

## Minutes of April 25, 2017

### Record of Proceedings

Regular meeting of the Washington Township Board of Trustees was held at the Washington Township Administration Building, 6200 Eiterman Road, Dublin, Ohio, on April 25, 2017, at 6:00 p.m. Meeting was called to order by Mr. Gene Bostic, Chair and the meeting opened with the Pledge of Allegiance.

Roll call – Mr. Gene Bostic, Chair – Present  
 Ms. Denise Franz King, Vice Chair – Present  
 Mr. Charles Kranstuber, Trustee, - Arrived at 6:24 p.m.

### Guest:

Mr. Jay Sommerville with the NRECC was present to give the annual report and update the Trustees on the 911 System. Presentation appended to the Minutes. Append #001

### Resolution to Prohibit Medical Marijuana Cultivators:

Ms. King introduced and moved the adoption of the following Resolution:

A RESOLUTION TO PROHIBIT MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES, LICENSED UNDER OHIO LAW, FROM LOCATING AND/OR DOING BUSINESS WITHIN THE UNINCORPORATED TERRITORY OF WASHINGTON TOWNSHIP, OHIO (FRANKLIN, DELAWARE, AND UNION COUNTIES)

WHEREAS, with HB 523, the General Assembly established the basic framework for Ohio's Medical Marijuana Control Program. This Program is codified in R.C. Chapter 3796 and the corresponding Ohio Administrative Code Chapter; and

WHEREAS, by September 8, 2017, Ohio's Medical Marijuana Control Program will be fully operational. By this date, all of the rules governing cultivators, processors, testing laboratories, dispensaries, patients/caregivers, and physicians will be vetted fully and adopted by the appropriate Department or Board; and

WHEREAS, R.C. 3796.29 specifically provides that “[a board of township trustees may adopt a resolution, to prohibit, or limit the number of cultivators, processors, or retail dispensaries licensed under this chapter within . . . the unincorporated territory of the township”]; and

WHEREAS, R.C. 519.21(D), which governs township zoning, likewise provides “[n]othing in this section prohibits a township zoning commission, board of township trustees, or board of zoning appeals from regulating the location of medical marijuana cultivators, processors, or retail dispensaries or from prohibiting such cultivators, processors, or dispensaries from being located in the unincorporated territory of the township”; and

WHEREAS, the Board of Trustees of Washington Township has thought carefully about and considered Ohio's Medical Marijuana Control Program as well as the Township's statutory ability to prohibit or limit the number of cultivators, processors and retail dispensaries located within the unincorporated territory of the Township; and

WHEREAS, the Board of Trustees of Washington Township now wants to prohibit such activity.

NOW, **THEREFORE, BE IT RESOLVED** by the Board of Trustees of Washington Township, Franklin, Delaware, and Union Counties, State of Ohio:

- Section 1: Medical Marijuana is defined by R.C. 3796.01 as “marijuana that is cultivated, processed, dispensed, tested, possessed, or used for medical purposes” (“Medical Marijuana”).
- Section 2: Medical Marijuana cultivators, processors, and retail dispensaries, licensed under Ohio law, are hereby prohibited from locating and/or doing business within the unincorporated territory of Washington Township, Ohio (Franklin, Delaware, and Union Counties).
- Section 3: The prohibition set forth in Section 2 does not limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.
- Section 4: Once this Resolution takes effect, no provision, definition, regulation or use (permitted or conditional) that applies to or governs land located within Washington Township, Ohio (Franklin, Delaware, and Union Counties) shall include, or be interpreted to include, Medical Marijuana cultivation, processing, and/or retail dispensing.
- Section 5: It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board and that all deliberations of the Board and any of the decision making bodies of the Board of Trustees which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.
- Section 6: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.
- Section 7: This Resolution shall be in full force and effect immediately upon adoption.

Mr. Kranstuber seconded the motion, and the roll was called on with all members of the Washington Township

Board of Trustees voting aye. Resolution Adopted April 25, 2017.

