

BOSTON TOWNSHIP TRUSTEES MINUTES OF THE SPECIAL MEETING

June 10 2010

Present at this special meeting of the Boston Township Trustees were Trustees Amy Anderson, Randy Bergdorf and Jerry Ritch; Fiscal Officer Joanne Noragon, Legal Counsel Ed Pullekens, and JEDD Counsel Al Schrader. Trustee Chairperson Anderson called the meeting to order at 7:00 P.M.

Also in attendance at the meeting: Daniel Schneider, Peninsula Council; Mary Booth, Peninsula Council; Doug Anderson, Peninsula Council; Dick Fisher, Peninsula Mayor; Ralph Reinhart, Jr.; Paula Schleis; Jodi Padrutt, Peninsula Council; Polly Rutledge; Jean Wurzbacher; Bob Hrovat; Lee Cole, Peninsula Counsel.

Trustee Anderson greeted the guests and stated the purpose of the meeting was to discuss the possible formation of a JEDD between the Township and the Village. She then turned the meeting over to Trustee Ritch.

Trustee Ritch introduced JEDD Counsel Al Schrader as the attorney who completed the township JEDD contract with Cuyahoga Falls. Trustee Ritch went on to say Village representatives had been invited to the meeting to discuss partnering with the Township for the purpose of increasing services to residents of both communities; especially costly services such as police protection.

JEDD Counsel Schrader then proceeded to give an overview of the JEDD agreement process. He first noted that as a JEDD must go to the voters and must be to the Board of Elections by August 3rd to be on the November ballot there is not sufficient time to meet the deadline for the 2010 General Election. The next opportunity would be going to the electors if there is a May Primary Election in 2011; if not, placing the issue on the November 2011 ballot. In his opinion, a special election for this issue would be too costly.

He outlined the JEDD procedure as follows:

- Negotiation of a tentative contract;
- Submit a copy of the contract to the County, which might want to join the JEDD, although he knows of no instance of this;
- Set separate but back to back public hearings in the Township and the Village; with the contract and plan available to residents in both jurisdictions;
- Additional negotiations may be required following citizen input, which generally offers additional good points;
- Council and Trustees separately vote to approve or amend the contract after public hearings;
- The final contract goes to County Council for a 30 day window to review and approve;
- The contract goes to the ballot
- The issue needs to pass in the Township; however, Mr. Schrader needs to do further research on the Peninsula vote.

With some exceptions, no residential property or residents may live in the JEDD district. The two entities will have to agree on which areas to include. The JEDD can resemble swiss cheese. There will be a list of properties in the JEDD, together with their legal description.

Mr. Schrader recommended the Village appoint a person to a negotiation committee, which will also have one trustee representing the Township.

Issues to be negotiated will include:

- How to split the tax revenue
- The term of the JEDD
- What properties will be in the JEDD
- Services to the JEDD to be provided by the tax revenue
- Annexation issues
- The composition of the Board of Directors

Mr. Schrader then opened the meeting to questions from the attendees. Ms. Padrutt asked for more information on the composition of the board. It is set by statute, with several variations.

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There can be five or six members representing variations on the township, village and JEDD district businesses. Term is generally two years, with no term limits.

Mr. Fisher and Mr. Anderson both questioned the possibility of annexation of the JEDD district by another entity. Mr. Schrader responded this was unlikely as annexation had to be initiated by petition of those in the JEDD district, who then would be paying JEDD income taxes as well as income taxes to the annexing entity.

Ms. Booth asked for clarification of the benefits to residents. Mr. Schrader stated the Township and the Village must make and explain a plan to provide services beyond those provided by current tax dollars.

Mr. Fisher asked if the Park has been consulted or if the ability of the Park to stop the project has been researched. Mr. Schrader said the Park has no legal ability to stop a JEDD. He stressed that the Park itself has evolved and created businesses within the Park that generate income. He recommended discussing JEDD plans with the Park, as good neighbors.

Trustee Anderson asked if there were more questions. There were none. Trustee Ritch asked that Peninsula inform the Township soon if there was interest. Mayor Fisher replied the issue is on their June 14th agenda.

Motion by Ritch, seconded by Bergdorf to adjourn. All voting yes. Meeting duly adjourned at 7:30 p.m. **[2010-0610-01]**

CHAIRMAN

FISCAL OFFICER