

September 20, 2006

The Madison Township Board of Trustees met this day in regular session at 7:00 PM. The meeting was called to order by the President, Dwight Walter, with the pledge of allegiance to the flag.

ROLL CALL: Robert J. Ward-Present, Dwight Walter-Present, Alan Daniel-Present, Amy Schenck-Present.

ITEM 2006- 126 - MINUTES

Mr. Daniel moved, Mr. Ward seconded to approve the minutes as presented. Vote: Ayes: Mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved.

Public Comments

Butler County Mental Health Board provided information concerning the upcoming levy and the services that the agency provides.

Rob Beckett commended the road crew for the great job that they do everyday. Mr. Beckett stated that he would support the annual raises for the entire crew.

Bill Hickman spoke about the fact that his taxes have increased over the years.

Connie back expressed her opinion about the importance of public comments at the meetings.

ITEM 2006- 127 - CLERK/ TREASURER REPORT

Mr. Ward moved, Mr. Daniel seconded to approve the Clerk/ Treasurer Report for the month of August 2006 as presented. Vote: Ayes: Mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved.

The Trustees discussed the specifics about the proposed motor vehicle policy concerning how many points /moving violations would be acceptable and the consequences for exceeding the set limits, the use of personal vehicles used to pull trailers and under what conditions, vehicle inspections for the fire department, and what provisions would be in place for the current members.

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ITEM 2006 - 128 - MOTOR VEHICLE POLICY

Mr. Daniel moved, Mr. Ward seconded to accept the following motor vehicle policy.

Motor Vehicle Operators Policy

Motor vehicle operation represents one of the largest liability exposures. All employees who regularly operate member vehicles or their personal vehicles to conduct member business as a condition of their employment should be required to provide a copy of their current driver's license, copy of their declarations page or pocket insurance card if they are operating their private vehicles to conduct member business, and submit to a motor vehicle records review (MVR). The review shall be considered confidential, and a file of MVR's shall be maintained by the personnel or human resources department. Safe driving practices protect the employee, fellow employees and citizens of the community. The employee, fellow employees and citizens of the community could be affected anytime an employee operates a private or public vehicle to conduct member business.

PURPOSE

To ensure that an acceptable standard of performance and safety is met by all employees who operate their private or public vehicles to conduct member business.

SCOPE

This policy applies to all member employees who regularly operate motor vehicles, except for elected city officials. Whenever the provisions of this policy are in conflict with the Ohio Revised Code or with collective bargaining agreements, then provisions of the Ohio Revised Code or collective bargaining agreements will prevail.

MINIMUM QUALIFICATIONS FOR THE OPERATION OF MEMBER-OWNED MOTOR VEHICLES AND PRIVATELY OWNED MOTOR VEHICLES WHILE CONDUCTING MEMBER BUSINESS

1. Personal vehicles may be used for official member business with prior approval. Employees using their personal vehicles will be reimbursed at the prevailing rate.
2. All employees whose duties require the operation of a member-owned motor vehicle or who operate a privately owned motor vehicle while conducting member business as a part of their employment must possess a valid state driver's license and a safe-driving record.
3. Employees who regularly operate vehicles on member business shall submit to a motor vehicle record (MVR) review prior to employment and thereafter on a regular basis. If the MVR review indicates violations in excess of the recommended guidelines, the applicant or employee may be required (at the member's discretion) to complete defensive driving training based upon the seriousness of the violations. If a disability or health-related reason caused the adverse driving record, the employer will consider such information and may use such information in making reasonable accommodation decisions.

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4. Employees operating member-owned motor vehicles or privately owned vehicles while in addition to using common sense and good judgment. If during the course of employment, an employee exhibits a disregard for acceptable safe-driving procedures, the member may deny future authorization to operate a vehicle while representing the member.

5. Any employee who operates a privately owned vehicle to conduct member business is required to maintain automobile liability insurance coverage's on their privately owned vehicle of at least _____ in accordance with the State of Ohio liability recommendations. Employees who do not maintain minimum liability coverage will not be allowed to operate their privately owned vehicle for member business.

6. Any employee performing work which requires the operation of a member vehicle or private vehicle on member business is required to report to the employee's supervisor or risk management director of his or her license is allowed to expire, is suspended or revoked. Any employee who fails to report such information is subject to disciplinary action.

