

## Minutes of July 14, 2020

### 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 July 14, 2020, at 6:00 p.m. Meeting was called to order by Ms. Denise Franz King, Chair, and the meeting opened with the Pledge of Allegiance.

Roll call – Ms. Denise Franz King, Chair – Present  
 Mr. Jan Rozanski, Vice Chair - Present  
 Mr. Charles Kranstuber, Trustee – Present

### Franklin County Deputy Report:

The Deputy was not present for the meeting and no update.

### EMH&T Presenting Updates Regarding Amlin Project:

Mr. Michael Brehm with EMH&T and Mr. Tony Roell with MKSK were present to update the Board of Trustees on the Amlin Project (roadway improvements, pedestrian facilities and the evaluation of the drainage improvements). A meeting with the City of Dublin, Franklin County Engineers office, Washington Township and EMH&T, is in the process of being set up to discuss the storm water drainage issue of Amlin and this Project. Mr. Brehm stated they have found moderate blockage of the drainage piping. Trustees want EMH&T to be aggressive in getting the storm water drainage resolved and are in favor of helping financially on a joint partnership project with the other entities. Other aspects of the project were also reviewed; elevation of Rings Road, sidewalks/sidewalk widths, etc. Ms. King asked if the scoping of all the drains had been completed, since we now are currently in the middle of a drought and Mr. Rozanski agreed EMH&T needs to complete this scoping of the project before fall and because this was part of the project, which has not been done according to the agreement. Ms. King also stated the consensus of the Board of Trustees is to move forward with the recommendation to replace the Rings Road Storm Sewer Drains as soon as possible.

Note: Presentation appended to the meeting Minutes and is available on the Township's website.

Append #001

### Resolution to Receive Funds for Coronavirus Relief Distribution Fund:

Mr. Kranstuber introduced and moved the adoption of the following Resolution:

#### RESOLUTION TO RECEIVE FUNDS FROM THE FRANKLIN COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in House Bill 481 of the 133<sup>rd</sup> General Assembly (HB 481); and

WHEREAS, HB 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, Washington Township is requesting its share of funds from the Franklin County Coronavirus Relief Distribution Fund.

NOW THEREFORE, be it resolved that the Board of Trustees of Washington Township affirms that all funds received from the Franklin County Coronavirus Relief Distribution Fund pursuant to HB 481 be expended only to cover costs of the Township consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in Washington Township's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

FURTHERMORE, in compliance with HB 481, be it resolved by the Board of Trustees of Washington Township that the Washington Township Fiscal Officer take all necessary action to:

- Section 1: On or before October 15, 2020, pay any unencumbered balance of money in the Washington Township's local coronavirus relief fund to the Franklin County Treasurer;
- Section 2: On or before December 28, 2020, pay the balance of any money in the Washington Township's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- Section 3: Provide any information related to any payments received under HB 481 to the Director of the Ohio Office of Budget and Management as requested.
- Section 4: 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 5: This Resolution shall take effect and be in force at the earliest time permitted by law.

Mr. Rozanski seconded the motion, and the roll was called on with all members of the Washington Township Board of Trustees voting aye. Resolution adopted July 14, 2020. #2020.07.14.001

Append #001

**Resolution Authorizing Payment from General Fund:**

Mr. Kranstuber introduced the following resolution and moved its passage:

RESOLUTION AUTHORIZING THE PAYMENT FROM THE GENERAL FUND FOR EXPENSES INCURRED FOR REMOVAL OF WILD VEGETATION AND TRASH DEBRIS - Ohio Revised Code § 505.87

WHEREAS, the occupants at 6114 Shier Lane, Dublin, Ohio, 43016, Washington Township, Franklin, Delaware and Union Counties, Ohio (the "Property"), have been determined to have established and perpetuated an actionable nuisance violation at the Property; and

WHEREAS, the Board has determined that the nuisance being maintained by the occupants at the Property threatens the public health, safety and environment; and

WHEREAS, in the interests of the public health, safety and environment, the Board desires to provide for the immediate abatement, control and/or removal of the nuisance being maintained by the occupants of the Property.

