

RECORD OF PROCEEDINGS
Minutes of Regular Meeting
Held at 1219 St. Rt. 183 in Atwater, Ohio; on February 11, 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 February 11, 2014.

ATTENDANCE

Trustees Danny Derreberry, Peggy Baine, Lynn Whittlesey, Fiscal Officer Shawn Renee Miller, Martha Brevard, Naomi Wise, Becky Myers, Walt Baine, Jim Donovan (Atwater Zoning Inspector), Wayne Robertson, Rebecca Whittlesey, Michael Horning, Katherine Walker

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 the Board if they had each received & reviewed the January 28th meeting minutes for the Regular Meeting and asked if there were in any corrections, all agreed there were no changes. Danny Derreberry requested a motion to accept the minutes from the January 28th per Draft 2; Peggy Baine so moved, Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes. Motion carried.

Danny Derreberry asked the Board if they had each received & reviewed the minutes for the February 4th Public Hearing and asked if there were in any corrections, all agreed there were no changes. Lynn Whittlesey moved accept the minutes from the February 4th Public Hearing; Peggy Baine second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes. Motion carried.

Danny Derreberry asked the Board if they had each received & reviewed the minutes for the February 4th Emergency Meeting and asked if there were in any corrections, all agreed there were no changes. Danny Derreberry requested a motion to accept the minutes from the February 4th Emergency Meeting; Lynn Whittlesey so moved, Danny Derreberry second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes. Motion carried.

Danny Derreberry asked the Board if they had each received & reviewed the minutes for the February 5th Emergency Meeting and asked if there were in any corrections, all agreed there were no changes. Danny Derreberry requested a motion to accept the minutes from the February 5th Emergency Meeting; Peggy Baine so moved, Danny Derreberry second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry - yes. Motion carried.

FINANCIAL

Danny Derreberry asked if everyone had received and reviewed the Financial Statements dated February 11th, 2014 and the January Bank Reconciliation; Lynn Whittlesey asked Shawn Renee (FO) about the \$25.00 adjustment, she stated that it was due to a stop payment on a check; with no further questions/concerns Danny Derreberry requested a motion. Peggy Baine moved to accept; Danny Derreberry second. Roll Call: Lynn Whittlesey - yes; Peggy Baine – yes, Danny Derreberry – yes; motion carried.

COMMUNICATIONS

- Municipal Sewer and Water Magazine
- Government Technology Magazine

RESIDENT COMMENTS

Danny Derreberry acknowledged residents in the audience. Michael Horning spoke to the Board on behalf of his mother, Catherine Horning, whom was unable to attend the meeting, however wrote a letter to the Board regarding the damage to her mailbox at 1411 Fairview by the Road Department Plow Truck on February 6th. On Feb. 6th at 3:00am I returned to our home and parked on the road since it had not snowed and the mailbox was fine and at 7:30am when she woke the mailbox had been hit. Stated this was the third time her mailbox had been destroyed, did not speak up previously because things happen, but being as this is the third time believes that it is intentional. It is the same person that has been plowing. (Pictures were presented to the Board). Again there are no Parking Ban signs on the street. Since this is the third time, the resident is requesting reimbursement of \$51.00 for repairs.

Peggy Baine stated she spoke with Tim Whittlesey and he stated that due to the snow, the vehicle on the road and the width of the road he had to make a choice between going toward the mailbox or the vehicle.

Laura Galloway residing at 1415 Fairview stated her box too had been hit; only the pole was broken. Laura Galloway stated she was not asking for anything, simply wanted the Board to know. Asked if she was able to move her mailbox to the other side of the street (to the same as her residence); Danny Derreberry stated she would need to contact the Post

RECORD OF PROCEEDINGS
Minutes of Regular Meeting
Held at 1219 St. Rt. 183 in Atwater, Ohio; on February 11, 2014

