

Agenda
Village of Roaming Shores Council
November 5, 2024 – 8:00 PM

Call To Order

Pledge to the Flag

Roll Call

Minutes to the Previous Meetings: *October 15, 2024 Council Meeting*

Visitor's Comments

Mayor's Report: *Jennie D'Amicone*

Administrator's Report: *Mark Reed*

Solicitor's Report: *Cris Newcomb*

Committee Reports

Finance Committee

Public Safety Committee

Public Works Committee

Human Resources Committee

Technology Committee

Planning Commission

Records Commission

SCAD

Special Committee on Effective Self-Government

Special Joint Committee on Streets

Special Committee on Utility Billing Late Fees

Old Business:

- N/A

New Business:

- N/A

Ordinance 940-09-2024: AN ORDINANCE AMENDING CODIFIED ORDINANCE 111.01 GOVERNING COUNCIL RULES AND COUNCIL MEETINGS AND NOT DECLARING AN EMERGENCY (TABLED) – Recommended by: Solicitor Newcomb

Ordinance 941-10-2024: AN ORDINANCE DECLARING A VEHICLE SURPLUS AND AUTHORIZING THE VILLAGE ADMINISTRATOR AND/OR MAYOR TO SELL OR OTHERWISE DISPOSE OF SAID VEHICLES IN A MANNER PRESCRIBED BY LAW AND DECLARING AN EMERGENCY (3RD) – Requested by: Administrator Reed

Ordinance 943-11-2024: AN ORDINANCE CREATING A SEWER CAPITAL IMPROVEMENT FUND OF FUND NO. 4903 FOR COLLECTION OF MONIES RECEIVED

(Over)

AND ASSOCIATED WITH SEWER INFRASTRUCTURE PROJECTS WITHIN THE VILLAGE OF ROAMING SHORES AND NOT DECLARING AN EMERGENCY (1st) – Requested by: Village Council

Ordinance 944-11-2024: AN ORDINANCE ASSESSING A MONTHLY FIVE DOLLAR (\$5.00) CHARGE PER LOT WITHIN THE VILLAGE OF ROAMING SHORES FOR THE PURPOSE OF ACCUMULATING FUNDS INTO THE SEWER CAPITAL IMPROVEMENT FUND FOR THE NECESSARY INFRASTRUCTURE PROJECTS ASSOCIATED WITH THE WASTEWATER SYSTEM OF THE VILLAGE AND NOT DECLARING AN EMERGENCY (1st) – Requested by: Village Council

Ordinance 945-11-2024: AN ORDINANCE INCREASING THE MINIMUM SEWER RATES WITHIN THE VILLAGE OF ROAMING SHORES, OHIO WITH A THREE PERCENT (3%) INCREASE FOR FISCAL YEAR 2025, AN ADDITIONAL ONE PERCENT (1%) INCREASE IN FISCAL YEAR 2026 AND AN ADDITIONAL INCREASE OF ONE PERCENT (1%) IN FISCAL YEAR 2027 AND NOT DECLARING AN EMERGENCY (1st) – Requested by: Village Council

Ordinance 946-11-2024: AN ORDINANCE REPLACING VILLAGE CODE CHAPTER 151: “EMPLOYMENT MANUAL” WITH A PERSONNEL CODE AND NOT DECLARING AN EMERGENCY (1st) – Requested by: Administrator Reed

Bills For Review

Any Other Topic of Discussion

Visitor’s Comments

Executive Session

Adjournment

Village of Roaming Shores Council Meeting
October 15, 2024

The meeting was called to order by President Pro Tem Ed Koziol. Roll Call was taken and the following members were present: Bob Cook, Sally Fell, Steven Kaufman, Ed Koziol, and Gary Meighen. Also present were Solicitor Christopher Newcomb, Clerk-Treasurer Kerri Philips, and Administrator Mark Reed. Mayor Jennie D'Amicone and Holly Mayernick were absent.

MINUTES TO THE PREVIOUS MEETINGS: A motion to accept the meeting minutes from October 1, 2024 was made by Kaufman and was seconded by Fell. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – absent, Meighen – abstain. The motion PASSED.

VISITOR COMMENTS: Steve Magda (5167 Rt 46) commented on speed cameras. Charles Johnston (non-resident) commented on speed cameras.

MAYOR'S REPORT: No report was provided.

TREASURER'S REPORT: Philips reviewed the Fund, Revenue, and Appropriations Statements that were provided. She stated that the 2025 Budget meetings will begin soon. At the request of Kaufman, Philips provided and reviewed the expense line titles for UAN. A motion to approve the Treasurer's Report was made by Meighen and seconded by Kaufman. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – absent, Meighen – yes. The motion PASSED.

ADMINISTRATOR'S REPORT: A written report was provided to council and the public. Reed also stated that the new pumps from 12E had to be replaced. He received task 2 of the water study. Reed also stated that the financials were received for the Headworks Project and the lake will be lowered November 1.

Mayernick arrived at 7:16pm.

POLICE CHIEF'S REPORT: In addition to the written report that was provided to council and the public, Roskos reminded everyone that the Halloween parade is 10/26 from 3pm-5pm and Can The Cruiser is 11/02 from 11am-3pm at the Clubhouse and at Village Hall.

SOLICITOR'S REPORT: Newcomb advised the council to keep the Council Rules Ordinance tabled and vote on it at the next meeting. He would like to provide a clean copy prior to the vote. Newcomb stated that the ordinance to dissolve the Special Joint Committee on Streets is not an emergency but he's fine with waiving the three-reading rule. He also updated the Surplus Vehicle Ordinance.

ZONING INSPECTOR'S REPORT: A written report was provided to council and the public.

RRA REPORT: Kaufman stated that the lake will be lowered between the first and second week of November. The benefit of lowering the lake is that it helps kill some of the unwanted

vegetation. The association lowers the lake every three years so residents can conduct maintenance on docks and seawalls. Due to the lowering, the dredging efforts will only be in deeper areas of the lake.

FINANCE COMMITTEE: The next meeting is 10/22 and they'll discuss 3Q and the 2025 Budget.

PUBLIC SAFETY COMMITTEE: No report was provided.

PUBLIC WORKS COMMITTEE: Written reports for the last two meetings were provided to council and the public. The committee meetings have been moved back to 6pm going forward. The next meeting is 11/14 at 6pm.

HUMAN RESOURCES COMMITTEE: Written reports were provided from the last two meetings to council and the public.

TECHNOLOGY COMMITTEE: No report was provided.

PLANNING COMMISSION: A written report will be provided in the next council packet.

RECORDS COMMISSION: No report was provided.

SCAD: September calls: Village – 6, District – 145. YTD calls: Village – 122, District – 1,370. Koziol stated that a new kitchen was completed in the building.

SPECIAL COMMITTEE ON SELF-GOVERNMENT: The next meeting will be in the last week of October.

SPECIAL JOINT COMMITTEE ON STREETS: No report was provided.

OLD BUSINESS:

- Trevor Elkins – SiteStream, LLC: Mr. Elkins introduced Andrew Noble, president and owner of SiteStream, LLC. Mr. Noble discussed the speed cameras and the process that would be involved with installing a camera on Route 6.
- Water Rates Study: no discussion
- Utility Funding Options: Fell discussed the proposal she presented to council and the public and reviewed some key action items. Based on research and the rate study that was conducted, the proposal recommended a sewer rate increase of 3%. Another recommendation is to start a Sewer Infrastructure Fund and add a fee of \$5 to the utility bills. Fell suggested requesting both items to be requested by council tonight so they can be implemented by 01/01/2025 if passed. Kaufman added that this is a result of an extensive rate study that's been completed. It's been a number of years since there was a sewer rate increase. He also stated that a \$5 Sewer Infrastructure Fee would produce approximately \$100,000/year. Kaufman thinks council should direct the Public Works Committee and the Administrator to focus on the remaining Action Items in the proposal.

A motion was made requesting the solicitor to create an ordinance to increase the sewer rates by 3% for year one, effective 01/01/2025, with an additional increase of 1% each year for years two and three (01/01/2026 and 01/01/2027) by Kaufman and was seconded by Mayernick. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – yes, Meighen – yes.

A motion was made to create a Sewer Capital Improvement Fund by Kaufman and was seconded by Meighen. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – yes, Meighen – yes.

A motion was made to charge a \$5 Sewer Infrastructure Fee per lot per billing cycle, beginning 01/01/2025 by Kaufman and was seconded by Mayernick. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – yes, Meighen – yes.

- Sewer Infrastructure Fund: This topic was discussed with the previous topic.

Council took a recess from 8:28pm – 8:31pm.

NEW BUSINESS:

- N/A

ORDINANCE 938-09-2024: AN ORDINANCE APPROVING THE PROPOSAL AND CONTRACT WITH SITESTREAM, LLC FOR THE INSTALLATION AND ONGOING SERVICING OF TRAFFIC/SPEED CAMERAS AND PHOTO ENFORCEMENT ALONG THE PORTION OF STATE ROUTE 6 WITHIN THE LIMITS OF THE VILLAGE OF ROAMING SHORES AND NOT DECLARING AN EMERGENCY (Tabled) – Requested by: Administrator Reed. A motion was made to untable the ordinance by Mayernick and was seconded by Kaufman. Roll Call: Cook – no, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – yes, Meighen – yes. A motion to PASS Ordinance 938-09-2024 was made by Kaufman and was seconded by Mayernick. Roll Call: Cook – no, Fell – yes, Kaufman – yes, Koziol – no, Mayernick – yes, Meighen – yes. ORDINANCE 938-09-2024 PASSED.

ORDINANCE 939-09-2024: AN ORDINANCE CREATING CHAPTER 317 AUTOMATED TRAFFIC LAW ENFORCEMENT DEVICES UNDER THE CODIFIED ORDINANCES OF THE VILLAGE OF ROAMING SHORES AND AS DESCRIBED IN EXHIBIT A ATTACHED HERETO TO BE FULLY INCORPORATED HEREIN AND NOT DECLARING AN EMERGENCY (Tabled) – Requested by: Administrator Reed. A motion to untable the ordinance was made by Mayernick and was seconded by Meighen. Roll Call: Cook – no, Fell – yes, Kaufman – yes, Koziol – no, Mayernick – yes, Meighen – yes. A motion to PASS Ordinance 939-09-2024 was made by Mayernick and was seconded by Kaufman. Roll Call – Cook – no, Fell – yes, Kaufman – yes, Koziol – no, Mayernick – yes, Meighen – yes. ORDINANCE 939-09-2024 PASSED.

ORDINANCE 940-09-2024: AN ORDINANCE AMENDING CODIFIED ORDINANCE 111.01 GOVERNING COUNCIL RULES AND COUNCIL MEETINGS AND NOT DECLARING AN EMERGENCY (Tabled) – Recommended by: Solicitor Newcomb

ORDINANCE 941-10-2024: AN ORDINANCE DECLARING A VEHICLE SURPLUS AND AUTHORIZING THE VILLAGE ADMINISTRATOR AND/OR MAYOR TO SELL OR OTHERWISE DISPOSE OF SAID VEHICLES IN A MANNER PRESCRIBED BY LAW AND DECLARING AN EMERGENCY (2nd) – Requested by: Administrator Reed. A motion was made to waive the three-reading rule by Kaufman and was seconded by Mayernick. Roll Call: Cook – no, Fell – no, Kaufman – yes, Koziol – no, Mayernick – yes, Meighen – no.

ORDINANCE 942-10-2024: AN ORDINANCE DISSOLVING THE “SPECIAL JOINT COMMITTEE ON STREETS” AND NOT DECLARING AN EMERGENCY (1st) – Requested by: Village Council. A motion to waive the three-reading rule was made by Mayernick and was seconded by Kaufman. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – yes, Meighen – yes. A motion to PASS Ordinance 942-10-2024 was made by Kaufman and was seconded by Mayernick. Roll Call: Cook – yes, Fell – yes, Kaufman – yes, Koziol – yes, Mayernick – yes, Meighen – yes. ORDINANCE 942-10-2024 PASSED.

TOPICS OF DISCUSSION:

- Fell brought the next council meeting to attention as it falls on Election Day. She requested the meeting be moved to the following day as she will be working at the polling location all day. A motion to move the next council meeting to 11/06/24 at 7:00pm was made by Fell. There was no second to the motion. Per council rules, the council meeting will begin 30 mins after the polls close. The council meeting will begin at 8:00 PM. The Human Resources Committee meeting will be held at 7:00 PM.

BILLS FOR REVIEW OF PAYMENT: There was no discussion.

VISITOR COMMENTS: Lori Schultze (22) commented on council meetings falling on Election Days. Charles Johnston (non-resident) commented on speed cameras. Diane Reuschling (1881) commented on speed cameras. Steve Magda (non-resident) commented on speed cameras.

ADJOURNMENT: A motion to adjourn the meeting was made by Kaufman and was seconded by Mayernick. The motion PASSED with all those present in favor.

MAYOR

CLERK-TREASURER



Village of Roaming Shores

2500 Hayford Road,
Roaming Shores, Ohio 44084
Phone: 440-563-3132
RoamingShoresOH.gov

ADMINISTRATOR'S REPORT

DATE: November 1st, 2024

TO: Mayor & Council

FROM: Mark Reed II -Administrator

MEETING DATE: November 5th, 2024

Note: N/A

Utilities/Public Works

- 12-E has had the (2) pumps replaced, and the Godwin has been removed
- E-2 had a pump fail, nothing was in the pump it just failed, running one (1) pump now. Estimate is 11,800 to replace it with (8) week lead time.

Utility Billing

- Third round of (In house Billing has gone out to residents of Roaming Shores 10-10-24).
- Issues with Post office stayed open late on 10-30-24 and 10-31-24 for late night payments.
- Since the Penalty update we have waved : (18) Since Ordinance update 8-21-24.

Lead Service Line Survey

Receiving back surveys. Our required portion end date 10-15-24 for the EPA has been submitted to H2O technologies for EPA submission on 10-8-24.

Village Engineer “CT”

Village Engineer

Water System Study (Task Order #2)

- Schedule:
 - Next Project Meeting Date:TBD
 - Water distribution added to packet

Copper and Cyanide Study (Task Order #3)

- CT submitted the completed Copper and Cyanide Study to OEPA on February 22, 2024.
- OEPA reviewed the study as part of the Permit to Install (PTI) review for the Headworks project (the two are intertwined, since the study recommends the headworks auger unit/Muffin Monster®).

WWTP Headworks Project engineering (Task Order #4)

- OEPA has issued the Permit to Install.
- Timeline:
 - Receive funding: Complete

Pavement Condition Rating (PCR) Study (Task Order #5)

- We have received the final study. – Not moving forward

Construction of Headworks project (Task Order #6)

- Pre-construction meeting completed.
 - Construction Start Date: Possibly January start date (portion)
 - Expected Completion Date:6-01-25(Estimate)

Dam Engineer

2022 HHPD Lake Roaming Rock Shore Dam Grant

- We received \$58,500 in grant funding, with a \$31,500 match.
- DLZ will be taking over administration and implementation of this grant once the contract has been signed by ODNR.
- ODNR has been working with FEMA to move their HHPD grants along. The bulk of the wait has been project review (for construction projects, which we are not a part of) specifically the Environmental and Historical Preservation investigation that the federal government conducts. ODNR reports that FEMA is finished with their requests for information, and we are beginning to see some light at the end of the tunnel.
- FEMA is finalizing the review with a 30-day comment period for local tribes and the State Historic Preservation Officer. Once the 30-day time period is up and there are no outstanding concerns from the parties mentioned, they will finalize their review, and we are planning to move forward with the grant.
- While we are not a construction grant, we are lumped in with all of ODNR's HHPD grants.
- Projected grant release date 12-01-24. (Slight hold up due to Natural disasters).

Speed Camera Project

Contract signed and sent to Site Stream with signed ordinances to begin partnership. Will have a meeting in the next couple weeks. Working with Court and county on the process introducing the concept. Chief, Administrator and Solicitor have been outreaching.

Village Hall Repairs & Maintenance

Fire & Security Alarm System

Vector Security is preparing a quote to replace both the Fire and Security panels with one combined panel.

Also received a quote to potentially change to Security Technologies.

Equipment for Bid / Sale

Equipment is being drafted for ordinance proposal by Solicitor. 11-5-24 will be the final reading.

Additional Notes:

Looking into another used Godwin pump for the plant.

Looking at quotes for Pavement / resurface of the boulevard and Village hall parking lots.

The updated Employment Manual is being finalized for review.-Added to ordinances 1st read

The Lake will be lowered this first week of November for RRA Needs.

Codification is in process and contracted.

Working on GIS County mapping with our Zoning and Public Works

RRA and Public works teamed together to completed placing stone for the dam seepage needs

We have accepted Trash bids for 2025-2030 contract, in review (4) Candidates.

