

**TOWNSHIP TRUSTEES  
REGULAR MEETING MINUTES  
May 21, 2024**

The Board of Guilford Township Trustees, Medina County, Ohio, met for a regular Trustees meeting on May 21, 2024 at 8:00 P.M. at the Guilford Township Hall. The following Trustees were present: Bob Rohrer, Gene Morris, Jerry Winkler, and Fiscal Officer, Ray Ruprecht.

Also present were Michael Colonna, Joe Giacomoni, Ruth Giacomoni, Ron Scuderi, Andy Liston, Susana Lewis (Medina County Municipal Court), and Shannon Colonna

**Judge Lewis, Medina County Municipal Court**

Judge Lewis is attending the meeting tonight to introduce herself and provide the annual report for 2023. She was the Chief Magistrate over the Juvenile Probate in Medina County. She started in January and succeeded Judge McIlvaine after he retired.

There is a total of eleven people in the Administration. They see all misdemeanors, preliminary hearings for felonies, and traffic cases. One thing that they see trending up is traffic related offenses. Some of the traffic cases do not go to court. She would like to figure out a better way to address repeat OVIs. They deal with some evictions, small claims actions, and civil cases.

She spent some time talking about the rights of victims and Marcy’s Law. They do not have a victim’s advocate yet, but she is hoping to get one. She also provided an overview of some of the special project funds and a year-end community service report. She ended by inviting anyone who was interested to visit the court.

**Approval of Minutes**

Jerry Winkler **moved** to approve the regular meeting minutes of May 7, 2024 and the special meeting minutes of May 14, 2024. Bob Rohrer seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

**Department Reports**

**Fire-EMS Department** (Brian Cyphert)

2024 INCIDENT COUNT YEAR TO DATE	
Type	# Incidents
EMS	164
Fire/Other	111
TOTAL	274

Year to date:	
<b>FIRE INSPECTIONS</b>	55

Brian is absent. Gene provided an overview of the report that he submitted. Brian is also working on getting air conditioning quotes.

**Road Supervisor** (Andy Liston)

- Work on Blake road project and request of force account payment of \$6,665.73.
- Fix hydrant at Mound Hill Cemetery
- Started mowing roadsides. The small tractor is down again and will not move. They are waiting on a part to get that fixed.

### **Approval of Force Accounts Payments**

Gene Morris **moved** to approve the force account payments for the Blake Road project for \$6,665.73. Jerry Winkler seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes.

#### **Zoning Secretary** (Shannon Colonna)

- The Zoning Commission met on May 9, 2024. They reviewed Chapter 2 of the Comprehensive Development Plan. They did make a few changes, and also identified a couple paragraphs that need to be rewritten. Shannon is working on that.
- Shannon also distributed some sample text for accessory building locations, including diagrams, for review and future discussion. Julie had indicated that if we include diagrams, it would be very clear.
- Shannon has also added regulations for marijuana to the list of items that the Zoning Commission will be reviewing when the Comprehensive Plan is complete.

#### **Zoning Inspector** (Julie Carr)

- No report

#### **River Styx Cemetery/Mound Hill Cemetery**

- Jerry made copies of the current regulations, and highlighted the regulations that he thinks would be pertinent to include on the sign. They are mostly specific to the cemetery and the grounds. They can include a reference to the township website for complete information.
- There was some discussion about the regulations referencing the spacing. In certain parts of the cemetery the burial plot is behind the stone and some it is in front. They will review and discuss more at the next meeting.

#### **Township Hall** (Ron Scuderi)

- No updates.

### **Trustees Reports**

#### **Bob Rohrer**

- Bob drove by the Seville Road property a couple times.
- Bob spoke with a scrap guy over the weekend, and he is willing to do whatever is left.
- Bob spoke with Ron about the hall rental.
- Bob spoke with Andy about the tractor.
- Bob received a call about an issue with the road on the corner of Guilford and Good. Andy was already aware and can reach out to Montville to see what they want to do.
- Bob ran into someone that works at Orrville, and they are just now going full time. It sounds like they have a simpler shift schedule set up.

#### **Jerry Winkler**

- Jerry drove by the Seville Road property after the last meeting, and there was still quite a bit of stuff there.
- Jerry reviewed the Fire Department payroll and has a meeting scheduled with the Chief to work through that tomorrow.

- Jerry spoke with Ron about the hall rental.
- Jerry did some research on the cannabis resolution to see if there was any way the Township could make money on it, and he did not think there was. Michael Colonna said that he saw something about the cannabis laws, and he thought he saw something about them trying to incentivize this for townships.

**Gene Morris**

- Gene attended the special meeting on May 14.
- Gene has been calling auto recyclers but has not received a comment from anyone yet.
- Gene has driven past the Seville Road property several times and has noticed some progress.

**Trustee Action Items:**

- Fire & EMS planning.
- Township garage addition
- Employee handbook
- Cannabis Resolution

**Comments from the Public**

- Michael Colonna asked how long they have to get the Seville Road property sorted out. Gene said they would need to check with Julie.
- Mrs. Giacomoni asked if they could find out because she had been waiting a long time, and she was concerned that they were just going to let it trickle out.
- Michael Colonna asked if they prohibited cannabis, would that prevent it from being submitted to the BZA as a variance or conditional use permit. Gene responded that the way the Resolution is written, it should be completely prohibited. They will also look to the Zoning Commission to write airtight regulations.

**Old Business**

- Reminder about the OTA Township Education Subscription

**New Business**

- Ray has prepared a resolution to prohibit cannabis operators. Judge Lewis added that legalizing marijuana is definitely going to complicate things. It is hard to determine and measure a limit. It also looks like this may be changing at the federal level. Ray added that a medical dispensary is planned in Seville, and they will be able to apply for the adult use license.

**RESOLUTION 2024-09**

**A RESOLUTION TO PROHIBIT ADULT-USE CANNABIS OPERATORS AND MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES WITHIN THE UNINCORPORATED AREA OF GUILFORD TOWNSHIP, MEDINA COUNTY, OHIO**

Trustee Bob Rohrer moved that the following resolution be adopted:

**WHEREAS**, on November 7, 2023, voters in Ohio approved State Issue 2, which enacts new Chapter 3780 of the Ohio Revised Code, effective thirty days from the date of the election; and

**WHEREAS**, Chapter 3780 authorizes and regulates recreational adult-use cannabis in the state of Ohio; and

**WHEREAS**, R.C. 3780.25 authorizes townships to prohibit or limit the number of adult-use cannabis operators (as defined in R.C. 3780.01) within the unincorporated area of the township; and

**WHEREAS**, Medical marijuana is regulated in Ohio by Chapter 3796 of the Ohio Revised Code; and

**WHEREAS**, R.C. 3796.29 similarly authorizes townships to prohibit or limit the number of marijuana cultivators, processors, or retail dispensaries licensed under Chapter 3796 within the unincorporated area of the township; and

**WHEREAS**, the board of township trustees finds it to be in the best interest of the township to prohibit adult-use cannabis operators licensed under Chapter 3780, as well as cultivators, processors, and retail dispensaries licensed under Chapter 3796, within the unincorporated area of the township;

Now, therefore, be it **RESOLVED**, as follows:

- 1) All terms used in this resolution shall be defined in the same manner as R.C. Chapter 3796, as it pertains to medical marijuana, and R.C. Chapter 3780, as it pertains to adult- use cannabis. All terms used in this resolution but not defined in those chapters shall be construed, for purposes of this resolution, in a manner to be consistent with the use of such terms in both chapters.
- 2) Adult-use cannabis operators, as well as cultivators, processors, and retail dispensaries of medical marijuana are hereby prohibited from operating within the unincorporated area of Guilford Township, Medina County.
- 3) It is the intent of the Board of Township Trustees to prohibit the operations described in Section 2 above to the maximum extent permitted by R.C. 3780.25, R.C. 3796.29, and any other applicable provisions of state law. This resolution shall be construed in a manner that gives maximum effect to that intent.

Trustee Gene Morris seconded the motion, and the roll call vote proceeded as follows: Morris – yes, Rohrer – yes, Winkler – yes.

