

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
FEBRUARY 16th, 2012**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on February 16th, 2012, to conduct the business of the Township. Chairman Todd called the meeting to order at 7:10 pm with the following Trustees in attendance: Michel D. Todd, Ray Jarrett and Ken DeMichael. Also in attendance were the Police Chief, Fire Chief, Road Foreman, Zoning Inspector and the general public.

Roll Call

Mr. Todd asked for a roll call of all members present. Trustees present were Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Pledge

Mr. Todd led the Pledge of Allegiance.

Moment of Silence

Mr. Todd asked for a moment of silence for our military personnel serving at home and overseas.

OTHER BUSINESS

Erica Graffein – Representative for the Medina County Auditor's Office

Erica Graffein of the Auditor's Office said tax bills were due this past Friday. Dog Licenses were due January 31. You will now be assessed a penalty for renewing after January 31, the fee will be \$24.00. If you are getting a new dog after January 31, the fee will be \$12.00. She also discussed the AESOP Program for people who are in the process of losing their home. Please call the Auditor's Office at 330-725-9767 for assistance.

Pat Lonergan-Medina County Works

Pat Lonergan explained that Medina County Workforce Development helps people that have lost their job and that they hold job fairs. She asked the Trustees to waive the zoning permit fees for the temporary signs announcing the job fairs. Mr. Todd said Trustees waived the fees for the last job fair but his concern is with the frequency of the signage needed for the job fairs (monthly per the Zoning Inspector). Mr. Jarrett said that because of the economy, anything that would help would be a blessing and he would like to revisit the issue. Mr. Todd said the Trustees will look into a solution for this issue.

Ohio Billing-Fire Department

Chief Crumley said that, per the Ohio Revised Code, the Fire Department can charge non-residents a fee for motor vehicle accidents that they respond to. He introduced Pamela Sprowls of Ohio Billing. Ms. Sprowls explained that her company bills non-residents for their motor vehicle accidents for the Fire Department. The all inclusive fee per claim would be \$35.00 with a one time security encryption fee of \$795.00. Chief Crumley was asked how many non-residents accidents did they have in 2011 and he said 3. The Trustees will make a decision after they get the actual 2011 run documentation from Chief Crumley.

Approval Accounts Payables

Mr. Todd motioned to approve warrant #22702 to #22761 totaling \$80,311.66. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Approval of Payroll

Mr. Todd motioned to approve payroll checks #15753 to #15773 total amount of \$27,590.63 with \$4,701.75 going to Deferred Comp, OPERS, post tax health and union dues. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

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OTHER BUSINESS CON'T

Approval of Minutes

Mr. Todd motioned to approve the minutes for the regular meeting held on February 2, 2012. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

REPORTS

Reports were tabled until the March 1 Trustees Meeting.

OLD BUSINESS

LST Contract

There has been no word on the LST Contract.

Flag Day

Laurie Shoemaker said she has gotten the forms out for the flag design contest and everything seems to be coming together. She will talk to the VFW about their participation and verify the Boy Scouts participation.

Fees for Blakeslee Ballfields

Mr. Todd said he is waiting for the proposal from the City of Medina concerning the use and fees for the ballfields.

Sponsorship of Fields

Mr. Todd is looking into asking the business owners if they would be interested in doing a yearly sponsorship of the fields to help defray the cost of maintaining the fields. He asked Bill Doraty his opinion. Mr. Doraty said he can give him the information on how other communities handle this and the amount of donations.

Hiring of Counsel for BZA

Hiring of Counsel for the BZA will be discussed in Executive Session.

Realignment of the Township

Mr. Todd said the realignment of the Township would have the Zoning Office open from 9 to 5 so Elaine Ridgley will be made full-time Zoning Inspector. They also want backup for when Celia takes time off. Also, Laurie Shoemaker will be made Administrative Assistant to the Trustees and Julie Riffle, Administrative Assistant (Fire Clerk) to the Fire Department, will split her time between the Fire Department and the Police Department to do some of the activities that Laurie Shoemaker was previously doing. The position of the Assistant Zoning Inspector will be eliminated.