REQUIREMENTS

Due to liability exposures of operating a motor vehicle while on member business, it is recommended that employees provide a copy of their driver's license, verification of insurance, and submit to a motor vehicle record review (MVR).

1. Valid Drivers License

All employees driving member vehicles or their own vehicles on member business shall possess a current, valid Ohio Driver's license of the appropriate type.

2. Vehicle Liability Insurance Coverage

All employees who are required to operate their private vehicles to conduct member business shall provide verification of insurance to meet the recommended liability limits.

3. Motor Vehicle Records Review (MVR)

All employees are required to submit to a motor vehicle records review initially and on a regular basis, preferably annually.

RECOMMENDED MOTOR VEHICLE RECORD (MVR) GUIDELINES

1. No more than three convictions for moving traffic violations within any 12-month period

2. No more than three moving traffic violations that contribute to accident within any 12-month period.

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3. Conviction of any traffic violation that is defined as serious by Ohio Code.

4. No DUI's (Driving under the influence) within five years.

Employees who are convicted for moving traffic violations equal to or exceeding the recommended guidelines may be subject to personnel action to include defensive driving courses, to be paid for by the township one time, or suspension of member driving authorization. If employee refuses or fails course this action will be reviewed by Trustees and may be subject to termination.

The member's board of supervisors, council or commission may require employees who drive on member business to attend driver's training whenever the aforementioned determines the training to be necessary, even though guidelines have not been exceeded. More than three violations will be reviewed by the Trustees and may be subject to termination.

All current employees, members of the volunteer fire department and life squad will be covered by a grace period excusing any violations for the previous year., prior to the adoption of this policy.

GENERAL DRIVING RULES AND REGULATIONS

POLICIES

Overview

As a Madison Township employee, you are constantly in the public eye. Every time you drive a vehicle or piece of equipment in the performance of your duties, you are representing Madison Township. You are not only responsible for your security but the safety and security of citizens and visitors to Madison Township. As a result, all Madison Township drivers are required to exercise the utmost care and caution while operating a motor vehicle. Employees who regularly or occasionally operate Madison Township or personally owned vehicles while in the employment of the Madison Township are required to abide by all applicable State laws in addition to these rules and regulations.

Definitions

Vehicle - Unless otherwise specified, a vehicle is any automobile, truck or piece of equipment allowed to operate on the streets and highways of the State, whether licensed or not.

Assigned Vehicle - A vehicle that is provided to a particular employee. The employee is considered the principal driver of the vehicle and may or may not use the vehicle to commute to and from work or otherwise operate the vehicle after normal business hours.

Driving Record Acceptability

Any employee who drives a Madison Township or personal vehicle while in the employment of the Madison Township Board of Trustees whose driving record shows any one of the following conditions will be considered to

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have an unacceptable driving record and will not be permitted to drive until his/her record no longer exhibits one of the criteria listed below.

1. Three or more serious violation(s) in the last two years.
2. Three or more at-fault accidents in the last year involving a Madison Township owned vehicle where the accident results in property damage in excess of \$2,500

Any employee involved in three or more at-fault accidents within a one year period, or more than four within a two year period (regardless of accident type or monetary loss), will be required to attend a defensive driving course or similar remedial type training. The employee's respective Department will be responsible for ensuring that the employee receives this training within a reasonable time frame, training is documented, and all documentation is forwarded to the Fiscal Officer. More than three moving violations in the last two year period, including traffic citations received as a result of an accident.

3. Any combination of traffic accidents and/or moving violations equaling five or more in the last two years.

Unless otherwise noted above, moving violations include those that involve personal vehicles that are and/or are not being used during employment as well as those that involve Madison Township owned vehicles.

At-fault accidents that occur in an "emergency vehicle" when the vehicle is on an emergency call (e.g. fire fighters driving a fire engine in response to an alarm and police officers responding to a code 3), will be counted only if the accident is determined by an accident review committee to have been "avoidable". The traffic accident committee should be comprised of at least 5 full-time employees of the same department, and represent a variety of ranks within that department. The committee should review each at-fault (unit-1) accident to determine whether the accident was "avoidable". An "avoidable" accident is defined as: "one in which the operator failed to do everything reasonably expected of him/her to avoid the accident".

Serious violations include, but are not limited to driving while intoxicated; Driving while under the influence of drugs; Negligent homicide arising out of the use of a motor vehicle (gross negligence); Operating a vehicle without a license; Using a motor vehicle during the commission of a felony; Aggravated assault with a vehicle; Operating a vehicle without the owner's authority (grand theft); Permitting an unlicensed person to drive; Reckless driving; Speed contest; and Hit and run driving.

