

**RECORD OF PROCEEDINGS**  
**Minutes of Regular Meeting**  
**Held at 1219 St. Rt. 183 in Atwater, Ohio; on July 22, 2014**

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Danny Derreberry states that he will check with Jim and find out what is going on, that is all that can be done. There is no reason to discuss this further until more information is gathered.

**ADMINISTRATION**  
**Old Business**

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- Danny Derreberry made a motion to approve five (5) Resident Accounts as Waivers totaling \$698.78; Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes; Danny Derreberry - yes. Motion carried. Documents signed by the Board.

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  - Three quotes received on the playground equipment:
    - o David Williams - \$33,000 (includes a \$500 charge for the supervision of the volunteer)
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**Announcements ~ NONE**

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**X**  
Trustee

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**X**  
Trustee

**X**  
Trustee

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**X**  
Fiscal Officer



## **RECORD OF PROCEEDINGS**

### **Minutes of Regular Meeting**

**Held at 1219 St. Rt. 183 in Atwater, Ohio; on July 22, 2014**

The Atwater Township Trustees held their regular scheduled meeting at the Atwater Town Hall located at 1219 St. Rt. 183 in Atwater, Ohio on July 22, 2014.

### **ATTENDANCE**

Trustees Danny Derreberry, Peggy Baine, Lynn Whittlesey, Fiscal Officer Shawn Renee Miller, Martha Bevard, Naomi Wise, Stephen Georges, Stephen D. Georges , Chief Mel Russell, Walt Baine, John Kovacich,

Dan Derreberry called the Regular Meeting to order at 7:00pm. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes.

Meeting was opened with the Pledge and prayer offered to all.

Danny Derreberry asked if the Board received and reviewed the July 8 Regular Meeting minutes. All agreed they received and there were no corrections or additions. Danny Derreberry motioned to approve the minutes as written; Peggy Baine second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes. Motion carried.

Danny Derreberry asked if the Board received and reviewed the July 11 Special Meeting/2015 Proposed Budget Hearing minutes. All agreed they received and there were no corrections or additions. Danny Derreberry motioned to approve the minutes as written; Peggy Baine second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes. Motion carried.

### **COMMUNICATIONS**

- Municipal Water & Sewer Magazine
- KLA Risk Consulting/ division of OTARMA requested TWP copies of Driver Policies. They reviewed and approved the policy at the AFD; however one is needed for the Road Dept. Samples provided for review and/or TWP could adopt the AFD for all.
  - Also provided the TWP with a Park Inspection form to use once the equipment is installed.
    - Lynn Whittlesey stated he has one similar to the sample he has been using for sometime.
- TWP Liquor License Renewal notice received. Anyone objecting to a TWP Liquor License may file an objection via the attached copy.
- NOPEC letter and packet of information regarding ability to join a newly formed (not yet in effect) group for discounted rates on electric & gas. Lynn Whittlesey stated he would like to review it and do some further research and comparison with the current TWP group rates.

### **FINANCIAL**

Danny Derreberry asked if everyone had received and reviewed the Financial Statements. Danny Derreberry requested a motion to approve the Financial Statements, Peggy Baine moved to accept the Financial Statements; Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry – yes; motion carried.

### **FIRE DEPARTMENT**

#### **Old Business**

Nothing at this time

### **FIRE DEPARTMENT**

#### **New Business**

- Chief Mel Russell requested an Executive Session to discuss department personnel and a possible legal litigation.
- Lynn Whittlesey requested an Executive Session to discuss department personnel.
- Shawn Renee Miller stated that it is necessary to handle the AFD Fire Levy Renewal; due to the documents needing to be submitted to the Board of Elections by August 6<sup>th</sup>, a Special Meeting will need to be scheduled to handle the Certification from the Portage County Auditor and proceed with the Levy.
  - Danny Derreberry read the attached Resolution of Necessity:

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BOARD OF TRUSTEES (PRIVATE)  
ATWATER TOWNSHIP, PORTAGE COUNTY, OHIO

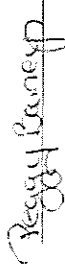
Resolution No. 2014-03-01

A RESOLUTION

Declaring the necessity of and placing on the ballot a renewal levy for the purpose of a tax in excess of the ten mill limitation pursuant to Ohio Revised Code Sections 5705.19(D), 5705.191, 5705.25 and R.C. 505.39

The Board of Trustees of Atwater Township, Portage County, Ohio met at a regular session, on the 22<sup>nd</sup> day of July, 2014, at the Atwater Township, with the following members present:

Danny Detterberry,  
Peggy Baimey,  
Lynn Whittlesey

 moved the adoption of the following resolution:

Whereas, the amount of taxes that may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Atwater Township, Portage County, Ohio, and

Whereas, a resolution declaring the necessity of levying a tax under RC 5705.19(D) outside the ten mill limitation must be passed and certified to the county auditor of Portage County in order to permit the board of trustees to consider the levy of such tax, and must request that the county auditor certify to the board of trustees the total current tax valuation of Atwater Township and the dollar amount that would be generated by the 2.25 mills,

Whereas, there currently is 2.25 mill levy in excess of the ten mill limitation for the benefit of Atwater Township for the purpose of fire protection and emergency services, and as set forth more fully in RC 5705.19(D), which was a renewal levy placed before the electorate in 2009 that expires at the end of 2014, and a renewal thereof requires a vote of the people pursuant to R.C. 5705.19(D), R.C. 5705.191 and R.C. 5705.25.