#### **RESOLUTION NO. 2024-10**

**A RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX ABOVE THE TEN MILL LIMITATION FOR THE PURPOSE OF THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES IN GUILFORD TOWNSHIP ROAD DISTRICT, MEDINA COUNTY, OHIO, AND REQUESTING THE MEDINA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE GUILFORD TOWNSHIP ROAD DISTRICT, MEDINA COUNTY, OHIO AND THE AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RENEWAL LEVY PURSUANT TO SECTIONS 5705.03, 5705.19(G), 5705.191 AND 5705.25 OF THE OHIO REVISED CODE.**

Jerry Winkler moved the adoption of the following Resolution:

**WHEREAS**, this Board finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of The Guilford Township Road District and

that it is necessary to levy a tax in excess of that limitation for the purpose of providing the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges, in the Guilford Township Road District, Medina County, Ohio, as authorized under Section 5705.19(G) of the Ohio Revised Code; and

**WHEREAS**, in accordance with Division (B) of Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Sections 5705.19(G), 5705.191 and/or 5705.25 of the Revised Code, this Board must request that the Medina County Auditor certify (i) the total current tax valuation of the Guilford Township Road District and (ii) the dollar amount of revenue that would be generated by the levy; and

**WHEREAS**, Division (B) of Section 5705.03 of the Revised Code requires this resolution to state the purpose of the tax, whether it is an additional levy or a renewal or a replacement of an existing tax or a renewal or replacement of an existing tax with an increase or decrease, the Section of the Revised Code authorizing its submission to the electors, the term of years for the tax or if it is a tax for a continuing period of time, the territory upon which the tax is to be levied, the date of the election at which the question of the tax shall appear on the ballot, the territory to which the ballot measure shall be submitted, the tax year in which the tax will first be levied and the calendar year in which the tax will first be collected, and each county in which the subdivision has territory and requesting such certification, the County Auditor is to certify the total current tax valuation of the District and the dollar amount of revenue that would be generated by the proposed levy;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Guilford Township, Medina County, Ohio, that:

Section 1. This Board declares that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Guilford Township Road District and that it is necessary to levy a tax in excess of the ten-mill limitation. The Board further declares:

- a. The purpose of said tax levy is to provide for the general construction, reconstruction, resurfacing and repair of streets, roads and bridges.
- b. The tax shall be a renewal levy of an existing tax at a rate of one (1) mill for each one-dollar of valuation which amounts to (\$.10) cents for each one hundred dollars of valuation for (5) years which levy is a renewal of an existing levy of (1.0) mill.
- c. The submission of the question of said renewal levy is authorized by Sections 5705.03, 5705.19(G), 5705.191, and/or 5705.25 of the Revised Code.
- d. The term of the tax shall be for five (5) years (see Section 5705.19(G)).
- e. The territory where the tax is to be levied shall be the entire territory of the Guilford Township Road District, Medina County, Ohio.
- f. The date of the election at which the question of the tax shall appear on the ballot is November 5, 2024.
- g. The territory where the ballot measure is to be submitted is the entire territory of the Guilford Township Road District, Medina County, Ohio.
- h. The tax year in which the tax will first be levied is 2024 and the calendar year in which the tax will first be collected is 2025.
- i. The Guilford Township Road District has territory in Medina County and in no other county.

Section 2. This Board requests, in accordance with Section and 5705.03(B) of the Revised Code, that the Medina County Auditor certify to this Board the following:

- a. The total current tax valuation of the Guilford Township Road District, and
- b. The dollar amount of revenue that would be generated by the renewal levy specified in Section 1.

Section 3. Pursuant to Section 5705.03(B)(1) the Township Fiscal Officer is authorized and directed to deliver promptly to the Medina County Auditor a certified copy of this Resolution.

Section 4. It is hereby found and determined that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board or committees, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with the law.

Section 5. This Resolution shall be in full force and effect from and immediately after its adoption.

Bob Rohrer seconded the motion. Morris – yes, Rohrer – yes, Winkler – yes.

**Signing of the Warrants**

Gene Morris **moved** to pay the warrants, payroll/accounting EFTs of \$42,983.57. Bob Rohrer seconded the motion. Roll call: Morris –yes, Rohrer – yes, Winkler – yes.

**Adjournment**

Jerry Winkler **moved** to adjourn the meeting. Bob Rohrer seconded the motion. Roll call: Morris – yes, Rohrer – yes, Winkler – yes. The meeting was adjourned at 9:09 P.M.

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Bob Rohrer

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Gene Morris

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Jerry Winkler

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Ray Ruprecht