

## Record of Proceedings

### Minute Hearing for Non-Maintenance of Woodland Avenue Held at 1219 St. Rt. 183 in Atwater, Ohio; on April 12, 2016 at 7:03 PM.

Trustees John Kovacich, Peggy Bainey, Lynn Whittlesey, Fiscal Officer Linda Allen, Dan Kolasky, Walt Bainey, Martha Bevard, Mel Russell, Larry Fiegly, Bonnie Bowker, Tom Nellis, Ron and Emma Stanfield, John Allen, Dave Brannon, Danny Derreberry.

John Kovacich called the Hearing to order at 7:03 pm. Roll Call: Peggy Bainey – Yes, Lynn Whittlesey – Yes, John Kovacich – Yes. Motion Carried

No interested parties were present. The next hearing will be on April 26, 2016 at 7 pm.

Larry Fiegly asked why we were putting Woodland in non-maintenance status. John explained that it was to protect the Township from further expense in case the road was ever required to be brought up to county specs, by putting in non-maintenance status the Township would not be responsible for the cost of bring the road up to county specs. If Dan Stroup sells a lot Atwater would be responsible for building the road. If we put in non-maintenance status the developer would have to build the road to county specs and then turn the road over to Atwater Township.

Danny Derreberry asked if there was a cost involved in putting the road in non-maintenance status. John said there was not. However, the Township would have to pay to vacate the road, thus the reason for the request for non-maintenance status.

### Minute of Regular Meeting Held at 1219 St. Rt. 183 in Atwater, Ohio; on April 12, 2016 The Atwater Township Trustees held their regular scheduled meeting at the Atwater Town Hall located at 1219 St. Rt. 183 in Atwater, Ohio on April 12, 2016

#### ATTENDANCE

Trustees John Kovacich, Peggy Bainey, Lynn Whittlesey, Fiscal Officer Linda Allen, Dan Kolasky, Walt Bainey, Martha Bevard, Mel Russell, Larry Fiegly, Bonnie Bowker, Tom Nellis, Ron and Emma Stanfield, John Allen, Dave Brannon, Danny Derreberry.

John Kovacich called the Regular Meeting to order at 7:10 pm. Roll Call: Peggy Bainey – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried

Meeting was opened with the Pledge and the Lord's Prayer

John Kovacich asked if the Board received and reviewed the March 22, 2016 Regular Meeting Minutes, all agreed they received the minutes and there were no corrections or additions. Lynn moved to approve the minutes, John second. Roll Call: Peggy Bainey – yes; Lynn Whittlesey – yes, John Kovacich – Yes. Motion Carried.

Dave Brannon inquired as to why we did not post our job openings on the Lions Club sign in the middle of the town. It was explained that by law we have to place the ad in our local newspaper. We also put in on Facebook and on our web site.

#### COMMUNICATIONS

John discussed that we received a few magazines for park supplies and piping equipment..

#### FINANCIAL

John Kovacich asked if there were any corrections or additions to the Financial Statement. With no questions or concerns, John moved to approve the financial statements. Peggy Bainey second. Roll Call: Peggy Bainey – Yes, Lynn Whittlesey – yes, John Kovacich – Yes. Motion Carried

## **FIRE DEPARTMENT**

### **Old Business**

Mel said the old 1985 Chevy Tanker Truck had sold, and we had received the funds for it. They also came Friday to pick up the Tanker. The whole \$15,000 was received as Brindley Mountain had nothing to do with the sale.

### **New Business**

Mel stated that the FEMA Grant thru Streetsboro Fire Department in the amount of \$2,645 will be totally refunded to us once we submit our invoices for the purchases.

Mel gave the March Fuel Report: Road Department used 0 gallons of gasoline and 103 gallons of diesel. The AFD used 49.8 gallons of gasoline and 152.9 gallons of diesel.

Mel also gave the March Monthly Fire Department Run Report: They had a total of 27 incidents which includes mutual aid given and received.

