

REGULAR MEETING

DAYTON LEGAL BLANK, INC., FORM NO. 1014F

Held

DECEMBER 9, 2008

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The Atwater Board of Trustees held their regular meeting on December 9, 2008 at 7:00 pm at the Atwater Town Hall located at 1219 St Rte 183 Atwater Ohio.

ATTENDING

Those attending the meeting were James Conley, Dan Derreberry, Rebecca Bennett, Claude Custer, Martha Bevard, Maggie Kane, James Donovan, John Kovacich, Ron & Emma Stanfield, Maxine Knapp, Bonnie and Mike Bowker, Don DeCrane, Mel Russell, Linda Whittlesey, Lynn Whittlesey, Beckie Whittlesey, Walter & Peggy Baine.

CALL TO ORDER

Chairman Derreberry called the meeting to order at 7:00pm. Roll call Cindy Werab absent, James Conley yes, Dan Derreberry yes. All board members present where given financial reports by the Fiscal Officer.

MINUTES

The minutes of the previous meeting held on November 17, 2008 was read by Fiscal Officer, Rebecca Bennett.

Motion by James Conley, second by Dan Derreberry to approve the minutes as read. Roll call Jim yes, Dan yes. Motion carried.

INTER-FUND TRANSFERS

Fiscal Officer requested the inter-fund transfers of the following.

\$1,500.00 from 2031-330-360-0000 to 2031-330-323-0000

\$150.00 from 1000-120-341-0000 to 1000-110-410-0000

\$850.00 from 1000-120-341-0000 to 1000-110-599-0000

Motion by James Conley, second by Dan Derreberry to approve the necessary inter-fund transfers. Roll call Jim yes, Dan yes. Motion carried.

Motion by James Conley, Second by Dan Derreberry to reimburse Rebecca Bennett \$42.00 for postage. Roll call Jim yes, Dan yes. Motion carried.

BILL PAY

Motion by James Conley, Second by Dan Derreberry to pay the bills as written. Roll call Jim yes, Dan yes. Motion carried.

I, Rebecca Bennett, Fiscal Officer do hereby certify there are ample funds to pay the bills as written. A Payment Register for the current bills being paid at this regular was posted for public view.

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Warrant Number	Type	Date	Vendor/Payee	Amount	Status
27709	PY	12/02/2008	ROBERT BANE - BANE	5441.29	X
27710	PY	12/02/2008	JAMES BOYCE CONLEY - CONLEY	733.96	0
27711	PY	12/02/2008	CINDY MARIE WERAB - CWERAB	677.72	0
27712	PY	12/02/2008	DAVID L. ALLDREDGE - DALLDRIDGE	829.69	0
27713	PY	12/02/2008	ASHLEY R. DAVIS - DAVIS	344.88	0
27714	PY	12/02/2008	DONALD J. DECRANE - DDECRANE	414.46	X
27715	PY	12/02/2008	DANNY DERREBERRY - DERREBERRY	366.97	0
27716	PY	12/02/2008	JOSEPH L. CORBIN - JCORBIN	240.63	0
27717	PY	12/02/2008	JAMES DONOVAN - JDONOVAN	175.76	0
27718	PY	12/02/2008	MELVIN L. RUSSELL - MRUSSELL	540.72	0
27719	PY	12/02/2008	RICHARD E. MYERS - MYERSRICH	404.66	0
27720	PY	12/02/2008	REBECCA LYNNE BENNETT - RBENNETT	578.05	0
27721	PY	12/02/2008	TIMOTHY LYNN WHITTLESEY - TIMOTHY	1,038.86	0
27722	PY	12/02/2008	TINA R. MANN - TMANN	177.10	0
27723	PY	12/02/2008	ROBERT BANE - BANE	441.29	0
27724	PY	12/02/2008	DONALD J. DECRANE - DDECRANE	414.46	0
27725	VW	12/04/2008	LIFE-FORCE MANAGEMENT INC.	194.57	0
27726	VW	12/04/2008	WARREN FIRE EQUIPMENT INC.	5,513.36	0
27727	VW	12/04/2008	BLASIMAN FIRE EQUIPMENT, INC.	142.50	0
27728	VW	12/04/2008	FORT DEARBORN LIFE INSURANCE COMPANY	83.70	0
27729	VW	12/04/2008	DAMON CHEMICAL CO. INC.	296.00	0
27730	VW	12/04/2008	OHIO EDISON COMPANY	481.16	0
27731	VW	12/04/2008	MORTON SALT	5,251.30	0
27732	VW	12/04/2008	TIME WARNER CABLE	89.95	0
27733	VW	12/04/2008	METRO DISPOSAL, LLC-CANTON	153.98	0
27734	VW	12/04/2008	CENTRAL ALLIED ENTERPRISES, INC.	1,150.50	0
27735	VW	12/04/2008	SPRINT	46.78	0
27736	VW	12/04/2008	AT&T	107.32	0
27737	VW	12/04/2008	DOMINION EAST OHIO	570.82	0
27738	VW	12/04/2008	LIFEGAS	164.83	0
27739	VW	12/04/2008	MEDICAL MUTUAL OF OHIO	2,758.48	0
27740	VW	12/04/2008	WALMART COMMUNITY	8.01	0
27741	PY	12/04/2008	TREASURER STATE OF OHIO	216.13	0
27742	PY	12/04/2008	FIRST MERIT BANK	1,252.05	0
27743	VW	12/08/2008	CINDY WERAB	29.54	0
27744	VW	12/08/2008	DANNY DERREBERRY	551.69	0
27745	VW	12/08/2008	TREASURER OF STATE	858.77	0
27746	VW	12/08/2008	TODD SYLVESTER/ K&S AUTO REPAIR	418.70	0
27747	VW	12/08/2008	OHIO EDISON COMPANY	983.98	0
27748	VW	12/08/2008	POWERS OIL COMPANY	915.43	0
27749	VW	12/08/2008	TREASURER STATE OF OHIO	270.17	0
27750	VW	12/08/2008	REBECCA BENNETT	715.13	0
27751	VW	12/08/2008	RECORD PUBLISHING COMPANY	153.16	0
27752	VW	12/08/2008	NATIONAL FIRE PROTECTION ASSOCIATION	150.00	0
27753	VW	12/08/2008	MARLBORO SUPPLY	122.80	0
27754	VW	12/09/2008	SAM WINER MOTORS INC.	216.66	E
27755	VW	12/09/2008	REASTAND AUTO PARTS	39.65	E
27756	VW	12/09/2008	PUBLIC EMPLOYEES RETIREMENT SYSTEM	17.77	E
27757	PY	12/09/2008	PUBLIC EMPLOYEES RETIREMENT SYSTEM	3,202.09	E
27758	VW	12/09/2008	GALLS INC.	351.75	E
				Subtotal:	30,615.50
				Adjustments:	0.00
				Total Amount Pending for Accounting:	625.83
				Total Amount Pending for Payroll:	3,202.09
				Total:	\$34,443.42

Motion by James Conley, Second by Dan Derreberry to back into regular session. Roll call Jim yes, Dan yes. Motion carried.

Fiscal Officer reported 2 "now and Then Purchase orders" were requested by the Road and Bridge dept for repair of Township Trucks one for an alternator and battery from Alliance Automotive for \$373.17 and one a starter motor from Alliance Automotive for \$337.21.

FIRE DEPARTMENT

Chief Russell gave the fire department report for the month of November. 1- structure fire, 9- transports to Robinson, 4- transports to other facilities, 1- other incident and 1- mutual aid given. A total of 16 calls for the month.

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Chief Russell also stated he has looked into the purchase of inquired a flag pole to replace the present pole at the Fire Dept. The best and lowest price he found was at Flag Poles Etc. for \$968.00 this includes all hardware and shipping, with the exception of the flag.