Office. The resident is requesting payment for the repairs totaling \$51.00; Danny Derreberry asked Michael if it had already been repaired, he stated no. Danny Derreberry asked Shawn Renee (FO) if the cost to repair the mailbox could be turned into insurance, Shawn Renee asked why would we. Danny agreed. Lynn Whittlesey spoke about the congestion on the street when people park on the street, the snow makes it worse, stated that EMS/Fire Tanker would be unable to get through. Ms. Galloway asked why there are no signs; Lynn stated the Township is unable to regulate everything. Danny Derreberry asked Jim Donovan (Zoning Inspector) if there were Zoning Rules to the signs or parking, stated that there should be “no parking” signs on the street, Mr. Horning & Ms. Galloway did not believe that there were such signs. Danny stated he was unaware of the conditions on the exact date, Peggy stated that the pictures were similar to what she saw when she went to inspect it and that Michael Horning stated that the pictures were taken last evening. Danny stated that he will leave it to the Board. Resident Rebecca Whittlesey asked how you can be sure that it was the Township Vehicle and not someone else. A Resident asked the Board if anyone went to look at the damage, Peggy Baine stated that she did go look at it and you can tell where the vehicle went off the road toward the mailbox. Danny moved a motion to repay resident Catherine Horning for 1411 Fairview upon receipt of repair/material receipts. Peggy Baine second. Roll Call: Lynn Whittlesey – no, because the request is after the fact; Peggy Baine – yes, Danny Derreberry – yes; motion carried.

FIRE DEPARTMENT

Old Business

Danny Derreberry stated that Fire Chief Mel Russell was unable to attend due to illness and did not have anything to present on his behalf.

Peggy Baine received a call from Tim Whittlesey regarding with children playing on the pond next to the Fire Department. There is fence in the front & back but not on the sides, the pond freezes but not totally and Tim was concerned about children getting hurt. Danny will look into the area and maybe postings need to be made.

Shawn Renee Miller (FO) stated she needed to speak about an EMS account that was sent to collections in October 2013 that Life Force is questioning if it was sent to collections in error. She explained the run to the Board and that the report contained three different addresses, with the final address being Atwater, however the Portage County Auditor Site does not list the patient as an owner. In addition, Shawn Renee explained that the individual has a four page file from the Portage County Courts with several being other ambulance services in Portage County. The Board felt that due to the multiple addresses and no way to verify which is accurate, the account needs to remain in collections. Shawn Renee stated she would report back to LifeForce with the Board’s decision.

Jim Donovan asked if we could deny services for individuals that do not pay; the Board confirmed that services could not be denied.

Nothing new

FIRE DEPARTMENT

New Business

Peggy Baine stated that the crew is working hard on plowing with all the weather.

ROAD DEPARTMENT

Old Business

ROAD DEPARTMENT

New Business

- 1) Peggy Baine stated that Tim Whittlesey placed a request to seal Moff Road once weather permits; DJL Material and Supply Inc. is who the Township has been dealing with for a few years now and would like to continue. Would like to request a PO for DJL Material and Supply Inc. for \$6,000; Peggy motioned for approval of \$6,000 PO for DJL Material Inc., Danny Derreberry second. Roll Call: Lynn Whittlesey – yes, Peggy Baine – yes, Danny Derreberry – yes; motion carried.
- 2) Peggy Baine stated Tim Whittlesey received a quote from Municipal Signs for 2-four legged compact stands \$125.00, 2-36” roll up signs, and 9 reflective cones, totaling \$493.00 to be applied toward the OTARMA MORE Grant for 2014. Peggy Baine motioned to approve the purchased of supplies from Municipal Signs for the Road Department, Danny Derreberry second. Roll Call: Lynn Whittlesey – yes; Peggy Baine – yes, Danny Derreberry – yes; motion carried.
 - a. Shawn Renee Miller (FO) stated that the order needs to be placed and paid for, then the Grant forms can be submitted to OTARMA for reimbursement.
- 3) Peggy Baine stated that Mrs. Cochran said the Township dug out the ditches really deep and not yet fixed. She resides on 225 & Virginia called regarding when the plows come through they are throwing snow from the road to her house and believes it is due to the ditch work that was done before. The Board agrees there is nothing that can be done by the township due to the way the land lays and the water flow.

