

# RECORD OF PROCEEDINGS

Minutes of **COPLEY TOWNSHIP BOARD OF TRUSTEE REGULAR MEETING**

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

**WEDNESDAY, NOVEMBER 3, 2010**

Held

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President Scott Dressler convened the regular meeting of the Copley Township Board of Trustees at 6:00 p.m. on Wednesday, November 3, 2010.

## **PLEDGE OF ALLEGIANCE**

## **WELCOME GUESTS**

Trustee Dressler welcomed all in attendance and called upon Fire Chief Benson to recognize several employees and individuals for their efforts in saving the life of Stanley Dambrot. Employees recognized included Firefighter/Medics Jacob Lawrence, Brian Abbott, Chris Bower, Terra White and Lt. Jim Carter; Dispatchers Denise Sizemore, Sue Fodor and Catherine Zacharysz; Police Officer Jeff Newman. In addition, Judy Dambrot, wife of the patient, was recognized for her efforts.

## **APPROVAL OF MINUTES**

Trustee Panovich made a motion to approve the Regular Meeting minutes of October 20, 2010 as presented; second by Trustee Humphrys; all voting aye.

Trustee Panovich made a motion to approve the Special Meeting minutes of October 28, 2010 as presented; second by Trustee Dressler; Trustees Panovich and Dressler voting aye; Trustee Humphrys abstained.

## **FISCAL OFFICER'S REPORT**

1. Requested permission to allow the following employees to carry over vacation hours to their next anniversary year:

- John Gordon – anniversary 10/26                      65.40 hours
- Jerry Mirman – anniversary 11/8                      196.00 hours  
(per contract, can carry over 120 hours; will need to sell 76 hours)
- Doug Huffman – anniversary 11/10                      300.00 hours  
(per contract; can carry over 200 hours; will need to sell 100 hours)
- Ed Simpson – anniversary 11/12                      2.66 hours

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

2. Requested approval to issue a Purchase Order to Ohio Edison in the amount of \$9,400.00 for electricity usage through the end of 2010.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

3. Requested permission to repay advance to #1000 General Fund from Fund #2903 Driver's Training Grant Fund in the amount of \$23,940.00; received reimbursement from FEMA for training expenses.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

4. Requested permission to transfer \$9,000.00 to Joint Dispatch Fund #9006 for Copley's share of expenses for November and December 2010; have received same amount from Norton. Expect to have some funds remaining to pay maintenance contracts due at the first of the year.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

5. Per Resolution #2008-47, request permission to transfer funds to Fund #2901 – Retirement Funding in the amount of \$10,178.31 from the following funds to set aside monies in preparation for payments to employees eligible for retirement as permitted by O.R.C. 5705.13(B). Inter-fund transfers are permitted from any fund from which the termination payments could be lawfully made. Currently, the Fund has a balance of \$77,928.23; the requested transfers would be added or subtracted to the total to establish a new balance of \$88,106.54.

- Fund #1000 – General Fund                      \$ 7,442.74
- Fund #2081 – Police District                      \$ 3,843.99
- Fund #2111 – Fire/EMS                      \$ (1,108.42)

Please see attached spreadsheet itemizing entries in the Fund for 2008-2010.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

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6. Requested permission to amend the 2010 Certificate of Estimated Resources for the following funds to reflect actual funds received or anticipated to be received:

• Fund #1000 – General Fund – Inheritance Tax	\$ 439,538.48
• Fund #1000 – General Fund – Other Revenue	(106,054.00)
• Fund #2011 – Motor Vehicle License Tax	2,000.00
• Fund #2021 – Gasoline Tax	25,000.00
• Fund #2031 – Road and Bridge	9,200.00
• Fund #2041 – Cemetery	7,500.00
• Fund #2081 – Police District	60,775.00
• Fund #2111 – Fire District	3,339.37
• Fund #2181 – Zoning	8,000.00
• Fund #2191 – Fire/EMS	15,300.00
• Fund #2221 – Drug Law Enforcement	2,500.00
• Fund #2261 – Law Enforcement Trust	53,419.50
• Fund #2401 – Special Assessment Street Lighting	565.24
• Fund #2901 – Retirement Funding	5,178.31
• Fund #2907 – Tire Amnesty Grant	(2,000.00)
• Fund #3901 – Bond Retirement	(4,286.66)
• Fund #4951 – Mitchell Estate	(55.00)
• Fund #9001 – Culvert Deposits	4,000.00
• Fund #9006 – Joint Dispatch	(4,492.50)
• Fund #9008 – Pulte Construction Bond	<u>271,296.06</u>
<b>TOTAL AMENDMENT</b>	<b>\$ 790,723.80</b>

