

CHIPPEWA TOWNSHIP TRUSTEES REGULAR

AT TOWNSHIP HALL            7:00 PM            OCTOBER 10,            07

MEETING CALLED TO ORDER AT 7:00 PM WITH PLEDGE OF ALLEGIANCE

ROLL CALL OF MEMBERS:

ROLL CALL: L. BROOME, YES; J. PREBISH, YES; EARL KERR, YES

**APPROVAL OF MINUTES**

MOTION TO APPROVE THE SEPT. 12<sup>TH</sup> & 26<sup>TH</sup> MEETING WITHOUT A PUBLIC READING, AS ALWAYS THE MINUTES ARE AVAILABLE FOR PUBLIC REVIEW.

MOTION MADE BY LENNY BROOME, SECONDED BY EARL KERR

ROLL CALL: ALL AYES

**07-0105-10 CREMATION BURIALS AT THE CEMETERY**

RESOLUTION TO ALLOW ONE CASKET AND ONE CREMATION TO BE BURIED ON A SINGLE PLOT, OR TWO CREMATIONS BURIED ON A SINGLE PLOT. THE CREMATION SHALL BE BURIED ON TOP OF CASKET IN FRONT OF THE HEAD STONE. ALL CREMATIONS MUST BE IN A VAULT.

MOTION TO APPROVE BY LENNY BROOME, SECONDED BY EARL KERR

ROLL CALL: ALL AYES

**07-0106-10 APPROVAL PUBLIC RECORDS REQUEST**

RESOLUTION TO APPROVE THE OHIO TOWNSHIP ASSOCIATION POLICY ON PUBLIC RECORDS TO BE INCORPORATED IN THE EMPLOYEES' POLICY HANDBOOK.

PUBLIC RECORDS POLICY OF CHIPPEWA TOWNSHIP, WAYNE COUNTY INTRODUCTION:

IT IS THE POLICY OF CHIPPEWA TOWNSHIP IN WAYNE COUNTY THAT OPENNESS LEADS TO A BETTER INFORMED CITIZENRY, WHICH LEADS TO MORE TRANSPARENT GOVERNMENT AND SOUNDER PUBLIC POLICY. IT IS OUR POLICY TO STRICTLY ADHERE TO THE STATE'S PUBLIC RECORDS ACT AS WELL AS OTHER STATE AND FEDERAL LAWS.

OHIO'S PUBLIC RECORDS ACT IMPOSES TWO PRIMARY OBLIGATIONS UPON PUBLIC OFFICES:

1. PROVIDE PROMPT INSPECTION OF PUBLIC RECORDS (R.C. 149.43(B)(1)); AND
2. PROVIDE COPIES OF PUBLIC RECORDS WITHIN A REASONABLE PERIOD OF TIME (R.C. 149.43(B)(2)).

THE PUBLIC RECORDS ACT EVOLVED FROM THE PRINCIPLE THAT OHIO'S CITIZENS ARE ENTITLED TO ACCESS THE RECORDS OF THEIR GOVERNMENT. WE AGREE THAT TO ADVANCE THAT PRINCIPLE, THE PUBLIC RECORDS ACT SHOULD BE INTERPRETED LIBERALLY IN FAVOR OF DISCLOSURE.

**SECTION 1. PUBLIC RECORDS**

UNDER OHIO LAW, A PUBLIC OFFICE MAY ONLY CREATE RECORDS THAT ARE NECESSARY FOR THE ADEQUATE AND PROPER DOCUMENTATION OF THE ORGANIZATION, FUNCTIONS, POLICIES, DECISIONS, PROCEDURES AND ESSENTIAL TRANSACTIONS OF THE AGENCY AND FOR THE PROTECTION OF THE LEGAL AND FINANCIAL RIGHTS OF THE STATE AND PERSONS DIRECTLY AFFECT BY THE AGENCY'S ACTIVITIES. (R.C. 149.40).

IN ACCORDANCE WITH THE OHIO REVISED CODE AND COURT RULINGS, "RECORDS" ARE DEFINED AS THOSE ITEMS THAT MEET ALL OF THE FOLLOWING:

1. ANY DOCUMENT, DEVICE, OR ITEM, REGARDLESS OF PHYSICAL FORM OR CHARACTERISTIC, INCLUDING AN ELECTRONIC RECORD (WHICH INCLUDES BUT IS NOT LIMITED TO E-MAIL OR OTHER RECORD CREATED, GENERATED, SENT,

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COMMUNICATED, RECEIVED, OR STORED BY ELECTRONIC MEANS);  
 2. THAT IS CREATED OR RECEIVED BY, OR COMING UNDER THE JURISDICTION OF A PUBLIC OFFICE; AND  
 3. THAT DOCUMENTS THE ORGANIZATION, FUNCTIONS, POLICIES, DECISIONS, PROCEDURES, OPERATIONS, OR OTHER ACTIVITIES OF THE OFFICE. (R.C. § 149.011(G)).

THE DETERMINATION OF WHETHER A SPECIFIC ITEM CONSTITUTES A "RECORD" WILL DEPEND ON THE FACTS AND CIRCUMSTANCES SURROUNDING THE PARTICULAR ITEM REQUESTED. THE OHIO SUPREME COURT HAS IMPOSED AN ACTUAL USE STANDARD IN DEFINING A "RECORD," WHICH MEANS THAT AN ITEM IS NOT AUTOMATICALLY A "RECORD" SIMPLY BECAUSE THE PUBLIC OFFICE COULD (BUT DID NOT) USE A DOCUMENT IT RECEIVED TO CARRY OUT ITS DUTIES AND RESPONSIBILITIES.

FURTHERMORE, A PUBLIC OFFICE IS NOT REQUIRED TO CREATE NEW RECORDS TO RESPOND TO A PUBLIC RECORDS REQUEST, EVEN IF IT IS ONLY A MATTER OF COMPILING INFORMATION FROM EXISTING RECORDS.

**SECTION 1.1**

IT IS THE POLICY OF CHIPPEWA TOWNSHIP IN WAYNE COUNTY THAT, AS REQUIRED BY OHIO LAW, RECORDS WILL BE ORGANIZED AND MAINTAINED SO THAT THEY ARE MADE AVAILABLE FOR INSPECTION TO ANY PERSON AT ALL REASONABLE TIMES DURING REGULAR BUSINESS HOURS. (R.C. 149.43(B)(1)).

COPIES WILL BE MADE AVAILABLE UPON REQUEST WITHIN A REASONABLE PERIOD OF TIME. (R.C. 149.43(B)(1)).

A CURRENT RECORD RETENTION SCHEDULE WILL BE READILY AVAILABLE TO THE PUBLIC UPON REQUEST. (R.C. 149.43(B)(2)).

**SECTION 1.2**

NOT ALL OF CHIPPEWA TOWNSHIP'S RECORDS ARE "PUBLIC RECORDS." CERTAIN RECORDS ARE EXEMPT FROM THE PUBLIC RECORDS ACT. EXEMPT RECORDS INCLUDE RECORDS: (1) THE RELEASE OF WHICH IS PROHIBITED BY STATE OR FEDERAL LAW, OR 2) THAT ARE SUBJECT TO AN EXPRESS EXCEPTION SET FORTH IN OHIO'S PUBLIC RECORDS ACT, WHICH MAY BE RELEASED ONLY IF CHIPPEWA TOWNSHIP DECIDES TO WAIVE THE EXPRESS EXCEPTION.

