

RECORDS OF PROCEEDINGS

APRIL 24, 2012

Minutes of

Meeting

Atwater Township Trustees held their regular scheduled meeting April 24, 2012 at the Atwater Town Hall located at 1219 State Route 183 Atwater, Ohio 44201 at 7:00 pm.
Held

20

ATTENDANCE

Trustee Dan Derberry, Trustee Lynn Whittlesey, Trustee John Kovacich, Fiscal Officer Tracy Magrell, Fire Chief Mel Russell, Zoning Inspector Jim Donovan, Naomi Wise, Martha Bevard, Dan Kolasky, and James Cobb.

John called the meeting to order at 7:00 pm.

Roll call: Dan; yes. Lynn; yes. John; yes.

Pledge and prayer were offered by all.

Dan made a motion to accept the minutes of the April 10, 2012 minutes as read. Second by John.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

Trustees signed the record book.

Jim Cobb spoke as a concerned resident and not in an official capacity as he is a clerk at the Atwater Post Office. The Atwater Post Office is again cutting their hours. Jim supplied copies of the hour changes to Trustees. Jim is concerned because of the complaints he received the last time the Post Office changed the hours due to the fact that most residents have trouble getting to the post office if they work normal hours. They are also closed for lunch. Jim supplied a phone number and address where residents can convey their concerns to Consumer Affairs.

Dan Kolasky spoke regarding Visioning in Portage a program designed to Promote Northeast Ohio Communities. The Programs Committees include Infrastructure and Transportation, Land Use and Economic Development, Community Facilities, Housing, Natural Resources and Parks, and Social Services. Dan would like to see one person from each Township in Portage County become involved.

COMMUNICATIONS

CGS Medical billing letter

Hearing notice filed with Portage County Prosecuting Attorney

NEFCO-Next meeting May 16, 2012 at 8:30 am.

Portage County Solid Waste Management. Lynn will email response to meeting request.

Homestead Bank-Town Hall note is paid in full.

OSU Extension- Gas Tax Workshop

Portage County Homeland Security and Emergency Management

Ohio Township News Magazine

Ohio LTAP Newsletter

Ohio Oil & Gas Tax Workshop

CPIM Exemption approval letter

PERSO-Claim Closed.

CareWorks newsletter

Bankruptcy notification

John reported that the Township received the Annual Bridge Inspection Reports and Issue II paperwork for next year from the Portage County Engineers office. Trustees discussed the bridge on German Church Road. John is still trying to figure out who is responsible for the bridge.

FIRE DEPARTMENT

Old Business

Mel reported that the pagers and radios will be reprogrammed for Narrowband within the next two weeks. It is mandatory to be switched to the new Narrowband by December 31, 2012. Lynn asked if it included radios for the Road Department and Mel agreed it does. Mel thinks they may need to purchase a few spare pagers.

Dan asked for executive session regarding McGarvey Heating. Lynn asked if there was litigation. Dan replied no. Trustees proceeded without executive session. Dan said it was the first

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conversation with McGarvey since asking the Trustees to participate with an ad. The consensus of the Trustees with the suggestion of Chris Meduri not to participate. McGarvey said if we did not agree with him to run an ad that all equipment warranties are cancelled. Mr. McGarvey then held up before Dan could speak to him further. Dan suggested contacting the suppliers of the equipment to inform them of what has occurred. Trustees agreed.

New Business

Mel has six employees ready for their 36 hour fire class. Cost is \$160.00 flat fee for test proctor. The cost per person is \$16.50 and \$25.00 for the final test. Maplewood allows 5 per class with approximately \$400.00 for the instructor. Cost of books is approximately \$80.00 per person. Mel asked since Jesse has been instructing classes for Maplewood using Atwater Fire Station to hold the meeting and using Atwater's equipment if they would allow Jesse to teach the class at Atwater Fire Department for the six employees. It would be approximately 1/3 the regular cost. Classes will be held on Mondays and Saturdays for four weeks. Cost will be applied to the FD Operating Blanket Certificate.

Mel recommended executive session for one new member.

ROAD DEPARTMENT

Old Business

John checked ODOT regarding the remaining salt required to fulfill the Township contract and was informed that we do not need to purchase the remaining 10 tons. John documented the information.

John spoke to Bill Steiner who received a call from Mr. Welling the owner of the Atwater Trailer Park who complained that the recycling trucks were tearing up the park. Bill will set up two smaller dumpsters near the front of the Park instead of individual ones for the park residents to resolve the problem.

John sent information to the Portage County Engineer's office for Issue II work with the exact road mileage they requested and also a letter requesting bid packages.

John made a motion to accept:

RESOLUTION 5-2012

County and Township Cooperative Maintenance Agreement

This agreement is being executed between the Atwater Township Board of Trustees ("Atwater Township"), whose principal address 1219 SR 183, Atwater, Ohio 44201, and the Portage County Engineer's Office ("County Engineer"). Collectively, the Atwater Township and the County Engineer will be referred to as the "parties".