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

7. Requested approval of the Memorandum of Understanding between the Copley Township Board of Trustees and the International Association of Firefighters Local 3130 (Copley Firefighters) regarding the lump sum payments for the period January – July 2010 in response to the arbitrator's decision involving the 27 pay issue.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

8. Requested approval of the Memorandum of Understanding between the Copley Township Board of Trustees and the Ohio Patrolmen's Benevolent Association (Copley Dispatchers) regarding the lump sum payments for the period January – July 2010 in response to the arbitrator's decision involving the 27 pay issue.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

9. Requested approval of the Memorandum of Understanding between the Copley Township Board of Trustees and the Ohio Patrolmen's Benevolent Association (Copley Sergeants) regarding the lump sum payments for the period January – July 2010 in response to the arbitrator's decision involving the 27 pay issue.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

10. Requested permission to adjust PO #2010-577 payable to Motorola, Inc. from \$780,000.00 to \$773,646.00, a difference of \$6,354.00 to accurately reflect the contract price for the radio tower upgrade.

Motion: Trustee Panovich

Second: Trustee Humphrys

Voting: all voting aye

11. Requested permission to advance \$520,214.00 from General Fund #1000 to Fund #4905 Radio Tower Regional Grant to cover expenses as incurred per the contract with Motorola, Inc. Repayments to the General Fund will be paid as funds are received from FEMA throughout the contract period. The amount requested to be advanced is the net result of the contract price less the first FEMA request already in process less the four community's contributions totaling \$80,000.00.

Motion: Trustee Panovich

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Second: Trustee Humphrys  
Voting: all voting aye

12. Received notice from the Ohio Township Association regarding membership in CLOUT; Board agreed to renew for a fee of \$200.00 for 2011.

Motion: Trustee Humphrys  
Second: Trustee Panovich  
Voting: all voting aye

13. Checked with NEO Administrators regarding the administration of our COBRA benefits when a COBRA participant does not make timely payments. According to IRS COBRA Regulations, if notice of the shortfall is given to the employee indicating a reasonable period of time in which to correct the shortfall, the employer would not be required to accept the partial payment in full or to subsidize that short payment. Aetna Insurance will not accept partial payments; to stay consistent, recommend informing NEO Administrators that partial COBRA payments will not be accepted for any insurance.

Motion: Trustee Humphrys  
Second: Trustee Panovich  
Voting: all voting aye

14. Topic for consideration: Federal Health Care Reform allows parents to keep children on their health plan until they turn 26 years old; the State of Ohio allows children to be covered until the age of 28 if they remain unmarried, reside in the state or are a full-time student at an accredited institution of higher learning and are not eligible for coverage under a group plan offered by the child's employer. Anthem Life has made the same changes to their Life Insurance policies. Beginning with policies renewed after October 1, 2010, the same changes regarding dependents' eligibility for health care policies will be extended to Anthem's Life Insurance policies. While federal law does NOT mandate this change for Life Insurance, Anthem is "enhancing" their dependent coverage to be consistent. The current dependent life rates will not change, but the employers will be paying longer for each dependent. The township can choose to keep the existing dependent life child maximum age the same and not take advantage of the "enhancement" by notifying Anthem of this decision. Otherwise, the changes will be automatic at renewal.

On a related topic, met with our brokers from Associated Underwriters Insurance, Bob Lamm and Alice Rhoades to review changes mandated by the Federal Health Care Reform Act Will begin educating the Health Care Committee about those changes as many items related to health-care benefits will have to be considered for the 2011 budget.; changes mandated will be costly and will most likely result in a renewal above 10%. Will continue conversations with our brokers in hopes of anticipating the affect of these changes on the township.

The Board requested to meet with Mr. Lamm and Ms. Rhoades to review changes before discussions with the Health Care Committee.

#### **ADMINISTRATOR'S REPORT – Ms. Spraggins**

Requested discussion at the end of the meeting with Systems Administrator Dave Sattler regarding a contract with Time Warner Cable to provide dedicated Internet Access Services.

#### **DEPARTMENT BUSINESS**

##### **Fire Department – Fire Chief Michael Benson**

1. Requested permission to make conditional offers of employment to Rafael Muniz and Jeffrey Dudley as part-time contractual firefighters/paramedics for the Copley Fire Department contingent upon successful completion of pre-hire testing; costs to be shared equally with Bath Township.

Motion: Trustee Humphrys  
Second: Trustee Panovich  
Voting: all voting aye

2. Submitted Fire Inspection Activity Report for the month of October 2010
3. Requested Executive Session to discuss employment of personnel.

##### **Police Department – Chief Michael Mier**

1. Requested permission to send Marcie Mason and Officer Duane Scott to training on Thursday, November 4, 2010 regarding Teen Dating Violence Prevention at a cost of \$35.00 each and held at Copley High School.