RECORD OF PROCEEDINGS
Minutes of Regular Meeting
Held at 1219 St. Rt. 183 in Atwater, Ohio; on February 11, 2014

RESIDENT Walt Baine brought up the Township mileage discussion from the prior meeting and stated that he was not satisfied with John Kovacich with the answer he received so he went to investigate it further. Stated that in 2009 ODOT instituted the LBRS System which is an electronic/computer system that calculates the mileage, 29 of the 30 roads in the Township were wrong (19 under, 1 correct and 10 over). So that is when & how the mileage changed. Danny asked if the amount now is accurate and Walt stated yes.

4) Peggy Baine stated that Scott Miller is no longer with the County Engineer's office, Anthony Zumbo has taken his task over.

ZONING

Old Business

- 1) Jim Donovan presented the Board & FO with the January report.
- 2) Jim Donovan stated that the property on Fairview and Waterloo were taken down this week and has pictures of before, during and after.
- 3) Jim Donovan requested/recommended that in the future if the Board works with a resident to remove a structure(s) in good faith that a timeline/deadline for the process to be completed. The property on Alliance Road will be handled, but it is taking time. In addition, the property on Bank Street is being worked on, but no timeline was placed.
- 4) Jim Donovan stated as a "word to the wise" there should be no one poking around on vacant properties, as it is trespassing.

ZONING

New Business

Danny Derberry stated that Memorandums of Understandings are needed for the three properties that were decided on at the February 4th Public Hearing. Danny Derberry read resolution #13-2014 out loud.

Resolution #13-2014: 741 Porter Road with Permanent Parcel Number: 01-019-00-00-013-000. Danny Derberry moved, Peggy Baine second. Roll Call: Lynn Whittlesey – yes, Peggy Baine – yes, Danny Derberry – yes; motion carried and resolution signed. *(Signed Resolution attached)*

Resolution #14-2014: 6810 Waterloo Road with Permanent Parcel Number: 01-028-00-00-014-000 and 01-028-00-00-013-000. Danny Derberry moved, Peggy Baine second. Roll Call: Lynn Whittlesey – yes, Peggy Baine – yes, Danny Derberry – yes; motion carried and resolution signed. *(Signed Resolution attached)*

Resolution #15-2014: 6915 Waterloo Road with Permanent Parcel Number: 01-036-00-00-023-000. Danny Derberry moved, Lynn Whittlesey second. Roll Call: Lynn Whittlesey – yes, Peggy Baine – yes, Danny Derberry – yes; motion carried and resolution signed. *(Signed Resolution attached)*

Shawn Renee Miller (FO) spoke about the updated Zoning report provided to the Board as to the status of the properties. Also stated that the three properties from the Hearing are in the Land Bank hands and they are just waiting on the MOU's and stated that the Record Pub ran the Legal notice regarding the demo date set for 3/6th. Stated that the third letter from Porter Road has been returned as undeliverable so 3 of the 5 are undeliverable and two received. She also reminded everyone that the Public Hearing for the final two properties is set for this Friday (2/14) at 9:00AM, also stated that she gave copies of the resolutions for each property to the Board in the even the Board decides to demo. Stated that the two properties (one on Waterloo and Fairview) the next step is the document from the Land Bank so that the Township can file the Lien on the properties with Portage County Auditor.

Lynn Whittlesey spoke an article in the Alliance Paper about a \$3.8million phase II for the Land Bank. Danny Derberry stated about \$40,000 additional for Portage County. Danny reiterated that these properties that are being sent through to the Land Bank with the indication that there were no additional monies available in hopes that additional funds would come available for these demos. If the properties do not come down with Grant monies it will come back to the Board to decide if the Township wants to take them down or wait to see if additional monies come available. Danny Derberry spoke about the large number of "apartments" that Windham submitted for removal could have been considered commercial but do to limited number of submissions from others at the time the concern was the grant monies were not going to get used up thus they would have to be returned so Regional Planning worked and got the large demo into the project.

CEMETERY/REAL ESTATE

Old Business /New Business

Lynn Whittlesey stated that he had nothing for Old or New to report.

Shawn Renee Miller (FO) stated that she was contacted by Darrin Werbeck, Waterloo HotStove President, regarding field use for the upcoming Baseball/Softball season. She asked the Board if there was Field Use form, Lynn stated no. Shawn Renee stated that she would provide Lynn with Darrin's information and he would contact him.

