

Perry Township Board of Trustees

Regular Meeting

October 19, 2021 6:00 pm

Call to Order/ Pledge of Allegiance:

Public Speaks: Scheduled Speakers:

Excused Absence: Charles Hall – Law Director

Additions/Deletions to Agenda:

Consider hiring Plakas and Manos Ltd., and Attorney Denise Houston to do an independent investigation on the charges pending.

Trustee Haines asked Trustee DeChiara if this could be discussed in the executive session. Trustee DeChiara responded he does not want to go into executive session concerning legal matters without the Law Director. Trustee Haines would like to do it after they go into the executive session and with possible action to be taken with the Board. Action to be taken at the executive session.

Public Hearings/Invited Guests:

6:00 pm Bid opening for 2022 – Various Edge Markings of Township Roads

One bid was submitted. Craig Chessler Fiscal Officer stated the bid was submitted by J.D. Striping and Services, Inc. of Ravenna Ohio. The guarantee bond form is part of the package but contains no signatures. The bidder also submitted the bid sheet which includes quoting prices at a total quoted price of \$43,102.70 for various township roadside markings and accept this and have the Law Director review the bid. A separate document there was a good bond.

Trustee Haines made a motion that the accept the bid from J.D. Striping and Services, Inc. of Ravenna for a total of \$43,102.70 and that we forward onto the Law Director and Road Superintendent for review and if review is positive, allow the Road Superintendent to act on this bid so we can get the stripping down before the weather changes. Seconded by Trustee Mike Shreffler

ROLL CALL: Mr. Haines, yes, Mr. Shreffler, yes. Mr. DeChiara, yes

Swearing in Ceremony for Police Officer Eric R. Dague

Be it remember that on the 19th day of October, 2021, Eric R. Dague having been duly appointed a Police Officer of Perry Township, Stark County, Ohio personally appeared before me, Douglas Haines, Perry Township Board of Trustees-President, Stark County, Ohio. Now, therefore, I certify that thereupon I administered to Eric R. Dague, and he subscribed in my present, the following oath:

THE STATE OF OHIO, STARK COUNTY, SS:

“I, Eric R. Dague, do solemnly swear or affirm that I will support the Constitution and Laws of the United States of America, the Constitution and Laws of the State of Ohio, and that I will faithfully, honestly and impartially discharge the duties of a Police Officer in and for the Police District of Perry Township, Stark County Ohio, during my continuance in that office.

Presentation of Medical Marijuana Dispensary Request of Buckeye Relief – Caroline Henry

Caroline Henry introduces herself and states she is the Director of Government Affairs. Included was the Retail Director, Director of Security and Chief Operator, Matt Winningham, Scott Hollison, and A.J. Carobello.

Buckeye Relief is a medical marijuana company based in East Lake, Ohio. Caroline Henry stated when the program first started 5 years ago, Perry Township put a ban on preventing the local marijuana companies from operating within its boundaries. They are here to talk about a property on Lincolnway East, former Family Video site. They would like to submit an application to the state to put a dispensary into that site. No growing or processing would happen in Perry Township. It would only serve patients with medical marijuana cards. It would work like a pharmacy. The Pharmacist they have on staff stated there is a medical benefit to this program. Qualifying conditions treated are which there are no cure or treatment for problematic conditions. To enter into the facility, you need to bring in your medical marijuana card which is given by your doctor who gave the prescription.

Buckeye Relief stated they are hopeful the Trustee’s might be willing to reconsider their position on medical marijuana now that 5 years have passed since House Bill 523 was enacted. The program has been a success and the Board of Pharmacy/Department of Commerce have worked hard to ensure Ohio’s dispensaries are exceptionally secure and blend into the communities in which they do business. Ohio’s dispensaries look like high-end retail operations and from the street are not discernable from other retail stores.

Caroline Henry gave a brief summary and explanation regard Buckeye Relief as a Level 1 cultivator and processor based in Eastlake, Ohio and licensed to operate by the Ohio Medical Marijuana Control Program. The proposed Perry Township location would be a retail dispensary only. Cultivation and processing activities, including the packaging of medical marijuana, would occur in their Eastlake facility or at other similarly licensed facilities across the state.

More information about Buckeye Relief is available on their website at www.buckeyerelief.com, www.amplifydispensary.com,

Buckeye Relief’s security is staffed by retired and off-duty police officers. Every square foot of a medical dispensary (except bathrooms) and the surrounding exterior is under 24/7 video surveillance that can be accessed by the MMCP remotely at all time. Medical marijuana is stored in a secure vault. Deliveries will be conducted in a secure space out of public view.