#2017.04.25.001  
Append #002

**Termination of Dylan Wildman:**

Ms. King introduced and moved the adoption of the following Resolution:

**A RESOLUTION TERMINATING DYLAN L. WILDMAN'S EMPLOYMENT AS A PART-TIME FIREFIGHTER**

WHEREAS, the Board of Township Trustees of Washington Township hired Dylan L. Wildman on January 12, 2017 to work as a Part-Time Firefighter; and

WHEREAS, the Board of Trustees for Washington Township recognizes that Dylan L. Wildman has communicated his intention of resigning for personal reasons.

NOW, **THEREFORE, BE IT RESOLVED** by the Board of Trustees of Washington Township, Franklin, Delaware, and Union Counties, State of Ohio:

Section 1: The Board of Trustees hereby approves the termination:

Name: Dylan L. Wildman

Position / Department: Firefighter/Fire

Classification: Part-time

Effective date: April 19, 2017

Section 2: Dylan L. Wildman is eligible for rehire;

Section 3: It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board and that all deliberations of the Board and any of the decision making bodies of the Board of Trustees which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

Mr. Bostic seconded the motion, and the roll was called on with all members of the Washington Township Board of Trustees voting aye. Resolution Adopted April 25, 2017.

#2017.04.25.002  
Append #003

**Resolution to Promote Troy A. Elmore:**

Ms. King introduced and moved the adoption of the following Resolution:

**RESOLUTION TO PROMOTE TROY A. ELMORE TO PROBATIONARY EMS MANAGER**

WHEREAS, Washington Township provides fire suppression and prevention and emergency medical services to its constituents, and;

WHEREAS, a need to fill a vacancy, occurring on July 6, 2017, in the position of EMS Manager, and;

WHEREAS, to adequately provide services, it is necessary to fill the vacancy in the position, and;

WHEREAS, the appointment is being recommended by the human resource manager and fire chief;

NOW, **THEREFORE, BE IT RESOLVED, BY THE BOARD OF TOWNSHIP TRUSTEES OF WASHINGTON TOWNSHIP, FRANKLIN, DELAWARE, AND UNION COUNTIES, OHIO THAT:**

Section 1: The Board approves the promotion of:

Name: Troy A. Elmore

Position: Probationary EMS Manager

Classification: Uniformed Full Time Non-Exempt

Salary: \$88,854.11 annually

Effective date: May 8, 2017

Section 2: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of the 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 including Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution shall take effect and be in force at the earliest time permitted by law.

Mr. Kranstuber seconded the motion, and the roll was called on with all members of the Washington Township Board of Trustees voting aye. Resolution Adopted April 25, 2017.

#2017.04.25.003  
Append #004

**Reporting Policy:**

Motion by Mr. Kranstuber, seconded by Ms. King, to adopt the following Reporting Policy as presented and recommended by staff and legal counsel. Motion passed.

#2017.04.25.004

Append #005

**Introduction**

Washington Township (referred to as the “Township” hereinafter) cares about and is dedicated to the health and wellness of its employees and community. In order to conduct Township business, it is necessary employees report certain situations to human resources. The following reporting policy is to provide guidance to employees on properly reporting situations to the Township leadership team.

**Policy****Disclosure of Criminal Convictions by Current Employees**

- Township employees shall report to human resources the filing of any criminal charges against the employee. Such reporting should be made no later than the start of the employee’s next shift.
- It is the employee’s responsibility to report immediately the final judicial disposition of criminal charges filed against the employee during the course of his/her employment.
- Criminal charges and/or convictions are considered to be confidential information and will be shared only with applicable members of management and the Trustees.
- Employees, who fail to disclose the filing of a criminal charge against them or the final judicial disposition of said charge(s), will be subject to disciplinary action up to and including termination.

