

**RECORD OF PROCEEDINGS
WINDHAM TOWNSHIP
NOVEMBER 7, 2019**

Windham Township Board of Trustees met regular session on November 7, 2019 at 6pm, Trustee Brian Miller, and Fiscal officer present, Gano absent. All board members received their monthly financial; packets.

11-1-2019 Brian Miller moved to approve October minutes Dan Burns seconded all voting yes motion carried.

11-2-2019 Brian Miller moved to approve expenditures Dan Burns seconded all voting yes motion carried.

11-3-2019 Brian Miller moved to enter into an agreement between the District Commissioners of the Portage County Solid Waste District and Village of Windham and Windham Township for the collection of recyclables, Dan Burns seconded all voting yes motion carried.

Guests:

Butch Christy, American Legion wanted to notify the board that they would let to expend their funds for banners for the poles of the Vietnam Veteran's killed in action and they will be getting an additional plaque for veteran's memorial to accommodate the additional names.

Mr. Robert 8263 SR 303 requesting information on making his barn into a wedding venue, and farm area for paintball games. The board and Joe Pinti explained that this is currently being discussed at Regional Planning they are working on it, there will be changes to the zoning resolution once the language has been worked out. This will go under special events and was told that he may have some definitive answers in January.

Roads; Hewins and Hopkins have been patched, salt and grits are in and the parking lot is completed and looks good.

Cemetery: Gano not present for report but Dan reported the foundations have been out in.

Zoning: Joe turned over \$73.60 to the fiscal officer for fees received this month. There was a Zoning Board meeting Oct. 17 and rough draft was submitted for the special events language, not all were in agreement so there is nothing to submit at this time.

He finally made progress in getting the trash removed from in front of the duplex on St.Rt.82 after finally threatening to have the township remove the debris and then put a lien on the property. It appears this works so he will be moving along much quicker on noncompliant properties.

Old/New

Presented the new faithful performance bond that can be used in lieu of the old surety bonds through OTARMA.

11-5-2019 Brian Miller moved to approve the Faithful Performance Bond for elected official and zoning inspector through OTARMA Dan Burns seconded all voting yes motion carried.

There being no further business meeting was adjourned.

Dan Burns, Chairman

Jayme Neikirk, Fiscal Officer

11-5-2019

WHEREAS, Windham Township, Portage County is a member of the Ohio Township Association Risk Management Authority (OTARMA), a political subdivision risk pool established pursuant to Ohio Revised Code hereinafter "ORC," 2744.081;

WHEREAS, House Bill 291 was signed into law on December 20, 2018 and became effective March 20, 2019; authorizes the use of an, "employee dishonesty and faithful performance of duty policy," instead of individual surety bonds, for trustees, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties; and

WHEREAS, in accordance with ORC 3.061, the township must adopt a policy by resolution to allow the use of an "employee dishonesty and faithful performance of duty" coverage document, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; the following shall apply to the policy:

1. An officer, employee, or appointee shall be considered qualified to hold the office or employment, without acquiring a bond, on the date the oath of office is taken, certified, and filed as required by law.
2. An officer, employee, or appointee shall have the employee dishonesty and faithful performance of duty policy in effect before the individual's term of office or employment and the officer, employee or appointee shall not commence the discharge of duties until coverage is documented.
3. All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.
4. The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law.
5. Elected officials, prior to taking the oath of office and holding office, shall obtain approval of the intent to use the township's OTARMA coverage agreement and affirm that the township's coverage complies with ORC 3.061. Said approval shall be obtained by the Windham Township, Portage County.

WHEREAS, Windham Township, Portage County's, "employee dishonesty and faithful performance of duty policy" through the OTARMA coverage document complies with ORC 3.061: and

NOW, THEREFORE, BE IT RESOLVED, that on this date Nov 11, 2019, the Windham Township, Portage County hereby authorizes the township to purchase and use "employee dishonesty and faithful performance of duty policy" through OTARMA instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties.