

RECORD OF PROCEEDINGS

Minutes of Regular Meeting

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held at 1219 St. Rt. 183 in Atwater, Ohio

on October 8th 2013

The Atwater Township Trustees held their regular scheduled meeting at the Atwater Town Hall located at 1219 St. Rt. 183 in Atwater, Ohio on October 8th, 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), Paula Baughman, Allison w/Stryker, Leo Lanham, Walt Bainey, James Conley, Wayne Robertson, Peggy Baimey, Rebecca Whittlesey

John Kovacich called the meeting to order at 7:01 pm. Roll Call: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes.

John Kovacich asked the Board if they had each received & reviewed the Sept. 24th meeting minutes for the Public Hearing. All agreed they had, John Kovacich moved to accept the minutes from the Sept. 24th meeting minutes for the Public Hearing via Draft #2; Lynn Whittlesey second. Roll Call Vote: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes. Motion carried.

John Kovacich asked the Board if they had each received & reviewed the Sept. 24th meeting minutes for the Regular Meeting. All agreed they had, John Kovacich moved to accept the minutes from the Sept. 24th meeting minutes for the Regular Meeting via Draft #3; Dan Derreberry 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 October 8th and the September 2013 Bank Reconciliation. All agreed they had received & reviewed. Lynn Whittlesey moved to accept the Township Financial Reports as of October 8th and the September Bank Reconciliation; Dan Derreberry second. Roll Call Vote: Dan Derreberry - yes; Lynn Whittlesey - yes; John Kovacich - yes. Motion carried.

COMMUNICATIONS

- Safer Futures ~ Hope in a Hand Bag Benefit 10/18/2013
- Truck N Tow Magazine
- Dominion East Ohio Community Pipeline Publication Third Quarter
- David Williams & Associates Email regarding Playground Grant
 - o Printed and provided to all Trustees. Information needs to be filled out and interview needs to occur.

FIRE DEPARTMENT

Old Business

- 1) Chief played phone tag with Advanced Floor, but contact is out of town and will resume trying to reach him next week.
- 2) Paula Baughman discussed the available BWC Grant for the Stryker Power Cot & Power Load. Total Cost \$41,169 (Grant will pay \$3.00 for every \$1.00 spent by AFD). For the entire system AFD will pay approx. \$11,000 with installation. Paula advised the board that Allison from Stryker is present and requested a five minute recess for a demonstration of the equipment. Board returned at 7:22pm.

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Dan Derreberry stated that for the amount the Grant would pay; can't beat buying the entire system.

Lynn Whittlesey stated, just buy the cot; not the load system too.

John Kovacich asked Paula Baughman how the new Power Cot is working?

Paula Baughman stated that it is great and went on to explain that the current new Power Cot helps go up & down with patients but is lacking the load system thus the Power Cot still requires two to load into the squad.

Lynn Whittlesey moved to allow AFD to apply for the grant for just the Power Cot (previously purchased Power Cot was \$13,932.63); no one second the motion.

Lynn Whittlesey is looking at and concerned about the maintenance of the entire power system down the road and the service calls and cost involved.

Rodney Myers of the AFD explained that electronics are here and that the move to more electronic systems will have to be done.

Paula Baughman explained that purchasing a service agreement from Stryker helps with the BWC, OSHA, etc. in event of problem with the equipment BWC wants to see the service.

Dan Derreberry made a motion to apply for 3 to 1 ratio BWC Grant for the entire Power Cot & Power Load System, stated yes there is a lot of electronics and mechanics but why not buy both. John Kovacich second the motion. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ no, John Kovacich ~ yes; Motion carried.

Resident Peggy Baineey asked Paula Baughman how much does the load system alone cost. Paula Baughman stated approx. \$25,000

RECOGNITION OF VISITORS

Resident stated that he lives across the street from 6210 Oak Street and stated he was here in the past regarding the trash build up at the 6210 Oak Street address.

