

## SHAWNEE TOWNSHIP BOARD OF TRUSTEES MEETING

December 14, 2009

A Regular Meeting of the Shawnee Township Board of Trustees was held in the Shawnee Township Administrative Building, 2530 Ft. Amanda Rd, Lima, Ohio.

Mr. Holly called the meeting to order at 7:30 P.M. A brief moment of silence was followed by the Pledge of Allegiance.

Roll call indicated the following were present: Chairperson Russell Holly, Vice Chairperson Christie Seddelmeyer, Trustee Christi Brown, Road Superintendent Howard Gray, Fire Chief Todd Truesdale, Chief of Police Mike Keith, Fiscal Officer Stephanie Hoffer, and Zoning Inspector John Gosnell. Attorney Clay Balyeat was absent.

### Approval of Minutes

Mrs. Brown motioned for approval of the Minutes of the Board of Trustees Regular Meeting held Nov. 28, 2009, Mrs. Seddelmeyer seconded, and the motion passed 2-0.

### Report of Fiscal Officer

Mrs. Hoffer mentioned that state auditors started early working on Township Records for the year 2008, and that they will finish up 2009 records in February.

The financial statements for the month ending Oct. 31, 2009, were reviewed by the board. Mrs. Brown motioned the statements be approved, Mrs. Seddelmeyer seconded, and the motion passed 3-0.

Mrs. Hoffer reported that the November financial statements have been completed. Real Estate Taxes were higher than what was expected due to over \$70,000.00 in delinquent taxes collected.

Bank balances and earnings as of November 30, were reported as follows:

<u>Bank</u>	<u>Balance</u>	<u>Interest</u>
Fifth Third	1,373,338	134
First Federal	2,109,917	2,354
Union Bank	2,753,678	2,782

A brief discussion was held to make changes with the Fifth Third Account.

### Attorney's Report

No business was reported for this section of the report.

### Trustees Business

RESOLUTION 206-09	APPROVAL OF THEN & NOW PURCHASE ORDER EXCEEDING \$3,000
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BE IT HEREBY RESOLVED that the Shawnee Township Board of Trustees approves the following Then-and-Now Purchase(s):

VENDOR	Then	& Now	Check#	Amount
Frank A. Arvay LEL Services	11/1/09	11/24/09	1458	\$ 3,497.00
Bluffton Paving Inc. 226 Quarry Drive Bluffton, Ohio 45817	11/16/09	12/01/09	1477	\$91,108.00

*(Certify available funds at the time of purchase)*

Mrs. Seddelmeyer motioned to adopt Resolution 206-09, Mrs. Brown seconded, and the motion passed 3-0.  
Roll Call:

Mr. Russell Holly	(yes)
Mrs. Christie Seddelmeyer	(yes)
Mrs. Christi Brown	(yes)

**RESOLUTION 207-09 ACCEPTANCE OF ENTERPRISE ZONE AGREEMENT**

BE IT HEREBY RESOLVED, the Shawnee Township Board of Trustees hereby accepts the Enterprise Zone Agreement with PCS Nitrogen as attached:

Mrs. Brown motioned to adopt Resolution 207-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.  
Roll Call:

Mr. Russell Holly	(yes)
Mrs. Christie Seddelmeyer	(yes)
Mrs. Christi Brown	(yes)

**RESOLUTION 208-09 AUTHORIZATION TO CONTRACT ON BEHALF OF SHAWNEE TOWNSHIP**

WHEREAS, annually the Shawnee Township Board of Trustees passes a resolution authorizing the Chairperson of the Board of Trustees to act upon/sign business contracts on behalf of Shawnee Township, and;

FURTHER, due to the absence of Chairperson Russell Holly, the Board of Trustees hereby approves of Vice Chairperson Chris Seddelmeyer entering into an agreement with Physio-Control, effective 12/3/2009, for the purposes of service agreement.

FURTHER this Resolution shall supersede any current Resolutions pertaining to Contract authorizations.

Mrs. Brown motioned to adopt Resolution 208-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.

Mr. Russell Holly	(yes)
Mrs. Christie Seddelmeyer	(yes)
Mrs. Christi Brown	(yes)

**RESOLUTION 209-09 SETTING OF POLICY FOR IDENTITY THEFT PREVENTION FOR SHAWNEE TOWNSHIP FIRE DEPARTMENT**

The undersigned, being the Board of Trustees of Shawnee Township Fire Department, do hereby adopt, pursuant to the General Corporation Law of Ohio, the following resolution:

**WHEREAS:**

Shawnee Township Fire Department finds that identity theft is a serious problem for healthcare providers in the United States;

In response to the risks posed by identity theft to consumers and to the financial soundness of businesses, the United States Congress enacted the Fair and Accurate Credit Transaction Act of 2003 (FACT Act).