RECORD OF PROCEEDINGS
Minutes of Regular Meeting
Held at 1219 St. Rt. 183 in Atwater, Ohio; on February 11, 2014

ADMINISTRATION
Old Business

- 1) Shawn Renee Miller provided the Board with the January Bank Reconciliation for signatures, all signed.
- 2) Shawn Renee Miller provided the Board with the January 14th, all signed.
- 3) Shawn Renee Miller stated that she received the 2014 Budget Certificate back from County Auditor's Office and there were a few funds with errors, she stated that the errors were located and was over on a few of the funds, the appropriates were corrected and the Board was provided with copies of the revisions. She asked if there were any questions and with none she requested a motion to approve the REVISED 2014 Township Budget Appropriations and read as follows:

	Total Amount Available PLUS Balances	Appropriations
General Fund	\$517,464.55	\$257,142.96
2011 MVL Tax	\$12,245.56	\$6,700.00
2021 Gas Tax	\$160,288.69	\$135,000.00
2031 Road & Bridge	\$106,817.33	\$106,361.89
2041 Cemetery	\$48,982.82	\$35,400.00
2111 Fire District	\$697,871.06	\$340,854.05
2181 Zoning	\$7,604.25	\$1,000.00
2231 Permissive	\$13,352.16	\$13,350.00
2281 Ambulance & Emergency	\$73,365.99	\$73,365.99
2401 Lighting	\$18,506.47	\$18,000.00
Special Rev Funds	\$1,139,034.33	\$730,031.93
2901 Cemetery Bequest	\$26,571.92	\$26,571.92
2902 NOPEC	\$35.22	\$35.22
Total Agency Funds	\$26,607.14	\$26,607.14
Total ALL Funds	\$1,683,106.02	\$1,013,782.03

Danny Derberberry so moved, Lynn Whittlesey second. Roll Call: Lynn Whittlesey –yes; Peggy Baine – yes, Danny Derberberry – yes; motion carried. Those will then be submitted to County Auditor's Office and they will approve and send back to us. They have already approved our revenue's which unfortunately went down a few hundred dollars.

- 5) Lynn Whittlesey brought up the prior discussion of the Electronics Recycling and stated that Shawn Renee had a great idea. Shawn Renee explained that she reached out to Mr. Riley who heads the Climate Club at Waterloo. He does not have a date set yet for this years recycling days, typically runs one in the spring and the fall. Shawn Renee stated that she thought it was a good idea to have the Climate Club set up at the Township Cleanup Days, Mr. Riley loved the idea. She stated that there was no additional work on the Township; simply let the Climate Club set up to accept the electronics and we could co-market the event. The Board and residents present liked the idea. Danny Derberberry stated he would talk with Portage County Recycling about dates and report back, discussions of before Memorial Day.
- 6) Danny Derberberry spoke about the recent Portage County Recycling meeting. Reminded everyone that for the past year and half multiple meetings were held to create a contract, ultimately in the end many asked why the written contract was not accepted rather than subbing our the contract to the EPA for \$50,000 plus; which also eliminates the townships ability to negotiate, must simply accept for five years and then could take up to eight years to make changes to the contracts. Those writing the contract were there to answer questions, a lot of folks unhappy at the end of the day. At this point simply a wait and see.
- 7) Lynn Whittlesey stated that the \$35.22 from the NOPEC grant get with the AFD and get it spent on high efficiency bulbs or something. Danny stated he would get with the AFD and get it handled.