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

- Section 1. The Board hereby authorizes payment, if necessary, from the Township General Fund, currently estimated at \$1,000, for removal of wild vegetation and trash debris at the Property.
- Section 2. The Administrator and Fiscal Officer are authorized, on behalf of the Board, to arrange and effectuate the removal of the wild vegetation and trash debris at the Property and to arrange a lien on the Property relating to the cost of such removal.
- Section 3. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

Ms. King seconded the motion and, after discussion, a roll call with all members of the Washington Township Board of Trustees voting aye. Resolution adopted July 14, 2020. #2020.07.14.002

Append #002

**Resolution Authorizing Payment from the General Fund:**

Mr. Rozanski introduced the following resolution and moved its passage:

RESOLUTION AUTHORIZING THE PAYMENT FROM THE GENERAL FUND FOR EXPENSES INCURRED FOR REMOVAL OF WILD VEGETATION AND TRASH DEBRIS - Ohio Revised Code § 505.87

WHEREAS, the occupants at 6927 Rings Road, Dublin, Ohio, 43016, Washington Township, Franklin, Delaware and Union Counties, Ohio (the "Property"), have been determined to have established and perpetuated an actionable nuisance violation at the Property; and

WHEREAS, the Board has determined that the nuisance being maintained by the occupants at the Property threatens the public health, safety and environment; and

WHEREAS, in the interests of the public health, safety and environment, the Board desires to provide for the immediate abatement, control and/or removal of the nuisance being maintained by the occupants of the Property.

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

- Section 1. The Board hereby authorizes payment, if necessary, from the Township General Fund, currently estimated at \$1,000, for removal of wild vegetation and trash debris at the Property.
- Section 2. The Administrator and Fiscal Officer are authorized, on behalf of the Board, to arrange and effectuate the removal of the wild vegetation and trash debris at the Property and to arrange a lien on the Property relating to the cost of such removal.
- Section 3. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

Mr. Kranstuber seconded the motion and, after discussion, a roll call with all members of the Washington Township Board of Trustees voting aye. Resolution adopted July 14, 2020. #2020.07.14.003  
Append #003

**Resolution Authorizing Payment from General Fund:**

Mr. Kranstuber introduced the following resolution and moved its passage:

RESOLUTION AUTHORIZING THE PAYMENT FROM THE GENERAL FUND FOR EXPENSES INCURRED FOR REMOVAL OF WILD VEGETATION AND TRASH DEBRIS - Ohio Revised Code § 505.87

WHEREAS, the occupants at 6191 Cosgray Road, Dublin, Ohio, 43016, Washington Township, Franklin, Delaware and Union Counties, Ohio (the "Property"), have been determined to have established and perpetuated an actionable nuisance violation at the Property; and

WHEREAS, the Board has determined that the nuisance being maintained by the occupants at the Property threatens the public health, safety and environment; and

WHEREAS, in the interests of the public health, safety and environment, the Board desires to provide for the immediate abatement, control and/or removal of the nuisance being maintained by the occupants of the Property.

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

- Section 1: The Board hereby authorizes payment, if necessary, from the Township General Fund, currently estimated at \$1,000, for removal of wild vegetation and trash debris at the Property.
- Section 2: The Administrator and Fiscal Officer are authorized, on behalf of the Board, to arrange and effectuate the removal of the wild vegetation and trash debris at the Property and to arrange a lien on the Property relating to the cost of such removal.
- Section 3: It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

Mr. Rozanski seconded the motion and, after discussion, a roll call with all members of the Washington Township Board of Trustees voting aye. Resolution adopted July 14, 2020. #2020.07.14.004  
Append #004

**Resolution Authorizing Payment from General Fund:**

Mr. Kranstuber introduced the following resolution and moved its passage:

RESOLUTION AUTHORIZING THE PAYMENT FROM THE GENERAL FUND FOR EXPENSES INCURRED FOR REMOVAL OF JUNK MOTOR VEHICLE - Ohio Revised Code § 505.871

WHEREAS, the occupants (the "Occupants") at 6191 Cosgray Road, Dublin, Ohio, 43016, Washington Township, Franklin, Delaware and Union Counties, Ohio (the "Property"), have been determined to have established and perpetuated an actionable nuisance violation at the Property; and

WHEREAS, Occupants have been previously notified of such determination by the Township, been given time to remediate it and have not acted; and

WHEREAS, the Board has determined that the nuisance being maintained by the Occupants at the Property threatens the public health, safety and environment; and

WHEREAS, in the interests of the public health, safety and environment, the Board desires to provide for the immediate abatement, control and/or removal of the nuisance being maintained by the Occupants of the Property.