The Federal Trade Commission (FTC), along with federal bank regulators, adopted regulations implementing the FACT Act (the Red Flag Rules) that require creditors to adopt a written Identity Theft Prevention Program.

Shawnee Township Fire Department believes it is a creditor subject to the FTC's Red Flag Rules; and

Shawnee Township Fire Department has developed a written Identity Theft Prevention Program designed to detect, prevent, and mitigate identity theft.

**BE RESOLVED:**

This Board of Trustees hereby approves the Identity Theft Prevention Program submitted.

Assistant Chief Tim Mosher is delegated responsibility for oversight, ongoing development, implementation, and administration of the program and shall have the responsibility to develop periodic updates to the program to reflect changes in risk to customers and to the safety and soundness of the organization.

Mrs. Brown motioned to adopt Resolution 209-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.  
Roll Call:

Mr. Russell Holly (yes)  
Mrs. Christie Seddelmeyer (yes)  
Mrs. Christi Brown (yes)

**RESOLUTION 210-09 SETTING FEE SCHEDULE FOR MEDICAL BILLING**

**BE IT RESOLVED** the Shawnee Township Board of Trustees hereby adopts the following fee schedule to be used by Alpha Medical Billing for the purpose of Shawnee Township's Medical Billing contract on EMS transports:

**2010 Fee Schedule**

A0425	Ground Mileage, per Statute Mile	\$13.75
A0426	Ambulance Service, ALS, Non-Emergent	\$600.00
A0427	Ambulance Service, ALS, Emergent	\$700.00
A0429	Ambulance Service, BLS, Emergent	\$450.00
A0433	Ambulance Service, ALS 2, Emergent	\$850.00

Mrs. Brown motioned to adopt Resolution 210-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.  
Roll Call:

Mr. Russell Holly (yes)  
Mrs. Christie Seddelmeyer (yes)  
Mrs. Christi Brown (yes)

**RESOLUTION 211-09 ACCEPTANCE OF LETTER OF UNDERSTANDING**

**BE IT RESOLVED**, the Shawnee Township Board of Trustees hereby accepts the attached Letter of Understanding between the Shawnee Township Board of Trustees and I.A.F.F Local 2550 regarding changes to Article 18 of the current Collective Bargaining Agreement.

**LETTER OF UNDERSTANDING BETWEEN THE SHAWNEE TOWNSHIP TRUSTEES AND I.A.F.F. LOCAL 2550**

The Trustees of Shawnee Township, Allen County, Ohio and Local 2550 of the International Association of Firefighters, AFL-CIO, hereby agree to the following Letter of Understanding regarding changes in the current collective bargaining Agreement which expires on March 31, 2012, in order to establish generally consistent policies and procedures throughout the Township regarding the accrual and use of sick Leave benefits.

The Parties mutually agree that Article 18, Sick Leave, as contained in the cuurent collective bargaining Agreement, shall be amended as indicated in the proposed article attached to this Letter of Understanding

by adding those words and sections so indicated by bold print and highlighting and deleting those words and sections so indicated by double strike-through.

The parties agree that the attached Article 18 shall become effective immediately upon the date it is adopted and signed by the representatives of both parties.

The parties further agree that any disciplinary actions issued in accordance with Section 18.10 of the Agreement prior to the elimination of that section, shall not be affected by the changes agreed to herein and shall continue in full force and effect in accordance with Section 10.8 of said Agreement.

The parties hereby indicate their agreement of the agreement to the above terms and conditions and the attached Article 18 by placing their signatures on both this Letter of Understanding and the attached article.

Russell E. Holly  
Christi L. Brown

Brady Seddelmeyer  
John Norris

Travis Jackson

Mrs. Brown motioned to adopt Resolution 211-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.  
Roll Call:

Mr. Russell Holly (yes)  
Mrs. Christie Seddelmeyer (yes)  
Mrs. Christi Brown (yes)

RESOLUTION 212-09 APPOINTMENT TO SHAWNEE TOWNSHIP ZONING COMMISSION

BE IT RESOLVED the Shawnee Township Board of Trustees hereby appoints \_\_\_\_\_ to the Shawnee Township Zoning Commission to fill the expiring term of John Gosnell, and;

FURTHER \_\_\_\_\_ term shall expire December 31, 2014.

Mrs. Brown motioned to table Resolution 212-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.

DEPARTMENTAL ACTIVITIES:

FIRE DEPARTMENT

Fire Chief Todd Truesdale

Discussion:

- Public newsletter on website. Safety tips.