Employee Manual going into 1st read

End Of Report 11-01-24 @ 1330hrs. MR2

**Village of Roaming Shores
Planning Commission Minutes**

September 11, 2024

Present: Rubosky, Holmes, Mayernick, Administrator Reed and Zoning Inspector Moraco. Visitors: T. Wilson (. Absent: D'Amicone and Newcomb.

The meeting was called to order by Chair Rubosky at 7:02 p.m.

Minutes: Minutes from the September meeting were reviewed. Approved with a change in Dock Maintenance section to reflect seawalls – not “bulkheads”: Motion by Hodun; seconded by Mayernick. Carried.

Visitor comments: None

Zoning Report: The inspector shared the following stats: 13 cases are open, 3 were closed this month, for a total of 51 year to date. He has reviewed 153 contractors, a total of 240 projects/contractors year to date. BZA has had 10 cases yielding over \$2000 – 2 are pending. Total revenue to date is \$41,982. There have been 13 new homes; 7 are complete. He expects 3 or 4 more to be submitted soon.

Council Report: Mayernick gave an update on upcoming legislation.

Old Business:

Building & Maintenance Committee (RRA) was represented by Trica Wilson. They are working on being a sign off for new homes, additions and fences. Maintenance is a larger piece that will take more time.

Appellate Board or alternative to BZA referred to Solicitor and Administrator. This can be removed from the agenda. It is hoped that the solicitor will train the BZA members to the rules of state revised code.

Dock Maintenance is a great concern as people are reporting docks and seawalls falling into the lake. Mayernick will work with the solicitor to determine what jurisdictions and ordinances are in place. Ideally, this will go to the RRA in Building & Maintenance. The village may need to have some code addressing pieces or parts. No action taken.

Wind/Solar: The administrator will share what Trumbull township created. It was agreed the members are not interested in making farms for these sources.

Temporary Building Administrator has been appointed by the mayor. This is to be removed from the agenda.

New Business: None

Other Business: BZA Hearing 10/17/24 at 7 p.m.

Parking Lot:

Storm water – Administrator *No update, this probably needs to go to Public Works Committee.*

Map update – Administrator and County Auditor's office *No update*

Point System/Part-time code enforcement officer – Building and Maintenance Committee formed at the HOA

Form updates – Being reviewed by Administrator and Staff *COMPLETED.*

Removing and placing Building Code contents in appropriate Ordinance locations or eliminated – Administrator is working on recommendations for Planning Commission's review and recommendation to Council. *Working on this. The contractors' fees will be in Part 7, along with all other fees.*

Appellate Board to be considered for replacing the BZA, referred to Solicitor and Administrator

*Next meeting will be **Wednesday November 13, 2024.***

Motion to adjourn by Mayernick and seconded by Hodun at 8:23p.m.

Respectfully submitted,
Holly Mayernick, Member/Secretary

ORDINANCE NO. 940-10-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE 111.01 GOVERNING COUNCIL RULES AND COUNCIL MEETINGS AND NOT DECLARING AN EMERGENCY

WHEREAS, the Village Council has determined that modification and amendment of the Rules of Council for the Village of Roaming Shores is necessary for efficient and effective government operations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio:

SECTION 1. Codified Ordinance 111.01 is hereby amended to read as follows:

111.01 RULES, REGULATIONS AND PROCEDURES.

Whereas ~~statutory laws provide for and grant authority for such Council Rules under Ohio R.C. Revised Code Section 731.45 permits the Village Council to set its council procedures and rules, and therefore be it ordained that~~ the following rules ~~shall be~~ are hereby established for the Council of the Village of Roaming Shores.

- (a) President. The Mayor shall be President of Council and shall preside at all regular and special meetings thereof but shall have no vote except in case of a tie vote.
(ORC 733.24)
- (b) President Pro Tem. At the first regular meeting in January of each year, Council shall ~~immediately proceed to~~ elect a President Pro Tem from its ~~own number~~ current members, who shall serve until the first meeting in January ~~next after election for~~ the following year. When the Mayor is absent from the Village or is otherwise unable to serve or be present, ~~for any cause to perform his duties~~, the President Pro Tem shall be the Acting Mayor, and shall have the same powers and perform the same duties as the Mayor.
(ORC 731.10)

In the absence of both the President and President Pro Tem, the Council shall appoint a temporary chairperson who shall be responsible for presiding over the number of meetings that Council may deem necessary but not to exceed two (2) consecutive meetings.

- (c) Succession. In the case of death, resignation or removal of the Mayor, the President Pro Tem shall become Mayor and serve for the unexpired term. When the President Pro Tem becomes Mayor, the vacancy thus created shall be filled by election of another President Pro Tem. Should the President Pro Tem be unwilling or unable to serve as Interim Mayor or fill the vacant term as described hereinabove, Council shall vote and appoint from its membership another interim Mayor until a Mayoral election can take place pursuant to Ohio Revised Code Section 733.25.
(ORC 733.25 - 731.11 - 731.43)

(d) Vacancies. When the office of a member of Council becomes vacant, the vacancy shall be filled by election by Council for the unexpired term. If Council fails within thirty days to fill such vacancy, the Mayor shall fill it by appointment.

(ORC 731.43)

(e) Standing, Special Committees. At the first regular meeting of Council after its organization, or at such later time as established by Council, Council shall appoint standing committees each consisting of ~~only two (2) members of Council and no more than five (5) total members, remaining members of which are appointed by the Mayor, of Council for the following named programs,~~ committees as follows:

(1) Finance ~~Committee~~

(2) ~~Personnel and~~ Human Resources Committee

(3) Public Works & Utilities Committee

~~(3) Safety.~~

~~(4) Civic/Community Development.~~

~~(5) (4) Records Management and Technology Commission~~

~~(6) Dam/Stormwater/utilities~~

~~(7) (4) Planning Commission~~

~~(8) (5) SCAD Report (Liaison)~~

- The Mayor shall be responsible from time-to-time in the creation of any special committee(s) as it may arise for the needs of the Village and shall have full authority to appoint members to such committee and shall have full authority to dissolve such committee(s).
- Each committee shall elect a chairperson at the first meeting of the committee who shall serve at the discretion of the Mayor. The Chairperson is not required to be a member of the committee per discretion of the Mayor and if necessary.
- Temporary special committees may be appointed by Council to undertake some special task. Council may at any time remove any member(s) of any committee and appoint a new member(s) of such committee to serve in place of such member so removed.

(f) Committee Responsibilities.

~~(1) Committee(s) shall:~~

- I. Review matters referred to said committee(s) by ~~Follow~~ Council and/or the Mayor. ~~direction in matters referred to it.~~
- II. ~~Normally~~ Generally will be expected to investigate or study ~~a given problem or need,~~ such matters referred but taking no ~~decision~~ action ~~itself but to~~ other than submission of ~~submit~~ a report and recommendations to Council.
- III. ~~Within its area of responsibility assume both short and long range study of plans and needs, work to establish desirable economic, budgetary, and work standards, and to train others, and inspect for accomplishment.~~
- IV. Not issue ~~no~~ any order(s) in conflict with the executive or administrative officers of the Village, ~~or the law;~~ and thereby acting in an advisory capacity ~~only~~, reporting to Council for potential action or consideration.
- V. Committees ~~shall not be required to meet monthly and~~ shall meet as required for the ordinary business of the Village or as directed by the Council and/or Mayor.

- VI. Committee meetings times and dates shall be provided at regularly scheduled Council meetings as necessary under the New Business portion of the agenda.
- VII. Committee meetings are not required to be open to the public, other than for ~~such~~ the public members who may be appointed to such committees by Council and/or the Mayor.
- VIII. Committee meetings shall not be required to have meeting minutes, only a general report of ongoing for submission to Council. The committee may keep meeting minutes if it so chooses.
- IX. A special committee shall be given direction by the Mayor ~~Council~~ when appointed and ~~will~~ may be discharged on receipt of its report or continued for a longer period as directed by the Mayor.

(g) Meetings and Publication of Ordinances or Resolutions.

- Council meetings shall be regularly scheduled on the first (1st) and third (3rd) Tuesday of each month at 7:00 p.m. and shall be held in the Village Hall. Work Sessions shall be held at 6:00 p.m. prior to the first (1st) regularly scheduled meeting of the month.
- When any regular meeting or work session of Council falls on a legal holiday, or on election day, Council shall meet in regular session on the day following at the stated place and hour or as arranged at the regular meeting preceding the meeting in question.
- Special meetings may be called by the President (mayor) or any three (3) members of Council, providing at least forty-eight (48) hours' notice to each Council member, served personally, or left at their usual place of residence, or provided by email. Any Council member may waive, in writing, notice of any special meeting.
- At the first (1st) regular meeting in January of each year, and at such other times as the Mayor deems expedient, the Mayor shall report to Council concerning the affairs of the Village and recommend such measures as seem proper.
- All meetings shall be held in conformity with Ohio R.C. 121.22. Those persons requesting advance notice shall receive an agenda of all meetings as requested, both regular and special, by mailing a copy thereof in a self-addressed, properly stamped envelope provided by the person requesting such advance notice or by email.
- All ordinances and resolutions for meetings shall be made available to the public for publication of the same prior to meetings in accordance with O.R.C. 731.21.

- (h) Attendance. Attendance at Council meetings shall ordinarily include the Clerk-Treasurer, Village Administrator and such other staff and department heads as may be requested. Meetings of Council are open to the public.
(ORC 731.46)

- (i) Record of Proceedings; Meeting Agenda. The Clerk-Treasurer shall keep the only record of the proceedings, and of all the rules, by-laws, resolutions, and ordinances passed or adopted, which shall be subject to inspection of all person(s) interested. The Clerk Treasurer shall ~~tape~~ audio record work session, special meetings and regular council meetings and shall retain such ~~taped~~ audio records for a period not less than four (4) years. In case of the absence of the Clerk-Treasurer, Council shall appoint one of its members ~~or the Village Administrator~~ to perform the duties as Clerk-Treasurer of Council. The Clerk-Treasurer shall prepare an agenda for every meeting, attend to all correspondence incidental to the office, and perform such other duties as may be assigned by a majority vote of Council, or as required by law. The Clerk shall deliver an agenda and ordinances for the meeting, ~~by personal service or~~ email, to ~~the residence of~~ each member of council at least ~~seventy-two (72)~~ hours prior to a regular meeting of council, ~~special meeting of council or work session~~, except as waived by a ~~three-fourths (3/4)~~ majority of Council. ~~Council members may retrieve the meeting packet prior to the meeting from the Clerk-Treasurer at Village Hall at their option.~~

The Clerk-Treasurer shall be notified by officers and committee chairmen of matters to be presented to Council, including ~~but not limited to~~ ordinances, ~~and~~ resolutions, ~~committee reports/minutes, potential new business matters and other matters before Council no later than 12:00 p.m. on the Friday preceding the next regularly scheduled council meeting or work session. in order that they may be listed on the meeting agenda.~~

For all meetings of Council, ~~or its committees, and~~ the Planning Commission, ~~and the Records Commission~~, the Clerk-Treasurer shall provide public notice for the date, time, and location of such meetings in the ~~as follows: following media:~~

- a) The E-Blast of the Roaming Rock Association;
- b) The Village website; and/or
- c) The Shore news, unless such notice would not be timely due to scheduling or the Star Beacon Newspaper.

In the event that state law provides for remote access to such meetings, and such meetings provide for remote access, such notice shall specify the means and information necessary to access such meeting and to participate in the meeting as allowed by Village Ordinance and state law. ~~Council shall only live stream work sessions, regular meetings, and/or special meetings by a majority vote of council.~~

- (j) Order of Business for Regular Meetings.

- I. ~~Prayer/Moment of Silence~~
- II. Pledge of Allegiance
- III. Roll Call
- IV. Additions or Corrections to Agenda
- V. Review and Approval of Minutes of Previous Meetings
- VI. Visitor Comments (~~three (3)~~ two-minute limit per person ~~or at discretion of Mayor~~)
- VII. Administrative Staff Reports

- a. Mayor's Report
 - b. Administrator's Report
 - c. Solicitor's Report
 - d. Zoning Inspector Report
- VIII. ~~Standing~~ Committee Reports
 - a. Finance Committee
 - b. Personnel & Human Resources Committee
 - c. SCAD Report
- IX. Special Committee Reports (if any appointed)
- X. ~~Introduction of Resolutions and Ordinances~~ Legislation
- XI. Old Business
- XII. New Business (for upcoming meetings of Council, committees or matters to be scheduled or introduced at next meetings – not intended to be additional comments from public) New business from council members can still be discussed at this juncture.
- XIII. Executive Session (if necessary)
- XIV. Adjournment

Roll call is to determine if a quorum is present. A quorum shall be four (4) members of Council present to conduct business.

- (k) At-Order and Decorum. The President of Council (Mayor) shall preserve order and decorum, and confine debate to the question or issue on the floor or may limit such discussion to matters on the agenda only. He or she may, in common with any other member, call any member to order who shall violate any of the rules, and shall, when in the chair, decide all questions of order, subject to an appeal to Council on the demand of two (2) members. On such appeal, there shall be no debate, but the member making the appeal may briefly state their reasons for the same, and the presiding officer shall have the same right to a similar statement. The President of Council (Mayor) may actively participate in debate before Council.
- (l) Delinquency. Council may punish or expel any member for disorderly conduct or a violation of its rules and declare their seat vacant for absence without a valid excuse where such absence has continued for two (2) consecutive months. No expulsion shall take place without the concurrence of two-thirds (2/3) of all members elected, and until the delinquent member has been notified of the charge against them and has had an opportunity to be heard.
(ORC 731.45)
- (m) Voting. Every member shall vote by a yea, nay or abstain and the Clerk-Treasurer shall reflect each individual vote in the minutes record. Every member has the right to explain their vote and such reason shall be so recorded by the Clerk-Treasurer in the regular minutes. At the end of voting, any abstention shall be counted with the prevailing vote on the ordinance or motion. Abstention shall be used for potential conflict of interest only and not for purposes of avoiding a controversial vote or upon inability to approve previous meeting minutes due to council member absences at such prior meetings. However,

abstention is a personal choice of the council member whereas a yea or nea vote cannot be forced. Any council member may ask the abstaining council member the reason for abstention, while the abstaining council reserves the right to be silent on the same, and no council can be forced to change such a vote.

- (n) Reference to Committee. Any new business brought before Council may be referred to the proper committee by the Mayor and/or Council, if such referral is deemed necessary or proper. If such referral is not needed, and the matter can be disposed of quickly, then such action should be taken at once. When communications are read, they may, if necessary, be referred to committee immediately after being read by the Clerk-Treasurer. If the matter under consideration requires investigation and study or if such nature that long discussion may be provoked, it shall be referred to committee promptly by the ~~presiding officer~~ Mayor or President Pro-Tem. ~~The chair of a committee shall prepare written minutes or reports of a committee meeting to the Village Clerk within thirty days of the committee meeting, who shall then distribute to Council prior to the next council meeting. If any matters referred by Council to any committee, or officer, are not reported upon by the next regular scheduled meeting, such matter shall be brought up by the Village Clerk-Treasurer to the attention of Council, which shall take such further action in the premises as it may deem best.~~ The report of any committees of Council, or a municipal officer, upon matters referred to by Council, shall be made in writing and shall be accompanied by the original papers upon which such report is based, unless otherwise ordered by Council. ~~Council may accept or reject any committee report in whole or part.~~ Committee reports are not required to be acted upon by Council unless after a majority vote of the members present under a proper quorum.
- (o) Introductions. The Mayor or Mayor's designee or President Pro Tem ~~or Council members may introduce~~ shall introduce ordinances and resolutions after such ordinances or resolutions have been recommended or suggested by Village Administrative staff or upon recommendation of a committee or as requested generally by Council as indicated in subparagraph (p) hereinafter. ~~Ordinances and resolutions as may be presented to Council upon written recommendation of some committee of Council.~~
- (p) Legislation Referred to Committee, Commission or Solicitor. When ordinances and/or resolutions are to be prepared, Council ~~shall by majority vote, shall generally request their ordinance or resolution preparation by the Village Solicitor after general discussion of such at council work session or during new business at regular meetings. Should disagreement of whether the preparation of an ordinance or resolution be prepared, Council shall then vote upon the same at the next regular meeting after such work session to be heard under New Business of the regular agenda, with majority vote prevailing.~~ If the ordinance or resolution is referred to a committee or commission, the committee or commission will then report on the ordinance or resolution at the next Council meeting which shall only be considered a draft format and not placed on the agenda for reading until discussion with Council via work session or majority vote to place the same on the next available Council agenda. ~~The committee will also furnish a copy of the ordinance or resolution to the Clerk-Treasurer as well as Council for information and review in advance of the next Council meeting.~~ The Solicitor has the responsibility of preparing legislation in the manner

prescribed by law. The committee **or commission** will only determine whether the subject matter has been fully covered, **while** the Solicitor will be responsible for the fulfillment of legal requirements **and have discretion over legalities of such ordinances or resolutions and shall recommend the same to Council, committees, or Administrative staff.** It shall be the duty of the committee to which legislation has been referred to make comparisons with all existing ordinances, reporting thereon, and recommending any changes necessary. **The Planning Commission shall abide by the requirements as set forth in ORC 713.01.**

- (q) Voting on Legislation. Ordinances and resolutions shall be voted upon separately, even though the committee report urging approval of such legislation may be adopted unanimously. The voting of such legislation shall be entered in the minutes as “in favor of” and “opposed to” together with the name of the members of Council voting “in favor of” by words commonly used to express favor such as “yes”, “aye” or “yea” or voting in opposition hereof by words of negation such as “no” or “nay” or abstaining from voting. (ORC 731.17)
- (r) Majority Defined; Three-Fourths Defined. Whenever “majority” is used herein, unless otherwise expressly indicated, it shall be held to mean a majority of those elected or appointed to Council; likewise, whenever a two-thirds or three-fourths vote is indicated, it shall mean two-thirds or three-fourths of the members elected or appointed to Council. Thus, in a Council of six (6) members, a majority shall be four (4), and three fourths shall be five (5) **and two-thirds shall be considered four (4).**

Council shall pass no ordinance without the concurrence of a majority vote of the members. (ORC 731.17)

Emergency measures for ordinances or resolutions shall be clearly stated in the heading and body of the ordinance or resolution and shall be passed by a two-thirds (2/3) vote of the members elected to Council (not the members present).
(ORC 731.30)

All ordinances and resolutions shall be read three (3) times at consecutive council meetings (three (3) different days) unless such three (3) readings are suspended by a three-fourths (3/4) majority vote of the members elected to Council (not the members present).
(ORC 731.17).

