

**RECORD OF PROCEEDINGS
WINDHAM TOWNSHIP
SEPTEMBER 3, 2015**

Windham Township Trustees met in regular session with all trustees and fiscal officer present. All trustees received their monthly financial packets.

Meeting was called to order and minutes were approved from August meeting.

9-1-2015 Rich Gano moved to approve the expenditures pending certification Brian Miller seconded all voting yes motion carried.

Josh Johnston from JwJ Web Design was present to ask they board if they wanted to continue with his company for the maintenance of the website, the board all agreed to continue on at a cost \$450.00 per year.

Butch Christy was present in regards to the status of the monument progress. They are still working on getting all the names so it will be accurate. Apparently there is a 6th Viet Nam vet his name was Wallace Baker, we only planted 5 trees in the new cemetery so we will need to address this in the near future.

Roads: New backhoe is in and the old one has been picked up. Brian spoke with Luli to see when they would be starting Bryant Rd. and he has a few other projects in Nelson and Garrettsville, so he is trying to coordinate them. The grits also have been delivered. Roadside mowing has been completed for the 4th time this year.

Cemetery: They are still working on setting some of the old stones and are looking good.

Zoning: Joe Pinto presented the FO with \$87.20 for permits issued, had a few calls but nothing much else to report.

Fire District: Dann reported that the board voted to turn the matter of village contractual obligations to the district to the attorney and let them proceed. The new engine is in and up and running. The Village Representative which was Phil Snyder is not a vacant seat due to the fact he took a position on council to fill one of their members unexpired term. The village needs to appoint a new rep.

Jim Moore addressed the board for clarification on statements written by the Mayor in a flier that was distributed refuting a flier that Jim had circulated.

Old/New Business; Rich brought up the salt shed situation, would like to get his taken care prior to winter so we are not storing the new backhoe with all the salt.

Dann said he signed the contract for the Brownfield cleanup and sent it back to the EPA.

There being no further business meeting was adjourned.

Dann Timmons, Chairman

Jayme Neikirk, Fiscal Officer

RECORD OF PROCEEDINGS

Windham Township

September 23, 2015

Windham Township Trustees met in special on Sept. 23, 2015 at 10am to adopt a resolution to enter into the Master Lease Agreement with John Deere. Trustees Miller, Gano and Fiscal Officer present.

9-2-1 Rich Gano moved the adoption of the following Resolution.

Whereas, the Township of Windham located in Portage County, Ohio is a political subdivision organized under the Ohio Constitution and the laws of the state of Ohio (“Political Subdivision”): and

Whereas, the Board of Trustees of Windham Township is the governing body and legislative authority for Windham Township, Portage County, Ohio (“Governing Body”); and

Whereas, the Governing Body is authorized under Chapter 505 of the Ohio Revised Code, including but not limited to Sections 505.262 and 505.267 of the Revised Code to do such things, but not limited to, acquire, purchase, lease, lease with an option to purchase equipment, or other personal property for an authorized public purpose; and

Whereas, the Governing Body of the Political Subdivision now desires pursuant to applicable law pursuant to Sections 505.262 and 505.267 of the Ohio Revised Code to provide for the purchase of a new Loader Backhoe.

Whereas, in order to acquire the Loader Backhoe the Governing Body desires to enter into a lease-purchase agreement (“Lease”) pursuant to Ohio Revised Code Section 505.267 with John Deere Financial (Deer Credit, Inc); and

Whereas, the Governing Body of the Political Subdivision will lease from the Lessor and the Lessor will lease to the Governing Body of the Political Subdivision the Loader Backhoe with an option to purchase the Loader Backhoe at the conclusion of the lease term.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES (Governing Body) of Windham Township, Portage County, Ohio (Political Subdivision) that the Governing Body of the Political Subdivision hereby finds and determines that the Loader Backhoe will be public property to be used for public purposes; that the Loader Backhoe is for the Political Subdivision and that in order to implement the financing of the Loader Backhoe it is necessary and desirable and in the best interests of the Political Subdivision to enter into this Lease and other related documents for the purposes set forth in the Lease; and

BE IT FURTHER RESOLVED, that the lease in substantially the form on file in the Office of the Fiscal Officer is hereby approved and the Governing Body of the Political

Subdivision hereby authorizes the execution and delivery of the Lease by the Windham Township Fiscal Officer, and

BE IT FURTHER RESOLVED, that the Windham Township Fiscal Officer shall execute all necessary documents for this Lease and the fiscal officer is authorized to sign IRS Form 8038-G (Information Return for Tax Exempt Governmental Obligations) if or when requested by the Lessor; and

BE IT FURTHER RESOLVED, that the principal amount of the Lease shall not exceed the amount of \$ 62,646.00 and shall bear interest as set forth in the Lease and the Lease shall contain an option to purchase by the Political Subdivision. The Base Rentals and the principal and interest components thereof will be set forth in the Schedule attached to the Lease;

BE IT FURTHER RESOLVED, that the Political Subdivision's obligations under the Lease shall be subject to annual appropriation or renewal by the Governing Body as set forth in the Lease and the Political Subdivision's obligations under the Lease shall not constitute general obligations of the Political Subdivision or indebtedness under the Constitution or laws of Ohio.

BE IT FURTHER RESOLVED, that the formal actions of the governing body were taken in an open meeting and in full compliance with Ohio law and that this Resolution shall take effect immediately upon adoption and approval.

Brian Miller seconded the motion, and the roll was called on the question of its adoption was unanimously adopted as follows:

Gano yes Miller: yes

There being no further business meeting adjourned.

Dann Timmons, Chairman

Jayme Neikirk, Fiscal Officer