

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

MARCH 22, 2022

Hawke called the meeting to order at 3:01 p.m. at the Jackson Township Hall with Trustees Todd Hawke, John Pizzino and Jim Thomas present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Fire Chief Berczik, Police Chief Brink, Zoning Inspector Poindexter, and Public Works Director Rohn were also in attendance.

The first order of business was a work session to discuss the Community Celebration and several facets of the Jackson Amphitheater.

Hawke moved and Thomas seconded a motion to go into Executive Session for Police Department Personnel (Appointment / Employment / Compensation) – Interview Full-Time Police Patrol Officer Candidate.

3-0 yes

Upon return from Executive Session at 4:14 p.m., the Board of Trustees returned to finish the work session.

A short recess took place after the remaining work session.

Hawke called the General Session to order at 5:01 p.m. He requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

The Tax Incentive Review Council (TIRC) Meeting for Sam's Club was tabled until later in the meeting due to all parties not being present yet.

Administration Department

RESOLUTION 22-088 ATTACHED

JOINT ECONOMIC DEVELOPMENT DISTRICT STARK STATE BOARD OF DIRECTORS

Hawke moved and Thomas seconded a motion that pursuant to attached ORC Section 715.72(P)(1)(c) and attached Section 9 of the Jackson/Canton Joint Economic Development District Stark State Contract, we hereby appoint Marisa Rohn, Vice President of Advancement, Marketing, and Stark State College Foundation with Stark State College, as the member of the JEDD Stark State Board of Directors representing the owners of businesses operating within the District for a four year term from 11/10/22 to 11/10/26.

3-0 yes

RESOLUTION 22-089 ATTACHED

JOINT ECONOMIC DEVELOPMENT DISTRICT SM BOARD OF DIRECTORS

Hawke moved and Pizzino seconded a motion that pursuant to ORC Section 715.72 and Section 9 of the Jackson/Canton Joint Economic Development District SM Contract, we hereby appoint Jason Newburn, Director of Operations, Stolle Machinery, Inc., as the member of the JEDD SM Board of Directors representing the owners of businesses within the District for a four year term from 3/22/22 to 3/22/26.

3-0 yes

RESOLUTION 22-090 ATTACHED

JOINT ECONOMIC DEVELOPMENT DISTRICT TSG BOARD OF DIRECTORS

Hawke moved and Thomas seconded a motion that pursuant to attached ORC Section 715.72(P)(1)(c) and attached Section 9 of the Jackson/Canton Joint Economic Development District TSG Contract, we hereby appoint George E. Film, CFO of The Schroer Group, Inc., as the member of the JEDD TSG Board of Directors representing the owners of businesses operating within the District for a four year term from 11/21/22 to 11/21/26.

Be it further resolved that, pursuant to attached ORC Section 715.72(P)(1)(d) and attached Section 9 of the Jackson/Canton Joint Economic Development District TSG Contract, we hereby appoint Orian L. Nutter, Vice President of Finance, Absolute Health Services, as the member of the JEDD TSG Board of Directors representing the persons working within the District a four year term from 3/22/22 to 3/22/26.

3-0 yes

RESOLUTION 22-091 ATTACHED

JOINT ECONOMIC DEVELOPMENT DISTRICT TOC BOARD OF DIRECTORS

Hawke moved and Thomas seconded a motion that pursuant to attached ORC Section 715.72(P)(1)(b) and attached Section 9 of the Jackson/Canton Joint Economic Development District TOC Contract, we hereby appoint John E. Pizzino, Trustee, Board of Trustees of Jackson Township, Stark County, Ohio, as the Township member of the Jackson/Canton Joint Economic Development District TOC Board of Directors for a four year term from 3/10/22 to 3/10/26.

Be it further resolved that, pursuant to attached ORC Section 715.72(P)(1)(d) and attached Section 9 of the Jackson/Canton Joint Economic Development District TOC Contract, we hereby appoint Marco Gomez, Store Director, Meijer, as the member of the JEDD TOC Board of Directors representing the persons working within the District a four year term from 3/22/22 to 3/22/26.