The Dive Team consists of Jeff Mann, Tom Eland and Steve Swaggard

Mel mentioned that the AFD drive/parking lot needs resealed at a cost of \$3,850. Tim Whittlesey said that he could do the parking lot for about \$200 for materials, then we could hire a company for the seal cost at a considerable savings to the Township.

Mel requested to purchase 2 t-shirts and 1 sweatshirt for each member of the AFD. Total cost will be \$527. Lynn made a motion to approve the purchase of the t-shirts and sweatshirts for the AFD at a cost of \$527 for both. Peggy Second. Roll Call: Peggy Bainey – yes, Lynn Whittlesey – Yes, John Kovacich – Yes. Motion Carried.

Mel would also like to Township to pick up the cost of the dress pants that the AFD had to purchase to wear at Kenny Ray's funeral.

Lynn checked and Tank Farm on Bank Street did no fueling. However he does not know of any tanks on Bank Street. Possibly there are some at the corner of Waterloo and Wilson. Walt Bainey thinks not, Lynn this so. Also, there could possibly be tanks buried across from the old hardware store. The State Fire Marshall should have info on buried tanks in Atwater.

John stated that he went to the pipeline safety meeting in Canton regarding Response exercise for pipeline situations. Big thing is CALL BEFORE YOU DIG...811 before 911. Does AFD know what is ran thru the pipelines here in Atwater? Mel said that this was constantly changing. He also stated that the AFD has all the emergency response fire phone numbers.

## **ROAD DEPARTMENT**

### **Old Business**

John discussed the new offer from BJI Material down from \$1.02 to .82 a pound due to the oil prices coming down. He also stated that there would not be a delivery charge for the crack & seal machine. John made a motion to go with BJI Materials for the crack sealant for 2016 season. Peggy Second. Roll Call: Peggy Bainey – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Walt Bainey said that he spoke to a county rep concerning cutting the spouting off on Hillcrest Rd not go thru curbing therefore; water goes under road and undermined the road condition. John stated that no curb drain was enhanced with peat gravel.

Larry Fiegly wanted to know what happened to the Issue Two money to put in tile in ditches near his home. Said that it was ¾ of the way done, what happened to the rest. John Kovacich explained that the Issue Two money was expended – went as far as they could until the money ran out. John also said that Ohio Public Works next round bidding for the continuation of this project is being considered.

Larry asked if the homeowner buys the culver will the Township put in. John said that the Township prefers to put in the culverts to make sure that the water is running correctly. John will try to work this into the Public Works Grant.

#### **New Business**

John made a motion to put Dave Alldredge on FMLA due to his mother's critical illness so that he may use up his sick, personal, vacation and comp times. He will have approximately 32 weeks of pay at 32 hours a week. His medical, dental, and vision benefits will continue for this time. Peggy second. Roll Call: Peggy Bainey – Yes, Lynn Whittlesey – Yes, John Kovacich – Yes. Motion Carried.

John informed us that the Road Department would be looking to replace the 2000 International Truck in 2017 at an approximate cost of \$146,000 for a Western Star Truck. Henderson to put on the add ons...plow, box spreader. John said he would stop by Sarchiones to see if they have a truck that would work for us.

John mentioned that we were 14 tons short of our contract with Morton for salt for the year. We do not have to finish the salt contact because we were so close to our contacted amount.

#### **ZONING**

##### **Old Business & New Business**

Dan Kolasky gave his Zoning Report for the last two weeks. He issued three permits. Also is working on cleaning up the old derby cars at 1401 Fairview St. Mr. Myers of Porter Road is having a water issue, Dan referred him to the Portage County Soil and Water District.

#### **RESOLUTION: 8-2016**

##### **A RESOLUTION**

A Resolution requesting and petitioning the Portage County Auditor and the Portage County Board of Revision to remove from the tax duplicate the structure removal costs in the amount of \$6,970.80 that the Atwater Township Board of Trustees previously certified to the county auditor for the removal of the structure located at 6915 Waterloo Road in the Township of Atwater, County of Portage, Ohio with ppn:01-026-00-00-023-000.

