

Brimfield Township Board of Trustees
Regular Meeting
Wednesday August 10, 2022

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 Nicholas Coia.

MOTION #2022-233

Nicholas Coia moved to approve minutes from 7/13/2022 bid opening. Sue Fields second.

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

MOTION #2022-234

Mike Kostensky moved to approve minutes from 7/27/2022 regular meeting. Sue Fields second.

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

MOTION #2022-235

Sue Fields moved to approve the amended agenda to include:
Nicholas Coia second.

Parks - f.) Pavilion at Kelso soccer fields

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

MOTION #2022-236

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

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

MOTION #2022-237

Mike Kostensky moved to approve warrants. Sue Fields second.

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

Public Comments: Darlene Mettler 3787 Ranfield Road – Town Center sign outage

Police:

MOTION #2022-238

Nicholas Coia moved to approve House bill 206, sections 4513.35 and 4513.39 of the Revised Code to permit a township police officer who serves a population between 5,000 and 50,000 to enforce specified traffic offenses on interstate highways within the township if authorized by the township's board of trustees. Mike Kostensky second.

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

Fire: No Action

Admin: No Action

Zoning:

MOTION #2022-239

Sue Fields moved to approve rezoning of Mogadore Road and Howe Road proposal, changing from O-R to R-3 and O-R to R-P. Mike Kostensky second.

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

MOTION #2022-240

This Settlement and Release Agreement (“Agreement”) is made and entered into as of this 10th day of August, 2022 (“Execution Date”), by and between Brimfield Township, Ohio and its Board of Trustees, located at 1333 Tallmadge Road, Brimfield Township, Ohio, 44240 for itself and its heirs, successors, assigns, insurers, employees, agents, officials, and representatives (“Township”), and William Hankins, with the address of 1435 Tallmadge Road, Brimfield Township, Ohio 44240, for himself and his heirs, successors, assigns, insurers, agents, and representatives (“Hankins”) (collectively referred to as the “Parties”).

Nicholas Coia moved to approve the following resolution:

WHEREAS, the Township and Hankins are parties to a lawsuit styled as The Township of Brimfield, Ohio, Board of Trustees vs. William Hankins, Portage County Court of Common Pleas Case No. CV-2022-00026, in which the Township has asserted claims against William Hankins (“Lawsuit”) regarding the real property he currently owns which is located at 1435 Tallmadge Road, Brimfield Ohio (“Property”).

WHEREAS, the Parties, individually and collectively, desire to resolve forever any and all disputes between themselves relating to the Lawsuit to avoid incurring further costs, expenses and/or attorney’s fees related to the Lawsuit, and to achieve certainty and finality regarding the Lawsuit, but without any admission of liability concerning the Lawsuit and have reached an agreement in that regard.

NOW, THEREFORE, in consideration of the promises, mutual covenants, and agreements hereinafter contained, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged conclusively, the Parties agree as follows:

1. Hankins acknowledges and stipulates to following:

A. Hankins shall maintain status quo on the property: Hankins shall maintain compliance with the Township’s Zoning Resolution (except that the remaining/continuing violations revealed by most recent inspections concerning the electrical panel and storage of wood around the residence shall be corrected as set forth below), and stipulates that if any previously-cited issues reoccur, the Township may immediately enforce its Zoning Resolution and obtain immediate relief from the Portage County Court of Common Pleas through this Settlement Agreement through the Court’s issuance of an Order requiring immediate correction by Hankins; and

B. Hankins shall correct the “new” fire inspection issues within 60 days of the execution date of this Agreement. This includes correcting the issue with the electrical panel identified in the Fire Inspection Report, as well as the removal of the firewood/combustibles located on the Property also identified by that Report; and

C. Hankins agrees and stipulates that if the Property does not sell (evidenced by a fully-executed and enforceable real property purchase agreement) within 60 days of the Execution Date of this Agreement, Hankins shall immediately schedule a meeting with the Township to set a timetable for having the structure painted within 120 days of the execution date of this Agreement.

The Parties acknowledge the foregoing are requirements which Hankins must comply with in order for the complete settlement of any claims between the Parties in the Lawsuit.

