

RECORD OF PROCEEDINGS

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

March 28, 2024, at 12:00 P.M.

Held _____ 20 _____

Chairman Anderson called the Trustees' Regular Meeting of March 28, 2024, to order at 12:00 P.M. and welcomed everyone to the meeting being held in the Trustees' Meeting Room at the Administration Building.

Mr. Anderson called for a roll call: Mr. Wayman, Mr. Anderson, Mr. Brown, Lieutenant Kirk, and Mrs. Gerred-Ditchcreek were in attendance. Mr. Anderson stated Mr. Gauntner, Chief Hager and Mr. Pasqualone were absent this afternoon with prior commitments.

Mr. Anderson led the audience in the Pledge of Allegiance.

Mr. Anderson stated at this time we will have a "Moment of Silence" to reflect on things and to remember family, friends, and neighbors, who are no longer with us. Please remember Madison residents' Delores Buchanan, Ruth Connell, and Christopher John Lorente.

Mr. Anderson stated the Minutes for March 12, 2024, will be approved at the next meeting once Mr. Gauntner is back in town.

Mr. Anderson requested a motion to approve the bill list in the amount of forty-six thousand, nine hundred seventy-four dollars and eighty-one cents (\$46,974.81) (actual) for March 28, 2024.

Mr. Wayman presented a motion to approve the bill list in the amount of forty-six thousand, nine hundred seventy-four dollars and eighty-one cents (\$46,974.81) (actual) for March 28, 2024, attached to and made part of these minutes, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

Mr. Anderson requested a motion to approve payroll in the amount of one hundred eight thousand, three hundred seventy dollars and thirty-five cents (\$108,370.35) (actual) for March 22, 2024, and payroll in the amount of one hundred nine thousand, forty-nine dollars and ninety-eight cents (\$109,049.98) (estimate) for April 5, 2024.

Mr. Wayman presented a motion to approve payroll in the amount of one hundred eight thousand, three hundred seventy dollars and thirty-five cents (\$108,370.35) (actual) for March 22, 2024, and payroll in the amount of one hundred nine thousand, forty-nine dollars and ninety-eight cents (\$109,049.98) (estimate) for April 5, 2024, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

TRUSTEES:

RESOLUTIONS:

Mr. Anderson requested a motion to adopt **Resolution #24-045**, A Resolution honoring Fiscal Officer Terry Gerred-Ditchcreek upon the special occasion of her retirement after 15 years of dedicated and devoted public service to Madison Township.

Mr. Wayman presented a motion to adopt **Resolution #24-045**, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

Mr. Anderson stated "Terry Gerred-Ditchcreek served as Fiscal Officer for Madison Township for fifteen (15) years, commencing on April 8, 2009, through March 31, 2024, and Terry was the first woman elected as a Madison Township Trustee, serving two (2) terms from January 1, 1984 through December 31, 1991, and Terry served on various boards and committees to include: *Pride in Madison Committee (1985-2002)*, *Madison/Perry Chamber of Commerce (1991-2002)*, *Madison Township Zoning Board (1994-2004)*, and *The Board of Trustees of Lakeland Community College (1997-2007)*, and Terry's performance of the duties and responsibilities of Township Fiscal Officer has been characterized by positive and constructive contributions throughout her tenure as Fiscal Officer, and during Terry's terms in office, the Ohio Auditor of State has returned all financial audits results as *Unmodified Audit Opinions* with no accompanying *Findings*; and on behalf of the citizens of Madison Township, the Board of Township Trustees thank Terry Gerred-Ditchcreek for her forty (40) years of dedicated and enthusiastic public service."

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Mr. Anderson said he thanks Terry for all her years of service. He remembers working with Terry when he was a police officer for Madison Township, and he appreciates everything she has done for the Township. He said he knows the staff and public also appreciates everything. Mr. Anderson said Terry has always done an outstanding job. Mr. Anderson presented Terry Gerred-Ditchcreek with a plaque honoring her on her retirement.

