



COUNCIL AGENDA

Monday, June 7, 2021 - 7:00 pm
Waynesville Municipal Building

- I. Roll Call
- II. Pledge of Allegiance
- III. Mayor (for purposes of acknowledgements)
- IV. Disposition of Minutes of Previous Meetings

May 17, 2021 at 7:00 p.m.
- V. Public Recognition/Visitor's Comments (A five minute per person time limit will be allowed each speaker unless more time is requested and approved by a majority of council)
 - Bob Cross regarding short term rentals
- VI. Old Business
- VII. Reports
 - Standing Council Committees
 - a) Finance Committee
 - b) Public Works Committee
 - c) Special Committees
 - Village Manager's Report
 - Finance Director's Report
 - Police Report
 - Law Directors Report
- VIII. New Business:

Legislation:

Reading of Ordinances and Resolutions:

First Reading of Ordinances and Resolutions:

ORDINANCE NO. 2021 - 020

ADOPTING CHAPTER 114 OF THE WAYNESVILLE CODIFIED ORDINANCES REGULATING
"SHORT-TERM RENTAL OPERATIONS" IN THE VILLAGE OF WAYNESVILLE

ORDINANCE NO. 2021-021

AUTHORIZING THE VILLAGE MANAGER TO ACCEPT U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

ORDINANCE NO. 2021-022

ESTABLISHING THE 2152 AMERICAN RESCUE PLAN (ARP) AND DECLARING AN
EMERGENCY

Second Reading of Ordinances and Resolutions:

Tabled:

ORDINANCE NO. 2021-015

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH PCI SERVICES
AND DECLARING AN EMERGENCY

IX. Executive Session

X. Adjournment

Next Regular Council Meeting:

June 21, 2021 at 7:00 pm

Upcoming Meetings and Events:

Public Works Committee Meeting, June 7, 2021 @ 6:00 p.m.

Finance Meeting, June 24, 2021 @ 5:00 p.m.

**Village of Waynesville
Council Meeting Minutes
May 17, 2021 at 7:00 pm**

DRAFT

Present: Mayor Earl Isaacs
Mr. Brian Blankenship
Mr. Chris Colvin
Ms. Joette Dedden
Mr. Zack Gallagher
Mr. Troy Lauffer
Mrs. Connie Miller

Village Staff Present: Jeff Forbes, Law Director; Chief Gary Copeland, Village Manager and Safety Director; Jamie Morley, Clerk of Council

CLERK'S NOTE- This is a summary of the Village Council Meeting held on Monday, May 17, 2021.

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Mayor Isaacs called the meeting to order at 7:00 p.m.

Roll Call – 7 present

At Mayor Isaacs's request, Mr. Blankenship led Council in a moment of prayer.

Mayor Acknowledgements

Attended the ribbon cutting and dedication of the new Wayne Township Fire House. State Senator Steve Wilson, Township Trustees, and Mayor of Corwin were all in attendance. The building is state-of-the-art and should serve the fire department well.

Disposition of Previous Minutes

Mr. Colvin made a motion to approve the minutes for the Council meeting on May 3, 2021 as written and Mr. Lauffer seconded the motion.

Motion – Colvin
Second – Lauffer

Roll Call – 7 yeas

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Public Recognition/Visitor's Comments

None

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Old Business

None

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Reports

Finance

The Finance Committee will meet on Thursday May 20, 2021 at 5:00 p.m. at the Government Center. The public is encouraged to attend.

Public Works Report

Public Works will meet on June 7, 2021 at 6:00 p.m. and the public is welcome to attend.

Special Committee Report

Special Committee of Council appointed to research short term rentals met Wednesday, May 5, 2021 at 6:00 p.m. The meeting was productive and received a lot of public input. An ordinance is almost completed and should be presented to Council at the next Council meeting. Mr. Forbes stated that the Committee drafted an ordinance and made revisions after receiving public and staff input. He should have a reviewed draft ready for the Committee to present to Council at the next regularly scheduled Council meeting.

Ms. Dedden suggested to Council that it may be a good idea to pass the ordinance after two-readings as an emergency. This way it would not encroach on the tourist season for businesses waiting for the outcome of the new ordinance.

Mr. Lauffer asked if the ordinance would address insurance which Ms. Dedden stated that it is in the proposed ordinance and can be addressed when the ordinance is presented to Council.

Village Manager Report

- Ashlee Fencing has completed the gates and fencing. This is working well to secure the facilities.
- Phase III has been completed and having the final inspection tomorrow at 3:00p.m. Will hold 4% of the cost of the project for 1 year.

- The Village was not approved for the Small Government Ohio Public Works Grant for Third Street. Suggesting that the Village resubmits for the 2023 OPWC PY37 Grant and increase the local participation to 41%. This would be a total of 286K. Will also see if Wayne Township will co-op with the grant to help pay for the fire hydrants. This will help get more points and increase the likelihood of being chosen to receive the grant.
- Met with Legend Webworks to work on the new website. It is going well and will look more professional and be more user friendly.
- Met with Ryan Braun of Wessler to go over updating the wellfield electric and getting Well 7 back online. Wessler specializes in water engineering and there is an ordinance to enter into an agreement with them to get a plan to upgrade the water system.
- The water distribution station looks great and is pretty much finished. The Street Department installed guardrails along the side because there was a 6" drop. These were purchased from Warren County. Also installed a picnic table that has been anchored. Plan to install no parking signs around the building.
- The Street Department has cleaned up around the storage building on South Main St. This is getting it ready for repainting and new roofing. There is an ordinance tonight to approve the building to be primed, painted, matching blue metal roof installed, and new garage doors to be done by Epanel Plus.
- Signs have been placed along Main Street in the business district stating no skateboarding allowed along with the ordinance number.
- Would like to thank the staff for cleaning up the outside of the building. It looks much nicer.
- Included a letter from the County Commissioners that the Block Grant was approved and the 35K to install sidewalks along Franklin Street should be received late June. Once the funds have been received, Ed's Concrete should begin the project. A letter to the property owners will be delivered to explain the project.
- Thank you to Council members for representing the Village at the Wayne Township Fire Department ribbon cutting.
- The American Legion will be having the Fourth of July fireworks this year and are looking for donations. It is doubtful that the parade will happen this year as the gentleman responsible for doing it has had health issues.

Police Report

- April's dispatch calls for service and Mayor's Court month end have been provided.

- Would like to thank Warren County dispatchers for supplying the Police Department with treats and a card commemorating Police Memorial Week.
- Sgt. Denlinger is performing code enforcement twice a month. He will present offenders with a letter first, then a verbal warning, and finally see what enforcement is needed to resolve the violation. The goal is to clean up the town.
- In May, all full-time police officers and several reserve officers attended crowd management training.
- Would recommend that the Special Committee on Short Term Rentals takes into consideration that these rentals would have to follow County Building Codes as well as Village codes.

Mayor Isaacs affirmed the total cost of the projected PY 37 would be 697K with the Village contributing 41% or 286K. Ms. Dedden added that she spoke with the Finance Director, who stated this project is not until 2023 and would give the Village ample time to save. At this time, there was discussion of getting as many points as possible by increasing the Village's contribution and partnering with Wayne Township. Ms. Dedden stated she believes the Township would be willing to partner with the Village on this grant even though they declined last time stating that finances were stretched thin due to the new fire house. Mayor Isaacs stated that Mr. Edwards said the new building was paid in full.

It was also suggested that the Permissive funds being held by Warren County could be used for this project. Chief Copeland stated that he was hoping to use that money and license plate money for a light at the intersection of Route 42 and North Street. He believes that if the Village were to fund the entire project, ODOT may approve the light installation. Mr. Lauffer asked why ODOT may not approve the light as he feels it is a priority. Chief Copeland stated that ODOT has suggested that traffic light sometimes causes more accidents. Chief Copeland was asked to contact ODOT and see if this was a possibility.

Financial Director Report

None

Law Report

None

New Business

Ms. Dedden made a motion to approve donating \$2,000 to the American Legion for the Fourth of July fireworks and Mrs. Miller seconded the motion.

Motion – Dedden

Second – Miller

Roll Call – 7 yeas

At this time, the notice to legislative authorities to raise objections to renewal of current holders of liquor permits from the Ohio Department of Commerce was discussed. Chief Copeland stated that this is done yearly and there are no reasons that he is aware of to request a hearing. Since no objections were raised, Mr. Forbes stated that no action was required.

Legislation

First Reading of Ordinances and Resolutions

Ordinance No. 2021-018

Authorizing the Village Manager to Enter into a Contract with Epanel Plus, Ltd. in an Amount not to Exceed \$25,873 for the South Main Street Maintenance Storage Facility Improvement Project and Declaring an Emergency

Mr. Colvin made a motion to waive the two-reading rule of Ordinance 2021-018 and Mr. Gallagher seconded the motion.

Motion – Colvin
Second – Gallagher

Roll Call – 7 yeas

Mr. Gallagher made a motion to adopt Ordinance 2021-018 and Mr. Lauffer seconded the motion.

Motion – Gallagher
Second – Lauffer

Mr. Lauffer wanted to ensure Epanel Plus would get the funds quickly so supplies can be ordered before prices further increase. Chief Copeland explained that the company would get draws in order to purchase supplies.

Roll Call – 7 yeas

Ordinance No. 2021-019

Authorizing the Village Manager to Enter into a Contract with Wessler Engineering in an Amount not to Exceed \$10,550 for Electrical Evaluation and Ohio EPA Well Capacity Approval Plan for Wells 6 and 7 and Declaring an Emergency

Mr. Colvin made a motion to waive the two-reading rule of Ordinance 2021-019 and Ms. Dedden seconded the motion.

Motion – Colvin
Second – Dedden

Roll Call – 7 yeas

Mr. Colvin made a motion to adopt Ordinance 2021-019 and Mr. Gallagher seconded the motion.

Motion – Colvin
Second – Gallagher

Roll Call – 7 yeas

Second Reading of Ordinances and Resolutions

Ordinance 2021-017

Amending the Rules of Council

Ms. Dedden made a motion to adopt Ordinance 2021-017 and Mrs. Miller seconded the motion.

Motion – Dedden

Second – Miller

Roll Call – 7 yeas

Tabled Ordinances and Resolutions

Ordinance No. 2021-015

Authorizing the Village Manager to Enter into a Contract with PCI Services and Declaring an Emergency

There was no action taken o tabled Ordinance No. 2021-015.

Executive Session

None

Ms. Dedden made the motion to adjourn at 7:37 p.m. and was seconded by Mrs. Miller. All were in favor.

Date: _____

Jamie Morley, Clerk of Council

ORDINANCE NO. 2021 - 020

ADOPTING CHAPTER 114 OF THE WAYNESVILLE CODIFIED ORDINANCES REGULATING "SHORT-TERM RENTAL OPERATIONS" IN THE VILLAGE OF WAYNESVILLE

WHEREAS, municipalities across the United States have implemented, or are in the process of implementing, regulations and standards for short-term rental operations; and

WHEREAS, the State of Ohio and the Village of Waynesville, currently have no regulations on short-term rentals; and

WHEREAS, this Council referred the question of whether the Village should regulate short-term rentals, to the Village Manager and Law Director, to study and report back to Council recommendations concerning the same; and

WHEREAS, Council voted to form a Committee to study the pros and cons of Short Term Rentals, in relation to allowing them or prohibiting them within the Village; and

WHEREAS, this Council reached out to local residents for comments on Short Term Rentals including holding committee meetings for the purpose of both engaging the Village community and soliciting testimony with respect to whether the Village of Waynesville should implement regulations concerning short-term rentals; and

WHEREAS, the Council recommends that the Village regulate the use of Short Term Rentals to maintain and preserve the distinct character of the Village of Waynesville's residential, business, and historic neighborhoods while also protecting and ensuring the rights of private property owners; and

WHEREAS, The Council, with approval of this Ordinance by vote, now states that any Short-Term Rentals inside the Village limits, must be Owner occupied to operate. This does not include properties within the Neighborhood Commercial District; and

WHEREAS, properties within the Neighborhood Commercial District must follow all other rules listed in Exhibit A; and

WHEREAS, this Council finds and concludes that adopting this ordinance, "Short-term Rental Operations," promotes the public health, safety and welfare of the Village and its residents and effectively balances the diverse interests of the Village's Short-Term Rental owners, renters, property owners, and residential and business communities.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, State of Ohio, that:

Section 1. Chapter 114 of the Waynesville Codified Ordinances is hereby adopted regulating short-term rental operations, as set forth more fully in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and shall be effective immediately upon its adoption. The reason for said declaration of emergency is and for the further reason that it is immediately necessary to adopt regulations for short-term rentals within the Village of Waynesville, so as to immediately begin regulating, in a reasonable and practical manner, a currently unregulated commercial activity that is quickly proliferating throughout the Village and which, if allowed to continue unregulated, threatens the health, safety, welfare, comfort, and peace of the Village.

Adopted this ____ day of _____, 2021.

Attest: _____
Clerk of Council

Mayor

Exhibit A

114.01 Definitions

(a) "Short-Term Rental" means any room or dwelling that is rented wholly or partly for a fee for less than thirty (30) consecutive days by persons other than the owner from which the owner receives monetary compensation, whether such compensation is paid directly by the short-term rental guest or is collected and remitted to the owner by a hosting platform. "Short-Term Rental" does not include a room in any Hotel or Motel, as defined elsewhere in the Codified Ordinances of the Village of Waynesville.

(b) "Short-Term Rental Operation" or "operation of a short-term rental" means the occupancy for a fee of any room or dwelling in a short-term rental by a transient guest.

(c) "Hosting Platform" means a person or entity in whatever form or format that facilitates, through advertising or any other means, a short-term rental booking transaction for accommodations between a short-term rental host and short-term rental guest, including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental host. Examples include, but are not limited to, Airbnb, VRBO, and HomeAway.

(d) "Transient Guests" means persons occupying a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.

(e) "Short-Term Rental Guests" means persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than thirty (30) consecutive days.

(f) "Guestroom" means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

(g) "Primary Residence" means a residence that is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy, or a utility bill.

(h) "Dwelling" means any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence, or sleeping place for one or more persons.

(i) "Owner" means an individual(s), corporation, or partnership that has legal title to and control of a dwelling.

(j) "Short-term rental host" or "host" means the owner of a short-term rental or the individuals that are leasing the property as their primary residence from the owner, and who offers the short-term rental for temporary lodging for less than 30 consecutive days.

114.02 PERMIT REQUIRED.

(a) No person, including, but not limited to, an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the Village of Waynesville, the operation of a short-term rental in a calendar year without obtaining a permit in accordance with this ordinance. It shall be prima facie evidence of a short-term rental operation if a short-term rental guest is found to be occupying or using a short-term rental or if a residence has been placed on any hosting platform for short-term rental purposes.

(b) An application for a new short-term rental permit may be submitted at any time to the Village Manager, or his/her designee. If the application is approved and a permit is issued, the short-term rental permit shall take effect on the day of issuance and shall expire on December 31st of the year in which the permit was first issued.

(c) A permit to operate a short-term rental shall be renewed by the applicant before the end of the year in which the permit was first issued. The deadline for applying for a permit for renewal shall be the first Monday of November of the year in which the permit is set to expire. Failure to renew shall result in expiration of the short-term rental permit on December 31st. If a short-term rental permit is successfully and timely renewed, it shall be in effect for (1) one year, beginning on January 1st and expiring on December 31st of the year it was issued.

(d) Bed and breakfast establishments lawfully operating within the Village, as defined by the Village of Waynesville codes, shall not be subject to the requirements of this ordinance provided that such establishments were in operation prior to the effective date of Ordinance 96-152 and have not ceased operation for more than ninety (90) consecutive days.

114.03 APPLICATION FOR SHORT-TERM RENTAL PERMIT, NEW AND RENEWAL.

(a) An application for a short-term rental permit, and/or renewal of a permit, shall be made to the Village Manager, or his/her designee, upon approved forms, for an application processing fee of \$100.00. Village Council shall have authority to amend the fee amount from time to time to reflect the costs of administering this ordinance.

(b) The application for a permit to operate a short-term rental shall contain the following information:

(1) Name of the applicant, including mailing address, telephone number, and email address. For an owner-occupied short-term rental application, the permanent occupant shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in this Chapter.

(2) The names of the legal owner or owners of the property, including mailing address, telephone number, and email address;

(3) Sufficient information to demonstrate compliance with either the permanent occupancy or ownership requirements defined and outlined in this Chapter.

(4) The names of all hosting platforms that are used by the short-term rental host and proof of rental insurance for the unit rental;

(5) The names of all advertising outlets in which the short-term rental host intends to advertise such rental if the short-term rental host is not using a hosting platform;

(6) The maximum number of occupants that will be accommodated at the short-term rental, not to exceed two (2) adults and children per bedroom;

(7) The maximum number of motor vehicles that will be permitted to park at the short-term rental shall be 1 (one) vehicle per bedroom rented.

(8) An affidavit attesting that the short-term rental operation is in compliance with all applicable local, state, and federal laws and regulations concerning the provision of sleeping accommodations to transient guests, including a certification that any short-term rental operation located outside of the Neighborhood Commercial District shall be owner occupied during the term of any short-term rental operations; and

(9) For Short-term rentals within the Neighborhood Commercial District (NC), the contact name and telephone number for the short-term rental host that may be used 24

hours a day, seven days a week for any issues that may arise related to the short-term rental unit or its transient guests.

(c) The applicant must notify the Village Manager, or his/her designee, of any change in information contained in the permit application within ten (10) days of the change. Failure to do so may result in suspension of permit.

(d) Any change in ownership of the dwelling shall void the current short-term rental permit and shall require submission and approval of a new short-term rental permit application.

(e) A short-term rental shall be assigned an individual registration account number that must be prominently posted with the unit on any hosting platform(s) or in any other advertisement regarding the unit. Said valid registration shall be displayed but removed upon expiration.

(f) If the owner or host is not able to be at the property for more than 24 hours, while it is being used as a short-term rental, the owner or host must have a designated person on the premise to carry out their duties. If they do not have a replacement person to carry out the terms of this ordinance, they must cancel any contracts they have for the rental of said unit during their absence.

114.04 SHORT-TERM RENTAL HOST REQUIREMENTS.

(a) Short-term rental host requirements. A short-term rental host shall be the owner or host of the dwelling. The short-term rental owner or host must provide: one (1) form of proof of identity, and two (2) pieces of evidence that the dwelling is the owner's or host's primary residence or two (2) pieces of evidence that the host is the owner or lessee of the dwelling.

(1) One (1) short-term rental permit per short-term rental operation may be issued.

(2) The short-term rental host must provide written notice to the short-term rental guest of:

(A) The short-term rental host shall provide proper trash and recycling containers for the short-term rental guest(s).

(B) The owner or host must post inside the dwelling what is and what is not allowed to occur on the premises by the guests while renting.

(3) Smoke detectors shall be provided and maintained adjacent to each sleeping area in each dwelling unit;

(4) One or more carbon monoxide detection devices shall be installed and maintained as close to the center of the dwelling unit and within close proximity to the living and sleeping areas of the dwelling unit;

(5) Occupancy shall be limited to two (2) adults and children per bedroom within the dwelling unit;

(6) Compliance with all other applicable provisions of the Village of Waynesville Codified Ordinances related to residential housing;

(7) All short-term rental owners shall obtain liability insurance for the short-term rental. Each short-term rental shall always maintain the following insurance coverage meeting all of the following requirements: A general liability insurance policy or certificate that shall provide the following minimum coverage:

(A) Replacement Value not less than three hundred thousand dollars (\$300,000). Such policy or certificate must be issued by an insurance company that is admitted doing business in the State of Ohio or by an eligible surplus lines company or risk retention group;

(B) The policy or certificate shall provide notice of cancellation of insurance to the Village Manager at least ten (10) days prior to cancellation; and

(C) Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.

(b) Records required. Short-term rental hosts that offer short-term rentals shall retain and, upon request, make available to the Village Manager, or his/her designee, official records to demonstrate compliance with this ordinance, including, but not limited to, primary residency, the dates and duration of each stay in the short-term rental, the maximum occupancy permitted at the short-term rental, and the maximum number of motor vehicles permitted at the short-term rental. A short-term rental host that provides rooms for short-term rental use shall retain records for a period of at least four (4) years.

(c) Signage: Owner must apply for a permit for a sign, unless no sign is desired. No signs permitted in Residential Districts.

(d) Nothing in this ordinance shall be construed as permitting any person to obtain a permit or offer a short-term rental, where prohibited by any other provision of law.

114.05 GROUND FOR DENIAL.

(a) The Village Manager, or his/her designee, shall issue a new permit upon application, or grant the renewal of an existing permit, except as provided in divisions (b) and (c) of this section.

(b) The Village Manager, or his/her designee, shall deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at the short-term rental property:

(1) The applicant makes a material misrepresentation of fact on the application for a short-term rental permit;

(2) The applicant or any owner of the short-term rental has been convicted of violating any terms specified in this ordinance.

(3) Any owner, applicant, operator, or manager of the short-term rental is shown to have been convicted of the act of prostitution or soliciting for prostitution, or an act that would constitute a violation of the Ohio R.C. Chapters 2925 (Drug Offenses) or 3719 (Controlled Substances), in or on the premises of the dwelling of the short-term rental in question, or any short-term rental in which the owner has any interest in, including, but not limited to, ownership, licensure, or management.

(4) The property taxes of the short-term rental owner are in arrears with the Warren County Auditor's Office.