Jim Donovan (Zoning Inspector) spoke up and asked the resident why he did not contact him directly?

Resident explained that he thought he had to make a public appearance before the Board. He explained he spoke with Fiscal Officer Shawn Renee Miller while the Board was viewing the Stryker equipment and obtained the phone number, website and email address for the Townhall.

Jim Donovan explained to the resident all he needs is a phone call or email. Jim stated he will get a letter out to the resident at 6210 Oak Street tomorrow and if it is not cleaned up within a week then the Health Department is notified.

FIRE DEPARTMENT New Business

Chief Mel Russell presented the September 2013 Fuel Report.

Chief Mel Russell provided the September 2013 Run Report as follows:

- FIRE Incidents: 6 Total (3 - Open Burns, 1-Co/Oder Check, 2-Special Team (Dive Calls)
- EMS Incidents: 13 total (1-MVA, 6-transports Robinson, 1-transports Alliance, 2-transport Akron General, 2-non transports)
- TOTAL incidents: 19 (includes mutual aid of 3 given & 2 received)

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ROAD DEPARTMENT
Old Business

- 1) John Kovacich provided an update on the Lanham Property at 1328 Bank Street; Road Department & John Kovacich were at the property on Friday 9/27 they finish graded, seeded and strawed the area. The area is 1 ½ feet tall which is within the guidelines and no need for a guardrail.

Resident Walt Baine asked why if there is no need for a guardrail then why was there orange barrels around the area.

John Kovacich explained that it is/was a work zone. John also stated he contacted Jim Bierlair from Portage County Soil; Jim stated he was happy with the project and if there are any additional questions they may contact Jim Bierlair directly. In addition, explained to Mr. Lanham that he (John Kovacich) is unable to guarantee that the basement flooding is totally solved. John stated that the pipe that we found and Power Jetted may run under Mr. Lanham's basement and that it is 200 feet out of the townships jurisdiction.

Resident Walt Baine stated that if Township put the pipe in then it is the Townships responsibility. He (Walt Baine) also stated that drawings were left by Mr. Martz.

John Kovacich stated there are no drawings at the Township and if there were drawings they would also be on file with the County and they are not.

John Kovacich explained that there was a work order procedure followed and documented because spending taxpayer money; that is why there is a paperwork process. Project at 1328 Bank Street is finished. John Kovacich will continue to check for prior records but at this time the pipe is flowing and if there continues to be an issue it could be elsewhere.

ROAD DEPARTMENT
New Business

John Kovacich stated that the crew may begin work at the Hillcrest Allotment if the weather cooperates.

ZONING
Old Business

Jim Donovan spoke up about the Land Bank properties; that once the deadline of 10/24 hits that Regional is ready to move forward if need be.

Jim Donovan stated that the old house next to the Motel and the Old Village Craft property are on the next Land Bank list. Went on to explain that the first three properties were targeted first due to the potential hazards to the AFD and the community. Also went on to explain that he intends to review several vacant mobile homes around town.

Jim Donovan stated he signed a complaint for property on Whittlesey for Court Order due to junk cars that need cleaned up. Stated the property on 224 near Porter has cleaned up their property per the letter.

Jim Donovan spoke to the Board and audience regarding the prior meeting discussions about the Walter Smith Property on Porter Road. Jim stated he looked back in the files and the situation goes back 20 years. There were numerous letters, complaints and situations at the residence over the years. The property was set like a booby-trap and an AFD personnel was injured out there at one time. Jim stated he would like to find a grant to have the property cleaned up and then hopefully be able to get it sold.

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Jim Donovan presented the September 2013 Permit report to the Board and there were no permits sold. Stated he has been working hard to keep the variances to a minimum. Also stated he wants to work with Mr. Weingart at 1367 Bank Street that once the demolition occurs the property is planted with grass.

ZONING
New Business

Nothing at this time.