3-0 yes

RESOLUTION 22-092 ATTACHED

JOINT ECONOMIC DEVELOPMENT DISTRICT CD BOARD OF DIRECTORS

Hawke moved and Thomas seconded a motion that pursuant to ORC Section 715.72 (P)(1)(c) and Section 9 of the Jackson/Canton Joint Economic Development District CD Contract, we hereby appoint , Michael Anderson, General Counsel, AR Global, as the member of the JEDD CD Board of Directors representing the owners of businesses operating within the District for a four year term from 3/22/22 to 3/22/26.

3-0 yes

At 5:05 p.m., the Jackson/Canton Joint Economic Development District (JEDD) – Stark State Meeting was held.

At 5:10 p.m., the Jackson/Canton Joint Economic Development District (JEDD) – Stolle Machine Meeting was held.

At 5:15 p.m., the Jackson/Canton Joint Economic Development District (JEDD) – Fitzpatrick Meeting was held.

At 5:20 p.m., the Jackson/Canton Joint Economic Development District (JEDD) – Com-Doc Meeting was held.

At 5:25 p.m., the Jackson/Canton Joint Economic Development District (JEDD) – TSG Meeting was held.

At 5:30 p.m., the Jackson/Canton Joint Economic Development District (JEDD) – TOC Meeting was held.

Hawke moved and Pizzino seconded a motion to continue the Tax Incentive Review Council (TIRC) Meeting for Sam’s Club on April 12, 2022 at 5:00 p.m.

3-0 yes

ATTACHMENT 03/22/22 A

Hawke moved and Thomas seconded a motion to approve an appropriation transfer from 101.110.5387 Discretionary-Admin, to 101.110.5854 CIC Operations, in the amount of \$20,000.00.

3-0 yes

ATTACHMENT 03/22/22 B

Hawke moved and Thomas seconded a motion to approve the Jackson Township NPDES Small MS4 General Permit Annual Report and Storm Water Management Plan to Ohio EPA for year ending December 31, 2021.

3-0 yes

RESOLUTION 22-093 ATTACHED

PERSONNEL ACTION – ARTICLE 4 OF THE AMENDED BENEFIT PACKAGE FOR MANAGEMENT PERSONNEL (HIRED PRIOR AND AFTER JULY 1, 2012)

Hawke moved and Thomas seconded a motion that whereas on March 8, 2022, the Board of Trustees for Jackson Township eliminated paragraph 1 of Article 4 of the amended Benefit Package for Management Personnel (hired prior to and after July 1, 2012); and,

Whereas, the attached list of Class A Employees had accumulated compensatory time prior to March 8, 2022; and,

Now be it resolved that, pursuant to ORC Section 511.10, we hereby approve the purchase and payment of compensatory time prior to March 8, 2022 to Class A Employees, as attached, effective immediately.

3-0 yes

Legal Department

RESOLUTION 22-094 ATTACHED AMPHITHEATER BAND BOOKING AGREEMENT

Hawke moved and Thomas seconded a motion that whereas, the Board of Trustees owns the Jackson Amphitheater in Jackson Township, Stark County, Ohio.

Whereas, the Board of Trustees has determined that, as part of its programming for the Jackson Amphitheater, the acts identified in the attached contracts are to be engaged for performances for the 2022 season.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Booking Agreements for the following bands:

1. E5C4PE
2. Night Fever

3-0 yes

RESOLUTION 22-095 ATTACHED COMMUNITY CELEBRATION BAND BOOKING AGREEMENT

Hawke moved and Thomas seconded a motion that whereas, the Board of Trustees plans and operates the Community Celebration in Jackson Township, Stark County, Ohio.

Whereas, the Board of Trustees has determined that, as part of its programming for the Community Celebration, the acts identified in the attached contracts is to be engaged for a performance for the 2022 Community Celebration.

Be it resolved that, we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Booking Agreements for the following bands:

1. Eric Brooke's Michael Stanley Tribute
2. LaFlavor
3. New Wave Nation
4. Queen Flash
5. Whiskey Loco

3-0 yes

**RESOLUTION 22-096 ATTACHED
COMMUNITY CELEBRATION SPONSORSHIP AGREEMENT**

Hawke moved and Pizzino seconded a motion that whereas, the Board of Trustees plans and operates the Community Celebration in Jackson Township, Stark County, Ohio; and,

Whereas, the Board of Trustees seeks sponsorships to offset programming costs for the Community Celebration.

Be it resolved that, we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Master Sponsorship Agreement and Sponsorship Addendum with Meijer.