**Disclosure of Traffic Violations by Current Employees Required to Operate a Motor Vehicle for Employment:**

- Township employees, who through the course of employment are required to operate a Township vehicle or a privately owned vehicle on Township time in furtherance of Township business shall report to his/her immediate supervisor the receipt of any traffic citation. Disclosure should be done no later than the start of the employee’s next shift.
- It is the employee’s responsibility to report immediately the final judicial disposition of a traffic citation and whether it affected, in any way, the employee’s ability to legally operate a motor vehicle.
- The supervisor of an employee, who reports receiving a traffic citation must immediately contact human resources to determine the employee’s eligibility to continue operating a motor vehicle through the scope of his/her Township employment.
- An employee who fails to report receiving a traffic citation or the final judicial disposition of a traffic citation’s effect, in any way, on his/her ability to legally operate a motor vehicle, will be subject to disciplinary action up to and including termination.

To disclose this information, employees must speak with their officer, Fire Chief and/or designee and human resources.

**For More Information**

If you have any questions or need further guidance, please contact human resources.

**Tax Incentive Review Council:**

Motion by Ms. King, seconded by Mr. Bostic, to appoint Ms. Joyce Robinson, to the Tax Incentive Review Council and the Housing Council and to attend the meetings. Motion passed.

#2017.04.25.005

**Approval of the Minutes:**

Motion by Ms. King, seconded by Mr. Bostic, to approve the meeting minutes of March 27, 2017 as amended. Motion passed. #2017.04.25.006

Motion by Mr. Bostic, seconded by Ms. King, to approve the meeting minutes of April 4, 2017, as amended. Motion passed. #2017.04.25.007

**Approval of Bills, Payroll and Transfers:**

Motion by Mr. Kranstuber, seconded by Ms. King, to ratify the bills for the Township, and to include all the now and then certificates, dated March 30, 2017, in the amount of \$102,551.21. Motion passed.

#2017.04.25.008

Append #006

Motion by Mr. Bostic, seconded by Ms. King, to ratify the bills for the Township, and to include all the now and then certificates, dated April 14, 2017, in the amount of \$56,998.21. Motion passed.

#2017.04.25.009

Append #007

Motion by Ms. King, seconded by Mr. Kranstuber, to ratify the ACB Bills for March 2017 in the amount of \$978,906.96. Motion passed.

#2017.04.25.010

Append #008

Motion by Mr. Kranstuber, seconded by Mr. Bostic, to ratify the payroll for April 7, 2017, in the amount of \$404,320.45. Motion passed.

#2017.04.25.011

Append #009

Motion by Ms. King, seconded by Mr. Kranstuber, to ratify the payroll for April 21, 2017, in the amount of \$381,054.98. Motion passed.

#2017.04.25.012

Append #010

**Disciplinary Charges of Firefighter John Storey:**

Attorney Pete Griggs Attorney with the Law Firm Brosius, Johnson and Griggs, LLC was present to formally file written disciplinary charges against FF John Storey. The Board of Trustees hired the firm to do a formal investigation on FF Storey. The hearing will be scheduled for the next Board of Trustees Meeting on May 9, 2017, at 8:00 a.m. FF Storey has been given the opportunity to voluntarily resign but he has not resigned. The format of the hearing was discussed with the Board. A summary of the Disciplinary Charges were distributed to the Board and for the Township Record. Mr. Griggs stated that according to the Delaware County Municipal Court Docket, FF Storey has been charged with First Degree of Misdemeanor of Theft. He also still has an outstanding bench warrant for his arrest. FF Storey's Attorney has filed to set this aside but the Judge has not ruled on this motion yet.

Motion by Mr. Kranstuber, seconded by Mr. Bostic, to authorize Township Attorney Brian Zets, if and when contact is made with FF Storey's Attorney, Henry Arnet, to grant no more than a 2 week extension or continuance of the hearing against FF Storey with the Board of Trustees under the statue, should a request be made. Vote as follows; Mr. Kranstuber - aye, Mr. Bostic - aye, Ms. King - no. Motion passed.

#2017.04.25.013

**Round Table Discussions were held:****Adjourn Meeting:**

Meeting of April 25, 2017, adjourned at approximately 8:00 p.m.

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 Mr. Gene Bostic, Chair

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 Ms. Joyce E. Robinson, Fiscal Officer