If there is no quorum established, Council may review the ordinance or resolution upon the agenda as a draft review only, and the same shall not constitute a reading of the ordinance or resolution for purposes of the three (3) reading requirements due to lack of quorum.

~~Unless required by statute specifying a 2/3 vote or 3/4 vote, such as suspending the three-reading rule, all council action shall require a majority vote.~~

Upon passage of the ordinance or resolution, ~~it~~ the same shall be signed by the Clerk-Treasurer and the Mayor **and by the Solicitor as to form and legality.**

- (s) Amending Resolution or Ordinance. It shall be in order to amend a resolution or ordinance at any time prior to passage ~~and be considered in the “Additions or Corrections to the Agenda” section of the regular meeting agenda if possible,~~ but if such ordinance or resolution is of a general or permanent nature, it shall be noted as amended upon ~~current~~ or subsequent readings. ~~Any scrivener’s error in the heading or body of the ordinance or resolution may be modified after reading upon proper amendment and majority vote by Council. If Council, the Mayor, and/or Solicitor have determined that the error is too substantial so as to create confusion for amendment(s) to such ordinance or resolution, the same shall be passed to a next reading if available, and if not available, the same shall be tabled by majority vote of Council.~~
- (t) Limitations on Debate. No member of Council while Council is in session shall engage in debate or discussion with anyone save another member of Council or the President of Council or some person who has either been granted by Council the privilege to address Council or is present at a Council meeting on invitation of Council. ~~Council members are encouraged not to respond to visitor or public comments. If public comments are directed toward a council member personally, the Mayor may intervene and stop such public commenting immediately. Visitor or public comments that become questions of counsel do not require an answer or response of any member of the Council or Mayor, and may be directed to the appropriate person for consideration.~~
~~No Council member shall speak more than once about any subject, until every member choosing to speak shall have had an opportunity to be heard.~~
- (u) Acceptable Motions; Order of Precedence. When a question or proposition is before Council, or under debate, no motion shall be received except the following:
- To adjourn (non-debatable).
 - To lay on the table (non-debatable)
 - For the previous question (request that discussion end and the vote be taken) (non-debatable).
 - To postpone to a certain day.
 - To commit (to refer to standing or special committee).
 - To amend the motion.
 - To postpone indefinitely.
- The several motions shall have precedence in the order in which they are herein arranged. ~~Motions and legislation (ordinances or resolutions) require a first (initial motion) and a second by council members prior to discussion taking place on the subject. After discussion, a motion requires a vote of council prior to moving onto other discussion, unless such motion has been withdrawn by the moving member.~~
- (v) Amendments to Council Rules. These rules may be amended or altered, or new rules adopted by a vote of the majority of all the members elected at any meeting of Council.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those

formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This ordinance is not an emergency ordinance and shall take effect thirty days after passage.

ADOPTED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio this

_____ day of _____, 20_____.

JENNIE D'AMICONE
Mayor

ATTEST:

Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:

Christopher M. Newcomb, Esq.
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates: _____ and _____.

Kerri Philips
Clerk/Treasurer

ORDINANCE NO. 941-10-2024

AN ORDINANCE DECLARING A VEHICLE SURPLUS AND AUTHORIZING THE VILLAGE ADMINISTRATOR AND/OR MAYOR TO SELL OR OTHERWISE DISPOSE OF SAID VEHICLES IN A MANNER PRESCRIBED BY LAW AND DECLARING AN EMERGENCY.

WHEREAS, the village council has determined it will be in the best interest of the village necessary to the daily operations of the village to require adoption of this ordinance for the peace, safety, and welfare of Village residents as an emergency measure and due to the need to advertise for sale of such vehicles.

WHEREAS, the village council has determined that it has ownership over the following vehicles and that said vehicles are now unnecessary for Village operations and should be disposed of according to law:

1. 1986 Dump Truck F-350
2. 2007 Chevrolet Silverado 2500
3. 2003 20' Deck Over Duel Axle Trailer
4. 1995 Ford New Holland Tractor/Backhoe
5. 2007 Kustom Signals Inc. Radar Trailer

NOW, THEREFORE, BE IT RESOLVED by the council of the Village of Roaming Shores, County of Ashtabula, and State of Ohio, that:

Section 1. It is hereby determined that the Village of Roaming Shores council finds and determines that it is necessary to declare certain vehicles owned by the Village as surplus and that it is necessary to authorize the Village Administrator and/or Mayor to advertise, sell and otherwise dispose of said Village property in accordance with Ohio Revised Code with said vehicles being described as follows:

1. 1986 Dump Truck F-350
2. 2007 Chevrolet Silverado 2500
3. 2003 20' Deck Over Duel Axle Trailer
4. 1995 Ford New Holland Tractor/Backhoe
5. 2007 Kustom Signals Inc. Radar Trailer

Section 2. The Village of Roaming Shores council finds and determines that all formal actions of the council concerning and relating to the adoption of this Ordinance were taken in an open meeting and that all deliberations that resulted in those formal actions were open to the public in compliance with all applicable laws.

Section 3. This Ordinance was passed by majority vote under declaration of emergency in order to preserve the peace, safety, and welfare of the Village residents and for the need to preserve timelines in advertisement and disposal of said vehicles.

ADOPTED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio this
_____ day of _____, 20_____.

JENNIE D'AMICONE
Mayor

ATTEST:

Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:

Christopher M. Newcomb, Esq.
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates: _____ and _____.

Kerri Philips
Clerk/Treasurer

ORDINANCE NO. 943-11-2024

AN ORDINANCE CREATING A SEWER CAPITAL IMPROVEMENT FUND OF FUND NO. 4903 FOR COLLECTION OF MONIES RECEIVED AND ASSOCIATED WITH SEWER INFRASTRUCTURE PROJECTS WITHIN THE VILLAGE OF ROAMING SHORES AND NOT DECLARING AN EMERGENCY

WHEREAS, Title 7; Chapter 715, Section 715.43 provides for the authority of any municipal corporation to provide for the collection and disposition of sewage as required for public and environmental safety and health,

WHEREAS, the Village of Roaming Shores completed a rate study which anticipated ongoing increases to operational costs that is reviewed annually,

WHEREAS, the Village of Roaming Shores is faced with a series of sanitary sewer operations, planning, construction, and maintenance improvements for which it is necessary to increase the sewer fees,

WHEREAS, the Village Council has determined the need to create a new fund with a separately passed funding resolution or ordinance to allocate monies received by the Village of Roaming Shores for funding of infrastructure projects within the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, Ohio:

SECTION 1. Village Council hereby authorizes the Village Clerk-Treasurer for the creation of Fund 4903 Sewer Capital Improvement Fund for the collection and/or deposit of monies associated with payments, fees or charges obtained for sewer costs within the Village of Roaming Shores for the purposes of certain sewer infrastructure projects necessary within the Village.

SECTION 2. That it is found and determined that all formal actions of this Village Council concerning and relating to the passage of this Ordinance was passed in an open meeting of this Village Council, and that all deliberations of this Village Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is not deemed an emergency and shall take effect as prescribed by law.

ADOPTED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio this

_____ day of _____, 20_____.

JENNIE D'AMICONE
Mayor

ATTEST:

Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:

Christopher M. Newcomb, Esq.
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates: _____ and _____.

Kerri Philips
Clerk/Treasurer

ORDINANCE NO. 944-11-2024

A ORDINANCE ASSESSING A MONTHLY FIVE DOLLAR (\$5.00) CHARGE PER LOT WITHIN THE VILLAGE OF ROAMING SHORES FOR THE PURPOSE OF ACCUMULATING FUNDS INTO THE SEWER CAPITAL IMPROVEMENT FUND FOR THE NECESSARY INFRASTRUCTURE PROJECTS ASSOCIATED WITH THE WASTEWATER SYSTEM OF THE VILLAGE AND NOT DECLARING AN EMERGENCY.

WHEREAS, Title 7; Chapter 715, Section 715.43 provides for the authority of any municipal corporation to provide for the collection and disposition of sewage as required for public and environmental safety and health,

WHEREAS, the Village of Roaming Shores completed a rate study which anticipated ongoing increases to operational costs that is reviewed annually,

WHEREAS, the Village of Roaming Shores is faced with a series of sanitary sewer operations, planning, construction, and maintenance improvements for which it is necessary to increase the sewer fees,

WHEREAS, the Village council has determined it will be in the best interest of the village necessary to the daily operations of the village to require adoption of this Ordinance for assessment of fees to fund the Sewer Capital Improvement Fund No. 4903 for accumulating funds necessary for future wastewater and sanitary system acquisitions, upgrades or construction associated with the same.

NOW, THEREFORE, BE IT RESOLVED by the council of the Village of Roaming Shores, County of Ashtabula, and State of Ohio, that:

SECTION 1. It is hereby determined that the Village Council authorizes the Mayor, Village Administrator and/or Clerk-Treasurer to assess a Five Dollar (\$5.00) assessment/surcharge onto the billing of each lot located within the Village of Roaming Shores, **with combined lots being excluded and shall be billed as if one single lot.** NOT SURE IF YOU WANT WHAT IS HIGHLIGHTED OR NOT OR SOMETHING TO CONSIDER.

SECTION 2. The Village Clerk-Treasurer is directed to collect and/or deposit the monthly CIF surcharge and deposit it in a separate account designated to pay sewer indebtedness, namely the Sewer Capital Improvement Fund No.4903. In case of discontinuance of actual occupancy and use of the building or premises for any period of time during the monthly billing period, the final bill shall be based on the measured service, except that in no case shall the final bill be less than the minimum monthly rate. In case of a building or premises discharging either wastewater or industrial waste, or both, either directly or indirectly into the wastewater System, and said user is not a user of village water, and is not in possession of a water meter, then in such case the amount of water consumption on such premises shall be otherwise measured or determined by the mayor or village administrator and such user shall be charged based on the determined water rate consumption per month in accordance with the rates set forth in this ordinance.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is not deemed an emergency and shall take effect as prescribed by law.

ADOPTED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio this _____ day of _____, 20____.

JENNIE D'AMICONE
Mayor

ATTEST:

Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:

Christopher M. Newcomb, Esq.
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates: _____ and _____.

Kerri Philips
Clerk/Treasurer

ORDINANCE NO. 945-11-2024

AN ORDINANCE INCREASING THE MINIMUM SEWER RATES WITHIN THE VILLAGE OF ROAMING SHORES, OHIO WITH A THREE PERCENT (3%) INCREASE FOR FISCAL YEAR 2025, AN ADDITIONAL ONE PERCENT (1%) INCREASE IN FISCAL YEAR 2026 AND AN ADDITIONAL INCREASE OF ONE PERCENT (1%) IN FISCAL YEAR 2027 AND NOT DECLARING AN EMERGENCY

WHEREAS, Title 7; Chapter 715, Section 715.43 provides for the authority of any municipal corporation to provide for the collection and disposition of sewage as required for public and environmental safety and health,

WHEREAS, the Village of Roaming Shores completed a rate study which anticipated ongoing increases to operational costs that is reviewed annually,

WHEREAS, the Village of Roaming Shores is faced with a series of sanitary sewer operations, planning, construction, and maintenance improvements for which it is necessary to increase the sewer fees,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, Ohio:

SECTION 1. To pay for the cost and expense of maintaining, sitting and improving the sanitary system and infrastructure of the Village of Roaming Shores, there shall be and is hereby levied upon each lot and premises on which is located any building which has installed thereon any connection with the wastewater collection system of the Village of Roaming Shores as follows:

- a) Premises located within the corporate limits of the Village of Roaming Shores

For premises within the corporate limits discharging wastewater or industrial wastes, either directly or indirectly into the wastewater system, there shall be a minimum monthly charge, and a charge based on per. 1000 gal.usage per month:

Effective January 1, 2025: 3%

Base Rate:	\$61.29
Additional rate based per 1000 Gallons	\$11.33

The minimum monthly charge shall be as indicated per month or part thereof.

- b) Premises located outside the corporate limits of Roaming Shores Village.

For premises outside the corporate limits discharging wastewater or industrial wastes, either directly or indirectly into the Wastewater system, there shall be a minimum monthly charge, and a charge based on per. 1000 gal.usage per month:

Effective January 1, 2025: 3%

Base Rate:	\$76.61
Additional rate based per 1000 Gallons	\$14.16

The minimum monthly charge shall be as indicated per month or part thereof.

SECTION 2. To pay for the cost and expense of maintaining, sitting and improving the sanitary system and infrastructure of the Village of Roaming Shores, there shall be and is hereby levied upon each lot and premises on which is located any building which has installed thereon any connection with the wastewater collection system of the Village of Roaming Shores as follows:

a) Premises located within the corporate limits of the Village of Roaming Shores

For premises within the corporate limits discharging wastewater or industrial wastes, either directly or indirectly into the wastewater system, there shall be a minimum monthly charge, and a charge based on per. 1000 gal.usage per month: :

Effective January 1, 2026: 1%

Base Rate:	\$61.90
Additional rate based per 1000 Gallons	\$11.44

The minimum monthly charge shall be as indicated per month or part thereof.

b) Premises located outside the corporate limits of the Village of Roaming Shores

For premises outside the corporate limits discharging wastewater or industrial wastes, either directly or indirectly into the Wastewater system, there shall be a minimum monthly charge, and a charge based on per. 1000 gal.usage per month:

Effective January 1, 2026: 1%

Base Rate:	\$77.37
Additional rate based per 1000 Gallons	\$14.30

The minimum monthly charge shall be as indicated per month or part thereof.

SECTION 3. To pay for the cost and expense of maintaining, sitting and improving the sanitary system and infrastructure of the Village of Roaming Shores, there shall be and is hereby levied upon each lot and premises on which is located any building which has installed thereon any connection with the wastewater collection system of the Village of Roaming Shores as follows:

a) Premises located within the corporate limits of the Village of Roaming Shores

For premises within the corporate limits discharging wastewater or industrial wastes, either directly or indirectly into the wastewater system, there shall be a minimum monthly charge, and a charge based on per. 1000 gal.usage per month:

Effective January 1, 2027: 1%

Base Rate:	\$62.51
Additional rate based per 1000 Gallons	\$11.55

The minimum monthly charge shall be as indicated per month or part thereof.

b) Premises located outside the corporate limits of the Village of Roaming Shores.

For premises outside the corporate limits discharging wastewater or industrial wastes, either directly or indirectly into the Wastewater system, there shall be a minimum monthly charge, and a charge based on per. 1000 gal.usage per month:

Effective January 1, 2027: 1%

Base Rate: \$78.14

Additional rate based per 1000 Gallons \$14.44

The minimum monthly charge shall be as indicated per month or part thereof.

SECTION 4. The Village Clerk-Treasurer is directed to collect and/or deposit the monthly CIF surcharge and deposit it in a separate account designated to pay sewer indebtedness. In case of discontinuance of actual occupancy and use of the building or premises for any period of time during the monthly billing period, the final bill shall be based on the measured service, except that in no case shall the final bill be less than the minimum monthly rate. In case of a building or premises discharging either wastewater or industrial waste, or both, either directly or indirectly into the wastewater System, and said user is not a user of village water, and is not in possession of a water meter, then in such case the amount of water consumption on such premises shall be otherwise measured or determined by the mayor or village administrator and such user shall be charged based on the determined water rate consumption per month in accordance with the rates set forth in this ordinance.