General Rules and Regulations

1. Only employees who are included on a Madison Township roster of drivers that shall be considered an attachment to this policy and

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procedures are allowed to drive Madison Township owned or personal vehicles during the course of their employment.

2. Vehicles are to be driven in a manner such as to create a favorable impression to the public. Drivers shall exercise special precautions when:
 1. Children are playing on a roadway, alley, or near the curb
 2. Passing schools or playgrounds
 3. Approaching persons on bicycles
 4. Driving during inclement weather
3. No employee under the age of 18 is allowed to drive Madison Township owned or personal vehicles during the course of their employment.
4. Authorization for temporary/seasonal employees to operate vehicles shall be limited where practical. However, if authorized, these employees must sign the License/Insurance/Maintenance Requirements Form and be approved by The Madison Township Board of Trustees.
5. Vehicle Operators must possess a current Operators license appropriate to the vehicle being driven.
6. Any employee who operates a vehicle on a regular or occasional basis is required to report any license suspension or revocation, including those that result from the operation of personal vehicles, to his immediate superior. Likewise, all accidents or moving violations obtained while driving a Madison Township owned vehicle must be reported to his/her immediate superior. All reportable accidents and/or moving violations shall be forwarded to Fiscal Officer.
7. Drivers will not operate vehicles when under the influence of alcohol or illicit and/or driving impairing drugs.
8. Drivers will use the proper signals when stopping, turning, or slowing down.
9. All drivers will give a pedestrian the right of way.
10. Flasher lights on trucks, cars and equipment should be used as emergency or work conditions require. Flasher lights are not to be used as an excuse to gain the right of way or to break traffic rules.
11. All traffic laws of the State, including signs and speed limits will be obeyed.
10. Employees driving vehicles during their employment are responsible for insuring that the vehicle is properly maintained and in a generally safe operating condition.

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11. Employees shall not transport passengers except for those who are employees of Madison Township or are conducting business with or on behalf of the Madison Township Board of Trustees, except as noted under **Personal Use and Take Home Policy** below.

12. No one is permitted to ride outside the passenger compartment when a vehicle is in motion (except in the case of certain fire engines).

13. Employees driving personal vehicles while in the employment of the Madison Township will maintain primary automobile liability insurance coverage on the vehicle being drive. State required minimum bodily injury/physical damage limits must be maintained. Madison Township is responsible for insuring that employees using their personal vehicles maintain adequate insurance.

14. Personal vehicles will not be used to pull trailers or haul equipment while being used in Madison Township related business, without written permission of the President of the Board of Trustees.

15. Madison Township owned vehicles shall be kept free of having placed on or within any stickers or signs which: indicate any political candidate, party, organization, or theme; are in poor taste; or relate to specific social concerns that may be found objectionable by citizens.

Seat Belts

All employees shall use their seat belts (including shoulder straps) while driving vehicles other than equipment. Employees shall wear seat belts, if provided, when operating equipment. All passengers are required, unless unable to do so, to occupy only those seating positions equipped with seat belts and use them.

Backing

Backing of vehicles should be discouraged given the rate of accidents that take place during this operation. No vehicles should be backed up unless the driver cannot avoid it and he has a clear view of the entire area to be backed into. If such a view is not present, the driver, if alone, will get out of the vehicle and inspect the area to be backed into or, if a second person is in the vehicle, the second person will get out and guide the driver using appropriate hand and/or voice signals.

Vehicle Inspections

All vehicles except personal passenger cars and pick-ups will be inspected at least once each day or, if the vehicle is not used daily, each time before the vehicle is placed into service, but no more than once during a 24 hour period, except with respect to police cruisers that will be inspected before each shift. Personal passenger cars and pick-ups will be inspected on at least a quarterly basis. Inspections will focus on identifying any obvious physical damage, inoperable running lights and horns, loose steering, and inappropriate tire

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condition. Records of these inspections will be maintained. Any deficiency encountered will be reported to the employee's Department Head of designee immediately. It will be the Department Head's responsibility to insure that appropriate action is taken to correct the problem.

Fire Department vehicles will be inspected every two weeks as part of truck duty and records of these inspections will be kept in a log.