(5) The short-term rental owner is not in good standing with the Village of Waynesville Income Tax Division.

(6) The short-term rental has a documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity.

(c) Evidence of conduct under division (b) of this section need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial unless specifically indicated.

114.06 REVOCATION AND SUSPENSION OF SHORT-TERM RENTAL PERMIT.

(a) The Village Manager, or his/her designee, may revoke and/or suspend a short-term rental permit if it is determined that the activities set forth above are determined to have occurred at the short-term rental; or a short-term rental unit is listed on a hosting platform or advertised elsewhere without the registration number as required under application section (e) or is perpetuating conditions interfering with use and enjoyment of properties within its vicinity; or is delinquent in filing or payment with the Village of Waynesville Income Tax Division; or is engaging in conduct in violation of this ordinance. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

(1) The occurrence of any of the activities set forth in the Village's Codified Ordinances relating to noise disturbance, nuisance, drug offenses, or disorderly conduct;

(2) Occupancy by a number of short-term rental users exceeding either (1) the maximum number included in the application for the short-term rental permit or (2) the maximum occupancy permitted pursuant to this ordinance;

(3) Parking of a number of motor vehicles exceeding either (1) the maximum number included in the application for the short-term rental permit or (2) the maximum number of motor vehicles permitted at any short-term rental pursuant to this ordinance;

(4) Uninvited entry of short-term rental occupants upon private property within five hundred (500) feet of the short-term rental;

(5) The owner or host must maintain the property, following the rules and regulations listed in Chapter 154, Property Maintenance.

(b) A violation of any of the conditions in this ordinance shall result in progressive enforcement as follows, but not subject to be in this order, depending on severity of violation.

(1) Upon the first violation, the short-term rental owner shall be given a written warning of the violation (s) made.

(2) Upon the second violation, the permit for the short-term rental shall be terminated and the short-term rental owner prohibited from re-applying for a new permit for six (6) months from the date of termination.

(3) Upon the third violation, the permit for the short-term rental shall be terminated and the short-term rental owner prohibited from re-applying for a new permit for one (1) year from the date of termination.

114.07 APPLICABILITY OF RELATED TAXES

Notwithstanding anything to the contrary or in conflict, the Short Term Rental Owner shall be subject to and responsible to pay the taxes imposed pursuant to Section 36.21 and Section 38.23 of the Waynesville Codified Ordinances.

114.08 APPEAL OF DENIAL OR REVOCATION OF PERMIT.

In the event an applicant has been denied a permit, or if a permit has been revoked or suspended, the party affected shall have the right to appeal to the Village Manager from such denial, revocation, or suspension within ten (10) business days. Notice of appeal shall be filed with the Village Manager's office on a form created by the Village Manager for such purpose, and the Village Manager shall set the date and time of the appeal hearing. The burden of proof in such an appeal shall be upon the appellant to show that the denial or revocation was arbitrary or unreasonable.

114.09 TRANSFER OF SHORT-TERM RENTAL PERMIT PROHIBITED.

(a) No permit under this ordinance shall be transferable to another short-term rental operation.

(b) No permit under this ordinance shall be transferable to another individual, corporation, firm, partnership, association, organization, or other group acting as a unit.

114.10 DISCRIMINATION PROHIBITED.

(a) A short-term rental host shall not:

(1) Decline a short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(2) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(3) Post any listing or make any statement that discourages or indicates a preference for or against any short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status.

114.11 RULES AND REGULATIONS.

The Village Manager may promulgate and enforce reasonable rules and regulations to carry out the intent of this ordinance.

114.12 SHORT-TERM RENTAL PERMIT DISPLAY.

The short-term rental host shall maintain the short-term rental permit and prominently display it in the dwelling.

114.13 SEVERABILITY.

In the event any section or provision of this ordinance shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

114.14 SHORT-TERM RENTAL PENALTY.

Whoever violates any provision of this ordinance shall be guilty of an unclassified misdemeanor and shall be fined not more than five hundred dollars (\$500.00). Upon subsequent convictions, the penalty shall be an unclassified misdemeanor, but the guilty party shall be fined not more than one thousand dollars (\$1,000.00), in addition to any other penalties as imposed by this ordinance.

ORDINANCE NO. 2021-021

AUTHORIZING THE VILLAGE MANAGER TO ACCEPT U.S. DEPARTMENT OF THE TREASURY CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

WHEREAS, certain provisions of the American Rescue Plan Act authorize the U.S. Department of the Treasury to make certain payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund ; and

WHEREAS, the Village of Waynesville desires to accept said funds.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, _____ members elected thereto concurring:

Section 1. The Village of Waynesville hereby accepts the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds.

Section 2. That the Village Manager is hereby authorized to execute any all documents necessary related to the distribution and acceptance of the funds.

Section 3. That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this _____ day of _____, 2021.

Attest: _____
Clerk of Council

Mayor

9. Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
- b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.

15. Disclaimer:

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

ORDINANCE NO. 2021-022

**ESTABLISHING THE 2152 AMERICAN RESCUE PLAN (ARP) AND
DECLARING AN EMERGENCY**

WHEREAS, the Village of Waynesville anticipates the receipt of American Rescue Plan Funds (“ARP”) monies; and

WHEREAS, all ARP funds received shall be placed in a separate fund to be known as the “American Rescue Plan Fund” or “ARP Fund” to be further identified as Fund 2052.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, _____ members elected thereto concurring:

Section 1. That the ARP Fund 2052 is hereby established in the Village treasury.

Section 2. That monies deposited in this fund shall be used only for the purposes permitted pursuant to state and federal law.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of the Village and shall be effective immediately upon its adoption. The reason for said declaration of emergency is the need to establish the Fund prior to the receipt of the monies.

Passed this ____ day of _____, 2020.

CLERK OF COUNCIL

MAYOR

ORDINANCE NO. 2021-015

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH PCI SERVICES AND DECLARING AN EMERGENCY

WHEREAS, it is necessary for the Village of Waynesville to run electric wires to certain wells; and

WHEREAS, PCI Services has submitted an acceptable proposal for said work.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, _____ members elected thereto concurring that:

Section 1. That the Village Manager is hereby authorized to execute a contract with PCI Services pursuant to the terms of the proposal attached hereto as Exhibit A.

Section 2. That the Finance Director is authorized to pay PCI Services an amount not to exceed \$43,000.00 pursuant to the terms of the proposal

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to accept the proposal at the earliest possible date.

Adopted this ____ day of _____, 2021.

Attest: _____
Clerk of Council

Mayor

P C I Services

62 Big Pine rd.
Winchester, OH 45697 US
9375159369
nmerrill6@gmail.com

Estimate

ADDRESS

Village of Waynesville
1400 Lytle Rd
Waynesville, OH 45068
United States

ESTIMATE # 0012065
DATE 04/05/2021

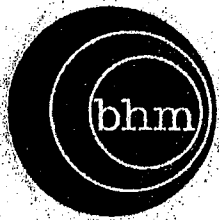
| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|------------|----------|---|-----|-----------|-----------|
| 04/05/2021 | Service | excavator and operator to dig 1500 foot trench | 1 | 4,000.00 | 4,000.00 |
| 04/05/2021 | Service | labor to install conduit and pull boxes | 50 | 50.00 | 2,500.00 |
| 04/05/2021 | Service | labor to pull wire | 100 | 50.00 | 5,000.00 |
| 04/05/2021 | material | Materials 3000 feet 2 inch conduit, 7 pull boxes, 9000 feet #2 copper wire, 3000 feet #6 ground, and misc conduit fittings bucketr of pull string estimate on copper wiring subject to change due to better field measurment when conduit is install and do to price of copper changing daily village responsible to locate water main | 1 | 27,500.00 | 27,500.00 |

TOTAL **\$39,000.00**

Accepted By

Accepted Date

Thank you for your bussiness
Me14398
Ce14399



bhm cpa group, inc.

CERTIFIED PUBLIC ACCOUNTANTS

For the Year Ended December 31, 2020 and 2019

VILLAGE OF WAYNESVILLE
WARREN COUNTY

AGREED UPON PROCEDURES

FOR THE YEARS ENDED DECEMBER 31, 2020 AND 2019

draft

One East Campus View Blvd. Suite 300 • Columbus, OH 43235 • (614) 430-0590 • FAX (614) 448-4519
PO Box 875 • 129 Pinckney Street • Circleville, OH 43113 • (740) 474-5210 • FAX (740) 474-7319
PO Box 687 • 528 S. West Street • Piketon, OH 45661 • (740) 289-4131 • FAX (740) 289-3639

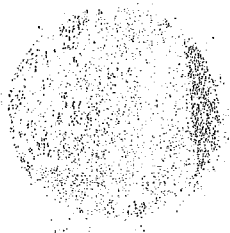
www.bhmcpgroup.com

VILLAGE OF WAYNESVILLE

Warren County

For the Years Ended December 31, 2020 and 2019

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draft



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 CERTIFIED PUBLIC ACCOUNTANTS

INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES

Village of Waynesville
 Warren County
 1400 Lytle Road
 Waynesville, Ohio 45068

We have performed the procedures enumerated below, which were agreed to by the Village Council, Mayor and the management of the Village of Waynesville (the Village) and the Auditor of State, on the receipts, disbursements and balances recorded in the Villages cash basis accounting records for the years ended December 31, 2020 and 2019 and certain compliance requirements related to those transactions and balances, included in the information provided to us by the management of the Village. The Village is responsible for the receipts, disbursements and balances recorded in the cash basis accounting records for the years ended December 31, 2020 and 2019 and certain compliance requirements related to these transactions and balances included in the information provided to us by the Village. The sufficiency of the procedures is solely the responsibility of the parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

This report only describes exceptions exceeding \$10.

Cash and Investments

1. We recalculated the December 31, 2020 and December 31, 2019 bank reconciliations. We found no exceptions.
2. We agreed the January 1, 2019 beginning fund balances recorded in the Combined Statements to the December 31, 2018 balances in the prior year documentation in the prior year Agreed-Upon Procedures working papers. We found no exceptions. We also agreed the January 1, 2020 beginning fund balances recorded in the Combined Statements to the December 31, 2019 balances in the Fund Status Report. We found no exceptions.
3. We agreed the totals per the bank reconciliations to the total of the December 31, 2020 and 2019 fund cash balances reported in the Fund Status Report and the financial statements filed by the Village in the Hinkle System. The amounts agreed.
4. We observed the year-end bank balances on the financial institution's website. The balances agreed. We also agreed the confirmed balances to the amounts appearing in the December 31, 2020 bank reconciliation without exception.