SECTION 5. That this ordinance shall supersede any previous ordinances, resolutions or other amendments that are found inconsistent with this ordinance and its amendments established hereinabove.

SECTION 6. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this ordinance is not deemed an emergency and shall take effect as prescribed by law.

ADOPTED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio this

_____ day of _____, 20_____.

JENNIE D'AMICONE

Mayor

ATTEST:

Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:

Christopher M. Newcomb, Esq.
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates: _____ and _____.

Kerri Philips
Clerk/Treasurer

ORDINANCE NO. 946-11-2024

AN ORDINANCE REPLACING VILLAGE CODE CHAPTER 151: “EMPLOYMENT MANUAL” WITH A PERSONNEL CODE AND NOT DECLARING AN EMERGENCY.

WHEREAS, the existing Employment Manual (§151) requires modernization to better address the evolving needs and expectations of both employees and the municipality; and

WHEREAS, a comprehensive Personnel Code will provide clearer, more consistent, and equitable guidelines for employment practices, enhancing transparency and fairness; and

WHEREAS, the adoption of a Personnel Code aims to streamline procedures; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Roaming Shores, in the County of Ashtabula, State of Ohio, as follows:

SECTION 1. Village Code §151 shall be repealed.

SECTION 2. Village Code §151 shall read as follows:

“

CHAPTER 151: PERSONNEL CODE

151.001 Intent.

The purpose of this Personnel Code is to establish and maintain a system of administration for personnel functions in the Village of Roaming Shores. The objectives of these personnel rules and regulations are to facilitate the efficient and economical delivery of services to the public, and to ensure that any personnel action, including recruitment, examination, selection, and management, adheres to the best possible standards.

151.002 Disclaimers

- a) The Personnel Code is provided for informational purposes only. No provision or portion of the code constitutes an implied or expressed contract, guarantee, or assurance of employment or a right to an employment related benefit, process, or procedure. Nothing in this code shall alter the Village’s power to employ personnel at will.
- b) **Oral Agreements.** No employee or representative of the Village is authorized to enter into any oral employment contract or agreement. Any agreement altering the terms and provisions of this code shall be in writing and signed by the Mayor.
- c) **Right to Modify.** The Village reserves the right to change, modify, eliminate, or deviate from any policy, procedure, process, or program in this code at any time. Policy changes are effective as of the date of their occurrence. Employees should confirm with their department chief or supervisor that they have the most recent version of a given policy.
- d) No personnel code can anticipate every circumstance or question about policy. As the need may arise, the Village may change policies described in the code. The Village of Roaming

Shores, therefore, reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes as they occur. Amendments to these policies and procedures shall be made by ordinance of the Council.

151.003 Severability

If any section, subsection, sentence, clause, or phrase of this Personnel Code is found to be illegal by a court of competent jurisdiction, such findings shall not affect the validity of the remaining portions of these rules and regulations.

151.004 Department Rules and Regulations

These policies and procedures apply to all Village of Roaming Shores employees, except when in conflict with special employment conditions set forth for elected officials, when specific departments have special regulations, policies, and/or general orders (such as the Roaming Shores Police Department), or when in conflict with various laws governing employment relationships.

151.101 Nature of Employment, At-Will Employment

Employment with the Village is voluntarily entered into, and each employee is free to resign or quit their position of employment at their will at any time, with or without cause, unless a written contract of employment was entered into between the employee and the Village. Similarly, the Village may terminate the employment relationship of any and all employees at its will at any time, with or without notice or cause, so long as there is no violation of applicable federal, state, or local law.

While the Village employees are free to resign or quit their employment at any time, employees are requested to give the Village as much advance notice as possible. At least two (2) weeks' advance notice prior to resignation or quitting is appreciated. Sufficient advance notice will also be taken into consideration should an employee ever seek reemployment in the future.

Sworn officers of the Roaming Shores Police Department shall be subject to progressive discipline in accordance with Ohio Revised Code §737.12.

151.102 Employment Categories

It is the intent of the Village of Roaming Shores to clarify the definitions of employment classifications, so those employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period. Accordingly, the right to terminate the employment relationship at will, at any time, is retained by both the employee and the Village of Roaming Shores.

Each employee is designated as either Nonexempt (hourly) or Exempt (salaried) from federal and state wage and hour laws. Nonexempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. The requirements for exempt classification are determined by the United States Department of Labor.

In addition to the above categories, each employee will also belong to one of the following employment categories:

FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work the Village of Roaming Shores' full-time schedule. Generally, they are eligible for Village of Roaming Shores' benefits package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who have established an employment relationship with the Village of Roaming Shores, but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits (such as workers' compensation and OPERS contributions), they are ineligible for all of the Village of Roaming Shores' other benefit programs.

STATUS CLASSIFICATIONS

All employees will be included in one of the following status classifications:

- a) **FULL TIME HOURLY (non-exempt)** - an employee working 40 hours or more per week on a continuing basis and paid at an hourly rate for each hour worked.
- b) **FULL TIME SALARIED (non-exempt)** – an employee working 40 hours or more per week and is paid a set salary for the first 40-hours per week, and an overtime rate for hours worked in excess of 40-hours per week.
- c) **FULL TIME SALARIED (exempt)** - an employee working 40 hours or more per week on a continuing basis and paid a set salary per each pay period regardless of hours worked.
- d) **PART TIME (non-exempt)** - an employee working less than 40 hours per week on a continuing basis.
- e) **PART TIME SALARIED (exempt)** – an employee working less than 40 hours per week on a continuing basis and paid a set salary per each pay period regardless of hours worked.
- f) **TEMPORARY OR SEASONAL (non-exempt)** - an employee scheduled to work on a job for a short or limited duration (i.e.: summer maintenance employees)

151.103 Equal Employment Opportunity

- a) **Equal Employment.** To provide equal employment and advancement opportunities to all individuals, employment decisions at the Village of Roaming Shores will be based on merit, qualifications, and abilities. The Village of Roaming Shores provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type with regard to race, color, sex, national origin, religion, age, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristics protected by federal, state, or local laws.
- b) **Accommodation.** The Village of Roaming Shores will provide reasonable accommodation for qualified individuals with known disabilities unless doing so would result in undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. Individuals will not be placed in positions where, with or without reasonable

accommodation, they create a direct threat to the safety or health of themselves or others. The determination that an individual poses a direct threat will be confirmed by an opinion in writing from an appropriate professional selected by the Village.

- c) Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their department chief or Title VI Coordinator (as listed in the Roaming Shores Title VI Implementation Plan). Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.
- d) **Vacancy Notices.** Position vacancy notices, postings, advertisements, and recruiting literature shall specify that the Village of Roaming Shores is “An Equal Opportunity Employer.”

151.104 Disability, Anti-Discrimination, and Accommodation Policy

It is the policy and practice of the Village of Roaming Shores to comply fully with the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, to ensure equal opportunity in employment for all qualified persons with disabilities. The ADA and Section 504 require that employers offer equal employment opportunities for qualified individuals who may have a physical or mental disability but can still perform the essential functions of the job. The Village is committed to ensuring that there is no discrimination under any terms, conditions, or privileges of employment and to making reasonable accommodations for employees with physical or mental disabilities unless doing so would create an undue hardship for the Village. All employment decisions are to be made based upon job-related criteria without regard to physical or mental disabilities of qualified individuals.

The ADA and Section 504 defines a person with a disability as an individual who has a physical and mental impairment that substantially limits one or more major life activity; or has a record of such as an impairment; or is regarded as having such an impairment.

- a) **Reasonable Accommodations.** Reasonable accommodation is available to all employees and applicants with a disability when such an accommodation is required to perform the essential functions of the job. A reasonable accommodation is one that does not cause an undue hardship for the Village. The supervisor, with assistance from the ADA/Title VI Coordinator, and the employee are responsible for considering what reasonable accommodations may be made.

Upon requesting accommodation, the supervisor or the ADA/Title VI Coordinator may request that the employee provide a medical evaluation documenting the disability. All medical records obtained will be kept separate from general personnel files and will be confidential.

In compliance with the ADA and Section 504, it is also the policy of the Village to recruit, hire, and promote employees and applicants without regard to disability. Therefore, in interviewing applicants for employment, supervisors:

- 1) cannot use interview questions that may have a discriminatory effect on a person with a disability; and

- 2) cannot use employment or skill tests which are not specifically job related; and
- 3) should refer only to the current and approved job description reflecting the requirements of the position.

For more information regarding Roaming Shores' ADA compliance, please see Roaming Shores ADA Transition Plan. Copies of this plan are available in the Administrator's Office.

- b) Religious Accommodations.** The Village respects the religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the Village's business. An employee whose sincerely held religious beliefs or practices conflict with their job, work schedule, or with Village policy or practice on dress and appearance, or with other aspects of employment, and who seeks a religious accommodation must submit a written request for the accommodation to their supervisor or, when appropriate, the Administrator.

The written request will include the type of religious conflict that exists and the employee's suggested accommodation. The request will be evaluated to determine whether the request is available or if it will create undue hardship for the Village.

It is recommended that the written request include additional information, including written materials describing the specific religious belief or practice. Documentation from a religious authority is highly encouraged (pastor, imam, rabbi, priest, group leader, bishop, elder, etc.) and can expedite religious accommodation requests.

151.105 Employment Applications

The Village of Roaming Shores relies upon the accuracy of information contained in the employment application (including resume, cover letter, and other materials submitted), as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Village of Roaming Shores' exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment with cause.

Applications will be accepted only for vacant positions. Applications must be submitted in the medium requested by the hiring agency (paper/hard copy, via Indeed or another job platform, etc.).

151.106 Background Checks

- a) **Background Checks.** To ensure that individuals who join the Village of Roaming Shores are qualified and have a strong potential to be productive and successful, it is the policy of the Village to check the criminal background and employment references of all applicants. For specific positions related to finance or cash handling, prospective employees may also be required to submit to a credit history check. Completion of a Background Check Disclosure, Authorization, and Release Form is required. The Village will comply with state and federal laws in conducting such checks. The Disclosure results are filed separately from the employee's Personnel File. Further, the Village will not necessarily limit itself to reference checks only; and not necessarily, only the references supplied by the applicant.

- b) **Response to Reference Requests.** The Clerk-Treasurer, Administrator, or Mayor will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. Personal feelings, opinions, and the results of performance evaluations shall be withheld as confidential information.

151.107 Personal Data Changes

It is the responsibility of each employee to promptly notify the Clerk-Treasurer of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

All employees are requested to furnish their Department Chief and the Clerk-Treasurer the following information and promptly notify their Department Chief and Clerk-Treasurer of any changes within ten (10) business days unless otherwise specified:

- 1) Cancellation of insurance, and/or any other benefits provided to the employee by the municipality on an optional basis.
- 2) Change in number of dependents.
- 3) Change of marital status.
- 4) Change of address and/or phone number.
- 5) Driving status or status of the employee's driver license (within 24 hours).

151.108 Hiring of Relatives and Nepotism Policy

Immediate family members shall not be hired into the same department. The employment of persons who establish immediate family relationships after employment shall be prohibited if such employment will result in one immediate family member exercising supervision over the other or otherwise having the ability to influence the terms or conditions of the other's employment.

For the purpose of this policy, "immediate family" shall be defined as the following relatives of the employee or the employee's spouse: spouse, parent, child, or sibling including the spouse of any such relatives; and the following relatives of the employee: aunt, uncle, nephew, niece, first cousin, grandparent or grandchild including the spouse of any such relatives.

In the case of Village employees who become immediate family members after employment and whose relationship would violate the policy as set forth herein, the employees shall determine which of them will seek employment elsewhere in the Village (if such a position is available) or, as necessary, outside the organization. Said decision shall be conveyed in writing to the appropriate department head and Village Administrator no later than thirty (30) days from the date the relationship was legally established. Said employees will be given a reasonable period of time, not to exceed ninety (90) days from the date the relationship is legally established, to make that decision. If the decision is not made within ninety (90) days, the Village reserves the right to transfer, demote or dismiss the affected employee(s) to resolve the nepotism violation. In the case of dismissal, the most senior of the employees, as determined by length of service with the Village, will be retained. If seniority is equal, the Village shall consider the qualifications and job performance of the employees in determining which will be retained.

This policy shall cover the immediate family relationships of all employees of the Village of Roaming Shores whether they are part-time or full-time.

This policy is not intended to alter the employment terms of any current full-time or part-time employee whose employment violates the above provision but did not violate the policy in force at the time of employment or at the time the immediate family relationship took place. Department managers and the Human Resources division shall assure that these “grandfathered” exceptions gradually cease as attrition occurs.

The nepotism policy may be waived by the Village Administrator and Mayor when the lack of other qualified candidates necessitates the employment of immediate family members.

151.109 Immigration Law Compliance and E-Verify

- a) Pursuant to state and federal law, the Village’s policy is to strive to comply with all applicable laws and regulations regarding the verification of employment eligibility. As part of the Village’s verification program, the Village is enrolled in the federal E-Verify program, operated by the United States Department of Homeland Security in partnership with the Social Security Administration. The E-Verify system requires the Village to verify online the employment eligibility of all new hires after an employee has completed their mandatory Form I-9 for employment verification. The Village conducts annual audits of I-9 forms in order to ensure compliance with federal law.
- b) **New Hires and Immigration Law.** In compliance with the Immigration Reform and Control Act of 1986, all employees hired on or after June 1, 1987, must complete and sign the I-9 Verification form designated by the Immigration and Naturalization Service to certify that they are eligible for employment in the United States.

New employees must present documentation to the Clerk-Treasurer or Administrator within three (3) days of their date of hire to verify their identity and employment eligibility. If unable to provide the required document or documents within three (3) days, employees must produce a receipt showing that they have applied for the document(s). Employees must produce the document(s) within twenty-one (21) days of the date of hire. Employees unable to produce required document(s) within these deadlines shall be dismissed.

151.110 Outside Employment

An employee may hold a job with another organization as long as they, in the opinion of their supervisor or the Administrator, satisfactorily perform their job responsibilities with the Village. All employees will be judged by the same performance standards and will be subject to Village of Roaming Shores’ scheduling demands, regardless of any existing outside work requirements. Employees should consider the impact that outside employment may have on their ability to efficiently perform their work, as well as any conflicts of interest that may arise.

If Village of Roaming Shores determines that an employee's outside work interferes with performance or the ability to meet the requirements of the position, as they are modified from time to time, or if the Village determines that the outside employment is in conflict with its ethics code or any other codes of conduct, directly or indirectly applicable to a specific employee, the

employee may be required to terminate the outside employment if they wish to remain employed with the Village.

If an employee accepts outside employment, they are required to notify the Administrator in writing. This notification must state the employer, the hours they are required to work for their outside employment, and the term of that employment (full-time, part-time, seasonal, on-call, etc.).

Outside Employee Conflict of Interest

Village employees shall file a conflict-of-interest statement with the Administrator's Office whenever an employee's outside business activities are directly or indirectly linked to the Village in a business relationship, such as vender, supplier, contractor, or subcontractor.

151.111 Elected Officer and Village Employment Restricted

A Village employee that becomes an elected or appointed member of the Village Council, the elected or appointed Mayor, or the elected or appointed Clerk-Treasurer shall be considered to have resigned their employment with the Village upon taking their Oath of Office. The Village shall make no restrictions on employees running for or accepting elected office at the township, county, regional/special district, state, or national level, provided that this employment does not impact regular duties, schedule, and availability.

Elected officials shall be prohibited from accepting employment, either full-time, part-time, or contract, with the Village for a period of two (2) years after they have last held elected office.

151.112 Performance Evaluations

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance evaluations will be conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage, and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Department heads shall conduct performance evaluations on an annual basis. Performance evaluations shall be confidential.

The Village of Roaming Shores may award merit-based pay adjustments in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by a formal performance evaluation process.

151.113 Weapon-Free Policy

ORC §2923.126(B)(7) prohibits individuals from carrying a concealed weapon into a government facility. This law applies to employees, residents, visitors, and any other persons entering a Village owned or leased property. The Village of Roaming Shores is hereby adopting a policy that is consistent with Ohio law forbidding concealed handguns.

In the interest of maintaining a safe working environment free of violence for all employees, the Village of Roaming Shores prohibits the possession of dangerous weapons in village owned or

leased property. This policy does not apply to any law enforcement personnel engaging in official duties.

“Village property” for purposes of this policy includes all village owned or leased buildings. This policy applies to all village-owned or leased vehicles.

“Dangerous weapons” include, but are not limited to, handguns, firearms, explosives, knives, and other weapons as defined by federal, state, or local laws or ordinances. Employees who use work tools in the normal course of their employment are not in violation of this policy. Any village employee who violated this policy is acting outside the course and scope of their duties. The village will not defend or indemnify such actions by any employee. A village employee found to be in violation of this policy, who uses a dangerous weapon or makes comments about dangerous weapons in such a way that intimidates, harasses, coerces, or threatens another person will be subject to disciplinary action, up to and including discharge.