3-0 yes

Police Department

**RESOLUTION 22-097 ATTACHED
APPOINTMENT OF FULL-TIME POLICE PATROL OFFICER**

Hawke moved and Pizzino seconded a motion that pursuant to ORC Sections 505.49 and 509.01, we hereby appoint Emmalee H. Carver to the position of full time Patrol Officer and Police Constable for the Jackson Township Police District Department, Stark County, Ohio, effective April 1, 2022 at 2200 hours, at the annual salary of \$61,629.76, and the benefits contained in the Patrol Officer's Negotiated Agreement between the Board of Trustees of Jackson Township and the Fraternal Order of Police, Ohio Labor Council, Inc..

Be it further resolved that, Emmalee H. Carver shall complete a probationary period in accordance with Article 36 of the Negotiated Agreement.

3-0 yes

**RESOLUTION 22-098 ATTACHED
APPOINTMENT OF FULL-TIME POLICE PATROL OFFICER**

Hawke moved and Pizzino seconded a motion that pursuant to ORC Sections 505.49 and 509.01, we hereby appoint Dustin L. Kempf to the position of full time Patrol Officer and Police Constable for the Jackson Township Police District Department, Stark County, Ohio, effective April 8, 2022 at 2200 hours, at the annual salary of \$61,629.76, and the benefits contained in the Patrol Officer's Negotiated Agreement between the Board of Trustees of Jackson Township and the Fraternal Order of Police, Ohio Labor Council, Inc..

Be it further resolved that, Dustin L. Kempf shall complete a probationary period in accordance with Article 36 of the Negotiated Agreement.

3-0 yes

Public Works Department

Park Division

RESOLUTION 22-099 ATTACHED

NORTH PARK PICKLEBALL COMPLEX AWARD

Hawke moved and Thomas seconded a motion that we hereby determine that Vasco Sports Contractors is the lowest and best bidder for the North Park Pickleball Complex Project and hereby award a Contract to them in the amount of \$229,849.00 in accordance with the Company’s proposal and the Specifications and authorize the placement of the Board’s signatures on the Contract.

3-0 yes

Hawke moved and Thomas seconded a motion to accept the following 2022 Community Celebration Sponsorships:

MCTV, Inc.	\$ 5,000.00
Fairway Carts, Parts & More	\$ 2,835.00 (In Kind)
MS Consultants Inc.	\$ 1,000.00
Buehler’s Fresh Foods	\$ 500.00
Llyod Seifer FOP Lodge #206	\$ 250.00
Oster Sand & Gravel Inc.	\$ 250.00
Terry’s Truck & Trailer Equipment	\$ 250.00
Staley Technologies, Inc.	\$ 250.00
Superior Paving & Materials Inc.	\$ 250.00
Zashin & Rich Co, LPA	\$ 250.00

3-0 yes

Central Maintenance Division

5:00 p.m. Bid Opening – Safety Center Roof Replacement Project

- 1. DCA Commercial Roofing \$194,100.00

The bid will be reviewed and a recommendation will be made at the next meeting.

Fire Department

ATTACHMENT 03/22/22 C

Hawke moved and Pizzino seconded a motion to authorize out-of-state travel for Captain Shawn Parsell to attend training in Crosby, Texas on April 11, 2022 through April 15, 2022, in accordance with the Jackson Township Travel Policy, and the attached memorandum from Chief Berczik.

3-0 yes

ATTACHMENT 03/22/22 D

Hawke moved and Thomas seconded a motion to authorize out-of-state travel for Captain Ryan Sullivan to attend training in Austin, Texas on April 18, 2022 through April 21, 2022, in accordance with the Jackson Township Travel Policy, and the attached memorandum from Chief Berczik.

3-0 yes

Zoning and Planning Department

**RESOLUTION 22-100 ATTACHED
IWORQ’S MERCHANT PROCESSING AGREEMENT**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of the Board Chairman’s signature upon the attached iWorQ’s Merchant Processing Agreement.

3-0 yes

Hawke moved and Thomas seconded a motion to set a public hearing for Zoning Amendment 653-22 on April 12, 2022, at 5:00 p.m. – The Jackson Township Zoning Commission and Jackson Township Trustees, via designee, propose miscellaneous text amendments to the zoning resolution.

3-0 yes

Fiscal Office

ATTACHMENT 03/22/22 E

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,200,912.49.