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

Section 1: The Board hereby authorizes payment, if necessary, from the Township General Fund, currently estimated at \$2,500, for removal of a junk motor vehicle at the Property.

Section 2: The Administrator and Fiscal Officer are authorized, on behalf of the Board, to arrange and effectuate the removal of the junk motor vehicle at the Property and to arrange a lien on the Property relating to the cost of such removal.

Section 3: It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

Mr. Rozanski seconded the motion and, after discussion, a roll call with all members of the Washington Township Board of Trustees voting aye. Resolution adopted July 14, 2020. #2020.07.14.005

Append #005

**Motion to Approve Agreement with DigiFone:**

Motion by Mr. Kranstuber, seconded by Mr. Rozanski, to authorize the Township Administrator on behalf of the Washington Township Board of Trustees, to enter into an agreement with DigiFone for the Township's phone services for a period of three (3) years. Motion passed. #2020.07.14.006

Append #006

**Motion to Approve Maintenance Contract with Pro-Safe:**

Motion by Mr. Kranstuber, seconded by Mr. Rozanski, to authorize the Township Administrator on behalf of Washington Township Board of Trustees, to enter into a 3-year maintenance contract with Pro-Safe for maintenance of the burn prop at a cost not to exceed \$7,500. Motion passed.

#2020.07.14.007

Append #007

**Motion to Approve Repairs to the Safety Trailer:**

Motion Mr. Rozanski, seconded by Ms. King, to approve the repairs to safety trailer by Diamond Specialty Vehicles as recommended at a cost not to exceed \$3,500. Motion passed.

#2020.07.14.008

Append #008

**Approval of the Minutes:**

Motion by Mr. Kranstuber, seconded by Ms. King, to approve the meeting minutes as presented for June 9, 2020. Motion passed. #2020.07.14.009

**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 June 30, 2020, in the amount of \$142,190.57. Motion passed.

#2020.07.14.010

Append #009

Motion by Mr. Kranstuber, seconded by Ms. Rozanski, to ratify the bills for the Township, and to include all the now and then certificates, dated June 15, 2020, in the amount of \$45,572.32. Motion passed.

#2020.07.14.010  
Append #009

Motion by Mr. Rozanski, seconded by Mr. Kranstuber, to ratify the Electronic Bills, as presented, dated June 2020, in the amount of \$1,287,400.23. Motion passed.

#2020.07.14.011  
Append #010

Motion by Mr. Kranstuber, seconded by Mr. Rozanski, to ratify the Medical UMR bills for June 2020, in the amount of \$218,483.45. Motion passed.

#2020.07.14.012  
Append #011

Motion by Mr. Rozanski, seconded by Mr. Kranstuber, to ratify the payroll for June 12, in the amount of \$468,071.27. Motion passed.

#2020.07.14.013  
Append #012

Motion by Mr. Kranstuber, seconded by Mr. Rozanski, to ratify the payroll for June 5, in the amount of \$9,624.02. Motion passed.

#2020.07.14.014  
Append #013

Motion by Mr. Rozanski, seconded by Mr. Kranstuber, to ratify the payroll for June 26, in the amount of \$496,551.87. Motion passed.

#2020.07.14.015  
Append #014

Motion by Mr. Kranstuber, seconded by Mr. Rozanski, to ratify the payroll for July 2, in the amount of \$9,624.02. Motion passed.

#2020.07.14.016  
Append #015

Motion by Mr. Kranstuber, seconded by Mr. Rozanski, to ratify the transfers for May 2020, in the amount of \$52,000. Motion passed.

#2020.07.14.017  
Append #016

#### **Round Table Discussion:**

Mr. Richter stated the Strategic Planning/Goal Setting binders for meeting being held on August 15, 2020, were distributed to the Trustees for their review.

Ms. King requested an update from Mr. Richter regarding the Amlin Basin and improvements. (Mr. Richter was asked to contact legal to research options pertaining to making improvements to a privately owned property at the June 9 meeting.) Mr. Richter reported Mr. Brian Zets, Washington Township's legal counsel, does not feel this is an appropriate use of the Township funds or to make improvements to a private property.