EXAMPLES OF RECORDS, THE RELEASE OF WHICH IS PROHIBITED BY STATE OR FEDERAL LAW, INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

ATTORNEY-CLIENT PRIVILEGED INFORMATION;  
 RECORDS OF A CERTIFIED PUBLIC ACCOUNTANT OR PUBLIC ACCOUNTANT IN THE PERFORMANCE OF AN AUDIT OF A PUBLIC OFFICE (R.C. 4701.19(B));  
 FEDERAL TAX RETURNS (26 U.S.C. 6103(A));  
 CRIMINAL BACKGROUND INFORMATION AND OTHER LAW ENFORCEMENT INFORMATION ON THE LEADS/CCH/NCIC COMPUTER DATABASE (42 U.S.C. 3789G);  
 RECORDS THAT HAVE BEEN SEALED PURSUANT TO A STATUTORILY AUTHORIZED COURT ORDER (I.E. R.C. 2953.52);  
 PEACE OFFICER'S HOME ADDRESS DURING THE PENDENCY OF A CRIMINAL CASE IN WHICH THE OFFICER IS A WITNESS OR ARRESTING OFFICER (R.C. 2921.24(A)); AND  
 EMPLOYEES' AND THEIR FAMILY MEMBERS RECORDS THAT WERE CREATED FOR PURPOSES OF THE FAMILY MEDICAL LEAVE ACT OR THE AMERICANS WITH DISABILITIES ACT (29 CFR 825.500(G) AND 1630.14(C)(1)).

EXAMPLES OF RECORDS THAT ARE SUBJECT TO AN EXPRESS EXCEPTION SET FORTH IN OHIO'S PUBLIC RECORDS ACT, WHICH MAY BE RELEASED ONLY IF CHIPPEWA TOWNSHIP DECIDES TO WAIVE THE

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EXPRESS EXCEPTION INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

PEACE OFFICER, FIREFIGHTER, EMT, PROSECUTOR, ASSISTANT PROSECUTOR, CHILDREN'S SERVICES WORKER, OR CORRECTIONS OFFICER, RESIDENTIAL AND FAMILIAL INFORMATION (R.C. 149.43(A)(7));

RECORDS THAT PERTAIN TO A PATIENT'S MEDICAL HISTORY, DIAGNOSIS, PROGNOSIS, OR MEDICAL CONDITION AND THAT WERE GENERAL AND MAINTAINED IN THE PROCESS OF MEDICAL TREATMENT (R.C. 149.43(A)(1)(A));

RECORDS THAT CONTAIN INFORMATION THAT WAS SPECIFICALLY COMPILED IN REASONABLE ANTICIPATION OF, OR IN DEFENSE OF, A CIVIL OR CRIMINAL ACTION OR PROCEEDING (R.C. 149.43(A)(1)(G)); AND

RECORDS THAT PERTAIN TO A LAW ENFORCEMENT MATTER OF A CRIMINAL, QUASI-CRIMINAL, CIVIL, OR ADMINISTRATIVE NATURE AND THAT, IF RELEASED, WOULD CREATE A HIGH PROBABILITY OF DISCLOSING ANY OF THE FOLLOWING (1) THE IDENTITY OF AN UNCHARGED SUSPECT, (2) THE IDENTITY OF A CONFIDENTIAL SOURCE, (3) SPECIFIC CONFIDENTIAL INVESTIGATORY TECHNIQUES OR PROCEDURES; (4) SPECIFIC INVESTIGATIVE WORK PRODUCT; OR (5) INFORMATION THAT WOULD ENDANGER THE LIFE OR PHYSICAL SAFETY OF LAW ENFORCEMENT PERSONNEL, A CRIME VICTIM, A WITNESS, OR A CONFIDENTIAL SOURCE (R.C. 149.43(A)(2)).

THE EXEMPTIONS TO THE PUBLIC RECORDS ACT WILL BE NARROWLY CONSTRUED BY THIS OFFICE IN THE FAVOR OF DISCLOSURE. THIS OFFICE MAY SEEK A LEGAL REVIEW PRIOR TO DETERMINING WHETHER OR NOT AN EXCEPTION APPLIES.

**SECTION 2. RECORD REQUESTS**

EACH REQUEST FOR PUBLIC RECORDS SHOULD BE EVALUATED FOR A RESPONSE USING THE FOLLOWING GUIDELINES:

**SECTION 2.1**

ALTHOUGH NO SPECIFIC LANGUAGE IS REQUIRED TO MAKE A REQUEST, THE REQUESTER MUST AT LEAST IDENTIFY THE RECORDS REQUESTED WITH SUFFICIENT CLARITY TO ALLOW THIS OFFICE TO IDENTIFY, RETRIEVE, AND REVIEW THE RECORDS. IF A REQUESTER MAKES AN AMBIGUOUS OR OVERLY BROAD REQUEST OR HAS DIFFICULTY IN MAKING A REQUEST FOR COPIES OR INSPECTION OF PUBLIC RECORDS SUCH THAT THIS OFFICE CANNOT REASONABLY IDENTIFY WHAT PUBLIC RECORDS ARE BEING REQUESTED, THEN THIS OFFICE MAY DENY THE REQUEST. IN SUCH CASE, THIS OFFICE WILL PROVIDE THE REQUESTER WITH AN OPPORTUNITY TO REVISE THE REQUEST BY INFORMING HIM/HER OF THE MANNER IN WHICH RECORDS ARE MAINTAINED BY THE OFFICE AND ACCESSED IN THE ORDINARY COURSE OF THIS OFFICE'S DUTIES. (R.C. 149.43(B)(2)).

**SECTION 2.2**

THE REQUESTER DOES NOT HAVE TO PUT A RECORDS REQUEST IN WRITING, AND DOES NOT HAVE TO PROVIDE HIS/HER IDENTITY OR THE INTENDED USE OF THE REQUESTED PUBLIC RECORD. HOWEVER, THE RECORDS CUSTODIAN MAY ASK FOR A WRITTEN REQUEST AND MAY ASK FOR THE REQUESTOR'S IDENTITY AND/OR INTENDED USE OF THE INFORMATION REQUESTED IF (1) IT WOULD BENEFIT THE REQUESTOR BY HELPING THE PUBLIC OFFICE IDENTIFY, LOCATE OR DELIVER THE RECORDS BEING SOUGHT, AND (2) THE REQUESTOR IS INFORMED THAT A WRITTEN REQUEST AND THE REQUESTOR'S IDENTITY AND INTENDED USE OF THE INFORMATION REQUESTED ARE NOT REQUIRED. (R.C. 149.43(B)(5)).

**07-0106-10 APPROVAL PUBLIC RECORDS REQUEST (CONTINUED)****SECTION 2.21**

THIS OFFICE WILL PERMIT A REQUESTER TO CHOOSE TO HAVE THE PUBLIC RECORD DUPLICATED UPON PAPER, UPON THE SAME MEDIUM WHICH THIS OFFICE KEEPS IT, OR UPON ANY OTHER MEDIUM WHICH THIS OFFICE DETERMINES THAT IT REASONABLY CAN BE DUPLICATED AS AN INTEGRAL PART OF THE NORMAL OPERATIONS OF THIS OFFICE. THIS OFFICE IS NOT REQUIRED TO ALLOW THE REQUESTER TO MAKE THE COPIES OF THE PUBLIC RECORD. (R.C.149.43(B)(6)).