If an employee believes another person covered by this policy possesses a concealed handgun or another dangerous weapon in violation of this policy, the employee shall immediately report this belief and the basis for this belief to their supervisor. Employees should be aware that the enforcement of this policy might involve confronting individuals carrying dangerous weapons. Under no circumstances should any employee take any unnecessary risks or compromise their safety in enforcing this policy. Law enforcement should be contacted immediately if deemed necessary.

151.201 Standard Work Week

The Village’s standard work week is Monday – Sunday. The scheduled work week may include being scheduled for late night and weekend rotations, as well meetings outside of normal business hours.

151.202 Scheduled Hours of Work

- a) **Village Hall/Utility Billing Office.** The office shall be open from 9:00 a.m. to 5:00 p.m. Monday through Friday. Individual workdays and shifts shall be scheduled by the Administrator.
- b) **Police Department.** Individual workdays and shifts shall be scheduled by the Chief of Police.
- c) **Public Works Department.** Individual workdays and shifts shall be scheduled by the Chief of Public Works with the written approval of the Administrator.
- d) Weekend Rotation, Snow Removal Call-in, or Emergency Call-in will be directed by the appropriate department head.

151.203 Lunch Period

A paid lunch period of thirty (30) minutes will be given to all non-police employees working an eight (8) hour shift. This lunch period will be given between 11:30 a.m. and 1:30 p.m. as it fits into the daily work schedule to maximize efficiency during the workday. This will be scheduled by the department head.

Police officers will be given a lunch break during the regular eight (8) hour shift but will remain on call during this break.

151.204.1 Breaks

- a) **Fifteen-Minute Breaks.** Two fifteen (15) minute breaks are permitted each day, one during each four (4) hour work period (one in the morning, one in the afternoon). Break periods may not be altered by not taking designated breaks so that an employee can leave early or have a longer lunch. Breaks may not be compounded or banked to utilize at one time or broken into multiple smaller breaks.
- b) **Smoking Breaks.** If an employee chooses to smoke tobacco, smoking breaks should be taken as part of the two fifteen (15) minute breaks that are permitted each day. Employees should not take additional breaks to smoke tobacco products. All spent cigarettes or cigars must be disposed of properly and should not be thrown on the ground. Improperly discarded tobacco products will be subject to disciplinary action.

151.205 Emergency Call-In Duty

All employees are subject to call to duty and must respond to emergency calls, unless physically unable to do so. If any employee is called in for an emergency but is not available when a need may arise the employee may be subject to disciplinary action.

151.206 Payroll Processing

- a) The pay period for full time hourly and salaried employees, part time employees, and temporary employees is every two weeks as established by the Clerk-Treasurer. Employees will be paid on every other Friday via Direct Deposit for the pay period ending the previous Sunday at 11:59 p.m. If a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.
- b) The Mayor, Councilors, Solicitor, and Clerk-Treasurer are paid on a monthly basis.
- c) A time sheet is used to document time worked. Employees are expected to maintain a time sheet for their workday. Employees are to sign their timesheets and the department head will initial that they have reviewed them for accuracy. All timesheets under the Administrator's purview shall be signed by the Administrator as well. All employees must submit their timesheets to their department head by 10:00am on Monday of pay week (or in the event of a holiday, then the following business day). All time sheets must be submitted to the Clerk-Treasurer by 1:00pm.
- d) All employees shall be required to receive their paycheck via direct deposit. Failure to provide the Clerk-Treasurer with accurate account information may result in disciplinary action, up to and including termination of employment.

151.207 Overtime Pay and Compensatory Time

- a) **Exempt Employees.** The exempt employees, as described in §2.03 Employment Categories, shall not receive overtime pay.

- b) **Non-Exempt Employees.** The non-exempt employees, as described in §2.03 Employment Categories, shall receive overtime pay for hours worked over 40 hours in a work week and shall be calculated on a one and one-half (1 ½) basis.

Supervisors will be accountable for controlling overtime situations and the associated expense. Whenever possible, work schedules shall be adjusted to avoid or reduce overtime work. In situations where unexpected changes in workload require additional hours mandated by the supervisor, overtime hours may be authorized.

- c) **Paid Leave/Overtime Policy.** Paid leave, such as holiday, vacation, bereavement leave, sick leave, and jury duty shall apply towards hours worked and may not be used towards overtime.

151.208 Employee Termination

- a) **Termination.** Employment with the Village of Roaming Shores is “At-Will” (unless otherwise modified by Ohio Revised Code) and based on mutual consent, both the employee and Village have the right to terminate employment at any time, with or without cause.

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- a. **Resignation:** Voluntary employment termination initiated by an employee. Although advance notice is not required, the Village requests at least two weeks written notice from the employee.
- b. **Discharge:** Involuntary employment termination initiated by the Village.
- c. **Retirement:** Voluntary employment termination initiated by the employee meeting Village retirement criteria as established by the Ohio Public Employee Retirement System (OPERS), or other enrolled retirement system.

Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner: All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee’s expense if the employee chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance. An employee’s termination date shall always be the last day worked. An employee’s termination date may not be extended to include accrued and/or unused paid or unpaid time off (e.g., sick days).

- b) **Notice of Discharge.** In the event that an employee must be removed from their position, the Administrator or the employee’s supervisor will provide the employee a Notice of Discharge, which shall include the following information:
- a. employee’s name and current title.
 - b. date(s) and description(s) of incidents or deficiencies.
 - c. a brief overview of the employee’s right to appeal (and the deadline to submit an appeal).
- c) **Right to Appeal Discharge (Loudermill Hearing).** After an employee has been issued a Notice of Discharge by either their supervisor or the Administrator, the employee may

choose to appeal the decision to the Mayor. The employee shall provide the Clerk-Treasurer with notification that they wish to appeal the discharge no later than five (5) business days after receiving the Notice of Discharge. The Mayor shall decide whether to uphold the discharge, reverse the decision, or amend the decision. Employees are permitted to bring a representative or legal counsel to the hearing. At the hearing, the employee will have the opportunity to answer questions raised in the notice and to provide information related to the incident(s) of misconduct/performance deficiencies. Employees who choose not to attend the hearing are permitted to submit a written response.

- d) **Return of Property.** Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All property must be returned by employees on or before their last day of work. The Village may take all legal action deemed appropriate to recover or protect any Village property not returned by the employee.

151.209 Tardiness, Unauthorized Absence, and Call-In

- a) **Tardiness.** Tardiness is defined as arriving at work later than the employee's scheduled start time. Employees who are tardy two (2) days within a three (3) month period may be subject to disciplinary action.
- b) **Unauthorized Absence.** Unauthorized absence is defined as calling off for the day. Employees with one (1) day unauthorized absence shall be disciplined for unauthorized absence. Exception to this rule is if an Employee calls off sick, then restrictions on sick leave apply. Employees who violate the tardiness or unauthorized absence policy shall receive a warning letter from their department head. A copy of the letter will be permanently retained in the employee's personnel file. Further tardiness and/or unexcused absences will be met with disciplinary action, as determined by the disciplinary action section.
- c) **Call-In Notice.** If an employee knows that they are going to be tardy or absent from work on any given day, the employee must notify their supervisor of such tardiness or absence at their earliest possible opportunity prior to the beginning of their schedule shift.
- d) **Absenteeism.** Excessive absenteeism causes unnecessary increases in operating expenses. Employees who are excessively unavailable for work (regardless of cause) force others to carry their extra loads as well as withhold job opportunities and positions for more available personnel. Employees shall not establish patterns of absenteeism. Establishing a pattern of absenteeism is a violation of official standards regardless of whether any part of the absenteeism within the pattern has been approved or disapproved by the department administration.

151.210 Employee Appearance

- a) **Employee Grooming.** Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image we present to our citizens and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the job requirements.
- b) **Uniforms.** All employees issued a uniform are required to wear that uniform while on duty. Uniforms should be clean, laundered regularly, and maintained in acceptable condition. All employees working outside of an office environment should wear appropriate close-toed

shoes. Employees in the Public Works Department are required to wear safety-toe shoes at all times.

- c) **Change of Clothes.** All employees in the Public Works Department shall be required to keep a change of clothes in their assigned locker.
- d) **Employee Health.** The Village of Roaming Shores values the health and safety of all our employees. No employee shall report to work if their personal health and/or hygiene jeopardizes the health of other employees. This includes having contagious illnesses (such as COVID-19, flu, fevers, etc.). If an employee violates this policy, they will be subject to disciplinary action. If an employee does not have adequate sick time, unpaid leave or vacation time may be taken.

151.211 Commission of Unlawful Acts

Employees are required to report all arrests and convictions to their Department Head in writing. The Village will conduct a proper, lawful analysis to determine whether the arrest or conviction will result in any disciplinary action, up to and including termination of employment. With respect to convictions, the Village will conduct an individualized assessment and consider whether the conduct is job-related and consistent with business necessity, including the nature of the crime, the time elapsed, and the nature of the job. After completing this assessment, the Village will determine whether disciplinary action, up to and including termination, is appropriate.

Failure to report an arrest or conviction will result in disciplinary action.

151.212 Harassment or Discrimination

The Village of Roaming Shores is committed to maintaining a work environment that is free of discrimination and conduct that can be considered harassing, coercive, or disruptive. In keeping with this commitment, the Village will not tolerate such conduct by anyone, including supervisors, co-workers, vendors, or citizens of the Village.

Under federal law and regulations, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute unlawful sexual harassment when either:

- 1) Submission to such conduct is or becomes a term or condition of an individual's employment or is used as a basis for employment decisions relating in any way to that individual; or
- 2) such conduct substantially interferes with an individual's work performance; or
- 3) such conduct creates an intimidating, hostile, or offensive working environment.

Other forms of unlawful harassment are also prohibited by this policy. Such harassment may include harassment based upon a person's race, color, national origin, religion, age, sex, sexual orientation, gender identity, income status, limited English proficiency, or disability. Such forms of harassment may be reported pursuant to this policy.

Any employee found to be engaged in such conduct, or who condones such action, will be subject to appropriate disciplinary action up to and including termination of employment. An employee may be subject to individual liability and penalties as a harasser.

If you experience any job-related harassment or have a related complaint, you should promptly report the matter to your supervisor or Village Administrator if the situation warrants. The Village of Roaming Shores will undertake an investigation ensuring confidentiality to the greatest possible extent.

For additional policies related to harassment or discrimination, see *Title VI Implementation Plan* and the *ADA Implementation Plan*.

151.213 Garnishments

When the Village is served a writ of garnishment or government levy requiring payment of a portion of an employee's compensation, a processing fee, as allowed by law, may be deducted from the employee's pay, and retained by the Village. Questions concerning garnishments should be directed to the Fiscal Office. If this occurs, employees will be notified of any pending action involving garnishments.

If an employee is subject to garnishment, the employee is strongly encouraged to seek legal counsel.

151.214 Conflicts of Interest

- a) The Ohio Revised Code explicitly prohibits conflict of interest situations for all Village Council Members and Employees of the Village of Roaming Shores.
- b) The policy of the village regarding possible conflicts of interest of council members and employees is based on the principle that decisions made in the performance of their responsibilities must be made in the best interest of the village. In reaching these decisions, people previously cited in this paragraph must not be influenced by personal considerations which might affect judgments as to what is in the best interest of the Village.
- c) No councilor, employee or agent of the Village of Roaming Shores shall:
 - a. Have any personal interest, financial or otherwise, in any organization which might profit from their decision made in the execution of Village responsibilities.
 - b. Have other employment or any responsibility for the operation of any business or devote substantial amounts of time to any other income-producing activity where such outside employment, responsibility or activity may interfere with the satisfactory performance of their duties with the Village.
 - c. Solicit or receive any money in addition to that received from the Village for the performance of their Village duties.
 - d. Uses or discloses confidential information gained in the course of or by reason of their position or activities in any way that could result in personal advantage or financial gain for himself or herself or for any other person.
 - e. Knowingly authorize or use their office to secure authorization of any public contract or to secure the investment of public funds in any security in which they or a member of their family or business associate, has any interest.
 - f. Knowingly participate in or condone decisions or activities that favor or advance one person's interest at the expense of others where a conflict of interest exists.
- d) If an individual is uncertain whether a given situation would violate the Village's conflict of interest policy, they must immediately bring questionable situations to the attention of their Supervisor, Village Solicitor, or Village Administrator.

- e) A question of a possible conflict of interest must be regarded as a matter of major importance. The disclosure of any conflict or potential conflict and the determination of whether it is material is necessary for the protection of councilors, employees, and the Village of Roaming Shores.

151.215 Political Activity

No employee of the Village may use their position and/or time during normal working hours to assist in the campaign of any political candidate. Employees shall not force, compel, coerce, or intimidate any Village employee to make, refrain from making, or solicit any type of political contribution. However, nothing in this section is intended to restrict the right of a public employee to express their personal political views.

Village employees shall not be allowed to participate, financially or otherwise, in any political campaign or party activity during their working hours. This policy includes any threats or coercion by elected or appointed officials, or political party representatives. Consideration of political or religious opinions as a test for employment or promotion in any position of Village service shall be prohibited.

Village-owned equipment shall not be used to generate, copy, or reproduce campaign materials. Village vehicles shall not be used to distribute campaign materials. Village telephones or facsimile machines shall not be used for campaign purposes.

151.216 Public Relations

- a) **General Public.** When dealing with the public, during telephone conversations, or in written correspondence, employees shall do so in a courteous and professional manner. Excessive complaints about an employee will be investigated and may result in disciplinary action.
- b) **Media Communications.** Questions from the media, or media coverage, shall be deferred by employees to the Mayor, Administrator, or Chief of Police. All other employees shall be prohibited from speaking to the media.
- c) **Emergency Notifications.** In emergency situations, such as boil advisories, the department head in charge of operations shall be responsible for notifying the proper media organizations related to their charges (ex.: the Chief of Public Works shall issue notices of boil advisories, the Chief of Police shall issue notices of major road closures, etc.). These notifications shall be sent via email, and the Administrator, Mayor, and Chief of Police shall be copied.

151.217 Ethics and Conduct

The successful operation and reputation of the Village of Roaming Shores is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation requires careful observance of the spirit and letter of all applicable laws and regulations, as well as scrupulous regard for the highest standards of conduct and personal integrity.

- a) **Policy Statement.** It is policy of the Village of Roaming Shores to carry out its mission in accordance with the strictest ethical guidelines and to ensure that Village members and employees conduct themselves in a manner that fosters public confidence in the integrity

of the Village, its processes, and its accomplishments.

- b) General Standards of Ethical Conduct.** Village of Roaming Shores officials and employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102. and 2921. of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. (A copy of these laws is provided by the Village, and receipt acknowledged, as required in R.C. 102.09(D).) Officials and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.

A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to, those listed below. No official or employee shall:

- a. Solicit or accept anything of value from anyone doing business with the Village.
- b. Solicit or accept employment from anyone doing business with the Village, unless the official or employee completely withdraws from Village activity regarding the party offering employment, and the Village approves the withdrawal.
- c. Use their public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship.
- d. Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the Village, unless the official or employee qualifies for the exception, and files the statement, described in R.C. 102.04(D).
- e. Hold or benefit from a contract with, authorized by, or approved by, the Village, (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met).
- f. Vote, authorize, recommend, or in any other way use their position to secure approval of a Village contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest.
- g. Solicit or accept honoraria (see R.C. 102.01(H) and 102.03(H)).
- h. During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the Village.
- i. Use or disclose confidential information protected by law, unless appropriately authorized, or Ohio Ethics Commission
- j. Use, or authorize the use of, their title, the name "Village of Roaming Shores," or "RSV," or the Village's logo in a manner that suggests impropriety, favoritism, or bias by the Village or the official or employee.

For purposes of this policy:

- a. "Anything of value" includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than de minimis or nominal.

- b. “Anyone doing business with the Village of Roaming Shores” includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the Village of Roaming Shores.
- c) **Ethics Education.** Providing ethics education and information is an inherent part of good ethics governance. The Ethics Commission is available to provide educational seminars and informational materials. The Commission can be contacted at (614) 466-7090.
- d) **Assistance.** The Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes. The Commission can be contacted at (614) 466-7090. The Commission’s web site address is: www.ethics.ohio.gov. Village counsel is available to answer questions involving this policy.
- e) **Penalties.** Failure of any Village official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

151.218 Safety

The establishment and maintenance of a safe work environment is the shared responsibility of the Village and employees from all levels of the organization. The Village will take all reasonable steps to ensure a safe environment and compliance with federal, state, and local safety regulations.

Employees are required to obey safety rules and to exercise caution in all their work activities and shall immediately report any unsafe conditions to their supervisor and/or the Administrator and Mayor. Not only supervisors, but employees at all levels of the organization are expected to correct unsafe conditions as promptly as possible.

