

## RECORD OF PROCEEDINGS

Meeting

Minutes of

Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_ at 1219 St. Rt. 183 in Atwater, Ohio \_\_\_\_\_ on November 26<sup>th</sup>, 2013 \_\_\_\_\_ 13

The Atwater Township Trustees held their regular scheduled meeting at the Atwater Town Hall located at 1219 St. Rt. 183 in Atwater, Ohio on November 26<sup>th</sup>, 2013.

#### ATTENDANCE

Trustees John Kovacich, Danny Derreberry, Lynn Whittlesey, Fiscal Officer Shawn Renee Miller, Martha Brevard, Naomi Wise, Fire Chief Mel Russell, Becky Myers, Rodney Myers, Jim Donovan (Atwater Zoning Inspector), Peggy Bainey, Walt Bainey, James Conley, Rebecca Whittlesey, Linda Whittlesey.

John Kovacich called the meeting to order at 7:00 pm. Roll Call: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes.

John Kovacich asked the Board if they had each received & reviewed the November 12<sup>th</sup> meeting minutes for the Regular Meeting via Draft #2. All agreed they had. Fiscal Officer, Shawn Renee Miller notified the Board that there is an error on Draft #2; Naomi Wise was not in attendance, Martha Brevard was. Dan Derreberry moved to accept the minutes as revised from the November 12<sup>th</sup> meeting minutes for the Regular Meeting; Lynn Whittlesey second. Roll Call Vote: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes. Motion carried.

#### FINANCIAL

John Kovacich asked the board if they had a chance to review the Township Financial reports dated November 26<sup>th</sup>. All agreed they had received & reviewed. John Kovacich moved to accept the Township Financial Reports as of November 26<sup>th</sup>; Dan Derreberry second. Roll Call Vote: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes. Motion carried.

#### COMMUNICATIONS

- NEFCO Meeting was 11/20/2013; next meeting 12/18/2013 at Summa Health Center in Green.
- Portage County Solid Waste Management District sent a letter with three agreements regarding the New Agreement beginning January 1, 2014 for 5 years. John Kovacich asked if each Board member had reviewed the agreement and if they were all ok with it; all agreed they had reviewed and there were no questions or concerns.
  - o Lynn Whittlesey pointed out that there were no changes and mentioned that there are NO FEES assessed to Township Buildings (including AFD) which he did not realize.

John Kovacich made a motion to sign the Portage County Solid Waste Management Agreement to be effective January 1, 2014 for 5 years, Dan Derreberry second. Roll Call Vote: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes. Motion carried. All three trustees signed all three copies and the will be returned to Portage County Solid Waste for signatures.

#### FIRE DEPARTMENT

##### Old Business

- 1) Fire Chief Mel Russell reminded the trustees that they spoke a few months ago about the Indemnity Board, Trustees recalled. Chief Mel Russell stated that the Jeff Mann & Jay Brock are the appointees for 2014 (same as 2013) for the AFD.

#### FIRE DEPARTMENT

##### New Business

- 1) Fire Chief Mel Russell reminded the Trustees about the temporary shelter that is stored at the station that has not been used since 2001 and asked the Trustees if they could check with EMA to see if they could use it.

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- a. Lynn Whittlesey asked if items were still being stored by EMA, Chief stated yes it is all at Station 30.
  - b. Dan Derreberry stated he would be meeting with EMA on 12/3 and will ask them about it.
- 2) Fire Chief Mel Russell talked about the Volunteers being listed as Part-Time/As Needed Personnel so that when staffing at the station is needed he can call in personnel. Chief Russell explained that on recent call personnel on the call was unable to lift so mutual aid had to be called in.
- a. Lynn Whittlesey asked if there were folks that wanted/willing to do this.
    - i. Chief Russell stated yes, whether it is during a lay-off from their full-time job, days off, etc.; there are personnel willing to take the hours if available.
  - b. Dan Derreberry stated he liked the idea and has no problem with it.
  - c. After additional discussion, decision to be pended until Reorganization Meeting was made.
- 3) Chief Mel Russell stated he would like an Executive Session to discuss AFD Personnel

**ROAD DEPARTMENT  
Old Business**

John Kovacich thanked Walt Baineey for bringing the April 2013 meeting minutes up last meeting. The minutes were reviewed as was Tim's payroll. John Kovacich explained that when Tim Whittlesey hourly pay was increased in May his salary calculation was based on 26 pays when it should have been 24 pays. Thus Tim Whittlesey is owed payroll for the 12 pays that he was under paid.

John Kovacich stated that three options to correct the error were provided to Tim:

- 1) Lump Sum Check of \$1,040
- 2) Dollar amount owed divided over last three pays of the year
- 3) Turn dollar amount owed into comp time of 54.75 hours.

