

Trustee Regular Meeting – February 18, 2020

Chairman Schulte called the meeting of the Hinckley Township Board of Trustees to order at 6:55 p.m. on February 18, 2020. Present were Trustees Jim Burns, Melissa Augustine and Ray Schulte, Fiscal Officer Martha Catherwood, 14 residents and 1 reporter. All joined the Pledge to the Flag.

Mr. Schulte made a motion to approve the Regular Meeting Minutes of February 4, 2020, the Trustee Public Hearing Minutes of February 4, 2020, the Special Meeting Minutes of February 11, 2020 and the Special Meeting Minutes of February 18, 2020 as written. Burns second. Vote: A- yes, B-yes, S-yes.

Mrs. Catherwood requested the Trustees amend the Regular Meeting Minutes of February 4, 2020 pertaining only to clerical changes to remove parenthesis and period (also extra space) and add commas, as follows:

Former: C. Agritourism, (as defined by the Ohio Revised Code Section 901.80(A) (2)), shall be permitted on farms, (as defined by Ohio Revised Code Section 901.80.(A)(4),

As amended: C. Agritourism, as defined by the Ohio Revised Code Section 901.80(A)(2), shall be permitted on farms, as defined by Ohio Revised Code Section 901.80(A)(4),

Mr. Schulte moved to amend the Regular Meeting Minutes of February 4, 2020 as suggested. Burns second. Vote: A-yes, B-yes, S-yes.

POLICE DEPARTMENT

Chief Centner presented Fire Chief Grossenbaugh with a personalized travel mug to replace a mug Chief Grossenbaugh left accidentally at a previous trustee meeting. Chief Grossenbaugh enjoyed the fact that Chief Centner had auctioned the original mug on the internet, resulting in a \$60.00 donation to the Code Green Campaign to benefit first responder mental health issues.

FIRE DEPARTMENT

Ms. Augustine made a motion to accept the resignation of firefighter David Vance effective February 12, 2020. Burns second. Vote: A-yes, B-yes, S-yes. Chief Grossenbaugh explained that Mr. Vance has a new job which will not allow him time to continue his service for the fire department. The Trustees thanked Mr. Vance for his service to the community.

Ms. Augustine made a motion to amend the following February 4, 2020 approved motion to indicate a total cost of \$870.00:

Ms. Augustine made a motion to approve appropriations to M & T Autobody in the amount of \$701.00 for roof repairs on Squad 37.

Burns second. Vote: A-yes, B-yes, S-yes Chief Grossenbaugh explained that during the repair process additional marker cab lights were necessary to be installed.

Ms. Augustine made a motion approving appropriations to the **Medina County All Hazards Team** for the 2020 All-Hazards Team Cost Allocation in the amount of **\$2,676.10**. Burns second. Vote: A-yes, B-yes, S-yes.

Chief Grossenbaugh discussed the process currently underway to purchase a new fire engine, replacing the 1999 KME Fire Engine. Chief Grossenbaugh stressed the need to purchase an engine with a short wheel base to maneuver Township driveways, four doors to hold additional firefighting personnel, and a 1,000 gallon water tank. He stated that he has provided the Medina County Prosecutors Office specifications for an HME Brand apparatus that fits the needs of the department. If after review, the Prosecutors Office confirms that the specifications comply with State Bid pricing, Chief Grossenbaugh will ask the Trustees to approve the purchase. He added that the HME Brand engine

is a demo engine, but is currently under production and has no mileage or use on it. The price of the engine is \$368,400.00. He is also pursuing a number of grants to the State Fire Marshall and Wal-Mart for additional equipment.

SERVICE DEPARTMENT

Mr. Burns made a motion to approve a travel/educational appropriation for Michael Behary and Kenny Humberson to attend an LTAP Asphalt and Concrete Preservation at a total cost is \$192.00. Augustine second. Vote: A-yes, B-yes, S-yes.

Mr. Burns made a motion to approve a travel/educational appropriation for Kenny Humberson to attend ACRT Line Clearance Training at a total cost is \$870.00. Service Superintendent Haigh explained that Michael Behary already has this certification, when Kenny Humberson receives the training, both men will be certified to work around trees and power lines if required due to storm damage. Augustine second. Vote: A-yes, B-yes, S-yes.

Mr. Burns made a motion to approve a travel/educational appropriation for Michael Behary to attend ACRT Line Clearance Training for recertification at a total cost is \$100.00. Augustine second. Vote: A-yes, B-yes, S-yes.

Mr. Haigh presented the Trustees with a request to purchase a S740 Bobcat Skid Loader. He informed the Trustees that specifications for the purchase have been reviewed by the Medina County Prosecutors Office and comply with State Bid pricing. He listed the universal benefits of the proposed equipment purchase which included, use as a secondary loader, the ability to repair catch basins in-house, the jackhammer attachment can break off concrete for repairs in-house, a roller attachment for smoothing asphalt and a combination bucket for grading.

Mr. Burns made a motion to approve **Resolution #021820-01** to purchase a S740 Bobcat Skid Loader with the accessories - HV90 Hydraulic Breaker, 73" Vibratory Roller and 74" Combo Bucket for a total cost of **\$63,701.78**, which is at or below Ohio State Bid pricing and as approved by the Medina County Prosecutor **from Clark Equipment Co.** - West Fargo, ND. Schulte second. Vote: A-yes, B-yes, S-yes.

ZONING

Mr. Schulte presented the 2019 4th Quarter Zoning Report which included, 8 new residences and 5 accessory buildings. Total 4th Quarter receipts were \$9,655.00.

CEMETERY

Mr. Schulte presented the 2019 4th Quarter Cemetery Report which consisted of 5 burials. Total 4th Quarter receipts were \$1,925.00.

Mr. Schulte presented the 2019 4th Annual Cemetery Report which consisted of 10 Cemetery lots sold, 15 burials and 2 footers. Total 2019 receipts were \$11,182.00. Mr. Schulte added that Beach Cemetery was also resurfaced at a cost of \$10,080.00, Maple Hill monuments were leveled at a cost of \$3,200.00 and a \$1,000.00 grant was received from the Ohio Department of Commerce which will be used for monument leveling in 2020.

TRUSTEES

Ms. Augustine stated she has been approached by Eagle Scout candidates for project suggestions. Ms. Augustine said that she and Chief Grossenbaugh had discussed minor repairs to the fire department training building as a potential project. Mr. Burns replied that Kobak Field fence repairs, a stone pathway to the Maple Hill Cemetery Holding House and improvements to the barn at Brongers Park may also be potential projects.

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Ms. Augustine informed the Trustees that updated drafts of the Hinckley Township Vehicle Use and Cell Phone Policies are being reviewed by the Medina County Prosecutors Office, she asked to table discussion for a future meeting.

Ms. Augustine made a motion to approve **Resolution # 021820-02** adopting a three-year labor contract with the Ohio Patrolmen's Benevolent Association (Full-time Sergeants) effective 10/1/19 through 9/30/22, as follows:

Fiscal Officer Catherwood advised the Trustees that the notice requirements of R.C. §121.22 and the implementing rules adopted by the Trustees pursuant thereto were complied with for this meeting.

WHEREAS, the Trustees of the Township of Hinckley, Ohio ("Trustees") entered into a labor contract with the Ohio Patrolmen's Benevolent Association ("OPBA") for the bargaining unit comprised of the sergeant classification, effective 1/1/17 through 9/30/19 ("Labor Contract");

WHEREAS, the Trustees and OPBA met and negotiated a final tentative agreement for a successor collective bargaining agreement, which was approved by the Trustees in Resolution No. 121719-02 and required certain conditions be met for it to become effective;

WHEREAS, the conditions required for the final tentative agreement for a successor collective bargaining agreement, as identified in Resolution No. 121719-02 were not met, making the final tentative agreement void, null, and unenforceable as a matter of law; further, OPBA notified the Trustees that its full-time sergeant membership decidedly determined not to ratify the final tentative agreement presented by Resolution No. 121719-02;

WHEREAS, the Trustees adopted Resolution No. 010720-01 rescinding Resolution 121719-02 and containing other terms related thereto;

WHEREAS, the Trustees and OPBA recently met and negotiated a successor labor contract, which was memorialized on February 18, 2020, as contained in Exhibit A attached hereto ("Successor Labor Contract"); and,

WHEREAS, OPBA notified the Trustees on February 18, 2020 that its members in the full-time sergeant bargaining unit decidedly ratified the Successor Labor Contract, as contained in Exhibit A attached hereto. NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Trustees acknowledge and agree that the conditions required for the earlier final tentative agreement for a successor collective bargaining agreement to become effective, as identified in Resolution No. 121719-02, were not met and that the final tentative agreement was not ratified by OPBA's membership and is void, null, and unenforceable as a matter of law.

Section 2. The Trustees rescind Resolution No. 010720-01.

Section 3. The Trustees rescind Resolution No. 121719-02.

Section 4. The Trustees adopt and approve the Successor Labor Contract, attached hereto as Exhibit A.

Section 5. The Trustees authorize the execution of the Successor Labor Contract with the OPBA for the Full-Time Sergeants bargaining unit by the Chairman of the Trustees.

Section 6. It is found and determined that all formal actions of the Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Trustees, and that all deliberations of the Trustees and any of its committees that resulted in such formal action were in meetings in compliance with all legal requirements, including R.C. §121.22.

Burns second. Vote: A-yes, B-yes, S-yes.