RECORD OF PROCEEDINGS
Minutes of Regular Meeting
Held at 1219 St. Rt. 183 in Atwater, Ohio; on February 11, 2014

ADMINISTRATION
New Business

- 1) Shawn Renee Miller explained to the Board that per a Newsletter from OPERS and a phone discussion confirming, the EMS Runs/Transport Wages are Non-Pensionable Wages. She stated that this is effective January 1st, 2014 and that the OPERS Legal team has not made a determination if we will have to go back for refunds. AFD/EMS runs & transport wages are no longer to be submitted under OPER's effective January 1st, 2014. Stated there is \$3-\$4 from January 1st-January 15th from runs for Paula & Mel that were paid, but unable to really cause a mess she left the \$3-\$4 under OPERS. She explained that there are now three level of wage payments at the station, Salaries which are pensionable and employees that receive regular hours which are OPERS, those designated as part-time that may get 10 or 20 hours a year, those are OPERS and those that receive runs/transport wages are not pensionable along with inspections and dive teams so those items will go toward Social Security. She also stated that based on the Newsletter she built both OPERS & Social Security costs into the budget as a precaution. Other than that we will wait and see and she will keep the Board posted.
 - Shawn Renee Miller (FO) requested a motion to approve PO #23-2014 thru 25-2014 in the total amount of \$905.52 for miscellaneous vendors using temporary appropriations set to expire 3/31, Danny Derreberry so moved, Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes. Motion carried and PO's signed.
 - Shawn Renee Miller requests motion to appropriate Receipts #17-2014 thru #27-2014 totaling \$14,043.23. Danny Derreberry moved to approve, Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes, Danny Derreberry - yes. Motion carried.
 - Shawn Renee Miller requests a motion to approve Electronic Funds Transfers with Voucher #13-2014 thru 15-2014 totaling \$331.61. Dan Derreberry moved to approve, Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.
 - Shawn Renee Miller requests a motion to approve Withholding Vouchers with Voucher #19-2014 thru 22-2014 totaling \$5,192.16; including voided Voucher#21-2104. Dan Derreberry moved to approve, Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes; Peggy Baine -- yes, Danny Derreberry - yes. Motion carried.
 - Shawn Renee Miller requests a motion to approve Warrants #32341 thru 32355 totaling \$6,765.09, Dan Derreberry moved to approve; Lynn Whittlesey second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.
 - Shawn Renee Miller requests a motion to approve Non-Road Payroll payments via Warrants #32360 thru 32381, including voided warrant #32359, totaling \$9,328.14; Dan Derreberry moved to approve, Peggy Baine second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.
 - Shawn Renee Miller requests a motion to approve Township Employee Benefit payments via Warrants #32356 totaling \$235.14; Dan Derreberry moved to approve, Peggy Baine second. Roll Call: Lynn Whittlesey - abstained; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.
 - Shawn Renee Miller requests a motion to approve Road Department Payroll payments via Warrants #32357 & 32358 totaling \$2,412.64; Dan Derreberry moved to approve, Peggy Baine second. Roll Call: Lynn Whittlesey - abstained; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.
- Danny Derreberry requested a motion to pay the bills at 8:25pm; Peggy Baine second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.

Shawn Renee Miller stated there was nothing additional to be signed or reviewed.

Lynn Whittlesey requested a motion to return to regular session at 8:26pm; Danny Derreberry second. Roll Call: Lynn Whittlesey - yes; Peggy Baine - yes, Danny Derreberry - yes. Motion carried.

Announcements ~ NONE

Danny Derreberry asked Lynn Whittlesey if he would be attending the Regional Planning Meeting tomorrow (2/12); Lynn stated that he would not be as he was unaware of the meeting and has prior engagements.

Lynn Whittlesey stated he would be attending the rescheduled EMA Meeting at 10am tomorrow (2/12).

Shawn Renee Miller stated that she will be unable to attend on Tuesday, March 11th. Is someone willing to take notes, she has asked Becky Myers to set up the laptop for the recording. Lynn Whittlesey stated he will take notes.

RECORD OF PROCEEDINGS
Minutes of Regular Meeting
Held at 1219 St. Rt. 183 in Atwater, Ohio; on February 11, 2014

Danny Derreberry asked if there was anything additional or if there was a need for an executive session; all agreed nothing additional.

Danny Derreberry requested a motion to adjourn the meeting at 8:29pm; Lynn Whittlesey so moved, Danny Derreberry second. Roll Call: Lynn Whittlesey - yes; Peggy Bainey – yes, Danny Derreberry - yes. Motion carried.

X  X 
Trustee Trustee

X _____ X 
Trustee Fiscal Officer