5. We selected five reconciling debits (such as outstanding checks) from the December 31, 2020 bank reconciliation:
 - a. We traced each debit to the subsequent January bank statement. We found no exceptions.
 - b. We traced the amounts and dates to the check register and determined the debits were dated prior to December 31. There were no exceptions.
6. We selected all reconciling credits (such as deposits in transit) from the December 31, 2020 bank reconciliation:
 - a. We traced each credit to the subsequent January bank statement. We found no exceptions.
 - b. We agreed the credit amounts to the Revenue Ledger and determined they were dated prior to December 31. We found no exceptions.
7. We inspected investments held at December 31, 2020 and December 31, 2019 to determine that they:
 - a. Were of a type authorized by Ohio Rev. Code Sections 135.13, 135.14 or 135.144. We found no exceptions.
 - b. Mature within the prescribed time limits noted in Ohio Rev. Code Section 135.13 or 135.14. We noted no exceptions.

Property Taxes and Intergovernmental Receipts

1. We selected a total of five receipts from the *Statement of Semiannual Apportionment of Taxes*, *State Distribution Transaction Listing (DTL)* and the *County Auditor DLTs* for 2020 and a total of five from 2019:
 - a. We compared the amount from the above named reports to the amount recorded in the Receipt Detail. The amounts agreed.
 - b. We inspected the Receipt Detail to determine these receipts were allocated to the proper funds as required by Ohio Rev. Code Sections 5705.05-06 and 5705.10. We found no exceptions.
 - c. We inspected the Receipt Detail to determine whether the receipt was recorded in the proper year. The receipt was recorded in the proper year. We found no exceptions.
2. We inspected the Revenue Ledger to determine whether it included two real estate tax receipts for 2020 and 2019. The Revenue Ledger included the proper number of tax receipts for each year.

Income Tax Receipts

1. We obtained the December 31, 2020 and 2019 Monthly Distribution Summary reports submitted by the Regional Income Tax Agency (RITA), the agency responsible for collecting income taxes on behalf of the Village. We agreed the total gross income taxes per year to the Village's Revenue Ledger. The amounts agreed.

Water and Sewer Fund

1. We selected 10 Water and Sewer Fund collection cash receipts from the year ended December 31, 2020 and 10 Water and Sewer Fund collection cash receipts from the year ended 2019 recorded in the Receipt Detail and determined whether the:
 - a. Receipt amount per the Receipt Detail agreed to the amount recorded to the credit of the customer's account in the Billing Report. The amounts agreed.
 - b. Amount charged for the related billing period:
 - i. Agreed with the debit to accounts receivable in the Billing Report for the billing period. We found no exceptions.
 - ii. Complied with rates in force during the audit period (multiplied by the consumption amount recorded for the billing period, plus any applicable late penalties, plus unpaid prior billings. We found no exceptions.
 - c. Receipt was posted to the proper funds and was recorded in the year received. We found no exceptions.
2. We observed the Account Aging Report.
 - a. This report listed \$16,438.20 and \$16,725.26 of accounts receivable as of December 31, 2020 and 2019, respectively.
 - b. Of the total receivables reported in the preceding procedure, \$587.55 and \$3.67 were recorded as more than 90 days delinquent.
3. We observed the Adjustment History Report.
 - a. This report listed a total of \$59,557.48 and \$29,850.87 non-cash receipts adjustments for the years ended December 31, 2020 and 2019, respectively.
 - b. We selected five non-cash adjustments from 2020 and five non-cash adjustments from 2019, and observed that the Village Manager approved each adjustment.

Debt

1. From the prior agreed-upon procedures documentation, we observed the following loans were outstanding as of December 31, 2018. These amounts agreed to the Villages January 1, 2019 balances on the summary we used in procedure 3.

| Issue | Principal outstanding as of December 31, 2018: |
|-----------------|--|
| OWDA Loan #3235 | \$197,627.16 |
| OWDA Loan #3984 | \$109,364.84 |

2. We inquired of management and inspected the Receipt Register Report and Payment Register Detail Report for evidence of debt issued during 2020 or 2019 or debt payment activity during 2020 or 2019. All debt agreed to the summary we used in procedure 3.
3. We obtained a summary of loans debt activity for 2020 and 2019 and agreed principal and interest payments from the related debt amortization schedules to debt service fund payments reported in the Payment Register Detail Report. We also compared the date the debt service payments were due to the date the Village made the payments. We found no exceptions.

Payroll Cash Disbursements

1. We selected one payroll check for five employees from 2020 and one payroll check for five employees from 2019 from the Wage Detail Report and:
 - a. We compared the hours and pay rate, or salary recorded in the Wage Detail Report to supporting documentation (timecard, legislatively or statutorily-approved rate or salary).
 - i. We inspected the employees' personnel files and/or minute record for the Retirement system, Federal, State & Local income tax withholding authorization.
 - ii. We agreed these items to the information used to compute gross and net pay related to this check.
 - b. We inspected the fund and account codes to which the check was posted to determine the posting was allowable based on the employees' duties as documented in the employees' personnel files and/or minute record. We found no exceptions.
 - c. We confirmed the payment was posted to the proper year. We found no exceptions.
2. We inspected the last remittance of tax and retirement withholdings for the year ended December 31, 2020 to confirm remittances were timely paid (and if the amounts paid agreed to the amounts withheld, plus the employer's share where applicable) during the final withholding period during 2020. We observed the following:

| Withholding (plus employer share, where applicable) | Date Due | Date Paid | Amount Due | Amount Paid |
|---|------------------|-------------------|------------|-------------|
| Federal income taxes & Medicare (and social security, for employees not enrolled in pension system) | January 31, 2021 | December 31, 2020 | \$1,972.40 | \$1,972.40 |
| State income taxes | January 15, 2021 | December 28, 2020 | \$1,447.63 | \$1,447.63 |
| Village of Waynesville income tax | January 31, 2021 | December 28, 2020 | \$307.38 | \$307.38 |
| OPERS retirement | January 30, 2021 | January 21, 2021 | \$8,104.11 | \$8,104.11 |
| OP&F retirement | January 31, 2021 | January 21, 2021 | \$5,690.53 | \$5,690.53 |
| School District Tax | January 31, 2021 | January 21, 2021 | \$100.95 | \$100.95 |

Non-Payroll Cash Disbursements

1. We selected 10 disbursements from the Payment Listing for the year ended December 31, 2020 and 10 from the year ended 2019 and determined whether:
 - a. The disbursements were for a proper public purpose. We found no exceptions.
 - b. The check number, date, payee name and amount recorded on the returned, canceled check agreed to the check number, date, payee name and amount recorded in the Payment Listing and to the names and amounts on the supporting invoices. We found no exceptions.
 - c. The payment was posted to a fund consistent with the restricted purpose for which the fund's cash can be used. We found no exceptions.
 - d. The fiscal officer certified disbursements requiring certification or issued a *Then and Now Certificate*, as required by Ohio Rev. Code Section 5705.41(D). We found no exceptions.

Mayors Court Transactions and Cash Balances

We recalculated the December 31, 2020 and December 31, 2019 bank reconciliations. We found no exceptions.

2. We compared the reconciled cash totals as of December 31, 2020 and December 31, 2019 to the Mayor's Court Fund balance reported in the Monthly Mayor's Court Cash Flow Report. The balances agreed.

3. We agreed the totals per the bank reconciliations to the total of December 31, 2020 and 2019 listing of unpaid distributions of each December 31. The amounts agreed.

4. We observed the year-end bank balance on the financial institution's website. The balances agreed. We also agreed the confirmed balances to the amounts appearing in the December 31, 2020 bank reconciliation without exception.

5. We selected all deposits in transit from the December 31, 2020 bank reconciliation:
a. We traced each deposit to the credit appearing in the subsequent January bank statement. We found no exceptions.
b. We agreed these deposits' amounts to the court's cash book. Each deposit in transit was recorded as a December receipt for the same amount recorded in the reconciliation.

6. We selected five cases from the court cash book and agreed the payee and amount posted to the:
a. Duplicate receipt book.
b. Docket, including comparing the total fine paid to the judgment issued by the judge (i.e. mayor)
c. Case file.

The amounts recorded in the cash book, receipts book, docket and case file agreed.

7. From the cash book, we selected one month from the year ended December 31, 2020 and one month from the year ended 2019 and determined whether:

a. The monthly sum of fines and costs collected for those months agreed to the amounts reported as remitted to the Village, State or other applicable government in the following month. We found no exceptions.
b. The totals remitted for these two months per the cash book agreed to the returned canceled checks. The check number, date, payee name and amount recorded on the returned, canceled check agreed to the check number, date, payee name and amount recorded in the cash book.

Compliance - Budgetary

1. Ohio Rev. Code Section 5705.41(B) prohibits expenditures (disbursements plus certified commitments) from exceeding appropriations. We compared total expenditures to total approved appropriations (Ohio Rev. Code Section 5705.38 and 5705.40) plus any carryover appropriations for the years ended December 31, 2020 and 2019 for the General Street Construction, Maintenance and Repair and Police Levy fund, as recorded in the Appropriation Status Report. We observed no funds for which expenditures exceeded appropriations.

2. We inspected interfund transfers from the 2020 Interfund Transfer Listing for compliance with Ohio Rev. Code Sections 5705.14 - .16. We found no evidence of transfers these Sections prohibit, or for which Section 5705.16 would require approval by the Tax Commissioner.

3. We inspected the Fund Status Report for the years ended December 31, 2020 and 2019 for negative cash fund balance. Ohio Rev. Code Section 5705.10(I) provides that money paid into a fund must be used for the purposes for which such fund is established. As a result, a negative fund cash balance indicates that money from one fund was used to cover the expenses of another. There were no funds having negative cash fund balances.

Sunshine Law Compliance

1. We obtained and inspected the Village's Public Records Policy to determine the policy was in accordance with Ohio Rev. Code §§ 149.43(E)(2) and 149.43(B)(7)(c) and did not limit the number of responses that may be made to a particular person, limit the number of responses during a specified period of time, or establish a fixed period of time before it will respond unless that period is less than eight hours. We found no exceptions.
2. We selected five public records requests from the engagement period and inspected each request to determine the following:
 - a. The Village was compliant and responded to the request in accordance with their adopted policy as required by Ohio Rev. Code § 149.43(B)(1). We found no exceptions.
 - b. The Village did not have any denied public records requests during the engagement period.
 - c. The Village did not have any public records requests with redactions during the engagement period.
3. We inquired whether the Village had a records retention schedule, and observed that it was readily available to the public as required by Ohio Rev. Code §§ 149.43(B)(2) and 149.43(B)(3). We found no exceptions.
4. We inspected written evidence that the Public Records Policy was provided to the records custodian/manager as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
5. We inspected the Village's policy manual and determined the public records policy was included as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
6. We observed that the Village's poster describing their Public Records Policy was displayed conspicuously in all branches of the Village as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
7. We selected five applications submitted to the Records Commission for one-time disposal of obsolete records, and management's review of the schedules of records retention and dispositions for the engagement period. We inspected the approval by the Records Commission for the five selected and the review of the schedules. This was required by Ohio Rev. Code §. (Note: the records retention schedule is not the same policy as the public records policy.) We found no exceptions.
8. We inspected individual training certificates and determined whether each elected official in accordance with Ohio Rev. Code § 149.43(E)(1) (or his/her designee) successfully attended a certified three-hour Public Records Training for each term of office as required by Ohio Rev. Code § 109.43(B). We found no exceptions.
9. We inspected the public notices for the public meetings held during the engagement period and determined the Village notified the general public and news media of when and where meetings during the engagement period were to be held as required by Ohio Rev. Code § 121.22(F). We found no exceptions.