2. As part of the consideration herein, the Parties do hereby release and forever discharge each other and each of their predecessors, successors, heirs, past present and future executors, administrators, trustees, beneficiaries, and representatives, from all claims, demands, actions or causes of action, whether now known or unknown, related to and arising out of this Lawsuit, and any and all claims related to and/or asserted or which could have been asserted in the Lawsuit. The Parties warrant that no claims asserted, or which could have been asserted in the Lawsuit have been assigned to any person, and that they have not filed and will not file any complaint, case, or action against the Township relating to the events set forth in this Lawsuit. The Parties further release and forever discharge each other, their predecessors, successors, heirs, past present and future executors, administrators, trustees, beneficiaries, and representatives, from all claims, demands, actions or causes of action, whether now known or unknown, related to this Agreement, except the Parties may enforce the obligations contemplated by this Agreement. The Parties acknowledge that this Agreement does not limit the Township authority to enforce it's zoning resolution or other present law.

3. This Agreement sets forth the entire agreement between the Parties with respect to the subject matter hereof. This Agreement may not be modified except by a writing signed by all Parties hereto.

4. This Agreement shall be governed by the laws of the State of Ohio. Any disputes regarding this agreement shall be resolved in the Portage County, Ohio Court of Common Pleas. Notwithstanding anything to the contrary herein, the Parties specifically consent to the continuing jurisdiction of the Portage County Common Court of Common Pleas to resolve any disputes arising out of or relating to this Agreement and/or to enforce the terms of this Agreement.

5. This Agreement may be executed in counterparts, with the signature of each Party on one copy being deemed that Party's signature on each other's copy. Facsimile or electronic transmissions of a signed document shall be the same as delivery of a signed original document.

6. The individuals signing this Agreement hereby personally represent and warrant that they have the authority, and are fully authorized, to execute this Agreement on behalf of the Party for whom they are signing and to bind that Party to this Agreement.

7. In the event that one or more provisions of this Agreement or their application to any person is held to be invalid, illegal or unenforceable in any respect or to any extent, then the meaning of such provision will be construed, to the extent feasible, so as to render the provision enforceable and still achieve the Parties' intent in entering into this Agreement, and if no feasible 3 interpretation would save such provision, it will be severed from the remainder of this Agreement, which will remain in full force and effect.

8. This Agreement constitutes and contains the entire agreement between the Parties and the final embodiment of their agreement with respect to the subject matter covered in this Agreement. All prior agreements, understandings, representations, and/or statements, oral or written, are merged into and superseded by this Agreement. No claimed addition to or amendment, waiver or modification of this Agreement shall be effective unless in writing and signed by a duly authorized representative of each of the Parties.

9. Upon the Parties' execution of this Agreement, the Township of Brimfield, Board of Trustees, shall dismiss its Complaint, with prejudice, at the Defendant's cost, through the filing of a notice of dismissal with prejudice.

WE HAVE READ THE FOREGOING SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS, CONSISTING OF NINE (9) PARAGRAPHS, FULLY UNDERSTAND IT, AND AFTER CONSULTING WITH LEGAL COUNSEL, HAVE SIGNED IT ON THE DATE(S) INDICATED BELOW, SIGNIFYING THEREBY OUR ASSENT TO, AND WILLINGNESS TO BE BOUND BY, ITS TERMS. THE AGREEMENT WILL BECOME EFFECTIVE ONCE SIGNED BY BOTH PARTIES.

IN WITNESS WHEREOF, the undersigned Parties have read and understand this Settlement Agreement and do, by execution of this Agreement, bind themselves to all terms and conditions thereof.

Sue Fields second.

Adopted the 10th day of August 2022.

Nicholas Coia

Mike Kostensky

Sue Fields

*Township
Trustees*

Attest: _____

*John Dalziel
Township Fiscal Officer*

Road:

MOTION #2022-241

Mike Kostensky moved to approve proposal from CLE Welding in the amount of \$3,680.50 for the work required on the soccer field storage shed. Nicholas Coia second.

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

BRIMFIELD TOWNSHIP
PORTAGE COUNTY, OHIO
RESOLUTION NO. 242-2022

A RESOLUTION AWARDING A CONTRACT ON MAPLECREST
INDUSTRIAL ROAD PROJECT TO UNITED EARTHWORKS, LLC

Nicholas Coia moved to approve the following resolution.

Whereas, Brimfield Township (“the Township”) publicly advertised for sealed bids for a certain construction project, entitled “Maplecrest Industrial,” in accordance with applicable provisions of the Ohio Revised Code, and

Whereas, on July 27, 2022, sealed bids were opened and the apparent low bidder was United Earthworks, LLC (“United Earthworks”), in the sum of \$1,038,030, with work to be substantially completed November 1, 2022, and finally completed June 1, 2023, and

Whereas, the United Earthworks bid was under the estimated cost prepared by the engineering firm that prepared the plans and specifications, being GBC Design, Inc. (“GBC Design”), and

Whereas, United Earthworks’ bid has been reviewed by GBC Design for correctness under applicable engineering standards and under the Portage County Engineer’s Award Process, and GBC Design has determined it is a responsible bid that is responsive to the bid invitation, and

Whereas, United Earthworks' background and experience have been investigated by GBC Design, which has determined that United Earthworks has both the capacity and reputation for satisfactorily completing projects of this size and kind, and

Whereas, the special attorney assisting Brimfield Township with respect to this project, Terrence L. Seeberger, has reviewed United Earthworks' bid for responsiveness and conformity with applicable provisions of the Ohio Revised Code, and he has determined that the United Earthworks bid is responsive under those criteria, and

Whereas, United Earthworks' bid appears to be both "lowest and best" and "responsible and responsive,"

Now Therefore, The Board of Trustees Resolves that the Township may contract for the Maplecrest Industrial Road project with United Earthworks, LLC, on terms consistent with its bid, provided that the form of the contract is deemed acceptable by the attorney representing the Township, and the Fiscal Officer of Brimfield Township certify, on the contract, availability of funds for the contract..

Mike Kostensky second.

DATE: August 10, 2022

APPROVED: _____

Nicholas Coia, CHAIRPERSON, BOARD OF TRUSTEES

Mike Kostensky, TRUSTEE

Sue Fields, TRUSTEE

ATTEST: _____

John Dalziel, FISCAL OFFICER

MOTION #2022-243

Mike Kostensky moved to amend the advertising dates of the Cascades Project bid from 7/29/2022 and 8/5/2022 and changed to 7/31/2022 and 8/5/2022. Nicholas Coia second.

Mike Kostensky - yea
Nicholas Coia - yea

Sue Fields - yea
Motion Pass

MOTION #2022-244

Mike Kostensky moved to hire Don Lutz as a road employee per road contract. Hire is pending successful background check and drug screen. Effective date of employment 8/23/2022. Nicholas Coia second.

Mike Kostensky - yea
Nicholas Coia - yea

Sue Fields - yea
Motion Pass

Parks: No Action

Cemetery:

MOTION #2022-245

Mike Kostensky moved to approve a PO to obtain an appraisal of real property from C.P. Braman and Company, Inc for purposes of the potential acquisition of land for cemetery expansion purposes. Cost not to exceed \$4,000.00 paid out of Tallmadge M+I. Sue Fields second.

Mike Kostensky - yea
Nicholas Coia - yea

Sue Fields - yea
Motion Pass

Fiscal Office:

RESOLUTION #2022-246

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(BOARD OF TOWNSHIP TRUSTEES)

Revised Code, Secs. 5705.34 & 5705.35

The Board of Trustees of Brimfield Township, Portage County, Ohio, met in a regular session on the 10th day of August 2022 at the Brimfield Community Center with the following members present:

Nicholas Coia, Chairman

Mike Kostensky, Member

Sue Fields, Member

Nicholas Coia moved the adoption of the following Resolution:

RESOLVED, By the Board of Trustees of Brimfield Township, Portage County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2023; and

WHEREAS, The Budget Commission of Portage County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Board of Trustees of Brimfield Township, Portage County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX
APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED
TAX RATES

Fund	Amount Approved by Budget Commission Inside 10 Mill Limit	Amount to Be Derived from Levies Outside 10 Mill Limit	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit

General Fund	\$396,670		1.10	
Road & Bridge	\$72,122	\$753,233	0.20	2.85
Fire Protection		\$1,330,558		4.90
EMS		\$443,879		1.70
Police Protection		\$2,569,784		8.82
Bond Retirement		\$393,822		1.16
TOTAL:	\$468,792	\$5,491,277	1.30	19.43

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION

Levy Purpose	Date of Vote & Duration of Levy	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy
Levy authorized by voters on 11/05/19 not to exceed five (5) years. Road & Bridge	2020 - 2024	0.95	\$244,360
Levy authorized by voters on 11/05/19 not to exceed five (5) years. Road & Bridge	2020 - 2024	1.90	\$508,874
Levy authorized by voters on 11/06/18 for a cont. period of time. Fire Protection	2018 - Cont.	4.90	\$1,330,558
Levy authorized by voters on 05/07/19 not to exceed five (5) years. EMS Services	2019 - 2023	0.85	\$217,066
Levy authorized by voters on 05/07/19 not to exceed five (5) years. EMS Services	2019 - 2023	0.85	\$226,813
Levy authorized by voters on 03/15/16 for a Cont. period of time Police Protection	2016 - Cont.	2.90	\$782,216
Levy authorized by voters on 08/07/12 for a Cont. period of time Police Protection	2012 - Cont.	2.90	\$762,271
Levy authorized by voters on 05/03/22 for a Cont. period of time Police Protection	2022 - Cont.	3.02	\$1,025,296
Levy authorized by voters on 11/03/20 not to exceed 28 years. Bond Retirement	2020 - 2047	1.16	\$393,822

and be it further

RESOLVED, That the Clerk of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Sue Fields seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Nicholas Coia, Yea
Mike Kostensky, Yea
Sue Fields, Yea

Adopted the 10th day of August 2022

Clerk of the Board of Township Trustees
Brimfield Township
Portage County, OH

MOTION #2022-247

Mike Kostensky moved to amend agenda to include executive session for compensation of public employee. Sue Fields second.

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

**MOTION #2022-248 FOR EXECUTIVE SESSION
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, August 10, 2022, Trustee Nicholas Coia moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters at 9:32 AM:

A check mark must be placed next to the applicable section(s):

- (1) To consider the:
 - appointment,
 - employment,
 - dismissal,
 - discipline,
 - promotion,
 - demotion,
 - or compensation of a public employee or official,
 - or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) _____

(2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Additional Comments (if applicable) _____

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) _____

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) _____

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) _____

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) _____

(7) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is

necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Mike Kostensky.

Roll Call Vote:	Trustee Nicholas Coia	Yea
	Trustee Mike Kostensky	Yea
	Trustee Sue Field	Yea

**MOTION #2022-249 FOR EXECUTIVE SESSION
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, August 10, 2022, Trustee Nicholas Coia moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters at 9:32 AM:

A check mark must be placed next to the applicable section(s):

- (1) To consider the:
 - appointment,
 - employment,
 - dismissal,
 - discipline,
 - promotion,
 - demotion,
 - or compensation of a public employee or official,
 - or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) _____

- (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be

conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Additional Comments (if applicable) _____

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) _____

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) _____

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) _____

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) _____

(7) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Mike Kostensky.

Roll Call Vote:	Trustee Nicholas Coia	Yea
	Trustee Mike Kostensky	Yea
	Trustee Sue Field	Yea

**MOTION #2022-250 FOR EXECUTIVE SESSION
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, August 10, 2022, Trustee Nicholas Coia moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters at 9:32 AM:

A check mark must be placed next to the applicable section(s):

- (1) To consider the:
 - appointment,
 - employment,
 - dismissal,
 - discipline,
 - promotion,
 - demotion,
 - or compensation of a public employee or official,
 - or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) _____

- (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Additional Comments (if applicable) _____

- (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) _____

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) _____

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) _____

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) _____

(7) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Mike Kostensky.

Roll Call Vote:	Trustee Nicholas Coia	Yea
	Trustee Mike Kostensky	Yea
	Trustee Sue Field	Yea

MOTION #2022-251

Nicholas Coia moved to return from executive session back to the regular meeting at 10:32 AM. Sue Fields second.

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

MOTION #2022-252

Nicholas Coia moved to approve police department Chief Roy Mosley's employment agreement effective 8/10/2022 through 12/31/2027. Sue Fields second.

Mike Kostensky - yea
Nicholas Coia - yea

Sue Fields - yea
Motion Pass

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Mike Kostensky moved at 10:34 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.

Chairman

Fiscal Officer