

CHIPPEWA TOWNSHIP TRUSTEES REGULAR

AT TOWNSHIP HALL 7:00 PM FEBRUARY 13, 08

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

ROLL CALL OF MEMBERS:

ROLL CALL: L. BROOME, HERE; J. PREBISH, HERE; E. KERR, EXC.

APPROVAL OF MINUTES

MOTION TO APPROVE THE MINUTES OF THE JANUARY 9TH AND 23RD MEETINGS WITHOUT A PUBLIC READING, AS ALWAYS THEY ARE AVAILABLE FOR THE PUBLIC TO REVIEW.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

08-0017-02 ESTABLISHING A VIDEO SERVICE PROVIDER FEE

RESOLUTION ESTABLISHING A VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE TOWNSHIP & AUTHORIZING THE FISCAL OFFICER TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO PROVIDER FEE.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME.

WHEREAS, the Ohio General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide "uniform regulatory framework" for the provision of cable television and/or other video service (the "Video Law"); and WHEREAS, under the Video Law a video service provider that is providing video service to subscribers in the Township pursuant to a state-issued video service authorization must pay the Township a video service provider fee ("VSP Fee") based on a percentage of the provider's gross revenues received from providing video service in the Township, not to exceed five percent (5%) of such gross revenues; and WHEREAS, the Video Law requires that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in 'the Township (the "VSP Fee Percentage") or, if there is no effective franchise agreement under which franchise fees are payable for a given calendar quarter, the VSP Fee Percentage shall be zero percent (0%) of gross revenues unless the Township determines by Resolution that the VSP Fee will be a percentage of gross revenues not to exceed five percent (5%) of gross revenues; and

WHEREAS, the Video Law further requires the Township to provide a video service provider with written notice of the VSP Fee Percentage within ten (10) days of receiving notice from the video service provider, pursuant to R. C. 1332.27(A), that it will begin offering service in the Township; and

WHEREAS, the Video Law provides that advertising revenues will not be included in the gross revenues base upon which the VSP Fee Percentage is applied unless the Township specifically enacts a Resolution uniformly applicable to all video service providers requiring that advertising revenues also be included in the gross revenues base; and

WHEREAS, the Video Law requires the Township to promptly notify affected video service providers of the Resolution that requires the inclusion of advertising revenues in the gross revenues base and that requirement will not take effect until the first day of the first calendar quarter

AT TOWNSHIP HALL 7:00 PM

FEBRUARY 13, 08

**08-0017-02 ESTABLISHING A VIDEO SERVICE PROVIDER FEE
(CONTINUED)**

that begins more than thirty (30) days after giving such notice of the Resolution; and

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee Percentage and of the inclusion of advertising revenues in the VSP Fee gross revenues base, it is necessary for this Board of Trustees to (i) establish the VSP Fee Percentage; (ii) include advertising revenues in the VSP Fee gross revenues base, and (iii) authorize the Fiscal Officer to provide the appropriate notice of the VSP Fee Percentage and the inclusion of advertising revenues in gross revenues to a video service provider within ten (10) days of the Township receiving notice that a video service provider will begin providing service in the Township.

NOW, THEREFORE, be it resolved by the Board of Trustees of Chippewa Township, Wayne County, Ohio that:

Section 1. This Board of Trustees of the Township of Chippewa, Wayne County, Ohio, hereby establishes a VSP Fee that is calculated by applying a VSP Fee Percentage of five percent (5%) to the video service provider's gross revenues as defined in Section 1332.32(B) of the Video Law. For purposes of calculating the VSP Fee, the provider's gross revenues shall include advertising revenues in accordance with Section 1332.23(B)(2)g) of the Video Law. The VSP Fee Percentage and Video Law gross revenues definition, as modified by this Resolution, shall apply equally to all video service providers and cable television operators providing video service in the Township.

Section 2. The VSP Fee shall be paid by each video service provider providing service in the Township on a quarterly basis, but not sooner than forty-five (45) days nor later than sixty (60) days after the end of each calendar quarter. R. C. Section 1332.32(A).

Section 3. The Fiscal Officer is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage and gross revenues definition as determined by this Board of Trustees above, which notice shall be given by certified mail, upon receipt of notice from such video service provider that it will begin providing video service in the Township pursuant to a state-issued video service authorization.