10. We inspected the minutes of public meetings during the engagement period in accordance with Ohio Rev. Code § 121.22(C) and determined whether they were:
- Prepared – a file is created following the date of the meeting
 - Filed – placed with similar documents in an organized manner
 - Maintained – retained at a minimum for the engagement period
 - Open to public inspection – available for public viewing or request.
- We found no exceptions.

11. We inspected the minutes from the engagement period in accordance with Ohio Rev. Code § 121.22(G) and determined the following:
- Executive sessions were only held at regular or special meetings.
 - The purpose for the meetings and going into an executive session (when applicable) correlated with one of the matters listed in Ohio Rev. Code Section 121.22(G).
 - Formal governing board actions were adopted in open meetings.
- We found no exceptions.

HB 481 / HB 614 Coronavirus Relief Fund (CRF) Compliance

1. We inquired of management and those charged with governance and documented how the Village decided to spend their CRF allocations and how the Village evaluated and documented their compliance with the CARES Act three-prong test. We then selected five payroll, non-payroll, and subgrant/subloan transactions, and determined the Village:
- Spent the CRF money (including additional distributions or redistributions) in accordance with use of funds requirements and
 - Maintained appropriate supporting documentation.
- We found no exceptions.

2. We inquired with management and inspected the Appropriation Ledgers Report to determine the local government did not have an unencumbered balance of money to pay back to the county treasurer. We found no exceptions.

Other Compliance

1. Ohio Rev. Code Section 117.38 requires villages to file their financial information in the HINKLE system within 60 days after the close of the fiscal year. This statute also permits the Auditor of State to extend the deadline for filing a financial report and establish terms and conditions for any such extension. Auditor of State established policies, regarding the filing of complete financial statements, as defined in AOS Bulletin 2015-007 in the Hinkle System. We confirmed the Village filed their complete financial statements, as defined by AOS Bulletin 2015-007 and Auditor of State established policy within the allotted timeframe for the years ended December 31, 2020 and 2019 in the Hinkle system. There were no exceptions.

2. For all credit card accounts we obtained:

- copies of existing internal control policies,
- a list of authorized users, and
- a list of all credit card account transactions.

- a. We inspected the established policy obtained above and determined it is:
- i. in compliance with the HB 312 statutory requirements, and
 - ii. implemented by the entity.

We found no exceptions.

- b. We selected 1 credit card transaction from each account for testing. For selected transactions we inspected documentation to determine that:

- i. Use was by an authorized user within the guidelines established in the policy, and
- ii. Each transaction was supported with original invoices and for a proper public purpose.

We found no exceptions.

- c. We selected 3 credit card statements from each credit card account for testing. For selected statements we inspected documentation to determine that:

- i. No unpaid beginning balance was carried forward to the current billing cycle,
- ii. Ending statement balance was paid in full, and
- iii. Statement contained no interest or late fees.

We found no exceptions.

This agreed-upon procedures engagement was conducted in accordance with the American Institute of Certified Public Accountants attestation standards and applicable attestation engagement standards included in the Comptroller General of the United States' *Government Auditing Standards*. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Village's receipts, disbursements, balances and compliance with certain laws and regulations. Accordingly, we do not express an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is to provide assistance in the evaluation of the Village's receipts, disbursements and balances recorded in their cash-basis accounting records for the years ended December 31, 2020 and 2019, and certain compliance requirements related to these transactions and balances and is not suitable for any other purpose.

BHM CPA Group

BHM CPA Group, Inc.
Piketon, Ohio
June 2, 2021

DRAFT

PUBLIC WORKS COMMITTEE MEETING –

May 3, 2021 –

MEMBERS PRESENT: Zachary Gallagher, Chris Colvin, Troy Lauffer

GUESTS PRESENT: Connie Miller, Brian Blankenship, Joette Dedden, Earl Isaacs

STAFF PRESENT: Chief Copeland, Jamie Morley, Nelson McKeever

1. Meeting called to order at 6:02 PM by Mr. Gallagher.
2. Quorum was achieved – Three members were present.
3. Mr. Colvin made a motion to approve minutes of the April 5, 2021 meeting as written and was seconded by Mr. Gallagher.

3 Yeas

4. Nelson McKeever explained the history and status of Well 7 and rewiring of the wellfield. He is currently working with Nathan from PCI and Al Boone from Boone Excavating. The well failed in February and up to that point provided 360 GPM (gallons per minute). It was discovered the soft start cabinet and soft starts were fried and the motor was also shot. Boone Excavating was hired to clean the screens of the well and install a 300 GPM motor as that was the most the current voltage to the wellheads could handle. At this time VFDs (variable-frequency drives) were acquired to replace the soft starts which would be much easier on the cast iron pipe coming out of the wellfield. When Boone replaced the motor, it was discovered that there was not enough amperage going out to the wellhead. It was reduced from 480 to 400, Nathan discovered that there are 15 ohms of ground. There are letters dating back to 2006 questioning the size of the wires going out to the wellheads. This has had an effect on the insulation of the wiring. It was also discovered the VFD installed are way too far from the wellheads to work properly. It is 1400 feet from the wellfield to Well 6.

The least expensive option is to replace the wiring, go back to soft starts, and install a 300 GPM motor. However, the company will not warranty the soft starts or motor due. Mr. Gallagher asked what voids the warranty. It was answered that the company allows only for a 10% drop of voltage to the motor. The best option and most expensive one is to increase the wire size and add a structure that is elevated out of the flood plains between well 6 and 7 to hold the VFDs. Another consideration is that the EPA has concerns about the decreased GPMs of Well 6 & 7. The EPA may require engineering to be done on the wellfield. Currently Wells 6 and 7 are rated at 360 GPM and are now only functioning at 300 GPM. Mr. McKeever stated that this may not be a bad thing as 360 could tax the aquifer and may not be needed now that Warren County is no longer an option. Mr. McKeever informed the Committee that last week Warren County activated the emergency connection at Route 42 and the supply was fine. It was agreed that this was a good thing to flush the line.

Mr. Gallagher asked how long the cast iron pipe was coming out of the wellfield. Mr. McKeever answered it was about 100 yards. Mr. Colvin asked is there a risk of the EPA denying the

changes in the gallons per minute. It was discussed and stated that the EPA is aware that Warren County is no longer a customer, therefore water demand is not as high as it used to be. The EPA may just require new engineering plans and is doubtful they will deny the changes.

Mr. Colvin asked if the Village adds another well in the future how does the plan for an elevated building fit into growth of the system. It was determined that the best option would be to look at the system and prepare for future growth and possibly plan the upgrades in stages. Staff would need to find out if the new well could be daisy chained or if a whole new line would need to be run. This would have to be studied by an engineer.

The Village has purchased one VFD but it cannot be used with the current electrical layout. Mr. Lauffer stated that if the cast iron pipe is replaced then the VFD would not be needed and could use soft starts. Mr. Lauffer stressed he would like to see the replacement of the cast iron pipe be a priority.

Mr. McKeever said that the water quality is great, the current water only needs to be treated with chlorine with no filtration. The wells are currently pumping at 140 psi. If the Village were to invest in a plant that would have clear well tanks and a high service pump building, the wells would have to be modified to only pump at 20 psi. This would also offer further storage of water in the clear wells.

Mr. Colvin asked in terms of capacity, how could the possible Oberer project effect the wellfield. Mr. McKeever explained that the EPA rates capacity using the 2 highest pumping wells. By going with the smaller pumps, the Village will have gone from 720 GPM to 600 GPM. That would be hard to produce enough to cover this growth. The project would mean the Village would need a new well and tower. Mr. Colvin stated he believed the Village should make a new well a priority in future upgrades to the water system. It was discussed that the property on the other side of the millrace would be the best option using the dedicated easement along Bowman and First Baptist Church to access this property.

It was decided to have Chief Copeland contact Wessler and have them come up with a plan that would address the current issue of electric to Well 6 and 7, look at future growth of the water system, and design engineering plans for the EPA. This would become part of the Capital Improvement Plans. It was agreed that the best practice would be to do the project in phases and not band aid the current problem. The Committee wanted to stress this was a priority. Mr. Colvin stated that this is a good example of the process of the Committees and Council to plan, be proactive, and give the Village Manager strategies to execute when resources are available.

Ms. Morley suggested several ideas for funding without the burden being placed on current customers concerning the upgrades needed to support the growth of the LeMay property. She suggested considering implementing a TIF, assessments of property taxes of the new builds, or a participation fee. This was brought up because there are concerns on the outcome of the lawsuit agreement with Oberer on whether Warren County will receive all the money paid for tap fees, since the tap fees have increased since then for both sewer and water.

5. Signs have been placed along Main Street stating that skateboarding is prohibited.

6. The Water Department has started to tag meters, valves, and fire hydrants to create a GIS of the Village's water system. Images of the system are included along with documentation of breaks and repairs, fire hydrant flushing, and valve exercising. Mr. Gallagher stressed it is very important that the system is updated regularly. The system being used is ESRI. With the grant obtained by Ohio Rural Water, the Village only pays a yearly \$1,000 licensing fee.
7. Mr. Lauffer made a motion to adjourn at 6:53 PM and all were in favor.