Inflatable Sign Zoning Amendment Proposal

Mr. Todd spoke about his last proposal for an amendment to the zoning code for temporary inflatable signs. Two criticisms were that people driving by would see the inflatable and have an accident. There is no documentation supporting that and he would abate that concern by requiring the business owner to name Medina Township as an additional insured on their policy. The other concern was the number of inflatables that would pop up in the Township. He said if it is temporary signage and becomes unmanageable, since it is not grandfathered, the zoning text can then be amended to rescind or change the amendment. Mr. Todd has addressed the concerns and would like to move forward. He feels making it a temporary sign and having the township named as a co-insured is the way to go. Mr. Jarrett and Mr. DeMichael will review the proposed amendment. Mr. Jarrett asked the Trustees to review an amendment that he had prepared. He stated he has had it for a year and a half. This will be discussed at the next Trustees meeting.

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PUBLIC COMMENT

Mr. Todd motioned to open the floor for public comment. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Tara Quinn (Sun News Reporter) will be unavailable to attend the Trustees meetings due to a scheduling conflict. She introduced Seth-Thomas Reaves, Medina County Career Center Journalism student, as the Sun News Representative. She asked that you give him any information he requests and if you have any questions or information you can still contact her at the Sun News. He will have her cards.

Sandra Bilek (3414 Hamlin Road) presented Trustees with a resolution about fracking and commented on fracking.

Michael Baach (3838 Weymouth Woods) commented on fracking. Mr. Todd said there is going to be a Hydro-Fracking forum on February 29, 2012 at 6:00 pm at Weymouth Country Club and it is open to the public. There will be speakers from both sides of the issue.

Sally Gardner (3333 Foskett Road) commented on fracking.

Robin Gray (4074 Remsen Road) commented on fracking.

Michael Baach (3838 Weymouth Woods) asked all Trustees to please be involved in all votes and make their opinions known. He also commented on his lawsuit against the Township stating there was an assertion that twice the open meetings act was violated. His lawsuit was to insure that the open meetings act would not be violated again. The lawsuit was settled and the Township Trustees agreed not to meet anywhere under the open meetings act. He feels the community has the right to see everything that is being done by the Trustees.

Mr. Todd explained his stance on the way he votes. He clarified that he votes his conscience and feels if people disagree with him that is their right.

Jim Apana (3993 Dogleg Trail) asked how the Trustees voted on the Planned Parenthood site & signs. Mr. Todd said the Trustees voted 2 to 1 on each item. Statutorily the Trustees had to vote.

Robin Gray (4074 Remsen Road) asked what it meant for the Township to be a co-insured on the inflatables insurance. Mr. Todd explained that the business would have to add the Township to their policy as an additional insured.

Sally Gardner (3333 Foskett Road) asked Mr. DeMichael and Mr. Jarrett what they learned at the OTA Conference they attended. She also asked if the Township hospitalization offers a wellness incentive on the policy. Mr. Todd said they will look into it.

Mike Baach (3838 Weymouth Woods) said there is a computerized program called Fire Form for employees to update their health information. You then can shop for lower cost insurance. Mr. Todd said Mark Herwick, Homestead Insurance, already does that for the Township.

Chief Arbogast, Police Chief, said in 2013, the Bureau of Workers Compensation will be making grants available for wellness programs through workman compensation.

Mr. Todd motioned to close the floor for public comment. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

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PURCHASE ORDERS AND TRAINING REQUESTS

Tri-City Communications-Fire Department

Mr. Jarrett motioned for a purchase order requisition for the Fire Department, vendor information Tri-City Communications, for 12 batteries, \$720.00, 4 mini-antennas \$48.00 total, 4 belt clips \$32.00 total, total amount, \$800.00. Mr. Todd seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mr. DeMichael.

Fire Force, Inc. – Fire Department

Mr. Jarrett motioned for a purchase order requisition, Fire Department, Fire Force, Inc., for 10 firefighting gloves, total \$810.00. Mr. Todd seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mr. DeMichael.