Motion by James Conley, Second by Dan Derreberry to approve the purchase of a flag pole from Flag Poles etc for \$968.00. Roll call Jim yes, Dan yes. Motion carried.

Don DeCrane presented the board with the following purchase order requests for their review and approval.

Motion by Jim, second by Dan to approve the purchase of a power jet siphon for truck 1115 from Fire Safety U.S.A. for \$150.00 plus shipping. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of boots, female fitting for truck 1115, safety vests and reset clips from Warren fire for \$1,661.50 plus shipping. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the expenditure for hydro testing and seal replacement if necessary for SCBA bottles from Warren Fire for \$900.00. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to reimburse the fire dept \$150.00 for their drug license for 2009. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to reimburse the fire dept \$29.59 for postage and office supplies. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of 6-80# bags of softener salt and 5-5gal bottles of spring water from Portage Salt & Supply for 106.35. Jim Conley asked the dept to consider replacing the unit due to the amount of salt being used at the station. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of (3) EZ-IO 15 gage needles from Nightingale- Alan for \$297.00 plus shipping. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the expenditure of \$75.00 for dues to Ohio State Fire Fighters Assoc. for 2009. Roll call Jim yes, Dan yes. Motion carried.

The request for 23 embroidered winter coats was made. Jim asked to table this request until the next year for system roll over. Don stated they would like to have them for winter and that the order would take a while to be completed.

Motion by Jim, Second by Dan to approve the purchase of 23embroidered winter coats from Embroider Me for \$2130.00. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of 2 stream light batteries from Blaziman Fire Equip. for \$ 57.90 plus shipping. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of yard clothe tape, case of IO11 peds NRR, package of pen lights, and various batteries from EMP for \$177.11. Roll call Jim yes, Dan yes. Motion carried.

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Motion by Jim, Second by Dan to approve the expenditure of \$320.00 for John Kline to attend Fire Fighter Courses at Maplewood Career Center. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to reimburse the Fire Dept. \$62.42 for postage and paramedic entrance exam fees for Don DeCrane and Ashley Davis. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to reimburse Don DeCrane \$41.00 for mileage for travel to RMH on 11/12, RMH CE on 11/19, Town hall-Auditing meeting on 11/20, Wal-mart & K&S auto repair on 11/24. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to reimburse Don DeCrane \$26.24 for mileage for travel to Lowes on 11/10, Staples on 11/11 and Staples on 11/12. Roll call Jim yes, Dan yes. Motion carried.

EXECUTIVE SESSION

Motion by Jim, Second by Dan to go into executive session to discuss personnel with the fire dept. Roll call Jim yes, Dan yes. Motion carried. (7:40pm)

Motion by Jim, Second by Dan to go back into regular session. Roll call Jim yes, Dan yes. Motion carried. (8:03pm)

Fiscal Officer handed the board outstanding EMS bills from Life Force recommended for collections. The board waived all, due the patients being Atwater residents.

FUEL

Dan Derreberry stated after reviewing the usage and cost of Diesel and gas used by the township, Powers Oil is the cheapest and will provide the services for automatic filling of the tanks.

Motion by Dan, Second by Jim to purchase fuel for township vehicles from Powers Oil. Roll call Jim yes, Dan yes. Motion carried.

EMERGENCY DISPATCHING SERVICE

Chairman Derreberry stated after reviewing dispatching services of Nimishillen and Ravenna, based on service Nimishillen provides, they will benefit the community more so than Ravenna. Their fee is \$34.00 per incident. They use radio wave instead of Phone lines. In case of the phone lines go down, the alert will still get to the volunteers.

Motion by Dan, Second by Jim to approve the expenditure for the set up fee including antenna base and labor not to exceed \$3000.00. Roll call Jim, Dan yes. Motion carried.

FUEL PUMPS

Chairman Derreberry stated in order to keep better records of fuel usage by the different departments in the township Powers Oil suggested using separate pumps for each department. The cost of adding 2 more pumps to the fuel tanks is \$600.00 for both tanks.