Jamie Morley
Clerk to Council

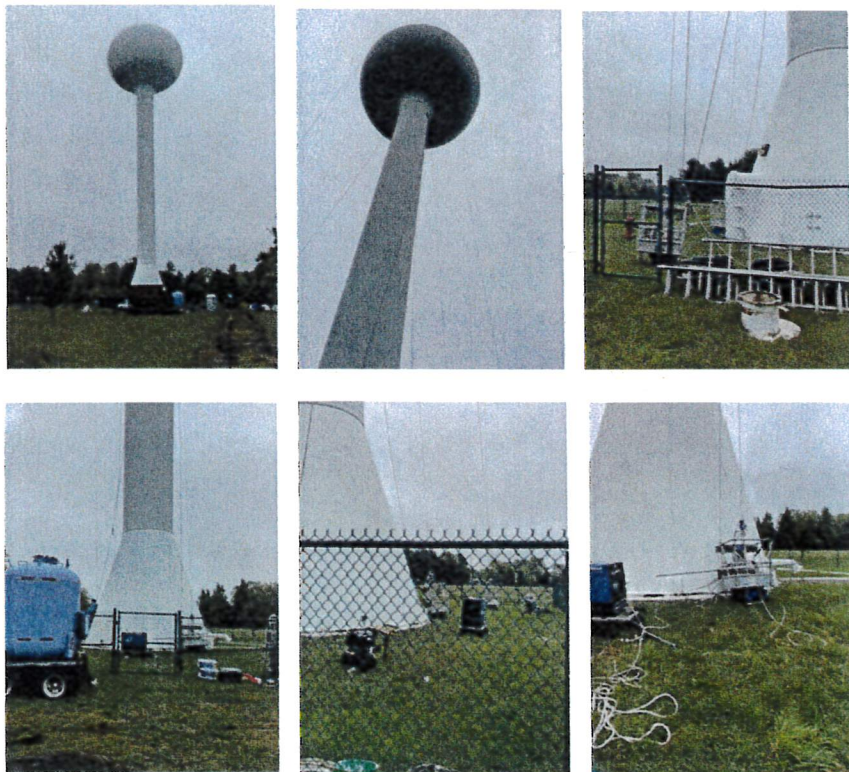
Council Report

June 7, 2021

Chief Copeland

Manager

- Nelson, Dylan, and I participated in a zoom conference pre-construction meeting for the Ferry Tank Project on May 18th at 3pm. Other participants included Keith Nelson (Project inspector and project supervisor), Leo Lulaj (L&T Painting), and Jake (Choice One Engineering). The meeting identified dates, contacts, and communications. The supervisor from L&T Painting will be Alex Deda and Matt Otberg will be the inspecting supervisor that will provide the Village with PDF reports. L&T will not use any sub-contractors. The project began May 24th and the Ferry Tank was taken offline. We have a Covey Booster station pump on hand to supply Ferry tank customers if needed. We have a plan in the event of a main break, fire demand, or pump failure. Our Maintenance Department has been trained with the PRV system and pumping station in case an operator of record is not available. L&T Painters started by pressure washing and prepping the tower. The tower has been drained and the reconditioning process is a work in progress. The project is expected to take 3- 4 weeks and we will receive progress reports that will include prevailing wage information. Progress photos are provided.



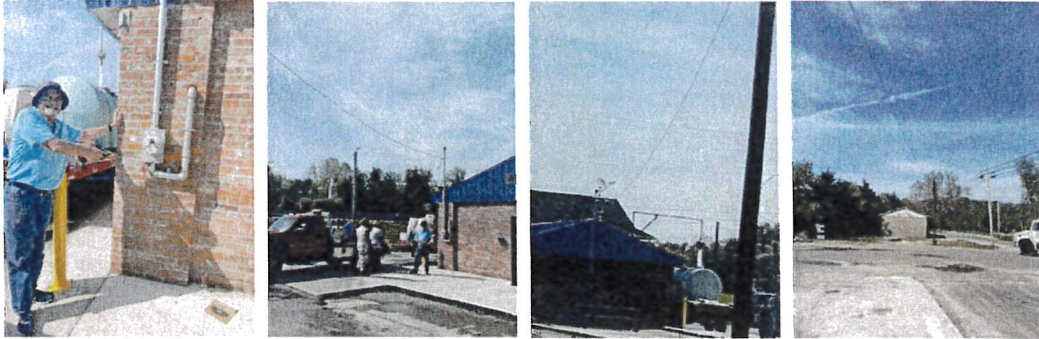
- The Maintenance Department put up the United States flags on May 18th to prepare for the Memorial Day holiday. I want to thank the Warren County Veterans Services for donating 12 flags that needed to be replaced on Main Street and the large flag to replace the one flown at the Government Center.



- Epanel Plus has started refurbishing the Village Storage garages on South Main Street. The first photos are of the building premiered and the second set is the paint job with the finished color. They have also started the framework for the metal roof that is scheduled to be in early next week. The roof will be the same color (blue) as the water distribution building. The garage doors are on order.



- DP&L installed the utility meter and electric lines at the Sawyer water distribution building and the storage facility to the south. The water service is working well, and the Maintenance department has power in the storage facility to provide lighting. This will also provide power for the electric garage door opener.



- Brian and Greg from the Village Maintenance Department cut down and disposed of a few dead trees on State Route 42, behind Veterans Park. I want to give a special thanks to Luis Paez the owner of MBI Tree Service (513-720-5254) for stopping and giving our staff a hand at no cost to the Village. I would recommend his services for anyone that needs trees removed and he is a Township resident. The removal of the trees helps improve the first impression of the Village. I have provided photos for your review.



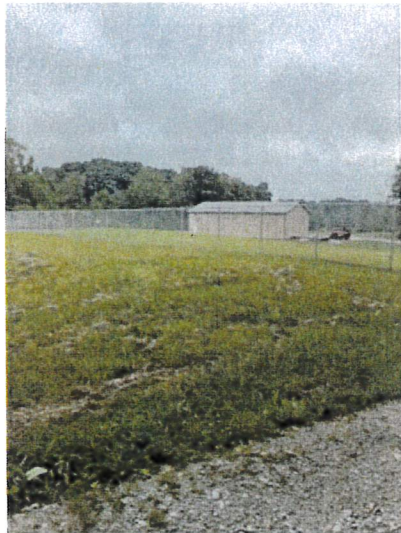
- We did a final walk-through inspection on May 24th at High Street, Edwards Road and Miami Street for the Phase III, OPWC waterline replacement and repaving project. A few items were identified and conveyed to Smith Corps, and they advised they will take care of the issues.

- Sue Mason of the Warren County of Grants and Administration contacted me regarding the Community Development Block Grant applicable to the Franklin Road sidewalk project. I am retrieving 3 quotes to present to the Warren County Commissioners as required in the grant process. I met with Dug Rite Excavating on Thursday, June 3rd at 3pm and he will be submitting a quote for the project. I will be meeting with another excavator next week for the third quote and I will keep you posted on the progress. On May 21st I sent a letter to all the residents whose property will be a part of this project. A copy of the letter has been attached for your review. In addition, I posted the same information on our Webpage and Facebook.
- I spoke with Ron James (Wayne Local Schools Fiscal Officer) and he will be submitting a letter next week to the Council as a request to waive water tap fees for the Performing Arts Center. In addition, we will be discussing the renewal of the School Resource Officer employment contract. The former 3-year SRO contract expired at the end of this school year. We both believe that the position is very valuable and in need of support to keep our school district a safe learning environment. I will prepare an ordinance for Council when the contract is finalized.
- The Council will be voting on Ordinance #2021-021, which authorizes the manager to accept the U.S. Department of Treasury Coronavirus fiscal recovery funds and Ordinance #2021-022, which authorized our fiscal officer to create a separate fund location/code for the American Rescue Plan money. This will be as an emergency, so we can continue the application process. It was estimated that the Village would receive around \$630,000.00, which is subject to change. These funds must be used on infrastructure projects, which has been discussed in Public Works. We tentatively agreed to use the money towards the Village treatment / disinfectant facility and well upgrades. I would cordially ask that Council approve these ordinances to help improve the Village utilities. I will keep you posted on the progress.
- I want to share that the State has completed the audit of the Village's finances and records with a great concluding report and no findings.
- A copy of the Independence Day celebration news flyer and the Warren County Commissioner's spring County update report has been included for your review.

Police

- The police dispatched calls for service and Mayor's Court report will be included in the next Council report.

- I have included the monthly Code Enforcement officer's report for your review. He will continue to work with residents in an effort to improve the aesthetics and health in our community.
- I posted a citizen alert regarding scamming organizations that claim to be representing the Village Police Department soliciting funds and about mailed package thefts from residents' porches on the Village Facebook and webpage. A copy of the writeup has been included with this report.
- The Village Chamber dropped off a copy of the police security agreement for the Annual Sauerkraut Festival on June 3rd. I am providing a copy for your review and I will examine it next week to see if any changes are required.
- We have installed "No Trespassing" signs at various Village properties. We have ordered more and field cams that record have been installed in random spots as well. A picture of one of the signs has been added for your review.



VILLAGE OF
Waynesville...

1400 Lytle Road • Waynesville, Oh 45068, • Phone 513-897-8015 • Fax 513-897-2015

[www..waynesville-ohio.org](http://www.waynesville-ohio.org)

May 21, 2021


As the Safety Director (Police Chief) and Village Manager for the Village of Waynesville, it is a responsibility of mine to identify safety issues and ways to improve the village for those who live, work, and visit our community. One of the areas of which I have identified as a safety issue and have discussed with the Village Council is the lack of sidewalks on Franklin Rd. On a daily basis we see multiple children and adults walking in the street in this area due to the lack of sidewalks. The village does have a code that requires residence within the village to have sidewalks which was not previously enforced.

Our goal was to seek ways to install these sidewalks without becoming a financial burden to the residents. This past winter I located a Community Development Block Grant (CDBG) which was offered by Warren County. After extensive research and planning which included the neighborhood survey, I submitted an application, and it was presented to the Warren County Commissioners for the Waynesville Sidewalk Safety Program. On April 20, 2021, the Village received notification that we are being awarded \$35,000.00 to be used for this program. With that said, I am happy to announce that this project will be at no expense to the residents of Waynesville.

I am providing you with this notice that this sidewalk will be in the village easement directly in front of your home. We are looking to begin this project in either June or July and if you have any questions, please feel free to contact me at your earliest convenience. Thank you for your cooperation.



Chief G.L. Copeland
Village Manager



2021 Independence Day Celebration

Light up the Sky on the 3rd of July!