Sudden Cardiac Arrest Seminar – Police Department

Mr. Todd motioned to appropriate \$12.00 for the Sudden Cardiac Arrest at Weymouth Country Club February 21 for Ken DeMichael to attend to learn about external technology. Mr. Jarrett seconded the motion. Roll call vote: Mr. Todd aye, Mr. Jarrett aye and Mr. DeMichael abstain.

OTHER BUSINESS

Sugar Creek Township Litigation

Mr. Jarrett asked Mr. Todd if he had time to look at the Sugar Creek Township Litigation. Mr. Todd said he had not but he will review it.

Hamilton Road Cemetery

Mr. Miller said there are 4 trees that need to be removed in the Hamilton Road Cemetery. The cost will be \$975.00. Mr. Todd said to get a purchase order and get that done before they fall on the headstones that were just repaired. Mr. Jarrett and Mr. DeMichael agreed.

Executive Session – Pending Litigation and Employee Compensation

Mr. Todd motioned to go into Executive Session to discuss pending Litigation with Medina Township Board of Trustees and also while we're there we'll discuss employee compensation, as well. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett. The Board entered into Executive Session at 8:57 pm.

Mr. Todd motioned for the Medina Township Board of Trustees to reconvene from Executive Session, we discussed about pending litigation and employee compensation. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett. The Board reconvened at 9:45 pm. No decisions were made during that meeting.

Pending Litigation with PHN Motors vs Medina Township Zoning Board of Appeals

Mr. Todd said there is pending litigation with PHN Motors vs the Zoning Board of Appeals. John Slater represented the Board last time and there are 2 different opinions on counsel for this hearing. Mr. Jarrett said he has tried to be consistent on his opinions and feels Todd Hunt has represented the Township in a professional manner and since the BZA is being named in a lawsuit he feels Mr. Hunt is the best representative for the Township and the BZA. Mr. DeMichael said if we hire our own counsel it will cost the Township money. The Prosecutor is required to provide us with an attorney. We have contacted the Prosecutors Office and have been put in contact with someone who is qualified and will not cost the Township money. Mr. Todd said he will vote on this specific issue because it affects Elaine and the Zoning Board of Appeals, there is a time constraint and the Trustees are at an impasse. Mr. Todd said he will not vote on PHN Motors lawsuit against the Township in the 6th Circuit Court of Appeals or on the text amendment that is proposed by Bill Doraty.

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OTHER BUSINESS CON'T



Pending Litigation with PHN Motors vs Medina Township Zoning Board of Appeals Con't

Resolution No. 02162012-011

Mr. Todd motioned to put forth a resolution appointing Kevin Baxter from Erie County as special counsel for the Township to represent the Township Board of Zoning Appeals and to include his Representatives or Assistant County Prosecutors, at no fee, to represent the Township as special counsel. Mr. DeMichael seconded the motion. Roll call vote: Mr. Todd aye, Mr. DeMichael aye and Mr. Jarrett no.

Executive Session

Mr. Todd motioned to go into Executive Session to discuss employee compensation with Elaine Ridgley and the Board of Trustees. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. The Board entered into Executive Session at 9:50 pm.

Mr. Todd motioned to reconvene from executive Session where the Board of Trustees were present with Elaine Ridgley to discuss employee compensation. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. The Board reconvened at 10:25 pm. No decisions were made during that meeting.

Appointment of Elaine Ridgley - Full-Time Zoning Inspector

Mr. Todd motioned to appoint Elaine Ridgley as the Zoning Inspector for Medina Township at full-time rate to be the full-time Zoning Inspector, and I think the rate was \$16.32 an hour, and since she's new to full-time we have longevity we went back and we agreed upon, based upon the hours and the years that she's worked for the Township, that as far as longevity, starting today she will be credited with seven years of longevity in that calculation, starting today. Mr. DeMichael seconded the motion. Mr. Jarrett asked if they need to discuss hours of operation and Mr. Todd said not in this motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Appointment of Laurie Shoemaker -- Administrative Assistant to the Board of Trustees

Mr. Todd motioned to create the new position and appoint Laurie Shoemaker to the position of Administrative Assistant to the Board of Trustees, which is a full-time position for Medina Township, with her pay being paid half out of the general fund, 30% or I'm sorry, 20% out of the Zoning Department 15% out of the Fire Department and 15% from the Police Department, at a rate of \$14.80 an hour, is that what we said, yea. Mr. Jarrett seconded the motion.