Whereas, Under section 5535.08(C)(1) of the Ohio Revised Code, in nonemergency situations, a political subdivision having authority to do such things as maintain roads, may enter into an agreement with another political subdivision also having such authority, in order to obtain or provide road maintenance services.

Whereas, Atwater Road (C.H.15) is a county road located in Atwater Township, Portage County, Ohio.

Whereas, The Atwater Township has passed Resolution No. 5-2012 to enter into this limited maintenance agreement.

Now Therefore, the parties agree to the following:

A. Scope of Agreement and Consideration

Atwater Township hereby agrees to perform snow plowing and salting of Atwater Road

C.H. 15) in consideration of the County Engineer providing one tandem load of salt per

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year to Atwater Township.

DAYTON LEGAL BLANK, INC. FORM NO. 10148

B. Terms of Agreement
Held _____ 20_____

The Parties agree this agreement shall be from year to year and will be automatically

renewed annually over the next three years, unless any party provides notice of intent not to renew thirty days prior to November 1 of any year. This Agreement will expire and terminate on November 1, 2015, at which time a new written agreement would need to be considered and executed by the parties.

C. Immunity

The Parties agree the County, Atwater Township, and the County Engineer shall be covered and avail themselves under the statutory immunity provisions provided under law, including but not limited to those provided under Section 5535.08©2 of the Ohio Revised Code as well as Chapter 2744 of the Ohio Revised Code.

D. Limited Extent of Maintenance Services

The parties hereby agree this agreement is limited solely to the services expressly put forth in this agreement (snow plowing and salting), and any and all other rights, duties and responsibilities regarding Atwater Road (C.H. 15) shall remain with the County and County Engineer as provided by law.

Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John stated on April 16, 2012 Dave and Tim turned in their Sign Inspection Sheet. In May John will send Tim and Dave to the Portage County Engineer's office to learn to use the retro reflectometer for testing signs.

Jim asked who has the authority to enforce the No Parking Sign on Lake Street. He has had several cars that people are parking near the sign. John reply was to contact the Sheriff's department.

New Business
None at this time

ZONING
Old Business

Trustees discussed the moratorium on internet gaming that expires on May 22, 2012.

Trustees discussed Park Rules and Regulation, a Park Maintenance Checklist and a Park Grounds Inspection form. These items were recommended by the Risk Management Co. and were necessities included in the NatureWorks grant application. Tracy has compiled information for a rough draft and will give to Lynn. Tracy also provided John a draft for a Field Use Request and Agreement form.

Lynn mistakenly double booked the Town Hall last Saturday. He then refunded the second party \$100.00.

CEMETERY AND REAL ESTATE

DAYTON LEGAL BANK, INC., FORM NO. 10148

Lynn explained that Ron Stanfield purchased a lot deeded 614 Memorial Park on September 1997. In 2005 lot 614 was transferred back from 240 John Grate and received a new deed March 2005. On the same day lot 614 and 240 were transferred back to 614. At present Ron no longer wants 614. He would like a lot that allows an upright stone. At the time of purchase lots were \$80.00. The lots today are \$300.00. Trustees agreed not to allow another transfer at old rates.

ADMINISTRATION

Old Business

Trustees discussed a letter from the Girl Scouts referring to a resident Rachael Neal who is receiving a national award.

John made a motion at Tracy's request to accept receipts 90-2012 thru 97-2012 totaling \$7,653.27. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion at Tracy's request to accept warrants 30854 thru 30880 totaling \$ 23,842.97. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

ANNOUNCEMENTS

The Atwater Historical Society will hold a meeting this Wednesday at 7:30 pm. Sally Sampson of Deerfield will be a guest speaker.

The Methodist Church is hosting a Swiss Steak Dinner this Saturday.

Lynn made a motion to go into executive session to discuss pending litigation and to discuss FD personnel. Second by John.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

Lynn made a motion to go back to regular session at 8:58 pm. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

Lynn made a motion to add Jess Hays to the FD roster as a cadet member. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to agree with Life Force Management for Closure Authorization for \$613.00. Second by Lynn.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to disagree with one resident waiver request from Life Force Management due to lack of communication in the amount of \$2,080.00. Second by Lynn.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to agree with Life Force Management totaling 7 Resident Waiver Requests totaling \$1,314.37. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to accept PO's 57-2012 and 58-2012. One for BWC State Insurance Fund and one for Township vision Insurance. Totaling \$15,228.00 to expire 12/31/2012. Second by Dan.

Roll call vote: Dan; yes. Lynn; Abstain. John; yes. Motion carried.

John made a motion to pay bills at 9:14 pm. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to go back to regular session at 9:15 pm. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to adjourn at 9:16 pm. Second by Dan.

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Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

DANYON LEGAL BANK, INC., FEDERAL NO. 10188


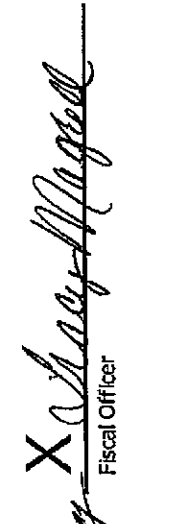
Held

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X		X	
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Trustee

Trustee

X		X	
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Trustee

Fiscal Officer