CEMETERY/REAL ESTATE

Old Business

Lynn Whittlesey updated the Board on the Townhall water well. It was bailed out last week; chunks of rust were pulled out and the well is on borrowed time. Eventually it will need to be abandoned and a new one drilled; but again there is time. The pump was good and not silted; chlorine was run through the lines and all is working.

Resident Martha Brevard asked is the water was tested.

Lynn Whittlesey stated no that is not mandated.

Resident Jim Conley asked if the well was combined with the garage.

Lynn Whittlesey stated yes, Townhall and Garage are the same but the Historical Society is separate.

Lynn Whittlesey stated that Pauli Electric completed the light fixes around the Townhall and stated that BC-22 will cover the invoice when received.

CEMETERY/REAL ESTATE

New Business

John Kovacich reported to the Board that the back stop at the Park that had been donated by the Lions Club had been trashed by a large rock that was located by the Road Crew while they were mowing (rock avoided by mower, when crew moved rock they noticed the damaged back stop) in addition the basketball hoop has been stolen.

Dan Derreberry asked if the damage has been cleaned up.

John Kovacich stated he was unsure, but thought it had been. John recommended that fencing be considered if we receive the grant.

Resident Rebecca Whittlesey recommended that if it were to be moved closer to the road she believes there would be less damage.

Trustees signed the minutes from the September 10th, 2013 meeting.

ADMINISTRATION

Old Business

ADMINISTRATION

New Business

Fiscal Officer Shawn Renee Miller stated that a Resolution for Ohio's Cooperative Purchasing Act authorizing Shawn Renee Miller to participate in State Contracts needed to be signed. The prior one listed prior Fiscal Officer Tracy Magrell. This information came about due to information received from an email regarding the Verizon Wireless discount available; currently at 18% however that a revised contract was made available at the end of 2012 increasing the discount to

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23% for the AFD account/invoices. The updated contract has been applied to the Verizon Contract effective 9/30/2013. However the resolution needs to be approved for formalities.

John Kovacich moved to adopt Resolution #27-2013 as follows:

RESOLUTION ADOPTED

The Board of Trustees of Atwater Township, Portage County, Ohio met at a regular session, on October 8, 2013 at the Township Hall, with the following members present,

Dan Donohery Lynn Whittlesey John Kovacich (Chairman)

John Kovacich moved for the adoption of the following resolution.

WHEREAS, Ohio's Cooperative Purchasing Act, (A.M. Sub. H. B. No. 100) as signed into law on December 4, 1985, and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the state of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purpose of supplies, services, equipment and certain materials; now therefore,

BE IT ORDAINED BY ATWATER TOWNSHIP

Section 1 That Fiscal Officer Shawn Renee Miller hereby requests authority in the name of Atwater Township to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, equipment, and certain other materials pursuant to Revised Code Section 125.04.

Section 2. That Shawn Renee Miller is hereby authorized to agree in the name of Atwater Township to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of Atwater Township's participation in the contract. Further, that Fiscal Officer Shawn Renee Miller does hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to nonmembers of the Coop for the purpose of avoiding the requirements established by ORC 125.04.

Section 3. That Fiscal Officer Shawn Renee Miller is hereby authorized to agree in the name of Atwater Township to directly pay the vendor, under each state contract in which it participates for items it receives pursuant to the contract, and Fiscal Officer Shawn Renee Miller does hereby agree to directly pay the vendor.

Shawn Renee Miller second the motion, and the roll call was called on the question of its adoption. The vote was as follows.

John Kovacich Treasurer 5, 2013

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at 1219 St. Rt. 183 in Atwater, Ohio

Held _____ on October 8th 2013

Roll Call Vote: Dan Derreberry ~ Yes Lynn Whittlesey ~ Yes John Kovacich ~ Yes

X [Signature]
Trustee

X [Signature]
Trustee

X [Signature]
Fiscal Officer

Resolution # 87303, October 8, 2013

John Kovacich brought up the Emergency Sirens; will be inviting Craig to a monthly meeting in the near future.