Discussion: Chief Crumley asked about longevity for Laurie if you do longevity for everyone else. Mr. Todd said they will come back to that with her and they will ask her to count up her hours the way Elaine counted her hours. The hours are then divided into 2080 to come up with the years. Chief Arbogast asked if he gets longevity for his part-time years and Mr. Todd said no.

Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Township Vehicle

Mr. Todd said the Trustees have discussed having a vehicle to be used for Township business instead of paying mileage. It will be discussed during the budget process.

Remsen Road Property

Mr. Todd said Medina Township was the only bid for the County Commissioners Remsen Road property and they do not have to accept that bid.

Starting Date for Elaine Ridgley as Full-time Zoning Inspector

Mr. Todd said the starting date for Elaine Ridgley will be March 29, 2012. The hours will be from 9 to 4 or by appointment.

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OTHR BUSINESS CON'T

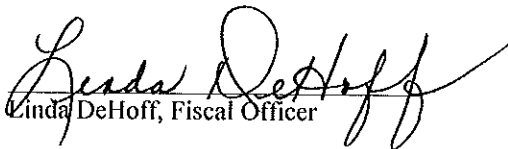
Starting Date for Laurie Shoemaker as Administrative Assistant to the Trustees

Mr. Todd said Laurie Shoemaker will start on March 29, 2012, as Administrative Assistant to the Trustees.

Assistant Zoning Inspector Position


Mr. Todd said the last day for the Assistant Zoning Inspector Position will be March 29, 2012.

Mr. Todd motioned to adjourn the meeting at 10:33 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.


Linda DeHoff, Fiscal Officer


Michael D. Todd, Chairman


Ray Jarrett


Ken DeMichael

RECEIVED

FEB 16 2012

RESOLUTION

By Concerned Citizens of Medina Township

MEDINA TOWNSHIP

Requesting Medina Township Board of Trustees to Contact by Letter the Trustees in Medina County, Ohio and compile a list of concerns in regard to Slick Water High Volume Industrialized Hydrofracking, to be forwarded to the Medina County Commissioners

WHEREAS, the Residents of Medina Township, have concerns in regard to the process of Slick Water High Volume Industrialized Hydrologic fracking;

WHEREAS, regional and national companies have begun to approach residents of Medina Township and Medina County to secure mineral rights for natural gas and petroleum contained deep underground in the shale bedrock below Medina Township;

WHEREAS, many of these companies have proposed to extract this natural gas and petroleum by a method commonly known as slick water high volume hydrologic fracking;

WHEREAS, the Residents of Medina Township believe that preservation of valuable natural resources, and water and air quality is a hallmark of a great community;

WHEREAS, the Residents of Medina Township believe that the ground water and natural streams and other waterways contained in Medina Township provide valuable nutrients to our local vegetation and an aesthetically pleasing environment for our local residents;

WHEREAS, the Residents of Medina Township have concerns of the Air Quality being affected for residents surrounding areas where slick water high volume industrialized hydrologic fracking may take place;

WHEREAS, preserving these valuable features of Medina Township help to ensure that residents of Medina Township and our community and environment and the greater surrounding area will continue to have safe, healthy and potable drinking water for the future and air quality that is not hazardous to the health of the residents or the environment;

WHEREAS, the Residents of Medina Township have concerns that the business model of many of these companies is to remove these minerals as quickly as possible, where after they are no longer vested in the overall health of Medina Township residents, the community or environment, vegetation or wildlife;

WHEREAS, numerous nongovernmental organizations have raised serious long term environmental concerns related to the practice of slick water hydrologic fracking, including gas being released into local groundwater and natural streams located within the immediate proximity of hydrologic fracking sites as well including severely reduced air quality standards that are hazardous to human health and the environment and ecosystems;