\* Walt Baineey (Resident) interjected at this point disagreeing with the comp time option. Stated money earned must be paid & reported; can't turn into comp time. He asked FO, Shawn Renee Miller, right Shawn? Shawn Renee stated that it is time worked placed into a "bank" to be used at a later date.

\* After further discussions, FO Shawn Renee Miller stated she will connect with Prosecuting Attorney Chris Meduri for legal opinion and that this discussion would be tabled until 12/8/2013, with no further action at this time.

**ROAD DEPARTMENT  
New Business**

- 1) John Kovacich stated that today was the first big snow fall. Nothing additional to report

**ZONING  
Old Business**

Jim Donovan spoke up about the three new properties set for demolition process; all three have had search warrants issued.

**ZONING  
New Business**

- 1) Jim Donovan stated there have been lots of calls to and from the lien holding bank concerning 2255 Alliance Road. The bank does not want the Zoning Violations to turn into litigation. Received contact information today for the Field Rep assigned to the property.
- 2) Jim Donovan stated he sent a notice to property next to 6268 Waterloo Road regarding vehicles.

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DANTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_ at 1219 St. Rt. 183 in Atwater, Ohio \_\_\_\_\_ on November 20<sup>th</sup> 2013 \_\_\_\_\_ 13

- 3) Jim Donovan stated that the gas has been disconnected at the 6268 Property & the 1373 & 1371 Fairview Property; last step before demo.
- 4) Lynn Whittlesey read a Resolution regarding request for *inspection & title search at 1472 ST RT 183; Resolution #34-2013*. Lynn Whittlesey moved, Dan Derreberry second. Roll Call Vote: Dan Derreberry – yes, Lynn Whittlesey – yes, John Kovacich – yes. Resolution passed and signed by board.

**CEMETERY/REAL ESTATE****Old Business**

- 1) FO, Shawn Renee Miller, asked Lynn Whittlesey about the Pauli Electric Invoice as it has not yet been received. Lynn stated he spoke with them and they understand it needs to be submitted in December for payment.
- 2) Indigent Burial has been completed and invoice paid.
- 3) Dan Derreberry received a letter regarding the Park Grant. Township has been awarded the grant. Additional paperwork will be forth coming and nothing can be done/ordered until all paperwork completed and funds released.

**CEMETERY/REAL ESTATE****New Business**

Nothing new to report.

**ADMINISTRATION****Old Business**

- 1) Amendment for April 23<sup>rd</sup>, 2013 meeting read out loud, John Kovacich moved to accept the amendment to the April 23<sup>rd</sup>, 2013 meeting minutes as written, Dan Derreberry second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ abstained, John Kovacich ~ yes; motion carried, amended minutes signed. FO, Shawn Renee Miller stated the amendment will be attached to the April 23<sup>rd</sup>, 2013 meeting minutes and the November 26<sup>th</sup> meeting minutes within the minute's book and the Township website. In addition a copy is to be placed in Tim Whittlesey's personnel file.

- 2) October 22<sup>nd</sup>, 2013 meeting minutes signed.

**ADMINISTRATION****New Business**

- 1) LifeForce Accounts:
  - a. John Kovacich requested a motion for Five Resident Waivers totaling \$542.38; Lynn Whittlesey so moved, John Kovacich second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ yes, John Kovacich ~ yes; motion carried
  - b. Lynn Whittlesey moved to send two non-resident accounts to collections totaling \$1,379.00, John Kovacich second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ yes, John Kovacich ~ yes; motion carried
  - c. John Kovacich indicated one resident account request was a duplicate from the October 22<sup>nd</sup> meeting that simply crossed in the mail and no further action by the board was necessary. FO to communicate with LifeForce regarding the duplication.
- 2) Shawn Renee Miller, FO, explained that there is a current BWC open claim within the Township. Explained the correct process when a claim occurs and further explained a newly designed procedure that was written up between herself and Paula Baughman. Shawn Renee Miller read through the procedure, explained that additional forms will be created over the next week or so and requested a motion from the board to approve the BWC filing/reporting procedure and ongoing creation of procedure process. Dan Derreberry so moved, John Kovacich second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ yes, John Kovacich ~ yes; motion carried

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- 3) Shawn Renee Miller, FO, reminded the Board that a motion for Township Elected Officials and Full-Time employees was needed in order to continue to offer benefits.
- Lynn Whittlesey stated there is a canned motion used in the past,
  - Shawn Renee Miller stated she was unable to locate and that this really needs to be moved on tonight so that paperwork can be processed for January 1<sup>st</sup>.
  - Trustees all understood.
  - Shawn Renee Miller requested a motion to offer medical, dental and vision benefits at no cost to the elected official and/or full-time employee. Dan Derreberry so moved, John Kovacich second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ yes, John Kovacich ~ yes; motion carried.