- John Kovacich requested a motion to approve BC 38-2013 for Road Department Annual Clothing Allowance in the amount of \$1,300 (\$650.00 each); Dan Derreberry second. Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ abstained, John Kovacich ~ yes; motion carried and BC signed.
- Shawn Renee Miller requests motion to appropriate Receipts #231 thru 242-2013 totaling \$39,382.46 as of 10/08/2013. Lynn Whittlesey moved to approve, John Kovacich 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 Electronic Voucher #91-2013 thru 93-2013 totaling \$6,635.60. Lynn Whittlesey moved to approve;

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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 #32080 thru 32093 totaling \$45,763.14; 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 Payroll payments via Warrants #32056-32076 totaling \$7,228.72; 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 Road payments via Warrant #32079 totaling \$159.31; John Kovacich moved to approve; Dan Derreberry 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 #32077 thru 32078 totaling \$2,215.33; John Kovacich moved to approve; Dan Derreberry second. RCV: Dan Derreberry – Yes; Lynn Whittlesey – abstained; John Kovacich– Yes. Motion carried.

Announcements

- AFD Pancake Breakfast this Sunday 10/13 8:00AM till noon
 - Knights of Columbus holding an event in November
 - United Methodist Church November 2nd Harvest Supper
- Jim Donovan reminded everyone that KJ's has made his electronic sign at the road available to anyone that stops in to see him.

Dan Derreberry stated that Mr. Meduri has provided follow-up language for the AFD personnel letters and asked the remainder of the Board if they want to send the letters based on Mr. Meduri's recommendation via email.

Lynn Whittlesey moved to go into Executive Session regarding the AFD Personnel Letters regarding training reimbursement. John Kovacich second; Roll Call Vote: Dan Derreberry ~ yes, Lynn Whittlesey ~ yes, John Kovacich ~ yes. Motion carried and Board adjourn to Executive Session at 8:30pm

At 8:44pm John Kovacich moved to return to regular session; Lynn Whittlesey second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried.

Lynn Whittlesey explained that after some debate, Lynn Whittlesey moved to approve Resolution 28-2013 allowing Dan Derreberry to send the letters as written to the AFD personnel requesting reimbursement for AFD paid training. John Kovacich second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried. Fiscal Officer Shawn Renee Miller asked if these letters were being sent Regular or Certified Mail; Dan Derreberry stated Regular.

John Kovacich moved to pay the bills at 8:47pm; Dan Derreberry second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried.

Lynn Whittlesey moved to return to regular session at 8:48pm; 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 8:49pm; Dan Derreberry second. Roll Call Vote: Dan Derreberry-yes, Lynn Whittlesey-yes, John Kovacich-yes. Motion carried.

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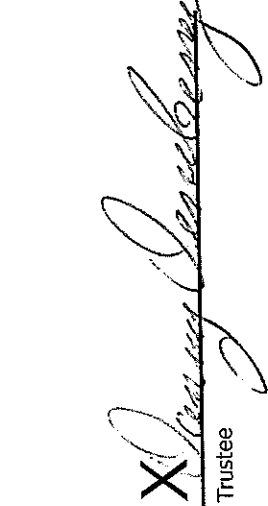
on October 8th 13

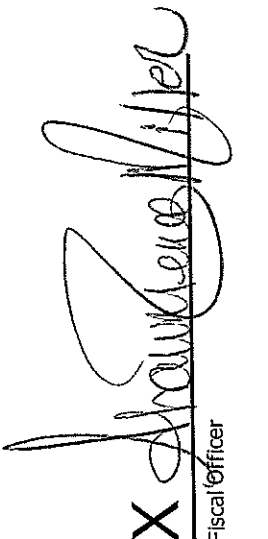
Held

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X  Trustee

X  Trustee

X  Trustee

X  Fiscal Officer