Chief Alec O'Connell gave updates on COVID-19 virus and the department.

#### **Executive Session for Personnel Matters:**

Motion by Ms. King, seconded by Mr. Rozanski, to adjourn into executive session for the discussion of Personnel Matters, and to the disciplinary matters of Township Staff, per the request of the Administrator and per the Ohio Revised Code Section #121.22 (G)(1) at 7:15 p.m. The roll was called on and all members of the Washington Township Board of Trustees voted aye. Motion passed.

#2020.07.14.018

#### **Reconvened:**

Meeting reconvened at 7:43 p.m.

#### **Resolution Issuing Discipline Against Firefighter:**

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

#### **A RESOLUTION ACCEPTING THE HUMAN RESOURCE MANAGER'S RECOMMENDATION AND ISSUING DISCIPLINE AGAINST FIREFIGHTER DOUG HYLAND**

WHEREAS, early last month, Chief Alec O'Connell learned Firefighter Doug Hyland's public Facebook page contains posts that may concern Washington Township; and

WHEREAS, during its June 9, 2020 meeting, the Board of Trustees of Washington Township instructed Human Resource Manager Catherine Grossman to employ Attorney Peter Griggs to investigate the alleged Facebook posts and recommend discipline, if she believed appropriate. The Board of Trustees of Washington Township also placed Firefighter Doug Hyland on paid administrative leave, pending this investigation; and

WHEREAS, Attorney Peter Griggs reviewed Firefighter Doug Hyland’s public Facebook post, examined the Township’s Technology Use Policy, interviewed Firefighter Doug Hyland, assessed Firefighter Doug Hyland’s prior discipline, and recommended discipline; and

WHEREAS, the Washington Township Employee Handbook states that “[t]he responsibility for administering discipline is the duty of the immediate supervisor through the chain of command, to the Washington Township Trustees, provided that the Board of Trustees shall be the authority responsible for discipline involving suspension, reduction in pay, and/or rank, or termination”; and

WHEREAS, the Board of Trustees of Washington Township reviewed Attorney Griggs’ findings and deliberated this issue in open session, and now wants to accept the Human Resource Manager’s recommendation and issue discipline against Firefighter Doug Hyland that includes a suspension without pay.

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

SECTION 1: Pursuant to the authority granted by the Washington Township Employee Handbook, the Washington Township Trustees impose the following discipline against Firefighter Doug Hyland:

- a. Doug Hyland is suspended, without pay and without supplementing accrued paid time off, for a 144-hour period, where Firefighter Hyland will not report to work. During this time, Doug Hyland will not be paid and cannot supplement accrued, but unused, paid time off. Likewise, during this period of unpaid leave, Doug Hyland will not accrue sick and/or vacation leave. He is not to report to work. Likewise, during this unpaid leave, Doug Hyland is not permitted to act on behalf of Washington Township in any manner, unless specifically directed to do so by Chief O’Connell or the Township Administrator. During this period of unpaid leave, Doug Hyland shall not have contact with any Township employee and is restricted from entering the Township Administrative Office and all Fire Stations.

SECTION 2: In addition to the discipline set forth in Section 1, within the next fourteen (14) days, a professionally licensed Physiologist or Physiatrist must evaluate and opine whether Doug Hyland is fit for duty as a firefighter. The Township will pay for this appointment and evaluation.

SECTION 3: In addition to the discipline set forth in Section 1, within the next two (2) months, Doug Hyland must attend and successfully complete an anger management program at the Township has discretion. The Township will pay for these courses.

SECTION 4: Within the next three (3) days, the Township Administrator shall issue Doug Hyland a letter advising him that his failure to follow any other work rule, regulation, policy, order, or instruction (including those set forth in Sections 2 and 3 above) will result in the Board of Trustees initiating termination proceedings under R.C. 505.38. This letter also shall outline the discipline and related conditions set forth herein.

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.

Mr. Kranstuber seconded the motion, and the roll was called on all members of the Washington Township Board of Trustees voting aye. Resolution adopted July 14, 2020. #2020.07.14.019

Append #017

**Adjourn Meeting:**

Meeting of July 14, 2020, adjourned at approximately 7:55 p.m.