Maintenance

All Madison Township owned vehicles are to be maintained according to the manufacturer's specifications. Records of this maintenance activity are to be retained. All personal vehicles driven during the course of employment shall be maintained in a manner that promotes safe travel.

Parking

Madison Township vehicles or personal vehicles driven by Madison Township employees during the course of their employment are not to park in "NO PARKING" zones. No vehicle or piece of equipment is to be left unattended with the ignition key left in the ignition. All vehicles will be locked when parked and unoccupied.

Personal Use and Take Home Policy

Madison Township vehicles are not to be used for personal business except for incidental purposes while used for Madison Township business. For example, an employee may, when commuting between work and home, stop and pick-up or drop off a spouse or child at work or at school, as long as the stop to be made is not significantly out-of-the-way. However, if an employee's personal vehicle is near his work-site, a Madison Township vehicle may not be used for personal errands such as running to the bank or taking people to lunch unless there is a work-related purpose immediately prior to or following the personal errand and it is more time efficient to use the Madison Township vehicle.

Madison Township vehicles that are taken home are not to be used for personal business while housed at the employee's residence unless the employee is on-call and must have ready access to his vehicle. In addition, the Madison Township may grant personal use of marked and unmarked police vehicles and marked fire vehicles within their appropriate jurisdictions.

If an employee is on extended absence from working including injury leave or is on restricted or modified duty and unable to perform on-call duty or work evenings and/or weekends, he will not use the assigned Madison Township owned vehicle until he returns to active on-call or an evening/weekend work schedule.

Special Equipment

Special Equipment such as tractors, fire engines, or any vehicle which has special devices added for specific types of work will require that the driver receive formal instruction prior to usage. This special

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training will comply with all appropriate OSHA, NFPA and DOT Standards and rules and regulations.

1. Explanation and demonstration of all control devices.
2. Explanation and demonstration of all safety equipment.
3. A walk through of all inspection criteria.
4. Demonstration of operation.
5. Supervised new driver operation.

Written documentation of all special training will be retained by the departments.

Proof of Insurance

Each Madison Township owned vehicle should have an insurance card kept in the glove compartment or attached to the driver's sun visor. Missing insurance cards should be reported to the Fiscal Officer. Any employee using their personal vehicle during the course of employment should carry a proof of insurance card. It is the department head's responsibility to ensure all employees using personal vehicles for Madison Township business purposes, complete the Appendix B "Insurance Maintenance Requirement for Personal Vehicle" form once each year, and return to the Fiscal Officer.

PROCEDURES

Driving Record Acceptability

Madison Township will obtain Motor Vehicle Records on all employees on the Madison Township roster of Drivers once every year. These, along with any Uniform Police Traffic Accident and Ohio Uniform Accident Reports will be reviewed by the Township Trustees to determine if any employees on the roster of drivers have an unacceptable driving record. Those who do will be notified in writing by the Administrator using the Notice of an Unacceptable Driving Record form in Appendix A. A copy of the complete form will be sent to the employee's Department Head.

Roster of Drivers

An official roster of drivers that is supplied by the various Department Heads will be maintained by the Fiscal Officer. This document will highlight the number of at-work at-fault accidents, citations and major violations that drivers have had in the last three years. **Only employees whose names appear on this roster are allowed to drive during the course of their employment.**

Departmentally specific sections of this roster will be disseminated to appropriate Department Heads every six months. It is the responsibility of the Department Head to insure that the roster for their particular department remains current and that the Board of Township Trustees is notified of any correction, additions and/or deletions to the list.

Under Driver Type:

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A = Person drives during the course of their employment on more than an occasional basis

B = Person drives occasionally during the course of their employment

C = Person may be required to drive their own personal vehicle for employment purposes.

1 = Person is assigned a Madison Township vehicle that is taken home at night

2 = Person is assigned to a Madison Township vehicle(s) that is not taken home at night

3 = Person has a CDL and is not assigned to a Madison Township vehicle that is taken home at night

General Driving Rules and Regulations

All employees who drive personal vehicles during the course of their employment are required to complete the Insurance/Maintenance Requirements for Personal Vehicles form (See Appendix B) each year and return the form to the Fiscal Officer.

Personal Use and Take Home

The Township Administrator will maintain a list of employees that Madison Township has indicated can take Madison Township owned vehicles home and/or can be used for personal business. The Department Heads are responsible for notifying the Township Administrator so appropriate changes in the list can be made.

