

**Brimfield Township Board of Trustees  
Regular Meeting  
Wednesday, August 11, 2021**

The Brimfield Township Board of Trustees met in a regular meeting at the Brimfield Community Center on the above date. Present were Trustees Nicholas Coia, Mike Kostensky, Sue Fields, and Fiscal Officer John Dalziel.

The meeting was called to order at 8:00 AM by Trustee Nicholas Coia.

Guest – Rep Gail Pavliga, State Representative House District 75

**MOTION #2021-255**

Mike Kostensky moved to approve minutes from 7/28/2021 Bid opening meeting and 7/28/2021 regular meeting. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields – yea
Nicholas Coia	- yea	Motion Pass

**MOTION #2021-256**

Mike Kostensky moved to approve the agenda as presented. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

**MOTION #2021-257**

Mike Kostensky moved to approve Purchase Orders. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

**MOTION #2021-258**

Sue Fields moved to approve warrants. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

**Police:** No Action

**Fire:** No Action

**Administration:**

**Brimfield Township OF Portage County, OHIO**

Resolution No. R-2021-259

AN EMERGENCY RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT

Nicholas Coia moved the adoption of the following resolution:

AN EMERGENCY RESOLUTION AUTHORIZING the Portage County Prosecutor to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (“Settling Distributors”) pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

WHEREAS, the Brimfield Township, Ohio (herein “Municipality”) is a Township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and Brimfield Township has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Brimfield Township Board of Trustees understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, Brimfield Township Board of Trustees Council wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the "Proposed Settlement"):

NOW THEREFORE, BE IT ORDAINED BY THE BRIMFIELD BOARD OF TUSTEES OF THE TOWNSHIP OF BRIMFIELD OF PORTAGE, OHIO.

Section 1. That John Dalziel hereby accepts the Proposed Settlement on behalf of Brimfield Township, pursuant to the terms of the OneOhio MOU.

Section 2. That it is found and determined that all formal actions of the Council relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of Brimfield Township. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Motion was seconded by Sue Fields.

Nichols Coia

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Mike Kostensky

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Sue Fields

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Adopted August 11, 2021

**CERTIFICATE**

State of Ohio, Portage County

I, the undersigned Fiscal Officer of the Township of Brimfield, Portage County, Ohio, certify that the foregoing Resolution No. 2021-259 is taken and copied from the record of proceedings of the Brimfield Township Board of Trustees, and that it has been compared by me with the resolution on the record and is a true copy.

Date August 11, 2021

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Fiscal Officer  
Township of Brimfield, Portage County, Ohio

**MOTION #2021-260**

Nicholas Coia moved to approve the township assistance program with the Kelso House/Brimfield Historical Society. Brimfield Township will provide certain grounds maintenance, program, and administration planning. Mike Kostensky second.

Mike Kostensky - yea  
Nicholas Coia - yea

Sue Fields - yea  
Motion Pass

**Zoning:** No Action

**Roads:**

MOTION #2021-261

Mike Kostensky moved to accept the state bid for salt through the winter 2021/2022 from Cargill at a price of \$43.76 a ton. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

MOTION #2021-262

Mike Kostensky moved to accept Winter Excavating for the Howe Road Culvert project. The cost of the total project is \$302,576.25 through OPWC, Brimfield's portion is \$120,000.00. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields – yea
Nicholas Coia	- yea	Motion Passed

**Parks:**

MOTION #2021-263

Nicholas Coia moved to approve Cardinal Asphalt Company, INC proposal to pave the Lions Park walking trail at a cost not to exceed \$16,000.00. Mike Kostensky second.

Mike Kostensky	- yea	Sue Fields – yea
Nicholas Coia	- yea	Motion Passed

MOTION #2021-264

Nicholas Coia moved to set Trick-Or-Treat on Sunday, 10/31/2021 from 5:00 PM - 7:00 PM. Sue Fields second.

Mike Kostensky	- yea	Sue Fields – yea
Nicholas Coia	- yea	Motion Passed

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Mike Kostensky moved at 9:40 AM to adjourn. Motion seconded by Nicholas Coia. Upon a roll call vote passed unanimously.

We, the Trustees of Brimfield Township, do hereby set out hands as approval of the foregoing minutes as a true and accurate record of the proceedings.

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Chairman

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Fiscal Officer