

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
SEPTEMBER 6TH, 2018
7:00 PM**

The Medina Township Board of Trustees met in regular session at the Medina Township Townhall on September 6th, 2018, to conduct the business of the Township. Chairman DeMichael called the meeting to order at 7:00 pm with the following Trustees in attendance: Ken DeMichael, Mike Stopa and Mark Radice. Also in attendance were Fiscal Officer Ventura, Road Superintendent Miller and the general public.

Roll Call

Mr. DeMichael asked for a roll call of all members present. Trustees present were Mr. DeMichael, Mr. Stopa and Mr. Radice.

Pledge

Mr. DeMichael led the Pledge of Allegiance.

Moment of Silence

Mr. DeMichael asked for a moment of silence for our military both home and abroad, first responders and the victims down in Cincinnati and also there is someone who comes to these meetings who is not doing very well if you could keep her in your thoughts as well.

SITE PLANS

Car Max – 2875 Medina Road – Site

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve the use for Car Max to be located at 2875 Medina Road as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Car Max – 2875 Medina Road – High Rise Sign

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a high rise sign for Car Max not to exceed 150 square feet and 75 feet in height as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice

Car Max – 2875 Medina Road – Ground Sign

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a ground sign for Car Max not to exceed 32 square feet and 7feet 5/16 inches in height and to include landscaping around the base of the sign as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Car Max – 2875 Medina Road – Wall Sign - South

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a wall sign on the south elevation of the building not to exceed 66 square feet for Car Max as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Car Max – 2875 Medina Road – Directional Signage

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve all directional signage as noted (D1, D2, E, F, G, M and H) on the site plan not to exceed 4 square feet as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice

Car Max – 2875 Medina Road – Second Wall Sign

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and deny the second wall sign request for Car Max to be located on the east side of the building as it does not meet the requirements of the Medina Township Zoning Resolution as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

TM9/6/18

SITE PLANS CON'T

Car Max – 2875 Medina Road – Third Wall Sign

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and deny the third wall sign request for Car Max to read “Service” as it does not meet the requirements of the Medina Township Zoning Resolution as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Public Storage – 3990 Pearl Road – Site

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve the change of use for Public Storage to be located at 3990 Pearl Road as presented. Mr. Stopa seconded the motion. The applicant and the Chairperson of the Zoning Commission talked during the motion so Mr. DeMichael had to amend his motion. Mr. DeMichael said it has been brought to his attention that when someone speaks during a motion it becomes part of the motion so he did not want that to be part of the motion. Mr. DeMichael motioned to withdraw that motion. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve the change of use for Public Storage to be located at 3990 Pearl Road as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Public Storage – 3990 Pearl Road – Ground Sign

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a ground sign for Public Storage located at 3990 Pearl Road not to exceed 32 square feet as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice

Public Storage – 3990 Pearl Road – Wall Sign

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Public Storage located at 3990 Pearl Road not to exceed 17.54 square feet and a 2.4 square foot directional sign (Rental Office) as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

PURCHASE ORDERS AND TRAINING REQUESTS

APA Planning and Zoning Workshop

Mr. Stopa motioned to accept a purchase order requisition. The department is going to be zoning. It is going to be for the APA Cleveland Planning and Zoning Workshop. The total amount is going to be \$1,320.00. Mr. DeMichael seconded the motion. Mrs. Ventura asked if mileage was included. Mr. Stopa said yes. Mrs. Ventura wanted motion to be amended to read plus mileage because we don’t know how many people are going to drive. Mr. Stopa motioned to withdraw his first motion. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Stopa, Mr. DeMichael and Mr. Radice. Mr. Stopa motioned for a purchase order requisition. It is going to be for the department of zoning. It is going to be for the Cleveland APA Planning and Zoning Workshop. The total amount is going to be \$1,320.00 and this will include mileage. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Stopa, Mr. DeMichael and Mr. Radice.

City of Medina - 2018 Police Dispatch Fees

Mr. DeMichael motioned to approve a purchase order for the City of Medina Finance Department. This is for the dispatch fees for 2018. Total amount is \$71,391.43. Mr. Stopa seconded the motion. Mr. Stopa clarified that this is the fee minus the Fire Department dispatch fees. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

TM9/6/18

OTHER BUSINESS

Approval of Accounts Payables

Mr. DeMichael motioned to approve accounts payable check #29451 through check #29488. Total amount is \$147,388.83. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Approval of Minutes

Mr. DeMichael motioned to approve the Trustee minutes from August 9th, 2018 and August 23rd, 2018 regular meeting minutes. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Approval of Payroll

Mr. DeMichael motioned to approve payroll check #24180 through check #24205, total amount \$39,496.56 with \$7,201.48 being deferred for OPERS, union dues and health insurance. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

DEPARTMENT HEAD COMMENTS

Service Department

Mr. Miller said they received the digital speed signs and they will be trained next week in installation of the signs. Mr. Radice said it would be better to have Denny mount the signs and Chief will tell him where they want them based on data. Mr. Miller received a list from Chief Arbogast. Mr. DeMichael asked how frequently they will be moved. Mr. Miller said probably every two weeks because the batteries last about two weeks. He will bring them back and recharge the batteries.

OLD BUSINESS

Discussion of Hood Road

Mr. Radice asked if the letter got submitted to the Engineer's Office and Mr. Miller said yes and we are waiting on an answer. Mr. DeMichael said we don't know what they are going to recommend, we are waiting to hear from them.

Discussion of IT Service

Mr. Stopa said he is still working on the IT service. He was hoping to have Marshall Larabee come in and give a presentation but Mr. Larabee felt his proposal was sufficient. Mr. Stopa said he is still working on going through everything and hopefully will have an answer in a few weeks. Mr. DeMichael asked what was found about getting out of the Intech contract. Mr. Stopa said Jeff told him it was a pretty solid contract and maybe we could negotiate with Intech if we decided we were going to eliminate everybody as a whole. It is something we will have to look at. Mr. Stopa said we can add and subtract systems from the contract but we would still be in the contract. We can still get out of the contract in April. Mr. Radice asked what the monthly bill would be. Mr. Stopa said they are still looking into that.

NEW BUSINESS

Police Contract Negotiations

Mr. Radice motioned to approve the Board of Trustees to request the County Prosecutors to represent us in the contract negotiations beginning in October. Mr. DeMichael seconded the motion. Mrs. Ventura asked if they reached out to anyone on this or no. Mr. Radice said yes and they required a letter. Mr. Radice said they still could turn it down I am assuming but they said they won't even.... Mrs. Ventura said Mr. Thorne said when he was with them they wouldn't even touch anything to do with union contracts and she didn't know if that changed. Mr. Radice said Chief reached out to them. Voting aye thereon: Mr. Radice, Mr. DeMichael and Mr. Stopa.

TM9/6/18

Fire Hydrant Maintenance Agreement

Mr. Stopa spoke to Chief Painter and asked when they were going to flush hydrants and Chief Painter said the agreement we had when we had our own Fire Department and the County Water Department wasn't acceptable anymore. Chief Painter sent over the contract between the Sanitary Engineer and Montville. Mr. Stopa looked it over and sent it to the Prosecutor's Office. It was then sent to the Sanitary Engineer. Basically, the agreement is the same as Montville they just changed the name to Medina Township.

Resolution No. 09062018-016

Mr. Stopa motioned to present a Resolution No. 09062018-016 to enter into an agreement with the Sanitary Engineer's for the Fire Hydrant Maintenance Agreement which will be between us and Medina County. Once we sign this then she can send it over to the County Engineer's, then she can start flushing the hydrants. Mr. DeMichael seconded the motion. Mr. Radice asked if there was any cost associated with this and Mr. Stopa said there is no cost. Mr. Stopa motioned to withdraw his initial resolution motion. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Stopa, Mr. DeMichael and Mr. Radice. Mr. Stopa motioned to approve a Resolution No. 09062018-016. It is the Fire Hydrant Maintenance Agreement between Medina County and Medina Township Trustees and it is going to be a seven (7) page document as presented. Mr. Radice seconded the motion. Voting aye thereon: Mr. Stopa, Mr. Radice and Mr. DeMichael.

Cancellation of the September 20th 2018 Trustee Meeting

Mr. DeMichael motioned to cancel September 20th regularly scheduled meeting of Medina Township Trustees due to the Engineers Meeting/Dinner. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Authorization for Fiscal Officer to Prepare Accounts Payable Checks for September 20th, 2018 Regular Meeting

Mr. DeMichael motioned to authorize the Fiscal Officer to prepare accounts payable checks for the regular meeting dated September 20th, 2018 due to Trustees and Fiscal Officer attending the Medina County Engineer's Dinner Meeting. There will be no meeting for that date. Trustees will then approve the checks by vote at the October 4th, 2018 regular Trustees meeting. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Authorization for Fiscal Officer to Prepare Payroll Checks for September 20th, 2018, Regular Meeting

Mr. DeMichael motioned to authorize the Fiscal Officer to prepare payroll for the pay dated September 21st, 2018, and to allow those funds to be direct deposited as usual to Township employees. Trustees will not have a regular meeting on September 20th, 2018 and will approve the payroll at the next regularly scheduled meeting which is October 4th, 2018. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Fire District Committee

Mr. Radice has been on the panel looking at a Fire District and today he got word that our application for a feasibility study that they applied for with the State Auditor's Office has been accepted so they are going to be performing a study for us at no charge to any of the communities. We will be meeting in a week or so to set up a scope of work of what is expected and work it out with them to see how they can help us.

Public Comments in the Minutes

Mr. Stopa said in regards to the August 9th minutes that were not originally approved because of changes, Mrs. Goe asked if we can get clarification going forward, do we want to include public comment or do we not because we originally voted not to include public comments. She wants to be sure we are all on the same page as to what we want to do going forward so we can approve all the minutes when they come up. Mr. DeMichael said he doesn't know what the Board thinks. Mr. DeMichael said his opinion is public comment portion is what we were talking about. We've been allowing members of the public to comment on things throughout the course of the meeting and I thought that particular thing was important.

Public Comments in Minutes Con't

I don't think if anyone else has an opinion about something they want to see in the meeting minutes I don't think it's up to Celia to pick and choose what she puts in the meeting minutes, that's where I was coming from so the original intention was to not have the public comment portion of the meeting in that...I think those were pertinent questions that were asked that night, if you disagree then that's for the Board to decide but that's where I was coming from. Mr. Stopa said okay but she just wanted clarification because the way she interpreted it was that we're not going to put public comments in the thing. Mr. Stopa asked if we want to at our discretion or how to we want to go from here. Mr. DeMichael said it seems that the meeting minutes have been essentially at her discretion. Mrs. Ventura said when they removed public comment, and she talked to Mike Lyons about that, because there had been some complaints that what audience members said was not in the minutes word for word. Mrs. Ventura said that is hard to do because you don't always hear the audience member. Mike Lyons said we don't have to include any audience comments into the minutes. We have to do one thing or the other. We can't just say we think this question is important but this one wasn't because then you could have.....Mr. Radice said his personal opinion would be if we are going to say we're not going to put public comments in minutes then it's no public comments in the minutes. If someone wants to hear what was said we always provide the audio and they can go back and listen. Mr. DeMichael said he doesn't think that is being transparent, in my mind when someone asks a question and if we respond that's not public comment our response is not public comment. Now if the members of the public have something that they want to say, that's a little bit different, but when we answer someone from the public I think that's pertinent and should be included in the minutes. They're two separate things, I mean if someone says something but when someone asks a question and we respond we have a right to respond or not and we did and so I think that's pertinent and should be part of the minutes. Mr. Stopa said should that be something maybe going forward that if they have a question that's in regard.... that they wait until either we come out of public comment and then ask the question that way it gets put in the record and then this way we're not as to which date or things in regards to what should be in there and what shouldn't be in there in public comment, I don't know, I'm just trying to throw some things out there to see. Mr. DeMichael said I suppose what we should do is consider whether or not if someone asks a question in public comment whether or not we want to include what we say in the response. Mrs. Ventura said you can include the... I guess if you think it's pertinent let's say if it's something that's important you then maybe repeat the question say you want it on the record and then answer it. Like so tonight we had some discussion about Hood Road, Mr. Vene had a question about the fire maintenance contract or is that all stuff that's going to go in then because based on ... this wasn't public comment. Mr. Radice said right, I think that's the stuff that should go in because it wasn't public comment. Mr. Stopa said when we open it up for public comment then whatever the public comment. Mrs. Ventura said that is what she was saying.... then we would have to do it each time. Mr. Radice said we are accepting public comment during our meeting. Mrs. Ventura said yes we are taking questions from the audience. Mr. Radice said he agrees with.....if that's acceptable, if you want it in the public record then restate it and that makes it clear and it gives Celia direction. Mr. DeMichael said sure. Mrs. Ventura said and then it doesn't look like we're picking and choosing what we want to put in the minutes or not. Mr. DeMichael said right and then there's second, when she and those get out I mean those could potentially get out because they are public record so she amended the meeting minutes and only included part of what was said and really to me it made the road department look bad because essentially it made it sound like where I was coming from was that the overtime was the issue and that wasn't the point the point was what kind of work was being done. The Road Department worked their butts off that day so that's altogether different and when she amended those meeting minutes it made it sound like you were asking a question like the Road Department wasn't working Mark. Mrs. Ventura said she didn't read it like that but I don't..... Mr. DeMichael *inaudible* said pull them up you can see. Ms. Ventura said I read it because I wasn't sure what..... Mr. Radice said he didn't take it like that either so you know what I mean I.... Mr. DeMichael said he didn't think so either that's why he asked her to *inaudible*..... Mr. Radice said let's do that then, if that's acceptable just, if it's something you want on the record to....Mr. DeMichael asked to be in the record that's fine, sure, makes sense that way we don't have everyone..... I mean the tapes are available; anyone can listen to the tape....Mrs. Ventura said they are put up on the website too so.... that's actually probably easier than even getting the minutes to read. Mr. DeMichael said some people just like to.... Mrs. Ventura said she doesn't think it is non-transparent, we are making it available. Mr. Stopa asked if we needed a motion in regards to changing that or adding it or...Mrs. Ventura said she didn't think so because I mean if you are going to repeat a question you know. Mr. DeMichael said okay.

TM9/6/18

PUBLIC COMMENT

Mr. DeMichael motioned to open the floor for public comment. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

There were comments from the general public.

Mr. DeMichael motioned to close the floor for public comment. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Executive Session

Mr. DeMichael motioned to go into Executive Session with the three Trustees discussing employee discipline. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. The Board entered into Executive Session at 7:46 pm. The Board reconvened from Executives Session where they discussed employee discipline at 8:54 pm.

Executive Session

Mr. Stopa motioned to go into Executive Session to consider an investigation of charges or complaints against a public employee with the three Trustees and Fiscal Officer. Mr. Radice seconded the motion. Voting aye thereon: Mr. Stopa, Mr. Radice and Mr. DeMichael. The Board entered into Executive Session at 8:54 pm. The Board reconvened from Executive Session at 10:30 pm where the three Trustees and Fiscal Officer were discussing or considering the investigation of charges or complaints against a public employee.

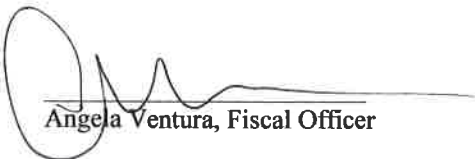
Special Meeting September 10, 2018 for Employee Discipline

Mr. DeMichael motioned to schedule a special meeting on Monday the 10th of September at 7:00 pm. Mr. Stopa seconded the motion. The meeting is for an Executive Session for Employee Discipline and general business. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

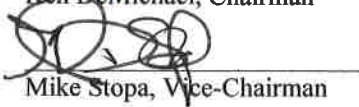
OPERS High Earnings Request

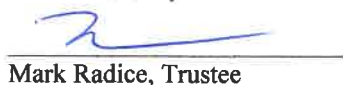
Mrs. Ventura received a high earnings request from OPERS regarding one of the employees. She explained OPERS is not paid if you turn in your vacation time for buy out. If you use vacation during the year then OPERS is paid on that vacation time used. OPERS will work with the Township to design a conversion plan if the Township requests it. It has to go through an approval process with OPERS. She said those who got paid longevity should have had OPERS paid and those who got vacation buy out should not have had OPERS taken out. She asked what the Trustees wanted to do. Mrs. Ventura also said she will contact the County Prosecutor about what they need to do. Mrs. Ventura asked if the Trustees wanted a conversion plan. She doesn't feel it's necessary.

Mr. DeMichael motioned to adjourn. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. There being no further business to come before the Board the meeting was adjourned at 10:39 pm.


Angela Ventura, Fiscal Officer


Ken DeMichael, Chairman


Mike Stopa, Vice-Chairman


Mark Radice, Trustee



COPY

**FIRE HYDRANT MAINTENANCE AGREEMENT
BETWEEN MEDINA COUNTY AND
MEDINA TOWNSHIP TRUSTEES**

THIS AGREEMENT is made and entered into this 9TH day of SEPT., 2018, by and between Medina County, Ohio, herein sometimes referred to as "The County" and Medina Township, Ohio herein sometimes referred to as "The Township".

WITNESSETH:

WHEREAS, the Medina County Board of Commissioners owns a public water supply system serving Medina Township along with fire hydrants to be utilized for managing the water system and for fire protection; and

WHEREAS, the Medina County Sanitary Engineers Office operates said water system including water towers, pump stations and fire hydrants; and

WHEREAS, the County Sanitary Engineer has water distribution system personnel that regularly perform maintenance on water system components including fire hydrant repair and replacement; and

WHEREAS, the Medina County Sanitary Engineer desires assistance in maintaining and the Medina Township desires to maintain fire hydrants that provide fire suppression services to properties located in Medina Township.

NOW, THEREFORE, in consideration of the promises, covenants, terms and conditions contained herein, the parties hereby agree as follows:

Section 1. Purpose of Agreement

The purpose of this Agreement is to establish the terms and conditions under which the Medina Township will operate, exercise and lubricate fire hydrants owned by Medina County. It is expressly understood that Medina Township has no ownership of the County's fire hydrants. The County makes no guarantee as to the amount of water available through any particular hydrant or that any particular hydrant will be operable at any given time. This Agreement attempts to establish reasonable responsibilities for both parties for the annual operation and maintenance of fire hydrants for the benefit of the County and the Township.

In entering into this Agreement the County is aware that the Township does not itself operate a fire department at this time, but by separate agreement contracts with the Medina City Fire Department to provide fire protection services in Medina Township (Fire Department). It is understood that as long as such an agreement continues the Medina City Fire Department will actually perform the maintenance services provided for herein.

Section 2. Notification

A. Notification of Hydrant Operation:

The County agrees that, with at least 24 hours notice, the Township or Fire Department may exercise, flush or flow test any fire hydrant absent operational problems. The Township or Fire Department shall inform the County of the location where the work is to be performed, the name of the individuals performing the work and the cellular phone number for those individuals. The County can be reached 24 hours a day at 330-723-9591. The County shall not unreasonably withhold permission to exercise hydrants. Should the County refuse to allow hydrant operation when requested due to water system operational problems, or any flushing of hydrants in response to an emergency situation, the Fire Department will reschedule the hydrant exercise for a later date.

B. Fire:

In the event of a fire where County hydrants are to be used, the Township or Fire Department will make its best effort to notify the County, directly or through the Sheriff's Office, of the location of the fire. The County, for its part, shall activate pumps and valves within the water system with the intention of directing adequate water volume to the hydrants being used to fight the fire.

C. Residents/ Notification:

The Township or Fire Department shall notify residents to be affected by hydrant flushing or flow testing a minimum of 24 hours in advance of operating a hydrant. The County may offer assistance to the Township or Fire Department if enough time is allowed for the County to issue letters or post the flushing schedule. Notification shall be by posting signs in the area to be affected but may also include posting on Fire Department or Township Web Sites, direct mailings, or hand-delivered notices. Resident notification for exercising hydrants is not required.

D. Hydrant Deficiencies:

The Township or Fire Department shall notify the County of any maintenance needs of any fire hydrants in their service area. The County shall make the repairs to the hydrant(s) as soon as the maintenance schedule permits. Notification shall be made on the Hydrant Maintenance Form included in Appendix "A" herein, or other comparable format as suggested by the Township or Fire Department, and preapproved by the County.

Section 3. Township/Fire Department Responsibilities

A. Hydrant Operation:

Every effort shall be made to operate fire hydrants in a manner that will not cause damage to the fire hydrant or to the water distribution system. The Township/Fire Department shall make its best effort to train its members on the proper operation of hydrants, the destructive potential of water hammer in the water distribution system and how to properly lubricate a hydrant. The County shall provide training materials and technical assistance when requested by the Township/Fire Department.

In addition, the Township/Fire Department will arrange with the County Sanitary Engineer's Office for training on flushing and servicing hydrants once every two years, which will be mandatory training for all Township/Fire Department personnel responsible for such maintenance operations.

B. Annual Exercise:

The Township/Fire Department shall make every attempt to exercise, flush or flow test all hydrants in their service area once a year. Flushing and flow testing of a hydrant will not be conducted without the County's permission. Exercising of a hydrant shall be conducted with an adapter on one 2.5" nozzle reducing the effective opening to 1" diameter. The exercising of a hydrant shall require County notification.

C. Drainage

The Township/Fire Department shall remove all water from the barrel of any hydrant that does not freely drain on its own. The County will supply the necessary pump.

D. Lubrication:

The Township/Fire Department shall grease all threads and "top-off" oil in the bonnet of each hydrant annually. Approved Lubricant, supplied by the County, shall be used for lubricating threads.

E. Hydrant Maintenance Form:

The Township/Fire Department shall complete and submit to the County a Medina County Hydrant Maintenance Form, attached as Appendix "A", or other comparable format as suggested by the Township/Fire Department, and preapproved by the County, for each hydrant exercised, flushed or flow tested.

F. Procedures:

The Township/Medina City Fire Department has requested permission to follow the Cleveland Water Department's standard procedures for flushing and inspecting hydrants as attached hereto as Appendix 'B'. The County has no objection to the procedure, however, insists on the use of an adapter to reduce the 2.5" nozzle to an effective opening of 1" diameter. The County will provide to the Township two (2) adapters for their use in complying with this requirement. Under no circumstances shall the Township/Fire Department conduct flushing operations on a County hydrant absent the above referenced adapter.

4. County Responsibilities:

A. Hydrant Availability:

The County shall not withhold permission from the Township/Fire Department to exercise fire hydrants when requested by the Township/Fire Department unless the exercise would create a hardship on the water system.

B. Liability for Damage:

The County agrees the Township shall not be responsible for any damage that may occur to the water system during a hydrant exercising, flushing or flow testing event as long as the members of the Township/Fire Department operating hydrants comply with the terms included in Sections 1 through 3 of this Agreement. The Township agrees that damage, and the associated cost of repair, resulting from non compliance with the terms herein by any member of the Township/Fire Department shall be the responsibility of the Township. Reckless or careless operation of fire hydrants will not be tolerated by the Township/Fire Department or by the County.

C. Hydrant Maintenance:

The County shall perform all repairs and paint red, as necessary, all hydrants owned by the County. Repairs shall be made by the County in the course of the normal work schedule as materials and personnel are available.

5. Term:

This Agreement shall have no defined or expressed term. Provided however, either Party has the right to terminate this Agreement by providing the other with thirty (30) days written notice of such termination.

WHEREOF, Medina County acting by and through its Sanitary Engineer duly authorized by Resolution No. _____ and Medina Township, acting by Resolution No. 09062018-016 have hereto set their hands as of the date first written above.

MEDINA COUNTY


Amy S. Lyon-Galvin, P.E.
Medina County Sanitary Engineer

APPROVED AS TO FORM:

Medina County Prosecutor's Office



Ken DeMichael, Medina Township Trustee



Mark Radice, Medina Township Trustee



Mike Stora, Medina Township Trustee

William Hutson
President, Medina County Commissioners