The Board of Trustees of Atwater Township, Portage County, Ohio met at a regular session, on the 12 day of April, 2016 at the Atwater Township Town Hall, with the following members present:

John Kovacich

Lynn Whittlesey

Peggy Bainey

John Kovacich moved the adoption of the following resolution:

**Whereas,** Section 505.86 of the Ohio Revised Code provides that a board of township trustees may provide for the removal, repair, or securance of buildings or structures that have been declared insecure, unsafe, or structurally defective and/or unfit for human habitation, and to certify such costs to the county auditor to be placed upon the tax duplicate, with such costs, under R.C. 505.86, to be a lien upon the lands from the date of entry.

**Whereas,** the costs of such removal, pursuant to a memorandum of understanding (MOU) between Atwater Township and the Portage County Land Reutilization (PCLRC) Corporation, were paid by PCLRC (through its agent Regional Planning) via funding from the Moving Ohio Forward (MOF) grant, and pursuant to the MOU

Atwater Township was to certify such costs to the county auditor under R.C. 505.86, with such amount to be collected as other taxes and returned to PCLRC when, if ever, the land is sold.

**Whereas,** the PCLRC has adopted the attached Resolution “Declaring the desire to waive the obligation placed on certain townships to certify dilapidated-structure-removal costs to the Portage County Auditor and to collect and return such money to the Portage County Land Reutilization Corporation.”

**Whereas,** the attached PCLRC resolution also provides, in part, that the MOF grant did not require recoupment of money spent on structure removal, and that certain properties, including the parcel that is the subject of this Township Resolution, was as described in the attached PCLRC resolution, “sold before the lien was placed on the tax duplicate (and the purchaser had no knowledge of the lien),” and that the “PCLRC desires to waive and not recoup such costs \* \* \* .”

**Resolved,** that the Board of Atwater Township Trustee hereby requests and petitions the Portage County Auditor and the Portage County Board of Revision to remove from the tax duplicate regarding the real estate located at 6915 Waterloo Road in the Township of Atwater, County of Portage, Ohio, ppn: 01-026-00-00-023-000, the structure removal costs totaling \$6,970.80 that were previously certified by Atwater Township to the county auditor under R.C. 505.86, and placed upon the tax duplicate as a lien.

**Resolved,** that the fiscal officer is directed to serve, by certified mail, return receipt requested, a true copy of this Resolution to the Portage County Auditor.

**Resolved,** that the Board of Trustees finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Revised Code.

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

Name	Vote
John Kovacich	YES
Lynn Whittlesey	YES
Peggy Bainey	YES

**CEMETERY/REAL ESTATE/PARK  
Old Business & New Business**

The question has come up regarding the pavilion rental at the Township Park. Lynn has a copy of Rootstown Parks use agreement for their pavilion. Perhaps we could put up a dry erase board showing who has rented the pavilion for that day. Bonnie Bowker inquired as to when the bathrooms were coming. Dave Brannon said the porta potties for summer need to be handicap accessible. We also need to put up handicap signs. John to get with fellow from the county to see exactly what needs to be done for two parking areas to be made handicap. He will have by next meeting.

We received a nuisance complaint from the Portage County Combined General Health District that was sent to Jennifer Robinson concerning the property at 1156 State Route 183 which has been abandoned.

**ADMINISTRATION**

**Old Business & New Business**

Linda stated that several of our employees had received a letter from Ohio Attorney General’s Office saying that the Finding for Recovery from the 2013-2014 Audit had been satisfactory resolved.