**Now Therefore Be It Resolved**, by the Atwater Township Board of Trustees, Portage County, Ohio, with at least two-thirds of all members elected thereto concurring, that it is necessary to levy a renewal of 2.25 mills, to constitute a tax in excess of the ten mill limitation for the benefit of Atwater Township under RC 5705.19(D) for the following purpose:

such as providing and maintaining fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials, therefore, or the establishment and maintenance of lines of fire alarm telegraph or the payment of permanent, part-time, or volunteer firemen or fire fighting companies to operate the same, including the payment of the firefighters employees' contribution required under section 742.34 of the Revised Code, or the purchase of ambulance equipment or to provide ambulance for emergency medical services operated by a fire department or fire fighting company, as provided by Ohio Revised Code Section 5705.19(D) and RC 505.39 at a rate not to exceed **(2.25)** for each one dollar of valuation, for five years, for the tax years 2015, 2016, 2017, 2018, 2019.




Resolved, that the levy be placed upon the tax lists of the tax year commencing in 2015 first due in calendar year 2016 in compliance with Ohio Revised Code Section 5705.34, if a majority of the electors voting thereon vote in favor thereof; and be it further

Resolved, that the question of such tax levy shall be submitted to the electors of Atwater Township at the election to be held therein on November 4, 2014, and be it further

Resolved, that the Fiscal Officer is hereby directed to certify a copy of the resolution to the county auditor and board of elections, Portage County, Ohio. The board of trustees hereby requests that the county auditor certify to this board of trustees the total current tax valuation of Atwater Township and the dollar amount of revenue that would be generated by the tax levy if approved by the electors

 seconded the motion and the roll being called on the question of its adoption. The vote was as follows:

Trustee Lynn Whittlesey - *Yes*  
Trustee Peggy Baimey - *Yes*  
Trustee Danny Detterberry - *Yes*

Attested and certified, 2014



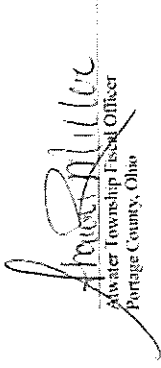
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CERTIFICATE

State of Ohio, Portage County

I, the undersigned Fiscal Officer of Atwater Township, Portage County, Ohio, certify that the foregoing Resolution No. 018-15 is taken and copied from the record of proceedings of the Township, and that it has been compared by me with the resolution on the record and is a true copy.

Date July 22, 2014

  
Andrew Salic  
Atwater Township Fiscal Officer  
Portage County, Ohio

**ROAD DEPARTMENT**  
**Old Business**

Peggy Bainey received confirmation from the Engineers Office that Sunoco will be finishing the other half of Moff Rd.

**ROAD DEPARTMENT**  
**New Business**

Lynn Whittlesey asked about the Salt Bid. Shawn Renee Miller explained that notification was received from ODOT Unfortunately, we regret to inform you that due to abnormally high pricing and an overall lack of bids in some counties, your request for salt quantities was not able to be met through this 018-15 bid. Today we submitted the documents for the 2<sup>nd</sup> winter season salt contract (#018A-15) and now we wait and see.

**ZONING**

**Old Business & New Business**

Jim Donovan was not in attendance this evening.

Lynn Whittlesey asked about the status of the TWP Lien against the Walter Smith property, he stated that residents are interested in the property but not with the current large lien against it.

- o Danny Derreberry stated he would speak with Chris Meduri regarding the status of the litigation.
- o Peggy Bainey stated she is not in favor of dismissing the lien.
- o Resident Naomi Wise asked who gets the money if the lien is paid?
  - Lynn Whittlesey stated that the Township gets the money.

Peggy Bainey stated that she received information that the residents at the home that was burnt on ST RT 183 are living in the garage in a large tent and a boy's club tent.

- o Danny Derreberry stated he knew Jim Donovan sent them a letter to vacate the premises, not sure of the timeline and he will check on the status with Jim.

Peggy Bainey stated someone is needed to replace Jim Conley on the Zoning Appeals Board.

- o Danny Derreberry stated he has someone in mind

**CEMETERY/REAL ESTATE**

**Old Business**

Lynn Whittlesey stated nothing at this time.

**CEMETERY/REAL ESTATE**

**New Business**

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**RESIDENTS SPOKE (43:08 thru 53:21)**

Stephen Georges spoke about the property on ST RT 183 that burnt regarding prior meeting discussions.

- Lynn Whittlesey stated that we (TWP) are talking about the Zoning Issues not the Fire Investigations
- Stephen Georges spoke about the comment made by the Zoning Inspector regarding the septic and water well being in working condition, Resident states that the septic is not working and asked if the TWP has health department reports.
- Peggy Bainey asked Chief Russell if the reports from the fire investigation have been provided to the TWP; Chief stated that once the report/investigation is completed it is public record.

Stephen Georges stated that the Zoning Inspector commented that if anyone is poking around on the property they can be arrested, Resident asked arrested for what? Peggy Bainey stated for trespassing.

Resident stated that the residents are living in the garage and there is no sanitary there; the residents moved in a port-a-jon and the health department stated that is not allowed.

Stephen D. Georges indicates that there is rebuilding going on at the garage, nothing is going on with the house.

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X *Lynn Whittlesey* Trustee  
X *Peggy A. Baine* Trustee

X *Lynn Whittlesey* Trustee  
X *Shane Diven* Fiscal Officer