Saturday, July 3, 2021

Waynesville Bicentennial Park

7:00 Food – Drinks – Fun - Family

7:15 Sky Divers

7:25 National Anthem

7:30 Free Concert: Music by: “No Clue”

(amphitheater) Bicentennial Park next to Wayne Local Schools

Dark Fireworks at Bicentennial Park*
courtesy American Legion Post # 615

Waynesville Fireworks Display by Waynesville American Legion Post 615

*Donations needed: make payable to: Post 615 – SAL

Mail To: Rob Ramby, 5197 Lytle Rd. Waynesville, OH 45068

AN UPDATE ON WARREN COUNTY

FROM OUR COUNTY COMMISSIONERS

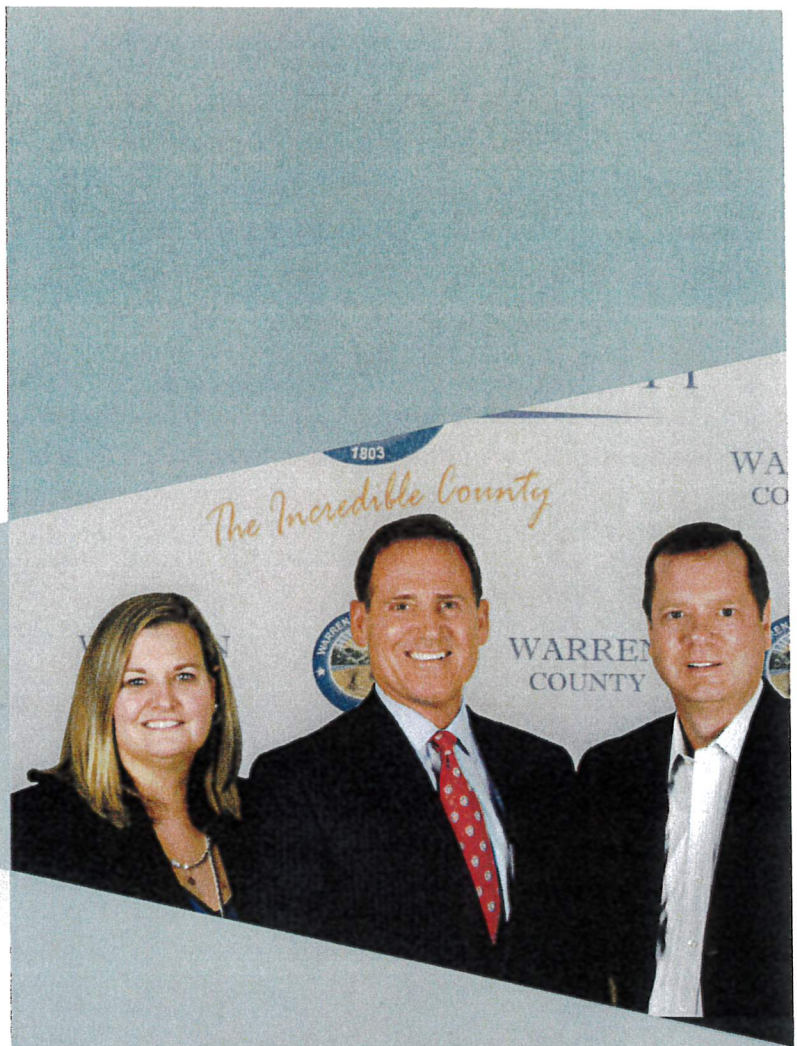
SPRING 2021



As we continue forward in 2021, we reflect on where we were just one year ago, the beginning of a global pandemic. With a new reality settling in and a very different way of operating ahead, we are incredibly grateful for the creativity and efficiency of our staff and partners throughout the county. We have been able to quickly provide new, and support existing, local programs to assist individuals and businesses facing countless challenges.

Beyond all of that, we are ultimately pleased to report that during the most uncertain year we have experienced in over a decade, we did not lay-off or furlough any employee, and ensured that all county services continued on behalf of the taxpayer.

As always, thank you for your support and interest in Warren County!



IN THIS ISSUE



Warren County Rental Assistance Program



Update on the Warren County Health District



A Quick-Look at Project Updates

WARREN COUNTY RENTAL ASSISTANCE PROGRAM

Warren County received \$7,003,129.80 through the first round of the Federal Emergency Rental Assistance (ERA) program. With these funds, the Warren County Rental Assistance Program launched on April 5, 2021 and is designed to provide needed rental and utility assistance to residents in our county. This program also offers financial support to Warren County landlords, as business owners. These funds are specific to the economic challenges surrounding the COVID-19 pandemic, and are contingent upon certain income eligibility requirements. To learn more please visit co.warren.oh.us.

BOOST PROGRAM

Through an incredibly generous donation of \$50,000 made to Warren County Job and Family Services from local residents, David and Kristi Bowen, the agency was able to launch the BOOST Program. Designed to help individuals and families living in Warren County with rent and utility expenses, the program has been a tremendous success since its launch on January 19, 2021. As owners of Shaker Run Golf Club in Lebanon, the Bowens understand how important it is to give back to their community and help their neighbors through difficult times.

“ As the Director of Warren County Job and Family Services, I want to thank David and Kristi Bowen for being a shining example of true generosity and kindness to those in need. ”

Lauren Cavanaugh; Director

THANK YOU WARREN COUNTY HEALTH DISTRICT

The Warren County Health District (WCHD) and Emergency Management Services have been incredible partners during the COVID-19 pandemic, delivering information and resources quickly for county agencies and all Warren County residents. Health Commissioner Duane Stansbury, and Emergency Response Coordinator, Dustin Ratliff, attended many County Commissioners' meetings at a moment's notice to inform the Board of updates, present and clarify data, and offer their expertise on all circumstances related to the pandemic.

For vaccine information or to schedule with WCHD, call **513-695-SHOT(7468)** or visit warrenchd.com. To find a clinic nearest to you visit gettheshot.coronavirus.ohio.gov



WCHD vaccination site located at the Fairgrounds.

DIRECTED BY

Warren County Job & Family Services

AGENCY PARTNERS

Interfaith Hospitality Network

Metropolitan Housing

OhioMeansJobs Warren County

Warren County Community Services

Warren County Office of Economic Development

Warren County Grants Administration

WARREN COUNTY IMAGINATION LIBRARY

Every Child Reads Everyday

One year ago, Mrs. DeWine came to Warren County to celebrate the official kick-off of the Warren County Imagination Library. Since then, roughly 60% of eligible children in Warren County have enrolled in the Imagination Library. Community leaders, educators, and other local partners have all committed to this generational change for our County, and it shows!



Learn more and enroll at www.ohioimaginationlibrary.org

Warren County launched an enrollment program to raise awareness of the Imagination Library and give county employees all the information to sign up their children! Any child living in Warren County is eligible from birth and will graduate out of the program when they turn five years old.



WARREN COUNTY COMMUNICATIONS CENTER

DID YOU KNOW?

The Warren County Communications Center is staffed by **42** employees totaling over **339** years of experience. The Communications Center dispatches for **13** Fire & EMS Departments, **8** Police Departments and the Warren County Sheriff's Office.

2020 BY THE NUMBERS

- 70** Text to 911 calls
- 42,430** 911 calls
- 100,958** Admin calls
- 16,000** Caution notes entered for first responder safety
- 1,300** Hours entering caution notes
- 230,000** Calls for service processed



COMMUNITY HIGHLIGHT

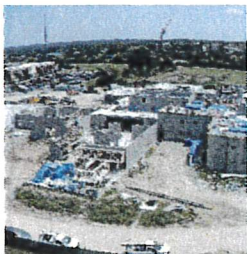
PETER'S CARTRIDGE FACTORY



Just a few months ago, the anticipated Peter's Cartridge Factory Project came to fruition! Following years of hard work and advocacy, our community now gets to enjoy this re-purposed historic landmark. The County Commissioners were grateful, along with the Warren County Port Authority to support its development.

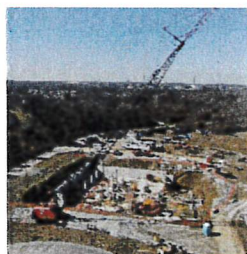
PROGRESS REPORTS

1 JAIL & SHERIFF'S OFFICE



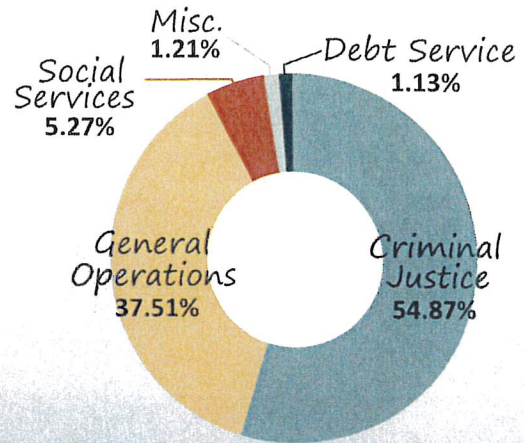
Construction for the county's new Jail and Sheriff's Office is on track to open October of this year and has remained within its approved budget. Currently at 70%

completion, it has been designed to functionally meet the workflow needs of our Sheriff's Office and better accommodate future capacity limitations.



THE APPROVED 2021 BUDGET

A QUICK-LOOK SUMMARY OF THE **\$77,936,893** GENERAL FUND BUDGET



Warren County witnessed a consistent incoming revenue through real estate and sales taxes during 2020. While conservatively planning for a projected 25% decrease in these revenue sources, there was approximately a \$1 million increase in the county's collected sales tax. Additionally, the County Commissioners were able to maintain a \$38 million carry-over for 2020, which comes after the reserve \$12 million "rainy-day" fund and the discretionary \$10 million county-wide "infrastructure bank." Neither of these funds were modified from unforeseen COVID-19 expenditures, and are another testament to the County's strong financial position.

2 WATER SOFTENING UPGRADES

Since October 2020, Water softening upgrades have been underway at the Franklin Area and Richard A. Renneker Water Treatment Plants. The upgrades will result in a grains per gallon decrease of approximately 55%, dropping water hardness for over 30,000 customers served by these two locations. This project is funded through cash reserves as well as a low interest loan from the Ohio Water Development Authority. We are excited for its completion in the Summer of 2022!

COMMISSION LEADERSHIP IN 2021

This year Commissioner Dave Young was sworn in as President of the Board, and Commissioner Tom Grossmann will serve as its Vice President.

Commissioner Shannon Jones was appointed to the CCAO Board and NACo Human Services & Education Committee



The Warren County Board of Commissioners meets on most Tuesdays at 9:00 AM and on the 2nd and 4th Thursday of each month, as needed.

Meetings are held in the county administration building and via WebEx. WebEx Meeting Number: 129 861 4072

Stay connected with us. We value our relationships with our residents, businesses, community organizations and our elected officials. Contact us with your input, questions or concerns.