Linda explained that she had been at the UAN convention and was informed that to make a change to our revenue/appropriations had to be in the form of a Resolution not just a motion. Therefore, we approved Resolution 5-2016 and 6-2016 for changes from February to the Road Department revenue & appropriations. John so moved, Peggy Second. Roll Call: Peggy Baaney – Yes, Lynn Whittlesey – Yes, John Kovacich – Yes. Carried

Linda also presented Resolution 7-2016 for a change in revenue & appropriations for the AFD due to the sale of the 1985 Chevy Tanker Truck. John made a motion to accept Resolution 7-2016 for changes to AFD revenue & appropriations. Peggy second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Linda Allen requests motion to accept Receipts 45-2016 thru 61-2016 totaling \$29,402.99. Peggy moved to approve, John second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Linda Allen requested a motion to approve Purchase Orders 29-2016 thru 34-2016 to totaling \$16,738.00. Peggy moved to approve, John Second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – abstain, John Kovacich – yes. Motion Carried.

Linda Allen requested a motion to approve Withholding Voucher 95-2016 thru 96-2016 & 100-2016 totaling \$6,986.97 for OPERS, Federal & State taxes. Peggy moved to approve, John second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – abstained; John Kovacich – yes. Motion Carried.

Linda Allen requests motion to approve Warrants 33980 thru 34010 totaling \$12,410.92. Peggy moved to approve, John second. Roll Call: Peggy Baaney – yes, Lynn Whittlesey – abstain, John Kovacich – yes. Motion Carried.

Linda Allen requests motion to approve Payroll Warrants 33973 thru 33978 totaling \$2,289.43. Peggy moved to approve, John second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Linda Allen requests motion to approve Direct Deposit Payroll 80-2016 through 936-2016 totaling \$6,025.51. Peggy moved to approve, Lynn second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Linda Allen requests motion to approve Road Department Payroll Warrants 33972 and 33979 totaling \$2,369.84. Peggy moved to approve, John second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – abstain; John Kovacich – yes. Motion Carried.

John motioned at 8:49 pm to pay bills, Peggy second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Lynn motioned at 8:50 pm to go back into regular session. John second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

John made a motion to go into Executive Session for the hiring of Road Department personnel at 8:51. Peggy Second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Lynn made a motion to return to Regular Session at 9:17. Peggy second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

John made a motion to hire Milton Green, Jr. for the Road Department on a 90 probationary period at a rate of \$16/hour and benefits subject to term of his present employer and medical exam. Peggy Second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

Lynn will call Milton Green to let him know. Linda to send out letter to other applicants informing them that the position has been filled.

Peggy made a motion to accept CareWorks for our group rating for BWC. John Second. Roll Call: Peggy Baaney – yes; Lynn Whittlesey – yes; John Kovacich – yes. Motion Carried.

John Kovacich motioned to adjourn the meeting at 9:34 pm, Peggy Baine seconded. Roll Call: Peggy Baine - yes; Lynn Whittlesey - yes; John Kovacich - yes. Motion carried.

**ANNOUNCEMENTS**

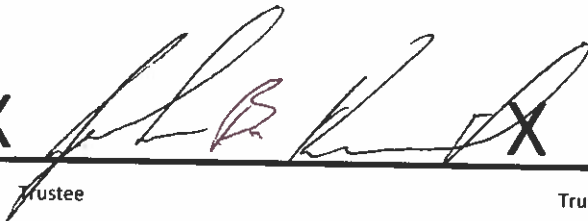
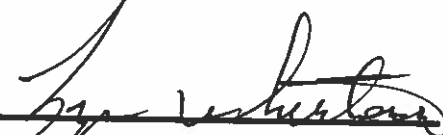
Swiss Steak Dinner at Methodist Church on April 30<sup>th</sup>.

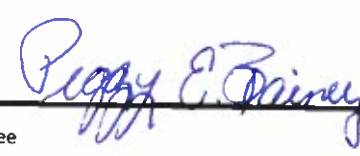

April 29<sup>th</sup> & 30<sup>th</sup> Spring Clean Up at the Township

Bonnie Bower mentioned that there would be no computer drop off at the Spring Clean up as the EPA will no longer take tubes.

Tom Nellis mentioed the AFD Lock Box Program

Lions having a Flea Market on April 16<sup>th</sup>.

X  X   
Trustee Trustee

X  X   
Trustee Fiscal Officer