**SECTION 2.3**

PUBLIC RECORDS SHOULD BE AVAILABLE FOR INSPECTION AT ALL REASONABLE TIMES DURING REGULAR BUSINESS HOURS. PUBLIC RECORDS SHOULD BE MADE AVAILABLE FOR INSPECTION PROMPTLY. (R.C.149.43(B)(1)). TO THE EXTENT THAT AN OFFICE MAY OPERATE 24-HOURS-A-DAY, THE RECORDS OF THAT OFFICE WILL BE MADE AVAILABLE FOR INSPECTION DURING NORMAL ADMINISTRATIVE HOURS. COPIES OF PUBLIC RECORDS SHOULD BE MADE AVAILABLE WITHIN A REASONABLE PERIOD OF TIME. (R.C. 149.43(B)(1)). THE DETERMINATION OF THE TERMS "PROMPT" AND "REASONABLE" TAKE INTO ACCOUNT THE VOLUME OF RECORDS REQUESTED; THE PROXIMITY OF THE LOCATION WHERE THE RECORDS ARE STORED; AND THE NECESSITY FOR ANY LEGAL REVIEW OF THE RECORDS REQUESTED.

**SECTION 2.4**

EACH REQUEST SHOULD BE EVALUATED FOR AN ESTIMATED LENGTH OF TIME REQUIRED TO GATHER THE RECORDS. ROUTINE REQUESTS FOR RECORDS SHOULD BE SATISFIED IMMEDIATELY IF FEASIBLE TO DO SO. ROUTINE REQUESTS INCLUDE, BUT ARE NOT LIMITED TO, MEETING MINUTES (BOTH IN DRAFT AND FINAL FORM), RESOLUTIONS, BUDGETS, ETC.

**SECTION 2.5**

UPON REQUEST, THIS OFFICE WILL PROVIDE COPIES OF PUBLIC RECORDS TO A REQUESTER BY UNITED STATES MAIL OR BY ANY OTHER DELIVERY MEANS OR TRANSMISSION THAT THIS OFFICE DEEMS REASONABLE. (R.C. 149.43(B)(7)). THIS OFFICE WILL LIMIT TO TEN THE NUMBER OF COPIES OF PUBLIC RECORDS PROVIDED PER MONTH TO A REQUESTER BY UNITED STATES MAIL, UNLESS THE REQUESTER CERTIFIES IN WRITING THAT HE/SHE DOES NOT INTEND TO USE OR FORWARD THE REQUESTED RECORDS, OR THE INFORMATION CONTAINED IN THEM, FOR COMMERCIAL PURPOSES. (THE WORD "COMMERCIAL" SHOULD BE NARROWLY CONSTRUED AND DOES NOT INCLUDE REPORTING OR GATHERING NEWS, REPORTING OR GATHERING INFORMATION TO ASSIST CITIZEN OVERSIGHT OR UNDERSTANDING OF THE OPERATION OR ACTIVITIES OF GOVERNMENT, OR NONPROFIT EDUCATIONAL RESEARCH). (R.C. 149.43(B)(7)).

**SECTION 2.6**

BY OHIO LAW, THIS OFFICE IS NOT REQUIRED TO PERMIT A PERSON WHO IS INCARCERATED PURSUANT TO A CRIMINAL CONVICTION OR A JUVENILE ADJUDICATION TO INSPECT OR TO OBTAIN A COPY OF ANY PUBLIC RECORD CONCERNING A CRIMINAL INVESTIGATION OR PROSECUTION OR CONCERNING WHAT WOULD BE A CRIMINAL INVESTIGATION IF THE SUBJECT OF THE INVESTIGATION OR PROSECUTION WERE AN ADULT, UNLESS THE JUDGE WHO IMPOSED THE SENTENCE OR MADE THE ADJUDICATION WITH RESPECT TO THE PERSON, OR THE JUDGE'S SUCCESSOR IN OFFICE, FINDS THAT THE INFORMATION SOUGHT IN THE PUBLIC RECORD IS NECESSARY TO SUPPORT WHAT APPEARS TO BE A JUSTIFIABLE CLAIM OF THE PERSON. R.C.149.43(B)(8).

**SECTION 2.7**

THIS OFFICE, IN RESPONSE TO A WRITTEN REQUEST MADE AND SIGNED BY A JOURNALIST, WHICH MUST INCLUDE THE JOURNALIST'S

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NAME AND TITLE AND THE NAME AND ADDRESS OF THE JOURNALIST'S EMPLOYER AND WHICH STATES THAT THE DISCLOSURE OF THE INFORMATION SOUGHT WOULD BE IN THE PUBLIC INTEREST, WILL PROVIDE THE ADDRESS OF THE ACTUAL PERSONAL RESIDENCE OF ANYONE EMPLOYED BY THIS OFFICE AS A PEACE OFFICER, FIREFIGHTER, EMT, PROSECUTOR, ASSISTANT PROSECUTOR, CHILDREN'S SERVICES WORKER, OR CORRECTIONS OFFICER, AND, IF SUCH EMPLOYEE'S SPOUSE, FORMER SPOUSE, OR CHILD IS EMPLOYED BY A PUBLIC OFFICE, THE NAME AND ADDRESS OF THAT PUBLIC OFFICE. (R.C. 149.43(B)(9)).

**SECTION 2.8**

ANY DENIAL OF PUBLIC RECORDS REQUESTED, IN PART OR IN WHOLE, SHOULD INCLUDE AN EXPLANATION, INCLUDING LEGAL AUTHORITY, AS TO WHY THE REQUEST WAS DENIED. IF THE INITIAL REQUEST WAS PROVIDED IN WRITING, THE EXPLANATION FOR DENIAL WILL BE PROVIDED TO THE REQUESTER IN WRITING. (R.C. 149.43(B)(3)). IF PORTIONS OF A RECORD ARE PUBLIC AND PORTIONS ARE EXEMPT, THE EXEMPT PORTIONS SHOULD BE REDACTED AND THE REST RELEASED. IF THERE ARE REDACTIONS, THE OFFICE WILL NOTIFY THE REQUESTER OF ANY REDACTION OR MAKE THE REDACTION PLAINLY VISIBLE. EACH REDACTION SHOULD BE ACCOMPANIED BY A SUPPORTING EXPLANATION, INCLUDING LEGAL AUTHORITY, AS TO WHY THE REDACTION WAS MADE. (R.C. 149.43(B)(1) AND (2)).

**SECTION 2.9**

THIS OFFICE HAS NO DUTY TO PROVIDE RECORDS ACQUIRED AFTER A REQUEST FOR RECORDS IS COMPLETE.