Warren County Board of Commissioners
County Administration Building
406 Justice Dr
Lebanon, OH 45036
(513)695-1250

WC_Commissioners@co.warren.oh.us
www.co.warren.oh.us/Commissioners

WARREN COUNTY COMMISSIONERS



@WarrenCoCommish



[linkedin.com/company/warren-county-ohio-board-of-commissioners](https://www.linkedin.com/company/warren-county-ohio-board-of-commissioners)



www.facebook.com/WarrenCountyCommissioners



David G. Young



Shannon Jones



Tom Grossmann



Village of Waynesville
 1400 Lytle Rd
 Waynesville, Ohio 45068

May 2021 Code Enforcement Report

| Address | Violation(s) | Contact Made/Attempted | Letter Mailed | Resolved | Citation(s) |
|----------------------|---|------------------------|---------------|--------------|-------------|
| Vacant Adamsmoor Lot | ORD 154.169 Weeds/High Grass | | May 24, 2021 | | |
| 1017 Crede Way | ORD 154.169 Weeds/High Grass | May 17, 2021 CA | | May 21, 2021 | |
| 1037 Brookfield Dr | ORD 154.169 Weeds/High Grass | May 17, 2021 CM | | May 21, 2021 | |
| 1092 Brookfield Dr | ORD 154.169 Weeds/High Grass | May 17, 2021 CA | | May 21, 2021 | |
| 613 Preston Dr | ORD 154.190 Roofs and Drainage | | May 24, 2021 | | |
| 599 Chapman St | ORD 154.190 Roofs and Drainage ORD 154.165 Sidewalks and Driveways ORD 154.186 Exterior of Premises ORD 154.189 Exterior Walls | | May 24, 2021 | | |
| 555 High St | ORD 154.169 Weeds/High Grass | May 17, 2021 CM | | May 21, 2021 | |

| | | | | |
|--------------------------|---|-----------------|--------------|--|
| 513 High St | ORD 154.169 Weeds/High Grass ORD 154.210 Accumulation of Rubbish or Garbage | May 17, 2021 CA | May 24, 2021 | |
| 557 Chapman St | ORD 154.161 Parking | May 17, 2021 CA | May 24, 2021 | |
| 298 North St | ORD 154.161 Parking ORD 154.169 Weeds/High Grass ORD 154.165 Sidewalks and Driveways ORD 154.190 Roofs and Drainage ORD 154.210 Accumulation of rubbish or garbage ORD 154.192 Overhang Extensions | May 17, 2021 CA | May 24, 2021 | |
| 135 N 3 rd St | ORD 154.169 Weeds/High Grass | | May 24, 2021 | |

| Date | Address | Violation | Deadline Date | Letter Sent | Contact Made | Citation Issued |
|-----------|------------------|--|---------------|-------------|--------------|-----------------|
| 5/17/2021 | Adamsmoor Dr | High Grass | | 5/25/2021 | | |
| 5/17/2021 | 1017 Crede Way | High Grass | | | 5/17/2021 | |
| 5/17/2021 | 1037 Brookfield | High Grass | | | 5/17/2021 | |
| 5/17/2021 | 1092 Brookfield | High Grass | | | 5/17/2021 | |
| 5/17/2021 | 613 Preston Dr | Roofs and Drainage | | 5/25/2021 | | |
| 5/17/2021 | 599 Chapman St | Roofs and Drainage, Sidewalks and Driveways, Exterior of Premises, Exterior Walls | | 5/25/2021 | | |
| 5/17/2021 | 555 High St | High Grass | | | 5/17/2021 | |
| 5/17/2021 | 513 High St | High Grass, Accumulation of Rubbish or Garbage | | 5/25/2021 | | |
| 5/17/2021 | 557 Chapman St | Parking | | 5/25/2021 | | |
| 5/17/2021 | 298 North St | Parking, High Grass, Sidewalks and Driveways, Roofs and Drainage, Accumulation of Rubbish or Garbage, Overhang, Extensions | | 5/25/2021 | | |
| 5/17/2021 | 135 N 3rd St | High Grass | | 5/25/2021 | | |
| 5/21/2021 | Brookfield Drive | Tan van w/ flat tires sitting on road for "awhile" | | | | |
| 5/24/2021 | 195 Third St | | | | | |
| 5/24/2021 | 15 Third St | Rotted front steps | | | | |
| 5/24/2021 | 65 Third St | Crumbling chimney? Also different color | | | | |
| 5/24/2021 | 58 Third St | Front window area detached from house. Needs condemned | | | | |
| 5/24/2021 | 615 High St | Front door pieced together with plywood | | | | |
| 5/24/2021 | 513 High St | Yard is disaster. Piles of debris | | 5/25/2021 | | |
| 5/24/2021 | 557 Chapman St | Junkers in the backyard | | 5/25/2021 | | |
| 5/24/2021 | 155 N Main St | Peeling paint | | | | |
| 5/24/2021 | Edwards & High | Car on blocks | | | | |

Public Alert

This is a public notice to alert the residents and visitors of Waynesville about two recent and ongoing situations.

We have been notified that letters have been mailed to Village and Township residences soliciting donations for the Waynesville Police Department. In addition, people have received phone calls seeking donations and stating they are representatives of the Waynesville Police Department. The Village Police Department is not participating in any kind of fund raising or donations and these organizations are not representatives of our department. These solicitors are merely scams, and we would recommend that you do not participate in anyway whatsoever.

The second issue we would like to bring to your attention is what we call the "Porch Pirates". This is people stealing packages that are being delivered off people's porches. If you see any suspicious activity, please try to get a license plate registration and vehicle description for our agency and contact us right away. I have reached out to our local UPS driver (Chris), and he advised that a white Chrysler 300 with dark tinted windows has been following him. Our agency is currently investigating this and if anyone has any information, please let us know. Also, let your neighbors know because several residents have Ring Doorbells that can help in the investigation. Police work is a collaborative effort between the Police Department and our citizens, and we appreciate any information that helps us with the investigation process. I want to thank you in advance for your cooperation and if you have any questions or concerns, please feel free to call us at 513-897-8010.

Respectfully submitted,
Chief Copeland

VILLAGE OF WAYNESVILLE POLICE DEPARTMENT SPECIAL DUTY DETAIL AGREEMENT

The parties to this Agreement are the Village of Waynesville (hereinafter referred to as the "Village") and the Waynesville Area Chamber of Commerce (hereinafter referred to as the "Company"). The purpose of this Agreement is to provide Special Duty detail services to the Company by police officers employed by the Village.

Now, therefore, the parties, each in consideration of the mutual promises and obligations assumed herein by the other, agree as follows:

1. The approval to work Special Duty details is at the sole discretion of the Village and its Chief of Police and may be refused depending on the type of Special Duty detail services being requested by the Company.
2. All Special Duty details shall be for a minimum of four (4) hours duration. Special Duty detail rates are Twenty Dollars (\$20.00) per hour per officer. Minimum cost per officer is Forty Dollars (\$40.00). In the event a Detail Supervisor is needed, this position will be filled at the rank of Sergeant or higher. The detail supervisor will be paid at a rate of Twenty-Five Dollars (\$25.00) per hour.
 - a. For every three officers assigned to the detail, a Detail Supervisor must be hired.
 - b. The Chief of Police will consult with the Company to determine the number of officers needed on the detail. The final decision for the number of officers needed to adequately staff the detail will be determined by the Chief of Police.
3. Minimum staffing shall be established at the discretion of the Village, particularly in instances of large crowds or traffic control in consideration of public and officer safety. Minimum staffing shall be established by the Village at the time of scheduling.
4. Use of marked police cruisers shall be an additional Ten dollars (\$10.00) per hour per vehicle. There is no minimum time for the use of cruisers, but cruisers will be billed in one (1) hour increments. Payment for cruiser usage shall be made directly to Village upon receipt of invoice.
5. In the event it is necessary to cancel a detail, the Company shall notify the Village during normal business hours 8am-4pm Monday—Friday. In the event that it becomes necessary to cancel a detail on a weekend or on a holiday, the Company shall call the Police Chief and leave a voice mail message unless a different method of communication has been established between the Village and the Company.
6. If the Company fails to cancel a detail within two (2) hours of the scheduled start time of the detail, the Company will be responsible for the four (4) hour minimum payment owed, per officer, unless otherwise agreed to by the parties.

7. All details shall be paid immediately upon completion or by invoice sent to the Company once the detail is complete. Checks issued to the officers for payment must be made to the officer directly in his or her name. All Special Duty details shall also be subject to an additional administrative fee, as determined by the Village. Special Duty details requiring excessive time for scheduling, altering of hours, and/or invoicing may be subjected to those administrative costs incurred, which are at the Special Duty detail rate with no minimum in hours charged. The administrative fee will be calculated in accordance with the size, length and duties of each event and a cost assessment will be determined prior to the event.

a. In the event the detail is invoiced, the Company will pay such invoice within 30 days of receipt. If the Company fails to pay the invoice in full within the 30 day period the Village reserves the right, at its discretion, to charge the Company an additional ten percent (10%) of the amount due per deputy.

8. Officers working Special Duty details for Company are bound by all Rules and Regulations, Policies and Procedures, and General Orders utilized by Waynesville Police Department personnel acting in their regular capacity as police officers and employees of the Village of Waynesville. These officers shall not be considered employees of Company, but rather shall be considered independent contractors.

9. The Company will indemnify, defend, protect, and hold the Village, its employees, officers, and officials harmless for any and all kinds of loss, claims, expenses, causes of action, costs, damages and other obligations, financial or otherwise, including attorney fees, arising from:

a. Negligent, reckless, or willful or wanton acts, errors or omissions by the Company, its agents, employees, licensees, contractors, or subcontractors;

b. the failure of the Company, its agents, employees, licensees, contractors or subcontractors, to observe the applicable standard of care in providing service pursuant to this Agreement; and

c. Intentional misconduct of the Company, its agents, employees, licensees, contractors, or subcontractors that result in injury to persons or damage to property.

d. Notwithstanding the foregoing, Company shall not be liable for any loss, claims, expenses, causes of actions, costs, damages, or other obligations financial or otherwise, arising from the negligent, reckless, or willful or wanton acts, errors, or omissions of the Village of Waynesville or the Waynesville Police Department and its members.

e. The parties acknowledge that the indemnification provisions of this section may be in conflict with the indemnification provisions found in the related Village of Waynesville Special Events Permit Application. It is the intent of the parties that the indemnification

provisions of this section shall supersede and replace the indemnification provisions of the Village of Waynesville Special Events Permit Application.

10. Each party shall maintain comprehensive general liability insurance in the minimum amount of \$1,000,000 per occurrence with an annual aggregate limit of at least \$2,000,000, which shall be maintained in force under a policy or policies issued by an issuer of recognized responsibility and licensed in the State of Ohio and which shall name the other party as an additional insured.

11. This Agreement contains the entire Agreement between the Company and the Village with respect to the subject matter thereof and supersedes all prior written or oral agreements between the parties. No representations, promises, understandings, or agreements otherwise not herein contained shall be of any force or effect.

12. No modification or amendment of any provision of this Agreement shall be effective unless made by special instrument, duly executed by the party to be bound thereby which refers specifically to this Agreement and states that an amendment or modification is being made in the respect as set forth in such amendment.

13. Should any portion of this Agreement be deemed unenforceable by any administrative or judicial officer or tribunal of competent jurisdiction, the balance of this Agreement shall remain in full force and effect unless revised or terminated pursuant to any other section of this Agreement.

14. No waiver by either party of any breach of any provision of this Agreement, whether by conduct or otherwise, in any one or more instances shall be deemed to be, or construed as a further or continuing waiver of any such breach or as a waiver of any breach of any other provision of this Agreement. The failure of either party at any time or times to require the performance of any provision of this Agreement shall in no manner affect such party's right at a later time to enforce the same.

15. Neither party shall assign any of its rights or delegate any of its duties under this Agreement without the written consent of the other.

16. The Waynesville Area Chamber of Commerce has agreed to pay \$9,200 for policing and other services for the 2021 Ohio Sauerkraut Festival. The remainder of the balance after the police officers are paid will be made payable to the Village of Waynesville for administrative fees and other services rendered

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized representatives on the dates shown below.