Mr. Burns made a motion to amend -

Resolution #012120-01, authorizing the Medina County Engineers office to advertise for bid the 2020 Hinckley Township Paving Projects for the following Township roads: Jacklin Dr., Jeanne Dr., Joan Dr., Aldon Dr. East, Aldon Dr., West, Marwin Dr., Skyline Dr., Vista Ridge Circle, and Heartland Circle. Five hundred feet of Skyline Dr. and four hundred feet of Jacklin Dr. will be full width mill and fill projects. All of Vista Ridge Circle, and Heartland Circle will be mill and fill projects. Bid structure will permit Trustees to choose which road repairs will be accepted and which will be rejected without penalty within the project scope based on township budgetary constraints. Bids will be advertised in the Gazette on March 5, 2020 (one-time). Bid opening is on March 26, 2020 at 1:30 p.m. at the Medina County Engineers Office.

To the following:

Resolution # 021820-03, authorizing the Medina County Engineers office to advertise for bid the 2020 Hinckley Township Paving Projects for the following Township roads: Jacklin Dr., Jeanne Dr., Joan Dr., Aldon Dr. East, Aldon Dr., West, Marwin Dr., Skyline Dr., Vista Ridge Circle, Meadow Crest Circle, Heartland Circle and adjacent private road within the south end of the development. Five hundred feet of Skyline Dr. and four hundred feet of Jacklin Dr. will be full width mill and fill projects. All of Vista Ridge Circle, and Heartland Circle will be mill and fill projects. Bid structure will permit Trustees to choose which road repairs will be accepted and which will be rejected without penalty within the project scope based on township budgetary constraints. Bids will be advertised in the Gazette on March 5, 2020 (one-time). Bid opening is on March 26, 2020 at 1:30 p.m. at the Medina County Engineers Office.

Augustine second. Vote: A- yes, B-yes.

Mr. Burns made a motion to approve **Resolution #021820-04**, authorizing the Medina County Engineers Office to advertise for bid the T.H. 353 Salem Court Concrete Replacement Project. Bids will be advertised in the Gazette on March 12, 2020 (one-time). Bid opening is on April 2, 2020 at 1:30 p.m. at the Medina County Engineers Office. The Engineers Estimate is \$326,282.00 for Proposal 1 and \$4,050.00 for Alternate 1. Augustine second. Vote: A-yes, B-yes, S-yes.

Mr. Burns led a discussion regarding a resident concern as to the Township establishing a Resolution dictating how dogs should be tethered. Mr. Burns turned the floor over to Chief Centner who explained that he had solicited advice from the SPCA and the Medina County Dog Warden on this topic. Both entities had determined that current regulations provide a means to prevent abusive dog tethering. Chief Centner agreed with their assessment and advised the Trustees that no additional regulations are required.

Mr. Schulte made a motion to approve appropriations for the 2020 Medina County Emergency Management Cost Allocation in the amount of \$2,884.20. Burns second. Vote: A-yes, B-yes, S-yes.

Mr. Schulte made a motion to approve an MOU with the Medina County Soil and Water District (MCSWD) to establish rules and expectations for Phase II Stormwater NPDES permit compliance. Burns second. Vote: A-yes, B-yes,

S-yes. Mr. Schulte outlined the beneficial services provided by MCSWD, which includes environmental and educational services.

Mr. Schulte made a motion to approve appropriations for the 2020 Governmental Assessment to the Ohio Utilities Protection Service in the amount of \$414.76. Burns second. Vote: A-yes, B-yes, S-yes.

Mr. Schulte made a motion to approve **Resolution #021820-05** which supports the 2020 Census Initiative. Burns second. Vote: A-yes, B-yes, S-yes. Mr. Schulte stressed the importance of participating in the 2020 Census.

Mr. Schulte announced that Citizen of the Year nominations would be accepted through March 6. He encourages residents to nominate individuals who contribute to the Township.

FISCAL OFFICER

Mrs. Catherwood provided the Trustees with a draft of an updated Hinckley Township Record Retention Schedule (RC-2) for their review.

Mrs. Catherwood informed the Trustees that she and Mr. Schulte met with Westfield Bank representatives to discuss beneficial services Westfield could provide the Township. Westfield would provide the Township with 0.10% (current rate) interest on a checking account and also provide the Township with a deposit remote capture machine with no fees attached. The Trustees agreed that these benefits were positive for the Township.

Mr. Schulte made a motion to approve **Resolution #021820-06** establishing a checking account with Westfield Bank. Augustine second. Vote: A-yes, B-yes, S-yes.

Mrs. Catherwood stated the fund balance is \$4,643,926.44.

FLOOR

Kris from the Medina County Auditors Office reminded the audience that CAUV renewals and applications must be submitted by March 2, 2020 and Board of Revision applications will be taken until March 31, 2020.

There being no comment from the Floor, Mr. Schulte made a motion to pay the payroll/bills for **\$108,432.47**. Augustine second. Vote: A-yes, B-yes, S-yes.

Mr. Schulte made a motion to adjourn at 8:10 p.m. Burns second. Vote: A-yes, B-yes, S-yes.

The Board reviewed and signed purchase orders, payroll and bills.

The minutes of the meeting were approved by:

