

AGENDA

For the Weathersfield Township Trustees Regular Meeting

To be held on Tuesday, August 10, 2021 at 7:00PM

Call to order: Steve Gerberry

Pledge: Completed

Prayer: Steve Gerberry

Moment of Silence: For Steve Shelton, Liberty Township Fiscal Officer, who passed away in early July of this year.

Roll Call: Marvin J. McBride - Present Steven J. Gerberry - Present
Rich Harkins - Present Fred R. Bobovnyk - Present

Correspondence/Announcements:

- The **Trustees would like to thank Fire Chief Tom Lambert, his fire officers, and his firefighters for their tireless effort over the last 17 months.** Beginning in March of 2020 and ending on July 31, 2021 our firefighters were able to staff our fire station in Mineral Ridge with two to three part-time firefighters each day, Sunday through Saturday, from 8:00 AM until 5:00 PM.

Staffing the one of our three stations with part-time firefighters was a difficult task because we are a volunteer fire department and most of our firefighters work other full-time/part-time jobs. Keep in mind that these same volunteer firefighters continued to respond to other fire calls that would occur throughout the evening and overnight during this same period time. The Trustees were able to pay for this temporary program with revenue received from COVID-19 relief funds.

Once again, thank you to all our firefighters for their commitment to our community and for sacrificing their personal/family time through the pandemic.

- The **Trustees would like to remind our residents that the 2021 Residential Tree Limb Chipping Program is continuing.** The 2021 Residential Tree Limb Chipping Program began on Friday May 7th, 2021 and will continue each Friday through Friday October 29th, 2021. For tree limb pick-up, you must call the Township by Thursday of each week to be placed on the list for a Friday pick-up. Please keep the following rules and procedures in mind:
 - This program is intended for residential tree limbs up to 3 inches in diameter.
 - The tree limbs must be placed at the curbside with all the cut ends aligned with each other toward the street.
 - No shrubs, stumps, roots, lumber, or railroad ties will be accepted. All tree limbs must be free from vines.
 - We are not a tree removal service; if you are having a tree professionally removed let them do the entire job, you must have them take the tree limbs as well.

Reports:

- Financial Report – Presented by Fred Bobovnyk
- Administrator's Report – Presented by David Rouan
- Zoning Report – Presented by Melissa Murphy
- Police Report – Presented by Chief Michael Naples
- Fire Report – Presented by Fire Chief Tom Lambert
- Lane LifeTrans Report – Presented by Lane's Chief Tom Lambert
- Law Director's Report – Presented by Cherry Poteet

Note: All reports are on file in the Fiscal Officer's office.

Comments from the public will be heard on agenda items at this time; there will still be an opportunity for individuals to address the Board during our public comments part of the meeting.

Old Business:

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None

New Business:

21-083 Motion to **approve the consent agenda**, which includes the following:

- **Minutes from the Regular Meeting** Tuesday, July 13, 2021 at 7:00 PM;
- **Drawing warrants upon our treasury and paying township bills;** and
- **The Then and Now's pursuant to the list provided by the Fiscal Officer.**

Motion by: Marvin McBride Seconded by: Rich Harkins
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

21-084 Motion to **transfer \$16,475.00 from the General Fund to the Capital Projects Fund** effective July 15, 2021 and to **transfer \$30,000.00 from the General Fund to the Road and Bridge Fund** effective August 5, 2021.

Motion by: Rich Harkins Seconded by: Marvin McBride
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

21-085 Motion to **obtain an Amended Certificate of Official Resources and to request the certificate that states that our appropriations do not exceed our Certificate of Official Resources** from the Trumbull County Budget Commission.

	UNENCUMBERED			OTHER	TOTAL	Total Spending
8/10/2021	BALANCE	TAXES		SOURCES	SOURCES	Appropriations
Amended Revenue and Appropriation Budget						
GENERAL FUND		335,832.04	pt			
		24,594.01	hd	428,150.00	O	
TOTAL GENERAL FUNDS	561,750.71	360,426.05		428,150.00	O	1,350,326.76
SPECIAL REVENUE FUNDS						
Motor Vehicle License Tax	25,987.87			66,350.00	O	92,337.87
Gasoline Tax	25,003.28			180,200.00	O	205,203.28
Road and Bridge	2,670.79	256.78		80,000.00	O	82,927.57
Cemetery	20,895.80			82,500.00	O	103,395.80
Police	610,763.63	1,028,965.75		1,229,388.89	O	2,869,118.27
Fire District	155,570.52	377,571.30		27,000.00	O	560,141.82
Drug Law Enforcement	17,355.19			15,000.00	O	32,355.19
Enforcement & Education	3,114.02			500.00	O	3,614.02
Weathersfield Twp Lighting District	22,453.78			48,000.00	O	70,453.78
TOTAL SPECIAL REVENUE	883,814.88	1,406,793.83		1,728,938.89		4,019,547.60
DEBT SERVICE FUNDS						
	0.36					0.36
TOTAL DEBT SERVICE	0.36					0.36
OPWC/CAPITAL PROJECT FUNDS						
Capital Projects (Community Building)	\$ 3,117.52			\$ 500,000.00	O	\$ 503,117.52
OPWC PROJECTS				\$ 486,000.00	O	\$ 486,000.00
	3,117.52			986,000.00		989,117.52
American Rescue Plan Act				419,580.37		419,580.37
Covid 19 Funds						
TOTAL BUDGET	1,448,683.47	1,767,219.88		2,157,088.89		6,358,992.24
PT - Property Taxes -LG Local Government -	CH-County Health-					

Motion by: Marvin McBride Seconded by: Rich Harkins
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

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- 21-086 Motion to **authorize Township Administrator David Rouan to take the necessary steps pursuant to law to dispose of a 1985 Chevy 1-Ton Dump Truck** which is not needed for public use, is obsolete, or is unfit for the use acquired, in the opinion of the Board, the vehicle has a fair market value of less than two thousand five hundred dollars; and to authorize the Township Administrator to sign the Certificate of Title to a Motor Vehicle on behalf of the Trustees for this transaction.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 21-087 **MOTION TO ADOPT A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT.**

WHEREAS, Weathersfield Township, Trumbull County, Ohio (herein "Township") is a township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and Weathersfield Township has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Weathersfield Township Board of Trustees understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the "Settling Distributors") to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

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WHEREAS the Weathersfield Township Board of Trustees wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the "Proposed Settlement"):

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, OHIO.

Section 1. That the Board of Trustees of Weathersfield Township, Trumbull County, Ohio hereby accepts the proposed OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation ("Settling Distributors") pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

Section 2. That David Rouan, Township Administrator, is authorized to execute the Participation Agreement on behalf of Weathersfield Township, Trumbull County, Ohio.

Section 3. That it is found and determined that all formal actions of the Board of Trustees relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the people of the Township. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Motion by: Marvin McBride Seconded by: Rich Harkins
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

- 21-088 Motion to ***prohibit parking along the west side of TH61C (McDonald Avenue) beginning at the intersection of CR58E (Ohltown McDonald Road) and continuing north along TH61C (McDonald Avenue) to the terminus of said roadway at all times of the day.*** This prohibition is deemed necessary to provide for clear passage of emergency vehicles and this action is taken by the Board pursuant to ORC § 505.17 and ORC Chapter 4521. This restriction shall be enforced by the Weathersfield Township Police Department through the Parking Violation Bureau and the Board directs that signs be installed in conformance with the Ohio Manual of Uniform Traffic Control Devices.

Motion by: Rich Harkins Seconded by: Marvin McBride
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

- 21-089 Motion to ***acknowledge and accept the retirement of David Blosser from the Police Department*** effective today, August 10, 2021.

Motion by: Marvin McBride Seconded by: Rich Harkins
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

Public Comments:

Open Comments

Next Meetings:

Next Regular Meetings: Thursday, August 19, 2021 at 3:30 PM; Thursday, September 9, 2021 at 3:30 PM; and Tuesday, September 14 at 7:00 PM.

Adjournment:

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21-090 Motion to *adjourn the meeting*.

Motion by: Rich Harkins

Seconded by: Marvin McBride

Vote: Steve Gerberry - Yes

Rich Harkins - Yes

Marvin McBride - Yes

Motion Carried

Fred Bobovnyk, Fiscal Officer

Steven J. Gerberry, Trustee

Richard T. Harkins, Trustee

Marvin J. McBride, Trustee