**SECTION 3. COSTS FOR PUBLIC RECORDS**

THOSE SEEKING PUBLIC RECORDS SHOULD BE CHARGED ONLY THE ACTUAL COST OF MAKING COPIES, UNLESS THE COST IS OTHERWISE SET BY STATUTE. (R.C. 149.43(B)(1)). EMPLOYEE TIME SHOULD NOT BE CALCULATED INTO THE CHARGE FOR COPYING A PUBLIC RECORD. HOWEVER, IN THE EVENT THAT CIRCUMSTANCES MAKE IT REASONABLE FOR THIS OFFICE TO HIRE AN OUTSIDE CONTRACTOR TO MAKE COPIES OF REQUESTED RECORDS, THE REQUESTER WILL BE CHARGED THE ACTUAL COST PAID TO THE OUTSIDE CONTRACTOR FOR THE COPYING SERVICE. (R.C. 149.43(F)(2)(A)). THESE CIRCUMSTANCES MAY INCLUDE BUT NOT BE LIMITED TO A LACK OF IN-HOUSE PHOTOCOPYING RESOURCES OR LABOR.

THIS OFFICE HAS NO DUTY TO PROVIDE COPIES OF PUBLIC RECORDS FREE OF CHARGE TO SOMEONE WHO INDICATES AN INABILITY OR UNWILLINGNESS TO PAY FOR THEM.

**SECTION 3.1** THE CHARGE FOR PAPER COPIES IS FIVE CENTS PER PAGE.

**SECTION 3.2**

THIS OFFICE MAY REQUIRE A REQUESTER TO PAY IN ADVANCE THE COST INVOLVED IN PROVIDING THE COPY OF THE PUBLIC RECORD, AS REQUESTED. (R.C. 149.43(B)(6)).

**SECTION 3.3**

UPON REQUEST, THIS OFFICE WILL PROVIDE COPIES OF PUBLIC RECORDS TO A REQUESTER BY UNITED STATES MAIL OR BY ANY OTHER DELIVERY MEANS OR TRANSMISSION THAT THIS OFFICE DEEMS REASONABLE. THIS OFFICE MAY REQUIRE SUCH A REQUESTER TO PAY IN ADVANCE THE COST OF POSTAGE OR COSTS INCURRED FOR OTHER SUPPLIES USED IN THE MAILING, DELIVERY, OR TRANSMISSION. (R.C. 149.43(B)(7)).

**SECTION 3.4**

THERE MAY BE INSTANCES WHEN THIS OFFICE MAY BE ABLE TO PROVIDE COPIES MADE IN-HOUSE WITHOUT DISRUPTING ITS NORMAL FUNCTIONS, BUT ONLY OVER AN EXTENDED PERIOD OF TIME. IN THAT

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INSTANCE, THIS OFFICE MAY OFFER THE REQUESTER THE OPTIONS OF (1) HAVING THE DOCUMENTS PRODUCED THROUGH A FASTER METHOD BY EMPLOYING TEMPORARY PERSONNEL AND EQUIPMENT, (2) USING AN EXTERNAL PRIVATE CONTRACTOR, OR (3) HAVING THE DOCUMENTS PRODUCED IN-HOUSE BY THIS PUBLIC OFFICE'S NORMAL STAFF AND EQUIPMENT IN A LESS EFFICIENT AND MORE TIME-CONSUMING MANNER.

MOTION TO APPROVE BY LENNY BROOME, SECONDED BY EARL KERR,  
ROLL CALL: ALL AYES

**07-0107-10 SEND THE FISCAL OFFICER, DARLENE SMITH & RON BROWNING FOR TRAINING ON PUBLIC RECORDS POLICY**

RESOLUTION TO SEND THE FISCAL OFFICER AND DARLENE SMITH AND RON BROWNING FOR THE TRUSTEES FOR TRAINING ON PUBLIC RECORDS POLICY.

MOTION TO APPROVE BY JEFF PREBISH, SECONDED BY EARL KERR  
ROLL CALL: ALL AYES.

**07-0108-10 AMEND CREDIT CARD USE POLICY**

RESOLUTION TO AMEND THE CREDIT CARD USE POLICY TO BE INCORPORATED IN THE EMPLOYEES' POLICY HANDBOOK.

LIMIT AMOUNT OF \$1,000.00 PER MONTH ON ANY CREDIT CARD.

CARD USERS' DIRECT SUPERVISOR IS RESPONSIBLE FOR ENSURING APPROPRIATE DOCUMENTATION IS SUBMITTED BY THE EMPLOYEE, AND REVIEWING THE DOCUMENTATION TO ENSURE THAT CARD PURCHASES ARE APPROPRIATE, AND APPROVING THE PURCHASES.

THE FISCAL OFFICER IS RESPONSIBLE FOR RECONCILING PAYMENT INFORMATION AND PREPARING PAYMENTS FOR THE CREDIT CARD COMPANY.

ANY MISUSE OF THE CREDIT CARD IS GROUNDS FOR DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION OF EMPLOYMENT AND REFERRAL FOR CRIMINAL PROSECUTION.

THE CARD USER MUST MAINTAIN A USAGE LOG CONTAINING THE FOLLOWING INFORMATION:

- (A) DATE OF USE;
- (B) VENDOR NAME;
- (C) BRIEF DESCRIPTION OF PURCHASE, AND
- (D) DOLLAR AMOUNT.

THE CARDHOLDER MUST IMMEDIATELY NOTIFY HIS OR HER DIRECT SUPERVISOR IF THE CREDIT CARD IS LOST OR STOLEN.

CARD USERS CANNOT PERSONALLY BENEFIT THROUGH ANY TYPE OF AWARDS PROGRAM OFFERED BY THE CREDIT CARD COMPANY, SUCH AS FREQUENT FLYER MILES, REBATES, ETC. ANY SUCH AWARDS ARE TO BE USED FOR THE BENEFIT OF THE TOWNSHIP, NOT FOR THE INDIVIDUAL.

THE CARD USER MUST PRESENT THEMSELVES AS GOVERNMENTAL EMPLOYEES AT THE POINT OF PURCHASE TO ENSURE THAT THE TOWNSHIP IS NOT CHARGED STATE SALES TAX.

THESE POLICIES AND PROCEDURES CANNOT COVER EVERY ISSUE, EXCEPTION OR CONTINGENCY THAT MAY ARISE IN THE USE OF A CREDIT CARD AND, THEREFORE, THE EMPLOYEE MUST USE COMMON SENSE AND GOOD JUDGMENT IN THE USE OF GOVERNMENT RESOURCES TO ASSURE THAT THE CREDIT CARD IS NOT USED FOR ANY PERSONAL BENEFIT, BUT ONLY TO BENEFIT THE TAXPAYERS OF CHIPPEWA TOWNSHIP.

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**07-0108-10 AMEND CREDIT CARD USE POLICY (CONTINUED)**

SPECIFICALLY, CREDIT CARDS MAY NOT BE USED FOR ANY PERSONAL BENEFIT, MAY NOT BE USED FOR THE PURCHASE OF ALCOHOLIC BEVERAGES, PERSONAL SERVICES, CASH ADVANCES, ENTERTAINMENT OR MEDICAL DRUGS.

