reviewed the state of Concord Township finances since the last meeting.

#### B. TRUSTEES

Mr. Dondorfer 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.

### AUDIENCE:

None

### OLD BUSINESS:

None

### NEW BUSINESS:

- A. DECEMBER FINANCIAL REPORT. Mr. Dondorfer moved to approve the December Financial Report. Mr. McIntosh seconded. Vote 2 ayes.
- B. RES. 2025-03 RESOLUTION SUPPORTING THE OHIO MUNICIPAL LEAGUE'S CHALLENGE OF AT & T'S TARIFF APPLICATION AT THE PUCO. Mr. Dondorfer moved to adopt the following resolution:

### RESOLUTION NO. 2025-03

#### A RESOLUTION SUPPORTING THE OHIO MUNICIPAL LEAGUE'S CHALLENGE OF AT&T'S TARIFF APPLICATION AT THE PUBLIC UTILITIES COMMISSION OF OHIO.

**WHEREAS**, on December 18, 2024, the Ohio Bell Telephone Company dba AT&T Ohio ("AT&T") filed a Telecommunications Form related to a change in its tariff for "Construction Charges, Relocation of Facilities" with the Public Utilities Commission of Ohio (the "PUCO") in PUCO Case Nos. 24-1123-TP-ATA and 90-5032-TP-TRF (collectively referred to as "AT&T's Tariff Application");

**WHEREAS**, AT&T's Tariff Application proposes tariff changes which will require any governmental entity in which AT&T is located in the governmental entity's public right-of-way to pay the full cost of any relocation or undergrounding of AT&T's facilities, regardless of the reason for the relocation. This is in direct contradiction of current Ohio law;

**WHEREAS**, AT&T's Tariff Application is subject to a thirty-day auto approval process, meaning that if the PUCO does not rule on the application, then the application is automatically approved, and the tariff change becomes effective on the thirty-first day after the filing of the application;



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**WHEREAS**, if AT&T's Tariff Application goes unchallenged and becomes automatically effective, governmental entities, such as townships (and, subsequently, constituents who may or may not be AT&T customers) would be required to pay for any relocation of AT&T facilities in the public rights-of-way, even if the relocation or undergrounding is required for health, safety, or public welfare purposes;

**WHEREAS**, any challenges to AT&T's application must be filed prior to January 17, 2025, to allow the PUCO to pause the automatic approval process, allow challengers to be heard through an evidentiary hearing, and consider legal arguments. To challenge AT&T's Tariff Application, an interested stakeholder must file a motion to intervene with the PUCO showing that it has a real and substantial interest in AT&T's Tariff Application and the intervener is so situated that the disposition of the proceeding may, as a practical matter, impair or impede its ability to protect that interest; and

**WHEREAS**, the Ohio Municipal League has engaged counsel to challenge AT&T's Tariff Application.

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

**SECTION 1.** AT&T's Tariff Application directly changes and significantly impacts, to detriment of the township, how Concord Township manages and administers its public rights-of-way.

**SECTION 2.** The Board hereby authorizes and agrees, on behalf of Concord Township, to participate in and to intervene in the proceeding at the PUCO in order to challenge AT&T's Tariff Application and any subsequent and/or necessary legal, administrative, legislative efforts.

**SECTION 3.** has been advised by the Ohio Municipal League that future financial and/or other support from Concord Township may be necessary to the success of a challenge to AT&T's Tariff Application and any related legal, administrative or legislative efforts. The Board may, if required, take under consideration the specific amount or form of such financial and/or other support from Concord Township at a subsequent meeting of this Board.

**SECTION 4. Compliance.** It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of the Board that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 5. Effective Date.** This Resolution shall in full force and effect upon its passage and approval by the Board of Trustees and as further provided under Ohio law.

Mr. McIntosh seconded. Vote 2 ayes.

- C. FIRE DEPT. APPROVE PO TO ATWELLS POLICE AND FIRE IN THE AMOUNT OF \$15,000 FOR FIRE DEPT UNIFORMS. Mr. Dondorfer moved to approve Fire Dept. PO to Atwells Police and Fire in the amount of \$15,000 for Fire Dept. uniforms. Mr. McIntosh seconded. Vote 2 ayes.
- D. FIRE DEPT. APPROVE PO TO COUNTRYSIDE TRUCK SERVICE IN THE AMOUNT OF \$50,000 FOR FIRE DEPT. VEHICLE MAINTENANCE. Mr. Dondorfer moved to approve Fire Dept. PO to Countryside Truck Service in the amount of \$50,000 for Fire Dept. vehicle maintenance. Mr. McIntosh seconded. Vote 2 ayes.
- E. APPROVE PO TO BLACKBIRD DIGITAL IN THE AMOUNT NOT TO EXCEED \$30,000 FOR WEBSITE UPDATE. Mr. Dondorfer moved to approve PO to Blackbird Digital in the amount not to exceed \$30,000 for website update. Mr. McIntosh seconded. Vote 2 ayes.
- F. FIRE DEPT. APPROVE PO TO SCHINDLER ELEVATOR FOR AN ELEVATOR MAINTENANCE CONTRACT IN THE AMOUNT OF \$12,000 (\$1,200 A YEAR/TEN (10) YEARS) AND TO AUTHORIZE THE FIRE CHIEF AND OR ADMINISTRATOR TO EXECUTE SAID CONTRACT. Mr. Dondorfer moved to approve PO to Schindler Elevator for an elevator maintenance contract in the amount of \$12,000 (\$1,200 a year/ten (10) years) and to authorize the Fire Chief and or Administrator to execute said contract. Mr. McIntosh seconded. Vote 2 ayes.
- G. SERVICE DEPT. APPROVE HIRING OF CALEB DAVIS, MAINTENANCE WORKER, AT \$24.00, PENDING BACKGROUND CHECK AND NEW HIRE PAPERWORK. Mr. Dondorfer moved to approve Service Dept. hiring of Caleb Davis, Maintenance Worker, at \$24.00 pending background check and new hire paperwork. Mr. McIntosh seconded. Vote 2 ayes.

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### H. FUTURE MEETINGS & ANNOUNCEMENTS:

1/20	CLOSED	MARTIN LUTHER KING JR. DAY
2/3	3:00 PM	STAFF MEETING / Town Hall
2/4	7:00 PM	ZONING COMMISSION / Town Hall
2/5	5:00-6:00 PM	OFFICE HOURS / Town Hall
	6:00 PM	TRUSTEES MEETING / Town Hall

Upon proper motion the meeting was adjourned at 6:16 pm.

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

  
Morgan R. McIntosh, Vice-Chairperson

  
John M. Patriarca, Fiscal Officer