Section 4. 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:

Lenny Broome, Yes; Jeff Prebish, Yes; Earl Kerr, Excused

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DEPARTMENT REPORTING

ZONING INSPECTOR: LARRY LEMASTER GAVE HIS REPORT FOR THE MONTH OF JANUARY 2008.

ROAD DEPT: DAVE TURNED IN HIS REPORT AND HIS REPORT WAS READ BY LENNY BROOME.

08-0018-02 ADVERTISE FOR CHIP AND SEAL BIDS

RESOLUTION TO ADVERTISE FOR CHIP AND SEAL BIDS TO BE OPENED APRIL 9TH.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

08-0019-02 ADVERTISE FOR HOT MIX LEVELING BIDS

RESOLUTION TO ADVERTISE FOR HOT MIX LEVELING BIDS TO BE OPENED ON APRIL 9TH.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

DRUG FREE WORKPLACE TRAINING:

DRUG FREE WORK PLACE: THERE WILL BE A MEETING OF ALL EMPLOYEES ON MARCH 4TH AT 7:00 PM AT THE FIRE STATION AND ON MARCH 5TH AT 10:00 AM. THIS IS REQUIRED FOR WORKERS COMPENSATION DISCOUNT.

SHERIFF DEPT.: TOM BALLINGER GAVE HIS REPORT FOR THE MONTH OF JANUARY. ALSO PRESENT WAS CHARLES HARDMAN HE EXPLAINED THE NEW SEX OFFENDERS RULES.

FIRE DEPT: RON GAVE HIS REPORT FOR THE MONTH OF JANUARY.

FIRE STATION #2 WILL BE A PRECINCT FOR THE ELECTION.

08-0020-02 ERIC CARPENTER AS PART TIME FF/EMT-P

RESOLUTION TO HIRE ERIC CARPENTER AS PART TIME FF/EMT-P.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

08-0021-02 JOE KUNKEL PART TIME & ON CALL

RESOLUTION TO MOVE JOE KUNKEL FROM PART TIME TO ON CALL AND PART-TIME.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

08-0022-02 FIREFIGHTER DAVE PARIDON - RETIREMENT

RESOLUTION ACCEPTING THE RETIREMENT OF DAVE PARIDON WITH 40 YEARS OF SERVICE AS A FIREFIGHTER.

MOTION MADE BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

08-0023-02 APPROVE TWO TO ATTEND FIRE CHIEFS CONF. IN JULY

RESOLUTION TO APPROVE CHIEF BROWNING AND RON HOLLIS TO ATTEND THE CHIEFS CONFERENCE IN JULY. RON WILL ATTEND THE CONFERENCE FOR THE WEEK AND HOLLIS WILL ATTEND FOR ONE DAY, WITH THE HOTEL COSTING \$149.00 PER NIGHT.

MOTION BY JEFF PREBISH, SECONDED BY LENNY BROOME

ROLL CALL: ALL AYES.

CHIPPEWA TOWNSHIP TRUSTEES REGULAR

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BOARD OF ZONING APPEALS: MEETING FEBRUARY 18TH WITH 2 VARIANCES.

ZONING COMMISSION: MEETING FEBRUARY 19TH AT 7:00 PM.

FISCAL OFFICER REPORT:

APPROVE THE RECEIPTS AND EXPENDITURES FOR JANUARY 2008 AS FOLLOWS:

| | |
|---------------|-------------|
| RECEIPTS: | \$43,204.08 |
| EXPENDITURES: | \$76,125.23 |

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

PUBLIC COMMENT:

CHARLIE HARDMAN SPOKE ABOUT HIS RUNNING FOR STATE REPRESENTATIVE EXPLAINED HOW HE HAD BEEN A WAYNE CO SHERIFF DEPUTY AND HIS GOALS IF HE WINS.

TRUSTEES TO GO INTO EXECUTIVE SESSION

LENNY BROOME MADE A MOTION TO GO INTO EXECUTIVE SESSION FOR PERSONNEL AT 7:20 PM, SECONDED BY JEFF PREBISH
ROLL CALL: ALL AYES.

TRUSTEES RECONVENED

JEFF PREBISH MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 7:55 PM, SECONDED BY LENNY BROOME
ROLL CALL: ALL AYES.

NO ACTION FROM EXECUTIVE SESSION

MOTION TO ADJOURN

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

MEETING ADJOURNED AT 7:57 PM

TRUSTEES _____

FISCAL OFFICER