3-0 yes

ATTACHMENT 03/22/22 F

Hawke moved and Pizzino seconded a motion to approve the minutes of the March 8, 2022 Board of Trustees’ Meeting.

3-0 yes

ATTACHMENT 03/22/22 G

Hawke moved and Thomas seconded a motion to approve the following appropriation transfer for a total transfer of \$2,743.64.

FROM CODE	DESCRIPTION	TO CODE	DESCRIPTION	AMOUNT
150.110.5387	ARP Discretionary Fund	150.150.5110	Reg Salaries – Fiscal	\$ 836.66
		150.150.5212	Pension ER – Fiscal	\$ 117.13
		150.150.5214	Medicare Exp – Fiscal	\$ 11.36
		150.255.5110	Reg Salaries – Patrol	\$1,488.69
		150.255.5212	Pension ER – Patrol	\$ 269.45
		150.255.5214	Medicare Exp – Patrol	\$ 20.35
			TOTAL	\$2,743.64

3-0 yes

**RESOLUTION 22-101 ATTACHED
ONEOHIO FUND #237**

Hawke moved and Pizzino seconded a motion that whereas, the Board of Trustees of Jackson Township, Stark County, Ohio have applied to be participants in the OneOhio Opioid Settlement; and,

Whereas, Ohio Revised Code section 5705.09(F) requires local governments to establish a separate fund for each class of revenue derived from a source other than the general property tax.

Be it resolved that, pursuant to Ohio Revised Code sections 5705.09(F) and 5705.10(I), we authorize and approve the establishment of the OneOhio Fund #237 for maintaining financial information related to Jackson Township's portion of the OneOhio Opioid Settlement funds and shall be used only for the approved purposes as required by the OneOhio MOU.

3-0 yes

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, April 12, 2022, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, April 14, 2022, 9:00 a.m., Jackson Township Hall
- **LOGIC**, April 7, 2022 9:00 a.m., Jackson Safety Center, Chief's Conference Room
- **Celebration Committee Meeting**, March 29, 2022, 2:30 p.m., Jackson Township Hall
- **Zoning Meetings:**
 - **Board of Zoning Appeals**, None Scheduled
 - **Zoning Commission**, None Scheduled
- **Easter Egg Hunt**, Saturday, April 9, 2022, 11:00 a.m., sharp, Jackson North Park. Children age: crawlers through 4th grade.

Old Business - None

New Business

**RESOLUTION 22-102 ATTACHED
POLICE DEPARTMENT FULL-TIME POLICE OFFICER CONDITIONAL
APPOINTMENT**

Hawke moved and Thomas seconded a motion that pursuant to ORC Section 505.49 and 509.01, we hereby appoint Shawn M. Baker, as a Full-Time Patrol Officer and Township Constable for

the Jackson Township Police District, Stark County, Ohio, conditioned upon providing proof of Ohio Peace Officer Training Academy certification, successful completion of the background check, negative drug screen, and any other testing requirements.

3-0 yes

**RESOLUTION 22-103 ATTACHED
AMERICAN RESCUE PLAN STANDARD ALLOWANCE**

Hawke moved and Thomas seconded a motion that whereas, Jackson Township has received a notification it will receive a total distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”) in the amount of \$4,196,118.00; and,

Whereas, Jackson Township received on August 16, 2021, the first of two distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”) in the amount of \$2,098,059.00, and,

Whereas, Jackson Township received on March 4, 2022, a reallocation distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”) in the amount of \$8,376.00, and,

Whereas, Congress passed the Act effective March 11, 2021; and

Whereas, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, non-entitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

Whereas, Section 603(c) generally provides that:

(1) Use of Funds. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, non-entitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, non-entitlement unit of local government, or county, by December 31, 2024;

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, non-entitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

Whereas, Jackson Township pursuant to Department of Treasury’s Interim Final Rule, published on or before July 19, 2021, made expenditures of ARPA funds consistent with the Department of Treasury’s Interim Final Rule in the amount of \$447,135.00.

Whereas, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

Whereas, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

Whereas, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

Now therefore, it is hereby resolved by the Board that, the Township elects to use the standard allowance and its presumption of revenue loss due to the public health emergency and to use \$4,204,494.00 to fund government services to include any future reallocation distributions.

Be it further resolved that it is hereby found and determined that all formal actions of Jackson Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

3-0 yes

Public Speaks - None

Hawke moved and Thomas seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez