

May 17, 2022

The Board of Commissioners of Lorain County, Ohio met this day in a regular meeting, in the J. Grant Keys Administration Building, 226 Middle Avenue, Elyria, Ohio, at 9:41 a.m. with the following members present: Commissioner Matt Lundy, President and Commissioner David J.

Moore, Member and Erica A. Hawkins, Secretary. Clerk Upton out sick. Commissioner Michelle Hung, Vice-President, absent

JOURNAL ENTRY

Commissioners said the Pledge of Allegiance.

Commissioner Lundy gave an inspirational word.

Clerk called roll; Commissioner Lundy & Commissioner Moore – Present. Commissioner Hung, absent.

The following business was transacted

A.

PUBLIC HEARING:

- 9:30 a.m. Conform Boundary Hearing – Grafton Village
 - 0.6563 acres from Eaton Township (muni owned)
 - 94.5349 acres Carlisle Township (expedited 1)
 - 27.4297 acres Eaton Township (regular)

Secretary Hawkins said today is the Conform Boundary Hearing for the Village of Grafton.

Petition and Map were filed in the Board of Commissioners received by the Clerk on March 24, 2022 in accordance with ORC 503.07 by Law Director Gretchen A. Holderman

Village of Grafton – Ordinance #22-007 passed on March 15, 2022 authorized said petition to the Commissioners

- 0.6563 acres from Eaton Township (muni owned)
 - Commissioners Res#16-680, adopted October 26, 2016 approved annexation
 - Grafton Village Ord#17-001, adopted January 3, 2017 accepted annexation
- 94.5349 acres from Carlisle Township (expedited 1)
 - Commissioners Res#19-188, adopted April 3, 2019 approved annexation
 - Grafton Village Ord#19-014, adopted June 18, 2019 accepted annexation
- 24.4297 acres from Eaton Township (regular)
 - Commissioners Res#20-349, adopted June 1, 2020 approved annexation
 - Grafton Village Ord#20-013, adopted October 6, 2020 accepted annexation

March 25, 2022 - letters were issued to Auditor and Engineer for review and accuracy

March 30, 2022 - Res#22-226 received and journalized request for conform boundaries

April 6, 2022 – Certificate of Filing was received from Auditor on Petition

April 8, 2022 – Notice was sent to Village of Grafton, Eaton Township Hall and Carlisle Township Hall for 30 day posting of said hearing

April 8, 2022 – Attorney Schrader requested a Motion for Continuance due to him being out of the country

April 8, 2022 – Law Director Holderman as Exhibit A to Attorney Schrader request stated, she cannot agree on behalf of the Village to extend or move the date on which the Village’s Petition to conform its boundaries in considered

April 11, 2022 – Engineer reported that petitioners’ legal description and map accurately describe the perimeter of the territory of the Village, according to Tax Map review

April 12, 2022 – Publication was in Chronicle on hearing date

April 21, 2022 – Certificate of Filing received from Auditor on Res#22-226

Commissioner Lundy said legal counsel had some advice for them.

Assistant County Prosecutor Petticord said this a conformed boundary hearing. The appropriate step here is to see if the Village has a position on the Petition at this point.

Attorney Gretchen Holderman on behalf of the Village of Grafton, said thank you for the opportunity Mr. Petticord. Attorney Holderman said Mr. President and Commissioners they would ask at this time, in light of the opposition, the objection that has been filed by Eaton Township Counsel, they asked that this matter be tabled at this time until a later date, so that they can have proper time to respond.

Commissioner Lundy said he understands this was filed late last night. Mr. Petticord said counsel is here and he can speak to this, but he received it about 11:30 p.m., last night and know that there was some question. Normal Counsel for the Township is out of the country right now and Dan is stepping in for him, so he thinks there was some confusion as to where things were. He did not get it until 11:30 p.m. last night and read it and he cannot say that he is fully prepared to advise the Board on these matters yet. He will let the Commissioners know, by his reading of the statue and the provisions that are involved, there is no time bar to give extra time or to table this for a date in the future. It has always been his position that he would rather do things correctly than quickly. If the Village would like some time to fully brief it and he assumes the Township is ok with that and wants this issue fully and fairly joined, then he would think it would be appropriate under these circumstances.

Commissioner Lundy said he would think that would be only fair. But, his only question is: Does this reset any clocks or effect anything procedural? Mr. Petticord said there are no clocks under this statue. Lundy said ok. Mr. Petticord said there are some issues for the Auditor, long term as far as setting tax boundaries, assessments and things like that. But, there is nothing to his knowledge. We are well away from anything Auditor Snodgrass would have to do for that. Commissioner Moore said it will be his issues not ours, right? Mr. Petticord said he cannot say that in public, but that would be a fair statement. Remember he represents the Auditor as well.

Public hearing cont.

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Commissioner Moore asked if we should have another date? Can set it now. Will they come to us and do another application? Mr. Petticord said the appropriate motion under Robert Rules is a motion to table, second and vote. Then he can discuss with Gretchen, Dan or Al when he is back at another appropriate time to reschedule or set. Moore said ok. Lundy said good, understood and wants to make sure everyone has a chance to do their homework, that is the right way to do things. He certainly asks that information gets to all the parties a little sooner than last minute, but they will give everyone time to review everything.

So, at this time, a motion will be made to table, following resolution was adopted:

RESOLUTION NO. 22-360

In the matter of tabling the conformed boundary)
hearing of said annexations of 0.6563 acres from)
Eaton Township (Muni Owned), 94.5349 acres)
from Carlisle Township (Exp 1) and 27.4297)
acres from Eaton Township (Regular) with the)
present corporation limits of the Village of)
Grafton, Lorain County, Ohio)

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WHEREAS, a Petition and Map were filed by the Village of Grafton to conform boundaries in accordance with ORC 503.07 for 0.6563 acres from Eaton Township (Muni Owned), 94.5349 acres from Carlisle Township (Exp 1) and 27.4297 acres from Eaton Township (Regular) with the present corporation limits of the Village of Grafton, Lorain County, Ohio; and

WHEREAS, today was the duly advertised day for said hearing; and

WHEREAS, Eaton Township Counsel submitted an objection to the proposed boundary change between the Village of Grafton and Eaton Township; and

WHEREAS, after some discussion. Village of Grafton requested that this matter be tabled at this time for a later date, so they can have proper time to respond.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that based upon Eaton Township objection and Village of Grafton request to review, we hereby table said conformed boundary hearing.

Motion by Lundy, seconded by Moore. Upon roll call the vote taken thereon, resulted as: Ayes: Lundy & Moore / Absent; Hung Motion carried. _____(discussion was held on the above)

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Attorney Holderman thanked the Commissioners. Commissioner Lundy said thank you and the parties will get together and notify the Clerk if there are workable dates to set. _____(discussion was held on the above)

B. There was no other business for this day.

OTHER BUSINESS

C. CLERKS REPORT

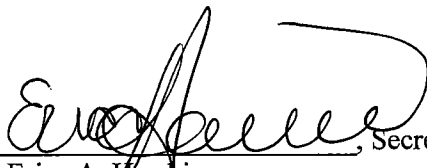
#1. Wednesday, May 18, 2022 at 9:30 a.m. Commissioners meeting

Commissioner Moore said his Dads birthday. Ms. Hawkins said Happy Early Birthday. Moore said he is lucky that his dad looks like him, as Lundy has said. Lundy said yes, exactly there is a lot of similarity. Moore said he is amazed how much Lundy looks like his brother. Lundy said he thinks, when he looks in the mirror, he looks like his dad. Ok, now that they have went through the family trees. He does not see any other business

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Commissioner Lundy said if there is nothing further, we hereby adjourn at 9:48 a.m.

_____) Commissioners
Matt Lundy, President)
_____)
Michelle Hung, absent)of
Michelle Hung, Vice-president)
_____)
_____) Lorain County
David J. Moore, Member) Ohio

Attest:  Secretary
Erica A. Hawkins