Mr. Wayman stated this is a big day for Terry. She worked eight (8) years as a Madison Township Trustee, ten (10) years on the Madison Township Zoning Board, fifteen years as Madison Township Fiscal Officer and has been a member of many other boards and committees through the years. She has been a dedicated public servant. Terry has done a wonderful job for Madison Township keeping the Trustees out of trouble, and the Board appreciates that. Mr. Wayman said Terry was the first female trustee after one hundred seventy-three (173) years. She broke the gender barrier and is a true trailblazer. Mr. Wayman said it has been a pleasure working with Terry, and he wanted to thank her and wish her the best in her retirement.

Mrs. Terry Gerred-Ditchcreek stated she loved her job. Mr. Anderson said that was very apparent by the way she did her job. Mrs. Gerred-Ditchcreek said she has always worked so retirement will be a big adjustment. She thanked everyone for the best wishes.

Mr. Anderson stated Mrs. Gerred-Ditchcreek will now administer the oath of office to Sarah Hamercheck who was elected as Madison Township Fiscal Officer in the November 2023 General Election. *"I, Sarah Hamercheck, do solemnly swear that, I will support the Constitution of the United States and the Constitution of the State of Ohio and will faithfully discharge the duties of Fiscal Officer of Madison Township, Lake County, State of Ohio, during my continuance in office."*

DEPARTMENT REPORTS

POLICE DEPARTMENT:

Lieutenant Kirk requested a motion to adopt **Resolution #24-046**, A Resolution declaring April as Child Abuse Prevention Month.

Mr. Wayman presented a motion to adopt **Resolution #24-046**, seconded by Mr. Anderson.
Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

FISCAL OFFICER:

Mrs. Gerred-Ditchcreek, Fiscal Officer, went over some investment details of two (2) investment accounts. The Wells Fargo Bank investment was one million dollars when she first started as Fiscal Officer fifteen (15) years ago. That account is now up to over three million. The interest to date is ninety-five thousand, four hundred twenty dollars and twenty-two cents (\$95,420.22). The Andover Bank account is one million dollars. The interest on the six-month certificate of deposit is twenty-two thousand, nine hundred sixty-two dollars and seventy-four cents (\$22,962.74).

ZONING:

Zoning Inspector, Mr. Ungers requested a motion to approve **Resolution #24-047**, A Resolution to enter into an agreement with Canter's Classic Lawn Care of Kingsville, Ohio, to provide for the abatement, control or removal of vegetation, garbage, refuse and other debris when determined as a nuisance by the Board of Madison Township Trustees.

Mr. Wayman presented a motion to approve **Resolution #24-047**, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

SERVICE DEPARTMENT/PUBLIC WORKS:

Assistant Road Supervisor, Mr. Matt Price, asked the Board if they had any questions regarding the Service Department as he had nothing to report. The Board did not have any questions for Mr. Price.

ADMINISTRATOR:

Administrator, Mr. Brown, stated he had just a few updates for the Board before he gets to the Resolutions. Mr. Brown said the Local Government Fund (LGF) Ad Hoc Committee met about a week and a half ago. Discussions are going well. The committee has one more

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meeting on April 5, 2024. Mr. Brown stated the committee has a framework that may be in place before July. Everyone is co-operating much better than expected. A decision must be reached before July or the Township will have to participate in hearings in front of the Tax Commission requesting Local Government Funds. Mr. Brown said everything is going well.

Mr. Brown said he met with officials from the Lake County Utilities Department on March 27th and finalized the scope of the proposed sanitary sewer project on U.S Route 20 (North Ridge Rd.) using the Township's American Rescue Plan Act (ARPA) funds. Hopefully, there will be an informational meeting with property owners on North Ridge Road at the beginning of June. The date for the informational meeting will be scheduled later. The meeting will be held at the Utilities Department Training Center on Blasé-Nemeth Road at the Route 2 and Route 20 split in Painesville Township. Mr. Brown said he will inform the Board of the date when it is scheduled. It would be appropriate for the Board to attend in its entirety.