Property: A critical component of the dispensary application is property. Applications are tied to a specific address. Applicants must confirm the address is not within 500 feet of a primary or secondary school, daycare, church, public library, public park or playground and /or opioid treatment facility.

Distances are measured from parcel line to parcel line. Applicants must also submit a form, signed by the local zoning authority, confirming the property may be used for a medical marijuana dispensary.

Several questions were asked from the Board:

Trustee Doug Haines asked: How long until a regular pharmacy is permitted to distribute like this? Buckeye Relief stated they believe it will not happen. Is your company affiliated with the Canton South location? No

Buckeye Retail stated there are multiple ways of dispensing, ex; gummies, what ways will it be sold out of this facility is it brought here and who decides how much each patient gets? Buckeye Relief responded, when the prescriber puts in the recommendation in the state system, he is verifying the patient has a qualifying condition and the actual recommendation, a lot of times they will leave it blank. If the doctor puts something in the that section, they are bond by whatever the doctor puts in. If left blank there is a discussion between the pharmacist on staff and the patient. The company goes over the different ways the product can be used.

Trustee Haines asked: why this location? Ms. Henry answered 4000 square feet so it can accommodate everything we want to fit into a dispensary. It will have a big enough lobby, also Perry Township is an unserved area closest dispensary is in Canton, 30- 40 minutes away. The patients are able to park close to the building.

The Board asked, how is the building labeled? The only sign would be “Amplified Perry Township”. Then can not be lite at night.

Trustee Mike Shreffler asked what happens to your company if this becomes legal? Buckeye Retail stated they would be interested in being involved in a recreation program if one came to the state. Some would be grandfathered in.

Trustee Shreffler asked, is there any taxes that the township would receive? Ms. Henry stated the there is only a standard sales tax on their product. Because it is a medical product. There is no insurance coverage, everything purchased comes straight out of the patient’s pocket.

Trustee Ralph DeChiara asked if they have other locations? Buckeye Relief stated they do not have any open facilities in Ohio. You are able to have up to 5 in one state. Trustee DeChiara asked because he would like to get further information from other jurisdictions. She stated she could connect the township the Mayor City of East Lake. He has worked with them for the last 5 years.

Trustee Mike Shreffler asked how soon were they looking for some kind of action? Applications of the next round of marijuana dispensaries are due by November 18, 2021 to the state.

Trustee Doug Haines asked is it important that you are on a main faraway? Buckeye Relief indicated that it must be 500 feet or more away from a church, parks, schools, playground or an opioid recovery center. They also have to be in a specific zoning area.

Trustee Doug Haines asked if this program is more for the hospice type patient, terminal or long term care? Ms. Henry responded it could be for both. 65% of the patients are over 40. 25% over 60 years of age.

Trustee Doug Haines stated he has the information they forward to the Township. He asked if there was anything further information that they could give that would make the decision easier, more educated or is there anybody else that we could talk to that is up and running and get more details. Caroline Henry suggested speaking with the director of the medical marijuana program for the board of pharmacy, Sharon Martin Moore. She will forward her information to Administrator Martin.

A resident asked: what other districts are you looking into? Buckeye Retail answered, Stark, Tuscarawas and Columbiana, Carroll Counties. How many people will be drawn from outside other areas? Buckeye Retail that is a little difficult to answer. The hours of operation would be 10-7. What is the plan, leasing or purchasing the property? Buckeye Retail will lease the property. What is will happen to the pizza shop next door? That would stay there Caroline Henry indicated.

The resident asked if there is going to be security in the parking lot itself? The resident questioned, what keeps people that are walking around that area, to come and bother your customers, waiting at their cars knowing they just came out with some "goodies". If we have issues, we will address them. We have surveillance.

Steve Toohey stated that there may be a rehab center across the street? Caroline Henry stated it depends on what type of rehab they perform.

Caroline Henry asked the Chief of Police if he provides extra duties for those services. He would need more information concerning this facility before responding.

Trustee Haines thanked them for coming. Trustee Mike Shreffler also stated anyone can email the Trustee's with any comments or questions.

Communications:

Public Speaks on items up for Board Approval:

Township Business requiring Board Action:

Unfinished Business:

Consider resolution to waive attorney client privilege as to Attorney Iams-Kuntz investigation and report

Trustee Haines asked if there was any further discussion. Trustee Ralph DeChiara stated he thought it was time to let it go. People have asked for information and fiscal office has gotten request for this information and he sees no reason at this point and time to hold information back. We should be transparent as possible and release the EMS billing document.