Shawn Renee Miller explained that all eligible individuals will be required to complete an election or waiver form for the file. In addition, each employee on payroll will be receiving a letter requesting them to confirm the accuracy of their personnel information on file. They will receive a print out from UAN showing the information on file, in addition a review of each employees personnel file will be completed and if documents are missing the employee will be asked to complete such form.

- 4) Shawn Renee Miller informed the Board of the following notices received:
- Portage County Regional Planning Letter Dated 11/19/2013 regarding 2014 Membership fees will be \$1,948.24 (same as 2013 paid 01/14/2013 warrant #31464)
  - Burnham & Flowers letter dated 10/8/2013 regarding Vision Plan rate adjustment effective 01/01/2014 of 2% due to ACA Health Insurance Provider Fee. Current Premium is \$48.71 New Premium will be \$49.68 (\$0.97 increase per month)
  - Auditor of State Letter dated 10/25/2013 regarding UAN Hardware Surcharge Fee waived (Holiday) for 2014. \$50.00 per month. 2013 paying \$795.00 per quarter and in 2014 will be \$645.00 quarter (\$600 annual savings)

- John Kovacich moved to approve PO 84-2013 thru 88-2013 in the amount of \$6,310.52; Dan Derreberry second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ yes, John Kovacich ~ yes; motion carried and PO's signed.
- Shawn Renee Miller requests motion to appropriate Receipts #274-2013 thru 283-2013 totaling \$6,829.56 as of 11/26/2013. Lynn Whittlesey moved to approve, Dan Derreberry second. RCV: Dan Derreberry ~ yes; Lynn Whittlesey ~ yes. Motion carried.
- Shawn Renee Miller requests a motion to approve Non-Road payments via Withholding Voucher/Electronic Voucher #106-2013 totaling \$211.35; John Kovacich moved to approve; Dan Derreberry second. RCV: Dan Derreberry ~ yes; Lynn Whittlesey ~ yes; John Kovacich ~ yes. Motion carried.
- Shawn Renee Miller requests a motion to approve Non-Road payments via Warrants #32169-32171, 32175-32181, 32186-32189 totaling \$5,257.02 including voided Warrant #32182, Lynn Whittlesey moved to approve; Dan Derreberry second. RCV: Dan Derreberry ~ yes; Lynn Whittlesey ~ yes; John Kovacich ~ yes. Motion carried.
- Shawn Renee Miller requests a motion to approve Non-Road Payroll payments via Warrants #32159-32160, 32162-32166, 32184 totaling \$4,083.34 including voided Warrant #32161; John Kovacich moved to approve; Dan Derreberry second. RCV: Dan Derreberry ~ yes; Lynn Whittlesey ~ yes; John Kovacich ~ yes. Motion carried.
- Shawn Renee Miller requests a motion to approve Road & AFD Employee Benefit payments via Warrants #32172, 32174, 32185, 32190 totaling \$2,469.87 including voided Warrant #32173; Dan Derreberry moved to approve; John Kovacich second. RCV: Dan Derreberry ~ yes; Lynn Whittlesey ~ abstained; John Kovacich ~ yes. Motion carried.
- Shawn Renee Miller requests a motion to approve Road Payroll payments via Warrants #32167 & 32183 totaling \$2,276.05 including voided Warrant #32168; Dan Derreberry moved to approve; John Kovacich second. RCV: Dan Derreberry ~ yes; Lynn Whittlesey ~ abstained; John Kovacich ~ yes. Motion carried.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held at 1219 St. Rt. 183 in Atwater, Ohio on November 28<sup>th</sup> 13

## Announcements

- Waterloo Community Action Committee (WCAC) An Old Fashioned Christmas is Saturday Dec. 7<sup>th</sup> from 2pm-5pm at Waterloo Elementary/Middle School. Approx. 22 Vendors, Kids Activities, Santa, Waterloo Band/Choir performing.

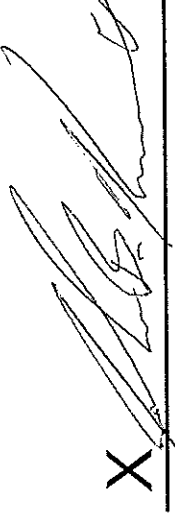
John Kovacich moved to Executive Session regarding AFD Personnel; Dan Derreberry seconded. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried at 8:03pm


John Kovacich moved to return to Regular Session at 8:11pm; Dan Derreberry seconded. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried and no action will be taken from Executive Session.