All accidents that result in injury must be reported to the department head within twenty-four hours or less, regardless of how insignificant the injury may appear. The department head shall advise the Administrator and Mayor of the injury in writing within twenty-four hours. Such reports are necessary to comply with laws and initiate insurance and workers’ compensation procedures. Failure to report an injury will result in disciplinary action.

151.219 Purchases and Use of Credit Cards

- a) **Purchases.** All purchases must be approved by the department head and either the Chief of Police or Administrator. All purchasers shall be required to obtain a Purchase Order number prior to purchase. Failure to receive a purchase order number, or correct authorization, shall result in disciplinary action.
- b) **Credit Card Use.** For Credit Card Purchase policy, see Village Code §125.03.

151.220 Use of Village Property

The security of Village of Roaming Shores property is of vital importance. Village property includes not only tangible property (vehicles, desks, computers, etc.), but also intangible property such as proprietary and confidential information, and intellectual property. All employees share responsibility to ensure that property security is maintained at all times. Employees may not use Village property, funds, information, or equipment unless authorized to do so.

- a) **Proprietary Information**
Proprietary information includes all information relating in any manner to the business of the Village and its affiliates, consultants, customers, clients, and business associates produced or obtained by Village employees during the course of their work. This code, for

example, contains proprietary information. All proprietary information that is not known generally to the public or the industry, or is known only through improper means, is confidential information. Customer files, personnel files, computer records, financial and marketing data, process descriptions, research plans, formulas, electronic codes, computer programs, and trade secrets are examples of confidential information.

Given the nature of the Village's business, protecting proprietary and confidential information is of vital concern. This information is one of the Village's most important assets. It enhances the Village's opportunities for future growth, and indirectly adds to the job security of all employees.

Employees must not use or disclose proprietary or confidential information that they produce or obtain during employment with the Village, except to the extent such use or disclosure is required by their jobs. This obligation remains even after an individual's employment relationship with the Village ends.

b) Equipment.

Any equipment assigned to an operator must be checked for oil, water, fuel, tire condition, etc., by the operator before operating the equipment. If any equipment or vehicle is not performing correctly, the operator shall notify their supervisor and shall not move the equipment until the supervisor releases it.

Village vehicles shall be used for official business of the Village only and may not be used for private purposes. Speed limit and motor vehicle statutes and ordinances shall be followed at all times and places, except for emergency vehicles when necessary. Violation of this subsection shall constitute a minor infraction. Use of any Village equipment or office equipment for personal need will be subject to disciplinary action.

The loaning or personal use of tools, material, or equipment is forbidden. Employees shall not store equipment at their residence or personal property. Employees shall not store personal equipment at work.

Upon termination of employment, whether voluntary or involuntary, all Village documents, computer records (emails, files, etc.), and other tangible Village property in the employee's possession or control must be returned to the Village.

151.221 Drug-Free Workplace

It is the policy of the Village of Roaming Shores to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the Employer.

The unlawful use, possession, purchase, sale, or distribution of or being under the influence of any illegal drug or controlled substance (including medical and recreational marijuana) while on Employer time or while performing services for the Employer is strictly prohibited. The Village of Roaming Shores also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the Village of

Roaming Shores prohibits off-premises abuse of alcohol and controlled substances (including marijuana), as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Employer's reputation in the community.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

- a. Preemployment: as required by the Employer for all prospective employees who receive a conditional offer of employment; and
- b. For cause: upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or have adversely affected the employee's job performance; and
- c. Accident or Injury: upon the report of an accident or injury upon discretion of Executive Director who will consider certain factors such as employee history and magnitude or circumstances associated with the accident or injury.

Compliance with this policy is a condition of employment.

Employees who test positive or who refuse to submit to substance abuse screening will be subject to termination. Notwithstanding any provision herein, this policy will be enforced at all times in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, including, but not limited to, termination, for the first offense. Employer reserves the right to terminate any employee even after first offense and Employer is not required to consider second-chance opportunity.

151.222 Computer Use

- a) The Village's computers, computer files, email system, and software are Village property, intended for business use only. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email use may be monitored without notice to employees.
- b) Personal and Village email accounts may be accessed by the village for legitimate business purposes if messages are sent, received, or accessed using Village equipment or the Village's computer system. All communications and information transmitted by, received from, or stored in the Village's system or computers are considered to be Village property. All email messages sent using the Villages email system are Village records. The contents of email may be disclosed without the employee's permission. Therefore, employees should not assume that messages are confidential. Backed up copies of emails may be maintained and referenced for business and legal reasons. Use of the Village's email, internet, or electronic devices constitutes consent to monitoring of these systems and devices.
- c) The Village strives to maintain a workplace that is free of harassment and sensitive to the diversity of its employees. Therefore, the Village prohibits the use of computers and the e-mail system in ways that are intimidating, hostile, disruptive, offensive to others, or harmful to morale.
- d) E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

- e) To ensure compliance with this policy, computer and e-mail usage may be monitored. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

151.223 Internet Policy

- a) Internet access is provided by the Village of Roaming Shores to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage.
- b) All internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the Village of Roaming Shores and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.
- c) The equipment, services, and technology provided to access the Internet remain at all times the property of the Village of Roaming Shores and as such, reserves the right to monitor internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.
- d) Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law. Viewing of pornography is prohibited.
- e) The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet.
- f) Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.
- g) Abuse of the Internet access provided by the Village of Roaming Shores in violation of law or Village policies will result in disciplinary action, up to and including termination of employment, Employees might also be held personally liable for any violations of this policy.

151.224 Cell Phone Policy

The Village issued cell phones are intended for official business use only. While occasional personal use is permitted, it must be responsible, and it must be clearly incidental to business usage. Employees must reimburse the Village for any costs associated with personal use of the Village issued phone.

Cell Phones shall be issued only to those employees with a demonstrated need for this type of communication. Cell phones shall be requested only by authorized personnel within the departments. Employees who use the Village issued cell phone agree to the following rules of use:

- a. Employees must reimburse the Village for any costs associated with personal use. Personal use must be clearly incidental to business use. Personal use with associated charges must be reported to supervisors.
- b. Employees must reasonably safeguard any cell phone in their possession.
- c. The loss of any cell phone shall be reported to the employee's supervisor immediately. If theft is suspected, the police should also be notified.
- d. Employees shall be prohibited from having games or personal social media accounts linked to their government-issued phone.
- e. Employees shall be prohibited from searching or viewing pornography or other sexual content on their government-issued phone.
- f. Employees understand that text messages, emails, and photos found on the government-issued phone are public records.
- g. Repeated non-compliance with this policy and failure to remain within allotted minutes, business hours only use, costs, etc., shall result in progressive discipline, up to and including termination, or may result in loss of an employer-issued cellphone.

151.225 Required Licenses and Continuing Education

- a) **Public Works Employee Licenses.** The Village will pay for training leading towards an employee receiving any of the following licenses, with the approval of the Village Administrator.
 - (1) Ohio EPA Class I Wastewater Treatment
 - (2) Ohio EPA Class II Wastewater Treatment
 - (3) Ohio EPA Class I Water Distribution
 - (4) Ohio Department of Agriculture Herbicide Application

For each license, the Village will cover the exam registration costs for up to three (3) attempts. Subsequent attempts must be paid for by the employee. Unused attempts will not roll over to the next exam type. The Village reserves the right to require a training repayment agreement for any/all training or examination costs.

Employees shall be considered on-duty for their first three exam attempts, and are permitted to take work vehicles and be clocked-in. Subsequent attempts shall be taken off-the-clock and without use of a village vehicle.

- b) **Continuing Education.** The Village will cover continuing education necessary to maintain the above-listed licenses.
- c) **Commercial Driver's License (CDL).** For employees required to obtain a Class A CDL license, the Village will cover the costs of the training course and Bureau of Motor Vehicles exam. Only one exam attempt will be paid for by the Village. Subsequent attempts must be paid for by the employee.

- d) **Management and Leadership Training.** The Village may provide management or leadership training for employees, upon the approval of the Mayor or Administrator. The Village reserves the right to require a training repayment agreement for any/all training.

151.226 Conventions and Conferences

The Village encourages employees to participate in professional organizations and attend professional development conferences.

The following shall be the rules, regulations and amounts of reimbursements to be paid to Village officers and employees for attendance at conventions and conferences and while on Village business.

- a) **Approval.** Prior to attending a meeting, conference or convention, individuals must receive approval from the Mayor, Administrator or Chief of Police, and supervisor. The request must include the estimated cost and the funds to be charged.
 - a. **Distance Approval.** Any official trip on Roaming Shores business in excess of five hundred miles one way shall require approval by the Mayor and/or Administrator before the individual shall be entitled to reimbursement of expenses by Roaming Shores.
- b) **Receipts.** Itemized receipts for all expenses should be provided to the Clerk-Treasurer upon the conclusion of the trip. Expenses without an itemized receipt will not be reimbursed.
- c) **Lodging.** The Village will pay the actual costs of overnight lodging. If an employee's spouse also attends, no reimbursement will be made for their added costs.
- d) **Registration fees.** Registration fees in connection with attending a meeting, conference or convention will be considered a part of the attendance expense and will be paid by Roaming Shores after proper documentation is presented to the Clerk-Treasurer.
- e) **Milage.** If traveling by car with a personal vehicle, the employee may submit a milage reimbursement form to the Clerk-Treasurer.
- f) **Meals.** Employees will be provided with a per diem based on the Meals and Incidentals (M&IE) rates established for that primary destination by the United States General Services Administration. The Village will not reimburse spouse meals or alcoholic beverages. The per diem shall be a reimbursement, and subject to the receipt policy.

151.301 Health Insurance

- a) Full-time Employees can participate in health, vision, and dental insurance. The employee will be required to contribute 15% of the premium through a payroll deduction.
- b) Part-time Employees can participate in group health insurance at the employee's expense and paid through payroll deductions, at the discretion of the carrier. No portion of the premium will be covered by the Village for part-time employees.

- c) **Health Savings Account.** If the Village selects a health insurance policy with a Health Savings Account, the Village shall contribute two-thousand dollars (\$2,000) to each employee carrying an individual/employee only plan, and four-thousand dollars (\$4,000) to each employee carrying a family plan. Half of the contribution will be made in January and the remainder will be made in July each year.

151.302 Life Insurance

All full-time employees shall be offered an employer-provided life insurance policy. Employees may add dependent life coverage or additional coverage at the employee's expense and at the discretion of the insurance carrier.

151.303 Secondary Insurance

Full-time and part-time employees are eligible to participate in secondary insurance offerings. The Village will select a single firm to offer policies that may be paid for through payroll deductions. The Village will not contribute to secondary insurance policies. These policies are offered at the discretion of the selected agency, and subject to their terms and conditions.

151.304 Vacation Time

- a) **Application of Vacation Time.** This vacation policy applies to all full-time employees. Part-time employees shall not be eligible for vacation benefits.
- b) **Availability.** Vacation time is available after one full year of service and renews on January 1 each year thereafter. Vacation time shall not be prorated.

Vacation Time Available Per Year Based on Completed Years of Service (Applied on January 1)		
Completed Years of Service	Hours Per Year	Accrual Rate Per Hour
1-5 Years	80 hours	0.038
6-10 Years	120 hours	0.057
11-15 Years	160 hours	0.076
16-20 Years	200 hours	0.096
Over 20 Years	240 hours	0.115

- c) **Vacation Time Carry-Over.** Employees are encouraged to take all vacation time in the year in which it is earned. On October 1st of each year, a report will be provided to the department heads stating what vacation is still available to take. Employees may carry over up forty (40) hours of vacation earned for that year into the following year, upon completion of a written request on the form prescribed by the Clerk-Treasurer
- d) **Supervisor Approval.** Vacation time will be granted at a time that is mutually acceptable to the employee, their immediate supervisor, consistent with the nature of the service provided by the department in which they are employed.
- e) **Minimum Usage.** Vacation time must be used in half-hour increments.
- f) **Resignation.** An employee who has earned vacation time and has not received it because of resignation, termination, death, or other reasons shall receive earned benefits upon

separation. In the case of death, benefits shall be paid to the widow, widower, or the estate of the employee as may be appropriate by the statutes of the State of Ohio.

- g) **Mayoral Prerogative.** The Mayor may utilize vacation time to negotiate with potential employees, provided that such negotiations meet the following conditions:
 - 1) Are in the best interest of the village.
 - 2) Are written in the form of a contract that defers to the Personnel Code.
 - 3) Are approved by the Solicitor.

151.305 Sick Leave

- a) **Application of Benefits.** The Village provides paid sick leave benefits to all full-time employees for periods of temporary absence due to their own serious illness or injuries or the care of a child or immediate family member. Part-time employees are not eligible for sick leave benefits.
- b) **Accrual Rate.** All full-time employees shall earn 4.6 hours of sick leave per 80 hours worked (0.0575 per hour worked).
- c) **Minimum Usage.** Sick leave may be used in half-hour (30) increments.
- d) **Sick Leave Restrictions.** Sick leave may be taken according to the following limitations:
 - (1) Sick leave can be used for personal or family illness or doctor appointments, which absolutely necessitates the employee's absence from their duties. This applies only to parent, stepparent, spouse, children, or stepchildren, siblings, and grandchildren.
 - (2) The employee or someone on their behalf shall notify their supervisor of the absence of the employee as soon as possible prior to the scheduled hours of work.
 - (3) The presentation of a physician's (or physician's assistant or nurse practitioner) written certification of illness will be required when:
 - (4) Three (3) consecutive days or more sick leave are claimed, or
 - (5) Less than (3) days are claimed, and the Supervisor deems a certificate necessary because of suspected sick leave abuse.
- e) **Sick Leave Payout.** Employees who resign or are terminated will be compensated for 25% of the sick leave hours accumulated.
- f) **Sick Leave Donation.** Employees may choose to donate sick leave to another sick-leave eligible employee. Such donations must be in writing, a copy of which will be placed in the employee's personnel file. Sick leave that is donated to an employee may not be converted into a cash benefit.

151.306 Paid Holidays

- a) **Application of Benefits.** The Village provides paid holidays to all full-time employees. Part-time employees shall not be eligible for paid vacation time.
- b) **Paid Holidays.** The schedule of holidays are as follows:
 - (1) New Year's Day
 - (2) Martin Luther King, Jr. Day
 - (3) President's Day
 - (4) Memorial Day
 - (5) Independence Day
 - (6) Juneteenth
 - (7) Labor Day
 - (8) Columbus Day

- (9) Veterans Day
 - (10) Thanksgiving Day
 - (11) Half-Day Christmas Eve
 - (12) Christmas Day
 - (13) Half-Day New Years' Eve
- c) **Weekend Holidays.** If any of the preceding holidays falls on a Sunday, the Monday immediately following the holiday shall be observed as the holiday. If any of the preceding holidays falls on a Saturday, the Friday before shall be observed as the holiday.
 - d) **Holidays Defined.** Holidays are defined as eight-hour workdays.
 - e) **Future Federal Holidays.** Future federal holidays shall automatically be recognized by the municipality.
 - f) **Worked Holidays.** If an employee works on a holiday, that employee shall receive both time-and-a-half pay and their regular holiday pay. This section shall not apply to sworn police officers subject to floating holidays.
 - g) **Floating Holidays.** Sworn officers in the Roaming Shores Police Department are subject to that department's policy on floating holidays.

151.307 Mileage and Travel Expenses

- a) **Application.** This policy shall apply to all employees and elected officials.
- b) **Milage Reimbursement.** Whenever an Employee must use their personal vehicle for municipal business, they will be reimbursed at the IRS standard mileage rate for business use. Employees must fill out a mileage reimbursement form provided by the Fiscal Office. Employees are required to keep a mileage log or maps and are encouraged to submit a milage claim form quarterly.
- c) **Travel Expenses.** The Village will reimburse employees for reasonable business expenses incurred while on assignments over fifty (50) miles from their normal work location. All business travel expenses over \$1,000 must be approved in advance by the Administrator or Mayor. Business travel of less than \$1,000 shall be approved by the employee's supervisor.
- d) **Travel Arrangements.** Employees must make their own travel arrangements.
- e) **Business Expenses.** Business expenses are defined and will be reimbursed as follows, lodging at the single room rate of the host hotel and per diem as defined in §151.226(f).
- f) **Travel Expense Report.** When travel is completed, employees should submit completed travel expense reports within seven business days. Reports must be accompanied by receipts for all expenses to receive reimbursement. When paying by credit card the summary receipt is not sufficient for payment. An itemized receipt must be provided in order to be paid by the Village.
- g) **Abuse.** Abuse of this policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

151.308 Bereavement Leave

- a) **Application of Benefit.** Full-time employees shall be entitled to paid bereavement leave as of their date of hire. An employee wishing to take time off for the death of an eligible family member should notify their supervisor immediately. Bereavement leave may be divided between bereavement and funerals as noted below.