Motion by Dan, Second by Jim to have two additional pumps installed on the fuel tanks. Roll call Jim yes, Dan yes. Motion carried. Fiscal Officer asked the board which departments will this expenditure be made from. The board answered the cost will be split between the two departments that use the fuel.

Lynn Whittlesey stated the Fire Department paid for the system that is there now.

Rebecca Bennett stated their is a resident that has requested the township to sign off on an Insurance check he received from a lawsuit pertaining to an automobile accident. The bills he paid was for EMS services, the prosecutors office has advised to sign the check, if the records indicate the amount paid equals the amount of the check. However the

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Records for this revenue are not clear as to whom the revenue was received from. The reports have the amount received and what fund it was entered into. These checks came in July and June of 2007. I am currently working with life force to clear this matter up. She also informed the board that volunteers would need to be appointed for the 2009 VFFDF Board.(Idemnity board)

Beckie Whittlesey asked, do you know who the Idemnity board is now. Rebecca replied yes it's a matter of record.

John Kovacich replied Tim Whittlesey, Walt Bainey, Pete Royer, Daryl Lehman and I.

PURCHASING POLICY

RESOLUTION 11-2008

Whereas: The board of trustees of Atwater township having finding it necessary for the need to improve financial management and measures; and
 Whereas: to remain in compliance with Ohio Revised Code section 5705.41(D).
 Therefore, be it resolved the Atwater Board of Trustees do hereby adopt the purchasing policy of Atwater Township.

Ohio Revised Code section 5705.41(D) states no orders or commitments involving the expenditure of public monies are to be made unless there is a certificate from the Fiscal Officer that the amount for the order or contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

Before expenditures and or commitments are made the following procedure is to be followed, by all departments of Atwater Township.

- Complete a purchase requisition, with name of business purchase is to be made from, item or items to be purchased and cost of purchase.
- Submit purchase requisition to the Fiscal Officer 2 business days prior to a public meeting.
- Fiscal Officer will then certify if the funds for the requested purchase is available and free of any previous encumbrances.
- After reviewing expenditure accounts and actual revenue available the Fiscal Officer will generate a Purchase Order and assign a purchase order number for the purchase requisition.
- The Purchase requisition with the Purchase order number will then be presented by the department, to the board of Trustees at a public meeting for their review.

Even though the expenditure may be within the appropriation the entity may be experiencing cash flow problems. When and if this occurs management is to prioritize their commitments.

Emergency purchases and or commitments are exceptions; however, these exceptions should be used with discretion. A "Now and Then" purchase order is required for these exceptions.

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EMERGENCY PURCHASING POLICY

Before emergency expenditures and or commitments are made the following procedure is to be followed by all departments of Atwater Township.

- Contact the assigned Trustee Liaison for your department. If the liaison for your department is not available contact the chair person of the Board of Trustees.
- The contacted Trustee will approve or disapprove the emergency expenditure not to exceed \$2,750.00
- The Trustee will contact the Fiscal Officer to generate a "now and Then" purchase order.

Any Emergency expenditure of public monies over the amount of \$2,750.00 requires a full quorum vote of the elected Board of Trustees of Atwater Township an "Emergency Meeting" is to be called to order.

Blanket Certificates (BC) may be issued to departments for common expenditures and or commitments. A blanket certificate is to be used only for purchases and departments in which it is intended.

- BC's are valid for 90 days
- BC's encumber available funds for that expenditure account
- A receipt for all expenditures for a BC is to have the BC number issued, written on the receipt and signed by the employee.
- Receipts are to be submitted to the Fiscal Officer within three (3) business days

These policies are to ensure control measures and accountability of all public monies as required by law. If these procedures are not followed, this can constitute an illegal expenditure. A noncompliance citation could be issued by the state auditor, and the employee responsible for the expenditure and or commitment may be held for liable for that expenditure.

Motion by Dan, Second by Jim to adopt Resolution 11-2008. Roll call Jim yes, Dan yes. Motion carried.