MOTION TO APPROVE BY JEFF PREBISH, SECONDED BY LENNY BROOME  
ROLL CALL: ALL AYES

**07-0109-10 AMEND TRAVEL POLICY - FREQUENT FLYER MILES**

RESOLUTION TO AMENDING THE TOWNSHIP TRAVEL POLICY REGARDING FREQUENT FLYER MILES ACCUMULATION TO BE INCORPORATED IN THE EMPLOYEES' POLICY HANDBOOK

WHEREAS, THE STATE AUDITOR'S OFFICE HAS SUGGESTED WE AMEND OUR TRAVEL POLICY TO COVER FREQUENT FLYER MILES ACCUMULATION; AND

WHEREAS, FOR THE FIRST TIME THE TOWNSHIP IS RARELY USING AIR FLIGHT AS A MANNER OF TRAVEL ON TOWNSHIP BUSINESS FOR THE FIRE DEPARTMENT AND OTHER TOWNSHIP BUSINESS.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. IF WHILE ON A FLIGHT FOR TOWNSHIP BUSINESS PAID BY THE TOWNSHIP, A TOWNSHIP EMPLOYEE SHOULD ACCUMULATE FREQUENT FLYER MILES ACCUMULATION, THOSE MILES MUST BE ACCOUNTED FOR AND THE FREQUENT FLYER MILES BENEFIT TURNED OVER FOR THE USE OF THE TOWNSHIP FOR PUBLIC BUSINESS.

2. NO FREQUENT FLYER MILES ACCUMULATION BENEFITS EARNED ON FLIGHTS PAID FOR BY CHIPPEWA TOWNSHIP SHALL BE USED FOR PRIVATE OR PERSONAL BUSINESS, BUT MUST ONLY BE USED FOR THE PUBLIC BUSINESS OF CHIPPEWA TOWNSHIP.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

MOTION TO APPROVE BY LENNY BROOME, SECONDED BY EARL KERR,  
ROLL CALL: ALL AYES.

**07-0110-10 AMEND TRAVEL POLICY**

RESOLUTION TO UPDATE THE TRAVEL TO BE INCORPORATED IN THE EMPLOYEES' POLICY HANDBOOK.

WHEREAS, THE TOWNSHIP FISCAL OFFICER AND THE STATE AUDITOR HAVE SUGGESTED AN UPDATE IN THE TRAVEL POLICY FOR THE TOWNSHIP.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. EMPLOYEES AND OFFICIALS SHALL BE REIMBURSED FOR THE EXACT EXPENDITURE INCURRED WHILE ON OFFICIAL CHIPPEWA TOWNSHIP TRAVEL PER DETAILED RECEIPT SUBMITTED BY THE EMPLOYEE.

2. NO ADDITIONAL RESOLUTION WILL BE REQUIRED FOR ANY AMOUNTS UP TO \$15.00 FOR BREAKFAST; \$20.00 FOR LUNCH, OR \$30.00 FOR DINNER.

3. THE TOWNSHIP OCCASIONALLY MUST SEND CHIPPEWA TOWNSHIP OFFICIALS AND EMPLOYEES TO HIGH COST AREAS, SUCH AS WASHINGTON, D. C., IN SERVICE OF THE PEOPLE OF CHIPPEWA TOWNSHIP. THE BOARD MAY, BY RESOLUTION, PASS A WAIVER ALLOWING HIGHER AMOUNTS IN THOSE HIGH COST AREAS.

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4. A DETAILED, ITEMIZED RECEIPT SHOWING THE EMPLOYEES' AND OFFICIALS' EXPENDITURES WITH A DESCRIPTION OF THE ITEM OR SERVICE PURCHASED AND A CORRESPONDING AMOUNT SHALL BE SUBMITTED TO THE FISCAL OFFICER FOR REIMBURSEMENT.

5. DETAILED MILEAGE LOGS OR RECORDS WITH DATES, PURPOSES OF TRAVEL AND DISTANCE SHALL BE SUBMITTED.

6. ALL EXPENDITURES MUST BE FOR THE GENERAL GOOD OF ALL TOWNSHIP RESIDENTS, AND THE PRIMARY OBJECTIVE OF THE EXPENDITURES TO FURTHER A PUBLIC PURPOSE, EVEN IF AN INCIDENTAL PRIVATE END IS ADVANCED.

7. NO PUBLIC FUNDS SHALL BE SPENT {NOR HAVE THEY BEEN SPENT IN THE PAST) FOR ALCOHOLIC BEVERAGES OR TIPS.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:

MOTION TO APPROVE BY LENNY BROOME, SECONDED BY EARL KERR, ROLL CALL: ALL AYES.

**07-0111-10 ADOPT A POLICY FOR THE USE OF TWP. VEHICLES**

RESOLUTION TO ADOPT A POLICY FOR THE USE OF TOWNSHIP VEHICLES TO BE INCORPORATED IN THE EMPLOYEES' POLICY HANDBOOK.

MOTION TO APPROVE BY EARL KERR, SECONDED BY LENNY BROOME WHEREAS, ON OCCASION THE PEOPLE OF CHIPPEWA TOWNSHIP ARE WELL SERVED BY EMPLOYEES HAVING TOWNSHIP VEHICLES AVAILABLE FOR USE ON BEHALF OF THE PUBLIC DURING HOURS BEYOND THE NORMAL BUSINESS DAY; AND

WHEREAS, A POLICY TO GOVERN SUCH VEHICLE USE IS NECESSARY. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP AS FOLLOWS:

1. CHIPPEWA TOWNSHIP VEHICLES MAY BE UTILIZED BY EMPLOYEES WHO ARE ATTENDING MEETINGS OR OTHER ACTIVITIES ON BEHALF OF THE TOWNSHIP. TOWNSHIP VEHICLES WILL ONLY BE USED IN THE COURSE OF THE BUSINESS DAY, EXCEPT UPON, UNDER EXCEPTIONAL CIRCUMSTANCES, BY PRIOR USE OF THE FIRE CHIEF, ROAD SUPERINTENDENT OR CHAIRPERSON OF THE BOARD OF TRUSTEES.

2. TO ENSURE THAT TOWNSHIP VEHICLES ARE USED ONLY FOR TOWNSHIP BUSINESS, THE USER OF EACH VEHICLE WILL MAINTAIN A MILEAGE LOG. THE MILEAGE LOG WILL INCLUDE THE DATE THE VEHICLE IS USED, BEGINNING AND ENDING MILES USED AND REASON FOR USING THE VEHICLE, AND SIGNATURE OF THE EMPLOYEE USING THE VEHICLE. THE TOWNSHIP FISCAL OFFICER WILL BE GIVEN ON THE FIRST OF EACH MONTH A COPY OF THE MILEAGE LOG FOR THE PRIOR MONTH.

3. WHEN DRIVING A TOWNSHIP VEHICLE, EMPLOYEES SHALL REMEMBER THAT THEY REPRESENT THE TOWNSHIP TO OTHER DRIVERS AND PEDESTRIANS. IN COMPLIANCE WITH STATE LAW, EMPLOYEES MUST HAVE SEATBELTS FASTENED AT ALL TIMES WHEN OPERATING OR RIDING IN A TOWNSHIP VEHICLE. CARELESS DRIVING OR ACTION WILL BE CAUSE FOR REMOVAL OF DRIVING PRIVILEGES AND MAY

**07-0111-10 ADOPT A POLICY FOR THE USE OF TWP. VEHICLES  
(CONTINUED)**

RESULT IN PERSONAL LIABILITY FOR DAMAGES CAUSED.

4. AN EMPLOYEE IS RESPONSIBLE FOR THE CONDITION OF THE TOWNSHIP VEHICLE, INCLUDING MAINTENANCE, REPAIRS AND CLEANING, AND MUST REPORT ANY DAMAGES OR MALFUNCTIONS IMMEDIATELY. UNREPORTED DAMAGES OR MALFUNCTIONS WILL BE ASSUMED TO HAVE OCCURRED WHILE THE VEHICLE WAS IN THE CARE OF THE LAST PERSON USING IT.