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Motion: Trustee Panovich
Second: Trustee Humphrys
Voting: both voting aye

- 2. Thanked all Township personnel and community leaders and businesses involved with Halloween at the Park event.
3. Submitted monthly report comparing statistics between September 2009 and 2010.
4. Requested Executive Session to discuss discipline of personnel in the Police Department.

Service Department - Service Director Mitchell

- 1. Received request from Copley Fairlawn Middle School to provide safety forces for the annual Turkey Trot to be held November 12, 2010. The PTA would like to alter the route to include running on Township roads through the surrounding neighborhood; both the Service Department and Police Departments expressed concern in the ability to provide safety for the number of runners on the proposed route at the scheduled time of day; will contact the schools to discuss further.
2. Received notice of an indigent burial for a resident of the township; will add name of deceased to headstone
3. Received report from Cell Phones for Cancer noting that 1,152 pounds of recyclable electronics were collected during the Tire Recycling event.

Zoning Department - Ms. Peggy Spraggins

- 1. Requested permission to amend Purchase Order for a laptop and docking station from CDW which will enable work with large files in the GIS Mapping System at a cost of \$2,084.48 to include a larger monitor at a cost of \$57.00 plus shipping; had previously received verbal approval.

Motion: Trustee Panovich
Second: Trustee Dressler
Voting: all voting aye

- 2. Submitted monthly report for October 2010.

OLD BUSINESS

Ms. Spraggins requested an Executive Session to discuss possible building options for the Police Department and potential litigation with Legal Counsel.

CORRESPONDENCE

Received letter from resident on Magdalyn Drive thanking the Service Department for their excellent work in repairing the drop-off between the street and her driveway.

NEW BUSINESS

None

BUSINESS FROM THE FLOOR

- 1. Mr. Don Yoder from "Citizens for a Better Montrose" presented the Board of Trustees with petitions signed by individuals stating their concerns regarding the Rothrock Rd. project.
2. Ms. Victoria Sabino questioned omissions on the traffic study conducted by the developer of the Rothrock Road project and asked who she could contact regarding that study. Mr. Dressler suggested contacting the Summit County Engineer's Office who is charged with analyzing the study and determining its reliability.

FUTURE MEETING DATES

Table with 3 columns: Date, Meeting Name, Time. Rows include Thursday, Nov. 4, 2010 (Zoning Commission Meeting, 6:00 p.m.), Wednesday, Nov. 10, 2010 (Board of Zoning Appeals Meeting, 6:00 p.m.), Thursday, Nov. 11, 2010 (Veterans Holiday - Offices Closed), Wednesday, Nov. 17, 2010 (Board of Trustees Meeting, 6:00 p.m.), Saturday, Nov. 20, 2010 (Board of Trustees Special Meeting, 10:00 a.m.), Thursday, Nov. 25, 2010 (Thanksgiving Holiday - Offices Closed), Wednesday, Dec. 2, 2010 (Board of Trustees Meeting, 6:00 p.m.), Wednesday, Dec. 8, 2010 (Board of Zoning Appeals Meeting, 6:00 p.m.)

Trustee Dressler made a motion to enter into Executive Session to discuss potential building options for the Police Department, potential litigation with Legal Counsel, discipline of personnel in the Police Department and employment of personnel in the Fire Department, second by Trustee Panovich; roll-call vote: Trustee Panovich - aye, Trustee Dressler - aye, Trustee Humphrys - aye. Trustee Dressler called for a 5-minute recess. The session began at 7:00 p.m.

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The regular meeting reconvened at 8:10 p.m. for a discussion regarding the Time Warner Cable connection to provide dedicated Internet Access Services. Costs were reviewed for options involving one or more neighboring communities and for providing access for Copley alone. Emphasis was placed on the preference to include additional communities to keep connectivity and to help all to reduce costs, however, the importance of Copley Township staying connected to the dedicated fiber to continue to provide services could not be compromised. The Board agreed to send a letter to Bath Township and the Village of Richfield asking for a decision on this matter.

Trustee Dressler made a motion to enter into Executive Session to continue to discuss potential building options for the Police Department, potential litigation with Legal Counsel, discipline of personnel in the Police Department and employment of personnel in the Fire Department, second by Trustee Humphrys; roll-call vote: Trustee Panovich – aye, Trustee Dressler – aye, Trustee Humphrys – aye.

The regular meeting reconvened at 9:23 p.m. with no action taken.

### ADJOURNMENT

With no further business to come before the board, Trustee Dressler moved to adjourn at 9:23p.m., second by Trustee Humphrys; all voting aye.

**APPROVED BY:**

**RESPECTFULLY SUBMITTED:**

  
Scott D. Dressler, President

  
Janice L. Marshall, Fiscal Officer