CREDIT CARD POLICY

RESOLUTION 12-2008

Whereas: The Atwater Board of Trustees deems it necessary to monitor the expenditures of credit cards issued under agreement with Atwater Township, and

Whereas: to ensure accountability of authorized personnel for commitments involving the expenditure of public monies, and

Therefore: be it resolved. The Atwater township Trustees do hereby adopt the Credit Card Policy of Atwater Township.

Atwater Township makes available township credit cards for township related purchases. Authorized employees are to use their township provided credit cards for board approved expenditures according to the townships purchasing policies.

This policy is developed to ensure that all credit cards issued under agreement with Atwater Township are properly used to:

- Serve legal expenditures of public monies
- Ensure accountability of all township credit card purchases
- Adequately monitor credit card expenditures by management for Ohio Revised Code compliances

All credit card receipts are to be signed by the authorized employee and include the department name for which the purchase was made and Purchase Order or Blanket Certificate number assigned for that expenditure. All receipts are to be submitted the Fiscal Officer within three (3) business days after the purchase is made.

LOST OR STOLEN CREDIT CARDS

IN THE EVENT A TOWNSHIP CREDIT CARD IS LOST OR STOLEN
THE EMPLOYEE IS TO CONTACT THE FISCAL OFFICER
IMMEDIATELY

The authorized employee is solely responsible for proper use of all township credit cards issued to their department. Any unapproved expenditures will be reimbursed to the township by the authorized employee credit card holder.

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Motion by Dan, Second by Jim to adopt Resolution 12-2008. Roll call Jim yes, Dan yes. Motion carried.

ZONING

Bob Bane or Jim Donovan had nothing to report at this time.

ROAD DEPARTMENT

Jim Conley reported the need to repair road department trucks, they have had numerous breakdowns and had to replace an alternator, battery, starter motor and now the flywheel is bad and needs to be repaired.

Motion by Jim, Second by Dan to approve the purchase of 3- 80# bags of walkway salt from Edinburg Hardware for \$25.62. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of D batteries not to exceed \$18.00. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of 304 crushed stone from Lafarge not to exceed \$200.00. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to approve the purchase of 50 tons of road salt from Morton Salt for \$3500.00. Roll call Jim yes, Dan yes. Motion carried.

CEMETERY REPORT

No cemetery report at this time.

RECORDS COMMISSION

Motion by Dan, Second by Jim to schedule a records commission meeting for December 22, 2008 at 5:30pm at the Atwater town hall, with the regular trustees meeting to immediately follow. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to reimburse Jeff Mann for EMS training and testing. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to give the fire department \$350.00 for use of a Christmas Holiday Party. Roll call Jim yes, Dan yes. Motion carried.

Motion by Jim, Second by Dan to treat the zoning board, zoning board of appeals and Road crew to a meal for the Christmas Holiday not to exceed \$250.00. Roll call Jim yes, Dan yes. Motion carried.

Motion by Dan, Second by Jim to approve the transfer of funds suggested by the State Auditor, \$559.52 from the fire fund to the general fund and \$18.43 from the general fund to the road and bridge fund. Roll call Jim yes, Dan yes. Motion carried.

NEW BUSINESS

Ron Stanfield represented the Historical Society and requested the boards support in establishing a memorial for the men and children who died in the coal mine fire in Atwater Township of 1872. He stated all the people that died are buried in the Atwater Cemetery and would like the township to work with the Historical Society to honor them.

Lynn Whittlesey stated the board had already fudged the purchasing policy. He then inquired about the newspaper publication for the donated equipment for the fire department. He then stated that at the last regular meeting the trustees was in a rush and no minutes were read or provided. Rebecca Bennett stated at the last meeting she was not aware the trustees would waive the reading of the minutes so I was not prepared by

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Having extra copies made. There are minutes or that meeting posted on the bulletin board right now.

Chief Russell stated he was working on the news paper publication.

Motion by Jim, Second by Dan to adjourn. Roll call Jim yes, Dan yes. Motion carried. (9:00pm)

Danny Ambrose

James Conley

Rebecca Bents