WHEREAS, these long-term environmental concerns have not been sufficiently addressed to the satisfaction of the Residents and Community of Medina Township and we have concerns for the health of our residents and community from this industrialized practice of hydrologic fracking, and we request of our Board of Trustees to act in our behalf to address our concerns;

WHEREAS, the residents of Medina Township believe the potential long-term impact of Slick water high volume industrialized hydrologic fracking unnecessarily exposes Medina Township residents and our Community and environment to degradation of our natural streams and groundwater; and air quality, and value of our land and homes, and we request our Trustees to honor their oath of office to protect the health, safety and welfare of our residents;

WHEREAS, the residents of Medina Township believe there is a severe lack of regulations to protect citizens and the environment and community of our township in regard to the process of slick water high volume industrialized hydrologic fracking;

WHEREAS, the Residents of Medina Township do not believe the rewards outweigh the risk; and we request our Board of Trustees to mirror the concerns of the residents of Medina Township.

(BE IT RESOLVED, that the Residents of Medina Township request of our Medina Township Trustees to compose a letter expressing our concerns and forward said letter to the surrounding Board of Trustees in the County of Medina, and ask for their support, if they are in agreement with our concerns, and sign on to a letter that will be forwarded to the Board of Medina County Commissioners in accordance with the Oath of Office that you took to protect the health, safety and welfare of the Residents of Medina Township.)

RESOLUTION

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<u>Sandra Bulek</u> Signature	<u>Sandra Bulek</u> Print Name	<u>3414 HAM LIN Rd</u> Address	<u>2-16-12</u> Date
<u>Robin M. Gray</u> Signature	<u>Robin M. Gray</u> Print Name	<u>4074 Remsen Rd</u> Address	<u>2/16/12</u> Date
<u>Christina Traylor</u> Signature	<u>Cyris Traylor</u> Print Name	<u>4044 Remsen Rd</u> Address	<u>2/16/12</u> Date
<u>Sandra Bulek</u> Signature	<u>Sandra Bulek</u> Print Name	<u>1633 S. FOSKETT RD</u> Address	<u>2/16/12</u> Date
<u>Ray J. Barrett</u> Signature	<u>Ray J. Barrett</u> Print Name	<u>3757 Foskett Rd.</u> Address	<u>2-16-2012</u> Date
<u>Sandra Bulek</u> Signature	<u>Sandra (Sally) Gardner</u> Print Name	<u>3333 Foskett Rd</u> Address	<u>2-16-2012</u> Date

RESOLUTION

By Concerned Citizens of Medina Township

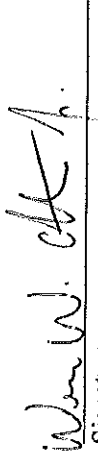
Requesting Medina Township Board of Trustees to Contact by Letter the Trustees in Medina County, Ohio and compile a list of concerns in regard to Slick Water High Volume Industrialized Hydrofracking, to be forwarded to the Medina County Commissioners

<u>Marcelline Kessler</u> Signature	<u>MARCELLINE KESSLER</u> Print Name	<u>5126 BAKER RD</u> Address	<u>2-16-12</u> Date
<u>[Signature]</u> Signature	<u>DON KESSLER</u> Print Name	<u>5126 BAKER RD</u> Address	<u>2-16-12</u> Date
<u>[Signature]</u> Signature	<u>Alicia Steegen</u> Print Name	<u>3003 Hood Rd</u> Address	<u>2-16-12</u> Date
_____ Signature	_____ Print Name	_____ Address	_____ Date
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_____ Signature	_____ Print Name	_____ Address	_____ Date

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Signature

WERNER W. OSTMAN, JR. 3670 HAMILTON RD
Print Name Address

2-16-11
Date


Signature

J.D. PUFFMAN 4025 RENSEN RD
Print Name Address

2-16-11
Date

Signature

Address

Print Name

Date

Signature

Address

Print Name

Date

Signature

Address

Print Name

Date

Signature

Address

Print Name

Date