Trustee DeChiara made a motion that to waive attorney client privileges for EMS billing report as to Attorney Iams-Kuntz investigation and report. Seconded by Trustee Mike Shreffler.

ROLL CALL: Mr. Haines, yes, Mr. Shreffler, yes. Mr. DeChiara, yes

New Business

Trustee Doug Haines made a motion to approve bills and payroll in the amount of \$350,390.85 for the week ending 10-5-21 and bills in the amount of \$85,115.83 for the week ending 10-12-21 for a combined total of \$435,506.68; Seconded by Trustee Mike Shreffler

ROLL CALL: Mr. Haines, yes, Mr. Shreffler, yes. Mr. DeChiara, yes

Fiscal Officer:

Approval of Minutes from 6-1-21, 7-13-21, 7-27-21, 8-3-21 Regular Meetings.

Trustee Haines made a motion that the Board approve the minutes from 6-1-21, 7-13-21, 7-27-21, 8-3-21 Regular Meetings; Seconded by Trustee Mike Shreffler.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider Bank Reconciliations

Trustee Haines stated that based on this information from the Fiscal Officer, he made a motion that the Board approve the bank reconciliation. Seconded by Trustee Mike Shreffler

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider accepting the amounts and rates as determined by Budget Commission and authorizing the necessary tax levies and certifying them to the county auditor.

Fiscal Officer, Craig Chessler stated that the board passed earlier in the year a budget based on the estimate of tax revenue. This is the Auditor's formal notification of the amounts that we are excepting to receive thru various inside milage and voter recruiter levies. Upon approval, the Fiscal Officer will deliver this to the Auditors office.

Trustee Haines stated that based on this information from the Fiscal Officer, he made a motion we accept the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the county auditor

Seconded by Trustee Ralph DeChiara

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Administration:

Consider recommendation of the Employee Health Benefits Committee – Aultcare 2022 Renewal of - 2%.

Administrator Joyce Martin Fetzer stated the Employee Health Benefits Committee which consists of Doug Haines, Trustee, Joyce Martin – Township Administrator, John Wellman – PD Union President, Jacob Luckring – FD Union Road Department Union President, Steve Furlong and Road Specialist Representative Rob Halter – Mathew De Ruzza – Sirak Agency Broker and Jennifer Cassidy – Account Representative. The Employee Health Benefits Committee recommends the following to the Board of Trustees:

- Consider adoption of the 2022 -2.% 90/10 plan and -1.8% for the HSA Plan for Aultcare.
- This renewal is much less than anticipated by the EHBC
- Accepting the proposed renewal fee also removes the necessity of completing FormFire Applications and allows us to begin scheduling employee educational sessions for FSA and HSA benefits.
- The EHBC also recommends accepting the Vision, Dental COBRA fees as present:
 - Vision \$1.75
 - Dental \$4.30
 - COBRA \$2.75
- Aultcare supporting documents were attached for the Boards review
- Please consider making a motion to accept the 2022 Aultcare Health Insurance Renewal of -2% for the 90/10 plan and -1.8% for the HSA Plan Aultcare and Administrative fees for Vision: \$1.75, Dental \$4.30, COBRA \$2.70.

Trustee Haines stated he made a motion that we accept the 2022 Aultcare Health Insurance Renewal of -2% for the 90/10 plan and -1.8% for the HSA Plan Aultcare and Administrative fees for Vision: \$1.75, Dental \$4.30, COBRA \$2.70. Seconded by Trustee Ralph DeChiara

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Trustee Mike Shreffler just wanted to state to thank Administrator Martin and the Committee. He knows it is a lot of hard work and obviously we have seen the proof of that. We really appreciate that.

Fire Department:

Consider resignation of Alyssa Cope

Interim Chief Larry Sedlock stated that the Fire Department is requesting that the Board of Trustees accept the resignation of part-time firefighter/paramedic Alyssa Cope, effective September 30, 2021.

Trustee Haines made a motion that the Board approve the resignation of Alyssa Cope, part-time firefighter/paramedic; effective, September 30, 2021. Seconded by Trustee Shreffler.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider resignation of Kytt Rothermel

Interim Chief Larry Sedlock stated that the Fire Department is requesting that the Board of Trustees accept the resignation of part-time firefighter/paramedic Kytt Rothermel, effective October 5, 2021.