There was a precon meeting with "Asphalt Paving" of Geauga County on March 26th. "Asphalt Paving" will be doing the Stanton Park Trail Project for the Township using funds from a Community Development Block Grant. "Asphalt Paving" will start the project a week after the asphalt plants open, and construction should take three to four (3 - 4) days. Mr. Brown said, hopefully, the walking trail will be completed and ready for use by May 1st.

Mr. Brown stated bids were opened for the 2024 Road Repaving Program. "Gauga County Construction" was the low bidder and was recommended by Civil & Environmental Consultants, Inc., the project engineering consultant. The bid came in under the engineers estimate so the Township is able to include Dunbar Road in the project. Mr. Brown said he will have a Resolution later for this project.

Mr. Brown said he had some discussions on March 20th with the Lake County Engineers' Office and Lake County Stormwater Department regarding the Emerson Road culvert problem. The Township is in the process of trying to get the project done as an emergency project so it will not have to go out for formal bids. The Township still needs to get some legal opinions from the Lake County Engineers' Office, Lake County Prosecutor, and Solicitor Mr. Pasqualone when he returns from being out-of-town. This project is in progress.

Mr. Brown stated, as the Board is aware, he received notice from U.S. Congressman Dave Joyce's office that the Township was tentatively awarded a one million, twenty thousand dollars (\$1,020,000,00) grant for Stanton Park to put armor stone across the entire bluff. Mr. Brown said he has not heard from the Department of Agriculture, but the award made it out of committee so the funds are there. The Township is still waiting for the process. Mr. Anderson stated he wanted to thank Mr. Brown for getting the Township that kind of money. Mr. Anderson said Mr. Brown does not get enough thanks for what he does for the Township, and he wants to thank him again. Mr. Brown said it is a team effort. Mr. Anderson said Mr. Brown is the one who applied for the grant and secured it. Mr. Anderson said "Thank you for what you do."

Mr. Brown stated he met with the School Board last week and went over the Tax Increment Financing (TIF) for the Sheetz property at Green Road and Route 20. There were some new members of the School Board who had some concerns about it. Mr. Brown said he explained to them what the TIF is, the process for TIFing a property, and what the Township's plans are with the TIF money that is collected, and everyone seemed to calm down afterwards.

Mr. Brown, Administrator, requested a motion to adopt **Resolution #24-048**, A Resolution declaring improvements to certain parcels of real property to be a public purpose, describing the public infrastructure improvements to be made to directly benefit those parcels, requiring the owners thereof to make service payments in lieu of taxes and establishing a Tax Increment Equivalent Fund.

Mr. Wayman presented a motion to adopt **Resolution #24-048**, seconded by Mr. Anderson.
Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

Mr. Brown, Administrator, requested a motion to approve **Resolution #24-049**, A Resolution authorizing the transfer and conveyance of personal property which the Board

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of Madison Township Trustees has determined is not needed for public use, is obsolete, or is unfit for the use for which it was acquired and which has an aggregate fair market value of more than \$2,500.00.

Mr. Wayman presented a motion to approve **Resolution #24-049**, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

The property being transferred is a 2006 Ford F-350 dump truck with a mileage of two hundred fourteen thousand, seven hundred fifty-seven (214,757) and a 2000 Chevrolet 2500 4-wheel drive pick-up with mileage of one hundred twenty-eight thousand, five hundred nineteen (128,519). Ohio Revised Code (ORC) 505.10A (5) authorizes the transfer and conveyance of such personal property to any political subdivision of the State of Ohio. Madison Township wishes to transfer and convey the vehicles to the Madison Local School District at a total cost of one thousand dollars (\$1,000.00). These two (2) trucks were going to be auctioned off. Angela Smith, Superintendent of the Madison Local School District, sent a notice that Madison Local Schools would like to purchase the trucks.

Mr. Brown, Administrator, requested a motion to approve **Resolution #24-050**, A Resolution to enter into an agreement with Geauga Highway Company, of Troy Township, Ohio, at a total cost of four hundred sixty-seven thousand, two hundred thirty-four dollars and eighty cents (\$467,234.80) for the Madison Township 2024 Road Program.

Mr. Wayman presented a motion to approve **Resolution #24-050**, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

Sealed bids for the resurfacing of several roads totaling over two (2) miles in Madison Township were opened in public on March 13, 2024, at 11:00 A.M. Civil & Environmental Consultants, Inc. the project engineer reviewed and evaluated the bids and recommended the "Gauga Highway Company" as the lowest and best bidder. Mr. Brown stated the funds to be used are from a Ohio Public Works Commission (OPWC) grant left over from 2020 which the OPWC did not make the Township aware that it was granted until recently.

Mr. Brown requested a motion to approve **Resolution #24-051**, A Resolution to enter into Ohio Bureau of Workers' Compensation Group Retrospective Rating Program: Naming Sedgwick, Rep ID #000900-80 as Madison Township's representative in matters before the Ohio Bureau of Workers' Compensation for the policy year beginning January 1, 2025; effective December 31, 2025.

Mr. Wayman presented a motion to approve **Resolution #24-051**, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

Madison Township is a member of the Ohio Township Association, and Madison Township wishes to be included in the Ohio Bureau of Workers' Compensation (OBWC) group identified as Ohio Township Association 352450 for purposes of obtaining OBWC membership. The Board of Madison Township Trustees recognize the Ohio Township Association's sole representative with the OBWC is Sedgwick, Rep ID #000900-80 and wish to be a member of the Group Retrospective Rating Program. The dates in the Resolution are correct. The OBWC dates are different from regular dates.

OTHER:

Mr. Anderson asked if Mr. Wayman had anything to report for the Fire Board. Mr. Wayman said he had nothing to report at this time.

CITIZEN COMMENTS:

Mr. Duane Frager, Madison Joint Recreation District (MJRD), addressed the Board. Mr. Frager stated first he wanted to thank Terry Gerred-Ditchcreek, who is a founding member of the Recreation District, for all her work for the MJRD. She was involved with many of the first events held such as the Teen Center. Terry is a true volunteer and has never been afraid to voice her opinions on things. Mr. Frager congratulated her on her retirement and wished her a lot of good luck.

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Mr. Frager said the last time he and two (2) other members of the MJRD attended a Trustees' meeting they explained what was being planned for the "Light Up the Park" event this year. At that time, the Trustees did not seem to have any objections. It came as a shock through some communications that now the Board is against what the MJRD has planned. Mr. Frager stated his purpose here this afternoon is to find out what happened since the prior meeting. Also, to speak about the finances of the MJRD. Mr. Frager said "Fireworks aren't free", and this event is about an eight thousand-dollar (\$8,000.00) proposition for the MJRD. The MJRD does not have a steady stream of income. Fortunately, in the past, the MJRD has been able, through the efforts of Mr. Brown, to secure about one-fourth of the cost. Then the MJRD has to make up the difference. Mr. Frager said, a few years ago, the fireworks cost about five thousand dollars (\$5,000.00), but now, with the economy, the price has risen. The MJRD has multiple free events, like "Christmas in the Park", and school scholarships and grants for kids to play sports. It is getting harder and harder to keep things going. Mr. Frager stated the MJRD is trying to make decisions after doing some research on other ways to bring in some funds. At the last meeting the MJRD attended, a plan to have a beer tent at Madison Township Park during the "Light Up the Park" event was mentioned. The beer tent would be in compliance with all regulations. There is already several bars and restaurants in that area. Mr. Frager asked what happened to change the Board's opinion of what the MJRD was planning to do, and does the Board plan to block the MJRD from doing as planned. If so, would the Board be willing to donate some funds for the fireworks event?

Mr. Brown stated the Board has not voted on the MJRD's plans for a beer tent. It was just his personal thoughts that were communicated. Mr. Anderson stated Mr. Wayman was not present at the meeting being referred to so it was decided to wait until Mr. Wayman was back in town to discuss this further. Mr. Frager said the communication back to the MJRD was that the Trustees were not in favor of the plan. Mr. Brown stated the conversations were very informal in his office and "family" events was mentioned. Mr. Brown stated the Trustees can speak for themselves, but that was his interpretation of what was said. Mr. Frager said the MJRD benchmarked other communities like Fairport Harbor, Mentor, Painesville, Perry, and Conneaut who have much more intense events with alcohol which are family events and very successful. Mr. Frager asked "Where does the MJRD Board go from here?"