5. IN NO EVENT SHALL THE VEHICLE BE OPERATED WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

6. NO NON-EMPLOYEE IS PERMITTED TO RIDE IN THE GOVERNMENT VEHICLE, EXCEPT FOR BUSINESS-RELATED REASONS.

7. ANY VIOLATIONS OF THIS POLICY MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION.

8. EMPLOYEES AUTHORIZED TO USE THE VEHICLE FOR ANY PERSONAL REASON, FOR EXAMPLE, COMMUTING TO AND FROM THEIR RESIDENCE, MUST REPORT IT AS A TAXABLE BENEFIT IN ACCORDANCE WITH THE IRS REGULATIONS.

9. THE TOWNSHIP WILL EACH YEAR CHECK THE DRIVER'S DRIVING RECORD WITH THE OHIO BUREAU OF MOTOR VEHICLES, AND THE DRIVER MUST MAINTAIN A VALID DRIVER'S LICENSE AND INSURANCE. THE DRIVER MUST NOTIFY HIS OR HER IMMEDIATE SUPERVISOR IMMEDIATELY IF THEIR DRIVING PRIVILEGES CHANGE IN ANY WAY DUE TO LICENSE SUSPENSION OR REVOCATION.

10. THE DRIVER AND ALL PASSENGERS MUST COMPLY WITH ALL APPLICABLE STATE AND LOCAL TRAFFIC LAWS. IF ANY CRIMINAL OR CIVIL PENALTY IS INCURRED WHILE OPERATING THE VEHICLE, THE DRIVER SHALL BE PERSONALLY LIABLE. DRIVERS MUST IMMEDIATELY NOTIFY SUPERVISORS OF ANY PARKING OR TRAFFIC TICKET INCURRED WHILE OPERATING A GOVERNMENT VEHICLE, AND THEY MUST PROVIDE PROOF OF PAYMENT WITHIN 30 DAYS.

11. NO CARGO UNRELATED TO THE PERFORMANCE OF OFFICIAL BUSINESS SHALL BE TRANSPORTED WITHIN A TOWNSHIP VEHICLE.

12. DRIVERS MUST REPORT PROMPTLY TO THE TOWNSHIP ANY ACCIDENT OR RELATED INJURIES AS REQUIRED BY LAW. DRIVERS ALSO MUST REPORT THE DETAILS OF THE ACCIDENT TO THEIR SUPERVISOR, IN WRITING. DRIVERS MUST ALSO REPORT ANY CITATIONS OR CHARGES INVOLVING ANY OFFENSE THAT OCCURS WHILE OPERATING THE VEHICLE, INCLUDING DUI, WRECKLESS OPERATION, SPEEDING, OR ANY OTHER OFFENSE.

13. THE COST OF GASOLINE OR OIL WILL ONLY BE REIMBURSED UPON THE SUBMISSION OF RECEIPTS.

14. THIS POLICY APPLIES TO ALL TOWNSHIP VEHICLES, INCLUDING THOSE OF THE FIRE DEPARTMENT.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:

ROLL CALL: ALL AYES.

CHIPPEWA TOWNSHIP TRUSTEES REGULAR

AT TOWNSHIP HALL            7:00 PM            OCTOBER 10,            07

**07-0112-10 APPROVE THE UPDATED EMPLOYEES' POLICY HANDBOOK**

RESOLUTION TO APPROVE THE UPDATED EMPLOYEES' POLICY HANDBOOK.

MOTION TO PASS BY JEFF PREBISH, SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

WE WILL BE SETTING UP A MANDATORY MEETING FOR ALL EMPLOYEES AND TO GO OVER THE UPDATED POLICY HANDBOOK. IT WILL PROBABLY BE A TUESDAY NIGHT AT THE FIRE STATION.

**DEPARTMENT REPORTING:**

**ROAD DEPT.** - DAVE BUSSON HAS TURNED IN HIS REPORT.

ANNOUNCING ROAD DEPT. WILL BE CLOSING CHIDESTER HILL (WVA. HILL) ON FRIDAY OCTOBER 26<sup>TH</sup>.

**07-0113-10 ACCEPT THE SALT DELIVERY QUOTE FROM RON BURGE**

RESOLUTION TO ACCEPT THE SALT DELIVERY QUOTE FROM RON BURGE TRUCKING INC. AT A COST OF \$52.50 PER TON WITH A 24 TON MINIMUM.

MOTION TO PASS BY JEFF PREBISH, SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**ZONING INSPECTOR** - LARRY LEMASTER WAS PRESENT AND GAVE HIS REPORT. WITH A NEW JOB, LARRY WILL BE WORKING ON SETTING NEW ZONING HOURS. HE HAS NOT DECIDED ON THE NEW HOURS AS OF NOW.

**07-0114-10 CLARIFY OUR ZONING REGULATIONS ON TELECOMMUNICATION TOWERS**

RESOLUTION TO CLARIFY OUR ZONING REGULATIONS REGARDING TELECOMMUNICATION TOWERS.

MOTION TO APPROVE BY LENNY BROOME, SECONDED BY JEFF PREBISH WHEREAS, IN ORDER TO CLARIFY OUR ZONING REGULATIONS REGARDING TELECOMMUNICATIONS TOWERS, IT IS IMPORTANT THAT THE BOARD OF TRUSTEES SETS FORTH A RESOLUTION OUTLINING OUR POLICY WITH REGARD TO THOSE TOWERS, AND SPECIFICALLY WITH REGARD TO ORC 519.211.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. THE BOARD OF TRUSTEES INTENDS TO ENFORCE 519.211 OF THE REVISED CODE.
2. THE BOARD HEREBY FORMALLY OBJECTS TO THE PROPOSED LOCATION OF A TELECOMMUNICATIONS TOWER.
3. THE BOARD REQUESTS AND ORDERS THAT THE ZONING INSPECTOR AND THE FISCAL OFFICER OF THE TOWNSHIP SEND THE PERSON PROPOSING TO CONSTRUCT A TOWER WRITTEN NOTICE THAT THE TOWER IS SUBJECT TO THE POWER CONFERRED BY AND IN ACCORDANCE WITH 519.211 (B), AND IS SUBJECT TO THE ZONING RESOLUTION OF CHIPPEWA TOWNSHIP, PARTICULARLY SECTION 14.07.
4. THE ZONING INSPECTOR AND THE FISCAL OFFICER SHALL SEND THAT NOTICE NO MORE THAN FIVE (5) DAYS AFTER THE DATE THE BOARD OF TRUSTEES FIRST RECEIVES SUCH NOTICE FROM A PROPERTY OWNER.
5. A COPY OF THE ZONING RESOLUTION SECTION RELATING TO TELECOMMUNICATIONS TOWERS SHALL ALSO BE SENT TO THE PERSON OR ENTITY PROPOSING THE TOWER.
6. THE TOWNSHIP ALSO ADOPTS 519.211 (E)(1), REQUIRING ANY PERSON WHO PLANS TO CONSTRUCT A TELECOMMUNICATIONS TOWER WITHIN 100 FEET OF A RESIDENTIAL DWELLING SHALL PROVIDE