Trustee Haines made a motion that the Board approve the resignation Kytt Rothermel, part-time firefighter/paramedic; effective, October 5, 2021. Seconded by Trustee Shreffler.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider accepting the donation from McKinley Eagles

Interim Chief Sedlock stated he received a check from the McKinley Eagles charity fund in the amount of \$7,500.00. McKinley Eagles asked the Fire Department what the fire department would like to purchase and a portion of the check will go to the new Stair Chair and a portion of the donation will be utilized to purchase a command Center for one of the new Ford Explorer. The check will cover both of these items. Seconded by Trustee Ralph DeChiara

Trustee Haines made a motion that the Board accept from the McKinley Eagles a check in the amount of \$7,500.00.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider upfitting of the new Ford Explorers

Interim Chief Sedlock stated the two new Ford Explorers arrived and with that we need to have upfitting installed. He presented two quotes. Hall Public Safety Upfitter cost for both vehicles will be a cost of \$16,653.80. However, it is actually \$13,167.20 as the cost of the command center is being paid for by the generous donation from the McKinley Eagles. Seconded by Trustee Mike Shreffler

Fallsway Equipment Company quote came in higher than Hall Public Safety.

Therefore, based on the above pricing, Interim Chief Sedlock is recommending that the Board authorize the upfitting of the Ford Explorers to Hall Public Safety for \$16,653.80 (Which includes the donation from the McKinley Eagles). One vehicle will cost \$6,583.60 and the other will be a cost of \$10,070.20.

Trustee Haines made a motion that we contract with Hall Public Safety Upfitter to upfit of the Ford Explorers to Hall Public Safety for \$16,653.80 (Which includes the donation from the McKinley Eagles). One vehicle will cost \$6,583.60 and the other will be a cost of \$10,070.20.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider the purchase of the new Stair Chair

Interim Chief Sedlock stated he is requesting the Board allow the purchase of a new Stair Chair for one of the medic units. It will replace an older, more manual stair chair. It will allow for the moving of patients down steps easier and safer for both the crew and the patient. Bound Tree's price is \$3,928.50. The cost of the stair chair will be covered by the generous donation form McKinley Eagles. Seconded by Trustee Mike Shreffler

Trustee Haines made a motion that we purchase of a new Stair Chair for one of the medic units from Bound Tree's the full amount not to exceed \$3,928.50.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider the purchase of a mobile radio from Motorola Solutions

Interim Chief Sedlock is requesting the Board to allow the purchase of a new mobile radio from Motorola Solutions in the amount of \$2,967.05. The radio will go into the new Chief's vehicle. It is necessary to purchase this radio due to the fact we did not have an old Chief's vehicle that had a radio in it to transfer into the new vehicle. He is recommending the Board to authorize the purchase of the mobile radio from Motorola Solutions. Seconded by Trustee Ralph DeChiara.

Trustee Haines made a motion that we approve Motor Solutions for the purchase of a mobile radio not to exceed \$2,967.05.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Police Department:

Consider accepting \$500.00 donation from McKinley Eagles Trick or Treat

Chief Pomesky is requesting that the Board accept the donation from the McKinley Eagles for trick or treat candy. The total donation amount was \$500.00. Seconded by Trustee Ralph DeChiara.

Trustee Haines made a motion that we accept the \$500.00 donation from the McKinley Eagles for trick or treat candy. The total donation amount was \$500.00

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Consider OHLEG-RMS

Chief Pomesky stated he has begun the process of looking at updating their records management system (RMS). The RMS of our department performs many vital functions for our agency operations. To upgrade this system, he is recommending they update the RMS by migrating to the Ohio Law Enforcement Gateway-Records Management System (OHLEG-RMS) through the Ohio Attorney General's Office. Their platform not only scales to our community and agency needs, but it also allows us to share law enforcement information with local, county, state, and federal agencies. In addition, it allows for automated reporting processes for our crime and crash information.

Chief Pomesky stated to purchase software that scales to our agency needs would cost Perry Township around \$100,000.00-\$130,000.00. Additionally, there would be a \$10,000.00-\$12,000.00 annual maintenance fee. Migrating to OHLEG-RMS comes at no cost to Perry Township and there is no annual maintenance fee. There may be upgrades along the way. The OHLEG-RMS platform promotes redundancy for our operations during critical times.

Chief Pomesky would like to obtain the Board's authorization to move forward with this migration process. This is the latest technology and the current software was purchased 24 years ago. This is a flexible agreement. Seconded by Trustee Mike Shreffler.

Trustee Haines made a motion that with the information and the Law Directors approval, that we proceed to updating their records management system (RMS) with the Ohio Attorney General based on the Law Directors approval.