- b) **Immediate Family Death.** In the event of a death in the immediate family, the employee will receive three (3) days leave with their regular pay rate and hours. Immediate family shall be defined as:
 - (1) Spouse.
 - (2) Son/Daughter or stepson/stepdaughter.
 - (3) Mother/Father or stepmother/stepfather.
 - (4) Grandchild.
 - (5) Any family member residing in the employee's household.
 - (6) Mother-in-law/Father-in-law.
 - (7) Brother/sister or stepbrother/stepsister.
 - (8) Brother-in-law/Sister-in-law.
 - (9) Grandparent or Great-grandparent.
- c) **Other Deaths.** Employees shall receive one (1) day leave upon the death of an aunt, uncle, niece, nephew, cousin, or any other family member not defined as immediate family.
- d) **Close Friend Deaths.** In the event of a death of a close friend, vacation time should be used.
- e) **Evidence of Death.** At their discretion, the supervisor may request the employee to provide evidence of death. Acceptable evidence may include the published obituary, memorial card, or death certificate. The supervisor shall use discretion and remain respectful in their request.
- f) **Additional Leave.** Sick leave or vacation time can be utilized upon the recommendation of the supervisor if additional time off is necessary.

151.309 Military Leave

This applies to all permanent employees who are members of the Reserved Armed Forces of Ohio and the United States.

If an employee is called upon to perform military service, whether it involves active duty or annual training requirements for the National Guard, U.S. Military Reserve, Ohio Military Reserve, or Ohio Naval Militia, they may be entitled to reinstatement/reemployment and other rights under the Uniform Services Employment and Reemployment Rights Act of 1994 ("USERRA").

In order to qualify for benefits under USERRA, the employee's separation from military service must be under honorable conditions and it must meet all of the other requirements of the law. In order to qualify for Village military benefits, your military service must be in compliance with the following requirements:

- a) **Eligibility.** This policy applies to any person who must be absent from employment to perform a duty, either voluntary or involuntary, in the uniformed services. To qualify under the Village's military leave policy, an employee requesting leave must provide advance written notice to their supervisor as soon as possible and furnish a copy of their military orders that identifies the time period for the leave as specifically as possible.
- b) **Reinstatement.** Upon returning from a military leave lasting fewer than thirty-one (31) days, in order to be eligible for USERRA and Village military benefits, an employee must report to work at the beginning of the first full regularly scheduled workday following the completion of the military service.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or in a comparable position depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

- c) **Reemployment.** For military leave lasting more than thirty (30) days, but less than one hundred eighty-one (181) days, in order to be eligible for USERRA and Village military benefits, an employee must submit an application for reemployment before the expiration of fourteen (14) days after the completion of the military service. An employee on a military leave lasting longer than one hundred eighty-one (181) days must submit an application for reemployment before the expiration of ninety (90) days after the completion of the service.
- d) **Compensation.** Employees are entitled to their civilian (Village) pay and military pay for up to fifteen (15) days per year. Thereafter, the employee may determine how and when they wish to be paid for their balance of vacation, and/or extra holiday hours.
- e) **Benefits While On Leave.** Continuation of health insurance benefits is available as and if required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible. Benefit accruals, such as vacation or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.
- f) **Military Family Leave.** An employee who has been employed with the Village for at least twelve (12) months and has worked at least one thousand five hundred (1,500) hours during the twelve (12) month period immediately preceding the day the leave begins; and is the spouse, parent, grandparent, child, or sibling of a person who is ordered to active duty, is entitled to an unpaid leave of absence not to exceed a total of ten (10) working days per calendar year. An employee may take this leave of absence during one or more of the following periods: (1) During the thirty (30) days before active-duty orders are in effect, (2) During a period in which the person ordered to active duty is on leave while active-duty orders are in effect, and (3) During the thirty (30) days after the active-duty orders are terminated. An employee wanting to take Military Family Leave shall provide written notice, including a copy of the active-duty orders, if available. The employee is required to give the Village thirty (30) days written notice before the date on which the employee intends to begin the leave, unless the active-duty orders are issued less than thirty (30) days before the date the requested leave is to begin. The Village requires that accrued compensatory time, vacation, and/or floating holidays be paid and taken concurrently with the leave. The Village requires an employee to first use any banked vacation and/or floating holiday time during the approved leave. Accrued sick time cannot be used during the leave. If you have any questions regarding your rights surrounding military leave, please contact the Fiscal Office or Administrator.

151.309 Extended Leave

- a) **Application of Benefit.** Extended leave is a benefit available to full-time employees. Part-time employees are not eligible for this benefit.
- b) **Extended Leave.** Leave without pay and without loss of fringe benefits may be granted as a protection for village employees should a need arise for extended time off work for the following reasons only:

- (1) Extended illness.
- (2) Other reasons deemed necessary by the Mayor upon notification.
- c) **After Exhaustion.** Extended leave may be granted after the exhaustion of all accrued sick leave, vacation leave, and FMLA leave.
- d) **Petition for Extended Leave.** Employees seeking extended leave shall petition the Mayor for approval.
- e) **Records.** Records of both denials and granted leaves without pay will be kept by the Fiscal Office in the employee's personnel file.
- f) **Accrual of Benefits.** While an employee is on extended leave, vacation days, sick days, and personal days will not be accrued, and holidays will not be paid.

151.310 Family and Medical Leave

- a) **Purpose of the Policy.** The Village is committed to providing Family and Medical Leave to eligible employees in accordance with the federal Family and Medical Leave Act of 1993 ("FMLA"). It is the policy of The Village to meet its full obligations under this federal law, and all other federal and state laws, in meeting the special leave of absence needs of its employees who for reason of pregnancy, childbirth, infant care, adoption, foster care, family care for the employee's spouse, child or parent with a serious health condition. It was the intent of The Village in drafting this policy to put into terms that everyone could understand the minimum statutory and regulatory requirements that The Village is required by law to provide. Because that was The Village's intent, should any term or condition of this policy be determined to be contrary to federal or state law, including the FMLA, the provision of federal or state law that is the minimum requirement shall be the one that is applied instead of what this policy actually states in writing. Furthermore, should any provision of federal or state law be amended, repealed, or interpreted differently in the future, this policy shall be amended, read, and administered in such a way so that The Village continues to provide the minimum requirements under the law.
- b) **The General Policy.** So long as The Village is an employer which is governed by the FMLA, all eligible employees (as defined below) will be entitled to a total of up to twelve (12) work weeks of Family and/or Medical leave of absence during a twelve month leave year as defined within the remainder of this policy.
- c) **Definitions.** As used in this policy, the following terms and phrases shall be defined as follows:
 - (1) **Eligible employees.** An eligible employee is an employee of The Village who:
 - i. has been employed by The Village for a total of at least twelve months; and
 - ii. has been employed for at least 1,250 hours of service during the twelve-month period immediately preceding the commencement of the leave.
 - (2) **Family and/or Medical leave of absence.** This is an approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave, per leave year, upon the occurrence of a qualifying event.
 - (3) **Leave year.** A leave year is the rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave the management of The Village will compute the amount of leave the employee has taken under this policy, subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee used four weeks of FMLA

leave beginning February 4, 2012, and four weeks beginning June 1, 2012, and four weeks beginning December 1, 2012, the employee would not be entitled to any additional leave until February 4, 2013. On February 4, 2013, the employee would be entitled to four weeks of FMLA leave.

- (4) **Qualifying event.** The occurrence of any of the following shall serve as a qualifying event triggering the right to receive a family and/or medical leave of absence:
- i. upon the birth of an employee's child and in order to care for the child.
 - ii. upon the placement of a child with an employee for adoption or foster care.
 - iii. when an employee is needed to care for an immediate family member who has a serious health condition.
 - iv. when an employee is unable to perform the functions of their position because of the employee's own serious health condition.
 - v. Leave for a qualifying exigency, which entitles an eligible employee to take leave because of the necessities associated with a covered military member on active duty leave, or because the covered military member has been notified of an impending call to order or active duty.
- (5) **Immediate family member.** An immediate family member with a serious health condition that the employee is needed to care for includes:
- i. spouses (current husband or wife).
 - ii. biological parent or individual who stands or stood in the place of a parent when the employee was a child as defined below (this excludes all parents "in-law").
 - iii. child meaning a biological, adopted, foster child, stepchild, legal ward, or a child of a person standing in the place of a parent who is either under age eighteen, or age eighteen and older and incapable of self-care because of a mental or physical disability.
- (6) **Needed to care for.** This term encompasses both physical and psychological care on a continuous or intermittent basis. It includes situations where, for example, because of a serious health condition, the family member is unable to care for their own basic medical, hygienic, or nutritional needs or safety, or is unable to transport himself or herself to the doctor, etc. The term also includes providing psychological comfort and reassurance which would be beneficial to a child, spouse, or parent with a serious health condition who is receiving inpatient or home care. The term also includes situations in which the employee is needed to fill in for others providing for care or needs to make arrangements for changes in care.
- (7) **Serious health condition.** Is an illness, injury, impairment, or physical or mental condition that involves:
- i. inpatient care (i.e., an overnight stay), including any period of incapacity or any subsequent treatment in connection with the inpatient care; or
 - ii. continuing treatment by a licensed health care provider.
 - iii. A serious health condition includes but is not limited to heart attacks or other serious heart conditions, most cancers, strokes, appendicitis, pneumonia, incapacity due to pregnancy and prenatal care.

- iv. Unless complications arise, the common cold, flu, earaches, upset stomach, minor ulcers, headaches (other than migraine), routine dental problems, and periodontal disease are conditions that do not qualify for FMLA leave.
- v. In dealing with the illness of an employee or family member, Family or Medical leave does not apply to brief illnesses, such as absences of less than four (4) consecutive calendar days and where it does not involve ongoing treatment by a physician or health care provider. This policy applies solely to a "serious health condition," which is intended to cover conditions or illnesses affecting the health of an employee or family member to the extent that inpatient care (e.g., hospitalization) is required or absences are necessary on a recurring basis or for more than a few days for treatment or recovery.

(8) **Continuing treatment.** Continuing treatment includes all of the following types of treatment:

- i. a period of incapacity of more than three (3) consecutive calendar days involving
- ii. treatment two (2) or more times by, or under the orders of, a licensed health care provider, or (b) treatment by a health care provider on at least one occasion that results in a supervised regimen of continuing treatment.
- iii. a period of incapacity due to pregnancy or time needed for prenatal care.
- iv. any period of incapacity and related treatment due to a chronic health condition, such as asthma, diabetes, or epilepsy.
- v. a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, if the employee is under the supervision of a licensed health care provider (but not necessarily undergoing active treatment), as when the employee has Alzheimer's, a severe stroke, or is in the terminal stages of a disease; or
- vi. any period of absence to receive multiple treatments by, or under the orders of, a licensed health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days if left untreated, such as dialysis for kidney disease or chemotherapy for cancer.

(9) **Regimen of continuing treatment.** This term, as specified in (1) immediately above does not include taking over-the-counter medications, bed rest, drinking plenty of fluids, or any similar activities that can be initiated without a visit to a licensed health care provider, unless something more serious is involved.

(10) **Key employee.** Is an employee who is one of the highest paid 10% of all employees who work at The Village. An employee will be notified in writing of their status as a key employee, if applicable, after they request leave pursuant to this policy.

d) Leave Eligibility. To be eligible for leave under this policy, a The Village's employee must meet all of the following conditions at the time the leave meets the qualifying conditions is to begin. The Village's employee must:

- (1) have been employed by The Village for a total of at least twelve (12) months; and
- (2) have been employed for at least 1,250 hours of service during the twelve-month period immediately preceding the commencement of the leave; and

- e) **Use Of Leave.** The provisions of this policy shall apply to all family and medical leaves of absence as follows:

(1) Generally

- i. Whether leave is paid, unpaid, or a combination of both, an employee is only entitled to a total of twelve (12) weeks of leave under the FMLA. If an employee has accrued paid leave, the employee must use such accrued paid leave, as set forth in this policy, and take the remainder of the twelve (12) weeks as unpaid leave.
- ii. Employees will be required to exhaust all accumulated paid leave first as allowed by law prior to being granted leave without pay for FMLA leave requests. In addition, any time off that may, by law, be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.

(2) FMLA Leave Use for Birth of An Employee's Child

- i. An employee who is taking leave for the birth of the employee's child must first use all available paid leave prior to being eligible for unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy, the employee will also be required to exhaust all of the employee's paid leave prior to being eligible for unpaid leave for the remainder of the twelve (12) week period. [Note: see number (5) below for information on disability leaves.
- ii. The entitlement to FMLA leave for the qualifying event such as a birth, placement for adoption, or foster care of a child shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.
- iii. Spouses who are both employed by The Village are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, or for the care of a family member with a serious health condition.

(3) FMLA Leave Use for Placement of a Child for Adoption or Foster Care

- i. An employee who is taking leave for the placement of a child with them for adoption or foster care must first use all available paid leave prior to being eligible for unpaid leave for the remainder of the twelve (12) week period.

(4) FMLA Leave Use Because of the Employee's Own Serious Health Condition or the Serious Health Condition of a Family Member

- i. An employee who is taking leave because of the employee's own serious health condition or the serious health condition of a family member must use all available paid leave including vacation, prior to being eligible for unpaid leave for the remainder of the twelve (12) week period

(5) FMLA Leave and Disability / Workers' Compensation Plans or Programs

- i. An employee who is eligible for FMLA leave because of their own serious health condition may also be eligible for either temporary disability or workers' compensation. Regardless of whether or not an employee is on either program, The Village may designate the absence as FMLA leave and

count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these are compensated absences, if the employee participates in such a program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can The Village require him/her to do so, while the employee is receiving compensation from such a plan or program.

- ii. Disability leave for the birth of a child is considered FMLA leave for a serious health condition of the employee and will be counted against the employee's twelve (12) week FMLA entitlement. As described above, because the leave pursuant to a temporary disability is compensated, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can The Village require him/her to do so, while the employee is receiving compensation from such a plan or program.

(6) Procedures For Requesting FMLA Leave

- i. Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or, if this is not possible, as soon as practical. If the employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date The Village receives notice.
- ii. Requests for FMLA leave may be submitted on standard leave forms prescribed by The Village, but do not have to be. In order for an employee to request FMLA Leave, the employee needs to advise their supervisor, or another member of management, that they cannot work on a scheduled day or day(s) because of a qualifying event that is recognized by the FMLA. Even if an employee does not intend or desire to specifically request FMLA time off, The Village will still consider the time to be excused pursuant to the FMLA, if the employee meets all eligibility requirements for such a leave. In all cases, The Village will make the determination of whether the leave does or does not qualify as FMLA leave, designate it as leave that counts against the employee's twelve (12) week annual entitlement, if appropriate, and notify the employee that the leave has been designated as FMLA leave.
- iii. When a request is made for a foreseeable FMLA leave due to a serious health condition of either the employee or a member of the employee's family which involves planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the operations of The Village subject to the approval of the health care provider of the employee or the employee's family member.

(7) Certification of Need For FMLA Leave.

- i. An employee requesting FMLA leave due to a serious health condition of the employee, or their family member must provide a doctor's certification of the serious health condition. Such certification shall be submitted at the time FMLA leave is requested, or, when the need for leave is not foreseen, as soon as practical. An employee requesting FMLA leave due to the birth

or placement of a child must submit appropriate documentation as required by the at the time FMLA leave is requested.

- ii. The Village, at its discretion, may require a second medical opinion prior to granting FMLA leave. Such opinion shall be rendered by a health care provider designated or approved by The Village. If a second medical opinion is requested, the cost of obtaining such opinion shall be borne by The Village. If the first and second opinions differ, The Village, at its own expense, may require the binding opinion of a third health care provider, approved jointly by The Village and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.
- iii. The Village may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.) or if The Village receives information that casts doubt on the employee's stated reason for the absence.
- iv. The employee must provide the requested additional reports to The Village within fifteen (15) days, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Any costs associated with the additional reports requested by The Village shall be at the employee's expense.

(8) Intermittent / Reduced Schedule Leave.

- i. An employee may take the 12 weeks of FMLA leave consecutively. Under the circumstances set forth below, an employee may use the 12 weeks of FMLA leave intermittently (taken periodically when needed over the calendar year) or may use the FMLA leave to reduce the regular work week or regular workday, resulting in a "reduced hour" schedule. In all cases, leave may not exceed 12 weeks for any individual employee over the 12-month calendar year period. For example, an employee working a full time (40 hour) work week will be a maximum of 480 hours of FMLA leave (40 hours X 12 weeks), while an employee working a 25-hour work week has a maximum of three hundred hours of FMLA leave available (25 hours X 12 weeks).
- ii. When medically necessary, an employee of The Village may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition of the employee or a serious health condition of an employee's family member. An employee may not take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee. In all cases, the FMLA leave granted to any employee shall not exceed a total of twelve (12) weeks per rolling calendar year. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or, if this is not possible, as soon as practicable.
- iii. To be entitled to leave on an intermittent or reduced schedule basis, the employee must, at the time such leave is requested, submit additional

certification as prescribed by The Village which establishes the medical necessity for such intermittent or reduced schedule leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts which support the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave must meet with their supervisor and/or the Director to discuss the intermittent or reduced schedule leave.