AT TOWNSHIP HALL            7:00 PM            OCTOBER 10,            07

**07-0114-10 CLARIFY OUR ZONING REGULATIONS ON  
TELECOMMUNICATION TOWERS (CONTINUED)**

WRITTEN NOTICE TO THE OWNER OF THE RESIDENTIAL DWELLING AND TO THE PERSON OCCUPYING THE RESIDENCE, STATING IN CLEAR AND CONCISE LANGUAGE THE PERSON'S INTENT TO CONSTRUCT THE TOWER AND THE DESCRIPTION OF THE PROPERTY SUFFICIENT TO IDENTIFY THE PROPOSED LOCATION. THE BOARD OF TRUSTEES ALSO OBJECTS TO ANY OF THOSE AND REQUESTS AND REQUIRES THAT THE ZONING INSPECTOR AND THE FISCAL OFFICER SEND THE NOTICE DESCRIBED ABOVE TO THE PROPOSED TELECOMMUNICATIONS TOWER CONSTRUCTOR AND OWNER.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:

ROLL CALL: ALL AYES.

**07-0115-10 CLARIFY THE VIOLATION OF THE ZONING RES. PENALTY  
CHARGE**

RESOLUTION TO CLARIFY THE VIOLATION OF THE ZONING RESOLUTION PENALTY CHARGE FOR A BOARD OF ZONING APPEALS' VARIANCE.

MOTION TO APPROVE BY JEFF PREBISH, SECONDED BY EARL KERR, WHEREAS, THE ZONING INSPECTOR HAS REPORTED THAT HE NEEDS CLARIFICATION OF HIS AUTHORITY WITH REGARD TO THE IMPOSITION OF THE \$300.00 CHARGE FOR A BOARD OF ZONING APPEALS' VARIANCE, TOGETHER WITH A REQUIRED \$300.00 PENALTY FOR ACTING IN VIOLATION OF THE ZONING RESOLUTION WITHOUT OBTAINING A ZONING PERMIT; AND

WHEREAS, SUCH DIRECTION IS PROPER.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. THE ZONING INSPECTOR HAS DISCRETION TO DETERMINE THE TIMING OF THE IMPOSITION OF THE FEES FOR A BOARD OF ZONING APPEALS' ACTION AND THE IMPOSITION OF A PENALTY FOR ACTING PRIOR TO OBTAINING A ZONING PERMIT, AS FOLLOWS:
  - A. ALL FEES FOR THE BOARD OF ZONING APPEALS SHALL BE COLLECTED AT THE TIME THE APPLICATION FOR A BOARD OF ZONING APPEALS' HEARING IS MADE.
  - B. THE ZONING INSPECTOR HAS DISCRETION TO EITHER CHARGE THE ADDITIONAL \$300.00 FINE FEE AT THE TIME THE APPLICATION IS SUBMITTED OR, IN HIS DISCRETION, MAY DELAY THE IMPOSITION OF THAT \$300.00 FINE FEE UNTIL THE BOARD OF ZONING APPEALS HAS ACTED, BUT IN ALL CASES PRIOR TO ISSUING ANY PERMIT.
2. THE ZONING INSPECTOR'S DISCRETION SHALL BE LIMITED TO HARDSHIP CASES AND THOSE WHERE TOWNSHIP RESIDENTS JUSTIFIABLY REQUIRE ADDITIONAL TIME TO PAY, SO LONG AS IT IS PAID NO LATER THAN PRIOR TO THE ISSUANCE OF THE FINAL PERMIT.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL

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AT TOWNSHIP HALL            7:00 PM            OCTOBER 10,            07

**07-0115-10 CLARIFY THE VIOLATION OF THE ZONING RES. PENALTY CHARGE (CONTINUED)**

ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:

ROLL CALL: ALL AYES

**07-0116-10 APPROVE THE NEW AGRICULTURAL EXEMPTION AFFIDAVIT RESOLUTION TO APPROVE THE NEW AGRICULTURAL EXEMPTION AFFIDAVIT.**

MOTION TO APPROVE BY EARL KERR, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES

**SHERIFF REPORT** - DEPUTY BALLINGER WAS PRESENT AND GAVE HIS REPORT FOR THE MONTH OF SEPTEMBER.

SHERIFF'S DEPT. WILL HAVE EXTRA PATROLS FOR TRICK OR TREAT.

**FIRE DEPT.** - RON BROWNING WAS PRESENT AND GAVE HIS REPORT FOR THE MONTH OF SEPTEMBER.

THE FD WILL BE PRESENT DURING TRICK OR TREAT THIS YEAR BUT REQUEST AREAS NEED TO LET US KNOW ASAP SO WE CAN PROVIDE COVERAGE. LAST YEAR WE HAD COVERAGE IN EASTON, MEADOWS, VILLAGE, HATFIELD ROAD AND SHONDEL ROAD NEIGHBORHOODS.

**07-0117-10 APPROVE THE UPDATE FIRE DEPT. RULES & REGULATIONS RESOLUTION TO APPROVE THE UPDATED FIRE DEPARTMENTS' RULES & REGULATIONS.**

MOTION TO TABLE BY JEFF PREBISH, SECONDED BY EARL KERR,

ROLL CALL: ALL AYES. WILL BE DISCUSSED AT THE SPECIAL MEETING ON OCT. 17<sup>TH</sup>.

**07-0118-10 SEND RON BROWNING & TOM GADOSIK TO SPRINKLER CLASS**

RESOLUTION TO SEND RON BROWNING AND TOM GADOSIK TO THE SPRINKLER CLASS IN CLEVELAND ON 10/17 FOR A COST OF \$65.00 EACH.

MOTION TO PASS BY LENNY BROOME, SECONDED BY JEFF PREBISH

ROLL CALL: ALL AYES.

**07-0119-10 DONATE FIRE DEPT. OLD RADIOS**

RESOLUTION TO DONATE THE FIRE DEPT. OLD RADIOS TO THE CHIPPEWA LOCAL SCHOOLS.

MOTION TO PASS BY LENNY BROOME, SECONDED BY EARL KERR

ROLL CALL: ALL AYES.

**BOARD OF ZONING APPEALS** - TWO VARIANCES FOR OCTOBER 15<sup>TH</sup> MEETING.

**ZONING COMMISSION** - WILL HOLD A PUBLIC HEARING ON OCTOBER 16<sup>TH</sup> ON THE PROPOSED AMENDMENTS TO THE ZONING RESOLUTION.

CHIPPEWA TOWNSHIP TRUSTEES REGULAR

AT TOWNSHIP HALL            7:00 PM            OCTOBER 10,            07

**VILLAGE OF DOYLESTOWN:** TONI LINDEMAN WAS PRESENT AND INFORMED US THAT THE LIBRARY FINALLY OWNS THE PROPERTY ON NORTH PORTAGE FOR THE NEW LIBRARY. ALSO THE AUTHORIZED THE MAYOR TO ENTER INTO A CONTRACT TO SELL BULK WATER TO THE WATER DISTRICT.

**FISCAL OFFICER REPORT:**

RECEIPTS AND EXPENDITURES APPROVAL FOR SEPTEMBER 2007

RECEIPTS:	533,933.36
EXPENDITURES:	65,226.64

MOTION TO ACCEPT BY LENNY BROOME, SECONDED BY JEFF PREBISH  
ROLL CALL: ALL AYES.

**07-0120-10 ADOPT A POLICY ON STALE-DATED CHECKS**

RESOLUTION TO PASS AND ESTABLISH A POLICY REGARDING STALE-DATED CHECKS.

MOTION BY LENNY BROOME; SECONDED BY JEFF PREBISH

WHEREAS, THE TOWNSHIP FISCAL OFFICER HAS REQUESTED THAT THE BOARD OF TRUSTEES PASS AND ESTABLISH A POLICY REGARDING STALE-DATED CHECKS; AND

WHEREAS, THE STATE AUDITOR'S OFFICE HAS ALSO SUGGESTED SUCH A POLICY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. THE FISCAL OFFICER WILL, EVERY SIX (6) MONTHS, REVIEW ALL CHECKS ISSUED.
2. ANY CHECKS THAT HAVE NOT BEEN CASHED FOR A PERIOD OF OVER SIX (6) MONTHS SHALL BE VOIDED AND PLACED INTO THE UNCLAIMED MONIES FUND.
3. THE FISCAL OFFICER SHALL ALSO COMMUNICATE WITH THE BANK TO HAVE A STOP PAYMENT PUT ON ANY CHECKS THAT HAVE NOT BEEN CASHED WITHIN SIX (6) MONTHS OF ISSUE.
4. IF FUNDS HAVE BEEN IN PLACE IN THE UNCLAIMED MONIES FUND FOR A PERIOD IN EXCESS OF TWO (2) YEARS, THE AMOUNT AND THE SOURCE OF THE FUNDS SHALL BE PRESENTED TO THE BOARD OF TRUSTEES, ALONG WITH A PROPOSED RESOLUTION TO TRANSFER THE MONEY TO THE GENERAL FUND OF CHIPPEWA TOWNSHIP FOR THE USE OF THE PEOPLE OF CHIPPEWA TOWNSHIP.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:

ROLL CALL: ALL AYES.

**07-0121-10 APPROVE TRANSFERRING MONEY OF UNCLAIMED FUNDS**

RESOLUTION TO APPROVE TRANSFERRING MONEY OF UNCLAIMED FUNDS TO THE GENERAL FUND THAT HAS BEEN SITTING THERE FOR TWO (2) YEARS, AND SHOULD BE TRANSFERRED NOW.

MOTION BY; LENNY BROOME, SECONDED BY EARL KERR

WHEREAS, THE TOWNSHIP FISCAL OFFICER HAS INFORMED THE TOWNSHIP THAT THE

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AT TOWNSHIP HALL            7:00 PM            OCTOBER 10,            07

**07-0121-10 APPROVE TRANSFERRING MONEY OF UNCLAIMED FUNDS  
(CONTINUED)**

AMOUNT OF \$425.50 HAS REMAINED IN UNCLAIMED MONIES FOR IN EXCESS OF TWO (2) YEARS; AND  
WHEREAS, THE SOURCE OF THOSE MONIES IS UNCLEAR; AND  
WHEREAS, NO ONE HAS CLAIMED THOSE MONIES.  
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. THE AMOUNT OF \$425.50 SHALL BE TRANSFERRED FROM THE UNCLAIMED MONIES FUND TO THE TOWNSHIP GENERAL FUND FOR THE USE OF THE PEOPLE OF CHIPPEWA TOWNSHIP.  
THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.  
THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:  
ROLL CALL: ALL AYES.

**07-0122-10 APPROVE OF SUPPLEMENTAL INTRA FUND APPROPRIATIONS  
RESOLUTION TO APPROVE OF SUPPLEMENTAL INTRA FUND  
APPROPRIATIONS.**

MOTION BY; LENNY BROOME, SECONDED BY EARL KERR  
WHEREAS, THE FISCAL OFFICER HAS REQUESTED THE TRUSTEES TO PASS A RESOLUTION REGARDING TRUSTEE APPROVAL OF SUPPLEMENTAL INTRA FUND APPROPRIATIONS; AND  
WHEREAS, THE STATE AUDITOR'S OFFICE HAS SIMILARLY MADE THAT SUGGESTION.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP THAT:

1. THE FISCAL OFFICER SHALL PERIODICALLY PROCESS SUPPLEMENTAL INTRA FUND APPROPRIATIONS WITHIN SPECIFIC FUNDS THROUGHOUT THE YEAR TO PROVIDE FOR THE PROPER PAYMENT OF TOWNSHIP OBLIGATIONS.  
2. THE FISCAL OFFICER SHALL PROVIDE A COPY OF THOSE TO THE BOARD OF TRUSTEES WITH A PROPOSED RESOLUTION FOR THE BOARD OF TRUSTEES TO CONSIDER TO FORMALLY AUTHORIZE BY BOARD OF TRUSTEES' RESOLUTION ANY SUPPLEMENTAL INTRA FUND APPROPRIATIONS.

THIS BOARD FINDS AND DETERMINES THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD, AND ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, SECTION 121.22 OF THE REVISED CODE.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY OR AT THE EARLIEST DATE ALLOWED BY LAW.

UPON ROLL CALL ON THE ADOPTION OF THE RESOLUTION, THE VOTE WAS AS FOLLOWS:  
ROLL CALL: ALL AYES

CHIPPEWA TOWNSHIP TRUSTEES REGULAR

AT TOWNSHIP HALL 7:00 PM OCTOBER 10, 07

**ANNOUNCEMENT: JARRA UNDERWOOD WILL BE AT THE TWP ON OCT 17<sup>TH</sup> AT 7:00 PM TO ANSWER QUESTIONS ABOUT TAXES.**

**PUBLIC COMMENT:**

LARRY SAMS WOULD LIKE THE TOWNSHIP TO PROPOSE TO THE VILLAGE FOR POLICE PROTECTION. HE SAID HE SURVEYED 60 PEOPLE AND ONLY ONE WAS NOT FOR IT. THERE WAS NO COMMENT FROM THE TRUSTEES.

**MOTION TO GO INTO EXECUTIVE SESSION**

MOTION TO GO INTO EXECUTIVE SESSION FOR PERSONNEL AT 8:08 PM  
BY: JEFF PREBISH SECONDED BY EARL KERR  
ROLL CALL: ALL AYES

**TRUSTEES RECONVENED**

MOTION TO COME OUT OF EXECUTIVE SESSION AT 10:36 PM  
BY: JEFF PREBISH SECONDED BY EARL KERR  
ROLL CALL: ALL AYES

**ACTION FROM EXECUTIVE SESSION**

**07-0123-10 SEND OUT A TOWNSHIP SURVEY**

RESOLUTION TO THE TOWNSHIP TO SEND OUT A SURVEY NOT TO EXCEED THE COST OF \$1,000.00  
MOTION TO PASS BY EARL KERR, SECONDED BY LENNY BROOME  
ROLL CALL: ALL AYES

**MOTION TO ADJOURN**

MOTION TO ADJOURN BY LENNY BROOME, SECONDED BY JEFF PREBISH  
ROLL CALL: ALL AYES

MEETING ADJOURNED AT 10:38 PM.

TRUSTEES \_\_\_\_\_

\_\_\_\_\_  
FISCAL OFFICER

\_\_\_\_\_

\_\_\_\_\_