Training

Employees who are assigned to a particular Madison Township owned vehicle will be instructed by the Service Department on the operation and general driving conditions of the vehicle before being allowed to initially drive the vehicle. Employees who drive other than private passenger automobiles and pick-up trucks not equipped with special equipment will be trained in the operation of the vehicles in question before being allowed to drive such vehicles. The Department Heads are responsible for insuring such training takes place, and that it is documented.

Driver Training courses will be offered as deemed necessary, and all employees having three "at-fault" accident or three moving violation (received while driving a Madison Township vehicle) within a prior one year period will be asked to attend.

Record Keeping

1. Any Notice of an Unacceptable Driving Record will become part of an employee's personnel file.
2. Motor Vehicle Records and Uniform Police Traffic Accident/Uniform Traffic Accident Reports will be maintained by Madison Township in a central file.

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3. The Roster of Drivers shall be considered a part of these policies and procedures and will be included with them.
4. Signed and dated "Insurance Maintenance Requirement for Personal Vehicle" forms will be maintained by the Fiscal Officer in a central file.
5. The Township Administrator will maintain a list of employees authorized to take vehicles home.

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APPENDIX A

NOTICE OF AN UNACCEPTABLE DRIVING RECORD

TO:

DATE: _

After reviewing your Motor Vehicle Record as supplied by the State and analyzing any accidents within the last three years that you were involved in while driving during the course of your employment, it was determined that your driving record does not meet the standards of acceptability as set down in the Madison Township General Driving Rules and Regulations. As a result, your driving privileges have been suspended until your record once again is acceptable. Given no further moving citations and/or at-work at-fault accidents, it is projected that your record will once again be acceptable on

A copy of this form is being forwarded to the head of your department. A copy will be placed in your personnel file.

If you have any questions concerning the suspension of driving privileges, please do not hesitate to contact me.

APPENDIX B

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INSURANCE/MAINTENANCE REQUIREMENTS

FOR PERSONAL VEHICLES

I, the undersigned, agree, as a requirement for using my personal vehicle during the course of my employment with Madison Township Board of Trustees, will retain automobile liability insurance for bodily injury and property damage on the vehicle that I am driving for a least the minimums required by the State.

I further agree to maintain my vehicle in a safe operating condition.

NAME:

SIGNATURE:

DATE:

ITEM 2006- 129 - APPROVE BILLS

Mr. Daniel moved, Mr. Ward seconded to approve the bills for this period of \$307,438.72. Vote: Ayes: Mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved.

ITEM 2006- 130 - ROAD SIGNING

Mr. Ward moved, Mr. Daniel seconded to approve the road signing for September and forward it to the Butler County Engineer's Office. Vote: Ayes: Mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved.

ITEM 2006- 131 - ACCEPT AMOUNTS AND RATES

Mr. Daniel moved, Mr. Ward seconded to accept the Amounts and Rates as determined by the Budget Commission in its certification:

General Fund	.40	(\$ 80,000.00)	Inside mills
Road & Bridge	.86	(\$ 170,000.00)	Inside mills
Fire	1.00	(\$ 73,000.00)	Outside mills

Vote: Ayes: Mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved.

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ITEM 2006- 132 - CONTINUE IN ENTERPRISE ZONE

Mr. Daniel moved, Mr. Ward seconded to continue in the Enterprise Zone Agreement as recommended by the Butler County Department of Economic Development in reference to the PSI-CINCAP project (Duke Energy)
Vote: Ayes: Mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved.

ITEM 2006 - 133 - APPROVE PURCHASE OF TIME CLOCK

Mr. Ward moved, Mr. Daniel seconded to purchase a time clock, at a cost of \$1,014.00, to be used by the Road Superintendent, Equipment Operators, and the Administrator. Vote: Ayes: Mr. Ward, Nays: Mr. Daniel, Mr. Walter. The motion was not approved.

Communications

Fall appliance, computer & electronics drop off and waste tire recycling event

Saturday, October 21, 2006

9:00am to 3:00pm

Ross High School

3601 Hamilton Cleves Road, Hamilton, Ohio 45013

FREE service to all Butler County Residents

ITEM 2006- 134 - ADJOURNMENT

Mr. Daniel moved, Mr. Ward seconded to adjourn. Vote: Ayes: mr. Ward, Mr. Daniel, Mr. Walter. Nays: None. The motion was declared approved and the meeting closed at 7:55 PM.

Attest - Clerk

Signed - President