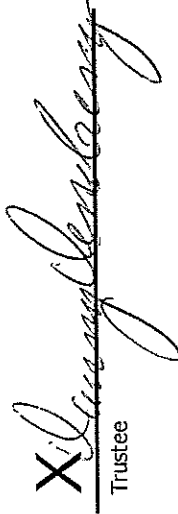
John Kovacich moved to pay the bills at 8:12pm; Dan Derreberry second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried and additional warrant signed.

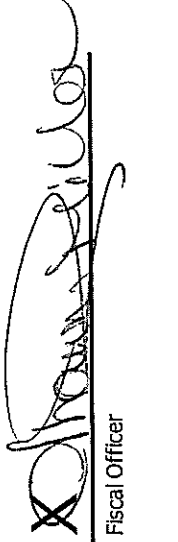
John Kovacich moved to return to regular session at 8:14pm; Dan Derreberry second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried.

John Kovacich moved to adjourn the meeting at 8:15pm; Dan Derreberry second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried.

X   
Trustee

X   
Trustee

X   
Trustee

X   
Fiscal Officer



Amendment for the Regular Meeting Minutes from April 23<sup>rd</sup> , 2013

at 1219 St. Rt. 183 in Atwater, Ohio

on November 26<sup>th</sup> 13

At the November 12<sup>th</sup>, 2013 Regular Scheduled meeting Resident, Walt Baine, commented to the Board that they are over paying a Township employee. Lynn Whittlesey asked which employee. Walt replied, Tim Whittlesey, review the minutes from April 23<sup>rd</sup> stating he was to receive a pay increase of \$1.50 pay him \$19.50; based on the January minutes that is a \$2.00 raise. "Check your minutes".

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**From the April 23<sup>rd</sup>, 2013 Regular Minutes on Page 4 of 4:**

John Kovacich moved to return to regular session at 8:55 p.m. Dan seconded. Roll Call Vote: Dan Derreberry – yes; Lynn Whittlesey– abstained; John Kovacich – yes. Motion carried. John Kovacich mentioned that a few weeks ago an Executive Session was held with Tim Whittlesey (Road & Maintenance Department Supervisor) regarding duties and pay. John believes Tim Whittlesey deserves a pay increase (of \$1.50; placing him at \$19.50 per hour) as he is the Road & Maintenance Department Supervisor, Townhall Maintenance, Cemetery Sexton. Tim Whittlesey has been with the Township for 10 years and even with the pay increase he is still below Other Township Road Supervisors in Portage County pay rate (statistics released two years ago).

John Kovacich moved to increase per hour rate of Atwater Road & Maintenance Supervisor, Tim Whittlesey, by \$1.50, placing him at \$19.50 per hour based on 2,080 hours per year. Dan Derreberry seconded. Roll Call Vote: Dan Derreberry – yes; Lynn Whittlesey– abstained; John Kovacich – yes. Motion carried.

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**From the January 2<sup>nd</sup>, 2013 Reorganizational Meeting Minutes on Page 3 of 4:**

*John made a motion to appoint Tim Whittlesey as maintenance supervisor for 2013 at an increased rate to \$17.50 per hour based on 2080 hours including benefit package. Second by Dan. Roll call vote: Dan; yes. Lynn; abstain. John; yes. Motion carried.*

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After review of the January 2, 2013 Reorganizational Minutes, Tim’s pay was \$17.50 per hour based on 2080 hours, the April 23<sup>rd</sup>, 2013 increase of \$1.50 would place him at \$19.00 per hour.

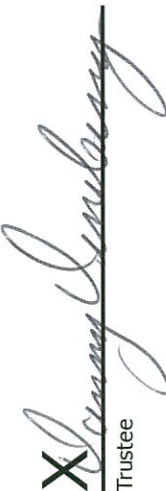
Shawn Renee Miller, Fiscal Officer, requested a motion to amend the April 23<sup>rd</sup>, 2013 meeting minutes regarding the pay increase for Tim Whittlesey, Atwater Township Road & Maintenance Supervisor, of a \$1.50; placing him at \$19.00 per hour based on 2080 per year at 24 pays per year.

John Kovacich so moved, Dan Derreberry second.

ROLL CALL VOTE: Roll Call Vote: Dan Derreberry – yes ; Lynn Whittlesey– abstained ; John Kovacich – yes . Motion carried.

*This amendment is to be attached to the April 23<sup>rd</sup>, 2013 and the November 26<sup>th</sup>, 2013 meeting minutes within the minute’s book and also on the Township Website. In addition, a copy of the amendment will be placed in the personnel file of Tim Whittlesey.*

X  \_\_\_\_\_ X  
Trustee Trustee

X  \_\_\_\_\_ X  
Trustee Fiscal Officer