Mr. Wayman stated his personal thoughts on the matter, and he thinks Mr. Anderson and Mr. Gauntner would agree, is that the beer tent would not be a good idea simply because everyone of the business owners on that corner sell beer and would be complaining to the Trustees about the beer tent. Also, "Light Up the Park" is a family event, and maybe some kind of game could be held to raise funds, such as shooting basketballs or hammering nails into stumps or whatever. Another factor to consider is given the Township's financial situation at this time, the Board is willing to donate some funds toward the cost of the fireworks. The Township is not able to cover all the expense but could come up with some funds to help out.

Mr. Frager said he appreciated the comments. In the past, there has been some history with the "Light Up the Park" committee before it was taken over by the Recreation Board. It hasn't always been peaches and cream. Mr. Frager stated the MJRD has successfully brought back the business owners involved and they are kept in the loop. The business owners know what the MJRD is doing, and know they would benefit from the beer tent. In fact, the MJRD is holding a fund raiser at one of the businesses in that area.

Mr. Sizemore and Mr. Fioretti, MJRD, stated the MJRD would not be selling exotic beer at "Light Up the Park". In the past, when the carnival was there, the bars were also there. The MJRD is not going to take business away from the bars for eight (8) hours, one day a year. The MJRD would just like to try the idea this year to see how it goes.

Mrs. Terry Gerred-Ditchcreek stated there has always been festivals at Madison Township Park with beer served since she was a kid. There was never a problem. Residents wanting to drink beer had to stay in the tent. Terry stated she cooked for American Legion Post 601 who always had their festival at Township Park. Madison Township's fireworks are better than any fireworks in the county. The fireworks are phenomenal, and the MJRD has always footed all the expense for the whole community. Terry said the Township has

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donated four thousand dollars (\$4,000.00) to the Rec Board for years. Last year, the Township donated the Northern Ohio Public Energy Council's (NOPEC) funds of two thousand dollars (\$2,000.00) to the Rec Board. The residents of Madison would be so disappointed if there were no fireworks this year. Mrs. Gerred-Ditchcreek stated she understands both sides but most communities have carnivals and a beer tent. Mr. Sizemore stated the MJRD does have liquor liability insurance.

Mr. Anderson stated he does not attend the "Light Up the Park" event anymore because he received a nasty complaint from a business owner in the area that there was no place to park for their customers and business was taken away from them. Mr. Anderson said he was also called a name when he was trying to help with "Light Up the Park", and he will never do it again. Mr. Frager said as he mentioned before, there was some history before the Rec Board took over the event. What happened in the past did not include the Rec Board of today. Mr. Anderson said he understood and has been to some of the meetings. Mr. Anderson said the Township should be able to donate toward the fireworks. Mr. Anderson said he agrees with Mr. Wayman. Mr. Sizemore said he understands a decision cannot be made today because Mr. Gauntner is not present. Maybe the MJRD and the Board can put their heads together and figure something out. Mr. Anderson said that is possible. Mr. Wayman stated the Board would wait till Mr. Gauntner is back in town and then discuss this matter a little further. Mr. Anderson agreed. Mr. Sizemore said he would talk to the business owners in the area. Mr. Brown stated no official action on anything has been taken by the Board yet. Mr. Brown said he would keep the MJRD in the loop.

Mr. Anderson reminded everyone the next Trustees' Regular Meeting will be Tuesday, April 9, 2024, at 7:00 P. M. with the Trustees' Workshop Meeting preceding at 6:30 P. M.

Mr. Anderson asked if there was any other business, and with no further business to discuss, requested a motion to adjourn.

Mr. Wayman presented a motion to adjourn the Meeting, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes

Chairman Anderson adjourned the Trustees' Regular Meeting at 7:44 P.M.


Max Anderson, Jr., Chairman


Terry Gerred-Ditchcreek, Fiscal Officer