POLICE DEPARTMENT

Chief of Police Michael Keith

The monthly activity report for Oct. 2009 for the Police Department, as submitted by Chief of Police Mike Keith, was reviewed by the board. Mrs. Seddelmeyer motioned the Board accept the report, Mrs. Brown seconded, motion passed 3-0. The report is attached and made part of these minutes.

Discussion:

- Training for Investigator T. Barnhill.
- MARC's Radios.

ROAD DEPARTMENT

Road Superintendent Howard Gray

The monthly activity report for Oct. 2009 for the Road Department, as submitted by Road Superintendent Howard Gray, was reviewed by the board. Mrs. Seddelmeyer motioned the Board accept the report, Mrs. Brown seconded, motion passed 3-0. The report is attached and made part of these minutes.

Discussion:

- Leaf pick-up done for the year. Approximately 4,000 cubic yard of leaves were picked up.
- Maintenance-Trucks cleaned up.
- Road Salt in and department is ready for snow.

ZONING

Zoning Inspector John Gosnell.

Mr. Gosnell submitted a Zoning Report for November 9 through December 14, 2009. The report is attached and made part of these minutes.

Permits: Wilma James, 3165 Clifford Dr., Lima Oh Sun room addition

Variances: James & Christine Lewis Setback variance  
1112 Bradford, Lima, Oh in order to build

Pending: Richard Dickerson, 2650 Shawnee Rd., Lima, Oh Rezone to business  
Fifth Third Bank, 2450 Shawnee Rd., Lima, Oh New signs  
Riverwalk, Zurmehly Rd., Lima, Oh Changes to PUD  
Residence, 1251 Forest Dr, Lima, Oh Demolition almost complete

COMMUNICATIONS

- Public Hearing for Postal AMP Study-Lima Senior High School, Jan. 6, 7:30 pm.
- Ohio Township Association Meeting-Sugarcreek Township at 7:00pm.

BILLS

Mrs. Brown motioned the Board approve paying the bills by resolution, Mrs. Seddelmeyer seconded, motion passed 3-0. Roll Call:

Mr. Russell. Holly (yes) Mrs. Christie Seddelmeyer (yes) Mrs. Christi Brown (yes)

AMEND THE AGENDA

Mrs. Brown motioned the board amend the agenda to include Resolution 213-09, and to give privilege of the floor to Amy Cox, 2210 Arcadia Dr., Lima, Ohio. Mrs. Seddelmeyer seconded, and the motion passed 3-0.

RESOLUTION 213-09 REQUEST VACATION CASH IN LIEU OF VACATION TIME OFF FOR THERESA PAXON

WHEREAS, as of Dec. 5, 2009, Fire Department Secretary Theresa Paxon has accumulated and earned 184.61 hours of vacation leave and wishes to be paid in cash 40 vacation hours in lieu of time off;

THEREFORE BE IT HEREBY RESOLVED, that although it is uncustomary per the Shawnee Township Policy and Procedure Manual to permit non bargaining unit employees to cash out any leave balances, the

Township Board of Trustees hereby makes an exception to allow Mrs. Paxon to cash-out 40 hours of the accrued vacation this one time.

Mrs. Brown motioned to adopt Resolution 213-09, Mrs. Seddelmeyer seconded, and the motion passed 3-0.  
Roll Call:

Mr. Russell Holly (yes)  
Mrs. Christie Seddelmeyer (yes)  
Mrs. Christi Brown (yes)

PRIVILEGE OF THE FLOOR

Amy Cox, 2210 Aracadia Ave., Lima, Ohio

- 1. Trash piling up at neighbors house. Amy contacted the Health Department last Friday. Amy asked how do we get them to keep trash cleaned up?

Trustees response: Health Department to respond. Township to find out what the Health Dept. is doing about the problem.

- 2. Who do we address about having entrance walls built at boulevard's entrance?

Trustees response: Amy is to find out who land owners are.

- 3. Who do we contact about getting high fence put up at railroad track to prevent trespassing?

Trustees response: Port Authority.

- 4. Amy questioned the Chief of Police Michael Keith about reports called in, "If someone complains, do police let the person who is being complained about know about the report." Amy referred to past reports related to her neighborhood.

Police Chief's response: Depends on the complaint and the type of report.

- 5. Amy referred to write up in newspaper article about burglary in her neighborhood.

- 6. Complaints about profanity used by neighbors.

ADJOURNMENT

With no further business to be brought before the Shawnee Township Board of Trustees Regular Meeting, Mrs. Seddelmeyer motioned the meeting adjourn, Mrs. Brown seconded, and the motion passed 3-0. Meeting adjourned at 8:35 p.m.

Approval of the Minutes held Dec. 14, 2009

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Russell E. Holly, Chairperson

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Christie A. Seddelmeyer, Vice Chairperson

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Christi L. Brown, Trustee

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Stephanie J. Hoffer, Fiscal Officer