- iv. An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. Working an intermittent leave or reduced schedule of hours will result in pro-rata adjustment in compensation.
- v. An employee who requests intermittent or reduced scheduled leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of The Village.

f) Employee Benefits.

- (1) Except as provided below, while an employee is on FMLA leave, The Village will continue to pay the employer portion of premiums for any insurance benefits which the employee receives through The Village under the same terms and conditions as if the employee had continued to work throughout the leave.
- (2) An employee must make arrangements with management for timely payment of the employee's portion of any premiums that the employee normally pays for any insurance benefits during the period of the employee's leave, in order to continue such coverage. If any premium payment is more than thirty (30) days late, coverage will be lost during the period of the leave. In circumstances where an employee is on paid leave, the appropriate deductions will be made in the same manner as in the employee's regular paycheck. Arrangements also may be made with management for the continuation of certain other benefits during the period of leave. The employee will not be entitled to the accrual of seniority or earn additional employee benefits (e.g., vacation, sick leave, or personal leave) during the period of the leave. However, any family or medical leave will be treated as continued service for purposes of any retirement plans that The Village now has in place or may in the future put into place.
- (3) In the event that an employee fails to return from leave, consistent with the terms of this policy, the employee will be liable for the premiums paid by the employer to maintain insurance coverage unless (1) the employee's failure to return to work stems from the continuation, recurrence, or onset of a serious health condition of the employee or a family member; or (2) the failure to return stems from circumstances beyond the control of the employee. Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave.

- (4) The Village will not continue to pay the employer portion of premiums for any insurance benefits which the employee receives through The Village, if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums, if any, or, if the employee's payment for his/her portion of the premium is late by more than thirty (30) days. If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work.

g) Reinstatement.

- (1) Employees are expected to return to work when the reason for the leave has ended or resolved itself. Upon returning from an approved Family or Medical Leave of Absence pursuant to policy and granted as a result of an employee's own serious health condition, an employee must present written medical certification from their medical care provider stating that they are able to perform the essential functions of their job. An employee's failure to provide such certification at the time the employee attempts to return to work may result in a delay or denial of job restoration. After an employee complies with this requirement (if applicable) The Village will attempt to place the employee in their former position. In the event the former position is not available, the employee will be placed in a substantially equivalent position with substantially equivalent compensation and benefits. The determination as to whether a position is an "equivalent position" will be made by The Village.
- (2) An employee of The Village will not be laid off as a result of exercising their right to FMLA leave. However, The Village will not reinstate an employee who has taken FMLA leave if, as a result of a layoff at The Village the employee would not otherwise be employed at the time reinstatement is requested.
- (3) If an employee does not return to work on the agreed date after expiration of a Family or Medical Leave of Absence, the employee will be considered to have voluntarily terminated their employment. Under no circumstances will a Family or Medical Leave of Absence be approved for longer than a period of twelve (12) weeks.
- (4) With respect to "highly paid" or "key" employees, there may be circumstances where no positions are available upon the expiration of their leave of absence. In such circumstances, the employee may be denied reinstatement. If so, the "key" or "highly paid" employee will be notified of The Village's decision to deny reinstatement and, at that time, such employees will be given an opportunity to return to work promptly upon receiving such notice. Key employees may be denied reinstatement if:
- i. In the sole opinion of The Village, denial of reinstatement is necessary to prevent substantial and grievous economic injury to The Village; and
 - ii. The Village notifies the employee of its intention not to restore the employee to duty before the leave begins; or
 - iii. The Village notifies the employee of its intention not to restore the employee to duty after the leave begins, and the employee does not elect to return immediately to work and be restored to the same or a similar position.
- (5) In order to determine whether the restoration of the employee to employment will cause substantial and grievous economic injury to the operations of The Village,

The Village will consider its ability to replace the employee on a temporary basis, whether a permanent replacement of the employee is unavoidable, and the cost of reinstating the employee.

- (6) An employee on FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during their FMLA leave period. Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to resume work.

h) Miscellaneous Conditions Associated with Leave. The following conditions apply to a Family or Medical Leave of Absence pursuant to this policy.

- (1) In its discretion, The Village may require an employee taking an approved leave of absence to periodically report on their status and intention to return to work.
- (2) An employee taking an approved leave of absence may not engage in other work or employment during the leave of absence. If an employee engages in other work or employment during the leave of absence, the employee will be considered to have violated the terms of the leave of absence, and to have voluntarily terminated their employment with The Village.
- (3) If an employee is granted a leave of absence on an intermittent basis or on a reduced schedule basis, The Village may require the employee to temporarily transfer to an alternative position that accommodates the employee's recurring absences or part-time schedule.
- (4) Where applicable, spouses that are both employed by The Village are entitled to twelve (12) weeks of leave in total, rather than twelve (12) weeks leave of absence each, if a leave of absence is sought for the birth or placement of a child for adoption or foster care or to care for a parent (but not a parent-in-law) who has a serious health condition.
- (5) If, at the time of applying for a Family or Medical Leave of Absence or during the leave of absence pursuant to this policy, the employee intends not to return to work or decides not to return to work after completion of the leave of absence, the employee will be liable to and required to reimburse The Village for the cost of payments made to maintain the employee's benefits during the leave of absence taken pursuant to this policy.

i) Records.

- (1) All records relative to FMLA leave will be maintained by The Village as required by law. Any medical records accompanying FMLA requests will be kept separate from an employee's regular personnel files.
- (2) To the extent permitted by law, medical records related to FMLA leave shall be kept confidential.

151.311 Jury Duty

- a) **Application.** This section shall apply to all employees.
- b) **Support.** The Village encourages all employees to fulfill their civic responsibilities by serving on a jury when required.

- c) **Jury Duty Pay.** Jury duty pay for full-time salaried and full-time hourly employees will be equal to their regularly scheduled workday up to a maximum of 8 hours straight-time pay for each day the employee would have been eligible to work.
- d) **Records.** Employees must show the jury duty summons to the Administrator and Clerk-Treasurer as soon as possible so that the supervisor can make arrangements to accommodate their absence. A copy of the summons shall be filed in the employee's personnel file.
- e) **Overtime Pay.** Jury Duty service time shall be ineligible for overtime pay.

151.312 Other Employee Benefits Policies

- a) **Ohio Public Employees Retirement System.** All full-time employees eligible to participate in the Ohio Public Employees Retirement System (OPERS) shall be required to contribute six and a half percent (6.5%) of their annual income as required under PERF. The employee's contribution will automatically be withheld from the employee's pay. The Village will contribute seventeen and a half percent (17.5%) towards the employee's pension account.
- b) **Ohio Police and Fire Pension Fund.** All full-time sworn Police Officers are required to participate in the Ohio Police and Fire Pension Fund.

151.401 Disciplinary Action

a) Employee and Supervisor Behavior

- a. Employees are expected to maintain high standards of personal appearance, conduct, cooperation, efficiency, and economy in their work. All employees should attempt to correct any faults in their performance that are called to their attention and should avoid any behavior and actions that conflict with municipal rules and regulations.
- b. Every department head is expected to discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need for disciplinary action. The department head is also expected to adhere to the discipline guidelines set forth in a uniform and equitable manner. The department head should properly identify and document any infractions or violations.
- b) **Infractions.** Infractions will be viewed in two varying categories recognized as major and minor.
 - a. MINOR INFRACTIONS:
 - i. MINOR INFRACTIONS INCLUDE:
 - 1. Habitual tardiness.
 - 2. Absenteeism.
 - 3. Minor safety practice violation.
 - 4. Non-compliance with Overtime Policy.
 - 5. Non-compliance with Purchasing Policy.
 - 6. Any other infractions considered minor in nature.
 - ii. Minor infractions will be dealt with in a progressive discipline order as follows:
 - 1. First Warning (in writing)
 - 2. Second Warning (in writing)
 - 3. Temporary Suspension

4. Demotion or Discharge
- b. MAJOR INFRACTIONS
 - i. MAJOR INFRACTIONS INCLUDE:
 1. Theft or misappropriation of property belonging to the Village, Utilities, other employees, or private citizens.
 2. Misuse of Village equipment.
 3. Failure to follow proper safety procedures.
 4. Conviction of a felony.
 5. Time sheet or payroll falsification.
 6. Alcohol or controlled substance use or abuse (per Drug-Free Workplace policy).
 7. Fighting or assault in the workplace.
 8. Insubordination.
 9. Other actions deemed major infractions by the department head or the Village Administrator/Chief of Police.
 - ii. Major infractions are subject to immediate suspension or dismissal.

151.402 Disciplinary Records

Copies of all disciplinary action must be provided to the Village Administrator or Chief of Police, the Mayor. The Clerk-Treasurer will file the original discipline record in the employee's personnel file for all non-sworn officers.

151.801 Public Works Department Pay Schedule

- a) The following employees, whether full-time or part-time, shall be paid as follows, with subsequent increases on the anniversary of their date of hire:

Steps	Billing Clerk (hourly rate)	Maintenance Laborer (hourly rate)	Operator (hourly rate)	Chief of Public Works (hourly rate)
Step 1	\$17.00	\$17.00	\$18.00	\$24.23
Step 2	\$17.50	\$17.50	\$18.54	\$24.96
Step 3	\$18.00	\$18.00	\$19.10	\$25.71
Step 4	\$18.50	\$18.50	\$19.60	\$26.21
Step 5	\$19.00	\$19.00	\$20.10	\$26.71
Step 6	\$19.50	\$19.50	\$20.60	\$27.21
Step 7	\$20.00	\$20.00	\$21.10	\$27.71
Step 8	\$20.50	\$20.50	\$21.60	\$28.21
Step 9	\$21.00	\$21.00	\$22.10	\$28.71
Step 10	\$21.50	\$21.50	\$22.60	\$29.21
Additional Steps	+\$0.50	+\$0.50	+\$0.50	+\$0.50

- b) **License Pay.** An Operator or Chief of Public Works who has obtained a Water Class I license or a Class I/Class II Wastewater license issued by the Ohio Environmental Protection Agency shall receive the following license pay, in addition to the base rate established in §151.801(a). Employees shall only be eligible for one wastewater and one water license pay increase. In the event that a Class I license holder attains a Class II

license, the pay rate for the lower license shall be dropped and the pay rate for the higher license shall be added to the step pay. Only the Chief of Public Works shall be eligible for management-level license pay rates.

License Type	License	Pay Rate
Wastewater Licenses	Operator in Training	\$1.00
	Class I Wastewater	\$3.50
	Class II Wastewater	\$6.00
	Class I Wastewater (Management)	\$4.50
	Class II Wastewater (Management)	\$7.00
Water Licenses	Operator in Training	\$1.00
	Class I Water	\$2.50
	Class I Water (Management)	\$3.50

- c) **Merit Pay.** Upon the recommendation of the employee's supervisor, and the approval of the Administrator, Mayor, and President Pro-Tempore, the salary of any full-time Public Works employee shall be adjusted to a merit pay increase not to exceed fifty cents (\$0.50) per hour for only the ensuing anniversary year. The merit pay increase shall be based on exemplary service in the previous year.

151.802 Police Department Pay Schedule

- a) The following employees, whether full-time or part-time, shall be paid as follows, with subsequent increases on the anniversary of their date of hire:

Steps	Patrolman (hourly rate)	Sergeant (hourly rate)	Chief (annual salary)
Step 1	\$21.89	\$23.88	\$61,360.00
Step 2	\$22.57	\$24.61	\$63,252.80
Step 3	\$23.26	\$25.38	\$65,208.00
Step 4	\$23.98	\$26.16	\$67,225.60
Step 5	\$24.73	\$26.97	\$69,305.60
Step 6	\$25.34	\$27.64	\$71,032.00
Step 7	\$25.98	\$28.34	\$72,820.00
Step 8	\$26.63	\$29.04	\$74,630.40

- b) **Longevity Pay.** Upon completing eight years of service with the Village, a full-time Police Officer, Sergeant, or Chief shall receive a lump sum longevity payment on their anniversary date as follows:

Steps	Lump Sum	Hourly Equivalent
Step 9	\$832.00	\$0.40/hour
Step 10	\$936.00	\$0.45/hour
Step 11	\$1,040.00	\$0.50/hour

Step 12	\$1,144.00	\$0.55/hour
Step 13	\$1,248.00	\$0.60/hour
Step 14	\$1,352.00	\$0.65/hour
Step 15	\$1,456.00	\$0.70/hour
Step 16	\$1,560.00	\$0.75/hour
Step 17	\$1,644.00	\$0.80/hour
Step 18	\$1,768.00	\$0.85/hour
Step 19	\$1,872.00	\$0.90/hour
Step 20	\$1,976.00	\$0.95/hour
Steps 21 +	\$2,080.00	\$1.00/hour

”

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 4. This ordinance is deemed not to be an emergency for the health, safety, and welfare of the residents of the Village and shall take effect thirty (30) days after passage.

ADOPTED by the Council of the Village of Roaming Shores, Ohio, this _____ day of _____, 2024.

Jennie D’Amicone
Mayor

ATTEST:

Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:

Christopher Newcomb, Esq.
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates, _____ and _____.

Kerri Philips
Clerk/Treasurer

BILLS FOR REVIEW - NOVEMBER 5, 2024

1000-730-392	WELLS FARGO	\$ 77.89
	COPIER	
2081-110-300	WELLS FARGO	\$ 215.51
	COPIER	
1000-730-392	WINDSTREAM	\$ 40.70
2081-110-300	PHONE/INTERNET	\$ 122.10
1000-730-410	HUNTINGTON BANK	\$ 10.00
	BUSINESS ONLINE SERVICE FEE	
2081-110-300	LEXIPOL LLC	\$ 3,560.23
	ANNUAL L.E. POLICY MANUAL & DAILY TRNG	
2011-620-400	AMAZON	\$ 166.57
	FLAG ACCESSORIES	
1000-730-410	AMAZON	\$ 175.75
	OFFICE SUPPLIES	
1000-730-392	AMAZON	\$ 78.91
	BATTERY BACKUP	
1000-730-392	GOVERNMENT ACCOUNTING SOLUTIONS	\$ 500.00
	PAYROLL SOFTWARE	
1000-410-252	DAVID MURACO	\$ 213.32
	MILEAGE 9/23-10/20	
1000-730-392	INVOICE CLOUD INC	\$ 50.00
	MONTHLY BILLING	
1000-710-220	SUMMACARE	\$ 120.70
2081-110-190	MEDICAL/DENTAL/VISION	\$ 5,195.97
2011-620-220		\$ 1,275.44
3901-850-710	ANDOVER BANK	\$ 40,833.33
3901-850-720	VILLAGE HALL DEBT	\$ 6,668.05
1000-730-392	ANDOVER BANK	\$ 48.00
	REMOTE CAPTURE FEE	
2011-620-400	AMAZON	\$ 231.62
	TIRES	
2011-620-400	VISA	\$ 148.12
	FUEL	

BILLS FOR REVIEW - NOVEMBER 5, 2024

1000-410-400	VISA	\$ 761.27
	ADMINISTRATOR TRAINING - X2	
2011-620-400	VISA	\$ 35.50
	STREET SIGNS	
1000-725-400	VISA	\$ 25.66
1000-730-410	OFFICE/CLEANING SUPPLIES	\$ 18.95
2081-990-990	VISA	\$ 76.97
	SUPPLIES - CARDBOARD BOAT RACES	
1000-730-392	VISA	\$ 41.01
2011-620-400	INTUIT T-SHEETS & WATER	\$ 16.02
1000-410-400	VISA	\$ 10.88
	INTL FEE ON CONTINUING EDUCATION	
1000-730-392	DEBBRA MAJIKAS	\$ 112.00
	VILLAGE HALL CLEANING	
2011-620-400	HOMETOWN AUTO PARTS	\$ 176.26
	VEHICLE PARTS	
2011-620-400	HOMETOWN AUTO PARTS	\$ 288.07
	BATTERY/STARTER/OIL	
2081-110-300	COMPTECH	\$ 250.00
1000-730-410	MONTHLY SERVICE AGREEMENT	\$ 365.50
4901-800-500	CT CONSULTANTS	\$ 1,250.00
	TASK ORDER #2	
1000-730392	GREATER AKRON CHAMBER	\$ 88.00
2011-620-400	BUSINESS MEMBERSHIP DUES	\$ 88.00
2081-110-400		\$ 88.00
2011-620-400	OHIO CAT	\$ 3,065.08
	MACHINE MAINTENANCE	
2011-620-400	BULL MOOSE AGGREGATES	\$ 140.55
	TOPSOIL	
1000-410-400	FLEMING LAWN CARE	\$ 320.00
	MOWING - TALL GRASS VIOLATORS	