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes

Consider acceptance of BVP Grant \$2,000

Chief Pomesky applied for the Bullet Proof Vest Grant Award Program. The Bureau of Justice Assistance has awarded the Police Department \$2,000.00 towards the bullet proof vest fund that expires August 31, 2023. The grant provides 50% reimbursement when purchasing vests for the officers. Bullet proof vests expire after five (5) years. The Chief is asking that the Board accept the grant award in the amount of \$2,000.00 within the terms and condition. Trustee Haines asked how many vests need replaced. Chief stated 3-4 this year but that it fluctuates year to year. Seconded by Trustee Ralph DeChiara.

Trustee Haines made a motion that with we accept the grant from the Bureau of Justice Assistance for the amount of \$2,000.00 for the Bullet Proof Vest Grant Award Program

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes

Road and Park Department:

Law Director:

Zoning:

Problem Properties:

Department Matters Not Requiring Board Action:

Administration:

Fire Department:

Police Department:

Road Department:

Parks/Recycling:

Zoning:

Law Director:

Announcements: The November meetings are going to be now held on November 9, 2021 and November 16, 2021.

Public Speaks-Open Forum:

Tim Lewton: He stated his address of 1615 Sherwood Ave, Massillon. He brought up previously issues in his neighborhood and would like to mention Jeff Whystell has done a very good job in getting some of the issues cleaned up. He understands some of the issue won't be done right away but it is in the process. Another topic he wanted to bring is the farm. Last week someone disassembled the green houses. There is plastic, buckets, drums in the area of where the green houses were taken down. It needs to be cleaned up. Trustee Haines stated if he doesn't get cleaned we will clean it up.

Steve Toohey: He stated his address of 642 Summerdale, Massillon, Ohio. He wanted to make a point about the Buckeye Relief issue that it's the image of the township. There is too many "what if's". This maybe a hard sell. He believes we could find a better use for that facility. Secondly, the Genoa Road looks like they are close to finishing the program and wants to know if anyone has spoken to this company? Road Superintendent John Masalko stated the project is not completed and the people doing the repairs, North Starr, he assured him those patches will be put back to township specks. He understands it will take time and concrete will go into the holes. Hoping results are favorable.

Tim Blythe: He stated his address as 1996 Masterspoint SE. He had requested a tour of Fasnacht Farms some time ago and on July 30, 2021 he received an email that due to the condition of the facilities the Professional Risk Management Insurance assessment should be conducted first. It has been 3 months since Mr. Blythe's request. Mr. Blythe asked what is an acceptable amount of time to have this request full filled? Trustee Haines stated we reached out to them and Administrative Martin stated that structure repairs need to be repaired. Mr. Blythe asked when that will be completed and the Board answered that it has not been discussed.

Mr. Blythe had a conversation with Jen Miller and informed him she had received some information from the public records request that she had filed. She forwarded the documents to Mr. Blythe. He goes onto to state that there was email correspondence between the Board or Administrative Martin with the tenant farmer. Mr. Blythe asked why is the tenant farmer telling the Board what he will and will not do? There are items that are spelled out in the contract. He questioned that it's been over 2 months since the Board reached out to a law firm to see what options were available. He would like to know what the hold up is. Trustee Haines answered that the lady who was to come out is on medical leave act and we are planning to have them at the next meeting. Mr. Blythe asked when did we ask them to come out? The Board reached out to them to make their recommendations. Mr. Blythe stated the tenant farm was to maintain the property as instructed in his contract. He feels it is a violation of his contract. The tenant farmer in his emails stated he would not be renewing his contract. Trustee Haines stated the farmer did relay he purchased a home and it would be a possibility the township severing ties with him.

Executive Session(s):

1.) Trustee Doug Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(1) to investigate charges to include the Board, Fiscal Officer and Township Administrator. With possible action to be taken. Seconded by Mike Shreffler

ROLL CALL: ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

The Board adjourned into Executive Session at: 7:20 pm

The Board adjourned from Executive Session at: 7:49 pm

2.) Trustee Doug Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(1) to discuss the hiring a fire chief to include the Board. Seconded by Trustee Mike Shreffler

ROLL CALL: ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

The Board adjourned into Executive Session at: 7:50 pm

The Board adjourned from Executive Session at: 8:08 pm

Adjournment:

Trustee Doug Haines made a motion with nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 8:09 pm; Seconded by Trustee Mike Shreffler

ROLL CALL: Mr. Haines, yes. Mr. Shreffler, yes. Mr. DeChiara, yes.

Doug Haines, President

Craig Chessler, Fiscal Officer